

7360

I N   S E N A T E

May 14, 2014

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Introduced by Sen. AVELLA -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education

AN ACT to amend the education law, in relation to the practice of certified interior design; and repealing certain provisions of such law relating thereto

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. Section 8302 of the education law is REPEALED and a new  
2     section 8302 is added to read as follows:  
3     S    8302.    SPECIAL PROVISIONS:    SEALS;    AUTHORIZATION TO SUBMIT  
4     CONSTRUCTION DOCUMENTS. 1. (A) THE BOARD SHALL PRESCRIBE, BY RULE, ONE  
5     OR MORE FORMS OF SEALS TO BE USED BY CERTIFIED INTERIOR DESIGNERS HOLD-  
6     ING VALID LICENSURE UNDER THIS ARTICLE.  
7     (B) EACH CERTIFIED INTERIOR DESIGNER SHALL OBTAIN ONE SEAL IN THE FORM  
8     APPROVED BY RULES OF THE BOARD. ALL ORIGINAL CONSTRUCTION DOCUMENTS AND  
9     INSTRUMENTS OF SERVICE INCLUDING DRAWINGS, PLANS, SPECIFICATIONS, OR  
10    REPORTS PREPARED OR ISSUED BY THE CERTIFIED INTERIOR DESIGNER OR BY A  
11    FULL-TIME OR PART-TIME SUBORDINATE EMPLOYED UNDER HIS OR HER SUPER-  
12    VISION, AND BEING FILED WITH PUBLIC OFFICIALS SHALL BEAR THE SIGNATURE,  
13    DATE AND SEAL OF THE CERTIFIED INTERIOR DESIGNER WHO PREPARED OR  
14    APPROVED THE DOCUMENT AND THE DATE ON WHICH THEY WERE SEALED.  
15    (C) NO CERTIFIED INTERIOR DESIGNER SHALL AFFIX, OR PERMIT TO BE  
16    AFFIXED, HIS OR HER SEAL OR SIGNATURE TO ANY PLAN, SPECIFICATION, DRAW-  
17    ING, OR OTHER DOCUMENT WHICH DEPICTS WORK WHICH HE OR SHE IS NOT COMPE-  
18    TENT OR LICENSED TO PERFORM.  
19    (D) NO CERTIFIED INTERIOR DESIGNER SHALL AFFIX HIS OR HER SIGNATURE OR  
20    SEAL TO ANY PLANS, SPECIFICATIONS, OR DOCUMENTS WHICH WERE NOT PREPARED  
21    BY HIM OR HER OR UNDER HIS OR HER RESPONSIBLE SUPERVISING CONTROL OR BY  
22    ANOTHER CERTIFIED INTERIOR DESIGNER AND REVIEWED, APPROVED OR MODIFIED  
23    AND ADOPTED BY HIM OR HER AS HIS OR HER OWN WORK ACCORDING TO RULES  
24    ADOPTED BY THE BOARD.  
25    2. NOTWITHSTANDING PROVISIONS OF LAW TO THE CONTRARY, A CERTIFIED  
26    INTERIOR DESIGNER WITH A VALID LICENSE OR LIMITED PERMIT UNDER THIS  
27    ARTICLE MAY SUBMIT SEALED, STAMPED CONSTRUCTION DOCUMENTS AND INSTRU-

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

LBD14595-01-4

1 MENTS OF SERVICE WITHIN THEIR DEFINITION OF PRACTICE TO ANY OFFICIAL OF  
2 THIS STATE OR ANY CITY, TOWN OR COUNTY CHARGED WITH ENFORCEMENT OF LAWS,  
3 ORDINANCES, OR REGULATIONS. NO OFFICIAL OF THIS STATE OR OF ANY COUNTY,  
4 CITY, TOWN OR VILLAGE THEREIN, CHARGED WITH THE ENFORCEMENT OF LAWS,  
5 ORDINANCES OR REGULATIONS RELATING TO CERTIFIED INTERIOR DESIGN PRAC-  
6 TICES, SHALL REJECT OR DENY ANY PLANS OR SPECIFICATIONS FOR THE SOLE  
7 REASON THAT THEY ARE STAMPED:

8 (A) WITH THE SEAL OF A CERTIFIED INTERIOR DESIGNER REGISTERED IN THIS  
9 STATE AND BEARING THE AUTHORIZED FACSIMILE OF THE SIGNATURE OF SUCH  
10 CERTIFIED INTERIOR DESIGNER; OR

11 (B) WITH THE OFFICIAL SEAL AND AUTHORIZED FACSIMILE OF THE SIGNATURE  
12 OF A CERTIFIED INTERIOR DESIGNER NOT A RESIDENT OF THIS STATE, BUT WHO  
13 IS LEGALLY QUALIFIED TO PRACTICE AS SUCH IN HIS OR HER OWN STATE OR  
14 COUNTRY, PROVIDED THAT SUCH PERSON HOLDS A LIMITED PERMIT ISSUED BY THE  
15 DEPARTMENT, AND PROVIDED FURTHER THAT THE PLANS OR SPECIFICATIONS ARE  
16 ACCOMPANIED BY AND HAVE ATTACHED THERETO WRITTEN AUTHORIZATION ISSUED BY  
17 THE DEPARTMENT FOR THE SPECIFIC PROJECT.

18 3. TO ALL PLANS, SPECIFICATIONS, CONSTRUCTION DOCUMENTS AND INSTRU-  
19 MENTS OF SERVICE TO WHICH THE SEAL OF A CERTIFIED INTERIOR DESIGNER HAS  
20 BEEN APPLIED, THERE SHALL ALSO BE APPLIED A STAMP WITH APPROPRIATE WORD-  
21 ING, WARNING THAT IT IS A VIOLATION OF THIS LAW FOR ANY PERSON, UNLESS  
22 HE OR SHE IS ACTING UNDER THE DIRECTION OF A CERTIFIED INTERIOR DESIGN-  
23 ER, TO ALTER THEM IN ANY WAY. IF AN ITEM BEARING THE SEAL OF A CERTIFIED  
24 INTERIOR DESIGNER IS ALTERED, THE ALTERING CERTIFIED INTERIOR DESIGNER  
25 SHALL AFFIX TO THE ITEM HIS OR HER SEAL AND THE NOTION "ALTERED BY"  
26 FOLLOWED WITH HIS OR HER SIGNATURE AND THE DATE OF SUCH ALTERATION, AND  
27 A SPECIFIC DESCRIPTION OF THE ALTERATION.

28 S 2. This act shall take effect on the thirtieth day after it shall  
29 have become a law.