

SECOND REGULAR SESSION

# HOUSE BILL NO. 1224

## 92ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES STEFANICK (Sponsor), MEINERS, RUESTMAN, COOPER (120), BAKER, CUNNINGHAM (86), WASSON, SCHAAF, STEVENSON, SCHNEIDER, SUTHERLAND, PHILLIPS, JONES, CAMPBELL, SCHOEMEHL AND KRATKY (Co-sponsors).

Read 1<sup>st</sup> time January 22, 2004, and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

3895L.011

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### AN ACT

To repeal sections 324.400, 324.403, 324.409, 324.415, 324.418, 324.421, 324.427, 324.430, and 324.433, RSMo, and to enact in lieu thereof nine new sections relating to interior designers.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 324.400, 324.403, 324.409, 324.415, 324.418, 324.421, 324.427, 2 324.430, and 324.433, RSMo, are repealed and nine new sections enacted in lieu thereof, to be 3 known as sections 324.400, 324.403, 324.409, 324.415, 324.418, 324.421, 324.427, 324.430, 4 and 324.433, to read as follows:

324.400. As used in sections 324.400 to 324.439, the following terms mean:

- 2 (1) "Council", the interior design council created in section 324.406;
- 3 (2) "Department", the department of economic development;
- 4 (3) "Division", the division of professional registration of the department of economic
- 5 development;
- 6 (4) "Registered [commercial] interior designer", a design professional who provides
- 7 services including preparation of documents and specifications relative to nonload bearing
- 8 interior construction, furniture, finishes, fixtures and equipment and who meets the criteria of
- 9 education, experience and examination as provided in sections 324.400 to 324.439.

**EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law. Matter in boldface type in the above law is proposed language.**

324.403. No person may use the name or title, registered [commercial] interior designer, in this state unless that person is registered as required by sections 324.400 to 324.439. Nothing in sections 324.400 to 324.439 shall be construed as limiting or preventing the practice of a person's profession or restricting a person from providing interior design services, provided such person does not indicate to the public that such person is registered as an interior designer pursuant to the provisions of sections 324.400 to 324.439.

324.409. 1. To be a registered [commercial] interior designer, a person:

(1) Shall take and pass or have passed the examination administered by the National Council for Interior Design Qualification or an equivalent examination approved by the council. In addition to proof of passage of the examination, the application shall provide substantial evidence to the council that the applicant:

(a) Is a graduate of a five-year or four-year interior design program from an accredited institution and has completed at least two years of diversified and appropriate interior design experience; or

(b) Has completed at least three years of an interior design curriculum from an accredited institution and has completed at least three years of diversified and appropriate interior design experience; or

(c) Is a graduate of a two-year interior design program from an accredited institution and has completed at least four years of diversified and appropriate interior design experience; or

(2) May qualify who is currently registered pursuant to sections 327.091 to 327.171, RSMo, and section 327.401, RSMo, pertaining to the practice of architecture and registered with the council. Such applicant shall give authorization to the council in order to verify current registration with sections 327.091 to 327.171, RSMo, and section 327.401, RSMo, pertaining to the practice of architecture.

2. Verification of experience required pursuant to this section shall be based on a minimum of five client references, business or employment verification and five industry references, submitted to the council.

3. The council shall verify if an applicant has complied with the provisions of this section and has paid the required fees, then the council shall recommend such applicant be registered as a registered [commercial] interior designer by the council.

324.415. Applications for registration as a registered [commercial] interior designer shall be typewritten on forms prescribed by the division and furnished to the applicant. The application shall contain the applicant's statements showing the applicant's education, experience, results of previous interior design certification, registration or licensing examinations, if any, and such other pertinent information as the council may require, or architect's registration number and such other pertinent information as the council may require. Each application shall contain

7 a statement that is made under oath or affirmation and that the representations are true and  
8 correct to the best knowledge and belief of the person signing the application. The person shall  
9 be subject to the penalties for making a false affidavit or declaration and shall be accompanied  
10 by the required fee.

324.418. 1. The certificate of registration issued biennially to a registered [commercial]  
2 interior designer pursuant to sections 324.400 to 324.439 shall be renewed on or before the  
3 certificate renewal date accompanied by the required fee. The certificate of registration of a  
4 registered [commercial] interior designer which is not renewed within three months after the  
5 certificate renewal date shall be suspended automatically, subject to the right of the holder to  
6 have the suspended certificate of registration reinstated within nine months of the date of  
7 suspension if the person pays the required reinstatement fee. Any certificate of registration  
8 suspended and not reinstated within nine months of the suspension date shall expire and be void  
9 and the holder of such certificate shall have no rights or privileges provided to holders of valid  
10 certificates. Any person whose certificate of registration has expired may, upon demonstration  
11 of current qualifications and payment of required fees, be reregistered or reauthorized under the  
12 person's original certificate of registration number.

13 2. Each application for the renewal or reinstatement of a registration shall be on a form  
14 furnished to the applicant and shall be accompanied by the required fees and proof of current  
15 completion of at least one unit every two years of approved or verifiable continuing education  
16 in interior design or architecture, immediately prior to such renewal or reinstatement. Ten  
17 contact hours constitutes one continuing education unit. Five contact hours of teaching in  
18 interior design or architecture constitutes one continuing education unit. One college course  
19 credit in interior design or architecture constitutes one continuing education unit.

324.421. The council shall register without examination, any interior designer certified,  
2 licensed or registered in another state or territory of the United States or foreign country if the  
3 applicant has qualifications which are at least equivalent to the requirements for registration as  
4 a registered [commercial] interior designer in this state and such applicant pays the required fees.

324.427. It is unlawful for any person to advertise or indicate to the public that the  
2 person is a registered [commercial] interior designer in this state, unless such person is registered  
3 as a registered [commercial] interior designer by the council and is in good standing pursuant to  
4 sections 324.400 to 324.439.

324.430. No person may use the designation registered [commercial] interior designer  
2 in Missouri, unless the council has issued a current certificate of registration certifying that the  
3 person has been duly registered as a registered [commercial] interior designer in Missouri and  
4 unless such registration has been renewed or reinstated as provided in section 324.418.

324.433. The right to use the title of registered [commercial] interior designer shall be

2 deemed a personal right, based upon the qualifications of the individual, evidenced by the  
3 person's current certificate of registration and such certificate is not transferable; except that, a  
4 registered [commercial] interior designer may perform the interior designer's profession through,  
5 or as a member of, or as an employee of, a partnership or corporation.