

Legislative Analysis



LICENSE LANDSCAPE ARCHITECTS

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House Bills 5025 and 5026

Sponsor: Rep. Marie Donigan

Committee: Commerce

Complete to 6-16-08

A SUMMARY OF HOUSE BILLS 5025 AND 5026 AS INTRODUCED 7-10-07

The bills, taken together, would create a licensure requirement for landscape architects. Currently, landscape architects are regulated under a registration system. House Bill 5025 would amend Article 22 of the Occupational Code (MCL 339.105 et al.) House Bill 5026 would amend the State License Fee Act to revise the fees for landscape architects (MCL 338.2215).

Currently, an individual must be registered as a landscape architect to be able to use or advertise the title of "landscape architect," but the person is otherwise not precluded from engaging in any particular practices or providing any services. (Typically, registration systems protect professional titles rather than restricting activities.)

Under House Bill 5025, similarly, a person would have to be licensed as a landscape architect to be able to use or advertise the title of "landscape architect," but in this instance, the licensure requirement would not prohibit an unlicensed individual from "performing or offering services as a landscape designer, landscape gardener, landscape contractor, or landscape nursery operator" as long as he or she did not use the term "landscape architect."

The requirements for licensure would be the same as the current requirements for registration, except that a demonstration of continuing professional competence would be required for renewal of a license. How competence is to be demonstrated would be determined by the Board of Landscape Architects and provided for by rule of the director of the Department of Licensing and Regulation.

Within one year after the bill took effect, any member of the Board of Landscape Architects who represents landscape architects would have to obtain a license in order to continue to serve.

The term "license" would be amended in the Occupational Code to reflect the special use of the term as it would apply to the licensing of landscape architects. Currently, the term says that license is the document that enables an individual to use a designated title and practice an occupation. Without the license, the practice of the occupation would be prohibited. House Bill 5025 would amend the definition to add, "except as otherwise provided in Article 22," which is the article in the code that regulates landscape architects.

House Bill 5026 would amend the State License to revise landscape architect fees. The annual license fee would be set at \$60 (the current registration fee is \$40). The application processing fee would be increased to \$50 from \$35.

FISCAL IMPACT:

The bills would increase landscape architect fee revenue by approximately \$2,500 in FY 2008-09 and \$25,000 in FY 2009-10. Fee revenue supports the regulatory activities of the Department of Labor and Economic Growth, Bureau of Commercial Services.

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