

ARTICLE 24C Interior Designers

Section

- [61-24C-1 Short title. \(Repealed effective July 1, 2024.\)](#)
- [61-24C-2 Findings. \(Repealed effective July 1, 2024.\)](#)
- [61-24C-3 Definitions. \(Repealed effective July 1, 2024.\)](#)
- [61-24C-4 Interior design board created; members; terms; compensation. \(Repealed effective July 1, 2024.\)](#)
- [61-24C-5 Powers and duties of the board. \(Repealed effective July 1, 2024.\)](#)
- [61-24C-6 Compensation and expenses. \(Repealed effective July 1, 2024.\)](#)
- [61-24C-7 Board officers. \(Repealed effective July 1, 2024.\)](#)
- [61-24C-8 Requirements for licensure. \(Repealed effective July 1, 2024.\)](#)
- [61-24C-9 License without examination. \(Repealed effective July 1, 2024.\)](#)
- [61-24C-10 License; issuance; renewal; denial, suspension or revocation. \(Repealed effective July 1, 2024.\)](#)
- [61-24C-11 License required; penalty. \(Repealed effective July 1, 2024.\)](#)
- [61-24C-12 Penalties levied by the board. \(Repealed effective July 1, 2024.\)](#)
- [61-24C-13 Exemptions. \(Repealed effective July 1, 2024.\)](#)
- [61-24C-14 License fees. \(Repealed effective July 1, 2024.\)](#)
- [61-24C-15 Disclosure requirements. \(Repealed effective July 1, 2024.\)](#)
- [61-24C-16 Fund established; disposition; method of payment. \(Repealed effective July 1, 2024.\)](#)
- [61-24C-17 Termination of agency life; delayed repeal. \(Repealed effective July 1, 2024.\)](#)

61-24C-1. Short title. (Repealed effective July 1, 2024.)

Statute text

[Chapter 61, Article 24C](#) NMSA 1978 may be cited as the "Interior Designers Act".

History

History: Laws 1989, ch. [53](#), § [1](#); 2000, ch. [4](#), § [13](#).

Delayed repeals. — For delayed repeal of this section, see [61-24C-17](#) NMSA 1978.

The 2000 amendment, effective February 15, 2000, substituted "Chapter 61, Article 24C NMSA 1978" for "This act".

61-24C-2. Findings. (Repealed effective July 1, 2024.)

The legislature finds that it will benefit and protect the citizens of the state to require the licensing of interior designers and prohibit the use of the designation licensed "interior designer" by unlicensed persons.

History

History: Laws 1989, ch. [53](#), § [2](#); 2007, ch. [245](#), § [1](#).

Delayed repeals. — For delayed repeal of this section, see [61-24C-17](#) NMSA 1978

The 2007 amendment, effective June 15, 2007, prohibits the use of the designation of licensed interior designer by unlicensed persons.

61-24C-3. Definitions. (Repealed effective July 1, 2024.)

As used in the Interior Designers Act [[61-24C-1](#) NMSA 1978]:

A. "board" means the interior design board;

B. "interior design" means services that do not necessarily require performance by an architect, such as administering contracts for fabrication, procurement or installation in the implementation of designs, drawings and specifications for any interior design project and consultations, studies, drawings and specifications in connection with reflected ceiling plans, space utilization, furnishings or the fabrication of nonstructural elements within and surrounding interior spaces of buildings, but specifically excluding mechanical and electrical systems, except for specifications of fixtures and their location within interior spaces; and

C. "licensed interior designer" or "licensed designer" means a person licensed pursuant to the Interior Designers Act.

History

History: Laws 1989, ch. [53](#), § [3](#); 2007, ch. [245](#), § [2](#).

Delayed repeals. — For delayed repeal of this section, see [61-24C-17](#) NMSA 1978

The 2007 amendment, effective June 15, 2007, defines "licensed interior designer".

61-24C-4. Interior design board created; members; terms; compensation. (Repealed effective July 1, 2024.)

A. There is created the "interior design board". The board shall be administratively attached to the regulation and licensing department. The board shall consist of five members appointed by the governor for staggered terms of three years, appointed in a manner that the term of one member shall expire on December 31, 1990; the terms of two members shall expire on December 31, 1991; and the terms of the last two members shall expire on December 31, 1992. Thereafter, members shall be appointed for terms of three years or less in a manner that the terms of not more than two members expire on December 31 of each year. A vacancy shall be filled by appointment by the governor for the unexpired term. A board member shall not serve consecutive terms.

B. All members of the board shall be residents of New Mexico. No more than two members shall be appointed from the same congressional district. Three members of the board shall be licensed interior designers and two members shall be chosen to represent the public and shall not have been licensed as interior designers or have a significant financial interest, direct or indirect, in the occupation regulated. For purposes of this section, the interior designer members of the initial board shall have offered interior design services for at least five years, shall have passed the national council for interior design qualification examination and shall have become registered by November 1, 1989.

C. Three members of the board shall constitute a quorum for the transaction of business, but no final action shall be taken unless at least three members vote in favor of a proposal.

History

History: Laws 1989, ch. [53](#), § [4](#); 2003, ch. [408](#), § [26](#); 2007, ch. [245](#), § [3](#).

Delayed repeals. — For delayed repeal of this section, see [61-24C-17](#) NMSA 1978.

The 2007 amendment, effective June 15, 2007, requires that members of the board be residents of New Mexico, and that no more than two members shall be appointed from the same

congressional district and increases the number of members who must be licensed interior designers to three and decreases the number of members who must represent the public to two.

The 2003 amendment, effective July 1, 2003, added "The board shall be administratively attached to the regulation and licensing department." following the first sentence of Subsection A.

61-24C-5. Powers and duties of the board. (Repealed effective July 1, 2024.)

The board:

A. shall administer, coordinate and enforce the provisions of the Interior Designers Act [[61-24C-1](#) NMSA 1978]. The board may investigate allegations of violations of the provisions of the Interior Designers Act;

B. shall adopt regulations to carry out the purposes and policies of the Interior Designers Act, including regulations relating to professional conduct, standards of performance and professional examination and licensure, reasonable license, application, renewal and late fees and the establishment of ethical standards of practice for a licensed interior designer in New Mexico;

C. shall require a licensee, as a condition of the renewal of the license, to undergo continuing education requirements as set forth in the Interior Designers Act;

D. shall maintain an official roster showing the name, address and license number of each interior designer licensed pursuant to the Interior Designers Act;

E. shall conduct hearings and keep records and minutes necessary to carry out its functions;

F. may adopt a common seal for use by licensed interior designers; and

G. shall do all things reasonable and necessary to carry out the purposes of the Interior Designers Act.

History

History: Laws 1989, ch. [53](#), § [5](#); 2003, ch. [408](#), § [27](#); 2007, ch. [245](#), § [4](#).

Delayed repeals. — For delayed repeal of this section, see [61-24C-17](#) NMSA 1978.

The 2007 amendment, effective June 15, 2007, changes references from interior designer to licensed interior designer.

The 2003 amendment, effective July 1, 2003, deleted former Subsections C and D, concerning employment of director and contracting for office space and administrative services, and redesignated the subsequent subsections accordingly.

61-24C-6. Compensation and expenses. (Repealed effective July 1, 2024.)

A. Members of the board shall be reimbursed as provided in the Per Diem and Mileage Act [[10-8-1](#) NMSA 1978] and shall receive no other compensation, perquisite or allowance.

B. The board shall fix the compensation of its employees by resolution adopted at a regular meeting of the board.

History

History: Laws 1989, ch. [53](#), § [6](#).

Delayed repeals. — For delayed repeal of this section, see [61-24C-17](#) NMSA 1978.

61-24C-7. Board officers. (Repealed effective July 1, 2024.)

The board shall meet and organize within sixty days after its appointment and designate one member as president, one as vice president and one as secretary-treasurer. The board may appoint

an executive director. The director may not be a member of the board. The executive director may receive reimbursement for necessary expenses incurred in carrying out his duties and may receive compensation set by the board.

History

History: Laws 1989, ch. [53](#), § [7](#).

Delayed repeals. — For delayed repeal of this section, see [61-24C-17](#) NMSA 1978.

61-24C-8. Requirements for licensure. (Repealed effective July 1, 2024.)

Each applicant for licensure shall apply to the board. Except as otherwise provided in the Interior Designers Act [[61-24C-1](#) NMSA 1978], each applicant shall take and pass a nationally standardized examination. The board may adopt substantially all or part of the examination and grading procedures of the national council for interior design qualifications. Prior to examination, the applicant shall provide substantial evidence to the board that the applicant:

A. is a graduate of a five-year interior design program from an accredited institution and has completed at least one year of diversified interior design experiences;

B. is a graduate of a four-year interior design program from an accredited institution and has completed at least two years of diversified interior design experience;

C. has completed at least three years of an interior design curriculum from an accredited institution and has completed three years of diversified interior design experience;

D. is a graduate of a two-year interior design program from an accredited institution and has completed four years of diversified interior design experience; or

E. has apprenticed under a designer who has passed the national council for interior design qualification examination or a licensed designer for a minimum of eight years.

History

History: Laws 1989, ch. [53](#), § [8](#).

Delayed repeals. — For delayed repeal of this section, see [61-24C-17](#) NMSA 1978.

Cross references. — For the Parental Responsibility Act, see [Chapter 40, Article 5A](#) NMSA 1978.

61-24C-9. License without examination. (Repealed effective July 1, 2024.)

A. If any person applies for licensure within one year after the effective date of the Interior Designers Act [[61-24C-1](#) NMSA 1978] and that person has successfully completed the national council of interior design qualification examination or has completed at least eight years of full-time, diversified experience in the practice of interior design that person may be issued a license without examination. Licensure pursuant to this subsection shall be subject to the board's discretionary review of the experience qualification.

B. The board may accept, in lieu of examination, satisfactory evidence of licensure in another state or country where the qualifications are equal to or exceed those required by the provisions of the Interior Designers Act, provided that the applicant holds a current license in the other jurisdiction and has complied with all other requirements of the Interior Designers Act.

C. The board may accept, in lieu of examination, satisfactory evidence of licensure or certification by the national council for interior design qualifications.

History

History: Laws 1989, ch. [53](#), § [9](#).

Delayed repeals. — For delayed repeal of this section, see [61-24C-17](#) NMSA 1978.

"Effective date of the Interior Designers Act". — The "effective date of the Interior Designers Act", referred to near the beginning of Subsection A, means the effective date of Laws 1989, ch. [53](#), which is June 16, 1989.

61-24C-10. License; issuance; renewal; denial, suspension or revocation. (Repealed effective July 1, 2024.)

A. A license shall be issued to every person who presents satisfactory evidence of possessing the qualifications of education, experience and, as appropriate, the examination performance required by the provisions of the Interior Designers Act [[61-24C-1](#) NMSA 1978], provided that the applicant has reached the age of majority and pays the required fees.

B. Each original license shall authorize the holder to use the title of and be known as a licensed interior designer from the date of issuance to the next renewal date unless the license is suspended or revoked.

C. All licenses shall expire annually and shall be renewed by submitting a completed renewal application, accompanied by the required fees.

D. A license may not be renewed until the licensee submits satisfactory evidence to the board that, during the last year, the licensee has participated in not less than eight hours of continuing education approved by the board. The board shall approve only continuing education that builds upon basic knowledge of interior design. The board may make exceptions from the continuing education requirement in emergency or hardship cases.

E. The holder of a license that has expired through failure to renew may renew the license at any time within two years from the date on which the license expired, upon approval of the board.

F. The board may promulgate policies and procedures providing for the establishment of an inactive status for licensees temporarily not engaged in the practice of interior design.

G. In accordance with the provisions of the Uniform Licensing Act [[61-1-1](#) NMSA 1978], the board may deny, refuse to renew, suspend or revoke a license or impose probationary conditions when the licensee has:

(1) obtained the license by means of fraud, misrepresentation or concealment of material facts;

(2) committed an act of fraud or deceit in professional conduct or been convicted of a felony;

(3) made any representation as being a licensed interior designer prior to being issued a license, except as authorized under the provisions of the Interior Designers Act;

(4) been found by the board to have aided or abetted an unlicensed person in violating the provisions of the Interior Designers Act; or

(5) failed to comply with the provisions of the Interior Designers Act or regulations adopted pursuant to that act.

History

History: Laws 1989, ch. [53](#), § [10](#); 2007, ch. [245](#), § [5](#).

Delayed repeals. — For delayed repeal of this section, see [61-24C-17](#) NMSA 1978.

The 2007 amendment, effective June 15, 2007, amends Subsection C providing for the annual expiration and renewal of licenses.

61-24C-11. License required; penalty. (Repealed effective July 1, 2024.)

A. After the results of the first examination held pursuant to the Interior Designers Act [[61-24C-1](#) NMSA 1978] are announced, no person shall knowingly:

- (1) use the name or title of licensed interior designer when the person is not the holder of a current, valid license issued pursuant to the Interior Designers Act;
- (2) use or present as the person's own the license of another;
- (3) give false or forged evidence to the board or a board member for the purpose of obtaining a license;
- (4) use or attempt to use an interior design license that has been suspended, revoked or placed on inactive status; or
- (5) conceal information relative to violations of the Interior Designers Act.

B. A person who violates a provision of this section is guilty of a misdemeanor and shall be sentenced under the provisions of the Criminal Sentencing Act [[31-18-12](#) NMSA 1978] to imprisonment in the county jail for a definite term of less than one year or to the payment of a fine of not more than one thousand dollars (\$1,000) or to both imprisonment or fine, in the discretion of the judge.

History

History: Laws 1989, ch. [53](#), § [11](#); 2007, ch. [245](#), § [6](#).

Delayed repeals. — For delayed repeal of this section, see [61-24C-17](#) NMSA 1978.

The 2007 amendment, effective June 15, 2007, changes the reference from interior designer to licensed interior designer.

61-24C-12. Penalties levied by the board. (Repealed effective July 1, 2024.)

Upon a finding by the board of a violation of the provisions of the Interior Designers Act [[61-24C-1](#) NMSA 1978], the board may:

- A. refuse to approve an application for licensure;
- B. refuse to renew an existing license;
- C. revoke or suspend a license;
- D. impose an administrative fine;
- E. issue a reprimand;
- F. assess the costs of disciplinary proceedings, as provided in the Uniform Licensing Act [[61-1-1](#) NMSA 1978]; or
- G. invoke any combination of the above listed penalties.

History: Laws 1989, ch. [53](#), § [12](#); 2007, ch. [245](#), § [7](#).

Delayed repeals. — For delayed repeal of this section, see [61-24C-17](#) NMSA 1978.

The 2007 amendment, effective June 15, 2007, adds Subsection F.

61-24C-13. Exemptions. (Repealed effective July 1, 2024.)

A. Nothing in the Interior Designers Act [[61-24C-1](#) NMSA 1978] shall be construed as preventing or restricting the practice, services or activities of:

- (1) engineers licensed pursuant to the Engineering and Surveying Practice Act [[61-23-1](#) NMSA 1978];
- (2) architects licensed pursuant to the Architectural Act [[61-15-1.1](#) NMSA 1978];

(3) contractors licensed pursuant to the Construction Industries Licensing Act [[60-13-1](#) NMSA 1978];

(4) any interior decorator or individual offering interior decorating services, including but not limited to selection of surface materials, window treatments, wall coverings, paint, floor coverings and lighting fixtures; and

(5) builders, home furnishings salespersons and similar purveyors of goods and services relating to homemaking.

B. Nothing contained in the Interior Designers Act shall prevent any person from rendering or offering to render any of the services that constitute the practice of interior design, provided that such person shall not be permitted to use or be identified by the title "licensed interior designer" unless licensed in accordance with the provisions of that act or as otherwise provided by law.

C. Nothing in the Interior Designers Act shall be construed to permit a licensed interior designer to engage in the practice of engineering as defined in the Engineering and Surveying Practice Act.

History

History: Laws 1989, ch. [53](#), § [13](#); 2007, ch. [245](#), § [8](#).

Delayed repeals. — For delayed repeal of this section, see [61-24C-17](#) NMSA 1978.

The 2007 amendment, effective June 15, 2007, eliminates the provision that permitted a person to use words or combinations of words other than "interior designer" or "interior design" no matter how similar the words or combinations of words might be.

61-24C-14. License fees. (Repealed effective July 1, 2024.)

The fees for an original license, renewal of license, late charges or any other fees authorized by the provisions of the Interior Designers Act [[61-24C-1](#) NMSA 1978] shall be set by regulation of the board. The fee for initial licensure shall not exceed two hundred dollars (\$200).

History

History: Laws 1989, ch. [53](#), § [14](#).

Delayed repeals. — For delayed repeal of this section, see [61-24C-17](#) NMSA 1978.

61-24C-15. Disclosure requirements. (Repealed effective July 1, 2024.)

A. Interior design documents prepared by a licensed interior designer shall contain a statement that the document is not an architectural or engineering study, drawing, specification or design and is not to be used as the basis for construction of any load-bearing framing, wall or structure construction.

B. Before entering into a contract, a licensed interior designer shall clearly determine the scope and nature of the project and the methods of compensation. The licensed interior designer may offer professional services to the client as a consultant, specifier or supplier on the basis of a fee, percentage or mark-up. The licensed interior designer shall have the responsibility of fully disclosing to the client the manner in which all compensation is to be paid.

C. A licensed interior designer shall not accept any form of compensation from a supplier of goods and services in cash or in kind, unless the licensed interior designer first informs the client of the compensation.

History: Laws 1989, ch. [53](#), § [15](#); 2007, ch. [245](#), § [9](#).

Annotations

Delayed repeals. — For delayed repeal of this section, see [61-24C-17](#) NMSA 1978.

The 2007 amendment, effective June 15, 2007, changes references from interior designer to licensed interior designer.

61-24C-16. Fund established; disposition; method of payment. (Repealed effective July 1, 2024.)

A. There is created the "interior design board fund".

B. All funds received by the board and money collected under the Interior Designers Act [[61-24C-1](#) NMSA 1978] shall be deposited with the state treasurer. The state treasurer shall credit the money to the interior design board fund.

C. Payments out of the interior design board fund shall be on vouchers issued by the secretary-treasurer of the board upon warrants drawn by the department of finance and administration in accordance with the budget approved by that department.

D. All amounts paid to the interior design board fund are subject to appropriation by the legislature and shall be used only for meeting necessary expenses incurred in executing the provisions and duties of the Interior Designers Act and for promoting interior design education and standards in the state. All money unused at the end of any fiscal year shall remain in the interior design board fund for use in accordance with the provisions of that act.

History

History: Laws 1989, ch. [53](#), § [16](#); 2007, ch. [245](#), § [10](#).

Delayed repeals. — For delayed repeal of this section, see [61-24C-17](#) NMSA 1978.

The 2007 amendment, effective June 15, 2007, provides that all funds paid to the board are subject to appropriation by the legislature.

61-24C-17. Termination of agency life; delayed repeal. (Repealed effective July 1, 2024.)

The interior design board is terminated on July 1, 2023 pursuant to the provisions of the Sunset Act [[12-9-11](#) through [12-9-21](#) NMSA 1978]. The board shall continue to operate according to the provisions of the Interior Designers Act until July 1, 2024. Effective July 1, 2024, Chapter [61](#), Article [24C](#) NMSA 1978 is repealed.

History: 1978 Comp., § 61-24C-17, enacted by Laws 1993, ch. [83](#), § [5](#); 2000, ch. [4](#), § [14](#); 2005, ch. [208](#), § [18](#); 2011, ch. [30](#), § [6](#); 2017, ch. [52](#), § [10](#).

The 2017 amendment, effective June 16, 2017, changed "July 1, 2017" to "July 1, 2023", and changed "July 1, 2018" to "July 1, 2024" in two places.

The 2011 amendment, effective June 17, 2011, changed the termination, operation and repeal dates.

The 2005 amendment, effective June 17, 2005, changes the termination, operation and repeal dates.

The 2000 amendment, effective February 15, 2000, substituted "2005" for "1999" in the first sentence, and "2006" for "2000" in the last two sentences.
