

SENATE BILL REPORT

SB 6707

As of February 15, 2008

Title: An act relating to the practice of interior design.

Brief Description: Addressing the practice of interior design.

Sponsors: Senators Jacobsen, McAuliffe, Murray, Keiser, Fraser and McDermott.

Brief History:

Committee Activity: Labor, Commerce, Research & Development: 2/05/08.

SENATE COMMITTEE ON LABOR, COMMERCE, RESEARCH & DEVELOPMENT

Staff: Ingrid Mungia (786-7423)

Background: Interior design is not regulated in Washington state. Anyone may do interior design work and anyone may use the title interior designer. As they are not required to register, the number of individuals who do interior design as a profession is not known for certain.

There are two national nonprofit organizations that administer examinations allowing interior designers to become voluntarily certified in their profession. The qualifying standard for both examinations include requirements of knowledge through education and experience. The examination administered by the National Council of Residential Design Qualifications (NCIDQ) is used by states that currently regulate interior designers. Some states also use the examination administered by The Council for Qualification of Residential Interior Designer (CQRID).

Summary of Bill: A person must be registered to render interior design services. A firm, partnership, association, or corporation may not practice interior design or hold itself out to the public as being in the practice of interior design or use the word "interior design" in its name unless the services are rendered by or under a person registered as an interior designer.

The Washington State Board of Interior Design (Board) is established by the Department of Licensing (Department). The Governor must appoint seven members to the Board. Nominees must come from a list of names supplied by the Washington State Chapter of American Society of Interior Designers and Northern Pacific Chapter of International Interior Design Association. Appointments are limited to registered interior designers for a duration of five years. The Board is given rule making authority to establish standards and procedures for registration, licensure, exemptions, renewals, reinstatements, investigations, discipline, fines, and guidelines.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

An applicant for registration as an interior designer must:

- hold an accredited certificate, diploma, or degree in interior design;
- previously passed the national council for interior design qualification examination; and
- provide proof of a minimum of two years of full-time diversified interior design experience under direct supervision of a registered interior designer or licensed architect.

In lieu of the requirement for an accredited baccalaureate degree or degree, diploma, or certification from a program with a minimum number of credit hours in interior design course work as determined by the Board, the Board may register an applicant who:

- demonstrates in accordance with such standards that the Board deems equivalent; or
- provide documented proof of diversified experience in the practice in interior design for a minimum of fifteen years.

The Board may waive the examination requirement when an individual:

- 1) holds a current valid interior design registration from another state; and
- 2) holds a current certificate number issue by the National Council for Interior Design Qualification; and
- 3) where the qualifications required by that state are equivalent or more stringent than Washington.

Anyone who applies for registration or licensure and remits the application and initial fees within two years must be registered or licensed by the Board.

All interior design programs must be accredited by the council for interior design accreditation or be an interior design program determined by the Board to be substantially equivalent to an accredited program by January 1, 2012.

An interior designer must renew their license within 30 days of the due date. An interior designer who fails to pay the renewal fee within 30 days of the due date must pay delinquent fees and a penalty fee equal to one-third of the renewal fee. Every two years a registered interior designer must complete one National Council for Interior Design qualification approved continuing education unit, equal to ten hours of continuing education instruction.

A registered interior designer, in good standing, may withdraw from active registration with the state by giving written notice to the Department. Additionally, an interior designer who has withdrawn in good standing may within five years resume active registration by paying the current renewal fee.

Each registered interior designer must obtain a seal as prescribed by the Board. Any interior design construction documents prepared or issued by the registered interior designer and being filed for public record for the purpose of obtaining a building permit must bear the signature and seal of the interior designer.

The requirement that a person must be registered to render interior design services does not apply to:

- licensed architects registered or licensed in Washington;
- an employee of a retail establishment providing consultation regarding interior decoration or furnishing on the premises of the retail establishment; and

- a person who provides decorative services or assistance in selection of surface materials, window treatments, wall coverings, paint, floor coverings, surface-mounted fixtures, and loose furnishings.

Appropriation: None.

Fiscal Note: Not requested.

[OFM requested ten-year cost projection pursuant to I-960.]

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: There are several levels of expertise in interior design. Setting standards would really benefit everybody. Today in Washington, anyone can call themselves an interior designer, regardless of experience, accreditation, and examination. When people hear interior design, most people think of home design; however, home design is exempt from this bill. Twenty-six states already regulate interior design.

Interior design needs regulations to keep people accountable to keep people healthy, comfortable, and safe. There is no evidence that anyone was harmed in any of the states that have enacted legislation on the practice of interior design. Interior design professionals know the difference in design specifications. Consumers will not complain about regulations, and we need to be proactive in protecting people. This bill protects the health, safety, and welfare of consumers.

CON: There is no legitimate need for this bill. The bill would make it a crime to practice interior design without a license. The state Department of Licensing did a sunrise review on interior design and concluded there was no threat to the public health and safety, and no need to regulate the design industry. This bill seeks to limit the practice of interior design to one set of credentials. This bill would be devastating to many interior designers. The required exam in the bill has a first-time passage rate of 40 percent and costs \$1,000 – not to mention study time. The current bill is not workable, and cannot be amended.

Persons Testifying: PRO: Senator Jacobson, prime sponsor; Canen Martin, PHD, University of Minnesota; Ernest Rhoades, Matt Thompson, Sue Gentry, IDCW; Stephanie Deshaies, Interior Design Coalition of Washington.

CON: Michael Bindas, Institute for Justice; Marie Blackburn, V. Lynn Design; Vonda Marsland, MLB Design Group; Timothy Buckley, AIA Washington; Joe Ratto, remodeler.