

Department of Legislative Services
Maryland General Assembly
2013 Session

FISCAL AND POLICY NOTE

Senate Bill 280

(Chair, Education, Health, and Environmental Affairs
Committee)(By Request - Departmental - Labor,
Licensing and Regulation)

Education, Health, and Environmental Affairs

Economic Matters

Landscape Architects - License Renewal - Continuing Professional Competency
Requirement

This departmental bill requires the State Board of Examiners of Landscape Architects to establish, by regulation, continuing professional competency requirements for licensed landscape architects. Licensees must complete at least 24 hours of professional development activities as a condition of each license renewal, except for the first renewal. The requirement is phased in for licensees whose license expires before October 1, 2016.

Fiscal Summary

State Effect: None. The bill's requirements can be handled with existing budgeted resources.

Local Effect: None.

Small Business Effect: The Department of Labor, Licensing, and Regulation (DLLR) has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services concurs with this assessment.

Analysis

Current Law: The State Board of Examiners of Landscape Architects does not have a continuing professional competency or continuing education requirement.

The practice of landscape architecture encompasses providing a service or creative work in the analysis or design of land and natural resources that requires training and experience in the application of biological, physical, mathematical, and social sciences as well as performing design coordination of a project or portion of a project, subject to specified licensing, education, and experience requirements.

Subject to specified exemptions, an individual practicing landscape architecture in Maryland is required to hold a license from the board. To become a licensed landscape architect in Maryland, applicants must first meet educational and experience requirements to the satisfaction of the board. All applicants must then pass a nationally administered examination, the Landscape Architect Registration Examination.

Background: The board is one of the five “design boards” within DLLR’s Division of Occupational and Professional Licensing. (The other boards include the State Board for Professional Engineers, the State Board for Professional Land Surveyors, the State Board of Architects, and the State Board of Certified Interior Designers.) Of the five design boards, the State Board of Examiners of Landscape Architects is the only board that does not have continuing education or continuing professional competency requirements. A number of other states require landscape architects to fulfill a continuing education requirement as a condition for continued licensing, including Delaware, Pennsylvania, and West Virginia.

The issue of continuing education requirements was raised by the Department of Legislative Services in the 2009 preliminary sunset evaluation of the board. Legislation extending the board’s termination date (Chapter 132 of 2010, HB 134) also required the board, in conjunction with DLLR, to submit a report to specified House and Senate committees by October 1, 2011, on its consideration of instituting continuing education requirements for landscape architects. The report indicates that the board has determined that continuing education requirements would be a benefit to the landscape architect profession.

Other boards recently granted statutory authority to establish programs of continuing professional competency include the boards regulating professional engineers (2010), home inspectors (2011), and architects (2012), and continuing education requirements for master electricians (2011). See the **Appendix – Continuing Professional Competency/Continuing Education Requirements** for additional information on occupational and professional licensing education requirements.

As of July 2012, approximately 1,000 landscape architects were licensed by the board.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Labor, Licensing, and Regulation; Department of Legislative Services

Fiscal Note History: First Reader - January 28, 2013
mc/mcr

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**Appendix – Continuing Professional Competency/Continuing Education Requirements
DLLR Occupational and Licensing Boards and Commissions**

<u>Board or Commission</u>	<u>Number of Hours or Courses/Frequency</u>
Athletic Commission	N/A
Board of Architects	24 education hours per 2-year renewal
Board of Barbers	N/A
Board of Cosmetologists	N/A
Board of Certified Interior Designers	10 education hours per 2-year renewal
Elevator Safety Review Board	Yes, must be established by regulation; as of January 2013 no related regulations adopted
Board of Examiners of Landscape Architects	N/A
Board of Foresters	8 education hours per 2-year renewal
Board of Heating, Ventilation, Air Conditioning, and Refrigeration Contractors	N/A
Home Improvement Commission	N/A
Board of Individual Tax Preparers	16 education hours per 2-year renewal
Board of Master Electricians	Yes, must be established by regulation; as of January 2013 no related regulations adopted
Board of Pilots	Every 5 years: 5 specified courses
Board of Plumbing	N/A
Board for Professional Land Surveyors	24 education hours per 2-year renewal
Board for Professional Engineers	24 education hours per 2-year renewal
Board of Public Accountancy	80 education hours per 2-year renewal
Real Estate Commission	15 education hours per 2-year renewal for most licensees
Commission of Real Estate Appraisers, Appraisal Management Companies, and Home Inspectors	42 education hours per 3-year renewal for real estate; up to 30 education hours per 2-year renewal for home inspectors
Board of Stationary Engineers	N/A

Source: Department of Labor, Licensing, and Regulation

ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: State Board of Examiners of Landscape Architects

BILL NUMBER: SB 280

PREPARED BY: Department of Labor, Licensing and Regulation

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL BUSINESS

OR

WILL HAVE MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS

The proposed legislation will have no impact on small business in Maryland.