

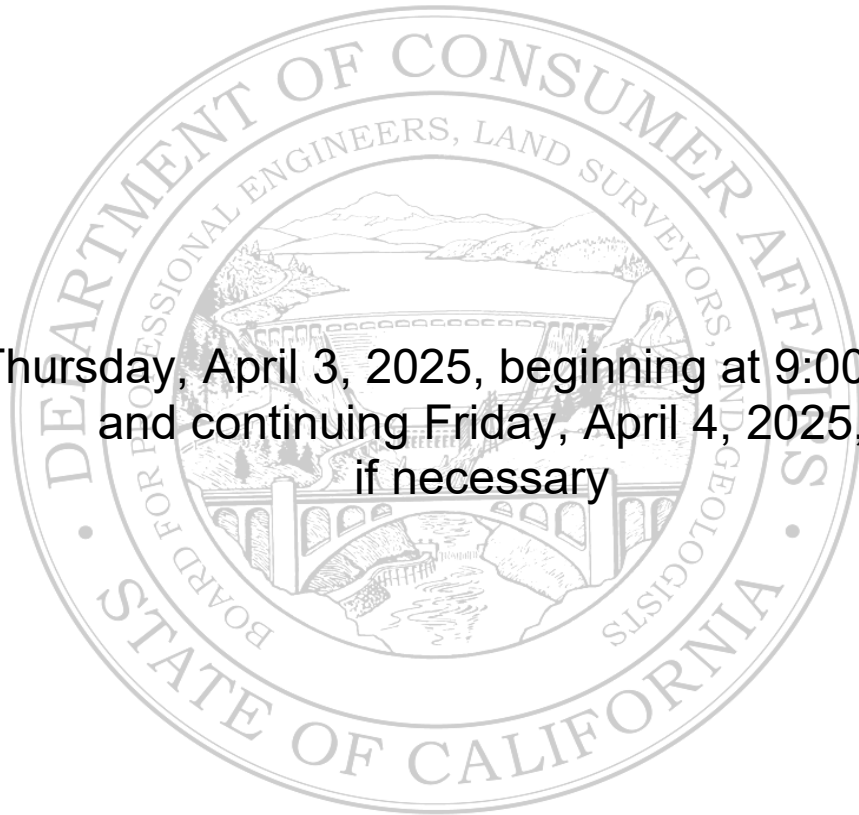


Gavin Newsom, Governor

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

Board for Professional Engineers,
Land Surveyors, and Geologists

Thursday, April 3, 2025, beginning at 9:00 a.m.,
and continuing Friday, April 4, 2025,
if necessary



Department of Consumer Affairs
1747 North Market Blvd., Hearing Room #186
Sacramento, CA 95834

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MEETING OF THE BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS

BOARD MEETING

APRIL 3-4, 2025

Department of Consumer Affairs
1747 North Market Blvd., Hearing Room #186
Sacramento, CA 95834

BOARD MEMBERS

President Christina Wong; Vice-President Guillermo Martinez; Fel Amistad; Alireza Asgari; Khaesha Brooks; Rossana D'Antonio; Michael Hartley; Coby King; Betsy Mathieson; Frank Ruffino; Wilfredo Sanchez; Fermin Villegas; and Cliff Waldeck

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A. Deliberate on a Decision(s) to be Reached in a Proceeding(s) Required to be Conducted Pursuant to Chapter 5 (commencing with Section 11500), as Authorized by Government Code Section 11126(c)(3).	
B. Confer with, or Receive Advice from, Its Legal Counsel Regarding Pending Litigation Pursuant to Government Code Section 11126(e)(1) and (2)(A), on the following matters:	
1. <u>Crownholm et al. v. Moore, et al.</u> No. 24-276, cert. pending (filed Sep. 9, 2024), Supreme Court of the United States, <u>Crownholm, et al. v. Moore, et al.</u> (No. 23-15138) (9 th Cir. April 16, 2024)	
2. <u>Victor Rodriguez-Fernandez vs. California Board for Professional Engineers, Land Surveyors, and Geologists</u> , San Diego County Superior Court, Case No. 37-2023-00053465-CU-WM-CTL	
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I. Roll Call to Establish a Quorum

II. Pledge of Allegiance

III. Public Comment for Items Not on the Agenda

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IV. Administration

A. Fiscal Year 2024/25 Budget Report

GUIDE TO READING THE REVENUE REPORT AND EXPENDITURE REPORT

Revenues

Fee increase effective January 1, 2021 has had a positive impact on revenues. Total revenue up \$1,276,880 (25%) over prior period.

Current Year Projections
Identifies the revenue amount that BPELSG projects for FY 21-22.

Revenue Category	PRIOR YEAR FY 2020-21 FM 4	CURRENT YEAR FY 2021-22 FM 4	CURRENT YEAR Projections
Delinquent Fees	\$38,696	↑ \$51,464	\$150,076
Other Regulatory Fees	\$32,130	↑ \$39,578	\$102,138
Other Regulatory Licenses & Permits	\$297,960	↑ \$645,747	\$1,743,588
Other Revenue	\$20,822	↓ \$10,486	\$51,328
Renewal Fees	\$3,415,953	↑ \$4,335,166	\$10,269,519
Total	\$3,805,560	↑ \$5,082,440	\$12,316,649

Revenue Category
Provides the name of the line item where our revenues occur.

Prior Year
Revenue collected up to FM 4 in October of 2020.

Arrows
These indicate a change in the current year over prior year. Up/green arrows indicate an increase and down/red arrows indicate a decrease over the prior period.

Current Year
Revenue collected up to FM 4 in October of 2021.

Department of Consumer Affairs
Expenditure Projection Report

Fiscal Month: 4
Fiscal Year: 2021 - 2022
Run Date: 12/09/2021

Fiscal Month
Identifies the expenditures up to October 2021

Fiscal Year
Identifies the current year

Run Date
Identifies the date this report was pulled from QBIRT

CY 21-22 YTD + Encumbrance
Provides a FM 4 total of YTD Actual and Encumbrance.

Governor's Budget
Publication that the Governor presents which identifies the current year authorized expenditures.

PERSONAL SERVICES

Notes	Fiscal Code	PY 20-21 FM 4 YTD + Encumbrance	CY 21-22 FM 4 YTD + Encumbrance	Governor's Budget	Percent of Governor's Budget Spent	Projections to Year End
1	5100 PERMANENT POSITIONS	\$955,435	\$1,077,755	\$3,425,000	31%	\$3,389,367
	5100 TEMPORARY POSITIONS	\$35,155	\$45,403	\$232,000	20%	\$130,000
	5105-5108 PER DIEM, OVERTIME, & LUMP SUM	\$600	\$38,876	\$36,000	108%	\$48,476
	5150 STAFF BENEFITS	\$559,421	\$618,030	\$1,703,000	36%	\$1,812,693
	PERSONAL SERVICES	\$1,550,611	\$1,780,065	\$5,396,000	33%	\$5,380,536

OPERATING EXPENSES & EQUIPMENT

2	5301 GENERAL EXPENSE	\$23,898	\$22,392	\$32,000	70%	\$71,871
3	5302 PRINTING	\$24,766	\$69,808	\$26,000	268%	\$33,966
	5304 COMMUNICATIONS	\$4,452	\$3,384	\$15,000	23%	\$20,777

Object Description
Provides the name of the line item where our expenditures occur.

PY 20-21 YTD + Encumbrance
Provides a FM 4 total of YTD Actual and Encumbrance.

Percent of Governor's Budget spent
Identifies the percentage spent at CY 21-22 FM 4 according to the Governor's Budget.

Projections to Year End
Identifies the expenditure amount that BPELSG projects for FY 21-22.

	OPERATING EXPENSES & EQUIPMENT	\$3,239,095	\$2,474,539	\$6,831,000	36%	\$5,308,996
	OVERALL TOTALS	\$4,789,706	\$4,254,604	\$12,227,000	35%	\$10,689,532

*Does not include additional Architecture Revolving Fund Expenses TBD

SURPLUS/(DEFICIT): 13%

Surplus/(Deficit)
Identifies if we have higher revenue and lower expenses (Surplus) or higher expenses and lower revenue (Deficit). This percentage is calculated using (Governor's Budget-Projections to Year End)/ Governor's Budget.

FINANCIAL REPORT

FISCAL YEAR 2024-25 FISCAL MONTH 8 FINANCIAL STATEMENT

Revenues

Total revenue is up \$489,832 (5%) over Prior Year 2022-23. Current Fiscal Year 2024-25 is a low volume year for renewals therefore we are comparing it to Prior Year 2022-23 due to it also being a low volume year for renewals.

Revenue Category	PRIOR YEAR FY 2022-23 FM 8	PRIOR YEAR FY 2023-24 FM 8	CURRENT YEAR FY 2024-25 FM 8	CURRENT YEAR FY 2024-25 PROJECTION
Delinquent Fees	\$118,685	\$84,654	\$53,735	\$141,610
Other Regulatory Fees	\$58,810	\$51,430	\$57,568	\$79,487
Other Regulatory Licenses & Permits	\$1,261,199	\$1,505,282	\$1,386,651	\$1,895,668
Other Revenue	\$68,048	\$130,234	\$162,121	\$14,324
Renewal Fees	\$8,185,758	\$9,149,720	\$8,522,256	\$9,302,981
Total	\$9,692,499	\$10,921,319	\$10,182,331	\$11,434,070

Total Reimbursements as of FM8 totaled \$83,039 including \$1,050 in Reimbursement-Private Sectors, \$45,619 in Fingerprint Reports, \$24,925 in Us Cost Recovery, and \$11,445 in US DOI Administrative. Fingerprint Report expenses are included in the General Expense category.

**Department of Consumer Affairs
Expenditure Projection Report**

Fiscal Month: 8

Fiscal Year: 2024 - 2025

Run Date: 3/17/2025

PERSONAL SERVICES

Notes	Fiscal Code	PY 23-24 FM8 YTD + Encumbrance	CY 24-25 FM8 YTD + Encumbrance	Governor's Budget	Percent of Governor's Budget Spent	Projections to Year End
1	5100 PERMANENT POSITIONS	\$2,363,668	\$2,449,755	\$3,779,000	65%	\$3,688,786
	5100 TEMPORARY POSITIONS	\$1,191	\$0	\$232,000	0%	\$3,000
	5105-5108 PER DIEM, OVERTIME, & LUMP SUM	\$144,415	\$7,100	\$37,000	19%	\$44,010
	5150 STAFF BENEFITS	\$1,414,713	\$1,368,114	\$1,951,000	70%	\$2,213,272
	PERSONAL SERVICES	\$3,923,986	\$3,824,970	\$5,999,000	64%	\$5,949,068

OPERATING EXPENSES & EQUIPMENT

2	5301 GENERAL EXPENSE	\$45,473	\$46,319	\$118,000	39%	\$76,523
	5302 PRINTING	\$165,603	\$3,430	\$46,000	7%	\$88,555
	5304 COMMUNICATIONS	\$8,238	\$3,836	\$35,000	11%	\$27,497
	5306 POSTAGE	\$32,851	\$25,978	\$58,000	45%	\$36,000
	5308 INSURANCE	\$0	\$0	\$0	0%	\$86
	53202-204 IN STATE TRAVEL	\$24,956	\$17,589	\$90,000	20%	\$35,000
	53206-208 OUT OF STATE TRAVEL	\$2,443	\$0	\$0	0%	\$4,250
	5322 TRAINING	\$0	\$1,000	\$15,000	7%	\$1,000
3	5324 FACILITIES*	\$453,518	\$474,168	\$377,000	126%	\$494,542
4	53402-53403 C/P SERVICES (INTERNAL)	\$442,685	\$466,092	\$1,404,000	33%	\$660,000
5	53404-53405 C/P SERVICES (EXTERNAL)	\$2,543,098	\$2,002,054	\$3,249,000	62%	\$2,472,415
6	5342 DEPARTMENT PRORATA	\$1,500,750	\$1,575,750	\$2,076,000	76%	\$2,101,000
7	5342 DEPARTMENTAL SERVICES	\$13,288	\$16,116	\$25,000	64%	\$27,000
	5344 CONSOLIDATED DATA CENTERS	\$68	\$0	\$22,000	0%	\$22,000
	5346 INFORMATION TECHNOLOGY	\$32,086	\$123,513	\$94,000	131%	\$318,692
	5362-5368 EQUIPMENT	\$31,152	\$18,550	\$0	0%	\$37,000
	5390 OTHER ITEMS OF EXPENSE	\$0	\$0	\$3,000	0%	\$0
	54 SPECIAL ITEMS OF EXPENSE	\$898	\$1,620	\$0	0%	\$1,700
	OPERATING EXPENSES & EQUIPMENT	\$5,297,107	\$4,776,015	\$7,612,000	63%	\$6,403,260
	TOTALS	\$9,221,094	\$8,600,984	\$13,611,000	63%	\$12,352,327
8	4840-4850 REIMBURSEMENTS					\$108,000
	OVERALL TOTALS & REIMBURSEMENTS		15			\$12,244,327

SURPLUS/(DEFICIT): 10%

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

Analysis of Fund Condition

Prepared 3/17/2025

(Dollars in Thousands)

PY 23-24 Actuals & CY 24-25 FM 8	Actual 2023-24	CY 2024-25	BY 2025-26	BY+1 2026-27
BEGINNING BALANCE	\$ 2,481	\$ 3,267	\$ 2,014	\$ -402
Prior Year Adjustment	\$ 269	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 2,750	\$ 3,267	\$ 2,014	\$ -402
REVENUES, TRANSFERS AND OTHER ADJUSTMENTS				
Revenues:				
4121200 Delinquent fees	\$ 114	\$ 142	\$ 139	\$ 142
4127400 Renewal fees	\$ 10,028	\$ 9,303	\$ 10,080	\$ 9,303
4129200 Other regulatory fees	\$ 78	\$ 79	\$ 79	\$ 79
4129400 Other regulatory licenses and permits	\$ 2,289	\$ 1,896	\$ 1,907	\$ 1,896
4163000 Income from surplus money investments	\$ 264	\$ 193	\$ 193	\$ 193
4171400 Escheat of unclaimed checks and warrants	\$ 10	\$ 14	\$ 12	\$ 14
4172500 Miscellaneous revenues	\$ 0	\$ 0	\$ 0	\$ 0
Totals, Revenues	\$ 12,783	\$ 11,627	\$ 12,410	\$ 11,627
Operating Transfers to General Fund per EO E 21/22 - 276 Revised (AB 84)	\$ -	\$ -	\$ -	\$ -
Totals, Transfers and Other Adjustments	\$ 12,783	\$ 11,627	\$ 12,410	\$ 11,627
Totals, Revenues, Transfers and Other Adjustments	\$ 15,533	\$ 14,894	\$ 14,424	\$ 11,225
EXPENDITURES				
Disbursements:				
1111 Department of Consumer Affairs (State Operations)	\$ 11,475	\$ 12,244	\$ 13,882	\$ 14,298
9892 Supplemental Pension Payments (State Operations)	\$ 209	\$ 157	\$ 157	\$ 0
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	\$ 582	\$ 479	\$ 787	\$ 787
Less funding provided by General Fund (State Operations)	\$ -	\$ -	\$ -	\$ -
Total Disbursements	\$ 12,266	\$ 12,880	\$ 14,826	\$ 15,085
FUND BALANCE				
Reserve for economic uncertainties	\$ 3,267	\$ 2,014	\$ -402	\$ -3,860
Months in Reserve	3.0	1.6	-0.3	-3.0

NOTES:

- A. ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED IN CY AND BY.
- B. ASSUMES APPROPRIATION GROWTH OF 3% PER YEAR BEGINNING IN BY+1.

Expenditure Report Notes

- 1 Salary & Wages (Staff)** - The projected expenditures for salaries and wages is due to the Board being almost fully staffed, and includes merit salary adjustments and the bargaining unit agreements effective July 1, 2024.
- 2 General Expenses** - Includes Membership and Subscription Fees, Freight and Drayage, Office Equipment - Maintenance, Office Supplies, and DOJ and FBI fees for background checks which are reimbursed. Scheduled background check reimbursements through FM 8 are at \$45,619.
- 3 Facilities Operations** - Includes facilities maintenance, facilities operations, janitorial Services, rent and leases, exam rental sites, and security.
- 4 C&P Services Interdepartmental** - Includes all contract services with other state agencies for examination services (Dept. of Conservation). This line item also now includes enforcement expenses for the Attorney General and the Office of Administrative Hearings.
- 5 C&P Services External** - Includes all external contracts (examination development, expert consultant agreements, business modernization contracts, credit card processing, evidence and witness fees, and court reporter services).
- 6 DCA Pro Rata** - Includes distributed costs of programmatic and administrative services from DCA.
- 7 Departmental Services (Interagency Services)** - Includes pay-per-services billed through the Department of General Services.
- 8 Reimbursements** - Includes Reimbursements-Private Sectors (contracted with Guam to provide California Civil Seismic Principles Exams on the same dates the exam is administered in California by the Guam Registration Board at the rate of \$175 per examination that are administered to applicants), Fingerprint Reports, Cost Recovery, and US DOI Civil Case.

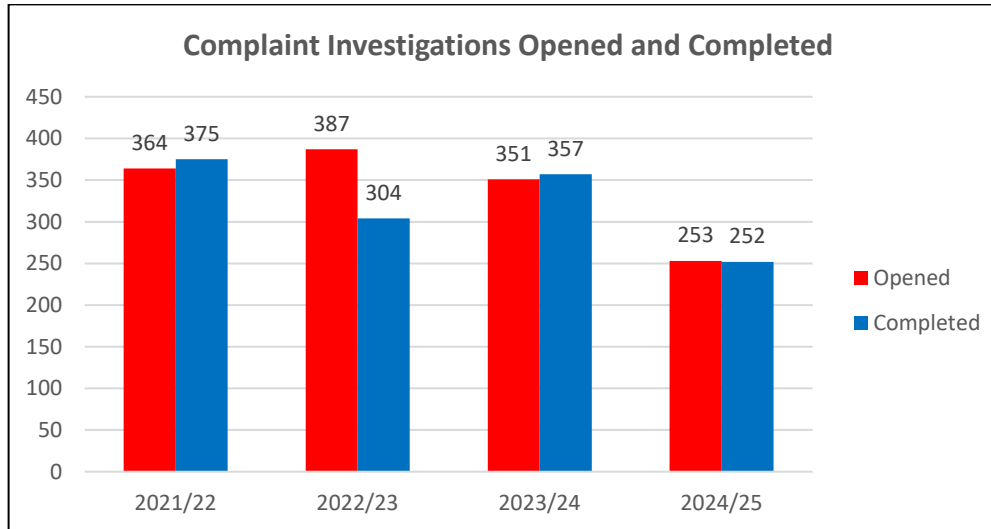
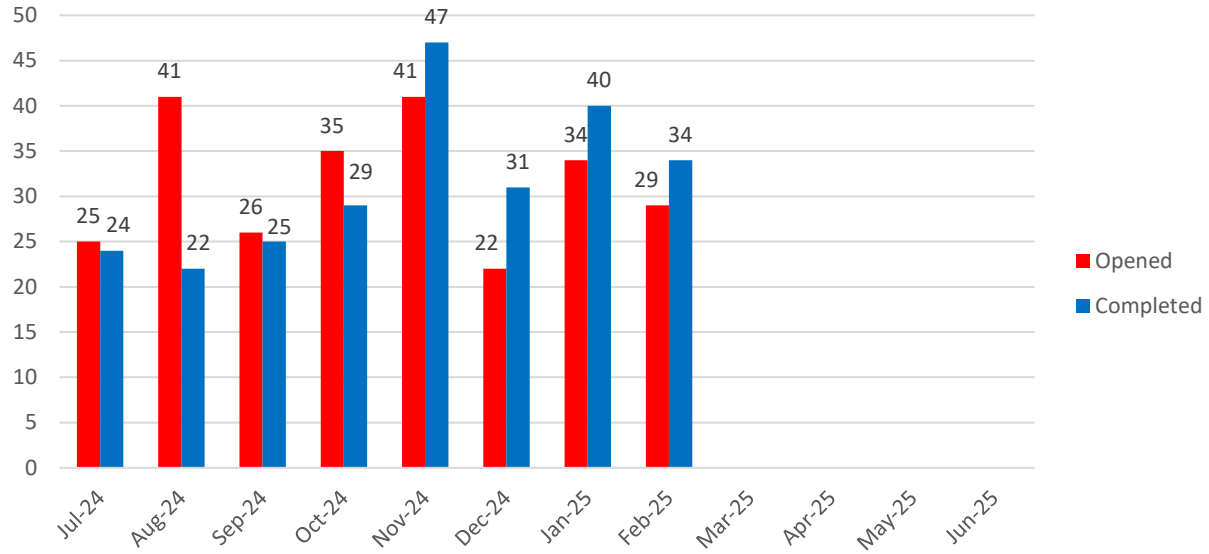
V. Enforcement

A. Enforcement Statistical Reports

1. Fiscal Year 2024/25 Update

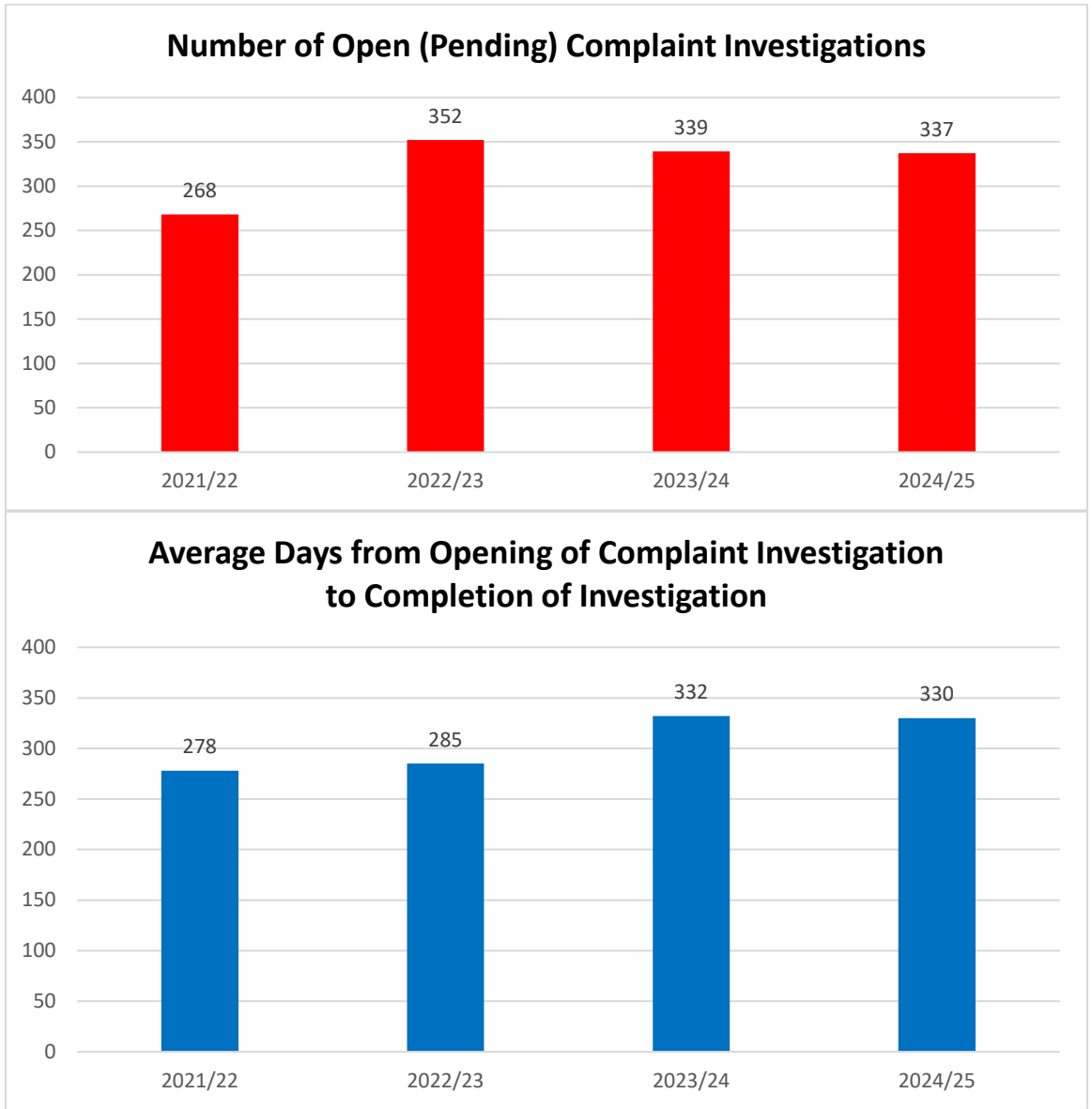
Complaint Investigation Phase

Number of Complaint Investigations Opened & Completed by Month
FY 24/25



NOTE: FY24/25 statistics are through February 28, 2025

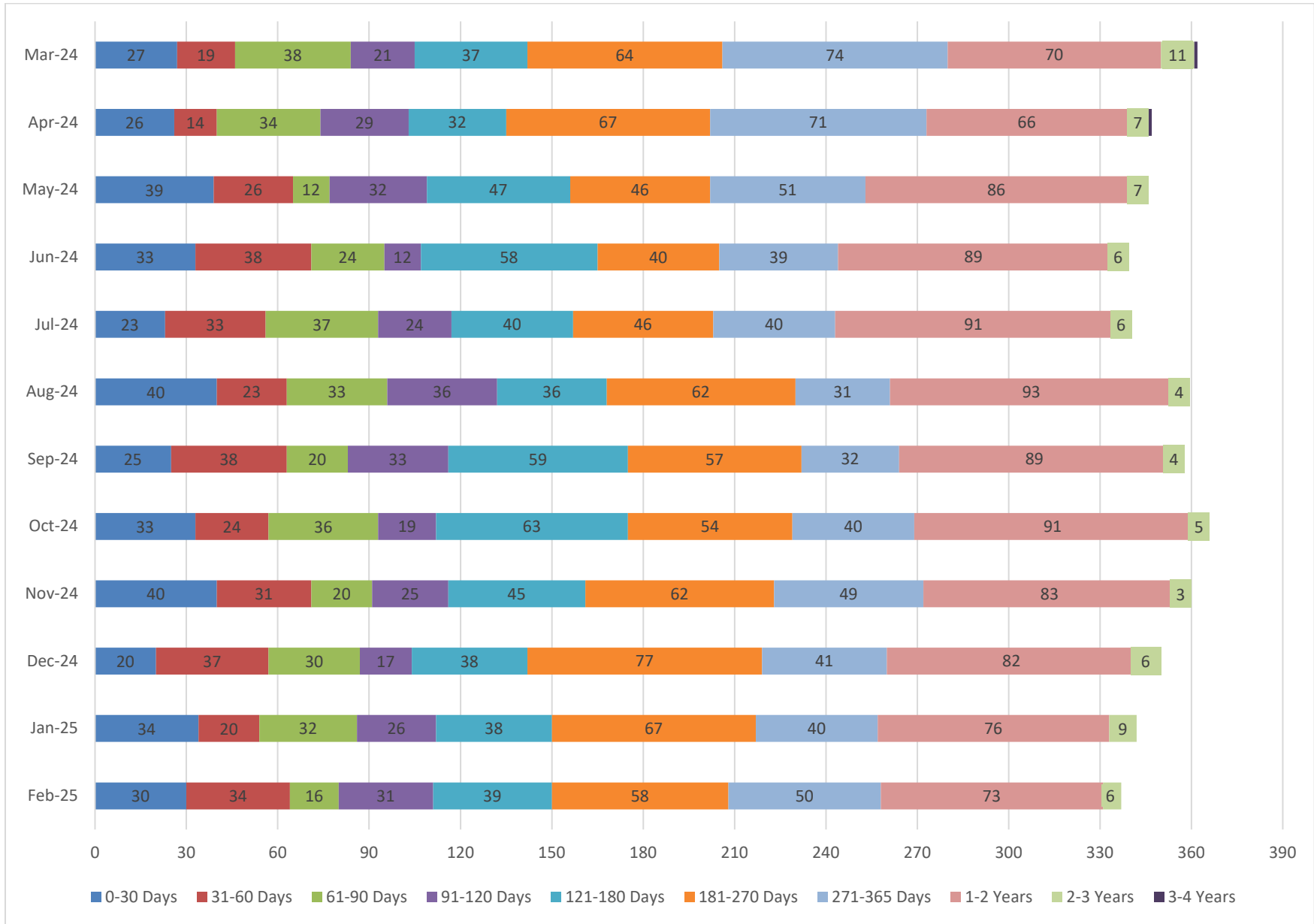
Complaint Investigation Phase



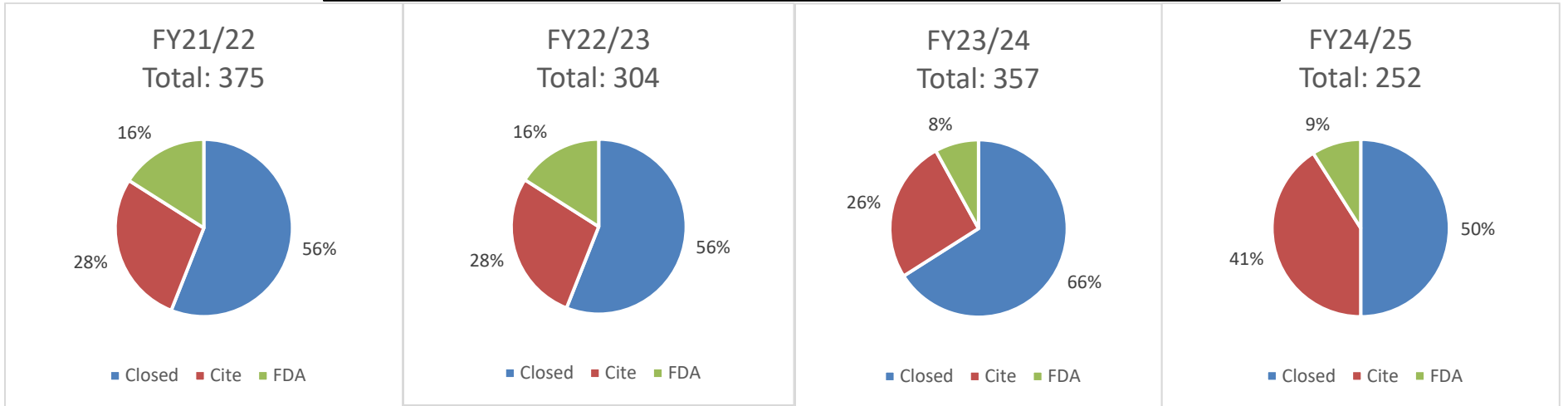
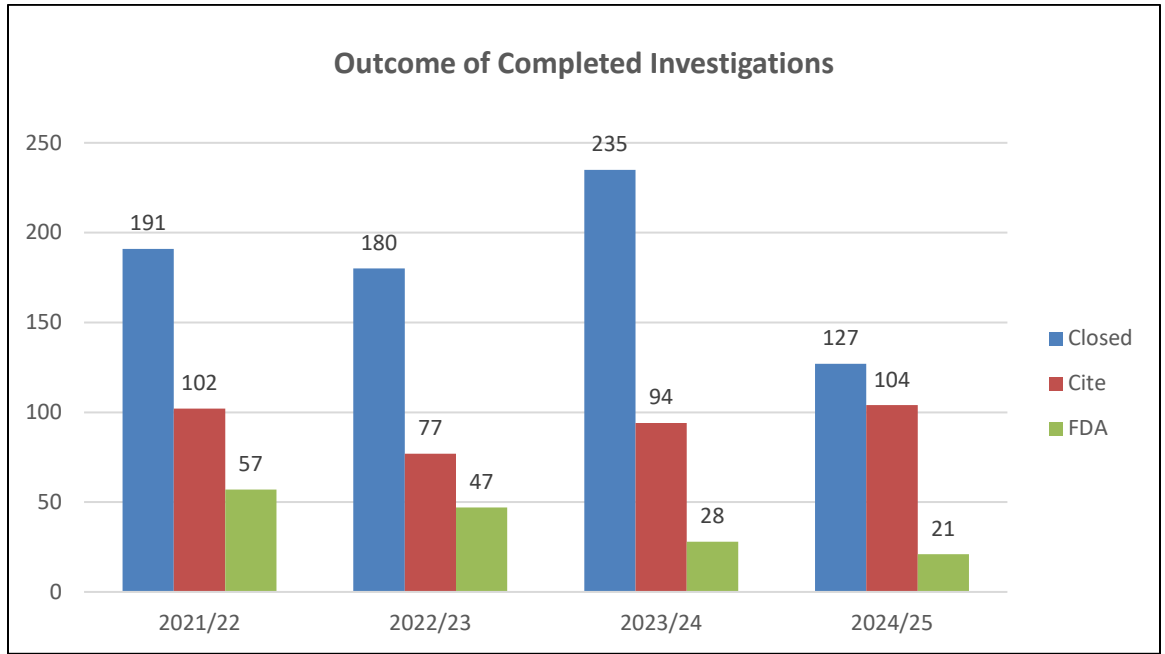
NOTE: FY24/25 statistics are through February 28, 2025

Complaint Investigation Phase

Aging of Open (Pending) Complaint Investigation Cases – 12-Month Cycle



Complaint Investigation Phase



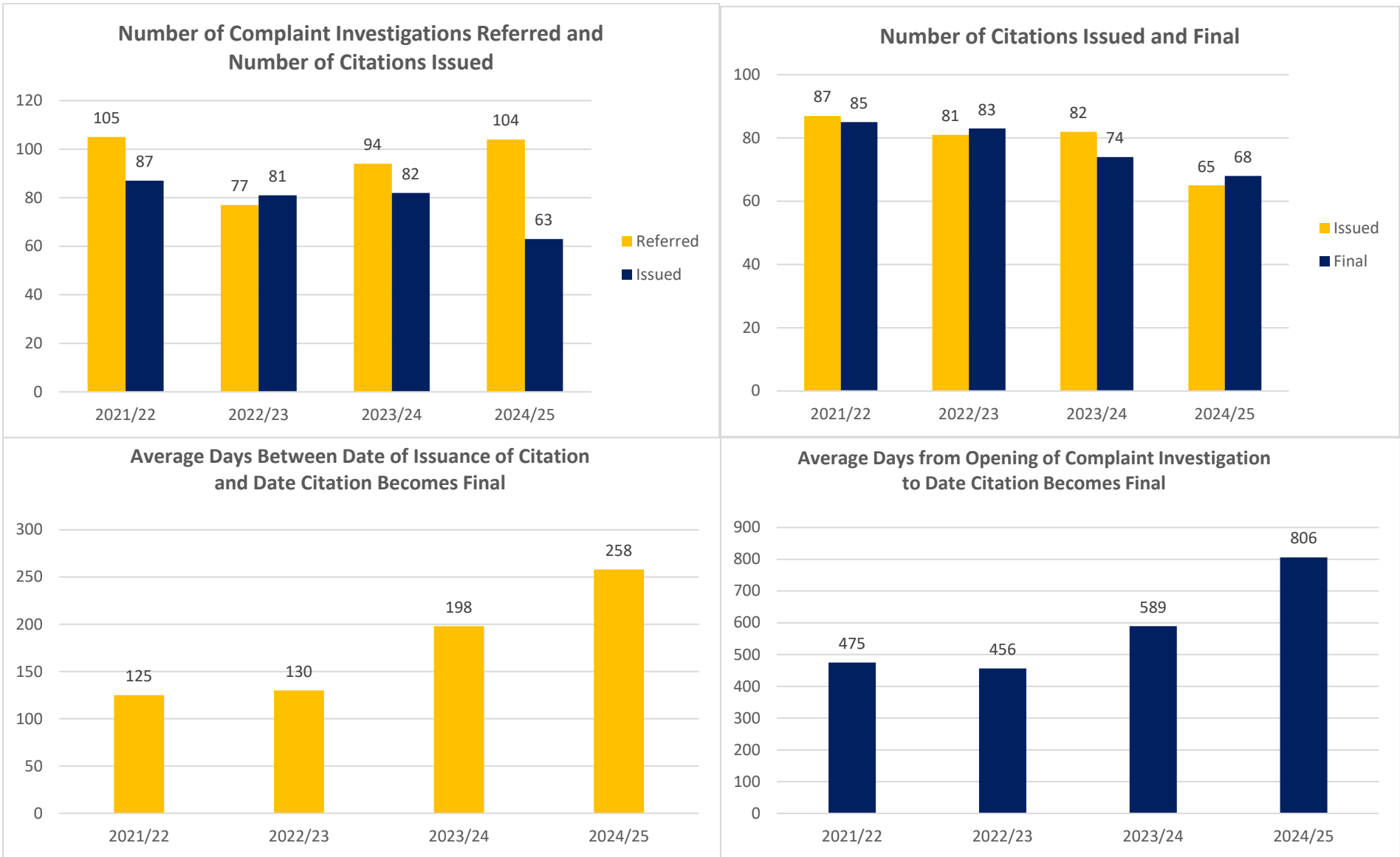
NOTE: FY24/25 statistics are through February 28, 2025

Closed = Closed with No Action Taken, includes No Violation/Insufficient Evidence; Compliance Obtained; Warning Letter; Other Reason for Closing Without Action (e.g., subject deceased); Resolved After Initial Notification; Referred to District Attorney with Request to File Criminal Charges; and Mediated.

Cite = Referred for Issuance of Citation

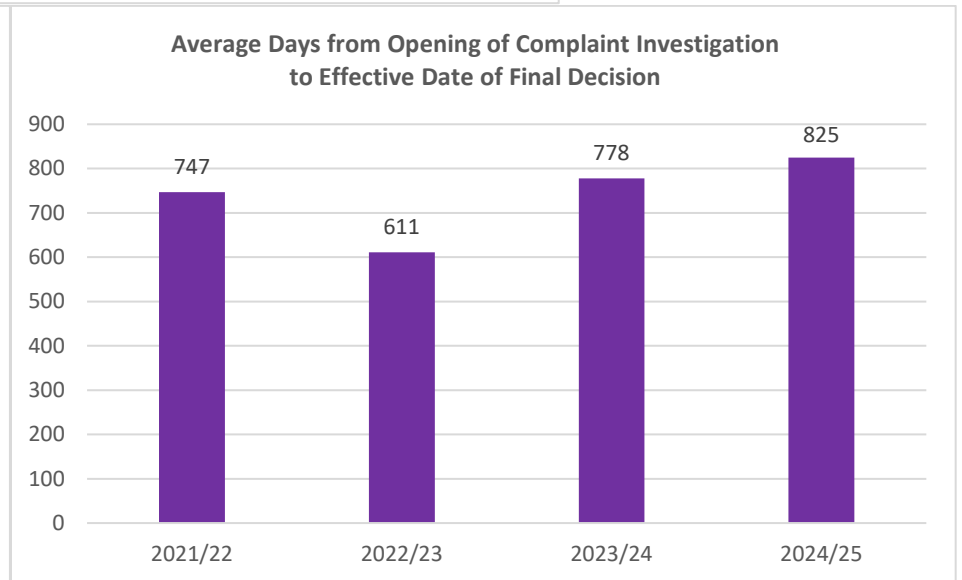
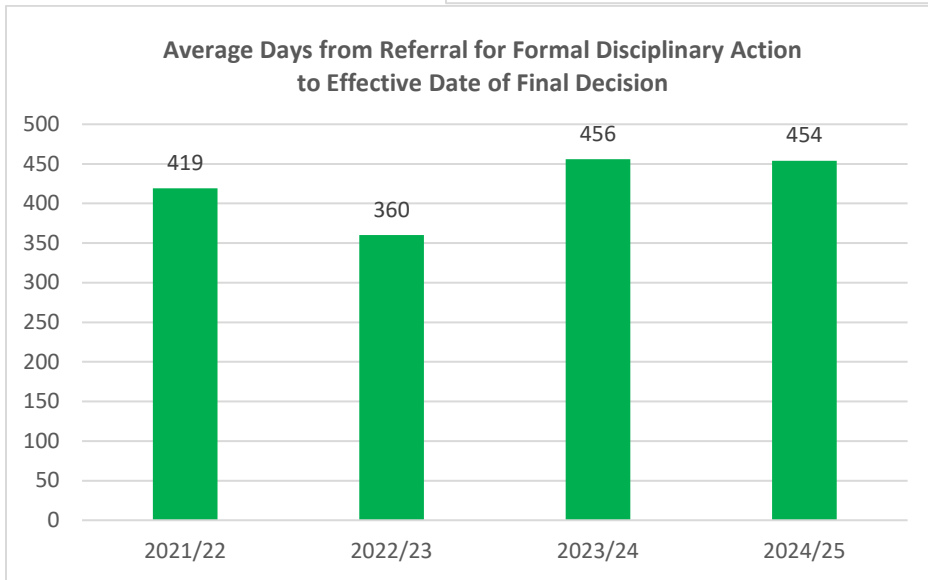
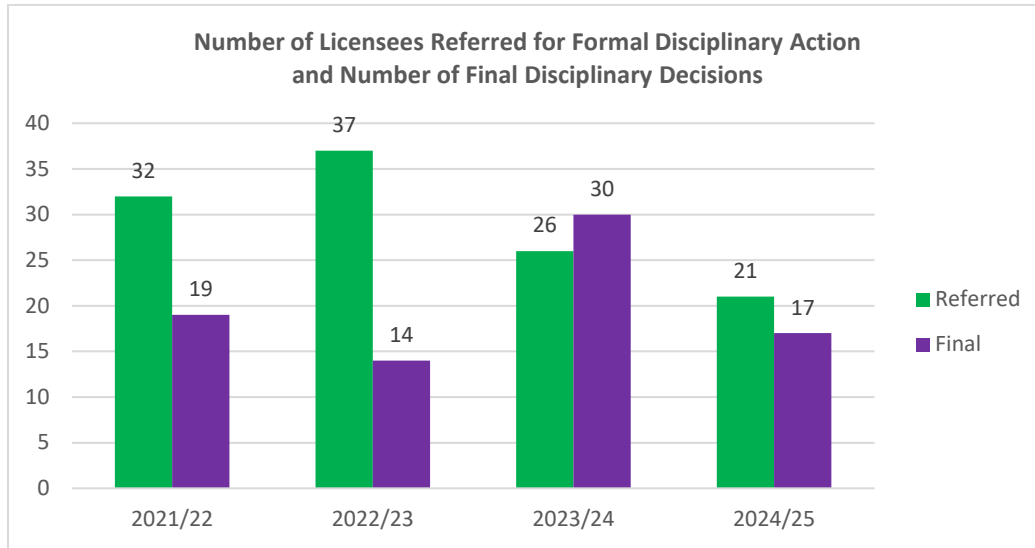
FDA = Referred for Formal Disciplinary Action

Citations (Informal Enforcement Actions)



NOTE: FY24/25 statistics are through February 28, 2025

Formal Disciplinary Actions Against Licensees



NOTE: FY24/25 statistics are through February 28, 2025

VI. Exams/Licensing

- A. Examination/Licensing Updates
- B. Adoption of Test Plan Specifications (**Possible Action**)
 - 1. Professional Geologist – Certified Hydrogeologist (CHG) Examination
- C. Elimination of the Sonoma State Geology Program (**Possible Action**)

Certified Hydrogeologist Examination Test Plan
Effective April 2025

General Definition of Hydrogeology:

Hydrogeology means the application of the science of geology to the study of the occurrence, distribution, quantity and movement of water below the surface of the earth, as it relates to the interrelationships of geologic materials and processes with water, with particular emphasis given to groundwater quality. (Title 16, CCR 3003)

This area of practice is structured into four primary content areas:

- I. Project Planning (20%)
- II. Data Collection (25%)
- III. Evaluation and Analysis (35%)
- IV. Application (20%)

BPELSG Certified Hydrogeologist Test Plan 2025	Percentage of Questions on the Exam
<p>I. Project Planning</p> <p><u>Professional Activities:</u></p> <ol style="list-style-type: none"> 1. Develop a process to achieve project objectives 2. Determine type, collection methods, quantity and quality of data, and methods of data analysis needed to achieve project objectives based on anticipated hydrogeology 3. Identify technical and regulatory requirements for hydrogeologic investigations 4. Determine potential sources of contamination 5. Develop and refine a conceptual hydrogeologic model 6. Identify water quality criteria for the intended use 7. Determine the potential for salt water intrusion 8. Evaluate potential sources of water supply 9. Identify the potential need to control groundwater flow direction 10. Develop preliminary well design based on existing site data 11. Assess hydrogeologic conditions pertaining to water management decisions 12. Assess hydrogeologic conditions related to seismic and geologic hazards 	20%
<p>Test questions on these professional activities may include one or more of the following:</p> <ol style="list-style-type: none"> A. Applicable laws, regulations, permitting and policies pertaining to hydrogeology B. Regulatory agencies that have jurisdictional authority over water (e.g., supply, quality, rights, use, sustainability) C. Regional and local hydrogeologic conditions that may affect investigation approaches (e.g., basin boundaries, buried stream channels, proximity to pumping wells, utility trenches) D. Laboratory methods to determine physical properties and chemical concentrations of soil, rock, water, gas, and waste samples E. Subsurface exploration methods for different geologic settings F. The characteristics of different types of wells (e.g., siting, design, construction, development, testing, sampling) G. Methods for measuring groundwater levels, nonaqueous phase liquid thickness, and field water quality parameters from wells H. Field testing and sampling methods for soil, soil gas, and groundwater I. Groundwater monitoring program elements (e.g., location, density, frequency) J. Aquifer testing methods and procedures, including their uses and limitations K. The elements of preparing a conceptual site model L. Quality assurance and quality control methods for hydrogeologic and water quality data M. The types and sources of potential groundwater contaminants associated with land uses, industrial processes, and geologic conditions N. The sources and quality of meteorological data related to hydrogeologic analysis O. The principles of groundwater flow and aquifer characteristics P. Potential groundwater effects from long-term land use Q. Relationship between fresh water and saline water in aquifers R. Tidal and barometric pressure effects on groundwater levels S. Water budget elements T. Sustainable groundwater management plan elements 	

<p>U. Hydrogeologic site-evaluation related to on-site wastewater disposal (e.g., septic systems, land application, ponds, injection wells)</p> <p>V. Hydrogeologic conditions contributing to seismic and geologic hazards (e.g., liquefaction, subsidence, landslides, settlement)</p>	
<p>II. Data Collection</p> <p><u>Professional Activities:</u></p> <ol style="list-style-type: none"> 1. Collect hydrogeologic data from public and private sources (e.g., land use information, aerial photographs, remote sensing, historical records, online databases) 2. Assess surficial conditions and site features in the field 3. Conduct subsurface evaluations (e.g., rapid profiling techniques, lithologic and geophysical logging) 4. Map hydrogeologic features (e.g., streams, springs, wetlands, wells, geologic structures) 5. Collect samples and field data (e.g., lithology, moisture, water levels, flow rate, chemistry, geophysics, other properties) 6. Apply quality control procedures to the collection of data 7. Assess the physical condition, construction, and performance of existing wells 8. Conduct infiltration tests in the unsaturated zone (e.g., falling head) 9. Conduct aquifer testing (e.g., pumping, injection, slug tests) <p>Test questions on these professional activities may include one or more of the following:</p> <ol style="list-style-type: none"> A. Sources and interpretive techniques for aerial photographs and remote sensing imagery B. Site reconnaissance elements related to hydrogeology (e.g., drainage patterns, presence of wetlands, current and past use, anthropogenic structures) C. The relationships among geologic structures and strata, hydrostratigraphic units and hydraulic characteristics D. How the properties of geologic media may affect water and contaminant migration through the vadose zone E. Techniques and equipment to conduct single and multi-well aquifer tests F. Techniques and equipment to measure groundwater levels and non-aqueous phase liquid thickness in wells G. Techniques and equipment for sample collection H. Techniques to estimate groundwater flow, direction, and velocity I. Techniques and equipment for infiltration tests J. Geophysical investigation techniques K. Rapid subsurface profiling techniques/direct-push technologies (e.g., CPT, MIP, Hydropunch™) L. Methods to determine hydraulic properties of saturated and unsaturated zone materials M. Aquifer properties and principles of well hydraulics N. Techniques to measure well discharge and well efficiency O. Quality control procedures 	<p>25%</p>
<p>III. Evaluation and Analysis</p> <p><u>Professional Activities:</u></p> <ol style="list-style-type: none"> 1. Evaluate hydrogeologic data from public and private sources (e.g., land use information, aerial photographs, remote sensing, historical records, online databases) 2. Interpret aquifer test and other data to characterize hydrogeologic properties, boundaries, heterogeneity, and anisotropy in aquifers 	<p>35%</p>

3. Prepare hydrogeologic inventory and water budget
4. Assess surface water/groundwater interactions
5. Characterize nature and extent of contamination
6. Prepare illustrations and interpret trends from water level and/or quality data
7. Evaluate fate and transport of contaminants
8. Evaluate hydrogeologic effects of pumping wells, fluid injection, containment walls, reactive barriers, and subsurface structures on groundwater flow and quality
9. Evaluate remedial technologies given the hydrogeologic conditions
10. Evaluate the potential impacts of anthropogenic activities (e.g., agricultural development, mining, pumping) on surface and groundwater quality and supply
11. Evaluate the potential impact of groundwater recharge on water quality
12. Develop groundwater flow and transport models
13. Determine the need for groundwater control (e.g., production wells, sensitive receptors, subsurface structures, excavations)

Test questions on these professional activities may include one or more of the following:

- A. Applicable laws, regulations, and policies pertaining to data collected for groundwater use and protection
- B. The interpretation of relationships among geologic strata, hydrostratigraphic units and hydraulic characteristics
- C. Data evaluation to establish background conditions in soil and groundwater
- D. Potential groundwater contaminants and impacts associated with various categories of land use and industrial processes
- E. The effects of anthropogenic modifications on subsurface drainage and groundwater flow conditions
- F. Statistical methods to evaluate soil or groundwater data
- G. Graphical and tabular techniques for analysis and presentation of hydrogeologic data
- H. Methods to determine groundwater flow directions and horizontal and vertical hydraulic gradients
- I. Data selection for groundwater potentiometric surface maps
- J. Water chemistry evaluation (e.g., stable isotope studies, radiometric dating, major ion distribution, contaminants)
- K. Techniques to analyze aquifer test data
- L. Interpretation of soil moisture and soil vapor migration in the unsaturated zone
- M. Causes and effects of land subsidence
- N. Procedures for calculating recharge rates
- O. Techniques and procedures used for water budget evaluations
- P. Groundwater and surface water interaction
- Q. Land use impacts on water resources
- R. Methods to calculate groundwater flow rates, mass flux and volume
- S. The effects of boundary conditions on groundwater flow during pumping
- T. Methods for evaluating changes in groundwater storage
- U. Principles and methods to estimate natural attenuation
- V. The chemical and biochemical transformation of organic and inorganic compounds
- W. Groundwater flow and solute transport modeling practices
- X. Numerical models, including calibration, sensitivity analysis, and uncertainty analysis
- Y. Fractured rock groundwater flow systems
- Z. Wellhead protection strategies

<p>AA. Hydrogeologic factors in selecting remedial alternatives BB. Hydrogeologic conditions pertaining to excavation hazards CC. Sustainable groundwater management practices</p>	
<p>IV. Application</p> <p>Professional Activities:</p> <ol style="list-style-type: none"> 1. Design, install and develop wells (e.g., production, extraction, injection, monitoring) 2. Develop subsurface monitoring programs 3. Prepare design recommendations for dewatering or collection systems 4. Design and implement well rehabilitation programs 5. Prepare design recommendations for groundwater and vapor extraction remediation systems 6. Prepare recommendations for groundwater replenishment and aquifer storage 7. Develop plans for the destruction of wells and boreholes <p>Test questions on these professional activities may include one or more of the following:</p> <ol style="list-style-type: none"> A. Borehole drilling and well construction techniques to prevent cross-contamination B. Drilling techniques and construction practices for different types of wells C. Well design (e.g., screen type, length, slot size, filter pack selection) D. Well development and testing E. Procedures for well maintenance and rehabilitation F. Techniques and regulations for well and borehole destruction G. Analytical techniques and numeric modeling to design a well field for groundwater extraction or injection H. Soil, soil vapor and groundwater remediation methods, performance and optimization I. Sustainable groundwater management criteria (e.g., groundwater declines, subsidence, seawater intrusion) J. Hydrogeologic requirements pertaining to the location, monitoring, and operation of septic systems and waste disposal facilities K. Methods for dewatering and groundwater control L. Methods for conducting and estimating groundwater recharge 	<p>20%</p>

CHG 2025 Test Plan Tracked Changes (vs. 2020 Test Plan)

Deletions

Insertions

I. Project Planning
Professional Activities:
1. Develop an investigation approach a process to achieve project objectives
2. Determine type, collection methods, quantity and quality of data, and methods of data analysis needed to achieve project objectives based on anticipated hydrogeology
3. Identify technical and regulatory requirements for hydrogeologic investigations
4. Determine regulatory requirements for hydrogeologic investigations
5. Examine 4. Determine potential off-site/on-site contaminant sources of contamination
65. Develop and refine a conceptual hydrogeologic model
76. Identify water quality criteria for the intended use
87. Determine the potential for saline water intrusion
98. Evaluate potential sources of water supply
109. Identify the potential need to control groundwater flow direction or head
110. Develop preliminary well design based on existing site data
1211. Assess hydrogeologic factors in conditions pertaining to water management decisions
12. Assess hydrogeologic conditions related to seismic and geologic hazards
Test questions on these professional activities may include one or more of the following:
A. Applicable laws, regulations, permitting and policies pertaining to groundwater sampling, testing and reporting hydrogeology
B. Regulatory agencies that have jurisdictional authority over water (e.g., supply, quality, rights, use, sustainability)
C. Regional and local hydrogeologic conditions that may affect investigation approaches (e.g., basin boundaries, buried stream channels, proximity to pumping wells, utility trenches)
D. Different site investigation methods (e.g., aquifer testing, geophysical techniques, soil and groundwater sampling)
ED. Laboratory methods to determine physical properties and chemical concentrations of soil, rock, water, gas, and waste samples
F. Various drilling E. Subsurface exploration methods for different geologic settings
GF. The characteristics of different types of wells (e.g., siting, design, construction, development, testing, sampling)
HG. Methods for measuring groundwater levels, free product nonaqueous phase liquid thickness, and field water quality parameters from wells
HJ. Field testing and sampling methods for soil, soil gas, and groundwater
IJ. Groundwater monitoring program elements (e.g., location, density, frequency, data distribution)

KJ . Aquifer testing methods and procedures, including their uses and limitations
LK . The elements of preparing a conceptual site model
ML . Quality assurance and quality control methods for hydrogeologic and water quality data
N . Characteristics of groundwater basins and geologic environments
OM . The types and sources of potential groundwater contaminants associated with various categories of land uses, industrial processes, and geologic conditions
PN . The sources and quality of climate meteorological data related to hydrogeologic analysis
Q . Aquifer characteristics and the O . The principles of groundwater flow and aquifer characteristics
RP . Potential groundwater effects from long-term land use and water management plans
S . Dynamic Q R Relationship between fresh water and saline water in aquifers
TR . Tidal and barometric pressure effects on groundwater levels
U . Elements of S w Water budgets s elements
V . Elements of T s sustainable groundwater management plan elements
WU . Hydrogeologic factors site evaluation related to on-site wastewater disposal (e.g., septic systems, land application, ponds, injection wells)
X . Hydrogeologic factors related to surface water and storm water management
V . Hydrogeologic conditions contributing to seismic and geologic hazards (e.g., liquefaction, subsidence, landslides, settlement)
II. Data Collection
Professional Activities:
1. Collect hydrogeologic data from public and private sources (e.g., land use information, aerial photographs, remote sensing, historical records, online databases)
2. Assess surficial conditions and site features in the field
3 . Conduct subsurface evaluations (e.g., rapid profiling techniques, lithologic and geophysical logging)
34 . Map hydrogeologic features (e.g., streams , springs, wetlands, wells, geologic structures)
45 . Collect samples and field data (e.g., lithology, stratigraphy , structure , moisture, water levels, flow rate, chemistry, geophysics, other properties)
56 . Apply quality control standards procedures to the collection of data
67 . Assess the physical condition, construction, and performance of existing wells
8 . Conduct infiltration tests in the unsaturated zone (e.g., falling head)
79 . Conduct hydraulic aquifer testing (e.g., pumping and injection , slug tests, stream gaging , other multi-well and single well tests)
Test questions on these professional activities may include one or more of the following:
A. Sources and interpretive techniques for aerial photographs and remote sensing imagery
B. Site reconnaissance elements related to hydrogeology (e.g., land modification drainage patterns , presence of wetlands , current conditions , and past use, anthropogenic structures)

C. The relationships among geologic structures and strata, hydrostratigraphic units and hydraulic characteristics
D. How the properties of geologic media may affect water and contaminant and water migration through surface water, the vadose zone, and aquifer
E. Techniques and equipment to conduct single and multi-well aquifer tests
F. Techniques and equipment to measure groundwater levels and non-aqueous phase liquid thickness in wells
G. Techniques and equipment for sample collection
G H. Techniques to estimate groundwater flow, direction, and velocity
I. Techniques and equipment for infiltration tests
H. Borehole J. g Geophysical investigation techniques
K. Rapid subsurface profiling techniques/direct-push technologies (e.g., CPT, MIP, Hydropunch™)
L. Methods to determine hydraulic properties of saturated and unsaturated earthzone materials
J. Principles M. Aquifer properties and principles of well hydraulics and aquifer properties
K N. Techniques to measure well discharge and well efficiency
L. The principles of groundwater flow pertaining to confined and unconfined aquifers under pumping and steady state conditions
M O. Quality control standardsprocedures
III. Evaluation and Analysis
<u>Professional Activities:</u>
1. Evaluate hydrogeologic data from public and private sources (e.g., land use information, aerial photographs, remote sensing, historical records, online databases)
2. Interpret aquifer test and other data to characterize hydrogeologic properties, boundaries, heterogeneity, and anisotropy in aquifers
3. Prepare hydrogeologic inventory and water budget
4. Assess surface water/groundwater interactions
5. Characterize nature and extent of contamination
6. Prepare illustrations and interpret trends from water level and/or quality data
7. Evaluate fate and transport of contaminants
8. Evaluate hydrogeologic effects of pumping wells, fluid injection, containment walls, reactive barriers, and subsurface structures on groundwater flow and quality
9. Evaluate the hydrogeologic aspects of remedial technologies given the hydrogeologic conditions
10. Estimate Evaluate the potential impacts of anthropogenic activities (e.g., agricultural development, mining, energy, pumping) on surface and groundwater quality and supply
11. Evaluate the potential impact of groundwater recharge on water quality

12. Develop, calibrate, groundwater flow and understand limitations and assumptions of numerical and analytical transport models
13. Determine the need for groundwater control (e.g., production well, sensitive receptors, subsurface structures, excavations)
Test questions on these professional activities may include one or more of the following:
A. Applicable laws, regulations, and policies pertaining to data collected for groundwater use and protection
B. The interpretation of relationships among geologic strata, hydrostratigraphic units, and hydraulic characteristics
C. Data evaluation to establish background conditions in soil and groundwater
D. Potential groundwater contaminants and impacts associated with various categories of land use and industrial processes
E. The effects of anthropogenic modifications on subsurface drainage and groundwater flow conditions
F. Statistical methods to evaluate soil or groundwater data
G. Graphical and tabular techniques for analysis and presentation of hydrogeologic data
H. Methods to determine groundwater flow directions and horizontal and vertical hydraulic gradients
I. Data selection for groundwater potentiometric surface maps
J. Water chemistry evaluation (e.g., stable isotope studies, radiometric dating, major ion distribution, contaminants)
K. Techniques to analyze aquifer test data
L. Unsaturated zone Interpretation of soil moisture and soil vapor migration principles in the unsaturated zone
M. Causes and effects of land subsidence
N. Procedures for calculating recharge rates
O. Techniques and procedures used for water budget evaluations
P. The interaction between g Groundwater and surface water interaction
Q. Land use effects impacts on water resources
R. Methods to calculate groundwater flow rates, mass flux, and volume
S. The effects of boundary conditions on water levels groundwater flow during pumping
T. Methods for evaluating changes in groundwater storage
U. Principles and methods to estimate natural attenuation
V. The chemical and biochemical transformation of organic and inorganic compounds
W. Groundwater flow and solute transport modeling principles including their assumptions and limitations practices
X. Numerical models, including calibration, sensitivity analysis, and uncertainty analysis
Y. The similarities and differences in f Fractured and porous rock groundwater flow systems

Z. Wellhead protection areas strategies
AA. Comparative evaluation of h Hydrogeologic aspects of <u>factors in selecting</u> remedial alternatives
BB. Data evaluation from pilot tests for water supply, dewatering, and remediation BB. Hydrogeologic conditions pertaining to excavation hazards
CC. Evaluation of available water supply and s Sustainable groundwater management <u>practices</u>
IV. Application
Professional Activities:
(1 is moved below)
21. Design, install and develop wells <u>and piezometers</u> (e.g., production, extraction, injection, monitoring)
32. Develop subsurface monitoring programs
43. Prepare design recommendations for dewatering or collection systems
54. Design and implement well rehabilitation programs
65. Prepare design recommendations for <u>hydrogeologic related projects</u> (e.g., groundwater <u>and vapor extraction</u> remediation, <u>groundwater management, aquifer storage, and groundwater replenishment programs</u>) <u>systems</u>
16. Prepare <u>design</u> recommendations for groundwater <u>production, extraction</u> <u>replenishment</u> and <u>injection wells</u> <u>aquifer storage</u>
7. Develop plans for the destruction of wells and boreholes
Test questions on these professional activities may include one or more of the following:
A. Borehole drilling and well construction techniques to prevent cross-contamination
B. Drilling techniques and construction practices for different types of wells
C. Well design (e.g., screen <u>type, length, slot</u> size, filter pack selection, casing type)
D. Well development and testing
E. Procedures for well maintenance and rehabilitation
F. Techniques and regulations for well <u>and borehole</u> destruction
G. Hydrogeologic factors and a Analytical techniques <u>and numeric modeling</u> to design a well field for groundwater extraction or injection
H. Soil, soil vapor and groundwater remediation methods, performance and optimization
(1 is moved below)
J. Hydrogeologic factors for evaluating the effectiveness of I. Sustainable groundwater management actions <u>and criteria</u> (e.g., groundwater <u>sustainability projects</u> <u>declines, subsidence, seawater intrusion</u>)
K.J. Hydrogeologic requirements pertaining to the <u>investigation</u> , location, <u>monitoring</u> , and operation of <u>septic systems and</u> waste disposal <u>and treatment</u> facilities
<u>K. Methods for dewatering and groundwater control</u>
<u>L. Methods for <u>conducting and</u> estimating <u>natural and artificial</u> groundwater recharge</u>



BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS

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Re: Advocating for the Continuation of Sonoma State University's Geology Department

To whom it may concern:

The California Board for Professional Engineers, Land Surveyors, and Geologists (BPELSG) has prepared this letter to advocate for the continuation of Sonoma State University's Geology Department. The BPELSG is concerned that the decision to close Sonoma State University's Geology Department will have long-term negative consequences for the health, safety, and welfare of the people of California by negatively affecting the number of qualified candidates seeking a professional geologist license.

Professional geologists play a critical, and often unknown, role in our modern society. From identifying life-threatening geologic hazards like earthquake fault zones and landslides, to playing a crucial role in climate resiliency, geologists help guide public policy making sure the massive financial impacts associated with geologic disasters are properly understood and included in the siting and design of schools, hospitals, roads, dams, and housing. The BPELSG strongly urges you to reconsider this course of action and explore alternatives to preserve the vital resource that the department represents.

One of the biggest hurdles facing a professional geologist (PG) applicant is meeting California's educational requirements for licensure. Unlike the requirements for licensure as a professional engineer or professional land surveyor, the Geologist and Geophysicist Act requires applicants to first obtain 30 semester hours of upper division geological coursework. Currently, accreditation standards for geology programs, both nationally and regionally, remain inconsistent. While the very specific coursework requirements ensure consistency in licensing, many PG applications are deficient because some universities do not have the expertise to offer all the required courses. The main course that most deficient applications are missing is 'field geology'. Sonoma State's Geology Department, however, has a reputation for its field geology curriculum and its graduates meet the Board's education requirements.

The closure of this department represents not just the loss of an academic department but a blow to workforce development, public safety, and environmental stewardship. The facilities available to the students, including scientific equipment, numerous geological samples, and the stellar faculty who have successfully rebuilt their program following the Covid pandemic should outweigh short-term costs, especially in a state that faces rapid geologic changes from earthquakes and climactic stressors. Let us work together to preserve this invaluable resource for future generations of consumers in California.

Thank you for your attention to this urgent matter.

Sincerely,

A handwritten signature in cursive script that reads "Christina Wong".

Christina Wong
Board President

VII. Legislation

- A. 2025 Legislative Calendar
- B. Discussion of Legislation for 2025 (**Possible Action**)
 - 1. Assembly Bill (AB) 667 – Professions and vocations: license examinations; interpreters
 - 2. AB 742 – Department of Consumer Affairs: licensing: applicants who are descendants of slaves
 - 3. AB 1341 – California Public Records Act: record withholding
 - 4. Senate Bill (SB) 518 – Descendants of enslaved persons; reparations
 - 5. SB 470 – Bagley-Keene Open Meeting Act: teleconferencing
 - 6. SB 606 – Shelter crisis: emergency housing: immunity from liability
 - 7. SB 641 – Department of Consumer Affairs and Department of Real Estate: states of emergency: waivers and exemptions

DEADLINES

JANUARY

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

- Jan. 1** Statutes take effect (Art. IV, Sec. 8(c)).
- Jan. 6** Legislature Reconvenes (J.R. 51(a)(1)).
- Jan. 10** Budget must be submitted by Governor (Art. IV, Sec. 12(a)).
- Jan. 20** Martin Luther King, Jr. Day.
- Jan. 24** Last day to submit **bill requests** to the Office of Legislative Counsel.

FEBRUARY

S	M	T	W	TH	F	S
						1
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23	24	25	26	27	28	

- Feb. 17** Presidents' Day.
- Feb. 21** Last day for bills to be **introduced** (J.R. 61(a)(1), (J.R. 54(a)).

MARCH

S	M	T	W	TH	F	S
						1
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23	24	25	26	27	28	29
30	31					

- Mar. 31** Cesar Chavez Day

APRIL

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- Apr. 10** **Spring Recess** begins upon adjournment of this day's session (J.R. 51(a)(2)).
- Apr. 21** Legislature reconvenes from **Spring Recess** (J.R. 51(a)(2)).

MAY

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- May 2** Last day for **policy committees** to hear and report to **fiscal committees** fiscal bills introduced in their house (J.R. 61(a)(2)).
- May 9** Last day for **policy committees** to hear and report to the Floor **nonfiscal** bills introduced in their house (J.R. 61(a)(3)).
- May 16** Last day for **policy committees** to meet prior to June 9 (J.R. 61(a)(4)).
- May 23** Last day for **fiscal committees** to hear and report to the Floor bills introduced in their house (J.R. 61(a)(5)). Last day for **fiscal committees** to meet prior to June 9 (J.R. 61 (a)(6)).
- May 26** Memorial Day.

*Holiday schedule subject to Senate Rules committee approval.

JUNE

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29	30					

June 2 - 6 Floor Session Only. No committees, other than conference or Rules committees, may meet for any purpose (J.R. 61(a)(7)).

June 6 Last day for each house to pass bills introduced in that house (J.R. 61(a)(8)).

June 9 Committee meetings may resume (J.R. 61(a)(9)).

June 15 Budget Bill must be passed by **midnight** (Art. IV, Sec. 12(c)(3)).

JULY

S	M	T	W	TH	F	S
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27	28	29	30	31		

July 4 Independence Day.

July 18 Last day for **policy committees** to meet and report bills (J.R. 61(a)(10)). **Summer Recess** begins upon adjournment of session provided Budget Bill has been passed (J.R. 51(a)(3)).

AUGUST

S	M	T	W	TH	F	S
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24	25	26	27	28	29	30
31						

Aug. 18 Legislature reconvenes from **Summer Recess** (J.R. 51(a)(3)).

Aug. 29 Last day for **fiscal committees** to meet and report bills to the Floor. (J.R. 61(a)(11)).

SEPTEMBER

S	M	T	W	TH	F	S
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28	29	30				

Sept. 1 Labor Day.

Sept. 2-12 Floor Session Only. No committees, other than conference or Rules committees, may meet for any purpose (J.R. 61(a)(12)).

Sept. 5 Last day to **amend** on the Floor (J.R. 61(a)(13)).

Sept. 12 Last day for **each house to pass bills** (J.R. 61(a)(14)). **Interim Study Recess** begins at end of this day's session (J.R. 51(a)(4)).

*Holiday schedule subject to Senate Rules committee approval.

IMPORTANT DATES OCCURRING DURING INTERIM STUDY RECESS

2025

Oct. 12 Last day for Governor to sign or veto bills passed by the Legislature on or before Sept. 12 and in the Governor's possession after Sept. 12 (Art. IV, Sec.10(b)(1)).

2026

Jan. 1 Statutes take effect (Art. IV, Sec. 8(c)).
 Jan. 5 Legislature reconvenes (J.R. 51(a)(4)).

AB 667 (Solache-D)
Professions and vocations: license examinations; interpreters

Status/History: 3/21/2025 – Referred to Committees on Professions and Professions and Health

Location: 3/21/2025 – In Committee process

Introduced: 2/14/2025

Board Position: Pending

Board Staff Analysis: 3/24/2025

Bill Summary: Existing law establishes the Department of Consumer Affairs, which is composed of various boards that license and regulate various professions. Existing law provides for the certification and regulation of nurse assistants and home health aides by the State Department of Public Health. This bill would, beginning July 1, 2026, require the State Department of Public Health and boards under the jurisdiction of the Department of Consumer Affairs to permit an applicant who cannot read, speak, or write in English to use an interpreter, at no cost to the applicant, to interpret the English verbal and oral portions of the license or certification examination, as applicable, if the applicant meets all other requirements for licensure.

This bill would require an interpreter to satisfy specified requirements, including not having the license for which the applicant is taking the examination. The bill would also require those boards and the State Department of Public Health to post on their internet websites that an applicant may use an interpreter if they cannot read, speak, or write in English and if they meet all other requirements for licensure or certification.

This bill would require those boards and the State Department of Public Health to include in their licensure or certification applications a section that asks the applicant to identify their preferred language and, beginning July 1, 2027, to conduct an annual review of the language preferences of applicants. The bill would require the State Department of Public Health and those boards, beginning July 1, 2029, and until January 1, 2033, to annually report to specified committees of the Legislature on language preference data.

Affected Laws: An act to amend Section 41 of the Business and Professions Code and to add Section 1337.25 to the Health and Safety Code.

Staff Comment: Currently, the language of the bill appears to only impact those portions of examinations which are administered by oral or verbal methods and the Board does not require any portion of their national or state exams orally or verbally.

Staff Recommendation:

Staff notes that generally exam candidates are subject to several procedures upon arriving at CBT test centers which include checking in, verifying identification, security procedures, instruction on how to use the testing equipment, taking breaks, requesting assistance during the exam, using restrooms, etc. All of this is in addition to the actual examination materials provided by the Board. The proposed language does not differentiate between verbal portions of the actual examination materials of other procedures necessary to ensure that the examinee satisfies the secure exam environment conditions.

Additionally, the proposed language may require the Board to include a new section in the license application that asks an applicant to identify their preferred written, spoken, and signed language and to provide an annual report to legislative committees. Since the Board does not appear to be impacted by the condition to require an interpreter, it is unclear whether all Board/Bureaus would need to implement these questions or only those which will require an interpreter.

If required, these requirements would cause the Board to modify their existing application instructions for all application types in Connect which can potentially cause a unknown cost to the Board's budget to implement such revisions to the current application process. There is no clear understanding or observable benefit to the Board's stakeholders and operations when the Board has no record of ever receiving requests in the past for interpreter services.

Staff recommends the Board take a Watch position on AB 667 as introduced February 14, 2025

ASSEMBLY BILL

No. 667

Introduced by Assembly Member Solache

February 14, 2025

An act to add Section 41 to the Business and Professions Code, and to add Sections 1337.25 and 1736.3 to the Health and Safety Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

AB 667, as introduced, Solache. Professions and vocations: license examinations: interpreters.

Existing law establishes the Department of Consumer Affairs, which is composed of various boards that license and regulate various professions. Existing law provides for the certification and regulation of nurse assistants and home health aids by the State Department of Public Health.

This bill would, beginning July 1, 2026, require the State Department of Public Health and boards under the jurisdiction of the Department of Consumer Affairs to permit an applicant who cannot read, speak, or write in English to use an interpreter, at no cost to the applicant, to interpret the English verbal and oral portions of the license or certification examination, as applicable, if the applicant meets all other requirements for licensure.

This bill would require an interpreter to satisfy specified requirements, including not having the license for which the applicant is taking the examination. The bill would also require those boards and the State Department of Public Health to post on their internet websites that an applicant may use an interpreter if they cannot read, speak, or write in

English and if they meet all other requirements for licensure or certification.

This bill would require those boards and the State Department of Public Health to include in their licensure or certification applications a section that asks the applicant to identify their preferred language and, beginning July 1, 2027, to conduct an annual review of the language preferences of applicants. The bill would require the State Department of Public Health and those boards, beginning July 1, 2029 and until January 1, 2033, to annually report to specified committees of the Legislature on language preference data.

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

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

1 SECTION 1. Section 41 is added to the Business and
2 Professions Code, to read:
3 41. (a) For purposes of this section:
4 (1) "Board" means any board under the jurisdiction of the
5 Department of Consumer Affairs, as specified in Section 101.
6 (2) "Interpreter" means an individual who satisfies all of the
7 following conditions:
8 (A) Is fluent in English and in the preferred language of the
9 applicant.
10 (B) Has not acted as an interpreter for the examination within
11 the year preceding the date of the examination.
12 (C) Is not licensed and has not been issued the license for which
13 the applicant is taking the examination.
14 (D) Is not a current or former student in an educational program
15 for the license for which the applicant is taking the examination.
16 (E) Is not a current or former student in an apprenticeship or
17 training program for the license for which the applicant is taking
18 the examination.
19 (F) Is not a current or former owner or employee of a school
20 for the license for which the applicant is taking the examination.
21 (b) Notwithstanding any other law, beginning July 1, 2026, each
22 board shall do all of the following:
23 (1) Permit an applicant who cannot read, speak, or write in
24 English to use an interpreter, at no cost to the applicant, to interpret
25 the English verbal and oral portions of a state-administered or

1 contracted license examination to their preferred language,
2 provided the applicant meets all other requirements for licensure.

3 (2) Post on the board's internet website that an applicant may
4 use an interpreter to interpret a license examination if the applicant
5 cannot read, speak, or write in English, provided the applicant
6 meets all other competency requirements for licensure. This notice
7 shall be posted in English, Spanish, Farsi, Hindi, Chinese,
8 Cantonese, Mandarin, Korean, Vietnamese, Tagalog, and Arabic.

9 (3) Include an additional section in a license application that
10 asks an applicant to identify their preferred written, spoken, and
11 signed languages.

12 (c) Beginning July 1, 2027, each board shall conduct an annual
13 review of the language preferences of applicants for licensure that
14 is collected from license applications.

15 (d) (1) Beginning January 1, 2029, each board shall annually
16 report to the Senate Business, Professions, and Economic
17 Development and the Assembly Business and Professions
18 Committees on language preference data collected from license
19 applications.

20 (2) The report shall be submitted in compliance with Section
21 9795 of the Government Code.

22 (3) Pursuant to Section 10231.5 of the Government Code, this
23 subdivision shall become inoperative on January 1, 2033.

24 SEC. 2. Section 1337.25 is added to the Health and Safety
25 Code, immediately following Section 1337.2, to read:

26 1337.25. (a) For purposes of this section, "interpreter" means
27 an individual who satisfies all of the following conditions:

28 (1) Is fluent in English and in the preferred language of the
29 applicant.

30 (2) Has not acted as an interpreter for an examination for
31 certification as a nurse assistant within the year preceding the date
32 of the examination.

33 (3) Is not a certified nurse assistant and has not held a certificate
34 as a nurse assistant in the state.

35 (4) Is not a current or former student in an educational program
36 for certification as a nurse assistant.

37 (5) Is not a current or former student in a certified nurse assistant
38 apprenticeship or training program.

39 (6) Is not a current or former owner or employee of a school
40 for certification as a nurse assistant.

1 (b) Notwithstanding any other law, beginning July 1, 2026, the
2 department shall do all of the following:

3 (1) Permit an applicant who cannot read, speak, or write in
4 English to use an interpreter, at no cost to the applicant, to interpret
5 the English verbal and oral portions of a state-administered or
6 contracted certified nurse assistant examination to their preferred
7 language, provided the applicant meets all other requirements for
8 certification.

9 (2) Post on the department's internet website that an applicant
10 may use an interpreter to interpret the certified nurse assistant
11 examination if the applicant cannot read, speak, or write in English,
12 provided the applicant meets all other competency requirements
13 for certification. This notice shall be posted in English, Spanish,
14 Farsi, Hindi, Chinese, Cantonese, Mandarin, Korean, Vietnamese,
15 Tagalog, and Arabic.

16 (3) Include an additional section in the certified nurse assistant
17 application that asks an applicant to identify their preferred written,
18 spoken, and signed languages.

19 (c) Beginning July 1, 2027, the department shall conduct an
20 annual review of the language preferences of applicants for nurse
21 assistant certification that is collected from applications.

22 (d) (1) Beginning January 1, 2029, the department shall annually
23 report to the Senate and Assembly Health Committees on language
24 preference data collected from nurse assistant certification
25 applications.

26 (2) The report shall be submitted in compliance with Section
27 9795 of the Government Code.

28 (3) Pursuant to Section 10231.5 of the Government Code, this
29 subdivision shall become inoperative on January 1, 2033.

30 SEC. 3. Section 1736.3 is added to the Health and Safety Code,
31 to read:

32 1736.3. (a) For purposes of this section, "interpreter" means
33 an individual who satisfies all of the following conditions:

34 (1) Is fluent in English and in the preferred language of the
35 applicant.

36 (2) Has not acted as an interpreter for an examination for
37 certification as a home health aid within the year preceding the
38 date of the examination.

39 (3) Is not a certified home health aid and has not held a
40 certificate as a home health aid in the state.

1 (4) Is not a current or former student in an educational program
2 for certification as a nurse assistant.

3 (5) Is not a current or former student in a certified home health
4 aid apprenticeship program.

5 (6) Is not a current or former owner or employee of a school
6 for certification as a nurse assistant.

7 (b) Notwithstanding any other law, beginning July 1, 2026, the
8 department shall do all of the following:

9 (1) Permit an applicant who cannot read, speak, or write in
10 English to use an interpreter, at no cost to the applicant, to interpret
11 the English verbal and oral portions of the certified home health
12 aid examination to their preferred language, provided the applicant
13 meets all other requirements for certification.

14 (2) Post on the department's internet website that an applicant
15 may use an interpreter to interpret the certified home health aid
16 examination if the applicant cannot read, speak, or write in English,
17 provided the applicant meets all other competency requirements
18 for certification. This notice shall be posted in English, Spanish,
19 Farsi, Hindi, Chinese, Cantonese, Mandarin, Korean, Vietnamese,
20 Tagalog, and Arabic.

21 (3) Include an additional section in the certified home health
22 aid application that asks an applicant to identify their preferred
23 written, spoken, and signed languages.

24 (c) Beginning July 1, 2027, the department shall conduct an
25 annual review of the language preferences of applicants for home
26 health aid certification that is collected from applications.

27 (d) (1) Beginning on January 1, 2029, the department shall
28 annually report to the Senate and Assembly Health Committees
29 on language preference data collected from home health aid
30 certification applications.

31 (2) The report shall be submitted in compliance with Section
32 9795 of the Government Code.

33 (3) Pursuant to Section 10231.5 of the Government Code, this
34 subdivision shall become inoperative on January 1, 2033.

O

AB 742 (Elhawary-D)

Department of Consumer Affairs; licensing: applicants who are descendants of slaves

Status/History: 3/21/2025 – Referred to Assembly Committees on Business and Professions and Judiciary

Location: 3/21/2025 – In Committee process

Introduced: 2/18/2025

Board Position: Pending

Board Staff Analysis: 3/21/2025

Bill Summary: Existing law establishes the Department of Consumer Affairs, which is composed of specified boards that license and regulate various professions.

This bill would require those boards to prioritize applicants seeking licensure who are descendants of American slaves once a process to certify descendants of American slaves is established. This bill would make those provisions operative when the certification process is established and would repeal those provisions 4 years from the date on which the provisions become operative or on January 1, 2032, whichever is earlier.

This bill would make these provisions operative only if SB 518 of the Regular Session is enacted establishing the Bureau for Descendants of American Slavery, and would make these provisions operative when the certification process is established pursuant to that measure. The bill would repeal these provisions 4 years from the date on which they become operative or on January 1, 2032, whichever is earlier.

Affected Laws: An act to add and repeal Section 115.7 to the Business and Professions Code.

Staff Comment: This bill would create a requirement for the Board to prioritize applicants certified by the Bureau for Descendants of American Slavery. This bill is related to SB 518, addressed separately in the Board’s meeting materials, which is proposing to add and repeal the same section of code.

This bill is related to AB 2862 (Gipson-D) from the 2023-24 Legislative Session which was scheduled to be heard in multiple committees before being withdrawn by the Author. The Board took a position of Watch at its May 9, 2024 board meeting.

Staff and board concerns during the 2023-24 session were primarily related to how both the Board and the applicant would determine and verify whether the applicant was a descendant from an enslaved person, and how the verification process would be so time and labor intensive as to diminish the intent of prioritization. Since SB 518 seeks to establish a specific Bureau to make that certification, if enacted, the establishment of that Bureau could alleviate previously expressed concerns.

Staff Recommendation:

Staff recommends the Board take a Watch position on AB 742 as introduced February 18, 2025.

AMENDED IN ASSEMBLY MARCH 13, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 742

Introduced by Assembly Member Elhawary
(Principal coauthors: Assembly Members Bonta, Bryan, Gipson,
Jackson, McKinnor, Sharp-Collins, and Wilson)
(Principal coauthors: Senators Richardson, Smallwood-Cuevas, and
Weber Pierson)

February 18, 2025

An act to add and repeal Section 115.7 of the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

AB 742, as amended, Elhawary. Department of Consumer Affairs: licensing: applicants who are descendants of slaves.

Existing law establishes the Department of Consumer Affairs, which is composed of specified boards that license and regulate various professions.

This bill would require those boards to prioritize applicants *seeking licensure* who are descendants of ~~slaves seeking licenses, especially applicants who are descended from a person enslaved within the United States~~. *American slaves once a process to certify descendants of American slaves is established, as specified. The bill would make those provisions operative when the certification process is established and would repeal those provisions 4 years from the date on which the provisions become operative or on January 1, 2032, whichever is earlier.*

This bill would make these provisions operative only if SB 518 of the 2025–26 Regular Session is enacted establishing the Bureau for

Descendants of American Slavery, and would make these provisions operative when the certification process is established pursuant to that measure. The bill would repeal these provisions 4 years from the date on which they become operative or on January 1, 2032, whichever is earlier.

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

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

1 SECTION 1. Section 115.7 is added to the Business and
2 Professions Code, to read:

3 115.7. (a) Notwithstanding any other law,~~a once the process~~
4 ~~to certify descendants of American slaves is established by the~~
5 ~~Bureau for Descendants of American Slavery pursuant to Part 15~~
6 ~~(commencing with Section 16000) of Division 3 of Title 2 of the~~
7 ~~Government Code that confirms an individual’s status as a~~
8 ~~descendant of an American slave, each board shall prioritize~~
9 ~~applicants seeking licensure who are descendants of slaves seeking~~
10 ~~licenses, especially applicants who are descended from a person~~
11 ~~enslaved within the United States. American slaves.~~

12 (b) *This section shall become operative on the date that the*
13 *certification process for the descendants of American Slaves is*
14 *established by the Bureau for Descendants of American Slavery*
15 *pursuant to Part 15 (commencing with Section 16000) of Division*
16 *3 of Title 2 of the Government Code.*

17 (c) *This section shall remain in effect only for four years from*
18 *the date on which this section became operative, or until January*
19 *1, 2032, whichever is earlier, and as of that date is repealed.*

20 (d) *This section shall become operative only if Senate Bill 518*
21 *of the 2025–26 Regular Session is enacted establishing the Bureau*
22 *for Descendants of American Slavery.*

O

AB 1341 (Hoover-R)

Contractors: discipline: unlicensed architecture, engineering, or land surveying

Status/History: 3/25/2025 – Referred to Committee on Business and Professions Code

Location: 3/25/2025 – Committee on Business and Professions Code

Introduced: 2/21/2025

Amended: 3/24/2025

Board Position: Pending

Board Staff Analysis: 3/25/2025

Bill Summary: Existing law, the Contractors’ State License Law, establishes the Contractors’ State License Board to license and regulate contractors. Existing law makes the willful or deliberate disregard and violation of the building laws of the state or of specified other provisions of law a cause for disciplinary action against a licensee.

This bill would specify that “building laws of the state” includes certain prohibitions on the unlicensed practice of architecture, engineering, and land surveying, and, therefore, would also make a willful or deliberate disregard and violation of those specified prohibitions a cause for disciplinary action against a licensee.

Affected Laws: An act to amend Section 7110 of the Business and Professions Code.

Staff Comment: This proposed language originated from previous requests presented by professional organizations to the Board during the 2024 Sunset Bill legislation in an effort to help the Board with its enforcement of unlicensed practice, with the original emphasis on unlicensed land surveying. Currently, if a licensed contractor is the subject of a complaint filed with the Board and found to have been practicing a discipline regulated by the Board without an appropriate license or exemption, the Board can communicate that information to the Contractors State License Board (CSLB). However, it is the CSLB’s discretion on whether to pursue any disciplinary action against one of their licensees. This proposed language presumably requires the CSLB to investigate noticed violations of the Board’s laws by a licensed contractor related to the practice of civil, electrical, and mechanical engineering, and land surveying.

Staff Recommendation:

Staff recommends the Board take a Watch position on AB 1341 as amended March 24, 2025

AMENDED IN ASSEMBLY MARCH 24, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 1341

Introduced by Assembly Member Hoover

February 21, 2025

~~An act to amend Section 7922.000 of the Government Code, relating to public records. An act to amend Section 7110 of the Business and Professions Code, relating to professions and vocations.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1341, as amended, Hoover. ~~California Public Records Act: record withholding.~~—*Contractors: discipline: unlicensed architecture, engineering, or land surveying.*

Existing law, the Contractors' State License Law, establishes the Contractors' State License Board to license and regulate contractors. Existing law makes the willful or deliberate disregard and violation of the building laws of the state or of specified other provisions of law a cause for disciplinary action against a licensee.

This bill would specify that "building laws of the state" includes certain prohibitions on the unlicensed practice of architecture, engineering, and land surveying, and, therefore, would also make a willful or deliberate disregard and violation of those specified prohibitions a cause for disciplinary action against a licensee.

~~Existing law, the California Public Records Act, requires state and local agencies to make their records available for public inspection, unless an exemption from disclosure applies. The act requires an agency to justify withholding any record by demonstrating that the record in question is exempt under express provisions of the act, or that on the facts of the particular case the public interest served by not disclosing~~

the record clearly outweighs the public interest served by disclosure of the record.

~~This bill would make a nonsubstantive change to the provision requiring justification for withholding any record.~~

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

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

1 SECTION 1. Section 7110 of the Business and Professions
2 Code is amended to read:

3 7110. Willful or deliberate disregard and violation of the
4 building laws of the state, or of any political subdivision thereof,
5 or of any of the following references to or provisions of law,
6 constitutes a cause for disciplinary action against a licensee:

7 (a) Section 8550 or 8556.

8 (b) Sections 1689.5 to 1689.15, inclusive, of the Civil Code.

9 (c) The safety laws or labor laws or compensation insurance
10 laws or Unemployment Insurance Code of the state.

11 (d) The Subletting and Subcontracting Fair Practices Act
12 (Chapter 4 (commencing with Section 4100) of Part 1 of Division
13 2 of the Public Contract Code).

14 (e) Any provision of the Health and Safety Code or Water Code,
15 relating to the digging, boring, or drilling of water wells.

16 (f) Any provision of Article 2 (commencing with Section 4216)
17 of Chapter 3.1 of Division 5 of Title 1 of the Government Code.

18 (g) Section 374.3 of the Penal Code or any substantially similar
19 law or ordinance that is promulgated by a local government agency
20 as defined in Section 82041 of the Government Code.

21 (h) Any state or local law relating to the issuance of building
22 permits.

23 (i) As used in this section, "building laws of the state" includes,
24 without limitation, all of the following:

25 (1) Section 5536.

26 (2) Section 6730.

27 (3) Sections 8725 and 8726.

28 ~~SECTION 1. Section 7922.000 of the Government Code is~~
29 ~~amended to read:~~

30 ~~7922.000. An agency shall justify withholding any record by~~
31 ~~demonstrating that the record in question is exempt under express~~

SB 518 (Weber Pierson-D)
Descendants of enslaved persons: reparations

Status/History: 3/21/2025 – Referred to Senate Committees on Government Operations and Judiciary

Location: 3/21/2025 – In Committee process

Introduced: 2/19/2025

Board Position: Pending

Board Staff Analysis: 3/21/2025

Bill Summary: This bill would establish the Bureau for Descendants of American Slavery within state government, under the control of the director, who would be appointed by the Governor and confirmed by the Senate. The bill would require the bureau, as part of its duties, to determine how an individual's status as a descendant would be confirmed. The bill would also require proof of an individual's descendant status to be a qualifying criterion for benefits authorized by the state for descendants. To accomplish these goals, the bill would require the bureau to be comprised of a Genealogy Division, a Property Reclamation Division, an Education and Outreach Division, and a Legal Affairs Division.

Affected Laws: An act to add and repeal Section 115.7 to the Business and Professions Code.

Staff Comment: This bill would create a new Bureau under the Department for the purposes of determining an individual's status as a descendant of an enslaved person. This bill is related to AB 742, addressed separately in the Board's meeting materials, which is proposing to add and repeal the same section of code.

Staff Recommendation:

Staff recommends the Board take a Watch position on SB 518 as introduced February 19, 2025.

Introduced by Senator Weber Pierson

(Coauthors: Senators Richardson and Smallwood-Cuevas)

(Coauthors: Assembly Members Bonta, Bryan, Elhawary, Gipson,
Jackson, McKinnor, Ransom, Sharp-Collins, and Wilson)

February 19, 2025

An act to amend Section 11041 of, and to add Part 15 (commencing with Section 16000) to Division 3 of Title 2 of, the Government Code, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

SB 518, as introduced, Weber Pierson. Descendants of enslaved persons: reparations.

Former law, until July 1, 2023, established the Task Force to Study and Develop Reparation Proposals for African Americans, with a Special Consideration for African Americans Who are Descendants of Persons Enslaved in the United States (Task Force).

Former law required the Task Force, among other things, to identify, compile, and synthesize the relevant corpus of evidentiary documentation of the institution of slavery that existed within the United States and the colonies, as specified, and to recommend the form of compensation that should be awarded, the instrumentalities through which it should be awarded, and who should be eligible for this compensation.

This bill would establish the Bureau for Descendants of American Slavery within state government, under the control of the director, who would be appointed by the Governor and confirmed by the Senate. The bill would require the bureau, as part of its duties, to determine how an individual's status as a descendant would be confirmed. The bill would also require proof of an individual's descendant status to be a qualifying

criterion for benefits authorized by the state for descendants. To accomplish these goals, the bill would require the bureau to be comprised of a Genealogy Division, a Property Reclamation Division, an Education and Outreach Division, and a Legal Affairs Division.

Existing law prohibits a state agency, with certain exceptions, from employing any in-house counsel to act on behalf of the state agency or its employees in any judicial or administrative adjudicative proceeding in which the agency is interested, or is a party as a result of office or official duties, or contracting with outside counsel for any purpose.

This bill would exempt the bureau from those prohibitions.

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

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

1 SECTION 1. Section 11041 of the Government Code is
2 amended to read:

3 11041. (a) Section 11042 does not apply to the Regents of the
4 University of California, the Trustees of the California State
5 University, Legal Division of the Department of Transportation,
6 Division of Labor Standards Enforcement of the Department of
7 Industrial Relations, Workers' Compensation Appeals Board,
8 Public Utilities Commission, State Compensation Insurance Fund,
9 Legislative Counsel Bureau, Inheritance Tax Department, Secretary
10 of State, State Lands Commission, Alcoholic Beverage Control
11 Appeals Board (except when the board affirms the decision of the
12 Department of Alcoholic Beverage Control), Department of
13 Cannabis Control (except in proceedings in state or federal court),
14 State Department of Education, Department of Financial Protection
15 and Innovation, *Bureau for Descendants of American Slavery*, and
16 Treasurer with respect to bonds, nor to any other state agency
17 which, by law enacted after Chapter 213 of the Statutes of 1933,
18 is authorized to employ legal counsel.

19 (b) The Trustees of the California State University shall pay the
20 cost of employing legal counsel from their existing resources.

21 SEC. 2. Part 15 (commencing with Section 16000) is added to
22 Division 3 of Title 2 of the Government Code, to read:

1 PART 15. BUREAU FOR DESCENDANTS OF AMERICAN
2 SLAVERY

3
4 CHAPTER 1. DEFINITIONS

5
6 16000. For purposes of this part:

7 (a) "Bureau" means the Bureau for Descendants of American
8 Slavery.

9 (b) "Descendants" means descendants of an African American
10 chattel enslaved person in the United States, or descendants of a
11 free Black person living in the United States prior to the end of
12 the 19th century.

13 (c) "Director" means the Director of the Bureau of American
14 Slavery.

15
16 CHAPTER 2. GENERAL

17
18 16001. (a) The Bureau for Descendants of American Slavery
19 is hereby established within state government. The bureau shall
20 be under the direct control of a director who shall be responsible
21 to the Governor.

22 (b) The director shall be appointed by the Governor and
23 confirmed by the Senate, and shall perform all duties, exercise all
24 powers, assume and discharge all responsibilities, and carry out
25 and effect all purposes vested by law in the bureau.

26 (c) The salary of the director shall be fixed pursuant to Section
27 12001.

28
29 CHAPTER 3. POWERS AND DUTIES

30
31 16002. As part of its duties, the bureau shall determine how
32 an individual's status as a descendant shall be confirmed. Proof
33 of an individual's descendent status shall be a qualifying criteria
34 for benefits authorized by the state for descendants. To accomplish
35 these goals, the bureau shall include all of the following divisions:

36 (a) A Genealogy Division to do both of the following:

37 (1) Establish a process to certify descendants of American
38 slaves.

- 1 (2) Create a method for eligible individuals to submit claims
2 and receive compensation or restitution for those particular harms
3 California inflicted upon the claimant or their family.
- 4 (b) A Property Reclamation Division to do all of the following:
- 5 (1) Create a database of property ownership in the state.
- 6 (2) Research and document California state properties acquired
7 as a result of racially-motivated eminent domain, including
8 properties that no longer exist due to state highway construction
9 or other development.
- 10 (3) Review and investigate public complaints from people who
11 claim their property was taken without just compensation.
- 12 (4) Upon appropriation, distribute just compensation for the fair
13 market value, adjusted for property price appreciation, of the
14 property at the time of the taking.
- 15 (c) An Education and Outreach Division to develop and
16 implement a public education campaign regarding the cycle of
17 gentrification, displacement, and exclusion; the connection between
18 redlining and gentrification; and the history of discriminatory urban
19 planning in California.
- 20 (d) A Legal Affairs Division to provide legal advice, counsel,
21 and services to the bureau and its officials, and to ensure that the
22 bureau's programs are administered in accordance with applicable
23 legislative authority. The division shall also advise the head of the
24 bureau on legislative, legal, and regulatory initiatives and serve as
25 an external liaison on legal matters with other state agencies and
26 other entities.

SB 470 (Laird-D)
Bagley-Keene Open Meeting Act: teleconferencing

Status/History: 3/24/2025 – Referred to Coms. On Government Operations and Judicial

Location: 3/24/2025 – Set for hearing

Introduced: 2/19/2025

Board Position: Pending

Board Staff Analysis: 3/24/2025

Bill Summary: Existing law, the Bagley-Keene Open Meeting Act, requires, with specified exceptions, that all meetings of a state body be open and public and that all persons be permitted to attend any meeting of a state body. The act authorizes meetings through teleconference subject to specified requirements, including, among others, that the state body post agendas at all teleconference locations, that each teleconference location be identified in the notice and agenda of the meeting or proceeding, that each teleconference location be accessible to the public, that the agenda provide an opportunity for members of the public to address the state body directly at each teleconference location, and that at least one member of the state body be physically present at the location specified in the notice of the meeting.

The act authorizes an additional, alternative set of provisions under which a state body may hold a meeting by teleconference subject to specified requirements, including, among others, that at least one member of the state body is physically present at each teleconference location, as defined, that a majority of the members of the state body are physically present at the same teleconference location, except as specified, and that members of the state body visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform, except as specified. The act authorizes, under specified circumstances, a member of the state body to participate pursuant to these provisions from a remote location, which would not be required to be accessible to the public and which the act prohibits the notice and agenda from disclosing. The act repeals these provisions on January 1, 2026.

This bill would delete the January 1, 2026, repeal date, thereby authorizing the above-described additional, alternative set of teleconferencing provisions indefinitely.

Affected Laws: An act to amend Sections 11123.2 and 11123.5, of the Government Code.

Staff Comment: During the pandemic, various Executive Orders from the Governor authorized state bodies to meet remotely in the interest of health, safety, and welfare for members of the public as well as members of the state body. Subsequently, the statutes were changed to modify the pre-pandemic meeting requirements to accommodate in-person, remote, and hybrid version of meetings for these state bodies with a sunset date.

This bill will seek to remove the sunset date while maintaining the current meeting requirements.

Staff believe the current requirements work well, provides for flexibility when necessary, allows more opportunity for public participation, and serves both the Board and the public better than pre-pandemic requirements.

Staff Recommendation:

Staff recommends the Board take a Support position on SB 470 as introduced February 19, 2025

Introduced by Senator LairdFebruary 19, 2025

An act to amend Section 11123.2 of, and to amend and repeal Section 11123.5 of, the Government Code, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

SB 470, as introduced, Laird. Bagley-Keene Open Meeting Act: teleconferencing.

Existing law, the Bagley-Keene Open Meeting Act, requires, with specified exceptions, that all meetings of a state body be open and public and all persons be permitted to attend any meeting of a state body. The act authorizes meetings through teleconference subject to specified requirements, including, among others, that the state body post agendas at all teleconference locations, that each teleconference location be identified in the notice and agenda of the meeting or proceeding, that each teleconference location be accessible to the public, that the agenda provide an opportunity for members of the public to address the state body directly at each teleconference location, and that at least one member of the state body be physically present at the location specified in the notice of the meeting.

The act authorizes an additional, alternative set of provisions under which a state body may hold a meeting by teleconference subject to specified requirements, including, among others, that at least one member of the state body is physically present at each teleconference location, as defined, that a majority of the members of the state body are physically present at the same teleconference location, except as specified, and that members of the state body visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform, except as specified. The act authorizes,

under specified circumstances, a member of the state body to participate pursuant to these provisions from a remote location, which would not be required to be accessible to the public and which the act prohibits the notice and agenda from disclosing. The act repeals these provisions on January 1, 2026.

This bill would delete the January 1, 2026 repeal date, thereby authorizing the above-described additional, alternative set of teleconferencing provisions indefinitely.

The act authorizes a multimember state advisory body to hold an open meeting by teleconference pursuant to an alternative set of provisions that are in addition to the above-described provisions generally applicable to state bodies. These alternative provisions specify requirements, including, among others, that the multimember state advisory body designates the primary physical meeting location in the notice of the meeting where members of the public may physically attend the meeting, observe and hear the meeting, and participate, that at least one staff member of the state body to be present at the primary physical meeting location during the meeting, and that the members of the state body visibly appear on camera during the open portion of a meeting that is publicly accessible via the internet or other online platform, except as specified. Existing law repeals these provisions on January 1, 2026.

This bill would delete the January 1, 2026 repeal date, thereby authorizing the above-described alternative set of teleconferencing provisions for multimember state advisory bodies indefinitely.

The act, beginning January 1, 2026, removes the above-described requirements for the alternative set of teleconferencing provisions for multimember state advisory bodies, and, instead, requires, among other things, that the multimember state advisory body designates the primary physical meeting location in the notice of the meeting where members of the public may physically attend the meeting and participate.

This bill would repeal those provisions.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

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

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

1 SECTION 1. Section 11123.2 of the Government Code is
2 amended to read:

3 11123.2. (a) For purposes of this section, the following
4 definitions apply:

5 (1) "Teleconference" means a meeting of a state body, the
6 members of which are at different locations, connected by
7 electronic means, through either audio or both audio and video.

8 (2) "Teleconference location" means a physical location that is
9 accessible to the public and from which members of the public
10 may participate in the meeting.

11 (3) "Remote location" means a location from which a member
12 of a state body participates in a meeting other than a teleconference
13 location.

14 (4) "Participate remotely" means participation by a member of
15 the body in a meeting at a remote location other than a
16 teleconference location designated in the notice of the meeting.

17 (b) (1) In addition to the authorization to hold a meeting by
18 teleconference pursuant to subdivision (b) of Section 11123 and
19 Section 11123.5, a state body may hold an open or closed meeting
20 by teleconference as described in this section, provided the meeting
21 complies with all of this section's requirements and, except as set
22 forth in this section, it also complies with all other applicable
23 requirements of this article relating to the specific type of meeting.

24 (2) This section does not limit or affect the ability of a state
25 body to hold a teleconference meeting under another provision of
26 this article, including Sections 11123 and 11123.5.

27 (c) The portion of the teleconferenced meeting that is required
28 to be open to the public shall be visible and audible to the public
29 at each teleconference location.

30 (d) (1) The state body shall provide a means by which the public
31 may remotely hear audio of the meeting, remotely observe the
32 meeting, remotely address the body, or attend the meeting by
33 providing on the posted agenda a teleconference telephone number,
34 an internet website or other online platform, and a physical address
35 for each teleconference location. The telephonic or online means
36 provided to the public to access the meeting shall be equivalent to
37 the telephonic or online means provided to a member of the state
38 body participating remotely.

1 (2) The applicable teleconference telephone number, internet
2 website or other online platform, and physical address of each
3 teleconference location, as well as any other information indicating
4 how the public can access the meeting remotely and in person,
5 shall be specified in any notice required by this article.

6 (3) If the state body allows members of the public to observe
7 and address the meeting telephonically or otherwise electronically,
8 the state body shall do both of the following:

9 (A) Implement a procedure for receiving and swiftly resolving
10 requests for reasonable modification or accommodation from
11 individuals with disabilities, consistent with the federal Americans
12 with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and
13 resolving any doubt whatsoever in favor of accessibility.

14 (B) Advertise that procedure each time notice is given of the
15 means by which members of the public may observe the meeting
16 and offer public comment.

17 (e) This section does not prohibit a state body from providing
18 members of the public with additional locations from which the
19 public may observe or address the state body by electronic means,
20 through either audio or both audio and video.

21 (f) (1) The agenda shall provide an opportunity for members
22 of the public to address the state body directly pursuant to Section
23 11125.7.

24 (2) Members of the public shall be entitled to exercise their right
25 to directly address the state body during the teleconferenced
26 meeting without being required to submit public comments before
27 the meeting or in writing.

28 (g) The state body shall post the agenda on its internet website
29 and, on the day of the meeting, at each teleconference location.

30 (h) This section does not affect the requirement prescribed by
31 this article that the state body post an agenda of a meeting in
32 accordance with the applicable notice requirements of this article,
33 including Section 11125, requiring the state body to post an agenda
34 of a meeting at least 10 days in advance of the meeting, Section
35 11125.4, applicable to special meetings, and Sections 11125.5 and
36 11125.6, applicable to emergency meetings.

37 (i) At least one member of the state body shall be physically
38 present at each teleconference location.

39 (j) (1) Except as provided in paragraph (2), a majority of the
40 members of the state body shall be physically present at the same

1 teleconference location. Additional members of the state body in
2 excess of a majority of the members may attend and participate in
3 the meeting from a remote location. A remote location is not
4 required to be accessible to the public. The notice and agenda shall
5 not disclose information regarding a remote location.

6 (2) A member attending and participating from a remote location
7 may count toward the majority required to hold a teleconference
8 if both of the following conditions are met:

9 (A) The member has a need related to a physical or mental
10 disability, as those terms are defined in Sections 12926 and
11 12926.1, that is not otherwise reasonably accommodated pursuant
12 to the federal Americans with Disability Act of 1990 (42 U.S.C.
13 Sec. 12101 et seq.).

14 (B) The member notifies the state body at the earliest
15 opportunity possible, including at the start of a meeting, of their
16 need to participate remotely, including providing a general
17 description of the circumstances relating to their need to participate
18 remotely at the given meeting.

19 (3) If a member notifies the body of the member's need to attend
20 and participate remotely pursuant to paragraph (2), the body shall
21 take action to approve the exception and shall request a general
22 description of the circumstances relating to the member's need to
23 participate remotely at the meeting, for each meeting in which the
24 member seeks to participate remotely. The body shall not require
25 the member to provide a general description that exceeds 20 words
26 or to disclose any medical diagnosis or disability, or any personal
27 medical information that is already exempt under existing law,
28 such as the Confidentiality of Medical Information Act (Part 2.6
29 (commencing with Section 56) of Division 1 of the Civil Code).

30 (4) If a member of the state body attends the meeting by
31 teleconference from a remote location, the member shall disclose
32 whether any other individuals 18 years of age or older are present
33 in the room at the remote location with the member, and the general
34 nature of the member's relationship with any such individuals.

35 (k) (1) Except as provided in paragraph (2), the members of
36 the state body shall visibly appear on camera during the open
37 portion of a meeting that is publicly accessible via the internet or
38 other online platform.

39 (2) The visual appearance of a member of the state body on
40 camera may cease only when the appearance would be

1 technologically impracticable, including, but not limited to, when
2 the member experiences a lack of reliable broadband or internet
3 connectivity that would be remedied by joining without video, or
4 when the visual display of meeting materials, information, or
5 speakers on the internet or other online platform requires the visual
6 appearance of a member of a state body on camera to cease.

7 (3) If a member of the state body does not appear on camera
8 due to challenges with internet connectivity, the member shall
9 announce the reason for their nonappearance when they turn off
10 their camera.

11 (l) All votes taken during the teleconferenced meeting shall be
12 by rollcall.

13 (m) The state body shall publicly report any action taken and
14 the vote or abstention on that action of each member present for
15 the action.

16 (n) The portion of the teleconferenced meeting that is closed to
17 the public shall not include the consideration of any agenda item
18 being heard pursuant to Section 11125.5.

19 (o) Upon discovering that a means of remote public access and
20 participation required by subdivision (d) has failed during a
21 meeting and cannot be restored, the state body shall end or adjourn
22 the meeting in accordance with Section 11128.5. In addition to
23 any other requirements that may apply, the state body shall provide
24 notice of the meeting's end or adjournment on the state body's
25 internet website and by email to any person who has requested
26 notice of meetings of the state body by email under this article. If
27 the meeting will be adjourned and reconvened on the same day,
28 further notice shall be provided by an automated message on a
29 telephone line posted on the state body's agenda, internet website,
30 or by a similar means, that will communicate when the state body
31 intends to reconvene the meeting and how a member of the public
32 may hear audio of the meeting or observe the meeting.

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

35 SEC. 2. Section 11123.5 of the Government Code, as amended
36 by Section 2 of Chapter 216 of the Statutes of 2023, is amended
37 to read:

38 11123.5. (a) For purposes of this section, the following
39 definitions apply:

1 (1) "Participate remotely" means participation in a meeting at
2 a location other than the physical location designated in the agenda
3 of the meeting.

4 (2) "Remote location" means a location other than the primary
5 physical location designated in the agenda of a meeting.

6 (3) "Teleconference" has the same meaning as in Section 11123.

7 (b) In addition to the authorization to hold a meeting by
8 teleconference pursuant to subdivision (b) of Section 11123 or
9 Section 11123.2, any state body that is an advisory board, advisory
10 commission, advisory committee, advisory subcommittee, or
11 similar multimember advisory body may hold an open meeting by
12 teleconference as described in this section, provided the meeting
13 complies with all of the section's requirements and, except as set
14 forth in this section, it also complies with all other applicable
15 requirements of this article.

16 (c) A member of a state body as described in subdivision (b)
17 who participates in a teleconference meeting from a remote location
18 subject to this section's requirements shall be listed in the minutes
19 of the meeting.

20 (d) The state body shall provide notice to the public at least 24
21 hours before the meeting that identifies any member who will
22 participate remotely by posting the notice on its internet website
23 and by emailing notice to any person who has requested notice of
24 meetings of the state body under this article. The location of a
25 member of a state body who will participate remotely is not
26 required to be disclosed in the public notice or email and need not
27 be accessible to the public. The notice of the meeting shall also
28 identify the primary physical meeting location designated pursuant
29 to subdivision (f).

30 (e) This section does not affect the requirement prescribed by
31 this article that the state body post an agenda of a meeting at least
32 10 days in advance of the meeting. The agenda shall include
33 information regarding the physical meeting location designated
34 pursuant to subdivision (f), but is not required to disclose
35 information regarding any remote location.

36 (f) A state body described in subdivision (b) shall designate the
37 primary physical meeting location in the notice of the meeting
38 where members of the public may physically attend the meeting,
39 observe and hear the meeting, and participate. At least one staff
40 member of the state body shall be present at the primary physical

1 meeting location during the meeting. The state body shall post the
2 agenda at the primary physical meeting location, but need not post
3 the agenda at a remote location.

4 (g) When a member of a state body described in subdivision
5 (b) participates remotely in a meeting subject to this section's
6 requirements, the state body shall provide a means by which the
7 public may remotely hear audio of the meeting or remotely observe
8 the meeting, including, if available, equal access equivalent to
9 members of the state body participating remotely. The applicable
10 teleconference phone number or internet website, or other
11 information indicating how the public can access the meeting
12 remotely, shall be in the 24-hour notice described in subdivision
13 (b) that is available to the public.

14 (h) (1) Except as provided in paragraph (2), the members of
15 the state body shall visibly appear on camera during the open
16 portion of a meeting that is publicly accessible via the internet or
17 other online platform.

18 (2) The visual appearance of a member of a state body on camera
19 may cease only when the appearance would be technologically
20 impracticable, including, but not limited to, when the member
21 experiences a lack of reliable broadband or internet connectivity
22 that would be remedied by joining without video, or when the
23 visual display of meeting materials, information, or speakers on
24 the internet or other online platform requires the visual appearance
25 of a member of a state body on camera to cease.

26 (3) If a member of the body does not appear on camera due to
27 challenges with internet connectivity, the member shall announce
28 the reason for their nonappearance when they turn off their camera.

29 (i) Upon discovering that a means of remote access required by
30 subdivision (g) has failed during a meeting, the state body
31 described in subdivision (b) shall end or adjourn the meeting in
32 accordance with Section 11128.5. In addition to any other
33 requirements that may apply, the state body shall provide notice
34 of the meeting's end or adjournment on its internet website and
35 by email to any person who has requested notice of meetings of
36 the state body under this article. If the meeting will be adjourned
37 and reconvened on the same day, further notice shall be provided
38 by an automated message on a telephone line posted on the state
39 body's agenda, or by a similar means, that will communicate when

1 the state body intends to reconvene the meeting and how a member
2 of the public may hear audio of the meeting or observe the meeting.

3 (j) This section does not limit or affect the ability of a state body
4 to hold a teleconference meeting under another provision of this
5 article.

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

8 SEC. 3. Section 11123.5 of the Government Code, as added
9 by Section 3 of Chapter 216 of the Statutes of 2023, is repealed.

10 ~~11123.5. (a) In addition to the authorization to hold a meeting~~
11 ~~by teleconference pursuant to subdivision (b) of Section 11123,~~
12 ~~any state body that is an advisory board, advisory commission,~~
13 ~~advisory committee, advisory subcommittee, or similar~~
14 ~~multimember advisory body may hold an open meeting by~~
15 ~~teleconference as described in this section, provided the meeting~~
16 ~~complies with all of the section's requirements and, except as set~~
17 ~~forth in this section, it also complies with all other applicable~~
18 ~~requirements of this article.~~

19 ~~(b) A member of a state body as described in subdivision (a)~~
20 ~~who participates in a teleconference meeting from a remote location~~
21 ~~subject to this section's requirements shall be listed in the minutes~~
22 ~~of the meeting.~~

23 ~~(c) The state body shall provide notice to the public at least 24~~
24 ~~hours before the meeting that identifies any member who will~~
25 ~~participate remotely by posting the notice on its internet website~~
26 ~~and by emailing notice to any person who has requested notice of~~
27 ~~meetings of the state body under this article. The location of a~~
28 ~~member of a state body who will participate remotely is not~~
29 ~~required to be disclosed in the public notice or email and need not~~
30 ~~be accessible to the public. The notice of the meeting shall also~~
31 ~~identify the primary physical meeting location designated pursuant~~
32 ~~to subdivision (c).~~

33 ~~(d) This section does not affect the requirement prescribed by~~
34 ~~this article that the state body post an agenda of a meeting at least~~
35 ~~10 days in advance of the meeting. The agenda shall include~~
36 ~~information regarding the physical meeting location designated~~
37 ~~pursuant to subdivision (c), but is not required to disclose~~
38 ~~information regarding any remote location.~~

39 ~~(e) A state body described in subdivision (a) shall designate the~~
40 ~~primary physical meeting location in the notice of the meeting~~

1 where members of the public may physically attend the meeting
2 and participate. A quorum of the members of the state body shall
3 be in attendance at the primary physical meeting location, and
4 members of the state body participating remotely shall not count
5 towards establishing a quorum. All decisions taken during a
6 meeting by teleconference shall be by roll call vote. The state body
7 shall post the agenda at the primary physical meeting location, but
8 need not post the agenda at a remote location.

9 (f) When a member of a state body described in subdivision (a)
10 participates remotely in a meeting subject to this section's
11 requirements, the state body shall provide a means by which the
12 public may remotely hear audio of the meeting or remotely observe
13 the meeting, including, if available, equal access equivalent to
14 members of the state body participating remotely. The applicable
15 teleconference phone number or internet website, or other
16 information indicating how the public can access the meeting
17 remotely, shall be in the 24-hour notice described in subdivision
18 (a) that is available to the public.

19 (g) Upon discovering that a means of remote access required
20 by subdivision (f) has failed during a meeting, the state body
21 described in subdivision (a) shall end or adjourn the meeting in
22 accordance with Section 11128.5. In addition to any other
23 requirements that may apply, the state body shall provide notice
24 of the meeting's end or adjournment on its internet website and
25 by email to any person who has requested notice of meetings of
26 the state body under this article. If the meeting will be adjourned
27 and reconvened on the same day, further notice shall be provided
28 by an automated message on a telephone line posted on the state
29 body's agenda, or by a similar means, that will communicate when
30 the state body intends to reconvene the meeting and how a member
31 of the public may hear audio of the meeting or observe the meeting.

32 (h) For purposes of this section:

33 (1) "Participate remotely" means participation in a meeting at
34 a location other than the physical location designated in the agenda
35 of the meeting.

36 (2) "Remote location" means a location other than the primary
37 physical location designated in the agenda of a meeting.

38 (3) "Teleconference" has the same meaning as in Section 11123.

1 ~~(i) This section does not limit or affect the ability of a state body~~
2 ~~to hold a teleconference meeting under another provision of this~~
3 ~~article.~~

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

5 SEC. 4. The Legislature finds and declares that Section 1 of
6 this act, which amends Section 11123.2 of the Government Code,
7 and Sections 2 and 3 of this act, which amend and repeal Section
8 11123.5 of the Government Code, modify the public’s right of
9 access to the meetings of public bodies or the writings of public
10 officials and agencies within the meaning of Section 3 of Article
11 I of the California Constitution. Pursuant to that constitutional
12 provision, the Legislature makes the following findings to
13 demonstrate the interest protected by this limitation and the need
14 for protecting that interest:

15 (a) By continuing to ensure that agendas are not required to be
16 posted at, and that agendas and notices do not disclose information
17 regarding, the location of each public official participating in a
18 public meeting remotely, including from the member’s private
19 home or hotel room, this act protects the personal, private
20 information of public officials and their families while preserving
21 the public’s right to access information concerning the conduct of
22 the people’s business.

23 (b) During the COVID-19 public health emergency, audio and
24 video teleconference were widely used to conduct public meetings
25 in lieu of physical location meetings, and those public meetings
26 have been productive, increased public participation by all
27 members of the public regardless of their location and ability to
28 travel to physical meeting locations, increased the pool of people
29 who are able to serve on these bodies, protected the health and
30 safety of civil servants and the public, and have reduced travel
31 costs incurred by members of state bodies and reduced work hours
32 spent traveling to and from meetings.

33 (c) Conducting audio and video teleconference meetings
34 enhances public participation and the public’s right of access to
35 meetings of the public bodies by improving access for individuals
36 who often face barriers to physical attendance.

SB 606 (Becker-D)
Shelter crisis: emergency housing: immunity from liability

Status/History: 3/24/2025 – Referred to Coms. On Housing and Judicial

Location: 3/24/2025 – In Committee Process

Introduced: 2/20/2025

Board Position: Pending

Board Staff Analysis: 3/24/2025

Bill Summary: Existing law authorizes a governing body of a political subdivision, as those terms are defined, to declare a shelter crisis if the governing body makes a specified finding. Upon declaration of a shelter crisis, existing law requires the political subdivision to be immune from liability for ordinary negligence in the provision of emergency housing, as provided, and suspends certain state and local laws, regulations, and ordinances to the extent that strict compliance would prevent, hinder, or delay the mitigation of the effects of the shelter crisis. Existing law authorizes a political subdivision to, in place of those standards, enact municipal health and safety standards to be operative during the housing emergency consistent with ensuring minimal public health and safety. Existing law also exempts from the California Environmental Quality Act (CEQA) specified actions by a state agency or a city, county, or city and county to, among other things, approve a contract to provide services for people experiencing homelessness to a homeless shelter constructed under these provisions. Existing law repeals these provisions on January 1, 2036.

This bill would expand the above-described immunity from liability to include claims related to health, habitability, planning and zoning, or safety standards, procedures, and laws, or CEQA. The bill would extend this immunity to any fire marshal, architect, engineer, developer, general contractor, subcontractor, or any other entity or individual that provides a service under contract to the political subdivision. The bill would additionally authorize the Department of Housing and Community Development, during the period of the emergency following declaration of a shelter crisis, to enact the above-described municipal health and safety standards and to review and authorize permits for proposed shelter and interim housing projects that are designed for the purpose of the emergency consistent with ensuring minimal public health and safety.

The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

Affected Laws: An act to amend Sections 8698 of the Government Code.

Staff Comment: This bill will seek to establish immunity from liability in the provision of emergency housing for several individuals, including an engineer, during a period of emergency.

Staff Recommendation:

Staff is presenting this bill to the Board for informational purposes only.

Introduced by Senator BeckerFebruary 20, 2025

An act to amend Section 8698.1 of the Government Code, relating to housing.

LEGISLATIVE COUNSEL'S DIGEST

SB 606, as introduced, Becker. Shelter crisis: emergency housing: immunity from liability.

Existing law authorizes a governing body of a political subdivision, as those terms are defined, to declare a shelter crisis if the governing body makes a specified finding. Upon declaration of a shelter crisis, existing law requires the political subdivision to be immune from liability for ordinary negligence in the provision of emergency housing, as provided, and suspends certain state and local laws, regulations, and ordinances to the extent that strict compliance would prevent, hinder, or delay the mitigation of the effects of the shelter crisis. Existing law authorizes a political subdivision to, in place of those standards, enact municipal health and safety standards to be operative during the housing emergency consistent with ensuring minimal public health and safety. Existing law also exempts from the California Environmental Quality Act (CEQA) specified actions by a state agency or a city, county, or city and county to, among other things, approve a contract to provide services for people experiencing homelessness to a homeless shelter constructed under these provisions. Existing law repeals these provisions on January 1, 2036.

This bill would expand the above-described immunity from liability to include claims related to health, habitability, planning and zoning, or safety standards, procedures, and laws, or CEQA. The bill would extend this immunity to any fire marshal, architect, engineer, developer,

general contractor, subcontractor, or any other entity or individual that provides a service under contract to the political subdivision. The bill would additionally authorize the Department of Housing and Community Development, during the period of the emergency following declaration of a shelter crisis, to enact the above-described municipal health and safety standards and to review and authorize permits for proposed shelter and interim housing projects that are designed for the purpose of the emergency consistent with ensuring minimal public health and safety.

The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

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

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

1 SECTION 1. Section 8698.1 of the Government Code is
2 amended to read:

3 8698.1. Upon a declaration of a shelter crisis, the following
4 provisions shall apply during the period of the emergency.

5 (a) (1) ~~The political subdivision~~ *subdivision and any fire*
6 *marshal, architect, engineer, developer, general contractor,*
7 *subcontractor, or any other entity or individual that provides a*
8 *service under contract to the political subdivision, shall be immune*
9 *from liability for ordinary negligence in the provision of emergency*
10 *housing pursuant to Section ~~8698.2. This 8698.2~~ from claims*
11 *related to any of the following:*

12 (A) *Ordinary negligence.*

13 (B) *Health, habitability, planning and zoning, or safety*
14 *standards, procedures, and laws.*

15 (C) *The California Environmental Quality Act (Division 13*
16 *commencing with Section 21000) of the Public Resources Code).*

17 (2) *Any limitation of liability pursuant to paragraph (1) shall*
18 *apply only to conditions, acts, or omissions directly related to, and*
19 *which would not occur but for, the provision of emergency housing.*
20 *This section does not limit liability for grossly negligent, reckless,*
21 *or intentional conduct which causes injury.*

22 (b) (1) *The provisions of any state or local regulatory statute,*
23 *regulation, or ordinance prescribing standards of housing, health,*
24 *or safety shall be suspended to the extent that strict compliance*

1 would in any way prevent, hinder, or delay the mitigation of the
 2 effects of the shelter crisis. ~~Political subdivisions~~ *The Department*
 3 *of Housing and Community Development or any other political*
 4 *subdivision* may, in place of such standards, enact municipal health
 5 and safety standards to be operative during the housing emergency
 6 consistent with ensuring minimal public health and safety. The
 7 provisions of this section apply only to additional public facilities
 8 open to the homeless pursuant to this chapter.

9 (2) *The Department of Housing and Community Development*
 10 *may review and authorize permits for proposed shelter and interim*
 11 *housing projects that are designed for the purpose of the emergency*
 12 *consistent with ensuring minimal public health and safety.*

13 (c) (1) Subject to paragraph (4), a city with a population of
 14 more than 3,500,000 may permit the operation of an emergency
 15 housing facility year round when the facility does not comply with
 16 state building standards for local fire and life safety standards if
 17 they submit reasonable standards to the State Fire Marshal that, at
 18 a minimum, do all of the following:

19 (A) Require an emergency housing facility to be subject to the
 20 building standards related to fire and life safety that the state and
 21 local regulations require for existing residential occupancies, and
 22 the building standards related to fire and life safety for a new
 23 residential use that were in effect at the time the building was
 24 constructed.

25 (B) Provide reasonable alternative fire and life safety standards
 26 that, a minimum, include all of the following:

27 (i) A maximum occupant load of 49. However, the fire
 28 department may propose an occupant load greater than 49, but not
 29 to exceed 150, if the city can demonstrate that the facility can
 30 safely permit the proposed occupant load.

31 (ii) Twenty-four-hour active fire watch.

32 (iii) Smoke and carbon monoxide alarms.

33 (iv) Fire extinguishers.

34 (v) Ingress and egress that facilitates rapid exit of the facility.

35 (vi) Emergency evacuation signage and emergency egress
 36 lighting.

37 (vii) Every egress shall be free from storage and other
 38 obstructions.

39 (viii) Limited occupant storage in each room in the facility.

40 (ix) Prohibiting the use of open flames or combustibles.

- 1 (x) Prohibiting smoking in the facility.
- 2 (xi) Fire code inspection plans that occur in intervals of 30 days
- 3 or less that includes authorization for the fire department to shut
- 4 down the facility for major or multiple violations.
- 5 (xii) A process for remedying fire code violations immediately.
- 6 (xiii) A process for submitting quarterly inspection reports to
- 7 the State Fire Marshal.
- 8 (2) The State Fire Marshal shall review the standards within 30
- 9 days and either approve them or respond as to why the city does
- 10 not meet the threshold requirements. If the standards do not meet
- 11 the threshold requirements, the city shall not use them.
- 12 (3) A facility shall be permitted pursuant to this subdivision for
- 13 a maximum of 90 days with 90-day extensions permitted, not to
- 14 exceed 730 days of continuous operation.
- 15 (4) For purposes of this subdivision, the term “building standard”
- 16 means a building standard as defined in Section 18909 of the
- 17 Health and Safety Code or other standard adopted by a local agency
- 18 pursuant to Section 17958 of the Health and Safety Code.
- 19 (5) No new permits shall be authorized pursuant to this
- 20 subdivision on and after January 1, 2023. However, a facility that
- 21 was issued a permit before January 1, 2023, may continue to
- 22 operate after that date pursuant to a 90-day extension of the permit,
- 23 and may receive consecutive 90-day extensions to operate until
- 24 December 31, 2024, subject to the 730-day limit specified in
- 25 paragraph (3).
- 26 SEC. 2. The Legislature finds and declares that Section 1 of
- 27 this act Sections 8698.1 of the Government Code address a matter
- 28 of statewide concern rather than a municipal affair as that term is
- 29 used in Section 5 of Article XI of the California Constitution.
- 30 Therefore, Section 1 of this act applies to all cities, including
- 31 charter cities.

SB 641 (Ashby-D)

Department of Consumer Affairs and Department of Real Estate: states of emergency: waivers and exemptions.

Status/History: 3/24/2025 – Referred to Coms. On Business, Professions, and Economic Development and Public Safety

Location: 3/24/2025 – Set for hearing April 7

Introduced: 2/20/2025

Board Position: Pending

Board Staff Analysis: 3/24/2025

Bill Summary: Existing law establishes in the Business, Consumer Services, and Housing Agency the Department of Real Estate to license and regulate real estate licensees, and the Department of Consumer Affairs, which is composed of various boards that license and regulate various businesses and professions.

This bill would authorize the Department of Real Estate and boards under the jurisdiction of the Department of Consumer Affairs to waive the application of certain provisions of the licensure requirements that the board or department is charged with enforcing for licensees and applicants impacted by a declared federal, state, or local emergency or whose home or business is located in a declared disaster area, including certain examination, fee, and continuing education requirements. The bill would exempt impacted licensees of boards from, among other requirements, the payment of duplicate license fees. The bill would require all applicants and licensees of the Department of Real Estate or boards under the Department of Consumer Affairs to provide the board or department with an email address. The bill would prohibit a contractor licensed pursuant to the Contractors State License Law from engaging in private debris removal unless the contractor has one of specified license qualifications or as authorized by the registrar of contractors during a declared state of emergency or for a declared disaster area. The bill would require the Real Estate Commissioner, upon the declaration of a state of emergency, to determine the nature and scope of any unlawful, unfair, or fraudulent practices, as specified, and provide specified notice to the public regarding those practices. The bill would authorize the commissioner to suspend or revoke a real estate license if the licensee makes an unsolicited offer to an owner of real property to purchase or acquire an interest in the real property for an amount less than the fair market value of the property or interest of the property if the property is located in a declared disaster area, and would also make a violation of that provision a misdemeanor. By creating a new crime, the bill would impose a state-mandated local program.

Affected Laws: An act to amend Sections 122, 136, and 10176 of, and to add Sections 108.1, 136.5, 7058.9, and 70089 to, the Business and Professions Code.

Staff Comment: During the pandemic and recent emergency disasters within California, various Executive Orders from the Governor authorized temporary waivers and exemptions related to the effect those emergencies would have on licensees. Many of these waivers and exemptions were related to temporary postponement or waiver of license renewal fees or continuing education requirements.

Among other provisions, this bill will seek to formalize procedures in statute for when these waivers and exemption will apply during times of declared emergencies. Currently, licensees of

the Board who were affected by the recent Los Angeles basin fires and who are required to renew their license between January 1 and June 30, 2025 are authorized to postpone payment of the renewal fee for 12 months.

Staff Recommendation:

Staff recommends the Board take a Watch position on SB 641 as introduced February 19, 2025

Introduced by Senator Ashby
(Principal coauthors: Senators Cervantes, Cortese, Gonzalez,
Grayson, Hurtado, and Pérez)
(Coauthors: Senators Allen, Cabaldon, Padilla, Rubio, and Wahab)

February 20, 2025

An act to amend Sections 122, 136, and 10176 of, and to add Sections 108.1, 136.5, 7058.9, and 10089 to, the Business and Professions Code, relating to professions and vocations, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 641, as introduced, Ashby. Department of Consumer Affairs and Department of Real Estate: states of emergency: waivers and exemptions.

Existing law establishes in the Business, Consumer Services, and Housing Agency the Department of Real Estate to license and regulate real estate licensees, and the Department of Consumer Affairs, which is composed of various boards that license and regulate various businesses and professions.

This bill would authorize the Department of Real Estate and boards under the jurisdiction of the Department of Consumer Affairs to waive the application of certain provisions of the licensure requirements that the board or department is charged with enforcing for licensees and applicants impacted by a declared federal, state, or local emergency or whose home or business is located in a declared disaster area, including certain examination, fee, and continuing education requirements. The bill would exempt impacted licensees of boards from, among other requirements, the payment of duplicate license fees. The bill would require all applicants and licensees of the Department of Real Estate or

boards under the Department of Consumer Affairs to provide the board or department with an email address. The bill would prohibit a contractor licensed pursuant to the Contractors State License Law from engaging in private debris removal unless the contractor has one of specified license qualifications or as authorized by the registrar of contractors during a declared state of emergency or for a declared disaster area. The bill would require the Real Estate Commissioner, upon the declaration of a state of emergency, to determine the nature and scope of any unlawful, unfair, or fraudulent practices, as specified, and provide specified notice to the public regarding those practices. The bill would authorize the commissioner to suspend or revoke a real estate license if the licensee makes an unsolicited offer to an owner of real property to purchase or acquire an interest in the real property for an amount less than the fair market value of the property or interest of the property if the property is located in a declared disaster area, and would also make a violation of that provision a misdemeanor. By creating a new crime, the 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.

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: yes.

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

1 SECTION 1. It is the intent of the Legislature to provide
 2 boards, bureaus, commissions, and regulatory entities within the
 3 jurisdiction of the Department of Consumer Affairs and the
 4 Department of Real Estate with authority to address licensing and
 5 enforcement concerns in real time after an emergency is declared.
 6 The Legislature does not intend for any provision of this bill to
 7 require regulations to implement.

8 SEC. 2. Section 108.1 is added to the Business and Professions
 9 Code, to read:

1 108.1. (a) For purposes of this section, “disaster area” means
 2 an area for which a federal, state, or local emergency or disaster
 3 has been declared.

4 (b) To aid in the protection of the public health, the provision
 5 of patient care, the continuity of services, and to support impacted
 6 individuals, the Department of Real Estate or any board under the
 7 jurisdiction of the Department of Consumer Affairs, as specified
 8 in Section 101, may waive the application of any provision of law
 9 that the board or department is charged with enforcing for licensees
 10 and applicants impacted by a declared federal, state, or local
 11 emergency or whose home or business is located in a disaster area,
 12 that is related to any of the following:

- 13 (1) Examination eligibility and timing requirements.
- 14 (2) Licensure renewal deadlines.
- 15 (3) Continuing education completion deadlines.
- 16 (4) License display requirements.
- 17 (5) Fee submission timing requirements.
- 18 (6) Delinquency fees.

19 (c) The authority specified in subdivision (b) shall extend
 20 through the duration of a declared federal, state, or local emergency
 21 or disaster for licensees and applicants located in a disaster area
 22 and for either of the following, as determined by the board or the
 23 Department of Real Estate and will aid in the protection of the
 24 public health, the provision of patient care, the continuity of
 25 services, or the support of impacted individuals:

- 26 (1) One year after the end of the declared emergency or disaster.
- 27 (2) An additional period of time beyond one year after the end
 28 of the declared emergency or disaster, as determined by the board
 29 or the Department of Real Estate.

30 SEC. 3. Section 122 of the Business and Professions Code is
 31 amended to read:

32 122. (a) Except as *specified in subdivision (b) or otherwise*
 33 *provided by law*, the department and each of the boards, bureaus,
 34 committees, and commissions within the department may charge
 35 a fee for the processing and issuance of a duplicate copy of any
 36 certificate of licensure or other form evidencing licensure or
 37 renewal of licensure. The fee shall be in an amount sufficient to
 38 cover all costs incident to the issuance of the duplicate certificate
 39 or other form but shall not exceed twenty-five dollars (\$25).

1 (b) This section shall not apply to a licensee impacted by a
2 declared federal, state, or local emergency or disaster or whose
3 home or business is located in an area for which a federal, state,
4 or local emergency or disaster has been declared.

5 SEC. 4. Section 136 of the Business and Professions Code is
6 amended to read:

7 136. (a) Each person holding a license, certificate, registration,
8 permit, or other authority to engage in a profession or occupation
9 issued by a board within the department shall notify the issuing
10 board at its principal office of any change in the person's mailing
11 address within 30 days after the change, unless the board has
12 specified by regulations a shorter time period.

13 (b) Except as otherwise provided by law, failure of a licensee
14 to comply with the requirement in subdivision (a) constitutes
15 grounds for the issuance of a citation and administrative fine, if
16 the board has the authority to issue citations and administrative
17 fines.

18 (c) This section shall not apply to a licensee whose home or
19 business mailing address is located in an area for which a federal,
20 state, or local emergency or disaster area is declared.

21 SEC. 5. Section 136.5 is added to the Business and Professions
22 Code, to read:

23 136.5. Every applicant for licensure and every licensee of the
24 Department of Real Estate or a board under the jurisdiction of the
25 Department of Consumer Affairs, as specified in Section 101, shall
26 provide the Department of Real Estate or the board with an email
27 address.

28 SEC. 6. Section 7058.9 is added to the Business and Professions
29 Code, to read:

30 7058.9. (a) A contractor shall not engage in private debris
31 removal unless the contractor has one of the following licenses or
32 classifications:

33 (1) A - General Engineering Contractor.

34 (2) B - General Building Contractor.

35 (3) A C-61 - Limited Specialty Contractor Classification for
36 Debris Removal and Flood Muck Out. The board may adopt
37 regulations to define the scope and requirements of this
38 classification.

39 (b) During a declared federal, state, or local emergency or for
40 a declared disaster area, the registrar may authorize additional

1 classifications to perform private debris removal or muck out
2 services based on the needs of the declared emergency or disaster.

3 (1) The registrar may make the determination on a case-by-case
4 basis and without requiring regulations.

5 (2) The registrar may require the qualifier for the license to have
6 passed an approved hazardous substance certification examination
7 as the disaster requires.

8 SEC. 7. Section 10089 is added to the Business and Professions
9 Code, to read:

10 10089. Immediately upon the declaration of a federal, state, or
11 local emergency or disaster area, the commissioner, in consultation
12 with other agencies and departments, as appropriate, shall do the
13 following:

14 (a) Expeditiously, and until 90 days following the end of the
15 emergency, determine the nature and scope of any unlawful, unfair,
16 or fraudulent practices employed by any individual or entity
17 seeking to take advantage of property owners in the wake of the
18 emergency.

19 (b) Provide notice to the public of the nature of these practices,
20 their rights under the law, relevant resources that may be available,
21 and contact information for authorities to whom violations may
22 be reported.

23 SEC. 8. Section 10176 of the Business and Professions Code
24 is amended to read:

25 10176. The commissioner may, upon ~~his or her~~ *their* own
26 motion, and shall, upon the verified complaint in writing of any
27 person, investigate the actions of any person engaged in the
28 business or acting in the capacity of a real estate licensee within
29 this state, and ~~he or she~~ *the commissioner* may temporarily suspend
30 or permanently revoke a real estate license at any time where the
31 licensee, while a real estate licensee, in performing or attempting
32 to perform any of the acts within the scope of this chapter has been
33 guilty of any of the following:

34 (a) Making any substantial misrepresentation.

35 (b) Making any false promises of a character likely to influence,
36 persuade, or induce.

37 (c) A continued and flagrant course of misrepresentation or
38 making of false promises through licensees.

39 (d) Acting for more than one party in a transaction without the
40 knowledge or consent of all parties thereto.

1 (e) Commingling with ~~his or her~~ *their* own money or property
2 the money or other property of others ~~which~~ *that* is received and
3 held by ~~him or her~~ *the licensee*.

4 (f) Claiming, demanding, or receiving a fee, compensation, or
5 commission under any exclusive agreement authorizing a licensee
6 to perform any acts set forth in Section 10131 for compensation
7 or commission where the agreement does not contain a definite,
8 specified date of final and complete termination.

9 (g) The claiming or taking by a licensee of any secret or
10 undisclosed amount of compensation, commission, or profit or the
11 failure of a licensee to reveal to the buyer or seller contracting with
12 the licensee the full amount of the licensee's compensation,
13 commission, or profit under any agreement authorizing the licensee
14 to do any acts for which a license is required under this chapter
15 for compensation or commission prior to or coincident with the
16 signing of an agreement evidencing the meeting of the minds of
17 the contracting parties, regardless of the form of the agreement,
18 whether evidenced by documents in an escrow or by any other or
19 different procedure.

20 (h) The use by a licensee of any provision, which allows the
21 licensee an option to purchase, in an agreement with a buyer or
22 seller that authorizes the licensee to sell, buy, or exchange real
23 estate or a business opportunity for compensation or commission,
24 except when the licensee, prior to or coincident with election to
25 exercise the option to purchase, reveals in writing to the buyer or
26 seller the full amount of the licensee's profit and obtains the written
27 consent of the buyer or seller approving the amount of the profit.

28 (i) Any other conduct, whether of the same or of a different
29 character than specified in this section, which constitutes fraud or
30 dishonest dealing.

31 (j) Obtaining the signature of a prospective buyer to an
32 agreement which provides that the prospective buyer shall either
33 transact the purchasing, leasing, renting, or exchanging of a
34 business opportunity property through the broker obtaining the
35 signature, or pay a compensation to the broker if the property is
36 purchased, leased, rented, or exchanged without the broker first
37 having obtained the written authorization of the owner of the
38 property concerned to offer the property for sale, lease, exchange,
39 or rent.

1 (k) Failing to disburse funds in accordance with a commitment
 2 to make a mortgage loan that is accepted by the applicant when
 3 the real estate broker represents to the applicant that the broker is
 4 either of the following:

5 (1) The lender.

6 (2) Authorized to issue the commitment on behalf of the lender
 7 or lenders in the mortgage loan transaction.

8 (l) Intentionally delaying the closing of a mortgage loan for the
 9 sole purpose of increasing interest, costs, fees, or charges payable
 10 by the borrower.

11 (m) Violating any section, division, or article of law which
 12 provides that a violation of that section, division, or article of law
 13 by a licensed person is a violation of that person's licensing law,
 14 if it occurs within the scope of that person's duties as a licensee.

15 (n) (1) *Making an unsolicited offer to an owner of real property,*
 16 *on their own behalf or on behalf of a client, to purchase or*
 17 *otherwise acquire any interest in the real property for an amount*
 18 *less than the fair market value of the property or interest in the*
 19 *property when that property is located in an area included in a*
 20 *declared federal, state, or local emergency or disaster area, for*
 21 *the duration of the declared emergency and for three months*
 22 *thereafter.*

23 (2) *Any person, including, but not limited to, an officer, director,*
 24 *agent, or employee of a corporation, who violates this subdivision*
 25 *is guilty of a misdemeanor punishable by a fine of up to ten*
 26 *thousand dollars (\$10,000), by imprisonment for up to six months,*
 27 *or both.*

28 SEC. 9. No reimbursement is required by this act pursuant to
 29 Section 6 of Article XIII B of the California Constitution because
 30 the only costs that may be incurred by a local agency or school
 31 district will be incurred because this act creates a new crime or
 32 infraction, eliminates a crime or infraction, or changes the penalty
 33 for a crime or infraction, within the meaning of Section 17556 of
 34 the Government Code, or changes the definition of a crime within
 35 the meaning of Section 6 of Article XIII B of the California
 36 Constitution.

37 SEC. 10. This act is an urgency statute necessary for the
 38 immediate preservation of the public peace, health, or safety within
 39 the meaning of Article IV of the California Constitution and shall
 40 go into immediate effect. The facts constituting the necessity are:

1 In order to support licensed professionals impacted by the
2 disasters caused by the Palisades and Eaton wildfires, it is
3 necessary that this act take effect immediately.

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VIII. Executive Officer's Report

- A. Rulemaking Status Report
- B. Update on Board's Business Modernization Project
- C. Personnel
- D. ABET
- E. Association of State Boards of Geology (ASBOG)
- F. National Council of Examiners for Engineering and Surveying (NCEES)
 - 1. May 15-17, 2025, Joint Central/Western Zone Interim Meeting, Albuquerque, NM – Update on Meeting
 - 2. August 19-22, 2025, Annual Meeting, New Orleans, LA – Funded Delegates (Possible Action)
- G. Update on Outreach Efforts

Rulemaking Status Report

1. Fees (16 CCR sections 407 and 3005)

- Staff working with DCA Legal and Budgets to finalize documents for notice in March 2025.
- Board directed staff to pursue rulemaking proposal on August 22, 2024.

2. Experience requirements—Professional Land Surveyors (Renumbering Paragraphs - Section 100) (16 CCR sections 425)

- Board staff will work on the pre-notice documents.
- Board directed staff to pursue rulemaking proposal on December 19, 2024.

3. Applications, References, Computation of Qualifying Experience, and Schedule of Examinations (16 CCR sections 420, 427.10, 427.30, 3021, 3022.2, 3023, and 3032)

- Staff working with Legal to prepare language for Board review.
 - Staff working on final text for submittal to DCA Legal in September 2022.
 - Staff working with DCA Legal to finalize proposal for notice (April 2022).
 - Submitted for initial (pre-notice) review by DCA Legal on December 6, 2021.
 - Board directed staff to pursue rulemaking proposal on November 8, 2021.

4. Definitions of Negligence and Incompetence and Responsible Charge Criteria for Professional Geologists and Professional Geophysicists (16 CCR sections 3003 and 3003.1)

- Board staff will work on the pre-notice documents.
- Board directed staff to pursue rulemaking proposal on September 6, 2018.

Note: Documents related to any rulemaking file listed as noticed for public comment can be obtained from the Board's website at: http://www.bpelsq.ca.gov/about_us/rulemaking.shtml.

PROJECT STATUS REPORT

Reporting period:	1/21/2020 – 3/24/2025	Project title:	Business Modernization Cohort 1
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EXECUTIVE SUMMARY

Narrative Summary of Status	Schedule:	GREEN	Budget:	GREEN	Issues:	GREEN
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The Maintenance & Operations (M&O) phase of project began July 2022 and expected to continue through 2025. Current development is underway to support originally planned enforcement investigation and monitoring for connect Backoffice. Simultaneously, content is currently being developed for the three Renewal Assessments.


PROJECT MILESTONE STATUS REVIEW


Project Milestones	Status	Completion Date	Issues Exist (Yes/No)
Project Planning Complete – Project Start	Complete	1/13/2020	No
Go Live – Most Viable Product (MVP1)	Complete	9/16/2020	No
Go Live - Product Increment 2 (PI2)	Complete	1/20/2021	No
Go Live - Product Increment 3 (PI3)	Complete	6/16/2021	No
Go Live - Product Increment 3.5 (PI3.5)	Complete	11/10/2021	No
Go Live - Product Increment 4 (PI4)	Complete	4/29/2022	No
Go Live – M&O Increment 1 (PI5/M&O1)	Complete	10/12/2022	No


Go Live – M&O Increment 2 (PI6/M&O2)	Complete	2/28/2023	No
Go Live – M&O Increment 3 (PI7/M&O3)	Complete	4/18/2023	No
Go Live – M&O Fall Release	Complete	9/14/2023	No
Go Live – M&O February Release (SE App)	Complete	2/29/2024	No
Go Live – M&O April Release (GE/TE Apps)	Complete	4/11/2024	No

QUARTERLY OUTREACH REPORT (Q2)

SOCIAL MEDIA: October- December 2024

 TOP FACEBOOK POSTS	DATE	VIEWS
Board Connect Platform Issue Notification	Nov 12	145
Notice and Agenda for 10/16-17 Meeting Posted	Oct 7	104
CHG Exam Help Requested	Oct 30	71
Notice and Agenda for 12/19-20 Meeting Updated	Dec 13	58
Notice and Agenda for 12/10-20 Meeting Posted	Dec 6	56

 TOP TWEETS	DATE	VIEWS
Connect Platform Issue Notification	Nov 12	159
NCEES CHG Survey Request	Oct 30	84
NCEES SE PAKS Survey Request	Oct 14	78
Summer Bulletin Release	Oct 14	64
Meeting Materials Released for 10/16-10/17 Meeting	Oct 14	57

 WEB PAGE VIEWS	VIEWS
License Lookup	91,107
Board Home Page	54,056
Applicants Information	30,416
PE License Renewal Information	23,722
PE License Information	20,841

OUTREACH EVENTS: October- December 2024

All Virtual Unless Noted "In-Person"

KEY: CLSA - Calif. Land Surveyors Association ASCE - American Society of Civil Engineers

November 2024	
November 1	CLSA Central Coast Chapter Monument Conservation Committee Meeting R. Moore, PLS with D. Sweeney, PLS (virtual)
November 1	University of San Francisco, "Professional Licensure in California" (virtual), N. King, PE and A. White, PE
November 7	Cal Poly, SLO (in-person) J. Goodwin, PG
November 13	CSU, Bakersfield (in-person) J. Goodwin, PG
November 14	CSU, Los Angeles (in person) J. Goodwin, PG
November 14	Southern CA, Northern CA-NV, and San Diego Chapters of Society of Fire Protection Engineers – Speech on licensing (virtual) R. Moore, PLS
November 20	CSU, Fullerton ASCE Student Chapter, "Professional Engineering Licensure in California" (in-person), N. King, PE
November 20	Biola University, "Professional Engineering Licensure in California" (in-person), N. King, PE
December 2024	
December 6	Cal Poly San Luis Obispo, "Professional Licensure in California" (virtual), N. King, PE
December 12	CLSA San Diego land survey review (LSR) (virtual) D. Sweeney, PLS

IX. President's Report/Board Member Activities

X. Nomination Committee for 2025-26 Board President and Vice President

XI. Approval of Meeting Minutes (Possible Action)

A. Approval of February 6, 2025, Board Meeting Minutes

DRAFT

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

2535 Capitol Oaks Drive
Third Floor Conference Room
Sacramento, CA 95833

Thursday, February 6, 2025

Board Members Present:	President Christina Wong; Vice-President Guillermo Martinez; Fel Amistad; Alireza Asgari; Khaesha Brooks; Michael Hartley; Coby King; Betsy Mathieson; Frank Ruffino; Wilfredo Sanchez; and Cliff Waldeck
Board Members Absent:	Rossana D’Antonio and Fermin Villegas
Board Staff Present:	Ric Moore (Executive Officer); Tiffany Criswell (Assistant Executive Officer); Dawn Hall (Administrative Manager); Larry Kereszt (Examination Manager); Brook Grabowski (Enforcement Manager); Candace Cummins (Licensing Manager); Celina Calderone (Board Liaison); Joshua Goodwin (Senior Registrar Geologist); Natalie King (Senior Registrar Civil Engineer); Dallas Sweeney (Senior Registrar Land Surveyor); and Christopher Pirrone (Legal Counsel)

I. Roll Call to Establish a Quorum

President Wong called the meeting to order at 9:12 a.m. and a quorum was established.

II. Pledge of Allegiance

Mr. Waldeck led everyone in the recitation of the Pledge of Allegiance.

President Wong paused for a moment of silence to remember those affected by the wildfires in Southern California.

III. Public Comment for Items Not on the Agenda

During Public Comment, an individual by the name of Sarbjit Grewal representing Caltrans discussed the critical role of materials engineering and testing in civil engineering and the need for recognition by the Board. Some of the key points Mr. Grewal noted was that material engineering ensures infrastructure, safety, durability, and performance; develops and updates clear specification for construction projects; conducts testing and quality control for concrete, asphalt, steel, and other materials. Some of the challenges they face is Title 16, California Code of Regulations §461 which defines qualifying civil engineering experience but does not explicitly recognize materials engineering and testing and quality assurance as part of civil engineering and the lack of clarity affects career

recognition for professionals in materials engineering and testing. He urges the Board to clarify and affirm that materials engineering and testing are an integral part of civil engineering.

An individual by the name of Phillip Mooney, a member of the geology department at Sonoma State University (SSU) received an e-mail from the university president informing him that he, along with his geology colleagues, will be laid off as part of a cost cutting measure. This means the complete removal of geology education at SSU. The decision was a complete shock. He explained they are a thriving department with a healthy and growing enrollment. The graduates have made significant contributions in water resource management, construction, environmental consulting, and hazard mitigation throughout the region. Their success is evident in their consistently strong performance on the Professional Geologist licensing exam. When the president explained the cuts, he claimed they were made to minimize community impacts and focus on strategic importance and future growth. Mr. Mooney believes this decision reflects a misunderstanding of the critical value of geology. He expressed the importance to the community and the essential work that geologists do. The closure of this program threatens to create a severe gap in the training pipeline for future geoscientists at a time when California urgently needs them to address climate change, infrastructure development, housing challenges, and environmental threats. He respectfully urges the Board, as trusted allies who understand the vital role of geology, to help advocate for their program. He recommends that a letter be written on behalf of the Board to elected officials and university leadership urging them to reconsider this decision.

Matthew "Matty" Mookerjee, geology professor at Sonoma State University, explained that he has been teaching at Sonoma State for 19 years and learned about the elimination of the geology department through a mass e-mail sent on January 21st, the second day of the semester. This decision is deeply concerning not only for colleagues and students, but for the broader community that relies on the graduates. Just like Phil Mooney, he urges the Board to write a letter calling for the administration to reverse its decision. SSU has long been a vital source of professional geologists in California, with many of the graduates going on to careers in environmental consulting, water resource management, geological hazard mitigation, and general public service. Historically, SSU majors have performed exceptionally well on both the Geologist-in-Training exam and the Professional Geologist exam, demonstrating the strength of their program, and preparing qualified professionals for licensure. The loss of this program would have a significant impact to the profession and the State's ability to meet its geological and environmental challenges. He urges the board to advocate for the preservation and is willing to meet with the Board to provide additional information that may aid in preparing this letter.

Walter Okitsu, former member of the Traffic Technical Advisory Committee (TAC) commented on item VI. C Staff Report on Traffic Engineering on the need for

rulemaking to revise the definition of traffic engineering, which the TAC came up with back in 2019, however, the recommended changes were not reflected in regulations. The item was taken out of order for further discussion.

VI. Exams/Licensing

C. Staff Report on Traffic Engineering (Possible Action)

Natalie King, Senior Registrar Civil Engineer, presented the staff report on traffic engineering and reported that staff was tasked with researching the concerns related to the overlap of traffic and civil engineering definitions. There was a Traffic Engineer Technical Advisory Committee (TAC) that met once in 2015 and again in 2018 to discuss whether changes to the traffic engineering definition were warranted. Through research, it was recommended that no changes needed to be made to the definition of traffic engineering as it currently reads in the law. The main reason for this recommendation is that the Board has had multiple occupational analyses performed for the state traffic engineer exam since 2014 when these concerns were first expressed. It is the purpose of the occupational analysis to ask what is relevant to the practice and what, if anything, that is currently tested on the Board's state exam is no longer relevant or if we need to add anything or change anything based on the practice of traffic engineering. Over the last few studies, The Board has not seen any significant changes reported by licensed traffic engineers in California which would substantiate a change to the definition as proposed in 2018 by the Traffic TAC. Mr. Moore added that the language that was presented to the Board in 2018 was the language that the TAC finalized. Ms. King has worked diligently and has made every attempt to find anything to help support this change but has found quite the opposite.

Traffic engineers and those wanting to be licensed as traffic engineers are very clear on the definition of traffic engineering as evidenced by the very low number of work experience deficiencies related to applications for this license type. The confusion is those who are seeking to be licensed as civil engineers and do not understand what civil engineering is and what is not. There appears to be confusion in the industry. Civil engineers are doing both civil and traffic because they can. She believes outreach may help ease the confusion.

During Public Comment, Walter Okitsu clarified that the definition of traffic engineering does not reflect what is happening in the occupational analysis or the test plan. He stated that the definition in the middle of page 37 in the meeting materials is not the TACs recommendation and believes that possibly an intern missed some of the key points of what was discussed. Mr. Okitsu said that several TAC members are willing to reconvene to reestablish the definition and to coordinate with the test plan.

The board consensus was to take no action.

IV. Administration

A. Fiscal Year 2024/25 Budget Report

Dawn Hall, Administrative Manager, reported that revenue is up \$1.2 million from Fiscal Month 4 as reported at the last Board meeting and up \$278,000 over the comparable prior period. There have been no changes in the full year revenue or expense projections.

The Governor's Fiscal Year 2025/26 Budget has been released; however, it has not been updated to reflect the potential savings which are outlined in Budget Letter 24-20 (Vacancy Savings and Position Elimination) and Budget Letter 24-24 (Government Efficiencies Reductions). Net Appropriation is \$13,882 and is expected to be reduced to \$13,424 in the May budget revise. The Fund Condition in board materials reflects the January 2025 published budget.

On January 29, 2025, Governor Gavin Newsom issued Executive Order N-15-25, which defers for one year the license renewal fees for licenses that expire between January 1, 2025, and June 30, 2025, and whose residential or business address is within the DCA-determined fire impacted zip codes. This affects fewer than 250 licenses and we do not anticipate a significant impact to revenues. Licenses still need to be renewed on time, just the fee is deferred for one year.

Mr. Wilfredo Sanchez arrived at 10:14 a.m.

During Public Comment, Alan Escarda representing Professional Engineers in California Government (PECG) noticed \$0.00 is allocated for training within the administration materials and he is aware that this is a fee-based department and believes it is a mistake to have this type of financial environment where your greatest resource is your staff and training always gets cut. He believes training is valuable and would like to see it funded in the future as part of the fee increase. He would like the organization to invest in their employees, and consumers would benefit from an enhanced experience.

B. Status Update to Fee Change Rulemaking Proposal, Title 16, California Code of Regulations sections 407 and 3005 (**Possible Action**)

As the Board is preparing to submit the regulations package for the fee increase, Ms. Hall is asking the Board to consider the Fiscal Impact workload costs presented in the meeting materials and approve the prior proposed regulatory text in accordance with the revised Fee Study Fiscal Impacts.

MOTION:	Mr. Ruffino and Ms. Mathieson moved to approve the prior proposed regulatory text for Title 16, CCR section 407 and 3005 in accordance with the revised Fee Study Fiscal Impacts (workload costs), direct staff to submit the text to the Director of the Department of Consumer Affairs and the Business, Consumer Services, and Housing Agency for review, and if no
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	adverse comments are received, authorize the Executive Officer to take all steps necessary to initiate the rulemaking process, make any non-substantive changes to the package, and set the matter for a hearing if requested. If no adverse comments are received during the 45-day comment period and no hearing is requested, authorize the Executive Officer to take all steps necessary to complete the rulemaking and adopt the proposed regulations at Sections 407 and 3005 as noticed.
VOTE:	11-0, Motion Carried

Member Name	Yes	No	Abstain	Absent	Recusal
President Wong	X				
Vice-President Martinez	X				
Fel Amistad	X				
Alireza Asgari	X				
Khaesha Brooks	X				
Rossana D'Antonio				X	
Michael Hartley	X				
Coby King	X				
Betsy Mathieson	X				
Frank Ruffino	X				
Wilfredo Sanchez	X				
Fermin Villegas				X	
Cliff Waldeck	X				

V. Enforcement

A. Enforcement Statistical Reports

1. Fiscal Year 2024/25 Update

Brook Grabowski, Enforcement Manager reviewed the statistics.

During Public Comment, Michael Parolini explained that there has been an increase of growth of the engineering profession over the last 15 years, the biggest cycle he has seen in his 27 years in the field, resulting in more enforcement cases.

VI. Exams/Licensing

A. Examination/Licensing Updates

Mr. Moore reported that we are currently in the spring cycle (year-round).

B. 2024 Examination Results

Mr. Moore reviewed the examination statistics.

Ms. Mathieson would like to see a bar chart outlining the fields of engineering and pass rate percentages similar to that of enforcement stats.

Mr. King recommended having a discussion in reference to public comment regarding the elimination of the geology department at Sonoma State.

Mr. Moore introduced Julie Morby and Amanda Jewell representing Prometric. They discussed their roles and responsibilities and were able to answer some of the Board’s questions.

During Public Comment, Michael Parolini expressed that he would prefer to see California structural pass rates broken down by all 6 categories, not 4 because bridges is separate and stated that the NCEES reported data can be confusing.

VII. Legislation

A. 2025 Legislative Calendar

Mr. Moore reviewed the legislative calendar. He noted that February 21, 2025, is the last day to introduce bills and while there are currently none in bill form that might affect the Board, staff will continue to monitor.

VIII. Discussion and Approval of Amended Strategic Plan (Possible Action)

MOTION:	Mr. King and Mr. Ruffino moved to approve the amended Strategic Plan
VOTE:	11-0, Motion Carried

Member Name	Yes	No	Abstain	Absent	Recusal
President Wong	X				
Vice-President Martinez	X				
Fel Amistad	X				
Alireza Asgari	X				
Khaesha Brooks	X				
Rossana D’Antonio				X	
Michael Hartley	X				
Coby King	X				
Betsy Mathieson	X				
Frank Ruffino	X				
Wilfredo Sanchez	X				
Fermin Villegas				X	
Cliff Waldeck	X				

IX. Executive Officer's Report

A. Rulemaking Status Report

Mr. Moore reported that the fee study will be added to the next report.

B. Update on Board’s Business Modernization Project

Staff continues back-office management and monitoring for Enforcement.

C. Personnel

Two positions continue to remain open.

D. ABET

No report given.

E. Association of State Boards of Geology (ASBOG)

Mr. Moore still waiting for Out-of-State (OST) travel approval for the Council of Examiners meeting. Ms. Mathieson expressed her eagerness to work on exam development.

F. National Council of Examiners for Engineering and Surveying (NCEES)

An addendum was distributed to nominate Perry Valdez for the position of Western Zone Secretary for 2025-27 at the Combined Central/Western Zone Interim Meeting in Albuquerque, NM.

MOTION:	Dr. Asgari and Dr. Amistad moved to approve the nomination letter for Perry Valdez as amended.
VOTE:	10-1-0, Motion Carried

Member Name	Yes	No	Abstain	Absent	Recusal
President Wong			X		
Vice-President Martinez	X				
Fel Amistad	X				
Alireza Asgari	X				
Khaesha Brooks	X				
Rossana D'Antonio				X	
Michael Hartley	X				
Coby King	X				
Betsy Mathieson	X				
Frank Ruffino	X				
Wilfredo Sanchez	X				
Fermin Villegas				X	
Cliff Waldeck	X				

G. Update on Outreach Efforts

Mr. Moore presented the Board's outreach efforts.

X. President's Report/Board Member Activities

President Wong reported that she is part of the NCEES Western Zone nominating committee. Nominations will close by February 15, 2025. She is also a member of the NCEES Finance Committee and is preparing for a March meeting.

XI. Approval of Meeting Minutes (Possible Action)

A. Approval of December 19, 2024, Board Meeting Minutes

MOTION:	Mr. Hartley and Mr. King moved to approve the minutes of the December 19, 2024, Board meeting.
VOTE:	11-0, Motion Carried

Member Name	Yes	No	Abstain	Absent	Recusal
President Wong	X				
Vice-President Martinez	X				
Fel Amistad	X				
Alireza Asgari	X				
Khaesha Brooks	X				
Rossana D'Antonio				X	
Michael Hartley	X				
Coby King	X				
Betsy Mathieson	X				
Frank Ruffino	X				
Wilfredo Sanchez	X				
Fermin Villegas				X	
Cliff Waldeck	X				

XII. Closed Session – The Board met in Closed Session to discuss, as needed:

- A. Deliberate on a Decision(s) to be Reached in a Proceeding(s) Required to be Conducted Pursuant to Chapter 5 (commencing with Section 11500), as Authorized by Government Code Section 11126(c)(3).
- B. Confer with, or Receive Advice from, Its Legal Counsel Regarding Pending Litigation Pursuant to Government Code Section 11126(e)(1) and (2)(A), on the following matters:
 - 1. Crownholm et al. v. Moore, et al. No. 24-276, cert. pending (filed Sep. 9, 2024), Supreme Court of the United States, Crownholm, et al. v. Moore, et al. (No. 23-15138) (9th Cir. April 16, 2024)
 - 2. Victor Rodriguez-Fernandez vs. California Board for Professional Engineers, Land Surveyors, and Geologists, San Diego County Superior Court, Case No. 37-2023-00053465-CU-WM-CTL

XIII. Adjourn

The meeting adjourned at 2:27 p.m.

PUBLIC PRESENT

Phillip Mooney, Sonoma State University
 Matthew “Matty” Mookerjee, Sonoma State University
 Walter Okitsu
 Alan Escarda

XII. Closed Session – The Board will meet in Closed Session to discuss, as needed:

- A. Deliberate on a Decision(s) to be Reached in a Proceeding(s) Required to be Conducted Pursuant to Chapter 5 (commencing with Section 11500), as Authorized by Government Code Section 11126(c)(3).
- B. Confer with, or Receive Advice from, Its Legal Counsel Regarding Pending Litigation Pursuant to Government Code Section 11126(e)(1) and (2)(A), on the following matters:
 1. Crownholm et al. v. Moore, et al. No. 24-276, cert. pending (filed Sep. 9, 2024), Supreme Court of the United States, Crownholm, et al. v. Moore, et al. (No. 23-15138) (9th Cir. April 16, 2024)
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XIII. Adjourn
