# STATE OF NEW YORK

1834--A

2025-2026 Regular Sessions

# IN SENATE

January 14, 2025

Introduced by Sen. MARTINEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- recommitted to the Committee on Higher Education in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to certain licensing exemptions for landscape architects

**The People of the State of New York, represented in Senate and Assembly, do enact as follows:**

Section 1. Section 7326 of the education law, as added by chapter 987 of the laws of 1971, subdivisions e and f as added by chapter 994 of the laws of 1971, is amended to read as follows:

§ 7326. Exempt persons. This article shall not be construed to affect or prevent:

a. The preparation of details and shop drawings by persons, other than landscape architects, for use in connection with the execution of their work;

b. Employees of those lawfully practicing as landscape architects under the provisions of this article from acting under the instruction, control or supervision of their employers;

c. Supervision by builders, or superintendents employed by such builders, of the installation of landscape projects; [~~or~~]

d. Business conducted in this state by any agriculturist, horticulturist, tree expert, arborist, forester, [~~nurseryman~~] **employee of a nursery** or [~~landscape nurseryman~~] **employee of a nursery which grow trees and shrubs for landscape purposes**, gardener, landscape gardener, landscape contractor, garden or lawn caretaker or grader or cultivator of land, as these terms are generally used, except that no such person shall use the designation landscape architect, landscape architectural or landscape architecture unless licensed under this article[~~.~~]**;**

EXPLANATION--Matter in ***italics*** (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD05312-02-6

e. Employment of any person as a junior or assistant landscape architect by the City of New York in a position the title of which was approved and in use as of July first, nineteen hundred seventy-one, provided such person acts under the general supervision of a licensed landscape architect[~~.~~]**;**

f. **Employment of any person as a junior or assistant landscape architect by the state of New York in a position the title of which was approved and in use on or before the effective date of the chapter of the laws of two thousand twenty-six that amended this subdivision, provided that such person acts under the general supervision of a licensed landscape architect; or**

**g.** The practice of architecture by an architect licensed in this state, or the practice of engineering or land surveying by an engineer or land surveyor licensed in this state, provided that no such architect, engineer or land surveyor shall use the designation "landscape architect," "landscape architectural" or "landscape architecture" unless licensed as a landscape architect in this state.

§ 2. This act shall take effect immediately.