

2018 Regular Session

HOUSE BILL NO. 563

BY REPRESENTATIVE EMERSON

LANDSCAPE ARCHITECTS: Repeals provisions relative to landscape horticulturists

1 AN ACT

2 To amend and reenact R.S. 3:3801(A)(introductory paragraph) and repeal R.S. 3:3801(A)(7)
3 and (C)(4), 3804(A)(4), 3807(B)(4), 3808(D) and 3815, relative to landscape
4 horticulturist; to remove from the Horticultural Commission the member
5 representing landscape horticulturist; to remove the regulation, examination, and
6 licensing of landscape horticulturist; to provide for rules and regulations of the
7 Department of Agriculture and Forestry; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 3:3801(A)(introductory paragraph) is hereby amended and reenacted
10 to read as follows:

11 §3801. Horticulture Commission

12 A. The Horticulture Commission of Louisiana is hereby created within the
13 Department of Agriculture and Forestry to be comprised of the following ~~thirteen~~
14 members:

15 * * *

16 Section 2. R.S. 3:3801(A)(7) and (C)(4), 3804(A)(4), 3807(B)(4), 3808(D) and 3815
17 are hereby repealed in their entirety.

18 Section 3. Any rule or regulation promulgated by the Department of Agriculture and
19 Forestry providing for the regulation, examination, and licensing of landscape horticulturists
20 shall be null, void, and without effect upon the effective date of this Act. The Department

1 of Agriculture and Forestry shall issue a notice of intent to amend their rules and regulations
2 in conformity with this Act on or before September 1, 2018 and adopt the amended rules and
3 regulations on or before December 1, 2018.

4 Section 4. This Act shall become effective upon signature by the governor or, if not
5 signed by the governor, upon expiration of the time for bills to become law without signature
6 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
7 vetoed by the governor and subsequently approved by the legislature, this Act shall become
8 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 563 Original

2018 Regular Session

Emerson

Abstract: Repeals the regulation, examination, and licensing of landscape horticulturists.

Present law authorizes a landscape horticulturist do the following: (1) implement designs prepared by a licensed landscape architect, (2) recommend and implement measures for interior and exterior beautification, (3) sell, lease, or maintain nursery stock, and prepare drawings to indicate the placement of nursery stock.

Present law establishes the regulation, examination, and licensing landscape horticulturists. Proposed law repeals present law.

Present law establishes the membership of the Horticulture Commission that includes a landscape horticulturists. Proposed law repeals present law.

Present law authorizes a person holding either a horticulturist license or landscape contractor's license prior to Feb. 1, 2009 to renew his license as a landscape horticulturist license without further application or examination upon the payment of any required renewal fee. Proposed law repeals present law.

Proposed law declares that any rule or regulation providing for the regulation, examination, and licensing of landscape horticulturists are null, void, and without effect upon the effective date of proposed law.

Proposed law requires the department to issue a notice of intent to amend their rules and regulations in conformity with proposed law on or before Sept. 1, 2018 and adopt same on or before Dec. 1, 2018.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 3:3801(A)(intro. para.); Repeals R.S. 3:3801(A)(7) and (C)(4), 3804(A)(4), 3807(B)(4), 3808(D) and 3815)