

**MISSISSIPPI STATE BOARD OF ARCHITECTURE  
LANDSCAPE ARCHITECTURE ADVISORY COMMITTEE  
RULES AND REGULATIONS**

Final Rules Proposed November 17, 2021; Effective April 28, 2022

**CLEAN**

**Title 30, Part 202, Chapter 1: Registration and Definitions**

*Rule 1.2 Eligibility.*

1.2.1 An applicant for initial registration or registration by reciprocity as a Landscape Architect in Mississippi shall comply with Section 73-2-7 of the Mississippi Code of 1972.

1.2.2 The minimum degree accepted by the Committee shall be a four-year landscape architecture degree, or any landscape architecture degree above a four-year degree, including a master's degree, which is accredited or accepted by a CLARB recognized accreditation body or a CLARB recognized education evaluation authority.

1.2.3 Any applicant that does not meet the education requirements of 1.2.2 must have seven years of experience in landscape architecture as required by *Miss. Code Ann. §73-2-7*. The review and acceptance of such experience is at the sole discretion of the Committee and subject to approval by the Board. Graduation from a college or university in a curriculum other than landscape architecture shall be accepted by the Board as the equivalent of two years' experience of the seven years required by §73-2-7(b). No applicant shall receive credit for more than two years' experience for any scholastic training regardless of the length of the educational process.

1.2.4 An applicant for initial registration or reciprocal registration shall have successfully completed the CLARB registration examination, where the examination administration and grading were conducted in accordance with CLARB's standards in effect at the time.

Source: *Miss. Code Ann §73-2-7*

*Rule 1.5 Fees.*

Fees required are listed below. Regardless of the time of initial registration all licenses become renewable at the end of the biennial period on December 31st.

<b>Fees:</b>	
Application for Examination by Experience	75.00
Application for Initial Registration	125.00
Application by Reciprocity	350.00
Biennial Renewal	200.00
Reinstatement of an Expired License	275.00
Manual Renewal Application Processing	25.00
Electronic Roster	50.00
Duplicate Certificate	25.00
File Transfer	25.00
Non-Sufficient Funds Checks	40.00
Photo copies (per single sided sheet)	.25
Laser printed pages (per single page)	.25

Source: *Miss. Code Ann §73-2-17*

*Rule 1.10 Reinstatement of License.*

1.10.1 A registrant that allows his/her registration to lapse after June 1 of the of the first year of the biennial period of the next odd year will be required to reinstate said registration by filing an application for reinstatement of an expired license supplied by the Committee, paying the reinstatement fee and providing the following information:

- A. A list of work experience, since the date the license officially lapsed; and
- B. an affidavit stating that the applicant for reinstatement has not practiced landscape architecture or entered into a contract to perform landscape architectural services in Mississippi since the license lapsed; and
- C. a CLARB Council Certificate OR an examination record on file with the board verifying initial licensure by examination in Mississippi; and
- D. certification that the applicant has acquired twenty-four (24) units of continuing education within a twenty-four month (24) period immediately prior to the date on which application for reinstatement is made. Continuing education hours must be in accordance with the provisions set forth in these rules and regulations and reported in a format acceptable to the board.

Should an applicant for reinstatement be unable to acquire a CLARB certificate, the Committee may consider the applicant if the applicant provides proof of compliance with Miss. Code Ann. §73-2-7 and §73-2-9 and applicable rules.

1.10.2 Any registrant who allows his/her license to expire and was initially licensed in a state or jurisdiction under a Grandfather Provision and who has never passed any CLARB examination will be required to pass the CLARB LARE prior to reinstatement of his/her license.

Source: *Miss. Code Ann §73-2-15*

*Rule 1.11 Official Seal.*

1.11.1 Upon official notification of registration, the registrant will be advised that it is his/her responsibility to secure an official seal or rubber stamp for use in this state. Embossed seals are not acceptable. The seal to be used by the registrants are to be circular in form and 2 inches in diameter. A copy of the design is shown below [at right] and shall contain the following information: Name, Registration Number and the words "Registered Landscape Architect State of Mississippi".



1.11.2 The registrant shall stamp with his/her seal the following documents:

- A. All original sheets of any bound or unbound set of working drawings or plans, and
- B. The original cover of the project manual or index page(s) identifying all specification pages of the project manual, and
- C. All Addenda.

Preliminary documents that are not sealed should be marked as “preliminary” or “not for construction.”

1.11.3 The registrant shall superimpose his/her signature (manual, electronic, or digital as defined below) and date of execution across the face of the seal on documents listed above:

- A. a manual signature is the handwritten name of the registrant applied to a document that identifies the person, serves as a means of authentication of the contents of the document, provides responsibility for the creation of the document and provides for accountability for the contents of the document.
- B. for electronic or digital documents transmitted to others in their native file format (e.g., AutoCAD, Revit, Word, or Excel), a digital signature with an electronic authentication process attached to or logically associated with the document. The digital signature must be as follows:
  - 1. unique to the person using it; and
  - 2. capable of verification; and
  - 3. under the sole control of the person using it; and
  - 4. linked to a document in such a manner that the digital signature is invalidated if any data in the document is changed.
- C. for electronic or digital documents transmitted to others in a “pdf” or similar format that has modified the native file so that it is not easily altered, an electronic (scanned) signature is acceptable if it is an accurate depiction of the licensee’s actual signature. It is the responsibility of the landscape architect sealing the document to provide adequate security when documents with electronic seals and/or signatures are distributed.

Subject to the requirements of this rule, rubber stamp, transparent self-adhesive seals, or computer generated types may be used. Such stamps and seals shall not include the registrant’s signature and date of execution.

1.11.4 Any portion of working drawings or plans prepared by registered consultants shall bear the seal and signature of the consultant responsible.

1.11.5 No registrant shall affix his/her seal or signature to documents having titles or identities excluding the registrant's name unless:

- A. such documents were indeed developed by the registrant or under the registrant's direct control and personal supervision; and
- B. the registrant has exercised full authority to determine their development.

*Commentary on Sealing Requirements:*

*When produced by a landscape architect, or under the direct supervision and responsible control of a landscape architect, all plans and specifications submitted for bidding or permit purposes must be sealed by a landscape architect licensed in Mississippi.*

Source: *Miss. Code Ann* §§73-2-15 & 16(2)(a)

*Rule 1.13 Licensure of Members of the Military, Spouses and Dependents of Members of the Military, and Persons Who Establish Residence in This State.*

- A. Notwithstanding any other provision of law or the Rules and Regulations of the Board, the Committee shall issue a license to an applicant who is a member of the military, an applicant who is married to or is a dependent of a member of the military, or a person who establishes residence in this state, if, upon application to the Committee, the applicant satisfies the following conditions:
  - 1. The applicant has been awarded a military occupational specialty in landscape architecture, completed a military program of training, completed testing or equivalent training and experience, and performed in the occupational specialty; or
  - 2. The applicant holds a current and valid license to practice landscape architecture in another state, has held this license from the occupational licensing board in the other state for at least one (1) year, and, in the case of a person who establishes residence in this state, there were minimum education requirements and, if applicable, work experience and examination requirements in effect, and the other state verifies that the applicant met those requirements in order to be licensed in that state; and
  - 3. The applicant has not committed any act in the other state that would have constituted grounds for refusal, suspension or revocation of a license to practice landscape architecture in Mississippi at the time the act was committed, the occupational licensing board in the other state holds the applicant in good standing, and the applicant does not have a disqualifying criminal record as determined by the Committee under Mississippi law; and
  - 4. The applicant did not surrender a license because of negligence or intentional misconduct related to the applicant's landscape architectural work in another state; and

5. The applicant does not have a complaint, allegation or investigation pending before an occupational licensing board or other board in another state that relates to unprofessional conduct or an alleged crime. If the applicant has a complaint, allegation or investigation pending, the Committee shall not issue or deny a license to the applicant until the complaint, allegation or investigation is resolved, or the applicant otherwise satisfies the criteria for licensure in Mississippi to the satisfaction of the Committee; and
  6. The applicant pays all applicable fees in Mississippi.
- B. Notwithstanding any other law or the Rules and Regulations of the Board, the Committee shall issue a license to an applicant who is a member of the military, an applicant who is married to or is a dependent of a member of the military, or a person who establishes residence in this state upon application based on work experience in another state, if all the following apply:
1. The applicant worked in a state that does not use a license, certificate, or registration to regulate landscape architecture; and
  2. The applicant worked for at least three (3) years in the practice of landscape architecture; and
  3. The applicant satisfies the provisions of paragraphs (3) through (6) of subsection (A) of this rule.
- C. To demonstrate the above requirements, applicants shall furnish the following documents to the Committee:
1. Applicants awarded a military occupational specialty in landscape architecture shall provide:
    - a. proof that the applicant is a member of the military or a military spouse or dependent; and
    - b. an official CLARB Council Certificate and Record or official military documents describing the content, nature, and requirements of the military training program in landscape architecture and evidence of the applicant completing and passing such program; and
    - c. a sworn statement or statements by superior officers of the applicant attesting that the applicant has satisfactorily engaged in the active practice of landscape architecture in the military; and
    - d. a description of landscape architectural projects completed by the applicant and samples of construction documents prepared by the applicant; and
    - e. official military documents showing that the applicant received an honorable discharge from the military (if applicable); and
    - f. other documentation consistent with *Miss. Code Ann. §73-50-1* which may be requested by the Committee to verify the applicant's training and experience.
  2. Applicants holding a current and valid license in another state shall provide:

- a. proof that the applicant is a member of the military or a military spouse or dependent; or
  - b. proof of residency in Mississippi, to be demonstrated by one (1) of the following:
    - 1. State-issued identification card; or
    - 2. Current Mississippi residential utility bill with the applicant's name and address; or
    - 3. Documentation of the applicant's current ownership, or current lease of a residence in Mississippi; or
    - 4. Documentation of current in-state employment or notarized letter of promise of employment of the applicant or his or her spouse; or
    - 5. Any verifiable documentation demonstrating Mississippi residency.
  - c. an official CLARB Council Certificate and Record, or an official record from the state of licensure, describing the applicant's qualifications and verifying completion of the state's education, experience, and examination requirements; and
  - d. an official CLARB Council Certificate and Record, or an official record from the state of licensure, verifying that the applicant has held this license from the occupational licensing board in the other state for at least one (1) year and holds the applicant in good standing; and
  - e. other documentation consistent with *Miss. Code Ann.* §§73-50-1 and 73-50-2 which may be requested by the Committee to verify the applicant's education, experience, and examination.
3. Applicants applying based on work experience in another state that does not use a license, certificate, or registration to regulate landscape architecture shall provide:
- a. proof that the applicant is a member of the military or a military spouse or dependent; and
  - b. sworn statements attesting that the applicant has satisfactorily engaged in the active practice of landscape architecture for at least three (3) years preceding the date of the application; and
  - c. a description of landscape architectural projects completed by the applicant and samples of construction documents prepared by the applicant; and
  - d. other documentation consistent with *Miss. Code Ann.* §§73-50-1 and 73-50-2 which may be requested by the Committee to verify the applicant's experience.
- D. The Committee shall issue or deny the license to an applicant who is a member of the military, an applicant who is married to or is a dependent of a member of the military, or a person who establishes residence in this state, within one hundred twenty (120) days after receiving an application. If the application requires longer than two (2) weeks to process, the Committee shall issue a temporary practice permit within thirty (30) days

after receiving the application if the applicant submits an affidavit, under penalty of perjury, affirming that he or she satisfies the provisions of this rule. The applicant may practice under the temporary permit until a license is granted, or until a notice to deny the license is issued. A temporary license will expire in three hundred sixty-five (365) days after its issuance if the applicant fails to satisfy the requirements for licensure in this rule.

Source: *Miss. Code Ann.* §§73-2-11, 73-50-1, and 73-50-2

**Part 202 Chapter 3: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances**

*Rule 3.1 Disciplinary Guidelines.*

The Committee shall follow the disciplinary procedures in the Rules and Regulations of the Mississippi State Board of Architecture (Title 30, Part 201, Chapter 5), to the extent that such Rules and Regulations are consistent with the Laws, Rules, and Regulations for landscape architects specifically excepting that any discipline to be imposed against a landscape architect shall be governed by the disciplinary guidelines set forth in Title 30, Part 202, Chapter 3 of the Rules and Regulations of the Landscape Architecture Advisory Committee.

The Board sets forth below a range of disciplinary guidelines from which disciplinary penalties will be imposed upon practitioners guilty of violating the Law and Rules of the Board. The purpose of the disciplinary guidelines is to give notice to licensees of the range of penalties which will normally be imposed upon violations of particular provisions of the law. The disciplinary guidelines are based upon a single count violation of each provision listed. Multiple counts of violations of the same provision of the law or the rules promulgated thereto, or other unrelated violations contained in the same administrative complaint will be grounds for enhancement of penalties, i.e., suspension, revocation, etc., including lesser penalties, i.e., fine, probation, or reprimand which may be included in the final penalty at the Board's discretion. The following disciplinary guidelines shall be followed by the Board in imposing disciplinary penalties upon licensees for violation of the above mentioned statutes and rules:

A. Failure to stamp plans	1.11.2	Reprimand and \$250 fine
B. Failure to superimpose signature and/or date of execution over stamp	1.11.3	Reprimand and \$250 fine
C. Providing work not competent to perform	2.2.3	Reprimand and \$1,000 fine
D. "Plan Stamping"	2.6.2	Reprimand and \$1,000 fine
E. Attempting to procure license by providing false, deceptive or misleading information	§73-2-16	Revocation and \$1,000 fine (denial of license if application in process)
F. Licensee disciplined by another jurisdiction	2.5.4	Committee discretion
G. Conviction by any court of a felony relating to landscape architecture, except conviction of culpable negligent manslaughter, in which case the record of conviction shall be conclusive evidence	§73-2-16	1 year suspension, 2 year probation and \$1,000 fine

H. Practice on suspended license	§73-2-16	Revocation and \$1,000 fine
I. Practice on inactive license	§73-2-16	Fine based on length of time in practice while inactive; penalty will require licensee to renew license or cease practice
J. Practice on revoked license	§73-2-16	Fine based on length of time in practice while revoked
K. False, deceptive or misleading advertising	§73-2-16	Cease and desist letter
L. Fraudulent advertising	§73-2-16	Public Reprimand, \$1,000 fine and 1 year probation
M. Negligence	§73-2-16	Reprimand, 2 years probation and \$1,000 fine
N. Fraud or Deceit	§73-2-16	Reprimand, 1 year suspension, 2 years probation and \$1,000 fine
O. Incompetence (mental or physical impairment)	2.2.4	Suspension until ability to practice proved, followed by probation
P. Bribery to obtain clients or commissions	2.5.3	Revocation and \$1,000 fine
Q. Undisclosed conflict of interest	§73-2-16 2.3	Reprimand, \$1,000 fine and 2 years probation
R. Aiding unlicensed practice	Rule 2.5.2	Reprimand and \$1,000 Fine

The Committee shall be able to deviate from the above-mentioned guidelines upon a showing of aggravating or mitigating circumstances by clear and convincing evidence presented to the Board prior to the imposition of final penalty.

The Committee shall also have the right to collect any legal and/or administrative charges incurred by the agency during the course of the investigation.

Source: *Miss. Code Ann* §73-2-16



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**MARK-UP**

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1.2.3 Any applicant that does not meet the education requirements of 1.2.2 must have seven years of experience in landscape architecture as required by *Miss. Code Ann.* §73-2-7. The review and acceptance of such experience is at the sole discretion of the Committee and subject to approval by the Board. Graduation from a college or university in a curriculum other than landscape architecture ~~may shall~~ be accepted by the Board as the equivalent of ~~up to~~ two years' experience of the seven years required by §73-2-7(b). ~~Acceptance of such curriculum shall be in the sole discretion of the Committee and subject to approval by the Board.~~ No applicant shall receive credit for more than two years' experience for any scholastic training regardless of the length of the educational process.

1.2.4 An applicant for initial registration or reciprocal registration shall have successfully completed the CLARB registration examination, where the examination administration and grading were conducted in accordance with CLARB's standards in effect at the time.

Source: *Miss. Code Ann* §73-2-7

*Rule 1.5 Fees.*

Fees required are listed below. Regardless of the time of initial registration all licenses become renewable at the end of the biennial period on December 31st.

<b>Fees:</b>	
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Source: *Miss. Code Ann §73-2-17*

*Rule 1.10 Reinstatement of License.*

1.10.1 A registrant that allows his/her registration to lapse after June 1 of the of the first year of the biennial period of the next odd year will be required to reinstate said registration by filing an application for reinstatement of an expired license supplied by the Committee, paying the reinstatement fee and providing the following information:

- A. A list of work experience, since the date the license officially lapsed; and
- B. an affidavit stating that the applicant for reinstatement has not practiced landscape architecture or entered into a contract to perform landscape architectural services in Mississippi since the license lapsed; and
- C. a CLARB Council Certificate OR an examination record on file with the board verifying initial licensure by examination in Mississippi; and
- D. certification that the applicant has acquired twenty-four (24) units of continuing education within a twenty-four month (24) period immediately prior to the date on which application for reinstatement is made. Continuing education hours must be in accordance with the provisions set forth in these rules and regulations and reported in a format acceptable to the board.

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*Rule 1.11 Official Seal.*

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1.11.2 The registrant shall stamp with his/her seal the following documents:

- A. All original sheets of any bound or unbound set of working drawings or plans, and
- B. The original cover of the project manual or index page(s) identifying all specification pages of the project manual, and
- C. All Addenda.

Preliminary documents that are not sealed should be marked as "preliminary" or "not for construction".

1.11.3 The registrant shall superimpose his/her original signature (not a rubber stamp, manual, electronic, or digital as defined below) and date of execution across the face of the seal on documents listed above;:

- A. a manual signature is the handwritten name of the registrant applied to a document that identifies the person, serves as a means of authentication of the contents of the document, provides responsibility for the creation of the document and provides for accountability for the contents of the document.
- B. for electronic or digital documents transmitted to others in their native file format (e.g., AutoCAD, Revit, Word, or Excel), a digital signature with an electronic authentication process attached to or logically associated with the document. The digital signature must be as follows:
  - 1. unique to the person using it; and
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  - 3. under the sole control of the person using it; and
  - 4. linked to a document in such a manner that the digital signature is invalidated if any data in the document is changed.
- C. for electronic or digital documents transmitted to others in a "pdf" or similar format that has modified the native file so that it is not easily altered, an electronic (scanned) signature is acceptable if it is an accurate depiction of the licensee's actual signature. It is the responsibility of the landscape architect sealing the document to provide adequate security when documents with electronic seals and/or signatures are distributed.

Subject to the requirements of this rule, rubber stamp, transparent self-adhesive seals, or computer generated types may be used. Such stamps and seals shall not include the registrant's signature and date of execution.

1.11.4 Any portion of working drawings or plans prepared by registered consultants shall bear the seal and signature of the consultant responsible.

1.11.5 No registrant shall affix his/her seal or signature to documents having titles or identities excluding the registrant's name unless:

- A. such documents were indeed developed by the registrant or under the registrant's direct control and personal supervision; and
- B. the registrant has exercised full authority to determine their development.

*Commentary on Sealing Requirements:*

*When produced by a landscape architect, or under the direct supervision and responsible control of a landscape architect, all plans and specifications submitted for bidding or permit purposes must be sealed by a landscape architect licensed in Mississippi. ~~Preliminary documents that are not sealed should be marked as "preliminary" or "not for construction".~~*

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*Rule 1.13 Licensure of Members of the Military, ~~and~~ Spouses and Dependents of Members of the Military, and Persons Who Establish Residence in This State.*

- A. Notwithstanding any other provision of law or the Rules and Regulations of the Board, the Committee shall issue a license to an applicant who is a member of the military, ~~or~~ an applicant who is married to or is a dependent of a member of the military, or a person who establishes residence in this state, if, upon application to the Committee, the applicant satisfies the following conditions:
  - 1. The applicant has been awarded a military occupational specialty in landscape architecture, completed a military program of training, completed testing or equivalent training and experience, and performed in the occupational specialty; or
  - 2. The applicant holds a current and valid license to practice landscape architecture in another state, ~~and~~ has held this license from the occupational licensing board in the other state for at least one (1) year, and, in the case of a person who establishes residence in this state, there were minimum education requirements and, if applicable, work experience and examination requirements in effect, and the other state verifies that the applicant met those requirements in order to be licensed in that state; and
  - 3. The applicant has not committed any act in the other state that would have constituted grounds for refusal, suspension or revocation of a license to practice landscape architecture in Mississippi at the time the act was committed, the occupational licensing board in the other state holds the applicant in good standing, and the applicant does not have a disqualifying criminal record as determined by the Committee under Mississippi law; and

4. The applicant did not surrender a license because of negligence or intentional misconduct related to the applicant's landscape architectural work in another state; and
  5. The applicant does not have a complaint, allegation or investigation pending before an occupational licensing board or other board in another state that relates to unprofessional conduct or an alleged crime. If the applicant has a complaint, allegation or investigation pending, the Committee shall not issue or deny a license to the applicant until the complaint, allegation or investigation is resolved, or the applicant otherwise satisfies the criteria for licensure in Mississippi to the satisfaction of the Committee; and
  6. The applicant pays all applicable fees in Mississippi.
- B. Notwithstanding any other law or the Rules and Regulations of the Board, the Committee shall issue a license to an applicant who is a member of the military, ~~or~~ an applicant who is married to or is a dependent of a member of the military, or a person who establishes residence in this state upon application based on work experience in another state, if all the following apply:
1. The applicant worked in a state that does not use a license, certificate, or registration to regulate landscape architecture; and
  2. The applicant worked for at least three (3) years in the practice of landscape architecture; and
  3. The applicant satisfies the provisions of paragraphs (3) through (6) of subsection (A) of this rule.
- C. To demonstrate the above requirements, applicants shall furnish the following documents to the Committee:
1. Applicants awarded a military occupational specialty in landscape architecture shall provide:
    - a. proof that the applicant is a member of the military or a military spouse or dependent; and
    - b. an official CLARB Council Certificate and Record or official military documents describing the content, nature, and requirements of the military training program in landscape architecture and evidence of the applicant completing and passing such program; and
    - c. a sworn statement or statements by superior officers of the applicant attesting that the applicant has satisfactorily engaged in the active practice of landscape architecture in the military; and
    - d. a description of landscape architectural projects completed by the applicant and samples of construction documents prepared by the applicant; and
    - e. official military documents showing that the applicant received an honorable discharge from the military (if applicable); and

- f. other documentation consistent with *Miss. Code Ann. §73-50-1* which may be requested by the Committee to verify the applicant's training and experience.
2. Applicants holding a current and valid license in another state shall provide:
    - a. proof that the applicant is a member of the military or a military spouse or dependent; ~~and or~~
    - b. proof of residency in Mississippi, to be demonstrated by one (1) of the following:
      1. State-issued identification card; or
      2. Current Mississippi residential utility bill with the applicant's name and address; or
      3. Documentation of the applicant's current ownership, or current lease of a residence in Mississippi; or
      4. Documentation of current in-state employment or notarized letter of promise of employment of the applicant or his or her spouse; or
      5. Any verifiable documentation demonstrating Mississippi residency.
    - c. an official CLARB Council Certificate and Record, or an official record from the state of licensure, describing the applicant's qualifications and verifying completion of the state's education, experience, and examination requirements; and
    - d. an official CLARB Council Certificate and Record, or an official record from the state of licensure, verifying that the applicant has held this license from the occupational licensing board in the other state for at least one (1) year and holds the applicant in good standing; and
    - e. other documentation consistent with *Miss. Code Ann. §§73-50-1 and 73-50-2* which may be requested by the Committee to verify the applicant's education, experience, and examination.
  3. Applicants applying based on work experience in another state that does not use a license, certificate, or registration to regulate landscape architecture shall provide:
    - a. proof that the applicant is a member of the military or a military spouse or dependent; and
    - b. sworn statements attesting that the applicant has satisfactorily engaged in the active practice of landscape architecture for at least three (3) years preceding the date of the application; and
    - c. a description of landscape architectural projects completed by the applicant and samples of construction documents prepared by the applicant; and
    - d. other documentation consistent with *Miss. Code Ann. §§73-50-1 and 73-50-2* which may be requested by the Committee to verify the applicant's experience.

D. The Committee shall issue or deny the license to an applicant who is a member of the military, ~~or an applicant who is married to or is a dependent of a member of the military,~~ or a person who establishes residence in this state, within one hundred twenty (120) days after receiving an application. If the application requires longer than two (2) weeks to process, the Committee shall issue a temporary practice permit within thirty (30) days after receiving the application if the applicant submits an affidavit, under penalty of perjury, affirming that he or she satisfies the provisions of this rule. The applicant may practice under the temporary permit until a license is granted, or until a notice to deny the license is issued. A temporary license will expire in three hundred sixty-five (365) days after its issuance if the applicant fails to satisfy the requirements for licensure in this rule.

Source: *Miss. Code Ann.* §§73-2-11, ~~and~~ 73-50-1, and 73-50-2

**Part 202 Chapter 3: Disciplinary Guidelines; Range of Penalties; Aggravating and Mitigating Circumstances**

*Rule 3.1 Disciplinary Guidelines.*

The Committee shall follow the disciplinary procedures in the Rules and Regulations of the Mississippi State Board of Architecture (Title 30, Part 201, Chapter 5), to the extent that such Rules and Regulations are consistent with the Laws, Rules, and Regulations for landscape architects specifically excepting that any discipline to be imposed against a landscape architect shall be governed by the disciplinary guidelines set forth in Title 30, Part 202, Chapter 3 of the Rules and Regulations of the Landscape Architecture Advisory Committee.

The Board sets forth below a range of disciplinary guidelines from which disciplinary penalties will be imposed upon practitioners guilty of violating the Law and Rules of the Board. The purpose of the disciplinary guidelines is to give notice to licensees of the range of penalties which will normally be imposed upon violations of particular provisions of the law. The disciplinary guidelines are based upon a single count violation of each provision listed. Multiple counts of violations of the same provision of the law or the rules promulgated thereto, or other unrelated violations contained in the same administrative complaint will be grounds for enhancement of penalties, i.e., suspension, revocation, etc., including lesser penalties, i.e., fine, probation, or reprimand which may be included in the final penalty at the Board's discretion. The following disciplinary guidelines shall be followed by the Board in imposing disciplinary penalties upon licensees for violation of the above mentioned statutes and rules:

A. Failure to stamp plans	1.11.2	Reprimand and \$250 fine
B. Failure to superimpose signature and/or date of execution over stamp	1.11.3	Reprimand and \$250 fine
C. Providing work not competent to perform	2.2.3	Reprimand and \$1,000 fine
D. "Plan Stamping"	2.6.2	Reprimand and \$1,000 fine
E. Attempting to procure license by providing false, deceptive or misleading information	§73-2-16	Revocation and \$1,000 fine (denial of license if application in process)
F. Licensee disciplined by another jurisdiction	2.5.4	Committee discretion

G. Conviction by any court of a felony relating to landscape architecture, except conviction of culpable negligent manslaughter, in which case the record of conviction shall be conclusive evidence	§73-2-16	1 year suspension, 2 year probation and \$1,000 fine
H. Practice on suspended license	§73-2-16	Revocation and \$1,000 fine
I. Practice on inactive license	§73-2-16	Fine based on length of time in practice while inactive; penalty will require licensee to renew license or cease practice
J. Practice on revoked license	§73-2-16	Fine based on length of time in practice while revoked
K. False, deceptive or misleading advertising	§73-2-16	Cease and desist letter
L. Fraudulent advertising	§73-2-16	Public Reprimand, \$1,000 fine and 1 year probation
M. Negligence	§73-2-16	Reprimand, 2 years probation and \$1,000 fine
N. Fraud or Deceit	§73-2-16	Reprimand, 1 year suspension, 2 years probation and \$1,000 fine
O. Incompetence (mental or physical impairment)	2.2.4	Suspension until ability to practice proved, followed by probation
P. Bribery to obtain clients or commissions	2.5.3	Revocation and \$1,000 fine
Q. Undisclosed conflict of interest	§73-2-16	Reprimand, \$1,000 fine and 2 years probation
R. Aiding unlicensed practice	Rule 2.5.2	Reprimand and \$1,000 Fine

The Committee shall be able to deviate from the above-mentioned guidelines upon a showing of aggravating or mitigating circumstances by clear and convincing evidence presented to the Board prior to the imposition of final penalty.

The Committee shall also have the right to collect any legal and/or administrative charges incurred by the agency during the course of the investigation.

Source: *Miss. Code Ann* §73-2-16