March 20, 2012

The Honorable Mary Hayashi
Chair, Assembly Committee on Business, Professions & Consumer Protection
California State Capitol
Sacramento, California 95814

Regarding: AB 2482 (Ma) – Oppose

Dear Chairwoman Hayashi:

The American Institute of Architects, California Council (AIACC), an association of nearly 10,000 architects, is opposed to Assembly Bill 2482, which has been referred to your Committee.

AB 2482 creates a Practice Act for “registered interior design” – the rendering of services to enhance the quality and function of an interior area within a structure – and limits the practice of registered interior design to architects, engineers, and the newly created profession of registered interior designers. It establishes the education, work experience, and testing requirement to become a registered interior designer, and creates the California Registered Interior Designers Board to administer the Practice Act and regulate registered interior design.

Practice Acts Should Be Enacted Only To Protect The Public

The licensing of professionals, and thus the restriction of the ability to practice in the regulated field, is of great importance and should be limited to those professions that significantly affect the health, safety, and welfare of the public. It is for this reason that all states regulate professions such as architecture, engineering, and medicine.

Interior designers often are an integral part in the design process, and frequently work with architects in planning and designing interior spaces. However, their area of responsibility does not rise to the level of justifying the state regulating and restricting the providing of interior design services.
Interior designers in California have, for years, provided interior design services directly to clients under an exemption in the California Architects Practice Act. Additionally, since 1992 California law has recognized a private certification program for interior designers that meet certain education, experience, and examination requirements.

If the work of interior designers is needed to protect the health, safety, and welfare of the public, data to support such regulation would be apparent and would have been collected over the years. However, such data does not exist.

Indeed, in 1996 the Joint Legislative Sunset Review Committee report on interior design concluded with the following:

> It is clear that the public health, safety and welfare is the major issue in deciding whether the state should be involved to any degree in the certification of interior designers. It must be demonstrated that at least some public harm would result if the state was not involved in the oversight of a particular profession. **From information received and research completed, there is no evidence of public harm from poor interior design work** [emphasis added].

Additionally, Governor Gray Davis came to the same conclusion in his 2000 veto of AB 1096, legislation to regulate interior design. In his veto message, Governor Davis wrote:

> This bill creates a new regulatory program for an industry where there is no demonstrated consumer harm [emphasis added].

**Another Design Profession Practice Act Not Needed**
The practices of Architecture and Engineering are licensed and regulated by the state for the sole purpose of protecting the health, safety, and welfare of the public. All aspects in the design of the built environment relating to public safety fall within the practices of Architecture and Engineering. Not only is another design profession practice act not needed, another practice act would cause confusion and conflict over scope of practice, and inevitably would lead to turf battles.

**California Law Allows Interior Designers To Submit Plans**
The Practice of Architecture includes several exemptions, or areas of practice where one does not have to be licensed. The work performed by interior designers – enhancing the quality and function of interior spaces – is such an area. Building officials can accept interior space plans prepared by interior designers and other non-licensed individuals. This bill is not needed for interior designers to continue providing their services to the public.
Places Many Architectural Firms Under Regulatory Control of Registered Interior Designers Board

AB 2482 places new restrictions on who can be an owner of an architectural firm and, if a non-licensed person is one of the owners, subjects the architectural firm to regulatory oversight by the Interior Designers Board, even if the architectural firm does not provide “registered interior design” services. There is no justification imaginable to place architectural firms under regulatory oversight of an unneeded interior design licensing board.

For these reasons, the AIACC respectfully recommends your opposition to AB 2482.

Sincerely,

Mark Christian
Director of Legislative Affairs

Cc: Assembly Member Fiona Ma
Members, Assembly B&P Committee
Rebecca May, Committee Consultant
Ted Blanchard, Assembly Republican Consultant