

By the Committee on Regulated Industries and Senator Lee

315-2088A-98

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A bill to be entitled
An act relating to landscape design; amending
s. 481.303, F.S.; providing definitions;
amending s. 481.329, F.S.; providing exemptions
from licensure and regulation under part II,
ch. 481, F.S.; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (7) is added to section 481.303,
Florida Statutes, to read:

481.303 Definitions.--As used in this chapter:

(7) "Landscape design" means consultation for and
preparation of a planting plan drawn for compensation,
including specifications and installation details for plant
materials, soil amendments, mulches, edging, gravel, and other
similar materials. Such plans may include only recommendations
for the conceptual placement of tangible objects for landscape
design projects. Construction documents, details, and
specifications for tangible objects and irrigation systems
shall be designed or approved by licensed professionals as
required by law.

Section 2. Subsection (5) of section 481.329, Florida
Statutes, is amended to read:

481.329 Exceptions; exemptions from licensure.--

(5) Nothing in this part prohibits any person from
engaging in the practice of landscape design, as defined in s.
481.303(7). Persons providing landscape design services shall
~~This part shall not be deemed to prohibit any nurseryman,
nursery stock dealer, or agent as defined by chapter 581 who
is required under chapter 581 to hold a valid license issued~~

1 ~~by the Division of Plant Industry of the Department of~~
2 ~~Agriculture and Consumer Services and who does hold a valid~~
3 ~~license to engage in the business of selling nursery stock in~~
4 ~~this state, insofar as she or he engages in the preparation of~~
5 ~~plans or drawings as an adjunct to merchandising her or his~~
6 ~~product, so long as she or he does not use the title, term, or~~
7 ~~designation "landscape architect," "landscape architectural,"~~
8 ~~"landscape architecture," "L.A.," "landscape engineering," or~~
9 ~~any description tending to convey the impression that she or~~
10 ~~he is a landscape architect unless she or he is registered as~~
11 ~~provided in this part or is exempt from registration under the~~
12 ~~provisions of this part.~~

13 Section 3. This act shall take effect October 1, 1998.

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15 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
16 COMMITTEE SUBSTITUTE FOR
17 SB 1066

18 Revises the definition of landscape design in part II of
19 chapter 481, Florida Statutes, relating to the licensure of
20 landscape architects, to clarify the allowable scope of
21 practice for landscape designers.

22 Replaces the current exemption from landscape architecture
23 licensure requirements for nurserymen and nursery stock
24 dealers with an exemption for landscape designers. (The
25 activities of nurserymen and nursery stock dealers that are
26 exempted under the current law are included in the definition
27 of landscape design.)

28 Eliminates the requirement that the DBPR issue to landscape
29 designers certificates of exemption from landscape
30 architecture licensure requirements.
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