



Alaska State Legislature

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House Bill 61

Sectional Analysis — Version B

Section 1

AS 08.01.010. Applicability of chapter.

Removes “Architects, Engineers, and Land Surveyors” from the State Board of Registration for Architects, Engineers, and Land Surveyors, and replaces it with “Design Professionals” as it relates to applicability provisions.

Section 2

AS 08.01.065. Establishment of fees.

Removes “Architects, Engineers, and Land Surveyors” from the State Board of Registration for Architects, Engineers, and Land Surveyors, and replaces it with “Design Professionals,” as it relates to fees collected from the board by the Department of Commerce, Community, and Economic Development.

Section 3

AS 08.03.010. Termination dates for regulatory boards.

Removes “Architects, Engineers, and Land Surveyors” from the State Board of Registration for Architects, Engineers, and Land Surveyors, and replaces it with “Design Professionals,” as it relates to termination dates of regulatory boards.

Section 4

AS 08.48.011. Board created.

Removes “Architects, Engineers, and Land Surveyors” from the State Board of Registration for Architects, Engineers, and Land Surveyors, and replaces it with “Design Professionals,” as it relates to the creation of the board.

Section 5

AS 08.48.011. Board created.

Adds two seats to the State Board of Registration for Architects, Engineers, and Land Surveyors: one for a commercial interior designer and one additional engineering seat (this addition creates separate seats for electrical and mechanical engineering, which currently share a seat).

Section 6

AS 08.48.061. Finances.

Adds commercial interior designer examiners to the list of meetings board delegates may make expenditures to attend.

Section 7

AS 08.48.071. Records and reports.

Adds commercial interior designers to the list of statistics the Department of Commerce, Community, and Economic Development assembles relating to the performance of its staff and the performance of the board.

Section 8

AS 08.48.111. Power to revoke, suspend, or reissue certificate.

Adds commercial interior design to the list of professional certificates the board may suspend, refuse to renew, or revoke.

Section 9

AS 08.48.171. General requirements and qualifications for registration.

Adds commercial interior designers to the list of applicants that that can qualify for registration.

Section 10

AS 08.48.181. Registration upon examination.

Adds a new subsection (b) specifying the examination qualifications for a commercial interior designer and clarifies that the procedure and standards must include successfully completing the examination administered by the Council for Interior Design Qualification or its successor.

Section 11

AS 08.48.191. Registration by comity or endorsement.

Adds a new subsection (e) to allow a person holding a certificate of registration authorizing the person to practice commercial interior design in a state, territory, or possession of the United States, the District of Columbia, or a foreign country that, in the opinion of the board, meets the requirements of this chapter, based on verified evidence, may, upon application, be registered in accordance with the regulations of the board.

Section 12

AS 08.48.201. Application for registration.

Adds commercial interior designers to the list of registrants that must meet the stated application standards.

Section 13

AS 08.48.211. Certificate of registration.

Adds commercial interior designers to the list of certificates of registration that may be awarded.

Section 14

AS 08.48.215. Retired status registration.

Adds commercial interior designers to the list of practices an individual holding a retired status registration may not practice.

Section 15

AS 08.48.221. Seals.

Adds “Registered Professional Commercial Interior Designer” to the list of seals a registrant may obtain. Additionally, it adds commercial interior design to the list of registrants that may not affix or permit a seal and signature to be affixed to an instrument after the expiration of a certificate or for the purpose of aiding or abetting another person to evade or attempt to evade a provision of this chapter.

Section 16

AS 08.48.241. Corporations, limited liability companies, and limited liability partnerships.

Adds commercial interior design to the list of services a corporation, limited liability company, or limited liability partnership may offer.

Section 17

AS 08.48.241. Corporations, limited liability companies, and limited liability partnerships.

Adds commercial interior design to the list of practices the board can issue a certificate of authorization for.

Section 18

AS 08.48.241. Corporations, limited liability companies, and limited liability partnerships.

Adds commercial interior design to the list of major branches the certificate of authorization must specify.

Section 19

AS 08.48.241. Corporations, limited liability companies, and limited liability partnerships.

Adds “a group of commercial interior designers” to the list of groups the board may, in its discretion, grant a certificate of authorization to.

Section 20

AS 08.48.241. Corporations, limited liability companies, and limited liability partnerships.

Specifies that a corporation, limited liability company, or a limited liability partnership authorized to offer commercial interior design is responsible to the same degree as the designated commercial interior designer and shall conduct its business without misconduct or malpractice in the practice of commercial interior design.

Section 21

AS 08.48.241. Corporations, limited liability companies, and limited liability partnerships.

Adds commercial interior designer to the list of certificates the board may suspend or revoke.

Section 22

AS 08.48.251. Certain partnerships.

Adds commercial interior designer to the list of allowable practices a partnership of legally registered commercial interior designers may engage in.

Section 23

AS 08.48.281. Prohibited practice.

Adds commercial interior design to the list of practices a person may not engage in unless they are a registered commercial interior designer.

Section 24

AS 08.48.281. Prohibited practice.

Adds a new subsection (c) specifying that this chapter does not prohibit the practice of commercial interior design by a person who is not registered to practice commercial interior design if the services are being performed by a person acting within the scope of practice authorized by another license that is held by the person, such as an architect.

Section 25

AS 08.48.291. Violations and penalties.

Specifies that a person who practices or offers to practice commercial interior design in the state without being registered or authorized to practice is guilty of a misdemeanor and upon conviction is punishable by a fine of not more than \$10,000, or by imprisonment for not more than one year, or by both.

Section 26

AS 08.48.295. Civil penalty for unregistered or unauthorized practice.

Specifies if a person who practices or offers to practice commercial interior design in the state without being registered or authorized to practice, the board may enter an order levying a civil penalty.

Section 27

AS 08.48.311. Rights not transferable.

Specifies that the right to engage in the practice of commercial interior design is considered a personal and individual right, based on the qualifications of the individual as evidenced by the individual's certificate of registration, which is not transferable.

Section 28

AS 08.48.321. Evidence of practice.

Defines “evidence of practice” pursuant to sections prohibiting practice by non-registered individuals.

Section 29

AS 08.48.331. Exemptions.

Adds commercial interior designers to the list of necessary exemptions. Of note, subsection (8) excludes commercial interior designers from this exemption because interior designers practicing within the scope of commercial interior design must be registered (or work under a registered professional). Additionally, new subsection (15) is a policy addition specifically calling out kitchen and bath design in exempted residential structures per the national industry’s request.

Section 30

AS 08.48.341. Definitions.

Removes “Architects, Engineers, and Land Surveyors” from the State Board of Registration for Architects, Engineers, and Land Surveyors, and replaces it with “Design Professionals” as it relates to the definition of “board” for the purposes of this section.

Section 31

AS 08.48.341. Definitions.

Adds the commercial interior design as a professional service to the definition of “certificate of authorization.”

Section 32

AS 08.48.341. Definitions.

Adds new subsections (24) – (27) defining commercial interior design and related terms. These subsections provide for the defined practice of interior design services within buildings whose primary use is public occupancy, identified as commercial interior design.

Section 33

AS 08.48.351. Short title.

Amends a short title for the Architects, Engineers, Land Surveyors, and Landscape Architects Registration Act

Section 34

AS 14.43.310. Selection.

Removes “Architects, Engineers, and Land Surveyors” from the State Board of Registration for Architects, Engineers, and Land Surveyors, and replaces it with “Design Professionals” as it relates to awarding memorial education loans.

Section 35

AS 23.30.017. Immunity for third-party design professional.

Adds “landscape architect, or commercial interior designer” to the definition of “design professional.”

Section 36

AS 34.35.050. Lien for labor or materials furnished.

Makes a technical change to subsection (1) and adds commercial interior design to a list of services that a person may have a lien on to secure payment.

Section 37

AS 35.15.010. Construction by department.

Adds commercial interior design to the list of professional services in connection with the construction of a public work performed by a state department.

Section 38

AS 36.30.270. Architectural, engineering, and land surveying contracts.

Adds commercial interior design to the list of services one can demonstrate during a contract negotiation.

Section 39

AS 36.30.270. Architectural, engineering, and land surveying contracts.

Adds commercial interior design to the list of services one can demonstrate during a contract negotiation.

Section 40

AS 36.90.100. Contracts for architectural, engineering, land surveying, or landscape architectural services.

Adds commercial interior design to the list of contracts states and municipality can award and clarifies that contracts may only be awarded to registered individuals, qualified partnerships, and authorized corporations.

Section 41

AS 39.25.120. Partially exempt service.

Removes “Architects, Engineers, and Land Surveyors” from the State Board of Registration for Architects, Engineers, and Land Surveyors, and replaces it with “Design Professionals” as it relates to partially exempt service for the principal executive officer of the board.

Section 42

AS 44.62.330. Application of AS 44.62.330 — 44.62.630.

Removes “Architects, Engineers, and Land Surveyors” from the State Board of Registration for Architects, Engineers, and Land Surveyors, and replaces it with “Design Professionals” as it relates to administrative adjudication.

Section 43

Uncodified law – Applicability

Clarifies that there is a two year “grace” period following the effective date for currently practicing commercial interior designers to become registered, July 1, 2024.

Section 44

Uncodified law – Regulations

Clarifies that necessary regulations may be developed immediately for implementation.

Section 45

Effective date

Clarifies that Section 44 takes immediate effect.

Section 46

Effective date

Provides an effective date of July 1, 2022.