HOUSE DOCKET, NO. 1251 FILED ON: 1/14/2025

HOUSE . . . . . No. 324

The Commonwealth of Massachusetts

PRESENTED BY:

Christine P. Barber

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 advancing the profession of commercial interior design.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Christine P. Barber	*34th Middlesex*	*1/14/2025*
Natalie M. Higgins	*4th Worcester*	*3/16/2025*
Mary S. Keefe	*15th Worcester*	*3/4/2025*

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HOUSE . . . . . No. 324

By Representative Barber of Somerville, a petition (accompanied by bill, House, No. 324) of Christine P. Barber and Mary S. Keefe relative to registered interior designers. Consumer Protection and Professional Licensure.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *2813* OF 2023-2024.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act relative to advancing the profession of commercial interior design.

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

SECTION 1. Section 45 of chapter 7C of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:-

(a) There shall be, within the executive office for administration and finance, a designer selection board, consisting of:10 members appointed by the governor, 3 of whom shall be registered architects in the commonwealth, architects who are unregistered in the commonwealth but have not less than 10 years' experience as an architect registered by a National Council of Architectural Registration Boards member board or architects emeritus, 3 of whom shall be certified interior designers with not less than 10 years of experience as a National Council for Interior Design Qualifications certified Massachusetts interior designer, 2 of whom shall be

registered engineers, or currently unregistered but with not less than 10 years' experience as a registered engineer, and 2 of whom shall be representatives of the public who are not architects, engineers or construction contractors. Three additional members shall be designated as follows: 1 registered architect selected by the American Institute of Architects Massachusetts; 1 registered engineer selected by the government affairs council of design professionals; and 1 general contractor selected by the Associated General Contractors of Massachusetts, Inc. No member shall have a record of disciplinary action. Members shall be appointed for terms of 2 years and may be reappointed for not more than 1 successive 2-year term. The director shall designate a representative, who shall be the project manager in the case of a project under the jurisdiction of the office of project management, to act as a nonvoting member of the board for each project under their jurisdiction under consideration by the board.

SECTION 2. Chapter 13 of the General Laws is hereby amended by adding the following section:-

Section 110. (a) There shall be a board of registration of commercial interior designers,, consisting of 5 members appointed by the governor, 4 of whom shall have been engaged in the practice of interior design for a period of not less than 10 years prior to their appointment and shall be registered commercial interior designers and 1 of whom shall be a member of the general public. Members of the board shall be residents of the commonwealth.

(b) Each member of the board shall serve for a term of 3 years and until the governor appoints a successor. No member shall be appointed to more than 2 consecutive full terms; provided, however, that a member appointed for less than a full term may serve 2 full terms in

addition to such part of a full term; and provided further, that a former member shall be eligible for appointment after a lapse of 1 year.

(c) A member may be removed by the governor for neglect of duty, misconduct or malfeasance or misfeasance in office after written notice of the charges against them and an opportunity to be heard. Upon the death, resignation or removal for cause of any member of the board, the governor shall fill the vacancy for the remainder of that member's term.

(d) The members of the board shall serve without compensation but shall be reimbursed for actual and necessary expenses reasonably incurred in the performances of their duties as members or on behalf of the board.

(e) The board shall hold not less than 2 regular meetings annually and may hold special meetings as required. The board shall organize and choose from its own members, a chair, a vice chair and a secretary at the first regular annual meeting. A quorum shall consist of 3 members.

(f) The board may make such rules or by-laws as it may deem necessary in the performance of its duties. The board shall have a seal and its members may administer oaths in the performance of its duties. The board shall have power to summon witnesses, take testimony and require proofs concerning all matters within its jurisdiction. The board shall annually file with the commissioner of professional licensure a report of its proceedings, which shall include an itemized statement of all receipts and expenses of the board for the year.

SECTION 3. Chapter 112 of the General Laws, as so appearing, is hereby amended by adding the following 7 sections:-

Section 290. As used in sections 291 to 296, inclusive, the following words shall have the following meanings unless the context clearly requires otherwise:

“Board”, the board of registration of commercial interior designers established in section 110 of chapter 13.

"Building", an enclosed structure that has human occupancy or habitation as its principal purpose as defined in the state building code.

“Certificate of registration”, the 2-year license to practice commercial interior design issued by the board.

"International Building Code", the edition of the International Building Code, issued by the International Code Council, as most recently adopted by the commonwealth, including Massachusetts amendments.

“Practice of commercial interior design", in relation to obtaining a building permit independent of an architect licensed under sections 60A to 60Q, inclusive, the preparation of a plan or specification for, or the supervision of new construction, alteration or repair of, an interior space within a newly constructed or existing building when the core and shell structural elements will not be changed; provided, however, that the "practice of commercial interior design” shall not include: (i) providing commercial construction documents, independent of a licensed architect, for a space that: (A) does not already have base building life safety components installed or designed and permitted, including required exit stairs and enclosures, paths of travel, ramps, horizontal exit passageways, disabled access, fire alarm systems and base building fire suppression systems; or (B) is undergoing a change of occupancy classification as described in the International Building Code; or (ii) changes to or the addition of foundations,

beams, trusses, columns or other primary structural framing members or seismic systems, structural concrete slabs, floor and roof framing structures or bearing and shear walls, openings in roofs, floors, exterior walls or bearing and shear walls, exterior doors, windows, awnings, canopies, sunshades, signage or similar exterior building elements as described in the International Building Code, life safety equipment, including smoke, fire or carbon dioxide sensors, detectors or other overhead building elements as described in the International Building Code, bracing for partial height partitions if the top of the partition is more than 8 feet above the floor, heating, ventilating or air conditioning equipment or distribution systems, building management systems, high or medium voltage electrical distribution systems, standby or emergency power systems or distribution systems, plumbing or plumbing distribution systems, fire alarm systems, fire sprinklers systems, security or monitoring systems or related building systems.

Section 291. Upon approval by the board, an individual who has passed the interior design examination administered by the National Council for Interior Design Qualification may use the title Registered Commercial Interior Designer. Such individual shall, upon satisfactory completion of the aforementioned requirements and any other requirements and qualifications as deemed necessary by the board, send to the board a copy of documentation of the proof of: (i) passage of the exam; (ii) graduation and completion of an accredited inter design program; (iii) any certifications awarded to the individual by the National Council for Interior Design Qualification; (iv) and any other documentation as required by the board. Such documentation shall include, but not be limited to, the individual’s name, mailing address and email address; provided, however, that such individual shall update the board of any changes to such

information as they occur. Such documentation shall be placed on file with the division of professional licensure.

Section 292. (a) Each applicant seeking to become a registered commercial interior designer shall pay to the board, upon filing their original application, a fee to be determined annually by the commissioner of administration. After verification of the documentation required pursuant to section 291 and receipt of the application fee, the board shall issue a certificate of registration for a period of 2 years. The commissioner of professional licensure or their designee, as the custodian of any documentation required by section 291, shall enforce this section and may use said documentation, or any lack thereof, as deemed necessary, notwithstanding any general or special law or rule or regulation to the contrary.

A registered commercial interior designer shall be required to complete continuing education courses. Continuing education shall be gained through coursework delivered in education credits. The quantity and content designation of education credits shall be determined by the board.

It shall be unlawful for any individual who is not approved by the board to use the title Registered Commercial Interior Designer or any title or device indicating that an individual is a registered commercial interior designer.

Nothing in this section shall prohibit a person from performing commercial interior design services or using the title commercial interior designer, commercial interiors consultant, commercial interior decorator or a similar title; provided, however, that the word “registered” shall not be used in conjunction with such a title.

No individual shall engage in the practice of architecture, engineering or any other occupation regulated under the laws of the commonwealth or to prepare, sign or seal plans with respect to such practice or in connection with any governmental permits unless licensed or otherwise permitted to do so under such laws.

Nothing in this section shall prohibit any person from performing professional services limited to the planning, design and implementation of kitchen and bath spaces or the specification of products for kitchen and bath spaces.

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

(b) Any individual violating sections 290 to 296, inclusive, may be punished by a fine of not more than $500 or by imprisonment in a jail or house of correction for not more than 3 months, or both, or by revocation of registration by the board.

Section 293. Each registered commercial interior designer shall have a seal of a design authorized by the board. All plans, specifications and reports prepared by a registered commercial interior designer or under their supervision shall be stamped with the impression of such seal. A registered commercial interior designer shall impress their seal on any plans, specifications or reports if their certificate of registration is in full force and if they were the author of such plans, specifications or reports or were responsible for their preparation.

Section 294. Annually, not later than January 31, the board shall prepare a roster showing the names and the last known places of business of all registered commercial interior designers in the commonwealth. Such roster shall be posted on a publicly available website.

Section 295. (a) Upon receipt of a written application, the board may grant a certificate of registration as a commercial interior designer emeritus to an interior designer who has retired from the active practice of commercial interior design in the commonwealth. To be eligible for a certificate of registration as a commercial interior designer emeritus, the applicant shall: (i) submit an application together with a fee prescribed by the board; (ii) have been a commercial interior designer in good standing in the commonwealth at the time of their retirement; (iii) be not less than 65 years of age; (iv) have been a registered a commercial interior designer in the commonwealth for not less than 10 years; (v) have relinquished their license to practice commercial interior design; and (vi) satisfy any other requirements as may be prescribed by the board.

(b) A commercial interior designer emeritus shall neither engage in nor hold themselves out as engaging in the practice of commercial interior design. A commercial interior designer emeritus shall be exempt from the continuing education requirements established in section 292.

(c) A commercial interior designer emeritus seeking reinstatement as a commercial interior designer shall: (i) file an application for reinstatement with the board; (ii) pay an administrative fee that shall be determined by the board; and (iii) comply with education or other requirements established by the board.

Section 296. The board shall be charged with the enforcement of sections 290 to 296, inclusive. If any person refuses to obey any decision of the board, the attorney general shall, upon request of the board, file a petition for the enforcement of such decision in equity in Suffolk county superior court or in the county in which the defendant resides or has a place of business.

After due hearing, the court shall order the enforcement of such decision or any part thereof, if legally and properly made by the board.

SECTION 4. Section 1 shall not affect or reduce the tenure of members of the designer selection board serving at the time of the effective date of this act.

SECTION 5. Notwithstanding any general or special law to the contrary, an individual who has completed not less than 10 years of full-time, diversified, verifiable professional experience in the profession of interior design shall be eligible for provisional registration; provided, however, that the individual shall apply for registration not more than 12 months after the first annual meeting of the board of registration of commercial interior designers following the effective date of this act. The applicant, upon review and consent of the board, may be issued a provisional registration and be given 3 calendar years from the first annual meeting of the board following the effective date of this act to provide substantial proof to the board of successful passage of the National Council for Interior Design Qualification examination, at which time full registration shall be granted. If proof of passage is not provided to the board within the 3-year time period, the applicant's provisional registration shall be revoked and reapplication, including satisfaction of all requirements at the time of re-application, shall be required for the individual to receive registration. During the time period of provisional registration, the individual shall maintain all current fees and uphold all requirements for registration and renewal until such time as the examination requirement is fulfilled.