

1 HB440  
2 118221-4  
3 By Representative Black  
4 RFD: Boards and Commissions  
5 First Read: 26-JAN-10



1 of board rules pursuant to the Administrative Procedure Act;  
2 to require continuing education; to provide penalties; to  
3 clarify the earlier repeal of Chapter 15A, Title 34, Code of  
4 Alabama 1975; and in connection therewith to have as its  
5 purpose or effect the requirement of a new or increased  
6 expenditure of local funds within the meaning of Amendment 621  
7 of the Constitution of Alabama of 1901, now appearing as  
8 Section 111.05 of the Official Recompilation of the  
9 Constitution of Alabama of 1901, as amended.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. The existence and functioning of the  
12 Alabama State Board of Registration for Interior Design,  
13 formerly created and functioning pursuant to Sections 34-15B-1  
14 to 34-15B-18, inclusive, Code of Alabama 1975, is continued  
15 pursuant to the newly created Chapter 15C, Title 34, Code of  
16 Alabama 1975, contained in this act. All rights, duties,  
17 property, real or personal, and all other effects existing in  
18 the name of the Alabama State Board of Registration for  
19 Interior Design, or in any other name by which the board has  
20 been known, shall continue in the name of the Alabama Board  
21 for Registered Interior Designers. Any reference to the  
22 Alabama State Board of Registration for Interior Design, or  
23 any other name by which the board has been known, in any  
24 existing law, contract, or other instrument shall constitute a  
25 reference to the Alabama Board for Registered Interior  
26 Designers as created in this act. All actions of the Alabama

1 State Board of Registration for Interior Design lawfully done  
2 prior to the effective date of this act, by the board or by  
3 the executive director or administrative assistant, are  
4 approved, ratified, and confirmed. The board as constituted on  
5 the effective date of this act shall constitute the board  
6 under the new Chapter 15C, Title 34.

7 Section 2. (a) Chapter 15B of Title 34, commencing  
8 with Section 34-15B-1, Code of Alabama 1975, relating to the  
9 Alabama State Board of Registration for Interior Design and  
10 the regulation of interior designers, is repealed.

11 (b) Chapter 15C of Title 34 is added to the Code of  
12 Alabama 1975, to read as follows:

13 Section 34-15C-1.

14 This chapter shall be known and may be cited as the  
15 Alabama Interior Design Registration Act of 2010.

16 Section 34-15C-2.

17 The Legislature finds and declares that this chapter  
18 is not intended to restrict the practice of interior design or  
19 the use of the terms "design," "designer," "interior design,"  
20 or "interior designer" in this state. The Legislature declares  
21 that the purpose of this chapter is to establish a  
22 registration process for those interior designers who choose  
23 to obtain the credentials required to seal and submit  
24 construction documents for commercial interior projects in  
25 certain spaces less than 5,000 contiguous square feet within a  
26 building of any size to building officials for review and

1       permitting purposes. The Legislature further finds and  
2       declares that this chapter is not intended to prohibit any  
3       person from making plans and specifications for or  
4       administering the erection, enlargement, or alteration of any  
5       building upon any farm for the use of any farmer, any single  
6       family residence of any size, or any other space totaling less  
7       than 2,500 square feet in a building of any size, provided the  
8       building is not a school, church, auditorium, or other  
9       building intended for the assembly occupancy of people. Except  
10      as expressly provided in Section 34-15C-9, nothing in this  
11      chapter shall be interpreted to prohibit any person who is not  
12      a registered interior designer from conducting any activity  
13      not prohibited by state law. Further, registration under this  
14      chapter may not be required by this state or by any city,  
15      town, county, or other governmental entity or official for the  
16      review, approval, or issuance of permits for plans and  
17      specifications for or to administer the erection, enlargement,  
18      or alteration of any building upon any farm for the use of any  
19      farmer, any single family residence of any size, or any other  
20      space totaling less than 2,500 square feet in a building of  
21      any size, provided the building is not a school, church,  
22      auditorium, or other building intended for the assembly  
23      occupancy of people.

24               Section 34-15C-3.

25               For the purposes of this chapter, the following  
26      terms shall have the following meanings:

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

3                   (2) NCIDQ. The National Council for Interior Design  
4 Qualification.

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

8                   Section 34-15C-4.

9                   (a) There is created the Alabama Board for  
10 Registered Interior Designers, to be comprised of seven  
11 members appointed by the Governor in the manner set forth in  
12 this section. The members of the Alabama State Board of  
13 Registration for Interior Design serving on the effective date  
14 of this amendatory act pursuant to former Section 34-15B-4,  
15 shall immediately serve as board members of the Alabama Board  
16 for Registered Interior Designers created by this chapter. For  
17 continuity purposes, a board member serving on the effective  
18 date of this amendatory act shall continue to serve under this  
19 chapter for the remainder of his or her term, and according to  
20 the appointment schedule, for which he or she was appointed by  
21 the Governor pursuant to former Section 34-15B-4.

22                   (b) All appointments occurring after the effective  
23 date of this amendatory act shall be for terms of four years,  
24 except an appointment to fill a vacancy, which shall be for  
25 the unexpired term only. No member shall serve more than two

1 consecutive terms of office. All members shall continue to  
2 serve until a successor is appointed by the Governor.

3 (c) The composition of the board shall be as  
4 follows:

5 (1) Five members of the board shall be registered  
6 interior designers, shall be engaged in the full-time practice  
7 of interior design, and shall be appointed from districts  
8 provided in subsection (e).

9 (2) One member shall be a professional educator, who  
10 teaches in a college or university level interior design  
11 program, and who is a registered interior designer or was  
12 previously registered or certified by the former Alabama State  
13 Board of Registration for Interior Design. If no educator with  
14 these qualifications is willing and able to serve on the  
15 board, this position shall be filled by an educator who has  
16 the necessary credentials to be registered and who agrees to  
17 apply for a certificate of registration within the first year  
18 of his or her service on the board.

19 (3) One member shall be a consumer who is not a  
20 design professional. The consumer member may not be employed  
21 in the fields of construction, architecture, engineering,  
22 interior design, interior decorating, or any related field.

23 (d) Of the seven members listed in subsection (c),  
24 at least one shall be a member of a minority race, and the  
25 total membership of the board shall reflect the racial,  
26 gender, urban/rural, and economic diversity of the state.

1           (e) The five registered interior design members of  
2 the board, appointed by district, shall be appointed as  
3 follows:

4           (1) Five districts shall be created: Northern,  
5 Central, Western, Eastern, and Southern. One practicing  
6 registered interior designer shall be appointed from each  
7 district.

8           a. The Northern District shall be comprised of  
9 Lauderdale, Colbert, Lawrence, Limestone, Morgan, Cullman,  
10 Marshall, Madison, Jackson, DeKalb, Cherokee, Etowah, Calhoun,  
11 and Cleburne Counties.

12           b. The Central District shall be comprised of  
13 Blount, Jefferson, St. Clair, and Talladega Counties.

14           c. The Western District shall be comprised of  
15 Marion, Winston, Lamar, Fayette, Franklin, Walker, Pickens,  
16 Tuscaloosa, Sumter, Greene, Hale, Bibb, Perry, Dallas,  
17 Marengo, Choctaw, Lowndes, Shelby, and Wilcox Counties.

18           d. The Eastern District shall be comprised of  
19 Randolph, Clay, Chilton, Coosa, Tallapoosa, Chambers, Autauga,  
20 Elmore, Lee, Macon, Montgomery, Bullock, Pike, Coffee, Dale,  
21 Henry, Barbour, Russell, and Crenshaw Counties.

22           e. The Southern District shall be comprised of  
23 Butler, Covington, Conecuh, Escambia, Houston, Monroe, Clarke,  
24 Washington, Mobile, Geneva, and Baldwin Counties.

25           (2) When appropriate, the chair of the board shall  
26 notify in writing each registered interior designer, by

1 district of residence, of the time and place for a district  
2 nomination meeting. The purpose of the district nomination  
3 meeting shall be to select members to serve on a statewide  
4 nominating committee. The district nomination meeting, held  
5 for the purpose of selecting new members to serve on the  
6 statewide nominating committee, shall be held every four  
7 years, or as required, for the purpose of filling vacancies on  
8 the statewide nominating committee.

9 (3) At the district nomination meeting, the members  
10 of each district shall select a chair for their respective  
11 district for that meeting, shall proceed according to Robert's  
12 Rules of Order, as most recently revised, and shall select one  
13 person to serve on the statewide nominating committee. Minutes  
14 of the meeting shall be recorded, signed by the chair of the  
15 meeting, and a copy of the signed minutes shall be provided to  
16 the chair of the board and the chair of the statewide  
17 nominating committee. The person shall be selected by a  
18 plurality of the vote and shall be a registered interior  
19 designer who resides in the district.

20 (f) (1) The statewide nominating committee shall be  
21 composed of one person from each of the five districts listed  
22 in subsection (e). Each person selected for the statewide  
23 nominating committee shall immediately notify the chair of the  
24 board and the chair of the statewide nominating committee of  
25 his or her selection.

1           (2) A new statewide nominating committee shall be  
2 elected every four years for the purpose of filling any  
3 vacancies or expired terms which may occur on the board. The  
4 statewide nominating committee shall be convened, by call of  
5 the chair of the statewide nominating committee or notice from  
6 a majority of the members thereof, as soon as practical  
7 whenever a vacancy occurs on the board or at any time within  
8 60 days preceding the expiration of the term of a board  
9 member. All appointments to the board shall be made in the  
10 manner provided in this section.

11           (3) If a vacancy occurs on the statewide nominating  
12 committee, the chair of the statewide nominating committee  
13 shall notify the chair of the board, who shall call a district  
14 nominating committee meeting to fill the vacancy. Only  
15 practicing registered interior designers may vote in a  
16 district nomination meeting or serve upon the statewide  
17 nominating committee.

18           (4) The statewide nominating committee shall be  
19 convened, by call of the chair of the statewide nominating  
20 committee or notice from a majority of the members thereof, as  
21 soon as practical whenever a vacancy occurs on the board or at  
22 any time within 60 days preceding the expiration of the term  
23 of a board member. All appointments to the board shall be made  
24 in the manner provided in this section.

1           (5) Each board member nominated by the statewide  
2 nominating committee shall reside in the district from which  
3 he or she is appointed.

4           (6) The statewide nominating committee shall select  
5 and submit the names of at least two registered interior  
6 designers to the Governor no later than 60 days of the  
7 expiration of the term of a board member, or no later than 60  
8 days of any vacancy on the board.

9           (g) The Governor may remove any member of the board  
10 for misconduct, incapacity, incompetence, or neglect of duty  
11 after the member so charged has been served with a written  
12 notice of the same and has been given an opportunity to be  
13 heard by the Governor. Absence from any three consecutive  
14 meetings of the board, without cause acceptable to the  
15 Governor, shall be deemed cause for removal of any member.

16           (h) Each member of the board shall receive the same  
17 per diem, travel, and expense allowance as is paid by law to  
18 state employees for the time spent in the performance of his  
19 or her duties and in necessary travel.

20           (i) The board shall hold two or more meetings per  
21 year for the purpose of performing its duties pursuant to this  
22 chapter. A simple majority of the members of the board shall  
23 constitute a quorum at any meeting. A simple majority vote of  
24 the members present shall be sufficient to transact the  
25 business of the board. A new chair shall be elected 60 days  
26 before the end of the term of the previous chair. If no new

1 chair is elected before the end of the term of the previous  
2 chair, the previous chair shall continue to serve until a  
3 successor is elected. Vacancies in such chair position shall  
4 be filled by act of the board.

5 (j) The chair may appoint a full-time or part-time  
6 executive director or administrative assistant to the board,  
7 with the consent of the majority of the members of the board.  
8 The executive director or administrative assistant shall serve  
9 at the pleasure of the board. The salary of the executive  
10 director or administrative assistant salary shall be set by  
11 the board. The executive director or administrative assistant  
12 shall serve as the executive officer to the board, but shall  
13 not be a member of the board. The board, by majority vote of  
14 its members, may employ additional persons, who shall serve at  
15 the pleasure of the board, to assist the board and the  
16 executive director or administrative assistant in the keeping  
17 of the records and in the performance of its duties, subject  
18 to available funding.

19 Section 34-15C-5.

20 The board shall perform the following duties,  
21 subject to the other provisions of this chapter:

22 (1) Administer fully this chapter and any rules,  
23 regulations, or guidelines promulgated by the board pursuant  
24 to this chapter.

25 (2) Prescribe, make, adopt, and amend such rules and  
26 regulations pursuant to the Alabama Administrative Procedure

1 Act as the board deems necessary to carry out the provisions  
2 of this chapter.

3 (3) For the purpose of enforcing this chapter,  
4 conduct investigations and hearings concerning charges against  
5 registered interior designers, at any time or place within the  
6 state, and administer oaths and affirmations, examine  
7 witnesses, and receive evidence in the course of any such  
8 hearings.

9 (4) Issue, in conjunction with the Secretary of  
10 State, any documentation necessary to prove that a registered  
11 interior designer is practicing in accordance with and abiding  
12 by the requirements of this chapter, for which an annual fee,  
13 in an amount determined by the board, shall be assessed and  
14 collected.

15 (5) Institute legal proceedings pursuant to  
16 subsection (c) of Section 34-15C-12.

17 (6) Grant, deny, revoke, suspend, or reinstate  
18 certificates of registration.

19 (7) Keep a record of its proceedings and make an  
20 annual report thereon to the Governor and the Legislature.

21 (8) Establish standards and requirements of  
22 continuing education for registered interior designers.

23 (9) Maintain an official roster of registered  
24 interior designers including, but not limited to, information  
25 required by the board for enforcement of this chapter.

1           (10) When necessary, require the attendance of  
2 witnesses and the production of all necessary papers, books,  
3 records, documentary evidence, and materials in any hearing,  
4 investigation, or other proceeding before the board, by means  
5 of discovery as provided in the Alabama Rules of Civil  
6 Procedure.

7           (11) Employ attorneys, accountants, and other  
8 persons as may be necessary to assist the board in carrying  
9 out this chapter when there is a need for such services and  
10 when funds are available for such services.

11           (12) Adopt rules providing for a registered interior  
12 designer to be classified as inactive and to avoid the payment  
13 of annual fees, so long as the inactive registered interior  
14 designer does not use the titles, stamps, or seals restricted  
15 by subsection (a) or subsection (b) of Section 34-15C-9 during  
16 inactive status.

17           (13) Establish, by administrative rule, procedures  
18 for the assessment of fees for the administration of this  
19 chapter.

20           Section 34-15C-6.

21           (a) Applications for registration shall be submitted  
22 on forms prescribed and furnished by the board. The board  
23 shall promptly notify any applicant of the requirements and  
24 the schedule of fees established by the board for  
25 registration.

1           (b) The board shall register an applicant to become  
2 a registered interior designer, and to use the title of  
3 registered interior designer in the State of Alabama, only if  
4 the applicant satisfies all of the following requirements:

5           (1) The applicant is determined by the board to be  
6 of good ethical character.

7           (2) The applicant either:

8           a. Has satisfied all requirements, including all  
9 education and experience requirements, for eligibility to take  
10 the NCIDQ examination, or satisfies substantially equivalent  
11 education and experience requirements and successfully  
12 completes an examination accepted and approved by the board  
13 based on the standards set by the NCIDQ; or

14           b. Holds a degree from a National Architectural  
15 Accreditation Board (NAAB) accredited school and has met NCIDQ  
16 eligibility requirements to take the NCIDQ examination, or  
17 satisfies substantially equivalent education and experience  
18 requirements and successfully completes an examination  
19 accepted and approved by the board, or is a registered  
20 architect who satisfies NCIDQ eligibility requirements to take  
21 the NCIDQ examination. Such applicants may take the NCIDQ  
22 examination.

23           (3) The applicant has successfully passed the NCIDQ  
24 examination, or an equivalent examination, accepted and  
25 approved by the board.

26           (4) The applicant is at least 21 years of age.

1                   (c) Notwithstanding the requirements of subsection  
2                   (b), any person registered with the Alabama State Board of  
3                   Registration for Interior Design on the effective date of this  
4                   act shall be registered by the Alabama Board for Registered  
5                   Interior Designers, as created by this chapter, on the  
6                   effective date of this act, without penalty, for the time  
7                   remaining on the certificate of registration of the registered  
8                   interior designer and any renewals of that certificate.

9                   (d) Certificates of registration shall expire on  
10                  September 30 of each year, and shall become invalid on October  
11                  1 of each year, unless renewed.

12                  (e) Renewal of a certificate of registration may be  
13                  accomplished at any time prior to and during the month of  
14                  September by:

15                  (1) The payment of an annual fee, as prescribed by  
16                  the board, through such procedures as may be developed by the  
17                  board.

18                  (2) Submission of proof, on forms approved by the  
19                  board, of compliance with all continuing education  
20                  requirements established by the board.

21                  (f) A certificate of registration held by a  
22                  registered interior designer serving in the Armed Forces of  
23                  the United States shall not expire until September 30  
24                  following his or her discharge or final separation from the  
25                  Armed Forces of the United States.

1 (g) A registered interior designer shall maintain  
2 and post his or her certificate of registration in the primary  
3 business office where he or she practices.

4 Section 34-15C-7.

5 The board may waive the requirements for  
6 registration and grant registration to any applicant who  
7 submits proof of current registration as an interior designer  
8 in another state, the District of Columbia, or a territory of  
9 the United States that requires standards for registration  
10 which are substantially equivalent to those required in this  
11 state and gives similar reciprocity to registered interior  
12 designers of this state.

13 Section 34-15C-8.

14 (a) A registered interior designer shall obtain a  
15 seal bearing the name of the registered interior designer, a  
16 design authorized by the board, the legend "Registered  
17 Interior Designer," the words "State of Alabama," and the  
18 registration number of the registered interior designer.

19 (b) Plans, specifications, and other documents  
20 prepared and issued by a registered interior designer shall be  
21 stamped with the seal of the registered interior designer only  
22 if the certificate of registration is valid.

23 Section 34-15C-9.

24 (a) Any person who is not a registered interior  
25 designer who uses the title "registered interior designer" on  
26 any sign, card, listing, advertising, business name,

1 stationery, or in any other manner knowingly implies or  
2 indicates that he or she is a registered interior designer  
3 shall be guilty of a Class A misdemeanor.

4 (b) Any person who is not a registered interior  
5 designer who stamps or seals any document with a stamp or seal  
6 containing the term "registered interior designer" shall be  
7 guilty of a Class A misdemeanor.

8 (c) Any registered interior designer who stamps or  
9 allows to be stamped any document that is not prepared under  
10 his or her supervision and control shall be guilty of a Class  
11 A misdemeanor.

12 Section 34-15C-10.

13 (a) Nothing in this chapter shall be interpreted to  
14 prohibit any person from making plans and specifications for  
15 or administering the erection, enlargement, or alteration of  
16 any building upon any farm for the use of any farmer, any  
17 single family residence of any size, or any other space  
18 totaling less than 2,500 square feet in a building of any  
19 size, provided the building is not a school, church,  
20 auditorium, or other building intended for the assembly  
21 occupancy of people.

22 (b) Registration under this chapter may not be  
23 required by this state or by any city, town, county, or other  
24 governmental entity or official for the review, approval, or  
25 issuance of permits for plans and specifications for or to  
26 administer the erection, enlargement, or alteration of any

1 building upon any farm for the use of any farmer, any single  
2 family residence of any size, or any other space totaling less  
3 than 2,500 square feet in a building of any size, provided the  
4 building is not a school, church, auditorium, or other  
5 building intended for the assembly occupancy of people.

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

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

13 (e) The board may not conduct any disciplinary  
14 proceeding against any person who is not a registered interior  
15 designer.

16 (f) The board may not conduct any disciplinary  
17 proceeding or initiate any other action based upon the use of  
18 the term "design," "designer," "interior design," or "interior  
19 designer" by any person, business, or firm at any time before  
20 or after the effective date of this act.

21 Section 34-15C-11.

22 The board may revoke, suspend, or refuse to issue a  
23 certificate of registration, issue a private or public  
24 reprimand regarding a registered interior designer, assess and  
25 collect administrative fines against a registered interior  
26 designer not exceeding two thousand dollars (\$2,000), or

1 proceed with any combination of the foregoing, for any of the  
2 following conduct:

3 (1) Fraud, deceit, dishonesty, or misrepresentation,  
4 whether knowing or unknowing, in the pursuit of his or her  
5 practice or in obtaining any certificate of registration.

6 (2) Gross negligence, misconduct, or incompetence in  
7 the pursuit of his or her practice.

8 (3) Conviction of a felony, until civil rights are  
9 restored.

10 (4) Incompetency as adjudged by a court having  
11 jurisdiction.

12 (5) Violating or directly or indirectly aiding or  
13 abetting in a violation of Section 34-15C-9.

14 (6) Practicing in this state in violation of any  
15 standards of professional conduct as may be established by  
16 rule of the board.

17 (7) Failure to pay any fee or fine assessed by the  
18 board.

19 (8) Failure to comply with any order of the board.  
20 Section 34-15C-12.

21 (a) Any time that the board has reason to believe  
22 that a registered interior designer is subject to discipline,  
23 notice of the charges placed against the registered interior  
24 designer and the time and place of the hearing of such charges  
25 by the board shall be served on the accused, pursuant to the  
26 Alabama Rules of Civil Procedure, not less than 45 days before

1 the date fixed for the hearing. The notice shall inform the  
2 registered interior designer that he or she is entitled to  
3 respond to the charges within 30 days, be represented by  
4 counsel of his or her choosing at the hearing, have witnesses  
5 testify in his or her behalf at the hearing, confront and  
6 cross-examine witnesses at the hearing, and testify in his or  
7 her behalf at the hearing. The board may provide further for  
8 any procedure not herein enumerated that is consistent with  
9 the Alabama Administrative Procedure Act.

10 (b) In all cases of disciplinary action taken by the  
11 board, the accused may appeal the disciplinary action to the  
12 Circuit Court of Montgomery County, Alabama, or to the circuit  
13 court for the county of residence of the accused. Either party  
14 has the right to appeal from the final decree of the circuit  
15 court as provided by law.

16 (c) If the board determines that any person is  
17 violating the title restrictions contained in Section  
18 34-15C-9, or that any registered interior designer is  
19 violating any other provision of this chapter, the board, in  
20 its own name, may seek an injunction in the circuit court for  
21 the county of residence of the accused, and the court may  
22 enjoin such person from violating this chapter, regardless of  
23 whether the proceedings have been or may be instituted before  
24 the board or whether criminal proceedings have been or may be  
25 instituted.

26 Section 34-15C-13.

1           (a) The registered interior designer shall attempt  
2 to avoid all conflicts of interest with a client or employer.  
3 If a conflict of interest is unavoidable, the registered  
4 interior designer shall immediately inform the client or  
5 employer of any business association, interest, or  
6 circumstance which may influence the professional judgment,  
7 decisions, practices, or quality of services provided by the  
8 registered interior designer.

9           (b) The registered interior designer may not solicit  
10 or accept any gratuity, material favor, or benefit of any  
11 substantial nature from any party, agent, servant, or employee  
12 who is not a client or employer in connection with any project  
13 for which the registered interior designer is performing, or  
14 has contracted to perform, interior design services. This  
15 solicitation or acceptance includes, but is not limited to,  
16 any act, article, money, or other item which is of such value  
17 in proportion to the interior design services that its  
18 acceptance creates a clandestine obligation on the part of the  
19 registered interior designer or otherwise compromises the  
20 ability of the registered interior designer to exercise  
21 independent judgment.

22           (c) Notwithstanding subsection (b), a registered  
23 interior designer may receive a fee or commission for the sale  
24 or the supervision of installation of personal property or  
25 fixtures, but may not receive both a fee and a commission  
26 without the express consent of the client.

1                   Section 34-15C-14.

2                   All fees received by the board shall be deposited  
3 into a fund in the State Treasury known as the Alabama Board  
4 for Registered Interior Designers Fund, which is hereby  
5 established. The fund shall be utilized, in the discretion of  
6 the board, to regulate the practice of registered interior  
7 designers and to pay any necessary expenses of the board,  
8 including the cost of employees, legal expenses,  
9 administrative expenses, and other expenses associated with  
10 enforcing and administering this chapter. All fees collected  
11 prior to August 1, 2010, and collected pursuant to former  
12 Chapter 15A or former Chapter 15B of this title are ratified,  
13 validated, and transferred to the fund.

14                   Section 34-15C-15.

15                   (a) Notwithstanding any provision of law to the  
16 contrary, a registered interior designer may submit sealed,  
17 stamped drawings to building officials for a commercial  
18 interior project in any space of less than 5,000 contiguous  
19 square feet within a building of any size provided that all of  
20 the following requirements are satisfied:

21                   (1) The space may not be intended for use as a  
22 school, church, auditorium, or other space intended for the  
23 assembly occupancy of people.

24                   (2) Unless the drawings utilize, reference, and  
25 incorporate documents prepared by architects, engineers, or  
26 other related professionals, the drawings may not include the

1 design or modification of architectural and engineering  
2 interior construction relating to building systems, such as  
3 building structural support, fire rated assemblies,  
4 stairwells, means of egress components, elevators, elevator  
5 shafts, plumbing, heating, ventilation, air conditioning, fire  
6 protection, and mechanical and electrical systems, except for  
7 the scope of interior services as defined by the NCIDQ or for  
8 the coordination of the aesthetic requirements of fixtures.

9 (b) Any official of this state or of any city, town,  
10 or county charged with the enforcement of laws, ordinances, or  
11 regulations relating to the construction or alteration of  
12 buildings may accept or approve and issue permits based upon  
13 any of the following:

14 (1) Plans or specifications prepared by any person  
15 registered pursuant to this chapter, provided the plans or  
16 specifications are consistent with this chapter.

17 (2) Plans and specifications for the erection,  
18 enlargement, or alteration of any building upon any farm for  
19 the use of any farmer, of any single family residence of any  
20 size, or of any other space totaling less than 2,500 square  
21 feet in a building of any size, provided the building is not a  
22 school, church, auditorium, or other building intended for the  
23 assembly occupancy of people.

24 (3) Plans and specifications which such official is  
25 not prohibited from accepting pursuant to any other state law.

26 Section 34-15C-16.

1           It shall be lawful for any person registered  
2 pursuant to this chapter to participate as owners with  
3 architects or professional engineers, or both, in  
4 partnerships, corporations, professional corporations,  
5 professional associations, and other business entity  
6 relationships. Such participation may include, where  
7 applicable, and without limitation, service as an officer,  
8 director, shareholder, voting or nonvoting, and any other  
9 participation allowed under the laws of the State of Alabama.

10           Section 34-15C-17.

11           It is the intent of the Legislature that the board  
12 shall be subject to the Alabama Administrative Procedure Act.

13           Section 34-15C-18.

14           The board shall be subject to the Alabama Sunset  
15 Law, as provided in Chapter 20, Title 41, as an enumerated  
16 agency as provided in Section 41-20-3, and shall have a  
17 termination date of October 1, 2013, and every four years  
18 thereafter, unless continued pursuant to the Alabama Sunset  
19 Law.

20           Section 3. All laws or parts of laws which conflict  
21 with this act are repealed, and specifically, Chapter 15A of  
22 Title 34, Code of Alabama 1975, formerly repealed by Act  
23 2001-660, and Chapter 15B of Title 34, Code of Alabama 1975,  
24 are repealed.

25           Section 4. Although this bill would have as its  
26 purpose or effect the requirement of a new or increased

1 expenditure of local funds, the bill is excluded from further  
2 requirements and application under Amendment 621, now  
3 appearing as Section 111.05 of the Official ReCompilation of  
4 the Constitution of Alabama of 1901, as amended, because the  
5 bill defines a new crime or amends the definition of an  
6 existing crime.

7 Section 5. This act shall become effective August 1,  
8 2010, following its passage and approval by the Governor, or  
9 its otherwise becoming law.

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House of Representatives

Read for the first time and re-  
ferred to the House of Representa-  
tives committee on Boards and Com-  
missions ..... 26-JAN-10

Read for the second time and placed  
on the calendar with 1 substitute  
and ..... 18-FEB-10

Read for the third time and passed  
as amended ..... 04-MAR-10

Yeas 99, Nays 0, Abstains 2

Greg Pappas  
Clerk