

1 (a) Visiting an interior design project site as needed
2 to determine whether work is proceeding in accordance with the
3 technical specifications submitted to the building official
4 and approved under the terms of the building permit;

5 (b) Processing shop drawings, product samples, and
6 other submittals in connection with the work performed in
7 accordance with the interior design contract; and

8 (c) Notifying the project owner and the appropriate
9 building official of interior design changes that affect
10 building code compliance or code violations; constitute
11 substantial changes from the technical submittals approved by
12 the building official; or constitute deviation that creates a
13 hazard to the public.

14 Section 2. Subsection (1) of section 481.223, Florida
15 Statutes, is amended to read:

16 481.223 Prohibitions; penalties; injunctive relief.--

17 (1) A person may not knowingly:

18 (a) Practice architecture unless the person is an
19 architect or a registered architect;

20 (b) Practice interior design unless the person is a
21 registered interior designer unless otherwise exempted herein.
22 However, a licensed interior designer who relinquishes or does
23 not renew his or her license may use the title "interior
24 designer, retired" but may not render any interior design
25 services;

26 (c) Use the name or title "architect" or "registered
27 architect," or "interior designer" or "registered interior
28 designer," or words to that effect, when the person is not
29 then the holder of a valid license issued pursuant to this
30 part;

31 (d) Present as his or her own the license of another;

1 (e) Give false or forged evidence to the board or a
2 member thereof;

3 (f) Use or attempt to use an architect or interior
4 designer license that has been suspended, revoked, or placed
5 on inactive or delinquent status;

6 (g) Employ unlicensed persons to practice architecture
7 or interior design; ~~or~~

8 (h) Conceal information relative to violations of this
9 part:-

10 (i) Apply for a building permit, provide interior
11 design services, or allow the provision of interior design
12 services for any parts of a structure requiring a registered
13 interior designer unless such person has employed or assured
14 the employment of a registered interior designer to provide
15 interior design contract administration services; or

16 (j) Use an unlicensed individual to provide
17 engineering or architectural services, plumbing or electrical
18 work, landscape services, or other work requiring a licensed
19 professional if the work is performed for an interior design
20 construction contract administered by a registered interior
21 designer or by a registered interior designer performing
22 project management or oversight as the owner's representative.

23 Section 3. Subsection (1) of section 481.2251, Florida
24 Statutes, is amended to read:

25 481.2251 Disciplinary proceedings against registered
26 interior designers.--

27 (1) The following acts constitute grounds for which
28 the disciplinary actions specified in subsection (2) may be
29 taken:

30
31

1 (a) Attempting to obtain, obtaining, or renewing, by
2 bribery, by fraudulent misrepresentation, or through an error
3 of the board, a license to practice interior design;

4 (b) Having a license to practice interior design
5 revoked, suspended, or otherwise acted against, including the
6 denial of licensure, by the licensing authority of another
7 jurisdiction for any act which would constitute a violation of
8 this part or of chapter 455;

9 (c) Being convicted or found guilty, regardless of
10 adjudication, of a crime in any jurisdiction which directly
11 relates to the provision of interior design services or to the
12 ability to provide interior design services. A plea of nolo
13 contendere shall create a rebuttable presumption of guilt to
14 the underlying criminal charges. However, the board shall
15 allow the person being disciplined to present any evidence
16 relevant to the underlying charges and the circumstances
17 surrounding her or his plea;

18 (d) False, deceptive, or misleading advertising;

19 (e) Failing to report to the board any person who the
20 licensee knows is in violation of this part or the rules of
21 the board;

22 (f) Aiding, assisting, procuring, or advising any
23 unlicensed person to use the title "interior designer"
24 contrary to this part or to a rule of the board;

25 (g) Failing to perform any statutory or legal
26 obligation placed upon a registered interior designer;

27 (h) Making or filing a report which the licensee knows
28 to be false, intentionally or negligently failing to file a
29 report or record required by state or federal law, or
30 willfully impeding or obstructing such filing or inducing
31 another person to do so. Such reports or records shall

1 include only those which are signed in the capacity as a
2 registered interior designer;
3 (i) Making deceptive, untrue, or fraudulent
4 representations in the provision of interior design services;
5 (j) Accepting and performing professional
6 responsibilities which the licensee knows or has reason to
7 know that she or he is not competent or licensed to perform;
8 (k) Violating any provision of this part, any rule of
9 the board, or a lawful order of the board previously entered
10 in a disciplinary hearing;
11 (l) Conspiring with another licensee or with any other
12 person to commit an act, or committing an act, which would
13 tend to coerce, intimidate, or preclude another licensee from
14 lawfully advertising her or his services;
15 (m) Acceptance of compensation or any consideration by
16 an interior designer from someone other than the client
17 without full disclosure of the compensation or consideration
18 amount or value to the client prior to the engagement for
19 services, in violation of s. 481.2131(2);
20 (n) Rendering or offering to render architectural
21 services; ~~or~~
22 (o) Committing an act of fraud or deceit, or of
23 negligence, incompetency, or misconduct, in the practice of
24 interior design, including, but not limited to, allowing the
25 preparation of any interior design studies, plans, or other
26 instruments of service in an office that does not have a
27 full-time Florida-registered interior designer assigned to
28 such office or failing to exercise responsible supervisory
29 control over services or projects, as required by board rule;
30 (p) Failing to report to the appropriate building
31 official, in writing, whether he or she has been employed to

1 furnish design contract administration services on or before
2 technical submissions for the work are provided to the
3 building official; or

4 (g) Failing to report to the board knowledge of
5 interior design work proceeding without the employment of a
6 registered interior designer to furnish design contract
7 administration services.

8 Section 4. Subsection (8) is added to section 481.229,
9 Florida Statutes, to read:

10 481.229 Exceptions; exemptions from licensure.--

11 (8) This part does not prevent a registered interior
12 designer from assisting a project owner, managing a contract
13 on behalf of an owner, or acting as an owner's representative
14 for projects related to a structure. In providing those
15 services, the interior designer must ensure the use of persons
16 licensed as architects, engineers, landscape architects,
17 plumbers, electricians, or other licensed individuals as
18 required by law to perform those activities requiring the
19 license.

20 Section 5. This act shall take effect July 1, 2006.

21
22 *****

23 SENATE SUMMARY

24 Revises provisions related to interior designers.
25 Authorizes retired interior designers to use the title
26 "interior designer, retired." Prohibits a person from
27 performing certain acts without employing a registered
interior designer. Provides additional disciplinary
grounds against interior designers. Provides for contract
management by interior designers.