
Wisconsin Legislative Council

AMENDMENT MEMO



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2021 Senate Bill 334

Senate Substitute Amendment 1

2021 SENATE BILL 334

Very generally, 2021 Senate Bill 344 does all of the following related to the practice of interior design:

- Requires a person to pass an interior design examination administered by an organization approved by the Department of Safety and Professional Services (DSPS) in order to be granted an initial certificate of registration as an interior designer by DSPS.
- Eliminates several requirements for obtaining an initial registration as an interior designer, including the requirement under current law to complete an interior design education program of a certain length-of-time and have certain amounts of practical experience in interior design.
- Makes various changes to the scope of practice of interior design.
- Requires DSPS to promulgate rules establishing specifications for interior design seals and stamps and requires a registered interior designer to impress the seal or stamp on certain documents prepared by the interior designer.

SENATE SUBSTITUTE AMENDMENT 1

Changes made to the bill by Senate Substitute Amendment 1 may be categorized in the following five categories: (1) DSPS examining board section and statutory placement; (2) the scope of practice of interior design; (3) certificate of authorization for an interior design firm, partnership, or corporation; (4) registration and other requirements for an interior design firm, partnership, or corporation; and (5) continuing education requirements for interior designers. The provisions of the substitute amendment are described in greater detail below, organized in these five categories.

DSPS Examining Board Section and Statutory Placement

The substitute amendment changes where in the statutes, the current statutory language regarding registered interior designers is codified. Specifically, the substitute amendment moves these provisions from [ch. 440, subch. X, Stats.](#), the subchapter relating to interior designers, to [ch. 443, Stats.](#), the statutory chapter for the Examining Board of Architects, Landscape Architects, Professional Engineers, and Professional Land Surveyors (examining board). The substitute amendment then adds a new section to the examining board specifically for registered interior designers and adds three registered designers and two public members to the membership of the board, which is consistent with the membership of the other sections of the examining board.

The substitute amendment generally retains current law governing the practice of interior design, and the provisions of the bill that relate to initial registration of interior designers, but the substitute amendment transfers the authority to register interior designers and to promulgate administrative rules from DSPS to the new registered interior designers section of the Examining Board of Architects,

Landscape Architects, Professional Engineers, Professional Land Surveyors, and Registered Interior Designers.

The substitute amendment explicitly allows the new interior designer section of the board to reprimand and registered interior designers and limit, suspend, or revoke a registration, including for any gross negligence or misconduct, or any gross incompetence, in the practice of interior design. The amendment also explicitly exempts registered interior designers from certain application requirements of other professions regulated by the board, including personal reference requirements.

Scope of Practice of Interior Design

The substitute amendment incorporates many of the substantive changes to laws relating to registered interior designers from the bill. However, the amendment differs from the bill in the following respects as it relates to the scope of the practice of interior design:

- The amendment replaces the statutory term “interior design” with the term “practice of interior design,” and makes the following two revisions related to what is included in the practice of interior design: (1) the preparation of documents egress plans “that require no increase in the number of exterior or fire stair exists”; and (2) the preparation of documents and interior technical submissions relating to interior construction.
- Specifies that the practice of interior design does not include “services that constitute the practice of architecture or the practice of professional engineering,” which is consistent with current law. The bill amended this provision to say that interior design did not include “services that constitute the practice of professional engineering.”
- Modifies and generally expands the list of activities that the bill states are expressly not included within the “practice of interior design.” Specifically, the substitute amendment provides that all of the following are **not** included in the practice of interior design:
 - Services that constitute the practice of architecture or the practice of professional engineering.
 - Altering or affecting the structural system of a building, including changing the building’s live or dead load on the structural system.
 - Changes to the building envelope, including exterior walls, exterior wall coverings, exterior wall openings, exterior windows and doors, architectural trim, balconies and similar projections, bay and oriel windows, roof assemblies and rooftop structures, and glass and glazing for exterior use in both vertical and sloped applications in buildings and structures.
 - Altering or affecting the mechanical, plumbing, heating, air conditioning, ventilation, electrical, vertical transportation, fire sprinkler, or fire alarm systems.
 - Changes beyond the exit access component of a means of egress system.
 - Construction that materially affects life safety systems pertaining to fire safety or the fire protection of structural elements, or alterations to smoke evacuation and compartmentalization systems or to fire-rated vertical shafts in multistory structures.
 - Changes of use to an occupancy of greater hazard as determined by the International Building Code.
 - Changes to the construction classification of the building or structure according to the International Building Code.

- For purposes of defining what the five categories of changes or alterations that are permissible “interior alteration or construction projects,” replaces the term “interior office furniture” with the term “interior furnishings.”
- Modifies the definition of “interior technical submission” from providing that an interior technical submission “**is** signed and sealed by a Wisconsin registered interior designer” to “**may be** signed and sealed by a Wisconsin registered interior designer.”

Interior Design Firm, Partnership, or Corporation Certificate of Authorization

With certain limited exceptions, the substitute amendment creates a new requirement that an interior design firm, partnership, or corporation must receive a certificate of authorization. Specifically, the substitute amendment requires that an interior design firm, partnership, or corporation desiring a certificate of authorization shall submit an application to DSPS listing the names and addresses of all officers and directors and all individuals in its employment registered to practice interior design in Wisconsin who will be in responsible charge of interior design being practiced through the firm, partnership, or corporation and other relevant information required by the registered interior designer section of the examining board. The interior design section of the examining board must grant a certificate of authorization upon payment of the initial credential fee.

The renewal date for an interior design firm, partnership, or corporation certificate of authorization is February 1 of each even-numbered year.

Interior Design Firm, Partnership, or Corporation Registration and Other Requirements

The substitute amendment prohibits a Wisconsin registered interior designer to practice or offer to practice interior design as a principal, officer, employee, or agent of a firm, partnership, or corporation unless both of the following are satisfied:

- All personnel who practice or offer to practice in its behalf as Wisconsin registered interior designers are registered, as required under the substitute amendment.
- The firm, partnership, or corporation has been issued a certificate of authorization.

With certain limited exceptions, the substitute amendment provides that all final drawings, specifications, plans, reports, or other interior design papers or documents involving the practice of interior design, prepared for the use of a firm, partnership, or corporation, for delivery by it to any person, or for public record within the state, shall be dated and bear the signature and seal of the Wisconsin registered interior designer who was in charge of their preparation.

Continuing Education for Registered Interior Designers

Under current law, DSPS has promulgated administrative rules that require a registered interior designer to attend and successfully complete at least nine hours of an approved continuing education program before each registration renewal date.

The substitute amendment creates a statute that requires the new registered interior designer section of the examining board to promulgate rules that require a registered interior designer to complete at least 15 hours of continuing education before each two-year renewal date, with at least 10 of the 15 hours in subjects related to the practice of interior design which safeguard the public’s health, safety, and welfare.

BILL HISTORY

Senate Substitute Amendment 1 was introduced on February 15, 2022, by Senator Kooyenga. On February 22, 2022, the Senate adopted the substitute amendment, and passed the bill as amended, on voice votes.

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