

Proposed:
Registered Interior Designer ACT
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SECTION 1: TITLE

A. This act shall be known as the "Registered Interior Designer Registration Act."

SECTION 2: PURPOSE

A. The purpose of this legislation is to safeguard life, health and property, as consumer protection, and to promote the public welfare by improving the quality of human environmental design, and to limit the practice of Registered Interior Design to those persons having specific design education, experience and examination as defined in this bill/statute.

SECTION 3: DEFINITIONS

A. The following words and phrases shall have the meanings set forth in this section, unless the context clearly requires otherwise:

1. "Regulatory Board" means the Mississippi State Board of Architecture as established by Mississippi Code of 1972, Title 73, Section 73-1-3.
2. "Interior Design Advisory Committee" (IDAC) means jurisdictional committee responsible for implementing interior design legislation and making rules and regulations. The IDAC is comprised of Registered Interior Designers and reports to the Regulatory Board.
3. "Registered Interior Designer" means an interior design professional who provides some or all of the services set forth in bill/statute and holds a certificate of registration issued by the Regulatory Board.
4. "Certificate of registration" means the certificate of registration issued by the Regulatory Board authorizing the holder thereof to practice as a Registered Interior Designer.
5. "NCIDQ" means the National Council for Interior Design Qualification.
6. "IDQE" means Interior Design Qualification Examination as prepared and administered by NCIDQ or its successor.
7. "CIDA" means Council for Interior Design Accreditation (formerly known as FIDER, Foundation for Interior Design Education Research).
8. "Practice as a Registered Interior Designer" means the rendering, by a person registered under this bill/statute, of services to enhance the quality and function of an interior area of a structure.

Registered Interior Design Practice services include space analysis, space planning, designs, consultations, research, drawings, specifications, and the administration of

design construction contracts relating to non-structural or non-seismic elements within and surrounding interior spaces of a building or space.

Term includes: (a) Analysis of client's requirements for an interior area of a structure and requirements for safety relating to that area; (b) Formulation of preliminary designs for an interior area and final designs for the alteration or construction of an interior area of a structure; (c) The preparation of contract documents for alteration or construction of an interior area of a structure, including specifications for partitions, materials, finishes, furniture, fixtures and equipment; (d) The collaboration for the alteration or construction of an interior area of a structure with professional architects or engineers who are registered in this jurisdiction; (e) The preparation and administration of bids or contracts as the agent of a client; and (f) The understanding and application of the appropriate building code(s).

9. "Non-structural or non-seismic" means interior elements or components that are not load-bearing or do not assist in the seismic design and do not require design computations for a building's structure. These elements employ normal and typical bracing conventions and are not part of the structural integrity of the building.

10. "Partition" refers to a wall that divides a space that is not a part of the building's structure nor serves the building's load path. A partition supports its own weight and may be designed to provide varying levels of visual and acoustical privacy, smoke and fire resistance, and loads attached to it such as cabinetry or grab bars.

11. "Responsible control" means the direct personal supervision over, and detailed knowledge of, the content of all construction documents that is ordinarily exercised by a Registered Interior Designer when applying the normal standard of professional care.

SECTION 4: QUALIFICATIONS OF APPLICANT

A. The Regulatory Board and Interior Design Advisory Committee shall receive applications for registration as a "Registered Interior Designer" on forms prescribed and furnished by the Regulatory Board and Interior Design Advisory Committee.

B. Upon receipt of an application, the Regulatory Board and Interior Design Advisory Committee may approve same, providing the applicant meets one of the following requirements:

1. The applicant must have passed the IDQE as administered by NCIDQ before January 1, 2011; or

2. The applicant must have a degree in interior design from a program accredited by the Council for Interior Design Accreditation (CIDA) or have a degree in architecture from a program accredited by the National Architectural Accreditation Board (NAAB) or holds a four (4) year degree in interior design from a college or university approved by the Regulatory Board AND the applicant must have passed the IDQE as administered by NCIDQ or its approved successor; or

3. Applicant is a licensed architect.

C. The applicant must exhibit to the Regulatory Board and Interior Design Advisory Committee their good standing in the profession and their moral character. Any of the following acts shall preclude an applicant's eligibility as a candidate for registration:

1. Conviction by any court for commission of any felony or any crime involving moral turpitude.
2. Conviction by any court of a misdemeanor involving fraud, deceit or misrepresentation.
3. Misstatement of misrepresentation of fact by the applicant in connection with the applicant's application for registration in this state or another jurisdiction.
4. Violation of any of the rules of conduct required of applicants or interior designers as adopted by board.

D. The Regulatory Board and Interior Design Advisory Committee may require that the applicant appear before the board for a personal interview.

E. The Regulatory Board and Interior Design Advisory Committee shall have the authority to adopt or develop alternate routes of eligibility and examination requirements based on standards as set forth by NCIDQ or its approved successor.

F. Any application submitted to the regulatory board and Interior Design Advisory Committee may be denied for any violation of the provisions of this chapter.

SECTION 5: ALTERNATE QUALIFICATIONS FOR APPLICANT ELIGIBILITY

A. Any applicant who files an application with and remits initial fees to the Regulatory Board and Interior Design Advisory Committee, no later than one (1) year from the inaugural meeting of this act shall be considered for alternate eligibility.

B. Alternate qualifications for eligibility are:

1. Possesses a four-year degree in interior design from a non-accredited program or another degree approved by the Regulatory Board and passes all code sections of the IDQE, or its successor; or
2. Possess ten (10) years of experience practicing the profession of interior design and passes all code sections of the IDQE, or its successor.

C. Any applicant who files with the Regulatory Board and Interior Design Advisory Committee an application and letter of intent to qualify under this section and has not taken and passed the IDQE, shall have two years after the initial year of the implementation of this act to take and pass all code sections of the IDQE.

D. Any application submitted to the Regulatory Board may be denied for any violation of the provisions of this chapter.

SECTION 6: EXAMINATION

A. The Regulatory Board and Interior Design Advisory Committee requires verification of passage of the Interior Design Qualification Examination (IDQE) as prepared and administered by the National Council for Interior Design Qualification (NCIDQ) organization or its successor.

B. NCIDQ Certificate maintenance is not a requirement for registration.

SECTION 7: QUALIFICATIONS OF APPLICANT RESIDING OUT OF STATE

A. The Interior Design Advisory Committee may accept satisfactory evidence of registration as a Registered Interior Designer in another jurisdiction where the qualifications required are deemed by the Interior Design Advisory Committee to be equal to or more stringent than those required in Section 5.

SECTION 8: CONTINUING EDUCATION

A. Each Registered Interior Designer shall be required to meet the continuing education requirements as set forth by the Regulatory Board and Interior Design Advisory Committee. The Regulatory Board and Interior Design Advisory Committee shall set a minimum requirement of continuing education units per biannual reporting period.

SECTION 9: BIANNUAL CERTIFICATE OF RENEWAL

A. Each Registered Interior Designer who wishes to renew a certification of registration issued to him pursuant to the provisions of this chapter must submit to the Regulatory Board and Interior Design Advisory Committee (a) biannual registration renewal fees as set by the rules and regulations and (b) proof of compliance of continuing education requirements. The renewal fee shall be due and payable on the first day of January of each year in which the fee is required to be paid and shall become delinquent after the thirty-first day of January of such year. If the renewal fee is not paid before it becomes delinquent, a penalty fee shall be assessed in an amount per month as set by the Regulatory Board and Interior Design Advisory Committee.

B. If the renewal fee and penalty are not paid before the first day of June in the year in which they become due, the Registered Interior Designer's certificate of registration shall be suspended. Except as provided in Section 11 and Section 17 of this act, the certificate may be reinstated upon the payment of the renewal fee, the penalty fees and a reinstatement fee as set by the Regulatory Board and Interior Design Advisory Committee, and such other proof of the Registered Interior Designer's qualifications as may be required in the discretion of the Regulatory Board and Interior Design Advisory Committee.

C. The Regulatory Board shall send a receipt and acknowledgement of registration renewal to each Registered Interior Designer promptly upon payment of the renewal fee.

SECTION 10: TEMPORARY CERTIFICATE NOT TO BE ISSUED

A. The Regulatory Board shall not issue a temporary certificate of registration to practice Registered Interior Design.

SECTION 11: CONDUCT

A. The Regulatory Board and Interior Design Advisory Committee shall set forth and regulate the conduct and professional ethics of those registered under this act.

B. Conflict of Interest:

1. A Registered Interior Designer shall not accept compensation for interior design services from more than one party on a project unless the circumstances are fully disclosed to and accepted by all parties involved in the project. Such disclosure and agreement shall be in writing.

2. A Registered Interior Designer shall not solicit or accept compensation or gratuities from contractors, material or furniture suppliers, or manufacturer's sales representatives from endorsing their companies or specifying their products.

C. Compliance with Laws:

1. A Registered Interior Designer shall not offer or make payment or gifts of value to elected or appointed government officials with the intent of influencing the decision or recommendation of said official in connection with a project in which the Registered Interior Designer may be interested.

2. A Registered Interior Designer shall comply with the registration laws and regulations governing the practice of Registered Interior Design in other states where the Registered Interior Designer shall choose to practice.

D. Full Disclosure:

1. A Registered Interior Designer shall not falsify or misrepresent his or her professional qualifications. The Registered Interior Designer shall not exaggerate his or her degree of responsibility in or for prior assignments. Presentations for the solicitation of employment or future projects shall not misrepresent the work of the Registered Interior Designer with the intent of enhancing the Registered Interior Designer's qualifications.

2. If, in the course of work on a project the Registered Interior Designer becomes aware of a decision or condition that may materially and adversely affect the safety and welfare of any member of the project team, the owner, or the public, the Registered Interior Designer shall report the condition to the design professional of record and or public building official.

SECTION 12: POSTING OF CERTIFICATE OF REGISTRATION

A. Each person holding a certificate of registration as a “Registered Interior Designer” in this state shall post such certificate in a prominent place in the “Registered Interior Designer’s” place of business.

SECTION 13: INTERIOR DESIGN ADVISORY COMMITTEE

A. Interior Design Advisory Committee is composed of five (5) members who are Registered Interior Designers residing in this state and have been engaged in the practice of interior design not less than seven years. It is the duty of the Interior Design Advisory Committee to carry out the purposes of this chapter as herein provided.

B. The Governor shall appoint the members of the Interior Design Advisory Committee and each member shall serve for a term of five (5) years. Each Interior Designer initially appointed should be qualified to become registered. Thereafter, all new appointees must be registered. The terms shall be staggered so that the term of not more than one (1) member shall expire each year on June 1.

C. Each member shall hold over the expiration of his term until his successor is duly appointed and qualified. The Governor shall fill any vacancy occurring in the membership of the Interior Design Advisory Committee for the unexpired term of such membership. The Governor may remove any of the members of said Interior Design Advisory Committee for inefficiency, neglect of duty or dishonorable conduct.

D. The Interior Design Advisory Committee shall elect at the first meeting of every calendar year from among its members, a chairman, a secretary, and a treasurer to hold office for one (1) year.

E. The secretary of the Interior Design Advisory Committee shall keep a true and correct record of all proceedings of the committee.

SECTION 14: DUTIES AND POWER, RULES, RECORDS AND QUORUM OF INTERIOR DESIGN ADVISORY COMMITTEE

A. The Interior Design Advisory Committee may adopt only rules or regulations that are consistent with law, as may be necessary to carry out the duties and authorities conferred upon that committee.

B. These may include, but are not limited to:

1. Administer and enforce provisions of the Act.
2. Adopt regulations to carry out policies of the Act.
3. Set registration fees.
4. Review, approve or disapprove, and make recommendations on all applications for Certificate of Registration.
5. Establish continuing education requirements for registration renewal,
6. Maintain the official roster of Registered Interior Designers.
7. Adopt requirements for monitored internship.

8. Adopt Rules of Conduct that are clear, quantifiable and enforceable by Rules and Regulations.
9. Exercise the authority to assess monetary administrative penalties for violations of the statutes and or the rules that they regulate.
10. Provide access to persons with physical, mental, or developmental disability to the Interior Design Advisory Committee's programs and activities.
11. At the direction of the Regulatory Board, the Interior Design Advisory Committee shall also review and investigate any charges brought against any Registered Interior Designer as provided for in Section 11 and make findings of fact and recommendations to the board concerning any disciplinary action which the Interior Design Advisory Committee deems necessary and proper pursuant to Section 17.

C. Before entering upon the discharge of their duties, each member of the Interior Design Advisory Committee shall take a subscribed oath of office and file it with the Secretary of State.

D. The Regulatory Board and Interior Design Advisory Committee shall adopt all necessary rules, regulations and by-laws to govern its proceedings not inconsistent with this chapter or the laws of this state.

E. The Interior Design Advisory Committee shall keep a record of all proceedings of the Interior Design Advisory Committee, which shall always be open to public examination. These records shall be maintained at the office of the Regulatory Board.

F. Three members of the Interior Design Advisory Committee shall constitute a quorum.

SECTION 15: FUNDS

A. All funds received from interior designer registration, renewal fees, and fines shall be deposited into the account of the Regulatory Board and utilized in part for expenses of the Interior Design Advisory Committee at the direction of the Regulatory Board and Regulatory Board treasurer. A complete statement of said transactions shall be included in the Regulatory Board's annual report.

SECTION 16: COMPENSATION AND EXPENSE OF INTERIOR DESIGN ADVISORY COMMITTEE

A. The Regulatory Board is hereby authorized to pay from registration and other fees for the expenses of Interior Design Advisory Committee and Regulatory Board as related to interior designer registration and in no case shall any of such fees or expenses be paid by the state of Mississippi or be charged against said state.

B. Each member of the Interior Design Advisory Committee shall be entitled to receive a per diem in such amounts as shall be set by the Regulatory Board and shall be reimbursed for prior approved expenses that are incurred in the actual performances of duties.

**SECTION 17: DISCIPLINARY PROCEDURES; PENALTIES AND COSTS;
REISSUANCE OF REVOKED CERTIFICATE**

A. The Regulatory Board shall also have the power to revoke, suspend or annul the certificate of registration of a Registered Interior Designer or reprimand, censure or otherwise discipline a Registered Interior Designer.

B. The Regulatory Board and Interior Design Advisory Committee, upon satisfactory proof and in accordance with the provisions of this chapter, may take the disciplinary actions against any Registered Interior Designer for any of the following reasons:

1. Violating any of the provisions of this act, or the bylaws, rules, regulations or standards of ethics or conduct duly adopted and promulgated by the Interior Design Advisory Committee pertaining to the practice of Registered Interior Design;
2. Obtaining a certificate of registration by fraud, deceit or misrepresentation;
3. Gross negligence, malpractice, incompetence or misconduct in the practice of Registered Interior Design.
4. Any professional misconduct, as defined by the Interior Design Advisory Committee through bylaws, rules and regulations and standards of conduct and ethics; (professional misconduct may not be defined to include bidding by Registered Interior Designers for contracts based on price);
5. Practicing or offering to practice Registered Interior Design on an expired certificate or while under suspension or revocation of a certificate unless such suspension or revocation is abated through probation, as provided for hereinafter;
6. Practicing Registered Interior Design under an assumed or fictitious name;
7. Being convicted by any court of a felony, except conviction of culpable negligent manslaughter, in which case the record of conviction shall be conclusive evidence;
8. Willfully misleading or defrauding any person employing him or her as a Registered Interior Designer by any artifice or false statement; or
9. Having any undisclosed financial or personal interest which compromises his or her obligation to his client.

C. Any person may prefer charges against any other person for committing any of the acts set forth in Section 17, Subsection (1). Such charges need not be sworn to, may be made upon actual knowledge, or upon information and belief, and must be filed with the Regulatory Board. If any person licensed under Sections 1 through Section 19 is expelled from membership in any Mississippi or national professional interior design society or association, the Regulatory Board and Interior Design Advisory Committee shall thereafter cite such person to appear at a hearing before the Regulatory Board and Interior Design Advisory Committee to show cause why disciplinary action should not be taken against that person.

The Regulatory Board and Interior Design Advisory Committee shall investigate all charges filed with it and, upon finding reasonable cause to believe that the charges are not frivolous, unfounded or filed in bad faith, may, in its discretion, cause a hearing to be held, at a time and place fixed by the Regulatory Board, regarding the charges and may compel the accused by subpoena to appear before the Regulatory Board to respond to said charges.

No disciplinary action may be taken until the accused has been furnished with both a statement of the charges against him and notice of the time and place of the hearing thereof, which shall be personally served on the accused or mailed by registered or certified mail, return receipt requested, to the last known business or residence address of the accused not less than thirty (30) days before the date fixed for the hearing.

D. At any hearing held under the provisions of this section, the Regulatory Board shall have the power to subpoena witnesses and compel their attendance and require the production of any books, paper or documents. The hearing shall be conducted before the full Regulatory Board and the Interior Design Advisory Committee with the president of the Regulatory Board serving as the presiding officer. Counsel for the Regulatory Board shall present all evidence relating to the charges. All evidence shall be presented under oath, which may be administered by any member of the Regulatory Board, and thereafter the proceedings may, if necessary, be transcribed in full by a court reporter and filed as part of the record in the case. Copies of the transcription may be provided to any party to the proceedings at a cost to be fixed by the Regulatory Board.

All witnesses who shall be subpoenaed and who shall appear in any proceedings before the Regulatory Board shall receive the same fee and mileage as allowed by law in judicial civil proceedings and all such fees shall be taxed as part of the costs of the case.

In any proceedings before the board in which any witness shall fail or refuse to attend upon subpoena issued by the Regulatory Board, shall refuse to testify or shall refuse to produce any books and papers, the production of which is called for by the subpoena, the attendance of such witness and the giving of his testimony and the production of the books and papers, shall be enforced by any court of competent jurisdiction of this state in the manner provided for the enforcement of attendance and testimony of witnesses in civil cases in the courts of this state.

The accused shall have the right to be present at the hearing in person, by counsel or other representative, or both. The accused shall have the right to present evidence and to examine and cross-examine all witnesses. The board may continue or recess the hearing as may be necessary.

E. At the conclusion of the hearing, the Regulatory Board may either decide the issue at the time or take the case under advisement for further deliberation. The Regulatory Board shall render its decision not more than forty-five (45) days after the close of the hearing, and shall forward to the last known business or residence address of the accused by certified or registered mail, return receipt requested, a written statement of the decision of the board.

If a majority of the Regulatory Board finds the accused guilty of the charges filed, the Regulatory Board may:

1. Issue a public or private reprimand;
2. Suspend or revoke the certificate of the accused, if the accused is a registrant; or

3. In lieu of or in addition to such reprimand, suspension or revocation, assess and levy upon the guilty party a monetary penalty of not less than One Hundred Dollars (\$100.00) nor more than Five Thousand Dollars (\$5,000.00) for each violation.

F. A monetary penalty assessed and levied under this section shall be paid to the Regulatory Board within 30 days, or may be paid sooner if the guilty party elects. Money collected by the Regulatory Board under this section all fines shall be deposited into the account of the Regulatory Board.

When payment of a monetary penalty assessed and levied by the Regulatory Board under this section is not paid when due, the Regulatory Board shall have the power to institute and maintain proceedings in its name for enforcement of payment in the chancery court of the county of the residence of the guilty party and if the guilty party is a nonresident of the State of Mississippi, such proceedings shall be in the Chancery Court of the First Judicial District of Hinds County, Mississippi.

G. When the Regulatory Board has taken a disciplinary action under this section, the Regulatory Board may, in its discretion, stay such action and place the guilty party on probation for a period not to exceed one (1) year, upon the condition that the guilty party shall not further violate either the law of the State of Mississippi pertaining to the practice of Registered Interior Design or the rules and regulations, or standards of conduct and ethics promulgated by the Interior Design Advisory Committee and Regulatory Board.

H. The Regulatory Board, at its discretion, may assess and tax any part of all costs of any disciplinary proceedings conducted under this section against the accused, if the accused is found guilty of the charges.

I. The power and authority of the Regulatory Board to assess and levy the monetary penalties provided for in this section shall not be affected or diminished by any other proceedings, civil or criminal, concerning the same violation or violations except as provided in this section.

J. The Regulatory Board, at the recommendation of the Interior Design Advisory Committee, for sufficient cause, may reissue a revoked certificate of registration by a majority of the Regulatory Board members; but in no event shall a revoked certificate be issued within two (2) years of the revocation. A new certificate of registration required to replace a revoked certificate may be issued, subject to the rules of the Regulatory Board, for a charge not to exceed Forty Dollars (\$40.00).

K. In addition to the reasons specified in subsection (1) of this section, the Regulatory Board shall be authorized to suspend the certificate of registration of any person for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a certificate for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a certificate suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a certificate suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

The Regulatory Board, for reasons it may deem sufficient, may reissue a certificate of registration to any person whose certificate has been suspended or revoked, providing three (3) or more members of the board vote in favor of such reissuance. The procedure for the reissuance of a certificate that is suspended for being out of compliance with an order for support, as defined in Section 93-11-153, shall be governed by Section 93-11-157 or 93-11-163, as the case may be.

SECTION 18: APPEALS

Within thirty (30) days after any order, judgment or action of the board, any person aggrieved thereby may appeal such order, judgment or action either to the chancery court of the county wherein the appellant resides or to their Chancery court of the First Judicial District of Hinds County, Mississippi, upon giving bond with sufficient security in the amount of Five Hundred Dollars (\$500.00), approved by the clerk of the chancery court and conditioned to pay any costs which may be adjudged against such person.

Notice of appeal shall be filed in the office of the clerk of the chancery court, who shall issue a writ of certiorari directed to the board commanding it within ten (10) days after service thereof to certify to such court its entire record in the matter in which the appeal has been taken. The appeal shall thereupon be heard in due course by the court, and the court shall review the record and make its determination of the cause between the parties.

Any order, judgment or decision of the board shall not take effect until after the time for appeal to the court shall have expired. All appeals perfected hereunder shall act as a supersedeas of the order, judgment or action appealed from.

SECTION 19: EXEMPTIONS

A. Exemptions listed below do not preclude the practice of interior design. However, those persons must hold a certificate of registration as a Registered Interior Designer to use the title of "Registered Interior Designer" and to practice as a Registered Interior Designer.

B. Exemptions include:

1. The practice of interior design solely as an officer or employee of the United States.
2. Professional architects licensed by the Mississippi State Board of Architecture practicing in compliance with the laws of this state;
3. Any employees of a retail establishment providing consultation regarding interior decoration or furnishings on the premises of the retail establishment or in furtherance of a retail sale or prospective retail sale, provided that such persons shall not refer to themselves as "Registered Interior Designers" unless registered under this act;
4. Any persons who provides decorative services or assistance in selection of surface materials, window treatments, wall coverings, paint, floor coverings, surface-mounted fixtures, and loose furnishings, provided that such persons shall not refer to themselves as "Registered Interior Designers" unless registered as such under this act.

5. Any person who prepares drawings of the layout of materials or furnishings used in interior design or provides assistance in the selection of materials or furnishings used in interior design for:
- a) Any one-family or two family residence buildings, regardless of cost;
 - b) Any other building which contains less than five thousand (5,000) square feet and is less than three (3) stories in height.
 - c) Any office furniture dealerships which furnish furniture placement layout plans as a part of their services as long as they are in compliance with current state statutes and codes.

SECTION 20: PROHIBITED ACTS

A. It shall be a misdemeanor for any person to:

1. Offer to practice or hold himself out as entitled to practice Registered Interior Design, unless duly certified and registered under this chapter.
2. Present as his own the certificate of another.
3. Give false or forged evidence to the board or any member thereof in obtaining a certificate.
4. Falsely impersonate any other practitioner of like or different name.
5. Use or attempt to use a certificate that has been revoked.
6. Otherwise violate any of the provisions of this chapter.

Such misdemeanor shall be punishable by a fine of not less than Five Hundred Dollars (\$500.00) and not more than One Thousand Dollars (\$1,000), or imprisonment for not more than one (1) year in the county jail, or both.

If any person, firm or corporation violates any of the provisions of this chapter, the secretary of the Regulatory Board shall, upon direction of a majority of the Regulatory Board, in the name of the State of Mississippi, acting through an attorney employed by the board, apply in any chancery court of competent jurisdiction for an order enjoining such violation or for an order enforcing compliance with the provisions of this chapter. Upon the filing of a verified petition in the proper court, such court or any judge thereof, if satisfied by the sworn petition, by affidavit or otherwise, that such person has violated this chapter, may issue a temporary injunction of five (5) days notice to the defendant enjoining such continued violation, and such injunction shall remain in force and effect until final hearing. If at such hearing it is established that such person has violated, or is violating this chapter, the court may enter a decree permanently enjoining such violation or enforcing compliance with this chapter and awarding all cost and expenses, including reasonable attorney's fees, to the board. If the enjoined party prevails, the Regulatory Board shall be liable to the enjoined party for all cost and attorney's fees. In case of violation of any decree issued in compliance with this subsection, the court may try and punish the offender for contempt of court and shall fine the offender an amount of not less than Two Hundred fifty Dollars (\$250.00) per offense. Each day

of the violation is a separate offense, and the court shall proceed as in other cases in chancery.

The proceedings in this section shall be in addition to and not in lieu of the other remedies and penalties provided in this act.

SECTION 21: CORPORATE STRUCTURE

In the case of a copartnership of interior designers or a professional corporation, or professional limited liability company, either foreign or domestic, each active member or stockholder, and each officer, director or manager, must hold a registered interior designer certificate in that member's state of residence; and, in the case of a foreign corporation or professional limited liability company doing business in this state, at least one (1) active member or stockholder must hold a certificate in this state. No stock company, corporation, professional corporation or professional limited liability company shall be entitled to a registered interior designer certificate.

Nothing in this chapter shall be construed as prohibiting a joint enterprise, partnership, professional corporation, professional limited liability company or association between one (1) or several registered interior designers; and it shall be lawful for such partnership, joint enterprise, professional corporation, professional limited liability company or association to use in its title the words registered interior designer; provided, however, that all announcement, cards, stationery, printed matter and listings of such partnership, joint enterprise, professional corporation, professional limited liability company or association shall indicate as to each member whether he be a registered interior designer : provided, further, that the name of such partnership, professional corporation, professional limited liability company or association shall contain the name of at least one (1) person who is a registered interior designer in this state and that no such person be named on any announcement card stationery, printed matter or listing of such partnership, professional corporation, professional limited liability company or association used in this state unless there is designated thereon whether or not such person is a registered interior designer in this state. Employees of a firm who are not registered interior designers in the case of a joint enterprise, partnership, professional corporation, professional limited liability company or association between registered interior designers may use business cards for that firm if the job title of such individual is clearly stated.

Each person holding a registered interior designer certificate in this state shall post such certificate in a prominent place in the interior designer's place of business. Failure to post the certificate shall be sufficient cause for revocation of such certificate.

The following persons and practices shall be exempted from the provisions of this chapter: Draftsmen, students, clerks-of-work and other employees of those registered interior designers under the provisions of this chapter acting under the instruction, control, or supervision of their employers.

END OF SECTION