

**House Study Bill 651 - Introduced**

HOUSE FILE \_\_\_\_\_

BY (PROPOSED COMMITTEE ON  
STATE GOVERNMENT BILL BY  
CHAIRPERSON KAUFMANN)

**A BILL FOR**

1 An Act relating to the practice of interior design, providing  
2 penalties, and including effective date provisions.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

INTERIOR DESIGN PRACTICE

Section 1. Section 544C.1, subsections 1, 3, and 4, Code 2020, are amended to read as follows:

1. "Board" means the interior design practice examining board established pursuant to [this chapter](#).

3. a. "Interior design practice" means the design of interior spaces as a part of an interior alteration or construction project including the preparation of ~~documents~~ interior technical submissions relating to space planning, finish materials, furnishings, fixtures, and equipment, and the preparation of documents relating to interior construction that does not affect the mechanical or structural systems of a building. ~~"Interior design" does not include services that constitute the practice of architecture or the practice of professional engineering.~~ "Interior design practice" includes all of the following:

(1) Programming, planning, pre-design analysis, and conceptual design of interior nonstructural elements, including but not limited to the selection of materials, furniture, fixtures, and equipment, but not building equipment.

(2) Alteration or construction of interior nonstructural elements and any interior technical submissions related to such alteration or construction.

(3) Preparation of a physical plan of space within a proposed or existing building or structure including all of the following:

(a) Determinations of internal circulation systems or patterns.

(b) Determinations of the location of internal exit requirements based on occupancy loads.

(c) Assessment and analysis of interior safety factors to comply with building codes related to interior nonstructural elements.

(4) Review, analysis, evaluation, and interpretation of

1 building codes, fire codes, and accessibility standards,  
2 including but not limited to the federal Americans with  
3 Disabilities Act of 1990, as applicable to interior technical  
4 submissions for interior nonstructural elements.

5 (5) Rendering of designs, plans, drawings, specifications,  
6 contract documents, or other interior technical submissions and  
7 administration of interior nonstructural element construction  
8 and contracts relating to nonstructural elements in interior  
9 alteration or construction of a proposed or existing building  
10 or structure.

11 b. "Interior design practice" does not include any of the  
12 following:

13 (1) Services that constitute the practice of professional  
14 engineering.

15 (2) The making of changes or additions to any of the  
16 following:

17 (a) Foundations, beams, trusses, columns, or other primary  
18 structural framing members, or seismic systems.

19 (b) Structural concrete slabs.

20 (c) Openings in roofs, exterior walls, or load-bearing and  
21 shear walls.

22 (d) Exterior penetrations, such as windows and doors.

23 (e) Heating, ventilating, or air conditioning equipment or  
24 distribution systems, building management systems, high-voltage  
25 or medium-voltage electrical distribution systems, standby or  
26 emergency power or distribution systems, plumbing or plumbing  
27 monitoring systems, or related building systems.

28 4. "Registered interior designer" means a person registered  
29 under ~~this chapter~~ who is listed on the interior designer  
30 registry operated by the board.

31 Sec. 2. Section 544C.1, Code 2020, is amended by adding the  
32 following new subsections:

33 NEW SUBSECTION. 1A. "Building equipment" means any  
34 mechanical plumbing, electrical, or structural components,  
35 including a conveyance, designed for or located in a building

1 or structure.

2 NEW SUBSECTION. 2A. "*Conveyance*" means an elevator,  
3 dumbwaiter, vertical reciprocating conveyor, escalator, or  
4 other motorized vertical transportation system.

5 NEW SUBSECTION. 2B. "*Interior alteration or construction*  
6 *project*" means a project for an interior space or area within  
7 a proposed or existing building or structure, including  
8 construction, modification, renovation, rehabilitation, or  
9 historic preservation, that involves changing or altering any  
10 of the following:

11 a. The design function or layout of rooms.

12 b. The state of permanent fixtures or equipment.

13 NEW SUBSECTION. 3A. "*Interior nonstructural element*" means  
14 an interior design element that does not require structural  
15 bracing and that is not a load-bearing element of a structure  
16 that is essential to structural integrity.

17 NEW SUBSECTION. 3B. "*Interior technical submission*" means  
18 a design, drawing, specification, study, or other technical  
19 report or calculation that establishes the scope of an interior  
20 design project including a description of standards.

21 **Sec. 3. NEW SECTION. 544C.14 Registered interior designers**  
22 **— stamp and seal.**

23 1. A registered interior designer shall have a reproducible  
24 seal or facsimile, the print of which shall contain the  
25 full name and registration number of the registered interior  
26 designer on file with the board, the business city and state  
27 of the registered interior designer, and the words "Registered  
28 Interior Designer". The registered interior designer shall  
29 use such seal to stamp all interior technical submissions. A  
30 registered interior designer may only sign and seal an interior  
31 technical submission within the scope of interior design  
32 practice.

33 2. A registered interior designer may sign and seal an  
34 interior technical submission covering the scope of the  
35 interior design practice and shall have the authority to

1 submit such interior technical submission to a state or local  
2 governmental entity for the purpose of obtaining any requisite  
3 permit for an interior alteration or construction project.

4 3. The placement of the registered interior designer's  
5 signature and seal shall indicate the document or part thereof  
6 for which the seal applies. The seal and date may be affixed  
7 electronically. The registered interior designer may provide,  
8 at the sole discretion of the registered interior designer,  
9 an original signature in the handwriting of the registered  
10 interior designer, a scanned copy of the document bearing an  
11 original signature, or a computer-generated signature.

12 4. A registered interior designer shall not affix, or permit  
13 to be affixed, the registration number, seal, or signature of  
14 the registered interior designer to any interior technical  
15 submission that the registered interior designer is not  
16 competent to perform.

17 5. A registered interior designer shall not sign and seal  
18 an interior technical submission that was not prepared by the  
19 registered interior designer or under the supervision and  
20 control of the registered interior designer, except for the  
21 following:

22 a. A registered interior designer may sign and seal any  
23 portion of an interior technical submission that was prepared  
24 by or under the supervision and control of another registered  
25 interior designer.

26 b. A partner or corporate officer of a business registered  
27 in this state, who is a registered interior designer and who  
28 has professional knowledge of the content of the interior  
29 technical submission and intends to be responsible for the  
30 adequacy of the interior technical submission, may sign and  
31 seal an interior technical submission that was prepared by or  
32 under the supervision and control of a registered interior  
33 designer who is in the regular employment of such business.

34 Sec. 4. NEW SECTION. 544C.15 Registered interior designer  
35 stamp and seal — conflicts of interest — penalties.

1 1. A person shall not intentionally do any of the following:

2 a. Affix the signature or seal of a registered interior  
3 designer to any interior technical submission without the  
4 permission of the registered interior designer.

5 b. Use or attempt to use the interior design registration or  
6 seal of another except as provided in section 544C.14.

7 c. Impersonate a registered interior designer.

8 d. Obtain or attempt to obtain registration from the board  
9 by fraud.

10 e. Make any willfully false oath or affirmation to the  
11 board.

12 2. A person who intentionally violates a provision of  
13 subsection 1 is guilty of a simple misdemeanor.

14 3. A registered interior designer shall avoid conflicts of  
15 interest.

16 a. If an unavoidable conflict of interests arises, a  
17 registered interior designer shall do all of the following:

18 (1) Immediately inform the client or employer of all  
19 circumstances that may interfere with or impair the obligation  
20 of the registered interior designer to provide professional  
21 services.

22 (2) Notify the client or employer and withdraw from  
23 employment at any time when it is not possible to faithfully  
24 discharge the responsibilities and duties owed to the client  
25 or employer.

26 b. If an unavoidable conflict of interest arises, a  
27 registered interior designer shall not do any of the following:

28 (1) Agree to perform professional interior design services  
29 for a client or employer if the registered interior designer  
30 has a significant financial or other interest that would impair  
31 or interfere with the responsibility of the registered interior  
32 designer to faithfully discharge professional interior design  
33 services on behalf of the client or employer.

34 (2) Accept payment from any party other than a client or  
35 employer for a particular project and not have any direct or

1 indirect financial interest in a service or phase of a service  
2 to be provided as part of a project unless the client or  
3 employer approves of the conflict.

4 (3) Solicit or accept anything of value from material or  
5 equipment suppliers in return for specifying or endorsing a  
6 product.

7 (4) Violate the confidences of a client or employer except  
8 as otherwise required by law.

9 (5) Perform services for a client or employer while a  
10 full-time employee of another employer without notifying all  
11 parties concerned.

12 4. This section shall not limit the professional  
13 responsibility of a registered interior designer to an owner of  
14 a project when the registered interior designer is employed by  
15 a person under contract to engage in interior design practice  
16 for that project.

17 Sec. 5. NEW SECTION. 544C.16 **Submission of interior**  
18 **technical submissions.**

19 1. A registered interior designer may sign and seal an  
20 interior technical submission that is required for an interior  
21 alteration or construction project and that shall be kept as  
22 public record.

23 2. If a political subdivision of the state requires a  
24 seal or stamp on an interior technical submission that is  
25 submitted for an interior alteration or construction project,  
26 the political subdivision shall accept an interior technical  
27 submission impressed with the seal or stamp of a registered  
28 interior designer consistent with the provisions of section  
29 544C.14.

30 Sec. 6. REPEAL. Section 544C.13, Code 2020, is repealed.

31 Sec. 7. EMERGENCY RULES. The interior design practice  
32 examining board may adopt emergency rules under section 17A.4,  
33 subsection 3, and section 17A.5, subsection 2, paragraph "b",  
34 to implement the provisions of this Act and the rules shall  
35 be effective immediately upon filing unless a later date is

1 specified in the rules. Any rules adopted in accordance with  
2 this section shall also be published as a notice of intended  
3 action as provided in section 17A.4.

4 DIVISION II

5 CONFORMING CODE CHANGES

6 Sec. 8. Section 544C.2, subsection 1, Code 2020, is amended  
7 to read as follows:

8 1. An interior design practice examining board is  
9 established within the bureau. The board consists of seven  
10 members: five members who are interior designers who are  
11 registered under this chapter and who have been in the active  
12 practice of interior design for not less than five years, the  
13 last two of which shall have been in Iowa; and two members who  
14 are not registered under this chapter and who shall represent  
15 the general public. Members shall be appointed by the governor  
16 subject to confirmation by the senate.

17 Sec. 9. Section 544C.5, unnumbered paragraph 1, Code 2020,  
18 is amended to read as follows:

19 Each applicant for registration must meet the interior  
20 design practice education and practical training requirements  
21 adopted by rule by the board, and have passed an examination  
22 prescribed by the board that is task-oriented, focused  
23 on public safety, and validated by a recognized testing  
24 agency. The bureau shall register an individual who submits  
25 an application to the board on the form and in the manner  
26 prescribed by the board as a registered interior designer if  
27 the individual satisfies the following requirements:

28 Sec. 10. Section 544C.5, subsection 2, paragraphs a, b, and  
29 c, Code 2020, are amended to read as follows:

30 a. Four years of interior design practice education plus two  
31 years of full-time work experience in interior design practice.

32 b. Three years of interior design practice education plus  
33 three years of full-time work experience in interior design  
34 practice.

35 c. Two years of interior design practice education plus four



1 years of full-time work experience in interior design practice.

2 Sec. 11. Section 544C.10, subsection 1, Code 2020, is  
3 amended to read as follows:

4 1. It is unlawful for a person to use the title, or aid  
5 or abet a person in using the title, of "registered interior  
6 designer" or any title or device indicating that the person  
7 is a registered interior designer unless the person has been  
8 issued a certificate of registration as provided in this  
9 chapter. **This section** does not prohibit the provision of  
10 interior design practice services, or the use of the terms  
11 "interior design practice" or "interior designer", by an  
12 architect or by a person who is not registered as an interior  
13 designer.

14 Sec. 12. Section 546.10, subsection 1, paragraph f, Code  
15 2020, is amended to read as follows:

16 *f.* The interior design practice examining board created  
17 pursuant to **chapter 544C**.

18 DIVISION III

19 EFFECTIVE DATE

20 Sec. 13. EFFECTIVE DATE. This Act, being deemed of  
21 immediate importance, takes effect upon enactment.

22 EXPLANATION

23 The inclusion of this explanation does not constitute agreement with  
24 the explanation's substance by the members of the general assembly.

25 This bill relates to the practice of interior design in Iowa.  
26 The bill is organized in divisions.

27 DIVISION I — INTERIOR DESIGN PRACTICE. This division of  
28 the bill relates to the practice of interior design. The bill  
29 changes the defined term "interior design" to "interior design  
30 practice". The bill defines "interior design practice" as  
31 including the preparation of interior technical submissions,  
32 defined in the bill as a design that establishes the scope of  
33 an interior design project, and removes an exclusion from the  
34 term for services that constitute the practice of architecture.  
35 The bill also lists certain practices that constitute interior

1 design practice that do not constitute interior design  
2 practice. The bill includes definitions for certain terms  
3 relating to the scope of interior design practice.

4 The bill requires each registered interior designer to have  
5 a reproducible seal or facsimile. The registered interior  
6 designer may use a seal to sign and seal interior technical  
7 submissions, or a portion thereof, but only to the extent  
8 that such submissions cover interior design practice that the  
9 registered interior designer is competent to perform. Such  
10 signed and sealed interior technical submissions shall be  
11 accepted by state or local government entities to satisfy  
12 requirements for the issuance of a permit for an interior  
13 alteration or construction project. A registered interior  
14 designer shall not sign and seal an interior technical  
15 submission that was not prepared by or under the supervision  
16 and control of the registered interior designer, unless  
17 that interior technical submission was prepared by or under  
18 the supervision and control of another registered interior  
19 designer.

20 A person who intentionally affixes the signature or seal  
21 of a registered interior designer to an interior technical  
22 submission without the permission of the registered interior  
23 designer, uses or attempts to use the interior design  
24 registration or seal of another, impersonates a registered  
25 interior designer, obtains or attempts to obtain registration  
26 from the interior design practice registration board by fraud,  
27 or makes any willfully false oath or affirmation to the board  
28 is guilty of a simple misdemeanor. A simple misdemeanor is  
29 punishable by confinement for no more than 30 days or a fine of  
30 at least \$65 but not more than \$625 or by both.

31 The bill requires a registered interior designer to avoid  
32 conflicts of interest. When a conflict of interest cannot be  
33 avoided, the bill creates a mandatory series of procedures for  
34 the registered interior designer to perform.

35 The bill repeals a Code section relating to transition

1 provisions for the registration of certain interior designers  
2 that is no longer in effect by its own terms.

3 The bill gives the interior design practice examining board  
4 emergency rulemaking authority to implement the provisions of  
5 the bill.

6 DIVISION II — CONFORMING CHANGES. This division of the bill  
7 makes conforming changes by changing references to "interior  
8 design" to "interior design practice".

9 DIVISION III — EFFECTIVE DATE. The bill takes effect upon  
10 enactment.