



# Oregon

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TO: House Committee on Commerce and Consumer Protection

FROM: Oregon State Board of Architect Examiners

SUBJECT: Testimony on House Bill 2141, Introduced – No Position.

## **Testimony on House Bill 2141**

Chair Sosa, Vice Chairs Chaichi and Osborne, and Members of the Committee,

Thank you for the opportunity to provide testimony on HB 2141, which proposes the establishment of a voluntary registration for commercial interior designers (RCIDs) under the authority of the Oregon State Board of Architect Examiners (OSBAE), and which provides that RCIDs may sign and seal technical submissions for building permits (construction documents) that currently must be signed and sealed by registered architects or engineers, but which are within the scope of practice of registered commercial interior designer as defined by HB 2141. The bill also expands OSBAE board to 11 members, adding three RCIDs who would help develop qualification standards for their profession. The bill requires OSBAE to engage in extensive rulemaking and engagement with other professional boards to achieve the objectives of the bill.

The mission of OSBAE is to protect the health, safety, and welfare of the public through the registration and regulation of the practice of architecture in Oregon, ensuring minimum standards of conduct and competence are upheld. While OSBAE takes no position on this bill, we appreciate the opportunity to share technical considerations and questions that arose from our analysis.

### **Ambiguities in Scope and Definitions**

HB 2141 introduces new definitions for commercial interior design and registered commercial interior designers, but these definitions lack clarity in areas:

- The proposed definition of commercial interior design may include elements that overlap with the practice of architecture as defined under ORS 671.010.
- It does not specify whether commercial interior design includes or excludes structural engineering, or other engineering in interior spaces, creating uncertainty about whether RCIDs can alter load-bearing walls, for example, or other critical engineered building elements.

- The term "commercial" is not defined in relation to existing exempt and non-exempt work, making it unclear whether RCIDs may engage in projects that typically require a registered architect.

The bill would make OSBAE responsible for consulting and cooperating with other professional licensing boards to clarify scopes of practice among multiple professions, including Engineering, Landscape Architects, Construction Contractors, and to establish boundaries between the scopes of practice of those professions, and the scope of practice of registered commercial interior design.

Establishing boundaries, or otherwise addressing overlapping practice among professions, is a complex process that is being addressed at a national level by the Interorganizational Council of Regulation (ICOR), which includes the Council of Interior Design Qualification and the National Council of Architectural Registration Boards. Before OSBAE is directed to undertake this work on its own, the legislature should consider that:

- The ICOR is currently conducting a nationwide study on scope-of-practice overlaps between architecture, engineering, interior design, landscape architecture, and surveying. This study is expected to be completed in 2026.
- If Oregon finalizes its scope definitions before ICOR completes its work, and should boards adopt ICOR's recommendations, Oregon may have to further amend ORS 671 and related administrative rules to align with national best practices.
- The process described by HB 2141 of defining scope-of-practice boundaries will require significant staff time, Board involvement, legal review, and administrative resources, making implementation challenging.

### **Technical Allowances**

The bill grants RCIDs the ability to submit, stamp, and sign technical submissions (construction documents submitted for a building permit) within their scope of practice and may not require an architect's, engineer's, or contractor's stamp on those submissions.

- Accordingly, the bill grants RCIDs authority to stamp and sign construction documents that for the protection of the health, safety, and welfare of the public, currently must be stamped and signed by registered architects or engineers.
- HB 2141 does not restrict RCID submissions to non-structural work or otherwise prevent RCIDs from providing services that currently must be provided by architects, engineers, or contractors.
- Given the broad definition of commercial interior design, this could create uncertainty about regulatory boundaries and potential overlaps with the practice of architecture.
- The bill also states that municipalities may allow RCIDs to supervise the preparation of plans or designs that are not within the scope of architecture, engineering, or construction contracting.

However, the bill does not specify which types of work this includes, leaving ambiguity in enforcement and interpretation.

### **Voluntary Nature & Enforcement**

The bill establishes that RCID registration is voluntary, raising regulatory and enforcement questions:

- Individuals may use the RCID title only if registered, but the bill does not prohibit unregistered individuals from performing the same work.
- Given the broad definitions, this could potentially allow any unregistered member of the public to practice elements of architecture.
- Without a mandatory registration requirement, consumers and regulatory authorities may face challenges in distinguishing between registered and unregistered commercial interior designers.
- If OSBAE has requirements for RCIDs that do not apply to non-registered individuals, it could lead to regulatory gaps, making enforcement inconsistent.

### **Funding & Timelines**

- The bill allows OSBAE to charge registration-related fees for RCIDs, but the bill does not identify a funding source for program initiation.
- OSBAE is a small, semi-independent, self-funded agency with 3.1 full-time equivalent employees (FTE). It relies on licensing fees and minor civil penalty revenues, does not receive general fund support, and does not have access to Emergency Board funding.
- It is unclear how many commercial interior designers would register to sustain the program financially or how this may impact registration fees.
- Given the uncertain interest, determining an accurate fiscal impact is challenging. However, initial cost estimates for the 2025-27 biennium are approximately \$355,000, which represents 21% of OSBAE's proposed \$1.7 million operating budget for 2025-27.

The July 1, 2026, operative date provides tight implementation constraints, given the time required to:

- Recruit and onboard new board members and staff
- Collaborate with other agencies
- Consult with legal counsel
- Draft and finalize multiple administrative rules

## **Conclusion**

HB 2141 proposes a voluntary registration for commercial interior designers while expanding their ability to submit, stamp, and sign technical documents. The bill introduces considerations related to professional scope, safety, and implementation feasibility. Factors such as fiscal impact, extensive rulemaking, and uncertain RCID participation may affect the ability of a small, self-funded agency to implement the program within the required timeline. Given the bill's potential effects on public safety, regulatory oversight, and interagency coordination, OSBAE seeks further clarification.



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