

INTERIOR DESIGNERS: REGISTRATION SYSTEM

Mitchell Bean, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4262 (Substitute H- 1)
Sponsor: Rep. Bill Huizenga

House Bill 4311 (Substitute H-2)
House Bill 4312 (Substitute H-1)
Sponsor: Rep. Andrew Meisner

Committee: Commerce

Complete to 10-25-05

A SUMMARY OF HOUSE BILL 4262 AS REPORTED FROM COMMITTEE

House Bill 4311 would amend the Occupational Code to add a new Article 28 to create a registration system for interior designers. A new Board of Interior Design would be created within the Department of Labor and Economic Growth. The bill would provide for a three-year registration and would impose continuing education requirements for registration renewal.

A registration system protects the titles of an occupation or profession. Thus, the bill would specify that an individual not registered under Article 28 could provide or offer interior design services so long as he or she does not use the terms *registered interior designer*, *interior designer*, or other term or title connoting registration under the article.

House Bill 4262 would amend the Stille-DeRossett-Hale Single State Construction Code Act by adding a new Section 10a addressing the issuance of permits to interior designers. Permits could be issued to interior designers only for activities described in interior design documents bearing the designer's seal.

House Bill 4312 would amend the State Licensure Fee act by adding Section 19 to establish a \$50 application processing fee and a \$70 annual registration fee for interior designers. House Bills 4262 and 4312 are tie-barred to House Bill 4311, which in turn is tie-barred to the other two bills. A detailed explanation of House Bill 4311 follows.

Definitions. An "interior designer" would mean a person performing interior design services. "Interior design services" would mean services in connection with the design of interior spaces which include the preparation of design documents—finishes, systems furniture, furnishings, fixtures, equipment lighting and non-load-bearing interior partitions that do not materially affect the building mechanical, structural, electrical, or fire safety systems. "Materially affect" would mean either or both of the following: 1) activity that has a substantial and negative impact on the health, safety, and welfare of the occupants of the interior space after installation of finishes, etc; and 2) activity that is

incompatible with the applicable building or fire codes to such a degree that more than a minor modification of the design documents is needed to correct the incompatibility.

Registration Board. A board of interior design would be established by the Department of Labor and Economic Growth (DLEG). The terms of the board members and their qualifications would be prescribed by Section 303 of the code. The department, by adoption of rule and in consultation with the board, would establish standards of conduct for registered interior designers. The section of the Occupational Code that created the current interior design advisory subcommittee would be repealed.

Application Process. An applicant for registration would need to submit a completed application to the department on a form supplied by the department and pay the appropriate application and per-year registration fee. For the first year that the registration was in effect, the department would issue a registration to an individual who submitted proof of six years of combined education and experience in providing interior design services, with at least two of those six years being practical experience. Applicants for registration who were on the list of individuals qualified to perform interior design services (as compiled by the current advisory board) would be eligible for a registration if they applied within one year after the effective date of the act and paid the appropriate registration fee.

Individuals not on the list would be required to complete the 2003 examination offered by the National Council for Interior Design qualification. The Board would be allowed to adopt an updated version of the National Council for Interior Design examination or another examination it considered to be equal to the most recent national council examination. The board would also prescribe the qualifications to take the examination.

Registration/Reciprocity. The department would issue a registration to an individual for a term of three years only upon the approval of a properly submitted application. The department would be allowed to issue a registration to an applicant from another jurisdiction, state, or country that has similar requirements for registration or licensure and would reciprocate to Michigan registrants.

Upon being registered, the registrant would have to obtain a seal authorized by the board bearing the registrant's name and a legend indicating "registered interior designer." A plan, report, or specification issued by a registrant shall be sealed when filed with a public authority.

Continuing Education. Any individual registered under this act would be required to meet continuing education requirements to renew his or her registration. The department, in consultation with the board, would transmit rules to require a registrant to furnish evidence verifying—for the three years immediately preceding application for renewal—that he or she attended continuing education courses or programs related to the practice of interior design that further educated the registrant. The department would have to ensure that all approved continuing education program courses included defined measurements of pre-knowledge and post-knowledge or skill improvement, or both. The department

would establish rules as to the total number of course or program clock hours—at a minimum of 45 clock hours—in any three-year registration renewal cycle. A portion of those clock hours would have to be in ethics.

Penalties. A person would be subject to the penalties in Article 6 of the code if he or she committed violations of the code or its rules, or if he or she did one or more of the following: presented or attempted to use the registration or seal of another; used a term protected by this article without being registered under the article; submitted to a public official in this state, or a political subdivision of this state, for approval, a permit or a plan, report, or specification for filing as a public record that did not bear a seal of a registrant as required by this article.

FISCAL IMPACT:

The creation of a board of interior design is expected to cost the Department of Labor and Economic Growth \$50,000 annually, based on the cost of the existing boards within its Licensing Division.

POSITIONS:

Indicating support for the bill to the House Commerce Committee were representatives from the Coalition for Interior Design Registration and the American Society of Interior Designers, and the Michigan Association of Homebuilders. (10-19-05)

Indicating opposition to the bill were the Department of Labor and Economic Growth, the State Board of Architects, and the American Institutes of Architects of Michigan. (10-19-05)

Legislative Analyst: Chris Couch/E. Best
Fiscal Analyst: Richard Child

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.