



## Meeting of the Board for Professional Engineers, Land Surveyors, and Geologists

Board for Professional Engineers,  
Land Surveyors, and Geologists



Thursday, September 21, 2017 beginning at 9:00  
a.m. and continuing on Friday, September 22,  
2017 beginning at 9:00 a.m., if necessary

CalTrans District 11  
4050 Taylor Street, Gallegos Room #134  
San Diego, CA 92110-2737



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BOARD MEETING

SEPTEMBER 21-22, 2017

CalTrans District 11  
4050 Taylor Street, Gallegos Room #134  
San Diego, CA 92110-2737

### BOARD MEMBERS

Eric Johnson, President; Betsy Mathieson, Vice President; Natalie Alavi; Fel Amistad; Kathy Jones Irish; Coby King; Asha Lang; Mohammad Qureshi; Karen Roberts; Jerry Silva; Robert Stockton; and Steve Wilson

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1. <u>Thomas Lutge v. Board for Professional Engineers, Land Surveyors, and Geologists, Department of Consumer Affairs, Court of Appeal, Third Appellate District, Case No. C075779 (Sacramento Superior Court Case No. 34-2012-80001329-CU-WM-GDS)</u>	
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**I. Roll Call to Establish a Quorum**

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## **II. Public Comment for Items Not on the Agenda**

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**NOTE:** The Board cannot take action on items not on the agenda. The Board will also allow for Public Comment during the discussion of each item on the agenda. Please see the last page of this Official Notice and Agenda for additional information regarding Public Comment.



### III. **Legislation**

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A. Legislative Calendar

B. Discussion of Legislation for 2017 (Possible Action):

AB 1190 Department of Consumer Affairs: BreEZe system (annual report)

SB 547 Professions and vocations: weights and measures (BreEZe annual report)

SB 715 Department of Consumer Affairs: regulatory boards: removal of board members



JUNE						
S	M	T	W	TH	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

- June 2** Last day for bills to be **passed out of the house of origin** (J.R. 61(a)(8)).
- June 5** Committee meetings may resume (J.R. 61(a)(9)).
- June 15** Budget must be passed by **midnight** (Art. IV, Sec. 12(c)(3)).

JULY						
S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

- July 4** Independence Day observed.
- July 14** Last day for **policy committees** to hear and report fiscal bills to **fiscal** Committees (J.R. 61(a)(10)).
- July 21** Last day for **policy committees** to meet and report bills (J.R. 61(a)(11)). **Summer Recess** begins upon adjournment of session provided Budget Bill has been enacted (J.R. 51(a)(3)).

AUGUST						
S	M	T	W	TH	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

- Aug. 21** **Legislature Reconvenes** (J.R. 51(a)(3)).

SEPTEMBER						
S	M	T	W	TH	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

- Sep. 1** Last day for **fiscal committees** to meet and report bills to Floor (J.R. 61(a)(12)).
- Sept. 4** Labor Day.
- Sept. 8** Last day to **amend** on the floor (J.R. 61(a)(14)).
- Sept. 5-15** **Floor session only**. No committees, other than conference or Rules Committees, may meet for any purpose (J.R. 61(a)(13)).
- Sept. 15** Last day for **each house to pass bills** (J.R. 61(a)(15)). **Interim Study Recess** begins at end of this day's session (J.R. 51(a)(4)).

\*Holiday schedule subject to Senate Rules committee approval

### IMPORTANT DATES OCCURRING DURING INTERIM STUDY RECESS

**2017**

Oct. 15 Last day for Governor to sign or veto bills passed by the Legislature on or before Sept. 15 and in his possession after Sept. 15 (Art. IV, Sec.10(b)(1)).

**2018**

Jan. 1 Statutes take effect (Art. IV, Sec. 8(c)).  
 Jan. 3 Legislature reconvenes (J.R. 51(a)(4)).





## Supported Legislation

### SB 715 (Newman D)- San Dimas

**Department of Consumer Affairs: regulatory boards: removal of board members.**

**Status:** 6/29/2017-Ordered to inactive file on request of Assembly Member Bonta.

**Location:** 6/29/2017-Assembly Inactive File

**Last Amend:** 4/25/2017

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Updated 9/8/17**

**Staff Analysis: SB 715**

**Bill Summary:** Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs. Existing law authorizes the Governor to remove from office any member of any board within the department appointed by him or her, on specific grounds, including continued neglect of duties required by law. This bill adds failure to attend board meetings to the reasons that the Governor may choose to remove one of his or her appointed board members from office.

**Staff Comment:** According to the author, "Discretion for the removal of board members for instances of absences is a good government approach to ensuring the effectiveness and efficiency of the important regulatory boards within the DCA. Member absences can impact the professions and public alike, as key decisions are made and votes taken at board meetings directly related to oversight of licensees. The Governor should have authority to remove board members from their position when their absences impact their ability to successfully serve."

**Staff Recommendation:** No vote needed.

**Laws:** An act to amend Section 106 of the Business and Professions Code, relating to consumer affairs.

**BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS**

2535 Capitol Oaks Drive, Suite 300, Sacramento, California, 95833-2944

Telephone: (916) 263-2222 – Toll Free: 1-866-780-5370

Facsimile: (916) 263-2246

[www.bpelsg.ca.gov](http://www.bpelsg.ca.gov)**August 3, 2017**

The Honorable Senator Newman  
State Capitol, Room 4082  
Sacramento, CA 95814

**Re: Support of SB 715****Dear Senator Newman,**

On July 27, 2017, the Board for Professional Engineers, Land Surveyors, and Geologists (Board) voted to **SUPPORT** Senate Bill 715 as amended April 25, 2017.

Existing law authorizes the Governor to remove any member of any board that he or she has appointed for continued neglect of duties required by law or for incompetence or unprofessional or dishonorable conduct. This bill would add specific language making failure to attend scheduled meetings as a basis for the Governor's removal of an appointed board member.

This bill benefits the effectiveness and efficiency of regulatory boards within the Department of Consumer Affairs. Key decisions are made and votes taken at board meetings. Regular attendance at meetings is essential to executing the duties of board members. In consideration of this fact, when a board member's absences impact their ability to successfully serve, the Governor should possess the authority to remove that board member from his or her position.

If you have any questions or concerns please contact Kara Williams, Legislative Analyst, at 916.263.5438.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Moore".

**RICHARD B. MOORE, PLS**  
Executive Officer

**CC. Staff Senator Newman: Monica Schmalenberger**

AMENDED IN SENATE APRIL 25, 2017

**SENATE BILL**

**No. 715**

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**Introduced by Senator Newman**

February 17, 2017

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~~An act to amend Section 5503 of the Public Resources Code, relating to park districts. An act to amend Section 106 of the Business and Professions Code, relating to consumer affairs.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 715, as amended, Newman. ~~Park and open-space districts. Department of Consumer Affairs: regulatory boards: removal of board members.~~

*Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs. Existing law authorizes the Governor to remove from office any member of any board within the department appointed by him or her, on specific grounds, including continued neglect of duties required by law.*

*This bill would specifically include the failure to attend meetings of the board as one example of continued neglect of duties required by law that the Governor can use as a reason to remove a member from a board.*

~~Existing law provides a procedure for the formation of a regional park district, regional park and open-space district, or a regional open-space district.~~

~~This bill would make nonsubstantive changes to one of those provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 106 of the Business and Professions Code  
2 is amended to read:

3     106. The Governor has power to remove from office at any  
4 time, any member of any board appointed by him *or her* for  
5 continued neglect of duties required by law, *which may include*  
6 *the failure to attend board meetings*, or for incompetence, or  
7 unprofessional or dishonorable conduct. Nothing in this section  
8 shall be construed as a limitation or restriction on the power of the  
9 Governor, conferred on him *or her* by any other ~~provision of law~~,  
10 to remove any member of any board.

11     ~~SECTION 1. Section 5503 of the Public Resources Code is~~  
12 ~~amended to read:~~

13     ~~5503. Whenever it is desired to form a district under this article,~~  
14 ~~a petition requesting the creation and maintenance of a district,~~  
15 ~~and describing the exterior boundaries of the proposed district~~  
16 ~~shall be signed by at least 5,000 electors residing within the~~  
17 ~~territory proposed to be included in the district. The petition shall~~  
18 ~~be presented to the board of supervisors of the county containing~~  
19 ~~the largest area within the proposed district.~~

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## Watched Legislation

### AB 1190 (Obernolte R)- Big Bear Lake

**Department of Consumer Affairs: BreEZe system: annual report.**

**Status:** 7/11/2017- Read second time. Ordered to third reading.

**Location:** 7/10/2017-Senate Floor Third Reading

**Last Amend:** 6/13/2017

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chapters
1st House				2nd House							

**Updated 9/8/17**

**Staff Analysis: AB 1190**

**Bill Summary:** Existing law authorizes the Department of Consumer Affairs to enter into a contract with a vendor for the licensing and enforcement of the BreEZe system, which is a specified integrated, enterprisewide enforcement case management and licensing system, no sooner than 30 days after written notification to certain committees of the Legislature. Existing law requires the amount of contract funds for the system to be consistent with costs approved by the Department of Technology, formerly known as the office of the State Chief Information Officer, based on information provided by the department in a specified manner.

This bill would require the Department of Consumer Affairs to publish, a minimum of once quarterly, prescribed information relating to BreEZe on its Internet Web site, including the estimated start and completion date of the Department of Technology's Project Approval Lifecycle (PAL) process for programs that were previously scheduled for the 3rd release of BreEZe, the status of programs that have started the process, and the results and recommendations made for each program that has completed the PAL process. The bill would also delete an obsolete provision relating to budget augmentation for BreEZe project costs.

**Staff Comment:** The BreEZe system was created by DCA to serve as an online licensing and enforcement database for use by all DCA boards and bureaus. The primary purpose was to replace its present antiquated database systems, which house information on all DCA licensees. Due to the large scope of the project, including the number of boards and bureaus that would be transitioning to the system, a plan was formed to transition the boards in three phases, over a period of years. The first phase was primarily focused on the healing arts boards, with remaining boards and bureaus being placed in phases two and three. The Board was placed in phase three of the project. Currently, the Board has no projected date to implement the BreEZe system or another database system.

**Staff Recommendation:** No vote needed.

**Laws:** An act to add Section 210.5 to the Business and Professions Code, relating to consumer affairs.

AMENDED IN SENATE JUNE 13, 2017

AMENDED IN ASSEMBLY MAY 2, 2017

CALIFORNIA LEGISLATURE—2017–18 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1190**

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**Introduced by Assembly Member Obernolte**

February 17, 2017

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An act to *amend Section 210 of, and to add Section 210.5 to* the Business and Professions Code, relating to consumer affairs.

LEGISLATIVE COUNSEL'S DIGEST

AB 1190, as amended, Obernolte. Department of Consumer Affairs: BreEZe system.

Existing law authorizes the Department of Consumer Affairs to enter into a contract with a vendor for the licensing and enforcement of the BreEZe system, which is a specified integrated, enterprisewide enforcement case management and licensing system, no sooner than 30 days after written notification to certain committees of the Legislature. Existing law requires the amount of contract funds for the system to be consistent with costs approved by the Department of Technology, formerly known as the office of the State Chief Information Officer, based on information provided by the department in a specified manner.

This bill would require the Department of Consumer Affairs to publish, a minimum of once quarterly, prescribed information relating to BreEZE on its Internet Web site, including the estimated start and completion date of the Department of Technology's Project Approval Lifecycle (PAL) process for programs that were previously scheduled for the 3rd release of BreEZe, the status of programs that have started

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the process, and the results and recommendations made for each program that has completed the PAL process. *The bill would also delete an obsolete provision relating to budget augmentation for BreEZe project costs.*

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 210 of the Business and Professions Code  
2 is amended to read:

3 210. (a) (1) The department may enter into a contract with a  
4 vendor for the BreEZe system, the integrated, enterprisewide  
5 enforcement case management and licensing system described in  
6 the department’s strategic plan, no sooner than 30 days after  
7 notification in writing to the chairpersons of the Appropriations  
8 Committees of each house of the Legislature and the Chairperson  
9 of the Joint Legislative Budget Committee.

10 (2) The amount of BreEZe system vendor contract funds,  
11 authorized pursuant to this section, shall be consistent with the  
12 project costs approved by the office of the State Chief Information  
13 Officer based on its review and approval of the most recent BreEZe  
14 Special Project Report to be submitted by the department prior to  
15 contract award at the conclusion of procurement activities.

16 (3) Paragraph (2) shall apply to all Budget Act items for the  
17 department that have an appropriation for the BreEZe system.

18 (b) (1) If the department enters into a contract with a vendor  
19 for the BreEZe system pursuant to subdivision (a), the department  
20 shall, by December 31, 2014, submit to the Legislature, the Senate  
21 Committee on Business, Professions and Economic Development,  
22 the Assembly Committee on Business, Professions and Consumer  
23 Protection, and the budget committees of each house, a report  
24 analyzing the workload of licensing personnel employed by boards  
25 within the department participating in the BreEZe system.

26 (2) A report to the Legislature pursuant to this subdivision shall  
27 be submitted in compliance with Section 9795 of the Government  
28 Code.

29 (3) This subdivision shall become inoperative on December 1,  
30 2018, pursuant to Section 10231.5 of the Government Code.

1     ~~(e) (1) Notwithstanding any other provision of law, upon the~~  
2 ~~request of the Department of Consumer Affairs, the Department~~  
3 ~~of Finance may augment the budgets of the boards, bureaus,~~  
4 ~~commissions, committees, programs, and divisions that comprise~~  
5 ~~the Department of Consumer Affairs, as defined in Section 101,~~  
6 ~~for expenditure of non-General Fund moneys to pay BreEZe project~~  
7 ~~costs. The augmentation may be made no sooner than 30 days after~~  
8 ~~notification in writing to the chairpersons of the committees in~~  
9 ~~each house of the Legislature that consider appropriations and the~~  
10 ~~Chairperson of the Joint Legislative Budget Committee, or no~~  
11 ~~sooner than whatever lesser time the chairperson of the joint~~  
12 ~~committee may in each instance determine. The amount of funds~~  
13 ~~augmented pursuant to the authority of this subdivision shall be~~  
14 ~~consistent with project cost increases approved by the Secretary~~  
15 ~~of California Technology based on the secretary's review and~~  
16 ~~approval of the most recent BreEZe Special Project Report to be~~  
17 ~~submitted at the conclusion of procurement activities. This~~  
18 ~~subdivision shall apply to all Budget Act items for the boards,~~  
19 ~~bureaus, commissions, committees, programs, and divisions that~~  
20 ~~comprise the Department of Consumer Affairs, as defined in~~  
21 ~~Section 101, that have an appropriation for the BreEZe system in~~  
22 ~~the Budget Act of 2011.~~

23     ~~(2) This subdivision shall become inoperative upon enactment~~  
24 ~~of the Budget Act of 2012.~~

25     SECTION 1.

26     SEC. 2. Section 210.5 is added to the Business and Professions  
27 Code, to read:

28     210.5. (a) In connection with the department's ongoing  
29 commitment to provide quarterly and monthly updates to the  
30 Legislature on the entities that were previously scheduled for the  
31 third release of BreEZe, the department shall publish on its Internet  
32 Web site the following:

33     (1) The estimated start and completion date of the Department  
34 of Technology's Project Approval Lifecycle process for the  
35 programs that were previously scheduled for the third release of  
36 BreEZe.

37     (2) The status of the programs that have started the project  
38 approval process, including the programs' current stage in the  
39 process.



- 1 (3) The results and recommendations made for each program
- 2 that has completed the Department of Technology's Project
- 3 Approval Lifecycle process, including the results of the alternatives
- 4 and cost-benefit analyses made during Stage 2 of the process.
- 5 (b) The department shall publish the information specified in
- 6 subdivision (a) a minimum of once quarterly.

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# Watched Legislation

## SB 547 ( Hill D)- San Mateo

**Professions and vocations: weights and measures.**

**Status:** 9/5/2017-Action from Second Reading: to Third Reading.

**Location:** 9/5/2017-Assembly Third Reading

**Last Amend:** 8/21/2017

Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
1st House				2nd House							

**Updated 9/8/17**

**Staff Analysis: SB 547**

**Bill Summary:** Existing law establishes the Department of Consumer Affairs within the Business, Consumer Services, and Housing Agency and provides that the department is under the control of the Director of Consumer Affairs. Existing law establishes within the department a Division of Consumer Services under the supervision and control of a chief who is appointed by the Governor. Existing law authorizes the Department of Consumer Affairs to enter into a contract with a vendor for the licensing and enforcement of the BreEZe system, which is a specified integrated, enterprise wide enforcement case management and licensing system, no sooner than 30 days after written notification to certain committees of the Legislature. This bill would repeal the provision establishing the Division of Consumer services. The bill would require the director to report progress on release 3 entities' transition to the new licensing technology platform to the appropriate committees of the Legislature, as specified. This bill contains other related provisions and other existing laws.

**Staff Comment:** SB 547 amends many different sections of the Business and Professions Code. The only section which concerns our board is Section 156 of the Business and Professions Code. This section of the bill mandates the Director of DCA report the progress on release 3 entities transition to a new licensing technology platform to the Legislature by December 31 of each year. The progress reports must include updated plans and timelines for completing all of the business process documentation, cost benefit analyses of IT options, IT system development and implementation in addition to any other relevant IT needs or requests from the legislature.

**Staff Recommendation:** The 8/21/2017 amendments do not pertain to Section 156 of the Business and Professions Code. Staff recommends the board continue with a **Watch** position as amended 8/21/2017.

**Laws:** An act to amend Sections 156, 2499.5, 2715, 2760.1, 2987, 4008, 4887, 5063.3, 5096.9, 5810, 7332, 7635, 11302, 11320.5, 11321, 11323, 11324, 11345, 11345.2, 11345.6, 11422, 12241, 12304, 12305, 12310, and 12500 of, to add Sections 11345.5 and 11345.8 to, to repeal Section 303 of, and to repeal and add Section 11345.3 of, the Business and Professions Code, relating to professions and vocations.

AMENDED IN ASSEMBLY AUGUST 21, 2017

AMENDED IN ASSEMBLY JULY 5, 2017

AMENDED IN SENATE APRIL 17, 2017

**SENATE BILL**

**No. 547**

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**Introduced by Senator Hill**

February 16, 2017

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An act to amend Sections 156, 2499.5, 2570.16, 2715, 2760.1, 2987, 4008, 4887, 5063.3, 5096.9, 5810, 7332, 7583.23, 7583.24, 7583.47, 7635, 11302, 11320.5, 11321, 11323, 11324, 11345, 11345.2, 11345.6, 11422, 12241, 12304, 12305, 12310, and 12500 of, *to amend, repeal, and add Sections 6980.79, 7506.10, 7511, 7574.11, 7574.13, 7582.11, 7582.17, 7583.12, 7583.17, 7583.20, 7585.16, 7588, 7596.5, 7598.14, 7598.17, and 7599.70 of*, to add Sections ~~11345.5 and 1006~~, 7574.35, 11345.5, and 11345.8 to, to repeal Section 303 of, and to repeal and add Section 11345.3 of, the Business and Professions Code, *and to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation thereof, and repealing all acts and parts of acts inconsistent therewith" approved by electors November 7, 1922, by amending Section 12 thereof*, relating to professions and ~~vocations~~: vocations, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

SB 547, as amended, Hill. Professions and vocations: weights and measures.

(1) Existing law establishes the Department of Consumer Affairs within the Business, Consumer Services, and Housing Agency and provides that the department is under the control of the Director of Consumer Affairs. Existing law establishes within the department a Division of Consumer Services under the supervision and control of a chief who is appointed by the Governor. Existing law authorizes the Department of Consumer Affairs to enter into a contract with a vendor for the licensing and enforcement of the BreEZe system, which is a specified integrated, enterprisewide enforcement case management and licensing system, no sooner than 30 days after written notification to certain committees of the Legislature.

This bill would repeal the provision establishing the Division of Consumer ~~services~~. *Services*. The bill would require the director to report progress on release 3 entities' transition to the new licensing technology platform to the appropriate committees of the Legislature, as specified.

*(2) Existing law, the Chiropractic Act, enacted by initiative, provides for the licensure and regulation of chiropractors by the State Board of Chiropractic Examiners. Under the act, each person practicing chiropractic, after a license has been issued, is annually required to pay the board a renewal fee not exceeding \$250. Existing law authorizes the Legislature to fix these fees. Existing law directs the deposit of these funds into the State Board of Chiropractic Examiners' Fund, a continuously appropriated fund.*

*This bill, until July 1, 2019, would require a licensee to pay an annual renewal fee of \$300. By increasing the amount deposited in the State Board of Chiropractic Examiners' Fund, the bill would make an appropriation. The bill would also require the State Board of Chiropractic Examiners to submit a report to the appropriate policy and fiscal committees of the Legislature by July 1, 2018, that contains, at a minimum, the status of the board's fee audit and an update on the board's plans for restructuring its license fees.*

~~(2)~~

(3) Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs.

(A) Existing law provides for the certification and regulation of podiatrists by the California Board of Podiatric Medicine within the jurisdiction of the Medical Board of California and requires certain fees

to be paid to the board, including a fee for the application and issuance of a certificate to practice podiatric medicine.

This bill would revise the fees, as specified.

*(B) Existing law, the Occupational Therapy Practice Act, provides for the licensure and regulation of occupational therapists and occupational therapy assistants by the California Board of Occupational Therapy and requires certain fees to be paid to the board, including a fee to collect fingerprint prints for a criminal history record check.*

*This bill would prohibit the fee for the criminal history record check from exceeding the amount charged by the agency providing the criminal history record check. The bill would also require the board to charge a fee to query the National Practitioner Data Bank for applicants for licensure and renewal of licensure and would prohibit that fee from exceeding the amount charged per query.*

~~(B)~~

*(C) Existing law, the Nursing Practice Act, establishes the Board of Registered Nursing within the Department of Consumer Affairs and sets forth its powers and duties regarding the licensure and regulation of registered nurses. That act authorizes a registered nurse whose license has been revoked or suspended or who has been placed on probation to petition the board for reinstatement or modification of penalty.*

This bill would authorize the board to hear the petition or to assign the petition to an administrative law judge, as specified.

~~(C)~~

*(D) Existing law, the Psychology Licensing Law, establishes the Board of Psychology to license and regulate the practice of psychology and authorizes the board to collect specified fees, including a delinquency fee of \$25.*

This bill would instead make the delinquency fee 50 percent of the renewal fee for each license type, not to exceed \$150.

~~(D)~~

*(E) Existing law, the Pharmacy Law, provides for the licensure and regulation of pharmacists by the California State Board of Pharmacy and authorizes the board to employ inspectors of pharmacy.*

This bill would also authorize the board to employ legal counsel.

~~(E)~~

*(F) Existing law, the Veterinary Medicine Practice Act, provides for the licensure and regulation of veterinarians and the practice of veterinary medicine by the Veterinary Medical Board and authorizes a person whose license or registration has been revoked or placed on*

probation to petition the board for reinstatement or modification of penalty after a period of not less than one year.

This bill would instead provide that a person may petition the board for reinstatement or modification of penalty after at least 3 years for reinstatement of a surrendered or revoked license, at least 2 years for early termination or modification of probation of 3 years or more, or at least one year for modification of a condition or termination of probation of less than 3 years. The bill would authorize the board, upon a showing of good cause, to specify in an order imposing probation of more than 3 years that the person may petition for reissuement, modification, or termination of probation after one year.

~~(F)~~

(G) Existing law provides for the licensure and regulation of accountants by the California Board of Accountancy, which is within the Department of Consumer Affairs. Existing law prohibits confidential information obtained by a licensee concerning a client from being disclosed by the licensee without the written permission of the client, except when the disclosure is made by a licensee or a licensee's duly authorized representative to another licensee in connection with a proposed sale or merger of the licensee's professional practice.

This bill would additionally authorize that disclosure in that same connection to another person, provided the parties enter into a written nondisclosure agreement.

Existing law, until January 1, 2019, authorizes an individual otherwise meeting a condition for a practice privilege to perform certain audit and financial statement review services only through a firm of certified public accountants that is required to be registered with the board and authorizes such an individual qualified for the practice privilege to practice public accountancy in this state without the imposition of a notice, fee, or any other requirements. Existing law authorizes the board to adopt regulations to carry out the practice privilege provisions and regulations have been adopted, which become inoperative on January 1, 2019.

To ensure uninterrupted implementation of the practice privilege provisions, this bill would authorize the board to adopt or amend regulations to remove or extend the inoperative date of these regulations. The bill would require the Office of Administrative Law to consider the board's action to remove or extend the inoperative dates of these regulations as a change without regulatory effect and would exempt the

board from complying with the Administrative Procedure Act with respect to that removal or extension.

(G)

(H) Existing law authorizes a certified interior designer, as defined, to obtain a stamp from an interior design organization, as defined, that uniquely identifies the designer and certifies that he or she meets certain qualifications and requires the use of that stamp on all drawings and documents submitted to any governmental agency by the designer. Existing law provides that these provisions are repealed on January 1, 2018.

This bill would instead repeal those provisions on January 1, 2022.

(H)

(I) Existing law, the Barbering and Cosmetology Act, provides for the licensing and regulation of persons engaging in the practice of barbering, cosmetology, or electrolysis, as specified. Existing law authorizes an apprentice, as defined, to perform services under the supervision of a licensee approved by the State Board of Barbering and Cosmetology, as specified. Practicing barbering, cosmetology, or electrolysis without being properly licensed is a crime.

This bill would define the term “under the supervision of a licensee” for these provisions to mean a person supervised at all times by a licensee while performing services in a licensed establishment. The bill would also prohibit an apprentice from being the only person working in an establishment and would deem an apprentice who is not being supervised by a licensee to be practicing under the act without a license. Because this bill would expand the scope of a crime, it would impose a state-mandated local program.

*(J) Existing law, the Private Security Services Act, provides for the licensing and regulation of private patrol operators by the Bureau of Security and Investigative Services. Existing law requires the bureau to issue a firearms permit to a licensee, a qualified manager of a licensee, or a registered security guard if certain conditions are met. Existing law, beginning on January 1, 2018, requires an applicant for a firearms permit if he or she is a registered security guard to complete an assessment, as defined, and be found capable of exercising appropriate judgment, restraint, and self-control, as specified.*

*This bill would instead make those requirements applicable beginning either on January 1, 2018, or upon a date determined by the bureau, but not later than July 1, 2018.*

(H)



(K) The Cemetery and Funeral Act provides for the licensure and regulation of cemeteries, crematories, funeral establishments, and their personnel by the Cemetery and Funeral Bureau, and requires any person employed by, or an agent of, a licensed funeral establishment who consults with the family or representatives of the family of a deceased person for the purpose of arranging certain services to receive documented training, as specified.

This bill would require that training to be completed at least once every 3 years.

*(L) Existing law provides for the licensure and regulation of locksmiths and their employees, repossessioners and their employees and contractors, proprietary private security officers, proprietary private security employers, private security officers, private security employers, and alarm companies by the Department of Consumer Affairs and the Bureau of Security and Investigative Services. Existing law requires the payment of various fees for the application, issuance, renewal, and reinstatement of licenses and registrations for those vocations.*

*This bill, commencing July 1, 2018, would increase these fees, as specified. The bill, commencing July 1, 2018, would require a verification document to include specified information, and would impose a fee of a specified amount for an endorsed verification of licensure. The bill, commencing July 1, 2018, would impose a fee of a specified amount for the replacement of a lost or destroyed registration card, license, or certificate and would require the request for the replacement be made in the manner prescribed by the bureau.*

(J)

(M) Existing state law, the Real Estate Appraisers' Licensing and Certification Law, provides for the licensure, certification, and regulation of real estate appraisers and appraisal management companies by the Bureau of Real Estate Appraisers within the Department of Consumer Affairs, which is headed by the Chief of the Bureau of Real Estate Appraisers. Existing state law prohibits a person from engaging in federally related real estate appraisal activity without an active license. Existing state law defines "federally related transaction" as any real estate-related financial transaction which a federal financial institutions regulatory agency engages in, contracts for, or regulates, and which requires the services of a state licensed real estate appraiser.

Existing state law prohibits a person or entity from acting in the capacity of an appraisal management company without first obtaining a certificate of registration from the bureau. Existing state law defines

an “appraisal management company” as a person or entity that maintains an approved list or lists, containing 11 or more independent contractor licensed or certified appraisers, or employs 11 or more licensed or certified appraisers, receives requests for appraisals from one or more clients, and for a fee paid by one or more of its clients, delegates appraisal assignments for completion by its independent contractor or employee appraisers.

Existing federal law, the Dodd-Frank Wall Street Reform and Consumer Protection Act, requires the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the National Credit Union Administration Board, the Federal Housing Finance Agency, and the Bureau of Consumer Financial Protection to jointly, by rule, establish minimum requirements to be applied by a state in the registration of appraisal management companies. These minimum requirements include a requirement that an appraisal management company (1) register with and be subject to supervision by a state appraiser certifying and licensing agency in each state in which that company operates, (2) verify that only licensed or certified appraisers are used for federally related transactions, (3) require that appraisals coordinated by an appraisal management company comply with the Uniform Standards of Professional Appraisal Practice, and (4) require that appraisals are conducted independently and free from inappropriate influence and coercion, as provided. Existing federal law does not prohibit states from establishing additional requirements.

Existing federal law prohibits an appraisal management company from being registered by a state or included on the national registry if the company is owned by any person whose appraiser license or certificate was refused, denied, canceled, surrendered in lieu of revocation, or revoked in any state.

This bill would conform to federal law by, among other things, redefining an “appraisal management company” as a person that (1) provides appraisal management services to creditors or to secondary mortgage market participants, including affiliates, (2) provides those services in connection with valuing a consumer’s principal dwelling as security for a consumer credit transaction or incorporating such transactions into securitizations, and (3) within a given 12-month period, oversees an appraiser panel of more than 15 ~~State-certified~~ *state-certified* or ~~State-licensed~~ *state-licensed* appraisers in a ~~State~~ *state* or 25 or more ~~State-certified~~ *state-certified* or ~~State-licensed~~ *state-licensed* appraisers

in two or more ~~States~~ *states*. The bill would define “appraiser panel” and prescribe the method for determining whether an appraiser is a part of the appraisal management company’s appraiser panel. The bill would additionally prohibit a person or entity from representing itself to the public as an appraisal management company, either in advertising or through its business name, without a certificate of registration.

Existing state law prohibits a person other than a licensee from signing an appraisal and authorizes a specified trainee to sign an appraisal if it is also signed by the licensee. Existing law authorizes an individual who is not a licensee to assist in the preparation of an appraisal under certain conditions.

This bill would prohibit a person other than a licensee from signing an appraisal in a federally related transaction. The bill would authorize a trainee to sign an appraisal in such a transaction if it is also signed by a licensee. The bill would authorize an individual who is not a licensee to assist in the preparation of an appraisal in a federally related transaction under certain conditions.

Existing state law prohibits the chief from issuing a certificate of registration to an appraisal management company unless the appraisal management company confirms in its application for registration that all of its contracts with clients include specified standard business practices.

This bill would delete that provision and require all appraisal management companies to, among other things, direct the appraiser to perform the assignment in accordance with the Uniform Standards of Professional Appraisal ~~Activity~~ *Practice* and engage appraisal panel members with an engagement letter that shall include terms of payment.

Existing federal law requires a federally regulated appraisal management company to report to the ~~State~~ *state* or ~~States~~ *states* in which it operates the information required to be submitted by the ~~State~~ *state* pursuant to the policies of the Appraisal Subcommittee of the Federal Financial Institutions Examination Council regarding the determination of the fee imposed by the AMC National Registry, which is the registry of ~~State-registered~~ *state-registered* appraisal management companies and federally regulated appraisal management companies maintained by the Appraisal Subcommittee.

This bill would require a federally regulated appraisal management company operating in California to report to the bureau the information required to be submitted by the bureau to the Appraisal Subcommittee. The bill would authorize the bureau to charge the federally regulated

appraisal management company a fee in an amount not *to* exceed the reasonable regulatory cost to the board for processing the information.

This bill would also define various other terms for purposes of carrying out these provisions.

This bill would make various other nonsubstantive and technical changes.

(3)

(4) (A) Existing law provides for the regulation of commercial weighing and measuring devices by the Department of Food and Agriculture, and provides for the enforcement of those provisions by the State Sealer and by county sealers of weights and measures in each county. Existing law requires the department to keep the standards of the state for weights and measures in a suitable laboratory location or, if transportable, to maintain the standards under appropriate environmental conditions and requires the department to have the standards directly certified by the National Institute of Standards and Technology or by any measurement assurance procedures approved by that institute. Existing law requires the department to use the standards of the state to certify similar standards and any dissimilar standards which are dependent on the values represented by the state standards. Existing law requires the department, or a certified laboratory designated by the department, to certify standards of the county sealers at specified intervals.

Existing law, until January 1, 2019, requires the Secretary of Food and Agriculture to establish by regulation an annual administrative fee to recover reasonable administrative and enforcement costs incurred by the Department of Food and Agriculture for exercising supervision over and performing investigations in connection with specified activities performed by sealers, and requires the administrative fee to be collected for every device registered with each county office of weights and measures and paid annually to the Department of Food and Agriculture Fund.

This bill would additionally require the annual administrative fee to be used to recover reasonable costs incurred by the department for the safekeeping and certification of the state standards, for using the state standards to certify other standards, and for certifying the standards of county sealers.

(B) Existing law defines various terms for purposes of regulating weighing and measuring devices, including the term “commercial purposes.”

This bill would provide that commercial purposes does not include the determination of the weight of any animal or human by a qualified health provider, ~~licensed doctor of veterinary medicine, California-licensed veterinarian,~~ licensed physician and surgeon, or staff members within the business operations of and under the supervision of ~~a licensed doctor of veterinary medicine California-licensed veterinarian,~~ or licensed physician and surgeon for the purposes of determining the appropriate dosage of any medication or medical treatment or the volume, duration, or application of any medical procedure.

~~(4)~~

(5) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: ~~no~~-yes. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 156 of the Business and Professions Code  
2 is amended to read:

3 156. (a) The director may, for the department and at the request  
4 and with the consent of a board within the department on whose  
5 behalf the contract is to be made, enter into contracts pursuant to  
6 Chapter 3 (commencing with Section 11250) of Part 1 of Division  
7 3 of Title 2 of the Government Code or Chapter 2 (commencing  
8 with Section 10290) of Part 2 of Division 2 of the Public Contract  
9 Code for and on behalf of any board within the department.

10 (b) In accordance with subdivision (a), the director may, in his  
11 or her discretion, negotiate and execute contracts for examination  
12 purposes, which include provisions that hold harmless a contractor  
13 where liability resulting from a contract between a board in the  
14 department and the contractor is traceable to the state or its officers,  
15 agents, or employees.

16 (c) The director shall report progress on release 3 entities'  
17 transition to a new licensing technology platform to all the  
18 appropriate committees of the Legislature by December 31 of each

1 year. Progress reports shall include updated plans and timelines  
2 for completing all of the following:

- 3 (1) Business process documentation.
- 4 (2) Cost benefit analyses of ~~IT~~ *information technology* options.
- 5 (3) ~~IT~~ *Information technology* system development and
- 6 implementation.
- 7 (4) Any other relevant steps needed to meet the IT needs of
- 8 release 3 entities.
- 9 (5) Any other information as the Legislature may request.

10 SEC. 2. Section 303 of the Business and Professions Code is  
11 repealed.

12 *SEC. 3. Section 1006 is added to the Business and Professions*  
13 *Code, immediately following Section 1005, to read:*

14 *1006. (a) By July 1, 2018, the State Board of Chiropractic*  
15 *Examiners shall submit a report to the appropriate policy and*  
16 *fiscal committees of the Legislature that contains, but is not limited*  
17 *to, both of the following:*

- 18 *(1) The status of the State Board of Chiropractic Examiners’*  
19 *fee audit.*
- 20 *(2) An update on the State Board of Chiropractic Examiners’*  
21 *plans for restructuring its license fees.*
- 22 *(b) The report to the Legislature under subdivision (a) shall be*  
23 *submitted in compliance with Section 9795 of the Government*  
24 *Code.*

25 ~~SEC. 3.~~

26 *SEC. 4. Section 2499.5 of the Business and Professions Code*  
27 *is amended to read:*

28 *2499.5. The following fees apply to certificates to practice*  
29 *podiatric medicine. The amount of fees prescribed for doctors of*  
30 *podiatric medicine shall be determined by the board and shall be*  
31 *as described below. Fees collected pursuant to this section shall*  
32 *be fixed by the board in amounts not to exceed the actual costs of*  
33 *providing the service for which the fee is collected.*

34 *(a) Each applicant for a certificate to practice podiatric medicine*  
35 *shall pay an application fee of no more than one hundred dollars*  
36 *(\$100) at the time the application is filed. If the applicant qualifies*  
37 *for a certificate, he or she shall pay a fee not to exceed one hundred*  
38 *dollars (\$100) nor less than five dollars (\$5) for the issuance of*  
39 *the certificate.*

1 (b) The oral examination fee shall be seven hundred dollars  
2 (\$700), or the actual cost, whichever is lower, and shall be paid  
3 by each applicant. If the applicant's credentials are insufficient or  
4 if the applicant does not desire to take the examination, and has  
5 so notified the board 30 days prior to the examination date, only  
6 the examination fee is returnable to the applicant. The board may  
7 charge an examination fee for any subsequent reexamination of  
8 the applicant.

9 (c) Each applicant who qualifies for a certificate, as a condition  
10 precedent to its issuance, in addition to other fees required by this  
11 section, shall pay an initial license fee. The initial license fee shall  
12 be eight hundred dollars (\$800). The initial license shall expire  
13 the second year after its issuance on the last day of the month of  
14 birth of the licensee. The board may reduce the initial license fee  
15 by up to 50 percent of the amount of the fee for any applicant who  
16 is enrolled in a postgraduate training program approved by the  
17 board or who has completed a postgraduate training program  
18 approved by the board within six months prior to the payment of  
19 the initial license fee.

20 (d) The biennial renewal fee shall be nine hundred dollars  
21 (\$900). Any licensee enrolled in an approved residency program  
22 shall be required to pay only 50 percent of the biennial renewal  
23 fee at the time of his or her first renewal.

24 (e) The delinquency fee shall be one hundred fifty dollars  
25 (\$150).

26 (f) The duplicate wall certificate fee shall be no more than one  
27 hundred dollars (\$100).

28 (g) The duplicate renewal receipt fee shall be no more than fifty  
29 dollars (\$50).

30 (h) The endorsement fee shall be thirty dollars (\$30).

31 (i) The letter of good standing fee or for loan deferment shall  
32 be no more than one hundred dollars (\$100).

33 (j) There shall be a fee of no more than one hundred dollars  
34 (\$100) for the issuance of a resident's license under Section 2475.

35 (k) The filing fee to appeal the failure of an oral examination  
36 shall be no more than one hundred dollars (\$100).

37 (l) The fee for approval of a continuing education course or  
38 program shall be no more than two hundred fifty dollars (\$250).

39 *SEC. 5. Section 2570.16 of the Business and Professions Code*  
40 *is amended to read:*

1 2570.16. Initial license and renewal fees shall be established  
2 by the board in an amount that does not exceed a ceiling of one  
3 hundred fifty dollars (\$150) per year. The board shall establish the  
4 following additional fees:

- 5 (a) A application fee not to exceed fifty dollars (\$50).
- 6 (b) A late renewal fee as provided for in Section 2570.10.
- 7 (c) A limited permit fee.
- 8 (d) A fee to collect fingerprints for criminal history record  
9 checks. *This fee shall not exceed the amount charged by the agency*  
10 *providing the criminal history record checks.*
- 11 (e) *A fee to query the National Practitioner Data Bank for*  
12 *applicants for licensure and renewal of licensure. The fee shall*  
13 *not exceed the amount charged per query.*

14 ~~SEC. 4.~~

15 *SEC. 6.* Section 2715 of the Business and Professions Code is  
16 amended to read:

17 2715. (a) The board shall prosecute all persons guilty of  
18 violating this chapter.

19 (b) Except as provided by Section 159.5, the board, in  
20 accordance with the Civil Service Law, may employ personnel,  
21 including legal counsel, as it deems necessary to carry into effect  
22 this chapter.

23 (c) The board shall have and use a seal bearing the name “Board  
24 of Registered Nursing.” The board may adopt, amend, or repeal,  
25 in accordance with the Administrative Procedure Act (Chapter 3.5  
26 (commencing with Section 11340) of Part 1 of Division 3 of Title  
27 2 of the Government Code), the rules and regulations that may be  
28 reasonably necessary to enable it to carry into effect this chapter.

29 ~~SEC. 5.~~

30 *SEC. 7.* Section 2760.1 of the Business and Professions Code  
31 is amended to read:

32 2760.1. (a) A registered nurse whose license has been revoked  
33 or suspended or who has been placed on probation may petition  
34 the board for reinstatement or modification of penalty, including  
35 reduction or termination of probation, after a period not less than  
36 the following minimum periods has elapsed from the effective  
37 date of the decision ordering that disciplinary action, or if the order  
38 of the board or any portion of it is stayed by the board itself or by  
39 the superior court, from the date the disciplinary action is actually  
40 implemented in its entirety, or for a registered nurse whose initial



1 license application is subject to a disciplinary decision, from the  
2 date the initial license was issued:

3 (1) Except as otherwise provided in this section, at least three  
4 years for reinstatement of a license that was revoked, except that  
5 the board may, in its sole discretion, specify in its order a lesser  
6 period of time provided that the period shall be not less than one  
7 year.

8 (2) At least two years for early termination of a probation period  
9 of three years or more.

10 (3) At least one year for modification of a condition, or  
11 reinstatement of a license revoked for mental or physical illness,  
12 or termination of probation of less than three years.

13 (b) The board shall give notice to the Attorney General of the  
14 filing of the petition. The petitioner and the Attorney General shall  
15 be given timely notice by letter of the time and place of the hearing  
16 on the petition, and an opportunity to present both oral and  
17 documentary evidence and argument to the board. The petitioner  
18 shall at all times have the burden of proof to establish by clear and  
19 convincing evidence that he or she is entitled to the relief sought  
20 in the petition.

21 (c) The hearing may be continued from time to time as the board  
22 deems appropriate.

23 (d) (1) The petition may be heard by the board or the board  
24 may assign the petition to an administrative law judge, as specified  
25 in Section 11371 of the Government Code.

26 (2) If the board assigns the petition to an administrative law  
27 judge, the administrative law judge shall submit a proposed  
28 decision to the board for its consideration, which shall include  
29 reasons supporting the proposed decision.

30 (e) The board may grant or deny the petition, or may impose  
31 any terms and conditions that it reasonably deems appropriate as  
32 a condition of reinstatement or reduction of penalty.

33 (f) In considering a petition for reinstatement or modification  
34 of a penalty, the board or the administrative law judge shall  
35 evaluate and consider evidence of rehabilitation submitted by the  
36 petitioner using criteria specified in regulations promulgated by  
37 the board.

38 (g) The board may impose, or the administrative law judge may  
39 recommend, terms and conditions on the petitioner in reinstating  
40 a license, certificate, or permit or in modifying a penalty .

1 (h) The petitioner shall provide a current set of fingerprints  
2 accompanied by the necessary fingerprinting fee.

3 (i) No petition shall be considered while the petitioner is under  
4 sentence for any criminal offense, including any period during  
5 which the petitioner is on court-imposed probation or parole, or  
6 subject to an order of registration pursuant to Section 290 of the  
7 Penal Code. No petition shall be considered while there is an  
8 accusation or petition to revoke probation pending against the  
9 petitioner.

10 (j) Except in those cases where the petitioner has been  
11 disciplined pursuant to Section 822, the board may in its discretion  
12 deny without hearing or argument any petition that is filed pursuant  
13 to this section within a period of two years from the effective date  
14 of a prior decision following a hearing under this section.

15 ~~SEC. 6.~~

16 *SEC. 8.* Section 2987 of the Business and Professions Code is  
17 amended to read:

18 2987. The amount of the fees prescribed by this chapter shall  
19 be determined by the board, and shall be as follows:

20 (a) The application fee for a psychologist shall not be more than  
21 fifty dollars (\$50).

22 (b) The examination and reexamination fees for the  
23 examinations shall be the actual cost to the board of developing,  
24 purchasing, and grading of each examination, plus the actual cost  
25 to the board of administering each examination.

26 (c) The initial license fee is an amount equal to the renewal fee  
27 in effect on the last regular renewal date before the date on which  
28 the license is issued.

29 (d) The biennial renewal fee for a psychologist shall be four  
30 hundred dollars (\$400). The board may increase the renewal fee  
31 to an amount not to exceed five hundred dollars (\$500).

32 (e) The application fee for registration as a psychological  
33 assistant under Section 2913 shall not be more than seventy-five  
34 dollars (\$75).

35 (f) The annual renewal fee for registration of a psychological  
36 assistant shall not be more than seventy-five dollars (\$75).

37 (g) The duplicate license or registration fee is five dollars (\$5).

38 (h) The delinquency fee is 50 percent of the renewal fee for  
39 each license type, not to exceed one hundred fifty dollars (\$150).

40 (i) The endorsement fee is five dollars (\$5).

1 Notwithstanding any other provision of law, the board may  
2 reduce any fee prescribed by this section, when, in its discretion,  
3 the board deems it administratively appropriate.

4 ~~SEC. 7.~~

5 *SEC. 9.* Section 4008 of the Business and Professions Code is  
6 amended to read:

7 4008. (a) Except as provided by Section 159.5, the board may  
8 employ legal counsel and inspectors of pharmacy. The inspectors,  
9 whether the inspectors are employed by the board or the  
10 department's Division of Investigation, may inspect during business  
11 hours all pharmacies, wholesalers, dispensaries, stores, or places  
12 where drugs or devices are compounded, prepared, furnished,  
13 dispensed, or stored.

14 (b) Notwithstanding subdivision (a), a pharmacy inspector may  
15 inspect or examine a physician's office or clinic that does not have  
16 a permit under Section 4180 or 4190 only to the extent necessary  
17 to determine compliance with and to enforce either Section 4080  
18 or 4081.

19 (c) (1) (A) A pharmacy inspector employed by the board or in  
20 the department's Division of Investigation shall have the authority,  
21 as a public officer, to arrest, without warrant, any person whenever  
22 the officer has reasonable cause to believe that the person to be  
23 arrested has, in his or her presence, violated a provision of this  
24 chapter or of Division 10 (commencing with Section 11000) of  
25 the Health and Safety Code.

26 (B) If the violation is a felony, or if the arresting officer has  
27 reasonable cause to believe that the person to be arrested has  
28 violated any provision that is declared to be a felony, although no  
29 felony has in fact been committed, he or she may make an arrest  
30 although the violation or suspected violation did not occur in his  
31 or her presence.

32 (2) In any case in which an arrest authorized by this subdivision  
33 is made for an offense declared to be a misdemeanor, and the  
34 person arrested does not demand to be taken before a magistrate,  
35 the arresting inspector may, instead of taking the person before a  
36 magistrate, follow the procedure prescribed by Chapter 5C  
37 (commencing with Section 853.5) of Title 3 of Part 2 of the Penal  
38 Code. That chapter shall thereafter apply with reference to any  
39 proceeding based upon the issuance of a citation pursuant to this  
40 authority.

1 (d) There shall be no civil liability on the part of, and no cause  
2 of action shall arise against, a person, acting pursuant to subdivision  
3 (a) within the scope of his or her authority, for false arrest or false  
4 imprisonment arising out of an arrest that is lawful, or that the  
5 arresting officer, at the time of the arrest, had reasonable cause to  
6 believe was lawful. An inspector shall not be deemed an aggressor  
7 or lose his or her right to self-defense by the use of reasonable  
8 force to effect the arrest, to prevent escape, or to overcome  
9 resistance.

10 (e) Any inspector may serve all processes and notices throughout  
11 the state.

12 (f) A pharmacy inspector employed by the board may enter a  
13 facility licensed pursuant to subdivision (c) or (d) of Section 1250  
14 of the Health and Safety Code to inspect an automated drug  
15 delivery system operated pursuant to Section 4119 or 4119.1.

16 ~~SEC. 8.~~

17 *SEC. 10.* Section 4887 of the Business and Professions Code  
18 is amended to read:

19 4887. (a) (1) A person whose license or registration has been  
20 revoked or who has been placed on probation may petition the  
21 board for reinstatement or modification of penalty including  
22 modification or termination of probation after the period as  
23 described below in subparagraphs (A) to (C), inclusive, has elapsed  
24 from the effective date of the decision ordering the disciplinary  
25 action. The petition shall state facts as required by the board. The  
26 period shall be as follows:

27 (A) At least three years for reinstatement of a surrendered or  
28 revoked license.

29 (B) At least two years for early termination or modification of  
30 probation of three years or more.

31 (C) At least one year for modification of a condition or  
32 termination of probation of less than three years.

33 (2) Notwithstanding paragraph (1), the board may, upon a  
34 showing of good cause, specify in a revocation order, a surrender  
35 order, or an order imposing probation of more than three years  
36 that the person may petition the board for reinstatement or  
37 modification or termination of probation after one year.

38 (b) The petition shall be accompanied by at least two verified  
39 recommendations from veterinarians licensed by the board who  
40 have personal knowledge of the activities of the petitioner since

1 the disciplinary penalty was imposed. The petition shall be heard  
 2 by the board. The board may consider all activities of the petitioner  
 3 since the disciplinary action was taken, the offense for which the  
 4 petitioner was disciplined, the petitioner’s activities since the  
 5 license or registration was in good standing, and the petitioner’s  
 6 rehabilitation efforts, general reputation for truth, and professional  
 7 ability. The hearing may be continued from time to time as the  
 8 board finds necessary .

9 (c) The board reinstating the license or registration or modifying  
 10 a penalty may impose terms and conditions as it determines  
 11 necessary. To reinstate a revoked license or registration or to  
 12 otherwise reduce a penalty or modify probation shall require a  
 13 vote of five of the members of the board.

14 (d) The petition shall not be considered while the petitioner is  
 15 under sentence for any criminal offense, including any period  
 16 during which the petitioner is on court-imposed probation or parole.  
 17 The board may deny without a hearing or argument any petition  
 18 filed pursuant to this section within a period of two years from the  
 19 effective date of the prior decision following a hearing under this  
 20 section.

21 ~~SEC. 9.~~

22 *SEC. 11.* Section 5063.3 of the Business and Professions Code  
 23 is amended to read:

24 5063.3. (a) No confidential information obtained by a licensee,  
 25 in his or her professional capacity, concerning a client or a  
 26 prospective client shall be disclosed by the licensee without the  
 27 written permission of the client or prospective client, except the  
 28 following:

29 (1) Disclosures made by a licensee in compliance with a  
 30 subpoena or a summons enforceable by order of a court.

31 (2) Disclosures made by a licensee regarding a client or  
 32 prospective client to the extent the licensee reasonably believes it  
 33 is necessary to maintain or defend himself or herself in a legal  
 34 proceeding initiated by the client or prospective client.

35 (3) Disclosures made by a licensee in response to an official  
 36 inquiry from a federal or state government regulatory agency.

37 (4) Disclosures made by a licensee or a licensee’s duly  
 38 authorized representative to another licensee or person in  
 39 connection with a proposed sale or merger of the licensee’s  
 40 professional practice, provided the parties enter into a written

1 nondisclosure agreement with regard to all client information  
2 shared between the parties.

3 (5) Disclosures made by a licensee to either of the following:

4 (A) Another licensee to the extent necessary for purposes of  
5 professional consultation.

6 (B) Organizations that provide professional standards review  
7 and ethics or quality control peer review.

8 (6) Disclosures made when specifically required by law.

9 (7) Disclosures specified by the board in regulation.

10 (b) In the event that confidential client information may be  
11 disclosed to persons or entities outside the United States of America  
12 in connection with the services provided, the licensee shall inform  
13 the client in writing and obtain the client's written permission for  
14 the disclosure.

15 ~~SEC. 10.~~

16 *SEC. 12.* Section 5096.9 of the Business and Professions Code  
17 is amended to read:

18 5096.9. (a) The board is authorized to adopt regulations to  
19 implement, interpret, or make specific the provisions of this article.

20 (b) The board shall adopt emergency regulations in accordance  
21 with the Administrative Procedure Act (Chapter 3.5 (commencing  
22 with Section 11340) of Part 1 of Division 3 of Title 2 of the  
23 Government Code) to establish policies, guidelines, and procedures  
24 to initially implement this article as it goes into effect on July 1,  
25 2013. The adoption of the regulations shall be considered by the  
26 Office of Administrative Law to be necessary for the immediate  
27 preservation of the public peace, health and safety, or general  
28 welfare. The emergency regulations shall be submitted to the Office  
29 of Administrative Law for filing with the Secretary of State in  
30 accordance with the Administrative Procedure Act.

31 (c) (1) Notwithstanding any other law, to ensure uninterrupted  
32 implementation of this article, the board may adopt or amend  
33 regulations consistent with Section 100 of Title 1 of the California  
34 Code of Regulations to remove or extend the inoperative date of  
35 its regulations in Article 3 (commencing with Section 18) of  
36 Division 1 of Title 16 of the California Code of Regulations, or to  
37 remove the inoperative dates for the regulations in Article 4  
38 (commencing with Section 26) of Division 1 of Title 16 of the  
39 California Code of Regulations.

1 (2) Notwithstanding any other law, the Office of Administrative  
 2 Law shall consider the board's action to remove or extend the  
 3 inoperative dates of these regulations as a change without  
 4 regulatory effect as described in Section 100 of Title 1 of the  
 5 California Code of Regulations that exempts the board from  
 6 complying with the rulemaking procedure specified in the  
 7 Administrative Procedure Act (Article 5 (commencing with Section  
 8 11346) of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the  
 9 Government Code).

10 ~~SEC. 11.~~

11 *SEC. 13.* Section 5810 of the Business and Professions Code  
 12 is amended to read:

13 5810. (a) This chapter shall be subject to review by the  
 14 appropriate policy committees of the Legislature.

15 (b) This chapter shall remain in effect only until January 1,  
 16 2022, and as of that date is repealed.

17 *SEC. 14. Section 6980.79 of the Business and Professions Code*  
 18 *is amended to read:*

19 6980.79. The fees prescribed by this chapter are those fixed in  
 20 the following schedule:

21 (a) A locksmith license application fee may not exceed thirty  
 22 dollars (\$30).

23 (b) An original license and renewal fee for a locksmith license  
 24 may not exceed forty-five dollars (\$45).

25 (c) A branch office registration fee and branch office renewal  
 26 fee may not exceed thirty-five dollars (\$35).

27 (d) Notwithstanding Section 163.5, the reinstatement fee as  
 28 required by Section 6980.28 is the amount equal to the renewal  
 29 fee plus a penalty of 50 percent thereof.

30 (e) An initial registration fee for an employee may not exceed  
 31 twenty dollars (\$20).

32 (f) A registration renewal fee for an employee performing the  
 33 services of a locksmith may not exceed twenty dollars (\$20).

34 (g) The fingerprint processing fee is that amount charged the  
 35 bureau by the Department of Justice.

36 (h) All applicants seeking a license pursuant to this chapter shall  
 37 also remit to the bureau the fingerprint fee that is charged to the  
 38 bureau by the Department of Justice.

39 (i) The fee for a "Certificate of Licensure" may not exceed  
 40 twenty dollars (\$20).

1 (j) A delinquency fee is the amount equal to the renewal fee  
2 plus a penalty of 50 percent thereof.

3 (k) *This section shall become inoperative on July 1, 2018, and,*  
4 *as of January 1, 2019, is repealed.*

5 SEC. 15. *Section 6980.79 is added to the Business and*  
6 *Professions Code, to read:*

7 6980.79. *The fees prescribed by this chapter are those fixed*  
8 *in the following schedule:*

9 (a) *A locksmith license application fee shall be at least two*  
10 *hundred fifty dollars (\$250) and may be increased to an amount*  
11 *not to exceed two hundred seventy-five dollars (\$275).*

12 (b) *An original license fee for a locksmith license shall be at*  
13 *least two hundred fifty dollars (\$250) and may be increased to an*  
14 *amount not to exceed two hundred seventy-five dollars (\$275),*  
15 *and a renewal fee for a locksmith license shall be at least five*  
16 *hundred dollars (\$500) and may be increased to an amount not*  
17 *to exceed five hundred fifty dollars (\$550).*

18 (c) *A branch office initial registration fee shall be at least two*  
19 *hundred fifty dollars (\$250) and may be increased to an amount*  
20 *not to exceed two hundred seventy-five dollars (\$275), and a*  
21 *branch office renewal fee shall be at least one hundred fifty dollars*  
22 *(\$150) and may be increased to an amount not to exceed one*  
23 *hundred sixty-five dollars (\$165).*

24 (d) *Notwithstanding Section 163.5, the reinstatement fee as*  
25 *required by Section 6980.28 is the amount equal to the renewal*  
26 *fee plus a penalty of 50 percent thereof.*

27 (e) *An initial registration fee for an employee performing the*  
28 *services of a locksmith shall be at least fifty-five dollars (\$55) and*  
29 *may be increased to an amount not to exceed sixty dollars (\$60).*

30 (f) *A registration renewal fee for an employee performing the*  
31 *services of a locksmith shall be at least forty dollars (\$40) and*  
32 *may be increased to an amount not to exceed forty-four dollars*  
33 *(\$44).*

34 (g) *The fingerprint processing fee is that amount charged to the*  
35 *bureau by the Department of Justice.*

36 (h) *All applicants seeking a license pursuant to this chapter*  
37 *shall also remit to the bureau the fingerprint fee that is charged*  
38 *to the bureau by the Department of Justice.*

39 (i) *The fee for a Certificate of Licensure, as specified in Section*  
40 *6980.24, shall be at least twenty-five dollars (\$25).*



1 (j) A delinquency fee is the amount equal to the renewal fee plus  
2 a penalty of 50 percent thereof.

3 (k) The fee for an endorsed verification of licensure or  
4 registration shall be twenty-five dollars (\$25). The verification  
5 document shall include the license or registration number, the  
6 date of issuance and expiration of the license or registration, the  
7 current license or registration status, the date of the endorsement,  
8 an embossed seal, and the signature of the chief.

9 (l) The fee for the replacement of a lost or destroyed registration  
10 card, license, or certificate authorized by this chapter shall be  
11 twenty-five dollars (\$25). The request for a replacement of a  
12 registration card, license, or certificate shall be made in the  
13 manner prescribed by the bureau.

14 (m) This section shall become operative on July 1, 2018.

15 ~~SEC. 12.~~

16 *SEC. 16.* Section 7332 of the Business and Professions Code  
17 is amended to read:

18 7332. (a) An apprentice is any person who is licensed by the  
19 board to engage in learning or acquiring a knowledge of barbering,  
20 cosmetology, skin care, nail care, or electrology, in a licensed  
21 establishment under the supervision of a licensee approved by the  
22 board.

23 (b) For purposes of this section, “under the supervision of a  
24 licensee” means that the apprentice shall be supervised at all times  
25 by a licensee approved by the board while performing services in  
26 a licensed establishment. At no time shall an apprentice be the  
27 only individual working in the establishment. An apprentice that  
28 is not being supervised by a licensee, that has been approved by  
29 the board to supervise an apprentice, shall be deemed to be  
30 practicing unlicensed under this chapter.

31 *SEC. 17. Section 7506.10 of the Business and Professions Code*  
32 *is amended to read:*

33 7506.10. (a) Every initial registration shall expire one year  
34 following the date of issuance, unless renewed as provided in this  
35 section, except for those registrations issued on or after January  
36 1, 1984, which shall expire on December 31, 1985, and every year  
37 thereafter, unless renewed as provided in this section. A renewal  
38 registration shall expire two years following the date of renewal,  
39 unless renewed as provided in this section.

1 (b) At least 60 days prior to the expiration, the bureau shall mail  
2 a renewal form to the registrant at the licensee's place of business.  
3 A registrant who desires to renew his or her registration shall  
4 forward to the bureau for each registration the properly completed  
5 renewal form obtained from the bureau, with the renewal fee  
6 prescribed by this chapter, for renewal of his or her registration.  
7 Until the registration renewal certificate is issued, a registrant may  
8 continue to work with a temporary registration renewal certificate  
9 on a secure form prescribed by the chief and issued by the qualified  
10 certificate holder that has been embossed by the bureau with the  
11 state seal for a period not to exceed 120 days from the date of  
12 expiration of the registration.

13 (c) A licensee shall provide to his or her registrants information  
14 regarding procedures for renewal of registration.

15 (d) A registration that is not renewed within 60 days after its  
16 expiration may not be renewed. If the registration is renewed within  
17 60 days after its expiration, the registrant, as a condition precedent  
18 to renewal, shall pay the renewal fee and also pay the delinquency  
19 fee prescribed in this chapter. Registrants working with expired  
20 registrations shall pay all accrued fees and penalties prior to  
21 renewal or reregistration.

22 (e) The delinquency fee is 50 percent of the renewal fee in effect  
23 on the date of expiration, but not less than twenty-five dollars  
24 (\$25).

25 (f) Upon renewal, evidence of renewal, as the director may  
26 prescribe, shall be issued to the registrant. If evidence of renewal  
27 has not been delivered to the registrant prior to the date of  
28 expiration, the registrant may present evidence of renewal to  
29 substantiate continued registration for a period not to exceed 60  
30 days after the date of expiration or a temporary registration renewal  
31 certificate as described in subdivision (b).

32 (g) A registration shall not be renewed until any and all fines  
33 assessed pursuant to this chapter and not resolved in accordance  
34 with this chapter have been paid.

35 (h) *This section shall become inoperative on July 1, 2018, and,*  
36 *as of January 1, 2019, is repealed.*

37 *SEC. 18. Section 7506.10 is added to the Business and*  
38 *Professions Code, to read:*

39 *7506.10. (a) Every initial registration shall expire one year*  
40 *following the date of issuance, unless renewed as provided in this*

1 section, except for those registrations issued on or after January  
2 1, 1984, which shall expire on December 31, 1985, and every year  
3 thereafter, unless renewed as provided in this section. A renewal  
4 registration shall expire two years following the date of renewal,  
5 unless renewed as provided in this section.

6 (b) At least 60 days prior to the expiration, the bureau shall  
7 mail a renewal form to the registrant at the licensee's place of  
8 business. A registrant who desires to renew his or her registration  
9 shall forward to the bureau for each registration the properly  
10 completed renewal form obtained from the bureau, with the  
11 renewal fee prescribed by this chapter, for renewal of his or her  
12 registration. Until the registration renewal certificate is issued, a  
13 registrant may continue to work with a temporary registration  
14 renewal certificate on a secure form prescribed by the chief and  
15 issued by the qualified certificate holder that has been embossed  
16 by the bureau with the state seal for a period not to exceed 120  
17 days from the date of expiration of the registration.

18 (c) A licensee shall provide to his or her registrants information  
19 regarding procedures for renewal of registration.

20 (d) A registration that is not renewed within 60 days after its  
21 expiration may not be renewed. If the registration is renewed within  
22 60 days after its expiration, the registrant, as a condition precedent  
23 to renewal, shall pay the renewal fee and also pay the delinquency  
24 fee prescribed in this chapter. Registrants working with expired  
25 registrations shall pay all accrued fees and penalties prior to  
26 renewal or reregistration.

27 (e) Upon renewal, evidence of renewal, as the director may  
28 prescribe, shall be issued to the registrant. If evidence of renewal  
29 has not been delivered to the registrant prior to the date of  
30 expiration, the registrant may present evidence of renewal to  
31 substantiate continued registration for a period not to exceed 60  
32 days after the date of expiration or a temporary registration  
33 renewal certificate, as described in subdivision (b).

34 (f) A registration shall not be renewed until any and all fines  
35 assessed pursuant to this chapter and not resolved in accordance  
36 with this chapter have been paid.

37 (g) This section shall become operative on July 1, 2018.

38 SEC. 19. Section 7511 of the Business and Professions Code  
39 is amended to read:

1 7511. Effective July 1, 1998, the bureau shall establish and  
2 assess fees and penalties for licensure and registration as displayed  
3 in this section. The fees prescribed by this chapter are as follows:

4 (a) The application fee for an original repossession agency  
5 license may not exceed eight hundred twenty-five dollars (\$825).

6 (b) The application fee for an original qualification certificate  
7 may not exceed three hundred twenty-five dollars (\$325).

8 (c) The renewal fee for a repossession agency license may not  
9 exceed seven hundred fifteen dollars (\$715) biennially.

10 (d) The renewal fee for a license as a qualified certificate holder  
11 may not exceed four hundred fifty dollars (\$450) biennially.

12 (e) Notwithstanding Section 163.5, the reinstatement fee for a  
13 repossession agency license required pursuant to Sections 7503.11  
14 and 7505.3 is the amount equal to the renewal fee plus a penalty  
15 of 50 percent thereof.

16 (f) Notwithstanding Section 163.5, the reinstatement fee for a  
17 license as a qualified certificate holder required pursuant to  
18 Sections 7504.7 and 7503.11 is the amount equal to the renewal  
19 fee plus a penalty of 50 percent thereof.

20 (g) A fee for reexamination of an applicant for a qualified  
21 manager may not exceed thirty dollars (\$30).

22 (h) An initial registrant registration fee may not exceed  
23 seventy-five dollars (\$75), a registrant reregistration fee may not  
24 exceed thirty dollars (\$30), and a registrant biennial renewal fee  
25 may not exceed sixty dollars (\$60) per registration.  
26 Notwithstanding Section 163.5 and this subdivision, the  
27 reregistration fee for a registrant whose registration expired more  
28 than one year prior to the filing of the application for reregistration  
29 may not exceed seventy-five dollars (\$75).

30 (i) The delinquency fee is 50 percent of the renewal fee in effect  
31 on the date of expiration, but not less than twenty-five dollars  
32 (\$25).

33 (j) The fingerprint processing fee is that amount charged the  
34 bureau by the Department of Justice.

35 (k) The director shall furnish one copy of any issue or edition  
36 of the licensing law and rules and regulations to any applicant or  
37 licensee without charge. The director shall charge and collect a  
38 fee not to exceed ten dollars (\$10) plus sales tax for each additional  
39 copy which may be furnished on request to any applicant or

1 licensee, and for each copy furnished on request to any other  
2 person.

3 (I) The processing fee for the assignment of a repossession  
4 agency license pursuant to Section 7503.9 may not exceed one  
5 hundred twenty-five dollars (\$125).

6 This section shall become operative July 1, 1998, except that  
7 the changes to this section enacted during the first year of the  
8 1999-2000 Regular Session shall become operative January 1,  
9 2000. Notwithstanding the operative date of this section, before,  
10 on, or after July 1, 1998, the bureau may adopt regulations  
11 specifying the fees authorized by this section. *inoperative July 1,*  
12 *2018, and, as of January 1, 2019, is repealed.*

13 SEC. 20. Section 7511 is added to the Business and Professions  
14 Code, to read:

15 7511. The bureau shall establish and assess fees and penalties  
16 for licensure and registration as displayed in this section. The fees  
17 prescribed by this chapter are as follows:

18 (a) The application fee for an original repossession agency  
19 license shall be at least nine hundred seventy dollars (\$970) and  
20 may be increased to an amount not to exceed one thousand  
21 sixty-seven dollars (\$1,067).

22 (b) The application fee for an original qualified manager  
23 certificate shall be at least three hundred fifty dollars (\$350) and  
24 may be increased to an amount not to exceed three hundred  
25 eighty-five dollars (\$385).

26 (c) The renewal fee for a repossession agency license shall be  
27 at least seven hundred fifty dollars (\$750) and may be increased  
28 to an amount not to exceed eight hundred twenty-five dollars (\$825)  
29 biennially.

30 (d) The renewal fee for a qualified manager certificate shall be  
31 at least two hundred twenty-five dollars (\$225) and may be  
32 increased to an amount not to exceed two hundred forty-eight  
33 dollars (\$248) biennially.

34 (e) Notwithstanding Section 163.5, the reinstatement fee for a  
35 repossession agency license required pursuant to Sections 7503.11  
36 and 7505.3 is the amount equal to the renewal fee plus a penalty  
37 of 50 percent thereof.

38 (f) Notwithstanding Section 163.5, the reinstatement fee for a  
39 qualified manager certificate required pursuant to Sections 7503.11

1 and 7504.7 is the amount equal to the renewal fee plus a penalty  
2 of 50 percent thereof.

3 (g) A fee for reexamination of an applicant for a qualified  
4 manager shall be at least sixty dollars (\$60) and may be increased  
5 to an amount not to exceed sixty-six dollars (\$66).

6 (h) An initial registrant registration fee shall be at least  
7 seventy-five dollars (\$75) and may be increased to an amount not  
8 to exceed eighty-two dollars (\$82), a registrant reregistration fee  
9 shall be at least seventy-five dollars (\$75) and may be increased  
10 to an amount not to exceed eighty-two dollars (\$82), and a  
11 registrant biennial renewal fee shall be at least forty dollars (\$40)  
12 and may be increased to an amount not to exceed forty-four dollars  
13 (\$44) per registration. Notwithstanding Section 163.5 and this  
14 subdivision, the reregistration fee for a registrant whose  
15 registration expired more than one year prior to the filing of the  
16 application for reregistration shall be at least seventy-five dollars  
17 (\$75) and may be increased to an amount not to exceed eighty-two  
18 dollars (\$82).

19 (i) The delinquency fee is 50 percent of the renewal fee in effect  
20 on the date of expiration, but not less than twenty-five dollars  
21 (\$25).

22 (j) The fingerprint processing fee is that amount charged to the  
23 bureau by the Department of Justice.

24 (k) The director shall furnish one copy of any issue or edition  
25 of the licensing law and rules and regulations to any applicant or  
26 licensee without charge. The director shall charge and collect a  
27 fee not to exceed ten dollars (\$10) plus sales tax for each additional  
28 copy, which may be furnished on request to any applicant or  
29 licensee, and for each copy furnished on request to any other  
30 person.

31 (l) The processing fee for the assignment of a repossession  
32 agency license pursuant to Section 7503.9 shall be at least four  
33 hundred dollars (\$400) and may be increased to an amount not  
34 to exceed four hundred forty dollars (\$440).

35 (m) The fee for an endorsed verification of licensure,  
36 certification, or registration shall be twenty-five dollars (\$25).  
37 The verification document shall include the license, certificate, or  
38 registration number, the date of issuance and expiration of the  
39 license, certificate, or registration, the current license, certificate,

1 or registration status, the date of the endorsement, an embossed  
2 seal, and the signature of the chief.

3 (n) The fee for the replacement of a lost or destroyed registration  
4 card, license, or certificate authorized by this chapter shall be  
5 twenty-five dollars (\$25). The request for a replacement of a  
6 registration card, license, or certificate shall be made in the  
7 manner prescribed by the bureau.

8 (o) This section shall become operative on July 1, 2018.

9 SEC. 21. Section 7574.11 of the Business and Professions Code  
10 is amended to read:

11 7574.11. (a) An applicant seeking registration as a proprietary  
12 private security officer shall apply to the department on forms  
13 provided by the department.

14 (b) An application for registration as a proprietary private  
15 security officer shall include, but not be limited to, the following:

16 (1) Submission of fingerprints for submission to the Department  
17 of Justice.

18 (A) The department shall submit to the Department of Justice  
19 fingerprint images and related information required by the  
20 Department of Justice for all proprietary private security officer  
21 registration applicants, as defined by subdivision (f) of Section  
22 7574.01, for the purposes of obtaining information as to the  
23 existence and content of a record of state or federal convictions  
24 and state or federal arrests and also information as to the existence  
25 and content of a record of state or federal arrests for which the  
26 Department of Justice establishes that the person is free on bail or  
27 on his or her own recognizance pending trial or appeal.

28 (B) When received, the Department of Justice shall forward to  
29 the Federal Bureau of Investigation requests for federal summary  
30 criminal history information received pursuant to this section. The  
31 Department of Justice shall review the information returned from  
32 the Federal Bureau of Investigation and compile and disseminate  
33 a response to the department.

34 (C) The Department of Justice shall provide a state and federal  
35 level response to the department pursuant to paragraph (1) of  
36 subdivision (p) of Section 11105 of the Penal Code.

37 (D) The department shall request from the Department of Justice  
38 subsequent arrest notification service, as provided pursuant to  
39 Section 11105.2 of the Penal Code, for persons described in  
40 subdivision (a).

1 (E) The Department of Justice shall charge a fee sufficient to  
2 cover the cost of processing the request described in this section.

3 (2) A fee of fifty dollars (\$50).

4 (c) Upon approval of an application for registration as a  
5 proprietary private security officer by the director, the chief shall  
6 cause to be issued to the applicant a registration card in a form  
7 approved by the director. A registration card shall be valid for two  
8 years from the date of issue.

9 (d) A person may work as a proprietary private security officer  
10 pending receipt of the registration card if he or she has been  
11 approved by the director and carries on his or her person a ~~hard~~  
12 ~~copy~~ *hardcopy* printout of the bureau's approval from the bureau's  
13 Internet Web site and either a valid driver's license issued pursuant  
14 to Section 12811 of the Vehicle Code or a valid identification card  
15 issued pursuant to Section 13000 of the Vehicle Code.

16 (e) In the event of the loss or destruction of a registration card,  
17 the registrant may apply to the bureau on a form provided by the  
18 bureau for a certified replacement of the card, stating the  
19 circumstances surrounding the loss, and pay a replacement fee of  
20 ten dollars (\$10), whereupon the bureau shall issue a replacement  
21 of the card.

22 (f) A registered proprietary private security officer shall apply  
23 for renewal biennially with the department on forms provided by  
24 the department. The department shall charge a renewal fee of  
25 thirty-five dollars (\$35).

26 (g) *This section shall become inoperative on July 1, 2018, and,*  
27 *as of January 1, 2019, is repealed.*

28 *SEC. 22. Section 7574.11 is added to the Business and*  
29 *Professions Code, to read:*

30 *7574.11. (a) An applicant seeking registration as a proprietary*  
31 *private security officer shall apply to the department on forms*  
32 *provided by the department.*

33 *(b) An application for registration as a proprietary private*  
34 *security officer shall include, but not be limited to, the following:*

35 *(1) Submission of fingerprint images for submission to the Department*  
36 *of Justice.*

37 *(A) The department shall submit to the Department of Justice*  
38 *fingerprint images and related information required by the*  
39 *Department of Justice for all proprietary private security officer*  
40 *registration applicants, as defined by subdivision (f) of Section*



1 7574.01, for the purposes of obtaining information as to the  
2 existence and content of a record of state or federal convictions  
3 and state or federal arrests and also information as to the existence  
4 and content of a record of state or federal arrests for which the  
5 Department of Justice establishes that the person is free on bail  
6 or on his or her own recognizance pending trial or appeal.

7 (B) When received, the Department of Justice shall forward to  
8 the Federal Bureau of Investigation requests for federal summary  
9 criminal history information received pursuant to this section. The  
10 Department of Justice shall review the information returned from  
11 the Federal Bureau of Investigation and compile and disseminate  
12 a response to the department.

13 (C) The Department of Justice shall provide a state and federal  
14 level response to the department pursuant to paragraph (1) of  
15 subdivision (p) of Section 11105 of the Penal Code.

16 (D) The department shall request from the Department of Justice  
17 subsequent arrest notification service, as provided pursuant to  
18 Section 11105.2 of the Penal Code, for persons described in  
19 subdivision (a).

20 (E) The Department of Justice shall charge a fee sufficient to  
21 cover the cost of processing the request described in this section.

22 (2) A fee that shall be at least fifty-five dollars (\$55) and may  
23 be increased to an amount not to exceed sixty dollars (\$60).

24 (c) Upon approval of an application for registration as a  
25 proprietary private security officer by the director, the chief shall  
26 cause to be issued to the applicant a registration card in a form  
27 approved by the director. A registration card shall be valid for  
28 two years from the date of issue.

29 (d) A person may work as a proprietary private security officer  
30 pending receipt of the registration card if he or she has been  
31 approved by the director and carries on his or her person a  
32 hardcopy printout of the bureau's approval from the bureau's  
33 Internet Web site and either a valid driver's license issued pursuant  
34 to Section 12811 of the Vehicle Code or a valid identification card  
35 issued pursuant to Section 13000 of the Vehicle Code.

36 (e) The fee for a lost or destroyed registration card shall be  
37 twenty-five dollars (\$25). The request for a replacement of a  
38 registration card, license, or certificate shall be made in the  
39 manner prescribed by the bureau.

1 (f) A registered proprietary private security officer shall apply  
2 for renewal biennially with the department on forms provided by  
3 the department. The department shall charge a renewal fee that  
4 shall be at least forty dollars (\$40) and may be increased to an  
5 amount not to exceed forty-four dollars (\$44).

6 (g) This section shall become operative on July 1, 2018.

7 SEC. 23. Section 7574.13 of the Business and Professions Code  
8 is amended to read:

9 7574.13. (a) An applicant seeking registration as a proprietary  
10 private security employer shall apply to the department on forms  
11 provided by the department.

12 (b) An application for registration as a proprietary private  
13 security employer shall include, but not be limited to, a fee of  
14 seventy-five dollars (\$75).

15 (c) Upon approval of an application for registration as a  
16 proprietary private security employer by the director, the chief  
17 shall cause to be issued to the applicant a registration certificate  
18 in a form approved by the director. A registration certificate shall  
19 be valid for two years from the date of issue.

20 (d) A registered proprietary private security employer shall  
21 apply for renewal biennially with the department on forms provided  
22 by the department. The department shall charge a renewal fee of  
23 thirty-five dollars (\$35).

24 (e) This section shall become inoperative on July 1, 2018, and,  
25 as of January 1, 2019, is repealed.

26 SEC. 24. Section 7574.13 is added to the Business and  
27 Professions Code, to read:

28 7574.13. (a) An applicant seeking registration as a proprietary  
29 private security employer shall apply to the department on forms  
30 provided by the department.

31 (b) An application for registration as a proprietary private  
32 security employer shall include, but not be limited to, a fee that  
33 shall be at least three hundred fifty dollars (\$350) and may be  
34 increased to an amount not to exceed three hundred eighty-five  
35 dollars (\$385).

36 (c) Upon approval of an application for registration as a  
37 proprietary private security employer by the director, the chief  
38 shall cause to be issued to the applicant a registration certificate  
39 in a form approved by the director. A registration certificate shall  
40 be valid for two years from the date of issue.

1 (d) A registered proprietary private security employer shall  
2 apply for renewal biennially with the department on forms provided  
3 by the department. The department shall charge a renewal fee that  
4 shall be at least three hundred fifty dollars (\$350) and may be  
5 increased to an amount not to exceed three hundred eighty-five  
6 dollars (\$385).

7 (e) The fee for the replacement of a lost or destroyed registration  
8 card shall be twenty-five dollars (\$25). The request for a  
9 replacement of a registration card, license, or certificate shall be  
10 made in the manner prescribed by the bureau.

11 (f) This section shall become operative on July 1, 2018.

12 SEC. 25. Section 7574.35 is added to the Business and  
13 Professions Code, to read:

14 7574.35. (a) The fee for an endorsed verification of registration  
15 shall be twenty-five dollars (\$25). The verification document shall  
16 include the registration number, the date of issuance and expiration  
17 of the registration, the current registration status, the date of the  
18 endorsement, an embossed seal, and the signature of the chief.

19 (b) This section shall become operative on July 1, 2018.

20 SEC. 26. Section 7582.11 of the Business and Professions Code  
21 is amended to read:

22 7582.11. (a) The chief shall issue a license, the form and  
23 content of which shall be determined by the chief in accordance  
24 with Section 164. In addition, the chief shall issue a “Certificate  
25 of Licensure” to any licensee, upon request and upon the payment  
26 of a fee of fifty dollars (\$50).

27 (b) This section shall become inoperative on July 1, 2018, and,  
28 as of January 1, 2019, is repealed.

29 SEC. 27. Section 7582.11 is added to the Business and  
30 Professions Code, to read:

31 7582.11. (a) The chief shall issue a license, the form and  
32 content of which shall be determined by the chief in accordance  
33 with Section 164. In addition, the chief shall issue a “Certificate  
34 of Licensure” to any licensee, upon request and upon the payment  
35 of the fee prescribed in this chapter.

36 (b) This section shall become operative on July 1, 2018.

37 SEC. 28. Section 7582.17 of the Business and Professions Code  
38 is amended to read:

1 7582.17. (a) No licensee shall conduct a business under a  
2 fictitious or other business name unless and until he or she has  
3 obtained the written authorization of the bureau to do so.

4 The

5 (b) The bureau shall not authorize the use of a fictitious or other  
6 business name which is so similar to that of a public officer or  
7 agency or of that used by another licensee that the public may be  
8 confused or misled thereby.

9 The

10 (c) The authorization shall require, as a condition precedent to  
11 the use of any fictitious name, that the licensee comply with  
12 Chapter 5 (commencing with Section 17900) of Part 3 of Division  
13 7.

14 A

15 (d) A licensee desiring to conduct his or her business under  
16 more than one fictitious business name shall obtain the  
17 authorization of the bureau in the manner prescribed in this section  
18 for the use of each name.

19 The

20 (e) The licensee shall pay a fee of twenty-five dollars (\$25) for  
21 each authorization to use an additional fictitious business name  
22 and for each change in the use of a fictitious business name. If the  
23 original license is issued in a nonfictitious name and authorization  
24 is requested to have the license reissued in a fictitious business  
25 name name, the licensee shall pay a fee of twenty-five dollars  
26 (\$25) for the authorization.

27 (f) This section shall become inoperative on July 1, 2018, and,  
28 as of January 1, 2019, is repealed.

29 SEC. 29. Section 7582.17 is added to the Business and  
30 Professions Code, to read:

31 7582.17. (a) No licensee shall conduct a business under a  
32 fictitious or other business name unless and until he or she has  
33 obtained the written authorization of the bureau to do so.

34 (b) The bureau shall not authorize the use of a fictitious or other  
35 business name which is so similar to that of a public officer or  
36 agency or of that used by another licensee that the public may be  
37 confused or misled thereby.

38 (c) The authorization shall require, as a condition precedent to  
39 the use of any fictitious name, that the licensee comply with

1 Chapter 5 (commencing with Section 17900) of Part 3 of Division  
2 7.

3 (d) A licensee desiring to conduct his or her business under  
4 more than one fictitious business name shall obtain the  
5 authorization of the bureau in the manner prescribed in this section  
6 for the use of each name.

7 (e) The licensee shall pay a fee of at least seventy-five dollars  
8 (\$75) that may be increased to an amount not to exceed eighty-two  
9 dollars (\$82) for each authorization to use an additional fictitious  
10 business name and for each change in the use of a fictitious  
11 business name. If the original license is issued in a nonfictitious  
12 name and authorization is requested to have the license reissued  
13 in a fictitious business name, the licensee shall pay a fee of at least  
14 seventy-five dollars (\$75) that may be increased to an amount not  
15 to exceed eighty-two dollars (\$82) for the authorization.

16 (f) This section shall become operative on July 1, 2018.

17 SEC. 30. Section 7583.12 of the Business and Professions Code  
18 is amended to read:

19 7583.12. (a) An employee of a licensee shall not carry or use  
20 a firearm unless the employee has in his or her possession both of  
21 the following:

22 (1) A valid guard registration card issued pursuant to this  
23 chapter.

24 (2) A valid firearm qualification card issued pursuant to this  
25 chapter.

26 (b) An employee of a licensee may carry or use a firearm while  
27 working as a security guard or security patrolperson pending receipt  
28 of a firearm qualification card if he or she has been approved by  
29 the bureau and carries on his or her person a hardcopy printout of  
30 the bureau's approval from the bureau's Internet Web site and a  
31 valid picture identification.

32 (c) In the event of the loss or destruction of the firearm  
33 qualification card, the cardholder may apply to the bureau for a  
34 certified replacement of the card, stating the circumstances  
35 surrounding the loss, and pay a ten-dollar (\$10) certification fee,  
36 whereupon the bureau shall issue a certified replacement of the  
37 card.

38 (d) Paragraph (2) of subdivision (a) and subdivision (b) shall  
39 not apply to a duly appointed peace officer, as defined in Chapter

1 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal  
2 Code, who meets all of the following:

3 (1) He or she has successfully completed a course of study in  
4 the use of firearms.

5 (2) He or she is authorized to carry a concealed firearm in the  
6 course and scope of his or her employment pursuant to Article 2  
7 (commencing with Section 25450) of Chapter 2 of Division 5 of  
8 Title 4 of Part 6 of the Penal Code.

9 (3) He or she has proof that he or she has applied to the bureau  
10 for a firearm qualification card.

11 (e) (1) This section shall not apply to a duly appointed peace  
12 officer, as defined in Chapter 4.5 (commencing with Section 830)  
13 of Title 3 of Part 2 of the Penal Code, or a federal qualified law  
14 enforcement officer, as defined in Section 926B of Title 18 of the  
15 United States Code, who has written approval from his or her  
16 primary employer, as defined in paragraph (2) of subdivision (i)  
17 of Section 7583.9, to carry a firearm while working as a security  
18 guard.

19 (2) A peace officer exempt under this subdivision shall carry  
20 on his or her person a letter of approval from his or her primary  
21 employer authorizing him or her to carry a firearm while working  
22 as a security guard.

23 (f) *This section shall become inoperative on July 1, 2018, and,*  
24 *as of January 1, 2019, is repealed.*

25 *SEC. 31. Section 7583.12 is added to the Business and*  
26 *Professions Code, to read:*

27 *7583.12. (a) An employee of a licensee shall not carry or use*  
28 *a firearm unless the employee has in his or her possession both of*  
29 *the following:*

30 *(1) A valid guard registration card issued pursuant to this*  
31 *chapter.*

32 *(2) A valid firearm qualification card issued pursuant to this*  
33 *chapter.*

34 *(b) An employee of a licensee may carry or use a firearm while*  
35 *working as a security guard or security patrolperson pending*  
36 *receipt of a firearm qualification card if he or she has been*  
37 *approved by the bureau and carries on his or her person a*  
38 *hardcopy printout of the bureau's approval from the bureau's*  
39 *Internet Web site and a valid picture identification.*

1 (c) Paragraph (2) of subdivision (a) and subdivision (b) shall  
 2 not apply to a duly appointed peace officer, as defined in Chapter  
 3 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal  
 4 Code, who meets all of the following:

5 (1) He or she has successfully completed a course of study in  
 6 the use of firearms.

7 (2) He or she is authorized to carry a concealed firearm in the  
 8 course and scope of his or her employment pursuant to Article 2  
 9 (commencing with Section 25450) of Chapter 2 of Division 5 of  
 10 Title 4 of Part 6 of the Penal Code.

11 (3) He or she has proof that he or she has applied to the bureau  
 12 for a firearm qualification card.

13 (d) (1) This section shall not apply to a duly appointed peace  
 14 officer, as defined in Chapter 4.5 (commencing with Section 830)  
 15 of Title 3 of Part 2 of the Penal Code, or a federal qualified law  
 16 enforcement officer, as defined in Section 926B of Title 18 of the  
 17 United States Code, who has written approval from his or her  
 18 primary employer, as defined in paragraph (2) of subdivision (i)  
 19 of Section 7583.9, to carry a firearm while working as a security  
 20 guard.

21 (2) A peace officer exempt under this subdivision shall carry  
 22 on his or her person a letter of approval from his or her primary  
 23 employer authorizing him or her to carry a firearm while working  
 24 as a security guard.

25 (e) This section shall become operative on July 1, 2018.

26 SEC. 32. Section 7583.17 of the Business and Professions Code  
 27 is amended to read:

28 7583.17. (a) Upon approval of an application for registration,  
 29 the chief shall cause to be issued to the applicant at his or her last  
 30 known residential address a registration card in a form approved  
 31 by the director.

32 (b) A person may work as a security guard or security  
 33 patrolperson pending receipt of the registration card if he or she  
 34 has been approved by the bureau and carries on his or her person  
 35 a hardcopy printout of the bureau's *Internet* approval from the  
 36 bureau's Web site and a valid picture identification.

37 (c) In the event of the loss or destruction of the card, the  
 38 cardholder may apply to the bureau for a certified replacement of  
 39 the card, stating the circumstances surrounding the loss, and pay

1 a ten dollar (\$10) certification fee, whereupon the bureau shall  
2 issue a certified replacement of the card.

3 *(d) This section shall become inoperative on July 1, 2018, and,*  
4 *as of January 1, 2019, is repealed.*

5 *SEC. 33. Section 7583.17 is added to the Business and*  
6 *Professions Code, to read:*

7 *7583.17. (a) Upon approval of an application for registration,*  
8 *the chief shall cause to be issued to the applicant at his or her last*  
9 *known residential address a registration card in a form approved*  
10 *by the director.*

11 *(b) A person may work as a security guard or security*  
12 *patrolperson pending receipt of the registration card if he or she*  
13 *has been approved by the bureau and carries on his or her person*  
14 *a hardcopy printout of the bureau's approval from the bureau's*  
15 *Internet Web site and a valid picture identification.*

16 *(c) This section shall become operative on July 1, 2018.*

17 *SEC. 34. Section 7583.20 of the Business and Professions Code*  
18 *is amended to read:*

19 *7583.20. (a) A registration issued under this chapter expires*  
20 *two years following the date of issuance or on the assigned renewal*  
21 *date. Every security guard issued a registration under this chapter*  
22 *that expires on or after January 1, 1997, and who is also issued or*  
23 *renews a firearms qualification card on or after January 1, 1997,*  
24 *shall be placed on a cyclical renewal so that the registration expires*  
25 *on the expiration date of the firearms qualification card.*  
26 *Notwithstanding any other ~~provision~~ of law, the bureau is*  
27 *authorized to extend or shorten the first term of registration*  
28 *following January 1, 1997, and to prorate the required registration*  
29 *fee in order to implement this cyclical renewal. At least 60 days*  
30 *prior to the expiration, a registrant seeking to renew a security*  
31 *guard registration shall forward to the bureau a completed*  
32 *registration renewal application and the renewal fee. The renewal*  
33 *application shall be on a form prescribed by the director, dated*  
34 *and signed by the applicant, certifying under penalty of perjury*  
35 *that the information in the application is true and correct.*

36 *(b) The licensee shall provide to any employee information*  
37 *regarding procedures for renewal or registration.*

38 *(c) In the event a registrant fails to request a renewal of his or*  
39 *her registration as provided for in this chapter, the registration*  
40 *shall expire as indicated on the registration. If the registration is*



1 renewed within 60 days after its expiration, the registrant, as a  
 2 condition precedent to renewal, shall pay the renewal fee and the  
 3 delinquency fee.

4 (d) The delinquency fee is 50 percent of the renewal fee in effect  
 5 on the date of expiration, but not less than twenty-five dollars  
 6 (\$25).

7 (e) If the renewed registration card has not been delivered to  
 8 the registrant prior to the expiration of the prior registration, the  
 9 registrant may present evidence of renewal to substantiate  
 10 continued registration for a period not to exceed 90 days after the  
 11 date of expiration.

12 (f) A registration may not be renewed or reinstated unless a  
 13 registrant meets both of the following requirements:

14 (1) All fines assessed pursuant to Section 7587.7 and not  
 15 resolved in accordance with the provisions of that section have  
 16 been paid.

17 (2) On and after July 1, 2005, the registrant certifies, on a form  
 18 prescribed by the bureau, that he or she has completed the 32 hours  
 19 of the training required by subdivision (b) of Section 7583.6.

20 (g) *This section shall become inoperative on July 1, 2018, and,*  
 21 *as of January 1, 2019, is repealed.*

22 *SEC. 35. Section 7583.20 is added to the Business and*  
 23 *Professions Code, to read:*

24 *7583.20. (a) A registration issued under this chapter expires*  
 25 *two years following the date of issuance or on the assigned renewal*  
 26 *date. Every security guard issued a registration under this chapter*  
 27 *that expires on or after January 1, 1997, and who is also issued*  
 28 *or renews a firearms qualification card on or after January 1,*  
 29 *1997, shall be placed on a cyclical renewal so that the registration*  
 30 *expires on the expiration date of the firearms qualification card.*  
 31 *Notwithstanding any other law, the bureau is authorized to extend*  
 32 *or shorten the first term of registration following January 1, 1997,*  
 33 *and to prorate the required registration fee in order to implement*  
 34 *this cyclical renewal. At least 60 days prior to the expiration, a*  
 35 *registrant seeking to renew a security guard registration shall*  
 36 *forward to the bureau a completed registration renewal application*  
 37 *and the renewal fee. The renewal application shall be on a form*  
 38 *prescribed by the director, dated and signed by the applicant,*  
 39 *certifying under penalty of perjury that the information in the*  
 40 *application is true and correct.*

1 (b) The licensee shall provide to any employee information  
2 regarding procedures for renewal or registration.

3 (b) ~~In the event the registrant finds an instructor has certified that the~~  
4 ~~applicant has successfully completed a written examination~~  
5 ~~prepared by the instructor and the registrant is in the registration~~  
6 ~~of firearms provided by the bureau at the expiration, the registrant, as a~~  
7 condition precedent to renewal, shall pay the renewal fee and the  
8 delinquency fee.

9 (d) If the renewed registration card has not been delivered to  
10 the registrant prior to the expiration of the prior registration, the  
11 registrant may present evidence of renewal to substantiate  
12 continued registration for a period not to exceed 90 days after the  
13 date of expiration.

14 (e) A registration may not be renewed or reinstated unless a  
15 registrant meets both of the following requirements:

16 (1) All fines assessed pursuant to Section 7587.7 and not  
17 resolved in accordance with the provisions of that section have  
18 been paid.

19 (2) On and after July 1, 2005, the registrant certifies, on a form  
20 prescribed by the bureau, that he or she has completed the 32  
21 hours of the training required by subdivision (b) of Section 7583.6.

22 (f) This section shall become operative on July 1, 2018.

23 SEC. 36. Section 7583.23 of the Business and Professions Code  
24 is amended to read:

25 7583.23. The bureau shall issue a firearms permit when all of  
26 the following conditions are satisfied:

27 (a) The applicant is a licensee, a qualified manager of a licensee,  
28 or a registered security guard subject to the following:

29 (1) The firearms permit may only be associated with the  
30 following:

31 (A) A sole owner of a sole ownership licensee, pursuant to  
32 Section 7582.7 or 7525.1.

33 (B) A partner of a partnership licensee, pursuant to Section  
34 7582.7 or 7525.1.

35 (C) A qualified manager of a licensee, pursuant to Section 7536  
36 or 7582.22.

37 (D) A security guard registrant.

38 (2) If the firearms permit is associated with a security guard  
39 registration, he or she is subject to the provisions of Section

1 7583.47, regardless of any other license possessed or associated  
2 with the firearms permit.

3  
4  
5  
6

7 (c) The applicant has filed with the bureau a classifiable  
8 fingerprint card, a completed application for a firearms permit on  
9 a form prescribed by the director, dated and signed by the applicant,  
10 certifying under penalty of perjury that the information in the  
11 application is true and correct. In lieu of a classifiable fingerprint  
12 card, the applicant may submit fingerprints into an electronic  
13 fingerprinting system administered by the Department of Justice.  
14 An applicant who submits his or her fingerprints by electronic  
15 means shall have his or her fingerprints entered into the system  
16 through a terminal operated by a law enforcement agency or other  
17 facility authorized by the Department of Justice to conduct  
18 electronic fingerprinting. The terminal operator may charge a fee  
19 sufficient to reimburse it for the costs incurred in providing this  
20 service.

21 (d) The bureau has determined, after investigation, that the  
22 carrying and use of a firearm by the applicant, in the course of his  
23 or her duties, presents no apparent threat to the public safety, or  
24 that the carrying and use of a firearm by the applicant is not in  
25 violation of the Penal Code.

26 (e) The applicant has produced evidence to the firearm training  
27 facility that he or she is a citizen of the United States or has  
28 permanent legal alien status in the United States. Evidence of  
29 citizenship or permanent legal alien status shall be that deemed  
30 sufficient by the bureau to ensure compliance with federal laws  
31 prohibiting possession of firearms by persons unlawfully in the  
32 United States and may include, but not be limited to, United States  
33 Department of Justice, Immigration and Naturalization Service  
34 Form I-151 or I-551, Alien Registration Receipt Card,  
35 naturalization documents, or birth certificates evidencing lawful  
36 residence or status in the United States.

37 (f) The application is accompanied by the application fees  
38 prescribed in this chapter.

39 (g) Beginning January 1, 2018, *or on a date to be determined*  
40 *by the bureau, but no later than July 1, 2018*, the applicant is a

1 registered security guard and he or she has been found capable of  
2 exercising appropriate judgment, restraint, and self-control, for  
3 the purposes of carrying and using a firearm during the course of  
4 his or her duties, pursuant to Section 7583.47.

5 *SEC. 37. Section 7583.24 of the Business and Professions Code*  
6 *is amended to read:*

7 7583.24. (a) The bureau shall not issue a firearm permit if the  
8 applicant is prohibited from possessing, receiving, owning, or  
9 purchasing a firearm pursuant to state or federal law.

10 (b) Before issuing an initial firearm permit the bureau shall  
11 provide the Department of Justice with the name, address, social  
12 security number, and fingerprints of the applicant.

13 (c) The Department of Justice shall inform the bureau, within  
14 60 days from receipt of the information specified in subdivision  
15 (b), of the applicant's eligibility to possess, receive, purchase, or  
16 own a firearm pursuant to state and federal law.

17 (d) An applicant who has been denied a firearm permit based  
18 upon subdivision (a) may reapply for the permit after the  
19 prohibition expires. The bureau shall treat this application as an  
20 initial application and shall follow the required screening process  
21 as specified in this section.

22 (e) ~~Beginning January 1, 2018, the~~ The bureau shall not issue  
23 a firearm permit pursuant to this chapter to a registered security  
24 guard if the applicant has been found incapable, at the time of  
25 application, of exercising appropriate judgment, restraint, and  
26 self-control for the purposes of carrying and using a firearm during  
27 the course of his or her duties, pursuant to Section 7583.47. An  
28 applicant who has been denied a firearm permit pursuant to this  
29 subdivision may reapply for the permit after 12 months from the  
30 date of denial. The bureau shall treat the application as an initial  
31 application and the applicant must satisfy all the requirements  
32 specified in Section 7583.23.

33 (f) ~~Beginning January 1, 2018, the~~ The bureau shall not issue a  
34 firearm permit pursuant to this chapter to a licensee or a qualified  
35 manager of a licensee who, within the past 12 months, has been  
36 found incapable of exercising appropriate judgment, restraint, and  
37 self-control, for the purposes of carrying and using a firearm during  
38 the course of his or her duties, pursuant to the assessment required  
39 under Section 7583.47 for a permit associated with a security guard  
40 registration.

1 SEC. 38. Section 7583.47 of the Business and Professions Code  
2 is amended to read:

3 7583.47. (a) As used in this section, “assessment” means the  
4 application of a testing instrument identified by the bureau that  
5 evaluates whether an applicant for a firearms permit who is a  
6 registered security guard, at the time of the assessment, possesses  
7 appropriate judgment, restraint, and self-control for the purposes  
8 of carrying and using a firearm during the course of his or her  
9 security guard duties.

10 (b) Beginning January 1, 2018, *or on a date to be determined*  
11 *by the bureau, but no later than July 1, 2018*, the applicant shall  
12 complete the assessment, as specified in this section.

13 (c) (1) ~~The bureau shall implement a process to administer the~~  
14 ~~assessment specified in this section by January 1, 2018.~~ *section.*  
15 The establishment of the assessment and the process for  
16 administering the assessment shall not be subject to the  
17 requirements of Chapter 3.5 (commencing with Section 11340) of  
18 Part 1 of Division 3 of Title 2 of the Government Code.

19 (2) The bureau shall consult with a California licensed  
20 psychologist, psychologists, or other persons with subject matter  
21 expertise, whose minimum duties shall include, but are not limited  
22 to, assisting the bureau with all of the following:

23 (A) Establishing criteria for a contract with a vendor to  
24 administer the assessment.

25 (B) Identifying minimum standards for the assessment.

26 (C) Evaluating currently available assessments.

27 (D) Providing consultative services on the bids received by the  
28 bureau from third-party vendors seeking to administer and interpret  
29 the assessment, to ensure both of the following:

30 (i) Compliance with the applicable standards of care for the  
31 administration and interpretation of such assessments.

32 (ii) The assessment will be administered in accordance with the  
33 assessment manufacturer’s requirements.

34 (3) The bureau shall contract with a third-party vendor to  
35 administer the assessment. All third-party vendors seeking to  
36 administer the assessment must meet the minimum standards  
37 established by the bureau, its consultants, and the assessment  
38 manufacturer’s requirements for administering the assessment.  
39 Considerations for the third-party vendor contract shall include,  
40 but are not limited to, all of the following:

- 1 (A) Cost to the applicant to complete the assessment.
- 2 (B) Geographic accessibility statewide of the assessment to
- 3 applicants.
- 4 (C) Assessment compliance with the established minimum
- 5 standards for the assessment and assessment process.
- 6 (D) Ensuring an assessment carried out on an applicant complies
- 7 with the applicable professional standards of care for such
- 8 assessments, as well as the assessment manufacturer's requirements
- 9 for administering the assessment.
- 10 (d) Upon the bureau's verification that the applicant has satisfied
- 11 subdivisions (a) to (f), inclusive, of Section 7583.23 and upon the
- 12 applicant's clearance of a background check by the Department
- 13 of Justice and the Federal Bureau of Investigation to possess a
- 14 firearm, the bureau shall notify the applicant that he or she is to
- 15 contact the bureau's vendor to complete the assessment. The
- 16 applicant, or his or her designee or employer if the employer
- 17 voluntarily chooses, shall bear the cost of the assessment.
- 18 (e) Within 30 days of administering an applicant's assessment,
- 19 the vendor shall directly provide the bureau, on a form and in a
- 20 manner prescribed by the bureau, the applicant's assessment results.
- 21 If the results of the applicant's assessment indicate that he or she
- 22 is incapable of exercising appropriate judgment, restraint, and
- 23 self-control for the purposes of carrying and using a firearm during
- 24 the course of his or her duties, at the point in time of the evaluation,
- 25 the bureau shall not issue a firearms permit.
- 26 (f) The application shall be deemed incomplete until the bureau
- 27 receives the applicant's results of his or her assessment.
- 28 (g) The bureau may prescribe, adopt, and enforce emergency
- 29 regulations, and promulgate regulations to implement this section.
- 30 Any emergency regulation prescribed, adopted, or enforced
- 31 pursuant to this section shall be adopted in accordance with Chapter
- 32 3.5 (commencing with Section 11340) of Part 1 of Division 3 of
- 33 Title 2 of the Government Code, and for purposes of that chapter,
- 34 including Section 11349.6 of the Government Code, the adoption
- 35 of the regulation is an emergency and shall be considered by the
- 36 Office of Administrative Law as necessary for the immediate
- 37 preservation of the public peace, health and safety, and general
- 38 welfare.
- 39 (h) The assessment required pursuant to this section shall be
- 40 subject to review by the appropriate policy committees of the

1 Legislature. The review shall be performed as if this section was  
2 scheduled to be repealed as of January 1, 2020.

3 *SEC. 39. Section 7585.16 of the Business and Professions Code*  
4 *is amended to read:*

5 7585.16. (a) In the event of the loss, theft, or destruction of a  
6 baton permit, a permitholder may request the bureau to issue a  
7 replacement permit. The request shall be in writing, shall state the  
8 circumstances surrounding the loss, theft, or destruction of the  
9 permit and the name of the instructor, training facility, and date  
10 of instruction relating to the issuance of the original baton permit.  
11 The request shall be accompanied by a five dollar (\$5) replacement  
12 fee. The bureau may issue a replacement baton permit upon  
13 verification of successful baton training.

14 (b) *This section shall become inoperative on July 1, 2018, and,*  
15 *as of January 1, 2019, is repealed.*

16 *SEC. 40. Section 7585.16 is added to the Business and*  
17 *Professions Code, to read:*

18 7585.16. (a) *In the event of the loss, theft, or destruction of a*  
19 *baton permit, a permitholder may request the bureau to issue a*  
20 *replacement permit. The request shall be in writing, shall state*  
21 *the circumstances surrounding the loss, theft, or destruction of the*  
22 *permit and the name of the instructor, training facility, and date*  
23 *of instruction relating to the issuance of the original baton permit.*  
24 *The request shall be accompanied by a fee prescribed in this*  
25 *chapter. The bureau may issue a replacement baton permit upon*  
26 *verification of successful baton training.*

27 (b) *This section shall become operative on July 1, 2018.*

28 *SEC. 41. Section 7588 of the Business and Professions Code*  
29 *is amended to read:*

30 7588. The fees prescribed by this chapter are as follows:

31 (a) The application and examination fee for an original license  
32 for a private patrol operator may not exceed five hundred dollars  
33 (\$500).

34 (b) The application fee for an original branch office certificate  
35 for a private patrol operator may not exceed two hundred fifty  
36 dollars (\$250).

37 (c) The fee for an original license for a private patrol operator  
38 may not exceed seven hundred dollars (\$700).

39 (d) The renewal fee is as follows:

1 (1) For a license as a private patrol operator, the fee may not  
2 exceed seven hundred dollars (\$700).

3 (2) For a branch *office certificate* for a private patrol operator,  
4 the fee may not exceed *seventy-five* dollars (\$75).

5 (e) The delinquency fee is 50 percent of the renewal fee in effect  
6 on the date of expiration.

7 (f) A reinstatement fee is equal to the amount of the renewal  
8 fee plus the regular delinquency fee.

9 (g) The fee for reexamination of an applicant or his or her  
10 manager shall be the actual cost to the bureau for developing,  
11 purchasing, grading, and administering each examination.

12 (h) Registration fees pursuant to this chapter are as follows:

13 (1) A registration fee for a security guard shall not exceed fifty  
14 dollars (\$50).

15 (2) A security guard registration renewal fee shall not exceed  
16 thirty-five dollars (\$35).

17 (i) Fees to carry out other provisions of this chapter are as  
18 follows:

19 (1) A firearms qualification fee may not exceed eighty dollars  
20 (\$80).

21 (2) A firearms requalification fee may not exceed sixty dollars  
22 (\$60).

23 (3) An initial baton certification fee may not exceed fifty dollars  
24 (\$50).

25 (4) An application fee and renewal fee for certification as a  
26 firearms training facility or a baton training facility may not exceed  
27 five hundred dollars (\$500).

28 (5) An application fee and renewal fee for certification as a  
29 firearms training instructor or a baton training instructor may not  
30 exceed two hundred fifty dollars (\$250).

31 (j) *This section shall become inoperative on July 1, 2018, and,*  
32 *as of January 1, 2019, is repealed.*

33 *SEC. 42. Section 7588 is added to the Business and Professions*  
34 *Code, to read:*

35 *7588. The fees prescribed by this chapter are as follows:*

36 (a) *The application and examination fee for an original license*  
37 *for a private patrol operator shall be at least five hundred fifty*  
38 *dollars (\$550) and may be increased to an amount not to exceed*  
39 *six hundred five dollars (\$605).*



- 1     **(b)** *The application fee for an original branch office certificate*  
2 *for a private patrol operator shall be at least two hundred fifty*  
3 *dollars (\$250) and may be increased to an amount not to exceed*  
4 *two hundred seventy-five dollars (\$275).*
- 5     **(c)** *The fee for an original license for a private patrol operator*  
6 *shall be at least seven hundred seventy dollars (\$770) and may be*  
7 *increased to an amount not to exceed eight hundred forty-seven*  
8 *dollars (\$847).*
- 9     **(d)** *The renewal fee is as follows:*
- 10     **(1)** *For a license as a private patrol operator, the fee shall be*  
11 *at least nine hundred dollars (\$900) and may be increased to an*  
12 *amount not to exceed nine hundred ninety dollars (\$990).*
- 13     **(2)** *For a branch office certificate for a private patrol operator,*  
14 *the fee shall be at least one hundred fifty dollars (\$150) and may*  
15 *be increased to an amount not to exceed one hundred sixty-five*  
16 *dollars (\$165).*
- 17     **(e)** *The delinquency fee is 50 percent of the renewal fee in effect*  
18 *on the date of expiration but not less than twenty-five dollars (\$25).*
- 19     **(f)** *A reinstatement fee is equal to the amount of the renewal fee*  
20 *plus the regular delinquency fee.*
- 21     **(g)** *The fee for reexamination of an applicant or his or her*  
22 *manager shall be at least sixty dollars (\$60) and may be increased*  
23 *to an amount not to exceed sixty-six dollars (\$66).*
- 24     **(h)** *Registration fees pursuant to this chapter are as follows:*
- 25     **(1)** *A registration fee for a security guard shall be at least*  
26 *fifty-five dollars (\$55) and may be increased to an amount not to*  
27 *exceed sixty dollars (\$60).*
- 28     **(2)** *A security guard registration renewal fee shall be at least*  
29 *forty dollars (\$40) and may be increased to an amount not to*  
30 *exceed forty-four dollars (\$44).*
- 31     **(i)** *Fees to carry out other provisions of this chapter are as*  
32 *follows:*
- 33     **(1)** *A firearms permit fee shall be at least one hundred dollars*  
34 *(\$100) and may be increased to an amount not to exceed one*  
35 *hundred ten dollars (\$110).*
- 36     **(2)** *A firearms permit renewal fee shall be at least eighty dollars*  
37 *(\$80) and may be increased to an amount not to exceed eighty-eight*  
38 *dollars (\$88).*

1 (3) An initial baton permit fee shall be sixty dollars (\$60) and  
2 may be increased to an amount not to exceed sixty-six dollars  
3 (\$66).

4 (4) An application fee for certification as a firearms training  
5 facility shall be at least eight hundred dollars (\$800) and may be  
6 increased to an amount not to exceed eight hundred eighty dollars  
7 (\$880).

8 (5) A renewal fee for certification as a firearms training facility  
9 shall be at least seven hundred fifty dollars (\$750) and may be  
10 increased to an amount not to exceed eight hundred twenty-five  
11 dollars (\$825).

12 (6) An application fee for certification as a baton training  
13 facility shall be at least seven hundred dollars (\$700) and may be  
14 increased to an amount not to exceed seven hundred seventy dollars  
15 (\$770).

16 (7) A renewal fee for certification as a baton training facility  
17 shall be at least five hundred fifty dollars (\$550) and may be  
18 increased to an amount not to exceed six hundred five dollars  
19 (\$605).

20 (8) An application fee for certification as a firearms or baton  
21 training instructor shall be at least three hundred fifty dollars  
22 (\$350) and may be increased to an amount not to exceed three  
23 hundred eighty-five dollars (\$385).

24 (9) A renewal fee for certification as a firearms training  
25 instructor shall be at least three hundred dollars (\$300) and may  
26 be increased to an amount not to exceed three hundred thirty  
27 dollars (\$330).

28 (10) A renewal fee for certification as a baton training instructor  
29 shall be at least two hundred seventy-five dollars (\$275) and may  
30 be increased to an amount not to exceed three hundred three  
31 dollars (\$303).

32 (11) The fee for the replacement of a lost or destroyed  
33 registration card, license, certificate, or permit authorized by this  
34 chapter shall be twenty-five dollars (\$25). The request for a  
35 replacement of a registration card, license, certificate, or permit  
36 shall be made in the manner prescribed by the bureau.

37 (12) The fee for a Certificate of Licensure, as specified in Section  
38 7582.11, shall be twenty-five dollars (\$25).

39 (j) The fee for an endorsed verification of registration, licensure,  
40 certification, or permit shall be twenty-five dollars (\$25).The

1 verification document shall include the registration, license,  
 2 certificate, or permit number, the date of issuance and expiration  
 3 of the registration, license, certificate, or permit, the current  
 4 registration, license, certificate, or permit status, the date of the  
 5 endorsement, an embossed seal, and the signature of the chief.

6 (k) This section shall become operative on July 1, 2018.

7 SEC. 43. Section 7596.5 of the Business and Professions Code  
 8 is amended to read:

9 7596.5. (a) The firearms qualification card shall be mailed to  
 10 the applicant at the address ~~which~~ that appears on the application.  
 11 In the event of the loss or destruction of the card, the cardholder  
 12 may apply to the bureau for a certified replacement of the card,  
 13 stating the circumstances surrounding the loss, and pay a ten dollar  
 14 (\$10) certification fee, whereupon, the bureau shall issue a certified  
 15 replacement of the card.

16 (b) This section shall become inoperative on July 1, 2018, and,  
 17 as of January 1, 2019, is repealed.

18 SEC. 44. Section 7596.5 is added to the Business and  
 19 Professions Code, to read:

20 7596.5. (a) The firearms qualification card shall be mailed to  
 21 the applicant at the address that appears on the application.

22 (b) This section shall become operative on July 1, 2018.

23 SEC. 45. Section 7598.14 of the Business and Professions Code  
 24 is amended to read:

25 7598.14. (a) Upon approval of an application for registration,  
 26 the chief shall cause to be issued to the applicant, at his or her last  
 27 known address, a registration card in a form approved by the  
 28 director. A photo identification card shall be issued upon written  
 29 request of the applicant, submission of two recent photographs of  
 30 the applicant, and payment of the fee. The applicant may request  
 31 to be issued an enhanced pocket card that shall be composed of a  
 32 durable material and may incorporate technologically advanced  
 33 security features. The bureau may charge a fee sufficient to  
 34 reimburse the department's costs for furnishing the enhanced  
 35 license. The fee charged may not exceed the actual costs for system  
 36 development, maintenance, and processing necessary to provide  
 37 this service, and may not exceed six dollars (\$6). If the applicant  
 38 does not request an enhanced card, the department shall issue a  
 39 standard card at no cost to the applicant. In the event of the loss  
 40 or destruction of the card, the cardholder may apply to the bureau

1 for a certified replacement of the card, stating the circumstances  
 2 surrounding the loss, and pay a ten dollar (\$10) certification fee,  
 3 whereupon the bureau shall issue a certified replacement of the  
 4 card. Every person, while engaged in any activity for which  
 5 registration is required, shall display their valid pocket card as  
 6 provided by regulation.

7 *(b) This section shall become inoperative on July 1, 2018, and,*  
 8 *as of January 1, 2019, is repealed.*

9 *SEC. 46. Section 7598.14 is added to the Business and*  
 10 *Professions Code, to read:*

11 *7598.14. (a) Upon approval of an application for registration,*  
 12 *the chief shall cause to be issued to the applicant, at his or her*  
 13 *last known address, a registration card in a form approved by the*  
 14 *director. A photo identification card shall be issued upon written*  
 15 *request of the applicant, submission of two recent photographs of*  
 16 *the applicant, and payment of the fee. The applicant may request*  
 17 *to be issued an enhanced pocket card that shall be composed of a*  
 18 *durable material and may incorporate technologically advanced*  
 19 *security features. The bureau may charge a fee sufficient to*  
 20 *reimburse the department's costs for furnishing the enhanced*  
 21 *license. The fee charged may not exceed the actual costs for system*  
 22 *development, maintenance, and processing necessary to provide*  
 23 *this service, and may not exceed six dollars (\$6). If the applicant*  
 24 *does not request an enhanced card, the department shall issue a*  
 25 *standard card at no cost to the applicant. Every person, while*  
 26 *engaged in any activity for which registration is required, shall*  
 27 *display their valid pocket card as provided by regulation.*

28 *(b) This section shall become operative on July 1, 2018.*

29 *SEC. 47. Section 7598.17 of the Business and Professions Code*  
 30 *is amended to read:*

31 *7598.17. (a) A registration issued under this chapter expires*  
 32 *two years following the date of issuance or on the assigned renewal*  
 33 *date. Every alarm agent issued a registration under this chapter*  
 34 *that expires on or after January 1, 1997, and who is also issued or*  
 35 *renews a firearms qualification card on or after January 1, 1997,*  
 36 *shall be placed on a cyclical renewal so that the registration expires*  
 37 *on the expiration date of the firearms qualification card.*  
 38 *Notwithstanding any other provision of law, the bureau is*  
 39 *authorized to extend or shorten the first term of registration*  
 40 *following January 1, 1997, and to prorate the required registration*

1 fee in order to implement this cyclical renewal. At least 60 days  
2 prior to the expiration of a registration, a registrant who desires to  
3 renew his or her registration shall forward to the bureau a copy of  
4 his or her current registration card, along with the renewal fee as  
5 set forth in this chapter, to the bureau for renewal of his or her  
6 registration.

7 ~~The~~

8 *(b) The* licensee shall provide to any employee information  
9 regarding procedures for renewal of registration.

10 ~~An~~

11 *(c) An* expired registration may be renewed provided the  
12 registrant files a renewal application on a form prescribed by the  
13 director and the renewal and delinquency fees prescribed by this  
14 chapter are returned to the bureau within 60 days of the expiration  
15 date of the registration. A firearms permit is not valid while the  
16 registration is expired.

17 ~~A~~

18 *(d) A* registration not renewed within 60 days following its  
19 expiration may not be renewed thereafter. The holder of the expired  
20 registration may obtain a new registration only on compliance with  
21 all of the provisions of this chapter relating to the issuance of an  
22 original registration. The delinquency fee is 50 percent of the  
23 renewal fee in effect on the date of expiration, but not less than  
24 twenty-five dollars (\$25).

25 ~~The~~

26 *(e) The* holder of an expired registration shall not engage in the  
27 activity for which a registration is required until the bureau issues  
28 a renewal registration.

29 ~~If~~

30 *(f) If* the renewed registration card has not been delivered to the  
31 registrant, prior to the date of expiration of the prior registration,  
32 the registrant may present evidence of renewal to substantiate  
33 continued registration, for a period not to exceed 90 days after the  
34 date of expiration.

35 ~~A~~

36 *(g) A* registration may not be renewed or reinstated until all  
37 fines assessed pursuant to Section 7591.9 and not resolved in  
38 accordance with the provisions of that section have been paid.

39 ~~A~~

1 (h) A new registration shall be issued subject to payment of all  
2 fees assessed pursuant to Section 7591.9 and not resolved in  
3 accordance with the provisions of Section 7591.9 and payment of  
4 all applicable fees.

5 *This section shall become inoperative on July 1, 2018, and, as*  
6 *of January 1, 2019, is repealed.*

7 SEC. 48. Section 7598.17 is added to the Business and  
8 Professions Code, to read:

9 7598.17. (a) A registration issued under this chapter expires  
10 two years following the date of issuance or on the assigned renewal  
11 date. Every alarm agent issued a registration under this chapter  
12 that expires on or after January 1, 1997, and who is also issued  
13 or renews a firearms qualification card on or after January 1,  
14 1997, shall be placed on a cyclical renewal so that the registration  
15 expires on the expiration date of the firearms qualification card.  
16 Notwithstanding any other law, the bureau is authorized to extend  
17 or shorten the first term of registration following January 1, 1997,  
18 and to prorate the required registration fee in order to implement  
19 this cyclical renewal. At least 60 days prior to the expiration of a  
20 registration, a registrant who desires to renew his or her  
21 registration shall forward to the bureau a copy of his or her current  
22 registration card, along with the renewal fee as set forth in this  
23 chapter, to the bureau for renewal of his or her registration.

24 (b) The licensee shall provide to any employee information  
25 regarding procedures for renewal of registration.

26 (c) An expired registration may be renewed provided the  
27 registrant files a renewal application on a form prescribed by the  
28 director and the renewal and delinquency fees prescribed by this  
29 chapter are returned to the bureau within 60 days of the expiration  
30 date of the registration. A firearms permit is not valid while the  
31 registration is expired.

32 (d) A registration not renewed within 60 days following its  
33 expiration may not be renewed thereafter. The holder of the expired  
34 registration may obtain a new registration only on compliance  
35 with all of the provisions of this chapter relating to the issuance  
36 of an original registration.

37 (e) The holder of an expired registration shall not engage in  
38 the activity for which a registration is required until the bureau  
39 issues a renewal registration.

1 (f) If the renewed registration card has not been delivered to  
 2 the registrant prior to the date of expiration of the prior  
 3 registration, the registrant may present evidence of renewal to  
 4 substantiate continued registration, for a period not to exceed 90  
 5 days after the date of expiration.

6 (g) A registration may not be renewed or reinstated until all  
 7 fines assessed pursuant to Section 7591.9 and not resolved in  
 8 accordance with the provisions of that section have been paid.

9 (h) A new registration shall be issued subject to payment of all  
 10 fines assessed pursuant to Section 7591.9 and not resolved in  
 11 accordance with the provisions of Section 7591.9 and payment of  
 12 all applicable fees.

13 (i) This section shall become operative on July 1, 2018.

14 SEC. 49. Section 7599.70 of the Business and Professions Code  
 15 is amended to read:

16 7599.70. (a) Effective July 1, 1998, the bureau shall establish  
 17 and assess fees and penalties for licensure and registration as  
 18 follows:

19 (a)

20 (1) A company license application fee may not exceed thirty-five  
 21 dollars (\$35).

22 (b)

23 (2) An original license fee for an alarm company operator license  
 24 may not exceed two hundred eighty dollars (\$280). A renewal fee  
 25 for an alarm company operator license may not exceed three  
 26 hundred thirty-five dollars (\$335).

27 (c)

28 (3) A qualified manager application and examination fee may  
 29 not exceed one hundred fifty dollars (\$150).

30 (d)

31 (4) A renewal fee for a qualified manager may not exceed one  
 32 hundred twenty dollars (\$120).

33 (e)

34 (5) An original license fee and renewal fee for a branch office  
 35 certificate may not exceed thirty-five dollars (\$35).

36 (f)

37 (6) Notwithstanding Section 163.5, the reinstatement fee as  
 38 required by Sections 7593.12 and 7598.17 is the amount equal to  
 39 the renewal fee plus a penalty of 50 percent thereof.

40 (g)

- 1 (7) A fee for reexamination of an applicant for a qualified
- 2 manager may not exceed two hundred forty dollars (\$240).
- 3 ~~(h)~~
- 4 (8) An initial registration fee for an alarm agent may not exceed
- 5 seventeen dollars (\$17).
- 6 ~~(i)~~
- 7 (9) A registration renewal fee for an alarm agent may not exceed
- 8 seven dollars (\$7).
- 9 ~~(j)~~
- 10 (10) A firearms qualification fee may not exceed eighty dollars
- 11 (\$80) and a firearms requalification fee may not exceed sixty
- 12 dollars (\$60).
- 13 ~~(k)~~
- 14 (11) The fingerprint processing fee is that amount charged the
- 15 bureau by the Department of Justice.
- 16 ~~(l)~~
- 17 (12) The processing fee required pursuant to Sections 7593.7
- 18 and 7598.14 is the amount equal to the expenses incurred to provide
- 19 a photo identification card.
- 20 ~~(m)~~
- 21 (13) The fee for a “Certificate of Licensure” may not exceed
- 22 fifty dollars (\$50).
- 23 ~~(n)~~
- 24 (14) The delinquency fee is 50 percent of the renewal fee in
- 25 effect on the date of expiration, but not less than twenty-five dollars
- 26 (\$25).
- 27 ~~(o)~~
- 28 (15) The processing fee for the assignment of an alarm company
- 29 operator license pursuant to Section 7593.15 may not exceed one
- 30 hundred twenty-five dollars (\$125).
- 31 *(b) This section shall become inoperative on July 1, 2018, and,*
- 32 *as of January 1, 2019, is repealed.*
- 33 *SEC. 50. Section 7599.70 is added to the Business and*
- 34 *Professions Code, to read:*
- 35 *7599.70. (a) The bureau shall establish and assess fees and*
- 36 *penalties for licensure and registration as follows:*
- 37 *(1) An alarm company operator license application fee shall*
- 38 *be at least three hundred seventy dollars (\$370) and may be*
- 39 *increased to an amount not to exceed four hundred seven dollars*
- 40 *(\$407).*



1 (2) *An original license fee for an alarm company operator*  
2 *license shall be at least six hundred dollars (\$600) and may be*  
3 *increased to an amount not to exceed six hundred sixty dollars*  
4 *(\$660). A renewal fee for an alarm company operator license shall*  
5 *be seven hundred ffty dollars (\$750) and may be increased to an*  
6 *amount not to exceed eight hundred twenty-five dollar s (\$825).*

7 (3) *A qualifed manager certifcate application and examination*  
8 *fee shall be at least three hundred ffty dollars (\$350) and may be*  
9 *increased to an amount not to exceed three hundred eighty-five*  
10 *dollars (\$385).*

11 (4) *A renewal fee for a qualifed manager certifcate shall be*  
12 *at least two hundred twenty-five dollars (\$225) and may be*  
13 *increased to an amount not to exceed two hundred forty-eight*  
14 *dollars (\$248).*

15 (5) *An original license fee for a branch offce certifcate shall*  
16 *be at least two hundred ffty dollars (\$250) and may be increased*  
17 *to an amount not to exceed two hundred seventy-five dollars*  
18 *(\$275). A renewal fee for a branch offce certifcate shall be at*  
19 *least one hundred ffty dollars (\$150) and may be increased to an*  
20 *amount not to exceed one hundred sixty-five dollar s (\$165).*

21 (6) *Notwithstanding Section 163.5, the reinstatement fee as*  
22 *required by Sections 7593.12 and 7598.17 is the amount equal to*  
23 *the renewal fee plus a penalty of 50 percent thereof.*

24 (7) *A fee for reexamination of an applicant for a qualifed*  
25 *manager shall be at least sixty dollars (\$60) and may be increased*  
26 *to an amount not to exceed sixty-six dollars (\$66).*

27 (8) *An initial registration fee for an alarm agent shall be at*  
28 *least ffty-five dollars (\$55) and may be increased to an amount*  
29 *not to exceed sixty dollars (\$60).*

30 (9) *A registration renewal fee for an alarm agent shall be at*  
31 *least forty dollars (\$40) and may be increased to an amount not*  
32 *to exceed forty-four dollars (\$44).*

33 (10) *A fr earms permit fee shall be at least one hundred dollars*  
34 *(\$100) and may be increased to an amount not to exceed one*  
35 *hundred ten dollars (\$110), and a fr earms permit renewal fee*  
36 *shall be at least eighty dollars (\$80) and may be increased to an*  
37 *amount not to exceed eighty-eight dollars (\$88).*

38 (11) *The fng erprint processing fee is that amount charged the*  
39 *bureau by the Department of Justice.*

1 (12) The processing fee required pursuant to Sections 7593.7  
2 and 7598.14 is the amount equal to the expenses incurred to  
3 provide a photo identification card.

4 (13) The fee for a Certificate of Licensure, as specified in Section  
5 7593.8, shall be twenty-five dollars (\$25).

6 (14) The delinquency fee is 50 percent of the renewal fee in  
7 effect on the date of expiration, but not less than twenty-five dollars  
8 (\$25).

9 (15) The processing fee for the assignment of an alarm company  
10 operator license pursuant to Section 7593.15 shall be at least four  
11 hundred dollars (\$400) and may be increased to an amount not  
12 to exceed four hundred forty dollars (\$440).

13 (16) The fee for the replacement of a lost or destroyed  
14 registration card, license, certificate, or permit authorized by this  
15 chapter shall be twenty-five dollars (\$25). The request for a  
16 replacement of a registration card, license, certificate, or permit  
17 shall be made in the manner prescribed by the bureau.

18 (17) The fee for an endorsed verification of licensure,  
19 certification, registration, or permit shall be twenty-five dollars  
20 (\$25). The verification document shall include the license,  
21 certificate, registration, or permit number, the date of issuance  
22 and expiration of the license, certificate, registration, or permit,  
23 the current license, certificate, registration, or permit status, the  
24 date of the endorsement, an embossed seal, and the signature of  
25 the chief.

26 (b) This section shall become operative on July 1, 2018.

27 ~~SEC. 13.~~

28 *SEC. 51.* Section 7635 of the Business and Professions Code  
29 is amended to read:

30 7635. (a) Any person employed by, or an agent of, a licensed  
31 funeral establishment, who consults with the family or  
32 representatives of a family of a deceased person for the purpose  
33 of arranging for services as set forth in subdivision (a) of Section  
34 7615, shall receive documented training and instruction, at least  
35 once every three years, that results in a demonstrated knowledge  
36 of all applicable federal and state laws, rules, and regulations  
37 including those provisions dealing with vital statistics, the coroner,  
38 anatomical gifts, and other laws, rules, and regulations pertaining  
39 to the duties of a funeral director. A written outline of the training  
40 program, including documented evidence of the training time,

1 place, and participants, shall be maintained in the funeral  
 2 establishment and shall be available for inspection and comment  
 3 by an inspector of the bureau.

4 (b) This section shall not apply to anyone who has successfully  
 5 passed the funeral director's examination pursuant to Section 7622.

6 ~~SEC. 14.~~

7 *SEC. 52.* Section 11302 of the Business and Professions Code  
 8 is amended to read:

9 11302. For the purpose of applying this part, the following  
 10 terms, unless otherwise expressly indicated, shall mean and have  
 11 the following definitions:

12 (a) "Affiliate" means any entity that controls, is controlled by,  
 13 or is under common control with another entity.

14 (b) "Appraisal" means the act or process of developing an  
 15 opinion of value for real property.

16 The term "appraisal" does not include an opinion given by a real  
 17 estate licensee or engineer or land surveyor in the ordinary course  
 18 of his or her business in connection with a function for which a  
 19 license is required under Chapter 7 (commencing with Section  
 20 6700) or Chapter 15 (commencing with Section 8700) of Division  
 21 3, or Chapter 3 (commencing with Section 10130) or Chapter 7  
 22 (commencing with Section 10500) and the opinion shall not be  
 23 referred to as an appraisal. This part does not apply to a probate  
 24 referee acting pursuant to Sections 400 to 408, inclusive, of the  
 25 Probate Code unless the appraised transaction is federally related.

26 (c) "Appraisal Foundation" means the Appraisal Foundation  
 27 that was incorporated as an Illinois not-for-profit corporation on  
 28 November 30, 1987.

29 (d) (1) "Appraisal management company" means any person  
 30 or entity that satisfies all of the following conditions:

31 (A) Provides appraisal management services to creditors or to  
 32 secondary mortgage market participants, including affiliates.

33 (B) Provides those services in connection with valuing a  
 34 consumer's principal dwelling as security for a consumer credit  
 35 transaction or incorporating such transactions into securitizations.

36 (C) Within a given 12 calendar month period oversees an  
 37 appraiser panel of more than 15 ~~State-certified~~ *state-certified* or  
 38 ~~State-licensed~~ *state-licensed* appraisers in a state or 25 or more  
 39 ~~State-certified~~ *state-certified* or ~~State-licensed~~ *state-licensed*

1 appraisers in two or more ~~States~~, *states*, as described in Section  
2 11345.5.

3 (2) An appraisal management company does not include a  
4 department or division of an entity that provides appraisal  
5 management services only to that entity.

6 (3) An appraisal management company that is a subsidiary of  
7 an insured depository institution and regulated by a federal  
8 financial institution is not required to register with the bureau.

9 (e) “Appraisal management services” means one or more of the  
10 following:

11 (1) Recruiting, selecting, and retaining appraisers.

12 (2) Contracting with state-certified or state-licensed appraisers  
13 to perform appraisal assignments.

14 (3) Managing the process of having an appraisal performed,  
15 including providing administrative services such as receiving  
16 appraisal orders and appraisal reports, submitting completed  
17 appraisal reports to creditors and secondary market participants,  
18 collecting fees from creditors and secondary market participants  
19 for services provided, and paying appraisers for services performed.

20 (4) Reviewing and verifying the work of appraisers.

21 (f) “Appraiser panel” means a network, list, or roster of licensed  
22 or certified appraisers approved by an appraisal management  
23 company to perform appraisals as independent contractors for the  
24 appraisal management company. Appraisers on an appraisal  
25 management company’s “appraiser panel” under this part include  
26 both appraisers accepted by the appraisal management company  
27 for consideration for future appraisal assignments in covered  
28 transactions or for secondary mortgage market participants in  
29 connection with covered transactions, and appraisers engaged by  
30 the appraisal management company to perform one or more  
31 appraisals in covered transactions or for secondary mortgage  
32 market participants in connection with covered transactions. An  
33 appraiser is an independent contractor for purposes of this part if  
34 the appraiser is treated as an independent contractor by the  
35 appraisal management company for purposes of federal income  
36 taxation.

37 (g) “Appraisal Subcommittee” means the Appraisal  
38 Subcommittee of the Federal Financial Institutions Examination  
39 Council.

- 1 (h) “Consumer credit” means credit offered or extended to a  
 2 consumer primarily for personal, family, or household purposes.
- 3 (i) “Controlling person” means one or more of the following:
- 4 (1) An officer or director of an appraisal management company,  
 5 or an individual who holds a 10 percent or greater ownership  
 6 interest in an appraisal management company.
- 7 (2) An individual employed, appointed, or authorized by an  
 8 appraisal management company that has the authority to enter into  
 9 a contractual relationship with clients for the performance of  
 10 appraisal services and that has the authority to enter into  
 11 agreements with independent appraisers for the completion of  
 12 appraisals.
- 13 (3) An individual who possesses the power to direct or cause  
 14 the direction of the management or policies of an appraisal  
 15 management company.
- 16 (j) “Course provider” means a person or entity that provides  
 17 educational courses related to professional appraisal practice.
- 18 (k) “Covered transaction” means any consumer credit transaction  
 19 secured by the consumer's principal dwelling.
- 20 (l) “Creditor” means:
- 21 (1) A person who regularly extends consumer credit that is  
 22 subject to a finance charge or is payable by written agreement in  
 23 more than four installments, not including a down payment, and  
 24 to whom the obligation is initially payable, either on the face of  
 25 the note or contract, or by agreement when there is no note or  
 26 contract.
- 27 (2) A person regularly extends consumer credit if, in any  
 28 12-month period, the person originates more than one credit  
 29 extension for transactions secured by a dwelling.
- 30 (m) “Department” means the Department of Consumer Affairs.
- 31 (n) “Director” or “chief” means the Chief of the Bureau of Real  
 32 Estate Appraisers.
- 33 (o) “Dwelling” means:
- 34 (1) A residential structure that contains one to four units,  
 35 whether or not that structure is attached to real property. The term  
 36 includes an individual condominium unit, cooperative unit, ~~mobile~~  
 37 ~~home~~, *mobilehome*, and trailer, if it is used as a residence.
- 38 (2) A consumer can have only one “principal” dwelling at a  
 39 time. Thus, a vacation or other second home is not a principal  
 40 dwelling. However, if a consumer buys or builds a new dwelling

1 that will become the consumer’s principal dwelling within a year  
2 or upon the completion of construction, the new dwelling is  
3 considered the principal dwelling for purposes of this section.

4 (p) “Federal financial institutions regulatory agency” means the  
5 Federal Reserve Board, Federal Deposit Insurance Corporation,  
6 Office of the Comptroller of the Currency, Federal Home Loan  
7 Bank System, National Credit Union Administration, and any other  
8 agency determined by the director to have jurisdiction over  
9 transactions subject to this part.

10 (q) “Federally regulated appraisal management company” means  
11 an appraisal management company that is owned and controlled  
12 by an insured depository institution, as defined in Section 1813 of  
13 Title 12 of the United States Code and regulated by the Office of  
14 the Comptroller of the Currency, the Board of Governors of the  
15 Federal Reserve System, or the Federal Deposit Insurance  
16 Corporation.

17 (r) “Federally related real estate appraisal activity” means the  
18 act or process of making or performing an appraisal on real estate  
19 or real property in a federally related transaction and preparing an  
20 appraisal as a result of that activity.

21 (s) “Federally related transaction” means any real estate-related  
22 financial transaction which a federal financial institutions  
23 regulatory agency engages in, contracts for or regulates and which  
24 requires the services of a state licensed real estate appraiser  
25 regulated by this part. This term also includes any transaction  
26 identified as such by a federal financial institutions regulatory  
27 agency.

28 (t) “License” means any license, certificate, permit, registration,  
29 or other means issued by the bureau authorizing the person to  
30 whom it is issued to act pursuant to this part within this state.

31 (u) “Licensure” means the procedures and requirements a person  
32 shall comply with in order to qualify for issuance of a license and  
33 includes the issuance of the license.

34 (v) “Office” or “bureau” means the Bureau of Real Estate  
35 Appraisers.

36 (w) “Registration” means the procedures and requirements with  
37 which a person or entity shall comply in order to qualify to conduct  
38 business as an appraisal management company.

39 (x) “Secondary mortgage participant” means a guarantor or  
40 insurer of mortgage-backed securities, or an underwriter or issuer

1 of mortgage-backed securities. Secondary mortgage market  
2 participant only includes an individual investor in a  
3 mortgage-backed security if that investor also serves in the capacity  
4 of a guarantor, insurer, underwriter, or issuer for the  
5 mortgage-backed security.

6 (y) “State licensed real estate appraiser” is a person who is  
7 issued and holds a current valid license under this part.

8 (z) “Uniform Standards of Professional Appraisal Practice” are  
9 the standards of professional appraisal practice established by the  
10 Appraisal Foundation.

11 ~~SEC. 15.~~

12 *SEC. 53.* Section 11320.5 of the Business and Professions Code  
13 is amended to read:

14 11320.5. No person or entity shall act in the capacity of an  
15 appraisal management company or represent itself to the public  
16 as an appraisal management company, either in its advertising or  
17 through its business name, without a certificate of registration from  
18 the office.

19 ~~SEC. 16.~~

20 *SEC. 54.* Section 11321 of the Business and Professions Code  
21 is amended to read:

22 11321. (a) No person other than a state licensed real estate  
23 appraiser may assume or use that title or any title, designation, or  
24 abbreviation likely to create the impression of state licensure as a  
25 real estate appraiser in this state.

26 (b) No person other than a licensee may sign an appraisal in a  
27 federally related transaction. A trainee licensed pursuant to Section  
28 11327 may sign an appraisal in a federally related transaction if it  
29 is also signed by a licensee.

30 (c) No person other than a licensee holding a current valid  
31 license at the residential level issued under this part to perform,  
32 make, or approve and sign an appraisal may use the abbreviation  
33 SLREA in his or her real property appraisal business.

34 (d) No person other than a licensee holding a current valid  
35 license at a certified level issued under this part to perform, make,  
36 or approve and sign an appraisal may use the term “state certified  
37 real estate appraiser” or the abbreviation SCREA in his or her real  
38 property appraisal business.

1 ~~SEC. 17.~~

2 *SEC. 55.* Section 11323 of the Business and Professions Code  
3 is amended to read:

4 11323. No licensee shall engage in any appraisal activity if his  
5 or her compensation is dependent on or affected by the value  
6 conclusion generated by the appraisal.

7 ~~SEC. 18.~~

8 *SEC. 56.* Section 11324 of the Business and Professions Code  
9 is amended to read:

10 11324. An individual who is not a licensee may assist in the  
11 preparation of an appraisal in a federally related transaction under  
12 the following conditions:

13 (a) The assistance is under the direct supervision of an individual  
14 who is a licensed appraiser and the final conclusion as to value is  
15 made by a licensed appraiser.

16 (b) The final appraisal document in a federally related  
17 transaction is approved and signed, with acceptance of full  
18 responsibility, by the supervising individual who is licensed by  
19 the state pursuant to this part, identifies the assisting individual,  
20 and identifies the scope of work performed by the individual who  
21 assisted in preparation of the appraisal in a federally related  
22 transaction.

23 ~~SEC. 19.~~

24 *SEC. 57.* Section 11345 of the Business and Professions Code  
25 is amended to read:

26 11345. The director shall adopt regulations governing the  
27 process and procedure of applying for registration as an appraisal  
28 management company. Applications for a certificate of registration  
29 shall require, at a minimum, all of the following:

30 (a) The name of the person or entity seeking registration.

31 (b) The business address and telephone number of the person  
32 or entity seeking registration.

33 (c) If the applicant is not a person or entity domiciled in this  
34 state, the name and contact number of a person or entity acting as  
35 agent for service of process in this state, along with an irrevocable  
36 consent to service of process in favor of the office.

37 (d) The name, address, and contact information for each  
38 controlling person of the applicant who has operational authority  
39 to direct the management of, and establish policies for, the  
40 applicant.



1 ~~SEC. 20.~~

2 *SEC. 58.* Section 11345.2 of the Business and Professions Code  
3 is amended to read:

4 11345.2. (a) An individual shall not act as a controlling person  
5 for a registrant if any of the following apply:

6 (1) The individual has entered a plea of guilty or no contest to,  
7 or been convicted of, a felony. Notwithstanding subdivision (c) of  
8 Section 480, if the individual’s felony conviction has been  
9 dismissed pursuant to Section 1203.4, 1203.4a, or 1203.41 of the  
10 Penal Code, the bureau may allow the individual to act as a  
11 controlling person.

12 (2) The individual has had a license or certificate to act as an  
13 appraiser or to engage in activities related to the transfer of real  
14 property refused, denied, canceled, or revoked in this state or any  
15 other state.

16 (b) Any individual who acts as a controlling person of an  
17 appraisal management company and who enters a plea of guilty  
18 or no contest to, or is convicted of, a felony, or who has a license  
19 or certificate as an appraiser refused, denied, canceled, or revoked  
20 in any other state shall report that fact or cause that fact to be  
21 reported to the office, in writing, within 10 days of the date he or  
22 she has knowledge of that fact.

23 ~~SEC. 21.~~

24 *SEC. 59.* Section 11345.3 of the Business and Professions Code  
25 is repealed.

26 ~~SEC. 22.~~

27 *SEC. 60.* Section 11345.3 is added to the Business and  
28 Professions Code, to read:

29 11345.3. All appraisal management companies shall do all of  
30 the following:

31 (a) Ensure that all contracted appraisal panel members possess  
32 all required licenses and certificates from the office.

33 (b) Establish and comply with processes and controls reasonably  
34 designed to ensure that the appraisal management company, in  
35 engaging an appraiser, selects an appraiser who is independent of  
36 the transaction and who has the requisite license, education,  
37 expertise, and experience necessary to competently complete the  
38 appraisal assignment for the particular market and property type.

1 (c) Direct the appraiser to perform the assignment in accordance  
2 with the Uniform Standards of Professional Appraisal ~~Activity~~  
3 *Practice*.

4 (d) Establish and comply with processes and controls reasonably  
5 designed to ensure that the appraisal management company  
6 conducts its appraisal management services in accordance with  
7 the requirements of Section 129E(a) through (i) of the Truth in  
8 Lending Act, 15 U.S.C. 1639e(a) through (i), and regulations  
9 thereunder.

10 (e) Engage appraisal panel members with an engagement letter  
11 that shall include terms of payment.

12 (f) Appraisal management companies shall maintain all of the  
13 following records for each service request:

- 14 (1) Date of receipt of the request.
- 15 (2) Name of the person from whom the request was received.
- 16 (3) Name of the client for whom the request was made, if  
17 different from the name of the person from whom the request was  
18 received.
- 19 (4) The appraiser or appraisers assigned to perform the requested  
20 service.
- 21 (5) Date of delivery of the appraisal product to the client.
- 22 (6) Client contract.
- 23 (7) Engagement letter.
- 24 (8) The appraisal report.

25 ~~SEC. 23.~~

26 *SEC. 61.* Section 11345.5 is added to the Business and  
27 Professions Code, to read:

28 11345.5. For purposes of subdivision (d) of Section 11302 and  
29 determining whether, within a 12-month period, an appraisal  
30 management company oversees an appraiser panel of more than  
31 ~~15 State-certified state-certified~~ or ~~State-licensed state-licensed~~  
32 appraisers in a ~~State state~~ or 25 or more ~~State-certified~~  
33 ~~state-certified~~ or ~~State-licensed state-licensed~~ appraisers in two or  
34 more ~~States: states~~:

35 (a) An appraiser is deemed part of the appraisal management  
36 company's appraiser panel as of the earliest date on which the  
37 appraisal management company does either of the following:

- 38 (1) Accepts the appraiser for the appraisal management  
39 company's consideration for future appraisal assignments in

1 covered transactions or for secondary mortgage market participants  
2 in connection with covered transactions.

3 (2) Engages the appraiser to perform one or more appraisals on  
4 behalf of a creditor for a covered transaction or secondary mortgage  
5 market participant in connection with covered transactions.

6 (b) An appraiser who is deemed part of the appraisal  
7 management company's appraiser panel pursuant to subdivision  
8 (a) is deemed to remain on the panel until the date on which the  
9 appraisal management company does either of the following:

10 (1) Sends written notice to the appraiser removing the appraiser  
11 from the appraiser panel, with an explanation of its action.

12 (2) Receives written notice from the appraiser asking to be  
13 removed from the appraiser panel or notice of the death or  
14 incapacity of the appraiser.

15 (c) If an appraiser is removed from an appraisal management  
16 company's appraiser panel pursuant to subdivision (b), but the  
17 appraisal management company subsequently accepts the appraiser  
18 for consideration for future assignments or engages the appraiser  
19 at any time during the 12 months after the appraisal management  
20 company's removal, the removal will be deemed not to have  
21 occurred, and the appraiser will be deemed to have been part of  
22 the appraisal management company's appraiser panel without  
23 interruption.

24 ~~SEC. 24.~~

25 *SEC. 62.* Section 11345.6 of the Business and Professions Code  
26 is amended to read:

27 11345.6. (a) No appraisal management company may alter,  
28 modify, or otherwise change a completed appraisal report submitted  
29 by an appraiser.

30 (b) No appraisal management company may require an appraiser  
31 to provide it with the appraiser's digital signature or seal. However,  
32 nothing in this subdivision shall be deemed to prohibit an appraiser  
33 from voluntarily providing his or her digital signature or seal to  
34 another person, to the extent permissible under the Uniform  
35 Standards of Professional Appraisal Practice.

36 ~~SEC. 25.~~

37 *SEC. 63.* Section 11345.8 is added to the Business and  
38 Professions Code, to read:

39 11345.8. A federally regulated appraisal management company  
40 operating in California shall report to the bureau the information

1 the bureau is required to submit to the Appraisal Subcommittee,  
2 pursuant to the Appraisal Subcommittee's policies regarding the  
3 determination of the Appraisal Management Company Registry  
4 fee. The bureau may charge the federally regulated appraisal  
5 management company a state fee in an amount not *to* exceed the  
6 reasonable regulatory cost to the board for processing and  
7 submitting the information. This fee shall be deposited in the Real  
8 Estate Appraisers Regulation Fund.

9 ~~SEC. 26.~~

10 *SEC. 64.* Section 11422 of the Business and Professions Code  
11 is amended to read:

12 11422. The office shall, on or before February 1, 1994, and at  
13 least annually thereafter, transmit to the appraisal subcommittee  
14 specified in subdivision (g) of Section 11302 a roster of persons  
15 licensed pursuant to this part.

16 ~~SEC. 27.~~

17 *SEC. 65.* Section 12241 of the Business and Professions Code  
18 is amended to read:

19 12241. The secretary shall establish by regulation an annual  
20 administrative fee to recover reasonable administrative and  
21 enforcement costs incurred by the department for exercising  
22 supervision over and performing investigations in connection with  
23 the activities performed pursuant to Sections 12210 and 12211  
24 and to recover reasonable costs incurred by the department for the  
25 safekeeping and certification of the state standards pursuant to  
26 Section 12304 and for certification services provided pursuant to  
27 Sections 12305 and 12310. This administrative fee shall be  
28 collected for every device registered with each county office of  
29 weights and measures, and paid to the Department of Food and  
30 Agriculture Fund.

31 ~~SEC. 28.~~

32 *SEC. 66.* Section 12304 of the Business and Professions Code  
33 is amended to read:

34 12304. The department shall keep the standards of the state in  
35 a suitable laboratory location or, if transportable, shall maintain  
36 the standards under environmental conditions appropriate for  
37 maintaining the integrity of the unit of measure represented by the  
38 standard. The department shall have the standards directly certified  
39 by the National Institute of Standards and Technology or by any

1 measurement assurance procedures approved by the National  
2 Institute of Standards and Technology.

3 ~~SEC. 29.~~

4 *SEC. 67.* Section 12305 of the Business and Professions Code  
5 is amended to read:

6 12305. The department shall use the standards of the state to  
7 certify similar standards and any dissimilar standards that are  
8 dependent on the values represented by the state standards. Copies  
9 of the standards that have been compared and certified against the  
10 state standards shall become working standards that shall be used  
11 in the certification, calibration, and sealing of county field  
12 standards, and in the certification, calibration, and sealing of  
13 measurement devices submitted by state and local government  
14 agencies or by industry.

15 ~~SEC. 30.~~

16 *SEC. 68.* Section 12310 of the Business and Professions Code  
17 is amended to read:

18 12310. The department, or a laboratory designated by the  
19 department that has been certified pursuant to Section 12314, shall  
20 certify the standards of the county sealers as often as may be  
21 deemed by the secretary to be necessary, based upon a review of  
22 statistical data resulting from previous certifications, but in no  
23 event shall the period of time between certifications exceed 10  
24 years. In the absence of statistical data, standards shall be certified  
25 at least every two years. Sealers shall, upon the request of the  
26 department, deliver for testing those standards in their possession  
27 that are used in the discharge of their duties. Direct expenses  
28 incurred in the certification process shall be borne by the state or  
29 recovered pursuant to Section 12241, while any incidental expense,  
30 such as the cost of transportation, shall be borne by the county  
31 whose standards have been certified.

32 ~~SEC. 31.~~

33 *SEC. 69.* Section 12500 of the Business and Professions Code  
34 is amended to read:

35 12500. As used in this chapter the following terms mean:

36 (a) "Weighing instrument" means any device, contrivance,  
37 apparatus, or instrument used, or designed to be used, for  
38 ascertaining weight and includes any tool, appliance, or accessory  
39 used or connected therewith.

1 (b) “Measuring instrument” means any device, contrivance,  
2 apparatus, or instrument used, or designed to be used, for  
3 ascertaining measure and includes any tool, appliance, or accessory  
4 used or connected therewith.

5 (c) “Correct” means any weight or measure or weighing,  
6 measuring, or counting instrument which meet all of the tolerance  
7 and specification requirements established by the director pursuant  
8 to Section 12107.

9 (d) “Incorrect” means any instrument which fails to meet all of  
10 the requirements of Section 12107.

11 (e) “Commercial purposes” include the determination of the  
12 weight, measure, or count of any commodity or thing which is  
13 sold on the basis of weight, measure, or count; or the determination  
14 of the weight, measure, or count of any commodity or thing upon  
15 which determination a charge for service is based. Devices used  
16 in a determination upon which a charge for service is based include,  
17 but are not limited to, taximeters, odometers, timing devices, parcel  
18 scales, shipping scales, and scales used in the payment of  
19 agricultural workers.

20 “Commercial purposes” do not include the determination of the  
21 weight, measure, or count of any commodity or thing which is  
22 performed within a plant or business as a part of the manufacturing,  
23 processing, or preparing for market of that commodity or thing,  
24 or the determination of charges for the transmission of letters or  
25 parcels of less than 150 pounds, except when that determination  
26 is made in the presence of the customer charged for the service,  
27 or the determination of the weight of any animal or human by a  
28 qualified health provider, ~~licensed doctor of veterinary medicine,~~  
29 *California-licensed veterinarian*, licensed physician and surgeon,  
30 or staff members within the business operations of, and under the  
31 supervision of, ~~a licensed doctor of veterinary medicine~~  
32 *California-licensed veterinarian* or licensed physician and surgeon  
33 for the purposes of determining the appropriate dosage of any  
34 medication or medical treatment or the volume, duration, or  
35 application of any medical procedure.

36 *SEC. 70. Section 1 of Chapter 539 of the Statutes of 2010 is*  
37 *amended to read:*

38 SECTION 1. Section 12 of the act cited in this title is amended  
39 to read:

40 See.12.—

1     *Sec. 12. (a)* Licenses issued under the provisions of this  
 2 section expire at 12 midnight on the last day of the month of birth  
 3 of licentiates of the board.

4     ~~On or before July 1, 1991, the~~

5     *(b)* The board shall establish regulations for the administration  
 6 of a birth month renewal program. ~~Each~~

7     *(c)* A person practicing chiropractic within this state shall, on  
 8 or before the last day of ~~their~~ *the person's* month of birth of each  
 9 year, after a license is issued to ~~them as herein provided,~~ *the person*  
 10 *under this act,* pay to the Board of Chiropractic Examiners ~~a~~  
 11 ~~renewal fee of two hundred fifty dollars (\$250).~~ *The the renewal*  
 12 *fee specifed under subdivision (d).*

13     *(d) (1)* ~~Until January 1, 2019, the renewal fee shall be three~~  
 14 ~~hundred dollars (\$300).~~

15     *(2)* ~~On and after January 1, 2019, the renewal fee shall be two~~  
 16 ~~hundred ffy dollar s (\$250).~~

17     *(e)* The secretary shall mail to ~~all a licensed chiropractors~~  
 18 *chiropractor* in this state, on or before 60 days prior to the last day  
 19 of the month of ~~their~~ *the licensee's* birth each year, a notice that  
 20 the renewal fee will be due on or before the last day of the *next*  
 21 ~~month of their birth next following.~~ *following the licensee's birth.*  
 22 Nothing in this act shall be construed to require the receipts to be  
 23 recorded in like manner as original licenses. ~~The~~

24     *(f)* The failure, neglect or refusal of ~~any a~~ person holding a  
 25 license or certificate to practice under this act in the State of  
 26 California to pay the annual fee during the time ~~their~~ *the* license  
 27 remains in force shall, after a period of 60 days from the last day  
 28 of the month of ~~their~~ *the licensee's* birth, automatically work a  
 29 forfeiture of ~~his or her~~ *the* license or certificate, and it shall not be  
 30 restored except upon the written application therefor and the  
 31 payment to the board of a fee of twice the annual amount of the  
 32 renewal fee in effect at the time the restoration application is fled  
 33 except that a ~~licentiate licensee~~ *licensee* who fails, ~~refuses~~ *refuses,* or  
 34 neglects to pay the annual tax within a period of 60 days after the  
 35 last day of the month of ~~his or her~~ *the licensee's* birth of each year  
 36 shall not be required to submit to an examination for the reissuance  
 37 of the certificate.

38     ~~SEC. 32.~~

39     ~~SEC. 71.~~ No reimbursement is required by this act pursuant to  
 40 Section 6 of Article XIII B of the California Constitution because

1 the only costs that may be incurred by a local agency or school  
2 district will be incurred because this act creates a new crime or  
3 infraction, eliminates a crime or infraction, or changes the penalty  
4 for a crime or infraction, within the meaning of Section 17556 of  
5 the Government Code, or changes the definition of a crime within  
6 the meaning of Section 6 of Article XIII B of the California  
7 Constitution.

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#### **IV. Administration**

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- A. Fiscal Year 2016-2017 Budget Review
- B. Update on Agencies Transition to Fi\$cal



**0770- Professional Engineers, Land Surveyors and Geologists**

**Financial Statement**

	FY 2014-15 Annual (MONTH 13)	FY 2015-16 Annual (MONTH 13)	FY 2016-17 Annual (MONTH 13)	FY 2016-17 FM 1 Projections	FY 2016-17 FM 1 vs. FM 13
<b>Revenue</b>					
<sup>2</sup> Applications/Licensing Fees (125700)	\$ 2,826,455	\$ 2,984,465	\$ 2,423,078	\$ 2,957,893	-22%
Renewal fees (125800)	\$ 6,079,158	\$ 6,852,099	\$ 6,188,869	\$ 6,221,146	-1%
Delinquent fees (125900)	\$ 21,385	\$ 92,795	\$ 91,126	\$ 76,000	17%
Other	\$ 162,407	\$ 147,713	\$ 215,308	\$ 155,979	28%
<b>Total Revenue:</b>	<b>\$ 9,089,404</b>	<b>\$ 10,077,072</b>	<b>\$ 8,918,381</b>	<b>\$ 9,411,017</b>	<b>-6%</b>
<b>Expense</b>					
<b>Personnel Services:</b>					
Civil Service-Perm	\$ 2,401,600	\$ 2,682,464	\$ 2,802,231	\$ 2,894,399	-3%
Temp Help	\$ 43,793	\$ 105,807	\$ 178,510	\$ 142,214	20%
Allocated Proctor Cost	\$ 21,717	\$ 4,948	\$ 5,215	\$ 4,948	5%
Board/Commission	\$ 5,800	\$ 5,300	\$ 8,200	\$ 5,300	35%
Comm Member	\$ 2,400	\$ 3,700	\$ 2,100	\$ 3,700	-76%
Overtime	\$ 613	\$ 2,186	\$ 862	\$ 2,186	-154%
<b>Total Salaries and Wages</b>	<b>\$ 2,475,923</b>	<b>\$ 2,804,405</b>	<b>\$ 2,997,118</b>	<b>\$ 3,052,748</b>	<b>-2%</b>
<b>Total Benefits</b>	<b>\$ 1,199,486</b>	<b>\$ 1,379,827</b>	<b>\$ 1,538,256</b>	<b>\$ 1,516,518</b>	<b>1%</b>
<sup>3</sup> <b>Total Personnel Services</b>	<b>\$ 3,675,409</b>	<b>\$ 4,184,232</b>	<b>\$ 4,535,374</b>	<b>\$ 4,569,266</b>	<b>-1%</b>
<b>Operating Expense and Equipment:</b>					
Fingerprints	\$ 1,901	\$ 67,984	\$ 55,620	\$ 67,984	-22%
General Expense	\$ 59,597	\$ 57,248	\$ 65,480	\$ 57,248	13%
<sup>4</sup> Printing	\$ 21,441	\$ 82,521	\$ 30,619	\$ 31,447	-3%
Communication	\$ 27,174	\$ 28,243	\$ 26,487	\$ 23,114	13%
<sup>5</sup> Postage	\$ 80,869	\$ 155,489	\$ 41,637	\$ 46,328	-11%
Insurance			\$ 63		100%
Travel Out-of-State	\$ 356	\$ 2,435	\$ 3,970	\$ 6,000	-51%
Travel In State	\$ 98,317	\$ 116,892	\$ 97,391	\$ 116,892	-20%
Training	\$ 1,210	\$ 420	\$ 209		100%
<sup>6</sup> Facilities Operations	\$ 350,476	\$ 351,482	\$ 534,679	\$ 352,333	34%
<sup>7</sup> C & P Services - Interdept.			\$ 180,000	\$ 100,000	44%
<sup>8</sup> C & P Services - External	\$ 343,819	\$ 319,609	\$ 558,796	\$ 850,062	-52%
Minor Equipment	\$ 3,359	\$ 10,247	\$ 24,000	\$ 10,247	57%
<sup>9</sup> Pro Rata	\$ 1,991,262	\$ 1,949,194	\$ 1,767,591	\$ 2,372,601	-34%
<b>Total General Expenses:</b>	<b>\$ 2,979,781</b>	<b>\$ 3,141,764</b>	<b>\$ 3,386,542</b>	<b>\$ 4,034,257</b>	<b>-19%</b>
<b>Examinations:</b>					
Exam Rent - Non State		\$ 1,150		\$ 6,500	
<sup>10</sup> Administrative External Svcs	\$ 832,555	\$ 700,142	\$ 814,115	\$ 958,831	-18%
C/P Svcs - Ext Expert Examiners	\$ 93,470	\$ 113,442	\$ 187,425	\$ 113,442	39%
Major Equipment		\$ 10,227			
<b>Total Examinations:</b>	<b>\$ 926,025</b>	<b>\$ 824,961</b>	<b>\$ 1,001,540</b>	<b>\$ 1,078,773</b>	<b>-8%</b>
<b>Enforcement:</b>					
Attorney General	\$ 469,085	\$ 405,938	\$ 441,254	\$ 405,938	8%
Office Admin. Hearing	\$ 111,921	\$ 73,259	\$ 91,160	\$ 73,259	20%
Evidence / Witness Fees	\$ 200,034	\$ 252,472	\$ 231,957	\$ 252,472	-9%
Court Reporters	\$ 11,034	\$ 1,747	\$ 4,933	\$ 1,747	65%
DOI - Investigation	\$ 188,690	\$ 221,272	\$ 297,062	\$ 263,000	11%
Tort Payment	\$ 8,738				
<b>Total Enforcement:</b>	<b>\$ 989,502</b>	<b>\$ 954,688</b>	<b>\$ 1,066,366</b>	<b>\$ 996,416</b>	<b>7%</b>
<b>Total OE&amp;E</b>	<b>\$ 4,895,308</b>	<b>\$ 4,921,413</b>	<b>\$ 5,454,448</b>	<b>\$ 6,109,446</b>	<b>-12%</b>
<b>Total Expense:</b>	<b>\$ 8,570,717</b>	<b>\$ 9,105,645</b>	<b>\$ 9,989,822</b>	<b>\$ 10,678,711</b>	<b>-7%</b>
<b>Total Revenue:</b>	<b>\$ 9,089,404</b>	<b>\$ 10,077,072</b>	<b>\$ 8,918,381</b>	<b>\$ 9,411,017</b>	<b>-6%</b>
<b>Total Expense:</b>	<b>\$ 8,570,717</b>	<b>\$ 9,105,645</b>	<b>\$ 9,989,822</b>	<b>\$ 10,678,711</b>	<b>-7%</b>
<b>Difference:</b>	<b>\$518,687</b>	<b>\$971,427</b>	<b>-\$1,071,441</b>	<b>-\$1,267,694</b>	<b>-18%</b>

**Notes for Financial Statement**

1. FY 2016-17 FM1 vs. FM 13 %- is a comparison of 2016-17 FM 13 to 2016-17 FM 1 projections.
2. Applications/Licensing Fees (125700)- On January 1st, 2017, the Board stopped collecting an application fee for refile applicants. This change in operations has decreased the revenue collected from application fees.
3. The recent increases in Total Personnel Services is due to the increase in temporary positions and civil service permanent positions, which in turn increases the total cost for employee benefits.
4. Printing- In FY 15/16 the Board printed informational post cards for all licensees.
5. Postage- In FY 15/16 the Board mailed informational post cards to all licensees.
6. The board’s Architectural Revolving Fund deposit of \$175,000 is classified in the Facilities Operations line for FY 16/17. The fund is a depository of money appropriated for the construction, alteration, repair, and improvement of state buildings and equipment.
7. The bulk of C & P Services Interdepartmental line item expenditures are allocated to Licensed State Employee Subject Matter Expert’s for exam development.
8. C & P Services External– Expert consultant contract services for exam development, Business Requirements contract, and plastic card contract.
9. Pro Rata - The central service costs portion of this line item is now charged at the fund level. This change in distribution has decreased the expenditures allocated to this line item for FY 16/17.
10. Admin. External Services - National exam contracts, consultant services for exam development, and contract costs associated with preparation and scoring of examinations.

**Expense Object Codes (line items)**

<b>Consultant/Professional Services - Internal</b>	Services provided by other state agencies or Interagency Agreements within the Department of Consumer Affairs.	State Subject Matter Experts- state employees for exam development
<b>Consultant/Professional Services - External</b>	External exam expenses - Engineers and Land Surveyors	Non-State Subject Matter Experts for exams + Credit Card Contracts +VIP+ Plastic Lic. Card
<b>Administrative – External Services</b>	National exam contracts, consultant services for exam development, and may include contract costs associated with preparation and scoring of examinations.	Exam contracts-Prometric Contracts, NCEES, ASBOG
<b>Consultant/Professional SVS - Expert Exam</b>	Wages for services provided by expert examiners in the oral/ written examination process. Includes travel expenses.	Geology Subject Matter Experts

## 0770 - Professional Engineer's, Land Surveyor's and Geologist's Fund

### Analysis of Fund Condition

(Dollars in Thousands)

#### 2017-18 Governor's Budget

	Actual 2016-17	Budget Act CY 2017-18	Governor's Budget BY 2018-19	BY +1 2019-20
<b>BEGINNING BALANCE</b>	\$ 8,263	\$ 10,042	\$ 7,435	\$ 4,630
Prior Year Adjustment	\$ 8	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 8,271	\$ 10,042	\$ 7,435	\$ 4,630
<b>REVENUES AND TRANSFERS</b>				
Revenues:				
125600 Other regulatory fees	\$ 140	\$ 140	\$ 140	\$ 140
125700 Other regulatory licenses and permits	\$ 2,423	\$ 2,676	\$ 2,423	\$ 2,703
125800 Renewal fees	\$ 6,189	\$ 6,955	\$ 6,189	\$ 7,025
125800 Delinquent fees	\$ 91	\$ 85	\$ 91	\$ 86
141200 Sales of documents	\$ -	\$ -	\$ -	\$ -
150300 Income from surplus money investments	\$ 61	\$ -	\$ -	\$ -
150500 Interest Income from interfund loans	\$ 70	\$ -	\$ -	\$ -
161000 Escheat of unclaimed checks and warrants	\$ 13	\$ 13	\$ 13	\$ 13
161400 Miscellaneous revenues	\$ 1	\$ 2	\$ 2	\$ 2
Totals, Revenues	\$ 8,988	\$ 9,871	\$ 8,858	\$ 9,968
Transfers from Other Funds				
Revenue Transfer from Geology Fund	\$ -	\$ -	\$ -	\$ -
FO0001 Proposed GF Loan Repayment per item 1110-011-0770, Budget Act of 2011	\$ 3,200	\$ -	\$ 800	\$ -
Totals, Revenues and Transfers	\$ 12,188	\$ 9,871	\$ 9,658	\$ 9,968
Totals, Resources	\$ 20,459	\$ 19,913	\$ 17,093	\$ 14,598
<b>EXPENDITURES</b>				
Disbursements:				
1111 Department of Consumer Affairs (State Operations)	\$ 9,853	\$ 11,779	\$ 11,779	\$ 11,779
8880 Financial Information System for CA (State Operations)	\$ 13	\$ 15	\$ -	\$ -
9900 Statewide Admin. (State Operations)	\$ 551	\$ 684	\$ 684	\$ 684
Total Disbursements	\$ 10,417	\$ 12,478	\$ 12,463	\$ 12,463
<b>FUND BALANCE</b>				
Reserve for economic uncertainties	\$ 10,042	\$ 7,435	\$ 4,630	\$ 2,135
<b>Months in Reserve</b>	9.7	7.2	4.5	2.1



**V. Enforcement**

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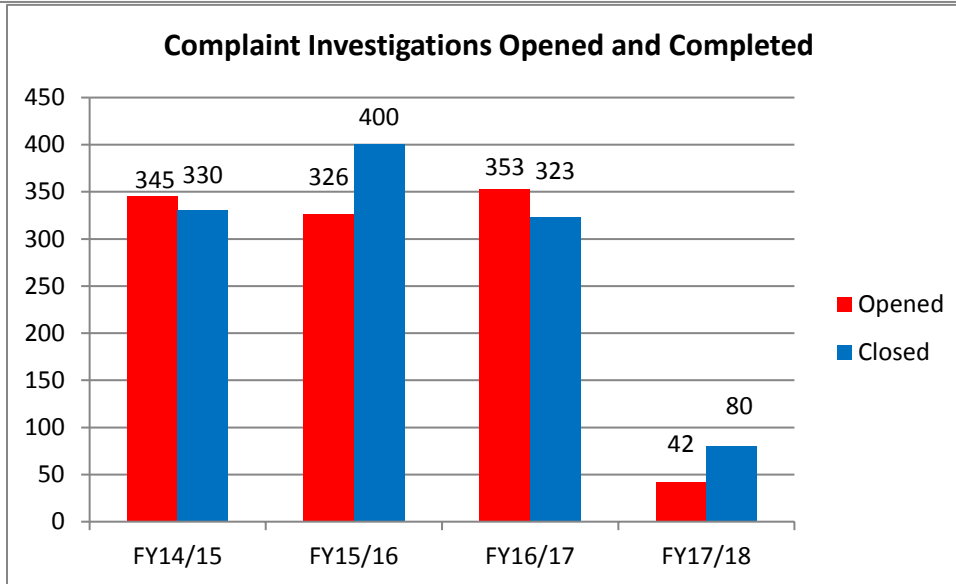
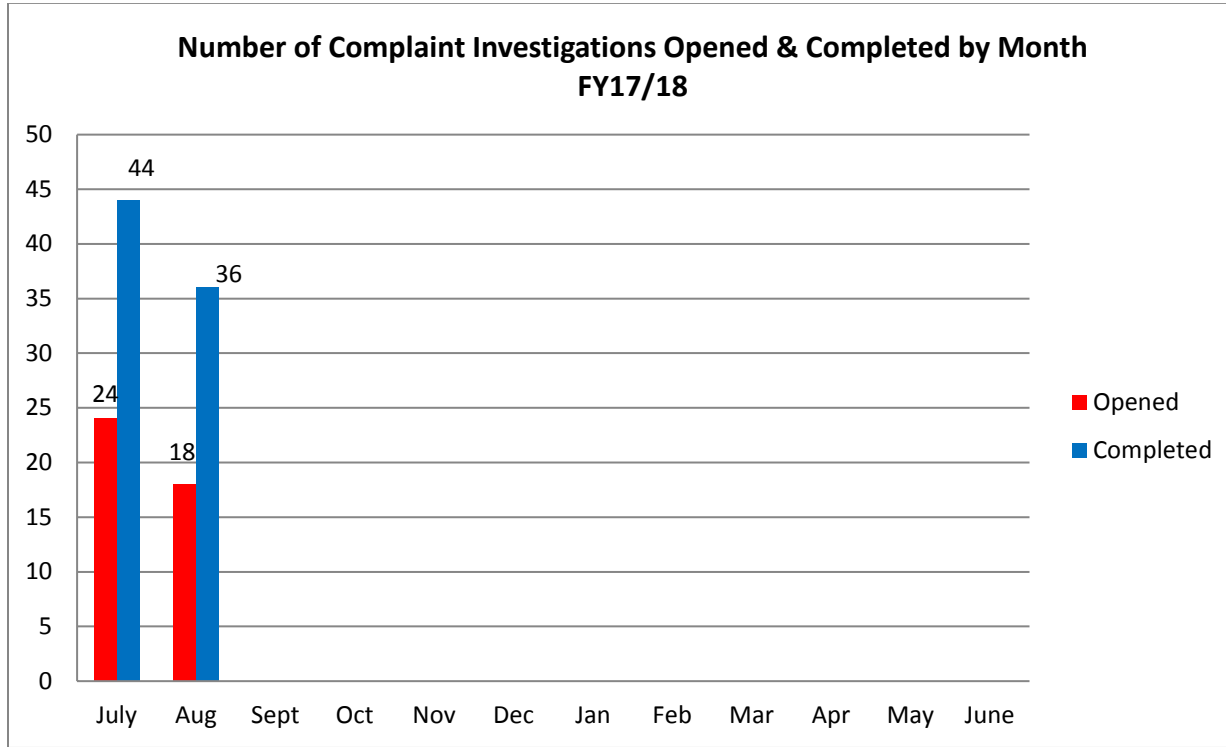
A. Enforcement Statistical Reports

1. Fiscal Year 2016/17 Update



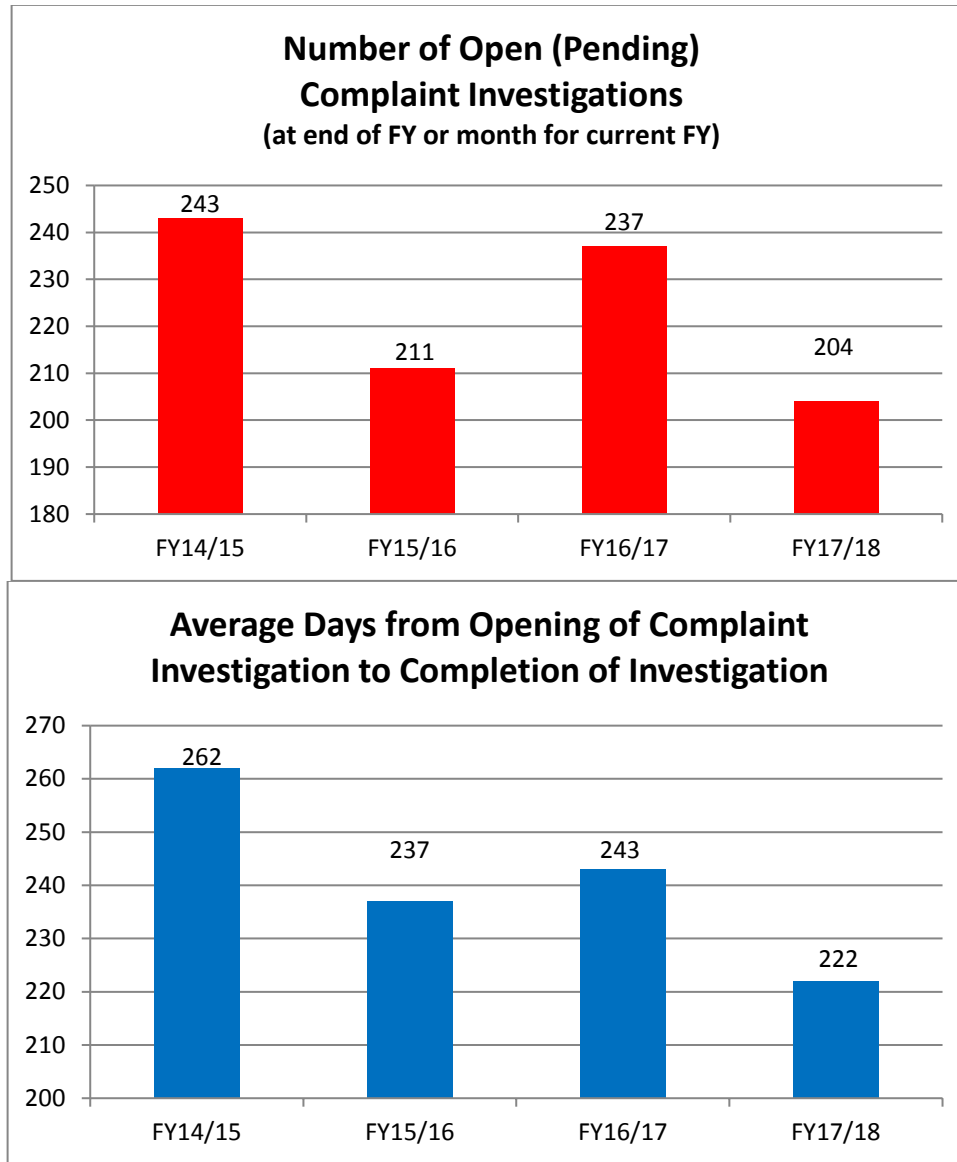


# Complaint Investigation Phase



NOTE: FY17/18 statistics are through August 31, 2017

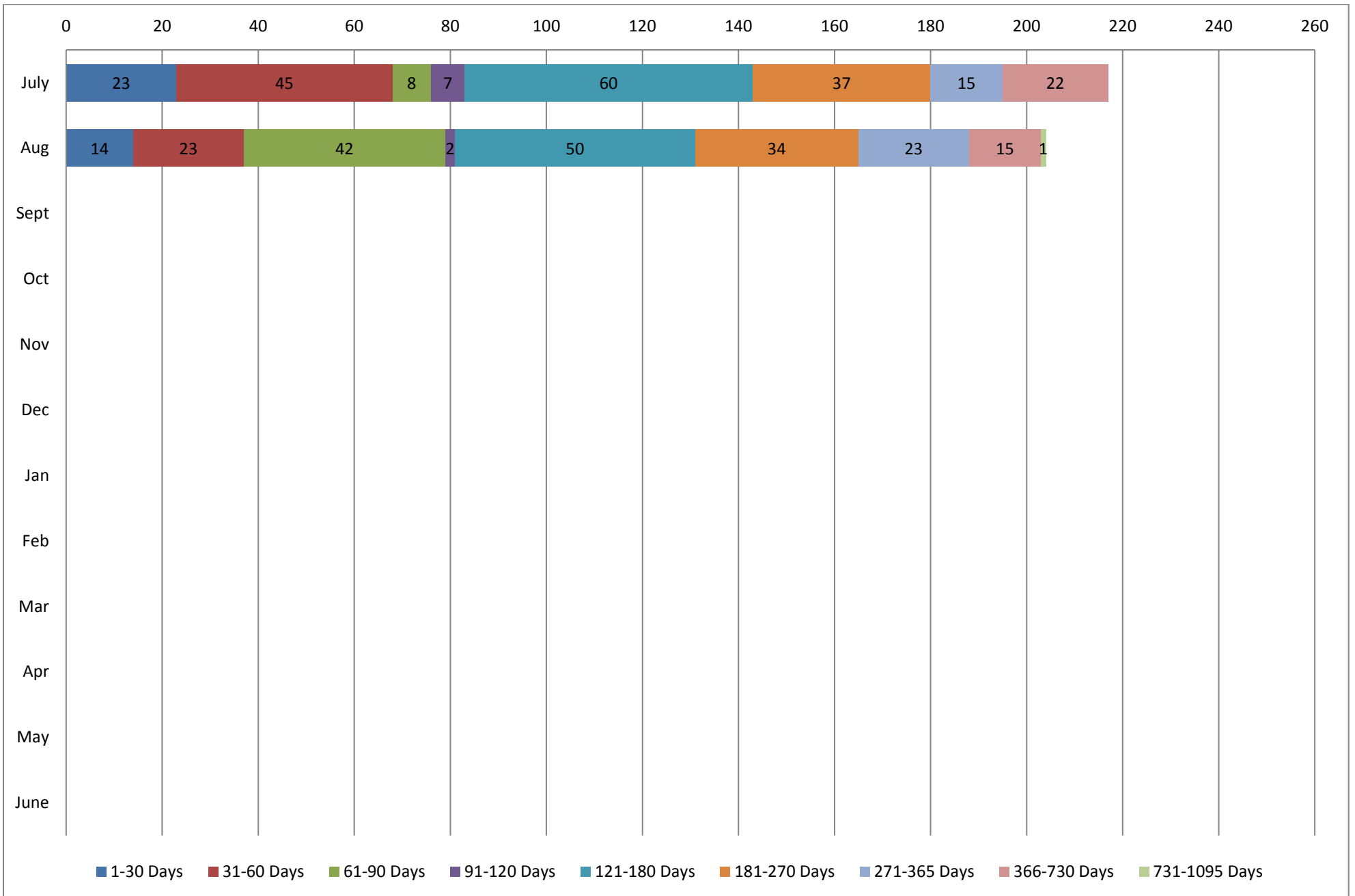
# Complaint Investigation Phase



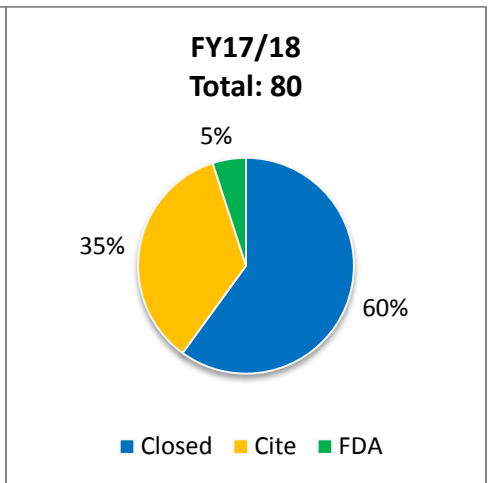
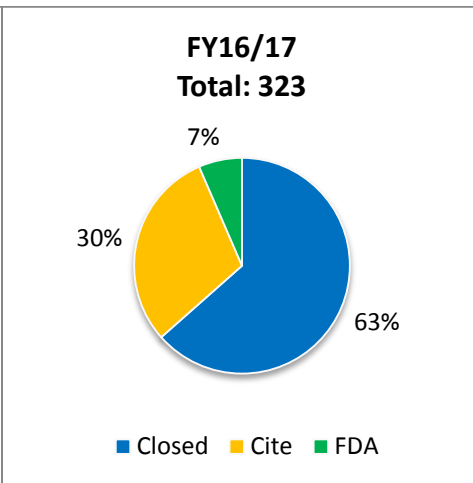
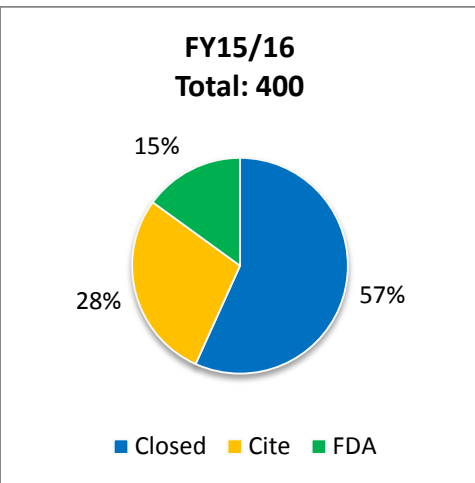
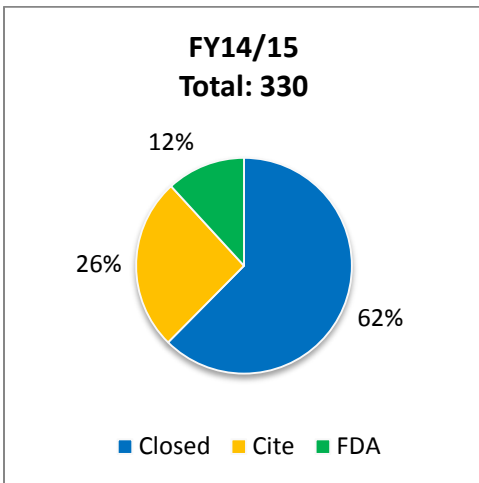
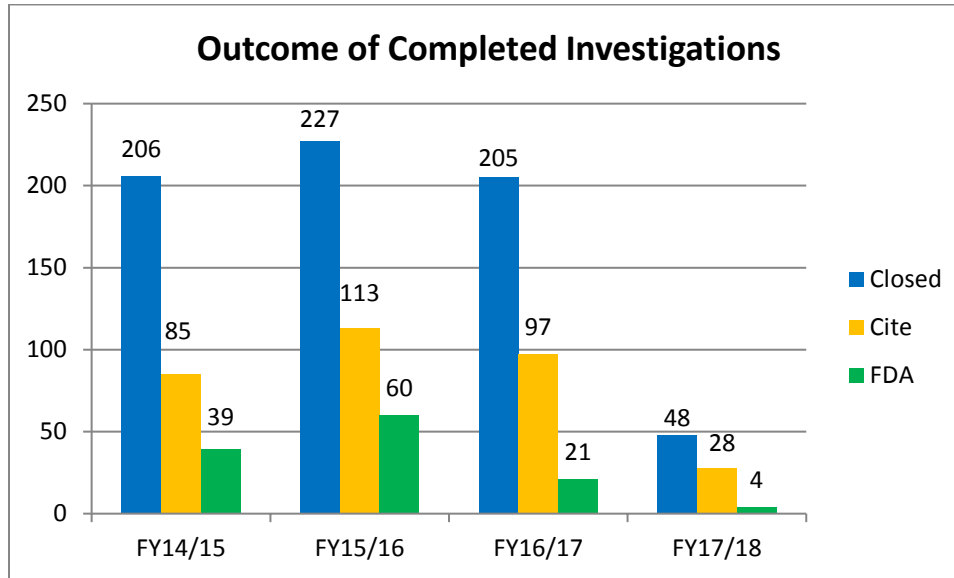
NOTE: FY17/18 statistics are through August 31, 2017

# Complaint Investigation Phase

## Aging of Open (Pending) Complaint Investigation Cases – FY17/18



# Complaint Investigation Phase Outcome of Completed Investigations



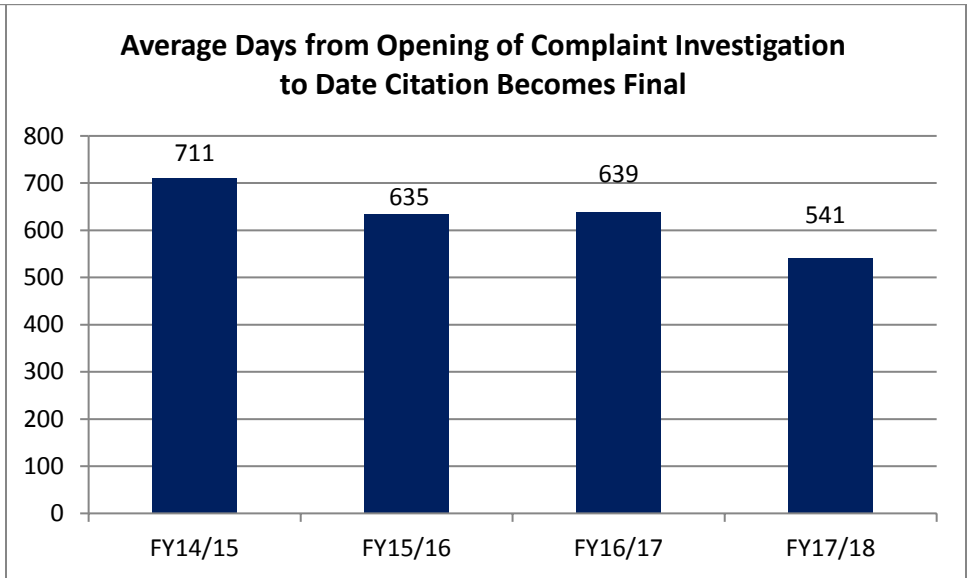
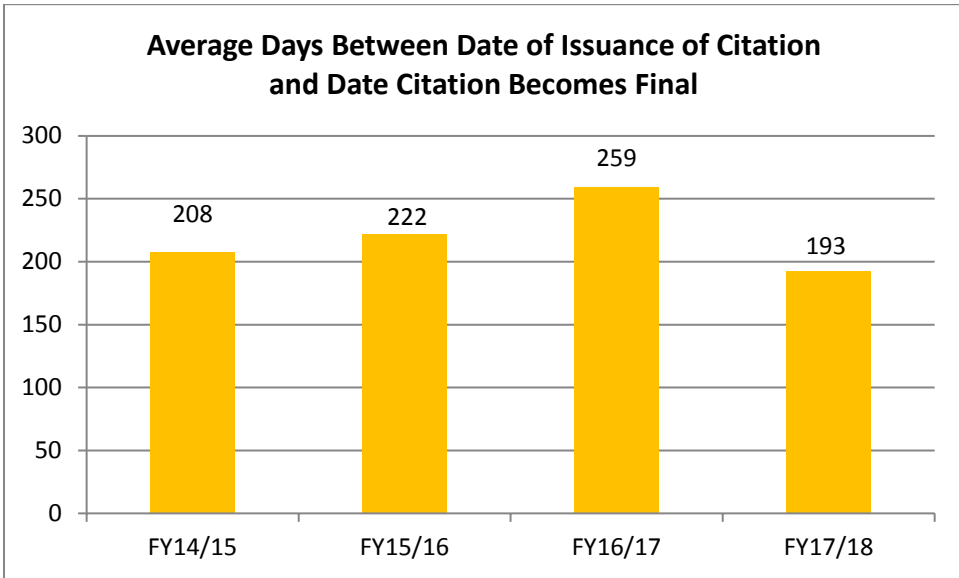
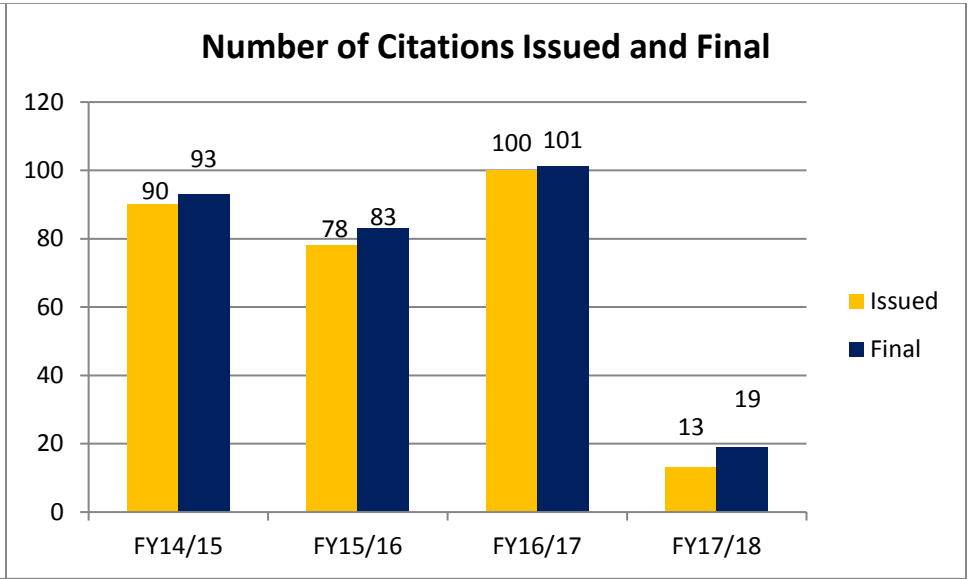
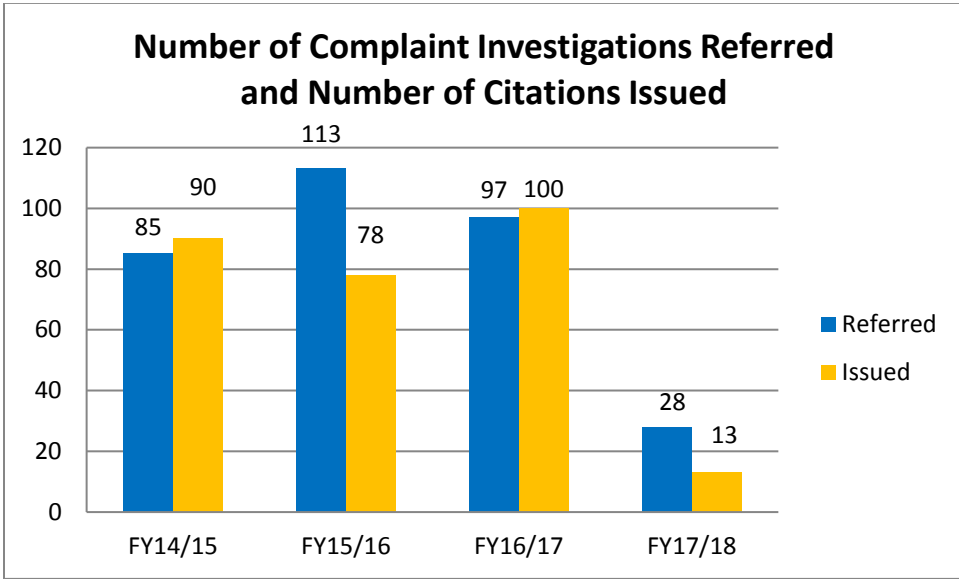
**NOTE: FY17/18 statistics are through August 31, 2017**

Closed = Closed with No Action Taken, includes the categories listed on the next page.

Cite = Referred for Issuance of Citation

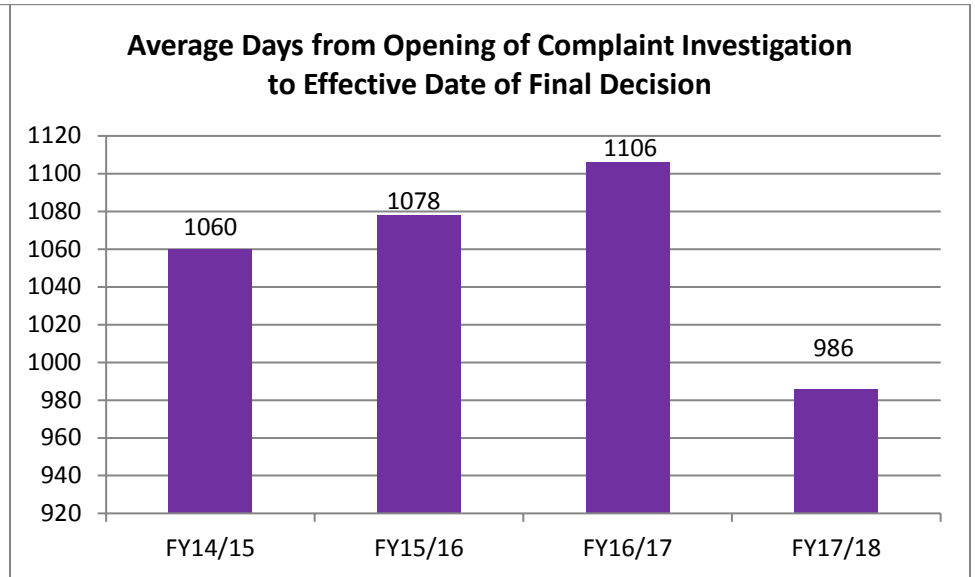
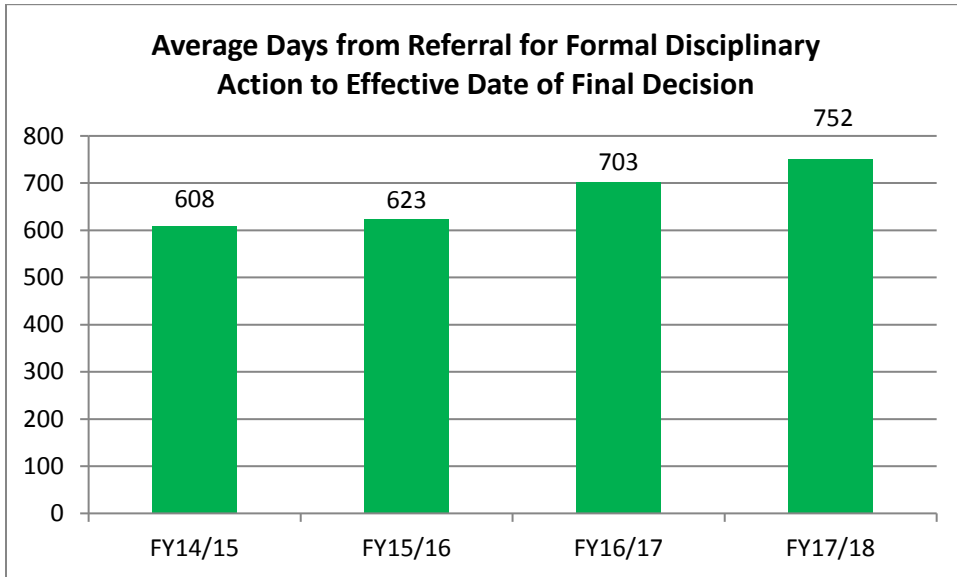
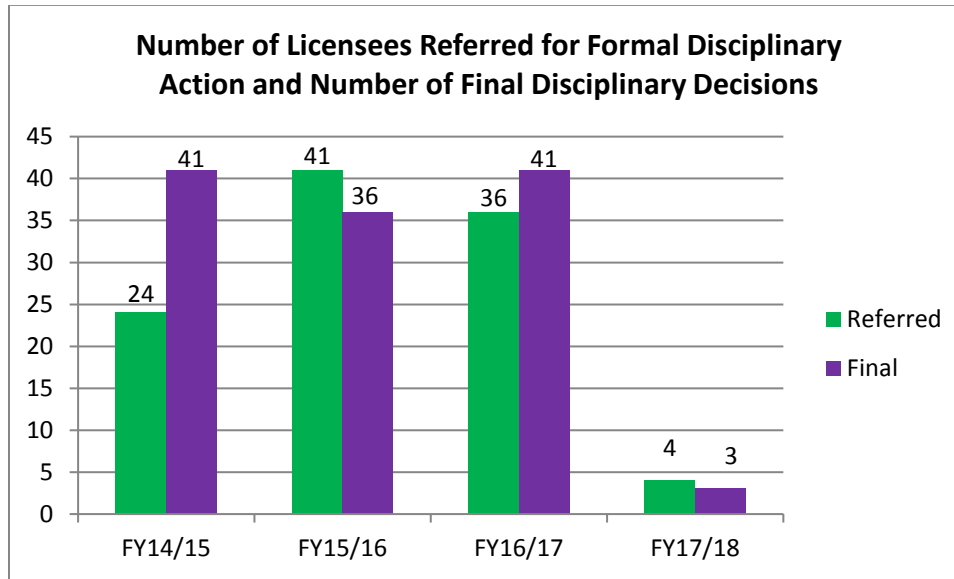
FDA = Referred for Formal Disciplinary Action

# Citations (Informal Enforcement Actions)



NOTE: FY17/18 statistics are through August 31, 2017

# Formal Disciplinary Actions Against Licensees



NOTE: FY17/18 statistics are through August 31, 2017

## **VI. Exams/Licensing**

---

- A. Update on Fall 2017 Examinations
- B. Update on Conversion of California State Civil Engineering Exams to Continuous Testing in 2018





## **Changes to the California State-Specific Civil Examinations in 2018**

During the January 2013 Board Meeting, staff introduced and discussed a five (5) year plan to provide more opportunities for examination candidates to schedule and take the Board's state exams. With this in mind, staff has developed a process for administering the California state civil exams more often to exam candidates.

- Beginning with the April 2018 exam cycle, the Board will offer the State-specific Civil Engineer exams (Engineering Surveying and Seismic Principles) on a quarterly basis.
- The quarters are:
  - January through March
  - April through June
  - July through September
  - October through December
- An applicant can sit for each exam once per quarter.
- An applicant has the opportunity to sit for each exam up to four (4) times per calendar year (once each quarter).
- An applicant will continue to pay the exam fee(s) for each exam(s) taken.
- If the applicant fails to take the exam during the specific quarter requested, the exam fees are deemed forfeited and do not roll over to the next quarter. The applicant must pay the exam fee for the next quarter in which they plan to sit.
- The exam unit continues to conduct frequent item writing workshops to build up the item bank (questions) to accommodate the increased number of examination items available per year.
- Staff continues to work with DCA in ensuring that the Board's legacy systems have the functionality to carry out the new process.



## **VII. Executive Officer's Report**

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- A. Board Designation as a Transportation Partner with Department of Transportation – Update from District Engineers on Local Engineering Project
- B. Legislation and Regulation Workgroup Summary
- C. Personnel
- D. ABET
- E. Association of State Boards of Geology (ASBOG)
  - 1. Fall Meeting Motions (Possible Action)
    - a. Approve BPELSG Representative for Voting (Possible Action)
    - b. Briefing on ASBOG Annual Meeting Agenda (Informational Only)
- F. National Council of Examiners for Engineering and Surveying (NCEES)
  - 1. Report from Annual Meeting
- G. Outreach
- H. Update on Business Process Improvement Study



## Legislation and Regulations Workgroup

### **Legislation:**

Legislation can be found under the Legislation section in the Board meeting materials.

### **Regulations:**

#### **1. Qualifying Experience Land Surveyor (425)**

- Regulatory action becomes effective on October 1, 2017.
  - Board approved initial rulemaking proposal on April 9, 2016.
  - Noticed to OAL on August 12, 2016, for 45-day Comment Period.
  - Comment Period ended September 27, 2016.
  - Board approved final rulemaking package on October 13, 2016.
  - Final package sent to DCA for final review on November 3, 2016.
  - Final package sent to DOF and OAL for a simultaneous review on July 13, 2017.
  - OAL approved the rulemaking proposal on September 1, 2017.

#### **2. Geology Education (3031)**

- Legal approved initial package sent to DCA Regulations Coordinator on August 30, 2017.
  - Regulation language approved by DCA Legal August 16, 2017

**Note:** Documents related to any rulemaking file listed as “noticed” can be obtained from the Board’s website at [http://www.bpelsg.ca.gov/about\\_us/rulemaking.shtml](http://www.bpelsg.ca.gov/about_us/rulemaking.shtml).

The DCA procedure for approving rulemaking proposals has changed. Geology Education (3031) is the first rulemaking package that will undergo the new procedures. If you have questions regarding the new process, please contact Kara Williams at [Kara.Williams@DCA.ca.gov](mailto:Kara.Williams@DCA.ca.gov).





# QUARTERLY OUTREACH REPORT (Q2)

## SOCIAL MEDIA & WEB April - June 2017

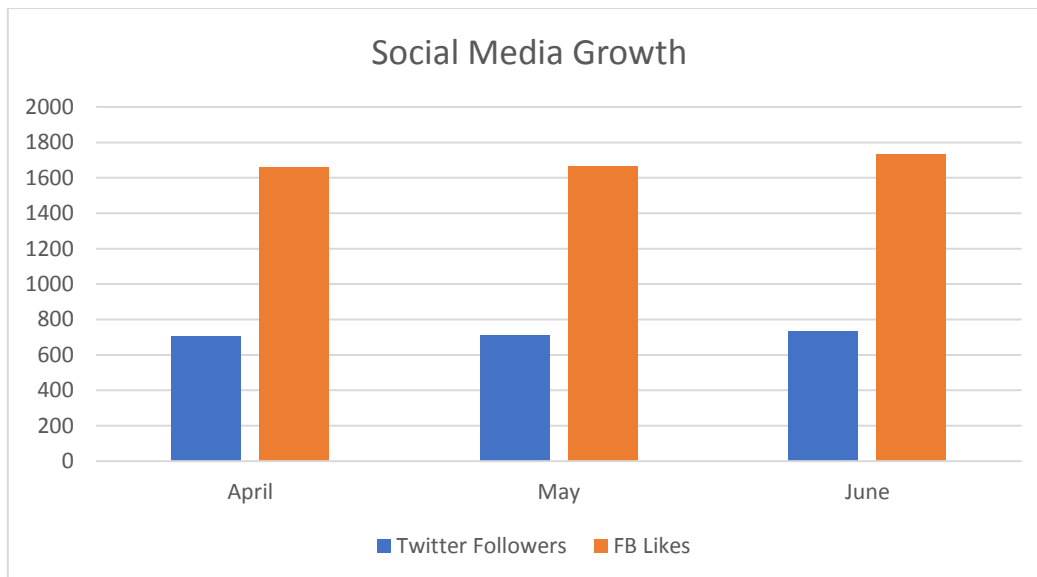
Twitter Growth

Description	April	May	June
Followers	704	710	733
Growth		+6	+23

Facebook Growth

Description	April	May	June
Likes	1,658	1,666	1,730
Growth		+8	+64

Social Media Growth





Top 5 Twitter “Tweets” of Past Quarter (April - June 2017)

Twitter “Tweets”	Date Posted	Views
1. Throwback Thursday - UC Berkeley (1931)	May 4	1,882
2. PG Exam – Posted Results	May 4	1,737
3. PLS Exam - Posted Results	May 12	1,693
4. Throwback Thursday - Dinkey Creek Bridge (1938)	May 18	1,604
5. Throwback Thursday - Niagara Falls	June 1	1,583



Dinkey Bridge – Posted May 18, 2017

Top 5 Facebook Posts of Past Quarter (April - June 2017)

Facebook Posts	Date Posted	Views
1. Throwback Thursday - Niagara Falls	June 1	1,400+
2. Throwback Thursday- C. Birdseye on the Colorado	May 12	1,400+
3. Current Wildland Fires per Cal Fire	June 29	980
4. Throwback Thursday - Geologic History	April 20	953
5. Throwback Thursday - UC Berkeley (1931)	May 4	931



Niagara Falls – Posted June 1, 2017

Top 5 Website Pages Viewed in Past Quarter (April - June 2017)

Page Title	Page Views
1. License Lookup	127,811
2. Home	100,268
3. Instructions on How to Apply for a California Engineers License	51,018
4. Professional Engineer Application	46,668
5. Applicants Information	42,038





## OUTREACH EVENTS April – June 2017

### **San Diego State University, April 12, 2017**

Staff Senior Registrar Laurie Racca, PG, gave a presentation to educate students and faculty regarding professional licensing requirements for geologists. Students were encouraged to obtain their Geologist-In-Training (GIT) certificate by taking the national Fundamentals of Geology examination as soon as they are qualified. The presentation encouraged students to begin taking control of their future careers by understanding licensing requirements and keeping up to date with activities at the Board.

### **University of Southern California, April 17 & 18, 2017**

Presentations to educate students and faculty regarding professional licensing requirements for engineers were given on two successive days on the USC campus. Outreach Coordinator Brooke Phayer participated in a presentation on April 17 that was sponsored by NCEES. On April 18, Staff Senior Registrars for Engineering Susan Christ, PE, and Mike Donelson, PE, and Outreach Coordinator Brooke Phayer gave a presentation on the “Path to Professional Licensure” to USC students.

### **California Department of Water Resources, Sacramento, April 24, 2017.**

Staff Senior Registrar Laurie Racca, PG, conducted a workshop to explain the licensing application process and qualification requirements to DWR staff.

### **University of the Pacific, May 6, 2017**

Staff Senior Registrars Mike Donelson, PE, and Laurie Racca, PG, represented the Board at the “Senior Project Review” held on-campus at UOP.

### **Monterey Area Engineers and Surveyors, May 10, 2017**

Executive Officer Ric Moore, PLS, participated in a joint meeting of CLSA and ACEC Chapters in the Monterey Bay Region. Board Members Steve Wilson, PLS, PE, and Mohammad Qureshi, Ph.D., PE, attended as well.

### **Caltrans District 10 Headquarters - Stockton, May 16, 2017**

Executive Officer Ric Moore, PLS, and Staff Senior Registrar Dallas Sweeney, PLS, attended the Caltrans District 10 Executive staff meeting in Stockton to support the District surveyors in their efforts to ensure compliance with the monument preservation laws.

### **ASCE Sacramento Section, Capitol Branch, May 17, 2017**

Executive Officer Ric Moore, PLS, represented the Board at a Legislative Day event hosted annually by the Sacramento Section, Capitol Branch of ASCE.

### **UC Irvine, May 19, 2017**

Outreach Coordinator Brooke Phayer gave a presentation to educate students and faculty regarding the “Path to Professional Licensure.”



**Humboldt County Surveyors and Engineers May 31, 2017**

Executive Officer Ric Moore, PLS, and Staff Senior Registrar Dallas Sweeney, PLS, participated in a joint meeting of CLSA and ACEC Chapters in the Humboldt County Region to promote Board news and efforts.

**Board Meeting Eureka, June 1 and 2, 2017**



Board Members and staff at the Board Meeting in Eureka.

Board Members and staff on an excursion to an “Initial Point” in Humboldt County.



**UC Davis, June 9, 2017**

Staff Senior Registrars Mike Donelson, PE, and Laurie Racca, PG, represented the Board at the Engineering Department’s Dean’s Luncheon and at the “Senior Project Review” held on-campus at UC Davis.

**Camp Pendleton, June 15, 2017**

Staff Senior Registrar Mike Donelson, PE, represented the Board at the “Military Engineers Day” event held at Camp Pendleton to help military engineers in their transition to civilian life.



San Diego, June 21, 2017



Staff Senior Registrar Dallas Sweeney, PLS, met with the San Diego County Surveyor's office and the City of San Diego's Surveyor's office. Also, Dallas was the speaker at the San Diego Chapter of CLSA.

**END**



## **VIII. Technical Advisory Committees (TACs)**

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- A. Assignment of Items to TACs (Possible Action)
- B. Appointment of TAC Members (Possible Action)
  - 1. Appointment of New Member to the Geology and Geophysics TAC
- C. Reports from the TACs (Possible Action)



## **APPOINTMENT TO THE GEOLOGIST AND GEOPHYSICIST TECHNICAL ADVISORY COMMITTEE**

### **RECOMMENDED MOTION:**

Appoint Elizabeth “Liz” Elliott, PG, CHG to the Geologist and Geophysicist Technical Advisory Committee (GGTAC) for a 2-year appointment expiring on June 30, 2019.

### **BACKGROUND:**

There is one vacancy on the GGTAC. The current membership includes two licensed geophysicists (PGP) and two licensed geologists/certified engineering geologists (PG/CEG). This appointment has been submitted by Board Member Betsy Mathieson, PG, CEG.

Ms. Elliott is a licensed geologist and certified hydrogeologist with extensive experience in hydrogeologic characterization, numerical modeling and environmental assessment. Her work has encompassed the development of geothermal resources, evaluating groundwater impacts from oil and gas well stimulation (including hydraulic fracturing), water supply assessments, creek fishery enhancements, and cleanup of contaminated groundwater. Ms. Elliott works for Todd Groundwater (a certified small business enterprise and certified women’s business enterprise) in Alameda, California.

The appointment of Ms. Elliott to the TAC will increase the technical diversity of the GGTAC, and will maintain the geographic balance of the TAC membership.





**IX. President's Report/Board Member Activities**

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- A. Discussion of Salary Structure Increase and Exempt Status of the Executive Officer Position (Possible Action)



**X. Approval of Meeting Minutes (Possible Action)**

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A. Approval of the Minutes of the July 27, 2017, Board Meeting



**DRAFT**

**MINUTES OF THE BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS**

Long Beach Gas & Oil Auditorium  
2400 E. Spring Street  
Long Beach, CA 90806

Thursday, July 27, 2017, beginning at 9:00 a.m.

<b>Board Members Present:</b>	Eric Johnson, President; Natalie Alavi; Fel Amistad; Kathy Jones Irish; Coby King; Asha Lang; Mohammad Qureshi; Robert Stockton; and Steve Wilson
<b>Board Members Absent:</b>	Betsy Mathieson, Vice President; Karen Roberts; Jerry Silva
<b>Board Staff Present:</b>	Ric Moore (Executive Officer); Nancy Eissler (Assistant Executive Officer); Tiffany Criswell (Enforcement Manager); Celina Calderone (Board Liaison); Kara Williams (Legislative and Budget Analyst); Gary Duke (Legal Counsel); and Michael Santiago (Legal Counsel)

**I. Roll Call to Establish a Quorum**

President Johnson called the meeting to order at 9:08 a.m., and a quorum was established.

**II. Public Comment for Items Not on the Agenda**

During public comment, Joan Davidson an activist within the Palos Verdes community discussed a complaint filed in 2016 that took ten months to investigate in which she alleged the subject made false claims and used false titles. She believes the Board needs to reevaluate its decision and presented to the Board a Public Records Act (PRA) request requesting a copy of the correspondence sent to the subject stating that he has been cautioned. Her intention is to file another complaint. Mr. Moore recommended she speak with the Board's Enforcement Manager, Tiffany Criswell.

John Rogers, Civil Engineer representing ASCE, provided information regarding the upcoming NCEES elections. He is encouraging support for David Mongan of Maryland for NCEES Treasurer. He added that he is impressed by the Board's support for Civil Engineers and the improvement of the examination process and offered the support of ACEC.

Chris Ehe, owner of Environmental Hightech Engineering, noted that this was his third time addressing the Board to ask that the Board reinstate his license and allow him to resume his land surveying career. His license was revoked August 10, 2014. Ms. Eissler explained that once the three years are up, the Board would provide him with the necessary information to submit his petition for reinstatement to the Board and then a hearing would be scheduled.

Hugh Robertson, Geologist, representing AEG, expressed his appreciation to the Board for coming to Southern California.

Rob McMillan, representing CLSA, welcomed the Board to Southern California and stated that he appreciates the interaction between Board Staff and CLSA Liaisons in helping to improve the profession.

Mr. Moore recognized Josh Tatman and Kim Holtz for being instrumental in helping the Board acquire the meeting facilities.

President Johnson recognized Roman Vasquez and his team from Southern California Edison for an engineering award received for aiding in the first North American 500,000-volt underground transmission line. The American Council of Engineering Companies (ACEC) has acknowledged the project for its technical accomplishments in both California and at national levels.

### III. Legislation

#### A. Legislative Calendar

Ms. Williams reviewed important dates on the legislative calendar.

#### B. Discussion of Legislation for 2017:

**SB 547** Professions and vocations: weights and measures (BreEZe annual report)

<b>MOTION:</b>	Dr. Qureshi and Mr. Wilson moved to take a watch position.
<b>VOTE:</b>	9-0, Motion Carried.

Member Name	Yes	No	Abstain	Absent	Recusal
Eric Johnson	X				
Betsy Mathieson				X	
Natalie Alavi	X				
Fel Amistad	X				
Kathy Jones Irish	X				
Coby King	X				
Asha Lang	X				
Mohammad Qureshi	X				
Karen Roberts				X	
William Silva				X	
Robert Stockton	X				
Steve Wilson	X				

**SB 715** Department of Consumer Affairs: regulatory boards: removal of board members

<b>MOTION:</b>	Dr. Amistad and Dr. Qureshi moved to take a support position.
<b>VOTE:</b>	8-0-1, Motion Carried.

Member Name	Yes	No	Abstain	Absent	Recusal
Eric Johnson	X				
Betsy Mathieson				X	
Natalie Alavi			X		
Fel Amistad	X				
Kathy Jones Irish	X				
Coby King	X				
Asha Lang	X				
Mohammad Qureshi	X				
Karen Roberts				X	
William Silva				X	
Robert Stockton	X				
Steve Wilson	X				

**AB 710** Department of Consumer Affairs: boards: meetings  
Not moving forward at this time.

**AB 1190** Department of Consumer Affairs: BreEZe system (annual report)

<b>MOTION:</b>	Dr. Qureshi and Ms. Alavi moved to take a watch position on AB 1190, as amended June 13, 2017.
<b>VOTE:</b>	9-0, Motion Carried.

Member Name	Yes	No	Abstain	Absent	Recusal
Eric Johnson	X				
Betsy Mathieson				X	
Natalie Alavi	X				
Fel Amistad	X				
Kathy Jones Irish	X				
Coby King	X				
Asha Lang	X				
Mohammad Qureshi	X				
Karen Roberts				X	
William Silva				X	
Robert Stockton	X				
Steve Wilson	X				

**SB 27** Professions and vocations: licenses: military service (fee waiver)  
Currently a 2-year bill. No action taken.

**AB 1005** Department of Consumer Affairs: fines: relief  
Currently a 2-year bill. No action taken.

Mr. King requested that the geographic location of the authors be noted in the meeting materials.

#### IV. Administration

##### B. Fiscal Year 2017-2018 Introduction to New Budget

Ms. Williams reported that the new 2017-2018 budget was enacted. Mr. Moore noted that full projections will be available at the next Board meeting.

**A. Fiscal Year 2016-2017 Budget Summary Review**

Ms. Williams explained the fund condition. She reported that the Board's fund balance at the end of Fiscal Year 2016-2017 was \$9.4 million. For the current 2017-2018 Fiscal Year, it is anticipated that the fund balance will be \$11.5 million.

In budget year 2017-18 a budget of \$9.4 million is anticipated and in Fiscal Year 2018-2019 a balance of \$7.7 million is projected.

The Board is scheduled to receive \$3.2 million in the General Fund Loan repayment, and the remaining \$800,000 is scheduled for Fiscal Year 2018-2019.

Mr. Stockton expressed concern with the reduction in the fund balance. Ms. Williams explained that the Board is conducting a fee study to observe the trend and try to remain solvent. Ms. Eissler added that despite the projected reductions, the Board remains on the higher end of the recommended months in reserve for its overall fund balance.

**V. Enforcement**

**A. Enforcement Statistical Reports**

**1. Fiscal Year 2016/17 Update**

Ms. Criswell presented the statistics to the Board and explained that due to the nature of the workload and a shift in staffing, there was a spike in the number of cases opened in March.

**VI. Exams/Licensing**

**A. Spring 2017 Examination Results**

Mr. Moore reviewed the updated national results for the spring examinations and for those exams that are offered on a continuous basis. The information on the national exams now reflect the structural exam results.

**B. Adoption of Test Plan Specifications for the California Civil Engineering Surveying and Civil Seismic Principles Examinations**

<b>MOTION:</b>	Mr. Stockton and Dr. Qureshi moved to approve both test plans.
<b>VOTE:</b>	9-0, Motion Carried.

Member Name	Yes	No	Abstain	Absent	Recusal
Eric Johnson	X				
Betsy Mathieson				X	
Natalie Alavi	X				
Fel Amistad	X				
Kathy Jones Irish	X				
Coby King	X				



Asha Lang	X				
Mohammad Qureshi	X				
Karen Roberts				X	
William Silva				X	
Robert Stockton	X				
Steve Wilson	X				

1:15 p.m. Ms. Lang left the meeting.

**VII. Executive Officer's Report**

**A. Legislation and Regulation Workgroup Summary**

Mr. Moore reported that effective July 1, 2017, the Office of Administrative Law approved the Examinations Appeal Repeal in which any examinations, state or national, are no longer allowed to be appealed.

He reported that the Qualifying Experience for Land Surveyors, Section 425, is still at the Department of Finance and the Office of Administrative Law for final approval.

**1. Department of Consumer Affairs' (DCA's) Rulemaking Review Process**

Mr. Moore reviewed the new rulemaking review process developed by DCA.

**B. Personnel**

Mr. Moore reported that, effective August 1, Linda Liu will fill the vacant cashier position, and Chole Jimenes will be promoted.

**C. ABET**

Mr. Moore reported that we are awaiting notifications regarding observers for the Fall 2017 visits.

**D. Association of State Boards of Geology (ASBOG)**

Mr. Moore reported that we received approval for Out-of-State travel for Laurie Racca to attend the Annual Meeting.

Ms. Racca was appointed as Chair of the Examinations Committee for ASBOG.

**E. National Council of Examiners for Engineering and Surveying (NCEES)**

**1. Annual Meeting Motions & Resolutions**

**a. Election of NCEES Treasurer**

<b>MOTION:</b>	Mr. King and Dr. Qureshi moved to support Shelly Macy as Treasurer.
<b>VOTE:</b>	8-0, Motion Carried.

Member Name	Yes	No	Abstain	Absent	Recusal
Eric Johnson	X				
Betsy Mathieson				X	
Natalie Alavi	X				
Fel Amistad	X				

Kathy Jones Irish	X				
Coby King	X				
Asha Lang				X	
Mohammad Qureshi	X				
Karen Roberts				X	
William Silva				X	
Robert Stockton	X				
Steve Wilson	X				

- b. Bylaws Motion 1: Amend Bylaws Section 4.04, Elections and Terms of Office, Relating to the Treasurer Position

Ms. Lang returned at 1:41 p.m.

<b>MOTION:</b>	Mr. King and Mr. Stockton moved to direct the Board’s delegates to oppose one 2-year term and to support one 3-year term.
<b>VOTE:</b>	9-0, Motion Carried.

Member Name	Yes	No	Abstain	Absent	Recusal
Eric Johnson	X				
Betsy Mathieson				X	
Natalie Alavi	X				
Fel Amistad	X				
Kathy Jones Irish	X				
Coby King	X				
Asha Lang	X				
Mohammad Qureshi	X				
Karen Roberts				X	
William Silva				X	
Robert Stockton	X				
Steve Wilson	X				

- c. Education Motion 1: Amend Position Statement (PS) 35, Future Education Requirements for Engineering Licensure, Regarding Alternative Educational Pathways to Licensure

The Board did not take a position.

- d. Advisory Committee on Council Activities (ACCA) Motion 1: Amend Bylaws Section 4.05, Qualifications, Regarding the Qualifications for Eligibility as President-Elect, Zone Vice President, and Treasurer

The Board did not take a position.

- e. ACCA Motion 2: Establishment of a Task Force to Develop the Qualifications to Serve as President, the Nomination Process, and a Transition Plan to Replace the Zone Rotational System

<b>MOTION:</b>	Mr. King and Dr. Qureshi moved to oppose.
<b>VOTE:</b>	9-0, Motion Carried.

Member Name	Yes	No	Abstain	Absent	Recusal
Eric Johnson	X				
Betsy Mathieson				X	
Natalie Alavi	X				
Fel Amistad	X				
Kathy Jones Irish	X				
Coby King	X				
Asha Lang	X				
Mohammad Qureshi	X				
Karen Roberts				X	
William Silva				X	
Robert Stockton	X				
Steve Wilson	X				

- f. ACCA Motion 3: Amend AP 8, Motions, and FP 7, Examination Charges, Relating to the Process to Review and Change Examination Fees

<b>MOTION:</b>	Dr. Qureshi and Dr. Amistad moved to support.
<b>VOTE:</b>	9-0, Motion Carried.

Member Name	Yes	No	Abstain	Absent	Recusal
Eric Johnson	X				
Betsy Mathieson				X	
Natalie Alavi	X				
Fel Amistad	X				
Kathy Jones Irish	X				
Coby King	X				
Asha Lang	X				
Mohammad Qureshi	X				
Karen Roberts				X	
William Silva				X	
Robert Stockton	X				
Steve Wilson	X				

- g. Member Board Administrators (MBA) Motion 1: Proposal to Hold a Combined Central, Northeast, Southern, and Western Zones Interim Meeting in 2020

<b>MOTION:</b>	Dr. Qureshi and Mr. King moved to oppose.
<b>VOTE:</b>	9-0, Motion Carried.

Member Name	Yes	No	Abstain	Absent	Recusal
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Eric Johnson	X				
Betsy Mathieson				X	
Natalie Alavi	X				
Fel Amistad	X				
Kathy Jones Irish	X				
Coby King	X				
Asha Lang	X				
Mohammad Qureshi	X				
Karen Roberts				X	
William Silva				X	
Robert Stockton	X				
Steve Wilson	X				

- h. Uniform Procedures and Legislative Guidelines (UPLG) Motion 9: Amend Model Rules 240.20, Seals, Regarding the Use of Digital Seals and Signatures on Engineering and Surveying Documents

<b>MOTION:</b>	Mr. Stockton and Ms. Alavi moved to support.
<b>VOTE:</b>	9-0, Motion Carried.

Member Name	Yes	No	Abstain	Absent	Recusal
Eric Johnson	X				
Betsy Mathieson				X	
Natalie Alavi	X				
Fel Amistad	X				
Kathy Jones Irish	X				
Coby King	X				
Asha Lang	X				
Mohammad Qureshi	X				
Karen Roberts				X	
William Silva				X	
Robert Stockton	X				
Steve Wilson	X				

- i. UPLG Motion 11: Amend Model Law 130.10 B2, General Requirements for Licensure, Engineering, Licensure as a Professional Engineer, Relating to Educational and Experience Credit

The Board did not take a position.

- j. Western Zone Resolution: Amend Bylaws Section 6.02, Quorum and Voting, to Revise Voting Procedures

The Board is already in support of this Resolution since it was originally proposed as a California Motion prior to the Western Zone Interim Meeting.

- k. California Resolution: Development of a Public Lands Survey System (PLSS) Module as a Depth Portion of the NCEES Principles and Practice of Surveying Examination

Mr. Moore reported that other member boards are backing this motion and have provided letters of support. He is currently writing up the motion that will be presented on the floor at the Annual Meeting.

F. Adoption of Updated Strategic Plan

Mr. Moore and Ms. Eissler reviewed the amendments and reported on recommendations provided by SOLID and Board staff.

<b>MOTION:</b>	Dr. Qureshi and Ms. Lang moved to amend Goal 1 to read: "Licensing: The Board provides applicants and licensees with a method for providing services in California to protect consumers."
<b>VOTE:</b>	9-0, Motion Carried.

Member Name	Yes	No	Abstain	Absent	Recusal
Eric Johnson	X				
Betsy Mathieson				X	
Natalie Alavi	X				
Fel Amistad	X				
Kathy Jones Irish	X				
Coby King	X				
Asha Lang	X				
Mohammad Qureshi	X				
Karen Roberts				X	
William Silva				X	
Robert Stockton	X				
Steve Wilson	X				

<b>MOTION:</b>	Mr. Stockton and Ms. Irish moved to add Objective 1.1.
<b>VOTE:</b>	9-0, Motion Carried.

Member Name	Yes	No	Abstain	Absent	Recusal
Eric Johnson	X				
Betsy Mathieson				X	
Natalie Alavi	X				
Fel Amistad	X				
Kathy Jones Irish	X				
Coby King	X				
Asha Lang	X				
Mohammad Qureshi	X				
Karen Roberts				X	
William Silva				X	
Robert Stockton	X				
Steve Wilson	X				

<b>MOTION:</b>	Ms. Irish and Ms. Alavi moved to add Objective 1.2.
<b>VOTE:</b>	9-0, Motion Carried.

Member Name	Yes	No	Abstain	Absent	Recusal
Eric Johnson	X				
Betsy Mathieson				X	
Natalie Alavi	X				
Fel Amistad	X				
Kathy Jones Irish	X				
Coby King	X				
Asha Lang	X				
Mohammad Qureshi	X				
Karen Roberts				X	
William Silva				X	
Robert Stockton	X				
Steve Wilson	X				

<b>MOTION:</b>	Dr. Qureshi and Ms. Alavi moved to adopt the updated Strategic Plan.
<b>VOTE:</b>	9-0, Motion Carried.

Member Name	Yes	No	Abstain	Absent	Recusal
Eric Johnson	X				
Betsy Mathieson				X	
Natalie Alavi	X				
Fel Amistad	X				
Kathy Jones Irish	X				
Coby King	X				
Asha Lang	X				
Mohammad Qureshi	X				
Karen Roberts				X	
William Silva				X	
Robert Stockton	X				
Steve Wilson	X				

G. Outreach

Mr. Moore reported that the Board distributes certificates of recognition to licensed Professional Engineers with 50+ years of licensure, Geologists with 35+ years, and Land Surveyors with 40+ years. He reported that on August 1, 366 engineers, 36 geologists, and 64 land surveyors will be recognized for their years of service.

H. Update on Business Process Improvement Study

Mr. Moore reviewed the Project Approval Lifecycle that is now required for any State agency to implement a new IT system and reported that the Board has almost completed Stage 1 of 4.

**VIII. Technical Advisory Committees (TACs)**

A. Assignment of Items to TACs

No report given.

B. Appointment of TAC Members

<b>MOTION:</b>	Mr. Wilson and Mr. Stockton move to appoint David Ryan and Scott Tikalsky to the Land Surveying TAC.
<b>VOTE:</b>	9-0, Motion Carried.

Member Name	Yes	No	Abstain	Absent	Recusal
Eric Johnson	X				
Betsy Mathieson				X	
Natalie Alavi	X				
Fel Amistad	X				
Kathy Jones Irish	X				
Coby King	X				
Asha Lang	X				
Mohammad Qureshi	X				
Karen Roberts				X	
William Silva				X	
Robert Stockton	X				
Steve Wilson	X				

C. Reports from the TACs

No report given.

**IX. President’s Report/Board Member Activities**

President Johnson reported that he attended a Director’s meeting in June and announced that the Board’s Legal Counsel was changing. Mr. Moore explained that board assignments within the legal office were changing and announced that Gary Duke would be returning to the Board as Legal Counsel.

**X. Approval of Meeting Minutes**

A. Approval of the Minutes of the June 1-2, 2017, Board Meeting

<b>MOTION:</b>	Mr. King and Mr. Stockton moved to approve the minutes as amended.
<b>VOTE:</b>	7-0-2, Motion Carried.

Member Name	Yes	No	Abstain	Absent	Recusal
Eric Johnson	X				
Betsy Mathieson				X	
Natalie Alavi			X		
Fel Amistad	X				
Kathy Jones Irish	X				
Coby King	X				
Asha Lang			X		
Mohammad Qureshi	X				

Karen Roberts				X	
William Silva				X	
Robert Stockton	X				
Steve Wilson	X				

**XI. Discussion Regarding Proposed Agenda Items for Next Board Meeting**  
(September 21-22, 2017, San Diego)

CalTrans District 11  
4050 Taylor Street, Gallegos Room #134  
San Diego, CA 92110-2737

**XII. Closed Session – The Board will meet in Closed Session to discuss, as needed:**

- A. Personnel Matters [Pursuant to Government Code sections 11126(a) and (b)]
  - 1. Executive Officer Performance Evaluation
- B. Examination Procedures and Results [Pursuant to Government Code section 11126(c)(1)]
- C. Administrative Adjudication [Pursuant to Government Code section 11126(c)(3)]
- D. Pending Litigation [Pursuant to Government Code section 11126(e)]
  - 1. Thomas Lutge v. Board for Professional Engineers, Land Surveyors, and Geologists, Department of Consumer Affairs, Court of Appeal, Third Appellate District, Case No. C075779 (Sacramento Superior Court Case No. 34-2012-80001329-CU-WM-GDS)
  - 2. Lawrence Allen Stevens v. Board for Professional Engineers, Land Surveyors, and Geologists, Department of Consumer Affairs, Sacramento Superior Court Case No. 34-2016-80002334

**XIII. Open Session to Announce the Results of Closed Session**

During Closed Session, the Board discussed litigation as noticed, took action on three stipulations, one default decision, and one proposed decision, and conducted the Executive Officer performance evaluation.

**XIV. Adjourn**

The Board adjourned at 4:40 p.m.

**PUBLIC PRESENT**

John B. Rogers, CLE Engineers and ASCE  
Josh Tatman, Port of Long Beach  
Joan Davidson  
Kimberley Holtz, Long Beach Gas and Oil  
Carl Josephson, SEAOC  
Hugh Robertson, AEG  
Roman Vazquez III, Southern California Edison  
Chris Ehe, E.H.E.  
Rob McMillan, CLSA



**XI. Discussion Regarding Proposed Agenda Items for Next Board Meeting**  
**(November 6-7, 2017, Ontario)**

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**XII. Closed Session – The Board will meet in Closed Session to discuss, as needed:**

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- A. Examination Procedures and Results [Pursuant to Government Code section 11126(c)(1)]
- B. Administrative Adjudication [Pursuant to Government Code section 11126(c)(3)]
- C. Pending Litigation [Pursuant to Government Code section 11126(e)]
  - 1. Thomas Lutge v. Board for Professional Engineers, Land Surveyors, and Geologists, Department of Consumer Affairs, Court of Appeal, Third Appellate District, Case No. C075779 (Sacramento Superior Court Case No. 34-2012-80001329-CU-WM-GDS)
  - 2. Lawrence Allen Stevens v. Board for Professional Engineers, Land Surveyors, and Geologists, Department of Consumer Affairs, Sacramento Superior Court Case No. 34-2016-80002334



**XIII. Open Session to Announce the Results of Closed Session**



**XIV. Adjourn**

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