

# STATE OF NEW YORK

S. 7609--A

A. 10409--A

## SENATE -- ASSEMBLY

March 26, 1990

IN SENATE -- Introduced by Sens. LAVALLE, BABBUSH, JOHNSON, LEICHTER, MALTESE, MARCHI, SKELOS, STAVISKY, TRUNZO, VOLKER -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

IN ASSEMBLY -- Introduced by M. of A. KOPPELL, DUGAN, FELDMAN, MAYER-SOHN, TOCCI -- Multi-Sponsored by -- M. of A. BARNETT, BARRAGA, BENNETT, CLARK, CONNERS, DANIELS, GAFFNEY, GANTT, GOTTFRIED, GREEN, GREENE, GRIFFITH, HARRIS, KAUFMAN, LENTOL, MARTINEZ, MURTAUGH, NADLER, PROUD, SANDERS, SEABROOK, YEVOLI, YOUNG -- read once and referred to the Committee on Higher Education -- reported and referred to the Committee on Ways and Means -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to the use of the title "certified interior designer"

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Article 161 of the education law is renumbered article 170  
2 and a new article 161 is added to read as follows:

3 ARTICLE 161

4 INTERIOR DESIGN

5 Section 8300. Application.

6 8301. Use of the title "certified interior designer".

7 8302. Signature of a certified interior designer.

8 8303. Definition of practice of interior design.

9 8304. State board for interior design.

10 8305. Requirements for certification.

11 8306. Limited permits.

12 8307. Separability.

13 § 8300. Application. This article applies to the use of a title by a  
14 certified interior designer. The general provisions for all professions

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [ ] is old law to be omitted.

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1 contained in article one hundred thirty of this title apply to this  
2 article.

3 § 8301. Use of the title "certified interior designer". Only a per-  
4 son certified pursuant to this article may use the title "certified in-  
5 terior designer". Authorization contained within this article to use the  
6 title "certified interior designer" shall not be construed to permit the  
7 practice of engineering, as described in article one hundred forty-five  
8 of this title, or the practice of architecture, as described in article  
9 one hundred forty-seven of this title, by persons not otherwise  
10 authorized to engage in such practices.

11 § 8302. Signature of a certified interior designer. All original  
12 final interior design documents, plans and specifications, prepared by a  
13 certified interior designer or by a full-time or part-time subordinate  
14 employed under his or her supervision, shall be manually signed by the  
15 certified interior designer.

16 § 8303. Definition of practice of interior design. For the purposes of  
17 this article, the practice of interior design is defined as rendering or  
18 offering to render services for a fee or other valuable consideration,  
19 in the preparation and administration of interior design documents  
20 (including drawings, schedules and specifications) which pertain to the  
21 planning and design of interior spaces including furnishings, layouts,  
22 fixtures, cabinetry, lighting, finishes, materials, and interior con-  
23 struction not materially related to or materially affecting the building  
24 systems, all of which shall comply with applicable laws, codes, regula-  
25 tions, and standards. The scope of work described herein shall not be  
26 construed as authorizing the planning and design of engineering and ar-  
27 chitectural interior construction as related to the building systems,  
28 including structural, electrical, plumbing, heating, ventilating, air  
29 conditioning or mechanical systems and shall not be construed as  
30 authorizing the practice of engineering or architecture as described in  
31 article one hundred forty-five or one hundred forty-seven of this title.  
32 The interior design plans as described above are not to be construed as  
33 those required to be filed with local municipalities or building depart-  
34 ments as required by the state education law regulating the practices of  
35 architecture or engineering.

36 § 8304. State board for interior design. 1. A state board for interior  
37 design shall be appointed by the board of regents on recommendation of  
38 the commissioner for the purpose of assisting the board of regents and  
39 the department on matters of certification and professional conduct in  
40 accordance with section sixty-five hundred eight of this title. The  
41 board shall be composed of nine members, four of whom shall be interior  
42 designers certified in this state, two of whom shall be licensed ar-  
43 chitects who practice primarily interior design in this state, one who  
44 shall be a professional engineer in this state with an expertise in in-  
45 terior design, one who shall be a full-time interior design educator in  
46 this state and one who shall be the public representative. Notwithstand-  
47 ing the foregoing, the members of the first board who are interior  
48 designers need not be certified prior to their appointment to the board.

49 2. Two interior designers and a licensed architect who practices pri-  
50 marily interior design shall serve initial five year terms. Two interior  
51 designers and a professional engineer with an expertise in interior  
52 design shall serve initial four year terms. One licensed architect who  
53 practices primarily interior design, the interior design educator, and  
54 the public representative shall serve initial two year terms. Following  
55 the establishment of the initial membership of the board, all succeeding  
56 appointments shall be for five year terms. Any vacancy on the board

1 shall be filled by appointment for the remainder of such member's terms  
2 in accordance with the provisions of this section.

3 § 8305. Requirements for certification. 1. To qualify for certification  
4 to use the title "certified interior designer", an applicant shall  
5 fulfill all the following requirements:

6 (a) Application: file an application with the department;

7 (b) Education: have received at least seven years of professional  
8 training consisting of academic study and work experience relating to  
9 interior design and in accordance with the commissioner's regulations.  
10 These seven years shall contain at least two but not more than five  
11 years of post secondary education, including an associate degree or the  
12 equivalent, in an approved program of interior design;

13 (c) Experience: have experience satisfactory to the board and in ac-  
14 cordance with the commissioner's regulations;

15 (d) Examination: (1) pass an examination satisfactory to the board in  
16 accordance with the commissioner's regulations, and (2) pass a separate  
17 examination satisfactory to the board relative to the fire, safety and  
18 building codes of the state;

19 (e) Age: be at least twenty-one years of age;

20 (f) Citizenship: meet no requirements as to United States citizenship;

21 (g) Character: be of good moral character as determined by the depart-  
22 ment; and

23 (h) Fees: pay a fee of three hundred dollars to the department for ad-  
24 mission to the two department conducted examinations and for an initial  
25 license, a fee of one hundred fifty dollars for each reexamination, a  
26 fee of one hundred thirty-five dollars for an initial license for per-  
27 sons not requiring admission to a department conducted examination, and  
28 a fee of two hundred ten dollars for each triennial registration period.

29 2. On recommendation of the board, the department may exempt:

30 (a) from the requirement of subparagraph one of paragraph (d) of sub-  
31 division one of this section, an applicant who holds a license of cer-  
32 tification to practice as an interior designer issued to him or her upon  
33 examination by a legally constituted board of examiners in any other  
34 state or political subdivision of the United States, provided that at  
35 the time the license or certificate was issued by such state or politi-  
36 cal subdivision the applicant met the requirements of paragraph (b) of  
37 subdivision one of this section for certification to use the title  
38 "certified interior designer" established by this article; or

39 (b) from the requirements specified in paragraph (b) of subdivision  
40 one of this section provided the applicant submits within two years of  
41 the effective date of this article satisfactory evidence that the appli-  
42 cant has held himself or herself out as an interior designer and has  
43 prepared interior design documents in accordance with the requirements  
44 set forth in section eighty-three hundred three of this article for a  
45 minimum of seven years, has received a secondary school diploma or  
46 equivalent, and has passed the examinations required under paragraph (d)  
47 of subdivision one of this section.

48 § 8306. Limited permits. 1. On recommendation of the board, the  
49 department may issue a limited permit, valid for a period of two years  
50 and renewable once on the recommendation of the board, for use of the  
51 title "certified interior designer" in accordance with this article by  
52 one who is not a resident of this state and has no established business  
53 in this state. This individual shall (a) be qualified to practice or en-  
54 gage, under such title, in the practice of interior design in his or her  
55 own country or state, (b) submit evidence satisfactory to the board of  
56 established and recognized professional standing in his or her own coun-

1 try or state, and (c) submit satisfactory certifications as to his or  
2 her qualifications.

3 2. The limited permit shall authorize the holder to use the title  
4 "certified interior designer".

5 3. A limited permit of a certified interior designer shall be used  
6 only in connection with the specific project for which the limited per-  
7 mit is issued and authorized in writing by the department.

8 4. The fee for each limited permit shall be one hundred five dollars.

9 § 8307. Separability. If any section of this article, or part thereof,  
10 shall be adjudged by a court of competent jurisdiction to be invalid,  
11 such judgment shall not affect, impair or invalidate the remainder or  
12 any other section or part thereof.

13 § 2. This act shall take effect on the first day of June next succeed-  
14 ing the date on which it shall have become a law, provided, however,  
15 that effective immediately, the addition, amendment and/or repeal of any  
16 rule or regulation necessary for the implementation of this act on its  
17 effective date are authorized and directed to be made and completed on  
18 or before such effective date.