

Legislative Analysis



ELIMINATE LICENSURE OF LANDSCAPE ARCHITECTS

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<http://www.house.mi.gov/hfa>

House Bill 4879 as introduced
Sponsor: Rep. Bryan Posthumus

Analysis available at
<http://www.legislature.mi.gov>

House Bill 4880 as introduced
Sponsor: Rep. Jennifer Wortz

Committee: Economic Competitiveness
Complete to 10-21-25

SUMMARY:

House Bill 4879 would repeal Article 22 of the Occupational Code,¹ which defines the practice of landscape architecture and provides for the licensure of those engaged in it, and would remove references to landscape architects elsewhere in the code. The bill also would repeal the section of the State License Fee Act that prescribes fee amounts for licensure as a landscape architect.

Article 22 of the Occupational Code defines the practice of landscape architecture as providing analysis, design, and planning services related to land development, with a dominant purpose of preserving, enhancing, or determining proper land uses, natural land resources, ground cover and planting, naturalistic and aesthetic values, settings for and approaches to structures or other improvements, and natural drainage, and with consideration and determination of such inherent land problems as erosion, use and stress, blight, or other hazards. The practice of landscape architecture includes locating or arranging tangible objects and features incidental or necessary to those purposes.²

MCL 339.303a and 339.411 (amend) and MCL 339.2201 to 339.2211 and 338.2215 (repeal)

House Bill 4880 would amend 1966 PA 165, which prohibits certain indemnity clauses in construction-related contracts, to reflect that landscape architects would no longer be licensed in Michigan under House Bill 4879. The bill cannot take effect unless House Bill 4879 is also enacted.

MCL 691.991

BACKGROUND:

The Landscape Architect Act was enacted in 1963. The act defined landscape architecture, prohibited use of the title “landscape architect” by an individual not registered with the state, and provided specific requirements to be eligible to register. In 1980, the Occupational Code was passed to incorporate the provisions of about 20 occupational statutes into a single, uniform code. Article 22 of the code addressed landscape architects and included, with some

¹ <https://www.legislature.mi.gov/documents/mcl/pdf/MCL-299-1980-22.pdf>

² A description of the profession is also available here: <https://www.michiganasla.org/outreach>

changes, the provisions from the Landscape Architect Act that defined the practice of landscape architecture, required the registration of anyone calling themselves a landscape architect, and prescribed the qualifications needed to register. In 2008, the code was amended to provide for state licensure (instead of registration) of landscape architects, with related changes to be made through rules regarding continuing education, exceptions to licensure standards, and license sanctions.³ Typically in Michigan, registration systems protect the use of a professional title, while licensure systems require a person to be licensed to be able to engage in certain activities, such as the practice of landscape architecture.

FISCAL IMPACT:

House Bills 4879 and 4880 would have a minimal fiscal impact on the Department of Licensing and Regulatory Affairs (LARA). The bills would eliminate licensure of landscape architects; currently, there are about 600 licensees. The resulting annual reduction in license fee revenue would be approximately \$36,000.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.

³ 2008 PA 490: <https://www.legislature.mi.gov/Bills/Bill?ObjectName=2007-HB-5025>