

STATE OF NEW YORK

1834

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

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:

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

4 § 7326. Exempt persons. This article shall not be construed to affect
5 or prevent:

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

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

12 c. Supervision by builders, or superintendents employed by such build-
13 ers, of the installation of landscape projects; ~~[or]~~

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

22 e. Employment of any person as a junior or assistant landscape archi-
23 tect by the City of New York in a position the title of which was
24 approved and in use as of July first, nineteen hundred seventy-one,

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

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1 provided such person acts under the general supervision of a licensed
2 landscape architect[-];

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

9 g. The practice of architecture by an architect licensed in this
10 state, or the practice of engineering or land surveying by an engineer
11 or land surveyor licensed in this state, provided that no such archi-
12 tect, engineer or land surveyor shall use the designation "landscape
13 architect," "landscape architectural" or "landscape architecture" unless
14 licensed as a landscape architect in this state.

15 § 2. This act shall take effect immediately.