

1980 WL 120589 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

January 9, 1980

*1 The Honorable David L. Allen
Chairman
Landscape Architects Board of Registration
2221 Devine Street, Suite 222
Columbia, SC 29205

Dear Mr. Allen:

You have inquired as to whether the South Carolina Landscape Architects Board of Registration may enter into a 'Letter of Understanding' with the Georgia State Board of Landscape Architects concerning reciprocal licensure between the two boards. In that regard, you have submitted a letter, dated August 31, 1979, to the Georgia State Board of Landscape Architects, and a letter, dated September 28, 1979, from the Georgia State Board of Landscape Architects to the Landscape Architects Board of Registration.

The Act passed by the General Assembly in 1976 concerning the licensing of landscape architects specifically provided for reciprocity with other states. [Section 40-28-130, Code of Laws of South Carolina \(1976\)](#), provides, in part, as follows:

The Board, . . . may permit the practice of landscape architecture in this state under a landscape architect license issued under the laws of any other state, upon payment of the current fee established by the Board, and upon submission of evidence satisfactory to the Board:

- (1) That the other state maintains a system and standard of qualifications and examinations for a landscape architect license which were substantially equivalent to those required in this State at the time the license was issued by the other state;
- (2) That the other state gives similar recognition and endorsement to landscape architect licenses of this State.

Therefore, if the two requirements set forth in this Section of the Code are met, the Landscape Architects Board of Registration may grant reciprocity to an individual, who is licensed by another state and who is seeking to be licensed by South Carolina.

The letter from the Landscape Architects Council to the Georgia State Board of Landscape Architects, dated August 31, 1979, indicates that Georgia maintains a system and standard of qualifications and examinations substantially equivalent to those required in South Carolina. In that letter, Mr. Donald L. Collins, the Secretary of the Council, stated that '[a]fter studying Georgia's registration requirements we find they are totally compatible with South Carolina's.' If the Board endorses the Council's determination in that respect, it would appear that the first requirement of [Section 40-28-130 of the Code](#) would be satisfied.

The second requirement established by the relevant Code section is that the other state, in this case Georgia, give similar recognition and endorsement to licenses of South Carolina. The letter, dated September 28, 1979, from the Georgia State Board of Landscape Architects, appears to indicate that Georgia will provide such 'similar recognition and endorsement.' Although, Georgia will apparently attach some additional requirements besides the simple licensing by this state of a landscape architect, they will provide basic recognition and endorsement of a landscape architect holding a South Carolina license. Therefore, the second requirement listed in [Section 40-28-130 of the Code](#) would appear to be satisfied.

*2 For the reasons stated herein, it is the opinion of this Office that the South Carolina Landscape Architects Board of Registration may enter into a 'letter of understanding' with the Georgia State Board of Landscape Architects. However, the Landscape Architects Board of Registration will need to continue to evaluate each landscape architect registered in Georgia who is seeking registration in this state pursuant to [Section 40-28-130](#) to ensure that each applicant meets the requirements contained in that Section. Furthermore, this opinion is based solely on the letters provided to this Office, and it is issued with the understanding that the South Carolina Landscape Architects Board of Registration has concluded that Georgia maintains a system and standard of qualifications and examinations for the licensing of landscape architects which are substantially equivalent to those required in the State of South Carolina.

Sincerely,

Keith M. Babcock
Assistant Attorney General

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