



SENATE BILL 188: Bd. of Architects/Interior Designers.

2021-2022 General Assembly

Committee:		Date:	January 31, 2022
Introduced by:		Prepared by:	Bill Patterson Staff Attorney
Analysis of:	S.L. 2021-81		

OVERVIEW: S.L. 2021-81:

- *Renames the North Carolina Board of Architecture as the North Carolina Board of Architecture and Registered Interior Designers;*
- *Adds three new gubernatorial appointees to the Board who must be registered interior designers, with terms beginning on January 1, 2022;*
- *Establishes a registration framework governing the scope of practice for interior designers;*
- *Authorizes interior designers to apply for building permits for interior construction projects;*
- *Establishes fees for interior designer registration; and*
- *Increases fees for architect licensure*

The act became effective July 8, 2021. It applies to applications received on or after that date from the three new members appointed by the Governor, and applies to applications received on or after January 1, 2022, from all other persons.

CURRENT LAW: The North Carolina Board of Architecture is established under Chapter 83A of the General Statutes to license and regulate the practice of architecture, comprising seven members appointed by the Governor. Five members are licensed architects serving five-year terms. The other two members are not licensed architects, represent the interests of the public, and serve at the pleasure of the Governor.

Under current law, the practice of interior design is not regulated and interior designers are not authorized to sign and seal technical submissions to obtain building permits.

BILL ANALYSIS:

Section 1 of the act:

- Renames the North Carolina Board of Architecture as the North Carolina Board of Architecture and Registered Interior Designers ("Board").
- Adds three new members to the Board who are required to be registered interior designers.
- Authorizes the Board to grant the honorific title "Architect Emeritus" to a formerly licensed architect who has relinquished or chooses not to renew a license to practice architecture.
- Defines the scope of practice of interior design.
- Provides that Chapter 83A does not apply to persons:
 - Who are not subject to regulation under applicable building codes and who:
 - Hold themselves out as "Interior decorators."
 - Hold themselves out as offering "interior design services."

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- Who engage in professional services limited to:
 - Planning, design, and implementation of residential kitchen and bath spaces.
 - Planning, design, and implementation of commercial kitchen and bath spaces in buildings having a total value not exceeding \$200,000 and a total area not exceeding 3,000 square feet.
 - Specification of products for kitchen and bath areas.
- Requires applicants seeking to become registered interior designers to meet one of the following requirements:
 - Provide verification from the National Council for Interior Design Qualification (NCIDQ) that the applicant passed the NCIDQ examination and is an NCIDQ Certificate holder in good standing.
 - Provide evidence of registration, licensure, or certification as an interior designer in another jurisdiction having requirements substantially equivalent to or greater than those required in this State.
 - Provide evidence that the applicant is a licensed architect certified by the Board.
- Requires registered interior designers to obtain a seal prescribed by the Board and permits them to submit signed and sealed technical documents within the scope of their practice to State and local governmental entities to obtain building permits for interior construction projects.
- Prohibits unregistered persons from holding themselves out as registered interior designers.
- Subjects registered interior designers to denial, suspension, or revocation of their registration and to a civil fine of up to \$500 for dishonest, incompetent, or unprofessional conduct.
- Subjects unregistered persons to misdemeanor criminal prosecution and a civil penalty of up to \$500.00 for violations of Chapter 83A and rules adopted by the Board.
- Revises the Board's schedule of fees as follows:
 - Initial application
 - Individual: increases from \$50 to \$100
 - Firm: increases from \$75 to \$150
 - Annual renewal
 - Individual: increases from \$75 to \$150
 - Firm: increases from \$100 to \$200
 - Reciprocal license: increases from \$150 to \$300
 - Reexamination: eliminates this fee, which was \$25
 - Late Renewal Penalty
 - 1 - 30 days: increases from \$50 to \$100
 - 30 days to 1 year: increases from \$50 to \$100
 - Adds new fees for reinstatement of expired license or registration
 - Individual: \$500
 - Firm: \$500
- Makes other technical and conforming changes to Chapter 83A of the General Statutes.

Section 2 of the act provides staggered terms for the three initial new gubernatorial appointees to the Board, whose terms began on January 1, 2022.

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Section 3 of the act requires the Department of Insurance to review and update all relevant documents, materials and applications and promulgate any necessary rules concerning the practice of registered interior designers pursuant to this act.

EFFECTIVE DATE: This act became effective July 8, 2021. Section 1 applies to applications received on or after that date from the three persons appointed to the Board pursuant to Section 2, and applies to applications received on or after January 1, 2022, from all other persons.

**Trina Griffin and Jeremy Ray, Staff Attorneys with the Legislative Analysis Division, substantially contributed to this summary.*