



CHAPTER ADVOCACY UPDATE 4.8.22

Re: Update on Landscape Architecture Registration Act: Rules Review for [Public Act 102-0284](#)

Fellow ILASLA Members and Advocates,

The Illinois Department of Financial and Professional Regulation (IDFPR) has been preparing to reinstate regulation of the profession. The Act is listed as Public Act 102-0284 (see link above) which became effective upon signature from the Governor on August 6, 2021.

NEXT STEPS

Outlined below is the rulemaking process in [How Rules Are Made](#) and where we are in the process.

First Notice

The proposed rulemaking process officially begins when a proposed rule is published in the Illinois Register. The date of Register publication begins the First Notice period, during which the agency proposing the rulemaking must accept comments from the affected public. The First Notice period must continue for at least 45 days, but agencies may continue to accept public comment for a longer period.

Our rules were released on March 18, 2022, this makes the deadline for public comment May 2, 2022. The ILASLA Board, Advocacy Committee, CLARB, and National ASLA Advocacy leaders are reviewing the proposed rules. To continue our transparency with our members and advocates, we invite you to provide your input by [reviewing the rules here](#) and providing written feedback to susan@il-asla.org by **April 15, 2022**. This is an effort to simplify the process for our members and advocates.

If you are new to reviewing rules and acts (as most of us are), please note that these rules work in conjunction with the act. While we cannot change the act, we can comment on and possibly make changes to the rules.

Before the deadline, the Chapter will provide any comments we have collected from our Advocacy Committee, Board, members, and advocates to our lobbyist, Molly Rockford. She will then meet with the IDFPR and ILASLA to discuss the comments.

One noticeable change would be the reversal of requirements for Continuing Education (CE).

IDFPR argues that professions that require registration rather than licensure do not require CE. The lack of a CE clause concerns us due to the possible impact on reciprocity to other states and the lowering of standards for landscape architects compared to other design professions. While we can argue this and provide member feedback, it may or may not be an immediate adoption since the act already includes the strike of CEs. In either case, regaining the CE

requirement is something that we will be looking at rectifying soon. Your input is greatly appreciated.

Second Notice

When an agency is ready to submit a rulemaking for JCAR review, it files Second Notice documents. These documents include a summary of the rulemaking and any changes the agency made to its proposed during First Notice; an estimate of the rulemaking's impact on State finances (e.g., how much will it cost, or save, the agency annually); a final regulatory flexibility analysis (i.e., the economic impact on the regulated parties); and a **summary of public comment received during First Notice**, along with the agency's responses to these comments. **After JCAR accepts a Second Notice, the rulemaking is scheduled for consideration at a JCAR meeting within the next 45 days** (the Second Notice period). JCAR and the affected agency may agree to extend the Second Notice period for that rulemaking for an additional 45 days to resolve remaining issues. The rulemaking will be reconsidered at a subsequent meeting.

We would want IDPFR to include any recommended changes to the rules when they are filed on Second Notice.

Rules to JCAR

JCAR is a commission of 12 legislators that equally represent both houses of the General Assembly and both parties within those houses. It meets monthly, in Springfield if the General Assembly is in session, and in Chicago when not in session. JCAR meetings are open to the public and may be live-streamed at the JCAR website, but only agency representatives may speak at these meetings. Others who wish to comment should do so by contacting JCAR prior to the meeting. 5 JCAR members may take any of the following actions concerning a proposed rulemaking:

1. No Objection
2. Recommendation
3. Objection

Please refer to the document *How Rules are Made*, linked at the beginning of this document, for more details.

Adoption

Once an agency receives a Certificate of No Objection, or duly responds to an Objection within 90 days, it may adopt the rulemaking with any Second Notice changes to which the agency and JCAR have agreed during the review process (if any changes were requested or necessary) and any modifications the agency makes in response to a JCAR Objection.

Once JCAR approves the rules:

1. IDPFR will reissue the licenses for those licensed in the past.
2. IDPFR will review any applications submitted for registration.
3. The Board that will represent landscape architects will be appointed.
ILASLA has submitted recommendations for the Board membership.

We know how important it is to get our registrations reinstated, and we will continue to coordinate with IDFPB regarding the proposed rules and the timeframe for the registration reinstatement. We will keep you updated as we move through this final regulatory process.

If you have any questions, concerns, or would like to support and become involved with related advocacy efforts, please reach out to one of us below.

Sincerely,

Adam De Foor-White, President, president@il-asla.org

Susan Ragaishis, Executive Director, susan@il-asla.org

Mark Jirik, Advocacy Chair, mark.jirik@site-design.com

[Find my Legislator](#)

Additional Letters to Members regarding the Title and Practice Acts are [here](#).