

1 HB241
2 197040-2
3 By Representative Lipscomb
4 RFD: Boards, Agencies and Commissions
5 First Read: 20-MAR-19

1 person named in the certificate has obtained it by fraud or
2 misrepresentation~~7~~.

3 "(3) That the holder of a certificate is
4 impersonating a landscape architect or former landscape
5 architect of the same or similar name, or is practicing under
6 an assumed, fictitious~~u~~, or corporate name~~7~~

7 "(4) That the holder of a certificate has aided or
8 abetted in the practice of landscape architecture any person
9 not authorized to practice landscape architecture under ~~the~~
10 ~~provisions of~~ this chapter~~7~~.

11 "(5) That, in the practice of landscape
12 architecture, the holder of a certificate has been found
13 guilty of fraud or deceit~~7~~.

14 "(6) That, in the practice of landscape
15 architecture, the holder of a certificate has been found
16 guilty of negligence or willful misconduct~~7~~.

17 "(7) That the holder of a certificate has been found
18 guilty of gross incompetence~~7~~ ~~or~~.

19 "(8) That the holder of a certificate has affixed
20 his or her signature to plans, drawings, specifications, or
21 other instruments of service which have not been prepared by
22 him or her or under his or her immediate and responsible
23 direction or has permitted his or her name to be used for the
24 purpose of assisting any person, not a landscape architect, to
25 evade ~~the provisions of~~ this chapter.

26 "(b) For violations of the preceding subsection, or
27 for violations of ~~the provisions of~~ this chapter, or for

1 violations of board rules ~~and regulations~~, the board shall
2 have the following disciplinary powers:

3 "(1) To reprimand a board licensee~~;~~.

4 "(2) To levy an administrative fine against a
5 licensee of the board not to exceed ~~\$250~~ two thousand five
6 hundred dollars (\$2,500) per violation~~;~~.

7 "(3) To refuse to issue a certificate to an
8 applicant of the board~~;~~.

9 "(4) To suspend a licensee's certificate for a
10 definite period of time~~;~~or.

11 "(5) To revoke the certificate of a licensee.

12 ~~"(6) To assess any part or all of the costs relating~~
13 ~~to a disciplinary proceeding conducted under this section.~~

14 "(c) The board~~,~~ shall by rule~~,~~ and regulation shall
15 adopt a disciplinary code.

16 "§34-17-25.

17 "The fees prescribed by this chapter shall be in the
18 following amounts:

19 "(1) The fee for application to the board is
20 ~~seventy-five dollars (\$75)~~ one hundred fifty dollars (\$150).

21 "(2) The fee for examination or reexamination shall
22 be in an amount as established by the board in order to cover
23 all costs of examination, but in no event shall the fee exceed
24 the actual cost of preparing and administering the
25 examination.

26 "(3) The fee for an original certificate is fifty
27 dollars (\$50).

1 "(4) The fee for a duplicate certificate is fifty
2 dollars (\$50).

3 "(5) The annual license fee is one hundred fifty
4 dollars (\$150).

5 "(6) The delinquent penalty fee is ~~fifty dollars~~
6 ~~(\$50)~~, as provided in Section 34-17-24.

7 "(7) The fee for administration of the supplemental
8 examination on the ~~statutes~~ laws governing the practice of
9 landscape architecture in Alabama is one hundred fifty dollars
10 (\$150)."

11 Section 2. This act shall become effective on the
12 first day of the third month following its passage and
13 approval by the Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Boards, Agencies
and Commissions..... 20-MAR-19

Read for the second time and placed
on the calendar..... 11-APR-19

Read for the third time and passed
as amended..... 23-APR-19

Yeas 72, Nays 19, Abstains 5

Jeff Woodard
Clerk