

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

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

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

(1) Obtain a passing score on a certificate examination, as required in division (A) (3) (b) of section 4703.66 of the Revised Code; 268  
269  
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 of the Revised Code shall be construed as doing either of the following: 273  
274  
275

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

(2) Preventing or restricting the practices, services, or activities of any person licensed in this state under any other law from engaging in the profession or occupation for which the 279  
280  
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
<b><u>Sec. 4703.63.</u></b> (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