

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 900

Short Title: Certify Interior Designers.

(Public)

Sponsors: Senators Odom, Perdue, Allran; Codington, Kerr, Gunter, Carpenter, Hoyle, Speed, Smith, Parnell, and Lee.

Referred to: Judiciary II.

June 1, 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. In
21 general, a Certified Interior Designer performs services including the
22 preparation of documents relative to space planning, furnishings,

1 fixtures, and equipment. A Certified Interior Designer is not
2 authorized to practice architecture, contracting, or engineering.

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 (6) SACS. – The Southern Association of Colleges and Schools.

7 **"§ 83B-4. Prohibitions.**

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

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

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

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

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

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

1 part of the North Carolina Community College System; and one member shall be
2 appointed from the public at large.

3 (c) Among its eight members, the Board shall include at all times at least one
4 member primarily engaged in commercial interior design and at least one member
5 primarily engaged in residential interior design. In addition, the Board shall at all times
6 include at least two members primarily engaged in interior design education, one of
7 whom shall be recommended to the Governor from the corporate members of the
8 Interior Design Educators Council (IDEC) that are teaching at a North Carolina college
9 or university, and one of whom shall be recommended to the Governor by the President
10 of the North Carolina Community College System.

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

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

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

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

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

33 **"§ 83B-6. Procedures, functions, and duties of the Board.**

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

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

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

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

42 (e) The Board shall not adopt a common seal for use by a Certified Interior
43 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 that is reasonable
6 and necessary for the proper performance of its duties under this Chapter. The fees
7 established by the Board shall 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 expired certificate \$ 25.00

13 (6) Replacement certificate \$ 25.00

14 (7) Special review fee \$150.00.

15 (h) The Board shall establish reasonable standards for certification and certificate
16 renewal and may adopt or use examination materials of NCIDQ and accreditation
17 standards of FIDER or other recognized accrediting agency. The Board may also
18 establish reasonable standards for monitored internships and continuing education. The
19 Board shall not prevent public or private organizations from conducting continuing
20 education complying with the Board's standards.

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

24 **"§ 83B-6.1. Board general provisions.**

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

27 **"§ 83B-7. Titles and qualifications for certificates.**

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

31 (b) The Board shall issue a certificate as 'Certified Interior Designer' to an
32 applicant who has:

33 (1) Passed the NCIDQ test or equivalent test as approved by the Board.

34 (2) 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) A combination of interior design education and experience totaling six
42 years with a minimum of two years of education as described in
43 subdivision (2) of this subsection. The Board may prepare guidelines
44 for the type of experience needed to prepare for the NCIDQ 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 design
5 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 NCIDQ
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. Nothing in this Chapter shall exclude past,
10 present, or future graduates of accredited interior design programs of North Carolina
11 Community Colleges from being eligible to become certified.

12 **"§ 83B-8. Certification without examination.**

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

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

35 **"§ 83B-9. Renewal of certificates.**

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

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

1 receipt of which the Board shall issue to the person to be certified the renewed
2 certificate for the period stated on the certificate.

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

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

13 **"§ 83B-10. Disciplinary procedures.**

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

17 (1) Conviction of a felony.

18 (2) Gross unprofessional conduct, dishonesty, or incompetence in interior
19 design.

20 (3) Procuring or attempting to procure a certificate by fraud, deceit, or
21 misrepresentation.

22 (4) Fraudulent or dishonest conduct affecting the person's fitness to be a
23 Certified Interior Designer.

24 (5) Inability of the person to perform the functions for which the person is
25 certified, or substantial impairment of abilities by reason of physical or
26 mental disability.

27 (6) Accepting any form of compensation from a supplier of goods or
28 services in cash or in kind unless the client has been informed and
29 agrees.

30 (7) Violations of any of the provisions of this Chapter or of rules of the
31 Board.

32 **"§ 83B-11. Remedies.**

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

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