



2021 ASSEMBLY BILL 320

May 7, 2021 - Introduced by Representatives HORLACHER, STUBBS, BROOKS, CABRAL-GUEVARA, DITTRICH, GUNDRUM, HINTZ, HONG, KRUG, KUGLITSCH, LOUDENBECK, MACCO, MAGNAFICI, NEYLON, SKOWRONSKI, SORTWELL, VRUWINK, WICHGERS and TITTL, cosponsored by Senators KOOYENGA, JOHNSON, STROEBEL, CARPENTER, MARKLEIN and ROYS. Referred to Committee on Regulatory Licensing Reform.

AN ACT to repeal 440.962 (1) (a), 440.962 (1) (b), 440.962 (1) (c), 440.962 (1) (d) and 440.964; **to renumber** 440.96 (2); **to renumber and amend** 440.96 (1); **to amend** 440.965; and **to create** 440.96 (1g), 440.96 (1r) (b) 2., 440.96 (3), 440.962 (1) (am), 440.968 (1) (e), 440.9693 and 440.9696 of the statutes; **relating to:** registration and the scope of practice of interior designers and granting rule-making authority.

Analysis by the Legislative Reference Bureau

This bill makes the following changes to the registration and practice of interior designers:

1. Requires a person to pass an interior design examination administered by an organization approved by the Department of Safety and Professional Services in order to be granted an initial certificate of registration as an interior designer by DSPS. Under current law, a person must pass an interior design examination administered by a national organization that establishes standards for the interior design profession and that is recognized by DSPS or an examination conducted or approved by DSPS that is substantially similar.
2. Eliminates several requirements for obtaining an initial registration as an

ASSEMBLY BILL 320

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.

3. Makes various changes to the scope of interior design.

4. 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.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 440.96 (1) of the statutes is renumbered 440.96 (1r) (a) and amended to read:

440.96 (1r) (a) “Interior design” means the design of interior spaces as a part of an interior alteration or construction project in conformity with public health, safety and welfare requirements, including the preparation of documents relating to building code descriptions, egress plans, space planning, finish materials, furnishings, fixtures, and equipment and the preparation of ~~documents~~ interior technical submissions relating to interior construction that does not ~~substantially~~ affect the mechanical or structural systems of a building.

(b) “Interior design” does not include ~~services~~ any of the following:

1. Services that constitute ~~the practice of architecture or~~ the practice of professional engineering.

SECTION 2. 440.96 (1g) of the statutes is created to read:

440.96 (1g) “Interior alteration or construction project” means a project for an interior space or area within a proposed or existing building or structure, including

ASSEMBLY BILL 320**SECTION 2**

construction, modification, renovation, rehabilitation, or historic preservation, that involves changing or altering any of the following:

(a) The design function or layout of rooms.

(b) The state of permanent fixtures or equipment.

(c) The interior space or area if the change or alteration requires verification of the compliance of the interior space or area with a building code, fire code, the federal Americans with Disabilities Act, or state or local regulations.

(d) Interior office furniture.

(e) Nonstructural elements of the interior space or area.

SECTION 3. 440.96 (1r) (b) 2. of the statutes is created to read:

440.96 (1r) (b) 2. Engineering any of the following:

a. Foundations, beams, trusses, columns, or other primary structural framing members or seismic systems.

b. Structural concrete slabs, roof framing systems, or load-bearing or shear walls.

c. Openings in a roof or exterior wall.

d. Exterior elements, including doors, windows, awnings, canopies, sunshades, signage, and other similar exterior building elements.

e. Heating, ventilating, or air conditioning equipment or distribution systems; building management systems; high or medium voltage electrical distribution systems; standby or emergency power or distribution systems; plumbing; plumbing distribution systems; fire alarm systems; fire sprinkler systems; security or monitoring systems; or other related building systems.

ASSEMBLY BILL 320**SECTION 4**

SECTION 4. 440.96 (2) of the statutes is renumbered 440.96 (4).

SECTION 5. 440.96 (3) of the statutes is created to read:

440.96 (3) “Interior technical submission” means a design, drawing, specification, study, or other technical report or calculation that establishes the scope of an interior design project, including a description of standards of quality for materials, skilled labor, equipment, and construction systems, and that is signed and sealed by a Wisconsin registered interior designer in compliance with this subchapter.

SECTION 6. 440.962 (1) (a) of the statutes is repealed.

SECTION 7. 440.962 (1) (am) of the statutes is created to read:

440.962 (1) (am) Passes an interior design examination approved by the department that is administered by an organization approved by the department.

SECTION 8. 440.962 (1) (b) of the statutes is repealed.

SECTION 9. 440.962 (1) (c) of the statutes is repealed.

SECTION 10. 440.962 (1) (d) of the statutes is repealed.

SECTION 11. 440.964 of the statutes is repealed.

SECTION 12. 440.965 of the statutes is amended to read:

440.965 Reciprocal registration. The department may, upon application and payment of the required fee, grant a ~~permit~~ certificate of registration to use the title “Wisconsin registered interior designer” to a person who is not a resident of and has no established place of business in this state, or who has recently become a resident of this state, if the person holds an unexpired certificate of similar registration issued to the person by the proper authority in any state or territory or

ASSEMBLY BILL 320**SECTION 12**

possession of the United States or in any country in which the requirements for the registration of interior designers are of a standard not lower than specified in this subchapter.

SECTION 13. 440.968 (1) (e) of the statutes is created to read:

440.968 (1) (e) Signed or impressed his or her seal or stamp upon a document not prepared by him or her or knowingly permitted his or her seal or stamp to be used by another person.

SECTION 14. 440.9693 of the statutes is created to read:

440.9693 Seal or stamp. (1) (a) The department shall promulgate rules establishing specifications for seals and stamps used by Wisconsin registered interior designers.

(b) No Wisconsin registered interior designer may impress his or her seal or stamp upon a document unless the seal or stamp satisfies the specifications established by rule under par. (a).

(2) A Wisconsin registered interior designer who is responsible for preparing an interior technical submission for delivery to any person or for a public record shall date, sign, and impress his or her seal or stamp upon the interior technical submission and any other related documents prepared by the Wisconsin registered interior designer.

(3) No Wisconsin registered interior designer may impress his or her seal or stamp upon a document that has not been prepared by the Wisconsin registered interior designer or knowingly permit his or her seal or stamp to be used by any other person.

SECTION 15. 440.9696 of the statutes is created to read:

440.9696 Submission of documents. (1) Subject to s. 440.9693 (2), a Wisconsin registered interior designer may sign and seal interior technical submissions that are required for an interior alteration or construction project for public record.

(2) If a city, village, town, or county requires a seal or stamp on interior technical submissions that are submitted for an interior alteration or construction project, the city, village, town, or county shall accept interior technical submissions impressed with the seal or stamp of a Wisconsin registered interior designer consistent with this subchapter.

SECTION 16. Initial applicability.

(1) REGISTRATION REQUIREMENTS. The treatment of ss. 440.962 (1) (a), (am), (b), (c), and (d) and 440.964 first applies to an application submitted on the effective date of this subsection to the department of safety and professional services for registration as an interior designer.

SECTION 17. Effective dates. This act takes effect on the day after publication, except as follows:

(1) SEALS AND STAMPS. The treatment of s. 440.9693 takes effect on the first day of the 7th month beginning after publication.

(END)