

AMENDMENTS TO LB16
(Amendments to AM2102)

Introduced by Brewer, 43.

1 1. Insert the following new sections:

2 Sec. 3. Section 84-617, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 84-617 (1) There is hereby created the State Treasurer
5 Administrative Fund. Funds received by the State Treasurer pursuant to
6 his or her administrative duties shall be credited to the fund. Such
7 funds shall include:

8 (a) Payments for returned check charges or for electronic payments
9 not accepted;

10 (b) Payments for wire transfers initiated by the State Treasurer at
11 the request of state agencies;

12 (c) Payments for copies of cashed state warrants;

13 (d) Payments for copies, including microfilm, computer disk, or
14 magnetic tape, of listings relating to outstanding state warrants; ~~and~~

15 (e) Payments for copies, including microfilm, computer disk, or
16 magnetic tape, of listings of owners of unclaimed property held by the
17 State Treasurer pursuant to the Uniform Disposition of Unclaimed Property
18 Act; ~~and -~~

19 (f) Payments under the Interior Design Voluntary Registration Act.

20 (2) Money in the fund received pursuant to subdivisions (1)(a)
21 through (d) of this section shall be credited to the General Fund
22 quarterly. Money in the State Treasurer Administrative Fund received
23 pursuant to ~~subdivisions~~ subdivision (1)(e) and (f) of this section shall
24 be credited to the Unclaimed Property Cash Fund. The State Treasurer may
25 retain such amount as he or she deems appropriate in the State Treasurer
26 Administrative Fund for purposes of making change for cash payments. Any

1 money in the fund available for investment shall be invested by the state
2 investment officer pursuant to the Nebraska Capital Expansion Act and the
3 Nebraska State Funds Investment Act.

4 (3) {2} The State Treasurer may establish a fee schedule for any of
5 the services listed in subdivisions (1)(a) through (e) subsection {1} of
6 this section. The fees shall approximate the cost of providing the
7 service.

8 Sec. 14. Sections 14 to 21 of this act shall be known and may be
9 cited as the Interior Design Voluntary Registration Act.

10 Sec. 15. In order to safeguard life, health, and property, to
11 promote the public welfare, and to recognize the need for design
12 professionals to obtain government-issued permits or approval that may
13 only be obtained with a construction document stamp, the profession of
14 interior design is declared to be subject to regulation in the public
15 interest. On and after January 1, 2025, it shall be unlawful for any
16 person to hold oneself out to be a registered interior designer unless
17 the person is registered under the Interior Design Voluntary Registration
18 Act.

19 Sec. 16. For purposes of the Interior Design Voluntary Registration
20 Act:

21 (1) Design means the preparation of schematics, layouts, plans,
22 drawings, specifications, calculations, and other diagnostic documents
23 which show the features of a registered interior design project;

24 (2) Direct supervision means having full professional knowledge over
25 work that constitutes the practice of registered interior design;

26 (3) Good ethical character means such character that will enable a
27 person to discharge the fiduciary duties of a registered interior
28 designer to such person's client and to the public for the protection of
29 the public health, safety, and welfare;

30 (4) Interior alteration or construction project means a project for
31 an interior space or area within a proposed or existing building or

1 structure, including construction, modification, renovation,
2 rehabilitation, or historic preservation that involves changing or
3 altering:

4 (a) The design function or layout of rooms; or

5 (b) The state of permanent fixtures or equipment;

6 (5) Interior nonstructural element means an element or component of
7 a building that does not require structural bracing, is not load-bearing,
8 and is not essential to the structural or seismic integrity of the
9 building;

10 (6)(a) Practice of registered interior design means the design of
11 interior spaces as part of an interior alteration or construction project
12 in conformity with public health, safety, and welfare requirements,
13 including the preparation of any document relating to a building code
14 description, any project egress plan that does not require additional
15 exits in the space affected, any space planning, any finish material, any
16 furnishing, any fixture, any equipment, and the preparation of any
17 document and technical submission relating to interior construction; and

18 (b) Services that are not in the scope of the practice of registered
19 interior design include:

20 (i) Services that constitute:

21 (A) The practice of professional engineering; or

22 (B) The practice of professional architecture, except as
23 specifically provided for within the Engineers and Architects Regulation
24 Act;

25 (ii) The construction or alteration of:

26 (A) The structural system of a building, including changing the
27 building's live or dead load on the structural system;

28 (B) The building envelope, including an exterior wall, wall
29 covering, or wall opening, an exterior window, an exterior door, any
30 architectural trim, a balcony or similar projection, a bay, an oriel
31 window, any roof assembly and rooftop structure, and any glass and

1 glazing for exterior use in both vertical and sloped applications;

2 (C) Any mechanical, plumbing, heating, air conditioning,
3 ventilation, electrical, vertical transportation, fire sprinkler, or fire
4 alarm system;

5 (D) An egress system beyond the exit access component of such
6 system; and

7 (E) Any life safety system such as a fire safety or fire protection
8 of structural elements and smoke evacuation and compartmentalization
9 system or a fire-rated vertical shaft in multistory structures;

10 (iii) Changes to an occupancy classification of greater hazard as
11 determined by the International Building Code; and

12 (iv) Changes to the construction classification of the building or
13 structure according to the International Building Code;

14 (7) Project means one or more related activities that require the
15 practice of registered interior design for completion; and

16 (8) Registered interior designer or registrant means a person who is
17 listed on the registry of interior designers under the Interior Design
18 Voluntary Registration Act.

19 Sec. 17. To be a registered interior designer, an individual shall:

20 (1) Apply to the State Treasurer in a form and manner prescribed by
21 the State Treasurer;

22 (2) Pay an application fee of not more than fifty dollars as
23 determined by the State Treasurer; and

24 (3) Satisfy the requirements for placement on the registry as
25 provided in section 18 of this act.

26 Sec. 18. (1)(a) The interior design registry is created.

27 (b) The State Treasurer shall list each interior designer
28 registration in the registry. A listing in the registry shall be valid
29 for the term of the registration and upon renewal unless such listing is
30 refused renewal or is removed as provided in the Interior Design
31 Voluntary Registration Act.

1 (c) The registry shall contain (i) the individual's full name and
2 (ii) any other information as the State Treasurer may require by rules
3 and regulations.

4 (2) Except as otherwise provided in this section or section 20 of
5 this act, the following shall be considered as the minimum evidence
6 satisfactory to the State Treasurer that an applicant is eligible for
7 listing on the interior design registry:

8 (a) Education eligibility as outlined by the Council for Interior
9 Design Qualification to sit for an examination on technical and
10 professional subjects of interior design as required by the council;

11 (b) Experience eligibility as outlined by the Council for Interior
12 Design Qualification to sit for an examination on technical and
13 professional subjects of interior design as required by the council;

14 (c) Successful passage of an examination on technical and
15 professional subjects of interior design as required by the Council for
16 Interior Design Qualification;

17 (d) Passage of an examination on the statutes, rules and
18 regulations, and other requirements unique to this state regarding the
19 practice of registered interior design; and

20 (e) Demonstration of good reputation and good ethical character by
21 attestation of references. The names and complete addresses of references
22 acceptable to the State Treasurer shall be included in the application
23 for registration.

24 (3) An individual holding a credential to practice interior design
25 issued by a proper authority of any jurisdiction, based on credentials
26 that do not conflict with subsection (2) of this section, may, upon
27 application, be listed on the interior design registry after:

28 (a) Successful passage of an examination on the statutes, rules and
29 regulations, and other requirements unique to this state regarding the
30 practice of registered interior design; and

31 (b) Demonstration of good reputation and good ethical character by

1 attestation of references. The names and complete addresses of references
2 acceptable to the State Treasurer shall be included in the application
3 for registration.

4 (4) An individual who holds a current and valid certification issued
5 by the Council for Interior Design Qualification and who submits
6 satisfactory evidence of such certification to the State Treasurer may,
7 upon application, be listed on the interior design registry after:

8 (a) Successful passage of an examination on the statutes, rules and
9 regulations, and other requirements unique to this state regarding the
10 practice of registered interior design; and

11 (b) Demonstration of good reputation and good ethical character by
12 attestation of references. The names and complete addresses of references
13 acceptable to the State Treasurer shall be included in the application
14 for registration.

15 (5) An individual who has been credentialed to practice interior
16 design for fifteen years or more in one or more jurisdictions and who has
17 practiced interior design for fifteen years in compliance with the
18 credentialing laws in the jurisdictions where such individual interior
19 design practice has occurred since initial issuance of the credential
20 may, upon application, be listed on the interior design registry after:

21 (a) Successful passage of an examination on the statutes, rules and
22 regulations, and other requirements unique to this state regarding the
23 practice of registered interior design; and

24 (b) Demonstration of good reputation and good ethical character by
25 attestation of references. The names and complete addresses of references
26 acceptable to the State Treasurer shall be included in the application
27 for registration.

28 (6) None of the examination materials described in this section
29 shall be considered public records.

30 (7) The State Treasurer or the State Treasurer's agent shall direct
31 the time and place of the interior design examinations referenced in this

1 section.

2 (8) The State Treasurer may adopt the examinations and grading
3 procedures of the Council for Interior Design Qualification. The State
4 Treasurer may also adopt guidelines published by the council.

5 (9) Registration shall be effective upon listing in the registry.

6 Sec. 19. (1) Each registered interior designer shall obtain a seal.
7 The design of the seal shall be determined by the State Treasurer. The
8 following information shall be on the seal: State of Nebraska;
9 registrant's name; registrant's business city; and the words Registered
10 Interior Designer.

11 (2) Whenever the seal is applied, the registrant's signature shall
12 be across the seal. The seal and date of its placement shall be on all
13 technical submissions and calculations whenever presented to a client or
14 any public or governmental agency. It shall be unlawful for a registrant
15 to affix such registrant's seal or to permit such seal to be affixed to
16 any document after the expiration of the registration or for the purpose
17 of aiding or abetting any other person to evade or attempt to evade the
18 Interior Design Voluntary Registration Act.

19 (3) The seal and date shall be placed on all originals, copies,
20 tracings, or other reproducible drawing and the first and last pages of
21 specifications, reports, and studies in such a manner that the seal,
22 signature, and date will be reproduced and be in compliance with the
23 Interior Design Voluntary Registration Act. The application of the
24 registrant's seal shall constitute certification that the work was done
25 by the registrant or under the registrant's control.

26 (4) A registered interior designer shall not affix such registered
27 interior designer's seal and signature to technical submissions that are
28 subject to the Engineers and Architects Regulation Act unless the
29 technical submissions were:

30 (a) Prepared entirely by the registered interior designer; or

31 (b) Prepared entirely under the direct supervision of the registered

1 interior designer.

2 (5) A registered interior designer may affix such registered
3 interior designer's seal to technical submissions not subject to the
4 Engineers and Architects Regulation Act if the registered interior
5 designer has reviewed or adapted in whole or in part such submissions and
6 integrated them into such registered interior designer's work.

7 Sec. 20. (1) Beginning January 1, 2025, it is unlawful for any
8 person to use the title registered interior designer or similar
9 description to convey the impression that such person is a registered
10 interior designer unless the person is registered under the Interior
11 Design Voluntary Registration Act.

12 (2) Nothing in the Interior Design Voluntary Registration Act shall
13 be construed to: (a) Require a person to be a registered interior
14 designer in order to engage in an activity traditionally performed by an
15 interior designer or interior decorator, including any professional
16 service limited to the planning, design, and implementation of kitchen
17 and bathroom spaces or the specification of products for kitchen and
18 bathroom areas; or (b) prevent or restrict the practice, service, or
19 activity of any person licensed to practice a profession or an occupation
20 in this state from engaging in such profession or occupation.

21 (3) A licensed architect holding a license in good standing under
22 the Engineers and Architects Regulation Act may register with the State
23 Treasurer as a registered interior designer without having to meet the
24 registration requirements outlined in section 18 of this act.

25 Sec. 21. (1) The State Treasurer shall:

26 (a) Operate an interior designer registry listing registered
27 interior designers;

28 (b) Credit fees collected under the Interior Design Voluntary
29 Registration Act to the State Treasurer Administrative Fund; and

30 (c) Prescribe individually identifiable seals to be used by
31 registered interior designers pursuant to section 19 of this act.

- 1 (2) The State Treasurer may adopt and promulgate rules and
- 2 regulations to carry out the Interior Design Voluntary Registration Act.
- 3 2. Renumber the remaining sections and correct internal references
- 4 and the repealer accordingly.