

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 266

Short Title: Certify Interior Designers.

(Public)

Sponsors: Representative Diamont.

Referred to: State Government.

February 25, 1993

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.

16 **"§ 83B-3. Definitions.**

17 The following definitions apply in this Chapter:

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

19 (2) Certified Interior Designer. – An individual who meets criteria of
20 education, experience, and testing as established by this Chapter. A
21 Certified Interior Designer is not authorized to practice architecture,
22 contracting, or engineering. In general, a Certified Interior Designer
23 performs services including the preparation of documents relative to
24 space planning, furnishings, fixtures, and equipment.

- 1 (3) FIDER. – The Foundation for Interior Design Education Research.
2 (4) NAAB. – The National Architectural Accrediting Board.
3 (5) NCIDQ. – The National Council For Interior Design Qualification.
4 (6) SACS. – The Southern Association of Colleges and Schools.

5 **"§ 83B-4. Prohibitions.**

6 (a) Effective January 1, 1994, except as otherwise provided in this Chapter, no
7 person may represent that he or she is certified under this Chapter or hold himself or
8 herself out to the public by any title or description denoting certification under this
9 Chapter unless the person is qualified to use the title 'Certified Interior Designer' as
10 provided in this Chapter.

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

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

24 **"§ 83B-5. North Carolina Board of Certified Interior Designers; appointments;**
25 **terms; composition.**

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

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

1 (c) Among its eight members, the Board shall include at all times at least one
2 member primarily engaged in commercial interior design and at least one member
3 primarily engaged in residential interior design. In addition, the Board shall at all times
4 include at least two members primarily engaged in interior design education, one of
5 whom shall be recommended to the Governor from the corporate members of the
6 Interior Design Educators Council (IDEC) that are teaching at a North Carolina college
7 or university, and one of whom shall be recommended to the Governor by the
8 Department of Community Colleges. The initial appointees to the two design educator
9 positions shall qualify as Certified Interior Designers under this Chapter within one year
10 of the first meeting of the initial Board. All subsequent appointees to these positions
11 shall be Certified Interior Designers under this Chapter.

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

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

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

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

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

34 **"§ 83B-6. Procedures, functions, and duties of the Board.**

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

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

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

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

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

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

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

8 (1) Application fee \$150.00

9 (2) Certificate renewal fee \$150.00

10 (3) Examination fee \$150.00

11 (4) Late renewal fee \$ 25.00

12 (5) Reinstatement of lapsed or
13 expired certificate \$25.00

14 (6) Replacement certificate \$25.00

15 (7) Special review fee \$150.00.

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

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

23 **"§ 83B-6.1. Board general provisions.**

24 The Board is subject to the administrative provisions of Chapter 93B of the General
25 Statutes.

26 **"§ 83B-7. Titles and qualifications for certificates.**

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

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

32 (1) Has passed the NCIDO test or equivalent test as approved by the
33 Board.

34 (2) Has successfully completed a four-year bachelors degree program in
35 interior design from a college or university having an interior design
36 program accredited by FIDER or by SACS, or a professional degree in
37 architecture from a school accredited by NAAB, or a two-year degree
38 in interior design from a college or university accredited by FIDER or
39 by SACS or other equivalent regional accrediting agency, or a program
40 or school judged to be equivalent by the Board.

41 (3) Has a combination of interior design education and experience totaling
42 six years with a minimum of two years of education as described in
43 subdivision (2) of this subsection. The Board shall prepare guidelines
44 of the type of experience needed to prepare for the NCIDO test or

1 other equivalent test approved by the Board pursuant to subdivision (1)
2 of this subsection.

3 (c) The Board may waive the education requirement of subdivision (b)(2) of this
4 section, upon proof that the applicant has completed at least two years of relevant
5 design education from a school or program as described above, has at least four years of
6 experience described in subdivision (b)(3) of this section, and has passed the NCIDO
7 examination. In that circumstance, the Board, in its discretion, may determine whether
8 an applicant's professional education and experience in the field of interior design
9 qualify the applicant for certification.

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 NCIDO 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, or from a college or
17 university accredited by SACS or other equivalent regional accrediting agency, a
18 professional degree in architecture from a school accredited by NAAB, or a program or
19 school judged to be equivalent by the Board, and (ii) full-time experience totaling 12
20 years. The Board may prepare guidelines defining the experience necessary to qualify
21 for certification under this subsection. An applicant with less than two years of relevant
22 design education but with a combination of relevant design education and full-time
23 experience totaling 12 years, may apply to the Board for a special review of whether the
24 applicant qualifies for certification without examination. The Board may charge a
25 separate fee for this special review. A person is considered to have used or been
26 identified by the title 'interior designer' if the person has rendered or offered to render
27 interior design services as defined in G.S. 83B-3.

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

33 **"§ 83B-9. Renewal of certificates.**

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

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