

SUBSTITUTE FOR
SENATE BILL NO. 1303

A bill to amend 1980 PA 299, entitled
"Occupational code,"
by amending sections 2201, 2202, 2203, 2204, 2205, 2208, 2209,
2210, and 2211 (MCL 339.2201, 339.2202, 339.2203, 339.2204,
339.2205, 339.2208, 339.2209, 339.2210, and 339.2211), section 2204
as amended by 1981 PA 83 and sections 2205 and 2209 as amended by
1988 PA 463, and by adding section 2202a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 2201. As used in this article:
- 2 (a) "Landscape architect" means a person qualified to **ENGAGE**
- 3 **IN THE** practice **OF** landscape architecture as provided in this
- 4 article.

(b) "Practice of landscape architecture" means **ALL OF THE FOLLOWING:**

(i) The performance of professional services such as consultation, investigation, research, planning, design, or responsible field observation in connection with the development of land areas where, and to the extent that the dominant purpose of the services is the preservation, enhancement, or determination of proper land uses, natural land resources, ground cover and planting, naturalistic and aesthetic values, the settings and approaches to structures or other improvements, natural drainage, and the consideration and determination of inherent problems of the land relating to erosion, use and stress, blight, or other hazards.

(ii) The location and arrangement of tangible objects and features incidental and necessary to the purposes outlined in this article.

Sec. 2202. (1) This article ~~shall~~ **DOES** not ~~preclude~~ **PROHIBIT** a ~~registered~~ **LICENSED** landscape architect from performing any of the services described in section 2201(b) (i) in connection with the settings, approaches, or environment for buildings, structures, or facilities.

(2) This article ~~shall not be construed as authorizing~~ **DOES NOT AUTHORIZE** a landscape architect to engage in the practice of architecture, engineering, or land surveying as defined in article 20.

(3) **THE LICENSURE REQUIREMENTS OF THIS ARTICLE DO NOT APPLY TO A PERSON OFFERING SERVICES AS A LANDSCAPE DESIGNER, LANDSCAPE GARDENER, LANDSCAPE CONTRACTOR, OR LANDSCAPE NURSERY OPERATOR.**

1 SEC. 2202A. A PERSON SHALL NOT ENGAGE IN, OFFER TO ENGAGE IN,
2 OR ATTEMPT TO ENGAGE IN THE PRACTICE OF LANDSCAPE ARCHITECTURE
3 UNLESS LICENSED UNDER THIS ARTICLE OR EXEMPT FROM LICENSURE UNDER
4 THIS ARTICLE.

5 Sec. 2203. (1) The board of landscape architects is created.

6 (2) WITHIN 1 YEAR AFTER THE EFFECTIVE DATE OF THE AMENDATORY
7 ACT THAT ADDED THIS SUBSECTION, ANY BOARD MEMBER REPRESENTING
8 LANDSCAPE ARCHITECTS AND SERVING ON THAT DATE SHALL OBTAIN
9 LICENSURE UNDER THIS ARTICLE IN ORDER TO CONTINUE TO SERVE ON THE
10 BOARD.

11 Sec. 2204. An applicant for ~~registration~~ **LICENSURE** as a
12 landscape architect shall be of good moral character and shall pass
13 a written examination developed by the department and the board. In
14 addition, each applicant shall have had not less than 7 years of
15 training and experience in the actual practice of landscape
16 architecture. Satisfactory completion of each year up to 5 years of
17 an accredited course in landscape architecture in an accredited
18 school shall be considered as equivalent to a year of experience.

19 Sec. 2205. (1) All requirements for ~~registration~~ **LICENSURE**
20 shall be completed within 10 years after receipt of the application
21 by the department. If the requirements are not completed within the
22 10-year period, the application shall be void.

23 (2) A DEMONSTRATION OF CONTINUING PROFESSIONAL COMPETENCE
24 SHALL BE REQUIRED FOR RENEWAL OF A LICENSE AS DETERMINED BY THE
25 BOARD AND PROVIDED FOR BY RULE OF THE DIRECTOR.

26 Sec. 2208. ~~Registration~~ **LICENSURE** under this article shall
27 be on an individual basis. The department shall not ~~register~~

1 **LICENSE** a partnership, association, corporation, or a public agency
2 under this article.

3 Sec. 2209. The department may issue a ~~registration~~ **LICENSE**
4 without examination to an applicant who is legally registered, ~~or~~
5 licensed, **OR REGULATED** as a landscape architect in any other state
6 or country whose requirements for registration, ~~or~~ licensure, **OR**
7 **OTHER REGULATION** are at least substantially equivalent to the
8 requirements of this state.

9 Sec. 2210. (1) Each landscape architect shall have a seal,
10 approved by the department and the board, which shall contain the
11 name of the landscape architect, the ~~serial~~ number of his or her
12 ~~certificate of registration~~ **LICENSE** and the legend "landscape
13 architect, state of Michigan" and other words or figures as the
14 department considers necessary. Plans, specifications, and reports
15 prepared by the landscape architect or under his or her supervision
16 shall be stamped with his or her seal when filed with a public
17 authority.

18 (2) A landscape architect who indorses a document with his or
19 her seal while his or her ~~certificate of registration~~ **LICENSE** is
20 not in full force and effect, or who indorses a document which the
21 landscape architect did not actually prepare or supervise the
22 preparation, is subject to the penalties prescribed in article 6.

23 Sec. 2211. A person shall not use or advertise any title or
24 description tending to convey the impression that he or she is a
25 landscape architect unless he or she is ~~registered as provided in~~
26 **LICENSED UNDER** this article. This article does not restrict the use
27 of the titles "landscape gardener", "landscape contractor",

1 "landscape designer", or "landscape nursery man".

2 Enacting section 1. This amendatory act does not take effect
3 unless Senate Bill No. 1304 of the 93rd Legislature is enacted into
4 law.