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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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RAVENSTAHL, SONNEY, TOPPER AND SCHWEYER, JUNE 3, 2019

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REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, JUNE 3, 2019

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AN ACT

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

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

8 CHAPTER 1

9 PRELIMINARY PROVISIONS

10 Section 101. Short title.

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

13 Section 102. Definitions.

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

17 "Bureau." The Bureau of Consumer Protection in the Office of  
18 Attorney General.

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

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

28 "Council for Interior Design Qualification" or "CIDQ." An  
29 independent, nonprofit organization of state and provincial  
30 credentialing bodies that develops and administers the National

1 Council for Interior Design Qualification (NCIDQ) examination  
2 with the purpose of establishing minimum standards of competence  
3 for the professional practice of interior design relative to  
4 building codes and industry standards.

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

10 (1) Allocations of space, elevations, sections, details  
11 and specifications to illustrate partition layouts.

12 (2) Switching and communication locations.

13 (3) Reflected ceiling plans and lighting layouts,  
14 details and designs.

15 (4) Materials and finishes.

16 (5) Furniture layouts.

17 (6) Graphic instructions and related drawings supplied  
18 by an associated consultant and to be used for the  
19 construction of the project.

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

28 "Non-load-bearing interior construction." An interior  
29 element or component that does not require design computations  
30 for a building's structure and does not support a vertical load

1 of a structure other than its own weight, but that may support  
2 loads attached to it such as cabinetry or shelving.

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

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

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

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

16 CHAPTER 3

17 REGISTRATION

18 Section 301. Qualifications of registered interior designers.

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

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

1 (1) Be of good moral character.

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

5 Section 302. Registration procedures.

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

16 (1) The name of the applicant.

17 (2) The date of birth of the applicant.

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

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

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

27 (6) The applicant's Social Security number.

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

30 (8) A complete description of the nature of the interior

1 design business of the applicant.

2 (9) Proof of satisfaction of the registration  
3 qualifications in section 301(b).

4 (10) A statement whether:

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

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

22 (b) Multiple registrations or licenses.--A registered  
23 interior designer in this Commonwealth who is registered or  
24 licensed as an interior designer in any other state or political  
25 subdivision shall report that information to the bureau on the  
26 initial registration application and biennial registration  
27 application. Disciplinary action taken in the other jurisdiction  
28 shall be reported to the bureau on the initial registration  
29 application or, if the disciplinary action occurred subsequent  
30 to submission of an initial application, on the biennial

1 registration application or within 90 days of final disposition,  
2 whichever is sooner. Multiple registrations or licenses shall be  
3 noted by the bureau on the registered interior designer's  
4 registration, and the state or political subdivision shall be  
5 notified by the bureau of any disciplinary actions taken in this  
6 Commonwealth against the registered interior designer.

7 Section 303. Application fees.

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

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

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

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

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

25 Section 304. Proof of registration.

26 (a) Code-regulated interior design services.--A registered  
27 interior designer practicing code-regulated interior design  
28 services within this Commonwealth shall affix the signature and  
29 registration number of the registered interior designer to an  
30 interior construction document certifying compliance with

1 applicable current building codes, ordinances, laws and  
2 regulations defining the work to be constructed for approval of  
3 a construction permit by a building official or fire marshal.  
4 Documents may be combined with documents prepared under the  
5 stamp and signature of other licensed or registered  
6 professionals licensed under the laws of this Commonwealth  
7 performing services within their authorized scope of  
8 practice. Documents may also include the technical submittals  
9 coordinated by the registered interior designer as required by  
10 contract documents.

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

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

18 Section 305. Biennial renewal.

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

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

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

30 (ii) Completion of continuing education courses

1 offered or accepted by the Interior Design Continuing  
2 Education Council (IDCEC), Green Business Certification  
3 Inc. (GBCI), the accrediting body of the American  
4 Institute of Architects or other accrediting agencies and  
5 institutions related to interior design.

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

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

## 15 CHAPTER 5

### 16 ADMINISTRATION AND ENFORCEMENT

#### 17 Section 501. Public information.

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

24 (b) Confidentiality of personal information.--The bureau  
25 shall create a policy for the disclosure of personal information  
26 to the public. The bureau may not disclose to the public a  
27 registered interior designer's or applicant's Social Security  
28 number, driver's license number or any confidential information  
29 prohibited by law from being disclosed; however, an interior  
30 designer's home address and home telephone number shall be

1 disclosed only if the home address and home telephone number are  
2 also used as the interior designer's business address and  
3 business telephone number.

4 Section 502. Prohibited acts.

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

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

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

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

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

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

30 (d) Regulation.--No political subdivision may in any manner

1 regulate a registered interior designer. No building official,  
2 fire marshal or any other municipal employee authorized to issue  
3 construction permits shall require a registered interior  
4 designer to submit an interior construction document or  
5 technical submittal pertaining to registered interior design  
6 practice under the stamp and signature of a licensed architect  
7 or professional engineer. A registered interior designer may  
8 request the bureau to review any local ordinance or action taken  
9 by a building official, fire marshal or any other municipal  
10 employee authorized to issue construction permits that may be in  
11 violation of this section. The bureau may bring an action  
12 against the political subdivision in Commonwealth Court to  
13 invalidate the unauthorized local ordinance or enjoin the  
14 enforcement of the unauthorized local ordinance.

15 Section 503. Regulations.

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

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

23 Section 504. Permit authority.

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

30 Section 505. Preemption of local registration.

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

7 Section 506. Exemptions.

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

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

12 (2) The Federal Government.

13 CHAPTER 11

14 MISCELLANEOUS PROVISIONS

15 Section 1101. Construction.

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

18 Section 1102. Effective date.

19 This act shall take effect July 1, 2020, or immediately,  
20 whichever is later.