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SFA**BILL ANALYSIS**

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House Bill 4535 (Substitute H-4 as passed by the House)

Sponsor: Representative Michael J. Griffin

House Committee: Regulatory Affairs

Senate Committee: Economic Development, International Trade and Regulatory Affairs

Date Completed: 5-27-98

CONTENT

The bill would amend the Occupational Code to specify that an interior designer could perform services in connection with the design of interior spaces including preparation of documents relative to finishes, systems furniture, furnishings, fixtures, equipment, and interior partitions that did not affect the building mechanical, structural, electrical, or fire safety systems. (The Code currently states that it does not apply to a person engaging in or practicing interior design.) The bill also would create an advisory subcommittee on interior design and define "interior designer" and the qualifications for that occupation. The bill would be effective October 1, 1998.

Advisory Subcommittee

The Board of Architects would create an advisory subcommittee on interior design to consist of up to five individuals selected by the Board. Two would have to be licensed architects and the remaining members would have to be interior designers chosen from a list of interior designers submitted to the Department of Consumer and Industry Services by nationally recognized associations of interior designers.

The Board would have to assure that the subcommittee was fully functional within six months after the bill's effective date and would cease to exist after it had reviewed the last application for interior designer. The full functionality of the subcommittee would have to be confirmed by a letter of confirmation from the Board to the Department. The purpose of the subcommittee would be to verify by majority vote the qualifications for the performance of services in connection with the design of interior spaces including preparation of documents relative to finishes, systems furniture, furnishings, fixtures, equipment, and interior partitions that did not affect the building mechanical, structural, electrical, or fire safety systems on the basis of education and experience and to recommend the qualifications of those interior designers to perform the services.

The subcommittee also would have to compile a list of all individuals considered qualified to perform the services and give it to the Board for review and consideration. The approval of individuals considered qualified would have to occur at least 60 days after the list was submitted to the Board. A person whose qualifications were not approved by the Board could appeal that determination to the Director or designee. The Board would have to make the list readily available to the State or any local unit capable of issuing permits under the State Construction Code Act.

Interior Designer

Under the bill, “interior designer” would mean an individual engaged in services in connection with the design of interior spaces including preparation of documents relative to finishes, systems furniture, furnishings, fixtures, equipment, and interior partitions that did not affect the building mechanical, structural, electrical, or fire safety systems, and who met one or more of the following requirements:

- Beginning on the bill's effective date, had proof of passing the complete 1997 examination offered by the National Council for Interior Design Qualification. (The examination and qualifications to sit for it would be adopted by reference.)
- Before the bill's effective date, was engaged in the activities described above and had proof of passing any complete examination offered by the National Council for Interior Design Qualification. (Passage of any past examination would be adequate to qualify an interior designer for the license exemption.)
- Until a year after the date of receipt of the confirmation letter, demonstrated to the subcommittee that the individual was engaged in the activities described above and had met the qualifications of education and experience that would confer eligibility for sitting for the 1997 examination.

Other Provisions

An interior designer would be required to have a rectangular nonembossed stamp with the interior designer's name, business address, title “interior designer”, and certificate number issued by the National Council for Interior Design Qualification. Use of the stamp would have to be accompanied by the original signature of the interior designer.

The Director could promulgate rules to administer the bill's provisions and could include reasonable fees charged to individuals seeking qualification for performing services in connection with the design of interior spaces including preparation of documents relative to finishes, systems furniture, furnishings, fixtures, equipment, and interior partitions that did not affect the building mechanical, structural, electrical, or fire safety systems.

MCL 339.601

Legislative Analyst: N. Nagata

FISCAL IMPACT

The bill would allow the Department to establish a fee structure through the promulgation of rules. If the Department chose to assess fees, then additional revenue could be generated. The total amount of revenue that would be generated would depend on the level at which these fees would be set.

Fiscal Analyst: M. Tyszkiewicz

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.