

Memorandum in Support of Senate Bill S6336 by Senator Ritchie/Assembly Bill A9132 by Assemblyman Lavine

This legislation amends the Business Corporation Law, the Education Law and the Limited Liability Company Law in relation to permitting certified interior designers to enter into joint enterprise or partnership of a design corporation.

Current law permits architects, engineers, landscape architects and land surveyors to join together in a multi-disciplinary business, partnership or corporation. This bill would add certified interior designers in the current statutes that allow for this kind of arrangement.

Specifically, this legislation amends the following laws:

1. Amends paragraph (a) of section 1503 of the Business Corporation Law, as added by Chapter 974 of the Laws of 1970 to include certified interior designers among the professions permitted to form a Professional Service Corporation.
2. Amends subdivision 4 of section 7209, subdivision 2 of section 7307 and subdivision 2 of section 7327 of the Education Law, as added by Chapter 987 of the Laws of 1971, to include certified interior designers among the professions permitted to join in the formation of a joint enterprise, partnership or a professional service corporation.
3. Re-numbers section 8307 of the Education Law as section 8308 and adds a new section 8307 to permit interior designers to form a professional service corporation, joint enterprise, partnership, limited liability company or corporation.
4. Amends subdivision (a) of section 1203 of the Limited Liability Company Law, as separately amended by Chapters 420 and 676 of the Laws of 2002, to include certified interior designers among the professions permitted to join in the partnership or formation of a professional service limited liability company.

Talking Points:

- This legislation does not expand the scope of practice of certified interior designers. It is focused on career and business opportunities for licensed certified interior designers who desire to practice as principles or partners in a multi-disciplinary design firm.
- Currently, certified interior designers can only be employees of an architectural or engineering firm. This limits their career ladder, as they cannot become principles or partners in these firms.
- Certified interior designers are licensed by the State Education Department under Article 161 of the Education Law. They are regulated by the Office of the Professions to the same extent as architects, engineers, landscape architects and land surveyors and they can only practice to the limit of their scope. Inclusion of certified interior designers among the list of professions permitted to serve as partners/principles of design corporations does not permit them to practice any other licensed or certified profession.