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ENGROSSED SUBSTITUTE HOUSE BILL 2513

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State of Washington

58th Legislature

2004 Regular Session

By House Committee on Commerce & Labor (originally sponsored by Representatives Hudgins, Holmquist and Pettigrew)

READ FIRST TIME 02/06/04.

1 AN ACT Relating to protecting the title of interior design; adding  
2 a new chapter to Title 18 RCW; creating a new section; prescribing  
3 penalties; and providing an expiration date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** In order to safeguard human health, safety,  
6 and property, and to promote public welfare, any person in either a  
7 public or private capacity using the title of interior designer shall  
8 be required to submit evidence that he or she is qualified under the  
9 provisions of section 3 of this act.

10 NEW SECTION. **Sec. 2.** As used in this chapter, unless the context  
11 otherwise requires:

12 (1) "Department" means the department of licensing.

13 (2) "Interior design" means client consultation and the preparation  
14 and administration of design documents, including design studies,  
15 drawings, schedules, specifications, and contracts relating to the  
16 nonstructural and nonseismic interior elements of a building or  
17 structure. "Nonstructural and nonseismic interior elements" includes  
18 but is not limited to ceilings and partition systems. "Interior

1 design" includes but is not limited to preparation of working drawings  
2 and specifications for nonload bearing interior construction, reflected  
3 ceiling plans, detailing, materials, finishes, space planning,  
4 furnishing, fixtures, and equipment, in compliance with universal  
5 accessibility and guidelines and all applicable codes.

6 (3) "Interior designer" means a person registered under this  
7 chapter who is a registered design professional qualified by education,  
8 experience, and examination to affect the function, safety, and quality  
9 of interior spaces.

10 (4) "Reflected ceiling plan" means a ceiling design drawing that  
11 includes the locations of lighting fixtures and specifications of  
12 ceiling materials, finishes, or other ceiling elements.

13 (5) "Registration" means the certificate of registration issued by  
14 the department to an interior designer under this chapter.

15 (6) "Space planning" means the analysis of spatial and occupancy  
16 requirements, including but not limited to preliminary space, final  
17 space, furnishing, fixture, and equipment plans.

18 NEW SECTION. **Sec. 3.** (1) An applicant may qualify for  
19 registration as an interior designer if the applicant pays any  
20 applicable fee established by the department and shows to the  
21 satisfaction of the department that the applicant:

22 (a)(i) Has a current certificate number issued by the national  
23 council for interior design qualification; and

24 (ii) Has six years combined work experience and formal education in  
25 interior design. At a minimum, there must be two years of formal  
26 education in interior design; or

27 (b) Provides the department, by July 1, 2007, with proof of fifteen  
28 years of work experience as an interior designer and either two years  
29 of formal education in interior design or a current certificate number  
30 issued by the national council for interior design qualification prior  
31 to the effective date of this section.

32 (2) The department may also grant registration by reciprocity. An  
33 applicant applying to the department for registration by reciprocity  
34 must furnish satisfactory evidence that the applicant meets both of the  
35 following requirements:

36 (a) Holds a valid registration or license issued by another  
37 registration authority recognized by the department, where the

1 qualifications for registration or licensure are substantially  
2 equivalent to those required by this chapter on the date of original  
3 registration or licensure with the other registration authority; and

4 (b) Holds a current certificate number issued by the national  
5 council for interior design qualification.

6 (3) The department must develop by rule, in consultation with  
7 professional organizations representing interior design, the necessary  
8 forms to use in verifying education and work experience for  
9 registration.

10 NEW SECTION. **Sec. 4.** The department must grant a certificate of  
11 registration to an applicant who meets the requirements of section 3 of  
12 this act beginning July 1, 2005.

13 NEW SECTION. **Sec. 5.** (1) The renewal date for certificates of  
14 registration shall be set by the director in accordance with RCW  
15 43.24.086. An interior designer who fails to pay the renewal fee  
16 within thirty days of the due date shall pay all delinquent fees plus  
17 a penalty fee equal to one-third of the renewal fee. An interior  
18 designer who fails to pay a renewal fee for a period of five years may  
19 be reinstated under such circumstances as the department determines.  
20 The renewal and penalty fees and the frequency of renewal assessment  
21 must be adopted by the department by rule.

22 (2) An interior designer in good standing may withdraw from the  
23 practice of interior design by giving written notice to the department,  
24 and may within five years thereafter resume active practice upon  
25 payment of the then-current renewal fee. An interior designer may be  
26 reinstated after a withdrawal of more than five years under such  
27 circumstances as the department determines by rule.

28 (3) An interior designer registered under this chapter must  
29 complete one continuing education unit, equal to ten hours of  
30 continuing education instruction, every two years. The department, in  
31 consultation with professional organizations representing interior  
32 design, must develop a form to verify continuing education.

33 NEW SECTION. **Sec. 6.** The director may issue a new certificate of  
34 registration to replace a lost, destroyed, or mutilated certificate.

1 The director must charge a fee as determined by RCW 43.24.086 for the  
2 issuance of the new certificate.

3 NEW SECTION. **Sec. 7.** Beginning July 1, 2007, a person may not use  
4 the title "interior designer" in this state or any other title,  
5 designation, sign, card, or device indicating that the person is an  
6 interior designer unless he or she is registered under the provisions  
7 of this chapter. Every holder of a certificate of registration under  
8 this chapter must display it in a conspicuous place in the holder's  
9 principal office, place of business, or employment. No corporation,  
10 firm, partnership, or association may be granted a certificate of  
11 registration under this chapter. This chapter does not prevent any  
12 individual from offering or providing interior design services provided  
13 they do not use the title "interior designer."

14 NEW SECTION. **Sec. 8.** (1) A design document issued by an interior  
15 designer registered under this chapter must be signed, sealed, and  
16 dated by him or her. An interior designer must include the designer's  
17 registration number on all design documents issued by the interior  
18 designer when filed with public authorities. An interior designer must  
19 personally prepare or supervise the preparation of any design document  
20 that is signed and sealed by the interior designer or that lists the  
21 interior designer's registration number.

22 (2) The department, in consultation with professional organizations  
23 representing interior design, must develop by rule the seal to be used  
24 by interior designers registered by the state.

25 NEW SECTION. **Sec. 9.** The uniform regulation of business and  
26 professions act, chapter 18.235 RCW, governs unlicensed practice, the  
27 issuance and denial of licenses, and the discipline of licensees under  
28 this chapter.

29 NEW SECTION. **Sec. 10.** (1) A person who violates a provision of  
30 this chapter or a rule adopted under it is guilty of a misdemeanor and  
31 may also be subject to a civil penalty in an amount not to exceed one  
32 thousand dollars for each offense.

33 (2) Any public officer may initiate an action before the department  
34 to enforce the provisions of this chapter.

1           (3) The department may apply for relief by injunction without bond  
2 to restrain a person from committing any act that is prohibited by this  
3 chapter. In such proceedings, it is not necessary to allege or prove  
4 either that an adequate remedy at law does not exist or that  
5 substantial irreparable damage would result from the continued  
6 violation thereof. The department is not liable for its actions in any  
7 such proceeding or in any other proceeding instituted by the department  
8 under this chapter. The department in any proper case shall cause  
9 prosecution to be instituted in any county or counties where any  
10 violation of this chapter occurs, and shall aid the prosecution of the  
11 violator.

12           NEW SECTION. **Sec. 11.** This chapter does not affect or prevent the  
13 practice of architecture under chapter 18.08 RCW or engineering under  
14 chapter 18.43 RCW.

15           NEW SECTION. **Sec. 12.** (1) Interior design limited to kitchen and  
16 bathroom design is exempt from registration requirements under this  
17 chapter. Notwithstanding the provisions of section seven of this act,  
18 persons practicing interior design limited to kitchen and bathroom  
19 design, may without registering under this chapter use the title  
20 "kitchen and bathroom interior designer."

21           (2) The department of licensing shall conduct a review of the need  
22 for regulation of kitchen and bathroom interior designers using the  
23 public interest criteria set forth in RCW 18.118.010. In conducting  
24 the review, the department of licensing shall consult with  
25 representatives of kitchen and bathroom interior designers, interior  
26 designers, and consumers of interior design services. The department  
27 of licensing shall submit recommendations to the appropriate committees  
28 of the legislature by December 1, 2004, regarding (a) the need for  
29 regulation of kitchen and bathroom interior design; and (b) if some  
30 form of regulation is recommended, the minimum qualifications to meet  
31 the regulatory standard.

32           (3) This section expires July 1, 2005.

33           NEW SECTION. **Sec. 13.** This act may be known and cited as the  
34 interior design professionals act of 2004.

1        NEW SECTION.    **Sec. 14.**    Sections 1 through 11 and 13 of this act  
2    constitute a new chapter in Title 18 RCW.

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