

As Engrossed: 4/6/93

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative Pryor**

A Bill

HOUSE BILL 1982

For An Act To Be Entitled

8 "THE ARKANSAS RESIDENTIAL INTERIOR DESIGNERS TITLE
9 REGISTRATION ACT."

Subtitle

12 "THE ARKANSAS RESIDENTIAL INTERIOR DESIGNERS TITLE
13 REGISTRATION ACT."

15 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

17 SECTION 1. Short Title. This act may be cited as the Arkansas
18 Residential Interior Designers Title Registration Act.

20 SECTION 2. Purpose. The purpose of this act is to register and
21 regulate persons known as registered residential interior designers, in the
22 public interest, and to prohibit the use of the title "Registered Residential
23 Interior Designer" by persons who are not registered.

25 SECTION 3. Definitions. In this act:

26 (a) "Board" means the State Board of Residential Interior Design.

27 (b) "Registered Residential Interior Designer" means a person
28 registered under this act. The Registered Residential Interior Designer is a
29 design professional who is qualified by education, experience and examination
30 as authorized by an authority. In general, a registered residential interior
31 designer performs services including preparation of working drawings and
32 documents relative to non-load bearing interior construction, materials,
33 finishes, space planning, furnishings, fixtures, and equipment. Except as
34 provided herein, residential interior design services do not include services
35 that constitute the practice of architecture as defined in Arkansas

1 Architectural Act; Arkansas Code Annotated 17-14-101 or the practice of
2 engineering as defined in Arkansas Engineering Act; Arkansas Code Annotated
3 17-27-101.

4

5 SECTION 4. State Board of Registered Residential Interior Designers.

6 (a) There is created the Board of Registered Residential Interior
7 Designers. The board shall consist of seven (7) members. Of the seven (7)
8 members of the board, five (5) shall be registered residential interior
9 designers (one (1) may be a professional full-time design educator, registered
10 or unregistered); one (1) shall be an architect licensed by the State Board of
11 Architects who provides design services; and one (1) shall be a consumer. In
12 lieu of registration, the initial residential interior design members (other
13 than the design educator) must have been offering residential interior design
14 services for at least six (6) years, be otherwise eligible to be registered,
15 and become registered within one (1) year of the effective date of this act.

16 (b) The initial members of the board shall be appointed by the Governor
17 for such staggered terms as will result in one member_s term of office
18 expiring after one year; two member_s terms of office expiring after two
19 years; one member_s term of office expiring after three years; two member_s
20 terms of office expiring after four years; and one member_s term of office
21 expiring after five years. Thereafter, members shall be appointed for terms
22 of five years in such a manner that the terms of not more than two members
23 expire in one year. Vacancies shall be filled by appointment by the Governor
24 for the unexpired term. No board member shall serve consecutive terms.

25 (c) A majority of the members on the board shall constitute a quorum.
26 Decisions of the board shall be made by a majority vote of a quorum.

27 (d) The board shall hold a meeting within thirty (30) days after its
28 members are first appointed, and thereafter shall hold at least two (2)
29 regular meetings each year and such other meetings as deemed necessary.

30 (e) The board shall elect annually from its members: a chairman and
31 vice chairman to hold office for one (1) year and an executive secretary who
32 may or may not be a member of the board. The executive secretary shall hold
33 such office at the pleasure of the board and may receive a salary determined
34 by the board.

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1 SECTION 5. Powers and Duties of the Board. The board:

2 (a) shall administer, coordinate and enforce the provisions of this
3 act;

4 (b) may investigate allegations of misconduct and suspend registrations
5 concerning the provisions of this act;

6 (c) shall adopt regulations in the manner prescribed by the
7 Administrative Procedure Act to carry out the purposes and policies of this
8 act, including regulations relating to professional conduct, standards of
9 performance and professional examination and registration, registration
10 renewal requirements, application, renewal and late fees, suspension and
11 revocation of registrations, and the establishment of a code of ethics for
12 persons registered under this act;

13 (d) shall set fees for registration, registration renewals,
14 examinations, and all other administrative expenses;

15 (e) may require a registrant, as a condition of the renewal of his/her
16 registration, to satisfy continuing education requirements;

17 (f) shall maintain an official roster showing the name, address and
18 registration number of each interior designer registered under this act;

19 (g) shall require registrants to display their registration number on
20 all business and advertising instruments, including business cards, stationery
21 and contracts;

22 (h) shall conduct hearings and keep records and minutes necessary to
23 carry out its functions;

24 (i) may, to the extent monies are appropriated therefor, employ an
25 executive secretary and other employees and fix their compensation; and

26 (j) shall do all things reasonable and necessary to carry out the
27 purposes of this act.

28

29 SECTION 6. Penalties. Effective January 1, 1994, it shall be a Class A
30 misdemeanor for any person to:

31 (a) use the title Registered Residential Interior Designer, unless
32 registered under this act;

33 (b) present as his own the registration of another;

34 (c) give false or forged evidence to the board or any member thereof in
35 obtaining a registration;

1 (d) falsely impersonate any other practitioner, of like or different
2 name;

3 (e) use or attempt to use a registration that has been revoked; or

4 (f) otherwise violate any of the provisions of this act.

5

6 SECTION 7. Compensation and Expenses.

7 (a) Board members shall serve without compensation but may, to the
8 extent monies are appropriated therefor, be entitled to reimbursement for
9 expenses as determined by the board under the standard state travel
10 regulations.

11 (b) The board shall fix the compensation of its employees by resolution
12 adopted at a regular meeting of the board.

13

14 SECTION 8. Requirements for Registration.

15 (1) Each applicant for registration shall provide substantial evidence
16 to the board that the applicant has taken and passed the Council for
17 Qualification of Residential Interior Designers (CQRID) examination; and

18 (2) is a graduate of a five-year interior design program from an
19 accredited institution and has completed at least one year of diversified and
20 appropriate residential interior design experience; or

21 (3) is a graduate of a four-year interior design program or a masters
22 degree program in interior design from an accredited institution and has
23 completed at least two years of diversified and appropriate residential
24 interior design experience; or

25 (4) has completed at least three (3) years of an interior design
26 curriculum from an accredited institution and has completed three (3) years of
27 diversified and appropriate residential interior design experience; or

28 (5) is a graduate of a two-year interior design program from an
29 accredited institution and has completed four years of diversified and
30 appropriate residential interior design experience; or

31 (6) is a licensed architect certified by the Arkansas State Board of
32 Architects;

33 (7) all interior design programs must be an interior design program of
34 an institution accredited by the North Central Association of Colleges and
35 Schools, or a program determined by the board to be substantially equivalent

1 to such accredited program.

2 (8) Four (4) years from date of passage, paragraphs (4) and (5) of this
3 section shall become null and void.

4 (9) Six (6) years from date of passage, completion of a monitored
5 internship development program may be required as part or all of the
6 residential interior design experience requirement.

7

8 SECTION 9. Registration of Interior Designers.

9 (a) It is unlawful for any person who, after January 1, 1994, is not
10 registered under this act as a residential interior designer to advertise as a
11 Registered Residential Interior Designer, to use the title "Registered
12 Residential Interior Designer" or any other words, letters, figures or other
13 devices for the purpose of implying, directly or indirectly that the person is
14 registered under this act.

15 (b) It is unlawful for any company, partnership, association,
16 corporation, or other similar organization, after January 1, 1994, to
17 advertise that it is in the position to provide the services of a registered
18 residential interior designer unless the persons providing such services are
19 in the responsible charge of a registered residential interior designer.

20 (c) An applicant for registration as a residential interior designer
21 shall establish to the satisfaction of the board that the applicant:

22 (1) is at least twenty-one years of age;

23 (2) has not been convicted of an offense that bears directly on the
24 fitness of the applicant to be registered;

25 (3) has passed or supplied proof of passage of the examination required
26 by this act; and

27 (4) meets any other requirements established by the board.

28

29 SECTION 10. Existing Interior Designers. Any person who applies for
30 registration and remits the application and initial registration fees no later
31 than December 31, 1994 shall be registered by the board without taking any
32 further written examination, provided that:

33 (a) *The applicant has satisfactory evidence of having used or been*
34 *identified by the title "interior designer" and has a combination of interior*
35 *design education and diversified and appropriate interior design experience*

1 totaling at least two (2) years and has taken and passed the Council for
2 Qualification of Residential Interior Designer's (CQRID) examination.

3 (b) A person shall be deemed to have used or been identified by the
4 title "interior designer" within the meaning of this section if such person
5 demonstrated to the satisfaction of the board that such person was, either on
6 his own account, which means self-employed, or in the course of regular
7 employment, rendering or offering to render to another person interior design
8 services as defined in Section 3(a) of this act.

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10 SECTION 11. Reciprocal Registration. The board shall waive
11 examination requirements for an individual who provides proof of passage of
12 the Council for Qualification of Residential Interior Designers examination
13 and who is registered, licensed, or certified as an interior designer in
14 another state, the District of Columbia, or a foreign country providing that
15 jurisdiction_s requirements for registration are substantially equivalent to
16 those required for registration in this state.

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18 SECTION 12. Exemptions - Use of the Title.

19 (a) This act shall not apply to persons holding themselves out as
20 "interior decorators" or offering "interior decorating services", such as
21 selection or assistance in selecting surface materials, window treatments,
22 wallcoverings, paint, floor coverings, surface mounted lighting or loose
23 furnishings not subject to regulation under applicable building codes.

24 (b) Nothing contained in this act shall prevent any person from
25 rendering residential interior design services, provided such person does not
26 use the title "Registered Residential Interior Designer" unless registered
27 under this act. This act shall not apply to architects licensed by the State
28 Board of Architects providing that such architects not refer to themselves as
29 "registered residential interior designers" unless registered by this act.

30

31 SECTION 13. Registration Renewal.

32 (a) Every registered residential interior designer shall annually renew
33 his or her registration, submit proof of completion of continuing education
34 units as required by the board, and pay the renewal fee established by the
35 board. It is unlawful for any residential interior designer who fails to

1 renew his or her registration to continue to use the title "Registered
2 Residential Interior Designer".

3 (b) Every registration shall expire annually on a day designated by the
4 board.

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6 SECTION 14. All monies collected by the board under this act shall be
7 deposited into a financial institution in this state designated by the board.

8 No general revenues of this state shall be appropriated to the board.

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10 SECTION 15. All provisions of this act of a general and permanent
11 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
12 Code Revision Commission shall incorporate the same in the Code.

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14 SECTION 16. If any provision of this act or the application thereof to
15 any person or circumstance is held invalid, such invalidity shall not affect
16 other provisions or applications of the act which can be given effect without
17 the invalid provision or application, and to this end the provisions of this
18 act are declared to be severable.

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20 SECTION 17. All laws and parts of laws in conflict with this act are
21 hereby repealed.

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/s/Mark Pryor

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