

SENATE BILL NO. 91—COMMITTEE ON COMMERCE AND LABOR

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

PREFILED DECEMBER 15, 2008

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing architects, interior designers and residential designers. (BDR 54-351)

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 the State Board of Architecture, Interior Design and Residential Design; revising certain names related to examinations and national organizations; requiring that certain businesses and associations employ a person licensed or registered by the Board; revising provisions governing civil penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law specifies the subjects which must be included on the examination
2 to qualify as a residential designer. **Section 1** of this bill removes the subject of
3 "systems for environmental control" and replaces it with the subject of "building
4 systems and life safety." (NRS 623.190) **Section 2** of this bill revises NRS 623.192
5 to reflect the name change of the Council for Interior Design Accreditation. **Section**
6 **3** of this bill clarifies that all offices of businesses practicing architecture,
7 residential design or practicing as interior designers must employ a person holding
8 a certificate of registration pursuant to chapter 623 of NRS. (NRS 623.350) **Section**
9 **4** of this bill revises NRS 623.365 to apply certain penalty provisions to persons
10 who do not hold certificates as well as to persons who do hold certificates.



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

1 **Section 1.** NRS 623.190 is hereby amended to read as follows:

2 623.190 1. Any person who is at least 21 years of age and of
3 good moral character and who meets the requirements for education
4 and practical training established by the Board by regulation may
5 apply to the Board for registration pursuant to the provisions of this
6 section as an architect.

7 2. Each year of study, up to and including 5 years of study,
8 satisfactorily completed in an architectural program accredited by
9 the National Architectural Accrediting Board, any program of
10 architecture in the State of Nevada or any architectural program
11 approved by the State Board of Architecture, Interior Design and
12 Residential Design is considered equivalent to 1 year of experience
13 in architectural work for the purpose of registration as an architect.

14 3. The Board shall, by regulation, establish standards for
15 examinations which must be consistent with standards employed by
16 other states. The Board may adopt the standards of the National
17 Council of Architectural Registration Boards, and the examination
18 and grading procedure of that organization, as they exist on the date
19 of adoption. Examinations may include tests in such technical and
20 professional subjects as are prescribed by the Board.

21 4. If the Board adopts the examination of the National Council
22 of Architectural Registration Boards, an applicant for registration as
23 an architect who wishes to:

24 (a) Take the examination must pay to the entity which
25 administers the examination the fee charged by that entity for taking
26 the examination and pay to the Board a processing fee as provided
27 in NRS 623.310.

28 (b) Retake any part or parts of the examination which he
29 previously failed must pay to the entity which administers the
30 examination the fee charged by that entity for retaking that part or
31 parts.

32 5. Any person who is at least 21 years of age and of good
33 moral character and who has a total of 5 years of credit for
34 education or practical training, or a combination thereof which is
35 acceptable to the Board, may apply to the Board for registration as a
36 residential designer. The Board shall, by regulation, establish the
37 amount of credit allowed for education, practical training or a
38 combination thereof.

39 6. The Board shall, by regulation, establish the standards for
40 the examination to qualify as a residential designer. The
41 examination must consist of at least the following subjects:

42 (a) Structural technology;



- 1 (b) Materials and methods of construction;
- 2 (c) ~~{Systems for environmental control;}~~ **Building systems and**
- 3 **life safety;** and
- 4 (d) Graphic design.

5 7. Before being issued a certificate of registration to engage in
6 the practice of architecture or residential design, each applicant must
7 personally appear before the Board to take an oath prescribed by the
8 Board.

9 8. Any application to the Board may be denied for any
10 violation of the provisions of this chapter.

11 **Sec. 2.** NRS 623.192 is hereby amended to read as follows:

12 623.192 1. An applicant for a certificate of registration to
13 practice as a registered interior designer must be of good moral
14 character and submit to the Board:

- 15 (a) An application on a form provided by the Board;
- 16 (b) The fees required pursuant to NRS 623.310;
- 17 (c) Proof which is satisfactory to the Board that the applicant
- 18 has at least 2 years of experience in interior design;
- 19 (d) Proof which is satisfactory to the Board that the applicant
- 20 has successfully completed:

21 (1) A program of interior design accredited by the
22 ~~{Foundation for Interior Design Education Research}~~ **Council for**
23 **Interior Design Accreditation** or any successor in interest to that
24 organization;

25 (2) A substantially equivalent program of interior design
26 approved by the Board; or

27 (3) A program of interior design, other than a program
28 described in subparagraph (1) or (2), which culminated in the award
29 of a bachelor's degree or higher degree more than 5 years before the
30 date of the application if the applicant possesses a combination of
31 education and experience in interior design deemed suitable by the
32 Board;

33 (e) A certificate issued by the National Council for Interior
34 Design Qualification as proof that the applicant has passed the
35 examination prepared and administered by that organization; and

36 (f) All information required to complete the application.

37 2. The Board shall, by regulation, adopt the standards of the
38 National Council for Interior Design Qualification for the
39 experience required pursuant to the provisions of paragraph (c) of
40 subsection 1 as those standards exist on the date of the adoption of
41 the regulation.

42 3. Before being issued a certificate of registration to practice as
43 a registered interior designer, each applicant must personally appear
44 before the Board to take an oath prescribed by the Board.



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

Sec. 3. NRS 623.350 is hereby amended to read as follows:

623.350 1. Each office or place of business in this State of any partnership, corporation, limited-liability company or other business organization or association that engages in the practice of architecture or residential design, or practice as a registered interior designer, *including, without limitation, any business organization or association practicing* pursuant to the provisions of NRS 623.349, must have an architect, registered interior designer or residential designer who is a resident of this State and holds a certificate of registration issued pursuant to this chapter regularly working in the office or place of business and having responsible control for the architectural work or work relating to engaging in practice as a registered interior designer conducted in the office or place of business. The provisions of this subsection do not apply to partnerships, corporations, limited-liability companies or other business ~~organization~~ *organizations* or associations that engage in the practice of architecture or residential design or practice as a registered interior designer at offices established for construction administration.

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

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

Sec. 4. NRS 623.365 is hereby amended to read as follows:

623.365 In addition to any other civil penalty provided by law, a person who violates any provision of this chapter or any regulation adopted by the Board is subject to a civil penalty of not more than \$10,000 for each violation. Any such penalty must be imposed by the Board :

1. If the person holds a certificate issued pursuant to the provisions of this chapter, at a hearing conducted pursuant to the provisions of chapter 622A of NRS.

2. If the person does not hold a certificate issued pursuant to the provisions of this chapter, at a hearing for which written notice has been given not less than 30 days before the hearing.



1 **Sec. 5.** This act becomes effective upon passage and approval.

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