

WISCONSIN STATUTES
SUBCHAPTER X
INTERIOR DESIGNERS

REVISIONS PROPOSED BY 2019 SENATE BILL 303 + ASSEMBLY BILL 324 IN RED
+ BY SENATE & ASSEMBLY AMENDMENTS 1 IN GREEN

440.96 Definitions. In this subchapter:

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

(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 interior life safety 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) 1. ~~"Interior design" does not include services that constitute the practice of architecture or the practice of professional engineering.~~ "Interior design" does not include services that constitute the practice of architecture or the practice of professional engineering.

2. "Interior design" does not include 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 structures, 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.

~~**(2m)** "Interior life safety" means the analysis, development, interpretation, review, and employment of space plans or interior components for existing or proposed interior spaces to provide for compliance with a building code or other law, ordinance, or rule to eliminate, reduce, or control life-threatening or health-threatening situations, including to provide for egress or ingress to horizontal fire exit ways leading to predetermined vertical fire exit ways.~~

(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.

(4) "Wisconsin registered interior designer" means a person registered as a Wisconsin registered interior designer under this subchapter.

440.961 Use of title. No person may use the title "Wisconsin registered interior designer", use any title or description that implies that he or she is a Wisconsin registered interior designer or represent himself or herself to be a Wisconsin registered interior designer unless the person is registered as a Wisconsin registered interior designer under this subchapter.

440.962 Registration requirements. The department shall register as a Wisconsin registered interior designer an individual who submits an application to the department on a form provided by the department and who satisfies one of the following requirements:

- ~~(a) Submits to the department evidence satisfactory to the department of any of the following:~~
 - ~~1. That he or she is a graduate of a 5-year interior design or architecture program and has at least one year of practical experience in interior design of a character satisfactory to the department.~~
 - ~~2. That he or she is a graduate of a 4-year interior design or architecture program and has at least 2 years of practical experience in interior design of a character satisfactory to the department.~~
 - ~~3. That he or she has completed at least 3 years of an interior design program and has at least 3 years of practical experience in interior design of a character satisfactory to the department.~~
 - ~~4. That he or she is a graduate of a 2-year interior design program and has at least 4 years of practical experience in interior design of a character satisfactory to the department.~~
- ~~(b) Satisfies the applicable requirements under s. 440.964.~~
- ~~(c) Subject to ss. 111.321, 111.322 and 111.335, submits evidence satisfactory to the department that he or she does not have an arrest or conviction record.~~
- ~~(d) Submits the names of at least 5 references, at least 3 of whom shall have personal knowledge of the applicant's interior designing experience.~~
 - ~~(1) (am) Passes an interior design examination approved by the department that is administered by an organization approved by the department.~~
 - ~~(e) Meets any other requirements established by the department by rule.~~
 - ~~(2) The individual is registered as an architect under s. 443.03 and submits evidence satisfactory to the department of all of the following:~~
 - ~~(a) That he or she is a graduate of a 4-year architecture program.~~
 - ~~(b) That he or she has at least 6 years of demonstrated practical experience in interior design of a character satisfactory to the department.~~

440.963 Use of title by firms, partnerships and corporations. (1) A firm, partnership or corporation may use the term "Wisconsin registered interior designer" or "Wisconsin registered interior designers", or may advertise or make representations that it provides the services of a Wisconsin registered interior designer, only if at least one principal, partner or officer who is in responsible charge of the interior design services provided by the firm, partnership or corporation is a Wisconsin registered interior designer.

(2) No firm, partnership or corporation may be relieved of responsibility for the conduct or acts of its agents, employees or officers by reason of its compliance with this subchapter, nor may any individual practicing interior design be relieved of responsibility for interior designing services performed by reason of his or her employment or relationship with the firm, partnership or corporation.

~~**440.964 Examinations. (1)** Except as provided in s. 440.962 (2), no person may be registered as a Wisconsin registered interior designer under this subchapter unless he or she passes one of the following examinations:~~

- ~~(a) An interior design examination administered by a national organization that establishes standards for the interior design profession and that is recognized by the department.~~

~~(b) An interior design examination conducted or approved by the department under sub. (2) that is substantially equivalent to an examination specified in par. (a).~~

~~(2) Written or written and oral examinations under sub. (1) (b) shall be held at such time and place as the department determines. The scope of the examinations and the methods of procedure shall be prescribed by the department with special reference to the applicant's ability to design and supervise interior designing work, which shall promote the public welfare and ensure the safety of life, health and property. The examinations shall include questions which require applicants to demonstrate knowledge of the design needs of people with physical disabilities and of the relevant statutes and codes. Such questions shall be developed by the department in consultation with other appropriate state agencies.~~

~~(3) A candidate failing an examination given under sub. (2) may, upon application and payment of the required reexamination fee, be examined again by the department. No restrictions may be placed on the number of times an unsuccessful candidate may be reexamined, except that after failure of 3 reexaminations, the department may require a one-year waiting period before further reexamination.~~

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 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.

440.966 Renewal; continuing education. (1) The renewal date for a certificate of registration issued under this subchapter is specified in s. 440.08 (2) (a), and the renewal fee for such certificate of registration is determined by the department under s. 440.03 (9) (a).

(2) A Wisconsin registered interior designer shall, at the time that he or she applies for renewal of a certificate of registration under sub. (1), submit proof of completion of continuing education requirements established by rules promulgated by the department.

440.967 List of registered persons. The department shall prepare each year a list showing the names and business addresses of all persons registered as a Wisconsin registered interior designer under this subchapter. Upon request, the department shall provide a list prepared under this section to any person at cost.

440.968 Discipline; prohibited acts; penalties. (1) The department may reprimand a Wisconsin registered interior designer, or may limit, suspend or revoke the certificate of registration of a Wisconsin registered interior designer, who has done any of the following:

(a) Committed any fraud or deceit in obtaining or renewing a certificate of registration under this subchapter.

(b) Committed any gross negligence or misconduct, or acted in a grossly incompetent manner, in the practice of interior design as a Wisconsin registered interior designer.

(c) Violated this subchapter or a rule promulgated under this subchapter.

(d) Been convicted of a felony, subject to ss. 111.321, 111.322 and 111.335, or been adjudicated mentally incompetent by a court of competent jurisdiction, a certified copy of the record of conviction or adjudication of incompetency to be conclusive evidence of such conviction or incompetency.

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

(2) Any person who uses the title "Wisconsin registered interior designer" in this state and who is not registered in accordance with this subchapter, or any person presenting or attempting to use as his or

her own the certificate of registration of another, or any person who falsely impersonates any other registrant of like or different name, or any person who attempts to use an expired or revoked certificate of registration, may be fined not less than \$100 nor more than \$500 or imprisoned for not more than 3 months or both.

(3) Any person may allege to the department that he or she believes a person registered under this subchapter has committed an act for which a reprimand or limitation, suspension or revocation of registration is authorized under sub. (1). Such allegations shall be in writing, and shall be sworn to by the person making them and shall be submitted to the department. The department may, on its own motion, make such charges.

(4) The department may reissue a certificate of registration to any person whose certificate has been revoked under sub. (1) if the person satisfies requirements for reissuance established by the department. The department may issue a new certificate of registration to replace any certificate revoked, lost, destroyed or mutilated, subject to the rules of the department and the payment of the required fee.

440.969 Change of name. No person who is registered as a Wisconsin registered interior designer under this subchapter may practice interior design in this state under any other given name or any other surname than that under which the person was originally registered to use a title in this or any other state if the department, after a hearing, finds that using a title under the changed name operates to unfairly compete with another practitioner or to mislead the public as to identity or to otherwise result in detriment to the profession or the public. This section does not apply to a change of name resulting from marriage or divorce.

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.

440.9696 Submission of documents. (1) Subject to s. 440.9693 (3), 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.

Initial applicability. (1) REGISTRATION REQUIREMENTS. The treatment of ss. 440.962 (1) (a), (am), (b), (c), (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.

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.

1/6/2020