

SENATE No. 93

The Commonwealth of Massachusetts

PRESENTED BY:

Cynthia S. Creem

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the registration of interior designers.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: |
|-----------------------------|---------------------|
| <i>Cynthia S. Creem</i> | |
| <i>Elizabeth A. Poirier</i> | <i>14th Bristol</i> |
| <i>Louis L. Kafka</i> | <i>8th Norfolk</i> |

SENATE No. 93

By Ms. Creem, a petition (accompanied by bill, Senate, No. 93) of Cynthia S. Creem, Elizabeth A. Poirier and Louis L. Kafka for legislation relative to the registration of interior designers. Consumer Protection and Professional Licensure.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to the registration of interior designers.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 112 of the General Laws, as most recently appearing in
2 the 2011 Official Edition, is hereby amended by inserting after section 60P the following new
3 section:

4 Section 60Q. Title: Registered Interior Designer

5 Any individual who has passed the interior design examination administered by
6 the National Council for Interior Design Qualification (NCIDQ) may use the title “Registered
7 interior designer.” Such individual shall, upon satisfactory completion of the aforementioned
8 requirements, send to the office of director of professional licensure a copy of documentation of
9 the proof of passage of said exam, of graduation and completion of said program, and any
10 certifications awarded to said individual by the National Council for Interior Design
11 Qualification, with said individual’s name, present mailing address and email address, and any

12 changes there to as such changes occur. Such documentation shall be placed on file in the office
13 of said director.

14 Application; Renewal; Re-Activation

15 Each applicant seeking to become a registered interior designer shall pay to the board,
16 upon filing his or her original application a fee to be determined annually by the commissioner of
17 administration. The director of the office of professional licensure, or his designee, as the
18 custodian of any documentation required by this section shall enforce the provisions of said
19 section and may use said documentation, or any lack thereof, as he, or his designee, deems
20 necessary, notwithstanding any General or special Law, or rule or regulation to the contrary.

21 A Registered Interior Designer shall be required to continue learning and stay
22 abreast of current knowledge in the profession by completing continuing education units (CEUs).
23 Continuing education shall be gained through coursework delivered in education units. [The
24 quantity and content designation of education units (CEUs) shall be determined by the office of
25 professional licensure.]

26 It shall be unlawful for any individual, who is not so qualified by reason of
27 having passed such examination, or who does not have such experience to use the title
28 “Registered Interior Designer” or any title or device indicating that an individual is a “registered
29 interior designer.”

30 Nothing herein shall prohibit any person from performing interior design
31 services or using the title “interior designer,” “interiors consultant,” “interior decorator” or the
32 like, so long as the word “registered” is not used in conjunction with the word “interior
33 designer.”

34 Nothing herein shall authorize any individual to engage in the practice of
35 architecture, engineering, or any other occupation regulated under the laws of this state or to
36 prepare, sign or seal plans with respect to such practice or in connection with any governmental
37 permits unless licensed or otherwise permitted to do so under such laws.

38 Nothing in this section shall prohibit an employee of a retail establishment providing
39 consultation regarding interior design, decoration, furnishings, furniture or fixtures offered for
40 sale by such establishment from receiving compensation from such establishment.

41 Notwithstanding any general or special law to the contrary, an individual who
42 has completed at least 10 years of full-time, diversified, verifiable professional experience in the
43 profession of interior design shall be eligible for “provisional registration” provided that within
44 twelve months after the first meeting of the board, said individual has applied for registration.

45 Said applicant, upon review and consent of the board, may be issued a “provisional
46 registration” and be given three calendar years from the first meeting of the board to provide
47 substantial proof to the board of successful passage of “Section I” of the NCIDQ examination, at
48 which time full registration will be granted. If proof is not provided to the board within the
49 allotted time period, said applicant’s “provisional registration” shall be revoked and become null
50 and void. Re-application, including satisfaction of all requirements at the time of re-application,
51 shall be required for registration. During the time period of “provisional registration,” said
52 individual is required to maintain all current fees and uphold all requirements registration and
53 renewal until such time as the examination requirement is fulfilled.

54 Any individual violating the provisions of this section shall be punished via a
55 fine and/or one’s registration revoked by the division of professional licensure.

56 SECTION 2. Section 38A1/2 of chapter 7 of the general laws is hereby
57 amended in line 32 by adding the following new paragraph: “or an individual, corporation,
58 partnership or sole proprietorship engaged in the practice of interior design.”

59 SECTION 3. Section 38D of chapter 7 of the general laws is hereby amended
60 in line 21 by adding the following: “including whether interior designers are eligible to apply, as
61 determined by section 38E.”

62 SECTION 4. Section 38E of chapter 7 of the general laws is hereby amended
63 by adding the following: “(h) interior designers may be eligible to compete for those projects
64 where appropriate as the prime consultant.” Eligible candidates would hold a valid certificate
65 indicating that they are a Registered Interior Designer meeting the requirements outlined by the
66 division of professional licensure.”