A bill for an act

relating to occupational licensing; changing certification for interior designers to licensing requirements; amending Minnesota Statutes 2008, section 326.02, subdivision 4b.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2008, section 326.02, subdivision 4b, is amended to read:

Subd. 4b. ~~**Certified**~~ **Practice of licensed interior ~~designer~~ design.** (a) ~~For the purposes~~ Any person shall be deemed to be practicing licensed interior design within the meaning of sections 326.02 to 326.15, ~~"certified interior designer" means a person who is certified under section 326.10, to use the title certified interior designer and who provides services~~ who holds out as being able to perform or does perform any professional service in connection with the planning or design of ~~public~~ interior spaces, including preparation of documents relative to non-load-bearing interior construction, space planning, ~~finish~~ finishes, materials, and furnishings, or administration of construction for interior spaces where the safeguarding of the occupant's life, health, safety, welfare, or property is concerned or involved. For the purposes of this paragraph, the following terms have the meanings given them.

(1) "Administration" means a professional service as distinguished from superintending of construction and means the performance of reasonable and ordinary on-site observations to determine that the interior construction substantially complies with the approved drawings, plans, and specifications.

(2) "Non-load-bearing interior construction" means an interior element or component that does not require design computations for a building's structure and does not support a

vertical load of a structure other than its own weight, but it may support loads attached to it such as cabinetry, shelving, or grab bars.

(b) Nothing contained in sections 326.02 to 326.15 concerning the practice of licensed interior design applies to:

(1) exempt building components or classes of buildings enumerated in subdivision 5 and section 326.03, subdivision 2, paragraphs (a) to (d);

(2) an architect licensed under the laws of this state;

(3) an employee or owner of a retail establishment providing consultation in the furtherance of a retail sale or prospective retail sale regarding interior finishes, furnishings, or cabinetry on behalf of the retail establishment; or

(4) a person who provides services or assistance in selection, sale, lease, or supply of surface materials, window treatments, wall coverings, paint, floor coverings, surface-mounted fixtures, and loose furnishings for the interiors of exempt buildings as described in section 326.03.

~~(b)~~ (c) No person may use the title ~~certified~~ licensed interior designer ~~unless that person has been certified as an interior designer or has been exempted by the board. Registered architects may be certified without additional testing. Persons represent themselves to the public as certified interior designers if they use a title that incorporates the words certified interior designer~~ or any title or device indicating or representing that the person is a licensed interior designer or is practicing licensed interior design unless the person has been licensed under the provisions of sections 326.02 to 326.15.

~~(c)~~ (d) Nothing in this section prohibits the use of the title interior designer or the term interior design by persons not ~~certified~~ licensed by the board.

~~(d) Nothing in this section restricts persons not certified by the board from providing interior design services and from saying that they provide such services, as long as they do not use the title certified interior designer.~~

(e) Nothing in this section authorizes ~~certified~~ licensed interior designers to engage in the practice of architecture as defined in subdivision 2 or the practice of engineering as defined in subdivision 3.

Sec. 2. **REVISOR'S INSTRUCTION.**

The revisor of statutes shall change the term "certified" or similar terms to "licensed" or similar terms wherever they appear in Minnesota Statutes and Minnesota Rules when referring to licensed interior design regulated under Minnesota Statutes, chapter 326.