



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4845

by Rep. Angelo Saviano

SYNOPSIS AS INTRODUCED:

| | |
|----------------------|-------------------------|
| 225 ILCS 310/2 | from Ch. 111, par. 8202 |
| 225 ILCS 310/3 | from Ch. 111, par. 8203 |
| 225 ILCS 310/3.5 new | |
| 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 310/13 | from Ch. 111, par. 8213 |
| 225 ILCS 310/25 | from Ch. 111, par. 8225 |
| 225 ILCS 310/26 | from Ch. 111, par. 8226 |

Amends the Interior Design Title Act. Changes the title of licensees under the Act from "interior designer" to "registered interior designer" and from "residential interior designer" to "registered residential interior designer" throughout the Act. Removes provisions that allow for the registration without examination of individuals that meet certain requirements. Makes other changes.

LRB095 15327 RAS 41315 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Interior Design Title Act is amended by
5 changing Sections 2, 3, 4, 4.5, 5, 6, 8, 9, 13, 25, and 26 and
6 by adding Section 3.5 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8 (Section scheduled to be repealed on January 1, 2012)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. 88-650, eff. 9-16-94.)

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2 (Section scheduled to be repealed on January 1, 2012)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 ~~Illinois~~ Department of Financial
5 and Professional Regulation.

6 "Secretary Director" means the Secretary Director of
7 Financial and ~~the Department of~~ 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 ~~Interior~~ designer" means a person who
17 has received registration under Section 8 of this Act.

18 "Registered residential ~~Residential~~ interior designer"
19 means a person who is registered under this Act to provide
20 design services for single family private dwellings, including
21 single family private residences or dwellings within a multiple
22 residence, 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 an
23 "registered interior designer" within the meaning of this Act
24 if he or she holds himself or herself out to the public by any
25 title incorporating the words "~~interior design~~", "registered
26 interior designer", or any title that includes the words

1 "registered interior design". A person represents himself or
2 herself to be a "registered residential interior designer"
3 within the meaning of this Act if he or she holds himself or
4 herself out to the public by any title incorporating the words
5 "~~residential interior design~~", "registered residential
6 interior designer"~~7~~ or any title that includes the words
7 "registered residential interior design".

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

9 (225 ILCS 310/3.5 new)

10 Sec. 3.5. References to Department or Director of
11 Professional Regulation. References in this Act (i) to the
12 Department of Professional Regulation are deemed, in
13 appropriate contexts, to be references to the Department of
14 Financial and Professional Regulation and (ii) to the Director
15 of Professional Regulation are deemed, in appropriate
16 contexts, to be references to the Secretary of Financial and
17 Professional Regulation.

18 (225 ILCS 310/4) (from Ch. 111, par. 8204)

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

20 Sec. 4. Title; application of Act.

21 (a) No individual shall, without a valid registration as an
22 interior designer issued by the Department, in any manner hold
23 himself or herself out to the public as a registered ~~an~~
24 interior designer or attach the title "registered interior

1 designer" or any other name or designation which would in any
2 way imply that he or she is able to use the title "registered
3 interior designer" as defined in this Act. No individual shall,
4 without a valid registration as a registered residential
5 interior designer issued by the Department, in any manner hold
6 himself or herself out to the public as a registered
7 residential interior designer, or use the title "registered
8 residential interior designer" or any name or designation that
9 would in any way imply that he or she is able to use the title
10 "registered residential interior designer" as defined in this
11 Act.

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

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

26 (c) Nothing in this Act shall be construed to limit the

1 activities and use of the title "interior designer" or
2 "residential interior designer" on the part of a person not
3 registered under this Act who is a graduate of an interior
4 design program and a full-time employee of a duly chartered
5 institution of higher education insofar as such person engages
6 in public speaking, with or without remuneration, provided that
7 such person does not represent himself or herself to be an
8 interior designer or use the title "registered interior
9 designer" or "registered residential interior designer".

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

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

20 (f) Nothing in this Act shall be construed as preventing or
21 restricting the practice, services, or activities of engineers
22 licensed under the Professional Engineering Practice Act of
23 1989 or the Structural Engineering Practice Act of 1989;
24 architects licensed pursuant to the Illinois Architectural
25 Practice Act of 1989; any interior decorator or individual
26 offering interior decorating services including, but not

1 limited to, the selection of surface materials, window
2 treatments, wall coverings, furniture, accessories, paint,
3 floor coverings, and lighting fixtures; or builders, home
4 furnishings salespersons, and similar purveyors of goods and
5 services relating to homemaking.

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

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

22 (Source: P.A. 91-91, eff. 1-1-00; 91-357, eff. 7-29-99; 92-16,
23 eff. 6-28-01.)

24 (225 ILCS 310/4.5)

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

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

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

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

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

19 (Source: P.A. 92-104, eff. 7-20-01.)

20 (225 ILCS 310/5) (from Ch. 111, par. 8205)

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

22 Sec. 5. Powers and duties of the Department. Subject to the
23 provisions of this Act, the Department shall exercise the
24 following functions, powers, and duties:

25 (a) To conduct or authorize examinations to ascertain the

1 fitness and qualifications of applicants for registration and
2 issue certificates of registration to those who are found to be
3 fit and qualified.

4 (b) To prescribe rules and regulations for a method of
5 examination of candidates. The Department shall designate as
6 its examination for registered interior designers the National
7 Council for Interior Design Qualification examination. The
8 Department shall designate as its examination for registered
9 residential interior designers the Council for Qualification
10 of Residential Interior Designers Examination.

11 (c) To adopt as its own rules relating to education
12 requirements, those guidelines published from time to time by
13 the Foundation for Interior Design Education Research or its
14 equivalent.

15 (d) To conduct hearings on proceedings to revoke, suspend,
16 or refuse to issue certificates of registration.

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

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

20 (225 ILCS 310/6) (from Ch. 111, par. 8206)

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

22 Sec. 6. Board of Registered Interior Design Professionals.
23 There is created a Board of Registered Interior Design
24 Professionals to be composed of persons designated from time to
25 time by the Director, as follows:

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

16 (b) Terms for all members shall be 3 years. For initial
17 appointments, one member shall be appointed to serve for one
18 year, 2 shall be appointed to serve for 2 years, and the
19 remaining shall be appointed to serve for 3 years and until
20 their successors are appointed and qualified. Initial terms
21 shall begin on the effective date of this Act. For the initial
22 appointments of the 2 additional members added by this
23 amendatory Act of 1994, one shall be appointed to serve for one
24 year and the other to serve for 2 years, and until their
25 successors are appointed and qualified. Partial terms over 2
26 years in length shall be considered as full terms. A member may

1 be reappointed for a successive term, but no member shall serve
2 more than 2 full terms.

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

5 (d) In making appointments to the Board, the Director shall
6 give due consideration to recommendations by national and state
7 organizations of the interior design profession and the
8 residential interior design profession, and shall promptly
9 give due notice to such organizations of any vacancy in the
10 membership of the Board. The Director may terminate the
11 appointment of any member for any cause, which in the opinion
12 of the Director, reasonably justifies such termination.

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

16 (f) The members of the Board shall each receive as
17 compensation a reasonable sum as determined by the Director for
18 each day actually engaged in the duties of the office, and all
19 legitimate and necessary expenses incurred in attending the
20 meeting of the Board.

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

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

25 (225 ILCS 310/8) (from Ch. 111, par. 8208)

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

2 Sec. 8. Requirements for registration.

3 (a) Each applicant for registration shall apply to the
4 Department in writing on a form provided by the Department.
5 Except as otherwise provided in this Act, each applicant shall
6 take and pass the examination approved by the Department. Prior
7 to registration, the applicant shall provide substantial
8 evidence to the Board that the applicant:

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

12 (2) is a graduate of a 4 year interior design program
13 from an accredited institution and has completed at least 2
14 years of full time diversified interior design experience;

15 (3) has completed at least 3 years of interior design
16 curriculum from an accredited institution and has
17 completed 3 years of full time diversified interior design
18 experience;

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

22 (5) holds a high school diploma or GED and has
23 completed 5 years of full time diversified residential
24 interior design experience.

25 (b) In addition to providing evidence of meeting the
26 requirements of subsection (a):

1 (1) Each applicant for registration as a registered ~~an~~
2 interior designer shall provide substantial evidence that
3 he or she has successfully completed the examination
4 administered by the National Council for Interior Design
5 Qualifications.

6 (2) Each applicant for registration as a registered
7 residential interior designer shall provide substantial
8 evidence that he or she has successfully completed the
9 examination administered by the Council for Qualification
10 of Residential Interior Designers.

11 Examinations for applicants under this Act may be held at
12 the direction of the Department from time to time but not less
13 than once each year. The scope and form of the examination
14 shall conform to the National Council for Interior Design
15 Qualification examination for interior designers and the
16 Council for Qualification of Residential Interior Designers
17 for residential interior designers.

18 Each applicant for registration who possesses the
19 necessary qualifications shall pay to the Department the
20 required registration fee, which is not refundable.

21 An individual applying for registration shall have 3 years
22 from the date of application to complete the application
23 process. If the process has not been completed in 3 years, the
24 application shall be denied and the fee forfeited. The
25 applicant may reapply, but shall meet the requirements in
26 effect at the time of reapplication.

1 (c) (Blank). ~~If any applicant applies for registration~~
2 ~~between January 1, 1993, and January 31, 1993, and had~~
3 ~~completed by June 30, 1992 at least 8 years of full time,~~
4 ~~diversified professional experience in interior design or a~~
5 ~~combination of full time experience and interior design~~
6 ~~education to equal 8 years, the applicant may be issued a~~
7 ~~certificate of registration without examination. Registration~~
8 ~~under this subsection shall be subject to the Board's~~
9 ~~discretionary review of the experience qualification.~~

10 ~~Notwithstanding any other provisions in this Act, anyone~~
11 ~~who has submitted an application within 5 days after the~~
12 ~~effective date of this amendatory Act of 1994 and has completed~~
13 ~~at least 15 years of full-time, diversified professional~~
14 ~~experience in interior design may be issued a certificate of~~
15 ~~registration without examination.~~

16 (c-5) (Blank). ~~If any applicant applies for registration as~~
17 ~~a residential interior designer within one year after the~~
18 ~~effective date of this amendatory Act of 1994 and has completed~~
19 ~~at least 5 years of full time, diversified professional~~
20 ~~experience in residential interior design or a combination of~~
21 ~~full time experience and residential interior design education~~
22 ~~equal to 5 years, the applicant may be issued a certificate of~~
23 ~~registration without examination. Registration under this~~
24 ~~subsection shall be subject to the Board's discretionary review~~
25 ~~of the experience qualification.~~

26 (d) Upon payment of the required fee, which shall be

1 determined by rule, an applicant who is an architect licensed
2 under the laws of this State may, without examination, be
3 granted registration as a registered ~~an~~ interior designer or
4 registered residential interior designer by the Department
5 provided the applicant submits proof of an active architectural
6 license in Illinois.

7 (e) An interior designer registered under the laws of this
8 State may, without examination or re-application, use the title
9 "Registered Residential Interior Designer".

10 (Source: P.A. 87-756; 87-1237; 87-1269; 88-45; 88-650, eff.
11 9-16-94.)

12 (225 ILCS 310/9) (from Ch. 111, par. 8209)

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

14 Sec. 9. Expiration; renewal; restoration.

15 (a) The expiration date and renewal period for each
16 certificate of registration issued under this Act shall be set
17 by rule. A registrant may renew such registration during the
18 month preceding its expiration date by paying the required
19 renewal fee.

20 (b) Inactive status.

21 (1) Any registrant who notifies the Department in
22 writing on forms prescribed by the Department may elect to
23 place his or her certificate of registration on an inactive
24 status and shall, subject to rules of the Department, be
25 excused from payment of renewal fees until he or she

1 notifies the Department in writing of his or her desire to
2 resume active status.

3 (2) Any registrant requesting restoration from
4 inactive status shall be required to pay the current
5 renewal fee and shall be required to restore his or her
6 registration.

7 (3) Any registrant whose registration is on inactive
8 status shall not use the title "registered interior
9 designer" or "registered residential interior designer" in
10 the State of Illinois.

11 (4) Any registrant who uses the title "registered
12 interior designer" or "registered residential interior
13 designer" while his or her certificate of registration is
14 lapsed or inactive shall be considered to be using the
15 title without a registration which shall be grounds for
16 discipline under Section 13 of this Act.

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

21 (d) Any person whose registration has been expired for more
22 than 5 years may have his or her registration restored by
23 making application to the Department and filing proof
24 acceptable to the Department of his or her fitness to have his
25 or her registration restored, including sworn evidence
26 certifying to active lawful practice in another jurisdiction,

1 and by paying the required restoration fee. A person using the
2 title "registered interior designer" or "registered
3 residential interior designer" on an expired registration is
4 deemed to be in violation of this Act.

5 (e) If a person whose certificate of registration has
6 expired has not maintained active status in another
7 jurisdiction, the Department shall determine, by an evaluation
8 process established by rule, his or her fitness to resume
9 active status and may require the person to complete a period
10 of evaluated practical experience, and may require successful
11 completion of an examination.

12 (f) Any person whose certificate of registration has
13 expired while he or she has been engaged (1) in federal or
14 State service active duty, or (2) in training or education
15 under the supervision of the United States preliminary to
16 induction into the military service, may have his or her
17 registration restored without paying any lapsed renewal or
18 restoration fee if, within 2 years after termination of such
19 service, training or education, he or she furnishes the
20 Department with satisfactory proof that he or she has been so
21 engaged and that his or her service, training, or education has
22 been so terminated.

23 (g) An individual applying for restoration of a
24 registration shall have 3 years from the date of application to
25 complete the application process. If the process has not been
26 completed in 3 years, the application shall be denied and the

1 fee forfeited. The applicant may reapply, but shall meet the
2 requirement in effect at the time of reapplication.

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

4 (225 ILCS 310/13) (from Ch. 111, par. 8213)

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

6 Sec. 13. Refusal, revocation or suspension of
7 registration. The Department may refuse to issue, renew, or
8 restore or may revoke, suspend, place on probation, reprimand
9 or take other disciplinary action as the Department may deem
10 proper, including fines not to exceed \$5,000 for each
11 violation, with regard to any registration for any one or
12 combination of the following causes:

13 (a) Fraud in procuring the certificate of
14 registration.

15 (b) Habitual intoxication or addiction to the use of
16 drugs.

17 (c) Making any misrepresentations or false promises,
18 directly or indirectly, to influence, persuade, or induce
19 patronage.

20 (d) Professional connection or association with, or
21 lending his or her name, to another for illegal use of the
22 title "registered interior designer" or "registered
23 residential interior designer", or professional connection
24 or association with any person, firm, or corporation
25 holding itself out in any manner contrary to this Act.

1 (e) Obtaining or seeking to obtain checks, money, or
2 any other items of value by false or fraudulent
3 representations.

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

6 (g) Improper, unprofessional, or dishonorable conduct
7 of a character likely to deceive, defraud, or harm the
8 public.

9 (h) Conviction in this or another state, or federal
10 court, of any crime which is a felony, if the Department
11 determines, after investigation, that such person has not
12 been sufficiently rehabilitated to warrant the public
13 trust.

14 (i) A violation of any provision of this Act or its
15 rules.

16 (j) Revocation by another state, the District of
17 Columbia, territory, or foreign nation of an interior
18 design or residential interior design registration if at
19 least one of the grounds for that revocation is the same as
20 or the equivalent of one of the grounds for revocation set
21 forth in this Act.

22 (k) Mental incompetence as declared by a court of
23 competent jurisdiction.

24 (l) Being named as a perpetrator in an indicated report
25 by the Department of Children and Family Services pursuant
26 to the Abused and Neglected Child Reporting Act, and upon

1 proof by clear and convincing evidence that the registrant
2 has caused a child to be an abused child or neglected child
3 as defined in the Abused and Neglected Child Reporting Act.

4 The Department shall deny a registration or renewal
5 authorized by this Act to any person who has defaulted on an
6 educational loan guaranteed by the Illinois Student Assistance
7 Commission; however, the Department may issue a certificate of
8 registration or renewal if such person has established a
9 satisfactory repayment record as determined by the Illinois
10 Student Assistance Commission.

11 The Department may refuse to issue or may suspend the
12 registration of any person who fails to file a return, or to
13 pay the tax, penalty, or interest showing in a filed return, or
14 to pay any final assessment of tax, penalty, or interest, as
15 required by any tax Act administered by the Illinois Department
16 of Revenue, until such time as the requirements of any such tax
17 Act are satisfied.

18 The entry of a decree by any circuit court establishing
19 that any person holding a certificate of registration under
20 this Act is a person subject to involuntary admission under the
21 Mental Health and Developmental Disabilities Code shall
22 operate as a suspension of that registration. That person may
23 resume using the title "registered interior designer" or
24 "registered residential interior designer" only upon a finding
25 by the Board that he or she has been determined to be no longer
26 subject to involuntary admission by the court and upon the

1 Board's recommendation to the Director that he or she be
2 permitted to resume using the title "registered interior
3 designer" or "registered residential interior designer".

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

5 (225 ILCS 310/25) (from Ch. 111, par. 8225)

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

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

1 injunction to issue. A copy of the verified complaint shall be
2 served upon the defendant and the proceedings shall be
3 conducted as in other civil cases except as modified by this
4 Section. If it is established that the defendant has been or is
5 engaged in any such unlawful use, the court or any judge may
6 enter an order or judgment perpetually enjoining the defendant
7 from further such use. In all proceedings under this Section,
8 the court, in its discretion, may apportion the costs among the
9 parties interested in the suit, including cost of filing the
10 complaint, service of process, witness fees and expenses, court
11 reporter charges and reasonable attorney's fees. In case of
12 violation of any injunction issued under this Section, the
13 court or any judge may summarily try and punish the offender
14 for contempt of court. Such injunction proceedings are in
15 addition to, and not in lieu of, all penalties and other
16 remedies provided in this Act.

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

18 (225 ILCS 310/26) (from Ch. 111, par. 8226)

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

20 Sec. 26. Unlawful use; second offenses. Any person who uses
21 the title "registered interior designer" or "registered
22 residential interior designer" in this State without being
23 registered under this Act, or whose registration has been
24 suspended, inactive, or revoked, or who violates any of the
25 provisions of this Act is guilty of a Class A misdemeanor. Any

1 person who has been previously convicted of violating this Act
2 and who subsequently violates any of the provisions of this Act
3 is guilty of a Class 4 felony. In addition, whenever any person
4 is punished as a subsequent offender under this Section, the
5 Director may proceed to obtain a permanent injunction against
6 such person under Section 25 of this Act.

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