

State Representatives George Lang and Bride Rose Sweeney
Sponsor Testimony –House Bill 402
House State and Local Government Committee
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Sweeney:

Allow me to take a few moments to illustrate for the committee the problem this bill seeks to solve. Let's say an interior designer is brought in to renovate a restroom in a large hotel here in Columbus. No loadbearing elements will be altered in this renovation. To comply with Americans with Disabilities Act requirements, this designer must draft a design that relocates fixtures, moves support handrails in handicap stalls, and perhaps expands the size of the bathroom to allow for wheelchair or walker access by pushing a nonloadbearing, nonstructural wall back by a few feet. This is very typical job for a commercial interior designer.

Let me make clear, these are activities that interior designers are educated, trained, and examined to do. Several of these activities require a building permit before construction may begin once the design is complete. An architect or engineer can use his or her stamp and seal and proceed to get a permit for the client to start construction. An interior designer, on the other hand, has no stamp or seal by law. He or she must go to an architect or engineer, work under the responsible control of the architect or engineer, and then have that architect or engineer stamp her drawings (and I do say her because close to 90% of interior designers nationwide and in Ohio are women) and then proceed to complete the project. The designer often must pay for the architect's or engineer's service – anywhere between 1% of her fee up to 15% depending on the size and complexity of the project and pass these costs on to the client. Additionally, because of the current structure, often times the interior designer loses control of their own work (or intellectual property) as they are not ultimately signing documents and in many cases are prohibited from advertising the projects for marketing purposes.

Interior design small businesses should not be required to hire or contract out to an architect or engineer to complete projects for which architects and engineers are not absolutely required. This needless and antiquated bureaucracy is indeed a problem for interior designers and consumers who must pay higher fees for these extra, needless steps. House Bill 402 will end this unnecessary, bureaucratic process by giving certified interior designers the ability to submit their own plans for nonstructural work and allow them to keep their intellectual property.

Specifically, House Bill 402 will:

- Establish a permissive certification of Ohio's commercial interior design professionals through the Ohio Interior Design Examiners Board, a subsidiary board of the Ohio Architects Board. A certified interior design professional will have the ability to submit their own documents for permitting purposes.
- Limit the measure to only include work performed on buildings to be used for non-residential business, mercantile occupancy, or public spaces governed under the non-residential building code.
- House Bill 402 will generate small business growth and increases state revenue by retaining and growing employment in our state.
- It enhances the future of the students in Ohio's six accredited CIDA institutions and entices recent graduates to remain in Ohio to utilize their skills and put their degree to use.
- It creates more competition and decreases prices by offering alternatives and cost savings for the client, the public, and the professionals.
- The bill creates more efficiency and provides for a more streamlined process for code examiners who can work directly with the professional who prepared the work, which in turn saves time and money in having to have plans approved by other entities.

Here are specific items that House Bill 402 does not do:

- House Bill 402 does not require an interior designer to become certified, nor does it put non-certified interior designers out of business.
- The bill does not impact residential interior designers or kitchen and bath designers as it only applies to the work performed in the “Nonresidential Building Code”.
- The bill does not infringe on the duty, or practice act of any other profession. In fact, there are specific statutory prohibitions against the unauthorized practice of architecture and engineering.

Lang:

We want to emphasize that House Bill 402 is not mandatory, does not create a license, specifically lists six areas that are not the “practice of interior design” and does not allow interior design professionals to engage in the practice of architecture in any way.

House Bill 402 is a reintroduction of House Bill 504 from last session and starts with the inclusion of a significant amount of suggestions made in the spirit of compromise with interested parties.

The result of the efforts of former Representative Pelanda was a bipartisan and an overwhelming vote of 73-14 on the House floor. House Bill 402 is an important pro-business bill that will allow professionals to practice and pursue their professional goals to their fullest capabilities while protecting the public, retaining talent, and increasing job creation in the State of Ohio.

Mr. Chairman and members of the committee, we thank you for your attention to our testimony today and we would be happy to answer any questions you may have at this time.