

ASSEMBLY BILL NO. 310—COMMITTEE ON COMMERCE AND LABOR

(ON BEHALF OF STATE BOARD OF LANDSCAPE ARCHITECTURE)

MARCH 8, 2001

Referred to Committee on Commerce and Labor

SUMMARY—Makes various changes to provisions governing landscape architects.
(BDR 54-576)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to landscape architecture; designating the board of landscape architecture as the state board of landscape architecture; requiring the board to maintain a record of each certificate of registration issued or renewed by the board; revising the requirements for the issuance or renewal of a certificate of registration; providing for the issuance of a certificate to practice as a landscape architect intern; providing immunity from a civil action for a person who furnishes information to the board under certain circumstances; authorizing the board to adopt regulations requiring each holder of a certificate of registration to complete a course of continuing education as a condition for the renewal of his certificate of registration; revising the qualifications of the members of the board; revising the fees collected by the board; providing a penalty; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

- 1 **Section 1.** Chapter 623A of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 19, inclusive, of this act.
3 **Sec. 2.** *“Certificate of registration” means a certificate of*
4 *registration issued by the board to a landscape architect pursuant to the*
5 *provisions of this chapter.*
6 **Sec. 3.** *“Direct supervision” means the amount of supervision*
7 *required of a holder of a certificate of registration to conduct a critical*
8 *examination and evaluation of the work product of the person*
9 *supervised, during and after the work product is prepared, to ensure that*
10 *the work product complies with any applicable law or regulation*
11 *concerning the practice of landscape architecture.*



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1 **Sec. 4.** *“Landscape architect intern” means a person who is issued a*
2 *certificate to practice as a landscape architect intern pursuant to the*
3 *provisions of this chapter.*

4 **Sec. 5.** *For the purposes of this chapter, a person has good moral*
5 *character if he:*

6 1. *Has not been convicted of a class A felony;*

7 2. *Has not been convicted of a felony other than a class A felony or a*
8 *misdemeanor or gross misdemeanor that is directly related to the practice*
9 *of landscape architecture;*

10 3. *Has not committed an act involving dishonesty, fraud,*
11 *misrepresentation, breach of a fiduciary duty, gross negligence or*
12 *incompetence while engaged in the practice of landscape architecture;*

13 4. *Is not incarcerated in a jail or prison at the time of submitting an*
14 *application for a certificate of registration or a certificate to practice as a*
15 *landscape architect intern;*

16 5. *Has not committed fraud or misrepresentation in connection with:*
17 *(a) The submission of an application for a certificate of registration or*
18 *certificate to practice as a landscape architect intern; or*

19 *(b) The taking of an examination pursuant to the provisions of this*
20 *chapter;*

21 6. *Has not had his certificate of registration suspended or revoked by*
22 *the board or in any other state or country;*

23 7. *Has not, in lieu of receiving disciplinary action against him,*
24 *surrendered a certificate of registration or certificate to practice as a*
25 *landscape architect intern in this state or a certificate or license to*
26 *practice landscape architecture issued in another state or country;*

27 8. *Has not engaged in the practice of landscape architecture in this*
28 *state or in any other state or country without a license or certificate of*
29 *registration or certificate to practice as a landscape architect intern*
30 *within the 2 years immediately preceding the filing of an application for*
31 *a certificate of registration or certificate to practice as a landscape*
32 *architect intern pursuant to the provisions of this chapter; or*

33 9. *Has not, within the 5 years immediately preceding the filing of an*
34 *application specified in subsection 8, engaged in unprofessional conduct*
35 *in violation of the regulations adopted by the board.*

36 **Sec. 6.** *The board shall operate on the basis of a fiscal year*
37 *beginning on July 1 and ending on June 30.*

38 **Sec. 7.** *The board shall prepare and adopt a code of conduct for*
39 *holders of certificates of registration. The code must ensure the*
40 *maintenance of a high standard of integrity, dignity and professional*
41 *responsibility by members of the profession. Before adopting the code,*
42 *the board shall send a copy of the proposed code to each holder of a*
43 *certificate of registration. Each holder of a certificate of registration may*
44 *vote on any provision included in the code. The board may adopt each*
45 *provision in the code unless 25 percent or more of the holders of*
46 *certificates of registration vote against that provision.*

47 **Sec. 8.** *The board shall prepare and maintain a record of each*
48 *certificate of registration or renewed certificate of registration. The*
49 *record must include, without limitation, the name of the holder of the*



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1 *certificate of registration, the town, city or county in which he resides*
2 *and the number of his certificate of registration. The board shall make*
3 *the record available:*

4 *1. For inspection by each holder of a certificate of registration in a*
5 *manner prescribed by the board; and*

6 *2. For sale to a member of the general public who is not a holder of*
7 *a certificate of registration.*

8 **Sec. 9.** *1. Except as otherwise provided in this section, a record of*
9 *the board that relates to:*

10 *(a) An employee of the board;*

11 *(b) An examination administered by the board; or*

12 *(c) A complaint filed with the board and any information obtained as*
13 *a result of its investigation of the complaint,*
14 *is confidential.*

15 *2. A record specified in subsection 1 may be disclosed, pursuant to*
16 *procedures established by regulation of the board, to:*

17 *(a) A court;*

18 *(b) An agency of the Federal Government;*

19 *(c) Another state;*

20 *(d) A political subdivision of this state; or*

21 *(e) Any other related professional board or organization.*

22 *3. Upon completion of an investigation by the board, any record of*
23 *the board specified in paragraph (c) of subsection 1 is a public record*
24 *only if:*

25 *(a) Disciplinary action is imposed by the board as a result of the*
26 *investigation; or*

27 *(b) The person who was the subject of the investigation submits a*
28 *written statement to the board requesting that the record be made a*
29 *public record.*

30 *4. The board may report to any other related professional board and*
31 *organization the score of an applicant on an examination administered*
32 *by the board.*

33 **Sec. 10.** *1. For the purpose of issuing a certificate of registration*
34 *or a certificate to practice as a landscape architect intern pursuant to the*
35 *provisions of this chapter, the board shall credit work experience as*
36 *follows:*

37 *(a) One hundred and thirty hours or more of work in the practice of*
38 *landscape architecture completed during a month is equal to 1 month of*
39 *work experience.*

40 *(b) Eighty-five hours or more but less than one hundred and thirty*
41 *hours of work in the practice of landscape architecture completed during*
42 *a month is equal to one-half of a month of work experience.*

43 *2. The board shall not grant credit for work experience to an*
44 *applicant for less than 85 hours of work experience in the practice of*
45 *landscape architecture completed during a month.*

46 *3. Before the board may grant credit to an applicant for work*
47 *experience pursuant to the provisions of this section, the employer of the*
48 *applicant must submit proof satisfactory to the board that the applicant*
49 *completed the work experience for which he wishes to receive credit.*



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1 4. Except as otherwise provided in this subsection, all work
2 experience must be completed under the direct supervision of a holder of
3 a certificate of registration. The board may adopt regulations that
4 provide for the granting of credit for not more than 1 year of work
5 experience completed under the direct supervision of a person who is
6 licensed in a profession other than the practice of landscape architecture.

7 5. Each applicant for a certificate of registration or certificate to
8 practice as a landscape architect intern must, before he takes any
9 examination required for the certificate, comply with the requirements
10 for education and experience set forth in this chapter and any
11 regulations adopted by the board.

12 **Sec. 11.** The board may issue a certificate of registration without
13 examination to a person who submits evidence satisfactory to the board
14 that he:

15 1. Is registered or certified as a landscape architect in another
16 jurisdiction if, as determined by the board, the qualifications required for
17 the registration or certification are substantially equivalent to the
18 qualifications set forth in this chapter for the issuance of a certificate of
19 registration; and

20 2. Is otherwise qualified for a certificate of registration to engage in
21 the practice of landscape architecture in this state.

22 **Sec. 12.** 1. Any person who:

23 (a) Is at least 21 years of age;

24 (b) Is of good moral character;

25 (c) Is a citizen of the United States or is lawfully entitled to remain
26 and work in the United States; and

27 (d) Has graduated from a school approved by the board or
28 has completed at least 4 years of work experience in the practice of
29 landscape architecture in accordance with regulations adopted by the
30 board,

31 may submit an application to the board for a certificate to practice as a
32 landscape architect intern.

33 2. The application must be submitted on a form furnished by the
34 board and include:

35 (a) The statement required by NRS 623A.185;

36 (b) The social security number of the applicant; and

37 (c) The applicable fees prescribed by the board pursuant to the
38 provisions of NRS 623A.240.

39 **Sec. 13.** 1. The board shall issue a certificate to practice as a
40 landscape architect intern to any person who is qualified pursuant to the
41 provisions of section 12 of this act.

42 2. Such a person may engage in the practice of landscape
43 architecture only under the direct supervision of a holder of a certificate
44 of registration. Any work performed by the person as a landscape
45 architect intern may be credited toward the requirements for a certificate
46 of registration in accordance with regulations adopted by the board.

47 3. A certificate to practice as a landscape architect intern expires on
48 June 30 and may be renewed for 1 year from each succeeding July 1 in
49 accordance with regulations adopted by the board and upon the payment



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1 of the fee for renewal prescribed by the board pursuant to the provisions
2 of NRS 623A.240.

3 **Sec. 14.** 1. Upon issuing a certificate of registration, the board
4 shall issue to the holder of the certificate of registration a seal of the
5 design authorized by the board, bearing the name of the holder of the
6 certificate of registration, the number of his certificate of registration
7 and the title “landscape architect.”

8 2. A plan, specification, report or other document issued by a holder
9 of a certificate of registration for official use must be signed, sealed and
10 dated on the title page by him with a permanently legible imprint of his
11 seal and signature. The board may adopt regulations specifying the
12 manner in which a holder of a certificate of registration may
13 electronically transmit such a plan, specification, report or other
14 document.

15 3. It is unlawful for a person to stamp or seal any plan, specification,
16 report or other document with the seal of a holder of a certificate of
17 registration after his certificate of registration has expired or has been
18 suspended or revoked, unless the certificate of registration has been
19 renewed or reissued.

20 **Sec. 15.** 1. Any person who, in good faith and without malicious
21 intent, provides information concerning a holder of a certificate of
22 registration or certificate to practice as a landscape architect intern or an
23 applicant for a certificate of registration or certificate to practice as a
24 landscape architect intern is immune from any civil action for providing
25 that information.

26 2. Any person who assists the board in the investigation or
27 prosecution of an alleged violation of a provision of this chapter, a
28 proceeding concerning the issuance or renewal of a certificate of
29 registration or certificate to practice as a landscape architect intern or a
30 criminal prosecution is immune from any civil liability for:

31 (a) Any decision or action taken in good faith and without malicious
32 intent in response to information acquired by the board; and

33 (b) Disseminating information concerning a holder of a certificate of
34 registration or certificate to practice as a landscape architect intern or an
35 applicant for a certificate of registration or certificate to practice as a
36 landscape architect intern to:

- 37 (1) Any other licensing board;
38 (2) A national association of registered boards;
39 (3) An agency of this state or the Federal Government;
40 (4) The attorney general; or
41 (5) Any law enforcement agency.

42 **Sec. 16.** No person may bring or maintain any action in the courts
43 of this state for the collection of compensation for the performance of
44 any act or contract for which a certificate of registration or certificate to
45 practice as a landscape architect intern is required by this chapter
46 without alleging and proving that the plaintiff in the action was
47 registered pursuant to the provisions of this chapter at all times during
48 the performance of the act or contract.



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1 **Sec. 17.** *The board may, by regulation, require each holder of a*
2 *certificate of registration to complete a course of continuing education as*
3 *a condition for the renewal of his certificate of registration. The*
4 *regulations must include the number of hours of continuing education*
5 *that the holder of the certificate of registration must complete to renew*
6 *his certificate.*

7 **Sec. 18.** *The board shall not issue a temporary certificate of*
8 *registration or certificate to practice as a landscape architect intern.*

9 **Sec. 19.** 1. *A person shall not engage in the practice of landscape*
10 *architecture or use the title of “landscape architect” or “landscape*
11 *architect intern” unless he is issued a certificate of registration or*
12 *certificate to practice as a landscape architect intern by the board*
13 *pursuant to the provisions of this chapter.*

14 2. *If an applicant complies with the provisions of this chapter and is*
15 *otherwise qualified to engage in the practice of landscape architecture,*
16 *the board shall, upon payment by the applicant of the applicable fees*
17 *prescribed by the board pursuant to the provisions of NRS 623A.240,*
18 *issue to the applicant a certificate of registration or certificate to practice*
19 *as a landscape architect intern. If a certificate of registration or*
20 *certificate to practice as a landscape architect intern is issued after the*
21 *beginning of the fiscal year, the applicant shall pay the full fee that is*
22 *prescribed by the board pursuant to those provisions.*

23 3. *Each certificate of registration must include the complete name of*
24 *the holder of the certificate, the number of the certificate and the*
25 *signatures of the president and secretary of the board.*

26 **Sec. 20.** NRS 623A.020 is hereby amended to read as follows:

27 623A.020 As used in this chapter, unless the context otherwise
28 requires, words and terms defined in NRS 623A.030 to 623A.060,
29 inclusive, *and sections 2, 3 and 4 of this act* have the meanings ascribed to
30 them in those sections.

31 **Sec. 21.** NRS 623A.030 is hereby amended to read as follows:

32 623A.030 “Board” means the *state* board of landscape architecture.

33 **Sec. 22.** NRS 623A.040 is hereby amended to read as follows:

34 623A.040 “Instruments of service” means the finalized drawings or
35 specifications prepared by *the holder of* a certificate ~~holder~~ *of*
36 *registration.*

37 **Sec. 23.** NRS 623A.060 is hereby amended to read as follows:

38 623A.060 ~~The “practice”~~ *“Practice* of landscape architecture”
39 ~~consists of holding~~ *means to provide or hold professional services* out to
40 the public, ~~for rendering~~ *including, without limitation,* services for
41 consultation, investigation, reconnaissance, research, *planning,* design,
42 preparation of drawings and specifications and supervision ~~where~~ *, if* the
43 dominant purpose of the services is for the:

44 1. Preservation, enhancement or determination of proper land uses,
45 natural land features, ground cover and planting, naturalistic and esthetic
46 values, natural drainage, and the settings and approaches to buildings,
47 structures, facilities and other improvements; and



1 2. Consideration and determination of issues of the land relating to
2 erosion, wear and tear, lighting characteristics, and design of landscape
3 irrigation, lighting and grading.
4 ~~["Practice of landscape architecture"]~~ *The term* includes the location and
5 arrangement of such tangible objects, structures and features as are
6 incidental and necessary to ~~this~~ *that* dominant purpose, but does not
7 include the design of structures or facilities with separate and self-
8 contained purposes for habitation or industry ~~it~~ whose design is normally
9 included in the practice of architecture or professional engineering.
10 **Sec. 24.** NRS 623A.070 is hereby amended to read as follows:
11 623A.070 1. This chapter does not apply to:
12 (a) Owners of property who make plans, specifications or drawings for
13 their own property.
14 (b) Any person engaged in the practice of architecture who is registered
15 pursuant to *the provisions of* chapter 623 of NRS.
16 (c) A contractor licensed pursuant to *the provisions of* chapter 624 of
17 NRS who provides his own drawings for his own construction activities.
18 (d) Any person who is licensed as a civil engineer pursuant to *the*
19 *provisions of* chapter 625 of NRS.
20 (e) Any person who designs, manufactures or sells irrigation equipment
21 and provides instructions pertaining to the mechanical erection and
22 installation of the equipment but does not install the equipment.
23 2. Any person exempted by the provisions of this section is not thereby
24 absolved from any civil or criminal liability that might otherwise accrue.
25 3. The exemptions provided by this section do not entitle any person
26 who does not hold a certificate ~~to practice landscape architecture~~ *of*
27 *registration* to hold himself out to the public or advertise himself as a
28 landscape architect.
29 **Sec. 25.** NRS 623A.080 is hereby amended to read as follows:
30 623A.080 1. The *state* board of landscape architecture, consisting of
31 ~~five~~ members appointed by the governor, is hereby created.
32 2. The governor shall appoint:
33 (a) Four members who , *for not less than 3 years immediately*
34 *preceding their appointment*, have been ~~engaged~~ :
35 (1) *Engaged* in the practice of landscape architecture ~~for at least 3~~
36 ~~years prior to their appointment; and~~ ; and
37 (2) *Holders of certificates of registration; and*
38 (b) One member who is a representative of the general public.
39 3. Each member must have been a resident of ~~the~~ *this* state for ~~at~~
40 ~~least 2 years prior to their~~ *not less than 3 years immediately preceding his*
41 appointment.
42 4. ~~Members~~ *A member* of the board shall not serve for more than
43 three ~~consecutive~~ terms.
44 5. ~~Before entering upon the discharge of his duties, each~~ *Each*
45 member of the board shall , *within 30 days after he is appointed*, take and
46 subscribe *to* the oath of office *as prescribed by the laws of this state* and
47 file ~~it~~ *the oath* with the secretary of state.



1 6. The member who is a representative of the general public shall not
2 participate in preparing, conducting or grading any examination required
3 by the board.

4 *7. Upon receipt of a complaint concerning a member of the board*
5 *and for good cause shown, the governor may, after providing 10 days*
6 *notice to the member and providing an opportunity for a hearing, remove*
7 *the member for inefficiency, neglect of duty or malfeasance in office.*

8 *8. An appointment to fill a vacancy in the membership of the board*
9 *for a cause other than expiration of the term must be for the unexpired*
10 *portion of the term.*

11 *9. A member, agent or employee of the board or any hearing officer*
12 *or member of a hearing panel appointed by the board is immune from*
13 *personal liability relating to any action taken in good faith and within the*
14 *scope of his authority.*

15 **Sec. 26.** NRS 623A.090 is hereby amended to read as follows:

16 623A.090 1. Members of the board are entitled to receive:

17 (a) A salary of not more than \$80 per day, as fixed by the board, while
18 engaged in the business of the board; and

19 (b) A per diem allowance and travel expenses at a rate fixed by the
20 board, while engaged in the business of the board. The rate must not
21 exceed the rate provided for state officers and employees generally.

22 2. While engaged in the business of the board, each employee of the
23 board is entitled to receive a per diem allowance and travel expenses at a
24 rate fixed by the board. The rate must not exceed the rate provided for state
25 officers and employees generally.

26 *3. Any salary, per diem allowance or travel expenses paid pursuant*
27 *to the provisions of this section must be paid from money kept or*
28 *deposited by the board in accordance with the provisions of NRS*
29 *623A.150.*

30 **Sec. 27.** NRS 623A.100 is hereby amended to read as follows:

31 623A.100 1. At each annual meeting of the board, the members
32 shall:

33 (a) Elect ~~one member as president;~~ *a president and a secretary;* and

34 (b) Appoint an executive director.

35 2. The *president and the secretary of the board serve without*
36 *additional compensation.*

37 *3. The executive director* ~~may~~ *must not* be a member of the board
38 and is entitled to a salary fixed by the board.

39 ~~3-1~~ *4. The executive director shall:*

40 (a) Keep an accurate record of all proceedings of the board;

41 (b) ~~Have~~ *Maintain* custody of the official seal; ~~and~~

42 (c) Maintain a file containing the names and addresses of all ~~certificate~~
43 ~~holders.~~ *holders of certificates of registration;*

44 *(d) Submit to the board each application for a certificate of*
45 *registration or certificate to practice as a landscape architect intern that*
46 *is filed with the board;*

47 *(e) If a holder of a certificate of registration or certificate to practice*
48 *as a landscape architect intern has violated any provision of this chapter,*



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1 *file a complaint with the district attorney of the county in which the*
2 *violation occurred; and*

3 *(f) Perform any other duties assigned to him by the board.*

4 **Sec. 28.** NRS 623A.120 is hereby amended to read as follows:

5 623A.120 The board may ~~employ~~:

6 *1. Employ* and fix the compensation for legal counsel, inspectors,
7 special agents, investigators and clerical personnel necessary to the
8 discharge of its duties ~~;~~ *and*

9 *2. Reimburse an employee specified in subsection 1 for any actual*
10 *expenses incurred by the employee while acting on behalf of the board.*

11 **Sec. 29.** NRS 623A.130 is hereby amended to read as follows:

12 623A.130 The board shall:

13 1. Adopt an official seal.

14 2. Administer and enforce the provisions of this chapter.

15 3. Adopt regulations for the administration of this chapter.

16 4. Administer and conduct comprehensive examinations of applicants,
17 which ~~shall~~ *must* test the applicant's fitness to engage in the ~~business~~
18 *practice* of landscape ~~architecture~~ *architecture*.

19 **Sec. 30.** NRS 623A.140 is hereby amended to read as follows:

20 623A.140 The board may:

21 1. Grant or refuse ~~certificates~~ *a certificate of registration or*
22 *certificate to practice as a landscape architect intern* after examination
23 and revoke or suspend a certificate *of registration or certificate to practice*
24 *as a landscape architect intern* or take any other disciplinary action set
25 forth in NRS 623A.270 for any of the causes specified in this chapter.

26 2. Take depositions and issue subpoenas *to compel the attendance of*
27 *witnesses and the production of records, books, papers or other evidence*
28 *for the purpose of any hearing or investigation* authorized by this chapter.

29 3. Establish reasonable ~~educational~~ requirements for *education and*
30 *experience for* applicants.

31 4. Establish requirements for approval of schools of landscape
32 architecture.

33 *5. Hold membership in any organization relating to landscape*
34 *architects or the practice of landscape architecture.*

35 *6. Administer examinations on behalf of any organization that*
36 *certifies landscape architects.*

37 **Sec. 31.** NRS 623A.150 is hereby amended to read as follows:

38 623A.150 1. All money coming into the possession of the board
39 must be kept or deposited by the executive director in ~~banks, credit~~
40 ~~unions~~ *an account in a bank, credit union* or savings and loan
41 ~~associations in the State of Nevada.~~ *association in this state.*

42 2. Except as otherwise provided in subsection 6, all money collected
43 by the board must be used to pay the expenses of ~~examinations, expenses~~
44 ~~of~~:

45 *(a) Examinations and* the issuance of certificates *of registration* and
46 ~~expenses to conduct~~ *certificates to practice as a landscape architect*
47 *intern; and*

48 *(b) Conducting* the business of the board.



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1 3. The expenses, including the per diem allowances and travel
2 expenses of the members and employees of the board while engaged in the
3 business of the board and the expenses to conduct examinations, must be
4 paid from the current receipts. No portion thereof may be paid from the
5 state treasury.

6 4. Any balance remaining in excess of the expenses incurred may be
7 retained by the board and used to defray the future expenses of the board.

8 5. The board may delegate to a hearing officer or panel its authority to
9 take any disciplinary action pursuant to *the provisions of* this chapter,
10 impose and collect fines and penalties therefor and deposit the money
11 therefrom in ~~{banks, credit unions}~~ *an account maintained by the board in*
12 *a bank, credit union* or savings and loan ~~{associations in this state.}~~
13 *association specified in subsection 1.*

14 6. If a hearing officer or panel is not authorized to take disciplinary
15 action pursuant to *the provisions of* subsection 5 and the board deposits the
16 money collected from the imposition of fines with the state treasurer for
17 credit to the state general fund, it may present a claim to the state board of
18 examiners for recommendation to the interim finance committee if money
19 is needed to pay attorney's fees or the costs of an investigation, or both.

20 **Sec. 32.** NRS 623A.170 is hereby amended to read as follows:

21 623A.170 1. Any person who ~~is~~ :

22 (a) *Is at least 21 years of age* ~~and who has had 6 years of~~ ;

23 (b) *Is of good moral character;*

24 (c) *Is a citizen of the United States or is lawfully entitled to remain*
25 *and work in the United States; and*

26 (d) *Has satisfied the requirements for* education and experience in
27 landscape architecture, in any combination deemed suitable by the
28 board,

29 may submit an application *for a certificate of registration* to the board
30 upon a form and in a manner prescribed by the board. The application must
31 include the social security number of the applicant and be accompanied by
32 the ~~{application fee.}~~ *applicable fees prescribed by the board pursuant to*
33 *the provisions of NRS 623A.240.*

34 2. *Each year of study, not exceeding 5 years of study, satisfactorily*
35 *completed in a program of landscape architecture accredited by the*
36 *Landscape Architectural Accrediting Board or a similar board approved*
37 *by the board, or a program of landscape architecture in this state*
38 *approved by the board is considered equivalent to 1 year of experience in*
39 *landscape architectural work for the purpose of registration as a*
40 *landscape architect.*

41 3. *The board shall, by regulation, establish standards for*
42 *examinations which may be consistent with standards employed by other*
43 *states. The board may adopt the standards of the Council of Landscape*
44 *Architectural Registration Boards, and the examination and grading*
45 *procedure of that organization, as they exist on the date of adoption.*
46 *Examinations may include tests in such technical and professional*
47 *subjects as are prescribed by the board.*

48 4. *If the board administers or causes to be administered an*
49 *examination during:*



1 (a) June of any year, an application to take that examination must be
2 postmarked not later than March 1 of that year; or

3 (b) December of any year, an application to take that examination
4 must be postmarked not later than September 1 of that year.

5 Sec. 33. NRS 623A.180 is hereby amended to read as follows:

6 623A.180 1. The board shall approve or disapprove each application.
7 ~~It~~ Except as otherwise provided in subsection 4, if the board is satisfied
8 that the information ~~contained~~ set forth in the application is true, and that
9 the applicant is qualified to take the examination, has submitted the
10 statement required pursuant to the provisions of NRS 623A.185 and has
11 paid the applicable fees for the examination, ~~fee,~~ it shall approve the
12 application.

13 2. ~~Whenever~~ If the board approves an application, the executive
14 director shall promptly notify the applicant in writing of the approval and
15 of the time and place of the examination, if required.

16 3. ~~Whenever~~ If the board disapproves an application, the executive
17 director shall promptly notify the applicant of the disapproval, stating the
18 reasons therefor.

19 4. The board may disapprove an application for any violation of the
20 provisions of this chapter.

21 Sec. 34. NRS 623A.185 is hereby amended to read as follows:

22 623A.185 1. An applicant for the issuance or renewal of a certificate
23 of registration or certificate to practice as a landscape ~~architecture~~
24 architect intern shall submit to the board the statement prescribed by the
25 welfare division of the department of human resources pursuant to the
26 provisions of NRS 425.520. The statement must be completed and signed
27 by the applicant.

28 2. The board shall include the statement required pursuant to the
29 provisions of subsection 1 in:

30 (a) The application or any other forms that must be submitted for the
31 issuance or renewal of the certificate ~~of~~ of registration or certificate to
32 practice as an architect intern; or

33 (b) A separate form prescribed by the board.

34 3. A certificate of registration or certificate to practice as a landscape
35 ~~architecture~~ architect intern may not be issued or renewed by the board if
36 the applicant:

37 (a) Fails to submit the statement required pursuant to the provisions of
38 subsection 1; or

39 (b) Indicates on the statement submitted pursuant to the provisions of
40 subsection 1 that he is subject to a court order for the support of a child and
41 is not in compliance with the order or a plan approved by the district
42 attorney or other public agency enforcing the order for the repayment of
43 the amount owed pursuant to the order.

44 4. If an applicant indicates on the statement submitted pursuant to
45 subsection 1 that he is subject to a court order for the support of a child and
46 is not in compliance with the order or a plan approved by the district
47 attorney or other public agency enforcing the order for the repayment of
48 the amount owed pursuant to the order, the board shall advise the applicant



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1 to contact the district attorney or other public agency enforcing the order to
2 determine the actions that the applicant may take to satisfy the arrearage.

3 **Sec. 35.** NRS 623A.190 is hereby amended to read as follows:

4 623A.190 1. The board shall ~~{give}~~ *administer or cause to be*
5 *administered a written examination to* each applicant for a certificate ~~{an~~
6 ~~examination, which may be written or oral, or both}~~ *of registration.*

7 2. The examination must be given at such times and places and under
8 such supervision as the board may determine.

9 3. The board may ~~{examine in whatever}~~ *include in the written*
10 *examination any* theoretical or applied fields it deems appropriate to
11 determine professional skills and judgment.

12 4. The board shall , by regulation , establish ~~{what constitutes a~~
13 ~~passing grade}~~ *the grade that is required to pass the written examination.*

14 5. The written examination may be waived by the board if the
15 applicant:

16 (a) Presents documentation that he has ~~{taken and passed, with a grade~~
17 ~~that is a passing grade in this state, a written}~~ *passed an* examination in
18 another state ~~{having equivalent scope and subject matter}~~ *or country*
19 *prepared by the Council of Landscape Architectural Registration*
20 *Boards;* or

21 (b) Has been certified by ~~{the Council of Landscape Architectural~~
22 ~~Registration Boards as having passed the senior practitioner examination or~~
23 ~~through reciprocity procedures with foreign countries having requirements~~
24 ~~for licensing acceptable to the board}~~ *that council.*

25 6. Written examination papers ~~{and transcripts of any oral~~
26 ~~examinations}~~ must be destroyed after a certificate *of registration* is issued.

27 7. *If the applicant fails to pass the written examination or any part*
28 *thereof, he may retake the examination or the part failed in a subsequent*
29 *examination upon the payment of the applicable fees prescribed by the*
30 *board pursuant to the provisions of NRS 623A.240.*

31 **Sec. 36.** NRS 623A.200 is hereby amended to read as follows:

32 623A.200 1. ~~{Certificates expire}~~ *Each certificate of registration*
33 *expires* on June 30 next following the date of issuance.

34 2. ~~{Certificates}~~ *A certificate of registration* may be renewed for 1
35 year from each succeeding July 1, upon submission of ~~{the}~~ :

36 (a) *The statement required pursuant to the provisions of* NRS 623A.185
37 ~~{and payment of the annual renewal fee}~~ ;

38 (b) *The fee for renewal prescribed by the board pursuant to the*
39 *provisions of NRS 623A.240; and*

40 (c) *Proof of compliance with the requirements established by the*
41 *board for continuing education for the renewal of the certificate of*
42 *registration.*

43 3. *A certificate of registration that has expired through failure to be*
44 *renewed may be renewed at any time within 1 year after the date of its*
45 *expiration upon application to and with the approval of the board and*
46 *upon payment of the fee for renewal and the fee for a delinquent*
47 *certificate of registration prescribed by the board pursuant to the*
48 *provisions of NRS 623A.240.*



1 4. A certificate ~~which~~ *of registration that* has expired for failure to
2 ~~pay the annual renewal fee~~ *be renewed within 1 year after the date of its*
3 *expiration* may be reinstated by the board without examination within 3
4 years after the date the certificate *of registration* expires upon *application*
5 *to and with the approval of the board and upon* payment of ~~the~~
6 ~~delinquent renewal fee, in addition to the annual renewal~~ :

7 (a) The fee for *renewal for* each year, or part thereof, the certificate *of*
8 *registration* is not renewed ~~it~~ ;

9 (b) The fee for a delinquent certificate of registration; and

10 (c) The fee for reinstatement of the certificate of registration.

11 5. If a holder of a certificate of registration submits to the board the
12 statement, fee for renewal and proof required pursuant to the provisions
13 of subsection 2, or if the board approves the renewal or reinstatement of
14 a certificate of registration pursuant to the provisions of subsection 3 or
15 4, the executive director of the board shall, upon receipt of the statement,
16 applicable fees and proof or upon receipt of the approval of the board,
17 issue a renewal card to the applicant, indicating that his certificate of
18 registration is renewed for 1 year. The renewal card must bear the seal of
19 the board and include:

20 (a) The number of the certificate of registration; and

21 (b) The signature of the secretary or executive director of the board or
22 a facsimile of that signature.

23 6. The renewal of a certificate of registration and the number of the
24 certificate of registration must be recorded by the executive director of
25 the board in accordance with the provisions of section 8 of this act.

26 7. The unauthorized use or display of a certificate of registration or
27 renewal card for that certificate of registration, or the seal of a holder of
28 a certificate of registration, is unlawful.

29 Sec. 37. NRS 623A.210 is hereby amended to read as follows:

30 623A.210 ~~It~~ If a certificate *of registration* has not been renewed
31 within 3 years after its expiration, the *holder of the* certificate ~~holder~~ *of*
32 *registration* may apply for and obtain a new certificate *of registration* if ~~it~~ :

33 (a) ~~He is~~ *he* :

34 1. *Is* otherwise eligible;

35 ~~(b) He pays~~

36 2. *Pays* all fees required by this chapter; ~~and~~

37 ~~(c) He takes and passes the examination or establishes~~

38 3. *Passes an examination administered or approved by the board;*
39 *and*

40 4. *Establishes* to the satisfaction of the board that he is qualified to
41 practice landscape architecture.

42 ~~2. The board may waive all or part of the examination fee if the~~
43 ~~applicant is not required to take the examination.~~

44 Sec. 38. NRS 623A.220 is hereby amended to read as follows:

45 623A.220 1. A suspended certificate *of registration* expires unless it
46 is renewed by the *holder of the* certificate ~~holder~~ *of registration*. The
47 renewal does not entitle the holder to engage in the practice of landscape
48 architecture until the expiration of the suspension period or until the
49 certificate *of registration* is reinstated by the board.



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1 2. A revoked certificate *of registration* expires and is not subject to
2 renewal. If the certificate *of registration* is reinstated after its expiration,
3 the *holder of the* certificate ~~holder~~ *of registration* shall pay ~~the~~
4 ~~reinstatement fee as prescribed in~~ *the fee for reinstatement prescribed by*
5 *the board pursuant to the provisions of* NRS 623A.240.

6 **Sec. 39.** NRS 623A.230 is hereby amended to read as follows:

7 623A.230 1. A *holder of a* certificate ~~holder~~ *of registration* shall
8 notify the executive director *in writing* of any change of address of his
9 business and if the certificate *of registration* has been lost, stolen,
10 destroyed or mutilated.

11 2. The executive director shall issue a duplicate certificate *of*
12 *registration* in accordance with regulations established by the board upon
13 application and payment of the fee ~~for~~ *for replacement of a certificate of*
14 *registration prescribed by the board pursuant to the provisions of* NRS
15 *623A.240.*

16 **Sec. 40.** NRS 623A.240 is hereby amended to read as follows:

17 623A.240 1. The following fees must be prescribed by the board and
18 must not exceed the following amounts:

Application fee	\$200.00
Examination fee For submitting an application for a	
certificate of registration.....	\$200.00
For submitting an application for a certificate to	
practice as a landscape architect intern.....	50.00
For an application and other application materials.....	25.00
For an examination for a certificate of registration	100.00,
	plus the actual
	cost of the
	examination
Certificate For proctoring an examination	50.00
For reviewing an examination.....	80.00,
	plus the cost
	of reviewing
	the examination
For a certificate of registration.....	125.00
Annual renewal fee.....	200.00
Reinstatement fee	300.00
Delinquency fee.....	50.00
Change)	200.00
For a certificate to practice as a landscape architect	
intern.....	50.00
For renewal of a certificate of registration.....	200.00
For renewal of a certificate to practice as a landscape	
architect intern	50.00
For a delinquent certificate of registration	50.00
For reinstatement of a certificate of registration	300.00
For replacement of a certificate.....	25.00
For a returned check.....	25.00



1 *For a change of address ~~fee~~.....10.00*
2 ~~Copy~~.....10.00
3 *For a copy of a document, per page......25*

4 2. In addition to the fees set forth in subsection 1, the board may
5 charge and collect a fee for any other service it provides. The fee must not
6 exceed the cost incurred by the board to provide the service.

7 3. *The fees prescribed by the board pursuant to the provisions of this*
8 *section must be paid in United States currency in the form of a check,*
9 *cashier's check or money order. If any check submitted to the board is*
10 *dishonored upon presentation for payment, repayment of the fee,*
11 *including the fee for a returned check, must be made by money order or*
12 *certified check.*

13 4. *The fees prescribed by the board pursuant to the provisions of this*
14 *section are nonrefundable.*

15 **Sec. 41.** NRS 623A.250 is hereby amended to read as follows:

16 623A.250 1. A firm, partnership, corporation or association may
17 engage in the practice of landscape architecture if:

18 (a) All work is *performed* under the supervision and direction of *a*
19 *holder of a certificate ~~holder~~ of registration;*

20 (b) The name ~~for names of all certificate holders appear~~ *of the holder*
21 *of a certificate of registration appears* in the name of the firm, partnership,
22 corporation or association;

23 (c) The name of the *holder of the* certificate ~~holder~~ *of registration*
24 appears on all papers or documents used in the practice of landscape
25 architecture; and

26 (d) All instruments of service are signed by the *holder of the* certificate
27 ~~holder~~ *of registration.*

28 2. Architects, registered interior designers, residential designers,
29 professional engineers and landscape architects may, in accordance with
30 NRS 623.349, join or form a partnership, corporation, limited-liability
31 company or other business organization or association with registrants and
32 licensees outside of their field of practice, or with persons who are not
33 registered or licensed.

34 3. *The provisions of NRS 623.350 apply to:*

35 (a) *A partnership, corporation, limited-liability company or other*
36 *business organization or association formed in accordance with NRS*
37 *623.349; and*

38 (b) *Any architect, registered interior designer, residential designer,*
39 *professional engineer or landscape architect that joins the partnership,*
40 *corporation, limited-liability company or other business organization or*
41 *association.*

42 **Sec. 42.** NRS 623A.260 is hereby amended to read as follows:

43 623A.260 1. A firm, partnership, corporation or association engaged
44 in the practice of landscape architecture may, upon the approval of the
45 board, establish and operate branch offices within ~~the~~ *this* state.

46 2. A branch office ~~shall~~ *must* be operated by a resident landscape
47 architect who holds a certificate ~~issued pursuant to this chapter~~ *of*
48 *registration.*



1 3. Offices established for the purpose of observing construction work
2 on a project are not considered branch offices.

3 **Sec. 43.** NRS 623A.270 is hereby amended to read as follows:

4 623A.270 1. The board may:

5 ~~11-1~~ (a) Suspend or revoke a certificate ~~1-~~

6 ~~2-1~~ of registration or certificate to practice as a landscape architect
7 intern;

8 (b) Refuse to renew a certificate ~~1-~~

9 ~~3-1~~ of registration or certificate to practice as a landscape architect
10 intern;

11 (c) Place a holder of a certificate ~~holder~~ of registration or certificate
12 to practice as a landscape architect intern on probation;

13 ~~14-1~~ (d) Issue a reprimand to a holder of a certificate ~~holder~~;

14 ~~5-1~~ of registration or certificate to practice as a landscape architect
15 intern;

16 (e) Impose upon a holder of a certificate ~~holder~~ of registration or
17 certificate to practice as a landscape architect intern a fine of not more
18 than \$5,000 for each violation of this chapter;

19 ~~16-1~~ (f) Require a holder of a certificate ~~holder~~ of registration or
20 certificate to practice as a landscape architect intern to pay restitution;

21 ~~17-1~~ (g) Require a holder of a certificate ~~holder~~ of registration or
22 certificate to practice as a landscape architect intern to pay the costs of an
23 investigation or prosecution; or

24 ~~18-1~~ (h) Take such other disciplinary action as the board deems
25 appropriate,

26 if the holder of a certificate ~~holder~~ of registration or certificate to
27 practice as a landscape architect intern has committed any act set forth in
28 NRS 623A.280.

29 2. The conditions for probation imposed pursuant to the provisions
30 of subsection 1 may include, without limitation:

31 (a) Restriction on the scope of professional practice;

32 (b) Peer review;

33 (c) Education or counseling;

34 (d) The payment of restitution to each person who suffered harm or
35 loss; and

36 (e) The payment of all costs of the administrative investigation and
37 prosecution.

38 3. If the board imposes discipline pursuant to the provisions of this
39 section, the board may recover the costs of the proceeding, including any
40 investigative costs and attorney's fees.

41 **Sec. 44.** NRS 623A.280 is hereby amended to read as follows:

42 623A.280 1. The following acts, among others, constitute cause for
43 disciplinary action ~~1-~~

44 ~~1-1~~ if proof satisfactory to the board is presented that:

45 (a) A holder of a certificate ~~holder~~ of registration has signed or sealed
46 instruments of service which were not prepared by him or under his
47 ~~immediate~~ direct supervision.



- 1 ~~{2-}~~ (b) A *holder of a* certificate ~~{holder}~~ *of registration* has permitted
2 the use of his signature or seal by another person to evade the provisions of
3 this chapter or any regulation adopted by the board.
- 4 ~~{3-}~~ (c) A *holder of a* certificate ~~{holder}~~ *of registration* has not signed,
5 sealed or dated instruments of service prepared by ~~{the certificate holder-}~~
6 ~~4-}~~ him.
- 7 (d) A *holder of a* certificate ~~{holder}~~ *of registration* impersonates a
8 landscape architect of the same or similar name.
- 9 ~~{5-}~~ (e) A *holder of a* certificate ~~{holder is practicing}~~ *of registration or*
10 *certificate to practice as a landscape architect intern practices* under an
11 assumed, fictitious or corporate name.
- 12 ~~{6-}~~ (f) A *holder of a* certificate ~~{holder is practicing}~~ *of registration or*
13 *certificate to practice as a landscape architect intern practices* landscape
14 architecture in violation of the provisions of this chapter or any regulation
15 adopted by the board.
- 16 ~~{7-}~~ (g) A *holder of a* certificate ~~{holder}~~ *of registration or certificate*
17 *to practice as a landscape architect intern* has obtained his certificate *of*
18 *registration or certificate to practice as a landscape architect intern* by
19 fraud or misrepresentation.
- 20 ~~{8-}~~ (h) A *holder of a* certificate ~~{holder}~~ *of registration or certificate*
21 *to practice as a landscape architect intern* is guilty of fraud or deceit in
22 the practice of landscape architecture.
- 23 ~~{9-}~~ (i) A *holder of a* certificate ~~{holder}~~ *of registration or certificate to*
24 *practice as a landscape architect intern* is guilty of *incompetency,*
25 *negligence* ~~{, willful misconduct}~~ or gross ~~{incompetence-}~~ *negligence.*
- 26 ~~{10-}~~ (j) A *holder of a* certificate ~~{holder}~~ *of registration or certificate*
27 *to practice as a landscape architect intern* is convicted of, or enters a plea
28 of nolo contendere to:
29 ~~{(a)}~~ (1) Any felony; or
30 ~~{(b)}~~ (2) Any crime, an essential element of which is dishonesty, or
31 which is directly related to the practice of landscape architecture.
- 32 ~~{11-}~~ (k) A *holder of a* certificate ~~{holder}~~ *of registration or certificate*
33 *to practice as a landscape architect intern* is guilty of aiding or abetting
34 any person in the violation of the provisions of this chapter or any
35 regulation adopted by the board.
- 36 ~~{12-}~~ (l) A person ~~{is practicing}~~ *practices* as a landscape architect with
37 a certificate ~~{which}~~ *of registration or certificate to practice as a*
38 *landscape architect intern that* has expired or has been suspended or
39 revoked.
- 40 ~~{13-}~~ (m) A *holder of a* certificate ~~{holder}~~ *of registration or certificate*
41 *to practice as a landscape architect intern* is disciplined by an agency of
42 another state or foreign country which regulates the practice of landscape
43 architecture and at least one of the grounds for the disciplinary action taken
44 is a ground for disciplinary action pursuant to *the provisions of* this
45 chapter.
- 46 (n) A *holder of a certificate of registration or certificate to practice as*
47 *a landscape architect intern fails to comply with an order issued by the*
48 *board or to cooperate in an investigation conducted by the board.*



2. *As used in this section:*

(a) *"Gross negligence" means conduct that demonstrates a reckless disregard of the consequences affecting the life or property of another person.*

(b) *"Incompetency" means conduct that, in the practice of landscape architecture, demonstrates a significant lack of ability, knowledge or fitness to discharge a professional obligation.*

(c) *"Negligence" means a deviation from the normal standard of professional care exercised generally by other members in the practice of landscape architecture.*

Sec. 45. NRS 623A.285 is hereby amended to read as follows:

623A.285 1. If the board receives a copy of a court order issued pursuant to *the provisions of* NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a certificate *of registration or certificate* to practice *as a* landscape ~~architecture,~~ *architect intern*, the board shall deem the certificate *of registration or certificate to practice as a landscape architect intern* issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the board receives a letter issued to the holder of the certificate *of registration or certificate to practice as a landscape architect intern* by the district attorney or other public agency pursuant to *the provisions of* NRS 425.550 stating that the holder of the certificate *of registration or certificate to practice as a landscape architect intern* has complied with the subpoena or warrant or has satisfied the arrearage pursuant to *the provisions of* NRS 425.560.

2. The board shall reinstate a certificate *of registration or certificate* to practice *as a* landscape ~~architecture,~~ *architect intern* that has been suspended by a district court pursuant to *the provisions of* NRS 425.540 if the board receives a letter issued by the district attorney or other public agency pursuant to *the provisions of* NRS 425.550 to the person whose certificate *of registration or certificate to practice as a landscape architect intern* was suspended stating that the person whose certificate *of registration or certificate to practice as a landscape architect intern* was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to *the provisions of* NRS 425.560.

Sec. 46. NRS 623A.290 is hereby amended to read as follows:

623A.290 1. The board, any ~~one of the members~~ *member* of the board or any other person who becomes aware that any one or more of the grounds for initiating disciplinary action may exist as to a *holder of a* certificate ~~holder~~ *of registration or certificate* to practice *as a* landscape ~~architecture,~~ *architect intern* may file a complaint specifying the relative facts with the executive director of the board.

2. A complaint must be made in writing and be signed and verified by the person making it.

Sec. 47. NRS 623A.310 is hereby amended to read as follows:

623A.310 1. The hearing of a complaint must be conducted by the board. The defendant ~~certificate holder~~ is entitled to appear in person and by legal counsel and must be given adequate opportunity to confront the



1 witnesses against him, to testify and introduce the testimony of witnesses
2 in his behalf, and to submit argument and briefs in person or by his
3 counsel.

4 2. The failure of the person named in the complaint to attend his
5 hearing or to defend himself must not delay or void the proceedings.

6 3. The board may, for good cause shown, continue any hearing.

7 4. Upon conclusion of the hearing or as soon as practicable thereafter,
8 the board shall make and announce its decision.

9 **Sec. 48.** NRS 623A.320 is hereby amended to read as follows:

10 623A.320 If the board revokes or suspends a ~~license~~ *certificate of*
11 *registration or certificate to practice as a landscape architect intern* for a
12 fixed ~~time~~ *period*, the *holder of the* certificate ~~holder~~ *of registration or*
13 *certificate to practice as a landscape architect intern* may apply for a
14 rehearing within 10 days and the board may grant ~~such~~ *the* application
15 within 30 days thereafter.

16 **Sec. 49.** NRS 623A.330 is hereby amended to read as follows:

17 623A.330 If the board grants a rehearing, the executive director shall
18 immediately notify the *holder of the* certificate ~~holder~~ *of registration or*
19 *certificate to practice as a landscape architect intern* of the date and place
20 ~~which~~ *that* the board has fixed for the rehearing, which date must not be
21 less than 10 days thereafter. The hearing must be conducted in the same
22 manner as the former hearing. Upon conclusion thereof, or as soon as
23 practicable thereafter, the board shall make and announce its decision.

24 **Sec. 50.** NRS 623A.350 is hereby amended to read as follows:

25 623A.350 1. Except as *otherwise* provided in subsection 2, a
26 complaint ~~shall~~ *must* not be filed against ~~a certificate~~ *the holder of a*
27 *certificate of registration or certificate to practice as a landscape*
28 *architect intern* if 2 years or more have elapsed since the occurrence of the
29 act or omission alleged as the ground for disciplinary action.

30 2. If the act or omission alleges fraud or misrepresentation, the
31 complaint ~~shall~~ *must* be filed within 2 years after the discovery of the
32 fraud or misrepresentation.

33 **Sec. 51.** NRS 623A.355 is hereby amended to read as follows:

34 623A.355 All advertising by or business cards of a *holder of a*
35 certificate ~~holder~~ *of registration* must include the number of his
36 certificate ~~of registration~~.

37 **Sec. 52.** NRS 623A.360 is hereby amended to read as follows:

38 623A.360 Any person who:

39 1. Violates any of the provisions of this chapter;

40 2. Having had his certificate *of registration or certificate to practice*
41 *as a landscape architect intern* suspended or revoked, continues to *solicit*
42 *business or otherwise* represent himself as a landscape architect ~~or~~
43 *landscape architect intern;*

44 3. Engages in the practice of landscape architecture without holding a
45 certificate ~~issued by the board~~ *of registration or certificate to practice as*
46 *a landscape architect intern;* or

47 4. Uses the title or term "landscape architect," "landscape designer" *or*
48 *"landscape architect intern,"* or any other title or term indicating or
49 implying that he is a landscape architect *or landscape architect intern* in



1 any sign, card, listing, advertisement or in any other manner without
2 holding a certificate ~~issued by the board,~~ *of registration or certificate to*
3 *practice as a landscape architect intern,*
4 is guilty of a misdemeanor.

5 **Sec. 53.** NRS 623A.370 is hereby amended to read as follows:

6 623A.370 1. A violation of *a provision of* this chapter by a person
7 ~~unlawfully~~ :

8 (a) *Unlawfully* representing himself as a landscape architect or
9 ~~engaging~~ *landscape architect intern, or using any other title or term*
10 *indicating or implying that he is a landscape architect or landscape*
11 *architect intern; or*

12 (b) *Engaging* in the practice of landscape architecture ,
13 without holding a certificate ~~issued by the board,~~ *of registration or*
14 *certificate to practice as a landscape architect intern,* may be enjoined by
15 a district court on petition by the president of the board in the name of the
16 board. In any such proceeding it is not necessary to show that any person is
17 individually injured.

18 2. If the respondent *in a proceeding specified in subsection 1* is found
19 guilty of ~~unlawfully~~ :

20 (a) *Unlawfully* representing himself as a landscape architect or
21 ~~engaging~~ *landscape architect intern, or using any other title or term*
22 *indicating or implying that he is a landscape architect or landscape*
23 *architect intern; or*

24 (b) *Engaging* in the practice of landscape architecture ,
25 without holding a certificate ~~issued by the board,~~ *of registration or*
26 *certificate to practice as a landscape architect intern,* the court shall
27 enjoin him from continuing that representation , *usage* or practice. The
28 procedure in such cases must be the same as in any other application for an
29 injunction. The remedy by injunction is in addition to any criminal
30 prosecution and punishment or any disciplinary action *taken* by the board.

31 **Sec. 54.** Section 12 of this act is hereby amended to read as follows:

32 Sec. 12. 1. Any person who:

33 (a) Is at least 21 years of age;

34 (b) Is of good moral character;

35 (c) Is a citizen of the United States or is lawfully entitled to remain
36 and work in the United States; and

37 (d) Has graduated from a school approved by the board or has
38 completed at least 4 years of work experience in the practice of
39 landscape architecture in accordance with regulations adopted by the
40 board,
41 may submit an application to the board for a certificate to practice as a
42 landscape architect intern.

43 2. The application must be submitted on a form furnished by the
44 board and include ~~the~~ :

45 ~~—(a) The statement required by NRS 623A.185;~~

46 ~~—(b) The social security number of the applicant; and~~

47 ~~—(c) The~~ *the* applicable fees prescribed by the board pursuant to the
48 provisions of NRS 623A.240.



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1 **Sec. 55.** 1. The term of each member of the board of landscape
2 architecture expires on June 30, 2001.

3 2. As soon as practicable after July 1, 2001, the governor shall appoint
4 to the state board of landscape architecture:

5 (a) Two members to terms that expire on June 30, 2003; and

6 (b) Three members to terms that expire on June 30, 2004.

7 **Sec. 56.** 1. This section and sections 1 to 53, inclusive, 55 and 57 of
8 this act become effective on July 1, 2001.

9 2. Section 54 of this act becomes effective on the date on which the
10 provisions of 42 U.S.C. § 666 requiring each state to establish procedures
11 under which the state has authority to withhold or suspend, or to restrict the
12 use of professional, occupational and recreational licenses of persons who:

13 (a) Have failed to comply with a subpoena or warrant relating to a
14 proceeding to determine the paternity of a child or to establish or enforce
15 an obligation for the support of a child; or

16 (b) Are in arrears in the payment for the support of one or more
17 children,

18 are repealed by the Congress of the United States.

19 **Sec. 57.** The legislative counsel shall:

20 1. In preparing the reprint and supplements to the Nevada Revised
21 Statutes, with respect to any section that is not amended by this act or is
22 further amended by another act, appropriately change any reference to
23 “board of landscape architecture” to “state board of landscape
24 architecture.”

25 2. In preparing supplements to the Nevada Administrative Code,
26 appropriately change any reference to “board of landscape architecture” to
27 “state board of landscape architecture.”

