

ASSEMBLY BILL NO. 539—COMMITTEE ON COMMERCE AND LABOR

(ON BEHALF OF STATE BOARD OF ARCHITECTURE, INTERIOR
DESIGN AND RESIDENTIAL DESIGN)

MARCH 21, 2001

Referred to Committee on Commerce and Labor

SUMMARY—Makes various changes to provisions governing architects, registered interior designers and residential designers. (BDR 54-615)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to professions; authorizing the state board of architecture, interior design and residential design to accept satisfactory evidence of registration as an interior designer in another jurisdiction under certain circumstances; repealing certain provisions governing a member of the board who is a residential designer or registered interior designer; providing that a certificate of registration issued to an architect, registered interior designer or residential designer must be renewed annually; revising the qualifications to apply for registration as an architect or registered interior designer; revising the circumstances under which a residential designer may engage in practice as a registered interior designer; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 623 of NRS is hereby amended by adding thereto
2 the provisions set forth as sections 2 and 3 of this act.

3 **Sec. 2.** *“Responsible control” means the amount of control over and*
4 *detailed knowledge of the content of a technical submission during its*
5 *preparation that is ordinarily exercised by a registered architect,*
6 *registered interior designer or residential designer, as applicable, when*
7 *applying the normal standard of professional care.*

8 **Sec. 3.** *The board may accept satisfactory evidence of registration as*
9 *an interior designer in another jurisdiction where the qualifications*
10 *required are equal to those required in paragraphs (d) and (e) of*
11 *subsection 1 of NRS 623.192 at the date of application. Before the board*
12 *may accept that evidence, the applicant must pass the examination*
13 *required pursuant to the provisions of subsection 3 of NRS 623.200.*



1 **Sec. 4.** NRS 623.015 is hereby amended to read as follows:
2 623.015 As used in this chapter, unless the context otherwise requires,
3 the words and terms defined in NRS 623.017 to 623.027, inclusive, *and*
4 *section 2 of this act*, have the meanings ascribed to them in those sections.

5 **Sec. 5.** NRS 623.025 is hereby amended to read as follows:
6 623.025 The "practice of residential design" consists of rendering
7 services embracing the scientific, esthetic or orderly coordination of
8 processes which enter into ~~the~~ :

9 1. *The* production of *a* completed ~~single family dwelling units and~~
10 ~~multifamily dwelling structures that do~~ :

11 (a) *Single-family dwelling unit; or*

12 (b) *Multifamily dwelling structure that does* not exceed two stories in
13 height and ~~are~~ *is* composed of not more than four units in ~~each structure~~
14 ~~or the utilization~~ *that structure; and*

15 2. *The use* of space within and surrounding ~~those units or structures,~~
16 ~~the unit or structure,~~

17 performed through the medium of plans, specifications, administration of
18 construction, preliminary studies, consultations, evaluations, investigations,
19 contract documents and advice and direction.

20 **Sec. 6.** NRS 623.050 is hereby amended to read as follows:

21 623.050 1. The state board of architecture, interior design and
22 residential design, consisting of nine members appointed by the governor,
23 is hereby created.

24 2. The governor shall appoint:

25 (a) Five members who are registered architects and have been in the
26 active practice of architecture in the State of Nevada for not less than 3
27 years preceding their appointment.

28 (b) One member who is a registered residential designer.

29 (c) Two members who are registered interior designers and who are not
30 registered architects or residential designers.

31 (d) One member who is a representative of the general public.

32 3. Members of the board must have been residents of this state for not
33 less than 2 years preceding their appointment.

34 4. The governor may, upon *a* bona fide complaint, and for good cause
35 shown, after 10 days' notice to any member against whom charges may be
36 filed, and after opportunity for hearing, remove the member for
37 inefficiency, neglect of duty or malfeasance in office.

38 ~~5. The member who is a residential designer shall not participate in~~
39 ~~the investigation or acceptance of his application or in the grading or~~
40 ~~certification of his examination.~~

41 ~~6. The members who are registered interior designers shall not~~
42 ~~participate in the investigation or acceptance of their applications or in the~~
43 ~~grading or certification of their examinations.~~

44 **Sec. 7.** NRS 623.180 is hereby amended to read as follows:

45 623.180 1. No person may practice:

46 (a) Architecture or use the title of architect;

47 (b) Residential design or use the title of residential designer; or

48 (c) As a registered interior designer or use the title of registered interior
49 designer,



1 in this state without having a certificate of registration issued to him
2 pursuant to the provisions of this chapter.

3 2. Whenever the requirements for registration pursuant to the
4 provisions of this chapter have been fully complied with and fulfilled by an
5 applicant, the board shall issue to the successful applicant a certificate as a
6 registered architect, registered interior designer or residential designer. ~~If~~
7 ~~the certificate will be issued after the beginning of a biennium, the~~
8 ~~applicant shall pay the full fee which is prescribed.~~ *Each certificate of*
9 *registration issued by the board expires on December 31 of each year.*
10 *The board shall, by regulation, establish a schedule of prorated fees for a*
11 *certificate of registration that is issued for less than 1 year.*

12 3. The certificate is synonymous with registration with a serial number
13 and seal. A person who is issued a certificate may practice architecture or
14 residential design or may practice as a registered interior designer in this
15 state, subject to the provisions of this chapter and the regulations of the
16 board.

17 4. The unauthorized use or display of a certificate of registration is
18 unlawful.

19 **Sec. 8.** NRS 623.185 is hereby amended to read as follows:

20 623.185 1. Upon being issued a certificate of registration, each
21 registered architect, registered interior designer or residential designer shall
22 obtain a seal of the design authorized by the board, bearing the architect's,
23 registered interior designer's or residential designer's name, the number of
24 his certificate of registration, and the legend "Registered Architect,"
25 "Registered Interior Designer" or "Residential Designer."

26 2. ~~{Plans, specifications, reports and other documents}~~ *A plan,*
27 *specification, report or other document* issued by a registered architect,
28 registered interior designer or residential designer for official use must be
29 signed, sealed and dated ~~{on the title page by the architect or designer.}~~ *by*
30 *him. The board may adopt regulations specifying the manner in which a*
31 *registered architect, registered interior designer or residential designer*
32 *may electronically transmit such a plan, specification, report or other*
33 *document.*

34 3. It is unlawful for a person to stamp or seal any ~~{plans,~~
35 ~~specifications, reports or other documents}~~ *plan, specification, report or*
36 *other document* with the seal after the certificate of registration of the
37 architect, registered interior designer or residential designer, named
38 therein, has expired or has been suspended or revoked, unless the
39 certificate has been renewed or reissued.

40 4. Any plan, drawing, specification or other document prepared by a
41 registered interior designer must contain a statement that the plan, study,
42 drawing, specification or other document was prepared by a registered
43 interior designer registered pursuant to the provisions of this chapter.

44 **Sec. 9.** NRS 623.190 is hereby amended to read as follows:

45 623.190 1. Any person who is at least 21 years of age and of good
46 moral character and who meets the requirements for education and
47 practical training established by the board by regulation may apply to the
48 board for registration pursuant to *the provisions of* this section as an
49 architect.



1 2. Each year of study, up to and including 5 years of study,
2 satisfactorily completed in an architectural program accredited by the
3 National Architectural Accrediting Board ~~or any program of architecture in~~
4 ~~the State of Nevada~~ or any architectural program approved by the state
5 board of architecture, interior design and residential design is considered
6 equivalent to 1 year of experience in architectural work for the purpose of
7 registration as an architect.

8 3. The board shall, by regulation, establish standards for examinations
9 which must be consistent with standards employed by other states. The
10 board may adopt the standards of the National Council of Architectural
11 Registration Boards, and the examination and grading procedure of that
12 organization, as they exist on the date of adoption. Examinations may
13 include tests in such technical and professional subjects as are prescribed
14 by the board.

15 4. If the board adopts the examination of the National Council of
16 Architectural Registration Boards, an applicant for registration as an
17 architect who wishes to:

18 (a) Take the examination must pay to the entity which administers the
19 examination the fee charged by that entity for taking the examination and
20 pay to the board a processing fee as provided in NRS 623.310.

21 (b) Retake any part or parts of the examination which he previously
22 failed must pay to the entity which administers the examination the fee
23 charged by that entity for retaking ~~such~~ *that* part or parts.

24 5. Any person who is at least 21 years of age and of good moral
25 character and who has a total of 5 years of credit for education or practical
26 training, or a combination thereof which is acceptable to the board, may
27 apply to the board for registration as a residential designer. The board shall,
28 by regulation, establish the amount of credit allowed for education,
29 practical training or a combination thereof.

30 6. The board shall, by regulation, establish the standards for the
31 examination to qualify as a residential designer. ~~which may be required~~
32 ~~as part of the examination to be an architect.~~ The examination must
33 consist of at least ~~the following~~:

34 ~~(a) A written examination covering:~~

35 ~~(1) the following subjects:~~

36 (a) Structural technology;

37 ~~(2)~~ (b) Materials and methods of construction;

38 ~~(3)~~ (c) Systems for environmental control; and

39 ~~(4)~~ (d) Graphic design. ~~and~~

40 ~~(b) An oral interview of the applicant by the board upon the successful~~
41 ~~completion of the written portion of the examination.~~

42 7. *Before being issued a certificate of registration to engage in the*
43 *practice of architecture or residential design, each applicant must*
44 *personally appear before the board to take an oath prescribed by the*
45 *board.*

46 8. Any application to the board may be denied for any violation of *the*
47 *provisions of* this chapter.



1 **Sec. 10.** NRS 623.192 is hereby amended to read as follows:
2 623.192 1. An applicant for a certificate of registration to practice as
3 a registered interior designer must be of good moral character and submit
4 to the board:

- 5 (a) An application on a form provided by the board;
6 (b) The fees required pursuant to NRS 623.310;
7 (c) The statement required pursuant to NRS 623.225;
8 (d) Proof which is satisfactory to the board that he has : ~~completed;~~

9 (1) At least ~~5 years of education in a program of interior design or an~~
10 ~~equivalent number of credits and at least 1 year~~ **2 years** of experience in
11 interior design; ~~for~~

12 ~~—(2) At least 4 years of education in; and~~

13 **(2) Successfully completed** a program of interior design ~~for an~~
14 ~~equivalent number of credits and at least 2 years of experience in interior~~
15 ~~design;~~ **accredited by the Foundation for Interior Design Education**
16 **Research or a substantially equivalent program approved by the board;**
17 and

18 (e) A certificate issued by the National Council for Interior Design
19 Qualification as proof that he has passed the examination prepared and
20 administered by that organization.

21 2. ~~Each program of interior design must be accredited by the~~
22 ~~Foundation for Interior Design Education Research or approved by the~~
23 ~~board.~~

24 ~~—3.†~~ The board shall, by regulation, adopt the standards of the National
25 Council for Interior Design Qualification for the experience ~~and~~
26 ~~equivalent credits~~ required pursuant to **the provisions of** subsection 1 as
27 those standards exist on the date of the adoption of the regulation.

28 **3. Before being issued a certificate of registration to practice as a**
29 **registered interior designer, each applicant must personally appear**
30 **before the board to take an oath prescribed by the board.**

31 4. Any application submitted to the board may be denied for any
32 violation of the provisions of this chapter.

33 **Sec. 11.** NRS 623.220 is hereby amended to read as follows:

34 623.220 1. The board shall issue a certificate of registration as an
35 architect or a residential designer, upon payment of a registration fee
36 pursuant to **the provisions of subsection 2 of** NRS **623.180 or** 623.310, to
37 any applicant who complies with the provisions of NRS 623.190 and
38 623.225 and passes the examinations, or in lieu thereof , brings himself
39 within the provisions of NRS 623.210.

40 2. The board shall issue a certificate of registration to practice as a
41 registered interior designer , upon payment of a registration fee pursuant to
42 **the provisions of** NRS **623.180 or** 623.310 , to any applicant who complies
43 with the provisions of NRS 623.192, 623.200 and 623.225 ~~†~~ , **or in lieu**
44 **thereof, brings himself within the provisions of section 3 of this act.**

45 3. Certificates of registration must include the full name of the
46 registrant, have a serial number and be signed by the chairman and the
47 secretary of the board under seal of the board. The issuance of a certificate
48 of registration by the board is evidence that the person named therein is
49 entitled to all the rights and privileges of an architect, registered interior



1 designer or residential designer while the certificate remains unsuspended,
2 unrevoked and unexpired.

3 **Sec. 12.** NRS 623.250 is hereby amended to read as follows:

4 623.250 1. Each architect, registered interior designer or residential
5 designer who ~~holds~~ *wishes to renew* a certificate of registration *issued to*
6 *him* pursuant to the provisions of this chapter ~~{shall, before or during the~~
7 ~~month of December of each year preceding a biennium during which he~~
8 ~~desires to continue:~~

9 ~~— (a) The practice of architecture or residential design; or~~

10 ~~— (b) To practice as a registered interior designer,~~
11 ~~submit a renewal fee} *must submit to the board:*~~

12 *(a) The fees required for renewal* pursuant to the provisions of this
13 chapter ~~{, proof}~~ ;

14 *(b) Proof* of compliance with all of the requirements established by the
15 board for continuing education for the renewal of the certificate *of*
16 *registration;* and ~~{the}~~

17 *(c) The statement required pursuant to the provisions of* NRS 623.225.

18 2. Upon receipt of the *fees required for* renewal , ~~{fee,}~~ proof
19 satisfactory to the board of compliance with all of the requirements
20 established by the board for continuing education and the statement, the
21 secretary of the board shall execute and issue a certificate renewal card to
22 the applicant, certifying that his certificate of registration is renewed for
23 ~~{the term of a biennium.}~~ *1 year after its date of expiration.* The certificate
24 renewal card must bear a serial number and the signature or a facsimile
25 thereof of the secretary of the board or the executive director and must bear
26 the seal of the board.

27 3. The renewal must be recorded, together with its serial number, by
28 the secretary of the board in the official register of the board pursuant to
29 *the provisions of* NRS 623.230.

30 **Sec. 13.** NRS 623.270 is hereby amended to read as follows:

31 623.270 1. The board may place the holder of any certificate of
32 registration issued pursuant to *the provisions of* this chapter on probation,
33 reprimand him, fine him not more than \$10,000, suspend or revoke his
34 license, impose the costs of investigation and prosecution upon him or take
35 any combination of these disciplinary actions, if proof satisfactory to the
36 board is presented that:

37 (a) The certificate was obtained by fraud or concealment of a material
38 fact.

39 (b) The holder of the certificate has been found guilty by the board or
40 by a court of justice of any fraud, deceit or concealment of a material fact
41 in his professional practice, or has been convicted by a court of justice of a
42 crime involving moral turpitude.

43 (c) The holder of the certificate has been found guilty by the board of
44 incompetency, negligence or gross negligence in:

45 (1) The practice of architecture or residential design; or

46 (2) His practice as a registered interior designer.

47 (d) The holder of a certificate has affixed his signature or seal to plans,
48 drawings, specifications or other instruments of service which have not
49 been prepared by him or in his office, or under his ~~{direct supervision,}~~



1 *responsible control*, or has permitted the use of his name to assist any
2 person who is not a registered architect, registered interior designer or
3 residential designer to evade any provision of this chapter.
4 (e) The holder of a certificate has aided or abetted any unauthorized
5 person to practice:
6 (1) Architecture or residential design; or
7 (2) As a registered interior designer.
8 (f) The holder of the certificate has violated any law, regulation or code
9 of ethics pertaining to:
10 (1) The practice of architecture or residential design; or
11 (2) Practice as a registered interior designer.
12 (g) The holder of a certificate has failed to comply with an order issued
13 by the board or has failed to cooperate with an investigation conducted by
14 the board.
15 2. If discipline is imposed pursuant to *the provisions of* this section,
16 the costs of the proceeding, including investigative costs and attorney's
17 fees, may be recovered by the board.
18 ~~12-1~~ 3. The conditions for probation imposed pursuant to *provisions of*
19 subsection 1 may include, but are not limited to:
20 (a) Restriction on the scope of professional practice.
21 (b) Peer review.
22 (c) Required education or counseling.
23 (d) Payment of restitution to ~~{all parties}~~ *each person* who suffered
24 harm or loss.
25 (e) Payment of all costs of the administrative investigation and
26 prosecution.
27 ~~13-1~~ 4. As used in this section:
28 (a) "Gross negligence" means conduct which demonstrates a reckless
29 disregard of the consequences affecting the life or property of another
30 person.
31 (b) "Incompetency" means conduct which, in:
32 (1) The practice of architecture or residential design; or
33 (2) Practice as a registered interior designer,
34 demonstrates a significant lack of ability, knowledge or fitness to discharge
35 a professional obligation.
36 (c) "Negligence" means a deviation from the normal standard of
37 professional care exercised generally by other members in:
38 (1) The profession of architecture or residential design; or
39 (2) Practice as a registered interior designer.
40 **Sec. 14.** NRS 623.333 is hereby amended to read as follows:
41 623.333 1. An architect ~~for a residential designer~~ who is registered
42 pursuant to the provisions of this chapter is not required to obtain a
43 certificate of registration to practice as a registered interior designer.
44 2. *A residential designer who is registered pursuant to the provisions*
45 *of this chapter is not required to obtain a certificate of registration to*
46 *practice as a registered interior designer while engaged in the practice of*
47 *residential design.*



1 **Sec. 15.** NRS 623.350 is hereby amended to read as follows:

2 623.350 1. ~~Every~~ *Each* office or place of business *in this state* of
3 any partnership, corporation, limited-liability company or other business
4 organization or association ~~engaged~~ *that engages* in the practice of
5 architecture *or residential design, or practice as a registered interior*
6 *designer* pursuant to the provisions of NRS 623.349 ~~shall~~ *must* have an
7 architect, *registered interior designer or residential designer* who is a
8 resident of this state and holds a certificate of registration issued pursuant
9 to this chapter regularly working in the office or place of business and
10 ~~directly~~ *having* responsible *control* for the ~~administration of the~~
11 architectural work *or work relating to engaging in practice as a registered*
12 *interior designer* conducted in the office or place of business. The
13 provisions of this subsection do not apply to partnerships, corporations,
14 limited-liability companies or other business organization or associations
15 ~~engaged~~ *that engage* in the practice of architecture *or residential design*
16 *or practice as a registered interior designer* at offices established for
17 construction administration.

18 2. A registrant or licensee practicing in a business organization or
19 association which holds a certificate issued pursuant to NRS 623.349
20 remains subject to NRS 89.220.

21 3. If a person who is not registered or licensed, or a registrant or
22 licensee who is not an owner, and who is employed by or affiliated with a
23 business organization or association which holds a certificate issued
24 pursuant to NRS 623.349 is found by the board to have violated a provision
25 of this chapter or a regulation of the board, the board may hold the business
26 organization or association and the registrants and licensees who are
27 owners responsible for the violation.

28 **Sec. 16.** NRS 623.353 is hereby amended to read as follows:

29 623.353 A residential designer shall not engage in rendering services
30 for any building or structure not specified in NRS 623.025 unless he does
31 so under the ~~direct supervision~~ *responsible control* of a registered
32 architect. In such cases, the architect is the sole contracting party, has full
33 responsibility for the work performed by the residential designer, shall
34 supervise any work performed by the residential designer and shall file the
35 agreement between the residential designer and the architect with the
36 secretary of the board within 10 days after the execution of the agreement.

37 **Sec. 17.** Section 39 of chapter 512, Statutes of Nevada 1995, at page
38 1705, is hereby amended to read as follows:

39 Sec. 39. The state board of architecture, interior design and
40 residential design shall issue a certificate of registration to practice
41 interior design to any person who:

42 1. Submits to the board, not later than December 31, 1999, a form
43 prescribed by the board declaring his intention to apply for a
44 certificate of registration to practice interior design;

45 2. Is of good moral character and submits to the board : ~~is not~~
46 ~~later than December 31, 2004;~~

47 (a) An application on a form provided by the board;

48 (b) The fees required pursuant to NRS 623.310;



1 (c) Proof which is satisfactory to the board that he has completed at
2 least 2 years of education in a program of interior design or an
3 equivalent number of credits and at least 4 years of experience in
4 interior design or residential interior design; and

5 (d) A certificate issued by the National Council for Interior Design
6 Qualification as proof that he has passed the examination prepared
7 and administered by that organization; and

8 3. Complies with the requirements of subsection 3 of NRS
9 623.200 . ~~not later than December 31, 2004~~

10 **Sec. 18.** A certificate of registration issued to an architect, registered
11 interior designer or residential designer by the state board of architecture,
12 interior design and residential design that expires on December 31, 2002,
13 remains effective until that date.

14 **Sec. 19.** This act becomes effective on July 1, 2001.

