



Senate

General Assembly

File No. 73

February Session, 2010

Senate Bill No. 132

Senate, March 18, 2010

The Committee on General Law reported through SEN. COLAPIETRO of the 31st Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING LANDSCAPE ARCHITECTS.

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

1 Section 1. Section 20-306b of the 2010 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective July 1, 2010*):

4 (a) One or more architects, each of whom is licensed under the
5 provisions of chapter 390, one or more landscape architects, each of
6 whom is licensed under the provisions of chapter 396, one or more
7 professional engineers or one or more land surveyors each of whom is
8 licensed under the provisions of this chapter, may form a corporation
9 or limited liability company for the joint practice of architecture,
10 landscape architecture, professional engineering, [and] land surveying
11 services [,] or [for the joint practice of architecture and professional
12 engineering services, or for the joint practice of architecture and land
13 surveying services, or for the joint practice of professional engineering
14 and land surveying services] any combination of such practices or
15 services, provided (1) one or more persons licensed as architects,

16 landscape architects, engineers or land surveyors under chapter 390,
17 chapter 396 or this chapter [together] own not less than two-thirds of
18 the voting stock of the corporation or not less than two-thirds of the
19 voting interests of the limited liability company, and the members of
20 each profession forming the corporation or limited liability company
21 together own at least twenty per cent of the voting stock of the
22 corporation or at least twenty per cent of the voting interests of the
23 limited liability company, (2) the personnel in responsible charge of
24 the practice of architecture for such corporation or limited liability
25 company shall be licensed under chapter 390, [and] the personnel in
26 responsible charge of the practice of engineering or land surveying for
27 such corporation or limited liability company shall be licensed under
28 this chapter, and the personnel in responsible charge of the practice of
29 landscape architecture for such corporation or limited liability
30 company shall be licensed under chapter 396, and (3) such corporation
31 or limited liability company has been issued a joint certificate of
32 registration by the Department of Consumer Protection at the direction
33 of the Architectural Licensing Board, [and] the State Board of
34 Landscape Architects or the appropriate members of the State Board of
35 Examiners for Professional Engineers and Land Surveyors designated
36 to administer the provisions of this chapter with respect to professional
37 engineers or land surveyors. Such corporation or limited liability
38 company shall, upon request by the Architectural Licensing Board,
39 State Board of Landscape Architects or the State Board of Examiners
40 for Professional Engineers and Land Surveyors, provide the requesting
41 board with information concerning its officers, directors, members,
42 beneficial owners and all other aspects of its business organization.
43 Corporations for such joint practice in existence as of July 1, 1992, may
44 continue to be governed by the provisions of this subsection as revised
45 to 1989, provided the certificate issued under this section did not
46 expire more than two years before that date.

47 (b) Application by such corporation or limited liability company for
48 a certificate of registration under this section shall be made to [both] all
49 applicable boards jointly on a form prescribed by the department and
50 accompanied by an application fee of five hundred sixty-five dollars.

51 Each such certificate shall expire annually and shall be renewable upon
 52 payment of a fee of three hundred seventy-five dollars, if all
 53 requirements of chapter 390 or 396 and this chapter with respect to
 54 corporate or limited liability company practice are met. The boards by
 55 joint action may refuse to authorize the issuance or renewal of a
 56 certificate if any facts exist which would entitle the boards to suspend
 57 or revoke an existing certificate.

58 (c) Any corporation or limited liability company issued a certificate
 59 under this section shall be required to comply with all provisions of
 60 chapter 390 or 396 and this chapter with respect to corporate or limited
 61 liability company practice.

62 (d) No such corporation or limited liability company shall be
 63 relieved of responsibility for the conduct or acts of its agents,
 64 employees, members or officers by reason of its compliance with the
 65 provisions of this section, nor shall any individual practicing
 66 architecture, landscape architecture, engineering or land surveying be
 67 relieved of responsibility for services performed by reason of his or her
 68 employment or relationship with such corporation or limited liability
 69 company.

70 (e) All fees collected under this section shall be paid to the State
 71 Treasurer for deposit in the General Fund.

72 (f) The Commissioner of Consumer Protection, with the advice and
 73 assistance of the Architectural Licensing Board, the State Board of
 74 Landscape Architects and the appropriate members of the State Board
 75 of Examiners for Professional Engineers and Land Surveyors
 76 designated to administer the provisions of this chapter with respect to
 77 professional engineers or land surveyors, shall adopt regulations, in
 78 accordance with chapter 54, to carry out the provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2010	20-306b

GL *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill allows landscape architects to form professional practices with architects, professional engineers and land surveyors and results in no fiscal impact.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis**SB 132*****AN ACT CONCERNING LANDSCAPE ARCHITECTS.*****SUMMARY:**

This bill allows landscape architects to form professional practices with architects, professional engineers, and land surveyors.

Under current law, any combination of licensed architects, professional engineers, and land surveyors may form a corporation or limited liability company (LLC) to jointly practice their trades. The bill adds licensed landscape architects to the group, allowing them to jointly practice with any combination of those professions.

EFFECTIVE DATE: July 1, 2010.

FURTHER EXPLANATION***Landscape Architects***

The bill requires:

1. the personnel in charge of the landscape architecture for the corporation or LLC to be licensed landscape architects;
2. the corporation or LLC to obtain a joint Department of Consumer Protection (DCP) registration certificate at the direction of the State Board of Landscape Architects (SBLA) and other appropriate boards;
3. the corporation or LLC to provide, at the request of the SBLA and other appropriate boards, information about the business organization;
4. applicants to pay an initial \$565 registration and \$375 annual renewal fee;

5. the corporation or LLC to comply with the landscape architect statutes; and
6. the DCP commissioner to adopt regulations with the advice of the SBLA.

The bill subjects landscape architects to the existing requirement that each professional member in the joint venture own at least 20% of the corporation's or LLC's voting stock or interests and requires one or more licensees to own at least two-thirds of its voting stock or interests.

The bill does not relieve the corporation or LLC's, or anyone working for it, from liability for services performed as a result of their relationship with the corporation or LLC.

COMMITTEE ACTION

General Law Committee

Joint Favorable

Yea 18 Nay 0 (03/02/2010)