

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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SENATE BILL 700

State Personnel and State Government Committee Substitute Adopted 7/3/91

Finance Committee Substitute #2 Adopted 7/10/91

Short Title: Certify Interior Designers.

(Public)

Sponsors:

Referred to:

April 18, 1991

A BILL TO BE ENTITLED

AN ACT TO ESTABLISH THE CERTIFIED INTERIOR DESIGNERS TITLE
REGISTRATION ACT.

The General Assembly of North Carolina enacts:

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

“CHAPTER 83B.

“CERTIFIED INTERIOR DESIGNERS TITLE REGISTRATION ACT.

“§ 83B-1. Short title.

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

“§ 83B-2. Purpose.

It is the purpose of this Chapter to register the title of Certified Interior Designer and
set minimum standards for education, experience, and testing required for the use of that
title because interior design affects the people of this State.

“§ 83B-3. Definitions.

The following definitions apply in this Chapter:

(1) Board. – The North Carolina Board of Certified Interior Designers.

(2) Certified Interior Designer. – An individual who meets criteria of
education, experience, and testing as established by this Chapter. A
Certified Interior Designer is not authorized to practice architecture,
contracting, or engineering. In general, a Certified Interior Designer

1 performs services including the preparation of documents relative to
2 space planning, furnishings, fixtures, and equipment.

3 (3) FIDER. – The Foundation for Interior Design Education Research.

4 (4) NAAB. – The National Architectural Accrediting Board.

5 (5) NCIDQ. – The National Council for Interior Design Qualification.

6 **"§ 83B-4. Prohibitions.**

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

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

18 (c) This Chapter does not prevent any person from rendering interior design
19 services or interior decorating services, from using the title 'interior designer' or
20 'interior decorator', or from using the title 'residential interior designer' or 'residential
21 interior decorator' as designated by the Interior Design Society, which is an affiliate of
22 the National Home Furnishings Association, provided the person is not permitted to use
23 or be identified by the title 'Certified Interior Designer', unless certified in accordance
24 with this Chapter.

25 **"§ 83B-5. North Carolina Board of Certified Interior Designers; appointments;**
26 **terms; composition.**

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

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

43 (c) Among its seven members, the Board shall include at all times at least one
44 member primarily engaged in commercial interior design and at least one member

1 primarily engaged in residential interior design. In addition, the Board shall at all times
2 include at least one member primarily engaged in interior design education, who shall
3 be recommended to the Governor from the corporate members of the Interior Design
4 Educators Council (IDEC) that are teaching at a North Carolina college or university.
5 The initial appointee to the interior design educator position shall qualify as a Certified
6 Interior Designer under this Chapter within one year of the first meeting of the initial
7 Board. All subsequent appointees to this position shall be Certified Interior Designers
8 under this Chapter.

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

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

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

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

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

31 **"§ 83B-6. Procedures, functions, and duties of the Board.**

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

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

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

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

40 (e) The Board shall not adopt a common seal for use by a Certified Interior
41 Designer.

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

1 (g) The Board shall establish and receive fees, maintain Board accounts of all
2 receipts, and make expenditures from Board receipts for any purpose which is
3 reasonable and necessary for the proper performance of its duties under this Chapter.
4 The fees established by the Board may not exceed the following amounts:

- 5 (1) Application fee: \$150.00
- 6 (2) Certificate renewal fee: \$150.00
- 7 (3) Examination fee: \$150.00
- 8 (4) Late renewal fee: \$ 25.00
- 9 (5) Reinstatement of lapsed or expired
10 certificate: \$ 25.00
- 11 (6) Replacement certificate: \$ 25.00
- 12 (7) Special review fee: \$150.00

13 (h) The Board shall establish reasonable standards for certification and certificate
14 renewal, and may adopt or use examination materials of NCIDQ, and accreditation
15 standards of FIDER, or other recognized accrediting agency. The Board may also
16 establish reasonable standards for monitored internships and continuing education.

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

20 **"§ 83B-6.1. Board general provisions.**

21 The Board is subject to the administrative provisions of Chapter 93B of the General
22 Statutes.

23 **"§ 83B-7. Titles and qualifications for certificates.**

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

27 (b) The Board shall issue a certificate as 'Certified Interior Designer' to an
28 applicant who meets all of the following requirements:

- 29 (1) Has passed the NCIDQ test or equivalent test as approved by the
30 Board.
- 31 (2) Has successfully completed a four-year bachelors degree program in
32 interior design from a college or university having an interior design
33 program accredited by FIDER, or a professional degree in architecture
34 from a school accredited by NAAB or a program or school judged to
35 be equivalent by the Board. Beginning four years from the effective
36 date of this Chapter, only programs accredited by FIDER or NAAB
37 shall be approved by the Board to meet the education requirement.
- 38 (3) Has two years of diversified experience. The Board may require that
39 some or all of this diversified experience be supervised by an interior
40 designer as defined in G.S. 83B-3(b), by an interior designer who is a
41 professional member of a recognized professional interior design
42 organization that recognizes NCIDQ as its professional qualifying
43 examination, or by a registered architect.

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

10 **"§ 83B-8. Certification without examination.**

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

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

34 **"§ 83B-9. Renewal of certificates.**

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

37 (b) All certificates issued under this Chapter shall be renewed at the time and in
38 the manner provided in this section. At least 45 days prior to expiration of each
39 certificate, the Board shall mail a notice for certificate renewal to the person certified
40 for the current certification period. Prior to the expiration date, the applicant must
41 return the notice properly completed, together with a renewal fee and evidence of
42 completion of any continuing education requirements established by the Board, if any,
43 upon receipt of which the Board shall issue to the person to be certified the renewed
44 certificate for the period stated on the certificate.

1 (c) If a person certified under this Chapter allows the certificate to lapse for
2 failure to apply for renewal within 45 days after notice, the certificate is automatically
3 suspended and the person is subject to a late renewal fee. If the person fails to apply for
4 renewal of the certificate within one year after the date of such suspension, the
5 certificate shall lapse and may be reissued only upon application as for an original
6 certificate.

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

12 **"§ 83B-10. Disciplinary procedures.**

13 The Board may, in accordance with the provisions of Chapter 150B of the General
14 Statutes, refuse to grant or to renew, suspend, or revoke the certificate of any person on
15 any one or more of the following grounds:

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

31 **"§ 83B-11. Remedies.**

32 As a remedy for violation of this Chapter, the Board may file an action in superior
33 court to enjoin and restrain any person from violating the prohibitions of this Chapter.
34 The Board shall not be required to post bond in connection with such proceeding."

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