

HOUSE BILL No. 5229

October 8, 1991, Introduced by Reps. Griffin and Bankes and referred to the Committee on Consumers.

A bill to amend section 105 of Act No. 299 of the Public Acts of 1980, entitled as amended

"Occupational code,"

as amended by Act No. 463 of the Public Acts of 1988, being section 339.105 of the Michigan Compiled Laws; and to add article 28.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 105 of Act No. 299 of the Public Acts of
2 1980, as amended by Act No. 463 of the Public Acts of 1988, being
3 section 339.105 of the Michigan Compiled Laws, is amended and
4 article 28 is added to read as follows:

5 Sec. 105. (1) "License" means the document issued to a
6 person under this act which will enable that person to use a
7 designated title and practice an occupation, which practice would
8 otherwise be prohibited by this act. License includes a document

1 issued by the department which permits a school, institution, or
2 person to offer training or education in an occupation or which
3 permits the operation of a facility, establishment, or institu-
4 tion in which an occupation is practiced. License includes a
5 permit or approval.

6 (2) "Licensee" means a person who has been issued a license
7 under this act.

8 (3) "Limitation" means a condition, stricture, constraint,
9 restriction, or probation attached to a license or registration
10 relative to the scope of practice including the following:

11 (a) A requirement that the licensee or registrant perform
12 only specified functions of the licensee's or registrant's
13 occupation.

14 (b) A requirement that the licensee or registrant perform
15 the licensee's or registrant's occupation only for a specified
16 period of time.

17 (c) A requirement that the licensee or registrant perform
18 the licensee's or registrant's occupation only within a specified
19 geographical area.

20 (d) A requirement that restitution be made or certain work
21 be performed before a license or registration is issued, renewed,
22 or reinstated.

23 (e) A requirement that a financial statement certified by a
24 person licensed as a certified public accountant be filed with
25 the department at regular intervals.

1 (f) A requirement which reasonably assures a licensee's or
2 registrant's competence to perform the licensee's or registrant's
3 occupation.

4 (g) A requirement that all contracts of a licensee or regis-
5 trant be reviewed by an attorney.

6 (h) A requirement that a licensee or registrant have on file
7 with the department a bond issued by a surety insurer approved by
8 the department or cash in an amount determined by the
9 department.

10 (i) A requirement that a licensee or registrant deposit
11 money received in an escrow account which can be disbursed only
12 under certain conditions as determined by the licensee or regis-
13 trant and another party.

14 (j) A requirement that a licensee or registrant file reports
15 with the department at intervals determined by the department.

16 (4) "Occupation" means a field of endeavor regulated by this
17 act.

18 (5) "Person" means an individual, sole proprietorship, part-
19 nership, association, corporation, common law trust, or a combi-
20 nation of those legal entities. Person includes a department,
21 board, school, institution, establishment, or governmental
22 entity.

23 (6) "Physical dominion" means control and possession.

24 (7) "Physician" means that term as defined in section 17001
25 and section 17501 of the public health code, Act No. 368 of the
26 Public Acts of 1978, being sections 333.17001 and 333.17501 of
27 the Michigan Compiled Laws.

1 (8) "Probation" means a sanction which permits a board to
2 evaluate over a period of time a licensee's or registrant's fit-
3 ness to practice an occupation regulated by this act.

4 (9) "Public access" means the right of a person to view and
5 copy files pursuant to the freedom of information act, Act
6 No. 442 of the Public Acts of 1976, as amended, being sections
7 15.231 to 15.246 of the Michigan Compiled Laws.

8 (10) "Registrant" means a person who is registered under
9 this act.

10 (11) "Registration" means the document issued to a person
11 under this act which will enable that person to use a designated
12 title, which use would be otherwise prohibited by this act.

13 (12) "Rule" means a rule promulgated under this act and pur-
14 suant to the administrative procedures act of 1969, Act No. 306
15 of the Public Acts of 1969, as amended, being sections 24.201 to
16 24.328 of the Michigan Compiled Laws.

17 (13) "State" means the District of Columbia or a common-
18 wealth, state, or territory of the United States.

19 (14) "SUPERVISION" MEANS THE OVERSEEING OF, OR PARTICIPATION
20 IN, THE WORK OF ANOTHER INDIVIDUAL BY AN INDIVIDUAL LICENSED OR
21 REGISTERED UNDER THIS ACT IN CIRCUMSTANCES WHERE, AT A MINIMUM,
22 ALL OF THE FOLLOWING CONDITIONS EXIST:

23 (A) DIRECT COMMUNICATION IN PERSON OR BY RADIO, TELEPHONE,
24 OR TELECOMMUNICATION BETWEEN THE SUPERVISED INDIVIDUAL AND A
25 LICENSEE OR REGISTRANT IS AVAILABLE ON A CONTINUOUS BASIS.

26 (B) THE SUPERVISING LICENSEE OR REGISTRANT IS AVAILABLE ON A
27 REGULARLY SCHEDULED BASIS TO DO ALL OF THE FOLLOWING:

- 1 (i) REVIEW THE PRACTICE OF THE SUPERVISED INDIVIDUAL.
- 2 (ii) PROVIDE CONSULTATION AND ADVICE TO THE SUPERVISED
3 INDIVIDUAL.
- 4 (iii) REVIEW RECORDS.
- 5 (iv) FURTHER EDUCATE THE SUPERVISED INDIVIDUAL IN THE PER-
6 FORMANCE OF THE INDIVIDUAL'S FUNCTIONS.
- 7 (C) THE SUPERVISING LICENSEE OR REGISTRANT PROVIDES PREDE-
8 TERMINED OPERATING POLICIES AND PROCEDURES.

9 ARTICLE 28

10 SEC. 2801. AS USED IN THIS ARTICLE:

11 (A) "CONSTRUCTION CONTRACTOR" MEANS ANY OF THE FOLLOWING:

- 12 (i) A GENERAL CONTRACTOR.
- 13 (ii) A RESIDENTIAL BUILDER OR MAINTENANCE AND ALTERATION
14 CONTRACTOR LICENSED UNDER ARTICLE 24.
- 15 (iii) A MASTER OR JOURNEYMAN PLUMBER LICENSED UNDER ACT
16 NO. 266 OF THE PUBLIC ACTS OF 1929, BEING SECTIONS 338.901 TO
17 338.917 OF THE MICHIGAN COMPILED LAWS.
- 18 (iv) AN ELECTRICAL CONTRACTOR LICENSED UNDER THE ELECTRICAL
19 ADMINISTRATIVE ACT, ACT NO. 217 OF THE PUBLIC ACTS OF 1956, BEING
20 SECTIONS 338.881 TO 338.892 OF THE MICHIGAN COMPILED LAWS.
- 21 (v) A MECHANICAL CONTRACTOR LICENSED UNDER THE FORBES
22 MECHANICAL CONTRACTORS ACT, ACT NO. 192 OF THE PUBLIC ACTS OF
23 1984, BEING SECTIONS 338.971 TO 338.988 OF THE MICHIGAN COMPILED
24 LAWS.
- 25 (B) "DOCUMENT" MEANS 1 OR MORE PLANS, SPECIFICATIONS,
26 REPORTS, STUDIES, DRAWINGS, OR ADDENDA WHOSE PROPER PREPARATION

1 REQUIRES THE USE OF PROFESSIONAL SERVICES REGULATED BY THIS
2 ARTICLE.

3 (C) "INTERIOR DESIGNER" MEANS A PERSON ENGAGING IN THE PRAC-
4 TICE OF INTERIOR DESIGN.

5 (D) "PRACTICE OF INTERIOR DESIGN" MEANS THE PERFORMANCE OF
6 SERVICES INCLUDING CONSULTATION, INVESTIGATION, EVALUATION, PLAN-
7 NING, DESIGNING, DESIGN COORDINATION, OR REVIEW OF MATERIAL AND
8 COMPLETED PHASES OF WORK AND THE PREPARATION OF A DOCUMENT WHERE
9 THE SERVICES REQUIRE THE APPLICATION OF THE PRINCIPLES AND METH-
10 ODOLOGY OF INTERIOR DESIGN IN ORDER TO IDENTIFY AND RESEARCH
11 PROBLEMS PERTAINING TO THE FUNCTION AND QUALITY OF SPACES WITHIN
12 A BUILDING AND PROPOSE CREATIVE SOLUTIONS TO THOSE PROBLEMS WHICH
13 PROTECT THE HEALTH, SAFETY, AND WELFARE OF THE PUBLIC. PRACTICE
14 OF INTERIOR DESIGN MAY INCLUDE THE PREPARATION OF DOCUMENTS
15 RELATING TO REFLECTED CEILING PLANS; SPACE PLANS; SPECIFICATION
16 OF FURNISHINGS, FIXTURES, AND EQUIPMENT; OR THE FABRICATION OF
17 NONLOADBEARING STRUCTURAL ELEMENTS. PRACTICE OF INTERIOR DESIGN
18 DOES NOT INCLUDE MECHANICAL OR ELECTRICAL SERVICES, EXCEPT FOR
19 THE SPECIFICATION OF FIXTURES AND THEIR LOCATION WITHIN INTERIOR
20 SPACES, OR THE PRACTICE OF ARCHITECTURE AS DEFINED IN ARTICLE
21 20.

22 SEC. 2803. (1) A PERSON SHALL NOT ENGAGE IN, OR OFFER TO
23 ENGAGE IN, THE PRACTICE OF INTERIOR DESIGN UNLESS LICENSED UNDER
24 THIS ARTICLE OR EXEMPT FROM LICENSURE UNDER THIS ARTICLE.

25 (2) THIS ARTICLE SHALL NOT APPLY TO ANY OF THE FOLLOWING:

26 (A) AN EMPLOYEE OR SUBCONTRACTOR ACTING UNDER THE
27 SUPERVISION OF A LICENSED INTERIOR DESIGNER.

1 (B) AN INDIVIDUAL WHO DOES NOT PREPARE A DOCUMENT BUT WHO
2 CONSULTS WITH A CUSTOMER IN THE SELECTION OF FURNISHINGS OR
3 BUILDING OR DECORATING MATERIALS WHICH WILL BE SOLD BY OR
4 INSTALLED BY THAT INDIVIDUAL OR THE INDIVIDUAL'S EMPLOYER.

5 (C) AN INDIVIDUAL WHO PREPARES A CABINET, APPLIANCE, OR FIX-
6 TURE LAYOUT FOR A KITCHEN OR BATHROOM WHICH WILL BE CARRIED OUT
7 BY A CONSTRUCTION CONTRACTOR.

8 (D) AN INDIVIDUAL PREPARING DETAILS AND SHOP DRAWINGS FOR
9 USE IN CONNECTION WITH THE EXECUTION OF HIS OR HER WORK.

10 (E) AN OWNER DOING INTERIOR DESIGN WORK FOR A BUILDING ON
11 THE OWNER'S PROPERTY FOR THE OWNER'S OWN USE TO WHICH EMPLOYEES
12 AND THE PUBLIC ARE NOT GENERALLY TO HAVE ACCESS.

13 (3) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, A
14 PERSON SHALL NOT USE THE TERM "INTERIOR DESIGNER", INTERIOR
15 DECORATOR", "INTERIOR SPACE PLANNER", OR A COMBINATION OF WORDS
16 INCLUDING THE TERM "INTERIOR" OR A SIMILAR TERM WHICH TENDS TO
17 CONNOTE QUALIFICATION OR LICENSURE UNDER THIS ARTICLE. A PERSON
18 SHALL NOT USE THE TERM "INTERIOR DESIGNER" OR A SIMILAR TERM IN A
19 NAME OR DESCRIPTION OF A FIRM UNLESS AN INDIVIDUAL LICENSED UNDER
20 THIS ARTICLE IS AN OFFICER, PRINCIPAL, OR EMPLOYEE OF THE BUSI-
21 NESS ENTITY AND IS AVAILABLE TO PERFORM THE ACTIVITIES REGULATED
22 UNDER THIS ARTICLE. A FIRM WHICH HAS USED THE TERM "DECORATING"
23 AS A DESCRIPTION OF SERVICES OFFERED AS A RESIDENTIAL BUILDER OR
24 MAINTENANCE AND ALTERATION CONTRACTOR LICENSED UNDER ARTICLE 24
25 MAY CONTINUE TO USE THE TERM IN ITS BUSINESS NAME IF THE WORD
26 "INTERIOR" IS NOT USED.

1 (4) A LICENSEE UNDER THIS ARTICLE SHALL USE THE TITLE
2 "LICENSED INTERIOR DESIGNER".

3 (5) A LICENSE UNDER THIS ARTICLE SHALL BE ISSUED ONLY TO AN
4 INDIVIDUAL AND NOT TO A BUSINESS ENTITY.

5 (6) A PERSON WHO VIOLATES THIS SECTION SHALL BE SUBJECT TO
6 THE PENALTIES SET FORTH IN ARTICLE 6.

7 SEC. 2805. (1) THE BOARD OF INTERIOR DESIGNERS IS CREATED.

8 (2) ONE MEMBER OF THE BOARD REPRESENTING THE GENERAL PUBLIC
9 SHALL BE A PERSON LICENSED AS AN ARCHITECT UNDER ARTICLE 20.

10 SEC. 2807. THE DEPARTMENT SHALL ISSUE A LICENSE UNDER THIS
11 ARTICLE TO AN INDIVIDUAL WHO FULFILLS ALL OF THE FOLLOWING:

12 (A) IS OF GOOD MORAL CHARACTER.

13 (B) APPLIES FOR AND PASSES AN EXAMINATION ACCEPTABLE TO THE
14 DEPARTMENT AND THE BOARD. THE DEPARTMENT AND THE BOARD MAY UTI-
15 LIZE AN EQUIVALENT EXAMINATION THAT MEETS THE STANDARDS OF THE
16 MOST RECENT NATIONAL COUNCIL FOR INTERIOR DESIGN QUALIFICATION
17 EXAMINATION AS OF THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT
18 ADDED THIS ARTICLE IF THE DEPARTMENT AND BOARD DETERMINE THAT THE
19 EXAMINATION SUFFICIENTLY TESTS THE KNOWLEDGE AND SKILLS RELATIVE
20 TO THE PRACTICE OF INTERIOR DESIGN.

21 (C) HAS EITHER OF THE FOLLOWING:

22 (i) NOT LESS THAN 6 YEARS OF A COMBINATION OF EITHER POST-
23 SECONDARY EDUCATION IN INTERIOR DESIGN OR A FIRST PROFESSIONAL
24 DEGREE IN ARCHITECTURE AS WELL AS EXPERIENCE IN THE ACTUAL PRAC-
25 TICE OF INTERIOR DESIGN OR ARCHITECTURE, BOTH OF WHICH ARE
26 ACCEPTABLE TO THE BOARD.

1 (ii) NOT LESS THAN 8 YEARS OF EXPERIENCE IN THE ACTUAL
2 PRACTICE OF INTERIOR DESIGN THAT IS ACCEPTABLE TO THE BOARD.

3 SEC. 2809. THE DEPARTMENT SHALL ISSUE A LICENSE AS AN
4 INTERIOR DESIGNER TO AN INDIVIDUAL WHO IS OF GOOD MORAL CHARACTER
5 AND POSSESSES A LICENSE OR REGISTRATION ISSUED BY ANOTHER STATE
6 OR JURISDICTION IF THE BOARD DETERMINES THAT THE REQUIREMENTS FOR
7 LICENSURE OR REGISTRATION IN THAT STATE OR JURISDICTION ARE SUB-
8 STANTIALY EQUIVALENT TO THE LICENSURE REQUIREMENTS OF THIS
9 ARTICLE.

10 SEC. 2811. THE DEPARTMENT SHALL ISSUE A LICENSE AS AN
11 INTERIOR DESIGNER TO AN INDIVIDUAL WHO FULFILLS ALL OF THE
12 FOLLOWING:

13 (A) IS OF GOOD MORAL CHARACTER.

14 (B) APPLIES WITHIN 1 YEAR AFTER THE EFFECTIVE DATE OF THE
15 AMENDATORY ACT THAT ADDED THIS ARTICLE.

16 (C) DOES ANY 1 OF THE FOLLOWING:

17 (i) PRESENTS PROOF TO THE BOARD OF COMPLETION OF AN EXAMINA-
18 TION MEETING THE STANDARDS OF THE NATIONAL COUNCIL FOR INTERIOR
19 DESIGN QUALIFICATION, WHICH STANDARDS ARE IN EFFECT ON THE EFFEC-
20 TIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS ARTICLE.

21 (ii) PRESENTS PROOF TO THE BOARD OF LICENSURE AS AN ARCHI-
22 TECT UNDER ARTICLE 20.

23 (iii) PRESENTS PROOF TO THE BOARD THAT HE OR SHE HAS BEEN
24 TEACHING COURSES IN INTERIOR DESIGN AT THE POSTSECONDARY LEVEL,
25 HAS A BACCALAUREATE DEGREE IN INTERIOR DESIGN, AND PROVIDES EVI-
26 DENCE OF BEING A MEMBER OF A COUNCIL OR CERTIFYING BODY WHICH
27 SETS EDUCATIONAL STANDARDS FOR INTERIOR DESIGN PROGRAMS OR

1 CREATES AND ADMINISTERS CERTIFICATION EXAMINATIONS FOR INTERIOR
2 DESIGN.

3 (iv) HAS NOT LESS THAN 6 YEARS OF A COMBINATION OF POSTSEC-
4 ONDARY EDUCATION IN INTERIOR DESIGN OR A FIRST PROFESSIONAL
5 DEGREE IN ARCHITECTURE AND EXPERIENCE IN THE ACTUAL PRACTICE OF
6 INTERIOR DESIGN OR ARCHITECTURE, BOTH OF WHICH ARE ACCEPTABLE TO
7 THE BOARD, OR HAS NOT LESS THAN 8 YEARS OF EXPERIENCE IN THE
8 ACTUAL PRACTICE OF INTERIOR DESIGN THAT IS ACCEPTABLE TO THE
9 BOARD.

10 SEC. 2813. THE BOARD MAY PROMULGATE RULES REQUIRING COMPLE-
11 TION OF A PROGRAM OF CONTINUING EDUCATION AS A CONDITION OF
12 RENEWAL OF A LICENSE ISSUED UNDER THIS ARTICLE. THE RULES MAY
13 ESTABLISH THE LENGTH OF THE PROGRAM AND MAY SPECIFY THE CRITERIA
14 FOR ACCEPTABLE COURSES, THE DUTIES AND QUALIFICATIONS OF COURSE
15 SPONSORS, AND THE METHOD BY WHICH LICENSEE PARTICIPATION IN SUCH
16 COURSES MAY BE VERIFIED.

17 SEC. 2815. A LICENSEE SHALL DO ALL OF THE FOLLOWING:

18 (A) MAINTAIN A PHYSICAL PLACE OF BUSINESS WHERE BOOKS AND
19 RECORDS ARE KEPT AND WHERE BUSINESS IS CUSTOMARILY DONE WHEN NOT
20 AT THE CUSTOMER'S LOCATION.

21 (B) ADVISE THE DEPARTMENT OF A CHANGE IN BUSINESS ADDRESS
22 NOT MORE THAN 30 DAYS AFTER THE CHANGE.

23 (C) IF THE PLACE OF BUSINESS IS NOT IN THIS STATE, FILE WITH
24 THE DEPARTMENT AN IRREVOCABLE CONSENT TO SERVICE OF PROCESS. THE
25 CONSENT TO SERVICE OF PROCESS SHALL PROVIDE THAT SERVICE UPON THE
26 DEPARTMENT IN A NONCRIMINAL PROCEEDING SHALL HAVE THE SAME FORCE
27 AND VALIDITY AS DIRECT PERSONAL SERVICE, IF THE PLAINTIFF SENDS A

1 COPY OF THE PROCESS AND ANY PLEADINGS TO THE NONRESIDENT BY
2 FIRST-CLASS MAIL ON OR BEFORE THE DAY SERVICE IS EFFECTED UPON
3 DEPARTMENT.

4 (D) EMBODY ALL AGREEMENTS BETWEEN THE LICENSEE AND ANY CUS-
5 TOMER IN A WRITTEN CONTRACT OR AGREEMENT, 1 COPY OF WHICH SHALL
6 BE GIVEN TO THE CUSTOMER. ANY CHANGES TO THE CONTRACT SHALL ALSO
7 BE IN WRITING, INITIALED BY THE CUSTOMER.

8 (E) COMPLY WITH ALL FEDERAL, STATE, AND LOCAL BUILDING CODES
9 AND ORDINANCES AND SAFETY REGULATIONS.

10 (F) ACCOUNT FOR ALL MONEY RECEIVED FROM A CUSTOMER, SHOWING
11 THE PURPOSE FOR WHICH THE FUNDS WERE EXPENDED IN ACCORDANCE WITH
12 THE CONTRACT.

13 SEC. 2817. A LICENSEE WHO DOES ANY OF THE FOLLOWING SHALL
14 BE SUBJECT TO THE PENALTIES OF ARTICLE 6:

15 (A) ABANDONS WITHOUT LEGAL EXCUSE PERFORMANCE OF ANY CON-
16 TRACT UNDERTAKEN.

17 (B) DEPARTS FROM, OR DISREGARDS, THE PLANS, SPECIFICATIONS,
18 OR CONTRACT APPROVED BY THE CUSTOMER WITHOUT THE CUSTOMER'S WRIT-
19 TEN AUTHORIZATION FOR THE CHANGE.

20 (C) DIVERTS FUNDS RECEIVED FOR 1 PROJECT TO THE COMPLETION
21 OF A PROJECT FOR ANOTHER CUSTOMER.

22 (D) AIDS OR ABETS AN UNLICENSED PERSON TO EVADE THE LICEN-
23 SURE REQUIREMENTS OF THIS ARTICLE.

24 (E) ALLOWS A LICENSE TO BE USED BY AN UNLICENSED PERSON OR
25 ACTS AS AN OSTENSIBLE LICENSEE FOR ANOTHER PERSON NOT ENTITLED TO
26 A LICENSE.

1 (F) ACCEPTS A COMMISSION, BONUS, OR OTHER VALUABLE
2 CONSIDERATION FROM ANY PARTY NOT THE LICENSEE'S CUSTOMER WITHOUT
3 DISCLOSING SUCH A COMPENSATION ARRANGEMENT TO THE CUSTOMER AND
4 OBTAINING THE CUSTOMER'S AGREEMENT.

5 (G) INDICATES THAT HE OR SHE HAS PREPARED PLANS, DESIGNS,
6 SPECIFICATIONS, OR OTHER DOCUMENTS BY AFFIXING THE LICENSEE'S
7 NAME, LICENSE NUMBER, OR OTHER INFORMATION IF THE DOCUMENTS WERE
8 NOT PREPARED BY OR UNDER THE SUPERVISION OF THE LICENSEE.

9 (H) SUBMITS TO A PUBLIC OFFICIAL OF THIS STATE OR ANY OF ITS
10 POLITICAL SUBDIVISIONS FOR APPROVAL, PERMIT ISSUANCE, OR FILING
11 AS A PUBLIC RECORD ANY DOCUMENT WHICH DOES NOT BEAR THE ENDORSE-
12 MENT OF THE LICENSE INCLUDING THE LICENSEE'S NAME, BUSINESS
13 ADDRESS, LICENSE NUMBER, AND LICENSE EXPIRATION DATE.

14 SEC. 2819. (1) WHEN A LICENSEE ATTACHES HIS OR HER NAME TO
15 A DOCUMENT, WITH OR WITHOUT THE ADDITIONAL IDENTIFYING INFORMA-
16 TION REQUIRED BY SECTION 2817(H), THE LICENSEE IS ASSERTING ALL
17 OF THE FOLLOWING:

18 (A) THE LICENSEE IS RESPONSIBLE FOR THE CONTENTS OF THE
19 DOCUMENT.

20 (B) THE LICENSEE IS COMPETENT TO PREPARE THE DOCUMENT.

21 (C) THE LICENSEE IS RESPONSIBLE FOR RESOLVING TECHNICAL
22 ISSUES CONTAINED IN OR RELATED TO THE PLAN OR PURPOSE OF THE
23 DOCUMENT.

24 (D) THE LICENSEE IS THE INDIVIDUAL WHOSE PROFESSIONAL SKILL
25 AND JUDGMENT ARE EMBODIED IN THE DOCUMENT.

1 (E) THE LICENSEE IS ACCOUNTABLE FOR THE WORK OF SUBORDINATES
2 AND FOR EXERCISING DIRECTION, CONTROL, RESTRAINT, AND GUIDANCE
3 OVER THOSE SUBORDINATES.

4 (F) THE LICENSEE HAS EXERCISED CONTROL AND DISCRETION OVER
5 THE INITIATION, CONTINUATION, SUSPENSION, AND TERMINATION OF THE
6 DOCUMENT, AND CONTROLS THE ISSUANCE AND FILING OF THE DOCUMENT
7 WITH PUBLIC AUTHORITIES.

8 (G) THE LICENSEE IS RESPONSIBLE FOR ADVISING THE CLIENT.

9 (H) THE LICENSEE IS RESPONSIBLE FOR ENSURING THAT THE DOCU-
10 MENT COMPLIES WITH APPROPRIATE STANDARDS AND REGULATORY
11 REQUIREMENTS.

12 (2) THE BOARD MAY PROMULGATE RULES SPECIFYING THE DESIGN OF
13 A SEAL WHICH SHALL BE REQUIRED TO BE PRINTED OR EMBOSSSED ON DOCU-
14 MENTS FILED BY A LICENSEE WITH A PUBLIC AUTHORITY.

15 Section 2. This amendatory act shall not take effect unless
16 Senate Bill No. _____ or House Bill No. _____ (request
17 no. 03893'91 a) of the 86th Legislature is enacted into law.