

**BOARDS AND COMMISSIONS**  
**Board of Landscape Architects**  
**(Amendment)**

**201 KAR 10:070. Seals.**

RELATES TO: KRS 323A.080

STATUTORY AUTHORITY: KRS 323A.080, 323A.210

NECESSITY, FUNCTION, AND CONFORMITY: KRS 323A.080 requires that a licensed landscape architect secure an embossed circular seal of the design prescribed by the administrative regulation of the board and that a working drawing, specification or report prepared by, or under the supervision of, the individual, partnership, or firm bear the imprint of the seal. This administrative regulation prescribes the design and size of the required seal.

Section 1. Licensees' Seal. The seal required by KRS 323A.080 shall:

- (1) Be two (2) inches in diameter; and
- (2) Contain the following information in the impression of the seal:
  - (a) The words "State of Kentucky" at the top between the two (2) knurled circles;
  - (b) The words "~~Licensed~~~~Registered~~ Landscape Architect" in a like position at the bottom;
  - (c) The individual's name placed horizontally in the circular field; and
  - (d) The individual's ~~license~~~~certificate~~ number placed horizontally beneath the name.

Section 2.

- (1) The seal shall be either:
  - (a) An individual embossing seal;
  - (b) A rubber stamp seal; or
  - (c) An electronically generated seal.
- (2) An electronically generated seal shall be used only when the following requirements are met:
  - (a) It is a unique identification of the landscape architect;
  - (b) It is verifiable;
  - (c) It is under the landscape architect's direct and sole control;
  - (d) It is linked to a document in such a manner that changes are readily determined and visually displayed if any data contained in the document file was changed subsequent to the electronically generated seal having been affixed to the document;
  - (e) Changes to the document after affixing the electronically generated seal cause the seal to be removed or altered in such a way as to invalidate the seal; and
  - (f) Once the seal is applied to the document, the document shall be available in a view-only format.

*GARY R. WONITZEK, President*

APPROVED BY AGENCY: January 8, 2024

FILED WITH LRC: January 8, 2024 at 2:45 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on March 22, 2024 at 10:30 a.m. Eastern Time at the office of the Kentucky Board of Landscape Architects, 2365 Harrodsburg Road, Suite B350, Lexington, Kentucky. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be

given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through March 31, 2024. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Jane Alexander, Executive Director, Kentucky Board of Landscape Architects, 2365 Harrodsburg Road, Suite B350, Lexington, Kentucky, phone (859) 246-2753, email [ky.labd@ky.gov](mailto:ky.labd@ky.gov).

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

**Contact Person: Jane Alexander**

**(1) Provide a brief summary of:**

**(a) What this administrative regulation does:**

It establishes fees.

**(b) The necessity of this administrative regulation:**

**(c) How this administrative regulation conforms to the content of the authorizing statutes:**

It is authorized by KRS 323A.210(2)(b).

**(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:**

By establishing fees.

**(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:**

**(a) How the amendment will change this existing administrative regulation:**

It clarifies which fees are to be paid annually.

**(b) The necessity of the amendment to this administrative regulation:**

The administrative regulation needed to be updated.

**(c) How the amendment conforms to the content of the authorizing statutes:**

The authorizing statute permits the amendment.

**(d) How the amendment will assist in the effective administration of the statutes:**

By clarifying which fees are to be paid annually.

**(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:**

Applicants for licensure as a Landscape Architect, both new and renewal, number unknown.

**(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:**

**(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment:**

No action is necessary.

**(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):**

There is no additional cost other than the application fee.

**(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):**

They will be in compliance with the regulation.

**(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:**

**(a) Initially:**

There will be no additional cost beyond the regular operating costs of the agency.

**(b) On a continuing basis:**

See (a) above.

**(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:**

Agency funds.

**(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:**

No increase is necessary.

**(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:**

It does not.

**(9) TIERING: Is tiering applied?**

Tiering was not applied as the amendment affects everyone equally.

## FISCAL NOTE

**(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation?**

Board of Landscape Architects.

**(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation.**

KRS 323A.080, KRS 323A.210

**(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.**

No effect

**(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year?**

None

**(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years?**

None

**(c) How much will it cost to administer this program for the first year?**

There will be no additional costs beyond the general operating budget of the agency.

**(d) How much will it cost to administer this program for subsequent years?**

See (c) above.

**Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.**

**Revenues (+/-):**

**Expenditures (+/-):**

**Other Explanation:**

**(4) Estimate the effect of this administrative regulation on the expenditures and cost savings of regulated entities for the first full year the administrative regulation is to be in effect.**

No effect

**(a) How much cost savings will this administrative regulation generate for the regulated entities for the first year?**

No cost savings

**(b) How much cost savings will this administrative regulation generate for the regulated entities for subsequent years?**

No cost savings

**(c) How much will it cost the regulated entities for the first year?**

No cost

**(d) How much will it cost the regulated entities for subsequent years?**

No cost

**Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.**

**Cost Savings (+/-):**

**Expenditures (+/-):**

**Other Explanation:**

**(5) Explain whether this administrative regulation will have a major economic impact, as defined below.**

"Major economic impact" means an overall negative or adverse economic impact from an administrative regulation of five hundred thousand dollars (\$500,000) or more on state or local government or regulated entities, in aggregate, as determined by the promulgating administrative bodies. It does not.