

# STATEMENT OF SCOPE

## REGISTERED INTERIOR DESIGNER SECTION

Rule No.: A-E 1 to 15

Relating to: Registered Interior Designers

Rule Type: Permanent

### 1. Finding/nature of emergency (Emergency Rule only):

N/A

### 2. Detailed description of the objective of the proposed rule:

The objective of the proposed rules is to implement the statutory changes from 2021 Wisconsin Act 195.

### 3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

Wisconsin Administrative Code Chapter SPS 130 currently outlines requirements for Registered Interior Designers. The authority for the rules in SPS 130 was removed and transferred to the newly created Registered Interior Designers Section of the Examining board of architects, landscape architects, professional engineers, designers, professional land surveyors, and registered interior designers by 2021 Wisconsin Act 195. If new rules are not implemented as a result of this statute change, the practice of Registered Interior Designers will remain out of compliance with current state statute and may adversely affect the ability of Registered Interior Designers to practice in Wisconsin.

### 4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 15.08 (5) (b) states that “[each examining board]”[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.”

Section 443.015 (1) states that “[e]ach section of the examining board may establish continuing education requirements for renewal of a credential issued by that section under this chapter.”

Section 443.015 (1m) (a) 1. states that “

#### 1. Each section of the examining board shall promulgate rules to do all of the following:

**a.** Allow the holder of a credential under this chapter who is at least 65 years of age or has actively maintained that credential for at least 20 years, which need not be consecutive, and who certifies that he or she has retired from and no longer engages in the practice for which he or she holds the credential to apply to the board to classify that credential as retired status.

**b.** Allow an individual who previously held a credential under this chapter, and failed to renew that credential prior to the renewal date, to apply to the board to renew the credential with retired status if the individual is at least 65 years of age or had actively maintained that credential for at least 20 years, which need not be consecutive, certifies that he or she has retired from and no longer engages in the practice for which he or she previously held the credential, and pays the

fee under par. (d). Section 440.08 (3) (a) and (b) does not apply to the renewal of such a credential.

c. Allow the holder of a credential classified as retired status as described under subd. 1. a. or b. to apply to the appropriate section of the examining board to remove the retired status classification if he or she satisfies reinstatement requirements established by the appropriate section of the examining board by rule.”

Section 443.015 (2) states that “[e]ach section of the examining board may promulgate rules governing the professional conduct of individuals, firms, partnerships, and corporations registered, permitted, certified, or granted a certificate of authorization by that section.”

Section 443.17 (2) (a) states that “[t]he registered interior designer section of the examining board shall promulgate rules establishing specifications for seals and stamps used by Wisconsin registered interior designers.”

**5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:**

120 hours

**6. List with description of all entities that may be affected by the proposed rule:**

Registered Interior Designer credential holders and those looking to enter the profession in Wisconsin.

**7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:**

None.

**8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):**

The proposed rule is likely to have minimal or no economic impact on small businesses and the state’s economy as a whole.

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Approved for publication:

Approved for implementation:

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Authorized Signature

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Authorized Signature

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Date Submitted

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Date Submitted

# DSPS RULEMAKING PROCESS

The need for a rule change is identified and a new rule project begins:

- \* By Board or Department (Dept.) initiative
- \* After legislation is signed into law

Scope Statements give a general overview of what the Board or DSPS wants to modify within the Administrative Code.

The Rulemaking process begins with a SCOPE Statement

## SCOPE APPROVALS

Draft Scope Statement is submitted to the Board or Dept. for approval.

Board or Dept. approved Draft Scope Statement is submitted to the Governor for approval.

Governor approved Scope Statement is submitted for publication in Administrative Register and implementation. Scope number assigned.

Following Governor approval of the Scope, the project begins a 30-month period from the date the Scope was published in the Administrative Register, to becoming effective.

## PRELIMINARY RULE DRAFTING

Before the 30-month period ends, a final rule draft must be submitted to the Legislature. If this is not done, the project will need to restart from the beginning.

The preliminary rule draft is based on what the Board or DSPS want or need to change in the Administrative Code.

The public, and all potentially affected parties have an opportunity to comment on the rule project as these comments may affect the rule draft. We do this by posting Economic Impact Analysis comment periods in the DSPS website, and we hold Public Hearings. Clearinghouse rule number assigned.

## FINAL DRAFT and LEGISLATIVE REVIEW

Once the final Rule draft is with the Legislature, we wait for them to complete their review. They could object or not take any action. If they object, that objection is reviewed, and the project is modified accordingly. If they do not take any action, the rule can be adopted.

Rules are usually set to become effective on the first day of the month after publication in the Administrative Register.