



HOUSE BILL 858: Interior Design Profession Act.

2019-2020 General Assembly

Committee:	House Regulatory Reform. If favorable, re- refer to Finance. If favorable, re-refer to Rules, Calendar, and Operations of the House	Date:	April 30, 2019
Introduced by:	Reps. Riddell, Saine, Beasley, Ross	Prepared by:	Jeremy Ray* Staff Attorney
Analysis of:	PCS to First Edition H858-CSBH-11		

OVERVIEW: *The Proposed Committee Substitute (PCS) for House Bill 858 would establish a voluntary registration for interior designers to be administered by the Department of Insurance. The PCS would also allow registered interior designers to obtain building permits from local governments.*

[The PCS adds exemptions for certain individuals from the provisions of the Chapter while those individuals are engaged in the proper scope of their professions and technical changes.]

CURRENT LAW AND BILL ANALYSIS:

SECTION 1. would establish a voluntary registration for interior designers in the Department of Insurance (Department) as follows:

- The Department would register interior designers who meet certain requirements, including passage of an examination administered by the Council for Interior Design Qualification (CIDQ) and payment of a \$100 application fee.
- Registered interior designers would be required to renew their registrations, complete continuing education requirements, and pay a \$50 renewal fee every two years in order to maintain their registration.
- The Department would register interior designers who are licensed, certified, or registered in other jurisdictions if the Department determined that the requirements of the other jurisdictions were substantially the same as those in North Carolina and that the interior designer was familiar with the State Building Code. The Department would charge a \$50 reciprocal registration fee.
- The Department could refuse to issue or renew or suspend or revoke a registration for a number of reasons, including fraud, use of another's certificate of registration, and gross malpractice or gross incompetency. The Department could assess a civil penalty not to exceed \$1,000 per offense against a registrant and could seek injunctive relief to prohibit violation of the new registration law.
- Each of the following would be a Class 2 misdemeanor:
 - Improper use of a registered interior designer's signature or seal.
 - Use of an expired, inactive, suspended, or revoked registration or seal.
 - Obtaining or attempting to obtain a registration by fraud.
- A registered interior designer would be authorized to obtain permits from the State and local governments for interior alteration or construction projects within the scope of the practice of interior

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design. Having an interior designer registration would not authorize that person to practice either of the following:

- Architecture, under Chapter 83A of the General Statutes.
- Engineering, under Chapter 89C of the General Statutes.
- Registration under the Chapter would not be construed as restricting the practices, services, or activities of any person licensed in this State under any other law from engaging in the profession or occupation for which the person is licensed.
- The following persons would be exempt from the new registration law while engaged in the proper scope of their professions:
 - Interior decorators.
 - Licensed design professionals (architect, landscape architect, engineer, or land surveyor).
 - Attorneys.
 - Licensed general contractors.
 - Unregistered interior designers.

SECTIONS 2 & 3. Under current law, a local government may not issue a building permit unless the plans for the work are prepared by a licensed architect or licensed engineer as required by State law.

Sections 2 and 3 would add registered interior designers to the types of professionals required for certain building permits issued by a local government.

SECTION 4. Would require the Department to report to the Joint Legislative Oversight Committee on General Government on the progress of administering Chapter 93F of the General Statutes no later than February 1, 2020.

EFFECTIVE DATE: The PCS for House Bill 858 would become effective October 1, 2019.

**Karen Cochrane-Brown, Jeffrey Hudson, and Greg Roney, with the Legislative Analysis Division, substantially contributed to this summary.*