

**MISSISSIPPI STATE BOARD OF ARCHITECTURE
INTERIOR DESIGN ADVISORY COMMITTEE
RULES AND REGULATIONS**

Final Rules Proposed February 7, 2020; Effective October 19, 2020

CLEAN

Title 30, Part 203, Chapter 5: Professional Code of Conduct

Rule 5.3 Compliance with Laws.

- A. A Certified Interior Designer shall not, in the conduct of providing certified interior design services, knowingly violate any state or federal criminal law directly related to the duties and responsibilities of the practice of interior design.

Commentary - This rule is concerned with the violation of a state or federal criminal law while in the conduct of certified interior design. Thus, it does not cover criminal conduct entirely unrelated to certified interior design. It is intended, however, that Rule 5.5 (D) will cover reprehensible conduct on the part of the Certified Interior Designer not embraced by Rule 5.3 (A).

- B. A Certified Interior Designer shall neither offer nor make any payments or gifts of substantial value to a government official (whether elected or appointed) with the intent of influencing the official's judgment in connection with a prospective or existing project in which the Certified Interior Designer is interested.

Commentary – Rule 5.3 (B) tracks a typical bribe statute. It is covered by the general language of Rule 5.5 (C), but it was the Committee's view that Rule 5.3 (B) should be explicitly set out in the Rules of Conduct. Note that all of the rules under this section look to the conduct of the Certified Interior Designer and not to whether or not the Certified Interior Designer has actually been convicted under a criminal law. A Certified Interior Designer who bribes a public official is subject to discipline by the state certification board, whether or not the Certified Interior Designer has been convicted under the state criminal procedure.

- C. A Certified Interior Designer shall comply with the laws and regulations governing providing of interior design services in any United States jurisdiction. A Certified Interior Designer may be subject to disciplinary action if, based on grounds substantially similar to those which lead to disciplinary action in this jurisdiction, the Certified Interior Designer is disciplined in any United States jurisdiction.

Source: *Miss. Code Ann.* §73-73-25(2)(h)

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MARK-UP

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Commentary - This rule is concerned with the violation of a state or federal criminal law while in the conduct of certified interior design. Thus, it does not cover criminal conduct entirely unrelated to certified interior design. It is intended, however, that Rule 5.5 (BD) will cover reprehensible conduct on the part of the Certified Interior Designer not embraced by Rule 5.3 (A). At present, there are several ways in which member boards have dealt with this sort of rule. Some have disregarded the requirement that the conduct be related to certified interior design and have provided for discipline whenever the Certified Interior Designer engages in a crime involving "moral turpitude." Some boards declined the use of that phrase, as its meaning is by no means clear or uniformly understood. Some member boards discipline for felony crimes and not for misdemeanor crimes. While the distinction between the two was once the distinction between serious crimes and technical crimes, that distinction has been blurred in recent years. Accordingly, this rule specifies crimes in the course of the Certified Interior Designer's work and gives to the board discretion to deal with other reprehensible conduct. Note that the rule is concerned only with violations of state or federal criminal law. The rule does not pertain to violations of the laws of other nations. Not only is it extremely difficult for a member board to obtain suitable evidence of the interpretation of foreign laws, it is not unusual for such laws to be at odds with the laws, or, at least, the policy of the United States of America. For example, the failure to follow the dictates of the "anti-Israel boycott" laws found in most Arab jurisdictions is a crime under the laws of most of those jurisdictions; while the anti-Israel boycott is contrary to the policy of the government of the United States and following its dictates is illegal under the laws of the United States.

- B. A Certified Interior Designer shall neither offer nor make any payments or gifts of substantial value to a government official (whether elected or appointed) with the intent of influencing the official's judgment in connection with a prospective or existing project in which the Certified Interior Designer is interested.

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