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House Bill 4553 (as passed by the House)
Sponsor: Representative Greg MacMaster
House Committee: Regulatory Reform
Senate Committee: Regulatory Reform

Date Completed: 6-23-11

CONTENT

The bill would amend Article 22 (Landscape Architects) of the Occupational Code to prohibit the Department of Licensing and Regulatory Affairs (LARA) from renewing a landscape architecture license if the applicant did not meet continuing education requirements, and delete reference to demonstrating continuing professional competence for renewal.

Article 22 requires a demonstration of continuing professional competence, as determined by LARA and provided for by rule, for renewal of a license as a landscape architect. Under the bill, instead, LARA could not renew a license if the applicant did not demonstrate to the Department's satisfaction that he or she had met any continuing education requirements provided for by rule.

Article 22 also requires the LARA Director to appoint one or more ad hoc committees to assist the Director and the Department in adopting rules regarding the setting of standards for continuing education and continuing competency courses and programs, providing for exceptions to the licensure standards in extraordinary cases, and establishing specific license sanction recommendations for certain violations. The bill would delete the reference to continuing competency in that provision.

MCL 339.2203 & 339.2205

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate, yet likely small to moderate, fiscal impact on the Department of Licensing and Regulatory Affairs. The bill would require the Director of the Department to promulgate rules on the continuing education requirements for landscape architects. Rule promulgation introduces various administrative costs that would have to be borne given the Department's current level of resources. Additionally, LARA would bear some costs in enforcing these continuing education requirements, though it would largely be the decision of the Department in how to enforce the requirements.

Fiscal Analyst: Josh Sefton

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.