

Date of Hearing: April 25, 2017

ASSEMBLY COMMITTEE ON BUSINESS AND PROFESSIONS

Evan Low, Chair

AB 426 (Ridley-Thomas) – As Introduced February 9, 2017

SUBJECT: Interior designers.

SUMMARY: Extends the sunset date of the California Council on Interior Design Certification (CCIDC) by three years until January 1, 2021.

EXISTING LAW:

- 1) Defines a "certified interior designer" to mean a person who prepares and submits nonstructural or nonseismic plans consistent with existing law under the Architecture Practice Act, to local building departments that are of sufficient complexity so as to require the skills of a licensed contractor to implement them, and who engages in programming, planning, designing, and documenting the construction and installation of nonstructural or nonseismic elements, finishes and furnishings within the interior spaces of a building, and has demonstrated by means of education, experience, and examination, the competency to protect and enhance the health, safety and welfare of the public. (Business and Professions Code (BPC Section 5800(a)).
- 2) Authorizes a certified interior design to obtain a stamp from an interior design organization that must include a number that uniquely identifies and bears the name of that certified interior designer, as specified. (BPC Section 5801).
- 3) Specifies that the stamp certifies that the interior designer has provided the interior design organization with evidence of passage of an interior design examination approved by that interior design organization and any of the following: (BPC Section 5801 (a)(b)(c)(d))
 - a) He or she is a graduate from a four- or five-year accredited interior design degree program, and has two years of diversified interior design experience;
 - b) He or she has completed a three-year accredited interior design certificate program, and has completed three years of diversified interior design experience;
 - c) He or she has completed a two-year accredited interior design program, and has completed four years of diversified interior design experience; or,
 - d) He or she has at least eight years of education or at least eight years of diversified interior design experience, or a combination of interior design education and diversified interior design experience that together total at least eight years.
- 4) Subjects the certified interior design law to review by the appropriate policy committees of the Legislature, and sunsets the current law on January 1, 2018. (BPC Section 5810).

THIS BILL:

- 1) Extends the sunset date for the CCIDC by three years, until January 1, 2021.

FISCAL EFFECT: Unknown. This bill is keyed fiscal by the Legislative Council.

COMMENTS:

Purpose. This bill is sponsored by the **American Society for Interior Designers**. According to the author, "Certified interior designers are able to mark their work with a stamp that is uniquely theirs and shows the school that provided the accreditation. By using the 'Stamp' the [CCIDC] is able to assure the public of the [CCIDC's] education and propriety ownership of documents submitted."

Background. Interior Designers. According to the Bureau of Labor Statistics, interior designers make interior spaces functional, safe, and beautiful by determining space requirements and selecting decorative items, such as colors, lighting, and materials. They read blueprints and must be aware of building codes and inspection regulations, as well as universal accessibility standards. California law established a voluntary certification for interior designers, but they are not required to be licensed. Currently, there are approximately 2,000 certified interior designers in California.

California Council on Interior Design Certification. SB 153 (Craven), Chapter 396, Statutes of 1990 initially enacted the California law relating to certification of interior designers. Current law provides a voluntary system whereby an interior designer may become certified and obtain a stamp from an interior design organization by demonstrating competency by means of education, experience and examination as specified in the BPC. As a result of the enacting legislation, the CCIDC was created by a coalition of professional interior design organizations in January 1992 with the intent of being the organization responsible for determining whether interior designers met the education, experience and examination requirements.

BPC Section 5800 (b) provides for an "interior design organization" to administer voluntary certification. The organization is defined as a "nonprofit organization, exempt from taxation under Section 501(c) (3) of Title 26 of the United States Code." That voluntary organization of Certified Interior Designers' governing Board must include representatives of the public.

Under the current bylaws of CCIDC, the board is composed of no more than eleven (11) members, five (5) of whom will occupy a seat for each of the designated national professional interior design associations, namely the American Society of Interior Designers (ASID); the Interior Design Society; the International Interior Design Association; the International Furnishing and Design Associates; and the National Kitchen and Bath Association. There is also a professional member of the CCIDC who is not affiliated with any of these organizations who represents the "independent" or non-affiliated interior designers. Representing educators on the board is a seat designated for the Interior Design Education Council. The CCIDC is a private non-profit organization therefore it does not receive any public money from the State General Fund or from any State Special Fund.

Sunset Review. BPC section 5810 subjects the CCIDC to the sunset review process and specifically requires the CCIDC be reviewed by the appropriate policy committees of the Legislature, it is currently set to be repealed on January 1, 2018 unless a policy is enacted to extend that date. The sunset review process provides a formal mechanism for DCA; the Legislature; the regulatory boards, bureaus and committees; interested parties; and stakeholders to make recommendations for improvements to the authority of consumer protection boards and

bureaus. This is performed on a standard four-year cycle and was mandated by SB 2036 (McCorquodale) (Chapter 908, Statutes of 1994). The provisions of this bill extend the sunset date by three years, which is less than the standard four-year cycle reserved for boards, bureaus, commissions, committees, or other entities in the Committee's sunset review process. This bill proposes to extend the sunset date of the CCIDC which is already being conducted by this Committee and the Senate Committee on Business, Professions and Consumer Protection, which are currently the policy committees engaged with sunset oversight.

Current Related Legislation. SB 547 (Hill) of the current Legislative Session provides a number of changes to boards and bureaus under the DCA including the California Board of Accountancy, CCIDC, Board of Barbering and Cosmetology, and Bureau of Real Estate Appraisers; provides an additional funding mechanism to the State Metrology Lab; makes other technical and clarifying changes. *STATUS: This bill is pending in the Senate Business, Professions and Economic Development Committee*

Prior Related Legislation. SB 308 (Lieu) Chapter 333, Statutes of 2014, extended until January 1, 2018, the provisions of the Interior Design Law and the Board of Guide Dogs for the Blind, and extended until January 1, 2016, the provisions of the Board of Barbering and Cosmetology and the term of its executive officer, and made various other technical changes and improvements to those provisions.

ARGUMENTS IN SUPPORT:

None on file

ARGUMENTS IN OPPOSITION:

None on file.

POLICY ISSUES FOR CONSIDERATION:

The sunset review process provides a mechanism for the appropriate policy committees of the Legislature to provide a thorough overview of regulatory entities such as the CCIDC to ensure the entity is adhering to its statutory mandates and is still a relevant regulatory entity. It is unclear why the author is pursuing a sunset extension measure that conflicts with SB 547 (Hill) of the current Legislative Session, as the sunset extension for CCIDC in SB 547 (Hill) is based on the outcome of a joint committee hearing, the submission and review of the CCIDC's sunset review report and a review from the Senate Business, Professions and Economic Development Committee's staff background paper. This bill would require the CCIDC to be reviewed again in three years, while SB 547 would require a review in four years. The Committee may wish to inquire of the author why a four-year extension of the CCIDC is insufficient.

REGISTERED SUPPORT:

None on file.

REGISTERED OPPOSITION:

None on file.

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