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HOUSE BILL 20-1165

BY REPRESENTATIVE(S) Kraft-Tharp and McKean, Duran, Hooton, Michaelson Jenet, Snyder;
also SENATOR(S) Zenzinger and Coram, Danielson, Tate, Todd.

CONCERNING MODIFICATIONS TO THE INTERIOR DESIGN EXEMPTION SET FORTH IN THE LAWS GOVERNING THE PRACTICE OF ARCHITECTURE.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 12-120-403, **amend** (6)(a), (6)(b), (6)(c)(II), and (6)(d); and **add** (8) as follows:

12-120-403. Exemptions - definitions. (6) (a) Except as provided in subsection (6)(b) of this section, nothing in this part 4 ~~shall be construed to prevent~~ PREVENTS an interior designer from preparing interior design documents and specifications for interior finishes and nonstructural elements within and surrounding interior spaces of a building or structure of any size, height, and occupancy and filing the documents and specifications for the purpose of obtaining approval for a building permit as provided by law from the appropriate city, city and county, or regional building authority, which CITY, CITY AND COUNTY, OR REGIONAL BUILDING AUTHORITY may approve ~~or reject~~ the filing in the same manner as for other

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

professions AND MAY ONLY REJECT THE FILING FOR A REASON PROVIDED IN LAW, WHICH REASON MAY BE BASED ON A LOCAL GOVERNMENT'S ORDINANCE, RESOLUTION, OR BUILDING CODE ADOPTION POLICY.

(b) (I) Interior designers shall not be engaged in the construction of:

(A) The structural frame system supporting a building;

(B) Mechanical, plumbing, heating, air conditioning, ventilation, or electrical vertical transportation systems;

(C) Fire-rated vertical shafts in any multi-story structure;

(D) Fire-related protection of structural elements;

(E) Smoke evacuation and compartmentalization;

(F) Emergency sprinkler systems;

(G) Emergency alarm systems; or

(H) Any other alteration affecting the life safety of the occupants of a building OUTSIDE THE CONTENT OF THE INTERIOR DESIGN DOCUMENTS AND SPECIFICATIONS LISTED IN SUBSECTION (6)(a) OF THIS SECTION.

(II) ~~Any~~ AN interior designer shall, as a condition of filing interior design documents and specifications for the purpose of obtaining approval for a building permit, provide to the responsible building official of the jurisdiction ~~a current copy~~ PROOF of the interior designer's professional liability insurance coverage that is in force. ~~No~~ AN interior designer ~~shall be~~ IS NOT subject to any of the restrictions set forth in subsections (1)(b) and (1)(d) of this section.

(c) As used in this subsection (6), "interior designer" means a person who:

(II) Possesses written documentation that ~~he or she~~ THE INTERIOR DESIGNER:

(A) ~~Has graduated with a degree in interior design from a college or~~

~~university offering an interior design program consisting of four or more years of study and has completed two years of interior design experience; or~~

~~(B) Has graduated with a degree in interior design from a college or university offering an interior design program consisting of two or more years of study and has completed four years of interior design experience; and~~

(C) Has met the education and experience requirements of, and has subsequently passed, the qualification examination promulgated by the Council for Interior Design Qualification or its successor organization; AND

(D) MAINTAINS ACTIVE CERTIFICATION WITH THE COUNCIL FOR INTERIOR DESIGN QUALIFICATION OR ITS SUCCESSOR ORGANIZATION.

(d) As used in this subsection (6), "nonstructural or nonseismic" includes interior elements or components that are not load-bearing, ~~or that~~ do not assist in the seismic design, and do not require ~~design~~ STRUCTURAL computations for ~~a building's structure~~ A BUILDING. Common nonstructural or nonseismic elements or components include ~~but are not limited to~~; ceiling and partition systems that employ normal and typical bracing conventions and are not part of the structural integrity of the building.

(8) NOTHING IN THIS SECTION AUTHORIZES AN INDIVIDUAL, INCLUDING AN INDIVIDUAL AUTHORIZED TO ENGAGE IN CONDUCT UNDER SUBSECTION (6) OF THIS SECTION, TO ENGAGE IN THE PRACTICE OF ARCHITECTURE, ENGINEERING, OR ANY OTHER OCCUPATION REGULATED UNDER THE LAWS OF THIS STATE OR TO PREPARE, SIGN, OR SEAL PLANS WITH RESPECT TO SUCH PRACTICE OR IN CONNECTION WITH ANY GOVERNMENTAL PERMIT UNLESS THE INDIVIDUAL IS LICENSED OR OTHERWISE PERMITTED BY LAW TO SO ACT.

SECTION 2. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless

approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

KC Becker
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Leroy M. Garcia
PRESIDENT OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO