

DRAFT DOCUMENT: NOT OFFICIAL LEGISLATION

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SYNOPSIS:

Under existing law, the Alabama Board for Registered Interior Designers is responsible for regulating those interior designers who are registered with the board. Registered interior designers are limited in the size and type of building for which they may perform work.

This bill would expand the practice of registered interior design and would remove the cap on the size and type of building for which a registered interior designer may perform work.

This bill would provide for the authority of the board to discipline individuals who are not registered by the board.

This bill would also provide further for the prohibition against a registered interior designer performing professional engineering or architecture and exemptions from registration by the board.

A BILL

TO BE ENTITLED

AN ACT

Relating to the Alabama Board for Registered Interior

29 Designers; to amend Sections 34-15C-2, 34-15C-3, 34-15C-9,
30 34-15C-10, and 34-15C-15, Code of Alabama 1975; to expand the
31 practice of registered interior design; to remove the cap on
32 the size and type of building for which a registered interior
33 designer may perform work; to provide for the authority of the
34 board to discipline individuals who are not registered by the
35 board; and to add Section 34-15C-10.1 to the Code of Alabama
36 1975, to provide further for the prohibition against a
37 registered interior designer performing professional
38 engineering or architecture and provide further for
39 exemptions.

40 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

41 Section 1. Sections 34-15C-2, 34-15C-3, 34-15C-9,
42 34-15C-10, and 34-15C-15 of the Code of Alabama 1975, are
43 amended to read as follows:

44 "§34-15C-2

45 The Legislature finds and declares that this chapter is
46 not intended to restrict the practice of interior design or
47 the use of the terms design, designer, interior design, or
48 interior designer in this state. The Legislature declares that
49 the purpose of this chapter is to establish a registration
50 process for those interior designers who choose to obtain the
51 credentials required to seal and submit construction documents
52 for ~~commercial~~ interior projects ~~in certain spaces less than~~
53 ~~5,000 contiguous square feet within a building which has a~~
54 ~~total area of 2,500 square feet or more~~ to building officials
55 for review and permitting purposes. The Legislature further
56 finds and declares that this chapter is not intended to

57 prohibit any person from making plans and specifications for
58 or administering the erection, enlargement, or alteration of
59 any building upon any farm for the use of any farmer, or any
60 single family residence of any size, ~~or of any other type~~
61 ~~building which has a total area of less than 2,500 square~~
62 ~~feet, provided the building is not a school, church,~~
63 ~~auditorium, or other building intended for the assembly~~
64 ~~occupancy of people.~~ Except as expressly provided in Section
65 34-15C-9, nothing in this chapter shall be interpreted to
66 prohibit any person who is not a registered interior designer
67 from conducting any activity not prohibited by any other state
68 law. Further, registration under this chapter may not be
69 required by this state or by any city, town, county, or other
70 governmental entity or official for the submission, review,
71 approval, or issuance of permits for plans and specifications
72 for or to administer the erection, enlargement, or alteration
73 of any building upon any farm for the use of any farmer, or
74 any single family residence of any size, ~~or of any other type~~
75 ~~building which has a total area of less than 2,500 square~~
76 ~~feet, provided the building is not a school, church,~~
77 ~~auditorium, or other building intended for the assembly~~
78 ~~occupancy of people, nor for any activity other than the~~
79 ~~submission to building officials of construction documents for~~
80 ~~commercial interior projects in certain spaces up to 5,000~~
81 ~~contiguous square feet, within a building which has a total~~
82 ~~area of 2,500 square feet or more."~~

83 "§34-15C-3

84 For the purposes of this chapter, the following terms

85 ~~shall~~ have the following meanings:

86 (1) BOARD. The Alabama Board for Registered Interior
87 Designers.

88 (2) NCIDQ. The National Council for Interior Design
89 Qualification.

90 (3) NONSTRUCTURAL ELEMENT. An element of a building or
91 structure which does not require structural bracing and does
92 not contribute to the structural integrity of the building.
93 Nonstructural elements are primarily concerned with the
94 interior aspects of design and do not include any load-bearing
95 components. The term includes non-seismic elements.

96 (4) PRACTICE OF REGISTERED INTERIOR DESIGN. The
97 analysis, planning, design, documentation, and administration
98 of interior nonstructural construction and alteration projects
99 in compliance with applicable building design and
100 construction, fire, life-safety, and energy codes, standards,
101 regulations, and guidelines. The term includes all of the
102 following:

103 a. Programming, space planning, predesign analysis, and
104 conceptual design of interior nonstructural elements.

105 b. Preparation of documents and technical submissions
106 related to interior construction, finish materials,
107 furnishings, fixtures, and equipment.

108 c. Rendering of designs, plans, drawings,
109 specifications, contract documents, and other interior
110 technical submissions, and administration of interior
111 nonstructural element construction and contracts relating to
112 nonstructural elements in interior alteration or construction

113 of a proposed or existing building or structure.

114 d. Alteration or construction of interior nonstructural
115 elements.

116 e. Preparation of a physical plan of space within a
117 proposed or existing building or structure, including any of
118 the following:

119 1. Determinations of circulation systems or patterns.

120 2. Determinations of egress requirements based on
121 occupancy loads.

122 3. Assessment and analysis of interior safety factors
123 to comply with building codes related to interior
124 nonstructural elements.

125 4. Design of the exit access and exit components of the
126 means of egress system within a building based on the
127 calculated occupant load.

128 5. Interior material selection and application for all
129 portions of a means of egress system.

130 6. Compliance with applicable building design and
131 construction, accessibility standards, fire, life-safety, and
132 energy codes, standards, regulations, and guidelines.

133 ~~(3)~~ (5) REGISTERED INTERIOR DESIGNER. An interior design
134 professional, as defined by the NCIDQ, who is approved and
135 registered by the board and the Secretary of State.

136 (6) RESPONSIBLE CONTROL. The direct personal
137 supervision over, and detailed knowledge of, the content of
138 all contract documents that are ordinarily exercised by a
139 registered interior designer when applying the requisite
140 standard of care.

141 (7) SINGLE FAMILY RESIDENCE. Includes: (i) a single
142 unit providing complete independent residential living
143 facilities for one or more individuals, including permanent
144 provisions for living, sleeping, eating, cooking, and
145 sanitation; or (ii) a residence on a single lot, including a
146 site-built home or a condominium, duplex, or multi-unit
147 residential building consisting of not more than four
148 residential units, and any improvements."

149 "§34-15C-9

150 (a) ~~Any person who is not a registered interior~~
151 ~~designer who uses the title~~ Except as otherwise provided in
152 this chapter, it shall be unlawful for any individual to
153 engage in the practice of registered interior design or use
154 the designation "registered interior designer" or any other
155 designation, words, or letters indicating registration as a
156 registered interior designer, including abbreviations, or hold
157 himself or herself out as a registered interior designer on
158 any sign, card, listing, advertising, business name,
159 stationery, or in any other manner knowingly implies or
160 indicates that he or she is a registered interior designer
161 unless registered by the board pursuant to this chapter. This
162 subsection does not prohibit an individual who is exempt
163 pursuant to this chapter from holding himself or herself out
164 to the public or soliciting business as an interior designer.

165 (b) Any individual who is not a registered interior
166 designer who performs or engages in the practice of registered
167 interior design or uses the title registered interior designer
168 shall be guilty of a Class A misdemeanor.

169 ~~(b)~~ (c) Any ~~person~~ individual who is not a registered
170 interior designer who stamps or seals any document with a
171 stamp or seal containing the term registered interior designer
172 shall be guilty of a Class A misdemeanor.

173 ~~(e)~~ (d) Any registered interior designer who stamps or
174 allows to be stamped any document that is not prepared under
175 his or her supervision and control or any registered interior
176 designer who seals any plan, specification, report, or
177 document with the seal after the registration of the
178 registered designer has expired or has been suspended or
179 revoked, unless the certificate has been renewed or reissued,
180 shall be guilty of a Class A misdemeanor."

181 "§34-15C-10

182 (a) Nothing in this chapter shall be interpreted to
183 prohibit any ~~person~~ individual from making plans and
184 specifications for or administering the erection, enlargement,
185 or alteration of any building upon any farm for the use of any
186 farmer, or any single family residence of any size, ~~or of any~~
187 ~~other type building which has a total area of less than 2,500~~
188 ~~square feet, provided the building is not a school, church,~~
189 ~~auditorium, or other building intended for the assembly~~
190 ~~occupancy of people.~~

191 (b) Registration under this chapter may not be required
192 by this state or by any city, town, county, or other
193 governmental entity or official for the submission, review,
194 approval, or issuance of permits for plans and specifications
195 for or to administer the erection, enlargement, or alteration
196 of any building upon any farm for the use of any farmer, or

197 any single family residence of any size, ~~or of any other type~~
198 ~~building which has a total area of less than 2,500 square~~
199 ~~feet, provided the building is not a school, church,~~
200 ~~auditorium, or other building intended for the assembly~~
201 ~~occupancy of people, nor for any activity other than the~~
202 ~~submission to building officials of construction documents for~~
203 ~~commercial interior projects in certain spaces up to 5,000~~
204 ~~contiguous square feet, within a building which has a total~~
205 ~~area of 2,500 square feet or more.~~

206 (c) Except as expressly provided in ~~subsection (a) or~~
207 ~~subsection (b) of~~ Section 34-15C-9 (a) or (b), nothing in this
208 chapter shall be interpreted to prohibit any person who is not
209 a registered interior designer from conducting any activity
210 not prohibited by any other state law.

211 ~~(d) The board shall have no jurisdiction over any~~
212 ~~person who is not a registered interior designer.~~

213 ~~(e) The board may not conduct any disciplinary~~
214 ~~proceeding against any person who is not a registered interior~~
215 ~~designer.~~

216 ~~(f) The board may not conduct any disciplinary~~
217 ~~proceeding or initiate any other action based upon the use of~~
218 ~~the term design, designer, interior design, or interior~~
219 ~~designer by any person, business, or firm at any time before~~
220 ~~or after August 1, 2010."~~

221 "§34-15C-15

222 (a) Notwithstanding any provision of law to the
223 contrary, a registered interior designer may submit sealed,
224 stamped drawings to building officials for ~~a commercial~~ an

225 interior design project ~~in any space of less than 5,000~~
226 ~~contiguous square feet within a building~~ of any size or
227 occupancy provided that ~~all of the following requirements are~~
228 ~~satisfied:~~

229 ~~(1) The space may not be intended for use as a school,~~
230 ~~church, auditorium, or other space intended for the assembly~~
231 ~~occupancy of people.~~

232 ~~(2) Unless~~ the drawings ~~utilize, reference, and~~
233 ~~incorporate documents prepared by architects, engineers, or~~
234 are within the scope of practice of registered interior design
235 and may include the services of other related professionals,
236 ~~the~~ The drawings may not include the design or modification
237 of architectural and engineering interior construction
238 relating to building systems, such as building structural
239 support, fire rated assemblies, stairwells, means of egress
240 components, elevators, elevator shafts, plumbing, heating,
241 ventilation, air conditioning, fire protection, and mechanical
242 and electrical systems, or any modification or additions
243 exempted from the practice of registered interior design
244 pursuant to Section 34-15C-10.1(b), except for the scope of
245 ~~interior services~~ practice of registered interior design
246 incidental to architecture or engineering or as defined by the
247 NCIDQ or for the coordination of the aesthetic requirements of
248 fixtures and furniture.

249 (b) Any official of this state or of any city, town, or
250 county charged with the enforcement of laws, ordinances, or
251 regulations relating to the construction or alteration of
252 buildings may accept or approve and issue permits based upon

253 any of the following:

254 (1) Plans or specifications prepared by any person
255 registered pursuant to this chapter, provided the plans or
256 specifications are consistent with this chapter.

257 (2) Plans and specifications for the erection,
258 enlargement, or alteration of any building upon any farm for
259 the use of any farmer, or of any single family residence of
260 any size, ~~or of any other type building which has a total area~~
261 ~~of less than 2,500 square feet, provided the building is not a~~
262 ~~school, church, auditorium, or other building intended for the~~
263 ~~assembly occupancy of people.~~

264 (3) Plans and specifications which ~~such~~ the official is
265 not prohibited from accepting pursuant to any other state law
266 on August 1, 2010."

267 Section 2. Section 34-15C-10.1 is added to the Code of
268 Alabama 1975, to read as follows:

269 (a) Nothing in this chapter shall be construed to
270 authorize a registered interior designer to do any of the
271 following:

272 (1) Engage in the practice of professional engineering
273 or architecture in this state or provide services that
274 constitute the practice of professional engineering or
275 architecture, except as otherwise provided in this chapter and
276 incidental to the practice of registered interior design.

277 (2) Perform any activity for which a license is
278 required by the Home Builders Licensure Board or the State
279 Licensing Board for General Contractors.

280 (b) The practice of registered interior design does not

281 include modifications or additions to any of the following:

282 (1) Changes of building use to an occupancy not already
283 allowed by the then current building or structure or changes
284 of building use to an occupancy of a greater hazard.

285 (2) The construction classification of the building or
286 structure according to the International Building Code.

287 (3) The structural system of a building, including
288 changing the building's dead load on the structural system.

289 (4) The building envelope, including exterior walls,
290 exterior wall claddings, exterior wall openings, exterior
291 windows and doors, balconies and similar projections, roof
292 assemblies and rooftop structures, and glass and glazing for
293 exterior use in both vertical and sloped applications in
294 buildings and structures.

295 (5) Mechanical, plumbing, heating, air conditioning,
296 ventilation, electrical, low voltage systems, elevators and
297 conveying systems, fire protection systems, or fire alarm
298 systems.

299 (6) Design of or modifications to an exit stair or exit
300 discharge portion of a means of egress system.

301 (7) Construction that materially affects life safety
302 systems pertaining to fire safety of structural elements or
303 the fire protection of structural elements, smoke evacuation
304 and compartmentalization systems, or fire-rated vertical
305 shafts in multi-story structures.

306 (c) The following individuals are not required to
307 obtain a certificate of registration pursuant to this chapter:

308 (1) A licensed or registered architect.

309 (2) An individual engaging in work as an employee of an
310 architect or registered interior designer if the work does not
311 include responsible control, or a consultant retained by an
312 architect or registered interior designer.

313 (3) An owner of a building, or his or her designee, who
314 prepares plans, drawings, or specifications for the building.

315 (4) An individual who prepares drawings of the layout
316 of materials or furnishings used in interior design or in the
317 selection of materials or furnishings pursuant to a retail
318 sale including any of the following:

319 a. Decorative accessories.

320 b. Wall coverings, wall finishes, or paint.

321 c. Floor coverings, tile, wood, stone, or concrete.

322 d. Window coverings.

323 e. Lighting fixtures which do not disrupt structural
324 elements.

325 f. Plumbing fixtures which do not disrupt structural
326 elements.

327 g. Professional services limited to the design of
328 kitchen and bath spaces or the specification of products for
329 kitchen and bath areas in noncommercial settings.

330 h. Furniture, equipment, cabinetry, or millwork, if the
331 preparation or implementation of those drawings or the
332 installation of those materials or furnishings is not
333 regulated by any building code or other law, ordinance, rule,
334 or regulation governing the alteration or construction of a
335 structure unless regulated items are reviewed and approved by
336 a registered design professional as defined by the

337 International Building Code.

338 (5) A licensee of the Home Builders Licensure Board
339 under Chapter 14C.

340 (6) A licensee of the State Licensing Board for General
341 Contractors under Chapter 8.

342 Section 3. This act shall become effective on October
343 1, 2026.