



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

2021-2022 General Assembly

Committee:	Senate Judiciary. If favorable, re-refer to Finance. If favorable, re-refer to Rules and Operations of the Senate	Date:	April 13, 2021
Introduced by:	Sens. Krawiec, Galey, Barnes	Prepared by:	Bill Patterson
Analysis of:	Second Edition		Committee Co-Counsel

OVERVIEW: *Senate Bill 188 would:*

- *Define the scope of practice of interior design.*
- *Change the name of the North Carolina Board of Architecture to the North Carolina Board of Architecture and Registered Interior Designers.*
- *Authorize the Board to register persons meeting specified criteria as "registered interior designers."*
- *Subject persons falsely holding themselves out as registered interior designers to misdemeanor criminal liability and civil penalties.*
- *Add three members to the Board who are registered interior designers.*
- *Authorize registered interior designers to apply for building permits for interior construction projects using signed and sealed technical submissions within their defined scope of practice.*
- *Establish new fees for interior designer registration and increase existing fees for architect licensure.*
- *Establish the honorific title of "Architect Emeritus."*
- *Make other technical and conforming changes to Chapter 83A of the General Statutes.*

[As introduced, this bill was identical to H223, as introduced by Reps. Stevens, Riddell, Saine, Hardister, which is currently in House Regulatory Reform.]

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.

The practice of interior design is not currently regulated under State law and interior designers are not authorized to sign and seal technical submissions to obtain building permits.

BILL ANALYSIS:

Section 1 of the bill would:

- Rename the North Carolina Board of Architecture as the North Carolina Board of Architecture and Registered Interior Designers ("Board").

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- Add three new members to the Board who are required to be registered interior designers.
- Authorize 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.
- Define the scope of practice of interior design.
- Provide that Chapter 83A does not apply to persons:
 - Who hold themselves out as "interior decorators" or as offering "interior design services," and who provide services that are not subject to regulation under applicable building codes.
 - 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.
- Require 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.
- Require registered interior designers to obtain a seal prescribed by the Board and permit 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.
- Prohibit unregistered persons from holding themselves out as registered interior designers.
- Subject 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.
- Subject 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.
- Revise the Board's schedule of fees as follows:
 - Initial application
 - Individual: increase from \$50 to \$100
 - Firm: increase from \$75 to \$150
 - Annual renewal
 - Individual: increase from \$75 to \$150
 - Firm: increase from \$100 to \$200
 - Reciprocal license: increase from \$150 to \$300
 - Reexamination: eliminated - was \$25

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- Late Renewal Penalty
 - 1 - 30 days: increase from \$50 to \$100
 - 30 days to 1 year: increase from \$50 to \$100
- Reinstatement of expired license or registration (new)
 - Individual: \$500
 - Firm: \$500
- Make other technical and conforming changes to Chapter 83A of the General Statutes.

Section 2 would provide staggered terms for the three initial new appointees to the Board, to be appointed by the Governor on or before October 1, 2021, whose terms begin on January 1, 2022. Upon appointment, each appointee would be required to immediately seek registration under this act.

Section 3 would authorize the Board to adopt rules to implement this act's provisions.

Section 4 would require 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 is effective when it becomes law. Section 1 of the act would apply to applications received on or after the act's effective date from the three persons appointed to the Board pursuant to Section 2, and would apply to applications received on or after January 1, 2022 from persons other than those appointed to the Board pursuant to Section 2.