

**HB 3337 A STAFF MEASURE SUMMARY**

**Carrier:** Rep. Heard

**House Committee On Higher Education and Workforce Development**

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**Action Date:** 04/18/17

**Action:** Do pass with amendments. (Printed A-Eng.)

**Vote:** 9-0-0-0

**Yeas:** 9 - Alonso Leon, Bynum, Clem, Heard, Johnson, Reardon, Reschke, Sollman, Whisnant

**Fiscal:** Fiscal impact issued

**Revenue:** No revenue impact

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**WHAT THE MEASURE DOES:**

Requires State Landscape Contractors Board (LCB) issue limited landscape construction professional license to person who pays application and license fees. Allows license-holding landscape contracting business to perform landscape work that does not exceed \$8,000 within any 12-month period. Requires business to disclose \$8,000 annual limit on contracts and business cards. Prohibits LCB from issuing license to licensed construction contractors. Prohibits limited landscape construction professionals from planning, installing, maintaining or repairing a deck or arbor attached to a dwelling. Clarifies limited landscape construction professional licensees may perform all phases of landscape construction work. Requires LCB establish application and license fees and ensure license is available within 90 days of effective date of Act.

**ISSUES DISCUSSED:**

- Barriers to entry-level entrepreneurship pathways in landscape construction industry
- Market-demand for landscaping services often unmet or filled by unlicensed individuals
- Importance of consumer protection
- Tasks that may require additional knowledge and/or skill proficiency demonstration to protect consumer property and water supply
- Importance of clear scope of work for limited licensure
- Potential influence on other trade industries that may seek similar entry-level pathways
- Challenge of enforcing limited scope of practice
- Need for additional amendments in senate

**EFFECT OF AMENDMENT:**

Requires LCB to issue limited landscape construction professional license to person who pays application and license fees. Allows license-holding landscape contracting business to perform landscape work that does not exceed \$8,000 within any 12-month period. Requires business to disclose \$8,000 annual limit on contracts and business cards. Prohibits LCB from issuing license to licensed construction contractors. Prohibits limited landscape construction professionals from planning, installing, maintaining or repairing a deck or arbor attached to a dwelling. Clarifies limited landscape construction professional licensees may perform all phases of landscape construction work.

**BACKGROUND:**

Created in 1972, the State Landscape Contractors Board (LCB) licenses landscape contracting businesses and landscape construction professionals. Landscape construction professionals must meet experience and/or education requirements and pass a competency exam or practical skills test. The experience requirement can be satisfied by 24 months of employment with a landscape contracting business or at least 12 months of employment with a landscape contracting business and 12 months of training in a subject related to landscaping from an accredited school.

House Bill 3337-A establishes a limited landscape construction professional license with no experience or education/examination requirements but limits scope of work to projects that do not exceed \$8,000 within any

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12-month period.