
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. **1021** Session of
2015

INTRODUCED BY YUDICHAK, WARD AND FONTANA, OCTOBER 9, 2015

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
OCTOBER 9, 2015

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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1 Section 15. Effective date.

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 in the Office of
12 Attorney General.

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

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 non-load-bearing 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 that 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 "Non-load-bearing interior construction." An interior
23 element or component that does not require design computations
24 for a building's structure and does not support a vertical load
25 of a structure other than its own weight, but that may support
26 loads 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
29 fixtures, materials, height designations and changes and ceiling
30 fixtures that may include placement or location of exit signage,

1 smoke 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 may hold himself out as a
15 registered interior designer, nor may an individual perform any
16 code-regulated interior design service without first registering
17 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 must apply to the bureau in writing on
24 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 that 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 10 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 applicant.

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

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

5 Section 5. Application fees.

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

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

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

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

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

26 Section 6. Proof of registration.

27 (a) Code-regulated interior design services.--A registered
28 interior designer practicing code-regulated interior design
29 services within this Commonwealth shall affix a copy of the
30 interior designer's certificate on an interior construction

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

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

21 (1) In addition to the initial application requirements
22 under section 4, a registered interior designer must provide
23 certification of successful completion of a minimum of 10
24 hours of continuing education biennially. 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 United States Green Building
2 Council, American Institute of Architects, International
3 Interior Design Association, the American Society of
4 Interior Designers 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 Section 8. Public information.

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

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

1 Section 9. Prohibited acts.

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

10 (b) Misrepresentation.--An individual who is not registered
11 by the bureau as a registered interior designer is prohibited
12 from printing any written or printed circular, any business
13 card, letterhead or sign, or otherwise assuming the title of
14 registered interior designer nor any other title, abbreviation,
15 name or description implying or calculated to lead to the belief
16 that the individual is qualified as a registered interior
17 designer. An individual who misrepresents himself as a
18 registered interior designer commits a felony of the third
19 degree.

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

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

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

29 (d) Regulation.--No political subdivision may in any manner
30 regulate a registered interior designer. No building official,

1 fire marshal or any other municipal employee authorized to issue
2 construction permits may require a registered interior designer
3 to submit an interior construction document or technical
4 submittal pertaining to registered interior design practice
5 under the seal and signature of a licensed architect or
6 professional engineer. A registered interior designer may
7 request the bureau to review any local ordinance or action taken
8 by a building official, fire marshal or any other municipal
9 employee authorized to issue construction permits that may be in
10 violation of this section. The bureau may bring an action
11 against the political subdivision in Commonwealth Court to
12 invalidate the unauthorized local ordinance or enjoin the
13 enforcement of the unauthorized local ordinance.

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

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

21 Section 11. Regulations.

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

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

29 Section 12. Preemption of local registration.

30 Registration under this act shall preclude any requirement of

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

6 Section 13. Exemptions.

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

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

11 (2) The Federal Government.

12 Section 14. Construction.

13 This act shall supersede any conflicting provision in any
14 other State law.

15 Section 15. Effective date.

16 This act shall take effect July 1, 2016.