

AIA WISCONSIN URGES YOU TO OPPOSE AB 320 AS PROPOSED

WHO WE ARE:

AIA Wisconsin, the state society of the American Institute of Architects, supports state policies that protect the health and safety of the public, encourage sustainable economic development, strengthen the design and construction industry, and improve the quality of life in Wisconsin. With over 1,500 individual members, AIA Wisconsin represents architects in private practice, business, industry, government, and education.

CURRENT STATUTES:

Wis Stats Section 440.96(1) **“Interior design”** means the design of interior spaces in conformity with public health, safety and welfare requirements, including the preparation of documents relating to space planning, finish materials, furnishings, fixtures and equipment and the preparation of documents relating to interior construction that does not substantially affect the mechanical or structural systems of a building. ‘Interior design’ does not include services that constitute the practice of architecture or the practice of professional engineering.”

Wis Stats Section 443.01(5) **“Practice of architecture”** includes any professional service, such as consultation, investigation, evaluation, planning, architectural and structural design, or responsible supervision of construction, in connection with the construction of any private or public buildings, structures, projects, or the equipment thereof, or addition to or alterations thereof, in which the public welfare or the safeguarding of life, health or property is concerned or involved.”

AMENDMENT TO CHAPTER 440, SUBCHAPTER X PROPOSED IN AB 320:

Wis Stats Section 440.96 (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 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) ‘Interior design’ does not include services any of the following:

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

OUR POSITION:

We oppose the bill based on the striking of the phrase **“the practice of architecture.”** As you can see by the statutory definitions above, the practice of architecture is broader than the definition of interior design and by the wording on this bill, it would **expand the definition of interior design to include many of the core services in the practice of architecture.** Although Section 2 and 3 of AB 320 attempt to extract some of the services, the inclusion of the “practice of architecture” language opens the interpretation to a larger scope that interior designers are not trained to provide. Chapter 443 of the state statutes

defines architecture, landscape architecture engineering, design, and land surveying in very specific terms and **this bill constitutes a redefinition of rights, responsibilities, liabilities, and relationships in the licensed professions.** This is not an attempt to limit their practice but to clearly define the scope of interior design as it relates to other regulated professions.

OUR RESPONSE:

We proposed an amendment to the interior designer coalition to **remove the phrase “the practice of architecture”** and work with them on language that would define their scope more clearly, but that amendment was rejected. We are open to working with them on other facets of the bill once this language is removed.

OUR CONCERN:

Quite simply, the health, safety, and welfare of the public. Architecture has been a regulated profession in Wisconsin (as well as the other 49 states) for more than a century for good reason. Projects in buildings over 50,000 cubic feet that involve modifications of the scope identified in the building codes should be accomplished utilizing the services of licensed professionals trained to meet the responsibilities in the existing statutes.

ADDITIONAL ITEMS OF NOTE:

- Passage of this bill would lower the standard to practice architecture in the state constituting a risk to the health and safety of the public.
- In Wisconsin, a design professional required on a project can be an architect OR an engineer, yet the practice of engineering is excluded from the practice of interior design per this bill. This is both inconsistent and discriminatory.
- This bill shifts the burden for creating and governing a completely new registration structure to the Department of Safety and Professional Services, and regulatory and budgetary costs to the state have not been defined.
- This bill is not consistent with other states. Only two states, the District of Columbia, and Puerto Rico have interior design practice laws. 28 states in total have some form of regulation, most being title laws like Wisconsin has now.
- In Wisconsin there is no degree requirement that would prevent an interior designer from becoming a licensed architect if they wanted to practice architecture. They need only to pass the examination, demonstrate the experience, and provide adequate references.
- This bill raises the requirements for entry into the interior design profession, making the profession less accessible to those pursuing a career in interior design.
- In Wisconsin, an architect or engineer is NOT required for projects in buildings under the 50,000 cubic feet threshold, representing no additional burden of cost on interior design projects.

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