

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

S

1

SENATE BILL 700

Short Title: Certify Interior Designers.

(Public)

Sponsors: Senators Odom; Perdue and Staton.

Referred to: State Personnel and State Government.

April 18, 1991

1 A BILL TO BE ENTITLED  
2 AN ACT TO ESTABLISH THE CERTIFIED INTERIOR DESIGNERS TITLE  
3 REGISTRATION ACT.

4 The General Assembly of North Carolina enacts:

5 Section 1. The General Statutes are amended by adding a new Chapter to  
6 read:

7 **“CHAPTER 83B.**  
8 **“CERTIFIED INTERIOR DESIGNERS TITLE REGISTRATION ACT.**

9 **“§ 83B-1. Short title.**

10 This Chapter shall be known as the ‘Certified Interior Designers Title Registration  
11 Act.’

12 **“§ 83B-2. Purpose.**

13 It is the purpose of this Chapter to register the title of Certified Interior Designer and  
14 set minimum standards for education, experience, and testing required for the use of that  
15 title because interior design affects the people of this State. It is also the purpose of this  
16 Chapter to promote high standards of performance for Certified Interior Designers.

17 **“§ 83B-3. Definitions.**

18 (a) ‘Board’ means the North Carolina Board of Certified Interior Designers.

19 (b) ‘Certified Interior Designer’ is a person certified under this Chapter as being  
20 qualified by the education, experience, and testing established by this Chapter to  
21 perform services including design programming, design development, and the  
22 preparation and administration of interior design documents relating to furnishings,  
23 fixtures, equipment, finishes, materials, and interior construction, which does not alter  
24 or affect the structure or building systems.

1 (c) 'FIDER' means the Foundation for Interior Design Education Research.

2 (d) 'NCIDQ' means the National Council for Interior Design Qualification.

3 **"§ 83B-4. Prohibitions.**

4 (a) Effective January 1, 1992, except as otherwise provided in this Chapter, no  
5 person may represent that he or she is certified under this Chapter or hold himself or  
6 herself out to the public by any title or description denoting certification under this  
7 Chapter unless the person is qualified to use the title 'Certified Interior Designer' as  
8 provided in this Chapter.

9 (b) This Chapter does not authorize a Certified Interior Designer to engage in the  
10 practice of architecture, contracting, or engineering, nor restrict or otherwise affect the  
11 rights of any person licensed to practice architecture under Chapter 83A, or contracting  
12 under Chapter 87, or engineering under Chapter 89C of the General Statutes; provided,  
13 however, that no person may use the title 'Certified Interior Designer' unless the person  
14 has complied with the provisions of this Chapter and has been certified by the Board.

15 (c) This Chapter does not prevent any person from rendering interior design  
16 services, or using the title interior designer, provided such person is not permitted to use  
17 or be identified by the title 'Certified Interior Designer', unless certified in accordance  
18 with this Chapter.

19 **"§ 83B-5. North Carolina Board of Certified Interior Designers; appointments;**  
20 **terms; composition.**

21 (a) To carry out the provisions of this Chapter, there is hereby created the North  
22 Carolina Board of Certified Interior Designers, which consists of seven members  
23 appointed by the Governor. The Governor may remove any member of the Board for  
24 neglect of duty or malfeasance, or conviction of a felony or other crime that  
25 demonstrates an unfitness to serve as a member of the Board, but for no other reason.

26 (b) At least three members of the Board shall be selected, one each, from the  
27 professional membership of the American Society of Interior Designers (ASID), the  
28 International Society of Interior Designers (ISID), and the Institute of Business  
29 Designers (IBD), and at least one member shall be an unaffiliated interior designer or a  
30 member of another interior design organization. The four initial appointees to these  
31 positions shall qualify as Certified Interior Designers under this Chapter within one year  
32 of the first meeting of the initial Board. All subsequent appointees to these four  
33 positions shall be Certified Interior Designers pursuant to this Chapter. One member of  
34 the Board shall be an architect licensed pursuant to Chapter 83A of the General Statutes;  
35 one member shall be an interior design educator in the State; and one member shall be  
36 appointed from the public at large.

37 (c) Among its seven members, the Board shall include at all times at least one  
38 member primarily engaged in commercial interior design and at least one member  
39 primarily engaged in residential interior design. In addition, the Board shall at all times  
40 include at least one member primarily engaged in interior design education, who shall  
41 be recommended to the Governor from the corporate members of the Interior Design  
42 Educators Council (IDEC) that are teaching at a North Carolina college or university.  
43 The initial appointee to the interior design educator position shall qualify as a Certified  
44 Interior Designer under this Chapter within one year of the first meeting of the initial

1 Board. All subsequent appointees to this position shall be Certified Interior Designers  
2 under this Chapter.

3 (d) All members of the Board shall be residents of North Carolina, and after the  
4 establishment of the initial Board, all members, with the exception of the public  
5 member and the architect member, shall be Certified Interior Designers as specified in  
6 this Chapter. Professional interior designer members of the Board must be actively  
7 engaged in the practice of interior design or in the education and training of students in  
8 interior design at the time of, and for at least three years prior to, their appointment to  
9 the Board. Such activity during the two years preceding the appointment shall have  
10 occurred primarily in this State.

11 (e) The term of office of each member of the Board is three years; provided,  
12 however, that of the members first appointed, three shall be appointed for terms of one  
13 year, two for terms of two years, and two for terms of three years. No member shall  
14 serve more than two consecutive three-year terms.

15 (f) Each term of service on the Board expires on the 30th day of June of the year  
16 in which the term expires. As the term of a member expires, the Governor shall make  
17 the appointment for a full term, or, if a vacancy occurs for any other reason, for the  
18 remainder of the unexpired term.

19 (g) Members of the Board shall receive compensation for their services and  
20 reimbursement for expenses incurred in the performance of duties required by this  
21 Chapter at the rates prescribed in G.S. 93B-5.

22 (h) The Board may employ, subject to the provisions of Chapter 126 of the  
23 General Statutes, the necessary personnel for the performance of its functions, and fix  
24 their compensation within the limits of funds available to the Board.

25 **"§ 83B-6. Procedures, functions, and duties of the Board.**

26 (a) The Board shall administer and enforce the provisions of this Chapter.

27 (b) The Board shall elect from its membership, a chair, a vice-chair, a secretary-  
28 treasurer, and shall adopt rules to govern its proceedings. A majority of the membership  
29 constitutes a quorum for all Board meetings.

30 (c) The Board shall examine and pass on the qualifications of all applicants for  
31 certification under this Chapter and shall issue a certificate to each successful applicant.

32 (d) The Board shall adopt a Board seal which may be affixed to all certificates  
33 issued by the Board.

34 (e) The Board shall adopt a common seal for use by Certified Interior Designers  
35 subject to G.S. 83B-11.

36 (f) The Board may authorize expenditures necessary to carry out the provisions  
37 of this Chapter from the fees it collects, but in no event shall expenditures exceed the  
38 revenues of the Board during any fiscal year.

39 (g) The Board shall establish and receive fees not to exceed one hundred fifty  
40 dollars (\$150.00) for initial or renewal application, examination, and for special review,  
41 and not to exceed twenty-five dollars (\$25.00) for late renewal or for reinstatement of a  
42 lapsed or expired certificate or for a replacement certificate, maintain Board accounts of  
43 all receipts, and make expenditures from Board receipts for any purpose which is  
44 reasonable and necessary for the proper performance of its duties under this Chapter.

1        (h) The Board shall establish reasonable standards for certification and certificate  
2 renewal, and may adopt or use examination materials of the National Council for  
3 Interior Design Qualification (NCIDQ), and accreditation standards of the Foundation  
4 for Interior Design Education Research (FIDER), or other recognized accrediting  
5 agency. The Board may also establish reasonable standards for monitored internships  
6 and continuing education.

7        (i) Subject to the provisions of Chapter 150B of the General Statutes, the Board  
8 may adopt, amend, or rescind rules to carry out the purposes of this Chapter, including  
9 ethical and disciplinary standards.

10 **"§ 83B-6.1. Board general provisions.**

11        The Board is subject to the administrative provisions of Chapter 93B of the General  
12 Statutes.

13 **"§ 83B-7. Titles and qualifications for certificates.**

14        (a) Each person desiring to obtain a certificate from the Board shall apply to the  
15 Board upon such forms and in such manner as the Board shall prescribe and shall pay  
16 the application fee established by the Board.

17        (b) The Board shall issue a certificate as 'Certified Interior Designer' to an  
18 applicant who:

19            (1) Has passed the NCIDQ test or equivalent test as approved by the  
20 Board;

21            (2) Has successfully completed a four-year bachelors degree program in  
22 interior design from a college or university having an interior design  
23 program accredited by FIDER, or a professional degree in architecture  
24 from a school accredited by the National Architectural Accrediting  
25 Board (NAAB) or a program or school judged to be equivalent by the  
26 Board. Beginning four years from the effective date of this Chapter,  
27 only programs accredited by FIDER, or NAAB, if judged to be  
28 equivalent by the Board, shall be approved by the Board to meet the  
29 education requirement; and

30            (3) Has two years of diversified experience. The Board may require that  
31 some or all of this diversified experience be supervised by an interior  
32 designer as defined in G.S. 83B-3(b) or by an interior designer who is  
33 a professional member of a recognized professional interior design  
34 organization that recognizes NCIDQ as its professional qualifying  
35 examination, or by a registered architect.

36        (c) The Board may waive the four-year FIDER or professional architectural  
37 degree from a school accredited by NAAB education requirement of subdivision (b)(2)  
38 of this section, upon proof that the applicant has completed at least two years of relevant  
39 design education from a school or program as described above, has at least four years of  
40 diversified experience under the interior designers or architects described in subdivision  
41 (b)(3) of this section, and has passed the NCIDQ examination. In that circumstance, the  
42 Board, in its discretion, may determine whether an applicant's professional education  
43 and experience in the field of interior design qualify the applicant for certification. No  
44 such waivers shall be granted after January 1, 1996.

1 (d) The Board shall adopt rules on interior design education that are consistent  
2 with and equivalent to the requirements of FIDER.

3 **"§ 83B-8. Certification without examination.**

4 (a) Any person who applies for a certificate and remits the application and initial  
5 certification fees within one year after the initial Board's first meeting shall be certified  
6 by the Board without taking the NCIDQ or equivalent test approved by the Board, if the  
7 applicant provides satisfactory evidence of having used or been identified by the title  
8 'interior designer' and has a combination of (i) two years of relevant design education  
9 from a college or university having an interior design program accredited by FIDER, or  
10 a professional degree in architecture from a school accredited by NAAB, or a program  
11 or school judged to be equivalent by the Board, and (ii) full-time experience totaling 12  
12 years. The Board may require that some or all of this experience be supervised by an  
13 interior designer as defined in G.S. 83B-3(b), or by an interior designer who is a  
14 professional member of a recognized professional interior design organization which  
15 recognizes NCIDQ as its professional qualifying examination, or by a registered  
16 architect. An applicant with less than two years of relevant design education but with a  
17 combination of relevant design education and full-time experience totaling 12 years,  
18 may apply to the Board for a special review of whether the applicant qualifies for  
19 certification without examination. The Board may charge a separate fee for this special  
20 review. A person is considered to have used or been identified by the title 'interior  
21 designer' if the person has rendered or offered to render interior design services as  
22 defined in G.S. 83B-3.

23 (b) The Board may grant a certificate without examination or by special  
24 examination to any person who, at the time of application, is certified, registered, or  
25 licensed as an interior designer by a similar board of another country, state, or territory  
26 whose certification, registration, or licensing standards are substantially equivalent in  
27 the Board's judgment to those required by this Chapter.

28 **"§ 83B-9. Renewal of certificates.**

29 (a) All certificates are effective upon the date of issuance by the Board, and  
30 expire on the second June 30th thereafter.

31 (b) All certificates issued hereunder shall be renewed at the time and in the  
32 manner provided in this section. At least 45 days prior to expiration of each certificate,  
33 the Board shall mail a notice for certificate renewal to the person certified for the  
34 current certification period. Prior to the expiration date, the applicant must return the  
35 notice properly completed, together with a renewal fee established by the Board, and  
36 evidence of completion of the continuing education requirements, if any, established by  
37 the Board under G.S. 83B-6(h), upon receipt of which the Board shall issue to the  
38 person to be certified the renewed certificate for the period stated on the certificate.

39 (c) If a person certified under this Chapter allows the certificate to lapse for  
40 failure to apply for renewal within 45 days after notice, the certificate is automatically  
41 suspended, and the person is subject to a late renewal fee as established pursuant to G.S.  
42 83B-6(g). If the person fails to apply for renewal of the certificate within one year after  
43 the date of such suspension, the certificate shall lapse and may be reissued only upon  
44 application as for an original certificate.

1 (d) Any person not desiring to retain the title 'Certified Interior Designer' shall  
2 send written notice thereof to the Board. Upon receipt of such notice, the Board shall  
3 place the name upon the nonpracticing list and he or she shall not be subject to payment  
4 of renewal fees. Thereafter, in order to renew certification, application for renewal shall  
5 be made in ordinary course with a renewal fee for the current period.

6 **"§ 83B-10. Disciplinary procedures.**

7 The Board may, in accordance with the provisions of Chapter 150B of the General  
8 Statutes, refuse to grant or to renew, suspend, or revoke the certificate of any person on  
9 the following grounds:

- 10 (1) Conviction of a felony;
- 11 (2) Gross unprofessional conduct, dishonesty, or incompetence in interior  
12 design;
- 13 (3) Procuring or attempting to procure a certificate by fraud, deceit, or  
14 misrepresentation;
- 15 (4) Fraudulent or dishonest conduct affecting the person's fitness to be a  
16 Certified Interior Designer;
- 17 (5) Inability of the person to perform the functions for which the person is  
18 certified, or substantial impairment of abilities by reason of physical or  
19 mental disability;
- 20 (6) Accepting any form of compensation from a supplier of goods and  
21 services in cash or in kind unless the client knows and agrees; or
- 22 (7) Violations of any of the provisions of this Chapter or of rules of the  
23 Board.

24 **"§ 83B-11. Seal of Certified Interior Designer.**

25 (a) The Board shall adopt a common seal which shall be used by Certified  
26 Interior Designers. The seal shall not be used without the accompanying adjacent  
27 printed statement 'Not for building permit purposes except as otherwise provided by  
28 law.' Nothing in this Chapter shall be construed as authorizing the use or acceptance of  
29 the seal of a Certified Interior Designer in lieu of or as a substitute for the seal of an  
30 architect or engineer.

31 (b) Any Certified Interior Designer who places a Certified Interior Designer's  
32 seal or knowingly permits it to be placed on documents after the Certified Interior  
33 Designer's certificate has expired, or been revoked, or suspended, shall be guilty of a  
34 violation of this Chapter and shall be subject to having his or her certificate revoked or  
35 suspended by the Board.

36 **"§ 83B-12. Remedies.**

37 (a) As a remedy for violation of this Chapter, the Board may file an action in  
38 superior court to enjoin and restrain any person from violating the prohibitions of this  
39 Chapter. The Board shall not be required to post bond in connection with such  
40 proceeding.

41 (b) The knowing and willful violation of any provision of this Chapter shall  
42 constitute an unfair trade practice under G.S. 75-1.1."

43 Sec. 2. This act is effective upon ratification.