

## Interior Design Licensure Bill Knocked Down by Indiana Governor

Although both houses of the Indiana General Assembly approved a measure that would regulate interior design services in the state, it will not likely become law. Earlier this month, Gov. Mitch Daniels (R) vetoed [Senate Bill 490](#), and surprised many by issuing an unusually long [veto message](#) detailing his arguments against the bill and cautioning the legislature from passing similar measures.

Daniels acknowledged that although state governments regulate certain occupations and do so to protect the health and safety of the public, he could find no evidence that interior designers needed such regulation. He stated, "Government must be careful to exercise such powers [over professional regulation] in a restrained and limited way, in order to avoid limiting competition in occupations where no significant public health or safety concerns are involved."

The governor also cited what has now become an infamous article written by nationally-syndicated columnist George Will. In that article, titled "[Wallpapering With Red Tape](#)," Will attacked certain interior designers for seeking to alienate groups within the field and pursuing licensure measures that ultimately limit competition. As Will states, "This is done in the name of 'professionalization,' but it really amounts to cartelization."

"To take the serious step of restricting the marketplace, thereby depriving some people of their livelihoods, a state must determine whether a profession provides services that directly and significantly affect the public health, safety, and welfare." — Libby Dannenberg, director, AIA State and Local Affairs.

The AIA firmly agrees with the veto and believes that the purpose of licensure is to protect the public and that one of state government's top responsibilities is to protect its citizens. Regulation, by nature, limits entry into a profession and should be reserved for professions and occupations that, if unregulated, pose a serious threat to public health, safety, and welfare. Libby Dannenberg, director, AIA State and Local affairs, notes, "to take the serious step of restricting the marketplace, thereby depriving some people of their livelihoods, a state must determine whether a profession provides services that directly and significantly affect the public health, safety, and welfare."

Indiana's bill joins many frivolous measures that are popping up across the country. Two bills have been introduced last month alone, one in Pennsylvania and another in South Carolina. The [Pennsylvania bill, H.B. 807](#), does not even require that certain qualifications be tested by the state. In contrast, doctors, lawyers, architects, and others are each tested prior to licensure to ensure that these professionals are qualified to protect the health, safety, and welfare of the public. Pennsylvania has joined hands with a number of other opposition groups, including several interior design groups from other states, to contest this bill. Hearings for this bill will likely begin in late summer. [South Carolina's H3918](#) recently received a subcommittee hearing, but met an impasse when nine parties offered opposition testimony and none was offered in support of the bill. The bill may still have some life left, but for now will lie low.

The act of regulating professions is tricky and should be reserved for only those whose work significantly affects the public's well-being. Architects are well-educated professionals who have to undergo a lengthy internship and extensive testing process prior to becoming licensed. The purpose of this is to guarantee a level of quality to ensure that the buildings designed by these professionals are sturdy and secure. As George Will notes, when compared to other regulated professions, "the skills of interior designers are neither similarly measurable nor comparably disastrous when deficient."

The AIA has a number of resources on this issue that may be of assistance in your state. Please contact Government Advocacy for more information 202-626-7403 or [govaffs@aia.org](mailto:govaffs@aia.org).