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Senate Bill 1303 (Substitute S-1)
Senate Bill 1304 (as introduced 6-14-06)
Sponsor: Senator Wayne Kuipers
Committee: Economic Development, Small Business and Regulatory Reform

Date Completed: 12-6-06

CONTENT

Senate Bills 1303 (S-1) and 1304 would amend the Occupational Code and the State License Fee Act, respectively, to require the licensure, rather than registration, of landscape architects. The bills are tie-barred.

Senate Bill 1303 (S-1)

Under Article 22 (Landscape Architects) of the Occupational Code, an applicant for registration as a landscape architect must be of good moral character and pass a written examination developed by the Department of Labor and Economic Growth (DLEG) and the Board of Landscape Architects. Each applicant must have had at least seven years of training and experience in the actual practice of landscape architecture. Satisfactory completion of each year, up to five years, of an accredited course in landscape architecture in an accredited school is considered as equivalent to a year of experience. All requirements for registration must be completed within 10 years after DLEG receives the application. If the requirements are not completed within the 10-year period, the application is void.

Under the bill, a person could not engage in, offer to engage in, or attempt to engage in the practice of landscape architecture unless licensed or exempt from licensure under Article 22. The requirements for registration under Article 22 described above would apply to licensure. In addition, the bill would require a demonstration of continuing professional competence for renewal of a license, as determined by the Board and provided for by rule of the DLEG Director.

Article 22 allows DLEG to issue a registration without examination to an applicant who is legally registered or licensed as a landscape architect in any other state or country whose requirements for registration or licensure are at least substantially equivalent to Michigan's requirements. Under the bill, DLEG could issue a license to a person who was legally registered, licensed, or regulated as a landscape architect in another state or country with substantially equivalent requirements.

Within one year after the bill's effective date, any member of the Board of Landscape Architects representing landscape architects and serving on that date would have to obtain a license in order to continue to serve on the Board.

The bill would delete references to registration throughout Article 22 and refer instead to licensure.

Senate Bill 1304

The State License Fee Act establishes various fees for a person registered or seeking registration as a landscape architect under Article 22 of the Occupational Code. The bill would delete references to registration and refer instead to licensure. (The bill would not change any of the applicable fees.)

MCL 339.2201 et al. (S.B. 1303)
338.2215 (S.B. 1304)

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bills would have no fiscal impact on State government. The proposed change from registration to licensure would not change the administrative duties of DLEG or the fees paid by landscape architects. Pursuant to the State License Fee Act, revenue from these fees is used for the administration of the Department.

There are currently approximately 600 registered landscape architects. The Department reports that there have been few complaints and no disciplinary actions taken against registrants in this profession in the last five years.

Fiscal Analyst: Elizabeth Pratt
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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.