

SHB 2513 - H AMD 890

By Representative Hudgins

ADOPTED 02/13/2004

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** In order to safeguard human health, safety,  
4 and property, and to promote public welfare, any person in either a  
5 public or private capacity using the title of interior designer shall  
6 be required to submit evidence that he or she is qualified under the  
7 provisions of section 3 of this act.

8 NEW SECTION. **Sec. 2.** As used in this chapter, unless the context  
9 otherwise requires:

10 (1) "Department" means the department of licensing.

11 (2) "Interior design" means client consultation and the preparation  
12 and administration of design documents, including design studies,  
13 drawings, schedules, specifications, and contracts relating to the  
14 nonstructural and nonseismic interior elements of a building or  
15 structure. "Nonstructural and nonseismic interior elements" includes  
16 but is not limited to ceilings and partition systems. "Interior  
17 design" includes but is not limited to preparation of working drawings  
18 and specifications for nonload bearing interior construction, reflected  
19 ceiling plans, detailing, materials, finishes, space planning,  
20 furnishing, fixtures, and equipment, in compliance with universal  
21 accessibility and guidelines and all applicable codes.

22 (3) "Interior designer" means a person registered under this  
23 chapter who is a registered design professional qualified by education,  
24 experience, and examination to affect the function, safety, and quality  
25 of interior spaces.

26 (4) "Reflected ceiling plan" means a ceiling design drawing that  
27 includes the locations of lighting fixtures and specifications of  
28 ceiling materials, finishes, or other ceiling elements.

1 (5) "Registration" means the certificate of registration issued by  
2 the department to an interior designer under this chapter.

3 (6) "Space planning" means the analysis of spatial and occupancy  
4 requirements, including but not limited to preliminary space, final  
5 space, furnishing, fixture, and equipment plans.

6 NEW SECTION. **Sec. 3.** (1) An applicant may qualify for  
7 registration as an interior designer if the applicant pays any  
8 applicable fee established by the department and shows to the  
9 satisfaction of the department that the applicant:

10 (a)(i) Has a current certificate number issued by the national  
11 council for interior design qualification; and

12 (ii) Has six years combined work experience and formal education in  
13 interior design. At a minimum, there must be two years of formal  
14 education in interior design; or

15 (b) Provides the department, by July 1, 2007, with proof of fifteen  
16 years of work experience as an interior designer and either two years  
17 of formal education in interior design or a current certificate number  
18 issued by the national council for interior design qualification prior  
19 to the effective date of this section.

20 (2) The department may also grant registration by reciprocity. An  
21 applicant applying to the department for registration by reciprocity  
22 must furnish satisfactory evidence that the applicant meets both of the  
23 following requirements:

24 (a) Holds a valid registration or license issued by another  
25 registration authority recognized by the department, where the  
26 qualifications for registration or licensure are substantially  
27 equivalent to those required by this chapter on the date of original  
28 registration or licensure with the other registration authority; and

29 (b) Holds a current certificate number issued by the national  
30 council for interior design qualification.

31 (3) The department must develop by rule, in consultation with  
32 professional organizations representing interior design, the necessary  
33 forms to use in verifying education and work experience for  
34 registration.

1        NEW SECTION.    **Sec. 4.**    The department must grant a certificate of  
2 registration to an applicant who meets the requirements of section 3 of  
3 this act beginning July 1, 2005.

4        NEW SECTION.    **Sec. 5.**    (1) The renewal date for certificates of  
5 registration shall be set by the director in accordance with RCW  
6 43.24.086.    An interior designer who fails to pay the renewal fee  
7 within thirty days of the due date shall pay all delinquent fees plus  
8 a penalty fee equal to one-third of the renewal fee.    An interior  
9 designer who fails to pay a renewal fee for a period of five years may  
10 be reinstated under such circumstances as the department determines.  
11 The renewal and penalty fees and the frequency of renewal assessment  
12 must be adopted by the department by rule.

13        (2) An interior designer in good standing may withdraw from the  
14 practice of interior design by giving written notice to the department,  
15 and may within five years thereafter resume active practice upon  
16 payment of the then-current renewal fee.    An interior designer may be  
17 reinstated after a withdrawal of more than five years under such  
18 circumstances as the department determines by rule.

19        (3) An interior designer registered under this chapter must  
20 complete one continuing education unit, equal to ten hours of  
21 continuing education instruction, every two years.    The department, in  
22 consultation with professional organizations representing interior  
23 design, must develop a form to verify continuing education.

24        NEW SECTION.    **Sec. 6.**    The director may issue a new certificate of  
25 registration to replace a lost, destroyed, or mutilated certificate.  
26 The director must charge a fee as determined by RCW 43.24.086 for the  
27 issuance of the new certificate.

28        NEW SECTION.    **Sec. 7.**    Beginning July 1, 2007, a person may not use  
29 the title "interior designer" in this state or any other title,  
30 designation, sign, card, or device indicating that the person is an  
31 interior designer unless he or she is registered under the provisions  
32 of this chapter.    Every holder of a certificate of registration under  
33 this chapter must display it in a conspicuous place in the holder's  
34 principal office, place of business, or employment.    No corporation,

1 firm, partnership, or association may be granted a certificate of  
2 registration under this chapter. This chapter does not prevent any  
3 individual from offering or providing interior design services provided  
4 they do not use the title "interior designer."

5 NEW SECTION. **Sec. 8.** (1) A design document issued by an interior  
6 designer registered under this chapter must be signed, sealed, and  
7 dated by him or her. An interior designer must include the designer's  
8 registration number on all design documents issued by the interior  
9 designer when filed with public authorities. An interior designer must  
10 personally prepare or supervise the preparation of any design document  
11 that is signed and sealed by the interior designer or that lists the  
12 interior designer's registration number.

13 (2) The department, in consultation with professional organizations  
14 representing interior design, must develop by rule the seal to be used  
15 by interior designers registered by the state.

16 NEW SECTION. **Sec. 9.** The uniform regulation of business and  
17 professions act, chapter 18.235 RCW, governs unlicensed practice, the  
18 issuance and denial of licenses, and the discipline of licensees under  
19 this chapter.

20 NEW SECTION. **Sec. 10.** (1) A person who violates a provision of  
21 this chapter or a rule adopted under it is guilty of a misdemeanor and  
22 may also be subject to a civil penalty in an amount not to exceed one  
23 thousand dollars for each offense.

24 (2) Any public officer may initiate an action before the department  
25 to enforce the provisions of this chapter.

26 (3) The department may apply for relief by injunction without bond  
27 to restrain a person from committing any act that is prohibited by this  
28 chapter. In such proceedings, it is not necessary to allege or prove  
29 either that an adequate remedy at law does not exist or that  
30 substantial irreparable damage would result from the continued  
31 violation thereof. The department is not liable for its actions in any  
32 such proceeding or in any other proceeding instituted by the department  
33 under this chapter. The department in any proper case shall cause

1 prosecution to be instituted in any county or counties where any  
2 violation of this chapter occurs, and shall aid the prosecution of the  
3 violator.

4 NEW SECTION. **Sec. 11.** This chapter does not affect or prevent the  
5 practice of architecture under chapter 18.08 RCW or engineering under  
6 chapter 18.43 RCW.

7 NEW SECTION. **Sec. 12.** (1) Interior design limited to kitchen and  
8 bathroom design is exempt from registration requirements under this  
9 chapter. Notwithstanding the provisions of section seven of this act,  
10 persons practicing interior design limited to kitchen and bathroom  
11 design, may without registering under this chapter use the title  
12 "kitchen and bathroom interior designer."

13 (2) The department of licensing shall conduct a review of the need  
14 for regulation of kitchen and bathroom interior designers using the  
15 public interest criteria set forth in RCW 18.118.010. In conducting  
16 the review, the department of licensing shall consult with  
17 representatives of kitchen and bathroom interior designers, interior  
18 designers, and consumers of interior design services. The department  
19 of licensing shall submit recommendations to the appropriate committees  
20 of the legislature by December 1, 2004, regarding (a) the need for  
21 regulation of kitchen and bathroom interior design; and (b) if some  
22 form of regulation is recommended, the minimum qualifications to meet  
23 the regulatory standard.

24 (3) This section expires July 1, 2005.

25 NEW SECTION. **Sec. 13.** This act may be known and cited as the  
26 interior design professionals act of 2004.

27 NEW SECTION. **Sec. 14.** Sections 1 through 11 and 13 of this act  
28 constitute a new chapter in Title 18 RCW."

29 Correct the title.

EFFECT: Exempts, until July 1, 2005, interior design limited to

kitchen and bathroom design from regulation and specifies that kitchen and bathroom interior designers may, without registering with Department of Licensing, continue to use the title "kitchen and bathroom interior designer." Directs Department of Licensing to conduct a sunrise review regarding whether there is public interest in regulating kitchen and bathroom interior design.

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