



State of Wisconsin
2019 - 2020 LEGISLATURE

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**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 163**

April 26, 2019 - Offered by Representative KULP.

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.

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 20 years in total and who certifies that he or she 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 or reinstate his or her retired-status professional credential.

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) 1. Each section of the examining board shall promulgate rules
3 to do all of the following:

4 a. Allow the holder of a credential under this chapter who is at least 65 years
5 of age or has actively maintained that credential for at least 20 years, which need not
6 be consecutive, and who certifies that he or she has retired from and no longer
7 engages in the practice for which he or she holds the credential to apply to the board
8 to classify that credential as retired status.

9 b. Allow an individual who previously held a credential under this chapter, and
10 failed to renew that credential prior to the renewal date, to apply to the board to
11 renew the credential with retired status if the individual is at least 65 years of age
12 or had actively maintained that credential for at least 20 years, which need not be
13 consecutive, certifies that he or she has retired from and no longer engages in the
14 practice for which he or she previously held the credential, and pays the fee under
15 par. (d). Section 440.08 (3) (a) and (b) does not apply to the renewal of such a
16 credential.

17 c. Allow the holder of a credential classified as retired status as described under
18 subd. 1. a. or b. to apply to the appropriate section of the examining board to remove
19 the retired status classification if he or she satisfies reinstatement requirements
20 established by the appropriate section of the examining board by rule.

1 2. Rules promulgated under subd. 1. may not require a certification to be
2 notarized.

3 (b) Any rules a section of the examining board promulgates under sub. (1) shall
4 exempt a credential holder whose credential is classified as retired status under par.
5 (a) from continuing education requirements.

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

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

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

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

16 443.02 (3) ~~No~~ Except as provided under s. 443.015 (1m) (c), no person may offer
17 to practice architecture, landscape architecture, or professional engineering or use
18 in connection with the person’s name or otherwise assume, use or advertise any title
19 or description tending to convey the impression that he or she is an architect,
20 landscape architect, or professional engineer or advertise to furnish architectural,
21 landscape architectural, or professional engineering services unless the person has
22 been duly registered or has in effect a permit under s. 443.10 (1) (d).

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

24 443.02 (4) ~~No~~ Except as provided under s. 443.015 (1m) (c), no person may
25 engage in or offer to engage in the practice of professional land surveying in this state

1 or use or advertise any title or description tending to convey the impression that the
2 person is a professional land surveyor unless the person has been granted a license
3 under this chapter to engage in the practice of professional land surveying.

4 **SECTION 4. Nonstatutory provisions.**

5 (1) The examining board of architects, landscape architects, professional
6 engineers, designers, and professional land surveyors may promulgate emergency
7 rules under s. 227.24 necessary to implement this act. Notwithstanding s. 227.24 (1)
8 (c) and (2), emergency rules promulgated under this subsection remain in effect until
9 May 1, 2021, or the date on which permanent rules take effect, whichever is sooner.
10 Notwithstanding s. 227.24 (1) (a) and (3), the examining board is not required to
11 provide evidence that promulgating a rule under this subsection as an emergency
12 rule is necessary for the preservation of the public peace, health, safety, or welfare
13 and is not required to provide a finding of emergency for a rule promulgated under
14 this subsection.

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

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

18 (END)