Introducción por Assembly Member Patterson
(Coautores: Assembly Members Choi, Gallagher, Lackey, Melendez, and Voepel)
(Coautores: Senators Bates, Morrell, and Nielsen)

January 10, 2019

Un acto para ampliar las Secciones 7316, 19011, 19017, 19051, 19059.5, 19060.6, y 19170 de, y agregar y revocar la Sección 101.5 de, y revocar Secciones 19010.1 y 19052 de, la Código de Comercio y Profesiones, y revocar la Sección 110371 del Código de Salud e Seguridad, relativo a profesiones y vocaciones.

LEGISLATIVE COUNSEL'S DIGEST

AB 193, como revisado, Patterson. Profesiones y vocaciones.
(1) La ley existente establece la Oficina de Asuntos del Consumidor en el Agencia de Negocios, Servicios al Consumidor y Vivienda para, entre otras cosas, asegurar que ciertas empresas y profesiones que tienen un impacto potencial sobre la salud pública, seguridad, y bienestar sean adecuadamente reguladas.

Este acto requeriría al departamento, comenzando el 1 de enero de 2021, para llevar a cabo una revisión exhaustiva de todas las licencias requeridas para cada profesión regulada por un consejo dentro del departamento y identificar licencias innecesarias, como definido por el acto. El acto, comenzando el 1 de febrero de 2021, y cada dos años después, requeriría a cada consejo dentro del departamento enviar un informe al departamento sobre su acto de revisar y revisar las licencias innecesarias.
assessments on the board’s progress in implementing policies to facilitate
licensure portability for active duty service members, veterans, and
military spouses that includes specified information. The bill would
require the department to report to the Legislature on January 1, 2023, and every 2 years thereafter, on the department’s progress.
progress in conducting its review; and would require the department to
issue a final report to the Legislature no later than January 1, 2033. The bill would require the biennial reports to the Legislature to
include the assessment information submitted by each board to the
department, to identify the professions reviewed, reviewed by the
department, each unnecessary licensing requirement, and the
department’s recommendations to the Legislature on whether to keep,
modify, or eliminate the unnecessary licensing requirement. The bill
would require the department to apply for federal funds that have been
made available specifically for the purpose of reviewing, updating, and
eliminating overly burdensome licensing requirements, as provided.

(2) Existing law, the Barbering and Cosmetology Act, provides for
the licensure and regulation of the practice of cosmetology by the State
Board of Barbering and Cosmetology in the department and defines the
practice of both barbering and cosmetology to include shampooing the
hair of any person. The act also specifies that, within the practice of
cosmetology, there is the specialty branch of skin care, which includes
applying makeup.

This bill would delete shampooing another person from the practice
of barbering and cosmetology, and would delete the act of applying
makeup on another person from the specialty practice of skin care. The
bill would require a person who does not hold a barbering or
cosmetology license to disclose that fact before the unlicensed person
applies makeup to or shampoos the hair of another person.

(3) Existing law provides for the regulation of custom upholsterers
by the Bureau of Household Goods and Services in the department, and
requires every custom upholsterer to hold a custom upholsterer’s license.

This bill would delete those provisions requiring licensure of custom
upholsterers.

(4) The bill would make conforming and other nonsubstantive
changes.

State-mandated local program: no.
The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) Many entities, including the Federal Trade Commission, the United States Department of Labor, and the Milton Marks “Little Hoover” Commission on California State Government Organization and Economy, have acknowledged the unnecessary burdens that occupational licensing places on otherwise qualified workers.

(b) Unnecessary licensing increases costs for consumers and restricts opportunities for workers.

(c) Researchers show that occupational licensing restrictions can result in almost three million fewer jobs and a cost of over $200,000,000,000 to consumers.

(d) The Institute for Justice estimates that burdensome licensing in California results in a loss of 195,917 jobs and $22,000,000,000 in misallocated resources.

(e) California is the most broadly and onerously licensed state in the nation and has been identified as the nation’s worst licensing environment for workers in lower-income occupations.

(f) Licensing is also believed to disproportionately affect minorities and exacerbate income inequality.

SEC. 2. Section 101.5 is added to the Business and Professions Code, to read:

101.5. (a) The department shall apply for federal funds that have been made available specifically for the purposes of reviewing, updating, and eliminating overly burdensome licensing requirements.

(b) Beginning on January 1, 2021, the department shall conduct a comprehensive review of all licensing requirements for each profession and shall identify unnecessary licensing requirements. The department shall conduct the review whether or not the state receives federal funds pursuant to subdivision (a).

(c) (1) Beginning on February 1, 2021, and every two years thereafter, each board identified in Section 101 shall submit to the department an assessment on the board’s progress in implementing policies to facilitate licensure portability for active duty service members, veterans, and military spouses. The assessment shall include the following information:
(A) The number of active duty service members, veterans, and military spouses who applied for licensure for each of the previous two calendar years.

(B) The board’s process for expediting applications for active duty service members, veterans, and military spouses, the average processing time for an expedited application, and the number of expedited application requests received in each of the previous two calendar years.

(C) The number of applications for waived renewal fees submitted by active duty service members in each of the previous two calendar years.

(D) If the board issues temporary licenses pursuant to Section 115.6, the duration of, and requirements for obtaining, the temporary license.

(E) Whether an applicant may apply, and the requirements, for licensure by endorsement.

(F) A list of the states with which the board maintains reciprocity agreements, if any.

(2) The department shall submit the information received pursuant to paragraph (1) as part of the report required to be submitted to the Legislature pursuant to subdivision (d).

(2) The department shall submit the information received pursuant to paragraph (1) as part of the report required to be submitted to the Legislature pursuant to subdivision (d).

(d) The department shall report to the Legislature on January 1, 2023, and every two years thereafter until the department has completed its review, on the department’s progress in conducting the review. The department shall issue a final report to the Legislature no later than January 1, 2033. Each biennial report shall be organized by board and shall include all of the following:

(1) The professions reviewed by the department in the preceding two years.

(2) Unnecessary licensing requirements identified by the department for each profession reviewed.

(3) For each unnecessary licensing requirement, the department’s recommendation to the Legislature to keep, modify, or eliminate the unnecessary licensing requirement.

(4) For each unnecessary licensing requirement that the department recommends to keep, facts supporting the department’s recommendation.
(5) The information submitted to the department pursuant to paragraph (2) of subdivision (c).

(e) The department may use national licensing standards, where applicable, as a baseline for evaluating the necessity of licensing requirements.

(f) For purposes of this section, the following definitions apply:

(1) “Military spouse” means a person who is married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in this state under official active duty military orders.

(2) “Profession” means a profession or vocation regulated by a board identified in Section 101.

(3) “Unnecessary licensing requirement” means a licensing requirement that does not satisfy either of the following criteria:

(A) Protects the health and safety of the public or a licensee.

(B) Satisfies a national licensing or certification requirement.

(g) A report to be submitted pursuant to subdivision (d) shall be submitted in compliance with Section 9795 of the Government Code.

(h) Notwithstanding Section 10231.5 of the Government Code, this section is repealed on January 1, 2034.

SEC. 3. Section 7316 of the Business and Professions Code is amended to read:

7316. (a) The practice of barbering is all or any combination of the following practices:

(1) Shaving or trimming the beard or cutting the hair.

(2) Giving facial and scalp massages or treatments with oils, creams, lotions, or other preparations either by hand or mechanical appliances.

(3) Singeing, arranging, dressing, curling, waving, chemical waving, hair relaxing, or dyeing the hair or applying hair tonics.

(4) Applying cosmetic preparations, antiseptics, powders, oils, clays, or lotions to scalp, face, or neck.
(5) Hairstyling of all textures of hair by standard methods that are current at the time of the hairstyling.

(b) The practice of cosmetology is all or any combination of the following practices:

(1) Arranging, dressing, curling, waving, machineless permanent waving, permanent waving, cleansing, cutting, relaxing, singeing, bleaching, tinting, coloring, straightening, dyeing, applying hair tonics to, beautifying, or otherwise treating by any means, the hair of any person.

(2) Massaging, cleaning, or stimulating the scalp, face, neck, arms, or upper part of the human body, by means of the hands, devices, apparatus, or appliances, with or without the use of cosmetic preparations, antiseptics, tonics, lotions, or creams.

(3) Beautifying the face, neck, arms, or upper part of the human body, by use of cosmetic preparations, antiseptics, tonics, lotions, or creams.

(4) Removing superfluous hair from the body of any person by the use of depilatories or by the use of tweezers, chemicals, or preparations or by the use of devices or appliances of any kind or description, except by the use of light waves, commonly known as rays.

(5) Cutting, trimming, polishing, tinting, coloring, cleansing, or manicuring the nails of any person.

(6) Massaging, cleansing, treating, or beautifying the hands or feet of any person.

(c) Within the practice of cosmetology there exist the specialty branches of skin care and nail care.

(1) Skin care is any one or more of the following practices:

(A) Giving facials, giving skin care, removing superfluous hair from the body of any person by the use of depilatories, tweezers, or waxing, or applying eyelashes to any person.

(B) Beautifying the face, neck, arms, or upper part of the human body, by use of cosmetic preparations, antiseptics, tonics, lotions, or creams.

(C) Massaging, cleaning, or stimulating the face, neck, arms, or upper part of the human body, by means of the hands, devices, apparatus, or appliances, with the use of cosmetic preparations, antiseptics, tonics, lotions, or creams.

(2) Nail care is the practice of cutting, trimming, polishing, coloring, tinting, cleansing, manicuring, or pedicuring the nails of
any person or massaging, cleansing, or beautifying from the elbow
to the fingertips or the knee to the toes of any person.
(d) The practice of barbering and the practice of cosmetology
do not include any of the following:
(1) The mere sale, fitting, or styling of wigs or hairpieces.
(2) Natural hair braiding. Natural hair braiding is a service that
results in tension on hair strands or roots by twisting, wrapping,
weaving, extending, locking, or braiding by hand or mechanical
device, provided that the service does not include haircutting or
the application of dyes, reactive chemicals, or other preparations
to alter the color of the hair or to straighten, curl, or alter the
structure of the hair.
(3) Threading. Threading is a technique that results in removing
hair by twisting thread around unwanted hair and pulling it from
the skin and the incidental trimming of eyebrow hair.
(4) Shampooing hair. However, before a person who does not
hold a barbering or cosmetology license shampoos the hair of
another person, the unlicensed person shall disclose verbally or in
writing to the other person that they do not hold a barbering or
cosmetology license.
(5) Applying makeup. However, before a person who does not
hold a barbering or cosmetology license applies makeup to another
person, the unlicensed person shall disclose verbally or in writing
to the other person that they do not hold a barbering or cosmetology
license.
(e) Notwithstanding paragraph (2) of subdivision (d), a person
who engages in natural hairstyling, which is defined as the
provision of natural hair braiding services together with any of the
services or procedures defined within the regulated practices of
barbering or cosmetology, is subject to regulation pursuant to this
chapter and shall obtain and maintain a barbering or cosmetology
license as applicable to the services respectively offered or
performed.
(f) Electrolysis is the practice of removing hair from, or
destroying hair on, the human body by the use of an electric needle
only.
“Electrolysis” as used in this chapter includes electrolysis or
thermolysis.
SEC. 4. Section 19010.1 of the Business and Professions Code
is repealed.
SEC. 5. Section 19011 of the Business and Professions Code is amended to read:

19011. “Manufacturer” means a person who, either by themselves or through employees or agents, makes any article of upholstered furniture or bedding in whole or in part, using either new or secondhand material.

SEC. 6. Section 19017 of the Business and Professions Code is amended to read:

19017. “Owner’s material” means any article or material belonging to a person for their own, or their tenant’s use, that is sent to any manufacturer or bedding renovator or used in repairing or renovating.

SEC. 7. Section 19051 of the Business and Professions Code is amended to read:

19051. Every upholstered-furniture retailer, unless the person holds an importer’s license, a furniture and bedding manufacturer’s license, a wholesale furniture and bedding dealer’s license, or a retail furniture and bedding dealer’s license, shall hold a retail furniture dealer’s license.

(a) This section does not apply to a person whose sole business is designing and specifying for interior spaces, and who purchases specific amenable upholstered furniture items on behalf of a client, provided that the furniture is purchased from an appropriately licensed importer, wholesaler, or retailer. This section does not apply to a person who sells “used” and “antique” furniture as defined in Sections 19008.1 and 19008.2.

(b) This section does not apply to a person who is licensed as a home medical device retail facility by the State Department of Health Services, provided that the furniture is purchased from an appropriately licensed importer, wholesaler, or retailer.

SEC. 8. Section 19052 of the Business and Professions Code is repealed.

SEC. 9. Section 19059.5 of the Business and Professions Code is amended to read:

19059.5. Every sanitizer shall hold a sanitizer’s license unless the person is licensed as a home medical device retail facility by the State Department of Health Services or as an upholstered furniture and bedding manufacturer, retail furniture and bedding dealer, or retail bedding dealer.
SEC. 10. Section 19060.6 of the Business and Professions Code is amended to read:

19060.6. Every person who, on their own account, advertises, solicits, or contracts to manufacture upholstered furniture or bedding, and who either does the work themselves or has others do it, shall obtain the particular license required by this chapter for the particular type of work that the person solicits or advertises that the person will do, regardless of whether the person has a shop or factory.

SEC. 11. Section 19170 of the Business and Professions Code is amended to read:

19170. (a) The fee imposed for the issuance and for the biennial renewal of each license granted under this chapter shall be set by the chief, with the approval of the director, at a sum not more nor less than that shown in the following table:

<table>
<thead>
<tr>
<th>License Type</th>
<th>Minimum Fee</th>
<th>Maximum Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Importer's license</td>
<td>$120</td>
<td>$940</td>
</tr>
<tr>
<td>Furniture and bedding manufacturer's license</td>
<td>$940</td>
<td>$120</td>
</tr>
<tr>
<td>Wholesale furniture and bedding dealer's license</td>
<td>$675</td>
<td>$120</td>
</tr>
<tr>
<td>Supply dealer's license</td>
<td>$675</td>
<td>$120</td>
</tr>
<tr>
<td>Sanitizer's license</td>
<td>$80</td>
<td>$450</td>
</tr>
<tr>
<td>Retail furniture and bedding dealer's license</td>
<td>$300</td>
<td>$40</td>
</tr>
<tr>
<td>Retail furniture dealer's license</td>
<td>$150</td>
<td>$20</td>
</tr>
<tr>
<td>Retail bedding dealer's license</td>
<td>$150</td>
<td>$20</td>
</tr>
</tbody>
</table>

(b) Individuals who, in their own homes and without the employment of any other person, make, sell, advertise, or contract to make pillows, quilts, quilted pads, or comforters are exempt from the fee requirements imposed by subdivision (a). However, these individuals shall comply with all other provisions of this chapter.

(c) Retailers who only sell “used” and “antique” furniture as defined in Sections 19008.1 and 19008.2 are exempt from the fee requirements imposed by subdivision (a). Those retailers are also exempt from the other provisions of this chapter.
(d) A person who makes, sells, or advertises upholstered furniture and bedding as defined in Sections 19006 and 19007, and who also makes, sells, or advertises furniture used exclusively for the purpose of physical fitness and exercise, shall comply with the fee requirements imposed by subdivision (a).

(e) A person who has paid the required fee and who is licensed as an upholstered furniture and bedding manufacturer under this chapter shall not be required to additionally pay the fee for a sanitizer’s license.

SEC. 12. Section 110371 of the Health and Safety Code is amended to read:

110371. (a) A professional cosmetic manufactured on or after July 1, 2020, for sale in this state shall have a label affixed on the container that satisfies all of the labeling requirements for any other cosmetic pursuant to the Federal Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 301, et seq.), and the federal Fair Packaging and Labeling Act (15 U.S.C. Sec. 1451, et seq.).

(b) The following definitions shall apply to this section:

(1) “Ingredient” has the same meaning as in Section 111791.5.

(2) “Professional” means a person that has been granted a license by the State Board of Barbering and Cosmetology to practice in the field of cosmetology, barbering, or esthetics.

(3) “Professional cosmetic” means a cosmetic product as it is defined in Section 109900 that is intended or marketed to be used only by a professional on account of a specific ingredient, increased concentration of an ingredient, or other quality that requires safe handling, or is otherwise used by a professional.
An act to add Section 110.5 to the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL’S DIGEST

AB 476, as introduced, Blanca Rubio. Department of Consumer Affairs: task force: foreign-trained professionals.

Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs. Existing law establishes the Bagley-Keene Open Meeting Act, which requires state boards, commissions, and similar state-created multimember bodies to give public notice of meetings and conduct their meetings in public unless authorized to meet in closed session.

This bill, the California Opportunity Act of 2019, would require the Department of Consumer Affairs to create a task force, as specified, to study and write a report of its findings and recommendations regarding the licensing of foreign-trained professionals with the goal of integrating foreign-trained professionals into the state’s workforce, as specified. The bill would authorize the task force to hold hearings and invite testimony from experts and the public to gather information. The bill would require the task force to submit the report to the Legislature no later than January 1, 2021, as specified.

The bill also would require the task force to meet at least once each calendar quarter, as specified, and to hold its meetings in accordance with the Bagley-Keene Open Meeting Act. The bill would require each member of the task force to receive per diem and reimbursement for
expenses incurred, as specified, and would require the task force to solicit input from a variety of government agencies, stakeholders, and the public, including, among others, the Little Hoover Commission and the California Workforce Development Board.


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

1. SECTION 1. This act shall be known as the California Opportunity Act of 2019.
2. SEC. 2. Section 110.5 is added to the Business and Professions Code, to read:
3. 110.5. (a) The Department of Consumer Affairs shall create a task force to study, and write the report described in subdivision (c) regarding, the licensing of foreign-trained professionals with the goal of integrating foreign-trained professionals into the state’s workforce.
4. (b) The task force shall consist of the following 15 members:
5. (1) The Director of Consumer Affairs, or the director’s designee, who shall serve as the chair of the task force.
6. (2) One member appointed by the Governor.
7. (3) One member appointed by the President pro Tempore of the Senate.
8. (4) One member appointed by the Speaker of the Assembly.
9. (5) One member of the Regents of the University of California.
10. (6) One member of the Trustees of the California State University.
11. (7) One member of the Board of Governors of the California Community Colleges.
12. (8) Four members appointed by the Governor who are representatives of the private sector from diverse regions in the state.
13. (9) Four members appointed by the Governor who are representatives of nonprofit organizations that serve the immigrant community from diverse regions in the state.
14. (c) (1) The task force shall write a report of its findings and recommendations regarding the licensing of foreign-trained professionals, that include, but are not limited to, the following:
(A) Strategies to integrate foreign-trained professionals and methods of implementing those strategies, including those recommended by the Little Hoover Commission in its October 2016 report entitled Jobs for Californians: Strategies to Ease Occupational Licensing Barriers (Report #234).

(B) Identification of state and national licensing regulations that potentially pose unnecessary barriers to practice for foreign-trained professionals, corresponding changes to state licensing requirements, and opportunities to advocate for corresponding changes to national licensing requirements.

(C) Identification of best practices learned from similar efforts to integrate foreign-trained professionals into the workforce in other states.

(2) The task force may include in the report guidelines for full licensure and conditional licensing of foreign-trained professionals.

(3) The task force may hold hearings and invite testimony from experts and the public to gather information.

(d) The task force shall submit the report described in subdivision (c) to the Legislature no later than January 1, 2021, and in compliance with Section 9795 of the Government Code.

(e) The following shall also apply:

(1) The task force shall meet at least once each calendar quarter. The task force shall meet at least once in northern California, once in central California, and once in southern California to facilitate participation by the public.

(2) A majority of the appointed task force shall constitute a quorum. Task force meetings shall be held in accordance with the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code).

(3) (A) Each member shall receive a per diem of one hundred dollars ($100) for each day actually spent in the discharge of official duties, and shall be reimbursed for traveling and other expenses necessarily incurred in the performance of official duties.

(B) Notwithstanding any other law, a public officer or employee shall not receive per diem salary compensation for serving on the task force on any day when the officer or employee also received compensation for their regular public employment.
(4) The task force shall solicit input from a variety of government agencies, stakeholders, and the public, including, but not limited to, the following:

(A) The Little Hoover Commission.
(B) The California Workforce Development Board.
(C) The Department of Industrial Relations.
(D) In- and out-of-state licensing entities.
(E) Professional associations.
(F) Labor and workforce organizations.
AMENDED IN ASSEMBLY MARCH 21, 2019
CALIFORNIA LEGISLATURE—2019–20 REGULAR SESSION

ASSEMBLY BILL No. 544

Introduced by Assembly Member Brough

February 13, 2019

An act to amend Section 4073 of the Business and Professions Code, relating to healing arts. An act to amend Sections 121.5, 462, 703, 1006.5, 1718, 1718.3, 1936, 2427, 2456.3, 2535.2, 2538.54, 2646, 2734, 2892.1, 2984, 3147, 3147.7, 3524, 3774, 3775.5, 4545, 4843.5, 4901, 4966, 4989.36, 4999.104, 5070.6, 5600.2, 5680.1, 6796, 6980.28, 7076.5, 7417, 7672.8, 7725.2, 7729.1, 7881, 7883, 8024.7, 8802, 9832, 9832.5, 9884.5, 19170.5, and 19290 of the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL’S DIGEST

AB 544, as amended, Brough. Prescriptions—Professions and vocations: inactive license fees and accrued and unpaid renewal fees.

Existing law provides for the licensure and regulation of professions and vocations by various boards within the Department of Consumer Affairs. Existing law provides for the payment of a fee for the renewal of certain licenses, certificates, or permits in an inactive status, and, for certain licenses, certificates, and permits that have expired, requires the payment of all accrued fees as a condition of reinstatement of the license, certificate, or permit.

This bill would limit the maximum fee for the renewal of a license in an inactive status to no more than 50% of the renewal fee for an active license. The bill would also prohibit a board from requiring payment of accrued and unpaid renewal fees as a condition of reinstating an expired license or registration.
The Pharmacy Law provides for the licensure and regulation of pharmacists and pharmacies by the California State Board of Pharmacy, which is within the Department of Consumer Affairs, and authorizes a pharmacist filling a prescription order for a drug product prescribed by its brand or trade name to select another drug product with the same active chemical ingredients of the same strength, quantity, and dosage form, and of the same generic drug name of those drug products having the same active chemical ingredients, as specified.

This bill would make a nonsubstantive change to that provision.


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

SECTION 1. Section 121.5 of the Business and Professions Code is amended to read:

121.5. (a) Except as otherwise provided in this code, the application of delinquency fees or accrued and unpaid renewal fees for the renewal of expired licenses or registrations shall not apply to licenses or registrations that have lawfully been designated as inactive or retired.

(b) Notwithstanding any other law, a board shall not require a person to pay accrued and unpaid renewal fees as a condition of reinstating an expired license or registration.

SEC. 2. Section 462 of the Business and Professions Code is amended to read:

462. (a) Any of the boards, bureaus, commissions, or programs within the department may establish, by regulation, a system for an inactive category of licensure for persons who are not actively engaged in the practice of their profession or vocation.

(b) The regulation shall contain the following provisions:

(1) The holder of an inactive license issued pursuant to this section shall not engage in any activity for which a license is required.

(2) An inactive license issued pursuant to this section shall be renewed during the same time period in which an active license is renewed. The holder of an inactive license need not comply with any continuing education requirement for renewal of an active license.
(3) The renewal fee for a license in an active status shall apply also for a renewal of a license in an inactive status, unless a lesser renewal fee is specified by the board. Status shall be no more than 50 percent of the renewal fee for a license in an active status.

(4) In order for the holder of an inactive license issued pursuant to this section to restore his or her the license to an active status, the holder of an inactive license shall comply with all the following:

(A) Pay the renewal fee.

(B) If the board requires completion of continuing education for renewal of an active license, complete continuing education equivalent to that required for renewal of an active license, unless a different requirement is specified by the board.

(C) This section shall not apply to any healing arts board as specified in Section 701.

SEC. 3. Section 703 of the Business and Professions Code is amended to read:

703. (a) An inactive healing arts license or certificate issued pursuant to this article shall be renewed during the same time period at which an active license or certificate is renewed. In order to renew a license or certificate issued pursuant to this article, the holder thereof need not comply with any continuing education requirement for renewal of an active license or certificate.

(b) Notwithstanding any other law, the renewal fee for a license or certificate in an active inactive status shall apply also for renewal of a license or certificate in an inactive status, unless a lower fee has been established by the issuing board. Be no more than 50 percent of the renewal fee for a license in an active status.

SEC. 4. Section 1006.5 of the Business and Professions Code is amended to read:

1006.5. Notwithstanding any other law, the amount of regulatory fees necessary to carry out the responsibilities required by the Chiropractic Initiative Act and this chapter are fixed in the following schedule:

(a) Fee to apply for a license to practice chiropractic: three hundred seventy-one dollars ($371).

(b) Fee for initial license to practice chiropractic: one hundred eighty-six dollars ($186).

(c) Fee to renew an active inactive license to practice chiropractic: three hundred thirteen dollars ($313).
(d) Fee to renew an inactive license to practice chiropractic: no more than 50 percent of the renewal fee for an active license.
(e) Fee to apply for approval as a continuing education provider: eighty-four dollars ($84).
(f) Biennial continuing education provider renewal fee: fifty-six dollars ($56).
(g) Fee to apply for approval of a continuing education course: fifty-six dollars ($56) per course.
(h) Fee to apply for a satellite office certificate: sixty-two dollars ($62).
(i) Fee to renew a satellite office certificate: thirty-one dollars ($31).
(j) Fee to apply for a license to practice chiropractic pursuant to Section 9 of the Chiropractic Initiative Act: three hundred seventy-one dollars ($371).
(k) Fee to apply for a certificate of registration of a chiropractic corporation: one hundred eighty-six dollars ($186).
(l) Fee to renew a certificate of registration of a chiropractic corporation: thirty-one dollars ($31).
(m) Fee to file a chiropractic corporation special report: thirty-one dollars ($31).
(n) Fee to apply for approval as a referral service: five hundred fifty-seven dollars ($557).
(o) Fee for an endorsed verification of licensure: one hundred twenty-four dollars ($124).
(p) Fee for replacement of a lost or destroyed license: fifty dollars ($50).
(q) Fee for replacement of a satellite office certificate: fifty dollars ($50).

(r) Fee for replacement of a certificate of registration of a chiropractic corporation: fifty dollars ($50).

(s) Fee to restore a forfeited or canceled license to practice chiropractic: double the annual renewal fee specified in subdivision (c).

(t) Fee to apply for approval to serve as a preceptor: thirty-one dollars ($31).

(u) Fee to petition for reinstatement of a revoked license: three hundred seventy-one dollars ($371).

(v) Fee to petition for early termination of probation: three hundred seventy-one dollars ($371).

(w) Fee to petition for reduction of penalty: three hundred seventy-one dollars ($371).

SEC. 5. Section 1718 of the Business and Professions Code is amended to read:

1718. Except as otherwise provided in this chapter, an expired license may be renewed at any time within five years after its expiration on filing of application for renewal on a form prescribed by the board, and payment of all accrued renewal and delinquency fees. If the license is renewed more than 30 days after its expiration, the licensee, as a condition precedent to renewal, shall also pay the delinquency fee prescribed by this chapter. Renewal under this section shall be effective on the date on which the application is filed, on the date on which the renewal fee is paid, or on the date on which the delinquency fee, if any, is paid, whichever last occurs. If so renewed, the license shall continue in effect through the expiration date provided in Section 1715 which next occurs after the effective date of the renewal, when it shall expire if it is not again renewed.

SEC. 6. Section 1718.3 of the Business and Professions Code is amended to read:
1718.3. (a) A license which is not renewed within five years after its expiration may not be renewed, restored, reinstated, or reissued thereafter, but the holder of the license may apply for and obtain a new license if the following requirements are satisfied:

1. No fact, circumstance, or condition exists which would justify denial of licensure under Section 480.
2. The person pays all of the fees which would be required of him or her if he or she were then applying for the license for the first time and all the renewal and delinquency fees which have accrued since the date on which he or she last renewed his or her license.
3. The person takes and passes the examination, if any, which would be required of him or her if he or she were then applying for the license for the first time, or otherwise establishes to the satisfaction of the board that with due regard for the public interest, he or she is qualified to practice the profession or activity in which he or she seeks to be licensed.

(b) The board may impose conditions on any license issued pursuant to this section, as it deems necessary.

(c) The board may by regulation provide for the waiver or refund of all or any part of the examination fee in those cases in which a license is issued without an examination under this section.

SEC. 7. Section 1936 of the Business and Professions Code is amended to read:

1936. Except as otherwise provided in this article, an expired license may be renewed at any time within five years after its expiration by filing an application for renewal on a form prescribed by the hygiene board and payment of all accrued the renewal and delinquency fees. If the license is renewed after its expiration, the licensee, as a condition precedent of renewal, shall also pay the delinquency fee prescribed by this article. Renewal under this section shall be effective on the date on which the application is filed, on the date on which the renewal fee is paid, or on the date on which the delinquency fee, if any, is paid, whichever last occurs. If so renewed, the license shall continue in effect until the expiration date provided in Section 1935 that next occurs after the effective date of the renewal.

SEC. 8. Section 2427 of the Business and Professions Code is amended to read:
2427. (a) Except as provided in Section 2429, a license which has expired may be renewed at any time within five years after its expiration on filing an application for renewal on a form prescribed by the licensing authority and payment of all accrued renewal fees fee and any other fees required by Section 2424. If the license is not renewed within 30 days after its expiration, the licensee, as a condition precedent to renewal, shall also pay the prescribed delinquency fee, if any. Except as provided in Section 2424, renewal under this section shall be effective on the date on which the renewal application is filed, on the date on which the renewal fee or accrued renewal fees are is paid, or on the date on which the delinquency fee or the delinquency fee and penalty fee, if any, are paid, whichever last occurs. If so renewed, the license shall continue in effect through the expiration date set forth in Section 2422 or 2423 which next occurs after the effective date of the renewal, when it shall expire and become invalid if it is not again renewed.

(b) Notwithstanding subdivision (a), the license of a doctor of podiatric medicine which has expired may be renewed at any time within three years after its expiration on filing an application for renewal on a form prescribed by the licensing authority and payment of all accrued renewal fees fee and any other fees required by Section 2424. If the license is not renewed within 30 days after its expiration, the licensee, as a condition precedent to renewal, shall also pay the prescribed delinquency fee, if any. Except as provided in Section 2424, renewal under this section shall be effective on the date on which the renewal application is filed, on the date on which the renewal fee or accrued renewal fees are is paid, or on the date on which the delinquency fee or the delinquency fee and penalty fee, if any, are paid, whichever last occurs. If so renewed, the license shall continue in effect through the expiration date set forth in Section 2422 or 2423 which next occurs after the effective date of the renewal, when it shall expire and become invalid if it is not again renewed.

SEC. 9. Section 2456.3 of the Business and Professions Code is amended to read:

2456.3. Except as provided in Section 2429, a license which has expired may be renewed at any time within five years after its expiration by filing an application for renewal on a form prescribed by the board and payment of all accrued renewal fees fee and
any other fees required by Section 2455. Except as provided in
Section 2456.2, renewal under this section shall be effective on
the date on which the renewal application is filed, on the date on
which the renewal fee or accrued renewal fees are paid, or on
the date on which the delinquency fee or the delinquency fee and
penalty fee, if any, are paid, whichever last occurs. If so renewed,
the license shall continue in effect through the expiration date set
forth in Section 2456.1 which next occurs after the effective date
of the renewal.

SEC. 10. Section 2535.2 of the Business and Professions Code
is amended to read:

2535.2. Except as provided in Section 2535.3, a license that
has expired may be renewed at any time within five years after its
expiration upon filing of an application for renewal on a form
prescribed by the board and payment of all accrued and unpaid
renewal fees: the renewal fee. If the license is not renewed on or
before its expiration, the licensee, as a condition precedent to
renewal, shall also pay the prescribed delinquency fee. Renewal
under this section shall be effective on the date on which the
application is filed, on the date on which all the renewal fees are
paid, or on the date on which the delinquency fee is paid,
whichever last occurs. If so renewed, the license shall continue in
effect through the expiration date provided in Section 2535, after
the effective date of the renewal, when it shall expire and become
invalid if it is not again renewed.

SEC. 11. Section 2538.54 of the Business and Professions Code
is amended to read:

2538.54. Except as otherwise provided in this article, an expired
license may be renewed at any time within three years after its
expiration upon filing of an application for renewal on a form
prescribed by the board, and payment of all accrued and unpaid
renewal fees: the renewal fee. If the license is renewed after its
expiration the licensee, as a condition precedent to renewal, shall
also pay the delinquency fee prescribed by this article. Renewal
under this section shall be effective on the date on which the
application is filed, on the date on which the renewal fee is paid,
or on the date on which the delinquency fee, if any, is paid,
whichever last occurs. If so renewed, the license shall continue in
effect through the date provided in Section 2538.53 which next
occurs after the effective date of the renewal, when it shall expire
if it is not again renewed.

SEC. 12. Section 2646 of the Business and Professions Code
is amended to read:

2646. A license that has expired may be renewed at any time
within five years after its expiration by applying for renewal as
set forth in Section 2644. Renewal under this section shall be
effective on the date on which the renewal application is filed, on
the date on which the renewal fee or accrued renewal fees are
paid, or on the date on which the delinquency fee and penalty fee,
if any, are paid, whichever last occurs. A renewed license shall
continue in effect through the expiration date set forth in Section
2644 that next occurs after the effective date of the renewal, at
which time it shall expire and become invalid if it is not so
renewed.

SEC. 13. Section 2734 of the Business and Professions Code
is amended to read:

2734. Upon application in writing to the board and payment
of a fee not to exceed 50 percent of the biennial renewal fee,
a licensee may have his license placed in an inactive status
for an indefinite period of time. A licensee whose license is in an
inactive status may not practice nursing. However, such a licensee
does not have to comply with the continuing education standards
of Section 2811.5.

SEC. 14. Section 2892.1 of the Business and Professions Code
is amended to read:

2892.1. Except as provided in Sections 2892.3 and 2892.5, an
expired license may be renewed at any time within four years after
its expiration upon filing of an application for renewal on a form
prescribed by the board, payment of all accrued and unpaid renewal
fees, the renewal fee, and payment of any fees due pursuant to
Section 2895.1.

If the license is renewed more than 30 days after its expiration,
the licensee, as a condition precedent to renewal, shall also pay
the delinquency fee prescribed by this chapter. Renewal under this
section shall be effective on the date on which the application is
filed, on the date on which the fees are paid, or on the date on which the delinquency fee is paid, whichever last
occurs. If so renewed, the license shall continue in effect through
the date provided in Section 2892 which next occurs after the
effective date of the renewal, when it shall expire if it is not again
renewed.

SEC. 15. Section 2984 of the Business and Professions Code
is amended to read:

2984. Except as provided in Section 2985, a license that has
expired may be renewed at any time within three years after its
expiration on filing of an application for renewal on a form
prescribed by the board and payment of all accrued and unpaid
the renewal fees. If the license is renewed after its expiration,
the licensee, as a condition precedent to renewal, shall also pay
the prescribed delinquency fee, if any. Renewal under this section
shall be effective on the date on which the application is filed, on
the date on which all the renewal fees are paid, or on the date
on which the delinquency fee, if any, is paid, whichever last occurs.
If so renewed, the license shall continue in effect through the
expiration date provided in Section 2982 which next occurs after
the effective date of the renewal, when it shall expire and become
invalid if it is not again renewed.

SEC. 16. Section 3147 of the Business and Professions Code
is amended to read:

3147. (a) Except as otherwise provided by Section 114, an
expired optometrist license may be renewed at any time within
three years after its expiration, and a retired license issued for less
than three years may be reactivated to active status, by filing an
application for renewal or reactivation on a form prescribed by the
board, paying all accrued and unpaid the renewal fees or
reactivation fees determined by the board, paying any
delinquency fees prescribed by the board, and submitting proof of
completion of the required number of hours of continuing education
for the last two years, as prescribed by the board pursuant to
Section 3059. Renewal or reactivation to active status under this
section shall be effective on the date on which all of those
requirements are satisfied. If so renewed or reactivated to active
status, the license shall continue as provided in Sections 3146 and
3147.5.

(b) Expired statements of licensure, branch office licenses, and
fictitious name permits issued pursuant to Sections 3070, 3077,
and 3078, respectively, may be renewed at any time by filing an
application for renewal, paying all accrued and unpaid renewal
fees, the renewal fee, and paying any delinquency fees prescribed by the board.

SEC. 17. Section 3147.7 of the Business and Professions Code is amended to read:

3147.7. The provisions of Section 3147.6 shall not apply to a person holding a license that has not been renewed within three years of expiration, if the person provides satisfactory proof that he or she holds an active license from another state and meets all of the following conditions:

(a) Is not subject to denial of a license under Section 480.
(b) Applies in writing for restoration of the license on a form prescribed by the board.
(c) Pays all accrued and unpaid renewal fees fee and any delinquency fees prescribed by the board.
(d) Submits proof of completion of the required number of hours of continuing education for the last two years.
(e) Takes and satisfactorily passes the board’s jurisprudence examination.

SEC. 18. Section 3524 of the Business and Professions Code is amended to read:

3524. A license or approval that has expired may be renewed at any time within five years after its expiration by filing an application for renewal on a form prescribed by the board or Medical Board of California, as the case may be, and payment of all accrued and unpaid renewal fees fee. If the license or approval is not renewed within 30 days after its expiration, the licensed physician assistant and approved supervising physician, as a condition precedent to renewal, shall also pay the prescribed delinquency fee, if any. Renewal under this section shall be effective on the date on which the application is filed, on the date on which all the renewal fees fee is paid, or on the date on which the delinquency fee, if any, is paid, whichever occurs last. If so renewed, the license shall continue in effect through the expiration date provided in Section 3522 or 3523 which next occurs after the effective date of the renewal, when it shall expire, if it is not again renewed.

SEC. 19. Section 3774 of the Business and Professions Code is amended to read:

3774. On or before the birthday of a licensed practitioner in every other year, following the initial licensure, the board shall
mail to each practitioner licensed under this chapter, at the latest
address furnished by the licensed practitioner to the executive
officer of the board, a notice stating the amount of the renewal fee
and the date on which it is due. The notice shall state that failure
to pay the renewal fee on or before the due date and submit
evidence of compliance with Sections 3719 and 3773 shall result
in expiration of the license.

Each license not renewed in accordance with this section shall
expire but may within a period of three years thereafter be
reinstated upon payment of all accrued and unpaid the renewal
fees and penalty fees required by this chapter. The board may also
require submission of proof of the applicant’s qualifications, except
that during the three-year period no examination shall be required
as a condition for the reinstatement of any expired license that has
lapsed solely by reason of nonpayment of the renewal fee.

SEC. 20. Section 3775.5 of the Business and Professions Code
is amended to read:

3775.5. The fee for an inactive license shall be the same as no
more than 50 percent of the renewal fee for an active license for
the practice of respiratory care as specified in Section 3775.

SEC. 21. Section 4545 of the Business and Professions Code
is amended to read:

4545. Except as provided in Section 4545.2, a license that has
expired may be renewed at any time within four years after its
expiration on filing an application for renewal on a form prescribed
by the board, payment of all accrued and unpaid renewal fees, the
renewal fee, and payment of all fees required by this chapter. If
the license is renewed more than 30 days after its expiration, the
holder, as a condition precedent to renewal, shall also pay the
delinquency fee prescribed by this chapter. Renewal under this
section shall be effective on the date on which the application is
filed, on the date on which the renewal fee is paid, or on the date
on which the delinquency fee, if any, is paid, whichever last occurs.
If so renewed, the license shall continue in effect through the date
provided in Section 4544 which next occurs after the effective date
of the renewal, when it shall expire if it is not again renewed.

A certificate which was forfeited for failure to renew under the
law in effect before October 1, 1961, shall, for the purposes of this
article, be considered to have expired on the date that it became
forfeited.
SEC. 22. Section 4843.5 of the Business and Professions Code is amended to read:

4843.5. Except as otherwise provided in this article, an expired certificate of registration may be renewed at any time within five years after its expiration on filing of an application for renewal on a form prescribed by the board, and payment of all accrued and unpaid renewal fees. The renewal fee. If the certificate of registration is renewed more than 30 days after its expiration, the registrant, as a condition precedent to renewal, shall also pay the delinquency fee prescribed by this article. Renewal under this section shall be effective on the date on which the application is filed, on the date all the renewal fees are paid, or on the date on which the delinquency fee, if any, is paid, whichever occurs last.

SEC. 23. Section 4901 of the Business and Professions Code is amended to read:

4901. Except as otherwise provided in this chapter, an expired license or registration may be renewed at any time within five years after its expiration on filing of an application for renewal on a form prescribed by the board, and payment of all accrued and unpaid renewal fees. The renewal fee. If the license or registration is renewed more than 30 days after its expiration, the licensee or registrant, as a condition precedent to renewal, shall also pay the delinquency fee prescribed by this chapter. Renewal under this section shall be effective on the date on which the application is filed, on the date all renewal fees are paid, or on the date on which the delinquency fee, if any, is paid, whichever last occurs. If so renewed, the license or registration shall continue in effect through the expiration date provided in Section 4900 that next occurs after the effective date of the renewal, when it shall expire if it is not again renewed.

SEC. 24. Section 4966 of the Business and Professions Code is amended to read:

4966. Except as provided in Section 4969, a license that has expired may be renewed at any time within three years after its expiration by filing of an application for renewal on a form provided by the board, paying all accrued and unpaid renewal fees, the renewal fee, and providing proof of completing continuing education requirements. If the license is not renewed prior to its expiration, the acupuncturist, as a condition precedent to renewal,
shall also pay the prescribed delinquency fee. Renewal under this section shall be effective on the date on which the application is filed, on the date on which the renewal fee is paid, or on the date the delinquency fee is paid, whichever occurs last. If so renewed, the license shall continue in effect through the expiration date provided in Section 4965, after the effective date of the renewal, when it shall expire and become invalid if it is not again renewed.

SEC. 25. Section 4989.36 of the Business and Professions Code is amended to read:

4989.36. A licensee may renew a license that has expired at any time within three years after its expiration date by taking all of the actions described in Section 4989.32 and by paying all unpaid prior renewal fees and delinquency fees. the delinquency fee.

SEC. 26. Section 4999.104 of the Business and Professions Code is amended to read:

4999.104. Licenses issued under this chapter that have expired may be renewed at any time within three years of expiration. To renew an expired license described in this section, the licensee shall do all of the following:

(a) File an application for renewal on a form prescribed by the board.

(b) Pay all fees that would have been paid if the license had not become delinquent.

(c) Pay all the delinquency fees. fee.

(d) Certify compliance with the continuing education requirements set forth in Section 4999.76.

(d) Notify the board whether he or she the licensee has been convicted, as defined in Section 490, of a misdemeanor or felony, or whether any disciplinary action has been taken by any regulatory or licensing board in this or any other state, subsequent to the licensee’s last renewal.

SEC. 27. Section 5070.6 of the Business and Professions Code is amended to read:

5070.6. Except as otherwise provided in this chapter, an expired permit may be renewed at any time within five years after its expiration upon the filing of an application for renewal on a form
prescribed by the board, payment of all accrued and unpaid renewal fees, the renewal fee, and providing evidence satisfactory to the board of compliance as required by Section 5070.5. If the permit is renewed after its expiration, its holder, as a condition precedent to renewal, shall also pay the delinquency fee prescribed by this chapter. Renewal under this section shall be effective on the date on which the application is filed, on the date on which the accrued renewal fees are paid, or on the date on which the delinquency fee, if any, is paid, whichever last occurs. If so renewed, the permit shall continue in effect through the date provided in Section 5070.5 that next occurs after the effective date of the renewal, when it shall expire if it is not again renewed.

SEC. 28. Section 5600.2 of the Business and Professions Code is amended to read:

5600.2. Except as otherwise provided in this chapter, a license which has expired may be renewed at any time within five years after its expiration on filing of application for renewal on a form prescribed by the board, and payment of all accrued and unpaid renewal fees, the renewal fee. If a license is renewed more than 30 days after its expiration, the licenseholder, as a condition precedent to renewal, shall also pay the delinquency fee prescribed by this chapter. Renewal under this section shall be effective on the date on which the application is filed, on the date on which the renewal fee is paid, or on the date on which the delinquency fee, if any, is paid, whichever last occurs. If so renewed, the license shall continue in effect through the expiration date provided in this chapter which next occurs after the effective date of the renewal, when it shall expire if it is not again renewed.

SEC. 29. Section 5680.1 of the Business and Professions Code is amended to read:

5680.1. Except as otherwise provided in this chapter, a license that has expired may be renewed at any time within five years after its expiration on filing of an application for renewal on a form prescribed by the board, and payment of all accrued and unpaid renewal fees, the renewal fee. If the license is renewed more than 30 days after its expiration, the licenseholder, as a condition precedent to renewal, shall also pay the delinquency fee prescribed by this chapter. Renewal under this section shall be effective on the date on which the application is filed, on the date on which all the renewal fees are paid, or on the date on which the
delinquency fee, if any, is paid, whichever last occurs. If so
renewed, the license shall continue in effect through the date
provided in Section 5680 that next occurs after the effective date
of the renewal, when it shall expire if it is not again renewed.

SEC. 30. Section 6796 of the Business and Professions Code
is amended to read:
6796. Except as otherwise provided in this article, certificates
of registration as a professional engineer and certificates of
authority may be renewed at any time within five years after
expiration on filing of application for renewal on a form prescribed
by the board and payment of all accrued and unpaid renewal fees:
the renewal fee. If the certificate is renewed more than 60 days
after its expiration, the certificate holder, as a condition precedent
to renewal, shall also pay the delinquency fee prescribed by this
chapter. Renewal under this section shall be effective on the date
on which the application is filed, on the date on which the renewal
fee is paid, or on the date on which the delinquency fee, if any, is
paid, whichever last occurs.
The expiration date of a certificate renewed pursuant to this
section shall be determined pursuant to Section 6795.

SEC. 31. Section 6980.28 of the Business and Professions Code
is amended to read:
6980.28. A locksmith license not renewed within three years
following its expiration may not be renewed thereafter. Renewal
of the license within three years, or issuance of an original license
thereafter, shall be subject to payment of any and all fines
assessed by the chief or the director which are that is not pending
appeal and all other applicable fees.

SEC. 32. Section 7076.5 of the Business and Professions Code
is amended to read:
7076.5. (a) A contractor may inactivate his or her their license
by submitting a form prescribed by the registrar accompanied by
the current active license certificate. When the current license
certificate has been lost, the licensee shall pay the fee prescribed
by law to replace the license certificate. Upon receipt of an
acceptable application to inactivate, the registrar shall issue an
inactive license certificate to the contractor. The holder of an
inactive license shall not be entitled to practice as a contractor until
his or her their license is reactivated.
(b) Any licensed contractor who is not engaged in work or activities which require a contractor’s license may apply for an inactive license.

(c) Inactive licenses shall be valid for a period of four years from their due date.

(d) During the period that an existing license is inactive, no bonding requirement pursuant to Section 7071.6, 7071.8 or 7071.9 or qualifier requirement pursuant to Section 7068 shall apply. An applicant for license having met the qualifications for issuance may request that the license be issued inactive unless the applicant is subject to the provisions of Section 7071.8.

(e) The board shall not refund any of the renewal fee which a licensee may have paid prior to the inactivation of his or her the license.

(f) An inactive license shall be renewed on each established renewal date by submitting the renewal application and paying the inactive renewal fee.

(g) An inactive license may be reactivated by submitting an application acceptable to the registrar, by paying the full a fee no more than 50 percent of the renewal fee for an active license, and by fulfilling all other requirements of this chapter. No examination shall be required to reactivate an inactive license.

(h) The inactive status of a license shall not bar any disciplinary action by the board against a licensee for any of the causes stated in this chapter.

SEC. 33. Section 7417 of the Business and Professions Code is amended to read:

7417. Except as otherwise provided in this article, a license that has expired for failure of the licensee to renew within the time fixed by this article may be renewed at any time within five years following its expiration upon application and payment of all accrued and unpaid the renewal fees and delinquency fees. If the license is renewed after its expiration, the licensee, as a condition precedent to renewal, shall also pay the delinquency fee and meet current continuing education requirements, if applicable, prescribed by this chapter. Renewal under this section shall be effective on the date on which the application is filed, or on the date on which the accrued renewal fees are paid, or on the date on which the delinquency fee, if any, is paid, whichever occurs last. If so renewed, the license shall continue in effect through the expiration
date provided in this article which next occurs following the
effective date of the renewal, when it shall expire if it is not again
renewed.

SEC. 34. Section 7672.8 of the Business and Professions Code
is amended to read:

7672.8. All cremated remains disposer registrations shall expire
at midnight on September 30 of each year. A person desiring to
renew his or her their registration shall file an application for
renewal on a form prescribed by the bureau accompanied by the
required fee. A registration that has expired may be renewed within
five years of its expiration upon payment of all accrued and unpaid
renewal fees. The renewal fee. The bureau shall not renew the
registration of any person who has not filed the required annual
report until he or she the person has filed a complete annual report
with the department.

SEC. 35. Section 7725.2 of the Business and Professions Code
is amended to read:

7725.2. Except as otherwise provided in this chapter, a license
that has expired may be renewed at any time within five years after
its expiration on filing of an application for renewal on a form
prescribed by the bureau and payment of all accrued and unpaid
renewal fees. The renewal fee. If the license is not renewed within
30 days after its expiration the licensee, as a condition precedent
to renewal, shall also pay the delinquency fee prescribed by this
chapter. Renewal under this section shall be effective on the date
on which the application is filed, on the date on which all the
delinquency fee, if any, is paid, whichever last occurs. If so
renewed, the license shall continue in effect through the date
provided in Section 7725 that next occurs after the effective date
of the renewal, when it shall expire if it is not again renewed.

If a license is not renewed within one year following its
expiration, the bureau may require as a condition of renewal that
the holder of the license pass an examination on the appropriate
subjects provided by this chapter.

SEC. 36. Section 7729.1 of the Business and Professions Code
is amended to read:

7729.1. The amount of fees prescribed for a license or
certificate of authority under this act is that fixed by the following
provisions of this article. Any license or certificate of authority
provided under this act that has expired may be renewed within
five years of its expiration upon payment of all accrued and unpaid
renewal and regulatory fees: the renewal fee.

SEC. 37. Section 7881 of the Business and Professions Code
is amended to read:

7881. Except as otherwise provided in this article, certificates
of registration as a geologist or as a geophysicist, or certified
specialty certificates, may be renewed at any time within five years
after expiration on filing an application for renewal on a form
prescribed by the board and payment of all accrued and unpaid
renewal fees: the renewal fee. If the certificate is renewed more
than 30 days after its expiration, the certificate holder, as a
condition precedent to renewal, shall also pay the delinquency fee
prescribed by this chapter. Renewal under this section shall be
effective on the date on which the application is filed, on the date
on which all the renewal fees are paid, or on the date on
which the delinquency fee, if any, is paid, whichever last occurs.
If so renewed, the certificate shall continue in effect through the
date provided in Section 7880 that next occurs after the effective
date of the renewal, when it shall expire if it is not again renewed.

SEC. 38. Section 7883 of the Business and Professions Code
is amended to read:

7883. A revoked certificate is subject to expiration as provided
in this article, but it may not be renewed. If it is reinstated after its
expiration, the holder of the certificate, as a condition precedent
to its reinstatement, shall pay a reinstatement fee in an amount
equal to the renewal fee in effect on the last regular date before
the date on which it is reinstated, plus all accrued and unpaid
renewal fees reinstated and the delinquency fee, if any, accrued
at the time of its revocation.

SEC. 39. Section 8024.7 of the Business and Professions Code
is amended to read:

8024.7. The board shall establish an inactive category of
licensure for persons who are not actively engaged in the practice
of shorthand reporting.

(a) The holder of an inactive license issued pursuant to this
section shall not engage in any activity for which a license is
required.

(b) An inactive license issued pursuant to this section shall be
renewed during the same time period in which an active license
is renewed. The holder of an inactive license is exempt from any
continuing education requirement for renewal of an active license.
(c) The renewal fee for a license in an active status shall apply
also for a renewal of a license in an inactive status, unless a lesser
renewal fee is specified by the board. Be no more than 50 percent
of the renewal fee for a license in an active status.
(d) In order for the holder of an inactive license issued pursuant
to this section to restore his or her license to an active status,
the holder of an inactive license shall comply with both of the
following:
(1) Pay the renewal fee.
(2) If the board requires completion of continuing education for
renewal of an active license, complete continuing education
equivalent to that required for renewal of an active license, unless
a different requirement is specified by the board.
SEC. 40. Section 8802 of the Business and Professions Code
is amended to read:
8802. Except as otherwise provided in this article, licenses
issued under this chapter may be renewed at any time within five
years after expiration on filing of application for renewal on a form
prescribed by the board and payment of all accrued and unpaid
renewal fees. The renewal fee. If the license is renewed more than
30 days after its expiration, the licensee, as a condition precedent
to renewal, shall also pay the delinquency fee prescribed by this
chapter. Renewal under this section shall be effective on the date
on which the application is filed, on the date on which the renewal
fee is paid, or on the date on which the delinquency fee, if any, is
paid, whichever last occurs. If so renewed, the license shall
continue in effect through the date provided in Section 8801 which
next occurs after the effective date of the renewal, when it shall
expire if it is not again renewed.
SEC. 41. Section 9832 of the Business and Professions Code
is amended to read:
9832. (a) Registrations issued under this chapter shall expire
no more than 12 months after the issue date. The expiration date
of registrations shall be set by the director in a manner to best
distribute renewal procedures throughout the year.
(b) To renew an unexpired registration, the service dealer shall,
on or before the expiration date of the registration, apply for
renewal on a form prescribed by the director, and pay the renewal
fee prescribed by this chapter.

(c) To renew an expired registration, the service dealer shall
apply for renewal on a form prescribed by the director, pay the
renewal fee in effect on the last regular renewal date, and pay all
accrued and unpaid the delinquency and renewal fees.

(d) Renewal is effective on the date that the application is filed,
filed and the renewal fee is paid, and all delinquency fees are paid.

(e) For purposes of implementing the distribution of the renewal
of registrations throughout the year, the director may extend by
not more than six months, the date fixed by law for renewal of a
registration, except that in that event any renewal fee that may be
involved shall be prorated in a manner that no person shall be
required to pay a greater or lesser fee than would have been
required had the change in renewal dates not occurred.

SEC. 42. Section 9832.5 of the Business and Professions Code
is amended to read:

9832.5. (a) Registrations issued under this chapter shall expire
no more than 12 months after the issue date. The expiration date
of registrations shall be set by the director in a manner to best
distribute renewal procedures throughout the year.

(b) To renew an unexpired registration, the service contractor
shall, on or before the expiration date of the registration, apply for
renewal on a form prescribed by the director, and pay the renewal
fee prescribed by this chapter.

(c) To renew an expired registration, the service contractor shall
apply for renewal on a form prescribed by the director, pay the
renewal fee in effect on the last regular renewal date, and pay all
accrued and unpaid the delinquency and renewal fees.

(d) Renewal is effective on the date that the application is filed,
filed and the renewal fee is paid, and all delinquency fees are paid.

(e) For purposes of implementing the distribution of the renewal
of registrations throughout the year, the director may extend, by
not more than six months, the date fixed by law for renewal of a
registration, except that in that event, any renewal fee that may be
involved shall be prorated in a manner that no person shall be
required to pay a greater or lesser fee than would have been
required had the change in renewal dates not occurred.

(f) This section shall remain in effect only until January 1, 2023,
and as of that date is repealed.
SEC. 43. Section 9884.5 of the Business and Professions Code is amended to read:

9884.5. A registration that is not renewed within three years following its expiration shall not be renewed, restored, or reinstated thereafter, and the delinquent registration shall be canceled immediately upon expiration of the three-year period.

An automotive repair dealer whose registration has been canceled by operation of this section shall obtain a new registration only if he or she again meets the requirements set forth in this chapter relating to registration, is not subject to denial under Section 480, and pays the applicable fees.

An expired registration may be renewed at any time within three years after its expiration upon the filing of an application for renewal on a form prescribed by the bureau and the payment of all accrued renewal and delinquency fees. Renewal under this section shall be effective on the date on which the application is filed and all the renewal and delinquency fees are paid. If so renewed, the registration shall continue in effect through the expiration date of the current registration year as provided in Section 9884.3, at which time the registration shall be subject to renewal.

SEC. 44. Section 19170.5 of the Business and Professions Code is amended to read:

19170.5. (a) Except as provided in Section 19170.3, licenses issued under this chapter expire two years from the date of issuance. To renew his or her a license, a licensee shall, on or before the date on which it would otherwise expire, apply for renewal on a form prescribed by the chief, and pay the fees prescribed by Sections 19170 and 19213.1. If a licensee fails to renew his or her their license before its expiration, a delinquency fee of 20 percent, but not more than one hundred dollars ($100), notwithstanding the provisions of Section 163.5, shall be added to the renewal fee. If the renewal fee and delinquency fee are not paid within 90 days after expiration of a license, the licensee shall be assessed an additional penalty fee of 30 percent of the renewal fee.

(b) Except as otherwise provided in this chapter, a licensee may renew an expired license within six years after expiration of the license by filing an application for renewal on a form prescribed
by the bureau, and paying all accrued renewal, delinquent, the renewal, delinquency, and penalty fees.

(c) A license that is not renewed within six years of its expiration shall not be renewed, restored, reinstated, or reissued, but the holder of the license may apply for and obtain a new license if both of the following requirements are satisfied:

(1) No fact, circumstance, or condition exists which would justify denial of licensure under Section 480.

(2) The licensee pays all the renewal, delinquency, and penalty fees that have accrued since the date on which the license was last renewed.

(d) The bureau may impose conditions on any license issued pursuant to subdivision (c).

SEC. 45. Section 19290 of the Business and Professions Code is amended to read:

19290. (a) Permits issued under this chapter expire two years from the date of issuance. To renew a permit, a permittee shall, on or before the date on which it would otherwise expire, apply for renewal on a form prescribed by the chief, and continue to pay the fees prescribed in Sections 19288 and 19288.1. Notwithstanding Section 163.5, if a permittee fails to renew the permit before its expiration, a delinquency fee of 20 percent of the most recent fee paid to the bureau pursuant to Sections 19288 and 19288.1 shall be added to the amount due to the bureau at the next fee interval. If the renewal fee and delinquency fee are not paid within 90 days after expiration of a permit, the permittee shall be assessed an additional fee of 30 percent of the most recent fee paid to the bureau pursuant to Sections 19288 and 19288.1.

(b) Except as otherwise provided in this chapter, a permittee may renew an expired permit within two years after expiration of the permit by filing an application for renewal on a form prescribed by the bureau, and paying all accrued fees.

(c) A permit that is not renewed within two years of its expiration shall not be renewed, restored, reinstated, or reissued, but the holder of the expired permit may apply for and obtain a new permit as provided in this chapter, upon payment of all fees that accrued since the date the permit was last renewed.

(d) The bureau may impose conditions on any permit issued pursuant to subdivision (c).
SECTION 1. Section 4073 of the Business and Professions Code is amended to read:

4073. (a) A pharmacist filling a prescription order for a drug product prescribed by its trade or brand name may select another drug product with the same active chemical ingredients of the same strength, quantity, and dosage form, and of the same generic drug name as determined by the United States Adopted Names (USAN) and accepted by the federal Food and Drug Administration (FDA), of those drug products having the same active chemical ingredients.

(b) In no case shall a selection be made pursuant to this section if the prescriber personally indicates, either orally or in the prescriber's own handwriting, "Do not substitute," or words of similar meaning. Nothing in this subdivision shall prohibit a prescriber from checking a box on a prescription marked "Do not substitute"; provided that the prescriber personally initials the box or checkmark. To indicate that a selection shall not be made pursuant to this section for an electronic data transmission prescription as defined in subdivision (c) of Section 4040, a prescriber may indicate "Do not substitute," or words of similar meaning, in the prescription as transmitted by electronic data, or may check a box marked on the prescription "Do not substitute." In either instance, it shall not be required that the prohibition on substitution be manually initialed by the prescriber.

(c) Selection pursuant to this section is within the discretion of the pharmacist, except as provided in subdivision (b). The person who selects the drug product to be dispensed pursuant to this section shall assume the same responsibility for selecting the dispensed drug product as would be incurred in filling a prescription for a drug product prescribed by generic name. There shall be no liability on the prescriber for an act or omission by a pharmacist in selecting, preparing, or dispensing a drug product pursuant to this section. In no case shall the pharmacist select a drug product pursuant to this section unless the drug product selected costs the patient less than the prescribed drug product.

Cost, as used in this subdivision, is defined to include any professional fee that may be charged by the pharmacist.

(d) This section shall apply to all prescriptions, including those presented by or on behalf of persons receiving assistance from the federal government or pursuant to the California Medical Assistance Program set forth in Chapter 7 (commencing with
Section 14000) of Part 3 of Division 9 of the Welfare and Institutions Code.

(e) When a substitution is made pursuant to this section, the use of the cost-saving drug product dispensed shall be communicated to the patient and the name of the dispensed drug product shall be indicated on the prescription label, except where the prescriber orders otherwise.
An act to add Section 101.1 to the Business and Professions Code, relating to professions and vocations, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 613, as introduced, Low. Professions and vocations: regulatory fees.
Exiting law establishes the Department of Consumer Affairs, which is comprised of boards that are established for the purpose of regulating various professions and vocations, and generally authorizes a board to charge fees for the reasonable regulatory cost of administering the regulatory program for the profession or vocation. Existing law establishes the Professions and Vocations Fund in the State Treasury, which consists of specified special funds and accounts, some of which are continuously appropriated.

This bill would authorize each board within the department to increase every 4 years any fee authorized to be imposed by that board by an amount not to exceed the increase in the California Consumer Price Index for the preceding 4 years, subject to specified conditions. The bill would require the Director of Consumer Affairs to approve any fee increase proposed by a board except under specified circumstances. By authorizing an increase in the amount of fees deposited into a continuously appropriated fund, this bill would make an appropriation.

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

SECTION 1. Section 101.1 is added to the Business and Professions Code, to read:

101.1. (a) Notwithstanding any other law, no more than once every four years, any board listed in Section 101 may increase any fee authorized to be imposed by that board by an amount not to exceed the increase in the California Consumer Price Index, as determined pursuant to Section 2212 of the Revenue and Taxation Code, for the preceding four years in accordance with the following:

(1) The board shall provide its calculations and proposed fee, rounded to the nearest whole dollar, to the director and the director shall approve the fee increase unless any of the following apply:

(A) The board has unencumbered funds in an amount that is equal to more than the board’s operating budget for the next two fiscal years.

(B) The fee would exceed the reasonable regulatory costs to the board in administering the provisions for which the fee is authorized.

(C) The director determines that the fee increase would be injurious to the public health, safety, or welfare.

(2) The adjustment of fees and publication of the adjusted fee list is not subject to the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2) of the Government Code.

(b) For purposes of this section, “fee” includes any fees authorized to be imposed by a board for regulatory costs. “Fee” does not include administrative fines, civil penalties, or criminal penalties.
ASSEMBLY BILL No. 1522

Introduced by Committee on Business and Professions

February 22, 2019

An act to amend Section 6710 and 6714 of the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL’S DIGEST

AB 1522, as introduced, Committee on Business and Professions. Board for Professional Engineers, Land Surveyors, and Geologists.

Existing law establishes the Board for Professional Engineers, Land Surveyors, and Geologists, which is within the Department of Consumer Affairs, to license and regulate engineers, land surveyors, and geologists and geophysicists and authorizes the board to appoint an executive officer. Existing law repeals these provisions on January 1, 2020.

This bill would extend the repeal date of the provision establishing the board and the board’s authority to appoint an executive officer until January 1, 2024.


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

SECTION 1. Section 6710 of the Business and Professions Code is amended to read:

6710. (a) There is in the Department of Consumer Affairs a Board for Professional Engineers, Land Surveyors, and Geologists, which consists of 15 members.
(b) Any reference in any law or regulation to the Board of Registration for Professional Engineers and Land Surveyors, or the Board for Professional Engineers and Land Surveyors, is deemed to refer to the Board for Professional Engineers, Land Surveyors, and Geologists.

(c) This section shall remain in effect only until January 1, 2024, and as of that date is repealed. Notwithstanding any other law, the repeal of this section renders the board subject to review by the appropriate policy committees of the Legislature.

SEC. 2. Section 6714 of the Business and Professions Code is amended to read:

6714. The board shall appoint an executive officer at a salary to be fixed and determined by the board with the approval of the Director of Finance.

This section shall remain in effect only until January 1, 2024, and as of that date is repealed.
An act to amend Section 11121 of the Government Code, relating to state government, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL’S DIGEST

SB 53, as introduced, Wilk. Open meetings.

The Bagley-Keene Open Meeting Act requires that all meetings of a state body, as defined, be open and public and that all persons be permitted to attend and participate in a meeting of a state body, subject to certain conditions and exceptions.

This bill would specify that the definition of “state body” includes an advisory board, advisory commission, advisory committee, advisory subcommittee, or similar multimember advisory body of a state body that consists of 3 or more individuals, as prescribed, except a board, commission, committee, or similar multimember body on which a member of a body serves in his or her official capacity as a representative of that state body and that is supported, in whole or in part, by funds provided by the state body, whether the multimember body is organized and operated by the state body or by a private corporation.

This bill would declare that it is to take effect immediately as an urgency statute.

State-mandated local program: no.
SECTION 1. Section 11121 of the Government Code is amended to read:

11121. As used in this article, “state body” means each of the following:

(a) Every state board, or commission, or similar multimember body of the state that is created by statute or required by law to conduct official meetings and every commission created by executive order.

(b) A board, commission, committee, or similar multimember body that exercises any authority of a state body delegated to it by that state body.

(c) An advisory board, advisory commission, advisory committee, advisory subcommittee, or similar multimember advisory body of a state body, if created by formal action of the state body or of any member of the state body, and if the advisory body so created consists of three or more persons, except as provided in subdivision (d).

(d) A board, commission, committee, or similar multimember body on which a member of a body that is a state body pursuant to this section serves in his or her official capacity as a representative of that state body and that is supported, in whole or in part, by funds provided by the state body, whether the multimember body is organized and operated by the state body or by a private corporation.

(e) Notwithstanding subdivision (a) of Section 11121.1, the State Bar of California, as described in Section 6001 of the Business and Professions Code. This subdivision shall become operative on April 1, 2016.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to avoid unnecessary litigation and ensure the people’s right to access the meetings of public bodies pursuant to Section 3 of Article 1 of the California Constitution, it is necessary that this act take effect immediately.
An act to amend Section 11121 of the Government Code, relating to state government, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL’S DIGEST

SB 53, as amended, Wilk. Open meetings.

The Bagley-Keene Open Meeting Act requires that all meetings of a state body, as defined, be open and public and that all persons be permitted to attend and participate in a meeting of a state body, subject to certain conditions and exceptions.

This bill would specify that the definition of “state body” includes an advisory board, advisory commission, advisory committee, advisory subcommittee, or similar multimember advisory body of a state body that consists of 3 or more individuals, as prescribed, except a board, commission, committee, or similar multimember body on which a member of a body serves in his or her official capacity as a representative of that state body and that is supported, in whole or in part, by funds provided by the state body, whether the multimember body is organized and operated by the state body or by a private corporation.
This bill would declare that it is to take effect immediately as an urgency statute.

Vote: \( \frac{2}{3} \). Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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

SECTION 1. Section 11121 of the Government Code is amended to read:

11121. As used in this article, “state body” means each of the following:

(a) Every state board, or commission, or similar multimember body of the state that is created by statute or required by law to conduct official meetings and every commission created by executive order.

(b) A board, commission, committee, or similar multimember body that exercises any authority of a state body delegated to it by that state body.

(c) An advisory board, advisory commission, advisory committee, advisory subcommittee, or similar multimember advisory body of a state body, if created by formal action of the state body or of any member of the state body, and if the advisory body so created consists of three or more persons, except as provided in subdivision (d).

(d) A board, commission, committee, or similar multimember body on which a member of a body that is a state body pursuant to this section serves in his or her official capacity as a representative of that state body and that is supported, in whole or in part, by funds provided by the state body, whether the multimember body is organized and operated by the state body or by a private corporation.

(e) Notwithstanding subdivision (a) of Section 11121.1, the State Bar of California, as described in Section 6001 of the Business and Professions Code. This subdivision shall become operative on April 1, 2016.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:
In order to avoid unnecessary litigation and ensure the people’s right to access the meetings of public bodies pursuant to Section 3 of Article 1 of the California Constitution, it is necessary that this act take effect immediately.
An act to amend Section 8776 of the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL’S DIGEST

SB 339, as amended, Jones. Land surveyors.

The Professional Land Surveyors’ Act provides for the licensure and regulation of land surveyors by the Board for Professional Engineers, Land Surveyors, and Geologists. The act requires a licensee to report to the board in writing the occurrence of specified events in relation to the licensee within 90 days of the date the licensee has knowledge of the event. Under the act, the failure of a licensee to report to the board in the time and manner required is grounds for disciplinary action. A violation of the act is a crime. The act provides that it does not impose a duty upon any licensee to report to the board the occurrence of any of those events either by or against any other licensee.

This bill would require a licensee who has direct knowledge of the occurrence of any of the specified events either by or against any other licensee to report the occurrence to the board. By imposing a new requirement on licensees, the violation of which prohibit a licensee who is retained as an expert from entering into a nondisclosure agreement, or similar agreement, if the agreement prohibits the licensee from reporting the occurrence of any of those specified events. Because a violation of this prohibition would be a crime, this bill would impose a state-mandated local program.
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.


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

SECTION 1. Section 8776 of the Business and Professions Code is amended to read:

8776. (a) A licensee shall report to the board in writing the occurrence of any of the following events that occurred on or after January 1, 2008, within 90 days of the date the licensee has knowledge of the event:

(1) The conviction of the licensee of any felony.

(2) The conviction of the licensee of any other crime that is substantially related to the qualifications, functions, and duties of a licensed land surveyor.

(3) A civil action settlement or administrative action resulting in a settlement against the licensee in any action alleging fraud, deceit, misrepresentation, breach or violation of contract, negligence, incompetence, or recklessness by the licensee in the practice of land surveying if the amount or value of the settlement is greater than fifty thousand dollars ($50,000).

(4) A civil action judgment or binding arbitration award, or administrative action resulting in a judgment or binding arbitration award, against the licensee in any action alleging fraud, deceit, misrepresentation, breach or violation of contract, negligence, incompetence, or recklessness by the licensee in the practice of land surveying if the amount or value of the judgment or binding arbitration award is twenty-five thousand dollars ($25,000) or greater.

(b) The report required by subdivision (a) shall be signed by the licensee and set forth the facts that constitute the reportable event. If the reportable event involves the action of an administrative agency or court, the report shall set forth the title of the matter, court or agency name, docket number, and the dates the reportable event occurred.
(c) A licensee shall promptly respond to oral or written inquiries from the board concerning the reportable events, including inquiries made by the board in conjunction with license renewal.

(d) Nothing in this section shall impose a duty upon any licensee to report to the board the occurrence of any of the events set forth in subdivision (a) either by or against any other licensee.

(e) Failure of a licensee to report to the board in the time and manner required by this section shall be grounds for disciplinary action.

(f) For purposes of this section, a conviction includes the initial plea, verdict, or finding of guilt; a plea of no contest; or pronouncement of sentence by a trial court even though the conviction may not be final or sentence actually imposed until all appeals are exhausted.

(g) A licensee who is retained as an expert shall not enter into a nondisclosure agreement, or similar agreement, if the agreement prohibits the licensee from reporting the occurrence of any of the events described in subdivision (a) to the board.

SECTION 1.—Section 8776 of the Business and Professions Code is amended to read:

8776.—(a) A licensee shall report to the board in writing the occurrence of any of the following events that occurred on or after January 1, 2008, within 90 days of the date the licensee has knowledge of the event:

(1) The conviction of the licensee of any felony.

(2) The conviction of the licensee of any other crime that is substantially related to the qualifications, functions, and duties of a licensed land surveyor.

(3) A civil action settlement or administrative action resulting in a settlement against the licensee in any action alleging fraud, deceit, misrepresentation, breach or violation of contract, negligence, incompetence, or recklessness by the licensee in the practice of land surveying if the amount or value of the settlement is greater than fifty thousand dollars ($50,000).

(4) A civil action judgment or binding arbitration award, or administrative action resulting in a judgment or binding arbitration award, against the licensee in any action alleging fraud, deceit, misrepresentation, breach or violation of contract, negligence, incompetence, or recklessness by the licensee in the practice of land surveying if the amount or value of the judgment or binding...
arbitration award is twenty-five thousand dollars ($25,000) or greater.

(b) The report required by subdivision (a) shall be signed by the licensee and set forth the facts that constitute the reportable event. If the reportable event involves the action of an administrative agency or court, the report shall set forth the title of the matter, court or agency name, docket number, and the dates the reportable event occurred.

(c) A licensee shall promptly respond to oral or written inquiries from the board concerning the reportable events, including inquiries made by the board in conjunction with license renewal.

(d) A licensee who has direct knowledge of the occurrence of any of the events set forth in subdivision (a) either by or against any other licensee shall report the occurrence to the board.

(e) Failure of a licensee to report to the board in the time and manner required by this section shall be grounds for disciplinary action.

(f) For purposes of this section, a conviction includes the initial plea, verdict, or finding of guilt; a plea of no contest; or pronouncement of sentence by a trial court even though the conviction may not be final or sentence actually imposed until all appeals are exhausted.

SEC. 2. No reimbursement is required by this act pursuant to Section 6 of Article XIIIB of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.
An act to amend Sections 8726 and 8729 of, and to add Sections 8728.5, 8729.1, 8786, 8790.1, 8793, 14216, and 17910.6 to, the Business and Professions Code, and to add Sections 201.1, 15902.10, 16105.1, 16953.1, and 17702.08 to the Corporation Code, relating to professional land surveyors, and making an appropriation therefor.

LEGISLATIVE COUNSEL’S DIGEST

SB 556, as introduced, Pan. Professional land surveyors.

(1) The Professional Land Surveyors’ Act provides for the licensure and regulation of professional land surveyors by the Board for Professional Engineers, Land Surveyors, and Geologists. The act establishes criminal penalties for violations of specified portions of the act, including the practice of land surveying without a license and giving false evidence to the board in obtaining a license.

Under the act, a land surveyor includes a person who engages in specified practices, including a person who locates, relocates, establishes, reestablishes, or retraces the alignment or elevation for any of the fixed works embraced within the practice of civil engineering, as defined, determines the configuration or contour of the earth’s surface, or the position of fixed objects above, on, or below the surface of the earth by applying the principles of mathematics or photogrammetry, or engages in geodetic or cadastral surveying, as defined.

This bill would include within the practices that subject a person to the act, with regard to the practice of identifying the alignment or elevation of fixed works, the laying out through the use of mathematics or geometric measurements the alignment or elevation for any of the
fixed works embraced within the practice of civil engineering, including any items designed within the practice of electrical engineering or mechanical engineering. The bill would expand the practice of land surveying to include determining the benthic surface below water bodies and the measuring for volumetric calculations of earthwork. The bill, with respect to the practice of making determinations regarding the position of objects, would expand that practice to include such a determination made by applying the principles of mathematics, photogrammetry, or remote sensing. The bill would further revise that practice so that the determination regarding the position of objects is made regarding either manmade or natural objects, instead of fixed objects. The bill would modify the definition of geodetic surveying to mean performing surveys by using techniques or methods of three-dimensional data acquisitions, and make conforming changes to that effect.

The bill would impose a state-mandated local program by expanding those practices that constitute land surveying, thereby expanding the persons subject to the act, the violation of which is a crime.

(2) Existing law requires fees and civil penalties received pursuant to the act to be deposited in the Professional Engineer’s, Land Surveyor’s, and Geologist’s Fund, and continuously appropriates those funds to the board for purposes of the act.

This bill would prohibit a business from engaging in the practice of, or offering services for, land surveying in this state unless that business obtains a certificate from the board. The bill would require the board to develop a process to that effect, including developing an application form that meets certain requirements, including that the applicant pay a fee of $200 for that certificate. This bill would impose a minimum fine of $20,000 on a business that performs land surveying without a certificate. By authorizing additional fees and penalties to be deposited into a continuously appropriated fund, this bill would make an appropriation. By expanding the scope of the existing crime with respect to giving false evidence to the board, this bill would impose a state-mandated local program.

(3) The act requires that any civil engineering, mechanical engineering, or electrical engineering plans and other specified documents, prepared by a registered engineer, that are permitted or that are to be released for construction shall bear the signature and seal or stamp of the licensee, the date of signing and sealing or stamping, and the expiration date of the certificate, authority, or registration.
The bill would require any department or agency of the state or any city, county, city and county, district, or special district that accepts any maps, plans, reports, descriptions, or other documentary evidence in connection with the practice of land surveying to report to the board any of these documents that fail to identify the person authorized to practice land surveying. The bill would require an individual or business that does not have a license or a certificate to practice land surveying to employ or contract with an individual or business that has a license or certificate to practice land surveying to perform land surveying services that are incidental to the conduct of their business. The bill would require a business, as defined, that has a certificate to practice land surveying to carry professional liability insurance or to provide notice to any person or entity to which land surveying services are offered that the business does not carry professional liability insurance.

(4) Existing law requires the board to enforce all of the provisions of the act, and to prosecute all violations of the act that come to its notice.

This bill would require the board to send a copy of each valid complaint, as defined, to all boards that regulate the health and safety of persons working on construction, building, or infrastructure projects, as well as all boards that regulate the wages and other labor requirements related to those persons.

(5) Existing law requires the Secretary of State to issue a certificate of registration for a trade mark and to file articles of incorporation, a certification of limited partnership, a statement of partnership, a registration of a limited liability partnership, or the articles of organization of a limited liability company is the filing entity meets the specified requirements. Existing law prohibits a county clerk from accepting a fictitious business name statement that includes the words “corporation” or “limited liability company” if the entity is not organized as a corporation or limited liability company respectively.

This bill would prevent the Secretary of State from issuing a certificate of registration or from filing any of these documents if the trade mark or document sets for a name in which “engineer,” “engineering,” “surveyor,” “surveying,” “mapping,” “aerial mapping,” “photogrammetry,” or any modification or derivation thereof appear, unless the business has a certificate to practice land surveying granted by the board is attached. The bill would prohibit a county clerk from accepting a fictitious business name statement setting forth a name in which “engineer,” “engineering,” “surveyor,” “surveying,” “mapping,”
“aerial mapping,” “photogrammetry,” or any modification or derivation thereof appear, unless a certificate to practice land surveying granted by the board is attached.

(6) 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.


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

SECTION 1. Section 8726 of the Business and Professions Code is amended to read:

8726. A person, including any person employed by the state or by a city, county, or city and county within the state, practices land surveying within the meaning of this chapter who, either in a public or private capacity, does or offers to do any one or more of the following:

(a) Locates, relocates, establishes, reestablishes, or retraces or lays out through the use of mathematics or geometric measurements the alignment or elevation for any of the fixed works embraced within the practice of civil engineering, as described in Section 6731, including, but not limited to, any items designed within the practice of electrical engineering, as described in Section 6731.5, or mechanical engineering, as described in Section 6731.6.

(b) Determines the configuration or contour of the earth’s surface, the benthic surface below water bodies, the measuring for volumetric calculations of earthwork, or the position of manmade or natural fixed objects above, on, or below the surface of the earth by applying the principles of mathematics, photogrammetry, or remote sensing.

(c) Locates, relocates, establishes, reestablishes, or retraces any property line or boundary of any parcel of land, right-of-way, easement, or alignment of those lines or boundaries.

(d) Makes any survey for the subdivision or resubdivision of any tract of land. For the purposes of this subdivision, the term
“subdivision” or “resubdivision” shall be defined to include, but
not be limited to, the definition in the Subdivision Map Act
(Division 2 (commencing with Section 66410) of Title 7 of the
Government Code) or the Subdivided Lands Law (Chapter 1
(commencing with Section 11000) of Part 2 of Division 4 of this
code).

(e) By the use of the principles of land surveying determines
the position for any monument or reference point which marks a
property line, boundary, or corner, or sets, resets, or replaces any
monument or reference point.

(f) Geodetic surveying or cadastral surveying. As used in this
chapter, geodetic surveying means performing surveys, by using
techniques or methods of three dimensional geospatial data
acquisition in which account is taken of the figure and size of the
earth to determine or predetermine the horizontal or vertical
positions of fixed objects thereon or related thereto, geodetic
control points, monuments, or stations for use in the practice of
land surveying or for stating the position geospatial establishment
of three dimensional positions of fixed objects, geodetic control
points, monuments, or stations by California Coordinate System
designates coordinates in accordance with Chapter 1
(commencing with Section 8801) of Division 8 of the Public
Resources Code.

(g) Determines the information shown or to be shown on any
map or document prepared or furnished in connection with any
one or more of the functions described in subdivisions (a), (b), (c),
(d), (e), and (f).

(h) Indicates, in any capacity or in any manner, by the use of
the title “land surveyor” or by any other title or by any other
representation that he or she the person practices or offers to
practice land surveying in any of its branches.

(i) Procures or offers to procure land surveying work for himself,
herself, themselves or others.

(j) Manages, or conducts as manager, proprietor, or agent, any
place of business from which land surveying work is solicited,
performed, or practiced.

(k) Coordinates the work of professional, technical, or special
consultants in connection with the activities authorized by this
chapter.
(l) Determines the information shown or to be shown within
the description of any deed, trust deed, or other title document
prepared for the purpose of describing the limit of real property
in connection with any one or more of the functions described in
subdivisions (a) to (f), inclusive.

(m) Creates, prepares, or modifies electronic or computerized
data in the performance of the activities described in subdivisions
(a), (b), (c), (d), (e), (f), (k), and (l).

(n) Renders a statement regarding the accuracy of maps or
measured survey data.

Any department or agency of the state or any city, county, or
city and county that has an unregistered person in responsible
charge of land surveying work on January 1, 1986, shall be exempt
from the requirement that the person be licensed as a land surveyor
until the person currently in responsible charge is replaced.

The review, approval, or examination by a governmental entity
of documents prepared or performed pursuant to this section shall
be done by, or under the direct supervision of, a person authorized
to practice land surveying.

SEC. 2. Section 8728.5 is added to the Business and Professions
Code, to read:
8728.5. (a) For purposes of this section, “business” means a
partnership, general partnership, limited liability partnership,
limited liability company, or corporation.

(b) A business shall not engage in the practice of, or offer
services for, land surveying, as defined in Section 8726, in the
state, unless that business obtains a certificate from the board
pursuant to the requirements of this section.

(c) The board shall create a process to certify a business
practicing land surveying. As a part of that process, the board shall
establish an application form for a business to apply for
certification, that shall contain all of the information required by
subdivision (d), as well as any other information the board
determines is necessary or convenient to administer this section.

(d) A business shall apply for a certificate to practice land
surveying by submitting an application form to the board. The
board shall grant the certificate if the business submits the
following requirements to the board:

(1) A completed application form that includes all of the
following:
(A) The name and address of the business applying for the certification.

(B) The type of land surveying practiced by the business.

(C) The name and current state license number of the professional land surveyor who will be the responsible charge of work of the business.

(D) The name of the partners in a partnership, general partnership, or limited liability partnership, the names of the members holding a majority interest of a limited liability company, or the names of the majority stockholders of a corporation.

(E) The signature and title of an agent authorized by the partnership, general partnership, limited liability partnership, limited liability company, or corporation to submit the application.

(2) An application fee of two hundred dollars ($200).

(3) A certified copy of a resolution by the partners of a partnership, the general partners of a general partnership or a limited liability partnership, the managing members of a limited liability company, or the board of directors of a corporation that designates an individual in the business with a current license issued by this state for the practice of land surveying that is the responsible charge for work and that has the authority to make all final decisions in the practice of land surveying on behalf of the business.

(4) A copy of the partnership agreement of a partnership, general partnership, or limited liability partnership, the articles of incorporation or operating agreement of a limited liability company, or the bylaws of a corporation.

(5) A statement of land surveying experience of the business during the five years preceding the date of the application.

(e) A business that is organized or incorporated in a state or territory outside of California shall not offer land surveying services in California unless that business obtains a certificate under this section.

SEC. 3. Section 8729 of the Business and Professions Code, as amended by Section 3 of Chapter 150 of the Statutes of 2018, is amended to read:

8729. (a) This chapter does not prohibit one or more licensed land surveyors or civil engineers licensed in this state prior to 1982 (hereinafter called civil engineers) from practicing or offering to practice, within the scope of their licensure, land surveying as a
sole proprietorship, partnership, limited liability partnership, firm, or corporation (hereinafter called business), if the following conditions are satisfied:

(1) A land surveyor or civil engineer currently licensed in the state is an owner, partner, or officer in charge of the land surveying practice of the business.

(2) All land surveying services are performed by or under the responsible charge of a land surveyor or civil engineer.

(3) If the business name of a California land surveying business contains the name of a person, then that person shall be licensed by the board as a land surveyor or licensed by the board in any year as a civil engineer. Any offer, promotion, or advertisement by the business that contains the name of any individual in the business, other than by use of the name of the individual in the business name, shall clearly and specifically designate the license discipline of each individual named.

(b) An out-of-state business with a branch office in this state shall meet the requirements of subdivision (a) and shall have an owner, partner, or officer who is in charge of the land surveying work in this state, who is licensed in this state, and who is physically present at the branch office in this state on a regular basis. However, the name of the business may contain the name of a person not licensed in this state, if that person is appropriately licensed or registered in another state. Any offer, promotion, or advertisement that contains the name of any individual in the business, other than by use of the name of the individual in the business name, shall clearly and specifically designate the license or registration discipline of each individual named.

(c) The business name of a California land surveying business may be a fictitious name. However, if the fictitious name includes the names of any person, the requirements of paragraph (3) of subdivision (a) shall be met.

(d) A person not licensed under this chapter or licensed as a civil engineer in this state prior to 1982 may also be a partner or an officer of a land surveying business if the conditions of subdivision (a) are satisfied. Nothing in this section shall be construed to permit a person who is not licensed under this chapter or licensed as a civil engineer in this state prior to 1982 to be the sole owner or office of a land surveying business, unless otherwise exempt under this chapter.
(e) This chapter does not prevent an individual or business engaged in any line of endeavor, other than the practice of land surveying, from employing or contracting with a licensed land surveyor or a licensed civil engineer to perform the respective land surveying services incidental to the conduct of business.

(e) If an individual or business that does not have a license or a certificate to practice land surveying under this chapter needs land surveying services performed that are incidental to the conduct of their business, the individual or business shall employ or contract with an individual or business that has a license or certificate to practice land surveying.

(f) This section shall not prevent the use of the name of any business engaged in rendering land surveying services, including the use by any lawful successor or survivor, that lawfully was in existence on June 1, 1941. However, the business is subject to the provisions of paragraphs (1) and (2) of subdivision (a).

(g) A business engaged in rendering land surveying services may use in its name the name of a deceased or retired person if the following conditions are satisfied:

(1) The person’s name had been used in the name of the business, or a predecessor in interest of the business, prior to the death or retirement of the person.

(2) The person shall have been an owner, partner, or officer of the business, or an owner, partner, or officer of the predecessor in interest of the business.

(3) The person shall have been licensed as a land surveyor or a civil engineer by the board, if operating a place of business or practice in this state, or by an applicable state board in the event no place of business existed in this state.

(4) The person, if retired, has consented to the use of the name and does not permit the use of the name in the title of another land surveying business in this state during the period of that consent, except that a retired person may use his or her name as the name of a new or purchased business, if that business is not identical in every respect to that person’s name as used in the former business.

(5) The business shall be subject to paragraphs (1) and (2) of subdivision (a).

(h) This section does not affect Sections 6731.2 and 8726.1.
(i) A current organization record form shall be filed with the board for all businesses engaged in rendering professional land surveying services.

(j) This section shall remain in effect only until January 1, 2026, and as of that date is repealed.

SEC. 4. Section 8729 of the Business and Professions Code, as amended by Section 4 of Chapter 150 of the Statutes of 2018, is amended to read:

8729. (a) This chapter does not prohibit one or more licensed land surveyors or civil engineers licensed in this state prior to 1982 (hereinafter called civil engineers) from practicing or offering to practice within the scope of their licensure, land surveying as a sole proprietorship, partnership, firm, or corporation (hereinafter called business), if the following conditions are satisfied:

1. A land surveyor or civil engineer currently licensed in the state is an owner, partner, or officer in charge of the land surveying practice of the business.

2. All land surveying services are performed by or under the responsible charge of a land surveyor or civil engineer.

3. If the business name of a California land surveying business contains the name of a person, then that person shall be licensed by the board as a land surveyor or licensed by the board in any year as a civil engineer. Any offer, promotion, or advertisement by the business that contains the name of any individual in the business, other than by use of the name of the individual in the business name, shall clearly and specifically designate the license discipline of each individual named.

(b) An out-of-state business with a branch office in this state shall meet the requirements of subdivision (a) and shall have an owner, partner, or officer who is in charge of the land surveying work in this state, who is licensed in this state, and who is physically present at the branch office in this state on a regular basis. However, the name of the business may contain the name of a person not licensed in this state, if that person is appropriately licensed or registered in another state. Any offer, promotion, or advertisement that contains the name of any individual in the business, other than by use of the name of the individual in the business name, shall clearly and specifically designate the license or registration discipline of each individual named.
(c) The business name of a California land surveying business may be a fictitious name. However, if the fictitious name includes the names of any person, the requirements of paragraph (3) of subdivision (a) shall be met.

(d) A person not licensed under this chapter or licensed as a civil engineer in this state prior to 1982 may also be a partner or an officer of a land surveying business if the conditions of subdivision (a) are satisfied. Nothing in this section shall be construed to permit a person who is not licensed under this chapter or licensed as a civil engineer in this state prior to 1982 to be the sole owner or office of a land surveying business, unless otherwise exempt under this chapter.

(e) This chapter does not prevent an individual or business engaged in any line of endeavor, other than the practice of land surveying, from employing or contracting with a licensed land surveyor or a licensed civil engineer to perform the respective land surveying services incidental to the conduct of business.

(f) If an individual or business that does not have a license or a certificate to practice land surveying under this chapter needs land surveying services performed that are incidental to the conduct of their business, the individual or business shall employ or contract with an individual or business that has a license or certificate to practice land surveying.

(g) This section shall not prevent the use of the name of any business engaged in rendering land surveying services, including the use by any lawful successor or survivor, that lawfully was in existence on June 1, 1941. However, the business is subject to the provisions of paragraphs (1) and (2) of subdivision (a).

(h) A business engaged in rendering land surveying services may use in its name the name of a deceased or retired person if the following conditions are satisfied:

(1) The person’s name had been used in the name of the business, or a predecessor in interest of the business, prior to the death or retirement of the person.

(2) The person shall have been an owner, partner, or officer of the business, or an owner, partner, or officer of the predecessor in interest of the business.

(3) The person shall have been licensed as a land surveyor or a civil engineer by the board, if operating a place of business or
practice in this state, or by an applicable state board in the event no place of business existed in this state.

(4) The person, if retired, has consented to the use of the name and does not permit the use of the name in the title of another land surveying business in this state during the period of that consent, except that a retired person may use his or her name as the name of a new or purchased business, if that business is not identical in every respect to that person’s name as used in the former business.

(5) The business shall be subject to paragraphs (1) and (2) of subdivision (a).

(h) This section does not affect Sections 6731.2 and 8726.1.

(i) A current organization record form shall be filed with the board for all businesses engaged in rendering professional land surveying services.

(j) This section shall become operative on January 1, 2026.

SEC. 5. Section 8729.1 is added to the Business and Professions Code, to read:

8729.1. A business that obtains a certificate under Section 8728.5, shall either carry professional liability insurance or provide notice to any person or entity to which land surveying services are offered that the business does not carry professional liability insurance. The notice shall consist of a sign prominently displayed in the reception area or the entrance of the business and on every written contract for the performance of land surveying.

SEC. 6. Section 8786 is added to the Business and Professions Code, to read:

8786. Any department or agency of the state or any city, county, city and county, district, or special district that accepts any maps, plans, reports, descriptions, or other documentary evidence in connection with the practice of land surveying, as described in Section 8726, shall report to the board any of these documents received that fail to identify the person authorized to practice land surveying pursuant to Section 8761.

SEC. 7. Section 8790.1 is added to the Business and Professions Code, to read:

8790.1. (a) Upon receipt of a valid complaint, the board shall send a copy of the complaint to the following state boards:

(1) Boards that regulate the health and safety of persons working on construction, building, or infrastructure projects.
Boards that regulate the wages and other labor requirements related to persons working on construction, building, or infrastructure projects.

(b) For the purposes of this section, “valid complaint” means one for which the board determines that a violation of this chapter may have or is likely to have occurred.

(c) It is the intent of the Legislature in enacting this section to ensure these state boards are made aware of the possible need to further investigate and regulate the cited business, as defined by subdivision (a) of Section 8728.5.

SEC. 8. Section 8793 is added to the Business and Professions Code, to read:

8793. Any business, as defined in subdivision (a) of Section 8728.5, that performs land surveying without a certificate obtained under Section 8728.5 shall pay a fine of a minimum of twenty thousand dollars ($20,000).

SEC. 9. Section 14216 is added to the Business and Professions Code, to read:

14216. The Secretary of State shall not issue a certificate of registration for a mark setting forth a name in which “engineer,” “engineering,” “surveyor,” “surveying,” “mapping,” “aerial mapping,” “photogrammetry,” or any modification or derivation thereof appear, unless a certificate granted under Section 8728.5 of the Business and Professions Code by the Board for Professional Engineers, Land Surveyors, and Geologists is attached.

SEC. 10. Section 17910.6 is added to the Business and Professions Code, to read:

17910.6. A county clerk shall not accept a fictitious business name statement setting forth a name in which “engineer,” “engineering,” “surveyor,” “surveying,” “mapping,” “aerial mapping,” “photogrammetry,” or any modification or derivation thereof appear, unless a certificate granted under Section 8728.5 of the Business and Professions Code by the Board for Professional Engineers, Land Surveyors, and Geologists is attached.

SEC. 11. Section 201.1 is added to the Corporations Code, to read:

201.1. The Secretary of State shall not file articles setting forth a name in which “engineer,” “engineering,” “surveyor,” “surveying,” “mapping,” “aerial mapping,” “photogrammetry,” or any modification or derivation thereof appear, unless a certificate
granted under Section 8728.5 of the Business and Professions Code by the Board for Professional Engineers, Land Surveyors, and Geologists is attached.

SEC. 12. Section 15902.10 is added to the Corporations Code, to read:

15902.10. The Secretary of State shall not file a certificate of limited partnership setting forth a name in which “engineer,” “engineering,” “surveyor,” “surveying,” “mapping,” “aerial mapping,” “photogrammetry,” or any modification or derivation thereof appear, unless a certificate granted under Section 8728.5 of the Business and Professions Code by the Board for Professional Engineers, Land Surveyors, and Geologists is attached.

SEC. 13. Section 16105.1 is added to the Corporations Code, to read:

16105.1. The Secretary of State shall not file a statement setting forth a name in which “engineer,” “engineering,” “surveyor,” “surveying,” “mapping,” “aerial mapping,” “photogrammetry,” or any modification or derivation thereof appear, unless a certificate granted under Section 8728.5 of the Business and Professions Code by the Board for Professional Engineers, Land Surveyors, and Geologists is attached.

SEC. 14. Section 16953.1 is added to the Corporations Code, to read:

16953.1. The Secretary of State shall not file a registration setting forth a name in which “engineer,” “engineering,” “surveyor,” “surveying,” “mapping,” “aerial mapping,” “photogrammetry,” or any modification or derivation thereof appear, unless a certificate granted under Section 8728.5 of the Business and Professions Code by the Board for Professional Engineers, Land Surveyors, and Geologists is attached.

SEC. 15. Section 17702.08 is added to the Corporations Code, to read:

17702.08. The Secretary of State shall not file an articles of organization setting forth a name in which “engineer,” “engineering,” “surveyor,” “surveying,” “mapping,” “aerial mapping,” “photogrammetry,” or any modification or derivation thereof appear, unless a certificate granted under Section 8728.5 of the Business and Professions Code by the Board for Professional Engineers, Land Surveyors, and Geologists is attached.
SEC. 16. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.