

**As Introduced**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**H. B. No. 402**

**Representatives Lang, Sweeney**

**Cosponsors: Representatives Carfagna, Riedel, Green, Cera, Edwards, Lipps,  
Lepore-Hagan, West**

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**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 unit" as defined in section 3781.06 of the Revised Code. 49  
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(c) No seal is required for approval of the installation of replacement equipment or systems that are similar in type or capacity to the equipment or systems being replaced. No seal is required for approval for any new construction, improvement, alteration, repair, painting, decorating, or other modification of any buildings or structures subject to sections 3781.06 to 3781.18 and 3791.04 of the Revised Code if the proposed work does not involve technical design analysis, as defined by rule adopted by the board of building standards. 51  
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(d) No seal is required for approval of any interior technical submission if the interior technical submission is within the scope of practice of interior design and bears the signature and certificate number of a certified interior designer in accordance with section 4703.68 of the Revised Code. 60  
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(B) No owner shall proceed with the construction, erection, alteration, or equipment of any building until the plans or drawings, specifications, and data have been approved as this section requires, or the industrialized unit inspected at the point of origin. No plans or specifications shall be approved or inspection approval given unless the building represented would, if constructed, repaired, erected, or equipped, comply with Chapters 3781. and 3791. of the Revised Code and any rule made under those chapters. 65  
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(C) The approval of plans or drawings and specifications or data pursuant to this section is invalid if construction, erection, alteration, or other work upon the building has not commenced within twelve months of the approval of the plans or drawings and specifications. One extension shall be granted for 74  
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an additional twelve-month period if the owner requests at least 79  
ten days in advance of the expiration of the permit and upon 80  
payment of a fee not to exceed one hundred dollars. If in the 81  
course of construction, work is delayed or suspended for more 82  
than six months, the approval of plans or drawings and 83  
specifications or data is invalid. Two extensions shall be 84  
granted for six months each if the owner requests at least ten 85  
days in advance of the expiration of the permit and upon payment 86  
of a fee for each extension of not more than one hundred 87  
dollars. Before any work may continue on the construction, 88  
erection, alteration, or equipment of any building for which the 89  
approval is invalid, the owner of the building shall resubmit 90  
the plans or drawings and specifications for approval pursuant 91  
to this section. 92

(D) Subject to section 3791.042 of the Revised Code, the 93  
board of building standards or the legislative authority of a 94  
municipal corporation, township, or county, by rule, may 95  
regulate the requirements for the submission of plans and 96  
specifications to the respective enforcing departments and for 97  
processing by those departments. The board of building standards 98  
or the legislative authority of a municipal corporation, 99  
township, or county may adopt rules to provide for the approval, 100  
subject to section 3791.042 of the Revised Code, by the 101  
department having jurisdiction of the plans for construction of 102  
a foundation or any other part of a building or structure before 103  
the complete plans and specifications for the entire building or 104  
structure are submitted. When any plans are approved by the 105  
department having jurisdiction, the structure and every 106  
particular represented by and disclosed in those plans shall, in 107  
the absence of fraud or a serious safety or sanitation hazard, 108  
be conclusively presumed to comply with Chapters 3781. and 3791. 109

of the Revised Code and any rule issued pursuant to those 110  
chapters, if constructed, altered, or repaired in accordance 111  
with those plans and any rule in effect at the time of approval. 112

(E) The approval of plans and specifications, including 113  
inspection of industrialized units, under this section is a 114  
"license" and the failure to approve plans or specifications as 115  
submitted or to inspect the unit at the point of origin within 116  
thirty days after the plans or specifications are filed or the 117  
request to inspect the industrialized unit is made, the 118  
disapproval of plans and specifications, or the refusal to 119  
approve an industrialized unit following inspection at the point 120  
of origin is "an adjudication order denying the issuance of a 121  
license" requiring an "adjudication hearing" as provided by 122  
sections 119.07 to 119.13 of the Revised Code and as modified by 123  
sections 3781.031 and 3781.19 of the Revised Code. An 124  
adjudication order denying the issuance of a license shall 125  
specify the reasons for that denial. 126

(F) The board of building standards shall not require the 127  
submission of site preparation plans or plot plans to the 128  
division of industrial compliance when industrialized units are 129  
used exclusively as one-, two-, or three-family dwellings. 130

(G) Notwithstanding any procedures the board establishes, 131  
if the agency having jurisdiction objects to any portion of the 132  
plans or specifications, the owner or the owner's representative 133  
may request the agency to issue conditional approval to proceed 134  
with construction up to the point of the objection. Approval 135  
shall be issued only when the objection results from conflicting 136  
interpretations of the rules of the board of building standards 137  
rather than the application of specific technical requirements 138  
of the rules. Approval shall not be issued where the correction 139

of the objection would cause extensive changes in the building 140  
design or construction. The giving of conditional approval is a 141  
"conditional license" to proceed with construction up to the 142  
point where the construction or materials objected to by the 143  
agency are to be incorporated into the building. No construction 144  
shall proceed beyond that point without the prior approval of 145  
the agency or another agency that conducts an adjudication 146  
hearing relative to the objection. The agency having 147  
jurisdiction shall specify its objections to the plans or 148  
specifications, which is an "adjudication order denying the 149  
issuance of a license" and may be appealed pursuant to sections 150  
119.07 to 119.13 of the Revised Code and as modified by sections 151  
3781.031 and 3781.19 of the Revised Code. 152

(H) A certified municipal, township, or county building 153  
department having jurisdiction, or the superintendent, as 154  
appropriate, shall review any plans, drawings, specifications, 155  
or data described in this section that are submitted to it or to 156  
the superintendent. 157

(I) No owner or persons having control as an officer, or 158  
as a member of a board or committee, or otherwise, of a building 159  
to which section 3781.06 of the Revised Code is applicable, and 160  
no architect, designer, engineer, builder, contractor, 161  
subcontractor, or any officer or employee of a municipal, 162  
township, or county building department shall violate this 163  
section. 164

(J) Whoever violates this section shall be fined not more 165  
than five hundred dollars. 166

(K) As used in this section, "interior technical 167  
submission" and "practice of interior design" have the same 168  
meanings as in section 4703.60 of the Revised Code. 169

**Sec. 4703.50.** All receipts of the architects board~~and,~~ 170  
the Ohio landscape architects board, and the Ohio interior 171  
design examiners board shall be deposited in the state treasury 172  
to the credit of the occupational licensing and regulatory fund. 173

**Sec. 4703.52.** On receipt of a notice pursuant to section 174  
3123.43 of the Revised Code, the architects board~~and,~~ the Ohio 175  
landscape architects board, and the Ohio interior design 176  
examiners board shall comply with sections 3123.41 to 3123.50 of 177  
the Revised Code and any applicable rules adopted under section 178  
3123.63 of the Revised Code with respect to a certificate issued 179  
pursuant to this chapter. 180

**Sec. 4703.53.** The architects board~~and,~~ the Ohio landscape 181  
architects board, and the Ohio interior design examiners board 182  
shall comply with section 4776.20 of the Revised Code. 183

**Sec. 4703.60.** As used in sections 4703.60 to 4703.72 of 184  
the Revised Code: 185

(A) "Building" means a nonresidential building as defined 186  
in section 3781.06 of the Revised Code and includes the 187  
structural, mechanical, and electrical systems, utility 188  
services, and other facilities required for the structure. 189

(B) "Certified interior designer" means a person who holds 190  
a certificate issued under section 4703.66 or 4703.67 of the 191  
Revised Code or renewed under section 4703.69 of the Revised 192  
Code. 193

(C) "Interior alteration or construction project" means a 194  
project for an interior space or area within a proposed or 195  
existing building or structure, including construction, 196  
modification, renovation, rehabilitation, or historic 197  
preservation, that involves changing or altering any of the 198

<u>following:</u>	199
<u>(1) The design function or layout of rooms;</u>	200
<u>(2) The state of permanent fixtures or equipment;</u>	201
<u>(3) The interior space or area if the change or alteration</u> <u>requires verification of the compliance of the interior space or</u> <u>area with a building code, fire code, the federal Americans with</u> <u>Disabilities Act, or any state or local regulations;</u>	202 203 204 205
<u>(4) Nonstructural elements of the interior space or area.</u>	206
<u>(D) "Interior designer certificate" means a certificate</u> <u>issued pursuant to section 4703.66 or 4703.67 of the Revised</u> <u>Code or renewed under section 4703.69 of the Revised Code.</u>	207 208 209
<u>(E) "Interior life safety" means the analysis,</u> <u>development, interpretation, review, and employment of space</u> <u>plans or interior components for existing or proposed interior</u> <u>spaces to provide for compliance with a building code or other</u> <u>law, ordinance, or rule to eliminate, reduce, or control life-</u> <u>threatening or health-threatening situations, including to</u> <u>provide for egress or ingress to horizontal fire exit ways</u> <u>leading to predetermined vertical fire exit ways.</u>	210 211 212 213 214 215 216 217
<u>(F) "Interior technical submission" means a design,</u> <u>drawing, specification, study, or other technical report or</u> <u>calculation that establishes the details of a project within the</u> <u>practice of interior design, including a description of</u> <u>standards of quality for materials, skilled labor, equipment,</u> <u>and construction systems, and that is signed and sealed by a</u> <u>certified interior designer in compliance with this chapter.</u>	218 219 220 221 222 223 224
<u>(G) "Nonresidential building code" means the</u> <u>nonresidential building code adopted by the board of building</u>	225 226



<u>standards pursuant to section 3781.10 of the Revised Code.</u>	227
<u>(H) "Nonstructural elements" include ceiling and partition</u>	228
<u>systems that employ normal and typical bracing conventions and</u>	229
<u>that are not part of the structural integrity of the building.</u>	230
<u>(I) (1) "Practice of interior design" means the preparation</u>	231
<u>of an interior technical submission for, or the supervision of,</u>	232
<u>an interior alteration or construction project, including the</u>	233
<u>preparation of documents relating to interior life safety,</u>	234
<u>interior construction, materials, finishes, space planning,</u>	235
<u>furnishings, fixtures, equipment, lighting, and reflected</u>	236
<u>ceiling plans, and the preparation of interior technical</u>	237
<u>submissions relating to interior construction that does not</u>	238
<u>substantially affect the existing mechanical or structural</u>	239
<u>systems of a building and when the exterior elements of the</u>	240
<u>building are not going to be changed.</u>	241
<u>(2) "Practice of interior design" does not include making</u>	242
<u>changes or additions to any of the following:</u>	243
<u>(a) Foundations, beams, trusses, columns, or other primary</u>	244
<u>structural framing members or seismic systems;</u>	245
<u>(b) Structural concrete slabs, roof framing structures, or</u>	246
<u>load-bearing and shear walls;</u>	247
<u>(c) Opening in roofs, exterior walls, or load-bearing and</u>	248
<u>shear walls;</u>	249
<u>(d) Exterior doors, windows, awnings, canopies, sunshades,</u>	250
<u>signage, or similar exterior building elements;</u>	251
<u>(e) As described in the nonresidential building code, life</u>	252
<u>safety equipment, including smoke, fire, or carbon dioxide</u>	253
<u>sensors or detectors, or other overhead building elements;</u>	254

(f) Heating, ventilating, or air conditioning equipment or 255  
distribution systems, building management systems, high or 256  
medium voltage electrical distribution systems, standby or 257  
emergency power systems or distribution systems, plumbing or 258  
plumbing distribution systems, fire alarm systems, fire 259  
sprinkler systems, security or monitoring systems, or related 260  
building systems; 261

(g) All aspects of an interior life safety plan, as 262  
defined in rules adopted by the Ohio interior design examiners 263  
board, that are unrelated to the practice of interior design. 264

**Sec. 4703.61.** (A) A person shall not represent the 265  
person's self as a certified interior designer unless that 266  
person holds a current, valid interior designer certificate. 267

(B)(1) Except as otherwise provided in division (B)(2) of 268  
this section, no person who has been issued an interior designer 269  
certificate shall engage in the practice of interior design, 270  
represent the person's self to be practicing or engaging in, or 271  
attempt to practice or engage in interior design if the person 272  
is restricted from doing so by a suspended, revoked, restricted, 273  
temporary, probationary, or inactive certificate. 274

(2) A person whose interior designer certificate has been 275  
suspended, revoked, restricted, placed on probation, or made 276  
inactive may engage in the practice of interior design under 277  
division (B)(2) of section 4703.68 of the Revised Code as an 278  
employee, subordinate, associate, or drafter of another 279  
certified interior designer or under division (B)(3) of section 280  
4703.68 of the Revised Code. 281

(C) A certified interior designer shall not recklessly 282  
engage in conduct described as unprofessional conduct by the 283

<u>board in rule.</u>	284
<u>(D) No certified interior designer shall fail to comply with section 4703.68 of the Revised Code.</u>	285 286
<u>(E) No certified interior designer shall knowingly do any of the following:</u>	287 288
<u>(1) Impersonate another certified interior designer under a false or assumed name, except as permitted by law;</u>	289 290
<u>(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;</u>	291 292 293 294 295 296
<u>(3) Permit the certified interior designer's signature and certificate number to be attached to a final interior technical submission, except as permitted under section 4703.68 of the Revised Code or otherwise permitted by law.</u>	297 298 299 300
<u>(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:</u>	301 302 303 304
<u>(1) Obtain a passing score on a certificate examination, as required in division (A) (3) (b) of section 4703.66 of the Revised Code;</u>	305 306 307
<u>(2) Apply for or obtain a certificate;</u>	308
<u>(3) Otherwise deal with the board.</u>	309
<u>Sec. 4703.62. (A) Nothing in sections 4703.60 to 4703.72</u>	310

of the Revised Code shall be construed as doing either of the 311  
following: 312

(1) Requiring a person to obtain an interior designer 313  
certificate to engage in an activity traditionally performed by 314  
an interior designer or other design professional; 315

(2) Preventing or restricting the practices, services, or 316  
activities of any person licensed in this state under any other 317  
law from engaging in the profession or occupation for which the 318  
person is licensed. 319

(B) An interior designer certificate issued under this 320  
chapter does not authorize a person to practice either of the 321  
following: 322

(1) Architecture, under this chapter; 323

(2) Engineering, under Chapter 4733. of the Revised Code. 324

**Sec. 4703.63.** (A) There is hereby created the Ohio 325  
interior design examiners board, consisting of five members 326  
appointed by the governor. Three of the members of the board 327  
shall be interior designers who have engaged in the practice of 328  
interior design for not less than five years before appointment 329  
to the board and who are certified interior designers. One 330  
member shall have a valid certificate to practice architecture 331  
or be registered as a professional engineer under Chapter 4733. 332  
of the Revised Code. One member shall represent the public. 333

The governor shall make initial appointments to the board 334  
not later than ninety days after the effective date of this 335  
section. Of the initial appointments to the board, the governor 336  
shall appoint one member to a term ending one year after the 337  
effective date of this section, two members to a term ending 338  
three years after that date, and two members to a term ending 339

five years after that date. Thereafter, all appointments made to 340  
the board shall be for a five-year term with each term ending on 341  
the same day of the same month as did the term that it succeeds. 342  
Each member shall hold office from the date of appointment until 343  
the end of the term to which the member was appointed. Members 344  
may be reappointed. Any member shall continue in office after 345  
the expiration date of the member's term until the member's 346  
successor is appointed, or until a period of sixty days has 347  
elapsed, whichever occurs first. Any member of the board may be 348  
removed by the governor at any time for cause. 349

(B) In the event of a vacancy in the office of a member of 350  
the board other than by reason of the expiration of a term, the 351  
governor, not later than ninety days after the vacancy occurs, 352  
shall appoint a person to hold office for the remainder of the 353  
unexpired term. 354

(C) The board shall elect from its members a president and 355  
a secretary who shall hold those offices for one year. The 356  
secretary of the board shall be responsible for keeping a true 357  
and complete record of all proceedings of the board. 358

(D) Each member of the board shall receive as a part of 359  
the expense of the board an amount fixed pursuant to division 360  
(J) of section 124.15 of the Revised Code for each day actually 361  
employed in the discharge of official duties, along with other 362  
necessary expenses. 363

(E) The board shall meet at least twice each calendar year 364  
for purposes of transacting regular business and may hold other 365  
meetings on the call of the president or a majority of the 366  
members of the board after reasonable notice to the other board 367  
members of the time and place of the meeting. Three members of 368  
the board constitute a quorum for the transaction of business. 369

(F) The board shall utilize the physical facilities and administrative staff of the architects board for the discharge of all the Ohio interior design examiners board's administrative duties in connection with the administration and enforcement of sections 4703.60 to 4703.72 of the Revised Code. The Ohio interior design examiners board shall bear a proportionate share of the cost of those administrative services, which shall not exceed its revenue. 370  
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Sec. 4703.64. (A) The Ohio interior design examiners board shall adopt all rules, in accordance with Chapter 119. of the Revised Code, and bylaws necessary to implement sections 4703.60 to 4703.72 of the Revised Code. The rules shall govern the standards of education, service, conduct, and practice of certified interior designers and include all of the following: 378  
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(1) Conduct that constitutes unprofessional conduct for the purposes of division (C) of section 4703.61 of the Revised Code; 384  
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(2) The application form for a certificate and the amount of an application fee, as described in division (A) of section 4703.66 of the Revised Code; 387  
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(3) The application form for renewal of a certificate and the amount of a renewal fee, as described in division (B) of section 4703.69 of the Revised Code; 390  
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(4) Standards that providers of continuing education shall meet for approval under division (A) of section 4703.70 of the Revised Code; 393  
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(5) Designations of examinations of entities that are equivalent to the examination of the national council for interior design qualification; 396  
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<u>(6) What happens to a certificate if the certificate holder fails to timely renew the certificate;</u>	399 400
<u>(7) Procedures for reinstating a certificate that has been revoked, suspended, or restricted or placed on inactive status;</u>	401 402
<u>(8) Procedures for placing a certificate on inactive status;</u>	403 404
<u>(9) The standards of practice for certified interior designers;</u>	405 406
<u>(10) Requirements regarding financial responsibility and professional liability insurance;</u>	407 408
<u>(11) The definition of "interior life safety plan" for purposes of sections 4703.60 to 4703.72 of the Revised Code;</u>	409 410
<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>	411 412 413
<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>	414 415 416 417 418
<u>(C) The board may adopt rules in accordance with Chapter 119. of the Revised Code regarding any of the following:</u>	419 420
<u>(1) Extending or shortening renewal cycles in accordance with division (A) (2) of section 4703.69 of the Revised Code;</u>	421 422
<u>(2) Temporary certificates;</u>	423
<u>(3) Citations;</u>	424
<u>(4) Any other matter the board considers pertinent.</u>	425

(D) The board shall enforce sections 4703.60 to 4703.72 of 426  
the Revised Code and the rules adopted by the board. The board 427  
may subpoena witnesses and records in connection with its 428  
investigations and may incur any expenses that are necessary. 429

**Sec. 4703.65.** (A) Beginning one year after the effective 430  
date of this section, and every year thereafter, the Ohio 431  
interior design examiners board shall file with the governor, 432  
after the close of each fiscal year, a full report of its 433  
operations as of the thirtieth day of June of that year, 434  
together with a statement of receipts and expenditures. 435

(B) In each even-numbered year, the board shall prepare a 436  
roster, showing the name, certificate number, and address of all 437  
certified interior designers who are in good standing as of the 438  
first day of April of that even-numbered year. 439

**Sec. 4703.66.** (A) A person seeking to receive an interior 440  
designer certificate shall submit all of the following to the 441  
Ohio interior design examiners board: 442

(1) An application in a form prescribed in rule adopted by 443  
the board; 444

(2) Payment of a fee set by the board in rule; 445

(3) Satisfactory evidence of all of the following: 446

(a) The applicant's good moral character; 447

(b) The applicant's having qualified to take and having 448  
passed the examination of the national council for interior 449  
design qualification or the examination of an equivalent entity; 450

(c) The applicant's ability to satisfy the requirements 451  
regarding financial responsibility and professional liability 452  
insurance adopted by the board under section 4703.64 of the 453



Revised Code. 454

(B) The board shall issue a certificate to a person who 455  
meets the requirements of division (A) of this section and 456  
provide each certified interior designer with a unique 457  
certificate number. 458

Sec. 4703.67. The Ohio interior design examiners board 459  
shall adopt rules to grant an interior design certificate to any 460  
individual who provides evidence satisfactory to the board that 461  
the individual is a certified, registered, or licensed interior 462  
designer in another state or country in which the 463  
qualifications, at the time of certification, registration, or 464  
licensure, were substantially equal, in the opinion of the 465  
board, to the requirements for an interior design certificate in 466  
this state. The board shall require that an applicant for 467  
certification under this section has passed the examination of 468  
the national council for interior design qualification or the 469  
examination of an equivalent entity, as determined by the board 470  
in rule. 471

Sec. 4703.68. (A) An interior technical submission for an 472  
interior alteration or construction project that is prepared by 473  
or under the supervision of a certified interior designer shall 474  
bear the signature and the certificate number of the certified 475  
interior designer when submitted to a client or a building 476  
official for the purpose of obtaining approval of plans and 477  
specifications pursuant to Chapter 3781. of the Revised Code and 478  
the nonresidential building code. 479

(B) A certified interior designer may only include the 480  
designer's signature and certificate number on an interior 481  
technical submission that is within the scope of practice of 482  
interior design and when the interior technical submission meets 483

<u>one of the following requirements:</u>	484
<u>(1) It is personally prepared by the certified interior designer.</u>	485
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<u>(2) It is prepared by an employee, subordinate, associate, or drafter under the direct supervision of the certified interior designer, and the certified interior designer assumes responsibility for the interior technical submission.</u>	487
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<u>(3) It is prepared by another certified interior designer in this state or a similarly qualified designer in another state, provided that the certified interior designer attaching the designer's signature and certificate number does all of the following:</u>	491
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<u>(a) Performs a thorough review of all work for compliance with all applicable laws, rules, and standards of the profession;</u>	496
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<u>(b) Receives written permission to submit the plan or specification to a client or a building official from the original designer of the interior technical submission;</u>	499
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<u>(c) Makes any necessary corrections before submitting the interior technical submission to either of the following:</u>	502
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<u>(i) A building official for the purpose of obtaining approval of plans and specifications pursuant to Chapter 3781. of the Revised Code and the nonresidential building code;</u>	504
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<u>(ii) A client, when the certified interior designer represents, or can reasonably expect the client to consider, the interior technical submission to be complete and final.</u>	507
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	509
<u>(d) As the supervising certified interior designer, assumes all responsibility and liability for the interior</u>	510
	511

technical submission. 512

**Sec. 4703.69.** (A) (1) Except as provided in division (A) (2) 513  
of this section, an interior designer certificate expires two 514  
years after the date of issuance. 515

(2) The Ohio interior design examiners board may adopt 516  
rules extending or shortening a renewal cycle by as much as one 517  
year to stagger the renewal cycles it administers under this 518  
chapter. 519

(B) A person seeking to renew an interior designer 520  
certificate shall provide all of the following to the board 521  
before the certificate expires: 522

(1) An application made on a form prescribed in rule by 523  
the board; 524

(2) Payment of a fee as set by the board in rule; 525

(3) Satisfactory evidence of having completed continuing 526  
education as required under section 4703.70 of the Revised Code. 527

(C) The board shall renew a person's certificate if the 528  
person satisfies the requirements of division (B) of this 529  
section. 530

**Sec. 4703.70.** (A) Except as provided in division (B) of 531  
this section, as a condition for the renewal of an interior 532  
designer certificate, a certified interior designer, during each 533  
two-year certificate cycle, shall complete twenty hours of 534  
continuing education that is offered or approved by the Ohio 535  
interior design examiners board. The continuing education hours 536  
shall primarily emphasize health, welfare, and safety. 537

(B) If a renewal cycle is extended or shortened under 538  
division (A) (2) of section 4703.69 of the Revised Code, the 539

board shall increase or decrease the continuing education hours 540  
required for renewal under this section proportionally. 541

Sec. 4703.71. (A) If, on inspection or investigation, the 542  
Ohio interior design examiners board believes that an applicant 543  
for an interior designer certificate or a certified interior 544  
designer has violated divisions (B) to (F) of section 4703.61 of 545  
the Revised Code, a rule adopted by the board, or an order 546  
issued by the board, the board may take any of the following 547  
actions: 548

(1) Issue a warning to the applicant or designer; 549

(2) Issue a citation to the applicant or designer 550  
according to this chapter and any pertinent rules adopted by the 551  
board; 552

(3) Attempt to negotiate a stipulated settlement; 553

(4) Order the applicant or designer to appear at an 554  
administrative hearing conducted under Chapter 119. of the 555  
Revised Code. 556

(B) (1) A citation issued under this section shall be in 557  
writing, and the board shall do all of the following in the 558  
citation: 559

(a) Describe with particularity the alleged violation in 560  
question, including a reference to the law, rule, or order 561  
alleged to have been violated; 562

(b) Clearly state that the allegations may be contested 563  
through an administrative hearing, that the applicant or 564  
designer must notify the board of an intent to contest within 565  
twenty days after receipt of the citation, and how the applicant 566  
or designer may request such an administrative hearing; 567

(c) Clearly explain the administrative actions that will 568  
be taken, or fines that will be levied, against the citation 569  
recipient if the recipient either fails to contest the 570  
allegations or if the board, after an administrative hearing, 571  
makes a finding against the recipient. 572

(2) If the citation recipient shows cause, the board may 573  
extend the period in which the citation recipient may request an 574  
administrative hearing to contest the citation. 575

(C) Any of the following are grounds for the board to make 576  
a finding against an applicant or designer and issue an order 577  
pursuant to division (D) of this section: 578

(1) An applicant or a designer violates a stipulated 579  
settlement. 580

(2) An applicant or a designer fails to request an 581  
administrative hearing to contest a citation within twenty days 582  
of the citation being delivered, or before the end of an 583  
extension period. 584

(3) After an administrative hearing held in accordance 585  
with Chapter 119. of the Revised Code, the board makes a finding 586  
against the applicant or designer in question. 587

(D) For any of the grounds prescribed in division (C) of 588  
this section, the board shall issue a final order. The board, in 589  
the order, may take any of the following disciplinary 590  
administrative actions against the applicant or designer: 591

(1) Refuse to issue a certificate; 592

(2) Refuse to renew a certificate; 593

(3) Revoke, suspend, or restrict a certificate or place a 594  
certificate holder on probation; 595

<u>(4) Issue a public or private reprimand to a person</u>	596
<u>holding a certificate under this chapter;</u>	597
<u>(5) Issue a cease and desist order;</u>	598
<u>(6) Impose a fine, as prescribed in division (H) of this</u>	599
<u>section.</u>	600
<u>(E) Notwithstanding any provision of Chapter 119. of the</u>	601
<u>Revised Code to the contrary, a warning, citation, or order</u>	602
<u>issued under this section, or a copy of the citation or order,</u>	603
<u>may be served by mail or by personal service to either the</u>	604
<u>person or the person's agent. Personal service may be made by a</u>	605
<u>board employee or by a person specially designated by the board.</u>	606
<u>(F) If an applicant or designer fails to comply with an</u>	607
<u>order issued by the board, the board may take additional</u>	608
<u>administrative action as prescribed in division (D) of this</u>	609
<u>section.</u>	610
<u>(G) The board shall not take an action described in</u>	611
<u>division (A) of this section for an alleged violation of</u>	612
<u>divisions (B) to (F) of section 4703.61 of the Revised Code, a</u>	613
<u>rule adopted by the board, or an order issued by the board more</u>	614
<u>than five years after the alleged violation occurs.</u>	615
<u>(H) The board shall assess fines according to the</u>	616
<u>following:</u>	617
<u>(1) For a first offense, a fine of up to one thousand</u>	618
<u>dollars;</u>	619
<u>(2) For a second offense, a fine of up to two thousand</u>	620
<u>dollars;</u>	621
<u>(3) For any subsequent offense, a fine of up to two</u>	622
<u>thousand dollars for each violation or each day in which a</u>	623

person fails to comply with an order issued by the board. 624

(I) A citation issued for an offense that has not yet 625  
resulted in a final order from the board does not preclude 626  
issuance of an additional citation for a second or subsequent 627  
offense during the pendency of a preceding action. 628

(J) If the board imposes a fine on an applicant or 629  
designer pursuant to this section and the person fails to pay 630  
that fine within the time period prescribed by the board, the 631  
board shall forward to the attorney general the name of the 632  
applicant or designer and the amount of the fine for the purpose 633  
of collecting that fine. In addition to the fine assessed 634  
pursuant to this section, the applicant or designer also shall 635  
pay any fee assessed by the attorney general for collection of 636  
the fine. 637

**Sec. 4703.72.** (A) If, on inspection or investigation, the 638  
Ohio interior design examiners board determines that reasonable 639  
evidence exists that a person has violated division (A) of 640  
section 4703.61 of the Revised Code, the board shall send a 641  
written notice to that person in the same manner as prescribed 642  
in section 119.07 of the Revised Code for licensees. 643

(B) The board shall hold a hearing regarding the alleged 644  
violation in the same manner prescribed for an adjudication 645  
hearing under section 119.09 of the Revised Code. If the board, 646  
after the hearing, determines a violation has occurred, the 647  
board, upon an affirmative vote of a majority of its members, 648  
may impose a fine on the person in accordance with division (H) 649  
of section 4703.71 of the Revised Code. The board's 650  
determination is an order that the person may appeal in 651  
accordance with section 119.12 of the Revised Code. 652

(C) If the board assesses a person a fine for a violation 653  
of division (A) of section 4703.61 of the Revised Code, the fine 654  
shall be collected in the same manner as prescribed in division 655  
(J) of section 4703.71 of the Revised Code for fines imposed 656  
against an applicant for an interior designer certificate or 657  
certified interior designer. 658

**Section 2.** That existing sections 3791.04, 4703.50, 659  
4703.52, and 4703.53 of the Revised Code are hereby repealed. 660

**Section 3.** Not later than one hundred eighty days after 661  
the effective date of this act, the Ohio Interior Design 662  
Examiners Board shall meet and adopt the rules the Board is 663  
required to adopt under this act. 664

**Section 4.** Notwithstanding section 4703.63 of the Revised 665  
Code, as enacted by this act, persons appointed to the Ohio 666  
Interior Design Examiners Board during the first year after the 667  
effective date of this act need not have an interior designer 668  
certificate as defined in section 4703.60 of the Revised Code, 669  
as enacted by this act. 670