



# Alaska State Legislature

## Senator Matt Claman

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### Senate Bill 73 Sectional Analysis — Version D

#### **Section 1**

*AS 08.48.011. Board created.*

Adds two seats to the AELS board: one for an interior designer and one additional engineering seat (this addition creates separate seats for electrical and mechanical engineering, which currently share a seat).

#### **Section 2**

*AS 08.48.011. Board created.*

Specifies that the interior designer on the board must be a registered interior designer.

#### **Section 3**

*AS 08.48.011. Board created.*

Allows more than one electrical engineer or more than one mechanical engineer to serve simultaneously on the board if a member of the other profession is not available to fill the position designated for that profession.

#### **Section 4**

*AS 08.48.061. Finances.*

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

#### **Section 5**

*AS 08.48.071. Records and reports.*

Adds registered 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 6**

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

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

#### **Section 7**

*AS 08.48.171. General requirements and qualifications for registration.*

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

#### **Section 8**

*AS 08.48.181. Registration upon examination.*

Specifies the examination qualifications for a registered interior designer and shall be established by the board and published in regulations.

### **Section 9**

*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 registered 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 10**

*AS 08.48.201. Application for registration.*

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

### **Section 11**

*AS 08.48.211. Certificate of registration.*

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

### **Section 12**

*AS 08.48.215. Retired status registration.*

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

### **Section 13**

*AS 08.48.221. Seals.*

Adds “Registered Interior Designer” to the list of seals a registrant may obtain. Additionally, it adds registered 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 14**

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

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

### **Section 15**

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

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

### **Section 16**

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

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

### **Section 17**

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*AS 08.48.241. Corporations, limited liability companies, and limited liability partnerships.*  
Adds “a group of registered interior designers” to the list of groups the board may, in its discretion, grant a certificate of authorization to.

### **Section 18**

*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 registered interior design is responsible to the same degree as the designated registered interior designer and shall conduct its business without misconduct or malpractice in the practice of registered interior design.

### **Section 19**

*AS 08.48.241. Corporations, limited liability companies, and limited liability partnerships.*  
Adds registered interior designer to the list of certificates the board may suspend or revoke.

### **Section 20**

*AS 08.48.251. Certain partnerships.*  
Adds registered interior designer to the list of allowable practices a partnership of legally registered interior designers may engage in.

### **Section 21**

*AS 08.48.281. Prohibited practice.*  
Adds registered interior design to the list of practices a person may not engage in unless they are a registered interior designer.

### **Section 22**

*AS 08.48.281. Prohibited practice.*  
Adds a new subsection (c) specifying that this chapter does not prohibit the practice of registered interior design by a person who is not registered to practice registered 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 23**

*AS 08.48.291. Violations and penalties.*  
Specifies that a person who practices or offers to practice registered 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 24**

*AS 08.48.295. Civil penalty for unregistered or unauthorized practice.*  
Specifies if a person who practices or offers to practice registered interior design in the state without being registered or authorized to practice, the board may enter an order levying a civil penalty.

## **Section 25**

*AS 08.48.311. Rights not transferable.*

Specifies that the right to engage in the practice of registered 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 26**

*AS 08.48.321. Evidence of practice.*

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

## **Section 27**

*AS 08.48.331. Exemptions.*

Adds registered interior designers to the list of necessary exemptions. Of note, new subsection (15) is not subject to regulation specifically stating that kitchen and bath design in exempted residential structures per the national industry’s request.

## **Section 28**

*AS 08.48.331. Exemptions.*

Adds new subsection (c) that the requirements to register as an interior designer only applies to practices that the board affect the public health, safety, or welfare.

## **Section 29**

*AS 08.48.341. Definitions.*

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

## **Section 30**

*AS 08.48.341. Definitions.*

Adds new subsections (24) and (25) defining practice of interior design and registered interior designer.

## **Section 31**

*AS 23.30.017. Immunity for third-party design professional.*

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

## **Section 32**

*AS 34.35.050. Lien for labor or materials furnished.*

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

## **Section 33**

*AS 35.15.010. Construction by department.*

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

### **Section 34**

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

Adds registered interior design to the list of services that a procurement officer may award.

### **Section 35**

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

Adds registered interior design to the list of services to which a procurement officer may add price as a factor in awarding a contract.

### **Section 36**

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

Amends the statute to prohibit the state or a municipality from awarding contracts to individuals, qualified partnerships, and authorized corporations who are not registered to provide interior design.

### **Section 37**

*Uncodified law – Applicability*

Clarifies that there is a “grace” period until July 1, 2025 for currently practicing interior designers to become registered.

### **Section 38**

*Uncodified law – Transition*

Adds new transition language requiring the interior designer appointed to the board be certified by the Council for Interior Design Qualification and have resided in the state for at least three years immediately preceding appointment. Additionally, allows for an interior designer to hold the board seat until a registered interior designer is appointed to the seat, subject to meeting certain requirements.

### **Section 39**

*Uncodified law – Transition*

Provides that necessary regulations may be developed immediately for implementation.

### **Section 40**

*Effective date*

Clarifies that Sections 1, 37, and 38 take immediate effect.

### **Section 41**

*Effective date*

Provides an effective date of July 1, 2023.