AN ACT

Providing for the registration of interior designers; imposing powers and duties on the Bureau of Consumer Protection; and imposing penalties.

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The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

CHAPTER 1

PRELIMINARY PROVISIONS

Section 101. Short title.

This act shall be known and may be cited as the Interior Designer Registration Act.

Section 102. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:


"Code-regulated interior design services." Interior design services that must comply with the requirements of and regulations promulgated under the act of November 10, 1999 (P.L.491, No.45), known as the Pennsylvania Construction Code Act.

"Contract document." A document that forms part of the legal contract for services between various parties, including detailed instructions to the contractor, tender forms, interior construction documents and specifications.

"Council for Interior Design Qualification" or "CIDQ." An independent, nonprofit organization of state and provincial credentialing bodies that develops and administers the National...
Council for Interior Design Qualification (NCIDQ) examination 
with the purpose of establishing minimum standards of competence 
for the professional practice of interior design relative to 
building codes and industry standards.

"Interior construction document." Plans, detailed drawings, 
specifications and schedules that define the work to be 
constructed as required by law for building permitting. The 
plan, detailed specifications and schedules may include, but are 
not limited to:

(1) Allocations of space, elevations, sections, details 
and specifications to illustrate partition layouts.
(2) Switching and communication locations.
(3) Reflected ceiling plans and lighting layouts, 
details and designs.
(4) Materials and finishes.
(5) Furniture layouts.
(6) Graphic instructions and related drawings supplied 
by an associated consultant and to be used for the 
construction of the project.

"Interior design services." The selection and placement of 
nonstructural elements within the interior space of a building 
or structure, and the rendering of or the offering to render 
designs, consultations, studies, planning, drawings, contract 
documents, interior construction documents or other technical 
submissions and the administration of interior construction and 
contracts relating to non-load-bearing interior construction of 
a building or structure.

"Non-load-bearing interior construction." An interior 
element or component that does not require design computations 
for a building's structure and does not support a vertical load
of a structure other than its own weight, but that may support
loads attached to it such as cabinetry or shelving.

"Reflected ceiling plan." A drawing illustrating a ceiling
design that appears projected downward, including light
fixtures, materials, height designations and changes and ceiling
fixtures that may include placement or location of exit devices,
smoke detectors and other elements as required by the design.

"Registered interior designer." An individual who holds a
current valid registration under this act.

"Specifications." A detailed, written description of
construction, workmanship and materials for work to be
undertaken.

"Technical submittals." Designs, drawings, specifications,
studies and other technical reports prepared and reviewed in the
course of the professional practice of interior design.

CHAPTER 3

REGISTRATION

Section 301. Qualifications of registered interior designers.

(a) General rule.--No individual may hold himself out as a
registered interior designer without first registering with the
bureau as provided for in this act. Nothing in this act shall
prohibit an individual from using the title "interior designer,"
practicing code-regulated interior design services or preparing
interior construction documents under the stamp and signature of
a licensed architect or professional engineer, but the
individual may not hold himself out to be a registered interior
designer unless the individual meets the requirements of this
act.

(b) Registration qualifications.--To qualify as a registered
interior designer, an applicant shall:

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(1) Be of good moral character.

(2) Have passed the CIDQ's examinations required for NCIDQ certification and maintain a valid active NCIDQ certification or its successor.

Section 302. Registration procedures.

(a) Application form.--An individual must apply to the bureau in writing on a form provided by the bureau or electronically via the secure registration web page on the bureau's publicly accessible Internet website developed as required by the act of October 17, 2008 (P.L.1645, No.132), known as the Home Improvement Consumer Protection Act. The bureau may make the modifications to the registration web page and database that are necessary to facilitate online registration of interior designers. The application shall include the following information:

(1) The name of the applicant.

(2) The date of birth of the applicant.

(3) The applicant's home address and home telephone number.

(4) The applicant's driver's license number, a copy of an identification card issued by the state in which the individual resides or another form of identification as permitted by the bureau.

(5) The applicant's business or employer's name, Federal employment identification number, address and telephone number, if applicable.

(6) The applicant's Social Security number.

(7) All prior business names and addresses of interior design businesses operated by the applicant.

(8) A complete description of the nature of the interior
(9) Proof of satisfaction of the registration qualifications in section 301(b).

(10) A statement whether:

(i) The applicant has ever been convicted of a criminal offense related to fraud, theft, a crime of deception or a crime involving fraudulent business practices, as well as a statement whether the applicant has ever filed a petition in bankruptcy or, within the last 10 years, received a final civil judgment entered against the applicant or businesses in which the applicant held an interest that was related to interior design services provided by the applicant.

(ii) The applicant's registration or license issued by any other state or political subdivision has ever been revoked or suspended pursuant to an order issued by a court of competent jurisdiction and if so, the current status of the registration or license. The statement required by this subparagraph shall include the same information with respect to any other business in which the person making application has ever had an interest.

(b) Multiple registrations or licenses.--A registered interior designer in this Commonwealth who is registered or licensed as an interior designer in any other state or political subdivision shall report that information to the bureau on the initial registration application and biennial registration application. Disciplinary action taken in the other jurisdiction shall be reported to the bureau on the initial registration application or, if the disciplinary action occurred subsequent to submission of an initial application, on the biennial
registration application or within 90 days of final disposition, whichever is sooner. Multiple registrations or licenses shall be noted by the bureau on the registered interior designer's registration, and the state or political subdivision shall be notified by the bureau of any disciplinary actions taken in this Commonwealth against the registered interior designer.

Section 303. Application fees.

(a) Amount.--Each application or renewal application shall be accompanied by a fee of $50. Upon approval of the application, the bureau shall issue the registered interior designer a registration identifying the name of the individual, name and address of the business and a registration number.

(b) Term of registration.--A registration issued under this section shall be valid for two years and may be renewed biennially with the bureau pursuant to the renewal requirements in section 305.

(c) Account.--The following shall apply:

(1) All fees collected under this act shall be deposited into the Home Improvement Account.

(2) The money in the account and any interest earned on the money may be appropriated to the Attorney General for administering and enforcing the provisions of this act and to protect consumers with respect to registered interior design services through consumer education and other means.

Section 304. Proof of registration.

(a) Code-regulated interior design services.--A registered interior designer practicing code-regulated interior design services within this Commonwealth shall affix the signature and registration number of the registered interior designer to an interior construction document certifying compliance with
applicable current building codes, ordinances, laws and regulations defining the work to be constructed for approval of a construction permit by a building official or fire marshal. Documents may be combined with documents prepared under the stamp and signature of other licensed or registered professionals licensed under the laws of this Commonwealth performing services within their authorized scope of practice. Documents may also include the technical submittals coordinated by the registered interior designer as required by contract documents.

(b) Advertisements.--A registered interior designer shall include the registration number in all advertisements distributed within this Commonwealth.

(c) Applicability.--This section shall apply to all advertisements, contracts, estimates and proposals created by a registered interior designer after the effective date of this act.

Section 305. Biennial renewal.

For biennial renewal of a registration, the following shall apply:

(1) In addition to the initial application requirements under section 302, a registered interior designer must biennially provide certification of successful completion of a minimum of 10 hours of continuing education. Continuing education activities that satisfy the professional development requirements include, but are not limited to, the following:

   (i) Completion of accredited college or university coursework in interior design or a related field.

   (ii) Completion of continuing education courses
offered or accepted by the Interior Design Continuing Education Council (IDCEC), Green Business Certification Inc. (GBCI), the accrediting body of the American Institute of Architects or other accrediting agencies and institutions related to interior design.

(2) Certification of continuing education credit hours submitted by the registered interior designer shall be verified as being correct and true by the applicant. Falsification of credit hours shall result in immediate revocation of the registered interior designer's certification.

(3) A registered interior designer must file a completed bureau-approved renewal application and pay the appropriate fee.

CHAPTER 5
ADMINISTRATION AND ENFORCEMENT

Section 501. Public information.

(a) Public access to registration information.--The bureau shall maintain a toll-free telephone number from which a caller can obtain information as to whether an interior designer is registered with the bureau under this act, as well as information that may be obtained on the bureau's publicly accessible Internet website.

(b) Confidentiality of personal information.--The bureau shall create a policy for the disclosure of personal information to the public. The bureau may not disclose to the public a registered interior designer's or applicant's Social Security number, driver's license number or any confidential information prohibited by law from being disclosed; however, an interior designer's home address and home telephone number shall be
disclosed only if the home address and home telephone number are also used as the interior designer's business address and business telephone number.

Section 502. Prohibited acts.

(a) General rule.--Nothing in this act shall prohibit an individual from practicing code-regulated interior design services or preparing interior construction documents under the stamp and signature of a licensed architect or professional engineer, but the individual may not hold himself out to be a registered interior designer unless the individual meets the requirements of this act.

(b) Misrepresentation.--An individual who is not registered by the bureau as a registered interior designer is prohibited from printing any written or printed circular, any business card, letterhead or sign, or otherwise assuming the title of registered interior designer or the abbreviation "R.I.D." An individual who misrepresents himself as a registered interior designer commits a misdemeanor of the third degree.

(c) Construction.--The following shall apply:

(1) Nothing in this act shall prohibit use of the title "interior designer" by a nonregistered individual.

(2) Nothing in this act shall prohibit an individual from engaging in the practice for which that individual is licensed or certified to practice or to act within the scope of that license or certification held in this Commonwealth.

(3) Nothing in this act or any other law or regulation of this Commonwealth shall prohibit a registered interior designer from being directly compensated for the preparation of interior construction documents.

(d) Regulation.--No political subdivision may in any manner
regulate a registered interior designer. No building official, fire marshal or any other municipal employee authorized to issue construction permits shall require a registered interior designer to submit an interior construction document or technical submittal pertaining to registered interior design practice under the stamp and signature of a licensed architect or professional engineer. A registered interior designer may request the bureau to review any local ordinance or action taken by a building official, fire marshal or any other municipal employee authorized to issue construction permits that may be in violation of this section. The bureau may bring an action against the political subdivision in Commonwealth Court to invalidate the unauthorized local ordinance or enjoin the enforcement of the unauthorized local ordinance.

Section 503. Regulations.

(a) General rule.--The bureau may adopt rules and regulations necessary to carry out the provisions of this act.

(b) Uniform Construction Code.--The Department of Labor and Industry shall adopt regulations within 90 days of the effective date of this act to bring 34 Pa. Code § 403.42a(c) (relating to permit application) and any other relevant sections of the Uniform Construction Code into compliance with this act.

Section 504. Permit authority.

A registered interior designer, only after affixing the signature and registration number of the registered interior designer to interior construction documents and on technical submittals, shall have the authority to submit them to a governmental entity for the purpose of obtaining a construction permit.

Section 505. Preemption of local registration.
Registration under this act shall preclude any requirement of payment of a fee or registration or licensing of an interior designer by a political subdivision. Political subdivisions shall be permitted to require building permits and local enforcement of the building code for that political subdivision, for which a reasonable fee may be charged.

Section 506. Exemptions.

This act shall not apply to any of the following persons or organizations:

(1) The Commonwealth or any of its political subdivisions.

(2) The Federal Government.

CHAPTER 11

MISCELLANEOUS PROVISIONS

Section 1101. Construction.

This act shall supersede any conflicting provision in any other laws of this Commonwealth.

Section 1102. Effective date.

This act shall take effect July 1, 2018.