

This Document can be made available  
in alternative formats upon request

State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. **1052**

02/28/2013 Authored by Hilstrom, Lesch, Hornstein and Fischer

The bill was read for the first time and referred to the Committee on Commerce and Consumer Protection Finance and Policy

1.1 A bill for an act  
1.2 relating to occupations; establishing licensing of interior designers; amending  
1.3 Minnesota Statutes 2012, section 326.02, subdivision 4b.

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

1.5 Section 1. Minnesota Statutes 2012, section 326.02, subdivision 4b, is amended to read:

1.6 Subd. 4b. **Certified Licensed interior designer.** (a) For the purposes of sections  
1.7 326.02 to 326.15, "certified licensed interior designer" means a person who is certified  
1.8 licensed under section 326.10, to use the title certified licensed interior designer and who  
1.9 provides services in connection with the planning and design of public interior spaces,  
1.10 including analysis of a client's needs and goals for an interior area of a structure designed  
1.11 for human habitation or occupancy; space planning; and preparation of documents  
1.12 including drawings, plans, and reports relative to non-load-bearing interior construction,  
1.13 space planning, including specifications for partitions, finish materials, and furnishings  
1.14 finishes, furniture, fixtures, and equipment. Licensed interior designers prepare documents  
1.15 for the purpose of permitting, prepare and administer bids or contracts as the agent of a  
1.16 client, and provide construction administration services. Licensed interior designers may  
1.17 hire other licensed design professionals as consultants in a contractually independent  
1.18 relationship to complete work relative to the consultant's scope of work. For the purposes  
1.19 of this paragraph, (1) "administration" means a professional service as distinguished  
1.20 from superintending of construction and also means the performance of reasonable and  
1.21 ordinary on-site observations to determine that the interior construction substantially  
1.22 complies with the approved drawings, plans, and specifications, and (2) "non-load-bearing  
1.23 interior construction" means an interior element or component that does not require  
1.24 design computations for a building's structure and does not support a vertical load of a

2.1 structure other than its own weight, but that may support loads attached to it such as  
 2.2 cabinetry, shelving, or grab bars.

2.3 ~~(b) No person may use the title certified interior designer unless that person has been~~  
 2.4 ~~certified as an interior designer or has been exempted by the board. Registered architects~~  
 2.5 ~~may be certified without additional testing. Persons represent themselves to the public as~~  
 2.6 ~~certified interior designers if they use a title that incorporates the words certified interior~~  
 2.7 ~~designer. Nothing contained in sections 326.02 to 326.15 concerning the practice of~~  
 2.8 ~~licensed interior design applies to:~~

2.9 ~~(1) exempt building components or classes of buildings enumerated in sections~~  
 2.10 ~~326.02, subdivision 5, and 326.03, subdivision 2, clauses (a) to (d);~~

2.11 ~~(2) an architect, landscape architect, or engineer licensed under the laws of this state;~~

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

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

2.19 ~~(5) a residential designer, including a kitchen or bath designer, working within~~  
 2.20 ~~the interiors of exempt spaces.~~

2.21 ~~(c) No person may use the title "licensed interior designer," "LID," or any title~~  
 2.22 ~~or device indicating or representing that the person is a licensed interior designer or is~~  
 2.23 ~~practicing licensed interior design unless the person has been licensed under the provisions~~  
 2.24 ~~of sections 326.02 to 326.15.~~

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

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

2.30 ~~(e) The practice of licensed interior design does not include the design of:~~

2.31 ~~(1) load-bearing walls;~~

2.32 ~~(2) fire-rated interior shafts in multistory buildings;~~

2.33 ~~(3) interior exit stairways and location of doors that exit occupants from the building~~  
 2.34 ~~that comprise the exit discharge; however, licensed interior designers can design or modify~~  
 2.35 ~~those portions of the means of egress that comprise the exit access, as defined by the~~  
 2.36 ~~International Building Code, as adopted by the Minnesota State Building Code;~~

- 3.1 (4) smoke control systems;  
 3.2 (5) sprinkler and fire alarm systems;  
 3.3 (6) ventilation systems relative to heating, ventilating, and air conditioning; and  
 3.4 (7) elevators, escalators, and stairways.  
 3.5 (f) Licensed interior design does include the design and specification of elements  
 3.6 relative to materials, finishes, and fixtures in the interior spaces described in paragraph (e),  
 3.7 and the specification and location of elements commonly indicated on a reflected ceiling  
 3.8 plan relative to the design of interior spaces noted in subdivision 4, clause (e).  
 3.9 ~~(e) Nothing in this section authorizes certified~~ (g) Licensed interior designers to  
 3.10 ~~engage in design is not the practice of architecture as defined in subdivision 2, landscape~~  
 3.11 ~~architecture, or the practice of engineering as defined in subdivision 3.~~

3.12 **Sec. 2. EXCEPTION FOR CERTAIN ESTABLISHED APPLICANTS.**

3.13 For applications for licensure received up to one year after the effective date  
 3.14 of section 1, the Board of Architecture, Engineering, Land Surveying, Landscape  
 3.15 Architecture, Geoscience, and Interior Design shall issue a certificate of licensure as a  
 3.16 licensed interior designer to any applicant submitting evidence to the board of a current  
 3.17 certificate in good standing for certified interior designer. Applicants seeking licensure  
 3.18 under this exemption must pay a onetime fee of \$150.

3.19 **Sec. 3. REVISOR'S INSTRUCTION.**

3.20 (a) The revisor of statutes shall change the term "certified" or similar terms to  
 3.21 "licensed" or similar terms wherever they appear in Minnesota Statutes and Minnesota  
 3.22 Rules, where it is clear by its context that the terms refer to licensed interior design  
 3.23 regulated under Minnesota Statutes, chapter 326. The revisor shall make changes  
 3.24 consistent with this act, and consistent with the licensed practices under Minnesota  
 3.25 Statutes, chapter 326, to replace references to the title of certified interior design to  
 3.26 the practice of licensed interior design. The Board of Architecture, Engineering, Land  
 3.27 Surveying, Landscape Architecture, Geoscience, and Interior Design shall assist the revisor  
 3.28 in making these changes, if needed. The revisor may make changes necessary to correct  
 3.29 the punctuation, grammar, or structure of the remaining text and preserve its meaning.  
 3.30 (b) In each section of Minnesota Statutes or Minnesota Rules referred to in column  
 3.31 A, the revisor of statutes shall delete the reference in column B and insert the reference  
 3.32 in column C.

4.1	<u>Column A</u>	<u>Column B</u>	<u>Column C</u>
4.2	<u>326.03, subd. 4</u>	" <u>architect, engineer, land surveyor, landscape architect, or geoscientist</u> "	" <u>architect, engineer, land surveyor, landscape architect, licensed interior designer, or geoscientist</u> "
4.3			
4.4			
4.5			
4.6	<u>1800.0900, subp. 6</u>		
4.7			
4.8	<u>1800.4200, subp. 3</u>	" <u>applicants as an architect, a professional engineer, a land surveyor, landscape architect, professional geologist, or professional soil scientist</u> "	" <u>the following applicants: architect, professional engineer, land surveyor, landscape architect, licensed interior designer, professional geologist, and professional soil scientist</u> "
4.9			
4.10			
4.11			
4.12			
4.13			
4.14			
4.15	<u>1800.4300</u>	" <u>licensed architect, licensed professional engineer, licensed land surveyor, licensed professional landscape architect, licensed professional geologist, or licensed professional soil scientist</u> "	" <u>licensed architect, licensed professional engineer, licensed land surveyor, licensed professional landscape architect, licensed interior designer, licensed professional geologist, or licensed professional soil scientist</u> "
4.16			
4.17			
4.18			
4.19			
4.20			
4.21			
4.22			
4.23			
4.24	<u>1800.5200</u>	" <u>architect or engineer</u> "	" <u>architect, interior designer, or engineer</u> "
4.25			
4.26	<u>1800.5400</u>	" <u>licensed architect or engineer</u> "	" <u>licensed architect, licensed interior designer, or engineer</u> "
4.27			
4.28			