



## 2019 SENATE BILL 156

April 4, 2019 - Introduced by Senators KOOYENGA, MARKLEIN and JACQUE, cosponsored by Representatives KULP, TUSLER, ANDERSON, THIESFELDT, SPIROS, SKOWRONSKI and BROOKS. Referred to Committee on Public Benefits, Licensing and State-Federal Relations.

1     **AN ACT** *to amend* 443.02 (3) and 443.02 (4); and *to create* 443.015 (1m) of the  
2             statutes; **relating to:** retired credential status for certain professionals  
3             holding credentials granted by the Examining Board of Architects, Landscape  
4             Architects, Professional Engineers, Designers, and Professional Land  
5             Surveyors; extending the time limit for emergency rule procedures; providing  
6             an exemption from emergency rule procedures; and requiring the exercise of  
7             rule-making authority.

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### ***Analysis by the Legislative Reference Bureau***

Under this bill, the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, and Professional Land Surveyors must promulgate rules to allow a credential holder who is at least 65 years of age or has actively maintained that credential for a minimum of 30 consecutive years and who has retired from professional practice and no longer engages in that practice to apply to the board to classify his or her credential as retired. Such a credential holder is exempt from continuing education requirements and may maintain his or her professional title but may not engage in the relevant practice. Also, under the bill, such a credential holder must pay only one-half of the applicable renewal fee to maintain his or her professional credential.

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For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

1           **SECTION 1.** 443.015 (1m) of the statutes is created to read:

2           443.015 **(1m)** (a) Each section of the examining board shall promulgate rules  
3 to allow the holder of a credential under this chapter who is at least 65 years of age  
4 or has actively maintained that credential for at least 30 consecutive years and who  
5 certifies that he or she has retired from and no longer engages in the practice for  
6 which he or she holds the credential to apply to the board to classify that credential  
7 as retired status. The rules shall also allow the holder of a credential so classified  
8 to apply to the appropriate section of the examining board to remove the retired  
9 status classification if he or she satisfies reinstatement requirements established by  
10 the appropriate section of the examining board by rule.

11           (b) Any rules a section of the examining board promulgates under sub. (1) shall  
12 exempt a credential holder whose credential is classified as retired status under par.

13 (a) from continuing education requirements.

14           (c) 1. A credential holder whose credential is classified as retired status under  
15 par. (a) may not engage in the practice for which he or she holds that credential.

16           2. A credential holder whose credential is classified as retired status under par.  
17 (a) may continue to use a title in connection with that credential if he or she clearly  
18 indicates to the public that he or she is retired, including by placing the abbreviation  
19 “Ret.” or similar appellation after his or her title.

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1 (d) The renewal fee for a credential holder whose credential is classified as  
2 retired status under par. (a) shall be one-half of the usual renewal fee that otherwise  
3 applies.

4 **SECTION 2.** 443.02 (3) of the statutes is amended to read:

5 443.02 (3) ~~No~~ Except as provided under s. 443.015 (1m) (c), no person may offer  
6 to practice architecture, landscape architecture, or professional engineering or use  
7 in connection with the person's name or otherwise assume, use or advertise any title  
8 or description tending to convey the impression that he or she is an architect,  
9 landscape architect, or professional engineer or advertise to furnish architectural,  
10 landscape architectural, or professional engineering services unless the person has  
11 been duly registered or has in effect a permit under s. 443.10 (1) (d).

12 **SECTION 3.** 443.02 (4) of the statutes is amended to read:

13 443.02 (4) ~~No~~ Except as provided under s. 443.015 (1m) (c), no person may  
14 engage in or offer to engage in the practice of professional land surveying in this state  
15 or use or advertise any title or description tending to convey the impression that the  
16 person is a professional land surveyor unless the person has been granted a license  
17 under this chapter to engage in the practice of professional land surveying.

18 **SECTION 4. Nonstatutory provisions.**

19 (1) The examining board of architects, landscape architects, professional  
20 engineers, designers, and professional land surveyors may promulgate emergency  
21 rules under s. 227.24 necessary to implement this act. Notwithstanding s. 227.24 (1)  
22 (c) and (2), emergency rules promulgated under this subsection remain in effect until  
23 May 1, 2021, or the date on which permanent rules take effect, whichever is sooner.  
24 Notwithstanding s. 227.24 (1) (a) and (3), the examining board is not required to  
25 provide evidence that promulgating a rule under this subsection as an emergency

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1 rule is necessary for the preservation of the public peace, health, safety, or welfare  
2 and is not required to provide a finding of emergency for a rule promulgated under  
3 this subsection.

4 **SECTION 5. Effective dates.** This act takes effect on the first day of the 10th  
5 month beginning after publication, except as follows:

6 (1) SECTION 4 (1) of this act takes effect on the day after publication.

7 (END)