

REFERENCE TITLE: interior designer registration

State of Arizona
House of Representatives
Fiftieth Legislature
First Regular Session
2011

HB 2309

Introduced by
Representative Mesnard

AN ACT

CHANGING THE DESIGNATION OF TITLE 32, CHAPTER 1, ARIZONA REVISED STATUTES, TO "ARCHITECTS, ASSAYERS, ENGINEERS, GEOLOGISTS, HOME INSPECTORS, LANDSCAPE ARCHITECTS, SURVEYORS AND INTERIOR DESIGNERS"; AMENDING SECTIONS 32-101, 32-102 AND 32-103, ARIZONA REVISED STATUTES; AMENDING TITLE 32, CHAPTER 1, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-122.05; AMENDING SECTIONS 32-125, 32-126, 32-127, 32-144 AND 32-145, ARIZONA REVISED STATUTES; RELATING TO THE STATE BOARD OF TECHNICAL REGISTRATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Heading change

3 The chapter heading of title 32, chapter 1, Arizona Revised Statutes,
4 is changed from "ARCHITECTS, ASSAYERS, ENGINEERS, GEOLOGISTS, HOME
5 INSPECTORS, LANDSCAPE ARCHITECTS AND SURVEYORS" to "ARCHITECTS, ASSAYERS,
6 ENGINEERS, GEOLOGISTS, HOME INSPECTORS, LANDSCAPE ARCHITECTS, SURVEYORS AND
7 INTERIOR DESIGNERS".

8 Sec. 2. Section 32-101, Arizona Revised Statutes, is amended to read:
9 32-101. Purpose; definitions

10 A. The purpose of this chapter is to provide for the safety, health
11 and welfare of the public through the promulgation and enforcement of
12 standards of qualification for those individuals registered or certified and
13 seeking registration or certification pursuant to this chapter.

14 B. In this chapter, unless the context otherwise requires:

15 1. "Advertising" includes business cards, signs or letterhead provided
16 by a person to the public.

17 2. "Architect" means a person who, by reason of knowledge of the
18 mathematical and physical sciences and the principles of architecture and
19 architectural engineering acquired by professional education and practical
20 experience, is qualified to engage in the practice of architecture as
21 attested by registration as an architect.

22 3. "Architect-in-training" means a candidate for registration as a
23 professional architect who is a graduate of a school approved by the board or
24 who has five years or more of education or experience, or both, in
25 architectural work which meets standards specified by the board in its rules.
26 In addition, the candidate shall have passed the architect-in-training
27 examination.

28 4. "Architectural practice" means any professional service or creative
29 work requiring architectural education, training and experience, and the
30 application of the mathematical and physical sciences and the principles of
31 architecture and architectural engineering to such professional services or
32 creative work as consultation, evaluation, design and review of construction
33 for conformance with contract documents and design, in connection with any
34 building, planning or site development. A person shall be deemed to practice
35 or offer to practice architecture who in any manner represents that the
36 person is an architect, or is able to perform any architectural service or
37 other services recognized by educational authorities as architecture.

38 5. "Assayer" means a person who analyzes metals, ores, minerals, or
39 alloys in order to ascertain the quantity of gold or silver or any other
40 substance present in them. A person employed on a full-time basis as an
41 assayer by an employer engaged in the business of developing, mining or
42 treating ores or other minerals shall not be deemed to be engaged in assaying
43 practice for the purposes of this chapter if the person engages in assaying
44 practice exclusively for and as an employee of such employer and does not
45 represent that the person is available and is not represented as being

1 available to perform any assaying services for anyone other than the person's
2 employer.

3 6. "Assayer-in-training" means a candidate for registration as a
4 professional assayer who is a graduate of a school and curriculum approved by
5 the board or who has four years or more of education or experience, or both,
6 in assaying work which meets standards specified by the board in its rules.
7 In addition, the candidate shall have passed the assayer-in-training
8 examination.

9 7. "Assaying practice" means any professional service or work
10 requiring assaying education, training and experience and the application of
11 special knowledge of the mineral sciences to such service or work as
12 consultation and the evaluation of minerals. A person is deemed to practice
13 or offer to practice assaying who in any manner represents that the person is
14 an assayer or is able to perform any assaying service or other services
15 recognized by educational authorities as assaying.

16 8. "Board" means the state board of technical registration.

17 9. "Certified remediation specialist" means a person who has been
18 certified by the board to perform, supervise and review environmental
19 remediations if the use of a certified remediation specialist is specifically
20 authorized by title 49 and rules adopted pursuant to title 49.

21 10. "Drug laboratory site remediation firm" means a firm that is
22 licensed by the registrar of contractors pursuant to chapter 10 of this title
23 and that performs remediation of residual contamination from the manufacture
24 of methamphetamine, ecstasy or LSD or the storage of chemicals or equipment
25 used in manufacturing methamphetamine, ecstasy or LSD. For the purposes of
26 this paragraph:

27 (a) "Ecstasy" has the same meaning prescribed in section 13-3401,
28 paragraph 6 and includes any of the precursor chemicals, regulated chemicals,
29 other substances or equipment used in the unlawful manufacture of the
30 dangerous drug.

31 (b) "LSD" has the same meaning prescribed in section 13-3401,
32 paragraph 6 and includes any of the precursor chemicals, regulated chemicals,
33 other substances or equipment used in the unlawful manufacture of the
34 dangerous drug.

35 (c) "Methamphetamine" has the same meaning prescribed in section
36 13-3401, paragraph 6 and includes any of the precursor chemicals, regulated
37 chemicals, other substances or equipment used in the unlawful manufacture of
38 the dangerous drug.

39 11. "Engineer" means a person who, by reason of special knowledge of
40 the mathematical and physical sciences and the principles and methods of
41 engineering analysis and design acquired by professional education and
42 practical experience, is qualified to practice engineering as attested by
43 registration as a professional engineer.

44 12. "Engineering practice" means any professional service or creative
45 work requiring engineering education, training and experience and the
46 application of special knowledge of the mathematical, physical and

1 engineering sciences to such professional services or creative work as
 2 consultation, research investigation, evaluation, planning, surveying as
 3 defined in paragraph ~~22~~ 23, subdivisions (d) and (e), design, location,
 4 development, and review of construction for conformance with contract
 5 documents and design, in connection with any public or private utility,
 6 structure, building, machine, equipment, process, work or project. Such
 7 services and work include plans and designs relating to the location,
 8 development, mining and treatment of ore and other minerals. A person shall
 9 be deemed to be practicing or offering to practice engineering if the person
 10 practices any branch of the profession of engineering, or by verbal claim,
 11 sign, advertisement, letterhead, card or any other manner represents that the
 12 person is a professional engineer, or is able to perform or does perform any
 13 engineering service or other service recognized by educational authorities as
 14 engineering. A person employed on a full-time basis as an engineer by an
 15 employer engaged in the business of developing, mining and treating ores and
 16 other minerals shall not be deemed to be practicing engineering for the
 17 purposes of this chapter if the person engages in the practice of engineering
 18 exclusively for and as an employee of such employer and does not represent
 19 that the person is available and is not represented as being available to
 20 perform any engineering services for persons other than the person's
 21 employer.

22 13. "Engineer-in-training" means a candidate for registration as a
 23 professional engineer who is a graduate in an approved engineering curriculum
 24 of four years or more of a school approved by the board or who has had four
 25 years or more of education or experience, or both, in engineering work which
 26 meets standards specified by the board in its rules. In addition, the
 27 candidate shall have passed the engineer-in-training examination.

28 14. "Firm" means any individual or partnership, corporation or other
 29 type of association, including the association of a nonregistrant and a
 30 registrant who offers to the public professional services regulated by the
 31 board.

32 15. "Geological practice" means any professional service or work
 33 requiring geological education, training and experience, and the application
 34 of special knowledge of the earth sciences to such professional services as
 35 consultation, evaluation of mining properties, petroleum properties and
 36 groundwater resources, professional supervision of exploration for mineral
 37 natural resources including metallic and nonmetallic ores, petroleum and
 38 groundwater, and the geological phases of engineering investigations.

39 16. "Geologist" means a person, not of necessity an engineer, who by
 40 reason of special knowledge of the earth sciences and the principles and
 41 methods of search for and appraisal of mineral or other natural resources
 42 acquired by professional education and practical experience is qualified to
 43 practice geology as attested by registration as a professional geologist. A
 44 person employed on a full-time basis as a geologist by an employer engaged in
 45 the business of developing, mining or treating ores and other minerals shall
 46 not be deemed to be engaged in geological practice for the purposes of this

1 chapter if the person engages in geological practice exclusively for and as
2 an employee of such employer and does not represent that the person is
3 available and is not represented as being available to perform any geological
4 services for persons other than the person's employer.

5 17. "Geologist-in-training" means a candidate for registration as a
6 professional geologist who is a graduate of a school approved by the board or
7 who has had four years or more of education or experience, or both, in
8 geological work which meets standards specified by the board in its rules.
9 In addition, the candidate shall have passed the geologist-in-training
10 examination.

11 18. "Home inspection" means a visual analysis for the purposes of
12 providing a professional opinion of the building, any reasonably accessible
13 installed components and the operation of the building's systems, including
14 the controls normally operated by the owner, for the following components of
15 a residential building of four units or less:

- 16 (a) Heating system.
- 17 (b) Cooling system.
- 18 (c) Plumbing system.
- 19 (d) Electrical system.
- 20 (e) Structural components.
- 21 (f) Foundation.
- 22 (g) Roof covering.
- 23 (h) Exterior and interior components.
- 24 (i) Site aspects as they affect the building.
- 25 (j) Pursuant to rules adopted by the board, swimming pool and spa.

26 19. "Home inspection report" means a written report that is prepared
27 for compensation, that is issued after a home inspection and that clearly
28 describes and identifies the inspected systems, structures and components of
29 a completed dwelling and any visible major defects found to be in need of
30 immediate major repair and any recommendations for additional evaluation by
31 appropriate persons.

32 20. "Home inspector" means an individual who is certified pursuant to
33 this chapter as a home inspector and who engages in the business of
34 performing home inspections and writing home inspection reports.

35 21. "Home inspector-in-training" means a candidate for certification as
36 a home inspector who has completed a course of study approved by the board
37 and who is participating in a training program that complies with standards
38 recommended by the home inspector rules and standards committee and approved
39 by the board.

40 22. "INTERIOR DESIGN DOCUMENTS" MEANS THE SET OF DOCUMENTS AND
41 SPECIFICATIONS THAT FORM A PART OF THE LEGAL CONTRACT FOR INTERIOR DESIGN
42 SERVICES BETWEEN AN OWNER AND INTERIOR DESIGNER THAT INCLUDES DESIGN DRAWINGS
43 AND SPECIFICATIONS AND SPACE PLANS THAT ILLUSTRATE NONSTRUCTURAL PARTITION
44 LAYOUTS, POWER AND COMMUNICATIONS LOCATIONS, REFLECTED CEILING PLANS AND
45 LIGHTING SPECIFICATIONS, FINISH PLANS AND SPECIFICATIONS, FURNITURE,
46 FURNISHINGS AND EQUIPMENT PLANS AND SPECIFICATIONS, ELEVATIONS AND

1 CONSTRUCTION DETAILS IN ACCORDANCE WITH THE GOVERNING CODES AND ORDINANCES,
2 AS WELL AS COORDINATION OF OTHER REGISTERED DESIGN PROFESSIONALS AND
3 CONSULTANT DRAWINGS NECESSARY FOR THE CONSTRUCTION OF NONSTRUCTURAL
4 COMPONENTS IN AND SURROUNDING AN INTERIOR SPACE.

5 ~~22-~~ 23. "Land surveying practice" means the performance of one or more
6 of the following professional services:

7 (a) Measurement of land to determine the position of any monument or
8 reference point which marks a property line, boundary or corner for the
9 purpose of determining the area or description of the land.

10 (b) Location, relocation, establishment, reestablishment, setting,
11 resetting or replacing of corner monuments or reference points which identify
12 land boundaries, rights-of-way or easements.

13 (c) Platting or plotting of lands for the purpose of subdividing.

14 (d) Measurement by angles, distances and elevations of natural or
15 artificial features in the air, on the surface and immediate subsurface of
16 the earth, within underground workings and on the surface or within bodies of
17 water for the purpose of determining or establishing their location, size,
18 shape, topography, grades, contours or water surface and depths, and the
19 preparation and perpetuation of field note records and maps depicting these
20 features.

21 (e) Setting, resetting or replacing of points to guide the location of
22 new construction.

23 ~~23-~~ 24. "Land surveyor" means a person who by reason of knowledge of
24 the mathematical and physical sciences, principles of land surveying and
25 evidence gathering acquired by professional education or practical
26 experience, or both, is qualified to practice land surveying as attested by
27 registration as a land surveyor. A person employed on a full-time basis as a
28 land surveyor by an employer engaged in the business of developing, mining or
29 treating ores or other minerals shall not be deemed to be engaged in land
30 surveying practice for purposes of this chapter if the person engages in land
31 surveying practice exclusively for and as an employee of such employer and
32 does not represent that the person is available and is not represented as
33 being available to perform any land surveying services for persons other than
34 the person's employer.

35 ~~24-~~ 25. "Land surveyor-in-training" means a candidate for registration
36 as a professional land surveyor who is a graduate of a school and curriculum
37 approved by the board, or who has four years or more of education or
38 experience, or both, in land surveying work which meets standards specified
39 by the board in its rules. In addition, the candidate shall have passed the
40 land surveyor-in-training examination.

41 ~~25-~~ 26. "Landscape architect" means a person who, by reason of
42 professional education or practical experience, or both, is qualified to
43 engage in the practice of landscape architecture as attested by registration
44 as a landscape architect.

45 ~~26-~~ 27. "Landscape architect-in-training" means a candidate for
46 registration as a professional landscape architect who is a graduate of a

1 school approved by the board or who has had four years or more of education
2 or experience, or both, in landscape architectural work which meets standards
3 specified by the board in its rules. In addition, the candidate shall have
4 passed the landscape architect-in-training examination.

5 ~~27-~~ 28. "Landscape architectural practice" means the performance of
6 professional services such as consultations, investigation, reconnaissance,
7 research, planning, design or responsible supervision in connection with the
8 development of land and incidental water areas where, and to the extent that,
9 the dominant purpose of such services is the preservation, enhancement or
10 determination of proper land uses, natural land features, ground cover and
11 planting, naturalistic and aesthetic values, the settings of and approaches
12 to buildings, structures, facilities or other improvements, natural drainage
13 and the consideration and the determination of inherent problems of the land
14 relating to erosion, wear and tear, light or other hazards. This practice
15 shall include the location and arrangement of such tangible objects and
16 features as are incidental and necessary to the purposes outlined in this
17 paragraph but shall not include the making of cadastral surveys or final land
18 plats for official recording or approval, nor mandatorily include planning
19 for governmental subdivisions.

20 ~~28-~~ 29. "On-site supervisor" means the employee of a drug laboratory
21 site remediation firm who is authorized to oversee on-site workers in the
22 performance of their duties.

23 ~~29-~~ 30. "On-site worker" means an employee of a drug laboratory site
24 remediation firm who has on-site duties or who handles contaminated
25 materials, chemicals or contaminated equipment.

26 ~~30-~~ 31. "Person" means any individual, firm, partnership, corporation,
27 association or other organization.

28 ~~31-~~ 32. "Principal" means an individual who is an officer of the
29 corporation or is designated by a firm as having full authority and
30 responsible charge of the services offered by the firm.

31 33. "REGISTERED INTERIOR DESIGNER" MEANS A PERSON WHO IS REGISTERED
32 PURSUANT TO THIS CHAPTER AND WHO IS QUALIFIED BY THE BOARD BASED ON
33 EDUCATION, EXPERIENCE AND EXAMINATION TO PROVIDE INTERIOR DESIGN SERVICES
34 PURSUANT TO THIS CHAPTER.

35 ~~32-~~ 34. "Registrant" means a person registered or certified by the
36 board.

37 ~~33-~~ 35. "Registration" means a registration or certification issued by
38 the board.

39 Sec. 3. Section 32-102, Arizona Revised Statutes, is amended to read:

40 ~~32-102.~~ Board of technical registration

41 A. ~~A-~~ THE state board of technical registration is established
42 consisting of members WHO ARE appointed by the governor as follows:

- 43 1. Two architects.
- 44 2. Three professional engineers, two of whom are representatives of
45 branches of engineering other than civil engineering and are registered in
46 those branches pursuant to this chapter.

1 3. One public member.
2 4. One landscape architect.
3 5. One geologist or assayer.
4 6. One land surveyor.
5 7. ONE REGISTERED INTERIOR DESIGNER.
6 B. ~~Upon~~ ON the expiration of any of the terms a successor, qualified
7 pursuant to subsection A, shall be appointed for a full term of three
8 years. The governor may remove a member of the board for misconduct,
9 incapacity or neglect of duty. Appointment to fill a vacancy caused other
10 than by expiration of term shall be for the unexpired portion of the term.
11 C. No member may serve more than two consecutive terms.
12 Sec. 4. Section 32-103, Arizona Revised Statutes, is amended to read:
13 32-103. Qualifications of members
14 A. Each professional member of the board shall:
15 1. Be at least twenty-five years of age.
16 2. Have been a resident of the state for at least three years
17 immediately preceding appointment as a member.
18 B. Each member who is an architect, A geologist, an assayer, a
19 landscape architect, a professional engineer or a land surveyor shall have
20 had at least five years' active professional experience as attested by
21 registration under this chapter. BEGINNING JANUARY 1, 2017, A MEMBER WHO IS
22 A REGISTERED INTERIOR DESIGNER SHALL HAVE HAD AT LEAST FIVE YEARS' OF ACTIVE
23 PROFESSIONAL EXPERIENCE AS ATTESTED BY REGISTRATION UNDER THIS CHAPTER.
24 Sec. 5. Title 32, chapter 1, article 2, Arizona Revised Statutes, is
25 amended by adding section 32-122.05, to read:
26 32-122.05. Qualifications for interior designer registration
27 AN APPLICANT FOR REGISTRATION AS AN INTERIOR DESIGNER SHALL COMPLY WITH
28 ALL OF THE FOLLOWING:
29 1. BE AT LEAST EIGHTEEN YEARS OF AGE.
30 2. BE OF GOOD MORAL CHARACTER AND REPUTE.
31 3. HAVE PASSED A WRITTEN EXAMINATION THAT IS APPROVED BY THE BOARD,
32 EXCEPT AS PROVIDED BY SECTION 32-126. THE WRITTEN EXAMINATION MUST TEST FOR
33 MINIMUM COMPETENCY IN INTERIOR DESIGN WITHIN NATIONALLY ACCEPTABLE TESTING
34 STANDARDS AND BE NATIONALLY RECOGNIZED.
35 4. HAVE PASSED A COURSE OF STUDY WITH A MINIMUM OF FORTY SEMESTER
36 HOURS OR SIXTY QUARTER HOURS OF INTERIOR DESIGN RELATED COURSEWORK THAT
37 CULMINATES IN A CERTIFICATE, DEGREE OR DIPLOMA.
38 5. POSSESS AT LEAST THREE THOUSAND FIVE HUNDRED TWENTY HOURS OF
39 DIVERSIFIED PRACTICAL INTERIOR DESIGN EXPERIENCE.
40 6. NOT HAVE HAD A REGISTRATION DENIED OR REVOKED PURSUANT TO THIS
41 CHAPTER WITHIN ONE YEAR IMMEDIATELY PROCEEDING THE APPLICATION.
42 Sec. 6. Section 32-125, Arizona Revised Statutes, is amended to read:
43 32-125. Seals for registrants
44 A. The board shall adopt and prescribe seals for use by registrants
45 who are required by the board to use seals. Each seal shall bear the name of
46 the registrant and shall state the profession in which the registrant is

1 permitted to practice and, in the case of engineering, the branch or branches
2 of engineering in which the registrant has demonstrated proficiency, and
3 other data the board deems pertinent.

4 B. Plans, specifications, plats or reports prepared by a registrant or
5 a registrant's bona fide employee shall be issued under the registrant's seal
6 if the board requires the registrant to use a seal.

7 C. INTERIOR DESIGN DOCUMENTS FILED WITH ANY STATE OR LOCAL BUILDING
8 DEPARTMENT FOR THE PURPOSE OF OBTAINING A BUILDING PERMIT SHALL BEAR THE SEAL
9 OF THE ENGINEER, ARCHITECT OR REGISTERED INTERIOR DESIGNER WHO PREPARED OR
10 APPROVED THE DOCUMENTS AND THE DATE ON WHICH THE DOCUMENTS WERE SEALED.

11 ~~C.~~ D. It is unlawful for a registrant whose certificate has expired
12 or has been revoked or suspended to use the seal.

13 ~~D.~~ E. It is unlawful for any nonregistrant to cause or permit the
14 illegal use of a registrant's seal, signature or stamp on any document
15 prepared by the nonregistrant.

16 ~~E.~~ F. If the board requires a registrant to use a seal, the
17 registrant is responsible for all documents that the registrant signs, stamps
18 or seals, including those documents prepared by the registrant's bona fide
19 employee.

20 Sec. 7. Section 32-126, Arizona Revised Statutes, is amended to read:

21 32-126. Exemptions from examination requirement

22 A. The board shall waive the examination requirement for an applicant,
23 other than an applicant for professional registration as a land surveyor, who
24 satisfies any one of the following:

25 1. Holds a valid certificate of registration in good standing issued
26 by another state or foreign country ~~which~~ THAT has or had requirements for
27 registration substantially identical to those of this state.

28 2. Holds a certificate of qualification in good standing issued by a
29 national bureau of registration or certification recognized by the board.

30 3. Has been actively engaged in another state or foreign country as a
31 professional registrant in the profession in which registration is sought for
32 at least ten years and holds a valid certificate of registration in good
33 standing issued by that state or country.

34 B. A registered professional engineer who holds a proficiency
35 designation in one branch of engineering in this state and seeks an
36 additional or different proficiency designation shall submit evidence to the
37 board of either:

38 1. Four years of experience acceptable to the board as a registered
39 professional engineer practicing in that branch of engineering in which the
40 person seeks the proficiency designation.

41 2. Successful completion of the professional examination in the branch
42 of engineering in which the applicant seeks the proficiency designation.

43 C. An applicant for professional registration as a land surveyor who
44 satisfies any one of the requirements of subsection A shall pass the part of
45 the professional land surveyor examination relating to surveying methods and
46 legal principles in this state prescribed by the board in its rules.

1 D. The board shall exempt an applicant from the in-training
2 examination if the applicant is a graduate of a school and curriculum
3 approved by the board and has been actively engaged in experience in the
4 profession for which registration is sought for at least twelve years after
5 graduation.

6 E. FOR AN APPLICANT FOR REGISTRATION AS AN INTERIOR DESIGNER WHO
7 APPLIES TO THE BOARD WITHIN EIGHTEEN MONTHS AFTER THE EFFECTIVE DATE OF THE
8 AMENDMENT TO THIS SECTION, THE BOARD MAY WAIVE THE EXAMINATION, EDUCATION OR
9 EXPERIENCE REQUIREMENTS FOR THE APPLICANT IF BOTH OF THE FOLLOWING APPLY:

10 1. THE APPLICANT IS ACTIVELY ENGAGED AS AN INTERIOR DESIGNER ON THE
11 EFFECTIVE DATE OF THE AMENDMENT TO THIS SECTION.

12 2. THE BOARD DETERMINES THAT THE APPLICANT HAS SUFFICIENT COMPETENCY.

13 Sec. 8. Section 32-127, Arizona Revised Statutes, is amended to read:

14 32-127. Renewal of certification or registration; delinquency
15 penalty; inactive status; renewal fees; home
16 inspector-in-training requirement; interior designer
17 requirement

18 A. The board shall establish a system for renewing certification or
19 registration.

20 B. Except as provided in section 32-4301, certificates of registration
21 or certification are invalid after their expiration date unless renewed by
22 payment of the required renewal fee. If the renewal fee is not paid ~~prior~~
23 ~~BEFORE~~ to the expiration date, it shall be accompanied by a penalty fee equal
24 to one-sixth of the renewal fee for each year or fraction of a year of
25 delinquency.

26 C. The board shall cancel a certificate of registration or
27 certification if it has remained invalid for one renewal period and shall
28 require a new application, accompanied by the application fee for
29 reregistration or recertification.

30 D. A registrant shall not practice, offer to practice or advertise if
31 the certificate of registration or the certification is inactive or invalid.

32 E. A registrant who retires from the active practice of any board
33 regulated profession or occupation or who is not currently practicing that
34 board regulated profession or occupation in this state may request that the
35 board place the registrant's certificate of registration or certification on
36 inactive status. The registrant shall submit the request in writing to the
37 board.

38 F. If the board has invalidated, pursuant to subsection B of this
39 section, the certificate of registration of a registrant who seeks to place
40 the certificate of registration on inactive status, the registrant shall
41 submit all penalty fees that are due with the registrant's application for
42 inactive status.

43 G. A registrant shall not place the registrant's certificate of
44 registration on inactive status if the person's certificate of registration
45 has been canceled by the board pursuant to subsection C of this section.

1 H. A registrant who holds an inactive certificate of registration may
2 apply to the board to reactivate the certificate of registration. The board
3 shall reactivate an inactive certificate of registration if the registrant
4 submits a completed application on a form prescribed by the board and meets
5 the qualifications for professional registration set forth in section
6 32-122.01. A registrant who seeks reactivation of the registrant's
7 certificate of registration and who has not been engaged in the profession in
8 which the registrant seeks reactivation for the five years immediately
9 preceding the date of the application for reactivation shall take the
10 applicable professional examination.

11 I. The board shall establish the renewal fee for each certificate or
12 registration issued pursuant to this chapter.

13 J. The board may not renew the registration of a home
14 inspector-in-training if the registrant has not passed within two years
15 preceding renewal application a written examination approved by the board
16 pursuant to section 32-122.02, subsection A, paragraph 3.

17 K. THE BOARD MAY NOT RENEW THE REGISTRATION OF AN INTERIOR DESIGNER IF
18 THE REGISTRANT HAS NOT COMPLETED AT LEAST SIX HOURS OF CONTINUING EDUCATION
19 OVER A TWO YEAR PERIOD.

20 Sec. 9. Section 32-144, Arizona Revised Statutes, is amended to read:
21 32-144. Exemptions and limitations

22 A. Professions and occupations regulated by the board may be practiced
23 without compliance with the requirements of this chapter ~~by~~:

24 1. An officer or employee of the United States, practicing as such.

25 2. An employee of a registrant or of a person exempt from
26 registration, if such employment does not involve direct responsibility for
27 design, inspection or supervision.

28 3. A nonregistrant who designs, alters or adds to a detached single
29 family dwelling.

30 4. A nonregistrant who designs a one or two story building or
31 structure in which the square footage of the floor area measured to the
32 outside surface of the exterior walls does not exceed three thousand square
33 feet, that is not intended for occupancy by more than twenty persons on a
34 continuous basis and in which the maximum span of any structural member does
35 not exceed twenty feet unless a greater span is achieved by the use of wood
36 or steel roof or floor trusses or lintels approved by an engineer registered
37 by the board.

38 5. A nonregistrant who designs additions or alterations to a one or
39 two story building or structure subject to the limitations set forth in
40 paragraph 4 of this subsection. A nonregistrant may exceed the maximum three
41 thousand square foot limitation set forth in paragraph 4 of this subsection
42 for a one-time single addition not exceeding one thousand five hundred square
43 feet as measured to the outside surface of the exterior walls and designed
44 for the purpose of storage of chattels.

45 6. A nonregistrant who designs a water or wastewater treatment plant,
46 or extensions, additions, modifications or revisions, or extensions to water

1 distribution or collection systems, if the total cost of such construction
2 does not exceed twelve thousand five hundred dollars.

3 7. A nonregistrant who designs buildings or structures to be erected
4 on property owned or leased by the nonregistrant or by a person, firm or
5 corporation, including a utility, telephone, mining or railroad company,
6 ~~which~~ THAT employs the nonregistrant on a full-time basis, if the buildings
7 or structures are intended solely for the use of the owner or lessee of the
8 property, are not ordinarily occupied by more than twenty people, are not for
9 sale to, rental to or use by the public and conform to the building code
10 adopted by the city, town or county in which the building is to be erected or
11 altered.

12 8. A nonregistrant who provides horticultural consultations or
13 prepares planting plans for plant installations.

14 9. A NONREGISTRANT WHO DESIGNS THE INTERIOR OF EITHER A DETACHED
15 SINGLE FAMILY DWELLING OR A COMMERCIAL SPACE IF THE WORK DOES NOT INVOLVE
16 ISSUES OF CODE COMPLIANCE THAT REQUIRE THE AFFIXING OF A SEAL AND DOES NOT
17 REQUIRE THAT THE PLANS BE FILED, REVIEWED AND APPROVED BEFORE THE ISSUANCE OF
18 A BUILDING PERMIT IN ACCORDANCE WITH THE BUILDING CODES OF THE POLITICAL
19 SUBDIVISION THAT HAS JURISDICTION OVER THE WORK.

20 10. A NONREGISTRANT WHO RENDERS INTERIOR DESIGN SERVICES IF THE PERSON
21 IS NOT IDENTIFIED AS A REGISTERED INTERIOR DESIGNER.

22 B. A registrant who performs any of the activities described in
23 subsection A, paragraphs 3 through 8 is subject to the requirements of this
24 chapter.

25 C. The requirements of this chapter shall not apply to work done by
26 any communications common carrier or its affiliates or any public service
27 corporation or manufacturing industry or by full-time employees of any of
28 them, provided such work is in connection with or incidental to the products,
29 systems or nonengineering services of such communications common carrier or
30 its affiliates or public service corporation or manufacturing industry, and
31 provided that the engineering service is not offered directly to the public.

32 D. An individual shall not perform home inspections unless the
33 individual is certified as a home inspector pursuant to this chapter, except
34 that nothing in this chapter prevents:

35 1. A person who is licensed, certified or registered pursuant to this
36 chapter or another chapter in this title from acting within the scope of the
37 person's license, certification or registration.

38 2. A person who is employed by a governmental entity from inspecting
39 residential structures if the inspection is within official duties and
40 responsibilities.

41 3. A person from performing a home inspection if the inspection will
42 be used solely by a bank, savings and loan association or credit union to
43 monitor progress on the construction of a residential structure, unless
44 otherwise required by federal law or regulation.

45 4. A person who is employed as a property manager for a residential
46 structure and whose official duties and responsibilities include inspecting

1 the residential structure from performing a home inspection on the structure
2 if the person does not receive separate compensation for the inspection work.

3 E. No person including a person described in subsection D may use any
4 letterhead, advertisement, communication or other device to represent that
5 the person is a home inspector unless the person is certified as a home
6 inspector pursuant to this chapter.

7 Sec. 10. Section 32-145, Arizona Revised Statutes, is amended to read:
8 32-145. Violations; classification

9 A. Any person who commits any of the following acts is guilty of a
10 class 2 misdemeanor:

11 1. Practices, offers to practice or by any implication holds himself
12 out as qualified to practice any board regulated profession or occupation if
13 the person is not registered or certified as provided by this chapter. **THIS**
14 **PARAGRAPH DOES NOT APPLY TO INTERIOR DESIGNERS.**

15 2. Advertises or displays any card, sign or other device that may
16 indicate to the public that the person is certified or registered or is
17 qualified to practice any board regulated profession or occupation if the
18 person is not certified or registered as provided by this chapter. **THIS**
19 **PARAGRAPH DOES NOT APPLY TO INTERIOR DESIGNERS.**

20 3. Uses "certified", "professional certified", "professional", "PE",
21 "registered", "registered professional" or "professional registered" in
22 conjunction with any board regulated profession or occupation if the person
23 is not certified or registered as provided by this chapter.

24 4. Uses a certification or certificate of registration of another, or
25 uses an expired or revoked certification or certificate of registration.

26 5. Presents false evidence to the board with the intent to obtain a
27 certification or a certificate of registration.

28 6. Otherwise violates any provision of this chapter.

29 **B. A PERSON IS GUILTY OF A CLASS 2 MISDEMEANOR IF THE PERSON**
30 **ADVERTISES OR DISPLAYS ANY CARD, SIGN OR OTHER DEVICE THAT MAY INDICATE TO**
31 **THE PUBLIC THAT THE PERSON IS A REGISTERED INTERIOR DESIGNER IF THE PERSON IS**
32 **NOT A REGISTERED INTERIOR DESIGNER.**