

SENATE BILL 332

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2002 Regular Session
2r1489
CF 2r2585

By: **Senator Hollinger**

Introduced and read first time: January 25, 2002

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted with floor amendments

Read second time: February 20, 2002

CHAPTER _____

1 AN ACT concerning

2 **Business Occupations and Professions - Certified Interior Designers - Seal**

3 FOR the purpose of authorizing the State Board of Certified Interior Designers to
4 deny a certificate to any applicant, reprimand any certificate holder, or suspend
5 or revoke a certificate if the applicant or certificate holder signs or seals certain
6 documents under certain circumstances; requiring certified interior designers to
7 endorse certain interior design documents with a seal, signature, and the date;
8 ~~prohibiting a public authority from accepting any interior design documents~~
9 ~~that are not endorsed with a seal, signature, and the date;~~ requiring certified
10 interior designers to obtain a seal; requiring the State Board to design the seal;
11 requiring the seal to include certain information; and generally relating to a seal
12 for certified interior designers.

13 BY repealing and reenacting, with amendments,
14 Article - Business Occupations and Professions
15 Section 8-310
16 Annotated Code of Maryland
17 (2000 Replacement Volume and 2001 Supplement)

18 BY adding to
19 Article - Business Occupations and Professions
20 Section 8-403 and 8-404
21 Annotated Code of Maryland
22 (2000 Replacement Volume and 2001 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
24 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - Business Occupations and Professions**

2 8-310.

3 (a) (1) Subject to the hearing provisions of § 8-312 of this subtitle, the Board
4 may deny a certificate to any applicant, reprimand any certificate holder, or suspend
5 or revoke a certificate if the applicant or certificate holder:

6 (i) fraudulently or deceptively obtains or renews or attempts to
7 obtain or renew a certificate for the applicant or certificate holder or for another;

8 (ii) fraudulently or deceptively uses the title "certified interior
9 designer" or the term "certified interior design services";

10 (iii) under the laws of the United States or of any state, is convicted
11 of:

12 1. a felony; or

13 2. a misdemeanor that is directly related to the fitness and
14 qualification of the applicant or certificate holder to perform certified interior design
15 services;

16 (iv) is guilty of any fraud, gross negligence, incompetence, or
17 misconduct in the use of the title "certified interior designer" or the term "certified
18 interior design services";

19 (v) SIGNS OR SEALS ANY INTERIOR DESIGN DOCUMENTS AFTER A
20 CERTIFICATE HOLDER'S CERTIFICATE EXPIRES OR HAS BEEN SUSPENDED OR
21 REVOKED BY THE BOARD;

22 (VI) knowingly violates any provision of the code of ethics that the
23 Board adopts; or

24 [(vi)] (VII) knowingly violates any provision of this title.

25 (2) (i) Instead of or in addition to reprimanding a certificate holder or
26 suspending or revoking a certificate under this subsection, the Board may impose a
27 penalty not exceeding \$5,000 for each violation.

28 (ii) To determine the amount of the penalty imposed under this
29 subsection, the Board shall consider:

30 1. the seriousness of the violation;

31 2. the harm caused by the violation;

32 3. the good faith of the certificate holder; and

33 4. any history of previous violations by the certificate holder.

1 (3) The Board shall pay any penalty collected under this subsection into
2 the General Fund of the State.

3 (b) The Board shall consider the following facts in the granting, denial,
4 renewal, suspension, or revocation of a certificate or the reprimand of a certificate
5 holder when an applicant or certificate holder is convicted of a felony or misdemeanor
6 described in subsection (a)(1)(iii) of this section:

7 (1) the nature of the crime;

8 (2) the relationship of the crime to the activities authorized by the
9 certificate;

10 (3) with respect to a felony, the relevance of the conviction to the fitness
11 and qualification of the applicant or licensee to perform interior design services;

12 (4) the length of time since the conviction; and

13 (5) the behavior and activities of the applicant or certificate holder
14 before and after the conviction.

15 8-403.

16 (A) ~~(+)~~ BEFORE A CERTIFIED INTERIOR DESIGNER ISSUES TO A CLIENT OR
17 SUBMITS TO A PUBLIC AUTHORITY ANY INTERIOR DESIGN DOCUMENT, INCLUDING
18 DRAWINGS, PLANS, SCHEDULES, REPORTS, OR SPECIFICATIONS, THE CERTIFIED
19 INTERIOR DESIGNER WHO PREPARED OR APPROVED THE DOCUMENT SHALL SIGN,
20 SEAL, AND DATE THE DOCUMENT.

21 ~~(+)~~ (B) ANY INTERIOR DESIGN DOCUMENT ISSUED OR SUBMITTED AS
22 DESCRIBED IN THIS SUBSECTION SHALL BE IDENTIFIED AS THE INTERIOR DESIGN
23 DOCUMENT.

24 ~~(B)~~ ~~A PUBLIC AUTHORITY MAY NOT ACCEPT ANY INTERIOR DESIGN~~
25 ~~DOCUMENT DESCRIBED IN THIS SECTION UNLESS THE DOCUMENT IS ENDORSED AS~~
26 ~~REQUIRED UNDER SUBSECTION (A) OF THIS SECTION.~~

27 8-404.

28 (A) EACH CERTIFIED INTERIOR DESIGNER SHALL OBTAIN A SEAL FOR USE AS
29 REQUIRED UNDER § 8-403 OF THIS SUBTITLE.

30 (B) THE SEAL SHALL:

31 (1) BE OF A DESIGN DETERMINED BY THE BOARD; AND

32 (2) INCLUDE:

33 (I) THE LEGEND "CERTIFIED INTERIOR DESIGNER"; AND

1 (II) THE NAME OF THE CERTIFIED INTERIOR DESIGNER WHO
2 HOLDS THE SEAL.

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2002.