

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 2353**  
**103RD GENERAL ASSEMBLY**

4062H.06C

JOSEPH ENGLER, Chief Clerk

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**AN ACT**

To repeal sections 324.001, 324.028, 324.400, 324.402, 324.403, 324.406, 324.409, 324.412, 324.415, 324.418, 324.421, 324.424, 324.427, 324.430, 324.433, 324.436, 324.439, 327.011, 327.031, 327.041, 327.081, 327.381, 327.411, 327.442, 327.451, 537.033, and 621.045, RSMo, and to enact in lieu thereof twenty-two new sections relating to interior designers, with penalty provisions and a contingent effective date for certain sections.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Sections 324.001, 324.028, 324.400, 324.402, 324.403, 324.406, 324.409, 2 324.412, 324.415, 324.418, 324.421, 324.424, 324.427, 324.430, 324.433, 324.436, 324.439, 3 327.011, 327.031, 327.041, 327.081, 327.381, 327.411, 327.442, 327.451, 537.033, and 4 621.045, RSMo, are repealed and twenty-two new sections enacted in lieu thereof, to be 5 known as sections 324.001, 324.028, 327.011, 327.031, 327.041, 327.081, 327.381, 327.411, 6 327.442, 327.451, 327.700, 327.705, 327.710, 327.720, 327.725, 327.730, 327.735, 327.740, 7 327.745, 327.750, 537.033, and 621.045, to read as follows:

324.001. 1. For the purposes of this section, the following terms mean:  
2 (1) "Department", the department of commerce and insurance;  
3 (2) "Director", the director of the division of professional registration; and  
4 (3) "Division", the division of professional registration.  
5 2. There is hereby established a "Division of Professional Registration" assigned to  
6 the department of commerce and insurance as a type III transfer, headed by a director  
7 appointed by the governor with the advice and consent of the senate. All of the general  
8 provisions, definitions and powers enumerated in section 1 of the Omnibus State

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

9 Reorganization Act of 1974 and Executive Order 06-04 shall apply to this department and its  
10 divisions, agencies, and personnel.

11 3. The director of the division of professional registration shall promulgate rules and  
12 regulations which designate for each board or commission assigned to the division the  
13 renewal date for licenses or certificates. After the initial establishment of renewal dates, no  
14 director of the division shall promulgate a rule or regulation which would change the renewal  
15 date for licenses or certificates if such change in renewal date would occur prior to the date on  
16 which the renewal date in effect at the time such new renewal date is specified next occurs.  
17 Each board or commission shall by rule or regulation establish licensing periods of one, two,  
18 or three years. Registration fees set by a board or commission shall be effective for the entire  
19 licensing period involved, and shall not be increased during any current licensing period.  
20 Persons who are required to pay their first registration fees shall be allowed to pay the pro rata  
21 share of such fees for the remainder of the period remaining at the time the fees are paid.  
22 Each board or commission shall provide the necessary forms for initial registration, and  
23 thereafter the director may prescribe standard forms for renewal of licenses and certificates.  
24 Each board or commission shall by rule and regulation require each applicant to provide the  
25 information which is required to keep the board's records current. Each board or commission  
26 shall have the authority to collect and analyze information required to support workforce  
27 planning and policy development. Such information shall not be publicly disclosed so as to  
28 identify a specific health care provider, as defined in section 376.1350. Each board or  
29 commission shall issue the original license or certificate.

30 4. The division shall provide clerical and other staff services relating to the issuance  
31 and renewal of licenses for all the professional licensing and regulating boards and  
32 commissions assigned to the division. The division shall perform the financial management  
33 and clerical functions as they each relate to issuance and renewal of licenses and certificates.  
34 "Issuance and renewal of licenses and certificates" means the ministerial function of  
35 preparing and delivering licenses or certificates, and obtaining material and information for  
36 the board or commission in connection with the renewal thereof to include verifying if the  
37 applicant has submitted all required documentation and that the documentation is legible. It  
38 does not include any discretionary authority with regard to the original review of an  
39 applicant's qualifications for licensure or certification, or the subsequent review of licensee's  
40 or certificate holder's qualifications, or any disciplinary action contemplated against the  
41 licensee or certificate holder. The division may develop and implement microfilming systems  
42 and automated or manual management information systems.

43 5. The director of the division shall maintain a system of accounting and budgeting, in  
44 cooperation with the director of the department, the office of administration, and the state  
45 auditor's office, to ensure proper charges are made to the various boards for services rendered

46 to them. The general assembly shall appropriate to the division and other state agencies from  
47 each board's funds moneys sufficient to reimburse the division and other state agencies for all  
48 services rendered and all facilities and supplies furnished to that board.

49         6. For accounting purposes, the appropriation to the division and to the office of  
50 administration for the payment of rent for quarters provided for the division shall be made  
51 from the "Professional Registration Fees Fund", which is hereby created, and is to be used  
52 solely for the purpose defined in subsection 5 of this section. The fund shall consist of  
53 moneys deposited into it from each board's fund. Each board shall contribute a prorated  
54 amount necessary to fund the division for services rendered and rent based upon the system of  
55 accounting and budgeting established by the director of the division as provided in subsection  
56 5 of this section. Transfers of funds to the professional registration fees fund shall be made by  
57 each board on July first of each year; provided, however, that the director of the division may  
58 establish an alternative date or dates of transfers at the request of any board. Such transfers  
59 shall be made until they equal the prorated amount for services rendered and rent by the  
60 division. The provisions of section 33.080 to the contrary notwithstanding, money in this  
61 fund shall not be transferred and placed to the credit of general revenue.

62         7. The director of the division shall be responsible for collecting and accounting for  
63 all moneys received by the division or its component agencies. Any money received by a  
64 board or commission shall be promptly given, identified by type and source, to the director.  
65 The director shall keep a record by board and state accounting system classification of the  
66 amount of revenue the director receives. The director shall promptly transmit all receipts to  
67 the department of revenue for deposit in the state treasury to the credit of the appropriate  
68 fund. The director shall provide each board with all relevant financial information in a timely  
69 fashion. Each board shall cooperate with the director by providing necessary information.

70         8. All educational transcripts, test scores, complaints, investigatory reports, and  
71 information pertaining to any person who is an applicant or licensee of any agency assigned  
72 to the division of professional registration by statute or by the department are confidential and  
73 may not be disclosed to the public or any member of the public, except with the written  
74 consent of the person whose records are involved. The agency which possesses the records or  
75 information shall disclose the records or information if the person whose records or  
76 information is involved has consented to the disclosure. Each agency is entitled to the  
77 attorney-client privilege and work-product privilege to the same extent as any other person.  
78 Provided, however, that any board may disclose confidential information without the consent  
79 of the person involved in the course of voluntary interstate exchange of information, or in the  
80 course of any litigation concerning that person, or pursuant to a lawful request, or to other  
81 administrative or law enforcement agencies acting within the scope of their statutory  
82 authority. Information regarding identity, including names and addresses, registration, and

83 currency of the license of the persons possessing licenses to engage in a professional  
84 occupation and the names and addresses of applicants for such licenses is not confidential  
85 information.

86         9. Any deliberations conducted and votes taken in rendering a final decision after a  
87 hearing before an agency assigned to the division shall be closed to the parties and the public.  
88 Once a final decision is rendered, that decision shall be made available to the parties and the  
89 public.

90         10. A compelling governmental interest shall be deemed to exist for the purposes of  
91 section 536.025 for licensure fees to be reduced by emergency rule, if the projected fund  
92 balance of any agency assigned to the division of professional registration is reasonably  
93 expected to exceed an amount that would require transfer from that fund to general revenue.

94         11. (1) The following boards and commissions are assigned by specific type transfers  
95 to the division of professional registration: Missouri state board of accountancy, chapter 326;  
96 board of cosmetology and barber examiners, chapters 328 and 329; Missouri board for  
97 architects, professional engineers, professional land surveyors ~~and~~, **professional** landscape  
98 architects, **and licensed interior designers**, chapter 327; Missouri state board of chiropractic  
99 examiners, chapter 331; state board of registration for the healing arts, chapter 334; Missouri  
100 dental board, chapter 332; state board of embalmers and funeral directors, chapter 333; state  
101 board of optometry, chapter 336; Missouri state board of nursing, chapter 335; board of  
102 pharmacy, chapter 338; state board of podiatric medicine, chapter 330; Missouri real estate  
103 appraisers commission, chapter 339; and Missouri veterinary medical board, chapter 340.  
104 The governor shall appoint members of these boards by and with the advice and consent of  
105 the senate.

106         (2) The boards and commissions assigned to the division shall exercise all their  
107 respective statutory duties and powers, except those clerical and other staff services involving  
108 collecting and accounting for moneys and financial management relating to the issuance and  
109 renewal of licenses, which services shall be provided by the division, within the appropriation  
110 therefor. Nothing herein shall prohibit employment of professional examining or testing  
111 services from professional associations or others as required by the boards or commissions on  
112 contract. Nothing herein shall be construed to affect the power of a board or commission to  
113 expend its funds as appropriated. However, the division shall review the expense vouchers of  
114 each board. The results of such review shall be submitted to the board reviewed and to the  
115 house and senate appropriations committees annually.

116         (3) Notwithstanding any other provisions of law, the director of the division shall  
117 exercise only those management functions of the boards and commissions specifically  
118 provided in the Reorganization Act of 1974, and those relating to the allocation and  
119 assignment of space, personnel other than board personnel, and equipment.

120 (4) "Board personnel", as used in this section or chapters 317, 326, 327, 328, 329,  
121 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, and 345, shall mean personnel whose  
122 functions and responsibilities are in areas not related to the clerical duties involving the  
123 issuance and renewal of licenses, to the collecting and accounting for moneys, or to financial  
124 management relating to issuance and renewal of licenses; specifically included are executive  
125 secretaries (or comparable positions), consultants, inspectors, investigators, counsel, and  
126 secretarial support staff for these positions; and such other positions as are established and  
127 authorized by statute for a particular board or commission. Boards and commissions may  
128 employ legal counsel, if authorized by law, and temporary personnel if the board is unable to  
129 meet its responsibilities with the employees authorized above. Any board or commission  
130 which hires temporary employees shall annually provide the division director and the  
131 appropriation committees of the general assembly with a complete list of all persons  
132 employed in the previous year, the length of their employment, the amount of their  
133 remuneration, and a description of their responsibilities.

134 (5) Board personnel for each board or commission shall be employed by and serve at  
135 the pleasure of the board or commission, shall be supervised as the board or commission  
136 designates, and shall have their duties and compensation prescribed by the board or  
137 commission, within appropriations for that purpose, except that compensation for board  
138 personnel shall not exceed that established for comparable positions as determined by the  
139 board or commission pursuant to the job and pay plan of the department of commerce and  
140 insurance. Nothing herein shall be construed to permit salaries for any board personnel to be  
141 lowered except by board action.

142 12. All the powers, duties, and functions of the division of athletics, chapter 317, and  
143 others, are assigned by type I transfer to the division of professional registration.

144 13. Wherever the laws, rules, or regulations of this state make reference to the  
145 division of professional registration of the department of economic development, such  
146 references shall be deemed to refer to the division of professional registration.

147 14. (1) The state board of nursing, board of pharmacy, Missouri dental board, state  
148 committee of psychologists, state board of chiropractic examiners, state board of optometry,  
149 Missouri board of occupational therapy, or state board of registration for the healing arts may  
150 individually or collectively enter into a contractual agreement with the department of health  
151 and senior services, a public institution of higher education, or a nonprofit entity for the  
152 purpose of collecting and analyzing workforce data from its licensees, registrants, or permit  
153 holders for future workforce planning and to assess the accessibility and availability of  
154 qualified health care services and practitioners in Missouri. The boards shall work  
155 collaboratively with other state governmental entities to ensure coordination and avoid  
156 duplication of efforts.

157 (2) The boards may expend appropriated funds necessary for operational expenses of  
158 the program formed under this subsection. Each board is authorized to accept grants to fund  
159 the collection or analysis authorized in this subsection. Any such funds shall be deposited in  
160 the respective board's fund.

161 (3) Data collection shall be controlled and approved by the applicable state board  
162 conducting or requesting the collection. Notwithstanding the provisions of sections 324.010  
163 and 334.001, the boards may release identifying data to the contractor to facilitate data  
164 analysis of the health care workforce including, but not limited to, geographic, demographic,  
165 and practice or professional characteristics of licensees. The state board shall not request or  
166 be authorized to collect income or other financial earnings data.

167 (4) Data collected under this subsection shall be deemed the property of the state  
168 board requesting the data. Data shall be maintained by the state board in accordance with  
169 chapter 610, provided that any information deemed closed or confidential under subsection 8  
170 of this section or any other provision of state law shall not be disclosed without consent of the  
171 applicable licensee or entity or as otherwise authorized by law. Data shall only be released in  
172 an aggregate form by geography, profession or professional specialization, or population  
173 characteristic in a manner that cannot be used to identify a specific individual or entity. Data  
174 suppression standards shall be addressed and established in the contractual agreement.

175 (5) Contractors shall maintain the security and confidentiality of data received or  
176 collected under this subsection and shall not use, disclose, or release any data without  
177 approval of the applicable state board. The contractual agreement between the applicable  
178 state board and contractor shall establish a data release and research review policy to include  
179 legal and institutional review board, or agency-equivalent, approval.

180 (6) Each board may promulgate rules subject to the provisions of this subsection and  
181 chapter 536 to effectuate and implement the workforce data collection and analysis authorized  
182 by this subsection. Any rule or portion of a rule, as that term is defined in section 536.010,  
183 that is created under the authority delegated in this section shall become effective only if it  
184 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section  
185 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with  
186 the general assembly under chapter 536 to review, to delay the effective date, or to disapprove  
187 and annul a rule are subsequently held unconstitutional, then the grant of rulemaking  
188 authority and any rule proposed or adopted after August 28, 2016, shall be invalid and void.

324.028. Any member authorized under the provisions of sections 256.459, 324.063,  
2 324.177, 324.203, 324.243, [324.406,] 324.478, 326.259, 327.031, 329.015, 330.110,  
3 331.090, 332.021, 333.151, 334.120, 334.430, 334.625, 334.717, 334.749, 334.830,  
4 335.021, 336.130, 337.050, 337.305, 337.535, 337.622, 337.739, 338.110, 339.120,  
5 340.202, 345.080, and 346.120 who misses three consecutive regularly scheduled meetings

6 of the board or council on which he **or she** serves shall forfeit his **or her** membership on that  
7 board or council. A new member shall be appointed to the respective board or council by the  
8 governor with the advice and consent of the senate.

327.011. As used in this chapter, the following words and terms shall have the  
2 meanings indicated:

3 (1) "Accredited degree program from a school of architecture", a degree from any  
4 school or other institution which teaches architecture and whose curricula for the degree in  
5 question have been, at the time in question, certified as accredited by the National  
6 Architectural Accrediting Board;

7 (2) "**Accredited degree program from a school of interior design**", a degree from  
8 **any school or other institution which teaches interior design and whose curricula for the**  
9 **degree in question have been, at the time in question, certified as accredited by the**  
10 **Council for Interior Design Accreditation or an accreditation body recognized by the**  
11 **United States Department of Education;**

12 (3) "Accredited school of engineering", any school or other institution which teaches  
13 engineering and whose curricula on the subjects in question are or have been, at the time in  
14 question certified as accredited by the engineering accreditation commission of the  
15 accreditation board for engineering and technology or its successor organization;

16 [~~3~~] (4) "Accredited school of landscape architecture", any school or other institution  
17 which teaches landscape architecture and whose curricula on the subjects in question are or  
18 have been at the times in question certified as accredited by the Landscape Architecture  
19 Accreditation Board of the American Society of Landscape Architects;

20 [(4)] (5) "Architect", any person authorized pursuant to the provisions of this chapter  
21 to practice architecture in Missouri, as the practice of architecture is defined in section  
22 327.091;

23 [(5)] (6) "Board", the Missouri board for architects, professional engineers,  
24 professional land surveyors [~~and~~], professional landscape architects, **and licensed interior**  
25 **designers;**

26 [(6)] (7) "Corporation", any general business corporation, professional corporation or  
27 limited liability company;

28 [(7)] (8) "Design coordination", the review and coordination of technical submissions  
29 prepared by others including, as appropriate and without limitation, architects, professional  
30 engineers, professional land surveyors, professional landscape architects, **licensed interior**  
31 **designers**, and other consultants;

32 [(8)] (9) "Design survey", a survey which includes all activities required to gather  
33 information to support the sound conception, planning, design, construction, maintenance,  
34 and operation of design projects, but excludes the surveying of real property for the

35 establishment of land boundaries, rights-of-way, easements, and the dependent or  
36 independent surveys or resurveys of the public land survey system;

37 ~~[(9)]~~ **(10)** "Incidental practice", the performance of other professional services  
38 licensed under this chapter that are related to a licensee's professional service, but are  
39 secondary and substantially less in scope and magnitude when compared to the professional  
40 services usually and normally performed by the licensee practicing in their licensed  
41 profession. This incidental professional service shall be safely and competently performed by  
42 the licensee without jeopardizing the health, safety, and welfare of the public. The licensee  
43 shall be qualified by education, training, and experience as determined by the board and in  
44 sections 327.091, 327.181, 327.272, ~~[and]~~ 327.600, **and 327.700** and applicable board rules  
45 to perform such incidental professional service;

46 **(11) "Licensed interior designer", any person authorized pursuant to the**  
47 **provisions of this chapter to practice as a licensed interior designer in Missouri, as the**  
48 **practice of licensed interior design is defined in section 327.700;**

49 ~~[(10)]~~ **(12)** "Licensee", a person licensed to practice any profession regulated under  
50 this chapter or a corporation authorized to practice any such profession;

51 ~~[(11)]~~ **(13)** "Partnership", any partnership or limited liability partnership;

52 ~~[(12)]~~ **(14)** "Person", any individual, corporation, firm, partnership, association or  
53 other entity authorized to do business;

54 ~~[(13)]~~ **(15)** "Professional engineer", any person authorized pursuant to the provisions  
55 of this chapter to practice as a professional engineer in Missouri, as the practice of  
56 engineering is defined in section 327.181;

57 ~~[(14)]~~ **(16)** "Professional land surveyor", any person authorized pursuant to the  
58 provisions of this chapter to practice as a professional land surveyor in Missouri as the  
59 practice of land surveying is defined in section 327.272;

60 ~~[(15)]~~ **(17)** "Professional landscape architect", any person authorized pursuant to the  
61 provisions of this chapter to practice as a professional landscape architect in Missouri as the  
62 practice of **professional** landscape architecture is defined in section 327.600;

63 ~~[(16)]~~ **(18)** "Responsible charge", the independent direct control of a licensee's work  
64 and personal supervision of such work pertaining to the practice of architecture, engineering,  
65 land surveying, ~~or~~ landscape architecture, **or interior design.**

327.031. 1. The "Missouri Board for Architects, Professional Engineers, Professional  
2 Land Surveyors ~~and~~, Professional Landscape Architects, **and Licensed Interior Designers**"  
3 is hereby established and shall consist of ~~[fifteen]~~ **seventeen** members: a chairperson, who  
4 may be either an architect, a professional engineer, a professional land surveyor, ~~or~~ a  
5 professional landscape architect, **or a licensed interior designer**; three architects, who shall  
6 constitute the architectural division of the board; four professional engineers, who shall

7 constitute its professional engineering division; three professional land surveyors, who shall  
8 constitute its professional land surveying division; three professional landscape architects,  
9 who shall constitute its professional landscape architectural division; **two licensed interior**  
10 **designers, who shall constitute its licensed interior design division;** and a voting public  
11 member.

12 2. After receiving his or her commission and before entering upon the discharge of  
13 his or her official duties, each member of the board shall take, subscribe to and file in the  
14 office of the secretary of state the official oath required by the constitution.

15 3. The chairperson shall be the administrative and executive officer of the board, and  
16 it shall be his or her duty to supervise and expedite the work of the board and its divisions,  
17 and, at his or her election, when a tie exists between the divisions of the board, to break the tie  
18 by recording his or her vote for or against the action upon which the divisions are in  
19 disagreement. Each member of the architectural division shall have one vote when voting on  
20 an action pending before the board; each member of the professional engineering division  
21 shall have one vote when voting on an action pending before the board; each member of the  
22 professional land surveying division shall have one vote when voting on an action pending  
23 before the board; ~~and~~ each member of the professional landscape architectural division shall  
24 have one vote when voting on an action pending before the board; **and each member of the**  
25 **licensed interior design division shall have one vote when voting on an action pending**  
26 **before the board.** Every motion or proposed action upon which the divisions of the board  
27 are tied shall be deemed lost, and the chairperson shall so declare, unless the chairperson shall  
28 elect to break the tie as provided in this section. ~~Eight~~ **Nine** voting members of the board,  
29 including at least one member of each division, shall constitute a quorum, respectively, for the  
30 transaction of board business.

31 4. Each division of the board shall, at its first meeting in each even-numbered year,  
32 elect one of its members as division chairperson for a term of two years. Two voting  
33 members of each division of the board shall constitute a quorum for the transaction of  
34 division business. The chairpersons of the architectural division, professional engineering  
35 division, professional land surveying division, ~~and~~ professional landscape architectural  
36 division, **and licensed interior design division** so elected shall be vice chairpersons of the  
37 board~~, and~~. When the chairperson of the board is an architect, the chairperson of the  
38 architectural division shall be the ranking vice chairperson~~, and~~; when the chairperson of the  
39 board is a professional engineer, the chairperson of the professional engineering division shall  
40 be the ranking vice chairperson~~, and~~; when the chairperson of the board is a professional land  
41 surveyor, the chairperson of the professional land surveying division shall be the ranking vice  
42 chairperson~~, and~~; when the chairperson of the board is a professional landscape architect,  
43 the chairperson of the professional landscape architectural division shall be the ranking vice

44 chairperson; **and when the chairperson of the board is a licensed interior designer, the**  
45 **chairperson of the licensed interior design division shall be the ranking vice**  
46 **chairperson.** The chairperson of each division shall be the administrative and executive  
47 officer of his or her division, and it shall be his or her duty to supervise and expedite the work  
48 of the division, and, in case of a tie vote on any matter, the chairperson shall, at his or her  
49 election, break the tie by his or her vote. Every motion or question pending before the  
50 division upon which a tie exists shall be deemed lost, and so declared by the chairperson of  
51 the division, unless the chairperson shall elect to break such tie by his or her vote.

52       5. **(1)** Any person appointed to the board, except a public member, shall be a  
53 currently licensed architect, licensed professional engineer, licensed professional land  
54 surveyor ~~[or]~~, licensed professional landscape architect, **or licensed interior designer** in  
55 Missouri, as the vacancy on the board may require, who has been a resident of Missouri for at  
56 least five years, who has been engaged in active practice as an architect, professional  
57 engineer, professional land surveyor ~~[or]~~, professional landscape architect, **or licensed**  
58 **interior designer**, as the case may be, for at least ten consecutive years as a Missouri licensee  
59 immediately preceding such person's appointment, and who is and has been a citizen of the  
60 United States for at least five years immediately preceding such person's appointment.

61       **(2) (a)** Active service as a faculty member while holding the rank of assistant  
62 professor or higher in an accredited school of engineering shall be regarded as active practice  
63 of engineering, for the purposes of this chapter.

64       **(b)** Active service as a faculty member, after meeting the qualifications required by  
65 section 327.314, while holding the rank of assistant professor or higher in an accredited  
66 school of engineering and teaching land surveying courses shall be regarded as active practice  
67 of land surveying for the purposes of this chapter.

68       **(c)** Active service as a faculty member while holding the rank of assistant professor or  
69 higher in an accredited school of landscape architecture shall be regarded as active practice of  
70 landscape architecture, for the purposes of this chapter.

71       **(d)** Active service as a faculty member while holding the rank of assistant professor  
72 or higher in an accredited school of architecture shall be regarded as active practice of  
73 architecture for the purposes of this chapter; provided, however, that no faculty member of an  
74 accredited school of architecture shall be eligible for appointment to the board unless such  
75 person has had at least three years' experience in the active practice of architecture other than  
76 in teaching.

77       **(e)** **Active service as a faculty member while holding the rank of assistant**  
78 **professor or higher in an accredited school of interior design shall be regarded as active**  
79 **practice of licensed interior design for the purposes of this chapter, provided that no**  
80 **faculty member of an accredited school of interior design shall be eligible for**

81 **appointment to the board unless such person has had at least three years of experience**  
82 **in the active practice of licensed interior design other than in teaching.**

83 (3) The public member shall be, at the time of appointment, a citizen of the United  
84 States; a resident of this state for a period of one year and a registered voter; a person who is  
85 not and never was a member of any profession licensed or regulated pursuant to this chapter  
86 or the spouse of such person; and a person who does not have and never has had a material,  
87 financial interest in either the providing of the professional services regulated by this chapter,  
88 or an activity or organization directly related to any profession licensed or regulated pursuant  
89 to this chapter. All members, including public members, shall be chosen from lists submitted  
90 by the director of the division of professional registration. The duties of the public member  
91 shall not include the determination of the technical requirements to be met for licensure or  
92 whether any person meets such technical requirements or of the technical competence or  
93 technical judgment of a licensee or a candidate for licensure.

94 6. The governor shall appoint the chairperson and the other members of the board  
95 when a vacancy occurs either by the expiration of a term or otherwise, and each board  
96 member shall serve until such member's successor is appointed and has qualified. The  
97 position of chairperson shall rotate sequentially with an architect, then professional engineer,  
98 then professional land surveyor, **then licensed interior designer, and** then professional  
99 landscape architect, and shall be a licensee who has previously served as a member of the  
100 board. The appointment of the chairperson shall be for a term of four years which shall be  
101 deemed to have begun on the date of his or her appointment and shall end upon the  
102 appointment of the chairperson's successor. The chairperson shall not serve more than one  
103 term. All other appointments, except to fill an unexpired term, shall be for terms of four  
104 years; but no person shall serve on the board for more than two consecutive four-year terms,  
105 and each four-year term shall be deemed to have begun on the date of the expiration of the  
106 term of the board member who is being replaced or reappointed, as the case may be. Any  
107 appointment to the board which is made when the senate is not in session shall be submitted  
108 to the senate for its advice and consent at its next session following the date of the  
109 appointment.

110 7. In the event that a vacancy is to occur on the board because of the expiration of a  
111 term, then ninety days prior to the expiration, or as soon as feasible after a vacancy otherwise  
112 occurs, the president of the American Institute of Architects/Missouri if the vacancy to be  
113 filled requires the appointment of an architect, the president of the Missouri Society of  
114 Professional Engineers if the vacancy to be filled requires the appointment of a professional  
115 engineer, the president of the Missouri Society of Professional Surveyors if the vacancy to be  
116 filled requires the appointment of a professional land surveyor, ~~and~~ the president of the  
117 Missouri Association of Landscape Architects if the vacancy to be filled requires the

118 appointment of a professional landscape architect, **and the president or other chief**  
119 **executive of any Missouri chapter of the International Interior Design Association if the**  
120 **vacancy to be filled requires the appointment of a licensed interior designer**, shall submit  
121 to the director of the division of professional registration a list of five architects ~~[or]~~, five  
122 professional engineers, ~~[or]~~ five professional land surveyors, ~~[or]~~ five professional landscape  
123 architects, **or five licensed interior designers**, as the case may require, qualified and willing  
124 to fill the vacancy in question, with the recommendation that the governor appoint one of the  
125 five persons so listed; and with the list of names so submitted, the president **or other chief**  
126 **executive** of the appropriate organization shall include in a letter of transmittal a description  
127 of the method by which the names were chosen. This subsection shall not apply to public  
128 member vacancies.

129         8. The board may sue and be sued as the Missouri board for architects, professional  
130 engineers, professional land surveyors ~~and~~, professional landscape architects, **and licensed**  
131 **interior designers**, and its members need not be named as parties. Members of the board  
132 shall not be personally liable either jointly or severally for any act or acts committed in the  
133 performance of their official duties as board members, nor shall any board member be  
134 personally liable for any court costs which accrue in any action by or against the board.

135         9. **Upon appointment by the governor and confirmation by the senate of the two**  
136 **licensed interior designers to be first appointed to the interior design division of the**  
137 **board, the interior design council shall be abolished and all of its powers, duties, and**  
138 **responsibilities shall be transferred and imposed upon the board pursuant to this**  
139 **section. Every act performed by or under the authority of the board shall be deemed to**  
140 **have the same force and effect as if performed by the interior design council pursuant to**  
141 **the authority granted to the interior design council prior to August 28, 2026. All rules of**  
142 **the interior design council shall continue in effect and shall be deemed to be duly**  
143 **adopted by the board until such rules are revised, amended, or repealed by the board as**  
144 **provided by law, of which such action shall be taken by the board on or before January**  
145 **1, 2027.**

327.041. 1. The board shall have the duty and the power to carry out the purposes  
2 and to enforce and administer the provisions of this chapter, to require, by summons or  
3 subpoena, with the vote of two-thirds of the voting board members, the attendance and  
4 testimony of witnesses, and the production of drawings, plans, plats, specifications, books,  
5 papers or any document representing any matter under hearing or investigation, pertaining to  
6 the issuance, probation, suspension or revocation of certificates of registration or certificates  
7 of authority provided for in this chapter, or pertaining to the unlawful practice of architecture,  
8 professional engineering, professional land surveying ~~[or]~~, professional landscape  
9 architecture, **or licensed interior design.**

10           2. The board shall, within the scope and purview of the provisions of this chapter,  
11 prescribe the duties of its officers and employees and adopt, publish and enforce the rules and  
12 regulations of professional conduct which shall establish and maintain appropriate standards  
13 of competence and integrity in the professions of architecture, professional engineering,  
14 professional land surveying [~~and~~], professional landscape architecture, **and licensed interior**  
15 **design**, and adopt, publish and enforce procedural rules and regulations as may be considered  
16 by the board to be necessary or proper for the conduct of the board's business and the  
17 management of its affairs, and for the effective administration and interpretation of the  
18 provisions of this chapter. Any rule or portion of a rule, as that term is defined in section  
19 536.010, that is created under the authority delegated in this chapter shall become effective  
20 only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable,  
21 section 536.028. This section and chapter 536 are nonseverable and if any of the powers  
22 vested with the general assembly pursuant to chapter 536 to review, to delay the effective date  
23 or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of  
24 rulemaking authority and any rule proposed or adopted after August 28, 2001, shall be invalid  
25 and void.

26           3. Rules promulgated by the board pursuant to sections 327.272 to 327.635 shall be  
27 consistent with and shall not supersede the rules promulgated by the department of natural  
28 resources pursuant to chapter 60.

327.081. 1. All funds received pursuant to the provisions of this chapter shall be  
2 deposited in the state treasury to the credit of the "State Board for Architects, Professional  
3 Engineers, Professional Land Surveyors [~~and~~], Professional Landscape Architects, **and**  
4 **Licensed Interior Designers Fund**" which is hereby established. All expenditures authorized  
5 by this chapter shall be paid from funds appropriated to the board by the general assembly  
6 from this fund.

7           2. The provisions of section 33.080 to the contrary notwithstanding, money in this  
8 fund shall not be transferred and placed to the credit of general revenue until the amount in  
9 the fund at the end of the biennium exceeds two times the amount of the appropriation from  
10 the board's funds for the preceding fiscal year or, if the board requires by rule permit renewal  
11 less frequently than yearly, then three times the appropriation from the board's funds for the  
12 preceding fiscal year. The amount, if any, in the fund which shall lapse is that amount in the  
13 fund which exceeds the appropriate multiple of the appropriations from the board's funds for  
14 the preceding fiscal year.

15           **3. Upon appointment by the governor and confirmation by the senate of the two**  
16 **licensed interior designers to be first appointed to the interior design division of the**  
17 **board, all moneys in the interior designer council fund shall be transferred to the state**  
18 **board for architects, professional engineers, professional land surveyors, professional**

19 **landscape architects, and licensed interior designers fund. The interior designer council**  
20 **fund shall be abolished upon the transfer of all moneys in the fund to the state board for**  
21 **architects, professional engineers, professional land surveyors, professional landscape**  
22 **architects, and licensed interior designers fund.**

327.381. The board may license, in its discretion, any architect, professional engineer,  
2 professional land surveyor, or professional landscape architect **who is licensed, or any**  
3 **interior designer who is licensed, certified, or registered**, in another state or territory of the  
4 United States, province of Canada, or in another country, when such applicant has  
5 qualifications which are at least equivalent to the requirements for licensure as an architect,  
6 professional engineer, professional land surveyor, ~~or~~ professional landscape architect, **or**  
7 **licensed interior designer** in this state, and provided further that the board may establish by  
8 rule the conditions under which it shall require any such applicant to take any examination it  
9 considers necessary, and provided further that any such application is accompanied by the  
10 required fee.

327.411. 1. Each architect and each professional engineer and each professional land  
2 surveyor and each professional landscape architect **and each licensed interior designer** shall  
3 have a personal seal in a form prescribed by the board, and he or she shall affix the seal to all  
4 final technical submissions. Technical submissions shall include, but are not limited to,  
5 drawings, specifications, plats, surveys, exhibits, reports, and certifications of construction  
6 prepared by the licensee, or under such licensee's immediate personal supervision. Such  
7 licensee shall either prepare or personally supervise the preparation of all documents sealed  
8 by the licensee, and such licensee shall be held personally responsible for the contents of all  
9 such documents sealed by such licensee, whether prepared or drafted by another licensee or  
10 not.

11 2. The personal seal of an architect or professional engineer or professional land  
12 surveyor or professional landscape architect **or licensed interior designer** shall be the legal  
13 equivalent of the licensee's signature whenever and wherever used, and the owner of the seal  
14 shall be responsible for the architectural, engineering, land surveying, ~~or~~ landscape  
15 architectural, **or interior design** documents, as the case may be, when the licensee places his  
16 or her personal seal on such technical submissions to be used in connection with, any  
17 architectural or engineering project, survey, ~~or~~ landscape architectural project, **or interior**  
18 **alteration or construction project, as such term is defined in section 327.700.** Licensees  
19 shall undertake to perform architectural, professional engineering, professional land  
20 surveying ~~and~~, professional landscape architectural, **and licensed interior design**  
21 services only when they are qualified by education, training, and experience in the specific  
22 technical areas involved.

23           3. Notwithstanding any provision of this section, any architect, professional engineer,  
 24 professional land surveyor, ~~[or]~~ professional landscape architect, **or licensed interior**  
 25 **designer** may, but is not required to, attach a statement over his or her signature,  
 26 authenticated by his or her personal seal, specifying the particular technical submissions, or  
 27 portions thereof, intended to be authenticated by the seal, and disclaiming any responsibility  
 28 for all other technical submissions relating to or intended to be used for any part or parts of  
 29 the architectural or engineering project ~~[or]~~, survey ~~[or]~~, landscape architectural project, **or**  
 30 **interior alteration or construction project, as such term is defined in section 327.700.**

31           4. Nothing in this section, or any rule or regulation of the board shall require any  
 32 professional to seal preliminary or incomplete documents.

327.442. 1. At such time as the final trial proceedings are concluded whereby a  
 2 licensee, or any person who has failed to renew or has surrendered his or her certificate of  
 3 licensure or authority, has been **finally** adjudicated and found guilty, or has entered a plea of  
 4 guilty or nolo contendere, in a ~~[felony]~~ **criminal** prosecution pursuant to the laws of ~~[this]~~  
 5 **any** state, ~~[the laws of any other state, territory, or the laws]~~ of the United States ~~[of America],~~  
 6 **or of any country** for any offense ~~[reasonably]~~ **directly** related to the ~~[qualifications,~~  
 7 ~~functions, or]~~ duties ~~[of a licensee pursuant to this chapter or any felony offense, an essential~~  
 8 ~~element of which is fraud, dishonesty, or an act of violence, or for any felony offense~~  
 9 ~~involving moral turpitude,]~~ **and responsibilities of the occupation, as set forth in section**  
 10 **324.012, regardless of** whether or not sentence is imposed, the board for architects,  
 11 professional engineers, professional land surveyors ~~[and]~~, professional landscape architects,  
 12 **and licensed interior designers** may hold a disciplinary hearing to singly or in combination  
 13 censure or place the licensee named in the complaint on probation on such terms and  
 14 conditions as the board deems appropriate for a period not to exceed five years, or may  
 15 suspend, for a period not to exceed three years, or revoke the license or certificate.

16           2. Anyone who has been revoked or denied a license or certificate to practice in  
 17 another state may automatically be denied a license or certificate to practice in this state.  
 18 However, the board for architects, professional engineers, professional land surveyors ~~[and]~~,  
 19 professional landscape architects, **and licensed interior designers** may establish other  
 20 qualifications by which a person may ultimately be qualified and licensed to practice in  
 21 Missouri.

327.451. 1. Any person who believes that an architect or a professional engineer or a  
 2 professional land surveyor or a professional landscape architect **or a licensed interior**  
 3 **designer** has acted or failed to act so that his or her license or certificate of authority should,  
 4 pursuant to the provisions of this chapter, be suspended or revoked, or who believes that any  
 5 applicant for a license or certificate of authority pursuant to the provisions of this chapter is  
 6 not entitled to a license or a certificate of authority, may file a written affidavit with the

7 executive director of the board which the affiant shall sign and swear to and in which the  
8 affiant shall clearly set forth the reasons for the affiant's charge or charges that the license or  
9 certificate **of authority** of an architect or professional engineer or professional land surveyor  
10 or professional landscape architect **or licensed interior designer** should be suspended or  
11 revoked or not renewed or that a license or certificate **of authority** should not be issued to an  
12 applicant.

13         2. If the affidavit so filed does not contain statements of fact which if true would  
14 authorize, pursuant to the provisions of this chapter, suspension or revocation of the accused's  
15 license or certificate **of authority**, or does not contain statements of fact which if true would  
16 authorize, pursuant to the provisions of this chapter, the refusal of the renewal of an existing  
17 license or certificate **of authority** or the refusal of a license or certificate **of authority** to an  
18 applicant, the board shall either dismiss the charge or charges or, within its discretion, cause  
19 an investigation to be made of the charges contained in the affidavit, after which investigation  
20 the board shall either dismiss the charge or charges or proceed against the accused by written  
21 complaint as provided in subsection 3 of this section.

22         3. If the affidavit contains statements of fact which if true would authorize pursuant to  
23 the provisions of this chapter the revocation or suspension of an accused's license or  
24 certificate **of authority**, the board shall cause an investigation to be made of the charge or  
25 charges contained in the affidavit and unless the investigation discloses the falsity of the facts  
26 upon which the charge or charges in the affidavit are based, the board shall file with and in the  
27 administrative hearing commission a written complaint against the accused setting forth the  
28 cause or causes for which the accused's license or certificate of authority should be suspended  
29 or revoked. Thereafter, the board shall be governed by and shall proceed in accordance with  
30 the provisions of chapter 621.

31         4. If the charges contained in the affidavit filed with the board would constitute a  
32 cause or causes for which pursuant to the provisions of this chapter an accused's license or  
33 certificate of authority should not be renewed or a cause or causes for which pursuant to the  
34 provisions of this chapter a certificate should not be issued, the board shall cause an  
35 investigation to be made of the charge or charges and unless the investigation discloses the  
36 falsity of the facts upon which the charge or charges contained in the affidavit are based, the  
37 board shall refuse to permit an applicant to be examined upon the applicant's qualifications  
38 for licensure or shall refuse to issue or renew a license or certificate of authority, as the case  
39 may require.

40         5. The provisions of this section shall not be so construed as to prevent the board on  
41 its own initiative from instituting and conducting investigations and based thereon to make  
42 written complaints in and to the administrative hearing commission.

43           6. If for any reason the provisions of chapter 621 become inapplicable to the board,  
44 then, and in that event, the board shall proceed to charge, adjudicate and otherwise act in  
45 accordance with the provisions of chapter 536.

~~[324.400.]~~ **327.700.** As used in sections ~~[324.400 to 324.439]~~ **327.700 to 327.750**, the  
2 following terms mean:

3           (1) ~~["Council", the interior design council created in section 324.406;~~

4           ~~(2) "Division", the division of professional registration;~~

5           ~~(3) "Registered interior designer", a design professional who provides services  
6 including preparation of documents and specifications relative to nonload-bearing interior  
7 construction, furniture, finishes, fixtures and equipment and who meets the criteria of  
8 education, experience and examination as provided in sections 324.400 to 324.439]~~

9           **"Building equipment", any mechanical, plumbing, electrical, or structural components,  
10 including a conveyance, designed for or located in a building or structure;**

11           (2) **"Conveyance", an elevator, dumbwaiter, vertical reciprocating conveyor,  
12 escalator, or other motorized vertical transportation system;**

13           (3) **"Interior alteration or construction project", a project, including  
14 construction, modification, renovation, rehabilitation, or historic preservation, for an  
15 interior space or area within a proposed or existing building or structure that involves  
16 changing or altering:**

17           (a) **The design function or layout of a room; or**

18           (b) **The state of permanent fixtures or equipment;**

19           (4) **"Interior nonstructural element", an interior design element that does not  
20 require structural bracing and that is not load-bearing according to any applicable  
21 building codes;**

22           (5) **"Interior technical submission", the designs, drawings, and specifications  
23 that establish the scope of the interior alteration or construction project, the standard of  
24 quality for any materials, workmanship, equipment, and construction systems of an  
25 interior alteration or construction project, and the studies and other technical reports  
26 and calculations prepared in the course of the practice of licensed interior design;**

27           (6) **"Practice of licensed interior design", the design of interior spaces as a part  
28 of an interior alteration or construction project in conformity with public health, safety,  
29 and welfare requirements, including the preparation of documents relating to building  
30 code descriptions, project egress plans that require no increase in the capacity of exits in  
31 the space affected, space planning, and finish materials, and the preparation of  
32 documents and interior technical submissions relating to an interior alteration or  
33 construction project. The term "practice of licensed interior design":**

34           (a) **Shall include:**

- 35           **a. The programming, planning, pre-design analysis, and conceptual design of**  
36 **any interior nonstructural elements including, but not limited to, the selection of**  
37 **materials, except for building equipment;**
- 38           **b. The alteration or construction of any interior nonstructural elements and any**  
39 **interior technical submissions related to such alteration or construction;**
- 40           **c. The preparation of a physical plan of space within a proposed or existing**  
41 **building or structure, including:**
- 42               **(i) Determinations of circulation systems or patterns;**  
43               **(ii) Determinations of the location of exit requirements based on occupancy**  
44 **loads; and**
- 45               **(iii) Assessments and analyses of any interior safety factors to comply with**  
46 **applicable building codes related to interior nonstructural elements;**
- 47           **d. The rendering of designs, plans, drawings, specifications, contract documents,**  
48 **or other interior technical submissions; and**
- 49           **e. The administration of the construction of interior nonstructural elements and**  
50 **contracts relating to interior nonstructural elements in the interior alteration or**  
51 **construction of a proposed or existing building or structure; and**
- 52           **(b) Shall not include:**
- 53               **a. Services or work that constitute the practice of architecture, as provided in**  
54 **section 327.091, except as otherwise provided for in this chapter;**
- 55               **b. Services or work that constitute the practice of professional engineering, as**  
56 **provided in section 327.181;**
- 57               **c. Services or work that constitute the practice of professional land surveying, as**  
58 **provided in section 327.272;**
- 59               **d. Services or work that constitute the practice of professional landscape**  
60 **architecture, as defined in section 327.600;**
- 61               **e. Altering or affecting the structural system and seismic system of a building,**  
62 **including changing the building's live or dead load on the structural system;**
- 63               **f. Changes to the building envelope, including exterior walls, exterior wall**  
64 **coverings, exterior wall openings, exterior windows or doors, architectural trim,**  
65 **balconies and similar projections, bay or oriel windows, roof assemblies and rooftop**  
66 **structures, and glass and glazing for exterior use in both vertical, horizontal, and sloped**  
67 **applications in buildings and structures;**
- 68               **g. Altering or affecting the mechanical, plumbing, heating, air conditioning,**  
69 **ventilation, electrical, vertical transportation, fire sprinkler, or fire alarm systems, and**  
70 **any building elements, spaces, or areas that are for the purpose of containing such**  
71 **systems;**

- 72           **h. Changes beyond the exit access component of a means of egress system;**  
73           **i. Construction that materially affects any life safety systems pertaining to fire**  
74 **safety or fire protection of structural elements, smoke evacuation and**  
75 **compartmentalization systems, or fire-rated vertical shafts in multi-story structures;**  
76           **j. Changes to the existing use group for an occupancy;**  
77           **k. Changes to the construction classification of the building or structure**  
78 **according to any applicable building codes;**  
79           **l. Creating or modifying any atriums, floor openings, community spaces, or**  
80 **vertical openings; or**  
81           **m. Any person who renders services within the practice of licensed interior**  
82 **design in connection with the construction, remodeling, or repairing of any privately**  
83 **owned building described in item (i), (ii), or (iii) of this subparagraph, and who indicates**  
84 **on any drawings, specifications, estimates, reports, or other documents furnished in**  
85 **connection with the services within the practice of licensed interior design that the**  
86 **person is not a licensed interior designer:**  
87           **(i) A dwelling house;**  
88           **(ii) A multiple family dwelling house, flat, or apartment containing not more**  
89 **than two families; or**  
90           **(iii) Any one building or structure, except for those buildings or structures used**  
91 **exclusively for agricultural purposes, which provides for the employment, assembly,**  
92 **housing, sleeping, or eating of not more than nine persons, contains less than two**  
93 **thousand square feet, and is not part of another building or structure.**

[324.402.] **327.705.** The state or any county, municipality, or other political  
2 subdivision shall not require the use of a [~~registered~~] **licensed** interior designer for any  
3 residential building, residential remodeling, residential rehabilitation, or residential  
4 construction purposes.

[324.403.] **327.710. 1.** No person may use the name or title, [~~registered~~] **licensed**  
2 interior designer, in this state unless that person is [~~registered~~] **licensed** as required by  
3 sections [~~324.400 to 324.439~~] **327.700 to 327.750.**

4           **2. A licensed interior designer shall undertake to perform services within the**  
5 **practice of licensed interior design only when he or she is qualified by education,**  
6 **training, and experience in the specific technical areas involved.**

7           **3. Licensed interior designers shall be in responsible charge of interior design**  
8 **technical submissions that can affect the health, safety, and welfare of the public within**  
9 **their scope of practice. Licensed interior designers shall not take responsible charge**  
10 **over interior technical submissions prepared by another person unless the licensed**  
11 **interior designer reviewing such interior technical submissions actually exercises**

12 **personal supervision and direct control over the interior technical submissions.** Nothing  
13 in ~~[sections 324.400 to 324.439]~~ **this chapter** shall be construed as limiting or preventing the  
14 practice of a person's **interior design** profession or restricting a person from providing  
15 ~~[interior design]~~ services **within the practice of licensed interior design**, provided such  
16 person does not indicate to the public that such person is ~~[registered]~~ **licensed** as an interior  
17 designer pursuant to the provisions of sections ~~[324.400 to 324.439]~~ **327.700 to 327.750.**

18 **4. Nothing in this chapter shall be construed as in any way precluding an**  
19 **architect from performing any of the services included within the practice of licensed**  
20 **interior design.**

~~[324.409.]~~ **327.720.** 1. To be a ~~[registered]~~ **licensed** interior designer, a person:

2 (1) Shall take and pass or have passed the examination administered by the ~~[National]~~  
3 Council for Interior Design Qualification or an equivalent examination approved by the  
4 ~~[division]~~ **board**. In addition to proof of passage of the examination, the application shall  
5 provide substantial evidence to the ~~[division]~~ **board** that the applicant:

6 (a) Is a graduate of a five-year or four-year **accredited degree program from a**  
7 **school of interior design** ~~[program from an accredited institution]~~ and has completed at least  
8 two years of diversified and appropriate interior design experience; or

9 (b) ~~[Has completed at least three years of an interior design curriculum from an~~  
10 ~~accredited institution and has completed at least three years of diversified and appropriate~~  
11 ~~interior design experience; or~~

12 ~~(c)~~ (e) Is a graduate of a two-year **accredited degree program from a school of interior**  
13 **design** ~~[program from an accredited institution]~~ and has completed at least four years of  
14 diversified and appropriate interior design experience; or

15 (2) May qualify who is currently ~~[registered]~~ **licensed** pursuant to sections 327.091 to  
16 327.171, and section 327.401 pertaining to the practice of architecture ~~[and registered with~~  
17 ~~the division. Such applicant shall give authorization to the division in order to verify current~~  
18 ~~registration with sections 327.091 to 327.171 and section 327.401 pertaining to the practice of~~  
19 ~~architecture].~~

20 **2. An applicant whose curriculum or transcript has been approved by the board**  
21 **shall be exempt from the requirement to provide substantial evidence that the applicant**  
22 **meets the requirements of paragraph (a) or (b) of subdivision (1) of subsection 1 of this**  
23 **section.**

24 **3. The [division] board shall verify if an applicant has complied with the provisions**  
25 **of this section and has paid the required fees, then the [division] board shall recommend such**  
26 **applicant be [registered] licensed as a [registered] licensed interior designer by the [division]**  
27 **board.**

~~[324.415.]~~ **327.725.** Applications for ~~[registration]~~ **licensure** as a ~~[registered]~~ **licensed** interior designer shall be typewritten on forms prescribed by the ~~[division]~~ **board** and furnished to the applicant. The application shall contain the applicant's statements showing the applicant's education, experience, results of previous interior design certification, registration, or licensing examinations, if any, and such other pertinent information as the ~~[division]~~ **board** may require, or architect's **license or** registration number and such other pertinent information as the ~~[division]~~ **board** may require. Each application shall contain a statement that is made under oath or affirmation and that the representations are true and correct to the best knowledge and belief of the person signing the application. The person shall be subject to the penalties for making a false affidavit or declaration and shall be accompanied by the required fee.

~~[324.418.]~~ **327.730.** 1. The ~~[certificate of registration]~~ **license** issued biennially to a ~~[registered]~~ **licensed** interior designer pursuant to sections ~~[324.400 to 324.439]~~ **327.700 to 327.750** shall be renewed on or before the ~~[certificate]~~ **license** renewal date accompanied by the required fee. The ~~[certificate of registration]~~ **license** of a ~~[registered]~~ **licensed** interior designer which is not renewed within three months after the ~~[certificate]~~ **license** renewal date shall be suspended automatically, subject to the right of the holder to have the suspended ~~[certificate of registration]~~ **license** reinstated within nine months of the date of suspension if the person pays the required reinstatement fee. Any ~~[certificate of registration]~~ **license** suspended and not reinstated within nine months of the suspension date shall expire and be void and the holder of such ~~[certificate]~~ **license** shall have no rights or privileges provided to holders of valid ~~[certificates]~~ **licenses**. Any person whose ~~[certificate of registration]~~ **license** has expired may, upon demonstration of current qualifications and payment of required fees, be ~~[reregistered]~~ **relicensed** or reauthorized under the person's original ~~[certificate of registration]~~ **license** number.

2. Each application for the renewal or reinstatement of a ~~[registration]~~ **license** shall be on a form furnished to the applicant and shall be accompanied by the required fees ~~[and proof of current completion of at least one unit every two years of approved or verifiable continuing education in interior design or architecture, immediately prior to such renewal or reinstatement. Ten contact hours constitutes one continuing education unit. Five contact hours of teaching in interior design or architecture constitutes one continuing education unit. One college course credit in interior design or architecture constitutes one continuing education unit].~~

3. The board shall establish, by rule, continuing education requirements as a condition to renewing or reinstating the license of an interior designer that are substantially equivalent to the continuing education requirements for architects.

~~[324.427.]~~ **327.735.** It is unlawful for any person to advertise or indicate to the public  
 2 that the person is a ~~[registered]~~ **licensed** interior designer in this state, unless such person is  
 3 ~~[registered]~~ **licensed** as a ~~[registered]~~ **licensed** interior designer by the ~~[division]~~ **board** and is  
 4 in good standing pursuant to sections ~~[324.400 to 324.439]~~ **327.700 to 327.750.**

~~[324.430.]~~ **327.740.** No person may use the designation ~~[registered]~~ **licensed** interior  
 2 designer in Missouri, unless the ~~[division]~~ **board** has issued a current ~~[certificate of~~  
 3 ~~registration]~~ **license** certifying that the person has been duly ~~[registered]~~ **licensed** as a  
 4 ~~[registered]~~ **licensed** interior designer in Missouri and unless such ~~[registration]~~ **license** has  
 5 been renewed or reinstated as provided in section ~~[324.418]~~ **327.730.**

~~[324.433.]~~ **327.745.** The right to use the title of ~~[registered]~~ **licensed** interior designer  
 2 shall be deemed a personal right, based upon the qualifications of the individual, evidenced  
 3 by the person's current ~~[certificate of registration]~~ **license** and such ~~[certificate]~~ **license** is not  
 4 transferable; except that, a ~~[registered]~~ **licensed** interior designer may perform the ~~[interior~~  
 5 ~~designer's profession]~~ **practice of licensed interior design** through, or as a member of, or as  
 6 an employee of, a partnership or corporation.

~~[324.439.]~~ **327.750.** ~~[After twenty four months after August 28, 1998,]~~ Any person  
 2 who violates any provision of sections ~~[324.400 to 324.439]~~ **327.700 to 327.750** shall be  
 3 guilty of a class A misdemeanor.

537.033. 1. As used in this section, unless the context clearly indicates otherwise, the  
 2 following words and terms shall have the meanings indicated:

3 (1) "Design professional", an architect, landscape architect, professional land  
 4 surveyor, ~~[or]~~ professional engineer, **or licensed interior designer** licensed under the  
 5 provisions of chapter 327 or any corporation authorized to practice architecture, landscape  
 6 architecture, land surveying, or engineering under section 327.401 while acting within their  
 7 scope of practice;

8 (2) "Lessons learned", internal meetings, classes, publications in any medium,  
 9 presentations, lectures, or other means of teaching and communicating after substantial  
 10 completion of the project which are conducted solely and exclusively by and with the  
 11 employees, partners, and coworkers of the design professional who prepared the project's  
 12 design for the purpose of learning best practices and reducing errors and omissions in design  
 13 documents and procedures. Lessons learned shall not include presentations, lectures,  
 14 teaching, or communication made to or by third parties who are not employees, partners, and  
 15 coworkers of the design professional whose work is being evaluated and discussed;

16 (3) "Peer review process", a process through which design professionals evaluate,  
 17 maintain, or monitor the quality and utilization of architectural, landscape architectural, land  
 18 surveying, ~~[or]~~ engineering, **or interior design** services, prepare internal lessons learned, or  
 19 exercise any combination of such responsibilities;

20 (4) "Substantial completion", the construction of the project covered by the design  
21 professional's design documents has reached substantial completion, as that term is defined in  
22 section 436.327.

23 2. A peer review process shall only be performed by a design professional licensed in  
24 any jurisdiction in the United States in the same profession as would be required under  
25 chapter 327 to prepare the design documents being reviewed, or in a case requiring multiple  
26 professions, by a person or persons holding the proper licenses. A peer review process may  
27 be performed by one or more design professionals appointed by the partners, shareholders,  
28 board of directors, chief executive officer, quality control director, or employed design  
29 professionals of a partnership or of a corporation authorized under section 327.401 to practice  
30 architecture, landscape architecture, land surveying, or engineering, or by the owner of a sole  
31 proprietorship engaged in one or more of such professions. Any individual identified in this  
32 subsection and performing a peer review shall be deemed a peer reviewer.

33 3. Each peer reviewer described in this subsection shall be immune from civil liability  
34 for such acts so long as the acts are performed in good faith, without malice, and are  
35 reasonably related to the scope of inquiry of the peer review process. The immunity in this  
36 subsection is intended to cover only outside peer reviews by a third-party design professional  
37 who is not an employee, coworker, or partner of the design professional whose design is  
38 being peer reviewed before substantial completion of the project and who has no other role in  
39 the project besides performing the peer review.

40 4. This section does not provide immunity to any in-house peer reviewer when  
41 performed by employees, coworkers, or partners of the design professional who prepares the  
42 design, nor are any such documents or peer review comments, other than lessons learned,  
43 inadmissible into evidence in any judicial or administrative action.

44 5. Except for documents related to lessons learned, the interviews, memoranda,  
45 proceedings, findings, deliberations, reports, and minutes of the peer review process, or the  
46 existence of the same, concerning the professional services provided to a client or member of  
47 the public are subject to discovery, subpoena, or other means of legal compulsion for their  
48 release to any person or entity and shall be admissible into evidence in any judicial or  
49 administrative action for failure to provide appropriate architectural, landscape architectural,  
50 land surveying, ~~or~~ engineering, **or interior design** services, subject to applicable rules of  
51 the court or tribunal. Except as otherwise provided in this section, no person who was in  
52 attendance at, or participated in, any lessons learned process or proceedings shall be permitted  
53 or required to disclose any information acquired in connection with or in the course of such  
54 proceeding, or to disclose any opinion, recommendation, or evaluation made in a lessons  
55 learned process or proceeding; provided, however, that information otherwise discoverable or  
56 admissible from original sources is not to be construed as immune from discovery or use in

57 any proceeding merely because it was presented during a lessons learned process or  
 58 proceeding nor is a member, employee, or agent involved in any such process or proceeding,  
 59 or other person appearing before a peer reviewer, to be prevented from testifying as to matters  
 60 within his or her personal knowledge and in accordance with the other provisions of this  
 61 section, but such witness cannot be questioned about a lessons learned process or proceeding  
 62 or about opinions formed as a result of such process or proceeding. The disclosure of any  
 63 memoranda, proceedings, reports, or minutes of a lessons learned proceeding to any person or  
 64 entity, including but not limited to governmental agencies, professional accrediting agencies,  
 65 or other design professionals, whether proper or improper, shall not waive or have any effect  
 66 upon its confidentiality, nondiscoverability, or nonadmissibility.

67 6. Nothing in this section shall limit authority otherwise provided by law of the  
 68 Missouri board for architects, professional engineers, professional land surveyors, ~~and~~  
 69 **professional landscape architects, and licensed interior designers** to obtain information by  
 70 subpoena or other authorized process from a peer reviewer or to require disclosure of  
 71 otherwise confidential information relating to matters and investigations within the  
 72 jurisdiction of such licensing board.

621.045. 1. The administrative hearing commission shall conduct hearings and make  
 2 findings of fact and conclusions of law in those cases when, under the law, a license issued by  
 3 any of the following agencies may be revoked or suspended or when the licensee may be  
 4 placed on probation or when an agency refuses to permit an applicant to be examined upon  
 5 his or her qualifications or refuses to issue or renew a license of an applicant who has passed  
 6 an examination for licensure or who possesses the qualifications for licensure without  
 7 examination:

8 Missouri State Board of Accountancy  
 9 Missouri State Board for Architects, Professional Engineers, Professional Land  
 10 Surveyors ~~and~~, **Professional Landscape Architects, and Licensed Interior Designers**  
 11 Board of Barber Examiners  
 12 Board of Cosmetology  
 13 Board of Chiropody and Podiatry  
 14 Board of Chiropractic Examiners  
 15 Missouri Dental Board  
 16 Board of Embalmers and Funeral Directors  
 17 Board of Registration for the Healing Arts  
 18 Board of Nursing  
 19 Board of Optometry  
 20 Board of Pharmacy  
 21 Missouri Real Estate Commission

22 Missouri Veterinary Medical Board  
23 Supervisor of Liquor Control  
24 Department of Health and Senior Services  
25 Department of Commerce and Insurance  
26 Department of Mental Health  
27 Board of Private Investigator Examiners.

28 2. If in the future there are created by law any new or additional administrative  
29 agencies which have the power to issue, revoke, suspend, or place on probation any license,  
30 then those agencies are under the provisions of this law.

31 3. The administrative hearing commission is authorized to conduct hearings and make  
32 findings of fact and conclusions of law in those cases brought by the Missouri state board for  
33 architects, professional engineers, professional land surveyors ~~and~~, **professional** landscape  
34 architects, **and licensed interior designers** against unlicensed persons under section 327.076.

35 4. Notwithstanding any other provision of this section to the contrary, after August  
36 28, 1995, in order to encourage settlement of disputes between any agency described in  
37 subsection 1 or 2 of this section and its licensees, any such agency shall:

38 (1) Provide the licensee with a written description of the specific conduct for which  
39 discipline is sought and a citation to the law and rules allegedly violated, together with copies  
40 of any documents which are the basis thereof and the agency's initial settlement offer, or file a  
41 contested case against the licensee;

42 (2) If no contested case has been filed against the licensee, allow the licensee at least  
43 sixty days, from the date of mailing, to consider the agency's initial settlement offer and to  
44 contact the agency to discuss the terms of such settlement offer;

45 (3) If no contested case has been filed against the licensee, advise the licensee that the  
46 licensee may, either at the time the settlement agreement is signed by all parties, or within  
47 fifteen days thereafter, submit the agreement to the administrative hearing commission for  
48 determination that the facts agreed to by the parties to the settlement constitute grounds for  
49 denying or disciplining the license of the licensee; and

50 (4) In any contact under this subsection by the agency or its counsel with a licensee  
51 who is not represented by counsel, advise the licensee that the licensee has the right to consult  
52 an attorney at the licensee's own expense.

53 5. If the licensee desires review by the administrative hearing commission under  
54 subdivision (3) of subsection 4 of this section at any time prior to the settlement becoming  
55 final, the licensee may rescind and withdraw from the settlement and any admissions of fact  
56 or law in the agreement shall be deemed withdrawn and not admissible for any purposes  
57 under the law against the licensee. Any settlement submitted to the administrative hearing  
58 commission shall not be effective and final unless and until findings of fact and conclusions

59 of law are entered by the administrative hearing commission that the facts agreed to by the  
60 parties to the settlement constitute grounds for denying or disciplining the license of the  
61 licensee.

62 6. When a holder of a license, registration, permit, or certificate of authority issued by  
63 the division of professional registration or a board, commission, or committee of the division  
64 of professional registration against whom an affirmative decision is sought has failed to plead  
65 or otherwise respond in the contested case and adequate notice has been given under sections  
66 536.067 and 621.100 upon a properly pled writing filed to initiate the contested case under  
67 this chapter or chapter 536, a default decision shall be entered against the licensee without  
68 further proceedings. The default decision shall grant such relief as requested by the division  
69 of professional registration, board, committee, commission, or office in the writing initiating  
70 the contested case as allowed by law. Upon motion stating facts constituting a meritorious  
71 defense and for good cause shown, a default decision may be set aside. The motion shall be  
72 made within a reasonable time, not to exceed thirty days after entry of the default decision.  
73 "Good cause" includes a mistake or conduct that is not intentionally or recklessly designed to  
74 impede the administrative process.

2 ~~[324.406. 1. There is hereby created within the division of~~  
3 ~~professional registration a council to be known as the "Interior Design~~  
4 ~~Council". The council shall consist of four interior designers and one public~~  
5 ~~member appointed by the director of the division. The director shall give due~~  
6 ~~consideration to the recommendations by state organizations of the interior~~  
7 ~~design profession for the appointment of the interior design members to the~~  
8 ~~council. Council members shall be appointed to serve a term of four years;~~  
9 ~~except that of the members first appointed, one interior design member and the~~  
10 ~~public member shall be appointed for terms of four years, one member shall be~~  
11 ~~appointed for a term of three years, one member shall be appointed for a term~~  
12 ~~of two years and one member shall be appointed for a term of one year. No~~  
13 ~~member of the council shall serve more than two terms.~~

14 ~~2. Each council member, other than the public member, shall be a~~  
15 ~~citizen of the United States, a resident of the state of Missouri for at least one~~  
16 ~~year, meet the qualifications for professional registration, practice interior~~  
17 ~~design as the person's principal livelihood and, except for the first members~~  
18 ~~appointed, be registered pursuant to sections 324.400 to 324.439 as an interior~~  
19 ~~designer.~~

20 ~~3. The public member shall be, at the time of such person's~~  
21 ~~appointment, a citizen of the United States, a registered voter, a person who is~~  
22 ~~not and never was a member of the profession regulated by sections 324.400 to~~  
23 ~~324.439 or the spouse of such a person and a person who does not have and~~  
24 ~~never has had a material financial interest in the providing of the professional~~  
25 ~~services regulated by sections 324.400 to 324.439. The duties of the public~~  
26 ~~member shall not include the determination of the technical requirements for~~  
~~the registration of persons as interior designers.~~

27                   4. ~~The provisions of section 324.028 pertaining to members of certain~~  
 28 ~~state boards and commissions shall apply to all members of the council.~~

29                   5. ~~Members of the council may be removed from office for cause.~~  
 30 ~~Upon the death, resignation or removal from office of any member of the~~  
 31 ~~council, the appointment to fill the vacancy shall be for the unexpired portion~~  
 32 ~~of the term so vacated and shall be filled in the same manner as the first~~  
 33 ~~appointment and due notice be given to the state organizations of the interior~~  
 34 ~~design profession prior to the appointment.~~

35                   6. ~~Each member of the council may receive as compensation an~~  
 36 ~~amount set by the division not to exceed fifty dollars per day and shall be~~  
 37 ~~reimbursed for the member's reasonable and necessary expenses incurred in~~  
 38 ~~the official performance of the member's duties as a member of the council.~~  
 39 ~~The director shall establish by rule guidelines for payment.~~

40                   7. ~~The council shall meet at least twice each year and guide, advise,~~  
 41 ~~and make recommendations to the division on matters within the scope of~~  
 42 ~~sections 324.400 to 324.439. The organization of the council shall be~~  
 43 ~~established by the members of the council.]~~

~~[324.412. The division shall:~~

2                   ~~(1) Employ, within the limits of the appropriations for that purpose,~~  
 3 ~~such employees as are necessary to carry out the provisions of sections~~  
 4 ~~324.400 to 324.439;~~

5                   ~~(2) Exercise all budgeting, purchasing, reporting and other related~~  
 6 ~~management functions;~~

7                   ~~(3) Recommend prosecution for violations of sections 324.400 to~~  
 8 ~~324.439 to the appropriate prosecuting or circuit attorney;~~

9                   ~~(4) Promulgate such rules and regulations as are necessary to~~  
 10 ~~administer the provisions of sections 324.400 to 324.439. Any rule or portion~~  
 11 ~~of a rule, as that term is defined in section 536.010, that is promulgated to~~  
 12 ~~administer and enforce sections 324.400 to 324.439, shall become effective~~  
 13 ~~only if the agency has fully complied with all of the requirements of chapter~~  
 14 ~~536, including but not limited to, section 536.028, if applicable, after August~~  
 15 ~~28, 1998. If the provisions of section 536.028 apply, the provisions of this~~  
 16 ~~section are nonseverable and if any of the powers vested with the general~~  
 17 ~~assembly pursuant to section 536.028 to review, to delay the effective date, or~~  
 18 ~~to disapprove and annul a rule or portion of a rule are held unconstitutional or~~  
 19 ~~invalid, the purported grant of rulemaking authority and any rule so proposed~~  
 20 ~~and contained in the order of rulemaking shall be invalid and void, except that~~  
 21 ~~nothing in this section shall affect the validity of any rule adopted and~~  
 22 ~~promulgated prior to August 28, 1998.]~~

2                   ~~[324.421. The division shall register without examination any interior~~  
 3 ~~designer certified, licensed or registered in a foreign country if the applicant~~  
 4 ~~has qualifications which are at least equivalent to the requirements for~~  
 5 ~~registration as a registered interior designer in this state and such applicant~~  
~~pays the required fees.]~~

2 ~~[324.424. 1. The division shall set the amount of the fees authorized~~  
3 ~~by sections 324.400 to 324.439 by rules and regulations. The fees shall be set~~  
4 ~~at a level to produce revenue which shall not substantially exceed the cost and~~  
5 ~~expense of administering sections 324.400 to 324.439. All fees required~~  
6 ~~pursuant to sections 324.400 to 324.439 shall be paid to and collected by the~~  
7 ~~division of professional registration and transmitted to the department of~~  
8 ~~revenue for deposit in the state treasury to the credit of the "Interior Designer~~  
9 ~~Council Fund", which is hereby created.~~

10 ~~2. Notwithstanding the provisions of section 33.080 to the contrary,~~  
11 ~~money in the fund shall not be transferred and placed to the credit of general~~  
12 ~~revenue until the amount in the fund at the end of the biennium exceeds three~~  
13 ~~times the amount of the appropriation to the council for the preceding fiscal~~  
14 ~~year. The amount, if any, in the fund which shall lapse is the amount in the~~  
15 ~~fund which exceeds the appropriate multiple of the appropriations to the~~  
~~council for the preceding fiscal year.]~~

2 ~~[324.436. 1. The division may refuse to issue any certificate required~~  
3 ~~pursuant to sections 324.400 to 324.439, or renew or reinstate any such~~  
4 ~~certificate, for any one or any combination of the reasons stated in subsection 2~~  
5 ~~of this section. The division shall notify the applicant in writing of the reasons~~  
6 ~~for the refusal and shall advise the applicant of the person's right to file a~~  
7 ~~complaint with the administrative hearing commission as provided in chapter~~  
8 ~~621.~~

9 ~~2. The division may cause a complaint to be filed with the~~  
10 ~~administrative hearing commission as provided by chapter 621 against any~~  
11 ~~holder of a certificate of registration required by sections 324.400 to 324.439~~  
12 ~~or any person who has failed to renew or has surrendered the person's~~  
13 ~~certificate of registration for any one or combination of the following reasons:~~

14 ~~(1) The person has been finally adjudicated and found guilty, or~~  
15 ~~entered a plea of guilty or nolo contendere, in a criminal prosecution under the~~  
16 ~~laws of any state or of the United States, or of any country, for any offense~~  
17 ~~directly related to the duties and responsibilities of the occupation, as set forth~~  
18 ~~in section 324.012, regardless of whether or not sentence is imposed;~~

19 ~~(2) Use of fraud, deception, misrepresentation or bribery in securing~~  
20 ~~any certificate of registration issued pursuant to sections 324.400 to 324.439 or~~  
21 ~~in obtaining permission to take any examination given or required pursuant to~~  
22 ~~sections 324.400 to 324.439;~~

23 ~~(3) Obtaining or attempting to obtain any fee, charge, tuition or other~~  
24 ~~compensation by fraud, deception or misrepresentation;~~

25 ~~(4) Incompetency, misconduct, gross negligence, fraud,~~  
26 ~~misrepresentation or dishonesty in the performance of the functions or~~  
27 ~~duties of the profession regulated by sections 324.400 to 324.439;~~

28 ~~(5) Violation of, or assisting or enabling any person to violate, any~~  
29 ~~provision of sections 324.400 to 324.439, or of any lawful rule or regulation~~  
30 ~~adopted pursuant to such sections;~~

31 ~~(6) Impersonation of any person holding a certificate of registration or~~  
32 ~~authority, permit or license or allowing any person to use the person's~~  
~~certificate or diploma from any school;~~

33                   (7) ~~Disciplinary action against the holder of a certificate of registration~~  
34 ~~or other right to perform the profession regulated by sections 324.400 to~~  
35 ~~324.439 granted by another state, territory, federal agency or country upon~~  
36 ~~grounds for which revocation or suspension is authorized in this state;~~  
37                   (8) ~~A person is finally adjudged insane or incompetent by a court of~~  
38 ~~competent jurisdiction;~~  
39                   (9) ~~Issuance of a certificate of registration based upon a material~~  
40 ~~mistake of fact;~~  
41                   (10) ~~Use of any advertisement or solicitation which is false,~~  
42 ~~misleading or deceptive to the general public or persons to whom the~~  
43 ~~advertisement or solicitation is primarily directed, as it relates to the interior~~  
44 ~~design profession.~~  
45                   3. ~~After the filing of a complaint pursuant to subsection 2 of this~~  
46 ~~section, the proceedings shall be conducted in accordance with the provisions~~  
47 ~~of chapter 536 and chapter 621. Upon a finding by the administrative hearing~~  
48 ~~commission that the grounds, provided in subsection 2 of this section, for~~  
49 ~~disciplinary action are met, the division shall censure or place the person~~  
50 ~~named in the complaint on probation for a period not to exceed five years or~~  
51 ~~may suspend the person's certificate for a period not to exceed three years or~~  
52 ~~may revoke the person's certificate of registration.]~~

Section B. The repeal of sections 324.406 and 324.424 shall become effective upon  
2 notification to the revisor from the director of the division of professional registration of the  
3 department of commerce and insurance of the appointment and confirmation of two members  
4 to the interior design division of the Missouri board for architects, professional engineers,  
5 professional land surveyors, professional landscape architects, and licensed interior designers.

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