

45:3-31

LEGISLATIVE HISTORY CHECKLIST

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LAWS OF: 2002 **CHAPTER:** 86
NJSA: 45:3-31 (“Interior Designers Certification Act”)
BILL NO: A565 (Substituted for S102)
SPONSOR(S): Impreveduto and Arnone
DATE INTRODUCED: Pre-filed
COMMITTEE: **ASSEMBLY:** Regulated Professions; Appropriations

SENATE: ----

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** June 20, 2002

SENATE: September 12, 2002

DATE OF APPROVAL: October 22, 2002

FOLLOWING ARE ATTACHED IF AVAILABLE:

[FINAL TEXT OF BILL](#) (1st reprint enacted)
(Amendments during passage denoted by superscript numbers)

A565

[SPONSORS STATEMENT:](#) (Begins on page 10 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** Yes [1-31-2002 \(Regulated\)](#)
[3-4-2002 \(Approp.\)](#)

SENATE: No

[FLOOR AMENDMENT STATEMENT:](#) [Yes](#)

[LEGISLATIVE FISCAL NOTE:](#) [Yes](#)

S102

[SPONSORS STATEMENT:](#) (Begins on page 10 of original bill) [Yes](#)

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: [Yes](#)

[FLOOR AMENDMENT STATEMENT:](#) [Yes](#)

Identical to Floor Statement for A565

LEGISLATIVE FISCAL ESTIMATE: No

VETO MESSAGE: No

GOVERNOR’S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

P.L. 2002, CHAPTER 86, *approved October 22, 2002*
Assembly, No. 565 (*First Reprint*)

1 **AN ACT** concerning the certification of interior designers, amending
2 R.S.45:3-1 ¹[and P.L.1989, c.275]¹, and supplementing chapter 3
3 of Title 45 of the Revised Statutes.

4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7

8 1. (New section) This act shall be known and may be cited as the
9 "Interior Designers Certification Act."

10

11 2. (New section) No person shall use the title "certified interior
12 designer" in this State or the abbreviation "CID" or or any other title,
13 designation, sign, card or device indicating that such person is a
14 certified interior designer, unless certified pursuant to the provisions
15 of this act. Every holder of a certificate of certification pursuant to
16 this act shall display it in a conspicuous place in the holder's principal
17 office, place of business or employment.

18 No corporation, firm, partnership or association shall be granted a
19 certificate of certification pursuant to this act.

20

21 3. (New section) As used in this act:

22 "Board" means the New Jersey State Board of Architects.

23 "Committee" means the Interior Design Examination and Evaluation
24 Committee established pursuant to section 5 of this act.

25 "Interior design services" means rendering or offering to render
26 services, for a fee or other valuable consideration, in the preparation
27 and administration of interior design documents, including, but not
28 limited to, drawings, schedules and specifications which pertain to the
29 design intent and planning of interior spaces, including furnishings,
30 layouts, non-load bearing partitions, fixtures, cabinetry, lighting
31 location and type, outlet location and type, switch location and type,
32 finishes, materials and interior construction not materially related to or
33 materially affecting the building systems, in accordance with applicable
34 laws, codes, regulations and standards.

35 "Certified interior designer" means an individual who through
36 education, training, and experience is skilled in interior design services
37 for commercial and residential spaces and is certified by the board
38 pursuant to section 9 of this act and holds a current, valid certificate.

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly floor amendments adopted June 13, 2002.

1 4. (New section) Nothing in this act shall be construed to prevent
2 the practice of architecture, engineering or land surveying or
3 professional planning by the holder of a license to practice that
4 profession issued by this State, but no architect, engineer, surveyor or
5 professional planner shall use the designation "certified interior
6 designer" unless certified as such under the provisions of this act.

7
8 5. (New section) There is established a committee of the board to
9 be known as the Interior Design Examination and Evaluation
10 Committee. The committee shall consist of five certified interior
11 designers, one of whom is a member of the board. The committee
12 members shall be appointed by the Governor within 60 days after the
13 effective date of this act. Two initial members shall be appointed to
14 one term each of two years and three shall be appointed for three
15 years, and thereafter their successors shall be appointed for terms of
16 five years and shall serve until the appointment and qualification of
17 their successors. A member of the committee shall not be eligible to
18 serve for more than two successive terms. Vacancies in the
19 membership of the committee, however created, shall be similarly filled
20 by appointment of the Governor for the unexpired terms only. In
21 making appointments to the board and the committee the Governor
22 shall give due consideration to the recommendations by State
23 organizations of the interior design profession and shall promptly give
24 due notice to those organizations of any vacancy in the membership of
25 the board or committee. Members of the committee shall be residents
26 of this State, shall have at least 10 years' experience in interior design
27 services, shall be of good standing in the interior design services
28 profession, shall be full-time providers of interior design services and,
29 except as to the initial appointments to the committee, shall be
30 certified under the provisions of this act. The initial appointees shall
31 become certified as soon as practicable after their appointments. The
32 Governor may remove a member of the committee, after hearing, for
33 misconduct, incompetence, neglect of duty or any other sufficient
34 cause.

35 Members of the committee shall receive no compensation for their
36 services, but may be reimbursed for all necessary expenses incidental
37 to performance of their duties as members of the committee.

38 Each member of the committee, before entering upon the duties of
39 the office, shall subscribe to an oath to faithfully perform the duties of
40 the office.

41
42 6. (New section) The committee shall, at its first meeting, called
43 by the Governor as soon as may be practicable following the
44 appointments of its members, and at all annual meetings, to be held in
45 July of each year thereafter, organize by electing from its membership
46 a chair and by appointing a secretary, who need not be a member of

1 the committee, and other assistants as it deems necessary.

2 The committee shall adopt annually a schedule of regular meetings,
3 and special meetings may be held at the call of the chair.

4 A quorum of the committee shall consist of three members. No
5 action shall be taken at a meeting without at least three votes in
6 accord.

7

8 7. (New section) The committee is authorized to: administer
9 examinations required pursuant to this act; review the content and
10 duration of courses of study offered by colleges and universities for
11 degrees in interior design services and to establish and maintain a
12 register of colleges and universities whose curricula in interior design
13 services are approved by the committee; establish and maintain a list
14 of recognized subjects and courses of study; and establish minimum
15 requirements therefor which shall be acceptable to the board and the
16 committee in accordance with standards approved by the Foundation
17 for Interior Design Education Research or substantially equivalent
18 standards approved by the committee.

19 In addition to those records of proceedings and applicants
20 established by the board, the committee shall keep a record of its
21 proceedings and a record of all applicants for certification, the date of
22 application, name, age, education and other qualifications, place of
23 practice and place of residence, and whether the applicant was rejected
24 or a certificate granted, and the date of that action.

25

26 8. (New section) Each person applying for certification as a
27 certified interior designer shall make application therefor to the board
28 on the form and in the manner the committee prescribes, and the board
29 shall immediately refer each application to the committee for
30 appropriate action. Each applicant shall furnish evidence satisfactory
31 to the committee that the applicant:

32 a. Is of good moral character;

33 b. (1) Is a graduate of a five-year interior design program
34 accredited by the Foundation for Interior Design Education Research
35 or a substantially equivalent program approved by the committee and
36 has completed at least one year of diversified interior design services
37 experience of a grade and character satisfactory to the committee; or

38 (2) Is a graduate of a four-year interior design program accredited
39 by the Foundation for Interior Design Education Research or a
40 substantially equivalent program approved by the committee and has
41 completed at least two years of diversified interior design services
42 experience of a grade and character satisfactory to the committee; or

43 (3) Has completed at least three years of an interior design
44 curriculum accredited by the Foundation for Interior Design Education
45 Research or a substantially equivalent curriculum approved by the
46 committee and has completed at least three years of diversified interior

1 design services experience of a grade and character satisfactory to the
2 committee; or

3 (4) Is a graduate of a two-year interior design program accredited
4 by the Foundation for Interior Design Education Research or a
5 substantially equivalent program approved by the committee and has
6 completed four years of diversified interior design services experience
7 of a grade and character satisfactory to the committee; and

8 c. Has passed the examination offered by the National Council for
9 Interior Design Qualification (NCIDQ). This examination may have
10 been passed before the effective date of this act.

11

12 9. (New section) The committee shall review the qualifications of
13 each person who applies for certification. No applicant shall be
14 certified by the board unless a majority of the full committee first
15 determines that the applicant has met the education and experience
16 requirements and performed satisfactorily on the appropriate
17 examination required pursuant to this act. All applicants who are
18 determined to be qualified and are recommended for certification by
19 the committee shall be certified by the board.

20 The committee is authorized to make recommendations to the board
21 with the final decisions to be made by the board. The board is
22 authorized to review the actions taken by the committee with respect
23 to the committee's evaluation and examination of applicants for
24 certification and the board may reverse, modify or fail to implement
25 any determination by the committee with an affirmative vote of a
26 majority of the board.

27

28 10. (New section) The committee may exempt from examination
29 an applicant who is certified, registered or licensed as an interior
30 designer in another state, if that state's requirements for certification,
31 registration or licensure are substantially equivalent to those required
32 for a certification in this State.

33

34 11. (New section) The following fees shall be assessed and
35 collected by the board:

36 a. An application fee for certification as a certified interior designer
37 which shall not be subject to refund;

38 b. The initial two-year certification fee for certified interior
39 designers;

40 c. A two-year renewal fee for certified interior designers; and

41 d. A reinstatement fee for certified interior designers.

42

43 12. (New section) For a period of 360 days from the date of the
44 first meeting of the Interior Design Examination and Evaluation
45 Committee, any individual of good moral character who was residing
46 in this State on the effective date of this act shall qualify as a certified

1 interior designer without examination, upon application for
2 certification and payment of the appropriate fee, provided that the
3 individual has a total of at least 10 years of full-time diversified
4 professional experience on the effective date of this act in interior
5 design of a grade and character acceptable to the committee.

6
7 13. (New section) a. The Division of Consumer Affairs shall issue
8 to each certified interior designer a certificate bearing that interior
9 designer's certificate number, which certificate number shall appear on
10 all design related documents.

11 b. Any design related documents including, but not limited to,
12 drawings, schedules and specifications prepared by a certified interior
13 designer shall bear the signature and certificate number of the certified
14 interior designer who prepared those documents and the date on which
15 the documents were signed and shall appear within the document's title
16 block. The signature, date and certificate number shall be evidence of
17 the authenticity of those documents.

18
19 14. (New section) Certificates for certified interior designers shall
20 expire on a date to be determined by the Director of the Division of
21 Consumer Affairs in the second year following the year of issuance,
22 renewal or reinstatement, and shall become invalid on that day unless
23 renewed. On a date to be determined by the Director of the Division
24 of Consumer Affairs in the year of expiration of a certificate, the
25 secretary of the board shall notify all persons certified under this act
26 of the date of the expiration of their certificates and the amount of the
27 renewal fee. Notice shall be mailed to each holder of a certificate at
28 the holder's last post office address known to the board.

29 Certified interior designers shall apply for renewal on a date to be
30 determined by the Director of the Division of Consumer Affairs in the
31 year of expiration of a certificate. A certificate shall not be renewed
32 until the certificate holder submits satisfactory evidence to the
33 committee that during the preceding two years the certificate holder
34 has completed such continuing education credits as are to be
35 determined by the committee. The committee shall approve continuing
36 education that builds upon basic knowledge of interior design services
37 in accordance with the guidelines established by the Interior Design
38 Continuing Education Council (IDCEC), and which updates the
39 competency of the certificate holder. The committee may make
40 exceptions from the continuing education requirement in emergency
41 or hardship cases with the approval of an affirmative vote of a majority
42 of the board.

43 Failure on the part of the holder of a certificate to renew the
44 certificate every two years shall not deprive that person of the right of
45 renewal during the ensuing two years, but a reinstatement fee shall be
46 added to the certification fee; and if the certificate is not renewed

1 within the two years following its expiration, the holder of the
 2 certificate shall pay a reinstatement fee for each two years or portion
 3 thereof in which the holder is in arrears. Continuing to use the title
 4 "certified interior designer" after the expiration of the certificate shall
 5 be a violation of this act.

6 A duplicate certificate to replace one lost, destroyed or mutilated
 7 may be issued subject to the rules and regulations of the board, and a
 8 reasonable fee, to be established by the board, may be charged for each
 9 duplicate certificate. An unsuspended, unrevoked and unexpired
 10 certificate as a certified interior designer under this act shall be prima
 11 facie evidence in all courts and places that the person named therein
 12 is certified. Each certificate shall be recorded by the board in the
 13 office of the Secretary of State, in a book kept for that purpose, and
 14 any recording fee as may be provided by law shall be paid by the
 15 applicant before the certificate is delivered.

16

17 15. (New section) Nothing in this act shall be construed to
 18 prohibit any person from rendering interior design services, provided
 19 that person shall not be identified by the title "certified interior
 20 designer" unless certified in accordance with the provisions of this act.

21

22 ¹16. (New section) Nothing in this act shall be construed to
 23 authorize the board or committee to regulate persons who are
 24 rendering interior design services and are not certified interior
 25 designers under the provisions of this act or to adopt regulations that
 26 would exceed the powers and responsibilities expressly authorized
 27 under this act.¹

28

29 ¹[16.] 17.¹ R.S.45:3-1 is amended to read as follows:

30 45:3-1. The New Jersey State Board of Architects, hereinafter in
 31 this chapter designated as the "board," created and established by an
 32 act entitled "An act to regulate the practice of architecture," approved
 33 March twenty-fourth, one thousand nine hundred and two (P.L.1902,
 34 c.29, p.54), as amended and supplemented, is continued. The board
 35 shall consist of [~~six~~] 11 members[,]; [~~five~~] six of whom shall be
 36 architects residing in this State and shall have been engaged in the
 37 practice of their profession for at least [~~ten~~] 10 years [~~and~~]; one of
 38 whom shall be a certified landscape architect in good standing and
 39 engaged in the practice of landscape architecture for at least five years
 40 pursuant to sections 4 through 18 of P.L.1983, c.337 (C.45:3A-1 et
 41 seq.), except as to the initial appointment to the board, who shall
 42 become certified as soon as practicable after his appointment; one of
 43 whom shall be a certified interior designer who is not a licensed
 44 architect and is certified pursuant to P.L. , c. (C.) (now
 45 pending before the Legislature as this bill), in good standing and
 46 engaged in providing interior design services for at least 10 years.

1 except as to the initial appointment to the board, who shall become
2 certified as soon as practicable after his appointment; two of whom
3 shall be public members and one of whom shall be a State executive
4 department member as prescribed pursuant to the provisions of
5 P.L.1971, c.60 (C.45:1-2.1 et seq.). On the effective date of this act
6 the terms of office of the members of the board shall cease and
7 terminate, and they shall thereafter continue in office as hold-over
8 members until such time as the Governor shall designate and appoint
9 them to serve for new terms of office as hereinafter provided. Within
10 a period of 30 days after the effective date of this act, or as soon
11 thereafter as circumstances shall permit, the Governor shall designate
12 and appoint said members to serve and hold office for the following
13 terms: one member for a term of one year from the date of such
14 designation and appointment[.]; one member for a term of two years
15 from said date[.]; one member for a term of three years from said
16 date[.]; one member for a term of four years from said date[.]; and
17 one member for a term of five years from said date. The initial
18 landscape architect appointment shall be for a term of two years
19 beginning July 1 next following the appointment. The initial
20 appointment of a certified interior designer and the sixth architect
21 appointed pursuant to this section shall be for a term of three years
22 beginning July 1 next following the appointment. Should any vacancy
23 exist on the board at the time of appointment and designation of the
24 members to the new terms herein provided for, the Governor shall
25 appoint a new member to fill such vacancy, subject to the provisions
26 of section 2 of P.L.1971, c.60 (C.45:1-2.2), such member to serve for
27 any one of the several terms herein fixed as the Governor in his
28 discretion shall designate. Thereafter, upon the expiration of the term
29 of office of any member, his successor shall be appointed by the
30 Governor, subject to the provisions of section 2 of P.L.1971, c.60
31 (C.45:1-2.2), for a term of five years. Each member shall hold his
32 office until his successor has qualified. Any vacancy in the
33 membership of the board shall be filled for the unexpired term in the
34 manner provided for an original appointment. Except as hereinafter
35 provided, the members of the board shall serve without compensation.
36 (cf: P.L.1983, c.337, s.1)

37

38 ¹[17. Section 1 of P.L.1989, c.275 (C.45:3-1.1) is amended to
39 read as follows:

40 1. For the purposes of this act:

41 a. "Aesthetic principles" means the concepts of order, balance,
42 proportion, scale, rhythm, color, texture, mass and form as used in the
43 design process.

44 b. "Architect" means an individual who through education,
45 training, and experience is skilled in the art and science of building
46 design and has been licensed by the New Jersey State Board of

- 1 Architects to practice architecture in the State of New Jersey.
- 2 c. "Architecture" means the art and science of building design and
3 particularly the design of any structure for human use or habitation.
4 Architecture, further, is the art of applying human values and aesthetic
5 principles to the science and technology of building methods, materials
6 and engineering systems, required to comprise a total building project
7 with a coherent and comprehensive unity of structure and site.
- 8 d. "Board" means the New Jersey State Board of Architects.
- 9 e. "Certificate of authorization" means a certificate issued by the
10 board pursuant to this amendatory and supplementary act.
- 11 f. "Closely allied professional" means and is limited to licensed
12 architects, professional engineers, land surveyors, professional
13 planners, [and] certified landscape architects, and [persons that
14 provide space planning services, interior design services, or the
15 substantial equivalent thereof] certified interior designers.
- 16 g. "Engineering systems" means those systems necessary for the
17 proper function of a building and the surrounding site, the proper
18 design of which requires engineering knowledge acquired through
19 engineering or architectural education, training, or experience. These
20 systems include but are not limited to structural, electrical, heating,
21 lighting, acoustical, ventilation, air conditioning, grading, plumbing,
22 and drainage. Drainage facilities for sites of ten acres or more or
23 involving stormwater detention facilities or traversed by a water
24 course shall only be designed by a professional engineer.
- 25 h. "Joint committee" means the Joint Committee of Architects and
26 Engineers established pursuant to the "Building Design Services Act,"
27 P.L.1989, c.277 (C.45:4B-1 et seq.).
- 28 i. "Human use or habitation" means the activities of living,
29 including, but not limited to fulfilling domestic, religious, educational,
30 recreational, employment, assembly, health care, institutional,
31 memorial, financial, commercial, industrial and governmental needs.
- 32 j. "Human values" means the social, cultural, historical, economic
33 and environmental influences that have an impact on the quality of life.
- 34 k. "Practice of architecture" or "architectural services" means the
35 rendering of services in connection with the design, construction,
36 enlargement, or alteration of a building or a group of buildings and the
37 space within or surrounding those buildings, which have as their
38 principal purpose human use or habitation. These services include site
39 planning, providing preliminary studies, architectural designs,
40 drawings, specifications, other technical documentation, and
41 administration of construction for the purpose of determining
42 compliance with drawings and specifications.
- 43 l. "Responsible charge" means the rendering of regular and
44 effective supervision by a competent licensed architect to those
45 individuals performing services which directly and materially affect the
46 quality and competence of architectural services rendered by the

1 licensee. A licensee engaged in any of the following acts or practices
2 shall be deemed not to have rendered regular and effective supervision:

3 (1) The regular and continuous absence from principal office
4 premises from which professional services are rendered, except for
5 performance of field work or presence in a field office maintained
6 exclusively for a specific project;

7 (2) The failure to personally inspect or review the work of
8 subordinates where necessary and appropriate;

9 (3) The rendering of a limited, cursory or perfunctory review of
10 plans for a building or structure in lieu of an appropriate detailed
11 review;

12 (4) The failure to personally be available on a reasonable basis or
13 with adequate advance notice for consultation and inspection where
14 circumstances require personal availability.

15 m. "Interior design services" means rendering or offering to render
16 services, for a fee or other valuable consideration, in the preparation
17 and administration of interior design documents, including, but not
18 limited to, drawings, schedules and specifications which pertain to the
19 design intent and planning of interior spaces, including furnishings,
20 layouts, non-load bearing partitions, fixtures, cabinetry, lighting
21 location and type, outlet location and type, switch location and type,
22 finishes, materials and interior construction not materially related to or
23 materially affecting the building systems, in accordance with applicable
24 laws, codes, regulations and standards.

25 (cf: P.L.2001, c.378, s.1)]¹

26

27 18. This act shall take effect immediately.

28

29

30

31

32 Designated the "Interior Designers Certification Act."

ASSEMBLY, No. 565

STATE OF NEW JERSEY

210th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2002 SESSION

Sponsored by:

Assemblyman ANTHONY IMPREVEDUTO

District 32 (Bergen and Hudson)

Assemblyman MICHAEL J. ARNONE

District 12 (Mercer and Monmouth)

Co-Sponsored by:

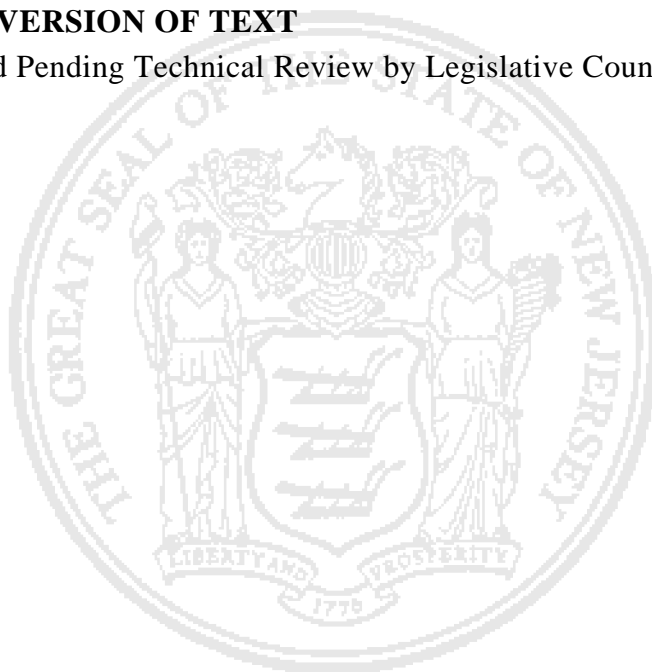
Assemblywoman Friscia, Assemblyman Thompson, Assemblywoman Greenstein and Assemblyman Johnson

SYNOPSIS

Designated the "Interior Designers Certification Act."

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 2/1/2002)

A565 IMPREVEDUTO, ARNONE

2

1 AN ACT concerning the certification of interior designers, amending
2 R.S.45:3-1 and P.L.1989, c.275, and supplementing chapter 3 of
3 Title 45 of the Revised Statutes.

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5 **BE IT ENACTED** by the Senate and General Assembly of the State
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13 designation, sign, card or device indicating that such person is a
14 certified interior designer, unless certified pursuant to the provisions
15 of this act. Every holder of a certificate of certification pursuant to
16 this act shall display it in a conspicuous place in the holder's principal
17 office, place of business or employment.

18 No corporation, firm, partnership or association shall be granted a
19 certificate of certification pursuant to this act.

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21 3. (New section) As used in this act:

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24 Committee established pursuant to section 5 of this act.

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34 laws, codes, regulations and standards.

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36 education, training, and experience is skilled in interior design services
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38 pursuant to section 9 of this act and holds a current, valid certificate.

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Matter underlined thus is new matter.

A565 IMPREVEDUTO, ARNONE

1 professional planner shall use the designation "certified interior
2 designer" unless certified as such under the provisions of this act.

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5 be known as the Interior Design Examination and Evaluation
6 Committee. The committee shall consist of five certified interior
7 designers, one of whom is a member of the board. The committee
8 members shall be appointed by the Governor within 60 days after the
9 effective date of this act. Two initial members shall be appointed to
10 one term each of two years and three shall be appointed for three
11 years, and thereafter their successors shall be appointed for terms of
12 five years and shall serve until the appointment and qualification of
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15 membership of the committee, however created, shall be similarly filled
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23 services, shall be of good standing in the interior design services
24 profession, shall be full-time providers of interior design services and,
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26 certified under the provisions of this act. The initial appointees shall
27 become certified as soon as practicable after their appointments. The
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30 cause.

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33 to performance of their duties as members of the committee.

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35 the office, shall subscribe to an oath to faithfully perform the duties of
36 the office.

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39 by the Governor as soon as may be practicable following the
40 appointments of its members, and at all annual meetings, to be held in
41 July of each year thereafter, organize by electing from its membership
42 a chair and by appointing a secretary, who need not be a member of
43 the committee, and other assistants as it deems necessary.

44 The committee shall adopt annually a schedule of regular meetings,
45 and special meetings may be held at the call of the chair.

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A565 IMPREVEDUTO, ARNONE

1 action shall be taken at a meeting without at least three votes in
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5 examinations required pursuant to this act; review the content and
6 duration of courses of study offered by colleges and universities for
7 degrees in interior design services and to establish and maintain a
8 register of colleges and universities whose curricula in interior design
9 services are approved by the committee; establish and maintain a list
10 of recognized subjects and courses of study; and establish minimum
11 requirements therefor which shall be acceptable to the board and the
12 committee in accordance with standards approved by the Foundation
13 for Interior Design Education Research or substantially equivalent
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17 proceedings and a record of all applicants for certification, the date of
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19 practice and place of residence, and whether the applicant was rejected
20 or a certificate granted, and the date of that action.

21

22 8. (New section) Each person applying for certification as a
23 certified interior designer shall make application therefor to the board
24 on the form and in the manner the committee prescribes, and the board
25 shall immediately refer each application to the committee for
26 appropriate action. Each applicant shall furnish evidence satisfactory
27 to the committee that the applicant:

28 a. Is of good moral character;

29 b. (1) Is a graduate of a five-year interior design program
30 accredited by the Foundation for Interior Design Education Research
31 or a substantially equivalent program approved by the committee and
32 has completed at least one year of diversified interior design services
33 experience of a grade and character satisfactory to the committee; or

34 (2) Is a graduate of a four-year interior design program accredited
35 by the Foundation for Interior Design Education Research or a
36 substantially equivalent program approved by the committee and has
37 completed at least two years of diversified interior design services
38 experience of a grade and character satisfactory to the committee; or

39 (3) Has completed at least three years of an interior design
40 curriculum accredited by the Foundation for Interior Design Education
41 Research or a substantially equivalent curriculum approved by the
42 committee and has completed at least three years of diversified interior
43 design services experience of a grade and character satisfactory to the
44 committee; or

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1 (4) Is a graduate of a two-year interior design program accredited
2 by the Foundation for Interior Design Education Research or a
3 substantially equivalent program approved by the committee and has
4 completed four years of diversified interior design services experience
5 of a grade and character satisfactory to the committee; and

6 c. Has passed the examination offered by the National Council for
7 Interior Design Qualification (NCIDQ). This examination may have
8 been passed before the effective date of this act.

9
10 9. (New section) The committee shall review the qualifications of
11 each person who applies for certification. No applicant shall be
12 certified by the board unless a majority of the full committee first
13 determines that the applicant has met the education and experience
14 requirements and performed satisfactorily on the appropriate
15 examination required pursuant to this act. All applicants who are
16 determined to be qualified and are recommended for certification by
17 the committee shall be certified by the board.

18 The committee is authorized to make recommendations to the board
19 with the final decisions to be made by the board. The board is
20 authorized to review the actions taken by the committee with respect
21 to the committee's evaluation and examination of applicants for
22 certification and the board may reverse, modify or fail to implement
23 any determination by the committee with an affirmative vote of a
24 majority of the board.

25
26 10. (New section) The committee may exempt from examination
27 an applicant who is certified, registered or licensed as an interior
28 designer in another state, if that state's requirements for certification,
29 registration or licensure are substantially equivalent to those required
30 for a certification in this State.

31
32 11. (New section) The following fees shall be assessed and
33 collected by the board:

34 a. An application fee for certification as a certified interior designer
35 which shall not be subject to refund;

36 b. The initial two-year certification fee for certified interior
37 designers;

38 c. A two-year renewal fee for certified interior designers; and

39 d. A reinstatement fee for certified interior designers.

40
41 12. (New section) For a period of 360 days from the date of the
42 first meeting of the Interior Design Examination and Evaluation
43 Committee, any individual of good moral character who was residing
44 in this State on the effective date of this act shall qualify as a certified
45 interior designer without examination, upon application for
46 certification and payment of the appropriate fee, provided that the

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1 individual has a total of at least 10 years of full-time diversified
2 professional experience on the effective date of this act in interior
3 design of a grade and character acceptable to the committee.

4
5 13. (New section) a. The Division of Consumer Affairs shall issue
6 to each certified interior designer a certificate bearing that interior
7 designer's certificate number, which certificate number shall appear on
8 all design related documents.

9 b. Any design related documents including, but not limited to,
10 drawings, schedules and specifications prepared by a certified interior
11 designer shall bear the signature and certificate number of the certified
12 interior designer who prepared those documents and the date on which
13 the documents were signed and shall appear within the document's title
14 block. The signature, date and certificate number shall be evidence of
15 the authenticity of those documents.

16
17 14. (New section) Certificates for certified interior designers shall
18 expire on a date to be determined by the Director of the Division of
19 Consumer Affairs in the second year following the year of issuance,
20 renewal or reinstatement, and shall become invalid on that day unless
21 renewed. On a date to be determined by the Director of the Division
22 of Consumer Affairs in the year of expiration of a certificate, the
23 secretary of the board shall notify all persons certified under this act
24 of the date of the expiration of their certificates and the amount of the
25 renewal fee. Notice shall be mailed to each holder of a certificate at
26 the holder's last post office address known to the board.

27 Certified interior designers shall apply for renewal on a date to be
28 determined by the Director of the Division of Consumer Affairs in the
29 year of expiration of a certificate. A certificate shall not be renewed
30 until the certificate holder submits satisfactory evidence to the
31 committee that during the preceding two years the certificate holder
32 has completed such continuing education credits as are to be
33 determined by the committee. The committee shall approve continuing
34 education that builds upon basic knowledge of interior design services
35 in accordance with the guidelines established by the Interior Design
36 Continuing Education Council (IDCEC), and which updates the
37 competency of the certificate holder. The committee may make
38 exceptions from the continuing education requirement in emergency
39 or hardship cases with the approval of an affirmative vote of a majority
40 of the board.

41 Failure on the part of the holder of a certificate to renew the
42 certificate every two years shall not deprive that person of the right of
43 renewal during the ensuing two years, but a reinstatement fee shall be
44 added to the certification fee; and if the certificate is not renewed
45 within the two years following its expiration, the holder of the
46 certificate shall pay a reinstatement fee for each two years or portion

1 thereof in which the holder is in arrears. Continuing to use the title
2 "certified interior designer" after the expiration of the certificate shall
3 be a violation of this act.

4 A duplicate certificate to replace one lost, destroyed or mutilated
5 may be issued subject to the rules and regulations of the board, and a
6 reasonable fee, to be established by the board, may be charged for each
7 duplicate certificate. An unsuspended, unrevoked and unexpired
8 certificate as a certified interior designer under this act shall be prima
9 facie evidence in all courts and places that the person named therein
10 is certified. Each certificate shall be recorded by the board in the
11 office of the Secretary of State, in a book kept for that purpose, and
12 any recording fee as may be provided by law shall be paid by the
13 applicant before the certificate is delivered.

14

15 15. (New section) Nothing in this act shall be construed to
16 prohibit any person from rendering interior design services, provided
17 that person shall not be identified by the title "certified interior
18 designer" unless certified in accordance with the provisions of this act.

19

20 16. R.S.45:3-1 is amended to read as follows:

21 45:3-1. The New Jersey State Board of Architects, hereinafter in
22 this chapter designated as the "board," created and established by an
23 act entitled "An act to regulate the practice of architecture," approved
24 March twenty-fourth, one thousand nine hundred and two (P.L.1902,
25 c.29, p.54), as amended and supplemented, is continued. The board
26 shall consist of [~~six~~] 11 members[,]; [~~five~~] six of whom shall be
27 architects residing in this State and shall have been engaged in the
28 practice of their profession for at least [~~ten~~] 10 years [~~and~~]; one of
29 whom shall be a certified landscape architect in good standing and
30 engaged in the practice of landscape architecture for at least five years
31 pursuant to sections 4 through 18 of P.L.1983, c.337 (C.45:3A-1 et
32 seq.), except as to the initial appointment to the board, who shall
33 become certified as soon as practicable after his appointment; one of
34 whom shall be a certified interior designer who is not a licensed
35 architect and is certified pursuant to P.L. , c. (C.) (now
36 pending before the Legislature as this bill), in good standing and
37 engaged in providing interior design services for at least 10 years,
38 except as to the initial appointment to the board, who shall become
39 certified as soon as practicable after his appointment; and two of
40 whom shall be public members and one of whom shall be a State
41 executive department member as prescribed pursuant to the provisions
42 of P.L.1971, c.60 (C.45:1-2.1 et seq.). On the effective date of this
43 act the terms of office of the members of the board shall cease and
44 terminate, and they shall thereafter continue in office as hold-over
45 members until such time as the Governor shall designate and appoint
46 them to serve for new terms of office as hereinafter provided. Within

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1 a period of 30 days after the effective date of this act, or as soon
2 thereafter as circumstances shall permit, the Governor shall designate
3 and appoint said members to serve and hold office for the following
4 terms: one member for a term of one year from the date of such
5 designation and appointment[,]; one member for a term of two years
6 from said date[,]; one member for a term of three years from said
7 date[,]; one member for a term of four years from said date[,]; and
8 one member for a term of five years from said date. The initial
9 landscape architect appointment shall be for a term of two years
10 beginning July 1 next following the appointment. The initial
11 appointment of a certified interior designer and the sixth architect
12 appointed pursuant to this section shall be for a term of three years
13 beginning July 1 next following the appointment. Should any vacancy
14 exist on the board at the time of appointment and designation of the
15 members to the new terms herein provided for, the Governor shall
16 appoint a new member to fill such vacancy, subject to the provisions
17 of section 2 of P.L.1971, c.60 (C.45:1-2.2), such member to serve for
18 any one of the several terms herein fixed as the Governor in his
19 discretion shall designate. Thereafter, upon the expiration of the term
20 of office of any member, his successor shall be appointed by the
21 Governor, subject to the provisions of section 2 of P.L.1971, c.60
22 (C.45:1-2.2), for a term of five years. Each member shall hold his
23 office until his successor has qualified. Any vacancy in the
24 membership of the board shall be filled for the unexpired term in the
25 manner provided for an original appointment. Except as hereinafter
26 provided, the members of the board shall serve without compensation.
27 (cf: P.L.1983, c.337, s.1)

28

29 17. Section 1 of P.L.1989, c.275 (C.45:3-1.1) is amended to read
30 as follows:

31 1. For the purposes of this act:

32 a. "Aesthetic principles" means the concepts of order, balance,
33 proportion, scale, rhythm, color, texture, mass and form as used in the
34 design process.

35 b. "Architect" means an individual who through education,
36 training, and experience is skilled in the art and science of building
37 design and has been licensed by the New Jersey State Board of
38 Architects to practice architecture in the State of New Jersey.

39 c. "Architecture" means the art and science of building design and
40 particularly the design of any structure for human use or habitation.
41 Architecture, further, is the art of applying human values and aesthetic
42 principles to the science and technology of building methods, materials
43 and engineering systems, required to comprise a total building project
44 with a coherent and comprehensive unity of structure and site.

45 d. "Board" means the New Jersey State Board of Architects.

46 e. "Certificate of authorization" means a certificate issued by the

- 1 board pursuant to this amendatory and supplementary act.
- 2 f. "Closely allied professional" means and is limited to licensed
3 architects, professional engineers, land surveyors, professional
4 planners, and [persons that provide space planning services, interior
5 design services, or the substantial equivalent thereof] certified interior
6 designers.
- 7 g. "Engineering systems" means those systems necessary for the
8 proper function of a building and the surrounding site, the proper
9 design of which requires engineering knowledge acquired through
10 engineering or architectural education, training, or experience. These
11 systems include but are not limited to structural, electrical, heating,
12 lighting, acoustical, ventilation, air conditioning, grading, plumbing,
13 and drainage. Drainage facilities for sites of ten acres or more or
14 involving stormwater detention facilities or traversed by a water
15 course shall only be designed by a professional engineer.
- 16 h. "Joint committee" means the Joint Committee of Architects and
17 Engineers established pursuant to the "Building Design Services Act,"
18 P.L.1989, c.277 (C.45:4B-1 et seq.).
- 19 i. "Human use or habitation" means the activities of living,
20 including, but not limited to fulfilling domestic, religious, educational,
21 recreational, employment, assembly, health care, institutional,
22 memorial, financial, commercial, industrial and governmental needs.
- 23 j. "Human values" means the social, cultural, historical, economic
24 and environmental influences that have an impact on the quality of life.
- 25 k. "Practice of architecture" or "architectural services" means the
26 rendering of services in connection with the design, construction,
27 enlargement, or alteration of a building or a group of buildings and the
28 space within or surrounding those buildings, which have as their
29 principal purpose human use or habitation. These services include site
30 planning, providing preliminary studies, architectural designs,
31 drawings, specifications, other technical documentation, and
32 administration of construction for the purpose of determining
33 compliance with drawings and specifications.
- 34 l. "Responsible charge" means the rendering of regular and
35 effective supervision by a competent licensed architect to those
36 individuals performing services which directly and materially affect the
37 quality and competence of architectural services rendered by the
38 licensee. A licensee engaged in any of the following acts or practices
39 shall be deemed not to have rendered regular and effective supervision:
- 40 (1) The regular and continuous absence from principal office
41 premises from which professional services are rendered, except for
42 performance of field work or presence in a field office maintained
43 exclusively for a specific project;
- 44 (2) The failure to personally inspect or review the work of
45 subordinates where necessary and appropriate;
- 46 (3) The rendering of a limited, cursory or perfunctory review of

1 plans for a building or structure in lieu of an appropriate detailed
2 review;

3 (4) The failure to personally be available on a reasonable basis or
4 with adequate advance notice for consultation and inspection where
5 circumstances require personal availability.

6 m. "Interior design services" means rendering or offering to render
7 services, for a fee or other valuable consideration, in the preparation
8 and administration of interior design documents, including, but not
9 limited to, drawings, schedules and specifications which pertain to the
10 design intent and planning of interior spaces, including furnishings,
11 layouts, non-load bearing partitions, fixtures, cabinetry, lighting
12 location and type, outlet location and type, switch location and type,
13 finishes, materials and interior construction not materially related to or
14 materially affecting the building systems, in accordance with applicable
15 laws, codes, regulations and standards.

16 (cf: P.L.1997, c.403, s.1)

17

18 18. This act shall take effect immediately.

19

20

21

STATEMENT

22

23 This bill provides for the certification of interior designers by the
24 New Jersey State Board of Architects through an Interior Design
25 Examiners and Evaluation Committee established by the bill. Interior
26 designers provide interior design services for commercial and
27 residential spaces.

28 The Interior Design Examination and Evaluation Committee
29 consists of five certified interior designers, one of whom is a member
30 of the New Jersey State Board of Architects.

31 Applicants for certification are required to meet education and
32 experience requirements set forth in the bill, and pass an examination
33 offered by the National Council for Interior Design Qualification.
34 Only qualified applicants may use the title "certified interior designer."
35 The bill does not prohibit persons who are not certified pursuant to the
36 bill from rendering interior design services or calling themselves
37 interior designers, but those persons cannot identify themselves as a
38 "certified interior designer" unless certified in accordance with the
39 provisions of this bill.

40 Each certified interior designer is required to complete continuing
41 education units every two years for certification renewal.

42 In addition, the bill amends the definition of "closely allied
43 professional" in section 1 of P.L.1989, c.275 (C.45:3-1.1), to mean
44 and be limited to architects, professional engineers, land surveyors,
45 professional planners and certified interior designers.

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1 The bill also increases the membership of the New Jersey State
2 Board of Architects to 11 members, with the addition of one certified
3 interior designer who is not a licensed architect and one architect.

ASSEMBLY REGULATED PROFESSIONS AND
INDEPENDENT AUTHORITIES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 565

STATE OF NEW JERSEY

DATED: JANUARY 31, 2002

The Assembly Regulated Professions and Independent Authorities Committee reports favorably Assembly Bill No. 565.

This bill provides for the certification of interior designers by the New Jersey State Board of Architects through the Interior Design Examiners and Evaluation Committee established by the bill. Interior designers provide interior design services for commercial and residential spaces.

The Interior Design Examination and Evaluation Committee consists of five certified interior designers, one of whom is a member of the New Jersey State Board of Architects.

Applicants for such certification are required to meet education and experience requirements set forth in the bill, and pass an examination offered by the National Council for Interior Design Qualification. Only qualified applicants may use the title "certified interior designer." The bill does not prohibit persons who are not certified pursuant to the bill from rendering interior design services or calling themselves interior designers, but those persons cannot identify themselves as a "certified interior designer" unless certified in accordance with the provisions of this bill.

Each certified interior designer is required to complete continuing education units every two years for certification renewal.

In addition, the bill amends the definition of "closely allied professional" in section 1 of P.L.1989, c.275 (C.45:3-1.1), to mean and be limited to architects, professional engineers, land surveyors, professional planners and certified interior designers.

The bill also increases the membership of the New Jersey State Board of Architects to 11 members, with the addition of one certified interior designer who is not a licensed architect and one architect.

This bill was pre-filed for introduction in the 2002-2003 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 565

STATE OF NEW JERSEY

DATED: MARCH 4, 2002

The Assembly Appropriations Committee reports favorably Assembly Bill No. 565.

Assembly Bill No. 565 provides for the certification of interior designers by the New Jersey State Board of Architects through an Interior Design Examination and Evaluation Committee established by the bill. Interior designers provide interior design services for commercial and residential spaces.

The Interior Design Examination and Evaluation Committee consists of five certified interior designers, one of whom is a member of the New Jersey State Board of Architects.

Applicants for certification are required to meet education and experience requirements set forth in the bill, and pass an examination offered by the National Council for Interior Design Qualification. Only qualified applicants may use the title "certified interior designer." The bill does not prohibit persons who are not certified pursuant to the bill from rendering interior design services or calling themselves interior designers, but those persons cannot identify themselves as a "certified interior designer" unless certified in accordance with the provisions of this bill.

Each certified interior designer is required to complete continuing education units every two years for certification renewal.

In addition, the bill amends the definition of "closely allied professional" in section 1 of P.L. 1989, c.275 (C.45:3-1.1), to mean and be limited to architects, professional engineers, land surveyors, professional planners and certified interior designers.

The bill also increases the membership of the New Jersey State Board of Architects from 6 to 11 members, with the addition of one credited interior designer who is not a licensed architect, one architect, two public members & a member of the executive branch.

FISCAL IMPACT:

State costs associated with the newly created board have been estimated, based on experience with similar boards, to be \$52,000 in the first year, \$52,000 in the second year and \$168,000 in its third year of operation. Offsetting revenue from application and certification fees will depend upon the final fee schedule adopted and the time necessary to establish a new regulatory board.

STATEMENT TO
ASSEMBLY, No. 565

with Assembly Floor Amendments
(Proposed By Assemblyman IMPREVEDUTO)

ADOPTED: JUNE 13, 2002

These amendments, by deleting section 17 of this bill, retain the current statutory definition contained in section 1 of P.L.1989,c.75 (C.45:3-1.1), of "closely allied professional," which includes persons that provide space planning services, interior design services, or the substantial equivalent thereof. The amendments are also intended to clarify the express intent of the bill, which is to require only those interior designers who wish to call themselves certified interior designers to become certified in accordance with the provisions of this bill.

FISCAL NOTE
ASSEMBLY, No. 565
STATE OF NEW JERSEY
210th LEGISLATURE

DATED: JUNE 19, 2002

SUMMARY

Synopsis: The "Interior Designers Certification Act."
Type of Impact: None.
Agencies Affected: Department of Law and Public Safety, Division of Consumer Affairs.

Executive Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	\$52,000	\$52,000	\$168,000
State Revenue	None	None	\$390,000

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Cost	\$52,000	\$52,000	\$168,000
State Revenue	None	None	\$441,000

- ! The Office of Legislative Services (OLS) **concurs** with the Executive cost estimate, but disagrees with the fee schedule.
- ! The bill provides for the Board of Architects to certify interior designers through an Interior Design Examiners and Evaluation Committee established by the bill.
- ! The bill authorizes the Board of Architects to establish fees for examinations, certifications and renewals, as necessary, to defray administrative costs.
- ! A loan from the General Fund to cover startup costs in years one and two would be repaid through fees in year three.

BILL DESCRIPTION

Assembly Bill No. 565 of 2002 provides for the New Jersey State Board of Architects through the Interior Design Examiners and Evaluation Committee to certify interior designers. The bill requires applicants for certification to have graduated from an interior design curriculum

accredited by the Foundation for Interior Design Education, have experience in the interior design profession, and to have passed an examination offered by the National Council for Interior Design Qualification. Only qualified applicants may use the title “certified interior designer.” Persons who are not certified pursuant to the provisions of this bill would not be prohibited from rendering interior design services or calling themselves interior designers, however, they could not identify themselves by the title “certified interior designer.”

This bill increases the membership of the New Jersey State Board of Architects to 11 members, with the addition of one certified interior designer who is not a licensed architect and one architect. It also creates the Interior Design Examination and Evaluation Committee consisting of five certified interior designers, one of whom must be a member of the State Board. The bill authorizes the committee to establish minimum qualification standards for certified interior designers. Members of the committee would not be compensated for their services, but would be reimbursed for all necessary expenses incidental to the performance of their duties.

The bill permits the Board of Architects to establish an application fee, a two-year certification fee and fees for other services sufficient to defray all proper expenses incurred in administering the certification program.

FISCAL ANALYSIS

EXECUTIVE BRANCH

Information provided by the Division of Consumer Affairs for a similar bill in the previous legislative session indicates that approximately 1,500 interior designers would be candidates for certification under the bill. Based on its experience in launching similar programs, the division estimates that a two-year startup period will be required before interior designers can be registered. The division estimates that administrative costs would total \$52,000 a year in the first two years of the program. This figure includes salaries and fringe benefits for a part-time executive director and a part-time principal clerk typist at \$23,000; materials and supplies at \$2,000; services other than personnel at \$22,000; and equipment at \$5,000. The division estimates the cost in year three would increase to \$168,000 as the certification of interior designers begins. Personnel costs would rise to \$63,000, with the hiring of a data machine operator, and non-personnel costs would increase to \$85,000, reflecting the purchase of enforcement and legal services, materials and supplies increase to \$5,000, equipment maintenance is \$5,000, and additions and improvements is \$10,000.

The division estimates that a \$80 application fee and a \$180 two-year certification fee would generate \$390,000 in revenue in year three, based on an estimated 1,500 interior designers applying for certification.

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services (OLS) concurs with the division’s cost estimate, but does not agree with the fee schedule proposed. OLS notes that the \$180 two-year certification fee would not leave a sufficient amount of revenue for Year 4. OLS estimates that an application fee of \$70 and a \$224 two-year certification fee would generate \$441,000 in revenue if imposed on the estimated 1,500 interior designers. This revenue would reimburse the General Fund for

the estimated \$104,000 in expenses incurred in years one and two and generate \$337,000 in revenue to fund expenses in years three and four.

The division estimates that it will take two years to launch this program, with the first interior designers being registered in the third year. OLS suggests the Board of Architects should be able to initiate this program in less than two years.

Section: *Law and Public Safety*

Analyst: *Kristen A. Fischer*
Associate Fiscal Analyst

Approved: *Alan R. Kooney*
Legislative Budget and Finance Officer

This fiscal note has been prepared pursuant to P.L.1980, c.67.

SENATE, No. 102

STATE OF NEW JERSEY 210th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2002 SESSION

Sponsored by:

Senator ROBERT W. SINGER

District 30 (Burlington, Mercer, Monmouth and Ocean)

Senator GERALD CARDINALE

District 39 (Bergen)

Co-Sponsored by:

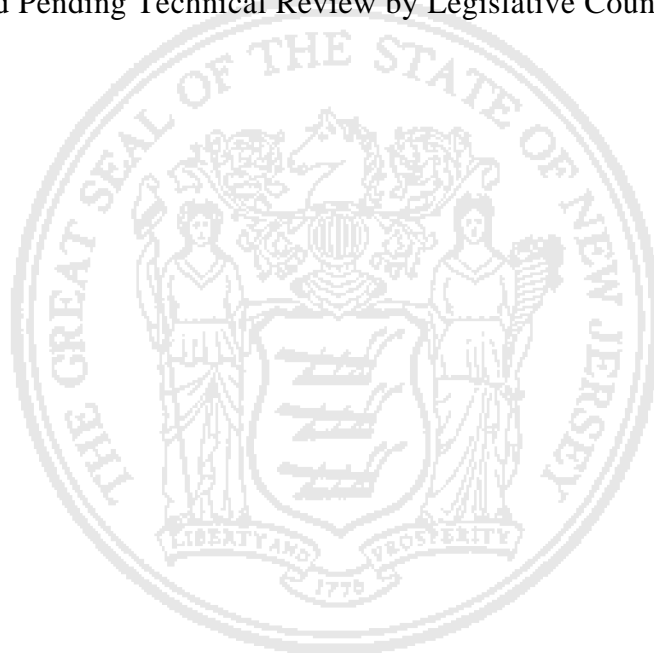
Senators Bucco and Furnari

SYNOPSIS

Designated the "Interior Designers Certification Act."

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning the certification of interior designers, amending
2 R.S.45:3-1 and P.L.1989, c.275, and supplementing chapter 3 of
3 Title 45 of the Revised Statutes.

4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7

8 1. (New section) This act shall be known and may be cited as the
9 "Interior Designers Certification Act."

10

11 2. (New section) No person shall use the title "certified interior
12 designer" in this State or the abbreviation "CID" or or any other title,
13 designation, sign, card or device indicating that such person is a
14 certified interior designer, unless certified pursuant to the provisions
15 of this act. Every holder of a certificate of certification pursuant to
16 this act shall display it in a conspicuous place in the holder's principal
17 office, place of business or employment.

18

No corporation, firm, partnership or association shall be granted a
19 certificate of certification pursuant to this act.

20

21 3. (New section) As used in this act:

22

"Board" means the New Jersey State Board of Architects.

23

"Committee" means the Interior Design Examination and Evaluation
24 Committee established pursuant to section 5 of this act.

25

"Interior design services" means rendering or offering to render
26 services, for a fee or other valuable consideration, in the preparation
27 and administration of interior design documents, including, but not
28 limited to, drawings, schedules and specifications which pertain to the
29 design intent and planning of interior spaces, including furnishings,
30 layouts, non-load bearing partitions, fixtures, cabinetry, lighting
31 location and type, outlet location and type, switch location and type,
32 finishes, materials and interior construction not materially related to or
33 materially affecting the building systems, in accordance with applicable
34 laws, codes, regulations and standards.

35

"Certified interior designer" means an individual who through
36 education, training, and experience is skilled in interior design services
37 for commercial and residential spaces and is certified by the board
38 pursuant to section 9 of this act and holds a current, valid certificate.

39

40 4. (New section) Nothing in this act shall be construed to prevent
41 the practice of architecture, engineering or land surveying or
42 professional planning by the holder of a license to practice that
43 profession issued by this State, but no architect, engineer, surveyor or

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

1 professional planner shall use the designation "certified interior
2 designer" unless certified as such under the provisions of this act.

3
4 5. (New section) There is established a committee of the board to
5 be known as the Interior Design Examination and Evaluation
6 Committee. The committee shall consist of five certified interior
7 designers, one of whom is a member of the board. The committee
8 members shall be appointed by the Governor within 60 days after the
9 effective date of this act. Two initial members shall be appointed to
10 one term each of two years and three shall be appointed for three
11 years, and thereafter their successors shall be appointed for terms of
12 five years and shall serve until the appointment and qualification of
13 their successors. A member of the committee shall not be eligible to
14 serve for more than two successive terms. Vacancies in the
15 membership of the committee, however created, shall be similarly filled
16 by appointment of the Governor for the unexpired terms only. In
17 making appointments to the board and the committee the Governor
18 shall give due consideration to the recommendations by state
19 organizations of the interior design profession and shall promptly give
20 due notice to those organizations of any vacancy in the membership of
21 the board or committee. Members of the committee shall be residents
22 of this State, shall have at least 10 years' experience in interior design
23 services, shall be of good standing in the interior design services
24 profession, shall be full-time providers of interior design services and,
25 except as to the initial appointments to the committee, shall be
26 certified under the provisions of this act. The initial appointees shall
27 become certified as soon as practicable after their appointments. The
28 Governor may remove a member of the committee, after hearing, for
29 misconduct, incompetence, neglect of duty or any other sufficient
30 cause.

31 Members of the committee shall receive no compensation for their
32 services, but may be reimbursed for all necessary expenses incidental
33 to performance of their duties as members of the committee.

34 Each member of the committee, before entering upon the duties of
35 the office, shall subscribe to an oath to faithfully perform the duties of
36 the office.

37
38 6. (New section) The committee shall, at its first meeting, called
39 by the Governor as soon as may be practicable following the
40 appointments of its members, and at all annual meetings, to be held in
41 July of each year thereafter, organize by electing from its membership
42 a chair and by appointing a secretary, who need not be a member of
43 the committee, and other assistants as it deems necessary.

44 The committee shall adopt annually a schedule of regular meetings,
45 and special meetings may be held at the call of the chair.

46 A quorum of the committee shall consist of three members. No

1 action shall be taken at a meeting without at least three votes in
2 accord.

3

4 7. (New section) The committee is authorized to: administer
5 examinations required pursuant to this act; review the content and
6 duration of courses of study offered by colleges and universities for
7 degrees in interior design services and to establish and maintain a
8 register of colleges and universities whose curricula in interior design
9 services are approved by the committee; establish and maintain a list
10 of recognized subjects and courses of study; and establish minimum
11 requirements therefor which shall be acceptable to the board and the
12 committee in accordance with standards approved by the Foundation
13 for Interior Design Education Research or substantially equivalent
14 standards approved by the committee.

15 In addition to those records of proceedings and applicants
16 established by the board, the committee shall keep a record of its
17 proceedings and a record of all applicants for certification, the date of
18 application, name, age, education and other qualifications, place of
19 practice and place of residence, and whether the applicant was rejected
20 or a certificate granted, and the date of that action.

21

22 8. (New section) Each person applying for certification as a
23 certified interior designer shall make application therefor to the board
24 on the form and in the manner the committee prescribes, and the board
25 shall immediately refer each application to the committee for
26 appropriate action. Each applicant shall furnish evidence satisfactory
27 to the committee that the applicant:

28 a. Is of good moral character;

29 b. (1) Is a graduate of a five-year interior design program
30 accredited by the Foundation for Interior Design Education Research
31 or a substantially equivalent program approved by the committee and
32 has completed at least one year of diversified interior design services
33 experience of a grade and character satisfactory to the committee; or

34 (2) Is a graduate of a four-year interior design program accredited
35 by the Foundation for Interior Design Education Research or a
36 substantially equivalent program approved by the committee and has
37 completed at least two years of diversified interior design services
38 experience of a grade and character satisfactory to the committee; or

39 (3) Has completed at least three years of an interior design
40 curriculum accredited by the Foundation for Interior Design Education
41 Research or a substantially equivalent curriculum approved by the
42 committee and has completed at least three years of diversified interior
43 design services experience of a grade and character satisfactory to the
44 committee; or

45 (4) Is a graduate of a two-year interior design program accredited
46 by the Foundation for Interior Design Education Research or a

1 substantially equivalent program approved by the committee and has
2 completed four years of diversified interior design services experience
3 of a grade and character satisfactory to the committee; and

4 c. Has passed the examination offered by the National Council for
5 Interior Design Qualification (NCIDQ). This examination may have
6 been passed before the effective date of this act.

7

8 9. (New section) The committee shall review the qualifications of
9 each person who applies for certification. No applicant shall be
10 certified by the board unless a majority of the full committee first
11 determines that the applicant has met the education and experience
12 requirements and performed satisfactorily on the appropriate
13 examination required pursuant to this act. All applicants who are
14 determined to be qualified and are recommended for certification by
15 the committee shall be certified by the board.

16 The committee is authorized to make recommendations to the board
17 with the final decisions to be made by the board. The board is
18 authorized to review the actions taken by the committee with respect
19 to the committee's evaluation and examination of applicants for
20 certification and the board may reverse, modify or fail to implement
21 any determination by the committee with an affirmative vote of a
22 majority of the board.

23

24 10. (New section) The committee may exempt from examination
25 an applicant who is certified, registered or licensed as an interior
26 designer in another state, if that state's requirements for certification,
27 registration or licensure are substantially equivalent to those required
28 for a certification in this State.

29

30 11. (New section) The following fees shall be assessed and
31 collected by the board:

32 a. An application fee for certification as a certified interior designer
33 which shall not be subject to refund;

34 b. The initial two-year certification fee for certified interior
35 designers;

36 c. A two-year renewal fee for certified interior designers; and

37 d. A reinstatement fee for certified interior designers.

38

39 12. (New section) For a period of 360 days from the date of the
40 first meeting of the Interior Design Examination and Evaluation
41 Committee, any individual of good moral character who was residing
42 in this State on the effective date of this act shall qualify as a certified
43 interior designer without examination, upon application for
44 certification and payment of the appropriate fee, provided that the
45 individual has a total of at least 10 years of full-time diversified
46 professional experience on the effective date of this act in interior

1 design of a grade and character acceptable to the committee.

2

3 13. (New section) a. The Division of Consumer Affairs shall issue
4 to each certified interior designer a certificate bearing that interior
5 designer's certificate number, which certificate number shall appear on
6 all design related documents.

7 b. Any design related documents including, but not limited to,
8 drawings, schedules and specifications prepared by a certified interior
9 designer shall bear the signature and certificate number of the certified
10 interior designer who prepared those documents and the date on which
11 the documents were signed and shall appear within the document's title
12 block. The signature, date and certificate number shall be evidence of
13 the authenticity of those documents.

14

15 14. (New section) Certificates for certified interior designers shall
16 expire on a date to be determined by the Director of the Division of
17 Consumer Affairs in the second year following the year of issuance,
18 renewal or reinstatement, and shall become invalid on that day unless
19 renewed. On a date to be determined by the Director of the Division
20 of Consumer Affairs in the year of expiration of a certificate, the
21 secretary of the board shall notify all persons certified under this act
22 of the date of the expiration of their certificates and the amount of the
23 renewal fee. Notice shall be mailed to each holder of a certificate at
24 the holder's last post office address known to the board.

25 Certified interior designers shall apply for renewal on a date to be
26 determined by the Director of the Division of Consumer Affairs in the
27 year of expiration of a certificate. A certificate shall not be renewed
28 until the certificate holder submits satisfactory evidence to the
29 committee that during the preceding two years the certificate holder
30 has completed such continuing education credits as are to be
31 determined by the committee. The committee shall approve continuing
32 education that builds upon basic knowledge of interior design services
33 in accordance with the guidelines established by the Interior Design
34 Continuing Education Council (IDCEC), and which updates the
35 competency of the certificate holder. The committee may make
36 exceptions from the continuing education requirement in emergency
37 or hardship cases with the approval of an affirmative vote of a majority
38 of the board.

39 Failure on the part of the holder of a certificate to renew the
40 certificate every two years shall not deprive that person of the right of
41 renewal during the ensuing two years, but a reinstatement fee shall be
42 added to the certification fee; and if the certificate is not renewed
43 within the two years following its expiration, the holder of the
44 certificate shall pay a reinstatement fee for each two years or portion
45 thereof in which the holder is in arrears. Continuing to use the title
46 "certified interior designer" after the expiration of the certificate shall

1 be a violation of this act.

2 A duplicate certificate to replace one lost, destroyed or mutilated
3 may be issued subject to the rules and regulations of the board, and a
4 reasonable fee, to be established by the board, may be charged for each
5 duplicate certificate. An unsuspending, unrevoked and unexpired
6 certificate as a certified interior designer under this act shall be prima
7 facie evidence in all courts and places that the person named therein
8 is certified. Each certificate shall be recorded by the board in the
9 office of the Secretary of State, in a book kept for that purpose, and
10 any recording fee as may be provided by law shall be paid by the
11 applicant before the certificate is delivered.

12

13 15. (New section) Nothing in this act shall be construed to
14 prohibit any person from rendering interior design services, provided
15 that person shall not be identified by the title "certified interior
16 designer" unless certified in accordance with the provisions of this act.

17

18 16. R.S.45:3-1 is amended to read as follows:

19 45:3-1. The New Jersey State Board of Architects, hereinafter in
20 this chapter designated as the "board," created and established by an
21 act entitled "An act to regulate the practice of architecture," approved
22 March twenty-fourth, one thousand nine hundred and two (P.L.1902,
23 c.29, p.54), as amended and supplemented, is continued. The board
24 shall consist of ~~[six]~~ 11 members~~[,]~~; ~~[five]~~ six of whom shall be
25 architects residing in this State and shall have been engaged in the
26 practice of their profession for at least ~~[ten]~~ 10 years ~~[and]~~; one of
27 whom shall be a certified landscape architect in good standing and
28 engaged in the practice of landscape architecture for at least five years
29 pursuant to sections 4 through 18 of P.L.1983, c.337 (C.45:3A-1 et
30 seq.), except as to the initial appointment to the board, who shall
31 become certified as soon as practicable after his appointment; one of
32 whom shall be a certified interior designer who is not a licensed
33 architect and is certified pursuant to P.L. , c. (C.) (now
34 pending before the Legislature as this bill), in good standing and
35 engaged in providing interior design services for at least 10 years,
36 except as to the initial appointment to the board, who shall become
37 certified as soon as practicable after his appointment; and two of
38 whom shall be public members and one of whom shall be a State
39 executive department member as prescribed pursuant to the provisions
40 of P.L.1971, c.60 (C.45:1-2.1 et seq.). On the effective date of this
41 act the terms of office of the members of the board shall cease and
42 terminate, and they shall thereafter continue in office as hold-over
43 members until such time as the Governor shall designate and appoint
44 them to serve for new terms of office as hereinafter provided. Within
45 a period of 30 days after the effective date of this act, or as soon
46 thereafter as circumstances shall permit, the Governor shall designate

1 and appoint said members to serve and hold office for the following
2 terms: one member for a term of one year from the date of such
3 designation and appointment[.]; one member for a term of two years
4 from said date[.]; one member for a term of three years from said
5 date[.]; one member for a term of four years from said date[.]; and
6 one member for a term of five years from said date. The initial
7 landscape architect appointment shall be for a term of two years
8 beginning July 1 next following the appointment. The initial
9 appointment of a certified interior designer and the sixth architect
10 appointed pursuant to this section shall be for a term of three years
11 beginning July 1 next following the appointment. Should any vacancy
12 exist on the board at the time of appointment and designation of the
13 members to the new terms herein provided for, the Governor shall
14 appoint a new member to fill such vacancy, subject to the provisions
15 of section 2 of P.L.1971, c.60 (C.45:1-2.2), such member to serve for
16 any one of the several terms herein fixed as the Governor in his
17 discretion shall designate. Thereafter, upon the expiration of the term
18 of office of any member, his successor shall be appointed by the
19 Governor, subject to the provisions of section 2 of P.L.1971, c.60
20 (C.45:1-2.2), for a term of five years. Each member shall hold his
21 office until his successor has qualified. Any vacancy in the
22 membership of the board shall be filled for the unexpired term in the
23 manner provided for an original appointment. Except as hereinafter
24 provided, the members of the board shall serve without compensation.
25 (cf: P.L.1983, c.337, s.1)

26

27 17. Section 1 of P.L.1989, c.275 (C.45:3-1.1) is amended to read
28 as follows:

29 1. For the purposes of this act:

30 a. "Aesthetic principles" means the concepts of order, balance,
31 proportion, scale, rhythm, color, texture, mass and form as used in the
32 design process.

33 b. "Architect" means an individual who through education,
34 training, and experience is skilled in the art and science of building
35 design and has been licensed by the New Jersey State Board of
36 Architects to practice architecture in the State of New Jersey.

37 c. "Architecture" means the art and science of building design and
38 particularly the design of any structure for human use or habitation.
39 Architecture, further, is the art of applying human values and aesthetic
40 principles to the science and technology of building methods, materials
41 and engineering systems, required to comprise a total building project
42 with a coherent and comprehensive unity of structure and site.

43 d. "Board" means the New Jersey State Board of Architects.

44 e. "Certificate of authorization" means a certificate issued by the
45 board pursuant to this amendatory and supplementary act.

46 f. "Closely allied professional" means and is limited to licensed

1 architects, professional engineers, land surveyors, professional
2 planners, and [persons that provide space planning services, interior
3 design services, or the substantial equivalent thereof] certified interior
4 designers.

5 g. "Engineering systems" means those systems necessary for the
6 proper function of a building and the surrounding site, the proper
7 design of which requires engineering knowledge acquired through
8 engineering or architectural education, training, or experience. These
9 systems include but are not limited to structural, electrical, heating,
10 lighting, acoustical, ventilation, air conditioning, grading, plumbing,
11 and drainage. Drainage facilities for sites of ten acres or more or
12 involving stormwater detention facilities or traversed by a water
13 course shall only be designed by a professional engineer.

14 h. "Joint committee" means the Joint Committee of Architects and
15 Engineers established pursuant to the "Building Design Services Act,"
16 P.L.1989, c.277 (C.45:4B-1 et seq.).

17 i. "Human use or habitation" means the activities of living,
18 including, but not limited to fulfilling domestic, religious, educational,
19 recreational, employment, assembly, health care, institutional,
20 memorial, financial, commercial, industrial and governmental needs.

21 j. "Human values" means the social, cultural, historical, economic
22 and environmental influences that have an impact on the quality of life.

23 k. "Practice of architecture" or "architectural services" means the
24 rendering of services in connection with the design, construction,
25 enlargement, or alteration of a building or a group of buildings and the
26 space within or surrounding those buildings, which have as their
27 principal purpose human use or habitation. These services include site
28 planning, providing preliminary studies, architectural designs,
29 drawings, specifications, other technical documentation, and
30 administration of construction for the purpose of determining
31 compliance with drawings and specifications.

32 l. "Responsible charge" means the rendering of regular and
33 effective supervision by a competent licensed architect to those
34 individuals performing services which directly and materially affect the
35 quality and competence of architectural services rendered by the
36 licensee. A licensee engaged in any of the following acts or practices
37 shall be deemed not to have rendered regular and effective supervision:

38 (1) The regular and continuous absence from principal office
39 premises from which professional services are rendered, except for
40 performance of field work or presence in a field office maintained
41 exclusively for a specific project;

42 (2) The failure to personally inspect or review the work of
43 subordinates where necessary and appropriate;

44 (3) The rendering of a limited, cursory or perfunctory review of
45 plans for a building or structure in lieu of an appropriate detailed
46 review;

1 (4) The failure to personally be available on a reasonable basis or
2 with adequate advance notice for consultation and inspection where
3 circumstances require personal availability.

4 m. "Interior design services" means rendering or offering to render
5 services, for a fee or other valuable consideration, in the preparation
6 and administration of interior design documents, including, but not
7 limited to, drawings, schedules and specifications which pertain to the
8 design intent and planning of interior spaces, including furnishings,
9 layouts, non-load bearing partitions, fixtures, cabinetry, lighting
10 location and type, outlet location and type, switch location and type,
11 finishes, materials and interior construction not materially related to or
12 materially affecting the building systems, in accordance with applicable
13 laws, codes, regulations and standards.

14 (cf: P.L.1997, c.403, s.1)

15
16 18. This act shall take effect immediately.

17
18
19 STATEMENT

20
21 This bill provides for the certification of interior designers by the
22 New Jersey State Board of Architects through the Interior Design
23 Examiners and Evaluation Committee created by this bill. Certified
24 interior designers provide interior design services for commercial and
25 residential spaces.

26 The Interior Design Examination and Evaluation Committee
27 consists of five certified interior designers, one of whom is a member
28 of the New Jersey State Board of Architects.

29 Applicants for such certification are required to meet education and
30 experience requirements set forth in the bill, and pass an examination
31 offered by the National Council for Interior Design Qualification
32 (NCIDQ). Only qualified applicants may use the title "certified
33 interior designer." The bill does not prohibit any person who is not
34 certified pursuant to this bill from rendering interior design services or
35 calling themselves interior designers, but that person cannot identify
36 himself or herself by the title "certified interior designer" unless
37 certified in accordance with the provisions of this bill.

38 Each certified interior designer is required to complete continuing
39 education units every two years for certification renewal. The
40 continuing education to be approved by the Interior Design
41 Examination and Evaluation Committee shall be in accordance with the
42 guidelines established by the Interior Design Continuing Education
43 Council (IDCEC).

44 In addition, the bill amends the definition of "closely allied
45 professional" in section 1 of P.L.1989, c.275 (C.45:3-1.1), to mean
46 and be limited to architects, professional engineers, land surveyors,

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1 professional planners and certified interior designers.

2 The bill also increases the membership of the New Jersey State
3 Board of Architects to 11 members, with the addition of one certified
4 interior designer who is not a licensed architect and one architect.

SENATE COMMERCE COMMITTEE

STATEMENT TO

SENATE, No. 102

STATE OF NEW JERSEY

DATED: FEBRUARY 21, 2002

The Senate Commerce Committee reports favorably Senate Bill No. 102.

This bill provides for the certification of interior designers by the New Jersey State Board of Architects through the Interior Design Examiners and Evaluation Committee created by this bill. Certified interior designers provide interior design services for commercial and residential spaces.

The Interior Design Examination and Evaluation Committee consists of five certified interior designers, one of whom is a member of the New Jersey State Board of Architects, who have at least 10 years' experience in interior design services, are in good standing in the interior design services profession, are full-time providers of interior design services and, except for the initial appointments, certified under the provisions of the bill.

Applicants for certification are required to meet education and experience requirements set forth in the bill, and pass an examination offered by the National Council for Interior Design Qualification (NCIDQ). The education and experience requirements consist of a five-year interior design program and one year of diversified interior design services or, for every year less of education, a year more of diversified interior design services, but an applicant must have completed at least a two-year interior design program. The interior design program must be accredited by the Foundation for Interior Design Education Research or a substantially equivalent program. The committee may exempt from examination an applicant who is certified, registered or licensed as an interior designer in another state, if that state's requirements for certification, registration or licensure are substantially equivalent to those required for certification in this State. In addition, the bill provides for the certification, without examination, of those individuals who are of good moral character, are residing in this State on the effective date of this bill and have at least 10 years of full-time diversified professional experience on the effective date of this bill. Only qualified applicants may use the title "certified interior designer." The bill does not prohibit any person who is not certified pursuant to this bill from rendering interior design services or calling themselves interior designers, but that person cannot identify himself or herself by the title "certified interior designer" unless certified in

accordance with the provisions of this bill.

Each certified interior designer is required to complete continuing education units every two years for certification renewal. The continuing education to be approved by the Interior Design Examination and Evaluation Committee shall be in accordance with the guidelines established by the Interior Design Continuing Education Council (IDCEC).

In addition, the bill amends the definition of "closely allied professional" in section 1 of P.L.1989, c.275 (C.45:3-1.1), to mean and be limited to architects, professional engineers, land surveyors, professional planners and certified interior designers.

The bill also increases the membership of the New Jersey State Board of Architects to 11 members, with the addition of one certified interior designer who is not a licensed architect and one architect.

This bill was pre-filed for introduction in the 2002 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

STATEMENT TO
SENATE, No. 102

with Senate Floor Amendments
(Proposed By Senator CODEY)

ADOPTED: SEPTEMBER 12, 2002

These amendments, by deleting section 17 of this bill, retain the current statutory definition contained in section 1 of P.L.1989,c.75 (C.45:3-1.1), of "closely allied professional," which includes persons that provide space planning services, interior design services, or the substantial equivalent thereof. The amendments are also intended to clarify the express intent of the bill, which is to require only those interior designers who wish to call themselves certified interior designers to become certified in accordance with the provisions of this bill.