

AN ACT

RELATING TO STATE AGENCIES; AMENDING THE INTERIOR DESIGN BOARD COMPOSITION AND LICENSE RENEWAL REQUIREMENTS; AMENDING SECTIONS OF THE NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 61-24C-4 NMSA 1978 (being Laws 1989, Chapter 53, Section 4, as amended) is amended to read:

"61-24C-4. INTERIOR DESIGN BOARD CREATED--MEMBERS--TERMS--COMPENSATION.--

A. The "interior design board" is created. The board is administratively attached to the regulation and licensing department. The board consists of five members appointed by the governor for staggered terms of three years. Members shall be appointed for terms of three years or less in a manner that the terms of not more than two members expire on December 31 of each year. A vacancy shall be filled by appointment by the governor for the unexpired term. A board member shall not serve consecutive terms.

B. Three members of the board shall be licensed interior designers and two members shall be chosen to represent the public and shall not have been licensed as interior designers or have a significant financial interest, direct or indirect, in the occupation regulated. For purposes of this section, the interior designer members of the initial

board shall have offered interior design services for at least five years, shall have passed the national council for interior design qualification examination and shall have become registered by November 1, 1989.

C. Three members of the board constitute a quorum for the transaction of business, but no final action shall be taken unless at least three members vote in favor of a proposal."

Section 2. Section 61-24C-10 NMSA 1978 (being Laws 1989, Chapter 53, Section 10) is amended to read:

"61-24C-10. LICENSE--ISSUANCE--RENEWAL--DENIAL, SUSPENSION OR REVOCATION.--

A. A license shall be issued to every person who:

(1) presents satisfactory evidence of possessing the qualifications of education, experience and, as appropriate, the examination performance required by the provisions of the Interior Designers Act;

(2) has reached the age of majority; and

(3) pays the required fees.

B. Each original license shall authorize the holder to use the title of and be known as an interior designer from the date of issuance to the next renewal date unless the license is suspended or revoked.

C. All licenses expire annually and shall be renewed by submitting a completed renewal application,

accompanied by the required fees, on a form provided by the board.

D. A license may not be renewed until the licensee submits satisfactory evidence to the board that, during the last year, the licensee has participated in not less than eight hours of continuing education approved by the board. The board shall approve only continuing education that builds upon basic knowledge of interior design. The board may make exceptions from the continuing education requirement in emergency or hardship cases.

E. The holder of any license that has expired through failure to renew may renew the license at any time within two years from the date on which the license expired, upon approval of the board.

F. The board may promulgate policies and procedures providing for the establishment of an inactive status for licensees temporarily not engaged in the practice of interior design.

G. In accordance with the provisions of the Uniform Licensing Act, the board may deny, refuse to renew, suspend or revoke a license or impose probationary conditions when the licensee has:

(1) obtained the license by means of fraud, misrepresentation or concealment of material facts;

(2) committed any act of fraud or deceit in

professional conduct or been convicted of a felony;

(3) represented himself as an interior designer prior to being issued a license, except as authorized under the provisions of the Interior Designers Act;

(4) been found by the board to have aided or abetted any unlicensed person in violating any of the provisions of the Interior Designers Act; or

(5) failed to comply with any of the provisions of the Interior Designers Act or any rules adopted pursuant to that act."

Section 3. Section 61-24C-16 NMSA 1978 (being Laws 1989, Chapter 53, Section 16) is amended to read:

"61-24C-16. FUND ESTABLISHED--DISPOSITION--METHOD OF PAYMENT.--

A. The "interior design board fund" is created.

B. All money received by the board and money collected under the Interior Designers Act shall be deposited with the state treasurer. The state treasurer shall credit the money to the interior design board fund. Money in the fund is subject to appropriation by the legislature.

C. Payments out of the interior design board fund shall be on vouchers issued by the secretary-treasurer of the board upon warrants drawn by the department of finance and administration in accordance with the budget approved by that department.

D. All amounts paid to the interior design board fund are subject to the order of the board and are to be used only for meeting necessary expenses incurred in executing the provisions and duties of the Interior Designers Act and for promoting interior design education and standards in the state. All money unused at the end of any fiscal year shall remain in the interior design board fund for use in accordance with the provisions of that act." _____