

HOUSE BILL 1168

C2

9lr2729

By: **Delegate Manno**

Introduced and read first time: February 13, 2009

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Interior Designers - Licensing**

3 FOR the purpose of establishing requirements for the licensing of interior designers;
4 altering the name of the State Board of Certified Interior Designers to the State
5 Board of Interior Designers; requiring the Board to waive certain requirements
6 for licensing of certain individuals under certain circumstances; providing for
7 the scope of a license to practice interior design; requiring certain members of
8 the Board to be licensed interior designers; providing for the issuance, renewal,
9 and reinstatement of certain licenses; requiring individuals to be licensed before
10 certain individuals may practice interior design; establishing certain grounds
11 for the denial, suspension, or revocation of certain licenses by the Board;
12 prohibiting certain individuals from engaging in certain actions or making
13 certain representations in the State or using certain titles unless licensed by the
14 Board; providing that certain individuals who were certified by the State Board
15 of Certified Interior Designers as certified interior designers on or before a
16 certain date qualify for a certain license under certain circumstances; defining
17 certain terms; altering a certain definition; repealing certain definitions; and
18 generally relating to the licensing of interior designers in the State.

19 BY repealing and reenacting, with amendments,
20 Article – Business Occupations and Professions
21 Section 8–101 through 8–103; 8–201, 8–202, 8–206, 8–206.1, and 8–207 to be
22 under the amended subtitle “Subtitle 2. State Board of Interior
23 Designers”; 8–301 through 8–310 to be under the amended subtitle
24 “Subtitle 3. Licensing”; 8–401 through 8–404, 8–501, 8–502, and 8–601
25 Annotated Code of Maryland
26 (2004 Replacement Volume and 2008 Supplement)

27 BY adding to
28 Article – Business Occupations and Professions
29 Section 8–102 and 8–501

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2004 Replacement Volume and 2008 Supplement)

3 BY repealing and reenacting, without amendments,
4 Article – State Government
5 Section 8–403(a)
6 Annotated Code of Maryland
7 (2004 Replacement Volume and 2008 Supplement)

8 BY repealing and reenacting, with amendments,
9 Article – State Government
10 Section 8–403(b)(32)
11 Annotated Code of Maryland
12 (2004 Replacement Volume and 2008 Supplement)

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

15 **Article – Business Occupations and Professions**

16 8–101.

17 (a) In this title the following words have the meanings indicated.

18 (b) “Board” means the State Board of [Certified] Interior Designers.

19 [(c) “Certificate” means a certificate issued by the Board to use the title
20 “certified interior designer”.

21 (d) “Certificate fee” means, as applicable, the fee paid in connection with the
22 issuance and renewal of a certificate and issuance of a reciprocal certificate.

23 (e) “Certified interior design services” means interior design services
24 provided by a certified interior designer.

25 (f) “Certified interior designer” means an interior designer who is certified
26 by the Board.]

27 [(g)] (C) “Design coordination” means the review and coordination of
28 services provided by individuals licensed or certified under Titles 3, 8, 9, 14, and 15 of
29 this article.

30 (D) **“INTERIOR DESIGNER” MEANS AN INDIVIDUAL WHO PRACTICES**
31 **INTERIOR DESIGN.**

32 (E) **“LICENSE” MEANS, UNLESS THE CONTEXT REQUIRES OTHERWISE, A**
33 **LICENSE ISSUED BY THE BOARD TO PRACTICE INTERIOR DESIGN.**

1 **(F) “LICENSED INTERIOR DESIGNER” MEANS, UNLESS THE CONTEXT**
2 **REQUIRES OTHERWISE, AN INTERIOR DESIGNER WHO IS LICENSED BY THE**
3 **BOARD TO PRACTICE INTERIOR DESIGN.**

4 [(h) “Interior design services” means rendering or offering to render services
5 for a fee or other valuable consideration, in the preparation and administration of
6 interior design documents (including drawings, schedules and specifications) which
7 pertain to the planning and design of interior spaces including furnishings, layouts,
8 fixtures, cabinetry, lighting fixtures, finishes, materials, and interior construction not
9 materially related to or materially affecting the building systems, all of which shall
10 comply with applicable laws, codes, regulations, and standards. The scope of work
11 described herein shall not be construed as authorizing the planning and design of
12 engineering and architectural interior construction as related to the building systems,
13 including structural, electrical, plumbing, heating, ventilating, air conditioning or
14 mechanical systems and shall not be construed as authorizing the practice of
15 architecture or engineering as defined in Title 3 or Title 14 of this article. The interior
16 design plans as described above are not to be construed as those architectural plans
17 which may be required to be filed with any county or municipality.]

18 **(G) (1) “PRACTICE INTERIOR DESIGN” MEANS TO PROVIDE FOR A FEE**
19 **OR OTHER VALUABLE CONSIDERATION ANY SERVICE OR CREATIVE WORK:**

20 **(I) IN PREPARATION AND ADMINISTRATION OF INTERIOR**
21 **DESIGN DOCUMENTS, INCLUDING DRAWINGS, SCHEDULES, AND**
22 **SPECIFICATIONS, IN THE PLANNING AND DESIGN OF INTERIOR SPACES**
23 **INVOLVING:**

- 24 **1. FURNISHINGS;**
- 25 **2. LAYOUTS;**
- 26 **3. FIXTURES;**
- 27 **4. CABINETRY;**
- 28 **5. LIGHTING FIXTURES;**
- 29 **6. FINISHES;**
- 30 **7. MATERIALS; AND**
- 31 **8. INTERIOR CONSTRUCTION NOT MATERIALLY**
32 **RELATED TO OR MATERIALLY AFFECTING THE BUILDING SYSTEMS; AND**

1 (II) THAT REQUIRES EDUCATION, TRAINING, AND
2 EXPERIENCE IN INTERIOR DESIGN.

3 (2) "PRACTICE INTERIOR DESIGN" DOES NOT INCLUDE:

4 (I) THE PLANNING AND DESIGN OF ENGINEERING AND
5 ARCHITECTURAL INTERIOR CONSTRUCTION RELATED TO BUILDING SYSTEMS,
6 INCLUDING:

- 7 1. STRUCTURAL;
- 8 2. ELECTRICAL;
- 9 3. PLUMBING;
- 10 4. HEATING;
- 11 5. VENTILATING;
- 12 6. AIR CONDITIONING; OR
- 13 7. OTHER MECHANICAL SYSTEMS; OR

14 (II) THE PRACTICE OF ARCHITECTURE OR ENGINEERING AS
15 DEFINED IN TITLE 3 OR TITLE 14 OF THIS ARTICLE.

16 [(i)] (H) "Public use" means the use of a building or other structure for the
17 primary purpose of human use or habitation.

18 [(j)] (I) "Residential use" means the use of a building or other structure as
19 a dwelling.

20 **8-102.**

21 **THE PURPOSES OF THIS TITLE ARE TO SAFEGUARD LIFE, HEALTH, PUBLIC**
22 **SAFETY, AND PROPERTY AND TO PROMOTE THE PUBLIC WELFARE BY**
23 **REGULATING PERSONS WHO PROVIDE INTERIOR DESIGN SERVICES IN THE**
24 **STATE.**

25 **[8-102.] 8-103.**

26 (A) This title does not apply to:

1 (1) [a person who does not use the title “certified interior designer” on
2 any card, device, sign, stationery, or other means of identification or communication;
3 or

4 (2)] an architect licensed in this State;

5 **(2) AN INDIVIDUAL WHO PRACTICES INTERIOR DESIGN UNDER**
6 **THE SUPERVISION OF AN INDIVIDUAL ISSUED A LICENSE UNDER THIS TITLE;**

7 **(3) AN EMPLOYEE OF A RETAIL ESTABLISHMENT WHO PROVIDES**
8 **IN-STORE CONSULTATIONS WITH CUSTOMERS REGARDING INTERIOR**
9 **DECORATION OR FURNISHINGS IN FURTHERANCE OF A RETAIL SALE OR**
10 **PROSPECTIVE RETAIL SALE IF THE INDIVIDUAL DOES NOT USE THE TITLE**
11 **“INTERIOR DESIGNER”; OR**

12 **(4) AN INDIVIDUAL ENGAGED ONLY IN THE APPLICATION OF**
13 **AESTHETIC PRINCIPLES IN THE SELECTION OF FURNISHINGS, MATERIALS, AND**
14 **APPLIANCES IF THE INDIVIDUAL DOES NOT USE THE TITLE “INTERIOR**
15 **DESIGNER”.**

16 **(B) ALL INTERIOR DESIGN PLANS PREPARED AND ADMINISTERED**
17 **UNDER THIS TITLE MAY NOT BE CONSTRUED AS ARCHITECTURAL PLANS THAT**
18 **MAY REQUIRE FILING WITH A COUNTY OR MUNICIPALITY.**

19 [8-103.] **8-104.**

20 **(A) WHILE A LICENSE IS IN EFFECT, IT AUTHORIZES A LICENSEE TO**
21 **PRACTICE INTERIOR DESIGN.**

22 [(a)] **(B)** A [certified] **LICENSED** interior designer may [render or offer to
23 render interior design services described in § 8-101 of this subtitle provided that
24 services pertain to] **PRACTICE INTERIOR DESIGN RELATING TO SPACES IN** a
25 building or other structure that is intended for public use or residential use.

26 [(b)] **(C)** A [certified] **LICENSED** interior designer may perform design
27 coordination for a project or portion of a project provided that the [certified]
28 **LICENSED** interior designer:

29 (1) holds a current [certificate] **LICENSE** issued by the Board; and

30 (2) has adequate experience in, and understanding of, achieving the
31 purpose of the project or portion of the project being coordinated.

32 Subtitle 2. State Board of [Certified] Interior Designers.

1 8-201.

2 There is a State Board of [Certified] Interior Designers in the Department.

3 8-202.

4 (a) (1) The Board consists of 7 members.

5 (2) Of the 7 members of the Board:

6 (i) 5 shall be [certified] **LICENSED** interior designers;

7 (ii) 1 shall be an architect licensed by the State Board of
8 Architects who provides interior design services; and

9 (iii) 1 shall be a consumer member.

10 (3) The Governor shall appoint the members of the Board with the
11 advice of the Secretary and the advice and consent of the Senate.

12 (b) Each member of the Board shall be a resident and citizen of the State.

13 (c) Each interior designer member shall have provided interior design
14 services for at least 5 years immediately before appointment.

15 (d) The architect member shall have practiced in the State for at least 5
16 years immediately before appointment.

17 (e) The consumer member of the Board:

18 (1) shall be a member of the general public;

19 (2) may not be a [certified] **LICENSED** interior designer or otherwise
20 be subject to regulation by the Board;

21 (3) may not be required to meet the qualifications for the professional
22 members of the Board; and

23 (4) may not, within 1 year before appointment, have had a financial
24 interest in or have received compensation from an individual regulated by the Board.

25 (f) While a member of the Board, the consumer member may not:

26 (1) have a financial interest in or receive compensation from an
27 individual regulated by the Board; or

28 (2) grade any examination given by or for the Board.

1 (g) Before taking office, each appointee to the Board shall take the oath
2 required by Article I, § 9 of the Maryland Constitution.

3 (h) (1) The term of a member is 3 years and begins on July 1.

4 (2) The terms of members are staggered as required by the terms
5 provided for members of the Board on July 1, 1991.

6 (3) At the end of a term, a member continues to serve until a successor
7 is appointed and qualifies.

8 (4) A member who is appointed after a term has begun serves only for
9 the rest of the term and until a successor is appointed and qualifies.

10 (i) A member of the Board may not be held personally liable for any actions
11 taken or decisions made in good faith as a member of the Board.

12 (j) The Governor may remove a member for incompetence or misconduct.

13 8-206.

14 (a) In addition to the powers set forth elsewhere, the Board may adopt
15 regulations to carry out this title.

16 (b) In addition to any duties set forth elsewhere, the Board shall:

17 (1) keep a record of its proceedings; and

18 (2) adopt, by regulation, a code of ethics for [certified] **LICENSED**
19 interior designers.

20 8-206.1.

21 (a) In this section, “code official” means a public official responsible for the
22 review of building permit documents or the issuance of building permits.

23 (b) The Board shall:

24 (1) keep a list of the names and mailing addresses of all [certificate
25 holders] **LICENSEES**;

26 (2) provide each code official with a copy of the list annually; and

27 (3) provide any other person who makes a request with a copy of the
28 list at a reasonable fee set by the Board.

1 (c) (1) The Board shall provide all [certificate holders] **LICENSEES** and
2 code officials with a periodic newsletter not less than semiannually on the activities of
3 the Board.

4 (2) The Board shall publish, on the Department website, the
5 newsletter jointly with the State Board for Professional Engineers, the State Board of
6 Architects, the State Board of Examiners of Landscape Architects, and the State
7 Board for Professional Land Surveyors.

8 (d) The Board shall distribute:

9 (1) to each applicant for a [certificate] **LICENSE** and each code official,
10 a copy of the Maryland [Certified] Interior Designers Act and the Board's rules and
11 regulations;

12 (2) on each renewal of a [certificate] **LICENSE**, to each [certificate
13 holder] **LICENSEE**, a copy of any amendments to the Maryland [Certified] Interior
14 Designers Act and the Board's rules and regulations that took effect during the 2-year
15 period ending on the date of renewal; and

16 (3) to each code official, a copy of any amendments to the Maryland
17 [Certified] Interior Designers Act and the Board's rules and regulations.

18 (e) A [certificate holder] **LICENSEE** shall designate the [certificate holder's]
19 **LICENSEE'S** mailing address at the time of issuance of the [certificate] **LICENSE** and
20 on each renewal of the [certificate] **LICENSE**.

21 8-207.

22 (a) (1) The Board may set reasonable fees for its services.

23 (2) The fees charged shall be set so as to produce funds to approximate
24 the cost of maintaining the Board and shall be based on the calculations performed by
25 the Secretary under § 2-106.2 of the Business Regulation Article.

26 (b) The Board shall publish the fee schedule set by the Board by regulation.

27 (c) (1) The Board shall pay all fees collected under this title to the
28 Comptroller of the State.

29 (2) The Comptroller shall distribute the fees to the State Occupational
30 and Professional Licensing Design Boards' Fund established in § 2-106.1 of the
31 Business Regulation Article.

32 (d) The Board shall publish annually a list including the name and address
33 of each individual:

1 (1) who has been [certified] **LICENSED**; or

2 (2) whose [certification] **LICENSE** has been suspended or revoked
3 within 3 years before the publication.

4 Subtitle 3. [Certification.] **LICENSING**.

5 8–301.

6 Except as otherwise provided in this title, an individual shall be [certified]
7 **LICENSED** by the Board before the individual may [use the title “certified interior
8 designer” or the term “certified interior design services”] **PRACTICE INTERIOR
9 DESIGN**.

10 8–302.

11 (a) To qualify for a [certificate] **LICENSE**, an applicant shall be an individual
12 who meets the requirements of this section.

13 (b) The applicant shall be of good character and reputation.

14 (c) The applicant shall be at least 18 years old.

15 (d) The applicant shall:

16 (1) file an application and pay a nonrefundable application fee in
17 accordance with § 8–303 of this subtitle;

18 (2) have satisfied education and experience requirements necessary to
19 qualify for the National Council of Interior Design Qualification Examination[, or its
20 equivalent, as determined by the Board]; and

21 (3) have passed the National Council of Interior Design Qualification
22 Examination[, or its equivalent].

23 8–303.

24 An applicant for a [certificate] **LICENSE** shall:

25 (1) submit an application to the Board on the form that the Board
26 provides; and

27 (2) pay to the Board or the Board’s designee a nonrefundable
28 application fee set by the Board.

29 8–304.

1 (a) Subject to the provisions of this section, the Board may waive any
2 examination requirement of this subtitle for an individual who is licensed or certified
3 as an interior designer in another state.

4 (b) The Board may grant a waiver under this section only if the applicant:

5 (1) pays to the Board:

6 (i) the nonrefundable application fee set by the Board; and

7 (ii) the [certificate] LICENSE fee set by the Board; and

8 (2) provides adequate evidence that the applicant:

9 (i) meets the qualifications otherwise required by this subtitle;
10 and

11 (ii) became licensed or certified in the other state after meeting
12 qualifications that are substantially equivalent to those required for a certificate in
13 this State.

14 (c) The Board may grant a waiver under this section only if the state in
15 which the applicant is licensed or certified waives the examination of [certified]
16 LICENSED interior designers of this State to a similar extent as this State waives the
17 examination requirements for individuals licensed or certified in that state.

18 8-305.

19 (A) IF AN APPLICANT QUALIFIES FOR A LICENSE UNDER THIS SUBTITLE,
20 THE BOARD SHALL SEND THE APPLICANT A NOTICE THAT STATES THAT:

21 (1) THE APPLICANT HAS QUALIFIED FOR A LICENSE; AND

22 (2) ON RECEIPT OF A LICENSE FEE SET BY THE BOARD, THE
23 BOARD WILL ISSUE A LICENSE TO THE APPLICANT.

24 (B) On payment of the [certificate] LICENSE fee [set by the Board], the
25 Board shall issue a [certificate] LICENSE to each applicant who meets:

26 (1) the requirements [of this subtitle] for a [certificate] LICENSE
27 THROUGH EXAMINATION UNDER § 8-302 OF THIS SUBTITLE; AND

28 (2) THE REQUIREMENTS FOR A LICENSE THROUGH RECIPROCITY
29 UNDER § 8-304 OF THIS SUBTITLE.

30 8-306.

1 While a [certificate] **LICENSE** is in effect, it authorizes the [certificate holder to
2 use the title “certified interior designer” or the term “certified interior design
3 services”] **LICENSEE TO PRACTICE INTERIOR DESIGN**.

4 8–307.

5 (a) Unless a [certificate] **LICENSE** is renewed for a 2–year term as provided
6 in this section, a [certificate] **LICENSE** expires on the first June 30 that comes:

7 (1) after the effective date of the [certificate] **LICENSE**; and

8 (2) in an even–numbered year.

9 (b) At least 30 days before the [certificate] **LICENSE** expires, the Board shall
10 mail to the [certificate holder] **LICENSEE**, at the last known address of the [certificate
11 holder] **LICENSEE**:

12 (1) a renewal application form;

13 (2) a notice that states:

14 (i) the date on which the current [certificate] **LICENSE** expires;
15 and

16 (ii) the date by which the Board must receive the renewal
17 application for the renewal to be issued and mailed before the [certificate] **LICENSE**
18 expires; and

19 (3) the amount of the [certificate] **LICENSE** fee.

20 (c) Before the [certificate] **LICENSE** expires, the [certificate holder]
21 **LICENSEE** periodically may renew it for an additional 2–year term, if the [certificate
22 holder] **LICENSEE**:

23 (1) otherwise is entitled to be [certified] **LICENSED**;

24 (2) pays to the Board a [certificate] **LICENSE** fee set by the Board;

25 (3) submits to the Board a renewal application on the form that the
26 Board provides; and

27 (4) submits to the Board any documentation required by the Board to
28 verify that the [certificate holder] **LICENSEE** has complied with the continuing
29 education requirements under § 8–308 of this subtitle.

1 (d) The Board shall renew the [certificate] **LICENSE** of each [certificate
2 holder] **LICENSEE** who meets the requirements of this section.

3 (e) The Secretary may determine that [certificates] **LICENSES** issued under
4 this subtitle shall expire on a staggered basis.

5 8–308.

6 (a) (1) To qualify for renewal of a [certificate] **LICENSE** under this
7 subtitle, a [certificate holder] **LICENSEE** shall earn during each 2–year [certificate]
8 **LICENSE** term at least one continuing education unit in two or more courses that the
9 Board approves.

10 (2) A continuing education unit consists of 10 hours of study.

11 (b) A [certificate holder] **LICENSEE** who is granted a [certificate] **LICENSE**
12 during the second year of a [certificate] **LICENSE** term may renew the [certificate]
13 **LICENSE** for the next full term if the [certificate holder] **LICENSEE** earns at least
14 one–half of a continuing education unit in one or more courses that the Board
15 approves.

16 8–309.

17 The Board shall reinstate the [certificate] **LICENSE** of an interior designer who
18 has failed to renew the [certificate] **LICENSE** for any reason if the interior designer:

19 (1) meets the renewal requirements under § 8–307 of this subtitle;

20 (2) pays to the Board the reinstatement fee as set by the Board;

21 (3) submits to the Board a reinstatement application on the form that
22 the Board provides; and

23 (4) earns two continuing education units in courses approved by the
24 Board in a 2–year period immediately preceding the request for reinstatement.

25 8–310.

26 (a) (1) Subject to the hearing provisions of § 8–312 of this subtitle, the
27 Board may deny a [certificate] **LICENSE** to any applicant, reprimand any [certificate
28 holder] **LICENSEE**, or suspend or revoke a [certificate] **LICENSE** if the applicant or
29 [certificate holder] **LICENSEE**:

30 (i) fraudulently or deceptively obtains or renews or attempts to
31 obtain or renew a [certificate] **LICENSE** for the applicant or [certificate holder]
32 **LICENSEE** or for another;

1 (ii) [fraudulently or deceptively uses the title “certified interior
2 designer” or the term “certified interior design services”]; **FRAUDULENTLY OR
3 DECEPTIVELY USES A LICENSE;**

4 (iii) **IS GUILTY OF ANY FRAUD, GROSS NEGLIGENCE,
5 INCOMPETENCE, OR MISCONDUCT WHILE PRACTICING INTERIOR DESIGN;**

6 (iv) **AIDS OR ABETS AN UNAUTHORIZED PERSON TO
7 PRACTICE INTERIOR DESIGN;**

8 [(iii)] (v) under the laws of the United States or of any state, is
9 convicted of:

10 1. a felony; or

11 2. a misdemeanor that is directly related to the fitness
12 and qualification of the applicant or [certificate holder] **LICENSEE** to [perform
13 certified] **PRACTICE** interior design [services];

14 [(iv)] is guilty of any fraud, gross negligence, incompetence, or
15 misconduct in the use of the title “certified interior designer” or the term “certified
16 interior design services”];

17 [(v)] (vi) signs or seals any interior design documents after a
18 [certificate holder’s certificate] **LICENSEE’S LICENSE** expires or has been suspended
19 or revoked by the Board;

20 (vii) **HAS HAD A LICENSE TO PRACTICE INTERIOR DESIGN IN
21 ANOTHER STATE REVOKED OR SUSPENDED FOR GROUNDS THAT WOULD
22 JUSTIFY REVOCATION OR SUSPENSION OF A LICENSE UNDER THIS TITLE,
23 EXCEPT FOR FAILURE TO PAY A LICENSE FEE;**

24 [(vi)] (viii) violates any regulation that the Board adopts; or

25 [(vii)] (ix) violates any provision of this title.

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

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

31 1. the seriousness of the violation;

1 (a) Before a [certified] **LICENSED** interior designer issues to a client or
2 submits to a public authority any interior design document, including drawings, plans,
3 schedules, reports, or specifications, the [certified] **LICENSED** interior designer who
4 prepared or approved the document shall sign, seal, and date the document.

5 (b) Any interior design document issued or submitted as described in
6 subsection (a) of this section shall be identified as the interior design document.

7 ~~8-404.~~

8 (a) Each [certified] **LICENSED** interior designer shall obtain a seal for use as
9 required under § 8-403 of this subtitle.

10 (b) The seal shall:

11 (1) be of a design determined by the Board; and

12 (2) include:

13 (i) the legend “[certified] **LICENSED** interior designer”; and

14 (ii) the name of the [certified] **LICENSED** interior designer who
15 holds the seal.

16 ~~8-501.~~

17 **EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, A PERSON MAY NOT**
18 **PRACTICE, ATTEMPT TO PRACTICE, OR OFFER TO PRACTICE INTERIOR DESIGN**
19 **IN THE STATE UNLESS LICENSED BY THE BOARD.**

20 ~~[8-501.] 8-502.~~

21 (A) [Except as otherwise provided in] **UNLESS AUTHORIZED UNDER** this
22 title **TO PRACTICE INTERIOR DESIGN**, a person may not **REPRESENT TO THE**
23 **PUBLIC, BY** use [the] **OF A** title, **INCLUDING** [“certified interior” **“INTERIOR**
24 **designer”** [or the term “certified interior design services” unless certified by the
25 Board], **“LICENSED INTERIOR DESIGNER”, OR “REGISTERED INTERIOR**
26 **DESIGNER”, BY DESCRIPTION OF SERVICES, METHODS, OR PROCEDURES, OR**
27 **OTHERWISE, THAT THE PERSON IS AUTHORIZED TO PRACTICE INTERIOR DESIGN**
28 **IN THE STATE.**

29 (B) **EXCEPT AS OTHERWISE PROVIDED IN THIS TITLE, A FIRM,**
30 **PARTNERSHIP, ASSOCIATION, OR CORPORATION MAY NOT PRACTICE INTERIOR**
31 **DESIGN OR REPRESENT TO THE PUBLIC, BY USE OF A NAME, INCLUDING**
32 **“INTERIOR DESIGN”, “INTERIOR DESIGNERS”, OR “INTERIOR DESIGN**
33 **SERVICES”, BY DESCRIPTION OF SERVICES, METHODS, OR PROCEDURES, OR**

1 **OTHERWISE, UNLESS THE INTERIOR DESIGN PRACTICED BY THE PERSON IS**
2 **PRACTICED BY AN INDIVIDUAL LICENSED TO PRACTICE INTERIOR DESIGN**
3 **UNDER THIS TITLE.**

4 **[8-502.] 8-503.**

5 (a) A person who violates [§ 8-501] **ANY PROVISION** of this subtitle is guilty
6 of a misdemeanor and on conviction is subject to a fine not exceeding \$1,000.

7 (b) (1) The Board may impose on a person who violates [§ 8-501] **ANY**
8 **PROVISION** of this subtitle a penalty not exceeding \$5,000 for each violation.

9 (2) In setting the amount of the penalty, the Board shall consider:

10 (i) the seriousness of the violation;

11 (ii) the harm caused by the violation;

12 (iii) the good faith of the violator;

13 (iv) any history of previous violations by the violator; and

14 (v) any other relevant factors.

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

17 8-601.

18 This title may be cited as the “Maryland [Certified] Interior Designers Act”.

19 **Article – State Government**

20 8-403.

21 (a) On or before December 15 of the 2nd year before the evaluation date of a
22 governmental activity or unit, the Legislative Policy Committee, based on a
23 preliminary evaluation, may waive as unnecessary the evaluation required under this
24 section.

25 (b) Except as otherwise provided in subsection (a) of this section, on or before
26 the evaluation date for the following governmental activities or units, an evaluation
27 shall be made of the following governmental activities or units and the statutes and
28 regulations that relate to the governmental activities or units:

29 (32) Interior Designers, State Board of [Certified] (§ 8-201 of the
30 Business Occupations and Professions Article: July 1, 2013);

1 SECTION 2. AND BE IT FURTHER ENACTED, That an individual who
2 provided interior design services and was certified by the State Board of Certified
3 Interior Designers on or before October 1, 2008, shall qualify for the license issued by
4 the State Board of Interior Designers without meeting the education and examination
5 requirements of Title 8, Subtitle 3 of the Business Occupations and Professions Article
6 if the individual presents adequate evidence of the individual's certification to the
7 Board.

8 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2009.