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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL**

No. **1060** Session of  
2013

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INTRODUCED BY WARD, SOLOBAY, BRUBAKER, FONTANA, BREWSTER,  
YUDICHAK, LEACH AND COSTA, JULY 11, 2013

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REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,  
JULY 11, 2013

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AN ACT

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

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

4 Section 1. Short title.

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

7 Section 2. Definitions.

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

11 "Bureau." The Bureau of Consumer Protection.

12 "Certificate." A certificate of registration as a registered  
13 interior designer, issued by the Bureau of Consumer Protection,  
14 which contains a registration number assigned by the Bureau of  
15 Consumer Protection.

16 "Code-regulated interior design services." Interior design  
17 services that are regulated by applicable building codes and  
18 performed by a registered interior designer.

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

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

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

30 (2) Switching and communication locations.

1 (3) Reflected ceiling plans and lighting layouts,  
2 details and designs.

3 (4) Materials and finishes.

4 (5) Furniture layouts.

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

8 "Interior design services." The selection, placement and  
9 assistance of nonstructural elements within the interior space  
10 of a building or structure, and the rendering of or the offering  
11 to render designs, consultations, studies, planning, drawings,  
12 contract documents, interior construction documents or other  
13 technical submissions and the administration of interior  
14 construction and contracts relating to nonloadbearing interior  
15 construction of a building or structure.

16 "National Council for Interior Design Qualification." An  
17 independent, nonprofit organization of state and provincial  
18 credentialing bodies which develops and administers an  
19 examination with the purpose of establishing minimum standards  
20 of competence for the professional practice of interior design  
21 relative to building codes and industry standards.

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

27 "Reflected ceiling plan." A drawing illustrating a ceiling  
28 design that appears projected downward including light fixtures,  
29 materials, height designations and changes and ceiling fixtures  
30 that may include placement or location of exit signage, smoke

1 detectors and other elements as required by the design.

2 "Registered interior designer." An individual meeting the  
3 qualification requirements of this act who undertakes, offers to  
4 undertake or agrees to perform code-regulated interior design  
5 services independent of the seal and signature of a licensed  
6 architect or professional engineer.

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

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

13 Section 3. Qualifications of registered interior designers.

14 (a) General rule.--No individual shall hold himself out as a  
15 registered interior designer, nor shall an individual perform  
16 any code-regulated interior design service without first  
17 registering with the bureau as provided for in this act.

18 (b) Exception.--Licensed architects and professional  
19 engineers currently permitted to practice interior design  
20 services are not required to register with the bureau under this  
21 act.

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

24 (1) Be of good moral character.

25 (2) Possess the following education and training:

26 (i) At least six years of education, training or  
27 work experience consisting of either of the following:

28 (A) A bachelor's degree from an accredited  
29 college or university with a major in interior design  
30 or a related field with 96 semester credits or 144

1 quarter credits completed and a minimum of two years  
2 (3,800 hours) of work experience in providing  
3 interior design services with a total of 1,760 hours  
4 earned after all education is completed.

5 (B) An associate's or bachelor's degree from a  
6 nonaccredited college or university with a major in  
7 interior design including not less than 120 semester  
8 credits or 180 quarter credits, of which not less  
9 than 60 semester credits or 90 quarter credits are  
10 interior design course work and four or more years  
11 (7,600 hours) of work experience in providing  
12 interior design services, with a total of 1,760 hours  
13 earned after all education is completed.

14 (3) Pass all examinations that are required for  
15 certification by the National Council for Interior Design  
16 Qualification or its successor.

17 (4) Submit a bureau-approved application and any fees as  
18 prescribed by the bureau by regulation.

19 (5) Keep and make available all client logs for audit  
20 purposes of the experience requirement.

21 Section 4. Initial application procedures.

22 The following shall apply:

23 (1) An individual shall apply to the bureau in writing  
24 on a form provided by the bureau or electronically via the  
25 secure registration web page on the bureau's Internet website  
26 developed as required by the act of October 17, 2008  
27 (P.L.1645, No.132), known as the Home Improvement Consumer  
28 Protection Act. The bureau may make the modifications to the  
29 registration web page and database which are necessary to  
30 facilitate online registration of interior designers. The

1 application shall include the following information:

2 (i) The name of the applicant.

3 (ii) The date of birth of the applicant.

4 (iii) The applicant's home address and home  
5 telephone number.

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

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

13 (vi) The applicant's Social Security number.

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

16 (viii) A complete description of the nature of the  
17 interior design business of the applicant.

18 (ix) Proof of successful completion of registration  
19 requirements.

20 (x) A statement whether:

21 (A) The applicant has ever been convicted of a  
22 criminal offense related to fraud, theft, a crime of  
23 deception or a crime involving fraudulent business  
24 practices, as well as a statement whether the  
25 applicant has ever filed a petition in bankruptcy or,  
26 within the last ten years, received a final civil  
27 judgment entered against the applicant or businesses  
28 in which the applicant held an interest that was  
29 related to interior design services provided by the  
30 individual.

1           (B) The applicant's registration or a similar  
2           certificate or license issued by any other state or  
3           political subdivision has ever been revoked or  
4           suspended pursuant to an order issued by a court of  
5           competent jurisdiction and, if so, the current status  
6           of the registration or similar certificate or  
7           license. The statement required by this clause shall  
8           include the same information with respect to any  
9           other business in which the person making application  
10          has ever had an interest.

11          (xi) Proof of general liability insurance in an  
12          amount not less than \$50,000. For the purpose of this  
13          subparagraph, proof of insurance may include information  
14          attested to by an applicant that the applicant is self-  
15          insured. The bureau shall develop forms for this purpose  
16          and make them available to applicants. The bureau may  
17          determine the sufficiency of the self-insurance and the  
18          manner in which it is maintained in compliance with this  
19          act.

20          (2) Any registered interior designer in this  
21          Commonwealth who is registered or licensed as an interior  
22          designer in any other state or political subdivision shall  
23          report that information to the bureau on the initial  
24          registration and biennial registration application. Any  
25          disciplinary action taken in such other jurisdiction shall be  
26          reported to the bureau on the initial registration  
27          application or, if such action occurred subsequent to  
28          submission of an initial application, on the biennial  
29          registration application or within 90 days of final  
30          disposition, whichever is sooner. Multiple registrations or

1 licensures shall be noted by the bureau on the registered  
2 interior designer's registration, and such state or political  
3 subdivision shall be notified by the bureau of any  
4 disciplinary actions taken in this Commonwealth against such  
5 registered interior designer.

6 Section 5. Application fees.

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

13 (b) Term of certificate.--A certificate of registration  
14 issued pursuant to this section shall be valid for two years and  
15 may be renewed biennially with the bureau pursuant to the  
16 renewal requirements under section 7.

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

18 (1) All fees collected under this act shall be deposited  
19 into the Home Improvement Account established by the act of  
20 October 17, 2008 (P.L.1645, No.132), known as the Home  
21 Improvement Consumer Protection Act, which shall be an  
22 interest-bearing account.

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

28 Section 6. Proof of registration.

29 (a) Code-regulated interior design services.--A registered  
30 interior designer practicing code-regulated interior design



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

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

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

20 Section 7. Biennial renewal.

21 (a) Biennial registration renewal.--For biennial renewal of  
22 a registration the following shall apply:

23 (1) In addition to the initial application requirements  
24 under section 4, a registered interior designer must provide  
25 certification of successful completion of a minimum of ten  
26 hours of continuing education biennially. Continuing  
27 education activities which satisfy the professional  
28 development requirements include, but are not limited to, the  
29 following:

30 (i) Completion of accredited college or university

1 coursework in interior design or a related field.

2 (ii) Completion of continuing education courses  
3 offered or accepted by the United States Green Building  
4 Council, American Institute of Architects, International  
5 Interior Design Association, the American Society of  
6 Interior Designers or other accrediting agencies and  
7 institutions related to interior design.

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

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

17 Section 8. 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 pursuant to this act, as well as  
22 information that may be obtained on the bureau's Internet  
23 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, provided that an  
30 interior designer's home address and home telephone number shall

1 be disclosed only if it is also used as the interior designer's  
2 business address and business telephone number.

3 Section 9. Prohibited acts.

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

12 (b) Misrepresentation.--Any 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 assume the title of  
16 registered interior designer nor any other title, abbreviation,  
17 name or description, implying or calculated to lead to the  
18 belief that the individual is qualified as a registered interior  
19 designer. Any individual who misrepresents himself as a  
20 registered interior designer commits a felony of the third  
21 degree.

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

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

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

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

16 Section 10. Unfair Trade Practices and Consumer Protection Law.

17 A violation of any of the provisions of this act shall be  
18 deemed a violation of the act of December 17, 1968 (P.L.1224,  
19 No.387), known as the Unfair Trade Practices and Consumer  
20 Protection Law. Nothing in this act shall preclude an owner from  
21 exercising any right provided under the Unfair Trade Practices  
22 and Consumer Protection Law.

23 Section 11. Regulations.

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

26 (b) Pennsylvania Building Code.--The Department of Labor and  
27 Industry shall adopt regulations within 90 days of the effective  
28 date of this act to bring 34 Pa. Code § 403.42a(c) (relating to  
29 permit applications) and any other relevant sections of the  
30 Pennsylvania Building Code into compliance with this act.

1 Section 12. Preemption of local registration.

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

8 Section 13. Exemptions.

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

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

13 (2) The Federal Government.

14 Section 14. Construction.

15 This act shall supersede any conflicting provision in any  
16 other State law.

17 Section 15. Effective date.

18 This act shall take effect July 1, 2014.