**South Carolina General Assembly**

119th Session, 2011-2012

**H. 4073**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Brady, H.B. Brown, Sellers, Merrill, Spires, Horne and Hamilton

Document Path: l:\council\bills\agm\18951ab11.docx

Introduced in the House on April 13, 2011

Currently residing in the House Committee on **Labor, Commerce and Industry**

Summary: Registered Interior Designer Practice Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

4/13/2011 House Introduced and read first time ([House Journal‑page 19](file:///h:\hj%20archive\2011\04-13-11.docx))

4/13/2011 House Referred to Committee on **Labor, Commerce and Industry** ([House Journal‑page 19](file:///h:\hj%20archive\2011\04-13-11.docx))

2/22/2012 House Member(s) request name added as sponsor: Horne

3/7/2012 House Member(s) request name added as sponsor: Hamilton

**VERSIONS OF THIS BILL**

[4/13/2011](file:///p:\pprever\2011-12\4073_20110413.docx)

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 85 TO TITLE 40 SO AS TO ENACT THE “REGISTERED INTERIOR DESIGNER PRACTICE ACT”, TO PROVIDE FOR THE APPLICABILITY OF THE CHAPTER, TO STATE THE PURPOSE OF THE CHAPTER, TO DEFINE TERMS, TO CREATE THE SOUTH CAROLINA REGISTERED INTERIOR DESIGNERS BOARD, TO PROVIDE FOR THE COMPOSITION, TERMS, DUTIES, AND POWERS OF THE BOARD, TO PROVIDE REQUIREMENTS FOR REGISTRATION AND RENEWAL OF REGISTRATION OF A REGISTERED INTERIOR DESIGNER, TO PROVIDE CONTINUING EDUCATION REQUIREMENTS, AND TO PROVIDE REGISTRATION AND RENEWAL REQUIREMENTS, AMONG OTHER THINGS.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Title 40 of the 1976 Code is amended by adding:

“CHAPTER 85

Registered Interior Designers

Section 40‑85‑5. This chapter may be cited as the ‘Registered Interior Designer Practice Act’.

Section 40‑85‑10. Unless otherwise provided for in this chapter, Article 1, Chapter 1, Title 40 applies to the profession regulated pursuant to this chapter, registered interior designers; however, if there is a conflict between this chapter and Article 1, Chapter 1, the provisions of this chapter control.

Section 40‑85‑20. The purpose of this chapter is to safeguard life, health, and property, as well as consumer protection, and to promote the public welfare by improving the quality of human environmental design.

Section 40‑85‑30. In addition to the definitions set forth in Section 40‑1‑20(1):

(1) ‘Active practice’ means the rendering of or offer to render services in connection with the design, construction, enlargement or alteration of a building or group of buildings and the space within and surrounding such buildings, which may have human occupancy or habitation; planning providing preliminary studies, designs, drawings, specifications, and other technical submissions; the administrating of construction contracts and coordinating elements of technical submissions prepared by others including, as appropriate and without limitation, other design professionals. Nothing in this item may be construed to prohibit a registered interior designer from coordinating submittals related to the practice of interior design.

(2) ‘Board’ means the South Carolina Registered Interior Designers Board.

(3) ‘Building shell’ means a building shell or envelope, including all components that separate the interior spaces within a structure from the surrounding exterior areas. The shell may be composed of many different features, including roofing, footers, foundations, and exterior walls, windows, and doors. A building shell may be composed of various materials, but will typically be made from some form of wood, stone, metal, or concrete. A building shell helps to protect the interior spaces in the building from exterior elements such as rain, wind, and snow. It also acts as a barrier to keep out noise, insects, and intruders. In addition to its role in protecting the interior of the building, a shell provides structural stability for the remaining building components, plays a major role in temperature control, while allowing occupants to regulate air pressure and humidity levels within the building, and acts as a security feature to protect occupants and assets.

(4) ‘Building shell system’ means a mechanical, structural, or motorized vertical transportation system designed for or located within a building shell, but does not include placement of fixtures.

(5) ‘CEU’ means a continuing education unit that equals one contact hour of education as approved by the Interior Design Continuing Education Council or its successor organization as determined by the board. CEU quantity and health, safety, and welfare requirements must be determined by the board by regulation.

(6) ‘Certificate of Registration’ means the certificate of registration displaying the registrant’s name and registration number issued by the board.

(7) ‘CIDA’ means the Council for Interior Design Accreditation.

(8) ‘Construction document’ or ‘interior construction document’ mean plans, detailed drawings, specifications and schedules that define the work to be constructed. Documents may include allocation of space, partition layouts, elevations, sections, details and specifications to illustrate nonstructural and nonseismic partition layouts; switching and communications locations; reflected ceiling plans and lighting layouts, details, and designs; materials and finishes; furniture layouts; and graphic instructions and related drawings supplied by an associated consultant and to be used for the construction of the project. These documents must be sealed and signed by a registered interior designer certifying compliance with applicable current building codes, ordinances, laws, and regulations defining the work to be constructed for approval of a construction permit by a building official or fire marshal. These documents may be combined with documents prepared under the responsible control, seal, and signature of other registered or licensed professionals. These documents also may include the technical submittals coordinated by the registered interior designer as required by contract documents.

(9) ‘Contract documents’ means a document that forms part of the legal contract for services between multiple parties. A contract document typically includes detailed instructions to the contractor, tender forms, construction documents, and specifications.

(10) ‘Department’ means the Department of Labor, Licensing and Regulation or equivalent current recognized state governing department.

(11) ‘Emeritus registered interior designer’ means an interior designer who has been registered and who is sixty five years of age or older and who was in good standing with the board at time of retirement from active business.

(12) ‘Firm’ means a business entity functioning as a sole proprietorship, partnership, limited liability partnership, professional association, business corporation, professional corporation, limited liability company, or another firm association that engages in registered interior design services.

(13) ‘HSW’ means Health, Safety and Welfare as it relates to the accreditation of CEU credits.

(14) ‘IDCEC’ means the Interior Design Continuing Education Council or its successor organization.

(15) ‘NCIDQ’ means the National Council for Interior Design Qualification.

(16) ‘Nonstructural interior construction’ means the construction of elements which do not include a load‑bearing wall, a load‑bearing column, or other load‑bearing elements of a building essential to the structural integrity of the building. Registered interior designers may design walls capable of supporting their own weight and the fixtures, décor, displays, and furnishings anchored to such walls.

(17) ‘Nonstructural interior partition, element, or component’ or ‘nonseismic interior partition, element, or component’ means an interior element or component that is not load‑bearing, is not part of the structural integrity of a building, does not assist in the seismic design of a building, and does not require a design computation for the structure of a building; or is part of the structural frame system that supports a building.

(18) ‘Professional degree’ means the successful completion of a program accredited by CIDA or its successor organization in interior design or an interior design program determined by the board to be substantially equivalent to a program accredited by CIDA or its successor organization.

(19) ‘Reflected ceiling plan’ means a design illustrating a ceiling that appears projected downward and may include lighting, materials, soffits, height changes, or other elements as required by the design.

(20) ‘Registration’ means the certificate of registration displaying the certificate of registration name and registration number issued by the board.

(21) ‘Registered interior design’ means the rendering of or the offering to render designs, consultations, studies, planning, drawings, contract documents, construction documents, interior construction documents, or other technical submissions and the administration of interior construction and contracts relating to nonstructural interior construction of a building by a registered interior designer. This term includes:

(a) space planning, finishes, furnishings, and the design for fabrication of nonstructural interior construction within interior spaces of buildings and the coordination of submittals as related to the practice of registered interior designers;

(b) responsibility for life safety design of proposed or modification of existing nonstructural elements of construction such as partitions, doors, stairways, and paths of egress connecting to exits or exit ways; and

(c) modification of existing building construction so as to alter the number of persons for which the egress systems of the building are designed.

(22) ‘Registered interior designer’ means a person:

(a) registered under the laws of this chapter as being qualified by education, experience, and examination to use the title ‘registered interior designer’ in this State and as further defined by the board through rules or regulations; and

(b) licensed to collaborate and coordinate their work with other registered design professionals for work that is excluded by this definition, including without limitation, the design of or responsibility for the building shell or building shell systems such as fire‑rated vertical shafts in multistory structures and fire‑rated protection of structural elements, with the exception of incidental restoration of fire protection to elements impacted by nonstructural elements of construction.

(23) ‘Registered interior design services’ specifically excludes:

(a) designing or being responsible for any structural or any engineering work except the specification of a fixture and its location within an interior space; and

(b) structural, mechanical, plumbing, heating, air conditioning, ventilation, vertical transportation, or electrical systems; the fire‑related vertical shaft in a multistory structure; smoke evacuation and emergency sprinkler system, and an emergency alarm system, with the exception of the specification and location of fixtures that are typically included on a floor plan or a reflected ceiling plan.

(24) ‘Responsible control’ means the amount of control over and detailed knowledge of the content of technical submissions during their preparation as is ordinarily exercised by registered design professionals applying the required professional standard of care as defined by rules and regulations adopted by the board.

(25) ‘Responsible charge’ means the direct responsibility for supervising work and the decision making process, including the review, control, and enforcement of compliance with design criteria and life safety requirements. A person in responsible charge may be physically located in a place other than the office of the interior designer if the person maintains control of the work.

(26) ‘Retired from active practice’ means not engaging or offering to engage in the business of registered interior design services.

(27) ‘Schedules’ means the written documents that describe the description, type, style, manufacturer, number, color, finish, location, and related information required to install products and materials within a construction project. Schedules include, but are not limited to:

(a) lighting fixtures;

(b) doors;

(c) windows;

(d) plumbing fixtures;

(e) tile;

(f) carpet;

(g) moldings;

(h) wainscoting;

(i) paneling;

(j) wall systems;

(k) wall covering;

(l) paint;

(m) hardware;

(n) furniture;

(o) fittings;

(p) materials;

(q) shade and window treatment systems;

(r) ceiling systems;

(s) signage;

(t) way finding;

(u) casework; and

(v) specialties.

(28) ‘Space planning’ means to analyze and document the design of space requirements including, but not limited to, a spatial layout, occupancy requirements, egress, and function.

(29) ‘Specification’ means the detailed, written description of construction, workmanship, and materials for work to be undertaken.

(30) ‘Technical submittals’ or ‘technical submissions’ means designs, drawings, specifications, studies, and another technical reports prepared and reviewed in the course of the professional practice of registered interior design.

Section 40‑85‑40. (A) There is created the South Carolina Registered Interior Designers Board under the administration of the Department of Labor, Licensing and Regulation, composed of five members to be appointed by the Governor with the advice and consent of the Senate to consist of:

(1) two members from the public at large who must not be registered interior designers, an agent or employee of a person engaged in the profession of registered interior design, or the spouse of such an individual;

(2) one member who:

(a) is a full professor of interior design at a university or college in this State;

(b) holds a certificate from NCIDQ or its successor organization;

(c) is a registered interior designer in this State,

(d) maintains membership in IDCEC or its successor organization; and

(3) two members who are:

(a) registered interior designers;

(b) current NCIDQ certificate holders; and

(c) engaged in the practice of registered interior design services in this State.

(B) Board members shall serve terms of four years and until their successors are appointed and qualified. A person may serve more than two consecutive terms.

(C) Vacancies must be filled in the manner of the original appointment for the unexpired portion of the term.

(D) Nominations for appointment to the board may be submitted to the Governor from the board or any individual, group, or association.

(E) The Governor may remove a member of the board in accordance with Section 1‑3‑240.

Section 40‑85‑50. (A) In order to safeguard public health, welfare, safety, and property and to promote public good, a person seeking the title of registered interior designer shall submit evidence of education, experience, and examination to the board that he is qualified to practice registered interior design.

(B) A person who identifies himself as a registered interior designer must be registered pursuant to this chapter within four years following the establishment of the board.

(C) A registration issued pursuant to this title is valid for two years and is renewable on dates as established by the board by regulation.

Section 40‑85‑55. (A) In addition to the provisions of Sections 40‑1‑70, 40‑1‑80, and 40‑1‑90, the duties of the board are to:

(1) advise the department in the development of regulations, statutory revisions, and other matters as the department may request concerning the administration of this chapter; and

(2) conduct hearings on alleged violations of this chapter and regulations promulgated pursuant to this chapter, mediate consumer complaints where appropriate and possible, and discipline persons registered pursuant to this chapter in the manner provided for in this chapter.

(B) One board member shall serve as a delegate to the National NCIDQ Board and in that role secure state compliance with National NCIDQ testing procedures and requirements.

Section 40‑85‑60. (A) The department shall provide all administrative, fiscal, investigative, inspectional, clerical, secretarial, and registration renewal operations and activities of the board in accordance with Section 40‑1‑50. The board must be appointed and operational within than twelve months after enactment of this chapter.

(B) A registered interior designer must biennially renew registration by submitting to the department a completed renewal form provided by the department, documenting satisfaction of CEU requirements, and a fee prescribed by the board.

(C) The board shall promulgate regulations to provide for the publishing of a schedule of fees for examination, registration, renewal, and other assessments.

Section 40‑85‑70. The board may adopt rules governing its proceedings and shall elect a chair and vice chair who shall serve a term of one year. The board shall design and adopt a seal with which all its official documents must be sealed.

Section 40‑85‑80. The board shall hold at least two regular meetings each year. Special meetings may be held as the bylaws of the board provide but a quorum of three board members is necessary to any meeting.

Section 40‑85‑90. The board may:

(1) adopt and amend bylaws and rules of procedure for the conduct of its affairs and functions as reasonably necessary for the performance of its duties and the regulation of its proceedings, meetings, records, examinations and the conduct of these, and to adopt a code of ethics which is binding upon all persons registered pursuant to or subject to this chapter;

(2) affix its official seal to each numbered certificate of registration issued; and

(3) advise and oversee the establishment by the department of fees for examination, registration, renewal, and any other assessments the board deems necessary.

Section 40‑85‑100. In addition to the powers and duties provided for in this chapter, the board has those powers and duties set forth in Section 40‑1‑70.

Section 40‑85‑110. (A) If the director of the department, a member of the board, or an individual has reason to believe that an individual or firm is unfit to engage in the practice of registered interior design or has violated a provision of this chapter or a regulation pursuant to this chapter, or if an individual files a written complaint with the board or the director of the department charging an individual or firm with the violation of a provision of this chapter or a regulation pursuant to this chapter, the director or board may initiate an investigation of the alleged violation.

(B) The board or a member of the board may issue subpoenas to compel the attendance of witnesses and the production of documents and also may administer oaths, take testimony, and receive exhibits in evidence for all purposes required in the discharge of duties under this chapter.

Section 40‑85‑120. A hearing that is conducted as a result of an investigation must be conducted in accordance with Section 40‑1‑90.

Section 40‑85‑130. (A) In addition to other remedies provided in this chapter or Article 1, Chapter 1, the board in accordance with Section 40‑1‑100 also may issue a cease and desist order or may petition the administrative law court for a temporary restraining order or other equitable relief to enjoin a violation of this chapter.

(B) Service of notice provided for by law upon a nonresident registered interior designer or upon a resident registered interior designer, who, having been admitted, subsequently becomes a nonresident or after due diligence cannot be found at his usual abode or place of business in this State, may be made by leaving with the administrator of the board a copy of the notice and any accompanying documents and by sending to the registered interior designer by certified mail an attested copy, with an endorsement on the copy of the service upon the administrator, addressed to the registered interior designer at his last known address.

(C) The return receipt for the certified mail must be attached to and made a part of the return of service of the notice by the board. The chair of the board before which there was pending a proceeding in which notice has been given, as provided in this section, may order a continuance as may be necessary to afford the registered interior designer reasonable opportunity to appear and be heard. The administrator shall keep a record of the day of the service of the notice and any accompanying documents.

Section 40‑85‑140. The board may revoke, fine, suspend, or restrict the authorization to practice registered interior design and use of the title registered interior designer in this State.

Section 40‑85‑150. The board has jurisdiction over the actions of registered interior designers as provided in Section 40‑1‑115.

Section 40‑85‑160. The board may impose a civil fine for a violation of a provision of this chapter or a regulation promulgated under this chapter with the amount of such fines to be established by the board. A final order of the board finding that a registrant is guilty of any offense charged in a formal complaint becomes public knowledge. A complaint or an order dismissing a complaint is confidential to the board and is not made public knowledge.

Section 40‑85‑170. As provided in Section 40‑1‑130, the board may deny registration to an applicant based on the same grounds for which the board may take disciplinary action against a registered interior designer.

Section 40‑85‑180. Registration may be denied based on a person’s prior criminal record only as provided in Section 40‑1‑140.

Section 40‑85‑190. A registrant under investigation for a violation of this chapter or a regulation pursuant to this chapter is suspended and may voluntarily surrender the registration pursuant to Section 40‑1‑150.

Section 40‑85‑200. A person aggrieved by a final action of the board may seek review of the decision in accordance with Section 40‑1‑160.

Section 40‑85‑210. A person found in violation of this chapter or regulations promulgated under this chapter may be required to pay costs associated with the investigation and prosecution of the case in accordance with Section 40‑1‑170.

Section 40‑85‑220. All costs and fines imposed pursuant to this chapter must be paid in accordance with and are subject to the collection and enforcement provisions of Section 40‑1‑180.

Section 40‑85‑230. Investigations and proceedings conducted under this chapter are confidential and all communications are privileged as provided pursuant to Section 40‑1‑190.

Section 40‑85‑240. A person who represents himself as a registered interior designer or unlawfully engages in the practice of registered interior design as presented in this chapter; or who knowingly submits false information for the purpose of obtaining or renewing a license, is guilty of a misdemeanor and, upon conviction, must be fined or punished according to the laws of the State. Fines and fees must be established by the board by regulation.

Section 40‑85‑250. (A) The privilege of engaging in the practice of registered interior design is a personal privilege based upon the qualification of the individual and evidenced by the person’s registration certificate, which is not transferable.

(B) The board shall review all applications for registered interior designers. The review shall consist of an inquiry into qualifications documented in the record, education, experience, and examination of the applicant.

(C) A person seeking to become a registered interior designer following the establishment of the board shall:

(1) apply to the board on a form provided by the department;

(2) pay an application fee to the department; and

(3) submit documentation demonstrating current status as holding a certification from NCIDQ or its successor organization.

Section 40‑85‑260. (A) Notwithstanding the other provisions of this chapter, a person who provides interior design service has four years following the establishment of the board to apply to the department to become a registered interior designer. A person seeking registration pursuant to this subsection must:

(1) apply to the board on a form provided by the department;

(2) pay the application fee to the department as prescribed in regulation;

(3) submit documentation demonstrating that the applicant:

(a) possesses at least ten years of combined interior design education and interior design experience, two years of which must be an interior design degree from a program accredited by CIDA, or a program that the board determines is substantially equivalent; and

(b) has passed the written portion of the examination administered by NCIDQ or its successor organization pertaining to codes.

(B) Notwithstanding another provision of this chapter, a person who provided interior design services on or before January 1, 1999, and who seeks registration as a registered interior designer must:

(1) apply to the board on a form provided by the department;

(2) pay an application fee to the department as prescribed by regulation;

(3) provide evidence of passage of the NCIDQ examination; or

(4) hold a degree from a CIDA‑accredited interior design institution; or

(5) in lieu of the requirement for an accredited baccalaureate degree, submit documentation demonstrating that the applicant has:

(a) a diploma or certificate from a program with twenty credit hours in interior design coursework;

(b) documented proof of diversified experience in the practice of interior design equating to a minimum of full‑time practice for ten years, and

(c) successfully passed Section One of the NCIDQ section.

Section 40‑85‑270. (A) The department shall:

(1) issue a registration certificate and registration number to applicants who satisfy the requirements of Section 40‑85‑250; and

(2) maintain a public roster of registrants and make the roster available for public use.

(B) Notwithstanding another provision of law, an applicant may not be registered and may not receive a certificate as a registered interior designer if the individual has misstated or misrepresented any fact in connection with the application, or violated any of the rules of registrant conduct set forth in the law or regulations. The department also may refuse to issue a registration if, based upon consideration of all information available, including, but not limited to, a prior record of felony criminal convictions, the department finds that the applicant is unfit or unsuitable to engage in the profession or occupation.

Section 40‑85‑280. A registered interior designer shall comply with all requirements of this chapter, all applicable building codes, all applicable fire codes, and all applicable local regulations.

Section 40‑85‑290. (A) A registered interior designer must biennially renew registration by submitting to the department a completed renewal form provided by the department, documentation indicating satisfaction of CEU requirements, and a fee prescribed by the department.

(B) A registered interior designer must satisfy registration renewal requirements established by the department in regulation. These requirements must include CEU requirements that are accredited by the IDCEC or its successor organization and that consist of twelve CEU hours every biennium. The CEUs must contain ten hours of Health, Safety and Welfare (HSW) every biennium. An emeritus interior designer is not required to complete CEU requirements.

(C) If an individual fails to provide proof of CEU compliance, fails to prove compliance when audited, or both, he must be suspended and has one year in which to conform to CEU requirements, at the end of which if he is still in noncompliance his registration certificate is revoked.

(D) The registration certificate of an individual may be renewed at any time within one year from the date of expiration upon payment of the established fee and a penalty fee prescribed by the department during the first thirty days past the renewal deadline date and an additional penalty fee as prescribed by the department thereafter during the year.

(E) If an individual fails to renew within one year from the date of expiration or suspension, the registration certificate only may be reissued upon submission of a new application, accompanied by a fee as prescribed in regulation and approved by the board.

(F) An emeritus registered interior designer who wishes to return to active practice must pay a fee as prescribed in regulation and complete continuing education requirements for each exempted year, not to exceed four years total.

Section 40‑85‑300. (A) Contract documents or interior contract documents related to a registered interior design service and prepared by a registered interior designer may not be filed as a public record unless the document bears the seal of the registered interior designer, his signature, the date of the signature, and the registration number issued by the department.

(B) A county or municipal building department shall accept and file as a public record any contract documents or interior contract documents related to a registered interior design service and prepared by a registered interior designer or under the direct supervision of a registered interior designer.

(C) An electronic seal and signature may be used in lieu of the original seal and signature by applicable policy or regulation.

Section 40‑85‑310. A registered interior designer shall provide the registration number issued by the department in a business communication and in all business communications and paid advertisement.

Section 40‑85‑320. (A) The provisions of this chapter do not apply to:

(1) an architect or engineer licensed under the laws of the State who is not a registered interior designer or does not refer to himself as a registered interior designer;

(2) a person who provides a decorating service or assists in selecting surfaces materials, window treatments, wall coverings, paint, floor coverings, surface‑mounted fixtures, or loose furnishings not subject to an applicable provision of a building code, fire code, or local ordinance;

(3) an employee of a retail establishment that provides consultation regarding interior decoration or furnishings during a retail sale or prospective retail sale;

(4) an employee of a retail establishment providing design services on the premises of a retail establishment or in the home in the furtherance of a retail sale, so long as he does not advertise, or represent himself, as a registered interior designer; or

(5) a person providing design services on:

(a) a detached single family or two family dwelling, as defined in the International Building Code, regardless of size, with each unit having a grade level exit and shed, storage building, and garages incidental to the dwelling;

(b) a building used for farm purposes only;

(c) a building less than three stories high and containing fewer than five thousand square feet of total floor area, except buildings of assembly, institutional, educational, or commercial buildings that require a permit and hazardous occupancies as defined by the International Building Code, regardless of area; and

(d) alterations to a building to which this chapter does not apply, if the alterations do not increase the area and capacity or affect the structural safety of the building.

(B) Nothing in this chapter prohibits a general contractor or a home builder from the preparation and use of details and shop drawings, assembly or erection drawings, or graphic descriptions used to detail or illustrate a portion of the work required to construct the project in accordance with the plans and specifications prepared or to be prepared under the requirements of this chapter.

(C) Nothing in this chapter prevents or affects the practice of another profession legally recognized by this State.

(D) Notwithstanding any other contractual, regulatory, or statutory requirement or local ordinance, nothing in this chapter prevents a homeowner, business owner, property owner, or other legal occupant of a residential or commercial domain from undertaking renovations, upgrades, or design modifications that are otherwise permitted within the premises without entering into a contractual agreement with a registered design professional including a registered interior designer.

(E) Nothing in this chapter prevents or affects the practice of engineering, as defined in Chapter 22, or architectural work incidental to the practice of engineering.

Section 40‑85‑330. A person who provides evidence of registration or licensure as a registered interior designer in another state with requirements substantially equivalent to or in excess of the requirements of this chapter and regulations promulgated under this chapter may become registered by the department upon payment of the initial registration fee and any other applicable fees.

Section 40‑85‑340. (A) A registered interior designer upon registration shall obtain a seal of the design authorized by the board. This seal must bear the name of the licensee, number of his certificate of registration, and the legend ‘Registered Interior Designer, State of South Carolina’. This seal may be used only while the registration is in full force and effect. Nothing in this chapter may be construed to authorize the use or acceptance of the seal of the registered interior designer in lieu of the seal of another registered design professional.

(B) A registered interior designer practicing in this State shall have a seal with an impression containing the name and registration number of the registered interior designer and the words, ‘Registered Interior Designer, State of South Carolina’ with which they shall seal all contract documents or interior contract documents.

(C) The seal of an individual registered interior designer in responsible charge as well as, the seal of the firm, if applicable, must appear on each drawing or sheet of drawings, and each set of specifications offered to secure a building permit and one record set for use on the construction site. The required seal identification may be a rubber stamp impression placed on original drawings and specification copy. The registered interior designer in responsible charge shall affix his signature over their seal.

(D) An electronic seal and signature may be used in lieu of an original seal and signature by applicable policy or regulation.

(E) The board shall prescribe the form of a certificate of registration as a registered interior designer issued pursuant to the provisions of this article.

(F) A registered interior designer must have a seal separate from the seal of a registered architect. The seal of a registered interior designer must be applied to drawings or other documents prepared by or under the responsible control of the registered interior designer, provided that this seal does not prohibit a registered architect who has reviewed or supervised the preparation of drawings or other documents prepared by a registered interior designer from applying his seal to these drawings or other documents in addition to the registered interior designer.

Section 40‑85‑350. If a set of plans and specifications, for which the seal of a registered design professional is required, have been submitted in accordance with the provisions of this chapter by a registered interior designer then before issuing the permit, the building official or other authority charged with the responsibility of issuing building or other similar permits of any county, municipality, or other subdivision, is responsible for the verification that the registered interior designer who sealed the interior design plans and specifications is a registered interior designer in this State.

Section 40‑85‑360. Nothing in this chapter may be construed to provide or restrict the practice or activities of an interior designer or individual offering interior decorating services, including, but not limited to, selection of surface materials, window treatments, wall coverings, paints, floor coverings, and lighting fixtures.”

SECTION 2. If any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this act is for any reason held to be unconstitutional or invalid, such holding shall not affect the constitutionality or validity of the remaining portions of this act, the General Assembly hereby declaring that it would have passed this act, and each and every section, subsection, paragraph, subparagraph, sentence, clause, phrase, and word thereof, irrespective of the fact that any one or more other sections, subsections, paragraphs, subparagraphs, sentences, clauses, phrases, or words hereof may be declared to be unconstitutional, invalid, or otherwise ineffective.

SECTION 3. This act takes effect upon approval by the Governor.

‑‑‑‑XX‑‑‑‑