



State of Wisconsin
2021 - 2022 LEGISLATURE

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**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO ASSEMBLY BILL 320**

February 15, 2022 - Offered by Representative HORLACHER.

1 **AN ACT** *to repeal* subchapter X of chapter 440 [precedes 440.96]; *to renumber*
2 443.17; *to amend* 15.105 (5), 15.405 (2) (title), 15.405 (2) (ag), 15.405 (2) (ar),
3 15.405 (2) (b), chapter 443 (title), 443.01 (3), 443.10 (2) (a), 443.10 (2) (e), 443.11
4 (title), 443.11 (1) (intro.), 443.16 and 703.11 (2) (b); and *to create* 440.08 (2) (a)
5 38i., 443.01 (3c), 443.01 (3e), 443.01 (5m), 443.01 (9), 443.015 (1e), 443.02 (5),
6 443.075, 443.08 (2) (d), 443.08 (3) (a) 4., 443.08 (4) (a) 5., 443.08 (4) (b) 5., 443.08
7 (5) (d), 443.10 (1) (e), 443.10 (4) (am), 443.11 (1) (dm), 443.17 (2), 443.17 (3),
8 443.17 (4) and 443.175 of the statutes; **relating to:** regulation, registration,
9 and the scope of practice of interior designers, certificates of authorization for
10 interior design firms, and granting rule-making authority.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

11 **SECTION 1.** 15.105 (5) of the statutes is amended to read:

1 15.105 (5) STATE CAPITOL AND EXECUTIVE RESIDENCE BOARD. There is created a
2 state capitol and executive residence board, attached to the department of
3 administration under s. 15.03, consisting of the secretary of administration or the
4 secretary's designee, the director of the historical society or the director's designee,
5 an architect or engineer employed by the department of administration appointed
6 by the secretary of administration, 3 senators and 3 representatives to the assembly
7 appointed as are the members of standing committees in their respective houses, and
8 7 citizen members appointed for staggered 6-year terms of whom at least 2 shall be
9 architects registered under ch. 443, one shall be a landscape architect registered
10 under ch. 443 and 2 shall be interior designers registered under ~~s. 440.962~~ ch. 443.

11 **SECTION 2.** 15.405 (2) (title) of the statutes is amended to read:

12 15.405 (2) (title) EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,
13 PROFESSIONAL ENGINEERS, DESIGNERS, AND PROFESSIONAL LAND SURVEYORS, AND
14 REGISTERED INTERIOR DESIGNERS.

15 **SECTION 3.** 15.405 (2) (ag) of the statutes is amended to read:

16 15.405 (2) (ag) There is created an examining board of architects, landscape
17 architects, professional engineers, designers, and professional land surveyors, and
18 registered interior designers in the department of safety and professional services.
19 Any professional member appointed to the examining board shall be registered or
20 licensed to practice architecture, landscape architecture, professional engineering,
21 the design of engineering systems, ~~or~~ professional land surveying, or interior design
22 under ch. 443. The examining board shall consist of the following members
23 appointed for 4-year terms: 3 architects, 3 landscape architects, 3 professional
24 engineers, 3 designers, 3 professional land surveyors, 3 registered interior designers,
25 and ~~10~~ 12 public members.

1 **LAND SURVEYORS, AND REGISTERED**

2 **INTERIOR DESIGNERS**

3 **SECTION 9.** 443.01 (3) of the statutes is amended to read:

4 443.01 (3) “Examining board” means the examining board of architects,
5 landscape architects, professional engineers, designers, and professional land
6 surveyors, and registered interior designers.

7 **SECTION 10.** 443.01 (3c) of the statutes is created to read:

8 443.01 (3c) “Interior alteration or interior construction project” means a
9 project for an interior space or area within a proposed or existing building or
10 structure, including construction, modification, renovation, rehabilitation, or
11 historic preservation, that involves changing or altering any of the following:

12 (a) The design function or layout of rooms.

13 (b) The state of permanent fixtures or equipment.

14 (c) The interior space or area if the change or alteration requires verification
15 of the compliance of the interior space or area with a building code, fire code, the
16 federal Americans with Disabilities Act, or state or local regulations.

17 (d) Interior furnishings.

18 (e) Nonstructural elements of the interior space or area.

19 **SECTION 11.** 443.01 (3e) of the statutes is created to read:

20 443.01 (3e) “Interior technical submission” means a design, drawing,
21 specification, study, or other technical report or calculation that establishes the scope
22 of an interior design project, including a description of standards of quality for
23 materials, skilled labor, equipment, and construction systems, and that may be
24 signed and sealed by a Wisconsin registered interior designer in compliance with this
25 chapter.

1 **SECTION 12.** 443.01 (5m) of the statutes is created to read:

2 443.01 **(5m)** (a) “Practice of interior design” means the design of interior spaces
3 as a part of an interior alteration or interior construction project in conformity with
4 public health, safety, and welfare requirements, including the preparation of
5 documents relating to building code descriptions, project egress plans that require
6 no increase in the number of exits in the space affected, space planning, finish
7 materials, furnishings, fixtures, and equipment and the preparation of documents
8 and interior technical submissions relating to interior construction.

9 (b) “Practice of interior design” does not include any of the following:

10 1. Services that constitute the practice of architecture or the practice of
11 professional engineering.

12 2. Altering or affecting the structural system of a building, including changing
13 the building’s live or dead load on the structural system.

14 3. Changes to the building envelope, including exterior walls, exterior wall
15 coverings, exterior wall openings, exterior windows and doors, architectural trim,
16 balconies and similar projections, bay and oriel windows, roof assemblies and rooftop
17 structures, and glass and glazing for exterior use in both vertical and sloped
18 applications in buildings and structures.

19 4. Altering or affecting the mechanical, plumbing, heating, air conditioning,
20 ventilation, electrical, vertical transportation, fire sprinkler, or fire alarm systems.

21 5. Changes beyond the exit access component of a means of egress system.

22 6. Construction that materially affects life safety systems pertaining to fire
23 safety or the fire protection of structural elements, or alterations to smoke
24 evacuation and compartmentalization systems or to fire-rated vertical shafts in
25 multistory structures.

1 7. Changes of use to an occupancy of greater hazard as determined by the
2 International Building Code.

3 8. Changes to the construction classification of the building or structure
4 according to the International Building Code.

5 **SECTION 13.** 443.01 (9) of the statutes is created to read:

6 443.01 (9) “Wisconsin registered interior designer” means a person registered
7 as a Wisconsin registered interior designer under this chapter.

8 **SECTION 14.** 443.015 (1e) of the statutes is created to read:

9 443.015 (1e) The rules promulgated under sub. (1) by the registered interior
10 designer section of the examining board shall require a Wisconsin registered interior
11 designer to complete at least 15 hours of continuing education during the 2-year
12 period immediately preceding the renewal date specified under s. 440.08 (2) (a). At
13 least 10 of the 15 hours shall be in subjects related to the practice of interior design
14 which safeguard the public’s health, safety, and welfare.

15 **SECTION 15.** 443.02 (5) of the statutes is created to read:

16 443.02 (5) No person may use the title “Wisconsin registered interior designer,”
17 use any title or description that implies that he or she is a Wisconsin registered
18 interior designer, or represent himself or herself to be a Wisconsin registered interior
19 designer unless the person is registered as a Wisconsin registered interior designer
20 under this chapter.

21 **SECTION 16.** 443.075 of the statutes is created to read:

22 **443.075 Registration requirements for interior designers.** The
23 registered interior designer section of the examining board shall register as a
24 Wisconsin registered interior designer an individual who submits an application to

1 the registered interior designer section on a form provided by the registered interior
2 designer section and who satisfies one of the following requirements:

3 (1) The individual does all of the following:

4 (a) Passes an interior design examination approved by the registered interior
5 designer section that is administered by an organization approved by the registered
6 interior designer section.

7 (b) Meets any other requirements established by the registered interior
8 designer section by rule.

9 (2) The individual is registered as an architect under s. 443.03 and submits
10 evidence satisfactory to the registered interior designer section of all of the following:

11 (a) That he or she is a graduate of a 4-year architecture program.

12 (b) That he or she has at least 6 years of demonstrated practical experience in
13 interior design of a character satisfactory to the registered interior designer section.

14 **SECTION 17.** 443.08 (2) (d) of the statutes is created to read:

15 443.08 (2) (d) No individual Wisconsin registered interior designer registered
16 under this chapter may practice or offer to practice interior design as a principal,
17 officer, employee, or agent of a firm, partnership, or corporation unless all of the
18 following are satisfied:

19 1. All personnel who practice or offer to practice in its behalf as Wisconsin
20 registered interior designers are registered under this chapter.

21 2. The firm, partnership, or corporation has been issued a certificate of
22 authorization under sub. (3) (a) 4.

23 **SECTION 18.** 443.08 (3) (a) 4. of the statutes is created to read:

24 443.08 (3) (a) 4. A firm, partnership, or corporation desiring a certificate of
25 authorization shall submit an application to the department on forms provided by

1 the department, listing the names and addresses of all officers and directors and all
2 individuals in its employment registered to practice interior design in this state who
3 will be in responsible charge of interior design being practiced in this state through
4 the firm, partnership, or corporation and other relevant information required by the
5 registered interior designer section of the examining board. A similar type of form
6 shall also accompany the renewal fee. If there is a change in any of these persons, the
7 change shall be reported on the same type of form, and filed with the department
8 within 30 days after the effective date of the change. The registered interior designer
9 section shall grant a certificate of authorization to a firm, partnership, or corporation
10 complying with this subsection upon payment of the initial credential fee determined
11 by the department under s. 440.03 (9) (a). This subdivision does not apply to firms,
12 partnerships, or corporations exempt under s. 443.14 (3) or (5).

13 **SECTION 19.** 443.08 (4) (a) 5. of the statutes is created to read:

14 443.08 (4) (a) 5. No firm, partnership, or corporation may be relieved of
15 responsibility for the conduct or acts of its agents, employees, or officers by reason
16 of its compliance with this chapter, nor may any individual practicing interior design
17 be relieved of responsibility for interior design services performed by reason of his
18 or her employment or relationship with the firm, partnership, or corporation.

19 **SECTION 20.** 443.08 (4) (b) 5. of the statutes is created to read:

20 443.08 (4) (b) 5. All final drawings, specifications, plans, reports, or other
21 interior design papers or documents involving the practice of interior design,
22 prepared for the use of a firm, partnership, or corporation, for delivery by it to any
23 person, or for public record within the state shall be dated and bear the signature and
24 seal of the Wisconsin registered interior designer who was in responsible charge of

1 their preparation. This subdivision does not apply to persons exempt under s. 443.14
2 (3), (4), or (5).

3 **SECTION 21.** 443.08 (5) (d) of the statutes is created to read:

4 443.08 (5) (d) No firm, partnership, or corporation may engage in the practice
5 of or offer to practice interior design in this state, or use in connection with its name,
6 or otherwise assume, use, or advertise, any title or description tending to convey the
7 impression that it is engaged in the practice of interior design, nor may it advertise
8 or offer to furnish an interior design service, unless the firm, partnership, or
9 corporation has complied with this chapter.

10 **SECTION 22.** 443.10 (1) (e) of the statutes is created to read:

11 443.10 (1) (e) The registered interior designer section may, upon application
12 and payment of the required fee, grant a certificate of registration to use the title
13 “Wisconsin registered interior designer” to a person who is not a resident of and has
14 no established place of business in this state, or who has recently become a resident
15 of this state, if the person holds an unexpired certificate of similar registration issued
16 to the person by the proper authority in any state or territory or possession of the
17 United States or in any country in which the requirements for the registration of
18 interior designers are of a standard not lower than specified in this chapter.

19 **SECTION 23.** 443.10 (2) (a) of the statutes is amended to read:

20 443.10 (2) (a) Applications for registration or for a certificate of record shall be
21 on forms provided by the department and shall contain statements made under oath
22 showing the applicant’s education and detail summary of the applicant’s technical
23 work and not less than 5 references, of whom 3 or more shall have personal
24 knowledge of the applicant’s architectural, landscape architectural or engineering
25 experience in the case of an application for registration or of the applicant’s technical

1 education or engineering work in the case of an application for a certificate of record.
2 This paragraph does not apply to an application for registration as a Wisconsin
3 registered interior designer.

4 **SECTION 24.** 443.10 (2) (e) of the statutes is amended to read:

5 443.10 (2) (e) The renewal date for certificates of registration for architects,
6 landscape architects, and professional engineers, and Wisconsin registered interior
7 designers is specified under s. 440.08 (2) (a), and the fee for renewal of such
8 certificates is determined by the department under s. 440.03 (9) (a).

9 **SECTION 25.** 443.10 (4) (am) of the statutes is created to read:

10 443.10 (4) (am) The registered interior designer section of the examining board
11 shall prepare each year a list showing the names and business addresses of all
12 persons registered as a Wisconsin registered interior designer under this chapter.
13 Upon request, the registered interior designer section shall provide a list prepared
14 under this paragraph to any person at cost.

15 **SECTION 26.** 443.11 (title) of the statutes is amended to read:

16 443.11 (title) **Disciplinary proceedings against architects, landscape**
17 **architects and, engineers, and registered interior designers.**

18 **SECTION 27.** 443.11 (1) (intro.) of the statutes is amended to read:

19 443.11 (1) (intro.) The appropriate section of the examining board may
20 reprimand an architect, landscape architect, ~~or~~ professional engineer, or Wisconsin
21 registered interior designer or limit, suspend, or revoke the certificate of registration
22 of any registrant, and the certificate of record of any engineer-in-training, who is
23 found guilty of:

24 **SECTION 28.** 443.11 (1) (dm) of the statutes is created to read:

1 443.11 (1) (dm) Any gross negligence or misconduct, or any gross incompetence,
2 in the practice of interior design as a Wisconsin registered interior designer.

3 **SECTION 29.** 443.16 of the statutes is amended to read:

4 **443.16 Change of name.** No person may practice architecture, landscape
5 architecture, ~~or professional engineering,~~ or interior design in this state under any
6 other given name or any other surname than that under which the person was
7 originally licensed or registered to practice in this or any other state, in any instance
8 in which the examining board, after a hearing, finds that practicing under the
9 changed name operates to unfairly compete with another practitioner or to mislead
10 the public as to identity or to otherwise result in detriment to the profession or the
11 public. This section does not apply to a change of name resulting from marriage or
12 divorce.

13 **SECTION 30.** 443.17 of the statutes is renumbered 443.17 (1).

14 **SECTION 31.** 443.17 (2) of the statutes is created to read:

15 443.17 (2) (a) The registered interior designer section of the examining board
16 shall promulgate rules establishing specifications for seals and stamps used by
17 Wisconsin registered interior designers.

18 (b) No Wisconsin registered interior designer may impress his or her seal or
19 stamp upon a document unless the seal or stamp satisfies the specifications
20 established by rule under par. (a).

21 **SECTION 32.** 443.17 (3) of the statutes is created to read:

22 443.17 (3) A Wisconsin registered interior designer who is responsible for
23 preparing an interior technical submission for delivery to any person or for a public
24 record shall date, sign, and impress his or her seal or stamp upon the interior

1 technical submission and any other related documents prepared by the Wisconsin
2 registered interior designer.

3 **SECTION 33.** 443.17 (4) of the statutes is created to read:

4 443.17 (4) No Wisconsin registered interior designer may impress his or her
5 seal or stamp upon a document that has not been prepared by the Wisconsin
6 registered interior designer or knowingly permit his or her seal or stamp to be used
7 by any other person.

8 **SECTION 34.** 443.175 of the statutes is created to read:

9 **443.175 Submission of documents; interior designers.** (1) Subject to s.
10 443.17 (3), a Wisconsin registered interior designer may sign and seal interior
11 technical submissions that are required for an interior alteration or interior
12 construction project for public record.

13 (2) If a city, village, town, or county requires a seal or stamp on interior
14 technical submissions that are submitted for an interior alteration or interior
15 construction project, the city, village, town, or county shall accept interior technical
16 submissions impressed with the seal or stamp of a Wisconsin registered interior
17 designer consistent with this chapter.

18 **SECTION 35.** 703.11 (2) (b) of the statutes is amended to read:

19 703.11 (2) (b) A survey of the property described in the declaration complying
20 with minimum standards for property surveys adopted by the examining board of
21 architects, landscape architects, professional engineers, designers and, professional
22 land surveyors, and registered interior designers and showing the location of any
23 unit or building located or to be located on the property.

24 **SECTION 36. Initial applicability.**

