

1 AN ACT concerning regulation.

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

4 Section 5. The Regulatory Sunset Act is amended by
5 changing Sections 4.32 and 4.37 as follows:

6 (5 ILCS 80/4.32)

7 Sec. 4.32. Acts repealed on January 1, 2022. The following
8 Acts are repealed on January 1, 2022:

9 The Boxing and Full-contact Martial Arts Act.

10 The Cemetery Oversight Act.

11 The Collateral Recovery Act.

12 The Community Association Manager Licensing and
13 Disciplinary Act.

14 The Crematory Regulation Act.

15 The Detection of Deception Examiners Act.

16 The Home Inspector License Act.

17 The Illinois Health Information Exchange and Technology
18 Act.

19 The Medical Practice Act of 1987.

20 ~~The Registered Interior Designers Act.~~

21 The Massage Licensing Act.

22 The Petroleum Equipment Contractors Licensing Act.

23 The Radiation Protection Act of 1990.

1 The Real Estate Appraiser Licensing Act of 2002.

2 The Water Well and Pump Installation Contractor's License
3 Act.

4 (Source: P.A. 100-920, eff. 8-17-18; 101-316, eff. 8-9-19;
5 101-614, eff. 12-20-19; 101-639, eff. 6-12-20.)

6 (5 ILCS 80/4.37)

7 Sec. 4.37. Acts and Articles repealed on January 1, 2027.

8 The following are repealed on January 1, 2027:

9 The Clinical Psychologist Licensing Act.

10 The Illinois Optometric Practice Act of 1987.

11 Articles II, III, IV, V, VI, VIIA, VIIB, VIIC, XVII, XXXI,
12 XXXI 1/4, and XXXI 3/4 of the Illinois Insurance Code.

13 The Boiler and Pressure Vessel Repairer Regulation Act.

14 The Marriage and Family Therapy Licensing Act.

15 The Registered Interior Designers Act.

16 (Source: P.A. 99-572, eff. 7-15-16; 99-909, eff. 12-16-16;
17 99-910, eff. 12-16-16; 99-911, eff. 12-16-16; 100-201, eff.
18 8-18-17; 100-372, eff. 8-25-17.)

19 Section 10. The Registered Interior Designers Act is
20 amended by changing Section 3, 4, 4.5, 6, 7, 11, 14, 20, 23,
21 29, 30 and by adding Section 3.1 as follows:

22 (225 ILCS 310/3) (from Ch. 111, par. 8203)

23 (Section scheduled to be repealed on January 1, 2022)

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

2 "Address of record" means the designated address recorded
3 by the Department in the applicant's application file or the
4 registrant's registration file as maintained by the
5 Department's licensure maintenance unit.

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

8 "Department" means the Department of Financial and
9 Professional Regulation.

10 "Email address of record" means the designated email
11 address recorded by the Department in the applicant's
12 application file or the registrant's registration file as
13 maintained by the Department's licensure maintenance unit.

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

1 except for specifications of fixtures and their location
2 within interior spaces.

3 "Public member" means a person who is not an interior
4 designer, educator in the field, architect, structural
5 engineer, or professional engineer. For purposes of board
6 membership, any person with a significant financial interest
7 in the design or construction service or profession is not a
8 public member.

9 "Registered interior designer" means a person who has
10 received registration under Section 8 of this Act. A person
11 represents himself or herself to be a "registered interior
12 designer" within the meaning of this Act if he or she holds
13 himself or herself out to the public by any title
14 incorporating the words "registered interior designer" or any
15 title that includes the words "registered interior design".

16 "Secretary" means the Secretary of Financial and
17 Professional Regulation.

18 (Source: P.A. 100-920, eff. 8-17-18.)

19 (225 ILCS 310/3.1 new)

20 Sec. 3.1. Address of record; email address of record. All
21 applicants and registrants shall:

22 (1) provide a valid address and email address to the
23 Department, which shall serve as the address of record and
24 email address of record, respectively, at the time of
25 application for registration or renewal of a registration;

1 and
2 (2) inform the Department of any change of address of
3 record or email address of record within 14 days after
4 such change either through the Department's website or by
5 contacting the Department's licensure maintenance unit.

6 (225 ILCS 310/4) (from Ch. 111, par. 8204)

7 (Section scheduled to be repealed on January 1, 2022)

8 Sec. 4. Title; application of Act.

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

16 (a-5) Nothing in this Act shall be construed as preventing
17 or restricting the services offered or advertised by an
18 interior designer who is registered under this Act.

19 (b) Nothing in this Act shall prevent the employment, by a
20 registered interior designer association, partnership, or a
21 corporation furnishing interior design services for
22 remuneration, of persons not registered as interior designers
23 to perform services in various capacities as needed, provided
24 that the persons do not represent themselves as, or use the
25 title of, "registered interior designer".

1 (c) Nothing in this Act shall be construed to limit the
2 activities and use of the title "interior designer" on the
3 part of a person not registered under this Act who is a
4 graduate of an interior design program and a full-time
5 employee of a duly chartered institution of higher education
6 insofar as such person engages in public speaking, with or
7 without remuneration, provided that such person does not
8 represent himself or herself to be a registered interior
9 designer or use the title "registered interior designer".

10 (d) Nothing contained in this Act shall restrict any
11 person not registered under this Act from carrying out any of
12 the activities listed in the definition of "the profession of
13 interior design" in Section 3 if such person does not
14 represent himself or herself or his or her services in any
15 manner prohibited by this Act.

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

21 (f) Nothing in this Act shall be construed as preventing
22 or restricting the practice, services, or activities of
23 engineers licensed under the Professional Engineering Practice
24 Act of 1989 or the Structural Engineering Practice Act of
25 1989; architects licensed pursuant to the Illinois
26 Architectural Practice Act of 1989; any interior decorator or

1 individual offering interior decorating services including,
2 but not limited to, the selection of surface materials, window
3 treatments, wall coverings, furniture, accessories, paint,
4 floor coverings, and lighting fixtures; or builders, home
5 furnishings salespersons, and similar purveyors of goods and
6 services relating to homemaking.

7 (g) Nothing in this Act or any other Act shall prevent a
8 licensed architect from practicing interior design services.
9 Nothing in this Act shall be construed as requiring the
10 services of a registered interior designer for the interior
11 designing of a single family residence.

12 (h) Nothing in this Act shall authorize registered
13 interior designers to perform services, including life safety
14 services that they are prohibited from performing, or any
15 practice (i) that is restricted in the Illinois Architecture
16 Practice Act of 1989, the Professional Engineering Practice
17 Act of 1989, or the Structural Engineering Practice Act of
18 1989, or (ii) that they are not authorized to perform under the
19 Environmental Barriers Act.

20 (i) Nothing in this Act shall authorize registered
21 interior designers to advertise services that they are
22 prohibited to perform, including architecture or engineering
23 services, nor to use the title "architect" in any form.

24 (Source: P.A. 95-1023, eff. 6-1-09; 96-1334, eff. 7-27-10.)

1 (Section scheduled to be repealed on January 1, 2022)

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

3 (a) Any person who holds himself or herself out to be a
4 registered interior designer without being registered under
5 this Act shall, in addition to any other penalty provided by
6 law, pay a civil penalty to the Department in an amount not to
7 exceed \$5,000 for each offense as determined by the
8 Department. The civil penalty shall be assessed by the
9 Department after a hearing is held in accordance with the
10 provisions set forth in this Act regarding the provision of a
11 hearing for the discipline of a registrant ~~licensee~~.

12 (b) The Department has the authority and power to
13 investigate any illegal use of the title of registered
14 interior designer.

15 (c) The civil penalty shall be paid within 60 days after
16 the effective date of the order imposing the civil penalty.
17 The order shall constitute a judgment and may be filed and
18 execution had thereon in the same manner as any judgment from
19 any court of record.

20 (Source: P.A. 95-1023, eff. 6-1-09; 96-1334, eff. 7-27-10.)

21 (225 ILCS 310/6) (from Ch. 111, par. 8206)

22 (Section scheduled to be repealed on January 1, 2022)

23 Sec. 6. Board of Registered Interior Design Professionals.
24 The Secretary shall appoint a Board of Registered Interior
25 Design Professionals consisting of 5 members who shall serve

1 in an advisory capacity to the Secretary. All members of the
2 Board shall be residents of Illinois. Four members shall (i)
3 hold a valid registration as an interior designer in Illinois
4 and have held the registration under this Act for the
5 preceding 10 years; and (ii) not have been disciplined within
6 the preceding 10 years under this Act. In addition to the 4
7 registered interior designer members, there shall be one
8 public member. The public member shall be a voting member and
9 shall not be licensed or registered under this Act or any other
10 design profession licensing Act that the Department
11 administers.

12 Board members shall serve 5-year terms and until their
13 successors are appointed and qualified. In appointing members
14 to the Board, the Secretary shall give due consideration to
15 recommendations by members and organizations of the interior
16 design profession.

17 The membership of the Board should reasonably reflect
18 representation from the geographic areas in this State.

19 No member shall be reappointed to the Board for a term that
20 would cause his or her continuous service on the Board to be
21 longer than 2 consecutive 5-year terms.

22 Appointments to fill vacancies shall be made in the same
23 manner as original appointments for the unexpired portion of
24 the vacated term.

25 Three members of the Board shall constitute a quorum. A
26 quorum is required for Board decisions.

1 The Secretary may remove any member of the Board for
2 misconduct, incompetence, or neglect of duty or for reasons
3 prescribed by law for removal of State officials.

4 The Secretary may remove a member of the Board who does not
5 attend 2 consecutive meetings.

6 Notice of proposed rulemaking may be transmitted to the
7 Board and the Department may review the response of the Board
8 and any recommendations made therein. The Department may, at
9 any time, seek the expert advice and knowledge of the Board on
10 any matter relating to the administration or enforcement of
11 this Act.

12 Members of the Board are not liable for damages in any
13 action or proceeding as a result of activities performed as
14 members of the Board, except upon proof of actual malice.

15 Members of the Board shall be reimbursed for all
16 legitimate, necessary, and authorized expenses.

17 ~~There is created a Board of Registered Interior Design~~
18 ~~Professionals to be composed of persons designated from time~~
19 ~~to time by the Director, as follows:~~

20 ~~(a) For the first year, 5 persons, 4 of whom have been~~
21 ~~interior designers for a period of 5 years or more who~~
22 ~~would qualify upon application to the Department under~~
23 ~~this Act to be registered interior designers, and one~~
24 ~~public member. After the initial appointments, each~~
25 ~~interior design member shall hold a valid registration as~~
26 ~~a registered interior designer. The Board shall annually~~

1 ~~elect a chairman.~~

2 ~~(b) Terms for all members shall be 3 years. For~~
3 ~~initial appointments, one member shall be appointed to~~
4 ~~serve for one year, 2 shall be appointed to serve for 2~~
5 ~~years, and the remaining shall be appointed to serve for 3~~
6 ~~years and until their successors are appointed and~~
7 ~~qualified. Initial terms shall begin on the effective date~~
8 ~~of this Act. Partial terms over 2 years in length shall be~~
9 ~~considered as full terms. A member may be reappointed for~~
10 ~~a successive term, but no member shall serve more than 2~~
11 ~~full terms.~~

12 ~~(c) The membership of the Board should reasonably~~
13 ~~reflect representation from the various geographic areas~~
14 ~~of the State.~~

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

23 ~~(e) Three members shall constitute a quorum. A quorum~~
24 ~~is required for all Board decisions.~~

25 ~~(f) The members of the Board shall each receive as~~
26 ~~compensation a reasonable sum as determined by the~~

1 ~~Director for each day actually engaged in the duties of~~
2 ~~the office, and all legitimate and necessary expenses~~
3 ~~incurred in attending the meeting of the Board.~~

4 ~~(g) Members of the Board shall be immune from suit in~~
5 ~~any action based upon any disciplinary proceedings or~~
6 ~~other activities performed in good faith as members of the~~
7 ~~Board.~~

8 (Source: P.A. 95-1023, eff. 6-1-09; 96-1334, eff. 7-27-10.)

9 (225 ILCS 310/7) (from Ch. 111, par. 8207)

10 (Section scheduled to be repealed on January 1, 2022)

11 Sec. 7. Board recommendations. The Secretary ~~Director~~
12 shall consider the recommendations of the Board in
13 establishing guidelines for professional conduct, for the
14 conduct of formal disciplinary proceedings brought under this
15 Act, and for establishing guidelines for qualifications of
16 applicants. Notice of proposed rulemaking may ~~shall~~ be
17 transmitted to the Board and the Department shall review the
18 response of the Board and any recommendations made in their
19 response. The Department, at any time, may seek the expert
20 advice and knowledge of the Board on any matter relating to the
21 administration or enforcement of this Act.

22 (Source: P.A. 86-1404.)

23 (225 ILCS 310/11) (from Ch. 111, par. 8211)

24 (Section scheduled to be repealed on January 1, 2022)

1 Sec. 11. Fees. The Department shall provide by rule for a
2 schedule of fees for the administration and enforcement of
3 this Act, including but not limited to original registration
4 ~~license~~, renewal, and restoration. The fees shall be
5 nonrefundable.

6 All fees collected under this Act shall be deposited into
7 the General Professions Dedicated Fund and shall be
8 appropriated to the Department for the ordinary and contingent
9 expenses of the Department in the administration of this Act.
10 (Source: P.A. 91-454, eff. 1-1-00.)

11 (225 ILCS 310/14) (from Ch. 111, par. 8214)

12 (Section scheduled to be repealed on January 1, 2022)

13 Sec. 14. Investigations; Notice of hearing. Upon the
14 motion of either the Department or the Board, or upon the
15 verified complaint in writing of any person setting forth
16 facts which, if proven, would constitute grounds for refusal,
17 suspension, or revocation of registration under this Act, the
18 Board shall investigate the actions of any person, hereinafter
19 called the "registrant", who holds or represents that he holds
20 a certificate of registration. All such motions or complaints
21 shall be brought to the Board.

22 The Director shall, before suspending, revoking, placing
23 on probationary status, or taking any other disciplinary
24 action as the Director may deem proper with regard to any
25 registration, at least 30 days prior to the date set for the

1 hearing, notify the registrant in writing of any charges made
2 and the time and place for a hearing on the charges before the
3 Board. The Board shall also direct the registrant to file his
4 written answer to the charges with the Board under oath within
5 20 days after the service on him of such notice, and inform him
6 that if he fails to file such answer, his certificate of
7 registration may be suspended, revoked, placed on probationary
8 status or other disciplinary action may be taken with regard
9 thereto, as the Director may deem proper.

10 The written notice and any notice in such proceeding may
11 be served by delivery personally to the registrant, by email,
12 or by registered or certified mail to the address specified by
13 the registrant in his last notification to the Director.

14 The Department, at its expense, shall preserve a record of
15 all proceedings at the formal hearing of any case involving
16 the refusal to issue or renew a registration, or discipline of
17 a registrant. The notice of hearing, complaint, and all other
18 documents in the nature of pleadings and written motions filed
19 in the proceedings, the transcript of testimony, the report of
20 the Board, and the orders of the Department shall be the record
21 of such proceedings.

22 (Source: P.A. 86-1404.)

23 (225 ILCS 310/20) (from Ch. 111, par. 8220)

24 (Section scheduled to be repealed on January 1, 2022)

25 Sec. 20. Restoration. At any time after suspension,

1 revocation, placement on probationary status, or the taking of
2 any other disciplinary action with regard to any registration,
3 the Department may restore the certificate of registration, or
4 take any other action to reinstate the registration to good
5 standing, without further examination, ~~upon the written~~
6 ~~recommendation of the Board.~~

7 (Source: P.A. 86-1404.)

8 (225 ILCS 310/23) (from Ch. 111, par. 8223)

9 (Section scheduled to be repealed on January 1, 2022)

10 Sec. 23. Confidentiality. ~~Confidential information;~~
11 ~~Disclosure.~~ All information collected by the Department in the
12 course of an examination or investigation of a registrant or
13 applicant, including, but not limited to, any complaint
14 against a registrant filed with the Department and information
15 collected to investigate any such complaint, shall be
16 maintained for the confidential use of the Department and may
17 not be disclosed. The Department may not disclose the
18 information to anyone other than law enforcement officials,
19 other regulatory agencies that have an appropriate regulatory
20 interest as determined by the Secretary, or a party presenting
21 a lawful subpoena to the Department. Information and documents
22 disclosed to a federal, State, county, or local law
23 enforcement agency may not be disclosed by the agency for any
24 purpose to any other agency or person. A formal complaint
25 filed by the Department against a registrant or applicant is a

1 public record, except as otherwise prohibited by law. ~~In~~
2 ~~hearings conducted under this Act, information presented into~~
3 ~~evidence that was acquired by an interior designer in serving~~
4 ~~any individual in a professional capacity, and necessary to~~
5 ~~professionally serve such individual, shall be deemed strictly~~
6 ~~confidential and shall only be made available either as part~~
7 ~~of the record of a hearing hereunder or otherwise:~~

8 ~~(a) when the record is required, in its entirety, for~~
9 ~~purposes of judicial review;~~

10 ~~(b) upon the express written consent of the individual~~
11 ~~served, or in the case of his or her death or disability, the~~
12 ~~consent of his or her personal representative.~~

13 (Source: P.A. 86-1404.)

14 (225 ILCS 310/29) (from Ch. 111, par. 8229)

15 (Section scheduled to be repealed on January 1, 2022)

16 Sec. 29. Illinois Administrative Procedure Act. The
17 Illinois Administrative Procedure Act is hereby expressly
18 adopted and incorporated herein as if all of the provisions of
19 that Act were included in this Act, except that the provision
20 of subsection (d) of Section 10-65 of the Illinois
21 Administrative Procedure Act that provides that at hearings
22 the registrant has the right to show compliance with all
23 lawful requirements for retention, continuation, or renewal of
24 the registration is specifically excluded. For the purposes of
25 this Act, the notice required under Section 10-25 of the

1 Illinois Administrative Procedure Act is deemed sufficient
2 when mailed or emailed to the last known address of a party.

3 (Source: P.A. 91-357, eff. 7-29-99.)

4 (225 ILCS 310/30) (from Ch. 111, par. 8230)

5 (Section scheduled to be repealed on January 1, 2022)

6 Sec. 30. Fund; appropriations; investments; audits
7 ~~Interior Design Administration and Investigation Fund.~~ All of
8 the fees collected pursuant to this Act shall be deposited
9 into the General Professions Dedicated Fund.

10 ~~On January 1, 2000 the State Comptroller shall transfer~~
11 ~~the balance of the monies in the Interior Design~~
12 ~~Administration and Investigation Fund into the General~~
13 ~~Professions Dedicated Fund. Amounts appropriated for fiscal~~
14 ~~year 2000 out of the Interior Design Administration and~~
15 ~~Investigation Fund may be paid out of the General Professions~~
16 ~~Dedicated Fund.~~

17 The moneys ~~monies~~ deposited in the General Professions
18 Dedicated Fund may be used for the expenses of the Department
19 in the administration of this Act.

20 Moneys from the Fund may also be used for direct and
21 allocable indirect costs related to the public purposes of the
22 Department of Professional Regulation. Moneys in the Fund may
23 be transferred to the Professions Indirect Cost Fund as
24 authorized by Section 2105-300 of the Department of
25 Professional Regulation Law ~~(20 ILCS 2105/2105-300)~~.

1 Upon the completion of any audit of the Department as
2 prescribed by the Illinois State Auditing Act that includes an
3 audit of the General Professions Dedicated Fund ~~Interior~~
4 ~~Design Administration and Investigation Fund~~, the Department
5 shall make the audit open to inspection by any interested
6 person. The copy of the audit report required to be submitted
7 to the Department by this Section is in addition to copies of
8 audit reports required to be submitted to other State officers
9 and agencies by Section 3-14 of the Illinois State Auditing
10 Act.

11 (Source: P.A. 91-239, eff. 1-1-00; 91-454, eff. 1-1-00; 92-16,
12 eff. 6-28-01.)

13 Section 99. Effective date. This Act takes effect January
14 1, 2022, except that this Section and Section 5 take effect
15 upon becoming law.

1 INDEX

2 Statutes amended in order of appearance

3 5 ILCS 80/4.32

4 5 ILCS 80/4.41 new

5 225 ILCS 310/3 from Ch. 111, par. 8203

6 225 ILCS 310/3.1 new

7 225 ILCS 310/4 from Ch. 111, par. 8204

8 225 ILCS 310/4.5

9 225 ILCS 310/6 from Ch. 111, par. 8206

10 225 ILCS 310/7 from Ch. 111, par. 8207

11 225 ILCS 310/11 from Ch. 111, par. 8211

12 225 ILCS 310/14 from Ch. 111, par. 8214

13 225 ILCS 310/20 from Ch. 111, par. 8220

14 225 ILCS 310/23 from Ch. 111, par. 8223

15 225 ILCS 310/29 from Ch. 111, par. 8229

16 225 ILCS 310/30 from Ch. 111, par. 8230