

1 HB440
2 116071-1
3 By Representative Black
4 RFD: Boards and Commissions
5 First Read: 26-JAN-10

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8 SYNOPSIS: This bill would create the Alabama Interior
9 Design Registration Act of 2010.

10 This bill would provide for the regulation
11 of registered interior designers under a new
12 registration board, known as the Alabama Board for
13 Registered Interior Designers, and a new Chapter
14 15C, Title 34, entirely repealing Chapter 15B,
15 Title 34, commencing with Section 34-15B-1, Code of
16 Alabama 1975, which formerly related to the Alabama
17 State Board of Registration for Interior Design and
18 the regulation of interior designers.

19 This bill would provide for the transition
20 of membership on the Alabama State Board of
21 Registration for Interior Design to the Alabama
22 Board for Registered Interior Designers and would
23 provide for the process of electing new members to
24 the board.

25 This bill would provide for the powers and
26 duties of the Alabama Board for Registered Interior
27 Designers, would provide for the hiring of

1 employees, and would provide for the administration
2 of the board by revising the powers of the board
3 pertaining to registered interior designers.

4 This bill would provide for the promulgation
5 of rules and the review of board rulings pursuant
6 to the Administrative Procedure Act.

7 This bill would permit registered interior
8 designers to seal and submit construction documents
9 for commercial interior projects in certain spaces
10 less than 5,000 contiguous square feet within a
11 building of any size, or in single family
12 residential projects of unlimited square footage,
13 to building officials for review and permitting
14 purposes.

15 This bill would authorize the board to
16 establish fees for registration, would require
17 continuing education, and would provide for
18 penalties.

19
20 A BILL
21 TO BE ENTITLED
22 AN ACT
23

24 To establish the Alabama Interior Design
25 Registration Act of 2010 and to create a new Chapter 15C,
26 Title 34, relating to the regulation of registered interior
27 designers by the Alabama Board for Registered Interior

1 Designers; to repeal Chapter 15B, Title 34, commencing with
2 Section 34-15B-1, Code of Alabama 1975, formerly providing for
3 the Alabama State Board of Registration for Interior Design;
4 to transition the membership of the Alabama State Board of
5 Registration for Interior Design to the Alabama Board for
6 Registered Interior Designers; to provide for the Alabama
7 Board for Registered Interior Designers and the regulation of
8 registered interior designers pursuant to a new Chapter 15C,
9 Title 34, Code of Alabama 1975; to continue the board as
10 constituted on the effective date of this act; to provide for
11 the nomination and appointment of new members to the new
12 board; to provide for the hiring of employees; to provide for
13 the powers and duties of the board; to provide for the
14 registration and regulation of registered interior designers;
15 to provide further for the powers of the board and the review
16 of board rules pursuant to the Administrative Procedure Act;
17 to require continuing education; to provide penalties; and to
18 clarify the earlier repeal of Chapter 15A, Title 34, Code of
19 Alabama 1975.

20 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

21 Section 1. The existence and functioning of the
22 Alabama State Board of Registration for Interior Design,
23 formerly created and functioning pursuant to Sections 34-15B-1
24 to 34-15B-18, inclusive, Code of Alabama 1975, is continued
25 pursuant to the newly created Chapter 15C, Title 34, Code of
26 Alabama 1975, contained in this act. All rights, duties,
27 property, real or personal, and all other effects existing in

1 the name of the Alabama State Board of Registration for
2 Interior Design, or in any other name by which the board has
3 been known, shall continue in the name of the Alabama Board
4 for Registered Interior Designers. Any reference to the
5 Alabama State Board of Registration for Interior Design, or
6 any other name by which the board has been known, in any
7 existing law, contract, or other instrument shall constitute a
8 reference to the Alabama Board for Registered Interior
9 Designers as created in this act. All actions of the Alabama
10 State Board of Registration for Interior Design lawfully done
11 prior to the effective date of this act, by the board or by
12 the executive director or administrative assistant, are
13 approved, ratified, and confirmed. The board as constituted on
14 the effective date of this act shall constitute the board
15 under the new Chapter 15C, Title 34.

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

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

22 Section 34-15C-1.

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

25 Section 34-15C-2.

26 The Legislature finds and declares that this chapter
27 is not intended to restrict the practice of interior design or

1 the use of the terms "design," "designer," "interior design,"
2 or "interior designer" in this state. The Legislature declares
3 that the purpose of this chapter is to establish a
4 registration process for those interior designers who choose
5 to obtain the credentials required to seal and submit
6 construction documents for commercial interior projects in
7 certain spaces less than 5,000 contiguous square feet within a
8 building of any size, or in single family residential projects
9 of unlimited square footage, to building officials for review
10 and permitting purposes. The Legislature further finds and
11 declares that this chapter is not intended to prohibit any
12 person from making plans and specifications for or
13 administering the erection, enlargement, or alteration of any
14 building upon any farm for the use of any farmer, of any
15 single family residence, or of any other space totaling less
16 than 2,500 square feet in a building of any size, provided the
17 building is not a school, church, auditorium, or other
18 building intended for the assembly occupancy of people. Except
19 as expressly provided in Section 34-15C-9, nothing in this
20 section shall be interpreted to prohibit any person who is not
21 a registered interior designer from conducting any activity
22 not prohibited by state law.

23 Section 34-15C-3.

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

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

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

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

6 Section 34-15C-4.

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

20 (b) All appointments occurring after the effective
21 date of this amendatory act shall be for terms of four years,
22 except an appointment to fill a vacancy, which shall be for
23 the unexpired term only. No member shall serve more than two
24 consecutive terms of office. All members shall continue to
25 serve until a successor is appointed by the Governor.

26 (c) The composition of the board shall be as
27 follows:

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

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

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

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

23 (e) The five registered interior design members of
24 the board, appointed by district, shall be appointed as
25 follows:

26 (1) Five districts shall be created: Northern,
27 Central, Western, Eastern, and Southern. One practicing

1 registered interior designer shall be appointed from each
2 district.

3 a. The Northern District shall be comprised of
4 Lauderdale, Colbert, Lawrence, Limestone, Morgan, Cullman,
5 Marshall, Madison, Jackson, DeKalb, Cherokee, Etowah, Calhoun,
6 and Cleburne Counties.

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

9 c. The Western District shall be comprised of
10 Marion, Winston, Lamar, Fayette, Franklin, Walker, Pickens,
11 Tuscaloosa, Sumter, Greene, Hale, Bibb, Perry, Dallas,
12 Marengo, Choctaw, Lowndes, Shelby, and Wilcox Counties.

13 d. The Eastern District shall be comprised of
14 Randolph, Clay, Chilton, Coosa, Tallapoosa, Chambers, Autauga,
15 Elmore, Lee, Macon, Montgomery, Bullock, Pike, Coffee, Dale,
16 Henry, Barbour, Russell, and Crenshaw Counties.

17 e. The Southern District shall be comprised of
18 Butler, Covington, Conecuh, Escambia, Houston, Monroe, Clarke,
19 Washington, Mobile, Geneva, and Baldwin Counties.

20 (2) When appropriate, the chair of the board shall
21 notify in writing each registered interior designer, by
22 district of residence, of the time and place for a district
23 nomination meeting. The purpose of the district nomination
24 meeting shall be to select members to serve on a statewide
25 nominating committee. The district nomination meeting, held
26 for the purpose of selecting new members to serve on the
27 statewide nominating committee, shall be held every four

1 years, or as required, for the purpose of filling vacancies on
2 the statewide nominating committee.

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

14 (f) (1) The statewide nominating committee shall be
15 composed of one person from each of the five districts listed
16 in subsection (e). Each person selected for the statewide
17 nominating committee shall immediately notify the chair of the
18 board and the chair of the statewide nominating committee of
19 his or her selection.

20 (2) A new statewide nominating committee shall be
21 elected every four years for the purpose of filling any
22 vacancies or expired terms which may occur on the board. The
23 statewide nominating committee shall be convened, by call of
24 the chair of the statewide nominating committee or notice from
25 a majority of the members thereof, as soon as practical
26 whenever a vacancy occurs on the board or at any time within
27 60 days preceding the expiration of the term of a board

1 member. All appointments to the board shall be made in the
2 manner provided in this section.

3 (3) If a vacancy occurs on the statewide nominating
4 committee, the chair of the statewide nominating committee
5 shall notify the chair of the board, who shall call a district
6 nominating committee meeting to fill the vacancy. Only
7 practicing registered interior designers may vote in a
8 district nomination meeting or serve upon the statewide
9 nominating committee.

10 (4) The statewide nominating committee shall be
11 convened, by call of the chair of the statewide nominating
12 committee or notice from a majority of the members thereof, as
13 soon as practical whenever a vacancy occurs on the board or at
14 any time within 60 days preceding the expiration of the term
15 of a board member. All appointments to the board shall be made
16 in the manner provided in this section.

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

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

25 (g) The Governor may remove any member of the board
26 for misconduct, incapacity, incompetence, or neglect of duty
27 after the member so charged has been served with a written

1 notice of the same and has been given an opportunity to be
2 heard by the Governor. Absence from any three consecutive
3 meetings of the board, without cause acceptable to the
4 Governor, shall be deemed cause for removal of any member.

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

9 (i) The board shall hold two or more meetings per
10 year for the purpose of performing its duties pursuant to this
11 chapter. A simple majority of the members of the board shall
12 constitute a quorum at any meeting. A simple majority vote of
13 the members present shall be sufficient to transact the
14 business of the board. A new chair shall be elected 60 days
15 before the end of the term of the previous chair. If no new
16 chair is elected before the end of the term of the previous
17 chair, the previous chair shall continue to serve until a
18 successor is elected. Vacancies in such chair position shall
19 be filled by act of the board.

20 (j) The chair may appoint a full-time or part-time
21 executive director or administrative assistant to the board,
22 with the consent of the majority of the members of the board.
23 The executive director or administrative assistant shall serve
24 at the pleasure of the board. The salary of the executive
25 director or administrative assistant salary shall be set by
26 the board. The executive director or administrative assistant
27 shall serve as the executive officer to the board, but shall

1 not be a member of the board. The board, by majority vote of
2 its members, may employ additional persons, who shall serve at
3 the pleasure of the board, to assist the board and the
4 executive director or administrative assistant in the keeping
5 of the records and in the performance of its duties, subject
6 to available funding.

7 Section 34-15C-5.

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

10 (1) Administer fully this chapter and any rules,
11 regulations, or guidelines promulgated by the board pursuant
12 to this chapter.

13 (2) Prescribe, make, adopt, and amend such rules and
14 regulations pursuant to the Alabama Administrative Procedure
15 Act as the board deems necessary to carry out the provisions
16 of this chapter.

17 (3) For the purpose of enforcing this chapter,
18 conduct investigations and hearings concerning charges against
19 registered interior designers, at any time or place within the
20 state, and administer oaths and affirmations, examine
21 witnesses, and receive evidence in the course of any such
22 hearings.

23 (4) Issue, in conjunction with the Secretary of
24 State, any documentation necessary to prove that a registered
25 interior designer is practicing in accordance with and abiding
26 by the requirements of this chapter, for which an annual fee,

1 in an amount determined by the board, shall be assessed and
2 collected.

3 (5) Institute legal proceedings.

4 (6) Grant, deny, revoke, suspend, or reinstate
5 certificates of registration.

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

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

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

13 (10) When necessary, require the attendance of
14 witnesses and the production of all necessary papers, books,
15 records, documentary evidence, and materials in any hearing,
16 investigation, or other proceeding before the board, by means
17 of discovery as provided in the Alabama Rules of Civil
18 Procedure.

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

23 (12) Adopt rules providing for a registered interior
24 designer to be classified as inactive and to avoid the payment
25 of annual fees, so long as the inactive registered interior
26 designer does not use the titles, stamps, or seals restricted

1 by subsection (a) or subsection (b) of Section 34-15C-9 during
2 inactive status.

3 (13) Establish, by administrative rule, procedures
4 for the assessment of fees for the administration of this
5 chapter.

6 Section 34-15C-6.

7 (a) Applications for registration shall be submitted
8 on forms prescribed and furnished by the board. The board
9 shall promptly notify any applicant of the requirements and
10 the schedule of fees established by the board for
11 registration.

12 (b) The board shall register an applicant to become
13 a registered interior designer, and to use the title of
14 registered interior designer in the State of Alabama, only if
15 the applicant satisfies all of the following requirements:

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

18 (2) The applicant either:

19 a. Has satisfied all requirements, including all
20 education and experience requirements, for eligibility to take
21 the NCIDQ examination, or satisfies substantially equivalent
22 education and experience requirements and successfully
23 completes an examination accepted and approved by the board
24 based on the standards set by the NCIDQ; or

25 b. Holds a degree from a National Architectural
26 Accreditation Board (NAAB) accredited school and has met NCIDQ
27 eligibility requirements to take the NCIDQ examination, or

1 satisfies substantially equivalent education and experience
2 requirements and successfully completes an examination
3 accepted and approved by the board, or is a registered
4 architect who satisfies NCIDQ eligibility requirements to take
5 the NCIDQ examination. Such applicants may take the NCIDQ
6 examination.

7 (3) The applicant has successfully passed the NCIDQ
8 examination, or an equivalent examination, accepted and
9 approved by the board.

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

11 (c) Notwithstanding the requirements of subsection
12 (b), any person registered with the Alabama State Board of
13 Registration for Interior Design on the effective date of this
14 act shall be registered by the Alabama Board for Registered
15 Interior Designers, as created by this chapter, on the
16 effective date of this act, without penalty, for the time
17 remaining on the certificate of registration of the registered
18 interior designer and any renewals of that certificate.

19 (d) Certificates of registration shall expire on
20 September 30 of each year, and shall become invalid on October
21 1 of each year, unless renewed.

22 (e) Renewal of a certificate of registration may be
23 accomplished at any time prior to and during the month of
24 September by:

25 (1) The payment of an annual fee, as prescribed by
26 the board, through such procedures as may be developed by the
27 board.

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

4 (f) A certificate of registration held by a
5 registered interior designer serving in the Armed Forces of
6 the United States shall not expire until September 30
7 following his or her discharge or final separation from the
8 Armed Forces of the United States.

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

12 Section 34-15C-7.

13 The board may waive the requirements for
14 registration and grant registration to any applicant who
15 submits proof of current registration as an interior designer
16 in another state, the District of Columbia, or a territory of
17 the United States that requires standards for registration
18 which are substantially equivalent to those required in this
19 state and gives similar reciprocity to registered interior
20 designers of this state.

21 Section 34-15C-8.

22 (a) A registered interior designer shall obtain a
23 seal bearing the name of the registered interior designer, a
24 design authorized by the board, the legend "Registered
25 Interior Designer," the words "State of Alabama," and the
26 registration number of the registered interior designer.

1 (b) Plans, specifications, and other documents
2 prepared and issued by a registered interior designer shall be
3 stamped with the seal of the registered interior designer only
4 if the certificate of registration is valid.

5 Section 34-15C-9.

6 (a) Any person who is not a registered interior
7 designer who uses the title "registered interior designer" on
8 any sign, card, listing, advertising, business name,
9 stationery, or in any other manner knowingly implies or
10 indicates that he or she is a registered interior designer
11 shall be guilty of a Class A misdemeanor.

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

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

20 Section 34-15C-10.

21 (a) Nothing in this chapter shall be interpreted to
22 prohibit any person from making plans and specifications for
23 or administering the erection, enlargement, or alteration of
24 any building upon any farm for the use of any farmer, of any
25 single family residence, or of any other space totaling less
26 than 2,500 square feet in a building of any size, provided the

1 building is not a school, church, auditorium, or other
2 building intended for the assembly occupancy of people.

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

8 (c) The board shall have no jurisdiction over any
9 person who is not a registered interior designer.

10 (d) The board may not conduct any disciplinary
11 proceeding against any person who is not a registered interior
12 designer.

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

18 Section 34-15C-11.

19 The board may revoke, suspend, or refuse to issue a
20 certificate of registration, issue a private or public
21 reprimand regarding a registered interior designer, assess and
22 collect administrative fines against a registered interior
23 designer not exceeding two thousand dollars (\$2,000), or
24 proceed with any combination of the foregoing, for any of the
25 following conduct:

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

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

6 (3) Conviction of a felony, until civil rights are
7 restored.

8 (4) Incompetency as adjudged by a court having
9 jurisdiction.

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

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

15 (7) Failure to pay any fee or fine assessed by the
16 board.

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

19 (a) Any time that the board has reason to believe
20 that a registered interior designer is subject to discipline,
21 notice of the charges placed against the registered interior
22 designer and the time and place of the hearing of such charges
23 by the board shall be served on the accused, pursuant to the
24 Alabama Rules of Civil Procedure, not less than 45 days before
25 the date fixed for the hearing. The notice shall inform the
26 registered interior designer that he or she is entitled to
27 respond to the charges within 30 days, be represented by

1 counsel of his or her choosing at the hearing, have witnesses
2 testify in his or her behalf at the hearing, confront and
3 cross-examine witnesses at the hearing, and testify in his or
4 her behalf at the hearing. The board may provide further for
5 any procedure not herein enumerated that is consistent with
6 the Alabama Administrative Procedure Act.

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

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

23 Section 34-15C-13.

24 (a) The registered interior designer shall attempt
25 to avoid all conflicts of interest with a client or employer.
26 If a conflict of interest is unavoidable, the registered
27 interior designer shall immediately inform the client or

1 employer of any business association, interest, or
2 circumstance which may influence the professional judgment,
3 decisions, practices, or quality of services provided by the
4 registered interior designer.

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

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

23 Section 34-15C-14.

24 All fees received by the board shall be deposited
25 into a fund in the State Treasury known as the Alabama Board
26 for Registered Interior Designers Fund, which is hereby
27 established. The fund shall be utilized, in the discretion of

1 the board, to regulate the practice of registered interior
2 designers and to pay any necessary expenses of the board,
3 including the cost of employees, legal expenses,
4 administrative expenses, and other expenses associated with
5 enforcing and administering this chapter. All fees collected
6 prior to August 1, 2010, and collected pursuant to former
7 Chapter 15A or former Chapter 15B of this title are ratified,
8 validated, and transferred to the fund.

9 Section 34-15C-15.

10 (a) Notwithstanding any provision of law to the
11 contrary, a registered interior designer may submit sealed,
12 stamped drawings to building officials for a commercial
13 interior project in any space of less than 5,000 contiguous
14 square feet within a building of any size, or in single family
15 residential projects of unlimited square footage, provided
16 that all of the following requirements are satisfied:

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

20 (2) Unless the drawings utilize, reference, and
21 incorporate documents prepared by architects, engineers, or
22 other related professionals, the drawings may not include the
23 design or modification of architectural and engineering
24 interior construction relating to building systems, such as
25 building structural support, fire rated assemblies,
26 stairwells, means of egress components, elevators, elevator
27 shafts, plumbing, heating, ventilation, air conditioning, fire

1 protection, and mechanical and electrical systems, except for
2 the scope of interior services as defined by the NCIDQ or for
3 the coordination of the aesthetic requirements of fixtures.

4 (b) Any official of this state or of any city, town,
5 or county charged with the enforcement of laws, ordinances, or
6 regulations relating to the construction or alteration of
7 buildings may accept or approve and issue permits based upon
8 any of the following:

9 (1) Plans or specifications prepared by any person
10 registered pursuant to this chapter, provided the plans or
11 specifications are consistent with this chapter.

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

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

21 Section 34-15C-16.

22 It shall be lawful for any person registered
23 pursuant to this chapter to participate as owners with
24 architects or professional engineers, or both, in
25 partnerships, corporations, professional corporations,
26 professional associations, and other business entity
27 relationships. Such participation may include, where

1 applicable, and without limitation, service as an officer,
2 director, shareholder, voting or nonvoting, and any other
3 participation allowed under the laws of the State of Alabama.

4 Section 34-15C-17.

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

7 Section 34-15C-18.

8 The board shall be subject to the Alabama Sunset
9 Law, as provided in Chapter 20, Title 41, as an enumerated
10 agency as provided in Section 41-20-3, and shall have a
11 termination date of October 1, 2013, and every four years
12 thereafter, unless continued pursuant to the Alabama Sunset
13 Law.

14 Section 3. All laws or parts of laws which conflict
15 with this act are repealed, and specifically, Chapter 15A of
16 Title 34, Code of Alabama 1975, formerly repealed by Act
17 2001-660, and Chapter 15B of Title 34, Code of Alabama 1975,
18 are repealed.

19 Section 4. This act shall become effective August 1,
20 2010, following its passage and approval by the Governor, or
21 its otherwise becoming law.