



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB3094

Introduced 2/8/2010, by Sen. Kimberly A. Lightford

SYNOPSIS AS INTRODUCED:

225 ILCS 310/2	from Ch. 111, par. 8202
225 ILCS 310/3	from Ch. 111, par. 8203
225 ILCS 310/4	from Ch. 111, par. 8204
225 ILCS 310/4.5	
225 ILCS 310/5	from Ch. 111, par. 8205
225 ILCS 310/6	from Ch. 111, par. 8206
225 ILCS 310/8	from Ch. 111, par. 8208
225 ILCS 310/9	from Ch. 111, par. 8209
225 ILCS 310/10	from Ch. 111, par. 8210
225 ILCS 310/13	from Ch. 111, par. 8213
225 ILCS 310/24	from Ch. 111, par. 8224
225 ILCS 310/25	from Ch. 111, par. 8225
225 ILCS 310/26	from Ch. 111, par. 8226
225 ILCS 310/31	from Ch. 111, par. 8231

Amends the Interior Design Title Act. Removes requirement that residential interior designers be registered under the Act. Provides that the 2 additional Board members who are registered residential interior designers on the effective date of the amendatory Act shall serve out the full length of their current terms. Also makes technical changes. Effective immediately.

LRB096 20039 ASK 35542 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning professional regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Interior Design Title Act is amended by
5 changing Sections 2, 3, 4, 4.5, 5, 6, 8, 9, 10, 13, 24, 25, 26,
6 and 31 as follows:

7 (225 ILCS 310/2) (from Ch. 111, par. 8202)

8 (Section scheduled to be repealed on January 1, 2012)

9 Sec. 2. Public policy. Interior design in the State of
10 Illinois is hereby declared to affect the public health,
11 safety, and welfare and to be subject to regulation and control
12 in the public interest. ~~It is further declared to be of public~~
13 ~~interest to recognize and define the separate discipline of~~
14 ~~residential interior design.~~ It is further declared to be a
15 matter of public interest and concern that the interior design
16 ~~and residential interior design~~ professions merit and receive
17 the confidence of the public and that only qualified persons be
18 permitted to use the title of registered interior designer ~~or~~
19 ~~registered residential interior designer~~ in the State of
20 Illinois. This Act shall be liberally construed to carry out
21 these objectives and purposes.

22 (Source: P.A. 95-1023, eff. 6-1-09.)

1 (225 ILCS 310/3) (from Ch. 111, par. 8203)

2 (Section scheduled to be repealed on January 1, 2012)

3 Sec. 3. Definitions. As used in this Act:

4 "Department" means the Department of Financial and
5 Professional Regulation.

6 "Secretary" means the Secretary of Financial and
7 Professional Regulation.

8 "Board" means the Board of Registered Interior Design
9 Professionals established under Section 6 of this Act.

10 "Public member" means a person who is not an interior
11 designer, educator in the field, architect, structural
12 engineer, or professional engineer. For purposes of board
13 membership, any person with a significant financial interest in
14 the design or construction service or profession is not a
15 public member.

16 "Registered interior designer" means a person who has
17 received registration under Section 8 of this Act.

18 ~~"Registered residential interior designer" means a person~~
19 ~~who is registered under this Act to provide design services for~~
20 ~~single family private dwellings, including single family~~
21 ~~private residences or dwellings within a multiple residence,~~
22 ~~excluding the common areas.~~

23 ~~"Family" means one or more persons who are living together~~
24 ~~in a single dwelling and maintaining a common household.~~

25 ~~"Multiple residence" means a building containing 2 or more~~
26 ~~living units with independent cooking and bathroom facilities~~

1 ~~whether designated as an apartment house, condominium, co-op,~~
2 ~~tenement, or garden apartment, or called by any other name.~~

3 ~~"Common area" means an area that is held out for use by all~~
4 ~~tenants and owners in a multiple residence including but not~~
5 ~~limited to a lobby, elevator, hallway, laundry room, swimming~~
6 ~~pool, storage room, or recreation area.~~

7 "The profession of interior design", within the meaning and
8 intent of this Act, refers to persons qualified by education,
9 experience, and examination, who administer contracts for
10 fabrication, procurement, or installation in the
11 implementation of designs, drawings, and specifications for
12 any interior design project and offer or furnish professional
13 services, such as consultations, studies, drawings, and
14 specifications in connection with the location of lighting
15 fixtures, lamps and specifications of ceiling finishes as shown
16 in reflected ceiling plans, space planning, furnishings, or the
17 fabrication of non-loadbearing structural elements within and
18 surrounding interior spaces of buildings but specifically
19 excluding mechanical and electrical systems, except for
20 specifications of fixtures and their location within interior
21 spaces.

22 A person represents himself or herself to be a "registered
23 interior designer" within the meaning of this Act if he or she
24 holds himself or herself out to the public by any title
25 incorporating the words "registered interior designer" or any
26 title that includes the words "registered interior design". A

1 ~~person represents himself or herself to be a "registered~~
2 ~~residential interior designer" within the meaning of this Act~~
3 ~~if he or she holds himself or herself out to the public by any~~
4 ~~title incorporating the words "registered residential interior~~
5 ~~designer" or any title that includes the words "registered~~
6 ~~residential interior design".~~

7 (Source: P.A. 95-1023, eff. 6-1-09.)

8 (225 ILCS 310/4) (from Ch. 111, par. 8204)

9 (Section scheduled to be repealed on January 1, 2012)

10 Sec. 4. Title; application of Act.

11 (a) No individual shall, without a valid registration as an
12 interior designer issued by the Department, in any manner hold
13 himself or herself out to the public as a registered interior
14 designer or attach the title "registered interior designer" or
15 any other name or designation which would in any way imply that
16 he or she is able to use the title "registered interior
17 designer" as defined in this Act. ~~No individual shall, without~~
18 ~~a valid registration as a registered residential interior~~
19 ~~designer issued by the Department, in any manner hold himself~~
20 ~~or herself out to the public as a registered residential~~
21 ~~interior designer, or use the title "registered residential~~
22 ~~interior designer" or any name or designation that would in any~~
23 ~~way imply that he or she is able to use the title "registered~~
24 ~~residential interior designer" as defined in this Act.~~

25 (a-5) Nothing in this Act shall be construed as preventing

1 or restricting the services offered or advertised by an
2 interior designer who is registered under this Act.

3 (b) Nothing in this Act shall prevent the employment, by a
4 registered interior designer ~~or registered residential~~
5 ~~interior designer,~~ association, partnership, or a corporation
6 furnishing interior design ~~or residential interior design~~
7 services for remuneration, of persons not registered as
8 interior designers ~~or residential interior designers~~ to
9 perform services in various capacities as needed, provided that
10 the persons do not represent themselves as, or use the title
11 of, "registered interior designer" ~~or "registered residential~~
12 ~~interior designer"~~.

13 (c) Nothing in this Act shall be construed to limit the
14 activities and use of the title "interior designer" ~~or~~
15 ~~"residential interior designer"~~ on the part of a person not
16 registered under this Act who is a graduate of an interior
17 design program and a full-time employee of a duly chartered
18 institution of higher education insofar as such person engages
19 in public speaking, with or without remuneration, provided that
20 such person does not represent himself or herself to be an
21 interior designer or use the title "registered interior
22 designer" ~~or "registered residential interior designer"~~.

23 (d) Nothing contained in this Act shall restrict any person
24 not registered under this Act from carrying out any of the
25 activities listed in the definition of "the profession of
26 interior design" in Section 3 if such person does not represent

1 himself or herself or his or her services in any manner
2 prohibited by this Act.

3 (e) Nothing in this Act shall be construed as preventing or
4 restricting the practice, services, or activities of any person
5 licensed in this State under any other law from engaging in the
6 profession or occupation for which he or she is licensed.

7 (f) Nothing in this Act shall be construed as preventing or
8 restricting the practice, services, or activities of engineers
9 licensed under the Professional Engineering Practice Act of
10 1989 or the Structural Engineering Practice Act of 1989;
11 architects licensed pursuant to the Illinois Architectural
12 Practice Act of 1989; any interior decorator or individual
13 offering interior decorating services including, but not
14 limited to, the selection of surface materials, window
15 treatments, wall coverings, furniture, accessories, paint,
16 floor coverings, and lighting fixtures; or builders, home
17 furnishings salespersons, and similar purveyors of goods and
18 services relating to homemaking.

19 (g) Nothing in this Act or any other Act shall prevent a
20 licensed architect from practicing interior design services.
21 Nothing in this Act shall be construed as requiring the
22 services of a registered interior designer ~~or registered~~
23 ~~residential interior designer~~ for the interior designing of a
24 single family residence.

25 (h) Nothing in this Act shall authorize registered interior
26 designers ~~or registered residential interior designers~~ to

1 perform services, including life safety services that they are
2 prohibited from performing, or any practice (i) that is
3 restricted in the Illinois Architecture Practice Act of 1989,
4 the Professional Engineering Practice Act of 1989, or the
5 Structural Engineering Practice Act of 1989, or (ii) that they
6 are not authorized to perform under the Environmental Barriers
7 Act.

8 (Source: P.A. 95-1023, eff. 6-1-09.)

9 (225 ILCS 310/4.5)

10 (Section scheduled to be repealed on January 1, 2012)

11 Sec. 4.5. Unregistered practice; violation; civil penalty.

12 (a) Any person who holds himself or herself out to be a
13 registered interior designer without being registered under
14 this Act shall, in addition to any other penalty provided by
15 law, pay a civil penalty to the Department in an amount not to
16 exceed \$5,000 for each offense as determined by the Department.
17 The civil penalty shall be assessed by the Department after a
18 hearing is held in accordance with the provisions set forth in
19 this Act regarding the provision of a hearing for the
20 discipline of a licensee.

21 (b) The Department has the authority and power to
22 investigate any illegal use of the title of registered interior
23 designer ~~or registered residential interior designer.~~

24 (c) The civil penalty shall be paid within 60 days after
25 the effective date of the order imposing the civil penalty. The

1 order shall constitute a judgment and may be filed and
2 execution had thereon in the same manner as any judgment from
3 any court of record.

4 (Source: P.A. 95-1023, eff. 6-1-09.)

5 (225 ILCS 310/5) (from Ch. 111, par. 8205)

6 (Section scheduled to be repealed on January 1, 2012)

7 Sec. 5. Powers and duties of the Department. Subject to the
8 provisions of this Act, the Department shall exercise the
9 following functions, powers, and duties:

10 (a) To conduct or authorize examinations to ascertain the
11 fitness and qualifications of applicants for registration and
12 issue certificates of registration to those who are found to be
13 fit and qualified.

14 (b) To prescribe rules and regulations for a method of
15 examination of candidates. The Department shall designate as
16 its examination for registered interior designers the National
17 Council for Interior Design Qualification examination. ~~The~~
18 ~~Department shall designate as its examination for registered~~
19 ~~residential interior designers the Council for Qualification~~
20 ~~of Residential Interior Designers Examination.~~

21 (c) To adopt as its own rules relating to education
22 requirements, those guidelines published from time to time by
23 the Foundation for Interior Design Education Research or its
24 equivalent.

25 (d) To conduct hearings on proceedings to revoke, suspend,

1 or refuse to issue certificates of registration.

2 (e) To promulgate rules and regulations required for the
3 administration of this Act.

4 (Source: P.A. 95-1023, eff. 6-1-09.)

5 (225 ILCS 310/6) (from Ch. 111, par. 8206)

6 (Section scheduled to be repealed on January 1, 2012)

7 Sec. 6. Board of Registered Interior Design Professionals.

8 There is created a Board of Registered Interior Design
9 Professionals to be composed of persons designated from time to
10 time by the Director, as follows:

11 (a) For the first year, 5 persons, 4 of whom have been
12 interior designers for a period of 5 years or more who would
13 qualify upon application to the Department under this Act to be
14 registered interior designers, and one public member. After the
15 initial appointments, each interior design member shall hold a
16 valid registration as a registered interior designer design.
17 ~~After the effective date of this amendatory Act of 1994, 2~~
18 ~~additional persons shall be appointed to the Board who have~~
19 ~~been residential interior designers for a period of 5 years or~~
20 ~~more and who would qualify upon application under this Act to~~
21 ~~be registered as a residential interior designer. After the~~
22 ~~initial appointments of the 2 additional members, each~~
23 ~~residential interior designer member shall hold a valid~~
24 ~~registration as a registered residential interior designer.~~
25 The Board shall annually elect a chairman.

1 (b) Terms for all members shall be 3 years. For initial
2 appointments, one member shall be appointed to serve for one
3 year, 2 shall be appointed to serve for 2 years, and the
4 remaining shall be appointed to serve for 3 years and until
5 their successors are appointed and qualified. Initial terms
6 shall begin on the effective date of this Act. The 2 additional
7 members on the effective date of this amendatory Act of the
8 96th General Assembly who are registered residential interior
9 designers shall serve out the full length of their current
10 terms. ~~For the initial appointments of the 2 additional members~~
11 ~~added by this amendatory Act of 1994, one shall be appointed to~~
12 ~~serve for one year and the other to serve for 2 years, and~~
13 ~~until their successors are appointed and qualified.~~ Partial
14 terms over 2 years in length shall be considered as full terms.
15 A member may be reappointed for a successive term, but no
16 member shall serve more than 2 full terms.

17 (c) The membership of the Board should reasonably reflect
18 representation from the various geographic areas of the State.

19 (d) In making appointments to the Board, the Director shall
20 give due consideration to recommendations by national and state
21 organizations of the interior design profession ~~and the~~
22 ~~residential interior design profession,~~ and shall promptly
23 give due notice to such organizations of any vacancy in the
24 membership of the Board. The Director may terminate the
25 appointment of any member for any cause, which in the opinion
26 of the Director, reasonably justifies such termination.

1 (e) A vacancy in the membership of the Board shall not
2 impair the right of a quorum to exercise all the rights and
3 perform all the duties of the Board.

4 (f) The members of the Board shall each receive as
5 compensation a reasonable sum as determined by the Director for
6 each day actually engaged in the duties of the office, and all
7 legitimate and necessary expenses incurred in attending the
8 meeting of the Board.

9 (g) Members of the Board shall be immune from suit in any
10 action based upon any disciplinary proceedings or other
11 activities performed in good faith as members of the Board.

12 (Source: P.A. 95-1023, eff. 6-1-09.)

13 (225 ILCS 310/8) (from Ch. 111, par. 8208)

14 (Section scheduled to be repealed on January 1, 2012)

15 Sec. 8. Requirements for registration.

16 (a) Each applicant for registration shall apply to the
17 Department in writing on a form provided by the Department.
18 Except as otherwise provided in this Act, each applicant shall
19 take and pass the examination approved by the Department. Prior
20 to registration, the applicant shall provide substantial
21 evidence to the Board that the applicant:

22 (1) is a graduate of a 5 year interior design program
23 from an accredited institution and has completed at least 2
24 years of full time diversified interior design experience;

25 (2) is a graduate of a 4 year interior design program

1 from an accredited institution and has completed at least 2
2 years of full time diversified interior design experience;

3 (3) has completed at least 3 years of interior design
4 curriculum from an accredited institution and has
5 completed 3 years of full time diversified interior design
6 experience;

7 (4) is a graduate of a 2 year interior design program
8 from an accredited institution and has completed 4 years of
9 full time diversified interior design experience; or

10 (5) (blank). ~~holds a high school diploma or GED and has~~
11 ~~completed 5 years of full time diversified residential~~
12 ~~interior design experience.~~

13 (b) In addition to providing evidence of meeting the
14 requirements of subsection (a):

15 (1) Each applicant for registration as a registered
16 interior designer shall provide substantial evidence that
17 he or she has successfully completed the examination
18 administered by the National Council for Interior Design
19 Qualifications.

20 (2) (Blank). ~~Each applicant for registration as a~~
21 ~~registered residential interior designer shall provide~~
22 ~~substantial evidence that he or she has successfully~~
23 ~~completed the examination administered by the Council for~~
24 ~~Qualification of Residential Interior Designers.~~

25 Examinations for applicants under this Act may be held at
26 the direction of the Department from time to time but not less

1 than once each year. The scope and form of the examination
2 shall conform to the National Council for Interior Design
3 Qualification examination for interior designers ~~and the~~
4 ~~Council for Qualification of Residential Interior Designers~~
5 ~~for residential interior designers.~~

6 Each applicant for registration who possesses the
7 necessary qualifications shall pay to the Department the
8 required registration fee, which is not refundable.

9 An individual applying for registration shall have 3 years
10 from the date of application to complete the application
11 process. If the process has not been completed in 3 years, the
12 application shall be denied and the fee forfeited. The
13 applicant may reapply, but shall meet the requirements in
14 effect at the time of reapplication.

15 (c) (Blank).

16 (c-5) (Blank).

17 (d) Upon payment of the required fee, which shall be
18 determined by rule, an applicant who is an architect licensed
19 under the laws of this State may, without examination, be
20 granted registration as a registered interior designer ~~or~~
21 ~~registered residential interior designer~~ by the Department
22 provided the applicant submits proof of an active architectural
23 license in Illinois.

24 (e) (Blank). ~~An interior designer registered under the laws~~
25 ~~of this State may, without examination or re-application, use~~
26 ~~the title "Registered Residential Interior Designer".~~

1 (Source: P.A. 95-1023, eff. 6-1-09.)

2 (225 ILCS 310/9) (from Ch. 111, par. 8209)

3 (Section scheduled to be repealed on January 1, 2012)

4 Sec. 9. Expiration; renewal; restoration.

5 (a) The expiration date and renewal period for each
6 certificate of registration issued under this Act shall be set
7 by rule. A registrant may renew such registration during the
8 month preceding its expiration date by paying the required
9 renewal fee.

10 (b) Inactive status.

11 (1) Any registrant who notifies the Department in
12 writing on forms prescribed by the Department may elect to
13 place his or her certificate of registration on an inactive
14 status and shall, subject to rules of the Department, be
15 excused from payment of renewal fees until he or she
16 notifies the Department in writing of his or her desire to
17 resume active status.

18 (2) Any registrant requesting restoration from
19 inactive status shall be required to pay the current
20 renewal fee and shall be required to restore his or her
21 registration.

22 (3) Any registrant whose registration is on inactive
23 status shall not use the title "registered interior
24 designer" ~~or "registered residential interior designer"~~ in
25 the State of Illinois.

1 (4) Any registrant who uses the title "registered
2 interior designer" ~~or "registered residential interior~~
3 ~~designer"~~ while his or her certificate of registration is
4 lapsed or inactive shall be considered to be using the
5 title without a registration which shall be grounds for
6 discipline under Section 13 of this Act.

7 (c) Any registrant whose registration has expired may have
8 his or her certificate of registration restored at any time
9 within 5 years after its expiration, upon payment of the
10 required fee.

11 (d) Any person whose registration has been expired for more
12 than 5 years may have his or her registration restored by
13 making application to the Department and filing proof
14 acceptable to the Department of his or her fitness to have his
15 or her registration restored, including sworn evidence
16 certifying to active lawful practice in another jurisdiction,
17 and by paying the required restoration fee. A person using the
18 title "registered interior designer" ~~or "registered~~
19 ~~residential interior designer"~~ on an expired registration is
20 deemed to be in violation of this Act.

21 (e) If a person whose certificate of registration has
22 expired has not maintained active status in another
23 jurisdiction, the Department shall determine, by an evaluation
24 process established by rule, his or her fitness to resume
25 active status and may require the person to complete a period
26 of evaluated practical experience, and may require successful

1 completion of an examination.

2 (f) Any person whose certificate of registration has
3 expired while he or she has been engaged (1) in federal or
4 State service active duty, or (2) in training or education
5 under the supervision of the United States preliminary to
6 induction into the military service, may have his or her
7 registration restored without paying any lapsed renewal or
8 restoration fee if, within 2 years after termination of such
9 service, training or education, he or she furnishes the
10 Department with satisfactory proof that he or she has been so
11 engaged and that his or her service, training, or education has
12 been so terminated.

13 (g) An individual applying for restoration of a
14 registration shall have 3 years from the date of application to
15 complete the application process. If the process has not been
16 completed in 3 years, the application shall be denied and the
17 fee forfeited. The applicant may reapply, but shall meet the
18 requirement in effect at the time of reapplication.

19 (Source: P.A. 95-1023, eff. 6-1-09.)

20 (225 ILCS 310/10) (from Ch. 111, par. 8210)

21 (Section scheduled to be repealed on January 1, 2012)

22 Sec. 10. Foreign applicants. Upon payment of the required
23 fee, an applicant who is an interior designer ~~or residential~~
24 ~~interior designer~~ registered or licensed under the laws of
25 another state or territory of the United States or a foreign

1 country or province shall, without further examination, be
2 granted registration as an interior designer ~~or residential~~
3 ~~interior designer~~, as the case may be, by the Department:

4 (a) whenever the requirements of such state or territory of
5 the United States or a foreign country or province were, at the
6 date of registration or licensure, substantially equal to the
7 requirements then in force in this State; or

8 (b) whenever such requirements of another state or
9 territory of the United States or a foreign country or province
10 together with educational and professional qualifications, as
11 distinguished from practical experience, of the applicant
12 since obtaining a license as an interior designer ~~or~~
13 ~~residential interior designer~~ in such state or territory of the
14 United States are substantially equal to the requirements in
15 force in Illinois at the time of application for registration.

16 (Source: P.A. 87-756; 88-650, eff. 9-16-94.)

17 (225 ILCS 310/13) (from Ch. 111, par. 8213)

18 (Section scheduled to be repealed on January 1, 2012)

19 Sec. 13. Refusal, revocation or suspension of
20 registration. The Department may refuse to issue, renew, or
21 restore or may revoke, suspend, place on probation, reprimand
22 or take other disciplinary action as the Department may deem
23 proper, including fines not to exceed \$5,000 for each
24 violation, with regard to any registration for any one or
25 combination of the following causes:

1 (a) Fraud in procuring the certificate of
2 registration.

3 (b) Habitual intoxication or addiction to the use of
4 drugs.

5 (c) Making any misrepresentations or false promises,
6 directly or indirectly, to influence, persuade, or induce
7 patronage.

8 (d) Professional connection or association with, or
9 lending his or her name, to another for illegal use of the
10 title "registered interior designer" ~~or "registered~~
11 ~~residential interior designer"~~, or professional connection
12 or association with any person, firm, or corporation
13 holding itself out in any manner contrary to this Act.

14 (e) Obtaining or seeking to obtain checks, money, or
15 any other items of value by false or fraudulent
16 representations.

17 (f) Use of the title under a name other than his or her
18 own.

19 (g) Improper, unprofessional, or dishonorable conduct
20 of a character likely to deceive, defraud, or harm the
21 public.

22 (h) Conviction in this or another state, or federal
23 court, of any crime which is a felony, if the Department
24 determines, after investigation, that such person has not
25 been sufficiently rehabilitated to warrant the public
26 trust.

1 (i) A violation of any provision of this Act or its
2 rules.

3 (j) Revocation by another state, the District of
4 Columbia, territory, or foreign nation of an interior
5 design or residential interior design registration if at
6 least one of the grounds for that revocation is the same as
7 or the equivalent of one of the grounds for revocation set
8 forth in this Act.

9 (k) Mental incompetence as declared by a court of
10 competent jurisdiction.

11 (l) Being named as a perpetrator in an indicated report
12 by the Department of Children and Family Services pursuant
13 to the Abused and Neglected Child Reporting Act, and upon
14 proof by clear and convincing evidence that the registrant
15 has caused a child to be an abused child or neglected child
16 as defined in the Abused and Neglected Child Reporting Act.

17 The Department shall deny a registration or renewal
18 authorized by this Act to any person who has defaulted on an
19 educational loan guaranteed by the Illinois Student Assistance
20 Commission; however, the Department may issue a certificate of
21 registration or renewal if such person has established a
22 satisfactory repayment record as determined by the Illinois
23 Student Assistance Commission.

24 The Department may refuse to issue or may suspend the
25 registration of any person who fails to file a return, or to
26 pay the tax, penalty, or interest showing in a filed return, or

1 to pay any final assessment of tax, penalty, or interest, as
2 required by any tax Act administered by the Illinois Department
3 of Revenue, until such time as the requirements of any such tax
4 Act are satisfied.

5 The entry of a decree by any circuit court establishing
6 that any person holding a certificate of registration under
7 this Act is a person subject to involuntary admission under the
8 Mental Health and Developmental Disabilities Code shall
9 operate as a suspension of that registration. That person may
10 resume using the title "registered interior designer" ~~or~~
11 ~~"registered residential interior designer"~~ only upon a finding
12 by the Board that he or she has been determined to be no longer
13 subject to involuntary admission by the court and upon the
14 Board's recommendation to the Director that he or she be
15 permitted to resume using the title "registered interior
16 designer" ~~or "registered residential interior designer"~~.

17 (Source: P.A. 95-1023, eff. 6-1-09.)

18 (225 ILCS 310/24) (from Ch. 111, par. 8224)

19 (Section scheduled to be repealed on January 1, 2012)

20 Sec. 24. Reports of violation. Any person registered under
21 this Act, or any other person, may report to the Department any
22 information that person may have which appears to show that an
23 interior designer ~~or residential interior designer~~ is or may be
24 in violation of this Act.

25 (Source: P.A. 88-650, eff. 9-16-94.)

1 (225 ILCS 310/25) (from Ch. 111, par. 8225)

2 (Section scheduled to be repealed on January 1, 2012)

3 Sec. 25. Injunctions. The use of the title "registered
4 interior designer" ~~or "registered residential interior~~
5 ~~designer"~~, as defined in Section 3, by any person not holding a
6 valid and current registration under this Act is declared to be
7 inimical to the public welfare, to constitute a public
8 nuisance, and to cause irreparable harm to the public welfare.
9 The Director, the Attorney General, the State's Attorney of any
10 county in the State, or any person may maintain an action in
11 the name of the People of the State of Illinois, and may apply
12 for an injunction in the circuit court to enjoin any such
13 person from engaging in the unlawful use of the title
14 "registered interior designer" ~~or "registered residential~~
15 ~~interior designer"~~. Upon the filing of a verified petition, the
16 court or any judge, if satisfied by affidavit or otherwise that
17 such person has been engaged in such use without a valid and
18 current registration, may issue a temporary injunction without
19 notice or bond, enjoining the defendant from any such further
20 use. Only the showing of the person's lack of registration, by
21 affidavit or otherwise, is necessary in order for a temporary
22 injunction to issue. A copy of the verified complaint shall be
23 served upon the defendant and the proceedings shall be
24 conducted as in other civil cases except as modified by this
25 Section. If it is established that the defendant has been or is

1 engaged in any such unlawful use, the court or any judge may
2 enter an order or judgment perpetually enjoining the defendant
3 from further such use. In all proceedings under this Section,
4 the court, in its discretion, may apportion the costs among the
5 parties interested in the suit, including cost of filing the
6 complaint, service of process, witness fees and expenses, court
7 reporter charges and reasonable attorney's fees. In case of
8 violation of any injunction issued under this Section, the
9 court or any judge may summarily try and punish the offender
10 for contempt of court. Such injunction proceedings are in
11 addition to, and not in lieu of, all penalties and other
12 remedies provided in this Act.

13 (Source: P.A. 95-1023, eff. 6-1-09.)

14 (225 ILCS 310/26) (from Ch. 111, par. 8226)

15 (Section scheduled to be repealed on January 1, 2012)

16 Sec. 26. Unlawful use; second offenses. Any person who uses
17 the title "registered interior designer" ~~or "registered~~
18 ~~residential interior designer"~~ in this State without being
19 registered under this Act, or whose registration has been
20 suspended, inactive, or revoked, or who violates any of the
21 provisions of this Act is guilty of a Class A misdemeanor. Any
22 person who has been previously convicted of violating this Act
23 and who subsequently violates any of the provisions of this Act
24 is guilty of a Class 4 felony. In addition, whenever any person
25 is punished as a subsequent offender under this Section, the

1 Director may proceed to obtain a permanent injunction against
2 such person under Section 25 of this Act.

3 (Source: P.A. 95-1023, eff. 6-1-09.)

4 (225 ILCS 310/31) (from Ch. 111, par. 8231)

5 (Section scheduled to be repealed on January 1, 2012)

6 Sec. 31. Home rule. The regulation and registration of
7 interior designers ~~and residential interior designers~~ are
8 exclusive powers and functions of the State. A home rule unit
9 may not regulate or register interior designers ~~or residential~~
10 ~~interior designers~~. This Section is a limitation and denial of
11 home rule powers and functions under subsection (h) of Section
12 6 of Article VII of the Illinois Constitution.

13 (Source: P.A. 88-650, eff. 9-16-94.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.