



## 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.

1     **AN ACT** *to repeal* 440.962 (1) (a), 440.962 (1) (b), 440.962 (1) (c), 440.962 (1) (d)  
2             and 440.964; *to renumber* 440.96 (2); *to renumber and amend* 440.96 (1); *to*  
3     *amend* 440.965; and *to create* 440.96 (1g), 440.96 (1r) (b) 2., 440.96 (3),  
4     440.962 (1) (am), 440.968 (1) (e), 440.9693 and 440.9696 of the statutes;  
5     **relating to:** registration and the scope of practice of interior designers and  
6     granting rule-making authority.

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### *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 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.

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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.

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

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

3           440.96 (1r) (a) "Interior design" means the design of interior spaces as a part  
4 of an interior alteration or construction project in conformity with public health,  
5 safety and welfare requirements, including the preparation of documents relating to  
6 building code descriptions, egress plans, space planning, finish materials,  
7 furnishings, fixtures, and equipment and the preparation of documents interior  
8 technical submissions relating to interior construction that does not substantially  
9 affect the mechanical or structural systems of a building.

10           (b) "Interior design" does not include ~~services~~ any of the following:

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

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

14           440.96 (1g) "Interior alteration or construction project" means a project for an  
15 interior space or area within a proposed or existing building or structure, including  
16 construction, modification, renovation, rehabilitation, or historic preservation, that  
17 involves changing or altering any of the following:

18           (a) The design function or layout of rooms.

19           (b) The state of permanent fixtures or equipment.

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

4 (d) Interior office furniture.

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

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

7 440.96 (1r) (b) 2. Engineering any of the following:

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

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

12 c. Openings in a roof or exterior wall.

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

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

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

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

22 440.96 (3) "Interior technical submission" means a design, drawing,  
23 specification, study, or other technical report or calculation that establishes the scope  
24 of an interior design project, including a description of standards of quality for  
25 materials, skilled labor, equipment, and construction systems, and that is signed and

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1 sealed by a Wisconsin registered interior designer in compliance with this  
2 subchapter.

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

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

5 440.962 (1) (am) Passes an interior design examination approved by the  
6 department that is administered by an organization approved by the department.

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

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

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

10 **SECTION 11.** 440.964 of the statutes is repealed.

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

12 **440.965 Reciprocal registration.** The department may, upon application  
13 and payment of the required fee, grant a ~~permit~~ certificate of registration to use the  
14 title "Wisconsin registered interior designer" to a person who is not a resident of and  
15 has no established place of business in this state, or who has recently become a  
16 resident of this state, if the person holds an unexpired certificate of similar  
17 registration issued to the person by the proper authority in any state or territory or  
18 possession of the United States or in any country in which the requirements for the  
19 registration of interior designers are of a standard not lower than specified in this  
20 subchapter.

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

22 440.968 (1) (e) Signed or impressed his or her seal or stamp upon a document  
23 not prepared by him or her or knowingly permitted his or her seal or stamp to be used  
24 by another person.

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

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

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

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

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

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

17           **440.9696 Submission of documents.** (1) Subject to s. 440.9693 (2), a  
18 Wisconsin registered interior designer may sign and seal interior technical  
19 submissions that are required for an interior alteration or construction project for  
20 public record.

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

