

CHAPTER 98-245

House Bill No. 3523

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. 489, 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 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). 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 by the Division of Plant Industry of the Department of Agriculture and Consumer Services and who does hold a valid license to engage in the business of selling nursery stock in this state, insofar as he engages in the preparation of plans or drawings as an adjunct to merchandising his product, so long as he does not ~~Persons providing landscape design services shall not use the title, term or designation “landscape architect”, “landscape architectural”, “landscape architecture”, “L.A.”, “landscape engineering”, or any description tending to convey the impression that he is a landscape architect unless he is registered as provided in this part, or is exempt from registration under the provisions of this part.~~

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

Became a law without the Governor’s approval May 27, 1998.

Filed in Office Secretary of State May 26, 1998.