

**As Reported by the House Economic Development, Commerce, and Labor
Committee**

132nd General Assembly

**Regular Session
2017-2018**

Sub. H. B. No. 504

Representative Pelanda

**Cosponsors: Representatives Cera, Patton, Slaby, Roegner, Fedor, Carfagna,
Reineke, Lang, Rezabek, Boggs**

A BILL

To amend sections 3791.04, 4703.50, 4703.52, and 1
4703.53 and to enact sections 4703.60, 4703.61, 2
4703.62, 4703.63, 4703.64, 4703.65, 4703.66, 3
4703.67, 4703.68, 4703.69, 4703.70, 4703.71, and 4
4703.72 of the Revised Code to create the Ohio 5
Interior Design Examiners Board to certify and 6
regulate interior designers. 7

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 3791.04, 4703.50, 4703.52, and 8
4703.53 be amended and sections 4703.60, 4703.61, 4703.62, 9
4703.63, 4703.64, 4703.65, 4703.66, 4703.67, 4703.68, 4703.69, 10
4703.70, 4703.71, and 4703.72 of the Revised Code be enacted to 11
read as follows: 12

Sec. 3791.04. (A) (1) Before beginning the construction, 13
erection, or manufacture of any building to which section 14
3781.06 of the Revised Code applies, including all 15
industrialized units, the owner of that building, in addition to 16
any other submission required by law, shall submit plans or 17

drawings, specifications, and data prepared for the 18
construction, erection, equipment, alteration, or addition that 19
indicate the portions that have been approved pursuant to 20
section 3781.12 of the Revised Code and for which no further 21
approval is required, to the municipal, township, or county 22
building department having jurisdiction unless one of the 23
following applies: 24

(a) If no municipal, township, or county building 25
department certified for nonresidential buildings pursuant to 26
division (E) of section 3781.10 of the Revised Code has 27
jurisdiction, the owner shall make the submissions described in 28
division (A)(1) of this section to the superintendent of 29
industrial compliance. 30

(b) If no certified municipal, township, or county 31
building department certified for residential buildings pursuant 32
to division (E) of section 3781.10 of the Revised Code has 33
jurisdiction, the owner is not required to make the submissions 34
described in division (A)(1) of this section. 35

(2)(a) The seal of an architect registered under Chapter 36
4703. of the Revised Code or an engineer registered under 37
Chapter 4733. of the Revised Code is required for any plans, 38
drawings, specifications, or data submitted for approval, unless 39
the plans, drawings, specifications, or data are permitted to be 40
prepared by persons other than registered architects pursuant to 41
division (C) or (D) of section 4703.18 of the Revised Code, or 42
by persons other than registered engineers pursuant to division 43
(C) or (D) of section 4733.18 of the Revised Code. 44

(b) No seal is required for any plans, drawings, 45
specifications, or data submitted for approval for any 46
residential buildings, as defined in section 3781.06 of the 47

Revised Code, or erected as industrialized one-, two-, or three- 48
family units or structures within the meaning of "industrialized 49
unit" as defined in section 3781.06 of the Revised Code. 50

(c) No seal is required for approval of the installation 51
of replacement equipment or systems that are similar in type or 52
capacity to the equipment or systems being replaced. No seal is 53
required for approval for any new construction, improvement, 54
alteration, repair, painting, decorating, or other modification 55
of any buildings or structures subject to sections 3781.06 to 56
3781.18 and 3791.04 of the Revised Code if the proposed work 57
does not involve technical design analysis, as defined by rule 58
adopted by the board of building standards. 59

(d) No seal is required for any plan or specification 60
submitted for approval if the plan or specification is within 61
the scope of practice of interior design as defined in section 62
4703.60 of the Revised Code and bears the signature and 63
certificate number of a certified interior designer in 64
accordance with section 4703.68 of the Revised Code. 65

(B) No owner shall proceed with the construction, 66
erection, alteration, or equipment of any building until the 67
plans or drawings, specifications, and data have been approved 68
as this section requires, or the industrialized unit inspected 69
at the point of origin. No plans or specifications shall be 70
approved or inspection approval given unless the building 71
represented would, if constructed, repaired, erected, or 72
equipped, comply with Chapters 3781. and 3791. of the Revised 73
Code and any rule made under those chapters. 74

(C) The approval of plans or drawings and specifications 75
or data pursuant to this section is invalid if construction, 76
erection, alteration, or other work upon the building has not 77

commenced within twelve months of the approval of the plans or 78
drawings and specifications. One extension shall be granted for 79
an additional twelve-month period if the owner requests at least 80
ten days in advance of the expiration of the permit and upon 81
payment of a fee not to exceed one hundred dollars. If in the 82
course of construction, work is delayed or suspended for more 83
than six months, the approval of plans or drawings and 84
specifications or data is invalid. Two extensions shall be 85
granted for six months each if the owner requests at least ten 86
days in advance of the expiration of the permit and upon payment 87
of a fee for each extension of not more than one hundred 88
dollars. Before any work may continue on the construction, 89
erection, alteration, or equipment of any building for which the 90
approval is invalid, the owner of the building shall resubmit 91
the plans or drawings and specifications for approval pursuant 92
to this section. 93

(D) Subject to section 3791.042 of the Revised Code, the 94
board of building standards or the legislative authority of a 95
municipal corporation, township, or county, by rule, may 96
regulate the requirements for the submission of plans and 97
specifications to the respective enforcing departments and for 98
processing by those departments. The board of building standards 99
or the legislative authority of a municipal corporation, 100
township, or county may adopt rules to provide for the approval, 101
subject to section 3791.042 of the Revised Code, by the 102
department having jurisdiction of the plans for construction of 103
a foundation or any other part of a building or structure before 104
the complete plans and specifications for the entire building or 105
structure are submitted. When any plans are approved by the 106
department having jurisdiction, the structure and every 107
particular represented by and disclosed in those plans shall, in 108

the absence of fraud or a serious safety or sanitation hazard, 109
be conclusively presumed to comply with Chapters 3781. and 3791. 110
of the Revised Code and any rule issued pursuant to those 111
chapters, if constructed, altered, or repaired in accordance 112
with those plans and any rule in effect at the time of approval. 113

(E) The approval of plans and specifications, including 114
inspection of industrialized units, under this section is a 115
"license" and the failure to approve plans or specifications as 116
submitted or to inspect the unit at the point of origin within 117
thirty days after the plans or specifications are filed or the 118
request to inspect the industrialized unit is made, the 119
disapproval of plans and specifications, or the refusal to 120
approve an industrialized unit following inspection at the point 121
of origin is "an adjudication order denying the issuance of a 122
license" requiring an "adjudication hearing" as provided by 123
sections 119.07 to 119.13 of the Revised Code and as modified by 124
sections 3781.031 and 3781.19 of the Revised Code. An 125
adjudication order denying the issuance of a license shall 126
specify the reasons for that denial. 127

(F) The board of building standards shall not require the 128
submission of site preparation plans or plot plans to the 129
division of industrial compliance when industrialized units are 130
used exclusively as one-, two-, or three-family dwellings. 131

(G) Notwithstanding any procedures the board establishes, 132
if the agency having jurisdiction objects to any portion of the 133
plans or specifications, the owner or the owner's representative 134
may request the agency to issue conditional approval to proceed 135
with construction up to the point of the objection. Approval 136
shall be issued only when the objection results from conflicting 137
interpretations of the rules of the board of building standards 138

rather than the application of specific technical requirements 139
of the rules. Approval shall not be issued where the correction 140
of the objection would cause extensive changes in the building 141
design or construction. The giving of conditional approval is a 142
"conditional license" to proceed with construction up to the 143
point where the construction or materials objected to by the 144
agency are to be incorporated into the building. No construction 145
shall proceed beyond that point without the prior approval of 146
the agency or another agency that conducts an adjudication 147
hearing relative to the objection. The agency having 148
jurisdiction shall specify its objections to the plans or 149
specifications, which is an "adjudication order denying the 150
issuance of a license" and may be appealed pursuant to sections 151
119.07 to 119.13 of the Revised Code and as modified by sections 152
3781.031 and 3781.19 of the Revised Code. 153

(H) A certified municipal, township, or county building 154
department having jurisdiction, or the superintendent, as 155
appropriate, shall review any plans, drawings, specifications, 156
or data described in this section that are submitted to it or to 157
the superintendent. 158

(I) No owner or persons having control as an officer, or 159
as a member of a board or committee, or otherwise, of a building 160
to which section 3781.06 of the Revised Code is applicable, and 161
no architect, designer, engineer, builder, contractor, 162
subcontractor, or any officer or employee of a municipal, 163
township, or county building department shall violate this 164
section. 165

(J) Whoever violates this section shall be fined not more 166
than five hundred dollars. 167

Sec. 4703.50. All receipts of the architects board ~~and~~ 168

the Ohio landscape architects board, and the Ohio interior 169
design examiners board shall be deposited in the state treasury 170
to the credit of the occupational licensing and regulatory fund. 171

Sec. 4703.52. On receipt of a notice pursuant to section 172
3123.43 of the Revised Code, the architects board ~~and,~~ the Ohio 173
landscape architects board, and the Ohio interior design 174
examiners board shall comply with sections 3123.41 to 3123.50 of 175
the Revised Code and any applicable rules adopted under section 176
3123.63 of the Revised Code with respect to a certificate issued 177
pursuant to this chapter. 178

Sec. 4703.53. The architects board ~~and,~~ the Ohio 179
landscape architects board, and the Ohio interior design 180
examiners board shall comply with section 4776.20 of the Revised 181
Code. 182

Sec. 4703.60. As used in sections 4703.60 to 4703.72 of 183
the Revised Code: 184

(A) "Building" means a nonresidential building as defined 185
in section 3781.06 of the Revised Code and includes the 186
structural, mechanical, and electrical systems, utility 187
services, and other facilities required for the structure. 188

(B) "Nonresidential building code" means the 189
nonresidential building code adopted by the board of building 190
standards pursuant to section 3781.10 of the Revised Code. 191

(C) (1) "Practice of interior design" means the preparation 192
of a plan or specifications for, or the supervision of, the new 193
construction, alteration, or repair of an interior space, as 194
defined by the Ohio interior design examiners board in rule, 195
within a building when the exterior elements of the building are 196
not going to be changed. 197

<u>(2) "Practice of interior design" does not include making</u>	198
<u>changes or additions to any of the following:</u>	199
<u>(a) Foundations, beams, trusses, columns, or other primary</u>	200
<u>structural framing members or seismic systems;</u>	201
<u>(b) Structural concrete slabs, roof framing structures, or</u>	202
<u>load-bearing and shear walls;</u>	203
<u>(c) Opening in roofs, exterior walls, or bearing and shear</u>	204
<u>walls;</u>	205
<u>(d) Exterior doors, windows, awnings, canopies, sunshades,</u>	206
<u>signage, or similar exterior building elements;</u>	207
<u>(e) As described in the nonresidential building code, life</u>	208
<u>safety equipment, including smoke, fire, or carbon dioxide</u>	209
<u>sensors or detectors, or other overhead building elements;</u>	210
<u>(f) Heating, ventilating, or air conditioning equipment or</u>	211
<u>distribution systems, building management systems, high or</u>	212
<u>medium voltage electrical distribution systems, standby or</u>	213
<u>emergency power systems or distribution systems, plumbing or</u>	214
<u>plumbing distribution systems, fire alarm systems, fire</u>	215
<u>sprinkler systems, security or monitoring systems, or related</u>	216
<u>building systems;</u>	217
<u>(g) All aspects of an interior life safety plan, as</u>	218
<u>defined in rules adopted by the Ohio interior design examiners</u>	219
<u>board, that are unrelated to the practice of interior design.</u>	220
<u>(D) "Certified interior designer" means a person who holds</u>	221
<u>a certificate issued under section 4703.66 or 4703.67 of the</u>	222
<u>Revised Code or renewed under section 4703.69 of the Revised</u>	223
<u>Code.</u>	224
<u>(E) "Interior designer certificate" means a certificate</u>	225

issued pursuant to section 4703.66 or 4703.67 of the Revised 226
Code or renewed under section 4703.69 of the Revised Code. 227

Sec. 4703.61. (A) A person shall not represent the 228
person's self as a certified interior designer unless that 229
person holds a current, valid interior designer certificate. 230

(B) (1) Except as otherwise provided in division (B) (1) of 231
this section, no person who has been issued an interior designer 232
certificate shall engage in the practice of interior design, 233
represent the person's self to be practicing or engaging in, or 234
attempt to practice or engage in interior design if the person 235
is restricted from doing so by a suspended, revoked, restricted, 236
temporary, probationary, or inactive certificate. 237

(2) A person whose interior designer certificate has been 238
suspended, revoked, restricted, placed on probation, or made 239
inactive may engage in the practice of interior design under 240
division (B) (2) of section 4703.68 of the Revised Code as an 241
employee, subordinate, associate, or drafter of another 242
certified interior designer or under division (B) (3) of section 243
4703.68 of the Revised Code. 244

(C) A certified interior designer shall not recklessly 245
engage in conduct described as unprofessional conduct by the 246
board in rule. 247

(D) No certified interior designer shall fail to comply 248
with section 4703.68 of the Revised Code. 249

(E) No certified interior designer shall knowingly do any 250
of the following: 251

(1) Impersonate another certified interior designer under 252
a false or assumed name, except as permitted by law; 253

(2) For a certified interior designer who has had a 254
certificate under this chapter reinstated following disciplinary 255
action taken under section 4703.71 of the Revised Code, practice 256
interior design using a name different than the one used before 257
the disciplinary action, except as permitted by law and after 258
notice to, and approval by, the board; 259

(3) Permit the certified interior designer's signature and 260
certificate number to be attached to a final plan or 261
specification, except as permitted under section 4703.68 of the 262
Revised Code or otherwise permitted by law; 263

(F) No certified interior designer or applicant for an 264
interior designer certificate shall knowingly do any of the 265
following through the use of fraud, forgery, or intentional 266
deception, misrepresentation, misstatement, or omission: 267

(1) Obtain a passing score on a certificate examination, 268
as required in division (A) (3) (b) of section 4703.66 of the 269
Revised Code; 270

(2) Apply for or obtain a certificate; 271

(3) Otherwise deal with the board. 272

Sec. 4703.62. (A) Nothing in sections 4703.60 to 4703.72 273
of the Revised Code shall be construed as doing either of the 274
following: 275

(1) Requiring a person to obtain an interior designer 276
certificate to engage in an activity traditionally performed by 277
an interior designer or other design professional; 278

(2) Preventing or restricting the practices, services, or 279
activities of any person licensed in this state under any other 280
law from engaging in the profession or occupation for which the 281

<u>person is licensed.</u>	282
<u>(B) Having an interior designer certificate issued under</u>	283
<u>this chapter does not authorize a person to practice either of</u>	284
<u>the following:</u>	285
<u>(1) Architecture, under Chapter 4703. of the Revised Code;</u>	286
<u>(2) Engineering, under Chapter 4733. of the Revised Code.</u>	287
<u>Sec. 4703.63.</u> (A) <u>There is hereby created the Ohio</u>	288
<u>interior design examiners board, consisting of five members</u>	289
<u>appointed by the governor. Three of the members of the board</u>	290
<u>shall be certified interior designers who have engaged in the</u>	291
<u>practice of interior design for not less than five years before</u>	292
<u>appointment to the board. One member shall have a valid</u>	293
<u>certificate to practice architecture or be registered as a</u>	294
<u>professional engineer under Chapter 4733. of the Revised Code.</u>	295
<u>One member shall represent the public.</u>	296
<u>The governor shall make initial appointments to the board</u>	297
<u>not later than ninety days after the effective date of this</u>	298
<u>section. Of the initial appointments to the board, the governor</u>	299
<u>shall appoint one member to a term ending one year after the</u>	300
<u>effective date of this section, two members to a term ending</u>	301
<u>three years after that date, and two members to a term ending</u>	302
<u>five years after that date. Thereafter, all appointments made to</u>	303
<u>the board shall be for a five-year term with each term ending on</u>	304
<u>the same day of the same month as did the term that it succeeds.</u>	305
<u>Each member shall hold office from the date of appointment until</u>	306
<u>the end of the term to which the member was appointed. Members</u>	307
<u>may be reappointed. Any member shall continue in office after</u>	308
<u>the expiration date of the member's term until the member's</u>	309
<u>successor is appointed, or until a period of sixty days has</u>	310

elapsed, whichever occurs first. Any member of the board may be 311
removed by the governor at any time for cause. 312

(B) In the event of a vacancy in the office of a member of 313
the board other than by reason of the expiration of a term, the 314
governor, not later than ninety days after the vacancy occurs, 315
shall appoint a person to hold office for the remainder of the 316
unexpired term. 317

(C) The board shall elect from its members a president and 318
a secretary who shall hold those offices for one year. The 319
secretary of the board shall be responsible for keeping a true 320
and complete record of all proceedings of the board. 321

(D) Each member of the board shall receive as a part of 322
the expense of the board an amount fixed pursuant to division 323
(J) of section 124.15 of the Revised Code for each day actually 324
employed in the discharge of official duties, along with other 325
necessary expenses. 326

(E) The board shall meet at least twice each calendar year 327
for purposes of transacting regular business and may hold other 328
meetings on the call of the president or a majority of the 329
members of the board after reasonable notice to the other board 330
members of the time and place of the meeting. Three members of 331
the board constitute a quorum for the transaction of business. 332

(F) The board shall utilize the physical facilities and 333
administrative staff of the architects board for the discharge 334
of all the Ohio interior design examiners board's administrative 335
duties in connection with the administration and enforcement of 336
sections 4703.60 to 4703.72 of the Revised Code. The Ohio 337
interior design examiners board shall bear a proportionate share 338
of the cost of those administrative services, which shall not 339

exceed its revenue. 340

Sec. 4703.64. (A) The Ohio interior design examiners board 341
shall adopt all rules, in accordance with Chapter 119. of the 342
Revised Code, and bylaws necessary to implement sections 4703.60 343
to 4703.72 of the Revised Code. The rules shall govern the 344
standards of education, service, conduct, and practice of 345
certified interior designers and include all of the following: 346

(1) Conduct that constitutes unprofessional conduct for 347
the purposes of division (C) of section 4703.61 of the Revised 348
Code; 349

(2) The application form for a certificate and the amount 350
of an application fee, as described in division (A) of section 351
4703.66 of the Revised Code; 352

(3) The application form for renewal of a certificate and 353
the amount of a renewal fee, as described in division (B) of 354
section 4703.69 of the Revised Code; 355

(4) Standards that providers of continuing education shall 356
meet for approval under division (A) of section 4703.70 of the 357
Revised Code; 358

(5) Designations of examinations of entities that are 359
equivalent to the examination of the national council for 360
interior design qualification; 361

(6) What happens to a certificate if the certificate 362
holder fails to timely renew the certificate; 363

(7) Procedures for reinstating a certificate that has been 364
revoked, suspended, or restricted or placed on inactive status; 365

(8) Procedures for placing a certificate on inactive 366
status; 367

<u>(9) The standards of practice for certified interior designers;</u>	368 369
<u>(10) Requirements regarding financial responsibility and professional liability insurance.</u>	370 371
<u>(11) Definitions of "interior life safety plan" and "interior space" for purposes of sections 4703.60 to 4703.72 of the Revised Code;</u>	372 373 374
<u>(12) The aspects of an interior life safety plan, as defined by the board, that are related and unrelated to the practice of interior design.</u>	375 376 377
<u>(B) In adopting the rules under division (A)(4) of this section, the board shall model the standards for continuing education providers on continuing education recommendations established by the national council of interior design qualification or a similar successor organization.</u>	378 379 380 381 382
<u>(C) The board may adopt rules in accordance with Chapter 119. of the Revised Code regarding any of the following:</u>	383 384
<u>(1) Extending or shortening renewal cycles in accordance with division (A)(2) of section 4703.69 of the Revised Code;</u>	385 386
<u>(2) Temporary certificates;</u>	387
<u>(3) Citations;</u>	388
<u>(4) Any other matter the board considers pertinent.</u>	389
<u>(D) The board shall enforce sections 4703.60 to 4703.72 of the Revised Code and the rules adopted by the board. The board may subpoena witnesses and records in connection with its investigations and may incur any expenses that are necessary.</u>	390 391 392 393
<u>Sec. 4703.65. (A) Beginning one year after the effective</u>	394

date of this section, and every year thereafter, the Ohio 395
interior design examiners board shall file with the governor, 396
after the close of each fiscal year, a full report of its 397
operations as of the thirtieth day of June of that year, 398
together with a statement of receipts and expenditures. 399

(B) In each even-numbered year, the board shall prepare a 400
roster, showing the name, certificate number, and address of all 401
certified interior designers who are in good standing as of the 402
first day of April of that even-numbered year. 403

Sec. 4703.66. (A) A person seeking to receive an interior 404
designer certificate shall submit all of the following to the 405
Ohio interior design examiners board: 406

(1) An application in a form prescribed in rule adopted by 407
the board; 408

(2) Payment of a fee set by the board in rule; 409

(3) Satisfactory evidence of all of the following: 410

(a) The applicant's good moral character; 411

(b) The applicant's having qualified to take and having 412
passed the examination of the national council for interior 413
design qualification or the examination of an equivalent entity, 414
as determined by the board in rule; 415

(c) The applicant's ability to satisfy the requirements 416
regarding financial responsibility and professional liability 417
insurance adopted by the board under section 4703.64 of the 418
Revised Code. 419

(B) The board shall issue a certificate to a person who 420
meets the requirements of division (A) of this section and 421
provide each certified interior designer with a unique 422

certificate number. 423

Sec. 4703.67. The Ohio interior design examiners board 424
shall adopt rules to grant an interior design certificate to any 425
individual who provides evidence satisfactory to the board that 426
the individual is a certified, registered, or licensed interior 427
designer in another state or country in which the 428
qualifications, at the time of certification, registration, or 429
licensure, were substantially equal, in the opinion of the 430
board, to the requirements for an interior design certificate in 431
this state. The board, in the rules it adopts, shall require 432
that an applicant for certification under this section has 433
passed the examination of the national council for interior 434
design qualification or the examination of an equivalent entity, 435
as determined by the board in rule. 436

Sec. 4703.68. (A) A final plan or specification for an 437
interior design that is prepared by or under the supervision of 438
a certified interior designer shall bear the signature and the 439
certificate number of the certified interior designer when 440
submitted to a client or a building official for the purpose of 441
obtaining approval of plans and specifications pursuant to 442
Chapter 3781. of the Revised Code and the nonresidential 443
building code. 444

(B) A certified interior designer may only include the 445
designer's signature and certificate number on a final plan or 446
specification that is within the scope of practice of interior 447
design and when the plan or specification meets one of the 448
following: 449

(1) It is personally prepared by the certified interior 450
designer. 451

(2) It is prepared by an employee, subordinate, associate, 452
or drafter under the direct supervision of the certified 453
interior designer, and the certified interior designer assumes 454
responsibility for the plan or specification. 455

(3) It is prepared by another certified interior designer 456
in this state or a similarly qualified designer in another 457
state, provided that the certified interior designer attaching 458
the designer's signature and certificate number does all of the 459
following: 460

(a) Performs a thorough review of all work for compliance 461
with all applicable laws, rules, and standards of the 462
profession; 463

(b) Receives written permission to submit the plan or 464
specification to a client or a building official from the 465
original designer of the plan or specification; 466

(c) Makes any necessary corrections before submitting the 467
final plan or specification to either of the following: 468

(i) A building official for the purpose of obtaining 469
approval of plans and specifications pursuant to Chapter 3781. 470
of the Revised Code and the nonresidential building code; 471

(ii) A client, when the certified interior designer 472
represents, or can reasonably expect the client to consider, the 473
plan or specification to be complete and final. 474

Sec. 4703.69. (A) (1) Except as provided in division (A) (2) 475
of this section, an interior designer certificate expires two 476
years after the date of issuance. 477

(2) The Ohio interior design examiners board may adopt 478
rules extending or shortening a renewal cycle by as much as one 479

year to stagger the renewal cycles it administers under this 480
chapter. 481

(B) A person seeking to renew an interior designer 482
certificate shall provide all of the following to the board 483
before the certificate expires: 484

(1) An application made on a form prescribed in rule by 485
the board; 486

(2) Payment of a fee as set by the board in rule; 487

(3) Satisfactory evidence of having completed continuing 488
education as required under section 4703.70 of the Revised Code. 489

(C) The board shall renew a person's certificate if the 490
person satisfies the requirements of division (B) of this 491
section. 492

Sec. 4703.70. (A) Except as provided in division (B) of 493
this section, as a condition for the renewal of an interior 494
designer certificate, a certified interior designer, during each 495
two-year certificate cycle, shall complete twenty hours of 496
continuing education that is offered or approved by the Ohio 497
interior design examiners board. The continuing education hours 498
shall primarily emphasize health, welfare, and safety. 499

(B) If a renewal cycle is extended or shortened under 500
division (A) (2) of section 4703.69 of the Revised Code, the 501
board shall increase or decrease the continuing education hours 502
required for renewal under this section proportionally. 503

Sec. 4703.71. (A) If, on inspection or investigation, the 504
Ohio interior design examiners board believes that an applicant 505
for an interior designer certificate or a certified interior 506
designer has violated divisions (B) to (F) of section 4703.61 of 507

the Revised Code, a rule adopted by the board, or an order 508
issued by the board, the board may take any of the following 509
actions: 510

(1) Issue a warning to the applicant or designer; 511

(2) Issue a citation to the applicant or designer 512
according to this chapter and any pertinent rules adopted by the 513
board; 514

(3) Attempt to negotiate a stipulated settlement; 515

(4) Order the applicant or designer to appear at an 516
administrative hearing conducted under Chapter 119. of the 517
Revised Code. 518

(B) (1) A citation issued under this section shall be in 519
writing, and the board shall do all of the following in the 520
citation: 521

(a) Describe with particularity the alleged violation in 522
question, including a reference to the law, rule, or order 523
alleged to have been violated; 524

(b) Clearly state that the allegations may be contested 525
through an administrative hearing, that the applicant or 526
designer must notify the board of an intent to contest within 527
twenty days after receipt of the citation, and how the applicant 528
or designer may request such an administrative hearing; 529

(c) Clearly explain the administrative actions that will 530
be taken, or fines that will be levied, against the citation 531
recipient if the recipient either fails to contest the 532
allegations or if the board, after an administrative hearing, 533
makes a finding against the recipient. 534

(2) If the citation recipient shows cause, the board may 535

<u>extend the period in which the citation recipient may request an</u>	536
<u>administrative hearing to contest the citation.</u>	537
<u>(C) Any of the following are grounds for the board to make</u>	538
<u>a finding against an applicant or designer and issue an order</u>	539
<u>pursuant to division (D) of this section:</u>	540
<u>(1) An applicant or a designer violates a stipulated</u>	541
<u>settlement.</u>	542
<u>(2) An applicant or a designer fails to request an</u>	543
<u>administrative hearing to contest a citation within twenty days</u>	544
<u>of the citation being delivered, or before the end of an</u>	545
<u>extension period.</u>	546
<u>(3) After an administrative hearing held in accordance</u>	547
<u>with Chapter 119. of the Revised Code, the board makes a finding</u>	548
<u>against the applicant or designer in question.</u>	549
<u>(D) For any of the grounds prescribed in division (C) of</u>	550
<u>this section, the board shall issue a final order. The board, in</u>	551
<u>the order, may take any of the following disciplinary</u>	552
<u>administrative actions against the applicant or designer:</u>	553
<u>(1) Refuse to issue a certificate;</u>	554
<u>(2) Refuse to renew a certificate;</u>	555
<u>(3) Revoke, suspend, or restrict a certificate or place a</u>	556
<u>certificate holder on probation;</u>	557
<u>(4) Issue a public or private reprimand to a person</u>	558
<u>holding a certificate under this chapter;</u>	559
<u>(5) Issue a cease and desist order;</u>	560
<u>(6) Impose a fine, as prescribed in division (H) of this</u>	561
<u>section.</u>	562

(E) Notwithstanding any provision of Chapter 119. of the 563
Revised Code to the contrary, a warning, citation, or order 564
issued under this section, or a copy of the citation or order, 565
may be served by mail or by personal service to either the 566
person or the person's agent. Personal service may be made by a 567
board employee or by a person specially designated by the board. 568

(F) If an applicant or designer fails to comply with an 569
order issued by the board, the board may take additional 570
administrative action as prescribed in division (D) of this 571
section. 572

(G) The board shall not take an action described in 573
division (A) of this section for an alleged violation of 574
divisions (B) to (F) of section 4714.02 of the Revised Code, a 575
rule adopted by the board, or an order issued by the board more 576
than five years after the alleged violation occurs. 577

(H) The board shall assess fines according to the 578
following: 579

(1) For a first offense, a fine of up to one thousand 580
dollars; 581

(2) For a second offense, a fine of up to two thousand 582
dollars; 583

(3) For any subsequent offense, a fine of up to two 584
thousand dollars for each violation or each day in which a 585
person fails to comply with an order issued by the board. 586

(I) A citation issued for an offense that has not yet 587
resulted in a final order from the board does not preclude 588
issuance of an additional citation for a second or subsequent 589
offense during the pendency of a preceding action. 590

(J) If the board imposes a fine on an applicant or 591
designer pursuant to this section and the person fails to pay 592
that fine within the time period prescribed by the board, the 593
board shall forward to the attorney general the name of the 594
applicant or designer and the amount of the fine for the purpose 595
of collecting that fine. In addition to the fine assessed 596
pursuant to this section, the applicant or designer also shall 597
pay any fee assessed by the attorney general for collection of 598
the fine. 599

Sec. 4703.72. (A) If, on inspection or investigation, the 600
Ohio interior design examiners board determines that reasonable 601
evidence exists that a person has violated division (A) of 602
section 4703.61 of the Revised Code, the board shall send a 603
written notice to that person in the same manner as prescribed 604
in section 119.07 of the Revised Code for licensees. 605

(B) The board shall hold a hearing regarding the alleged 606
violation in the same manner prescribed for an adjudication 607
hearing under section 119.09 of the Revised Code. If the board, 608
after the hearing, determines a violation has occurred, the 609
board, upon an affirmative vote of a majority of its members, 610
may impose a fine on the person in accordance with division (H) 611
of section 4703.71 of the Revised Code. The board's 612
determination is an order that the person may appeal in 613
accordance with section 119.12 of the Revised Code. 614

(C) If the board assesses a person a fine for a violation 615
of division (A) of section 4703.61 of the Revised Code, the fine 616
shall be collected in the same manner as prescribed in division 617
(J) of section 4703.71 of the Revised Code for fines imposed 618
against an applicant for an interior designer certificate or 619
certified interior designer. 620

Section 2. That existing sections 3791.04, 4703.50, 621
4703.52, and 4703.53 of the Revised Code are hereby repealed. 622

Section 3. Not later than one hundred eighty days after 623
the effective date of this act, the Ohio Interior Design 624
Examiners Board shall meet and adopt the rules the Board is 625
required to adopt under this act. 626

Section 4. Notwithstanding section 4703.63 of the Revised 627
Code, as enacted by this act, persons appointed to the Ohio 628
Interior Design Examiners Board during the first year after the 629
effective date of this act need not have an interior designer 630
certificate as defined in section 4703.60 of the Revised Code, 631
as enacted by this act. 632