

Second Regular Session
Sixty-eighth General Assembly
STATE OF COLORADO

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 12-0170.01 Bob Lackner x4350

SENATE BILL 12-120

SENATE SPONSORSHIP

Foster,

HOUSE SPONSORSHIP

Massey and Fischer,

Senate Committees
Local Government

House Committees

A BILL FOR AN ACT

101 **CONCERNING THE EXISTING ABILITY OF QUALIFIED INTERIOR**
102 **DESIGNERS TO SUBMIT CERTAIN INTERIOR DESIGN**
103 **CONSTRUCTION DOCUMENTS TO LOCAL GOVERNMENT**
104 **OFFICIALS IN CONNECTION WITH AN APPLICATION FOR A**
105 **BUILDING PERMIT.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

In connection with the filing of documentation submitted for the

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
Amended 2nd Reading
February 24, 2012

purpose of obtaining approval for a building permit issued by a county or municipality (local government), the bill restates existing statutory requirements under which county and municipal building departments are required to review interior design construction documents and specifications submitted by an interior designer who meets certain qualifications.

A local government may adopt requirements in its building code or otherwise that are more strict than the requirements specified in the bill.

The bill does not limit, restrict, prevent, or otherwise affect:

- ! Any person from using the title "interior design" or "interior designer";
- ! Any of the legal rights or exemptions enjoyed by a person who is a licensed professional under statutory provisions governing architects;
- ! A person who is able to submit interior design construction documents and specifications as of the effective date of the bill from continuing to submit such documents in the same manner on or after such date; and
- ! Any person from designing, planning, or administering the construction contracts for construction, alterations, remodeling, additions to, or repair of specified structures.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 hereby finds, determines, and declares that:

4 (a) Although existing statutory provisions authorize ___ interior
5 designers to file interior design ___ documents and specifications for the
6 purpose of obtaining approval for a building permit, the building or
7 planning departments of some of the state's counties and municipalities
8 provide inconsistent treatment with respect to interior design _____
9 documents and specifications submitted by _____ interior designers in
10 connection with applications for building permits;

11 (b) The timely and consistent review by county and municipal
12 building authorities of interior design ___ documents and specifications
13 submitted by ___ interior designers helps ensure that construction projects

1 are completed on time and within their construction budgets;

2

3 (c) The consideration of interior design _____ documents and
4 specifications submitted by ___ interior designers in connection with the
5 process for obtaining approval of a building permit helps promote healthy
6 and safe communities as such documents manifest standards promoting
7 indoor air quality and proper fire-resistant materials; and

8 (d) Many students are pursuing degrees in interior design at
9 Colorado institutions of higher education, and requiring local
10 governments to review interior design ___ documents and specifications
11 prepared by specified groups of such professionals will enhance the value
12 and marketability of their degrees, make it less likely such students will
13 leave the state in pursuit of professional opportunities in their chosen
14 field, and assist them in practicing their occupation to their fullest
15 capacity.

16 **SECTION 2.** In Colorado Revised Statutes, **add** 30-28-212 as
17 follows:

18 **30-28-212. Submission of interior design documents and**
19 **specifications - ___ interior designers - definition.** (1) AS USED IN THIS
20 SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES, _____ "INTERIOR
21 DESIGNER" MEANS A PERSON WHO:

22 (a) ENGAGES IN:

23 (I) CONSULTATION, STUDY, DESIGN ANALYSIS, DRAWING, SPACE
24 PLANNING, AND SPECIFICATION FOR NONSTRUCTURAL OR NONSEISMIC
25 INTERIOR CONSTRUCTION WITH DUE CONCERN FOR THE LIFE SAFETY OF THE
26 OCCUPANTS OF THE BUILDING;

27 (II) PREPARING AND FILING INTERIOR DESIGN ___ DOCUMENTS AND

1 SPECIFICATIONS FOR THE PURPOSE OF OBTAINING APPROVAL FOR A
2 BUILDING PERMIT AS PROVIDED BY LAW FOR NONSTRUCTURAL OR
3 NONSEISMIC INTERIOR CONSTRUCTION, MATERIALS, FINISHES, SPACE
4 PLANNING, FURNISHINGS, FIXTURES, EQUIPMENT, LIGHTING, AND
5 REFLECTED CEILING PLANS;

6 (III) DESIGNING FOR FABRICATION NONSTRUCTURAL ELEMENTS
7 WITHIN AND SURROUNDING INTERIOR SPACES OF BUILDINGS; OR

8 (IV) THE ADMINISTRATION OF DESIGN CONSTRUCTION AND
9 CONTRACT DOCUMENTS AND SPECIFICATIONS, AS THE CLIENTS' AGENT,
10 RELATING TO THE FUNCTIONS DESCRIBED IN SUBPARAGRAPHS (I) TO (III)
11 OF THIS PARAGRAPH (a), AND COLLABORATION WITH SPECIALTY
12 CONSULTANTS AND LICENSED PRACTITIONERS IN OTHER AREAS OF
13 TECHNICAL EXPERTISE; AND

14 (b) POSSESSES WRITTEN DOCUMENTATION THAT HE OR SHE:

15 (I) HAS GRADUATED WITH:

16 (A) A DEGREE IN INTERIOR DESIGN FROM A COLLEGE OR
17 UNIVERSITY OFFERING SUCH PROGRAM CONSISTING OF FOUR OR MORE
18 YEARS OF STUDY AND HAS COMPLETED TWO YEARS OF INTERIOR DESIGN
19 EXPERIENCE; OR

20 (B) A DEGREE IN INTERIOR DESIGN FROM A COLLEGE OR
21 UNIVERSITY OFFERING SUCH PROGRAM CONSISTING OF TWO OR MORE
22 YEARS OF STUDY AND HAS COMPLETED FOUR YEARS OF INTERIOR DESIGN
23 EXPERIENCE; AND

24 (II) HAS MET THE EDUCATION AND EXPERIENCE REQUIREMENTS OF,
25 AND HAS SUBSEQUENTLY PASSED, THE QUALIFICATION EXAMINATION
26 PROMULGATED BY THE NATIONAL COUNCIL FOR INTERIOR DESIGN
27 QUALIFICATION OR ITS SUCCESSOR ORGANIZATION.

1 (2) (a) EXCEPT AS PROVIDED IN PARAGRAPH (b) OF THIS
2 SUBSECTION (2), AN INTERIOR DESIGNER WHO PREPARES INTERIOR DESIGN
3 DOCUMENTS AND SPECIFICATIONS FOR INTERIOR FINISHES AND
4 NONSTRUCTURAL ELEMENTS WITHIN AND SURROUNDING INTERIOR SPACES
5 OF A BUILDING OR STRUCTURE OF ANY SIZE, HEIGHT, AND OCCUPANCY
6 MAY FILE SUCH DOCUMENTS AND SPECIFICATIONS FOR THE PURPOSE OF
7 OBTAINING APPROVAL FOR A BUILDING PERMIT AS PROVIDED BY LAW FROM
8 THE APPROPRIATE COUNTY BUILDING AUTHORITY. UPON SUBMISSION OF
9 ANY SUCH INTERIOR DESIGN DOCUMENTS AND SPECIFICATIONS, THE
10 COUNTY BUILDING AUTHORITY SHALL ACCEPT FOR REVIEW THE SAME, AND
11 MAY APPROVE OR REJECT ANY SUCH FILING IN THE SAME MANNER AS FOR
12 OTHER PROFESSIONS.

13 (b) INTERIOR DESIGNERS SHALL NOT BE ENGAGED IN THE
14 CONSTRUCTION OF THE STRUCTURAL FRAME SYSTEM SUPPORTING A
15 BUILDING; MECHANICAL, PLUMBING, HEATING, AIR CONDITIONING,
16 VENTILATION, OR ELECTRICAL VERTICAL TRANSPORTATION SYSTEMS;
17 FIRE-RATED VERTICAL SHAFTS IN ANY MULTI-STORY STRUCTURE;
18 FIRE-RELATED PROTECTION OF STRUCTURAL ELEMENTS; SMOKE
19 EVACUATION AND COMPARTMENTALIZATION; EMERGENCY SPRINKLER
20 SYSTEMS; EMERGENCY ALARM SYSTEMS; OR ANY OTHER ALTERATION
21 AFFECTING THE LIFE SAFETY OF THE OCCUPANTS OF A BUILDING. ANY
22 INTERIOR DESIGNER SHALL, AS A CONDITION OF FILING INTERIOR DESIGN
23 DOCUMENTS AND SPECIFICATIONS FOR THE PURPOSE OF OBTAINING
24 APPROVAL FOR A BUILDING PERMIT, PROVIDE TO THE RESPONSIBLE
25 BUILDING OFFICIAL OF THE JURISDICTION A CURRENT COPY OF THE
26 INTERIOR DESIGNER'S PROFESSIONAL LIABILITY INSURANCE COVERAGE
27 THAT IS IN FORCE. NO INTERIOR DESIGNER SHALL BE SUBJECT TO ANY

1 OF THE REQUIREMENTS SET FORTH IN SECTION 12-25-303 (1) (b) OR (1) (d),
2 C.R.S.

3 (3) (a) NOTHING IN THIS SECTION PREVENTS, PROHIBITS, OR LIMITS
4 ANY COUNTY FROM ADOPTING REQUIREMENTS IN ITS BUILDING CODE OR
5 OTHERWISE THAT ARE MORE STRICT THAN THE REQUIREMENTS SPECIFIED
6 IN SUBSECTION (2) OF THIS SECTION.

7 (b) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO LIMIT,
8 RESTRICT, PREVENT, OR OTHERWISE AFFECT:

9 (I) ANY PERSON FROM USING THE TITLE "INTERIOR DESIGN" OR
10 "INTERIOR DESIGNER";

11 (II) ANY OF THE LEGAL RIGHTS OR EXEMPTIONS ENJOYED BY A
12 PERSON WHO IS A LICENSED PROFESSIONAL UNDER SECTION 12-25-303,
13 C.R.S.; AND

14 (III) A PERSON WHO IS ABLE TO SUBMIT INTERIOR DESIGN
15 DOCUMENTS AND SPECIFICATIONS AS OF THE EFFECTIVE DATE OF THIS
16 SECTION FROM CONTINUING TO SUBMIT SUCH DOCUMENTS IN THE SAME
17 MANNER ON OR AFTER SUCH DATE.

18 (c) NOTHING IN THIS SECTION PREVENTS ANY PERSON, FIRM,
19 CORPORATION, OR ASSOCIATION FROM PREPARING INTERIOR DESIGN
20 DOCUMENTS AND SPECIFICATIONS FOR DESIGNING, PLANNING, OR
21 ADMINISTERING THE CONSTRUCTION CONTRACTS FOR CONSTRUCTION,
22 ALTERATIONS, REMODELING, ADDITIONS TO, OR REPAIR OF, ANY OF THE
23 FOLLOWING:

24 (I) ONE-, TWO-, THREE-, AND FOUR-FAMILY DWELLINGS,
25 INCLUDING ACCESSORY BUILDINGS COMMONLY ASSOCIATED WITH SUCH
26 DWELLINGS;

27 (II) GARAGES, INDUSTRIAL BUILDINGS, OFFICES, FARM BUILDINGS,

1 AND BUILDINGS FOR THE MARKETING, STORAGE, OR PROCESSING OF FARM
2 PRODUCTS, AND WAREHOUSES, WHICH DO NOT EXCEED ONE STORY IN
3 HEIGHT, EXCLUSIVE OF A ONE-STORY BASEMENT, AND, UNDER APPLICABLE
4 BUILDING CODES, ARE NOT DESIGNED FOR OCCUPANCY BY MORE THAN TEN
5 PERSONS;

6 (III) ADDITIONS, ALTERATIONS, OR REPAIRS TO THE BUILDINGS
7 REFERRED TO IN SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH (c)
8 THAT DO NOT CAUSE THE COMPLETED BUILDINGS TO EXCEED THE
9 APPLICABLE LIMITATIONS SET FORTH IN THIS PARAGRAPH (c); OR

10 (IV) NONSTRUCTURAL ALTERATIONS OF ANY NATURE TO ANY
11 BUILDING IF SUCH ALTERATIONS DO NOT AFFECT THE LIFE SAFETY OF THE
12 OCCUPANTS OF THE BUILDING.

13 **SECTION 3.** In Colorado Revised Statutes, 31-15-601, **add** (3)
14 as follows:

15 **31-15-601. Building and fire regulations - emission**
16 **performance standards required - submission of interior design**
17 **documents and specifications - interior designers - definition.**

18 (3) (a) AS USED IN THIS SUBSECTION (3), UNLESS THE CONTEXT
19 OTHERWISE REQUIRES, "INTERIOR DESIGNER" MEANS A PERSON WHO:

20 (I) ENGAGES IN:

21 (A) CONSULTATION, STUDY, DESIGN ANALYSIS, DRAWING, SPACE
22 PLANNING, AND SPECIFICATION FOR NONSTRUCTURAL OR NONSEISMIC
23 INTERIOR CONSTRUCTION WITH DUE CONCERN FOR THE LIFE SAFETY OF THE
24 OCCUPANTS OF THE BUILDING;

25 (B) PREPARING AND FILING INTERIOR DESIGN DOCUMENTS AND
26 SPECIFICATIONS FOR THE PURPOSE OF OBTAINING APPROVAL FOR A
27 BUILDING PERMIT AS PROVIDED BY LAW FOR NONSTRUCTURAL OR

1 NONSEISMIC INTERIOR CONSTRUCTION, MATERIALS, FINISHES, SPACE
2 PLANNING, FURNISHINGS, FIXTURES, EQUIPMENT, LIGHTING, AND
3 REFLECTED CEILING PLANS;

4 (C) DESIGNING FOR FABRICATION NONSTRUCTURAL ELEMENTS
5 WITHIN AND SURROUNDING INTERIOR SPACES OF BUILDINGS; OR

6 (D) THE ADMINISTRATION OF DESIGN CONSTRUCTION AND
7 CONTRACT DOCUMENTS AND SPECIFICATIONS, AS THE CLIENTS' AGENT,
8 RELATING TO THE FUNCTIONS DESCRIBED IN SUB-SUBPARAGRAPHS (A) TO
9 (C) OF THIS SUBPARAGRAPH (I), AND COLLABORATION WITH SPECIALTY
10 CONSULTANTS AND LICENSED PRACTITIONERS IN OTHER AREAS OF
11 TECHNICAL EXPERTISE; AND

12 (II) POSSESSES WRITTEN DOCUMENTATION THAT HE OR SHE:

13 (A) HAS GRADUATED WITH A DEGREE IN INTERIOR DESIGN FROM
14 A COLLEGE OR UNIVERSITY OFFERING SUCH PROGRAM CONSISTING OF FOUR
15 OR MORE YEARS OF STUDY AND HAS COMPLETED TWO YEARS OF INTERIOR
16 DESIGN EXPERIENCE OR HAS GRADUATED WITH A DEGREE IN INTERIOR
17 DESIGN FROM A COLLEGE OR UNIVERSITY OFFERING SUCH PROGRAM
18 CONSISTING OF TWO OR MORE YEARS OF STUDY AND HAS COMPLETED FOUR
19 YEARS OF INTERIOR DESIGN EXPERIENCE; AND

20 (B) HAS MET THE EDUCATION AND EXPERIENCE REQUIREMENTS OF,
21 AND HAS SUBSEQUENTLY PASSED, THE QUALIFICATION EXAMINATION
22 PROMULGATED BY THE NATIONAL COUNCIL FOR INTERIOR DESIGN
23 QUALIFICATION OR ITS SUCCESSOR ORGANIZATION.

24 (b) (I) EXCEPT AS PROVIDED IN SUBPARAGRAPH (II) OF THIS
25 PARAGRAPH (b), AN INTERIOR DESIGNER WHO PREPARES INTERIOR DESIGN
26 _____ DOCUMENTS AND SPECIFICATIONS FOR INTERIOR FINISHES AND
27 NONSTRUCTURAL ELEMENTS WITHIN AND SURROUNDING INTERIOR SPACES

1 OF A BUILDING OR STRUCTURE OF ANY SIZE, HEIGHT, AND OCCUPANCY
2 MAY FILE SUCH DOCUMENTS AND SPECIFICATIONS FOR THE PURPOSE OF
3 OBTAINING APPROVAL FOR A BUILDING PERMIT AS PROVIDED BY LAW FROM
4 THE APPROPRIATE MUNICIPAL BUILDING AUTHORITY. UPON SUBMISSION OF
5 ANY SUCH INTERIOR DESIGN ___ DOCUMENTS AND SPECIFICATIONS, THE
6 MUNICIPAL BUILDING AUTHORITY SHALL ACCEPT FOR REVIEW THE SAME,
7 AND MAY APPROVE OR REJECT ANY SUCH FILING IN THE SAME MANNER AS
8 FOR OTHER PROFESSIONS.

9 (II) INTERIOR DESIGNERS SHALL NOT BE ENGAGED IN THE
10 CONSTRUCTION OF THE STRUCTURAL FRAME SYSTEM SUPPORTING A
11 BUILDING; MECHANICAL, PLUMBING, HEATING, AIR CONDITIONING,
12 VENTILATION, OR ELECTRICAL VERTICAL TRANSPORTATION SYSTEMS;
13 FIRE-RATED VERTICAL SHAFTS IN ANY MULTI-STORY STRUCTURE;
14 FIRE-RELATED PROTECTION OF STRUCTURAL ELEMENTS; SMOKE
15 EVACUATION AND COMPARTMENTALIZATION; EMERGENCY SPRINKLER
16 SYSTEMS; EMERGENCY ALARM SYSTEMS; OR ANY OTHER ALTERATION
17 AFFECTING THE LIFE SAFETY OF THE OCCUPANTS OF A BUILDING. ANY ___
18 INTERIOR DESIGNER SHALL, AS A CONDITION OF FILING INTERIOR DESIGN
19 DOCUMENTS AND SPECIFICATIONS FOR THE PURPOSE OF OBTAINING
20 APPROVAL FOR A BUILDING PERMIT, PROVIDE TO THE RESPONSIBLE
21 BUILDING OFFICIAL OF THE JURISDICTION A CURRENT COPY OF THE ___
22 INTERIOR DESIGNER'S PROFESSIONAL LIABILITY INSURANCE COVERAGE
23 THAT IS IN FORCE. NO ___ INTERIOR DESIGNER SHALL BE SUBJECT TO ANY
24 OF THE REQUIREMENTS SET FORTH IN SECTION 12-25-303 (1) (b) OR (1) (d),
25 C.R.S.

26 (c) (I) NOTHING IN THIS SECTION PREVENTS, PROHIBITS, OR LIMITS
27 ANY MUNICIPALITY FROM ADOPTING REQUIREMENTS IN ITS BUILDING CODE

1 OR OTHERWISE THAT ARE MORE STRICT THAN THE REQUIREMENTS
2 SPECIFIED IN PARAGRAPH (b) OF THIS SUBSECTION (3).

3 (II) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO LIMIT,
4 RESTRICT, PREVENT, OR OTHERWISE AFFECT:

5 (A) ANY PERSON FROM USING THE TITLE "INTERIOR DESIGN" OR
6 "INTERIOR DESIGNER";

7 (B) ANY OF THE LEGAL RIGHTS OR EXEMPTIONS ENJOYED BY A
8 PERSON WHO IS A LICENSED PROFESSIONAL UNDER SECTION 12-25-303,
9 C.R.S.; AND

10 (C) A PERSON WHO IS ABLE TO SUBMIT INTERIOR DESIGN
11 DOCUMENTS AS OF THE EFFECTIVE DATE OF THIS SECTION, AS AMENDED,
12 FROM CONTINUING TO SUBMIT SUCH DOCUMENTS AND SPECIFICATIONS IN
13 THE SAME MANNER ON OR AFTER SUCH DATE.

14 (d) NOTHING IN THIS SECTION PREVENTS ANY PERSON, FIRM,
15 CORPORATION, OR ASSOCIATION FROM PREPARING INTERIOR DESIGN
16 DOCUMENTS AND SPECIFICATIONS FOR DESIGNING, PLANNING, OR
17 ADMINISTERING THE CONSTRUCTION CONTRACTS FOR CONSTRUCTION,
18 ALTERATIONS, REMODELING, ADDITIONS TO, OR REPAIR OF, ANY OF THE
19 FOLLOWING:

20 (I) ONE-, TWO-, THREE-, AND FOUR-FAMILY DWELLINGS,
21 INCLUDING ACCESSORY BUILDINGS COMMONLY ASSOCIATED WITH SUCH
22 DWELLINGS;

23 (II) GARAGES, INDUSTRIAL BUILDINGS, OFFICES, FARM BUILDINGS,
24 AND BUILDINGS FOR THE MARKETING, STORAGE, OR PROCESSING OF FARM
25 PRODUCTS, AND WAREHOUSES, WHICH DO NOT EXCEED ONE STORY IN
26 HEIGHT, EXCLUSIVE OF A ONE-STORY BASEMENT, AND, UNDER APPLICABLE
27 BUILDING CODES, ARE NOT DESIGNED FOR OCCUPANCY BY MORE THAN TEN

1 PERSONS;

2 (III) ADDITIONS, ALTERATIONS, OR REPAIRS TO THE BUILDINGS
3 REFERRED TO IN SUBPARAGRAPHS (I) AND (II) OF THIS PARAGRAPH (d)
4 THAT DO NOT CAUSE THE COMPLETED BUILDINGS TO EXCEED THE
5 APPLICABLE LIMITATIONS SET FORTH IN THIS PARAGRAPH (d); OR

6 (IV) NONSTRUCTURAL ALTERATIONS OF ANY NATURE TO ANY
7 BUILDING IF SUCH ALTERATIONS DO NOT AFFECT THE LIFE SAFETY OF THE
8 OCCUPANTS OF THE BUILDING.

9 **SECTION 4. Act subject to petition - effective date.** This act
10 takes effect September 1, 2012; except that, if a referendum petition is
11 filed pursuant to section 1 (3) of article V of the state constitution against
12 this act or an item, section, or part of this act within the ninety-day period
13 after final adjournment of the general assembly, then the act, item,
14 section, or part shall not take effect unless approved by the people at the
15 general election to be held in November 2012 and shall take effect on the
16 date of the official declaration of the vote thereon by the governor.