



General Assembly

**Substitute Bill No. 1309**

January Session, 2007

\* SB01309GL 031907 \*

**AN ACT CONCERNING THE STATE BOARD OF LANDSCAPE ARCHITECTS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 20-373 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective from passage*):

3 After notice and opportunity for hearing as provided in the  
4 regulations adopted by the Commissioner of Consumer Protection, the  
5 board may suspend [for a definite period, not to exceed one year,] or  
6 [may] revoke any license or registration or may [officially censure any  
7 person holding a license] issue a letter of reprimand, place a license or  
8 registration on probationary status, with conditions, issue a civil  
9 penalty of up to one thousand dollars, or any combination thereof, if it  
10 is shown that the license was obtained through fraud or  
11 misrepresentation; or if the holder of the license has been found guilty  
12 by the board or by a court of competent jurisdiction of any fraud or  
13 deceit in his professional practice; or if the holder of the license has  
14 been found guilty by the board of [gross] negligence or [gross]  
15 incompetency; or if the board has found that the licensee has violated  
16 any provision of this chapter, or the regulations adopted pursuant to  
17 this chapter. [The Secretary of the State shall be immediately notified  
18 of such suspension or revocation.] Appeals from the decisions of the  
19 board may be taken as provided in section 4-183, [, except such appeals

20 shall be made returnable to the judicial district of New Britain.] The  
21 board may authorize the Department of Consumer Protection to  
22 reissue any license which has been revoked or suspended, and [it] the  
23 board may modify [the suspension of any license which has been  
24 suspended] or discontinue any action taken pursuant to this section.

25 Sec. 2. (NEW) (*Effective from passage*) (a) The practice of or the offer  
26 to practice landscape architecture in this state by individual licensed  
27 landscape architects under the corporate form, or by a corporation or  
28 limited liability company, a material part of the business of which  
29 includes landscape architecture, is permitted provided: (1) Personnel  
30 of such corporation or limited liability company who act on its behalf  
31 as landscape architects are licensed or exempt from licensure under the  
32 provisions of this section, and (2) such corporation or limited liability  
33 company has been issued a certificate of registration by the State Board  
34 of Landscape Architects pursuant to subsection (b) of this section.

35 (b) A corporation or limited liability company desiring a certificate  
36 of registration required by subsection (a) of this section shall file with  
37 said board an application upon a form prescribed by the Department  
38 of Consumer Protection and accompanied by an application fee of five  
39 hundred dollars. Each such certificate shall expire annually and shall  
40 be renewable upon payment of a fee of three hundred fifty dollars. If  
41 all requirements of chapter 396 of the general statutes are met, said  
42 board shall authorize the issuance to such corporation or limited  
43 liability company of a certificate of registration not later than thirty  
44 days after such application, provided said board may refuse to  
45 authorize the issuance of a certificate if any facts exist which would  
46 entitle said board to suspend or revoke an existing certificate of  
47 registration.

48 (c) Each such corporation or limited liability company shall file with  
49 the board a designation of an individual or individuals licensed to  
50 practice landscape architecture in this state. Such individuals shall be  
51 responsible for and shall oversee landscape architecture by such  
52 corporation or limited liability company in this state. Such corporation

53 or limited liability company shall notify the board of any change in  
54 such designation not later than thirty days after such change becomes  
55 effective.

56 (d) All final plans, drawings, specifications, reports or other  
57 documents involving the practice of landscape architecture that are  
58 prepared or approved by any such corporation or limited liability  
59 company or landscape architect for use of or for delivery to any person  
60 or for public record within this state shall be dated and bear the  
61 signature and seal of the landscape architect who prepared them or  
62 under whose supervision they were prepared.

63 (e) No corporation or limited liability company shall be relieved of  
64 liability for the conduct or acts of its agents, employees or officers by  
65 reason of its compliance with the provisions of this section, nor shall  
66 any individual practicing landscape architecture be relieved of liability  
67 for landscape architecture services performed by reason of such  
68 individual's employment or relationship with such corporation or  
69 limited liability company.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	20-373
Sec. 2	<i>from passage</i>	New section

**GL**      *Joint Favorable Subst.*