



The North Carolina Board of Architecture
127 W. Hargett Street Suite 304 Raleigh, NC 27601

To: The Joint Legislative Administrative Procedure Oversight Committee of the North Carolina General Assembly
From: The North Carolina Board of Architecture
Date: March 9, 2020

An Introduction

The North Carolina Board of Architecture is an occupational licensing board. This term is defined in N.C. Gen.Stat. § 93B-1 as follows:

Occupational licensing board means any board, committee, agencyin North Carolina which is established for the primary purpose of regulating the entry of persons into, and/or the conduct of persons within, a particular profession or occupation, and which is authorized to issue licenses; 'occupational licensing board' does not include State agencies, staffed by full-time State employees, which as a part of their regular functions by issue licenses.

Over 100 years ago in March 1915, the NC Legislature established The North Carolina Board of Architecture. Ever since then the Board served to ensure the protection of the life, health and safety of the public by licensing architects to practice architecture. N.C. Gen. Stat. § 83A-1(7) defines the Practice of Architecture to be:

.... performing or offering to perform or holding oneself out as legally qualified to perform professional services in connection with the design, construction, enlargement or alteration of buildings, including consultations, investigations, evaluations, preliminary studies, the preparation of plans, specifications and contract documents, administration of construction contracts and related services or combination of services in connection with the design and construction of buildings, regardless of whether these services are performed in person or as the directing head of an office or organization.

The Board is comprised of seven members who are appointed by the Governor. Five are licensed architects and two are 'public members' who represent the public at large. The current members are as follows:

Jimmy L. Norwood, Jr. AIA, President	Katherine N. Peele, FAIA, Vice President
Steven G. Clipp, AIA, Treasurer	Jimmy L. Norwood, Jr. AIA, Secretary
Cathy C. Morrison, AIA, Secretary	Walter B. Sawyer, AIA, Member
Fred Dodson, Jr., Public Member	Public Member Vacant

The staff is as follows:

Catherine M. Evans - Executive Director of the Board
Julie Piatek – Director of Administration
Tyler Barrick - Firm Compliance / Continuing Education Administrator

Board Position on H858

The State of North Carolina is fortunate when it comes to most occupational licensing Boards; they are long established and well experienced agencies. Both the public and the licensees are easily able to communicate with the Board staff and the appointed Board members

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The definition of the Practice of Architecture is quite clear and based upon a Model Act used throughout the country. The administrative code associated with administering the statute is where you will find more specific practice information and rules for the licensed architectural practitioner. Unfortunately, H858 is fraught with complex and confusing language. The definition of the practice of interior design is unclear and the proposed 'voluntary' registration does nothing to protect the public. Unlike almost every other occupational licensing board, there are no licensed practitioners to oversee the profession to ensure proper practice, nor does H858 allow for a specific governing entity to which the public can appeal. Instead, the proposed statutory language, given its certification process and exemptions, does not make it clear whether someone is licensed to practice interior design as defined by the law or not. This must be clear to ensure public protection. Finally, it appears to contradict itself in the exemptions set forth in the proposed language in §93F-13.

H858 seems to allow the practice of architecture by Interior Designers without oversight. As noted above, there is no supervisory board of appointees. In addition, there is a concern about the difference in training of the two professions. An interior designer is neither trained in much of the technical information as described in H858 nor are they tested on it. This knowledge and experience includes expertise in coordination with plumbing, mechanical, electrical and structural engineering professionals. Hence, the need for supervision.

Without proper oversight, H858 could potentially lead to individuals practicing architecture without a license or supervision, and thus endangering the Health, Safety and Welfare of the public. The Department of Insurance, while well versed in the oversight of all things related to insurance, building code and the OSFM, it is not the organizational place for Interior Designers. All 29 states that regulate interior design do it via an occupational licensing board geared towards and associated with the design professions of architecture and engineering. Interior designers should be regulated by an OLB that is familiar with the design professions, not the Department of Insurance.

It is the opinion of the North Carolina Board of Architecture that the path to professional licensure for interior designers, including the professional responsibility of public health, safety and welfare would be most appropriate as a joint board with the architects, as has been successful in other states. It is noted that HB 858, as written, does not have a governing board of licensees in any advisory capacity nor has there been a fiscal note on the consequences of the misdemeanor provision [93F-8].

Since 1915 North Carolina Board of Architecture has regulated the practice of architecture including the design, construction and alteration of buildings in North Carolina. Over that time the Board has worked cooperatively with the building inspectors, Building Code Council, professional engineers and general contractors. If interior design is licensed as a profession, the board anticipates that it would work cooperatively with them as licensed professionals. The Board does express the view that having a governing board of licensees has been beneficial in creating and promoting this pattern of cooperation.

-Issued by the NC Board of Architecture, May 10, 2019.

Following is a summary of the regulation of interior design as compiled by the National Council of Architecture Registration Boards.

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Regulation of Interior Designers

Summary:

29 Jurisdictions have requirements affecting Interior Designers. Most jurisdictions apply these requirements to the way Interior Designers use titles; ('Certified Interior Designer', 'Registered Interior Designer', etc.).

- **5** Jurisdictions have specific licensure requirements
- **25** Jurisdictions have requirements of certification and registration
- **23** Jurisdictions have neither certification, registration, or licensure requirements
- **20** Jurisdictions enacted regulations before 2000
- **9** Jurisdictions enacted regulations after 2000

Jurisdiction	License Required	Certificate / Registration Required	Year Enacted	Relevant Department / Board
1. Alabama		Yes	2010 – Alabama Interior Design Registration Act	Board of Registered Interior Designers
2. Alaska	Does not regulate Interior Designers			
3. Arizona				
4. Arkansas		Yes	1993 – Arkansas Interior Design Title Registration Act	Arkansas State Board of Architects, Landscape Architects and Interior Designers
5. California		Yes	1990 – Professional Title Recognition	Council for Interior Design Certification
6. Colorado		Yes	2001 – Permitting Statute	Only requires a number of qualifications (i.e. NCIDQ, etc.)
7. Connecticut		Yes	1983 - Statute	Dept. Consumer Protection, Professional Licensing Division
8. Delaware	Does not regulate Interior Designers			
9. District of Columbia	Yes		1998 - Second Omnibus Regulatory Reform Act	Board of Architecture, Interior Design, and Landscape Architecture
10. Florida	Yes		1988 – Statute	Florida Board of Architecture and Interior Design

Jurisdiction	License Required	Certificate / Registration Required	Year Enacted	Relevant Department / Board
11. Georgia		Yes	1992 – Statute	State Board of Architects and Interior Designers
12. Guam	No information available / unable to verify			
13. Hawaii	Does not regulate Interior Designers			
14. Idaho				
15. Illinois		Yes	1990 - Statute	Board of Registered Interior Design Professionals
16. Indiana		Yes	2009 – Statute (25-20.7-2)	Indiana Professional Licensing Agency
17. Iowa		Yes	2005 - Statute	Iowa Interior Design Examining Board
18. Kansas	Does not regulate Interior Designers			
19. Kentucky		Yes	2002 - Statute	Kentucky Board of Architects
20. Louisiana	Yes		1984 – Revised Statute	State Board of Examiners of Interior Designers
21. Maine		Yes	1993 – Statute	Maine State Board for Licensure of Architects, Landscape Architects & Interior Designers
22. Maryland		Yes	1991 - Statute	Maryland Dept. of Licensing and Regulation - State Board of Certified Interior Designers
23. Massachusetts	Does not regulate Interior Designers			
24. Michigan				
25. Minnesota		Yes	1992 - Statute	Minnesota Board of Architecture, Engineering, Land Surveyors, Landscape Architecture, Geoscience & Interior Design
26. Mississippi		Yes	2012 – Mississippi Certified Interior Designer Act	Mississippi State Board of Architecture
27. Missouri		Yes	1998 – Rules & Statutes	Interior Design Council

Jurisdiction	License Required	Certificate / Registration Required	Year Enacted	Relevant Department / Board
28. Montana	Does not regulate Interior Designers			
29. Nebraska				
30. Nevada	Yes		1995 – Statute	Nevada State Board of Architecture, Interior Design, and Residential Design
31. New Hampshire	Does not regulate Interior Designers			
32. New Jersey		Yes	2002 – Interior Designers Certification Act	New Jersey State Board of Architects
33. New Mexico		Yes	1989 – Interior Designers Act	Interior Design Board
34. New York		Yes	1990 - Statute	Office of the Professions - State Board for Interior Design
35. North Carolina	Does not regulate Interior Designers			
36. North Dakota				
37. Northern Mariana Islands	No information available / unable to verify			
38. Islands				
39. Ohio	Does not regulate Interior Designers			
40. Oklahoma		Yes	2006 – Oklahoma State Architectural & Registered Interior Designers Act	Board of Governors of the Licensed Architects, Landscape Architects and Registered interior Designers of Oklahoma
41. Oregon	Does not regulate Interior Designers			
42. Pennsylvania				
43. Puerto Rico	Yes		1973 – Statute	Puerto Rico Board of Examiners of Interior Designers-Decorators
44. Rhode Island	Does not regulate Interior Designers			
45. South Carolina				
46. South Dakota				
47. Tennessee		Yes	1991 – Interior Designers Title Registration Act	Tennessee Board of Architectural & Engineering Examiners
48. Texas		Yes	1991 – Statute (Act formerly prohibited the use of ‘interior designer’ by non-registrants, now only prohibits term ‘registered interior	Texas Board of Architectural Examiners

Jurisdiction	License Required	Certificate / Registration Required	Year Enacted	Relevant Department / Board
			designer' or 'licensed interior designer' 2009)	
49. U.S. Virgin Islands	No information available / unable to verify			
50. Utah		Yes	2016 – Does not require that a person obtain a state certification as a 'state certified commercial interior designer' to engage in an activity traditionally performed by an interior designer.	Division of Occupational & Professional Licensing
51. Vermont	Does not regulate Interior Designers			
52. Virginia		Yes	1990 - Code	Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers & Landscape Architects
53. Washington	Does not regulate Interior Designers			
54. West Virginia				
55. Wisconsin		Yes	1996 - Statute	Department of Safety & Professional Services
56. Wyoming	Does not regulate Interior Designers			