

S T A T E O F N E W Y O R K

8289--A

2009-2010 Regular Sessions

I N A S S E M B L Y

May 13, 2009

Introduced by M. of A. BING, JAFFEE, KOON, PAULIN, LAVINE, GOTTFRIED, CAHILL -- Multi-Sponsored by -- M. of A. GABRYSZAK, HOOPER, McDONOUGH, MCENENY, M. MILLER, REILLY, WEISENBERG -- read once and referred to the Committee on Higher Education -- recommitted to the Committee on Higher Education in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to providing a limited exemption from certification requirements for certain interior designers

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

1 Section 1. Section 8305 of the education law is amended by adding a
2 new subdivision 1-a to read as follows:
3 1-A. NOTWITHSTANDING THE PROVISIONS OF SUBDIVISION ONE OF THIS
4 SECTION, APPLICANTS WHO HAVE BEEN PRACTICING INTERIOR DESIGN AS DEFINED
5 IN SECTION EIGHTY-THREE HUNDRED THREE OF THIS ARTICLE FOR FIFTEEN OR
6 MORE YEARS PRIOR TO THE EFFECTIVE DATE OF THIS SUBDIVISION MAY APPLY TO
7 THE DEPARTMENT FOR, AND THE DEPARTMENT MAY GRANT, AN EXEMPTION FROM THE
8 REQUIREMENTS OF PARAGRAPHS (B) AND (D) OF SUBDIVISION ONE OF THIS
9 SECTION FOR A PERIOD OF UP TO TWO YEARS FROM THE EFFECTIVE DATE OF THIS
10 SUBDIVISION IN ACCORDANCE WITH THE PROVISIONS OF SECTION EIGHTY-THREE
11 HUNDRED SEVEN OF THIS ARTICLE.
12 S 2. Section 8307 of the education law is renumbered section 8308 and
13 a new section 8307 is added to read as follows:
14 S 8307. SPECIAL PROVISIONS. 1. A PERSON WHO HAS BEEN PRACTICING INTE-
15 RIOR DESIGN AS DEFINED IN SECTION EIGHTY-THREE HUNDRED THREE OF THIS
16 ARTICLE FOR FIFTEEN OR MORE YEARS PRIOR TO THE EFFECTIVE DATE OF THIS
17 SECTION MAY APPLY TO THE DEPARTMENT FOR, AND THE DEPARTMENT MAY GRANT,
18 AN EXEMPTION FROM THE REQUIREMENTS OF PARAGRAPHS (B) AND (D) OF SUBDIVI-
19 SION ONE OF SECTION EIGHTY-THREE HUNDRED FIVE OF THIS ARTICLE.

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

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1 2. THE APPLICATION FOR LICENSURE IN ACCORDANCE WITH THIS SECTION SHALL
2 BE DEVELOPED BY THE DEPARTMENT AND SHALL BE MADE AVAILABLE TO THE PUBLIC
3 NO LATER THAN THE EFFECTIVE DATE OF THIS SECTION. SUCH APPLICATION SHALL
4 REQUIRE, AT A MINIMUM:

5 (A) VERIFICATION OF THE APPLICANT'S EMPLOYMENT FOR THE PURPOSES OF
6 DETERMINING WHETHER OR NOT SUCH APPLICANT MEETS THE MINIMUM FIFTEEN
7 YEARS REQUIREMENT FOR EXEMPTION UNDER THIS ARTICLE;

8 (B) DOCUMENTATION, IN A FORM SATISFACTORY TO THE DEPARTMENT, TO
9 SUBSTANTIALLY DEMONSTRATE THAT THE APPLICANT'S WORK EXPERIENCE AND
10 EMPLOYMENT PRACTICE CONSISTED OF SERVICES AS DEFINED IN SECTION EIGHTY-
11 THREE HUNDRED THREE OF THIS ARTICLE AS DISTINGUISHED FROM SERVICES
12 PROVIDED BY INTERIOR DECORATORS AND OTHERS PROVIDING INTERIOR FURNISHING
13 SERVICES; AND

14 (C) RECOMMENDATIONS FROM CLIENTS AND FROM PRESENT AND, IF APPLICABLE,
15 PAST EMPLOYERS OR COLLEAGUES.

16 3. EACH APPLICATION SUBMITTED PURSUANT TO THE PROVISIONS OF THIS
17 SECTION SHALL BE ACCOMPANIED BY A FEE OF ONE HUNDRED THIRTY-FIVE DOLLARS
18 FOR AN INITIAL LICENSE AND A FEE OF TWO HUNDRED TEN DOLLARS FOR EACH
19 TRIENNIAL REGISTRATION PERIOD.

20 S 3. This act shall take effect one year after it shall have become a
21 law; provided that the commissioner of the department of education shall
22 immediately promulgate all rules and regulations and take all actions
23 necessary to implement the provisions of this act on or before its
24 effective date.