

HB267 INTRODUCED



1 HB267
2 ULCADGX-1
3 By Representatives Moore (P), Lipscomb
4 RFD: Boards, Agencies and Commissions
5 First Read: 29-Feb-24



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SYNOPSIS:

Under existing law, the Alabama State Board of Examiners of Landscape Architects regulates the practice of landscape architecture in this state.

This bill would clarify definitions, examination requirements, and fees.

This bill would provide for reciprocity.

This bill would also make nonsubstantive, technical revisions to update existing code language to current style.

A BILL
TO BE ENTITLED
AN ACT

Relating to the Board of Examiners of Landscape Architects; to amend Sections 34-17-1, 34-17-20, 34-17-21, 34-17-22, 34-17-23, 34-17-25, and 34-17-26, Code of Alabama 1975, to clarify definitions, examination requirements, and fees; to provide for reciprocity; and to make nonsubstantive, technical revisions to update existing code language to current style.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 34-17-1, 34-17-20, 34-17-21,



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29 34-17-22, 34-17-23, 34-17-25, and 34-17-26, Code of Alabama
30 1975, are amended to read as follows:

31 "§34-17-1

32 For the purposes of this chapter, the following words
33 ~~and phrases shall~~ have the ~~respective~~following meanings
34 ~~ascribed by this section:~~

35 (1) BOARD. The Alabama State Board of Examiners of
36 Landscape Architects.

37 (2) LANDSCAPE ARCHITECT. ~~A person~~An individual who is
38 engaged or offers to engage in the practice of landscape
39 architecture, ~~as hereinafter defined in this state.~~

40 (3) LANDSCAPE ARCHITECTURE. The performance of
41 professional services such as consultation, investigation,
42 research, planning, design, preparation of drawings and
43 specifications, and responsible supervision in connection with
44 the development of land areas where, and to the extent that
45 the dominant purpose of such services is the preservation,
46 enhancement, or determination of proper land uses, natural
47 land features, planting, naturalistic and aesthetic values,
48 the settings and approaches to structures or other
49 improvements, the setting of grades and determining drainage
50 and providing for standard drainage structures, and the
51 consideration and determination of environmental problems of
52 land, including erosion, blight, and other hazards. This
53 practice shall include the design of such tangible objects and
54 features as are incidental and necessary to the purpose
55 outlined herein but shall not include the design of structures
56 or facilities with separate and self-contained purposes such



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57 as are ordinarily included in the practice of engineering or
58 architecture, and shall not include the making of land surveys
59 of final plats for official approval or recordation. Nothing
60 contained herein shall preclude a duly licensed landscape
61 architect from performing any of the services described in the
62 first sentence of this subsection in connection with the
63 settings, approaches, or environment for buildings,
64 structures, or facilities. Nothing contained in this chapter
65 shall be construed as authorizing a landscape architect to
66 engage in the practice of architecture, engineering, or land
67 surveying as these terms are defined in Section 34-17-27.

68 (4) CLARB. The Council of Landscape Architectural
69 Registration Boards comprised of members of licensure boards
70 of landscape architecture across the United States and
71 Canada."

72 "§34-17-20

73 (a) In order to safeguard public welfare, health, and
74 property and to promote public good, any ~~person~~individual
75 practicing or offering to practice landscape architecture,
76 privately or in public service, shall be required to submit
77 evidence that he or she is qualified to practice as
78 hereinafter provided. It shall be unlawful for any
79 ~~person~~individual to practice landscape architecture or to use
80 the term or title "landscape architect" or "registered
81 landscape architect" unless he or she is duly licensed under
82 the provisions of this chapter.

83 (b) The ~~state~~ board shall adopt a program of continuing
84 education for its licensees not later than October 1, 1993,



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85 and after that date no licensee shall have his or her active
86 license renewed unless, in addition to any other requirements
87 of this chapter, the minimum continuing annual education
88 requirements are met. It is further provided that the
89 continuing education program herein required shall not include
90 testing or examination of the licensees in any manner."

91 "§34-17-21

92 For licensing as a landscape architect, the ~~following~~
93 ~~evidence shall be submitted that the~~ applicant must comply
94 with one of the following:

95 (1) ~~Is at least 19 years of age~~ Hold a degree in
96 landscape architecture from a school or college approved by
97 the board or meet the alternative education requirements
98 approved by the board and satisfy the examination and
99 experience requirements.

100 (2) ~~Has, before making application to the board,~~
101 ~~completed the course of study in and been graduated from a~~
102 ~~college or school of landscape architecture approved by the~~
103 ~~board. The application for examination shall be accompanied by~~
104 ~~proof of actual practical experience in landscape~~
105 ~~architectural work of a grade and character satisfactory to~~
106 ~~the board. Each complete year of study in an approved college~~
107 ~~or school of landscape architecture shall be accepted in lieu~~
108 ~~of one year of practical experience, and the applicant shall~~
109 ~~submit evidence of sufficient additional acceptable experience~~
110 ~~to total five years of combined education and practical~~
111 ~~experience. The master's or doctoral degree in landscape~~
112 ~~architecture shall fulfill the requirements for five years~~



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113 ~~combined education and practical experience. The applicant~~
114 ~~shall also submit proof of one additional year of practical~~
115 ~~experience sufficient to total six years of combined education~~
116 ~~and practical experience. In lieu of graduation from an~~
117 ~~accredited college or school of landscape architecture, and~~
118 ~~the practical experience in addition thereto, an applicant may~~
119 ~~be admitted to the examination upon presenting evidence of at~~
120 ~~least eight years of actual practical experience in landscape~~
121 ~~architectural work of a grade and character satisfactory to~~
122 ~~the board. In order to qualify for the exemption from the~~
123 ~~requirement to obtain a degree in landscape architecture based~~
124 ~~on eight years of practical experience, an applicant must have~~
125 ~~begun accepting practical experience prior to August 1, 2012.~~

126 ~~(3) Is a citizen of the United States or, if not a~~
127 ~~citizen of the United States, is a person who is legally~~
128 ~~present in the United States with appropriate documentation~~
129 ~~from the federal government~~Satisfy the requirements for
130 licensure by reciprocity prescribed by the board."

131 "§34-17-22

132 The licensure examination shall be developed and
133 administered by CLARB. Examinations ~~for the license~~ shall be
134 held by the board at least once each year. The board shall
135 ~~adopt rules and regulations covering the subjects and scope of~~
136 ~~the examinations, shall~~ publish appropriate announcements and
137 shall conduct the examinations at the times designated. ~~Except~~
138 ~~as hereinafter provided in this chapter to the contrary, every~~
139 ~~applicant for licensing as a landscape architect shall be~~
140 ~~required, in addition to all other requirements, to establish~~



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141 ~~by a board approved examination, which may be digital, his or~~
142 ~~her competence to plan, design, specify, and supervise the~~
143 ~~installation of landscape projects. Each board approved~~
144 ~~examination may be supplemented by such oral examinations as~~
145 ~~the board shall determine."~~

146 "§34-17-23

147 ~~The board may exempt from examination an applicant who~~
148 ~~holds a license of certificate to practice landscape~~
149 ~~architecture issued to him or her upon examination by a~~
150 ~~legally constituted board of examiners of any other state or~~
151 ~~Washington, D.C. or any other territory or possession under~~
152 ~~the control of the United States; provided, that such~~
153 ~~requirements of the state in which the applicant is registered~~
154 ~~are equivalent to those of this state. Reserved."~~

155 "§34-17-25

156 The fees prescribed by this chapter shall be in the
157 following amounts:

158 (1) The fee for application to the board is one hundred
159 fifty dollars (\$150).

160 (2) The fee for examination or reexamination shall be
161 in an amount as established by the board in order to cover all
162 costs of examination, but in no event shall the fee exceed the
163 actual cost of preparing and administering the examination.

164 (3) The fee for an original certificate is fifty
165 dollars (\$50).

166 (4) The fee for a duplicate certificate is fifty
167 dollars (\$50).

168 (5) The annual license fee is one hundred fifty dollars



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169 (\$150).

170 (6) The delinquent penalty fee is fifty dollars (\$50).

171 (7) The fee for administration of the ~~supplemental~~
172 ~~examination attestation, review, and recording~~ on the statutes
173 ~~and~~ laws governing the practice of landscape architecture in
174 ~~the State of~~ Alabama is one hundred fifty dollars (\$150).

175 (8) The reinstatement fee is three hundred dollars
176 (\$300).

177 (9) The inactive status fee is seventy-five dollars
178 (\$75)."

179 "§34-17-26

180 The board, subject to the provisions of this chapter
181 and the rules ~~and regulations of~~ adopted by the board,
182 ~~promulgated thereunder prescribing~~ may prescribe the
183 qualifications for a landscape architect license by
184 reciprocity., ~~may permit the practice of landscape~~
185 ~~architecture in this state under a landscape architect license~~
186 ~~issued under the laws of any other state or country, upon~~
187 ~~payment of the current fee established by the board, and upon~~
188 ~~submission of all of the following evidence satisfactory to~~
189 ~~the board:~~

190 ~~(1) That the other state or country maintained a system~~
191 ~~and standard of qualifications and examinations for a~~
192 ~~landscape architect license which were substantially~~
193 ~~equivalent to those required in this state at the time the~~
194 ~~license was issued by the other state or country.~~

195 ~~(2) That the other state or country gives similar~~
196 ~~recognition and endorsement to landscape architect licenses of~~



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197 ~~this state."~~

198 Section 2. This act shall become effective on October

199 1, 2024.