



CHAPTER ADVOCACY UPDATE 1.22.21

FAQs About the Anticipated Reinstatement of the Title Act

Fellow Members and Advocates,

We have received several like-minded questions concerning the would-be next steps after the reinstatement of the Title Act. (Should the bill pass in the Spring.) Please find those frequently asked questions and our responses provided below. Our answers are based on prior discussions with the Illinois Department of Financial and Professional Regulation (IDFPR). They have given us their assurances that they will do their best to help make the re-registration process for landscape architects as seamless as possible.

An important caveat: once the Title Act reinstatement bill passes, it will need to go through the Joint Committee on Administrative Rules (JCAR) Illinois Rulemaking Process. This process can take from 90 days to a year to complete. Because rules were previously established per the Illinois Landscape Architecture Act of 1989, we are hopeful that the process should not extend into 2022. It is through this process that these questions will ultimately be addressed and resolved. Until then, we can only relay responses per our earlier correspondence with IDFPR. It is important to note that these answers are not guaranteed and that they are subject to change once we enter into the rulemaking process and begin work with JCAR. JCAR will ultimately be responsible for the specifics of the administrative rollout.

Q&A

1. Will there be provisions in the Act to reinstate active/in good standing licenses when the Act was sunset? Or will we have to reapply?

Yes, there is an included provision to reinstate registrations that were active and in good standing before the Illinois Landscape Architecture Act of 1989 sunset on January 1, 2020. Some means of reapplication may be required, but the intent is to work with IDFPR and JCAR to streamline this process and keep it as simple as possible. If you were registered under the Illinois Landscape Architecture Act of 1989, you would not need to retake the LARE. As currently drafted into the new Landscape Architecture Registration Act:

Prior registrations under the Illinois Landscape Architecture Act of 1989. A person who was actively registered under the Illinois Landscape Architecture Act of 1989 and had renewed his or her registration before January 1, 2020, may have his or her resignation restored without fee upon the effective date of the rules adopted under this Act.

2. Will the new title registration be backdated to January 1, 2020? Or will it start anew when it gets passed (June 2021, for example)?

It is more likely that the new title registration would start anew upon successful reapplication. We think it would be unlikely for IDFPR/JCAR to backdate the registrations to January 1, 2020, because they have not provided oversight of registered landscape architects since then.

3. Do we keep our old registration numbers, or need to reapply?

IDFPR is hopeful that individuals reapplying for registration can maintain their previously held registration numbers. However, they have also noted they cannot guarantee this happens. In short, this issue cannot be determined until we are into the rulemaking process, and JCAR/IDFPR can jointly decide if this is administratively feasible.

4. Will the CEU requirement start up again on the day that the Act is passed?

Yes, this is the intent. The drafting of Continuing Education requirements will occur as part of the rulemaking process. At present, we assume that CE requirements will mirror those of the past (24 continuing education hours relevant to the practice of landscape architecture for each two year renewal period). Here's more detail on the CE requirements which were previously in place: <https://www.ilga.gov/commission/jcar/admincode/068/068012750000650R.html>.

If you have any other related questions or concerns - please don't hesitate to reach out.

Sincerely,

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