

**Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

ENGROSSED

*This Version Includes All Amendments Adopted
on Second Reading in the House of Introduction*

LLS NO. 20-0433.01 Jennifer Berman x3286

HOUSE BILL 20-1165

HOUSE SPONSORSHIP

Kraft-Tharp and McKean,

SENATE SPONSORSHIP

Zenzinger and Coram,

House Committees
Business Affairs & Labor

Senate Committees

A BILL FOR AN ACT

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

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

Interior design work is exempted from the types of work regulated under the laws governing the practice of architecture. The bill modifies the interior design exemption to remove an inconsistency in the language of that exemption whereby one portion of the exemption requires that interior designers not be engaged in work that affects the life safety of

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

HOUSE
Amended 2nd Reading
February 21, 2020

building occupants and another portion of the exemption requires that interior designers engage in their work "with due concern for the life safety of the occupants of the building". The bill removes the language of the first portion and retains the language of the second portion of the exemption.

The bill authorizes a city, city and county, or regional building authority to reject a building permit application filed by an interior designer only for a reason provided by law.

The bill also modifies the eligibility criteria for interior designers by removing references to educational requirements. The national certification requirement that is maintained in the statute itself includes educational requirements.

Finally, the bill modifies the description of "nonstructural or nonseismic" work that is within an interior designer's scope of practice.

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

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

4 **12-120-403. Exemptions - definitions.** (6) (a) Except as
5 provided in subsection (6)(b) of this section, nothing in this part 4 ~~shall~~
6 ~~be construed to prevent~~ PREVENTS an interior designer from preparing
7 interior design documents and specifications for interior finishes and
8 nonstructural elements within and surrounding interior spaces of a
9 building or structure of any size, height, and occupancy and filing the
10 documents and specifications for the purpose of obtaining approval for
11 a building permit as provided by law from the appropriate city, city and
12 county, or regional building authority, which CITY, CITY AND COUNTY, OR
13 REGIONAL BUILDING AUTHORITY may approve ~~or reject~~ the filing in the
14 same manner as for other professions AND MAY ONLY REJECT THE FILING
15 FOR A REASON PROVIDED IN LAW, WHICH REASON MAY BE BASED ON A
16 LOCAL GOVERNMENT'S ORDINANCE, RESOLUTION, OR BUILDING CODE
17 ADOPTION POLICY.

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

- 3 (A) The structural frame system supporting a building;
- 4 (B) Mechanical, plumbing, heating, air conditioning, ventilation,
5 or electrical vertical transportation systems;
- 6 (C) Fire-rated vertical shafts in any multi-story structure;
- 7 (D) Fire-related protection of structural elements;
- 8 (E) Smoke evacuation and compartmentalization;
- 9 (F) Emergency sprinkler systems;
- 10 (G) Emergency alarm systems; or
- 11 (H) Any other alteration affecting the life safety of the occupants
12 of a building OUTSIDE THE CONTENT OF THE INTERIOR DESIGN DOCUMENTS
13 AND SPECIFICATIONS LISTED IN SUBSECTION (6)(a) OF THIS SECTION.

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

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

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

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

1 ~~experience; or~~

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

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

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

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

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

1 **SECTION 2. Act subject to petition - effective date.** This act
2 takes effect at 12:01 a.m. on the day following the expiration of the
3 ninety-day period after final adjournment of the general assembly (August
4 5, 2020, if adjournment sine die is on May 6, 2020); except that, if a
5 referendum petition is filed pursuant to section 1 (3) of article V of the
6 state constitution against this act or an item, section, or part of this act
7 within such period, then the act, item, section, or part will not take effect
8 unless approved by the people at the general election to be held in
9 November 2020 and, in such case, will take effect on the date of the
10 official declaration of the vote thereon by the governor.