

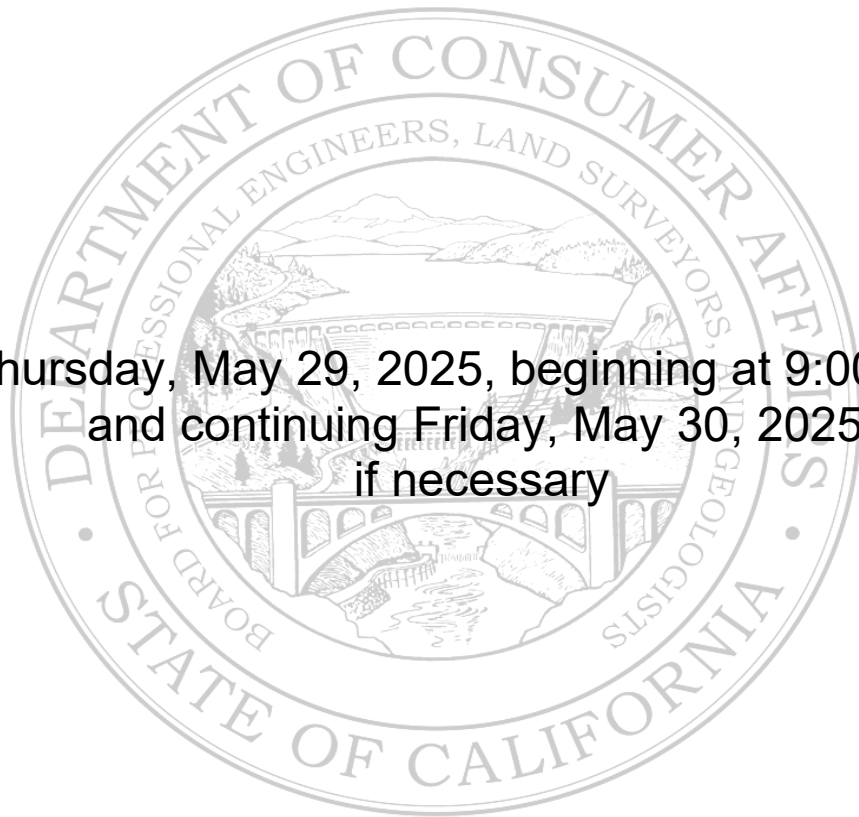


Gavin Newsom, Governor

Board for Professional Engineers, Land Surveyors, and Geologists

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

Thursday, May 29, 2025, beginning at 9:00 a.m.,
and continuing Friday, May 30, 2025,
if necessary



Caltrans District 11 Building
4050 Taylor Street, Garcia Room
San Diego, CA 92110

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

BOARD MEETING

MAY 29-30, 2025

California Department of Transportation
4050 Taylor Street, Garcia Room
San Diego, CA 92110

BOARD MEMBERS

President Christina Wong; Vice-President Guillermo Martinez; Fel Amistad; Alireza Asgari; Khaesha Brooks; Rossana D'Antonio; Desirea Haggard; 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	
XIII. Adjourn	169

I. Roll Call to Establish a Quorum

II. Pledge of Allegiance

III. Public Comment for Items Not on the Agenda

NOTE: The Board cannot discuss or take action on any matter raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting. (Government Code sections 11125, 11125.7(a).) The Board will also allow for public comment during the discussion of each item on the agenda and will allow time for public comment for items not on the agenda at the beginning of both days of the meeting. Please see the last page of this Official Notice and Agenda for additional information regarding public comment.

IV. **Administration**

A. Fiscal Year 2024/25 Budget Report

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

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.

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.

Prior Year

Revenue collected up to FM 4 in October of 2020.

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 9 FINANCIAL STATEMENT

Revenues

Total revenue is up \$496,881 (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 9	PRIOR YEAR FY 2023-24 FM 9	CURRENT YEAR FY 2024-25 FM 9	CURRENT YEAR FY 2024-25 PROJECTION
Delinquent Fees	\$133,400	\$94,074	\$61,635	\$141,610
Other Regulatory Fees	\$64,980	\$ 53,005	\$ 59,068	\$79,487
Other Regulatory Licenses & Permits	\$1,422,051	\$1,703,758	\$1,589,951	\$1,895,668
Other Revenue	\$69,520	\$ 130,868	\$161,338	\$14,324
Renewal Fees	\$8,751,436	\$9,739,400	\$9,066,276	\$9,302,981
Total	\$ 10,441,387	\$11,721,105	\$10,938,268	\$11,434,070

Total Reimbursements as of FM9 totaled \$117,355 including \$1,050 in Reimbursement-Private Sectors, \$51,940 in Fingerprint Reports, \$52,920 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: 9

Fiscal Year: 2024 – 2025

Run Date: 4/29/2025

PERSONAL SERVICES

Notes	Fiscal Code	PY 23-24 FM9 YTD + Encumbrance	CY 24-25 FM9 YTD + Encumbrance	Governor's Budget	Percent of Governor's Budget Spent	Projections to Year End
1	5100 PERMANENT POSITIONS	\$2,651,989	\$2,753,980	\$3,779,000	73%	\$3,657,786
	5100 TEMPORARY POSITIONS	\$1,191	\$0	\$232,000	0%	\$3,000
	5105-5108 PER DIEM, OVERTIME, & LUMP SUM	\$145,015	\$9,200	\$37,000	25%	\$44,010
	5150 STAFF BENEFITS	\$1,597,798	\$1,543,014	\$1,951,000	79%	\$2,194,672
	PERSONAL SERVICES	\$4,395,993	\$4,306,194	\$5,999,000	72%	\$5,899,468

OPERATING EXPENSES & EQUIPMENT

2	5301 GENERAL EXPENSE	\$55,168	\$53,802	\$118,000	46%	\$76,523
	5302 PRINTING	\$165,638	\$77,873	\$46,000	169%	\$88,555
	5304 COMMUNICATIONS	\$8,719	\$4,855	\$35,000	14%	\$27,497
	5306 POSTAGE	\$32,851	\$25,978	\$58,000	45%	\$36,000
	5308 INSURANCE	\$86	\$0	\$0	0%	\$86
	53202-204 IN STATE TRAVEL	\$29,002	\$21,170	\$90,000	24%	\$35,000
	53206-208 OUT OF STATE TRAVEL	\$2,678	\$0	\$0	0%	\$4,250
	5322 TRAINING	\$0	\$2,000	\$15,000	13%	\$2,000
3	5324 FACILITIES*	\$459,890	\$475,692	\$377,000	126%	\$494,542
4	53402-53403 C/P SERVICES (INTERNAL)	\$492,687	\$497,819	\$1,404,000	35%	\$660,000
5	53404-53405 C/P SERVICES (EXTERNAL)	\$2,013,883	\$2,097,979	\$3,249,000	65%	\$2,472,415
6	5342 DEPARTMENT PRORATA	\$1,500,750	\$1,750,834	\$2,076,000	84%	\$2,076,000
7	5342 DEPARTMENTAL SERVICES	\$13,416	\$16,382	\$25,000	66%	\$27,000
	5344 CONSOLIDATED DATA CENTERS	\$78	\$0	\$22,000	0%	\$22,000
	5346 INFORMATION TECHNOLOGY	\$32,086	\$123,514	\$94,000	131%	\$318,692
	5362-5368 EQUIPMENT	\$37,654	\$25,337	\$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	\$4,845,485	\$5,174,856	\$7,612,000	68%	\$6,379,260
	TOTALS	\$9,241,479	\$9,481,049	\$13,611,000	70%	\$12,278,727
8	4840-4850 REIMBURSEMENTS					\$108,000
	OVERALL TOTALS & REIMBURSEMENTS					\$12,170,727

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

Analysis of Fund Condition

Prepared 5/14/2025

(Dollars in Thousands)

PY 23-24 Actuals & CY 24-25 FM 9

	Actual 2023-24	CY 2024-25	BY 2025-26	BY+1 2026-27
BEGINNING BALANCE	\$ 2,481	\$ 3,267	\$ 2,087	\$ -329
Prior Year Adjustment	\$ 269	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 2,750	\$ 3,267	\$ 2,087	\$ -329
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	\$ 14,497	\$ 11,298
EXPENDITURES				
Disbursements:				
1111 Department of Consumer Affairs (State Operations)	\$ 11,475	\$ 12,171	\$ 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	\$ 12,807	\$ 14,826	\$ 15,085
FUND BALANCE				
Reserve for economic uncertainties	\$ 3,267	\$ 2,087	\$ -329	\$ -3,787
Months in Reserve	3.1	1.7	-0.3	-2.9

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 9 are at \$51,940.
- 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.

**Board for Professional Engineers, Land Surveyors, and Geologists
Retired License (Current workload costs)**

Workload Tasks	Per Application	Minutes Per Application	AGPA
Receive/sort application incoming mail & process	1	15	15
Cashiering - Initial review & processing	1	20	20
Review application - Check deficiencies, compliance, data entry & approval	1	15	15
Correspondence via phone, email, letter with applicants regarding retired status requests	1	15	15
Update License Status	1	5	5
Minutes per Classification			70
Hours by Classification			1.17
Costs by Classification			\$130
Total Costs:			\$130

AGPA: ASSOCIATE GOVERNMENTAL PROGRAM ANALYST - \$111 per hour (includes DCA Distributed Administration)

Board of Professional Engineers, Land Surveyors, and Geologists

Examinations- Fiscal Impact (workload costs) without Subsidized Amount

Workload Tasks	Volume Per Yr	Hours Per Exam	Job Classification				
			AGPA	MST	Sr Reg	SSMI	Exec
Plan & facilitate exam development for state exams	9	445	4,005	-	-	-	-
Develop technical materials	9	209	1,879	-	-	-	-
Coordinate workshops & meetings.	9	223	2,010	-	-	-	-
Research, identify, analyze & special projects	9	139	1,253	-	-	-	-
Maintain item bank of items for all examination	9	70	626	-	-	-	-
Create database & maintenance	9	70	626	-	-	-	-
Recruit/screen/evaluate/liaison of Expert Consultants	9	70	-	626	-	-	-
Respond to vendors/contractors/Experts	9	58	-	522	-	-	-
Manage exam postponement requests	9	35	-	313	-	-	-
Reviews & modifies incorrect exam info	9	35	-	313	-	-	-
Plans & facilitates exam development	9	35	-	313	-	-	-
Exam development	9	186	-	-	1,670	-	-
Exam development & program management	9	2,244	-	-	0	2,053	191
Total Hours	9	3,817	10,400	2,088	1,670	2,053	191
Workload Required (Positions)			5.0	1.0	0.8	1.0	0.1
Total Costs (Positions)	\$1,559,903		\$942,242	\$151,086	\$233,258	\$206,712	\$26,606
Additional Costs (i.e. Temp-Help, Contracts, etc.)	\$ 1,582,097						
Personal Services & Operating Expenses & Equip	\$ 3,142,000						
Subsidized Amount (less)	\$0						
Total Exam Cost Allocation	\$ 3,142,000						
Applications Per Year*	5,828						
Total Cost Per Exam:	\$539						

*Three-year average: 2020-21 through 2022-23

AGPA: Associated Governmental Program Analyst

MST: Management Services Technician

SSMI: Staff Services Manager I

Sr. Reg: Senior Registrar

Exec: Executive Management

Board of Professional Engineers, Land Surveyors, and Geologists Examinations - Fiscal Impact (workload costs) with Subsidized Amount

Workload Tasks	Volume Per Yr	Hours Per Exam	Job Classification				
			AGPA	MST	Sr Reg	SSMI	Exec
Plan & facilitate exam development for state exams	9	445	4,005	-	-	-	-
Develop technical materials	9	209	1,879	-	-	-	-
Coordinate workshops & meetings.	9	223	2,010	-	-	-	-
Research, identify, analyze & special projects	9	139	1,253	-	-	-	-
Maintain item bank of items for all examination	9	70	626	-	-	-	-
Create database & maintenance	9	70	626	-	-	-	-
Recruit/screen/evaluate/liaison of Expert Consultants	9	70	-	626	-	-	-
Respond to vendors/contractors/Experts	9	58	-	522	-	-	-
Manage exam postponement requests	9	35	-	313	-	-	-
Reviews & modifies incorrect exam info	9	35	-	313	-	-	-
Plans & facilitates exam development	9	35	-	313	-	-	-
Exam development	9	186	-	-	1,670	-	-
Exam development & program management	9	2,244	-	-	0	2,053	191
Total Hours	9	3,817	10,400	2,088	1,670	2,053	191
Workload Required (Positions)			5.0	1.0	0.8	1.0	0.1
Total Costs (Positions)	\$1,559,903		\$942,242	\$151,086	\$233,258	\$206,712	\$26,606
Additional Costs (i.e. Temp-Help, Contracts, etc.)	\$ 1,582,097						
Personal Services & Operating Expenses & Equip	\$ 3,142,000						
Subsidized Amount (less)	\$ (1,685,000)						
Total Exam Cost Allocation	\$ 1,457,000						
Applications Per Year*	5,828						
Total Cost Per Exam:	\$250						

*Three-year average: 2020-21 through 2022-23

AGPA: Associated Governmental Program Analyst

MST: Management Services Technician

SSMI: Staff Services Manager I

Sr. Reg: Senior Registrar

Exec: Executive Management

Board of Professional Engineers, Land Surveyors, and Geologists In-Training Certificate - Fiscal Impact (workload costs) without Subsidized Amount

Workload Tasks	Volume Per Yr	Hours Per App	Job Classification			
			AGPA	SSM I	Sr. Reg	Exec
Application Review	3,094	0.1	309	-	700	-
Applicant Communications	3,094	0.1	155	-	-	-
Applicant Outreach	3,094	0.1	155	-	-	-
Fingerprint Criminal Records Program	3,094	0.1	309	-	-	-
Website and Application Form Review and Maintenance	3,094	0.1	155	-	-	-
Application Documentation Support	3,094	0.1	309	-	-	-
Records Retention	3,094	0.1	155	-	-	-
Licensing Program Management	3,094	0.2	-	619	-	191
Special Projects	3,094	0.1	155	-	-	-
Total Hours	3,094	0.8	1,702	619	700	191
Workload Required (Positions)			1.6	0.3	0.3	0.1
Total Costs (Positions)	495,015		\$ 308,354	\$ 62,306	\$ 97,749	\$ 26,606
Personal Services & Operating Expenses & Equip Costs	\$495,015					
Subsidized Amount (less)	\$0					
Total Initial License Cost Allocation	\$495,015					
Applications Per Year	3,094					
Total Cost Per Certificate:	\$160					

*Three-year average: 2020-21 through 2022-23

AGPA: Associated Governmental Program Analyst

SSA: Staff Services Analyst

OT: Office Technician (typ)

SSMI: Staff Services Manager I

Sr. Reg: Senior Registrar

Exec: Executive Management

Board of Professional Engineers, Land Surveyors, and Geologists In-Training Certificate - Fiscal Impact (workload costs) with Subsidized Amount

Workload Tasks	Volume Per Yr	Hours Per App	Job Classification			
			AGPA	SSM I	Sr. Reg	Exec
Application Review	3,094	0.1	309	-	700	-
Applicant Communications	3,094	0.1	155	-	-	-
Applicant Outreach	3,094	0.1	155	-	-	-
Fingerprint Criminal Records Program	3,094	0.1	309	-	-	-
Website and Application Form Review and Maintenance	3,094	0.1	155	-	-	-
Application Documentation Support	3,094	0.1	309	-	-	-
Records Retention	3,094	0.1	155	-	-	-
Licensing Program Management	3,094	0.2	-	619	-	191
Special Projects	3,094	0.1	155	-	-	-
Total Hours	3,094	0.8	1,702	619	700	191
Workload Required (Positions)			1.6	0.3	0.3	0.1
Total Costs (Positions)	495,015		\$ 308,354	\$ 62,306	\$ 97,749	\$ 26,606
Personal Services & Operating Expenses & Equip Costs	\$495,015					
Subsidized Amount (less)	(\$155,000)					
Total Initial License Cost Allocation	\$340,015					
Applications Per Year	3,094					
Total Cost Per Certificate:	\$110					

*Three-year average: 2020-21 through 2022-23

AGPA: Associated Governmental Program Analyst

SSA: Staff Services Analyst

OT: Office Technician (typ)

SSMI: Staff Services Manager I

Sr. Reg: Senior Registrar

Exec: Executive Management

Board of Professional Engineers, Land Surveyors, and Geologists Initial License - Fiscal Impact (workload costs) without Subsidized Amount

Workload Tasks	Volume Per Yr	Hours Per App	Job Classification				
			AGPA	SSA	SSM I	Sr. Reg	Exec
Application Review	3,423	1.2	3,038	-	-	1,070	-
Applicant Communications	3,423	0.5	856	856	-	-	-
Applicant Outreach	3,423	0.1	342	-	-	-	-
Fingerprint Criminal Records Program	3,423	0.2	685	-	-	-	-
Website and Application Form Review & Maintenance	3,423	0.1	342	-	-	-	-
Application Documentation Support	3,423	0.1	342	-	-	-	-
Records Retention	3,423	0.1	342	-	-	-	-
Licensing Program Management	3,423	0.3	-	-	1,027	-	-
Special Projects	3,423	0.3	836	-	-	-	191
Total Hours	3,423	2.9	6,783	856	1,027	1,070	191
Workload Required (Positions)			3.2	0.4	0.5	0.5	0.1
Total Costs (Positions)	1,333,126		\$ 614,557	\$ 65,674	\$ 210,236	\$ 291,572	\$ 151,086
Personal Services & Operating Expenses & Equip Costs	\$1,333,126						
Subsidized Amount (less)	\$0						
Total Initial License Cost Allocation	\$1,333,126						
Applications Per Year*	3,568						
Total Cost Per Application:	\$374						

*Three-year average: 2020-21 through 2022-23

AGPA: Associated Governmental Program Analyst

SSMI: Staff Services Manager I

Sr. Reg: Senior Registrar

Exec: Executive Management

Board of Professional Engineers, Land Surveyors, and Geologists Initial License - Fiscal Impact (workload costs) with Subsidized Amount

Workload Tasks	Volume Per Yr	Hours Per App	Job Classification				
			AGPA	SSA	SSM I	Sr. Reg	Exec
Application Review	3,423	1.2	3,038	-	-	1,070	-
Applicant Communications	3,423	0.5	856	856	-	-	-
Applicant Outreach	3,423	0.1	342	-	-	-	-
Fingerprint Criminal Records Program	3,423	0.2	685	-	-	-	-
Website and Application Form Review & Maintenance	3,423	0.1	342	-	-	-	-
Application Documentation Support	3,423	0.1	342	-	-	-	-
Records Retention	3,423	0.1	342	-	-	-	-
Licensing Program Management	3,423	0.3	-	-	1,027	-	-
Special Projects	3,423	0.3	836	-	-	-	191
Total Hours	3,423	2.9	6,783	856	1,027	1,070	191
Workload Required (Positions)			3.2	0.4	0.5	0.5	0.1
Total Costs (Positions)	1,333,126		\$ 614,557	\$ 65,674	\$ 210,236	\$ 291,572	\$ 151,086
Personal Services & Operating Expenses & Equip Costs	\$1,333,126						
Subsidized Amount (less)	(\$440,000)						
Total Initial License Cost Allocation	\$893,126						
Applications Per Year*	3,568						
Total Cost Per Application:	\$250						

*Three-year average: 2020-21 through 2022-23

AGPA: Associated Governmental Program Analyst

SSMI: Staff Services Manager I

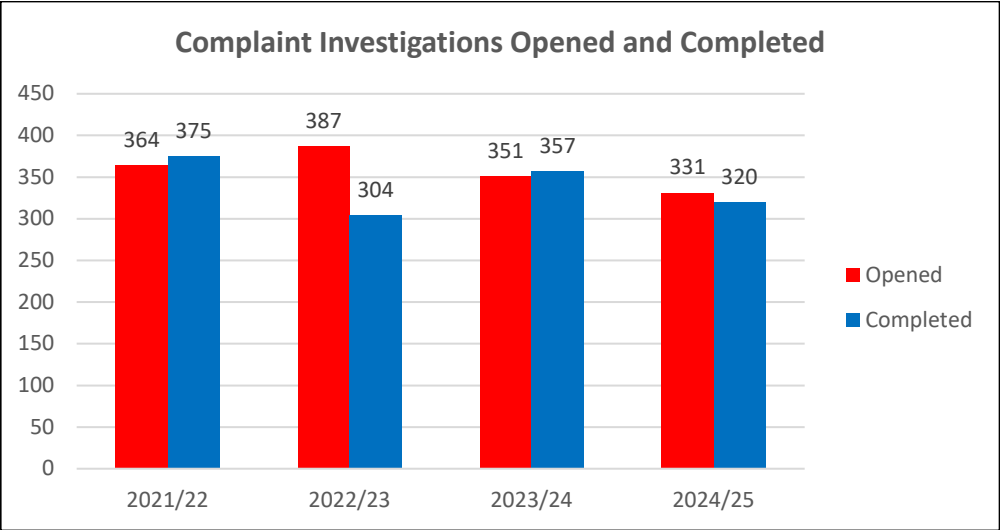
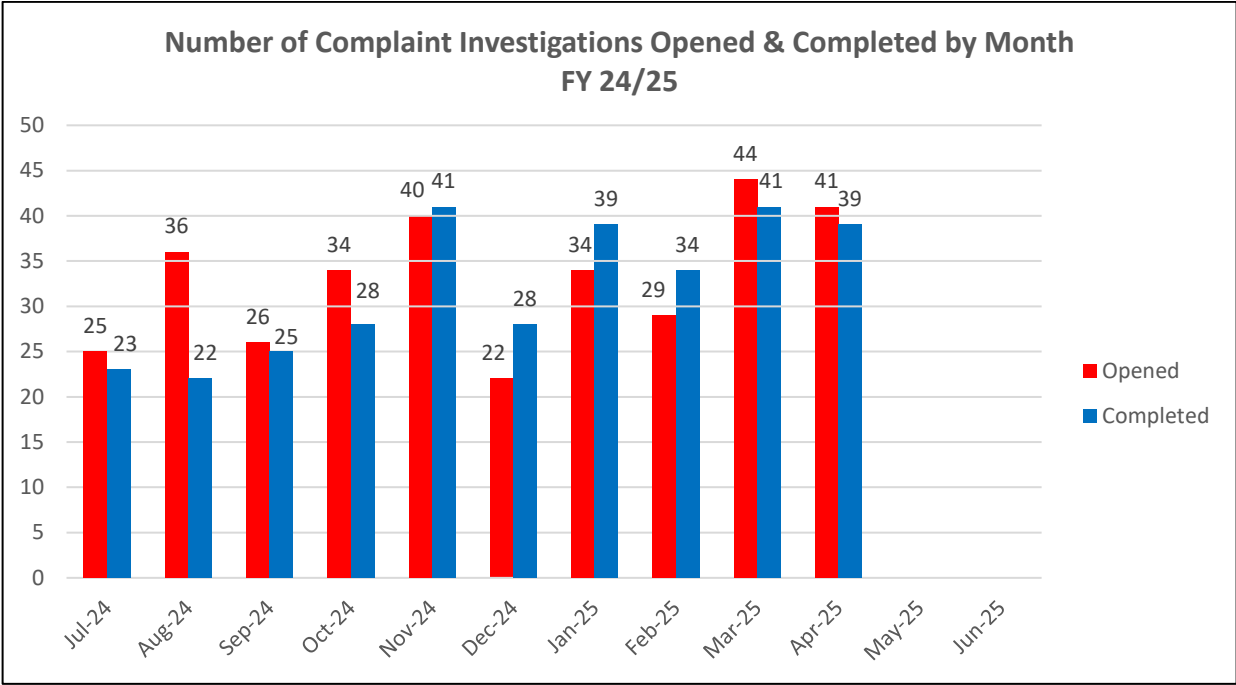
Sr. Reg: Senior Registrar

Exec: Executive Management

Staff Recommendation: Move 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) for Retired License and Fiscal Impact (workload costs) that were previously approved at the February 2025 Board meeting, 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 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.

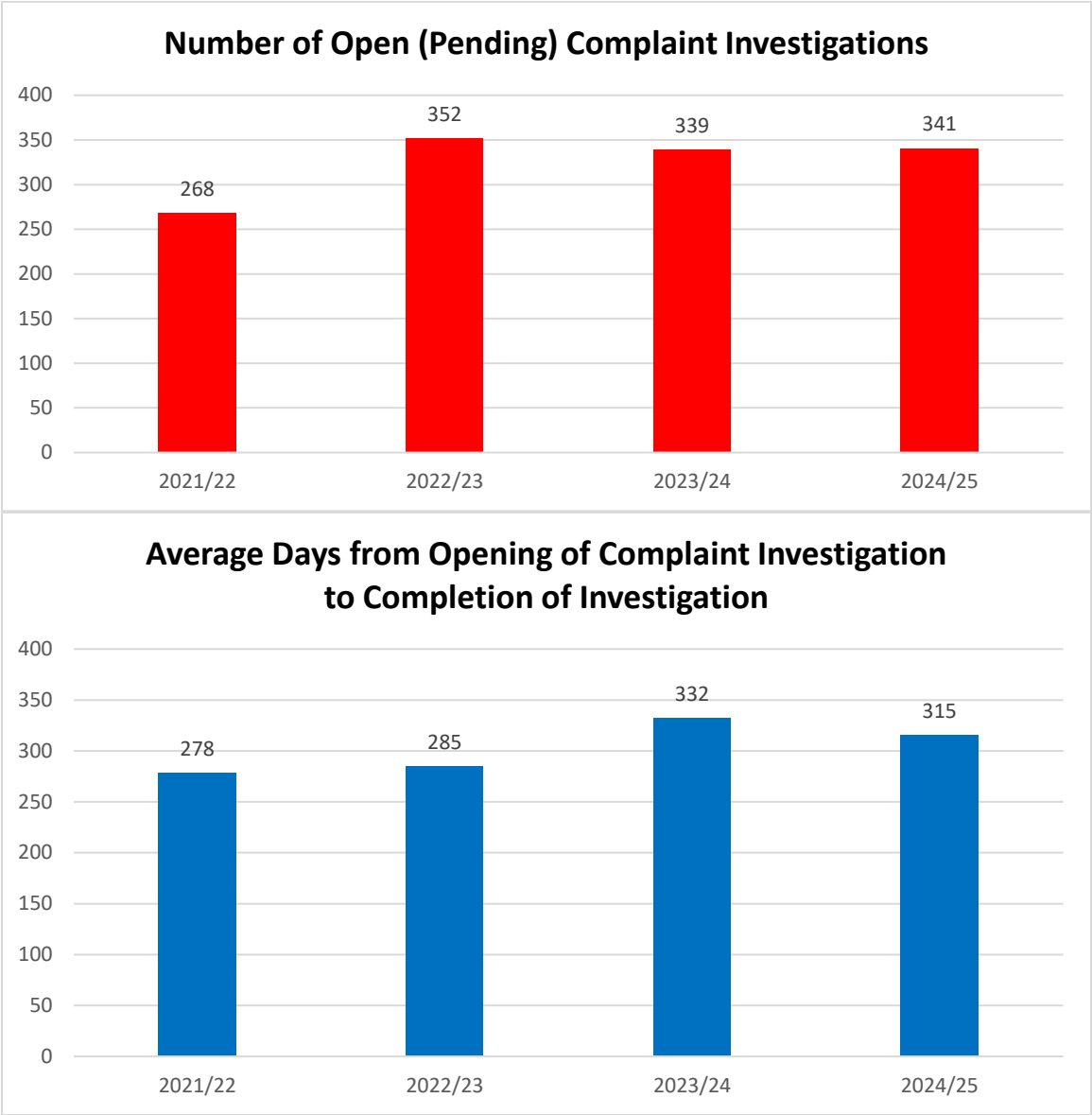
- V. **Enforcement**
 - A. Enforcement Statistical Reports
 - 1. Fiscal Year 2024/25 Update

Complaint Investigation Phase



NOTE: FY24/25 statistics are through April 30, 2025

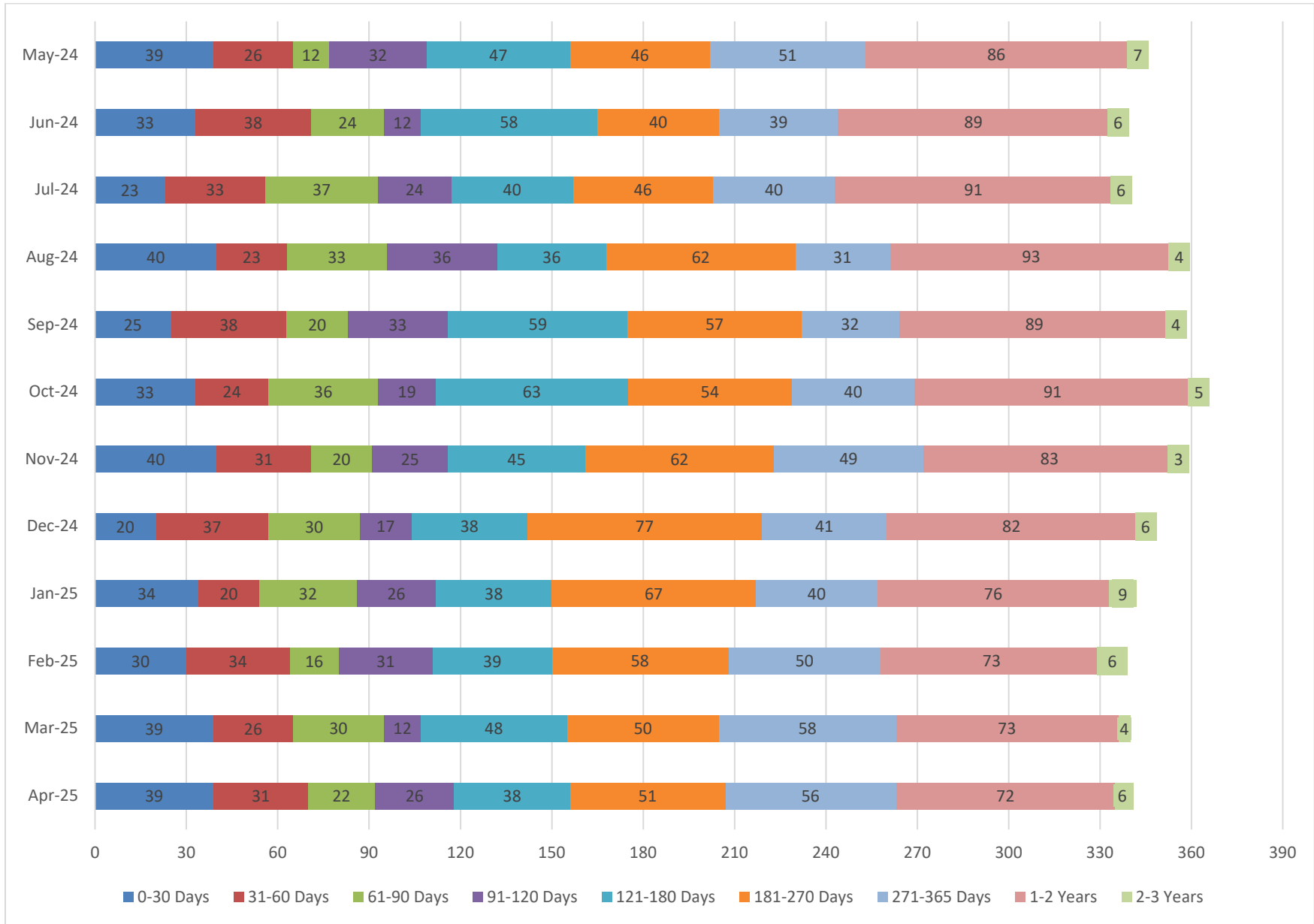
Complaint Investigation Phase



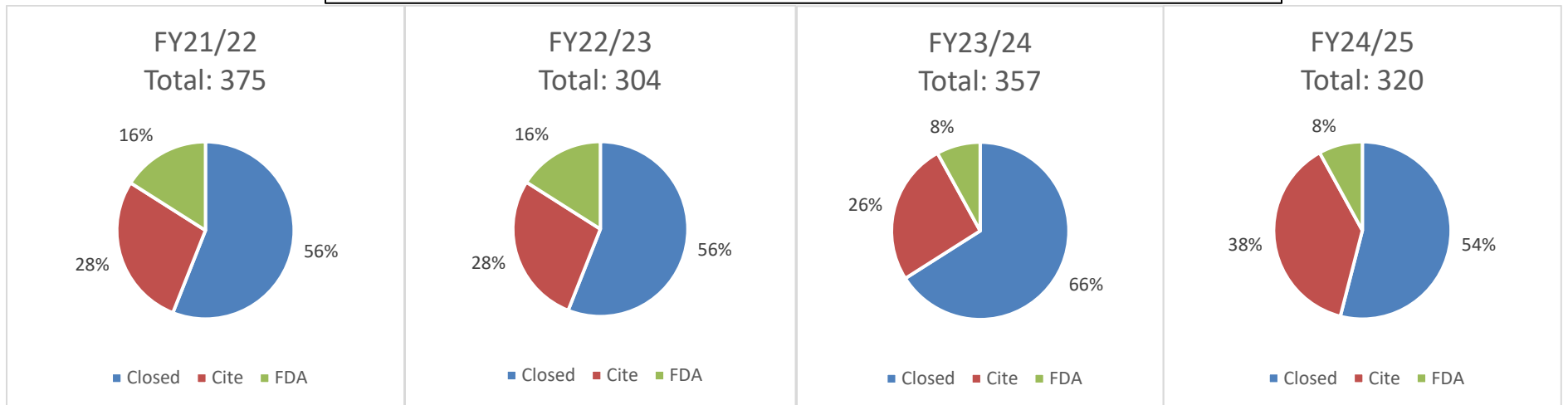
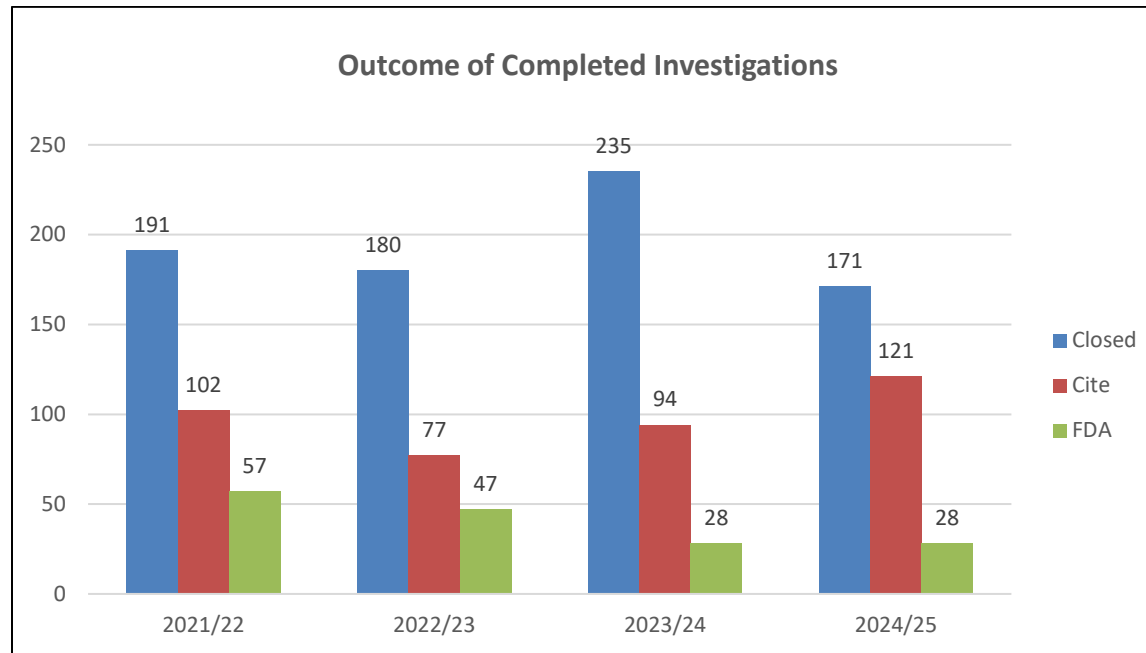
NOTE: FY24/25 statistics are through April 30, 2025

Complaint Investigation Phase

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



Complaint Investigation Phase



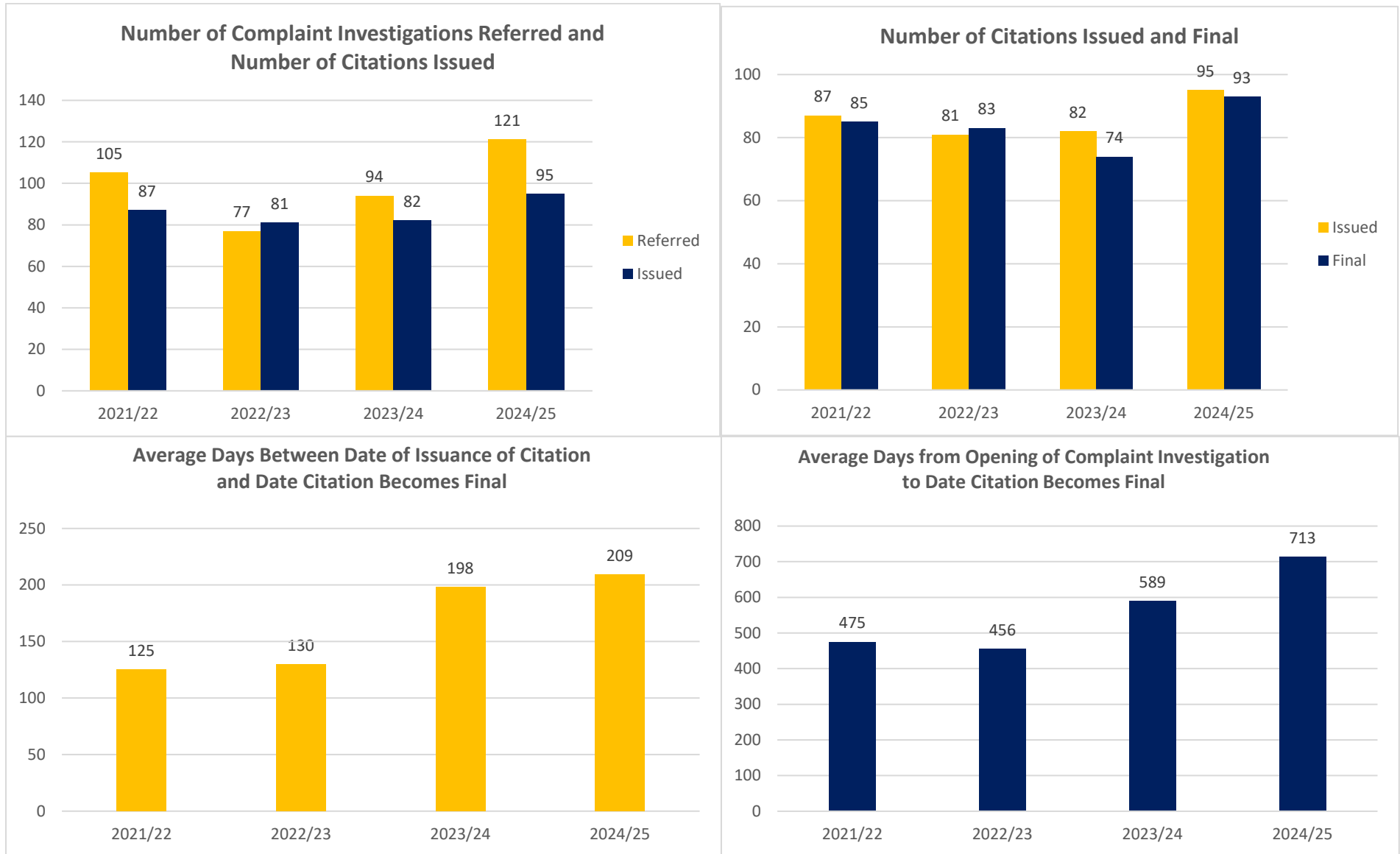
NOTE: FY24/25 statistics are through April 30, 2025

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

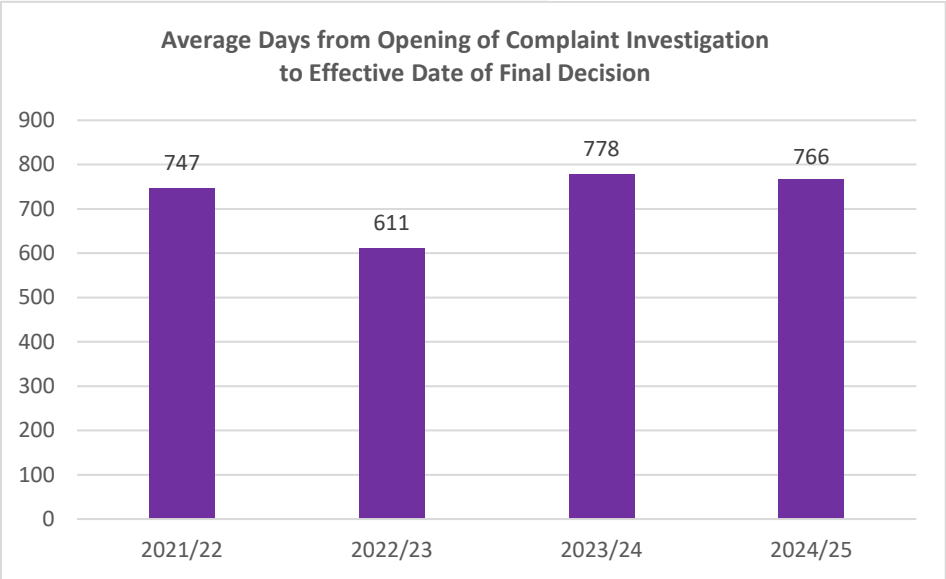
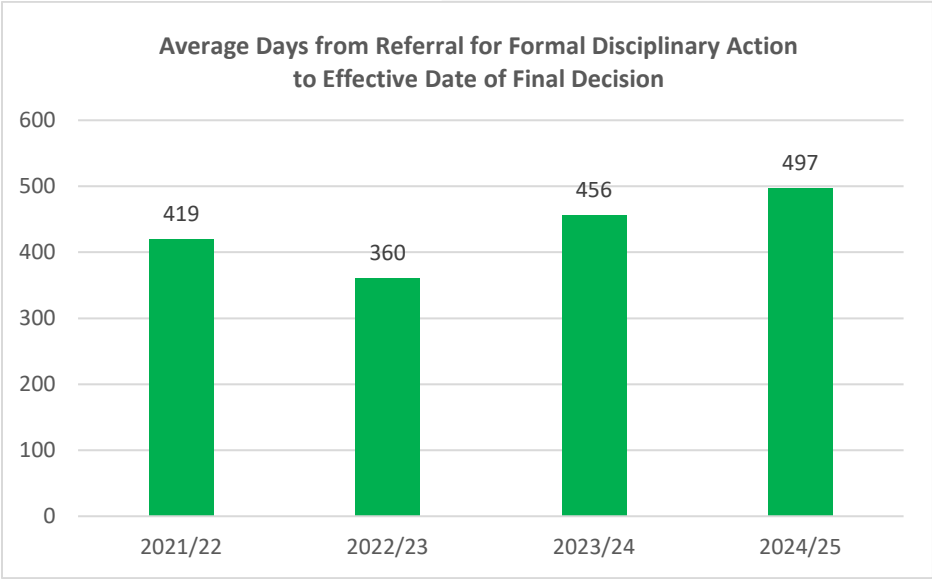
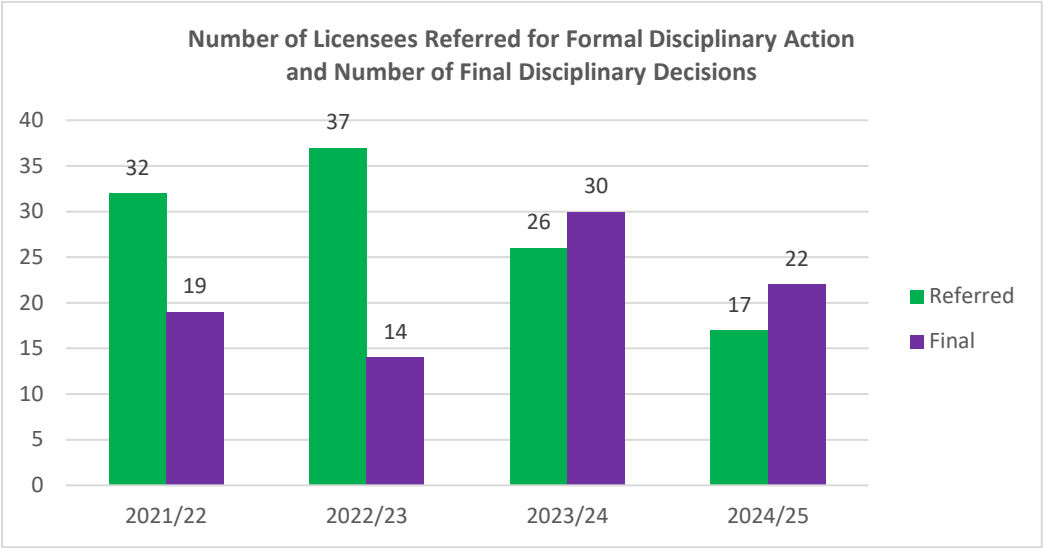
FDA = Referred for Formal Disciplinary Action

Citations (Informal Enforcement Actions)



NOTE: FY24/25 statistics are through April 30, 2025

Formal Disciplinary Actions Against Licensees



NOTE: FY24/25 statistics are through April 30, 2025

VI. Exams/Licensing

A. Examination/Licensing Updates

B. Adoption of Test Plan Specifications (**Possible Action**)

1. Geotechnical Engineer Examination – Revision of approved 2025 Test Plan

C. Waiver of First Division and a Portion of Second Division Engineering Examinations Rulemaking Proposal, Title 16, California Code of Regulations, pursuant to section 438 and section 438.5 (**Possible Action**)

Geotechnical Engineering Examination 2024 Test Plan

Revised May 2025

Test Specifications	% of Questions
I. Scope Development and Project Planning Professional Activities: <ol style="list-style-type: none"> 1. Evaluate objective(s) based on client's needs and project feasibility 2. Develop project approach and description based on information from the client and/or design team (e.g., location, preliminary project plan, project model, structural loading) 3. Evaluate potential geotechnical and regulatory issues that may influence investigation, design and construction of the proposed project 4. Evaluate relevant data about site and subsurface conditions by reviewing available regional and site-specific information (e.g., aerial/satellite photographs, existing reports, geology, reconnaissance, topography) 5. Develop proposal, scope of work, or work plan for field exploration, laboratory testing, analyses, geotechnical recommendations, and construction observation for the proposed project 	12%
Test questions on these professional activities may include one or more of the following: <ol style="list-style-type: none"> A. Developing a geotechnical scope of work B. Methodologies to gather, review, and interpret available information relevant to site and project C. The effects of project design criteria (e.g., civil and structural requirements) on the scope of geotechnical work D. The impacts of project schedule and cost on the scope of geotechnical work E. Geotechnical considerations for different project types (e.g., bridges, buildings, dams, pipelines, tunnels) F. Regulatory and code requirements G. Effects of surface conditions (e.g., topography, existing improvements) H. Effects of geology and geomorphology on geotechnical scope (e.g., depositional environment, geologic age, current and historic groundwater elevation, hazard maps) I. Effects of local and regional geologic hazards on geotechnical scope (e.g., earthquakes, landslides, liquefaction) J. Field exploration and instrumentation applications K. Laboratory tests including their application to site characterization and analyses L. Analyses relevant to the project M. Constraints (e.g., archaeological, biological, environmental, public utilities, site access) that affect geotechnical scope and/or project planning N. The "standard of care" for geotechnical engineering 	
II. Site Characterization Professional Activities: <ol style="list-style-type: none"> 1. Identify local and regional geologic hazards (e.g., earthquakes, fault rupture hazards, landslides, liquefaction) 2. Conduct a reconnaissance to assess site conditions 3. Perform subsurface exploration (e.g., CPT, drilling, geophysical, in-situ tests, test pits) to collect soil, rock and groundwater data and prepare field logs of explorations 4. Utilize field instrumentation to characterize a site (e.g., depth to groundwater, ground movement) 5. Review field exploration data for consistency with local geologic information 6. Evaluate the need for changes to exploration program during field investigations 7. Develop soil and rock classifications from field investigations and laboratory testing 8. Determine engineering properties from results of field investigations and laboratory testing 9. Evaluate the need for changes to laboratory testing program 10. Develop representative site characterization model 	18%

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

- A. Safety regulations pertaining to site exploration
- B. Exploration methods to evaluate subsurface conditions
- C. Measures to address constraints that affect geotechnical exploration (e.g., archaeological, biological environmental, underground utilities)
- D. Application of geophysical methods to geotechnical engineering
- E. Techniques to locate proposed explorations in the field
- F. Field methods to identify local and regional geologic hazards (e.g., earthquakes, landslides, liquefaction)
- G. Field methods for evaluating site class
- H. Drilling and sampling techniques including their advantages and constraints
- I. Techniques to measure and document groundwater conditions in the field
- J. Procedures to log subsurface conditions (e.g., rock, soil)
- K. Visual-manual soil classification and rock identification
- L. In-situ testing methods (e.g., CPT, infiltration, percolation, SPT, Torvane shear) and factors that influence the validity of the results
- M. Different types of field instrumentation and their applications
- N. Procedures for collecting and interpreting field instrumentation data
- O. Factors that may alter the work plan during field investigation (e.g., groundwater, historic/existing data, literature data, refusal, unexpected soil strata)
- P. Site conditions to document during field investigation
- Q. Procedures to follow when suspected hazardous materials are encountered in site investigations
- R. Effects of exploration, sampling, and sample handling methods on laboratory test results
- S. Procedures and interpretation of particle-size distribution tests
- T. Procedures and interpretation of Atterberg Limits test
- U. Procedures and interpretation of density tests
- V. Procedures and interpretation of water content tests
- W. Procedures and interpretation of swell/expansion tests
- X. Procedures and interpretation of collapse tests
- Y. Procedures and interpretation of consolidation tests
- Z. Procedures and interpretation of R-value tests
- AA. Procedures and interpretation of hydraulic conductivity tests
- BB. Procedures and interpretation of compaction tests
- CC. Procedures and interpretation of unconfined compression tests
- DD. Procedures and interpretation of direct shear tests
- EE. Procedures and interpretation of triaxial shear tests
- FF. Methods for identifying, testing, and reporting soil corrosivity

III. Engineering Analyses

27%

Professional Activities:

1. Analyze representative subsurface profiles to characterize the engineering properties of the subsurface strata by integration of field and laboratory data
2. Analyze soil movement (e.g., total and differential settlement, expansion, collapse) using available data and project requirements
3. Analyze lateral earth pressures using available data and project requirements
4. Analyze excavation stability using available data and project requirements
5. Analyze foundation types and capacities based on available data and project requirements
6. Analyze infiltration rates, groundwater conditions, and seepage using available data and project requirements
7. Analyze slope stability using available data and project requirements
8. Analyze impact of geologic and seismic hazards (e.g., cyclic softening, expansive soils, ground motion, landslides, lateral spreading, liquefaction, slope stability) using available data and project requirements
9. Perform pavement design based on available data and project requirements
10. Analyze earthwork and grading based on available data and project requirements

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

- A. Representative parameter for given analyses
- B. Stress distribution
- C. Immediate/elastic settlement analyses
- D. Consolidation settlement analyses
- E. Collapse potential
- F. Swell/expansion potential
- G. Static lateral earth pressures, surcharge loads, and hydrostatic pressures
- H. Seismic lateral earth pressures
- I. Retaining wall design (e.g., sliding, overturning, global stability, deflection)
- J. Capacity of ground anchors
- K. Mechanically stabilized earth (MSE) wall design
- L. Slope stability and associated deformation (static and seismic)
- M. Vertical and lateral load capacity and deflections for shallow foundations (e.g., spread footings, mat, post-tensioned slabs)
- N. Axial and lateral load capacity and deflections for deep foundations
- O. Seepage (e.g., flow nets, gradient, infiltration, uplift forces)
- P. Construction dewatering
- Q. Filter compatibility criteria (e.g., dams, subdrains, wells)
- R. Code-related seismic design criteria
- S. Site specific response spectra and earthquake ground motions
- T. Liquefaction evaluation
- U. Seismically-induced settlement
- V. Lateral spreading
- W. Site earthwork and temporary excavations (e.g., benching, bulking, shrinkage, slot cutting)
- X. Pavement design (e.g., flexible and rigid structural sections)
- Y. Sensitivity analysis (e.g., parameters, ground water, risk, stratigraphy)
- Z. Numerical analysis (e.g., boundary conditions, finite difference analysis, finite element analysis, model parameters)

IV. Development of Conclusions and Recommendations

23%

Professional Activities:

1. Develop recommendations to address soil movement (e.g., settlement, expansion, collapse)
2. Develop recommendations for foundations and slabs
3. Develop recommendations related to slope stability
4. Develop recommendations for excavation support / stability systems
5. Develop recommendations that incorporate lateral earth pressures
6. Develop recommendations related to groundwater and seepage conditions
7. Develop recommendations for surface drainage / subsurface infiltration
8. Develop recommendations to address seismic / geologic hazards
9. Develop recommendations for pavement design (e.g., section thickness, subgrade preparation)
10. Develop recommendations for earthwork and grading
11. Develop recommendations for field instrumentation programs
12. Develop recommendations for ground improvement options based on available data and project requirements
13. Develop a quality assurance program for project construction to determine conformance with recommendations in geotechnical report

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

- A. Evaluating feasibility of design alternatives
- B. Effects of regulatory requirements (e.g., CBC, CGS, Cal/OSHA) on formulation of recommendations and specifications
- C. Potential impacts of site recommendations on adjacent properties
- D. Potential discrepancies between field and laboratory data
- E. Magnitude of total and differential settlement for proposed improvements (e.g., collapse, consolidation, immediate, seismic)
- F. Soil expansion impact on proposed improvements
- G. Soil stabilization techniques (e.g., cement, lime treatment, geosynthetics)

- H. Constructability (e.g., foundations, pipelines, retaining walls)
- I. Impacts of construction procedures (e.g., pre- and post- construction surveys, vibration monitoring)
- J. Shallow foundations (e.g., capacity, embedment, size, type)
- K. Deep foundations (e.g., capacity, depth, size, type)
- L. Exterior slab-on-grade support (non-structural)
- M. Retention / retaining wall systems (e.g., applications, components, types)
- N. Pavement recommendations (e.g., structural sections, subgrade preparation/improvement)
- O. Moisture intrusion mitigation
- P. Subdrain design (e.g., earthwork, French drains, retaining wall)
- Q. Seepage and groundwater impacts and mitigation
- R. Static and seismic lateral earth pressures
- S. Types and applications of geosynthetics (e.g., erosion, groundwater protection, MSE, slope stabilization, subgrade improvement)
- T. Seismic design criteria and applicable codes
- U. Geologic hazards mitigation (e.g., fault rupture, landslide, rockfall, tsunami)
- V. Site earthwork (e.g., compaction requirements, excavatability, over-excavation, soil suitability)
- W. Temporary excavation and shoring
- X. Techniques and applications for ground improvement or modification and their advantages and limitations
- Y. Slope stabilization alternatives
- Z. Field instrumentation and monitoring programs
- AA. Liquefaction mitigation
- BB. Lateral spreading mitigation
- CC. Incorporating appropriate safety factors into design recommendations
- DD. Quality assurance program
- EE. Ground improvement design criteria including their advantages and constraints (e.g., compaction grouting, soil mix columns, stone columns)
- FF. Post-construction conclusions/recommendations (e.g., durability, monitoring, maintenance)

V. Report Content

8%

Professional Activities:

1. Describe project scope and purpose of work
2. Describe findings of document review, reconnaissance, field exploration, laboratory testing, and analyses
3. Describe methodologies used and activities performed in field exploration, lab testing, and geologic and engineering analyses
4. Provide conclusions, recommendations, and limitations based on geologic and geotechnical findings and engineering analyses
5. Prepare and summarize supporting data (e.g., laboratory test data, logs of field exploration, references, site plan, soil profiles/cross-sections, specifications)

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

- A. Components of geotechnical reports
- B. Elements of field and laboratory documentation
- C. Current applicable references
- D. Limitations of the geotechnical reports and recommendations
- E. Components of geotechnical guideline specifications

VI. Evaluation of Construction, Post-Construction, and Site Monitoring

12%

Professional Activities:

1. Review plans, specifications, and construction documentation (e.g., submittals and request for information) for conformance with geotechnical recommendations
2. Observe and test during construction activities to evaluate conformance with geotechnical aspects of plans and specifications
3. Evaluate the need for revised recommendations based on changed conditions
4. Evaluate site and surrounding conditions by installing, monitoring, and interpreting results of field instrumentation
5. Document results of construction monitoring and post construction observations

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

- A. Factors to consider when reviewing plans and specifications for geotechnical issues
- B. Methods to verify that project construction conforms to geotechnical recommendations, plans, and specifications
- C. Required observation and monitoring elements to document during and after construction
- D. Geotechnical considerations pertaining to construction safety
- E. Interpretation of data from observations, testing, and field instrumentation before, during, and after construction
- F. Techniques to address differing site conditions encountered during construction
- G. Evaluating and addressing non-conforming construction
- H. Forensic/failure evaluations and techniques

Board for Professional Engineers, Land Surveyors & Geologists (BPELSG)
Geotechnical Engineer Examination Test Plan (2019 to 2024 Updates)
(Additions in **GREEN** & Deletions in **RED**)

I. Scope Development and Project Planning (12%)

Professional Activities:

01. Evaluate objective(s) based on client's needs and project feasibility

~~01.~~ **02.** Develop project approach and description based on information obtained from the client and/or design team (e.g., location, preliminary project plan, project model, structural loading)

~~02.~~ **03.** Evaluate potential geotechnical and regulatory issues that may influence investigation, design, and construction of the proposed project

~~03.~~ **04.** Evaluate relevant data about site and subsurface conditions by reviewing available regional and site-specific information (e.g., aerial/satellite photographs, existing reports, geology, reconnaissance, topography)

~~04.~~ **05.** Develop proposal, scope of work, or work plan for field exploration, laboratory testing, analyses, geotechnical recommendations, and construction observation for the proposed project

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

A. Developing a geotechnical scope of work

B. Methodologies to gather, review, and interpret available information relevant to site and project

C. The effects of the project design team's criteria (e.g., civil; and structural requirements) on the scope of geotechnical scope of work

~~0.~~ **D.** Impacts The impacts of geotechnical scope of work on project schedule and cost on the scope of geotechnical work

~~D.~~ **E.** Geotechnical considerations for different project types (e.g., bridges, buildings, dams, pipelines, tunnels)

~~E.~~ **F.** Regulatory and code requirements

~~F.~~ **G.** Effects of surface conditions (e.g., existing improvements, topography)

~~G.~~ **H.** Effects of geology and geomorphology on geotechnical scope (E.G., depositional environment, geologic age, current and historic groundwater elevation, hazard maps)

~~H.~~ **I.** Effects of local and regional geologic hazards on geotechnical scope (e.g., earthquakes, landslides, liquefaction)

~~I.~~ **J.** Field exploration and instrumentation methodologies applications

~~J.~~ **K.** Laboratory tests including their application to site characterization and analyses

~~K.~~ **L.** Analyses relevant to the project

~~L.~~ **M.** Constraints (e.g., archaeological, biological, environmental, public utilities, site access) that affect geotechnical scope and/or project planning

~~M.~~ **Risk and liability considerations**

N. The "standard of care" for geotechnical engineering

~~0.~~ **Impacts of geotechnical scope of work on project schedule and cost**

II. Site Characterization (~~17%~~ 18%)

Professional Activities:

01. Identify local and regional geologic hazards (e.g., earthquakes, fault rupture hazards, landslides, liquefaction)
02. Conduct a reconnaissance to assess site conditions
03. Perform subsurface exploration (e.g., CPT, drilling, geophysical, in-situ tests, test pits) to collect soil, rock, and groundwater data and prepare field logs of explorations
04. ~~Measure groundwater depth/pressure and/or ground movement using~~ Utilize field instrumentation to characterize a site (e.g., ~~extensometer, inclinometer, piezometer~~ depth to groundwater, ground movement)
05. Review field exploration data for consistency with local geologic information
06. Evaluate the need for changes to ~~proposed~~ exploration program during field investigations
07. Develop soil and rock classifications from field investigations and laboratory testing
08. Determine engineering properties from results of field investigations and laboratory testing
09. Evaluate the need for changes to laboratory testing program
10. Develop representative site characterization model

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

- A. Safety regulations pertaining to site exploration
- ~~B. Regulatory and code requirements for site exploration~~
- ~~C. B.~~ Exploration methods to evaluate subsurface conditions
- ~~D. C.~~ Measures to address constraints that affect geotechnical exploration (e.g., archaeological, biological environmental, underground utilities)
- ~~E. D.~~ Geophysical Application of geophysical methods to geotechnical engineering
- ~~F. E.~~ Where Techniques to locate proposed explorations in the field
- ~~DD. F. Methods~~ Field methods to identify local and regional geologic hazards (e.g., earthquakes, landslides, liquefaction)
- ~~G.~~ Field methods for evaluating site class
- ~~G. H.~~ Sampling Drilling and sampling techniques and their purposes including their advantages and constraints
- ~~I.~~ Techniques to measure and document groundwater conditions in the field
- ~~H. J.~~ Procedures to log subsurface conditions (e.g., rock, soil)
- ~~I. K.~~ Visual-manual soil classification and rock identification
- ~~J. L.~~ In-situ testing methods (e.g., CPT, infiltration, percolation, SPT, Torvane shear) and factors that influence the validity of the result
- ~~K. M.~~ Different types of field instrumentation and their applications
- ~~N.~~ Procedures for collecting and interpreting field instrumentation data
- ~~L. O.~~ Factors that may alter the work plan during field investigation (e.g., groundwater, historic/existing data, literature data, refusal, unexpected soil strata)
- ~~M. P.~~ Site conditions to document during field investigation
- ~~N. Q.~~ Procedures to follow when suspected hazardous materials are encountered in site investigations
- ~~O. R.~~ Effects of exploration, sampling, and sample handling methods on laboratory test results
- ~~P. S.~~ Procedures and interpretation of particle-size distribution tests
- ~~Q. T.~~ Procedures and interpretation of Atterberg Limits test
- ~~R. U.~~ Procedures and interpretation of density tests
- ~~S. V.~~ Procedures and interpretation of water content tests
- ~~T. W.~~ Procedures and interpretation of swell/expansion tests
- ~~U. X.~~ Procedures and interpretation of collapse tests
- ~~V. Y.~~ Procedures and interpretation of consolidation tests
- ~~W. Z.~~ Procedures and interpretation of R-value tests
- ~~X. AA.~~ Procedures and interpretation of hydraulic conductivity tests
- ~~Y. BB.~~ Procedures and interpretation of compaction tests
- ~~Z. CC.~~ Procedures and interpretation of unconfined compression tests
- ~~AA. DD.~~ Procedures and interpretation of direct shear tests
- ~~BB. EE.~~ Procedures and interpretation of triaxial shear tests
- ~~GG. FF.~~ Evaluation of Methods for identifying, testing, and reporting soil corrosivity

III. Engineering Analyses (~~30%~~ 27%)

Professional Activities:

- ~~01. Develop an idealized soil profile(s)~~ **01. Analyze representative subsurface profiles** to characterize the engineering properties of the subsurface strata by integration of field and laboratory data
- 02. Analyze soil movement** (e.g., **total and differential** settlement, expansion, collapse) using available data and project requirements
- 03. Analyze lateral earth pressures** using available data and project requirements
- 04. Analyze excavation stability using available data and project requirements**
- ~~04. 05.~~ **05. Analyze capacity of foundations and ground anchors** **foundation types and capacities** ~~using~~ **based on** available data and project requirements
- ~~05. 06.~~ **06. Analyze infiltration rates, groundwater conditions, and seepage** using available data and project requirements
- ~~06. 07.~~ **07. Analyze slope stability** using available data and project requirements
- ~~07. 08.~~ **08. Analyze impact of seismicity and geologic and seismic hazards** (e.g., **cyclic softening, expansive soils, ground motion**, landslides, **lateral spreading**, liquefaction, **slope stability**) using available data and project requirements
- ~~08. 09.~~ **09. Perform pavement design** based on available data and project requirements
- ~~09. 10.~~ **10. Analyze earthwork and grading** based on available data and project requirements

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

A. Representative parameters for given analyses

- ~~A. B.~~ **B. Stress distribution**
- ~~B. C.~~ **C. Immediate/elastic settlement analyses**
- ~~C. D.~~ **D. Consolidation settlement analyses**
- ~~D. E.~~ **E. Collapse potential**
- ~~E. F.~~ **F. Swell/expansion potential**
- ~~F. G.~~ **G. Static lateral earth pressures, surcharge loads, and hydrostatic pressures**
- ~~G. H.~~ **H. Seismic lateral earth pressures**
- ~~H. I.~~ **I. Retaining wall design** (e.g., deflection, global stability, overturning, sliding)
- ~~I. J.~~ **J. Capacity of ground anchors**
- ~~J. K.~~ **K. Mechanically stabilized earth (MSE) wall design**
- ~~K. L.~~ **L. Slope stability and associated deformation** (static and seismic)
- ~~L. M.~~ **M. Vertical and lateral load capacity and deflections for shallow foundations** (e.g., **spread footings, mat, post-tensioned slabs**)
- ~~M. N.~~ **N. Axial and lateral load capacity and deflections for deep foundations**
- ~~N. Design parameters for mat foundations~~
- ~~O. Design parameters for post-tensioned slabs~~
- ~~P. Q.~~ **Q. Seepage** (e.g., flow nets, gradient, infiltration, uplift forces)
- ~~Q. P.~~ **P. Construction dewatering**
- ~~R. Q.~~ **Q. Filter compatibility criteria** (e.g., dams, **dewatering**, subdrains, **injection** wells)
- ~~S. R.~~ **R. Code-related seismic design criteria**
- ~~T. Earthquake ground motions (site acceleration)~~
- ~~U. S.~~ **S. Site specific response spectra and earthquake ground motions**
- ~~V. T.~~ **T. Liquefaction evaluation**
- ~~W. U.~~ **U. Seismically-induced settlement**
- ~~X. V.~~ **V. Lateral spreading**
- ~~Y. W.~~ **W. Site earthwork and temporary excavations** (e.g., **benching**, bulking, shrinkage, **slot cutting**)
- ~~Z. X.~~ **X. Pavement design** (e.g., flexible and rigid structural sections)
- Y. Sensitivity analysis** (e.g., **parameters, ground water, risk, stratigraphy**)
- Z. Numerical analysis** (e.g., **boundary conditions, finite difference analysis, finite element analysis, model parameters**)

IV. Development of Conclusions and Recommendations (~~20%~~ 23%)

Professional Activities:

01. Develop recommendations to ~~mitigate~~ address soil movement (e.g., settlement, expansion, collapse)
02. Develop recommendations for foundations and slabs
03. Develop recommendations related to slope stability
04. Develop recommendations for excavation support / stability systems
- ~~04- 05.~~ Develop recommendations that incorporate lateral earth pressures
- ~~05- 06.~~ Develop recommendations related to groundwater and seepage conditions
- ~~06- 07.~~ Develop recommendations for surface drainage / subsurface infiltration
- ~~07- 08.~~ Develop recommendations to ~~mitigate~~ address seismic / geologic hazards
- ~~08- 09.~~ Develop recommendations for pavement design (e.g., section thickness, subgrade preparation)
- ~~09- 10.~~ Develop recommendations for earthwork and grading
- ~~10- 11.~~ Develop recommendations for field instrumentation programs
12. Develop recommendations for ground improvement options based on available data and project requirements
- ~~11- 13.~~ Develop a quality assurance program for project construction to determine conformance with recommendations in geotechnical report

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

- A. Evaluating feasibility of design alternatives
- B. Effects of regulatory requirements (e.g., CBC, CGS, Cal/OSHA) on formulation of recommendations and specifications
- C. Potential impacts of site recommendations on adjacent properties
- D. Potential discrepancies between field and laboratory data
- E. ~~Effects of~~ Magnitude of total and differential settlement ~~on for~~ proposed improvements (e.g., collapse, consolidation, immediate, seismic)
- F. Soil expansion impact on proposed improvements
- G. ~~Potentially corrosive soils~~ Soil stabilization techniques (e.g., cement, lime treatment, geosynthetics)
- H. Constructability (e.g., foundations, pipelines, retaining walls)
- ~~W- I.~~ Impacts of construction procedures (e.g., pre- and post- construction surveys, vibration monitoring)
- ~~I- J.~~ Shallow foundations (e.g., capacity, embedment, size, type)
- ~~J- K.~~ Deep foundations (e.g., capacity, depth, size, type)
- ~~K- L.~~ Exterior slab-on-grade support (non-structural)
- ~~L- M.~~ Retention / retaining wall systems (e.g., applications, components, types)
- ~~M- N.~~ Pavement recommendations (e.g., structural sections, subgrade preparation/improvement)
- ~~N- O.~~ Moisture intrusion mitigation
- ~~O- P.~~ Subdrain design (e.g., ~~canyons~~ earthwork, French drains, retaining wall)
- ~~P- Q.~~ Seepage and groundwater impacts and mitigation
- ~~Q- R.~~ Static and seismic lateral earth pressures
- ~~R- S.~~ Types and applications of geosynthetics (e.g., erosion, groundwater protection, MSE, slope stabilization, subgrade improvement)
- ~~S- T.~~ Seismic design criteria and applicable codes
- ~~T- U.~~ Geologic hazards mitigation (e.g., fault rupture, landslide, rockfall, tsunami)
- ~~U- V.~~ Site earthwork (e.g., compaction requirements, excavatability, over-excavation, soil suitability)
- ~~V- W.~~ Temporary excavation and shoring
- X. Techniques and applications for ground improvement or modification and their advantages and limitations
- Y. Slope stabilization alternatives
- Z. Field instrumentation and monitoring programs
- AA. Liquefaction mitigation
- BB. Lateral spreading mitigation
- CC. ~~Factors of safety and resistance factors (LRFD) for incorporation~~ Incorporating important safety factors into design recommendations
- DD. Quality assurance program
- EE. Ground improvement design criteria including their advantages and constraints (e.g., compaction grouting, soil mix columns, stone columns)
- FF. Post-construction conclusions/recommendations (e.g., durability, monitoring, maintenance)

V. Report Content (10% 8%)

Professional Activities:

01. Describe project scope and purpose of work ~~in a formal written report~~
02. Describe findings of document review, reconnaissance, field exploration, laboratory testing, and analyses ~~in a formal written report~~
03. Describe methodologies used and activities performed in field exploration, lab testing, and geologic and engineering analyses ~~in a formal written report~~
04. ~~Describe~~ Provide conclusions, recommendations, and limitations based on geologic and geotechnical findings and engineering analyses ~~in a formal written report~~
05. Prepare and summarize supporting data (e.g., laboratory test data, logs of field exploration, references, site plan, soil profiles/cross-sections, guideline specifications) ~~in a formal written report~~

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

- A. Components of geotechnical ~~investigation~~ reports
- B. Elements of field and laboratory documentation
- C. Current applicable references
- D. Limitations of the geotechnical ~~investigation~~ reports and recommendations
- E. Components of geotechnical guideline specifications

VI. Domain VI: Evaluation of Construction, Post-Construction & Site Monitoring (11% 12%)

Professional Activities:

01. Review plans, specifications, and construction documentation (e.g., submittals and request for information) for conformance with geotechnical recommendations
02. Observe and test during construction activities to evaluate conformance with geotechnical aspects of plans and specifications
03. Evaluate the need for revised recommendations based on changed conditions
04. Evaluate site and surrounding conditions by installing, monitoring, and ~~evaluating~~ interpreting results of field instrumentation
05. Document results of construction monitoring and post construction observations

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

- A. Factors to consider when reviewing plans and specifications for geotechnical issues
- B. Methods to verify that project construction conforms to geotechnical recommendations, plans, and specifications
- C. Required observation and monitoring elements to document during and after construction
- D. ~~Effects of regulatory requirements, including health and safety regulations, during construction~~
Geotechnical considerations pertaining to construction safety
- E. Interpretation of data from observations, testing, and field instrumentation before, during, and after construction
- F. Techniques to ~~mitigate~~ address differing site conditions encountered during construction
- G. Evaluating and addressing non-conforming construction
- ~~G.~~ H. Forensic/failure evaluations and techniques

Item VI. C.

Background:

The Board took action to participate in the Mutual Recognition Agreement (MRA) between NCEES and the Engineering Council of United Kingdom (ECUK) at their March 7, 2024, board meeting.

Subsequently at the December 19, 2024, board meeting, the Board took two separate actions involving the waiver of examinations which would be necessary for the Board to pursue rulemaking towards integrating the MRA into the Board's application process. First was to decide on whether to allow for a waiver of the NCEES Fundamentals of Engineering (FE) exam for an applicant seeking a Professional Engineer (PE) license by the MRA pathway. This action was approved. Second was to decide on which portion(s) of the second division examinations (either NCEES national PE exams, California specific engineering exams, or both) to allow for an applicant seeking a PE license by the MRA pathway. The Board took action to waive the national portion of the PE exams shown in the middle column (below) from the excerpt of the December 19, 2024, report:

Following is a table depicting which of the current NCEES PE exams are accepted by the California Board for each of its PE license types. Note that the table does not depict required exams for the Geotechnical Engineer nor the Structural Engineer license types because those two license types require the applicant to first be licensed as a Civil Engineer and it is presumed that the Board will continue to require applicants pass those respective state Geotechnical Engineer exam and the NCEES PE-Structural exam respectively regardless of the pathway used by the applicant to obtain the underlying California Civil Engineer license.

PE License Type	NCEES National Exam	California State Exam
Agricultural Engineer *	PE-Agricultural and Biological	Laws & Regs
Chemical *	PE-Chemical	Laws & Regs
Civil ±	PE-Civil	Engineering Surveying Seismic Principles Laws & Regs
Control Systems *	PE-Control Systems	Laws & Regs
Electrical ±	PE-Electrical and Computer	Laws & Regs
Fire Protection *	PE-Fire Protection	Laws & Regs
Industrial *	PE-Industrial and Systems	Laws & Regs
Mechanical ±	PE-Mechanical	Laws & Regs
Metallurgical *	PE-Metallurgical and Materials	Laws & Regs
Nuclear *	PE-Nuclear	Laws & Regs
Petroleum *	PE-Petroleum	Laws & Regs
Traffic *	N/A	Traffic Engineering Laws & Regs

* - Title Act license (Board only regulates use of the title)

± - Practice Act license (Board regulates the practice and use of the title)

Rulemaking proposal (Waiver of Fundamentals of Engineering Exam):

In years past, the Board established various criteria towards waiver of the FE exam for applicants seeking a Professional Engineer (PE) license pursuant to its authority under Business and Professions Code, section 6755(b). This language currently exists under Board Rule 438(a), paragraphs (1)-(7).

The December 19, 2024, action by the Board to waive this exam under the MRA pathway necessitates adding a new paragraph specifically for this purpose. Below is the recommended language for the Board to consider:

438. Waiver of Fundamentals Examination.

(a) An applicant for licensure as a professional engineer whose qualifications meet all requirements of the code and rules of the Board will be allowed to appear for only the second division of the written examination prescribed by Section 6755 of the Code if ~~he or she~~ they meets one or more of the following requirements:

[...]

(8) Holds a current engineering licensure credential in a country that is a signatory to a mobility agreement with the Board, as evidenced by the following:

(A) Holds a current engineering license as a Chartered Engineer awarded by the Engineering Council, United Kingdom (UK).

(B) Is on the international registry with the Engineering Council, UK; and

(C) Holds a current title of International Professional Engineer (IntPE) awarded by the National Council of Examiners for Engineers and Surveyors (NCEES).

[...]

Note: Authority cited: Section 6755(b), Business and Professions Code. Reference: Section 6755(b), Business and Professions Code.

Staff Recommended Motion:

Approve the proposed regulatory text for Section 438(a), 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 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 Section 438(a) as noticed, with the authority to make any technical or nonsubstantive changes.

Rulemaking proposal (Waiver of Principles and Practices of Engineering Exam):

Despite having existing statutory authority under Business and Professions Code, section 6755(c) to waive a portion of the second division examination, the Board had not chosen to establish rulemaking for this purpose, until the topic of this MRA arose.

Therefore, the December 19, 2024, action by the Board to waive any portion(s) of the second division exam related to professional engineering towards implementing the MRA pathway necessitates adding a new section specifically for this purpose. There are two sections necessary to be implemented, depending on which branch of professional engineering the applicant is seeking.

First, 438.5(a) is intended to address the professional engineer licenses which do not require a state exam. Second, 438.5(b) is intended to address when the applicant is seeking a license to practice civil engineering. The Board specifically chose to only waive the national (NCEES) portion while still requiring that all applicants seeking a civil engineer license to practice in California must still pass both the state Civil Seismic Principles and Civil Engineering Surveying examinations prior to obtaining the license.

Below is the staff recommended motion with the recommended language for the Board to consider following on the next page.

Staff Recommended Motion:

Approve the proposed regulatory text for Section 438.5, 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 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 Section 438.5 as noticed, with the authority to make any technical or nonsubstantive changes.

(general language to cover the state laws and regs exam – non-civil PE applicants)

438.5. Waiver of National Portion of the Second Division Examination.

(a) An applicant for licensure as a professional engineer, other than civil engineer or traffic engineer, whose qualifications substantially meet all requirements of the Code and rules of the Board will be allowed to appear only for that part of the second division of the written examination prescribed by Section 6755 of the Code related to knowledge of state laws and the Board's rules and regulations regulating the practice of professional engineering prescribed by subdivision (a) of Section 6755.1 of the Code if they meet the following requirements:

(1) Holds a current engineering license as a Chartered Engineer awarded by the Engineering Council, United Kingdom (UK),

(2) Is on the international registry with the Engineering Council, UK; and

(3) Holds a current title of International Professional Engineer (IntPE) awarded by the National Council of Examiners for Engineers and Surveyors (NCEES).

Note: Authority cited: Section 6755(c), Business and Professions Code. Reference: Section 6755(c), Business and Professions Code.

(general language to cover the state civil engineering exams)

(b) An applicant for licensure as a civil engineer whose qualifications meet all requirements of the Code and rules of the Board will be allowed to appear only for those parts of the second division of the written examination prescribed by Section 6755 of the Code related to knowledge of state laws and the Board's rule and regulations regulating the practice of professional engineering, as prescribed by subdivision (a) of Section 6755.1 of the Code, and related to seismic principles, and engineering surveying principles, as prescribed by subdivision (b) of Section 6755.1 of the Code if they meet the following requirements:

(1) Holds a current engineering license as a Chartered Engineer awarded by the Engineering Council, United Kingdom (UK),

(2) Is on the international registry with the Engineering Council, UK; and

(3) Holds a current title of International Professional Engineer (IntPE) awarded by the National Council of Examiners for Engineers and Surveyors (NCEES).

Note: Authority cited: Section 6755(c), Business and Professions Code. Reference: Section 6755(c), Business and Professions Code.

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 671 – Accelerated restaurant building plan approval
 - 3. AB 742 – Department of Consumer Affairs: licensing: applicants who are descendants of slaves
 - 4. AB 1341 – California Public Records Act: record withholding
 - 5. Senate Bill SB 470 – Bagley-Keene Open Meeting Act: teleconferencing
 - 6. SB 518 – Descendants of enslaved persons; reparations
 - 7. SB 641 – Department of Consumer Affairs and Department of Real Estate: states of emergency: waivers and exemptions

JANUARY						
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FEBRUARY						
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30	31					

APRIL						
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MAY						
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DEADLINES

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

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

- Mar. 31Cesar Chavez Day

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

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

*Holiday schedule subject to Senate Rules committee approval.

JUNE						
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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						
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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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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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21	22	23	24	25	26	27
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: 4/01/2025 – Referred to Committees on Professions and Professions and Health

Location: 5/07/2025 – Re-referred to Committee on Appropriations; suspense file.

Introduced: 2/14/2025

Amended: 4/01/2025; 4/08/2025; 4/09/2025

Board Position: 4/03/2025 – Oppose Unless Amended (to exempt Board from bill)

Board Staff Analysis: 5/20/2025

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.

5/20/2025 Update – The language of this bill was revised shortly after the Board’s last board meeting after the Business and Professions Committee 4/04/2025 analysis. These revisions exempted state-administered examinations which were contracted out to third parties for administration. However, the bill was subsequently referred to the Committee on Health where a 4/09/2025 amendment removed the exemption for contracted administration of state exams.

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: After submitting the Oppose Unless Amended letter to the Author and B&P Committee, staff learned of the amendments based on that committee’s analysis. The amendment to exempt state exams which are contracted out for administration essentially eliminated the Board’s primary concerns. However, once the bill left Assembly B&P Committee, proceeding to Committee on Health, a subsequent amendment removed the contracted exemption. This now

forces the Board to consider the fiscal and operational impacts this would have on the application and examination processes.

Prometric reports that there are 25 CBT centers located in California with a total of 444 workstations (average of approximately 18 workstations per center). However, the Board allows Prometric to administer its state exams at any of their North America locations. Based on the requirements set forth in this bill for the interpreter and taking into account all the costs and logistics associated with allowing an interpreter to be present for a given Board exam (meaning a necessity to close down the entire CBT center for all other candidates during the duration of the interpreted exam), Prometric estimates that costs could exceed \$500 an hour to meet the requirements of this bill. Since the Board will be required to absorb the costs associated with providing an interpreter, this means that the cost could range anywhere between \$1,500 - \$5,000 per exam, per interpreter request.

Staff cannot fully estimate the fiscal impact because they do not have any idea how often a request for an interpreter would occur. Regardless, DCA is estimating a one-time IT-related cost of \$358,000 to implement these requirements, including adding these questions to all application processes, which means that even if the Board does not receive a request for an interpreter, the Board will still experience an additional fiscal impact on its budget should this proposal become law.

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 Recommendation: Staff recommends the Board take an Oppose position on AB 667 as amended April 9, 2025, and further authorizes staff to communicate the Board's concerns to the Author's office and Committees.



BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS

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April 10, 2025

The Honorable Jose Luis Solache, Jr.,
Member, California State Assembly
1021 O Street, Room 5110
PO Box 942849
Sacramento, CA 94249-0062

RE: Assembly Bill 667 – **Oppose Unless Amended**

Dear Assembly Member Solache, Jr.:

The Board for Professional Engineers, Land Surveyors, and Geologists (Board) met on April 3, 2025 and voted to take a position of “**Oppose Unless Amended**” on Assembly Bill 667 (AB 667), as amended April 1, 2025, and to express its concerns with the Board being included in the bill.

While the Board understands there may be certain occupations which may benefit from the inclusion of an interpreter during a certification or licensing process, it is the Board’s experience that the technical nature of the activities and terminology associated with the regulated practice typically being performed by our licensees lends itself to an English-based professional environment, whether that be inside of California, the nation, or much of the world. Based on recent reports, the Board typically receives an average of 8,200 applications annually, issues an average of 6,200 certifications/licenses annually, and is responsible for approximately 17,000 exams administered on an annual basis. A significant portion of the applications regularly received by our Board come from individuals who are located not only in California, but from every other state in the nation and many other countries. Yet, the Board cannot recall ever receiving a request for interpreter services related to the application or examination portions of its licensing processes.

Many of the Board’s license types use a combination of national and state specific examinations as required by statute. All examinations required by the Board for certification and licensure are administered through third-party computer-based testing (CBT) centers located across North America. National examinations are administered through Pearson Vue centers (engineering and surveying) and Prometric, Inc. (geology). All state specific examinations are collaboratively developed and administered through Prometric centers.

National Examinations

The Board contacted the providers of our national examinations, which is responsible for developing and administering approximately two-thirds of the Board’s required examinations, for information and impact this might have on their ability to conform to this proposal.

The Board was essentially told that requests of this nature rarely, if ever, arise and if these requirements were to pass for our Board, the administering company does not currently have resources to accommodate use of interpreters, and the provider could not accommodate those services for California since this would not be a federally mandated requirement.

State Specific Examinations

Prometric explained that requests for interpreters is very rare for their government clients and that costs are variable and considered on a case-by-case basis due to a variety of factors including but not limited to:

- Requested language
- Availability of interpreter
- Travel costs for interpreter
- Closure of entire CBT center to other during the examination due to disruptions to other examinees.

Based on the historical lack of need due to the technical nature of its regulated practices; the Board's inability to secure these services for the majority of its applicants as it relates to the national examinations; and an inability to accurately estimate the costs associated with providing an interpreter for its state administered examinations, the Board is respectfully requesting to be exempted from the language in AB 667.

If you wish to discuss the Board's position on this bill further, I may be contacted at Ric.moore@dca.ca.gov or 916-999-3579.

Sincerely,

Richard B. Moore
Executive Officer

Cc The Honorable Marc Berman,
 Assembly Member and Chair of the Business and Professions Committee
 The Honorable Angelique Ashby,
 Senate Member and Chair of the Business, Professions, and Economic Development
 Committee

Date of Hearing: May 7, 2025

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 667 (Solache) – As Amended April 9, 2025

Policy Committee: Business and Professions

Vote: 15 - 0

Urgency: No

State Mandated Local Program: No

Reimbursable: No

SUMMARY:

This bill, beginning July 1, 2026, requires each licensing board within the Department of Consumer Affairs (DCA) that is not a healing arts board, to allow an applicant who cannot read, speak, or write in English to use an interpreter when taking a license examination.

Specifically, this bill:

- 1) Beginning July 1, 2026, requires each board, except a healing arts board under Division 2 of the Business and Professions Cod, to permit an applicant for licensure who cannot read, speak, or write in English to use an interpreter to interpret the English written and oral portions of a state-administered or contracted license examination to their preferred language, provided the applicant meets all other requirements for licensure.
- 2) Prohibits an interpreter from assisting an applicant with any section of an examination for a license for which English language proficiency is required by law or regulation.
- 3) Prohibits an interpreter from assisting an applicant if an examination is offered in the applicant's preferred language.
- 4) Prohibits boards from charging an applicant any fee, penalty, or surcharge for the applicant's use of an interpreter.
- 5) Requires boards to publish information on their websites about the ability of applicants who cannot read, speak, or write in English to use an interpreter, as specified in item 1, above.
- 6) Requires the above information to be posted in English, Spanish, Farsi, Hindi, Chinese, Cantonese, Mandarin, Korean, Vietnamese, Tagalog, and Arabic.
- 7) Requires boards to include an additional section in a license application that asks an applicant to identify their preferred written, spoken, and signed languages.
- 8) Beginning January 1, 2027, requires each board to conduct an annual review of applicants' language preferences that are collected from license applications.
- 9) Beginning January 1, 2029, requires each board to annually report on that data to the Assembly Business and Professions Committee and the Senate Committee on Business, Professions, and Economic Development.

FISCAL EFFECT:

The Office of Information Services (OIS), within DCA, estimates a one-time General Fund IT cost of \$358,000, to update application questions and accommodate a new report. OIS requests a six-month delayed implementation to accomplish these tasks.

COMMENTS:

- 1) **Purpose.** This bill is co-sponsored by the California Immigrant Policy Center, Immigrants Rising, and the Economic Mobility for All Coalition. According to the author:

For too long, thousands of Californians have had to compromise on their careers and professional goals due to language barriers. Obtaining a professional license is an important entry point for people to work across a wide spectrum of occupations, from health care providers to accountants and engineers to contractors. Professional licenses not only open the door to further professional development and career growth but also create greater access to higher earning potential and wages, helping individuals achieve economic stability. Efforts to expand access to professional licenses for individuals with limited English proficiency, who disproportionately experience difficult economic conditions, currently exist only in very limited and uneven circumstances.

- 2) **Background.** The DCA consists of 36 boards, bureaus, and other entities responsible for licensing, certifying, or otherwise regulating professionals in California. As of March 2023, there were over 3.4 million licensees overseen by programs under the DCA. Each licensing program has its own unique requirements, with the governing acts for each profession providing for various prerequisites within the application process, typically including specified education, training, and examination requirements.

A number of reports in recent years have called for reforms to California's licensure scheme, criticizing the state's regulation of occupations and professions as burdensome and complex. As a result, DCA has made efforts to reform its licensing processes increase access to these professions, particularly for non-English speakers. For example, the State Board of Barbering and Cosmetology (BBC) translates all its informational materials into Korean, Spanish, and Vietnamese, per the Dymally-Alatorre Bilingual Services Act, which requires state agencies to provide information in languages utilized by the public who accesses information from that particular agency. Similarly, the Contractors State License Board offers several of its license examinations in Spanish. However, many exams are not offered in non-English languages.

This bill seeks to further expand access to licensure by non-English-speaking applicants for professions, other than health professionals regulated by healing arts boards, by requiring boards under the DCA to allow applicants who cannot read, speak, or write in English to use an interpreter when taking required examinations. The interpreter must not be a student or licensee of the applicable board and may not assist an applicant on any exam for a license for which English language proficiency is required by law or regulation or is offered in the applicant's preferred language. In addition, this bill requires every board to collect data on

each applicant's preferred language, which would then be reported to the appropriate policy committees of the Legislature.

Analysis Prepared by: Jennifer Swenson / APPR. / (916) 319-2081

AMENDED IN ASSEMBLY APRIL 9, 2025

AMENDED IN ASSEMBLY APRIL 1, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

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 amended, 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 certified 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~~ *certain* 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 to interpret the English written and oral portions of the license ~~or certification examination, as applicable,~~ *examination* if the applicant meets all other requirements for licensure, as specified.

This bill would require an interpreter to satisfy specified requirements, including not having the license for which the applicant is taking the ~~examination.~~ *examination, and would prohibit the assistance of an*

interpreter under certain circumstances, including when English language proficiency is required for the license. 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, the examination is not offered in their preferred language, and they meet all other requirements ~~for licensure or certification.~~ *licensure.*

~~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~~ 101,
- 6 *with the exception of boards within Division 2 (commencing with*
- 7 *Section 500).*
- 8 (2) “Interpreter” means an individual who satisfies all of the
- 9 following conditions:
- 10 (A) Is fluent in English and in the applicant’s preferred language.
- 11 (B) Has not acted as an interpreter for the examination within
- 12 the year preceding the examination date.
- 13 (C) Is not licensed and has not been issued the license for which
- 14 the applicant is taking the examination.
- 15 (D) Is not a current or former student in an educational program
- 16 for the license for which the applicant is taking the examination.
- 17 (E) Is not a current or former student in an apprenticeship or
- 18 training program for the license for which the applicant is taking
- 19 the examination.

1 (F) Is not a current or former owner or employee of a school
2 for the license for which the applicant is taking the examination.

3 (b) Notwithstanding any other law, beginning July 1, 2026, each
4 board shall do all of the following:

5 (1) Permit an applicant to use an interpreter, if the applicant
6 cannot read, speak, or write in English, to interpret the English
7 written and oral portions of a state-administered ~~or contracted~~
8 license examination to their preferred language, provided the
9 applicant meets all other requirements for licensure.

10 (A) An interpreter shall not assist the applicant with any ~~section~~
11 ~~of an examination that is explicitly intended to test an applicant's~~
12 ~~English language skills.~~ *examination for a license for which English*
13 *language proficiency is required by law or regulation.*

14 (B) An interpreter shall not assist the applicant if an examination
15 is offered in the applicant's preferred language.

16 (C) The board shall not charge an applicant a fee, penalty, or
17 surcharge for the applicant's use of an interpreter.

18 (2) Post on the board's internet website that an applicant may
19 use an interpreter to interpret a license examination if the applicant
20 cannot read, speak, or write in English and the examination is not
21 offered in their preferred language, provided the applicant meets
22 all other competency requirements for licensure. This notice shall
23 be posted in English, Spanish, Farsi, Hindi, Chinese, Cantonese,
24 Mandarin, Korean, Vietnamese, Tagalog, and Arabic.

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

28 (c) Beginning July 1, 2027, each board shall conduct an annual
29 review of applicants' language preferences that are collected from
30 license applications.

31 (d) (1) Beginning January 1, 2029, each board shall annually
32 report to the Senate Business, Professions, and Economic
33 Development and the Assembly Business and Professions
34 Committees on language preference data collected from license
35 applications.

36 (2) The report shall be submitted in compliance with Section
37 9795 of the Government Code.

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

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

3 ~~1337.25. (a) For purposes of this section, “interpreter” means~~
4 ~~an individual who satisfies all of the following conditions:~~

5 ~~(1) Is fluent in English and in the applicant’s preferred language.~~

6 ~~(2) Has not acted as an interpreter for an examination for~~
7 ~~certification as a certified nurse assistant within the year preceding~~
8 ~~the examination date.~~

9 ~~(3) Is not a certified nurse assistant and has not held a state~~
10 ~~certified nurse assistant certificate.~~

11 ~~(4) Is not a current or former student in an educational program~~
12 ~~for certification as a certified nurse assistant.~~

13 ~~(5) Is not a current or former student in a certified nurse assistant~~
14 ~~apprenticeship or training program.~~

15 ~~(6) Is not a current or former owner or employee of a school~~
16 ~~for certification as a certified nurse assistant.~~

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

19 ~~(1) Permit an applicant to use an interpreter, if the applicant~~
20 ~~cannot read, speak, or write in English, to interpret the English~~
21 ~~written and oral portions of a state-administered or contracted~~
22 ~~certified nurse assistant examination to their preferred language,~~
23 ~~provided the applicant meets all other requirements for~~
24 ~~certification.~~

25 ~~(A) An interpreter shall not assist the applicant with any section~~
26 ~~of an examination that is explicitly intended to test an applicant’s~~
27 ~~English language skills.~~

28 ~~(B) An interpreter shall not assist the applicant if an examination~~
29 ~~is offered in the applicant’s preferred language.~~

30 ~~(C) The board shall not charge an applicant a fee, penalty, or~~
31 ~~surcharge for the applicant’s use of an interpreter.~~

32 ~~(2) Post on the department’s internet website that an applicant~~
33 ~~may use an interpreter to interpret the certified nurse assistant~~
34 ~~examination if the applicant cannot read, speak, or write in English~~
35 ~~and the examination is not offered in their preferred language,~~
36 ~~provided the applicant meets all other competency requirements~~
37 ~~for certification. This notice shall be posted in English, Spanish,~~
38 ~~Farsi, Hindi, Chinese, Cantonese, Mandarin, Korean, Vietnamese,~~
39 ~~Tagalog, and Arabic.~~

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

~~(e) Beginning July 1, 2027, the department shall conduct an annual review of applicants' language preferences collected from applications.~~

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

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

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

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

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

~~(1) Is fluent in English and in the applicant's preferred language.~~

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

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

~~(4) Is not a current or former student in an educational program for certification as a certified home health aide.~~

~~(5) Is not a current or former student in a certified home health aide apprenticeship program.~~

~~(6) Is not a current or former owner or employee of a school for certification as a certified home health aide.~~

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

~~(1) Permit an applicant to use an interpreter if the applicant cannot read, speak, or write in English, to interpret the English written and oral portions of the certified home health aide examination to their preferred language, provided the applicant meets all other requirements for certification.~~

~~(A) An interpreter shall not assist the applicant with any section of an examination that is explicitly intended to test an applicant's English language skills.~~

1 ~~(B) An interpreter shall not assist the applicant if an examination~~
 2 ~~is offered in the applicant's preferred language.~~

3 ~~(C) The board shall not charge an applicant a fee, penalty, or~~
 4 ~~surcharge for the applicant's use of an interpreter.~~

5 ~~(2) Post on the department's internet website that an applicant~~
 6 ~~may use an interpreter to interpret the certified home health aid~~
 7 ~~examination if the applicant cannot read, speak, or write in English~~
 8 ~~and the examination is not offered in their preferred language,~~
 9 ~~provided the applicant meets all other competency requirements~~
 10 ~~for certification. This notice shall be posted in English, Spanish,~~
 11 ~~Farsi, Hindi, Chinese, Cantonese, Mandarin, Korean, Vietnamese,~~
 12 ~~Tagalog, and Arabic.~~

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

16 ~~(e) Beginning July 1, 2027, the department shall conduct an~~
 17 ~~annual review of applicants' language preferences collected from~~
 18 ~~applications.~~

19 ~~(d) (1) Beginning on January 1, 2029, the department shall~~
 20 ~~annually report to the Senate and Assembly Health Committees~~
 21 ~~on language preference data collected from certified home health~~
 22 ~~aide certification applications.~~

23 ~~(2) The report shall be submitted in compliance with Section~~
 24 ~~9795 of the Government Code.~~

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

AB 671 (Wicks-D and Co-Authors)
Accelerated restaurant building plan approval

Status/History: 2/14/2025 – Referred to Assembly Committees on Local Govt. and Business and Professions.

Location: 5/14/2025 – In Committee : Hearing postponed by committee

Introduced: 2/14/2025

Amended: 3/24/2025; 4/24/2025

Board Position: Pending

Board Staff Analysis: 5/20/2025

Bill Summary: Existing law, the California Building Standards Law, establishes the California Building Standards Commission within the Department of General Services. Existing law requires the commission to approve and adopt building standards and to codify those standards in the California Building Standards Code. Existing law authorizes local governments to enact ordinances or regulations that make building standards amendments to the California Building Standards Code, as specified.

This bill would establish a streamlined approval process for a local permit for a tenant improvement, as defined, relating to a restaurant. In this regard, the bill would require a local building department or permitting department, upon the request and at the expense of the permit applicant, to allow a qualified professional certifier, defined as a licensed architect or engineer who meets certain requirements, to certify that the plans and specifications of the tenant improvement comply with applicable building, health, and safety codes, as specified. By expanding the scope of a crime, this bill would impose a state-mandated local program. The bill would make qualified professional certifiers subject to certain additional penalties for false statements or willful noncompliance with these provisions, and would make qualified professional certifiers liable for any damages arising from negligent plan review.

Affected Laws: An act to add Sections 66345-66345.4 to Government Code.

Staff Comment: This bill would create a requirement for local public permitting agencies to streamline the building permit process for restaurants to allow for self-certification of building plans prepared by an engineer or architect.

Upon inquiry from the Assembly Business and Professions Committee, staff communicated that it was unclear exactly who was responsible for determining which engineers (or architects) were deemed as a “Qualified professional certifier” or how the Board would be notified that an individual engineer made any false statements during the submission of a certificate related to this process.

Staff Recommendation:

Staff recommends the Board take a Watch position on AB 671 as amended April 24, 2025.

Date of Hearing: April 29, 2025

ASSEMBLY COMMITTEE ON BUSINESS AND PROFESSIONS

Marc Berman, Chair

AB 671 (Wicks) – As Amended April 24, 2025

NOTE: This bill is double referred and passed the Assembly Local Government Committee on April 23, 2025, by a vote of 10-0-0.

SUBJECT: Accelerated restaurant building plan approval.

SUMMARY: Requires a local building department or permitting department to allow a qualified professional certifier to certify compliance with appliance building, health, and safety codes for a tenant improvement plan related to a restaurant.

EXISTING LAW:

- 1) Defines an “architect” as a person who is licensed to practice architecture in this state. (Business and Professions Code (BPC) § 5500)
- 2) Defines a “professional engineer” as a person engaged in the professional practice of rendering service or creative work requiring education, training, and experience in engineering sciences and the application of special knowledge of the mathematical, physical, and engineering sciences in such professional or creative work as consultation, investigation, evaluation, planning or design of public or private utilities, structures, machines, processes, circuits, buildings, equipment or projects, and supervision of construction to secure compliance with specifications and design for any such work. (BPC § 6701)
- 3) Establishes the California Building Standards Commission (CBSC) within the Department of General Services and requires the CBSC to administer the processes related to the adoption, approval, publication, and implementation of California’s building codes, which serve as the basis for the design and construction of buildings in California. (Health and Safety Code (HSC) §§ 18901 et seq.)
- 4) Requires any building standard adopted or proposed by state agencies to be submitted to, and approved or adopted by, the BSC before codification. Prior to submission to the BSC, building standards must be adopted in compliance with the Administrative Procedure Act. Building standards adopted by state agencies and submitted to the commission for approval must be accompanied by an analysis written by the adopting agency or state agency that proposes the building standards, which shall, to the satisfaction of the commission, justify the approval in terms of specified criteria. (HSC § 18930(a))
- 5) Specifies that where no state agency has the authority to adopt building standards applicable to state buildings and requires the BSC to adopt, approve, codify, and publish building standards providing the minimum standards for the design and construction of state buildings, including buildings constructed by the Trustees of the California State University and, to the extent permitted by law, to buildings designed and constructed by the Regents of the University of California. (HSC § 18934.5)

- 6) Establishes the Permit Streamlining Act, which, among other things, establishes time limits within which state and local government agencies must either approve or disapprove permits authorizing a development. (Government Code §§ 65920–65964.5)
- 7) Allows the governing body of a local agency to authorize its enforcement agency to contract with or employ a private entity or persons on a temporary basis to perform plan-checking functions, as specified. (HSC § 19837)
- 8) Requires a local agency to contract with or employ a private entity or persons on a temporary basis to perform plan-checking functions upon the request of an applicant for a nonresidential permit for the remodeling or tenant improvements of a building, as specified, where there is an “excessive delay” in checking the plans and specifications that are submitted as a part of the application. (HSC § 19837)
- 9) Defines, for a nonresidential permit for a building other than a hotel or motel that is three stories or less, “excessive delay” to mean the building department or building division of the local agency has taken more than 50 days after submitting a complete application to complete the structural building safety plan check of the applicant’s set of plans and specifications that are suitable for checking. (HSC § 19837)
- 10) Establishes the California Retail Food Code (CRFC) to provide for the regulation of retail food facilities, establishing health and sanitation standards at the state level through the CRFC and assigning enforcement to local agencies of the 58 county environmental health departments and four city environmental health departments (Berkeley, Long Beach, Pasadena, and Vernon). (HSC § 113700 *et seq.*)
- 11) Defines a “food facility” as an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption at the retail level but excludes various entities from the definition, including a cottage food operation and a church, private club, or other nonprofit association that gives or sells food to its members and guests, and not to the general public, at an event that occurs no more than three days in any 90 day period. (HSC § 113789)
- 12) Establishes requirements for satellite food services, including requiring: that a satellite food service only be operated by a fully enclosed permanent food facility that meets the requirements for food preparation and service and that is responsible for servicing the satellite food service operation; that the permit holder of the permanent food facility submit to the enforcement agency written standard operating procedures prior to conducting the service, as specified; that all food preparation be conducted within a food compartment or fully enclosed facility; and that service areas have overhead protection that extends over all food handling areas. (HSC § 114067)
- 13) Requires a person proposing to build or remodel a food facility to submit complete, easily readable plans drawn to scale, and specifications to the enforcement agency for review, and to receive plan approval before starting any new construction or remodeling of a facility for use as a retail food facility (HSC § 114380).
- 14) Requires the enforcement agency to approve or reject the plans to build or remodel a food facility within 20 working days after receipt and to notify the applicant of the decision.

Unless the plans are approved or rejected within 20 working days, they are deemed approved. (HSC § 114380)

- 15) Requires the food facility, if a determination is made by the enforcement agency that a structural condition poses a public health hazard, to remedy the deficiency to the satisfaction of the enforcement agency. (HSC § 114380)
- 16) Prohibits a food facility from opening for business without a valid permit. (HSC § 114381)
- 17) Requires the enforcement agency to issue a permit for a food facility when an investigation has determined that the proposed facility and its method of operation meet the specifications of the approved plans or conform to the requirements, as specified. (HSC § 114381)
- 18) Specifies that a food facility permit is nontransferable and that the permit is only valid for the person, location, type of food sales, or distribution activity and, unless suspended or revoked for cause, for the time period indicated. (HSC § 114381)
- 19) Subjects violators who operate a food facility without the necessary permits to closure of the food facility and a penalty not exceeding three times the cost of the permit. (HSC § 114387)

THIS BILL:

- 1) Defines a “qualified professional certifier” as a licensed architect or professional engineer, as defined in existing law, who meets both of the following conditions:
 - a) Has at least five years of experience in commercial building design or plan review.
 - b) Maintains professional liability insurance in an amount not less than \$2 million per occurrence.
- 2) Defines “restaurant” as a retail food establishment that prepares, serves, and vends food directly to the consumer.
- 3) Defines “tenant improvement” to mean a change to the interior of an existing building.
- 4) Requires a local building department or local permitting department to allow, upon request from an applicant for a permit for a tenant improvement relating to a restaurant, a qualified professional certifier to certify, at the applicant’s own expense, compliance with applicable building, health, and safety codes for the tenant improvement.
- 5) Requires a tenant improvement relating to a restaurant to comply with building standards approved by the CBSC and local building standards in effect at the time the application for a permit is submitted.
- 6) Requires a qualified professional certifier to prepare an affidavit, under penalty of perjury, attesting that the tenant improvement plans and specifications comply with all applicable laws and regulations.
- 7) Deems a certified plan approved for permitting purposes if, within 20 business days of receiving a completed application, including the affidavit specified above, the local building

department or local permitting department does not approve or deny the application, provided that all fees and required documents have been submitted.

- 8) Specifies that if a complete application is denied within the 20 business day period, the applicant may resubmit corrected plans addressing the deficiencies identified in the denial. The local building department or local permitting department must approve or deny each subsequent resubmission within 10 business days of receipt.
- 9) Requires each local building department or local permitting department to conduct a random audit of no less than 20% of all tenant improvements submitted per week for certification.
- 10) Requires audits to be initiated within five business days following permit issuance and to include a review of the submitted plans for compliance with applicable laws.
- 11) Requires that, if an audit reveals material noncompliance, the local building department or local permitting department provide a plan check correction notice within 10 days of the audit's initiation.
- 12) Allows repeated violations by a qualified professional certifier to result in suspension or revocation of certification privileges granted under this bill.
- 13) Provides that certification under this bill does not exempt a tenant improvement from other mandatory construction inspections, including, but not limited to, fire, health, and structural inspections conducted during or after construction.
- 14) Provides that this bill does not limit the authority of the local health department to conduct food facility inspections as required under the CRFC.
- 15) Provides that any false statement in a certification submission made under this bill is grounds for disciplinary action by the California Architects Board or the Board of Professional Engineers, Land Surveyors, and Geologists, as applicable.
- 16) Authorizes local jurisdictions to impose reasonable administrative penalties, including fines, for willful noncompliance with the requirements of this bill.
- 17) Provides that this bill does not prohibit a local building department or local permitting department from charging permit fees for applications utilizing a qualified professional certifier.
- 18) Provides that qualified professional certifiers are liable for any damages arising from negligent plan review.
- 19) Makes various findings and declarations.

FISCAL EFFECT: Unknown. This bill has been keyed fiscal by the Legislative Counsel.

COMMENTS:

Purpose. This bill is sponsored by the author. According to the author:

California's restaurants reflect the state's diversity, agricultural abundance, and tradition of culinary innovation. Often family-owned, they play a critical role in providing first jobs, career advancement opportunities, and pathways to business ownership for immigrant entrepreneurs and historically underserved communities. But despite restaurants' vital role in local economies and communities, frequent and common delays in municipal building plan review processes mean the process of opening a restaurant in California is often time- and cost-prohibitive. [This bill] responsibly reduces barriers to opening a restaurant in California by establishing a professional certification program to streamline the municipal review process. The program allows qualified architects and engineers to certify restaurant retrofits—often completed by small restaurants—that convert an existing facility to a new use. The framework incorporates randomized audits to ensure compliance and does not exempt restaurants from mandatory construction inspections, such as fire, health, and structural checks. Thus, the legislation facilitates timely restaurant openings while maintaining vital public safety standards, similar to programs in other major cities, such as New York, Washington, D.C., and Chicago. With [this bill], California will similarly simplify the review process for restaurant owners, lessening the burden on many small businesses and community hubs so they can open faster.

Background.

California Retail Food Code. The CRFC includes the structural, equipment, and operational requirements for all California retail food facilities, which 62 local environmental health regulatory agencies enforce. By law, any person proposing to build or remodel a food facility must submit building plans to the enforcement agency for review and receive plan approval before starting any new construction or remodeling of a facility for use as a retail food facility. Plans must be approved or rejected within 20 working days after receipt by the enforcement agency. Plans that are not approved or denied within 20 working days are automatically approved. A local building department cannot issue a building permit for a food facility until it has received plan approval from the enforcement agency.

California Building Code. The California Building Standards Code contains building standards and regulations adopted by the CBSC to protect the health and safety of people and property. The code regulates the design, construction, quality of materials, use and occupancy, location, and maintenance of all buildings and structures in the state, and includes standards for building safety, fire safety standards, energy efficiency standards, and standards for green buildings. The code is published every three years, though intervening code adoption cycles produce supplements 18 months into each triennial period. Improvements to existing buildings are subject to current building code requirements. Local government building and planning departments enforce the code.

Professional Certification Programs. This bill is modeled after professional certification programs in Chicago, New Jersey, Phoenix, and New York City, which allow the specified design professionals, such as architects and engineers, to certify that the plans they file comply with all applicable laws and regulations. Self-certification programs generally eliminate plan review by local building and permitting departments, where design professionals take full responsibility for ensuring plans' compliance with all applicable codes. However, each program's requirements differ slightly. For example, Chicago's Self-Certification Permit Program requires architects and engineers to complete additional training offered by the

Department of Buildings (DOB) and register with the DOB. The DOB maintains a public list of registered self-certification professionals on its website. In Phoenix, a peer review by a city-approved electrical or structural peer reviewer must be completed before submittal.

This bill would authorize third-party qualified professional certifiers, licensed architects or professional engineers with five years of experience in commercial building design or plan review and maintain professional liability insurance, to self-certify restaurant tenant improvement plans. Local building and permitting departments would have 20 business days to approve or reject plans. Inaction would result in the plans being deemed approved by default. Moreover, if a local building or permitting department requires revisions, resubmitted plans must be reviewed within 10 business days. According to the author's office, streamlining the permitting process "will provide opportunities for entrepreneurship and business ownership, including for minority groups," who comprise more than half of restaurant and foodservice employees, according to the National Restaurant Association.¹

Current Related Legislation. *AB 253 (Ward)* would allow an applicant for specified residential building permits to employ a private professional provider to check plans and specifications if the building department cannot complete or estimates being unable to complete the check within 30 days. *That bill is pending in the Senate Local Government Committee.*

Prior Related Legislation. *AB 2433 (Quirk-Silva) of 2024* would have required a local agency to complete plan check services, or to employ a private professional to perform the plan checking services, for a building permit within 30 business days of a request from an applicant. *AB 2433 was held in the Senate Local Government Committee.*

SB 144 (Runner), Chapter 23, Statutes of 2006, repealed and reenacted the California Uniform Retail Food Facilities Law as the California Retail Food Code, which included a requirement that plans must be approved or rejected within 20 working days.

ARGUMENTS IN SUPPORT:

A coalition of organizations and restaurants, including the *California Restaurant Association*, *California Asian Pacific Chamber of Commerce*, *Uovo*, *Sushi Nozawa*, *Matu*, *Jon & Vinny's*, *Hiho*, *Steadfast LA*, collectively write in support:

The restaurant community is one of California's largest small business employers and a cornerstone of the state's tourism economy. To meet guest expectations, attract new customers, and enhance the dining experience, restaurant owners frequently invest in tenant improvements – such as adding outdoor patios – to create inviting spaces for customers to enjoy California's renowned weather and scenic views.

However, restaurant owners currently face months-long delays in the building plan review process, creating significant financial and operational hardships. These prolonged wait times cause employment opportunities to evaporate, disrupt restaurant openings, delay service, and burden small business owners who depend on timely improvements to remain competitive.

¹ National Restaurant Association, *Restaurant Employee Demographics Data Brief – April 2025*, at 2.

Recognizing this challenge, major cities including New York City, Chicago, and Washington, D.C. have successfully implemented self-certification programs that allow licensed professionals to verify code compliance. The self-certification of plans has successfully reduced wait times while also ensuring compliance with building and safety standards.

[This bill] expedites the building plan review process for restaurant build-outs without compromising safety. The bill specifically clarifies that self-certification does not exempt projects from required inspections, including fire, health, and structural evaluations. It also mandates that local building departments conduct random audits of self-certified projects to ensure compliance.

[This bill] simplifies the tenant improvement plan review process for restaurant owners while maintaining safety standards. This will enable restaurants to open more quickly and to employ more people sooner, which will help support economic growth in their communities.

ARGUMENTS IN OPPOSITION:

The *California Building Officials* write in opposition:

While we understand that [this bill] is limited in scope to restaurant tenant-improvements, in the name of public safety, the person designing the plans should not be the one offering final approval. We appreciate the perimeters and limitations you have outlined with your measure, but self-certification is an unsavory practice that leads to large-scale concerns in the short- and long-term life of a commercial structure. Local jurisdictions, at a minimum, need to offer approvals and assurances that state and local building, fire, and life safety codes have been met. Allowing someone who has been hired to draw plans with an economic incentive for their expedited approval is not a responsible practice – regardless of the scale of the development project.

POLICY ISSUE(S) FOR CONSIDERATION:

Shifting of responsibility. This bill shifts responsibility for plan checks from experienced plan reviewers employed by a local jurisdiction to third-party qualified professional certifiers who may not have the same level of expertise and who have a financial interest in certifying plans.

IMPLEMENTATION ISSUES:

Potential for costly errors and delays. Although this bill is intended to expedite the permitting process, restaurateurs may face significant costs and delays downstream to the extent that corrections are necessary after construction has begun or been completed.

Qualifications of a “qualified professional certifier.” This bill would allow any licensed architect or professional engineer who has at least five years of experience in commercial building design or plan review and maintains a \$2 million professional liability insurance policy to submit tenant improvement plans according to this bill. However, what constitutes “commercial building design or plan review” is unclear. Qualified professional certifiers could have vastly different levels of experience due to the vagueness of the criterion. Moreover, there does not appear to be

any mechanism for local building or permitting departments or consumers to verify that a qualified professional certifier has met the eligibility requirements enumerated in this bill.

Enforcement. Under this bill, any false statement in a certification submission would be cause for disciplinary action by the California Architects Board and the Board for Professional Engineers, Land Surveyors, and Geologists, but it is unclear how either board would know to take appropriate disciplinary action.

Suspension or revocation of certification privileges. This bill specifies that “Repeated violations by a qualified professional certifier may result in suspension or revocation of certification privileges granted under [this bill].” However, because there is no registration or other affirmative mechanism granting the privileges from the local departments, it is unclear how the local departments would suspend or revoke the privileges. It is also unclear how they would determine whether the violations merit suspension or revocation of the privileges.

REGISTERED SUPPORT:

Steadfast LA
California Asian Pacific Chamber of Commerce
Uovo
Sushi Nozawa
Matu
Jon & Vinny’s
Hiho
California Restaurant Association
California Travel Association

REGISTERED OPPOSITION:

California Building Officials

Analysis Prepared by: Kaitlin Curry / B. & P. / (916) 319-3301

AMENDED IN ASSEMBLY APRIL 24, 2025

AMENDED IN ASSEMBLY MARCH 24, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 671

Introduced by Assembly Member Wicks~~Members Wicks and Gabriel~~
(*Coauthors: Assembly Members Blanca Rubio and Ward*)

February 14, 2025

An act to add Chapter 14 (commencing with Section 66345) to Division 1 of Title 7 of the Government Code, relating to building permits.

LEGISLATIVE COUNSEL'S DIGEST

AB 671, as amended, Wicks. Accelerated restaurant building plan approval.

Existing law, the California Building Standards Law, establishes the California Building Standards Commission within the Department of General Services. Existing law requires the commission to approve and adopt building standards and to codify those standards in the California Building Standards Code. *Existing law authorizes local governments to enact ordinances or regulations that make building standards amendments to the California Building Standards Code, as specified.*

~~The Planning and Zoning Law requires a city or county to adopt a general plan for land use development within its boundaries. Existing law, the Permit Streamlining Act, requires each public agency to provide a development project applicant with a list that specifies the information that will be required from any applicant for a development project.~~

This bill would *establish a streamlined approval process for a local permit for a tenant improvement, as defined, relating to a restaurant.*

In this regard, the bill would require a local building department or local permitting department or permitting department, upon the request and at the expense of the permit applicant, to allow a qualified professional certifier, as defined, defined as a licensed architect or engineer who meets certain requirements, to certify compliance that the plans and specifications of the tenant improvement comply with applicable building, health, and safety codes for a tenant improvement relating to a restaurant. In that regard, the bill would require the qualified professional certifier to submit a statement attesting that the tenant improvement plans and specifications comply with all applicable laws and regulations. codes, as specified. By expanding the scope of a crime, this bill would impose a state-mandated local program. The bill would also make qualified professional certifiers subject to certain additional penalties for false statements or willful noncompliance with these provisions, and would make qualified professional certifiers liable for any damages arising from negligent plan review. The bill would require that a certified plan be deemed approved for permitting purposes upon submission of the certification, provided that all fees and required documents have been submitted. if the local building or permitting department does not approve or deny the application within 20 business days of receiving a complete application. The bill would also authorize the applicant to resubmit corrected plans addressing the deficiencies identified in the denial, and would require the local building department or local permitting department to approve or deny each subsequent resubmission within 10 business days of receipt. This bill would require each local building department or local or permitting department to conduct annual audits of tenant improvements submitted for certification, as specified. By requiring local entities to administer a new program and to take certain actions, this bill would impose a state-mandated program.

Existing law, the California Environmental Quality Act (CEQA), requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment. CEQA does not apply to the approval of ministerial projects.

To the extent that the streamlined, ministerial review process established by the bill would apply to final, discretionary approval of a tenant improvement, the bill would exempt those projects from CEQA.

This bill would also make related findings and declarations.

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.

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~~ reasons.

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

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

1 SECTION 1. Chapter 14 (commencing with Section 66345)
2 is added to Division 1 of Title 7 of the Government Code, to read:

3
4 CHAPTER 14. ACCELERATED RESTAURANT BUILDING PLAN
5 APPROVAL
6

7 66345. The Legislature finds and declares all of the following:

8 (a) Small, independent restaurants are essential to California's
9 identity as a world-renowned culinary destination, reflecting the
10 state's diversity, agricultural abundance, and tradition of culinary
11 innovation.

12 (b) Family-owned restaurants serve as cultural anchors in their
13 communities, preserving and sharing diverse food traditions across
14 generations while creating spaces for community gathering and
15 celebration.

16 (c) The restaurant industry is one of California's largest small
17 business employers, providing critical first jobs, career
18 advancement opportunities, and pathways to business ownership
19 for immigrant entrepreneurs and historically underserved
20 communities.

21 (d) California's restaurant sector is a vital component of the
22 state's tourism industry, with food tourism generating substantial
23 economic activity in communities throughout the state.

24 (e) Local restaurants play a crucial role in supporting
25 California's agricultural sector by sourcing ingredients from local
26 farms and food producers, contributing to the state's farm-to-table
27 movement and sustainable food systems.

(f) Delays in municipal building plan review processes can create significant economic hardship for small business owners.

(g) Qualified licensed architects and engineers can supplement municipal plan review capacity while maintaining public safety standards.

(h) An expedited review process for food service establishments will promote economic development while ensuring compliance with all applicable health and safety requirements.

66345.1. For purposes of this chapter, ~~“qualified all of the following definitions apply:~~

(a) “Qualified professional certifier” means an architect licensed pursuant to Chapter 3 (commencing with Section 5500) of Division 3 of the Business and Professions Code, or a professional engineer licensed pursuant to Chapter 7 (commencing with Section 6700) of Division 3 of the Business and Professions Code, who meets both of the following conditions:

(1) Has at least five years of experience in commercial building design or plan review.

(2) Maintains professional liability insurance in an amount not less than two million dollars (\$2,000,000) per occurrence.

(b) “Restaurant” means a retail food establishment that prepares, serves, and vends food directly to the consumer.

(c) “Tenant improvement” means a change to the interior of an existing building.

66345.2. (a) (1) A local building department or local permitting department shall ~~allow~~ allow, upon request from an applicant for a permit for a tenant improvement relating to a restaurant, a qualified professional certifier to ~~certify~~ certify, at the applicant’s expense, compliance with applicable building, health, and safety codes for a tenant improvement relating to a restaurant. the tenant improvement.

(2) A tenant improvement relating to a restaurant certified pursuant to this chapter shall comply with building standards approved by the California Building Standards Commission and local building standards in effect at the time the application for a permit is submitted.

(b) (1) A qualified professional certifier shall ~~submit a statement~~ prepare an affidavit, under penalty of perjury, attesting that the

1 tenant improvement plans and specifications comply with all
2 applicable laws and regulations.

3 (2) ~~A—If the local building department or local permitting~~
4 ~~department does not approve or deny the application within 20~~
5 ~~business days of receiving a complete application, including the~~
6 ~~affidavit specified in paragraph (1), a certified plan shall be~~
7 ~~deemed approved for permitting purposes upon submission of the~~
8 ~~certification; purposes~~, provided that all fees and required
9 documents have been submitted.

10 (3) *If a complete application is denied within the*
11 *20-business-day period described in paragraph (2), the applicant*
12 *may resubmit corrected plans addressing the deficiencies identified*
13 *in the denial. The local building department or local permitting*
14 *department shall approve or deny each subsequent resubmission*
15 *within 10 business days of receipt.*

16 (c) (1) Each local building department or local permitting
17 department shall ~~annually~~ conduct a random audit of no less than
18 ~~10 percent and no more than 20 percent~~ of all tenant improvements
19 submitted *per week* for certification under this chapter.

20 (2) Audits shall be initiated within five business days following
21 permit issuance and shall include a review of the submitted plans
22 for compliance with applicable laws.

23 (3) If an audit reveals material noncompliance, the local building
24 department or local permitting department shall provide a plan
25 check correction notice within 10 *business* days of the audit's
26 initiation.

27 (4) Repeated violations by a qualified professional certifier may
28 result in suspension or revocation of certification privileges granted
29 under this chapter.

30 (d) (1) Certification under this chapter does not exempt a tenant
31 improvement from other mandatory construction inspections,
32 including, but not limited to, fire, health, and structural inspections
33 conducted during or after construction.

34 (2) This chapter does not limit the authority of the local health
35 department to conduct food facility inspections as required under
36 the California Retail Food Code (Part 7 (commencing with Section
37 113700) of Division 104).

38 (e) (1) Any false statement in a certification submission made
39 under this chapter shall be grounds for disciplinary action by the
40 California Architects Board, as described in Chapter 3

(commencing with Section 5500) of Division 3 of the Business and Professions Code, or the Board for Professional Engineers, Land Surveyors, and Geologists, as described in Chapter 7 (commencing with Section 6700) of Division 3 of the Business and Professions Code, as applicable.

(2) Local jurisdictions may impose reasonable administrative penalties, including fines, for willful noncompliance with the requirements of this chapter.

66345.3. This chapter does not prohibit a local building department or local permitting department from charging permit fees for applications utilizing a qualified professional certifier.

66345.4. (a) Qualified professional certifiers shall be liable for any damages arising from negligent plan review.

(b) ~~This chapter does not reduce or limit the authority or liability of a local building department or local permitting department.~~

SEC. 2. The Legislature finds and declares that restaurants' role in the state's tourism and agricultural industries is a matter of statewide concern and is not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, Section 1 of this act adding Chapter 14 (commencing with Section 66345) to Division 1 of Title 7 of the Government Code applies to all cities, including charter cities.

~~SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.~~

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act or because costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government

- 1 *Code, or changes the definition of a crime within the meaning of*
- 2 *Section 6 of Article XIII B of the California Constitution.*

AB 742 (Elhawary-D and Co-Authors)
Department of Consumer Affairs; licensing: applicants who are descendants of slaves

Status/History: 5/07/2025 – Referred to Assembly Committee on Appropriations after passing in Committees on Business and Professions and Judiciary.

Location: 5/07/2025 – In Committee; set for first hearing; suspense file

Introduced: 2/18/2025

Amended: 3/13/2025

Board Position: Watch at April 3, 2025 meeting

Board Staff Analysis: 5/20/2025

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.

5/20/2025 Updated Staff Comment: No revisions have been made to this proposed language since the Board met in April, despite the B&P Committee’s analysis suggesting that the Author(s) consider changing “prioritize” to “expedite” which aligns with terminology used in existing law.

Staff Recommendation: No further action is required by the Board at this time.

Date of Hearing: April 8, 2025

ASSEMBLY COMMITTEE ON BUSINESS AND PROFESSIONS

Marc Berman, Chair

AB 742 (Elhawary) – As Amended March 13, 2025

NOTE: This bill is double referred and if passed by this Committee will be re-referred to the Assembly Committee on Judiciary.

SUBJECT: Department of Consumer Affairs: licensing: applicants who are descendants of slaves.

SUMMARY: Requires state licensing boards to prioritize applicants seeking licensure who are descendants of American slaves.

EXISTING LAW:

- 1) Provides that the term “board” includes “bureau,” “commission,” “committee,” “department,” “division,” “examining committee,” “program,” and “agency.” (Business and Professions Code (BPC) § 22)
- 2) States that unless otherwise expressly provided, the term “license” means license, certificate, registration, or other means to engage in a business or profession regulated by the Business and Professions Code. (BPC § 23.7)
- 3) Establishes the Department of Consumer Affairs (DCA) within the Business, Consumer Services, and Housing Agency. (BPC § 100)
- 4) Enumerates various regulatory boards, bureaus, committees, and commissions under the DCA’s jurisdiction. (BPC § 101)
- 5) States that boards, bureaus, and commissions within the DCA must establish minimum qualifications and levels of competency and license persons desiring to engage in the occupations they regulate, upon determining that such persons possess the requisite skills and qualifications necessary to provide safe and effective services to the public. (BPC § 101.6)
- 6) Requires boards within the DCA to expedite, and authorizes boards to assist, the initial licensure process for an applicant who has served as an active duty member of the Armed Forces of the United States and was honorably discharged or who, beginning July 1, 2024, is enrolled in the United States Department of Defense SkillBridge program. (BPC § 115.4)
- 7) Requires boards within the DCA to expedite the licensure process and waive any associated fees for applicants who hold a current license in another state and who are married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in this state under official active duty military orders. (BPC § 115.5)
- 8) Requires boards within the DCA to expedite, and authorizes boards to assist, the initial licensure process for applicants who have been admitted to the United States as a refugee, have been granted asylum by the Secretary of Homeland Security or the Attorney General of the United States, or have a special immigrant visa. (BPC § 135.4)

- 9) Requires the Medical Board of California (MBC), the Osteopathic Medical Board of California (OMBC), the Board of Registered Nursing (BRN), and the Physician Assistant Board (PAB) to expedite the licensure process for applicants who demonstrate that they intend to provide abortions within the scope of practice of their license. (BPC § 870)
- 10) Requires the MBC to give priority review status to the application of an applicant for a physician's and surgeon's certificate who can demonstrate that they intend to practice in a medically underserved area or serve a medically underserved population. (BPC § 2092)
- 11) Requests that the Regents of the University of California assemble a colloquium of scholars to draft a research proposal to analyze the economic benefits of slavery that accrued to owners and the businesses, including insurance companies and their subsidiaries, that received those benefits. (Education Code § 92615)
- 12) Requires the Insurance Commissioner to obtain the names of any slaveholders or slaves described in specified insurance records, and to make the information available to the public and the Legislature. (Insurance Code § 13811)
- 13) Declares that descendants of slaves, whose ancestors were defined as private property, dehumanized, divided from their families, forced to perform labor without appropriate compensation or benefits, and whose ancestors' owners were compensated for damages by insurers, are entitled to full disclosure. (Insurance Code § 13813)
- 14) Enacts the Apology Act for the Perpetration of Gross Human Rights Violations and Crimes Against Humanity, with special consideration for African Slaves and their Descendants. (Government Code (GOV) §§ 8301 *et seq.*)
- 15) Requires the State Controller's Office and the Department of Human Resources, when collecting demographic data as to the ancestry or ethnic origin of persons hired into state employment, to include collection categories and tabulations for Black or African American groups, including, but not limited to, African Americans who are descendants of persons who were enslaved in the United States. (GOV § 8310.6)

THIS BILL:

- 1) Requires each board under the DCA to prioritize applicants seeking licensure who are descendants of American slaves.
- 2) Makes the requirements of the bill contingent on the enactment of additional legislation establishing the Bureau for Descendants of American Slavery, and requires an applicant to obtain certification from the Bureau confirming their status as a descendant of an American slave to qualify for prioritization for licensure.
- 3) Subjects the bill's provisions to repeal four years from the date on which they become operative, or until January 1, 2032, whichever is earlier.

FISCAL EFFECT: Unknown; this bill is keyed fiscal by the Legislative Counsel.

COMMENTS:

Purpose. This bill is sponsored by the *California Legislative Black Caucus*. According to the author: “By prioritizing descendants of slaves when applying for licenses, we hope to increase the number of applicants and recipients of licensure in various businesses and professions where descendants of slaves have often been overlooked and underrepresented. This is one small step in righting the wrongs of the past.”

Background.

Expedited Licensure. The DCA consists of 36 boards, bureaus, and other entities responsible for licensing, certifying, or otherwise regulating professionals in California. As of March 2023, there are over 3.4 million licensees overseen by programs under the DCA, including health professionals regulated by healing arts boards under Division 2 of the Business and Professions Code. Each licensing program has its own unique requirements, with the governing acts for each profession providing for various prerequisites including prelicensure education, training, and examination. Most boards additionally require the payment of a fee and some form of background check for each applicant.

The average duration between the submission of an initial license application and approval by an entity under the DCA can vary based on a number of circumstances, including increased workload, delays in obtaining an applicant’s criminal history, and deficiencies in an application. Boards typically set internal targets for application processing timelines and seek adequate staffing in an effort to meet those targets consistently. License processing timelines are then regularly evaluated through the Legislature’s sunset review oversight process.

The first expedited licensure laws specifically related to the unique needs of military families. The Syracuse University Institute for Veterans and Military Families found that up to 35 percent of military spouses are employed in fields requiring licensure. Because each state possesses its own licensing regime for professional occupations, military family members are required to obtain a new license each time they move states, with one-third of military spouses reportedly moving four or more times while their partner is on active duty. Because of the barriers encountered by military family members who seek to relocate their licensed work to a new state, it is understood that continuing to work in their field is often challenging if not impossible.

In an effort to address these concerns, Assembly Bill 1904 (Block) was enacted in 2012 to require boards and bureaus under the DCA to expedite the licensure process for military spouses and domestic partners of a military member who is on active duty in California. Two years later, Senate Bill 1226 (Correa) was enacted to similarly require boards and bureaus under the DCA to expedite applications from honorably discharged veterans, with the goal of enabling these individuals to quickly transition into civilian employment upon retiring from service.

Statute requires entities under the DCA to annually report the number of applications for expedited licensure that were submitted by veterans and active-duty spouses and partners. For example, in Fiscal Year 2022-23, the MBC received 14 applications from military spouses or partners and 101 applications from honorably discharged veterans subject to expedited processing. In 2023, the federal Servicemembers Civil Relief Act (SCRA) imposed new requirements on states to recognize qualifying out-of-state licenses for service members and their spouses. This new form of enhanced license portability potentially displaces the need for expedited licensure for these applicants.

A decade after the first expedited licensure laws were enacted for military families, the Legislature enacted Assembly Bill 2113 (Low) in 2020 to require licensing entities under the DCA to expedite licensure applications for refugees, asylees, and Special Immigrant Visa holders. The intent of this bill was to address the urgency of allowing those forced to flee their homes to restart their lives upon acceptance into California with refugee status. It is understood that the population of license applicants who have utilized this new expedited licensure program across all DCA entities is, to date, relatively small.

Subsequently in 2022, the Legislature enacted Assembly Bill 657 (Cooper) to add another category of applicants eligible for expedited licensure. This bill required the MBC, OMBC, the BRN, and the PAB to expedite the license application for an applicant who demonstrates that they intend to provide abortions. This bill was passed in the wake of the Supreme Court's decision to overturn *Roe v. Wade*, which led to concerns that with approximately half of all states likely to pursue abortion bans, patients in those states would come to California to receive abortion services, creating a swell in demand for abortion providers. Assembly Bill 657 was passed to ensure that there is an adequate health care provider workforce to provide urgent reproductive care services.

State Efforts to Provide Reparations to Descendants of Slavery. In 2020, the Legislature enacted Assembly Bill 3121 (Weber), which formally 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. The bill's findings and declarations acknowledged that "more than 4,000,000 Africans and their descendants were enslaved in the United States and the colonies that became the United States from 1619 to 1865." The bill further found that as "a result of the historic and continued discrimination, African Americans continue to suffer debilitating economic, educational, and health hardships," including, among other hardships, "an unemployment rate more than twice the current white unemployment rate."

The Task Force created by AB 3121 was given responsibility for studying and developing reparation proposals for African Americans as a result of slavery and numerous subsequent forms of discrimination based on race. The Task Force was then required to recommend appropriate remedies in consideration of its findings, which were submitted as a report to the Legislature on June 29, 2023. The *California Reparations Report*, drafted with staff assistance from the California Department of Justice, totals over a thousand pages and provides a comprehensive history of the numerous past injustices and persistent inequalities and discriminatory practices. The report also includes a number of recommendations for how the state should formally apologize for slavery, provide compensation and restitution, and address the pervasive effects of enslavement and other historical atrocities.

Chapter 10 of the Task Force's report, titled "Stolen Labor and Hindered Opportunity," addresses how African Americans have historically been excluded from occupational licenses. As discussed in the Task Force's report, "state licensure systems worked in parallel to exclusion by unions and professional societies in a way that has been described by scholars as "particularly effective" in excluding Black workers from skilled, higher paid jobs. White craft unions implemented unfair tests, conducted exclusively by white examiners to exclude qualified Black workers."

The report additionally describes how, as the use of licensure to regulate jobs increased beginning in the 1950s, African American workers continued to be excluded from economic opportunity, in large part due to laws disqualifying licenses for applicants with criminal records, which disproportionately impacted African Americans. This specific issue was previously addressed in California through the Legislature's enactment of Assembly Bill 2138 (Chiu/Low) in 2018, which reduced barriers to licensure for individuals with prior criminal histories by limiting the discretion of most regulatory boards to deny a new license application to cases where the applicant was formally convicted of a substantially related crime or subjected to formal discipline by a licensing board, with nonviolent offenses older than seven years no longer eligible for license denial.

In its discussion of issues relating to professional licensure, the Task Force concludes by stating that "while AB 2138 represents progress, other schemes remain in California which continue to have a racially discriminatory impact." The Task Force then provides several recommendations on how the Legislature could "expand on AB 2138." This includes a recommendation in favor of "prioritizing African American applicants seeking occupational licenses, especially those who are descendants [of slavery]."

On January 31, 2024, the California Legislative Black Caucus announced the introduction of the 2024 Reparations Priority Bill Package, consisting of a series of bills introduced by members of the caucus to implement the recommendations in the Task Force's report. Assembly Bill 2862 (Gipson) was introduced to implement the Task Force's recommendation that boards be required to prioritize African American applicants seeking licenses, especially applicants who are descended from a person enslaved in the United States. However, this bill ultimately did not pass the Senate Committee on Business, Professions, and Economic Development.

The following year, the California Legislative Black Caucus announced its "Road to Repair 2025 Priority Bill Package," which it described as "not only about acknowledging the past, but also a commitment to build a more just and equitable future by addressing the systemic barriers that Black Californians continue to face." This bill, included as part of that package, is similar to Assembly Bill 2862 from the prior session. However, this bill replaces references to African American applicants with a requirement that boards prioritize "descendants of American slaves."

Because there is currently no established way to prove this status, the bill's requirements are contingent on the Legislature also enacting Senate Bill 518 (Weber Pierson), which would establish a Bureau for Descendants of American Slavery. Once this Bureau has implemented a process for certifying descendants of American slaves, certified applicants would qualify for prioritization under the bill. This requirement would be similar to existing expedited licensure processes for military families, refugee applicants, and abortion providers. While this bill would only represent a single step in what could be considered a long journey toward addressing the malignant consequences of slavery and systemic discrimination, the author believes it would meaningfully address the specific impact those transgressions have had on African Americans seeking licensure in California.

Current Related Legislation. AB 7 (Bryan) would allow higher education institutions in California to grant descendants of American chattel slavery preferential consideration for admission, to the extent that it does not conflict with federal law. *This bill is pending in the Assembly Committee on Higher Education.*

AB 57 (McKinnor) would designate a share of Home Purchase Assistance Funds for first-time home buyers who are descendants of American chattel slavery. *This bill is pending in the Assembly Committee on Judiciary.*

SB 437 (Weber Pierson) would require the California State University to conduct independent research and issue a report on scientific methods for verifying an individual's genealogical connection to enslaved ancestors in the United States. *This bill is pending in the Senate Committee on Judiciary.*

SB 518 (Weber Pierson) would establish the Bureau of Descendants of American Slavery. *This bill is pending in the Senate Committee on Governmental Organization.*

Prior Related Legislation. AB 2862 (Gipson) of 2024 would have required state licensing boards under the DCA to prioritize African American applicants seeking licenses, especially applicants who are descended from a person enslaved in the United States. *This bill died in the Senate Committee on Business, Professions, and Economic Development.*

SB 1403 (Bradford) of 2024 would have established a California American Freedmen Affairs Agency. *This bill died on the Assembly Floor inactive file.*

AB 657 (Cooper), Chapter 560, Statutes of 2022 requires specified boards under the DCA to expedite applications from applicants who demonstrate that they intend to provide abortions.

AB 3121 (Weber), Chapter 319, Statutes of 2020 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.

AB 2113 (Low), Chapter 186, Statutes of 2020 requires entities under the DCA to expedite applications from refugees, asylees, and special immigrant visa holders.

AB 2138 (Chiu/Low), Chapter 995, Statutes of 2018 reduced barriers to licensure for individuals with prior criminal convictions.

SB 1226 (Correa), Chapter 657, Statutes of 2014 requires entities under the DCA to expedite applications from honorable discharged veterans.

AB 1904 (Block), Chapter 399, Statutes of 2012 requires entities under the DCA to expedite applications from military spouses and partners.

ARGUMENTS IN SUPPORT:

The *Greater Sacramento Urban League* supports this bill, writing: “For generations, Black Californians have faced systemic discrimination in licensing processes, limiting their ability to enter high-demand professions and contribute fully to California’s workforce. The historical impacts of racial bias, mass incarceration, and unjust restrictions on licensing have disproportionately affected descendants of enslaved people, creating economic disparities that persist today. AB 742 takes a critical step toward correcting these injustices by ensuring that licensing boards prioritize applications from descendants of enslaved individuals and eliminate arbitrary waiting periods that delay their ability to enter the workforce.”

ARGUMENTS IN OPPOSITION:

Pacific Legal Foundation opposes this bill, writing: “As currently drafted, AB 742 does not offer its ostensible race-based eligibility criteria as a remedy to specific instances of discrimination in state licensing. While the Task Force report prompting the legislation references state laws restricting individuals with certain criminal convictions from obtaining licenses that are more likely to impact African American workers, it makes no mention of any laws explicitly excluding or limiting African Americans from receiving a license. The justification for AB 742’s race-based licensing thus amounts to addressing societal discrimination, which is insufficient as a compelling interest.”

POLICY ISSUE(S) FOR CONSIDERATION:

Creation of Additional Expedited Licensure Processes. When expedited licensure was first established as a process in California, it was intended to address unique issues relating to military families who move frequently and can often not afford to wait to qualify for a new license each time they relocate to a new state. The addition of refugee and asylee applicants was intended to respond to a growing international refugee crisis by providing similar benefits to a small number of applicants whose relocation to California was presumably abrupt and who would need to rebuild their professions. In that same spirit, the extension of expedited licensure to abortion care providers was aimed at preparing for a potential influx of demand for those services in the wake of the Supreme Court’s decision to overturn longstanding protections for reproductive rights.

Several pieces of legislation have been subsequently introduced to establish new expedited licensure requirements for additional populations of applicants. Each of these proposals has arguably been meritorious, as were each of the measures previously signed into law. However, there is potentially a cause for concern that as the state contemplates adding more categories of license applicants to the growing list of applications that must be expedited by entities within the DCA, the value of expediting each applicant type becomes diluted and non-expedited applications could become unduly delayed.

If the Legislature intends to extend expedited licensure requirements to new demographics of applicants—which the author of this bill has argued cogently in favor of doing—attention should be paid to the impact that all these proposals ultimately have in their totality. The Legislature should also subsequently revisit the need for expedited licensure requirements that were established in particular contexts and determine if they are still needed, which could be achieved by the addition of sunset clauses. This bill would arguably address this issue by subjecting the provisions of the bill to sunset four years after their effective date.

Constitutionality. In June of 2023, the Supreme Court of the United States issued its ruling in *Students for Fair Admissions v. Harvard*, in which it decided that the Equal Protection Clause of the Fourteenth Amendment prohibits universities from positively considering race as a factor in admissions. This decision strongly suggests an antagonistic position within the current composition of the Supreme Court when reviewing policies that seek to improve equitable access to opportunity or providing redress to representatives of racial groups that have been subjected to discrimination and marginalization. The likelihood of this bill’s provisions surviving a strict scrutiny examination by the Supreme Court will be more thoroughly discussed when this bill is re-referred to the Assembly Committee on Judiciary.

REGISTERED SUPPORT:

Greater Sacramento Urban League

REGISTERED OPPOSITION:

California Landscape Contractor's Association
Pacific Legal Foundation
17 Individuals

Analysis Prepared by: Robert Sumner / B. & P. / (916) 319-3301

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.*

AB 742 (Elhawary-D and Co-Authors)
Department of Consumer Affairs; licensing: applicants who are descendants of slaves

Status/History: 5/07/2025 – Referred to Assembly Committee on Appropriations after passing in Committees on Business and Professions and Judiciary.

Location: 5/07/2025 – In Committee; set for first hearing; suspense file

Introduced: 2/18/2025

Amended: 3/13/2025

Board Position: Watch at April 3, 2025 meeting

Board Staff Analysis: 5/20/2025

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.

5/20/2025 Updated Staff Comment: No revisions have been made to this proposed language since the Board met in April, despite the B&P Committee’s analysis suggesting that the Author(s) consider changing “prioritize” to “expedite” which aligns with terminology used in existing law.

Staff Recommendation: No further action is required by the Board at this time.

AB 1341 (Hoover-R)
Contractors: discipline: unlicensed architecture, engineering, or land surveying

Status/History: 5/15/2025 – Passed Assembly and Referred to Senate

Location: 5/15/2025 – Senate Rules

Introduced: 2/21/2025

Amended: 3/24/2025; 4/23/2025; 5/07/2025

Board Position: Support at April 3, 2025 Board meeting

Board Staff Analysis: 5/20/2025

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.

5/20/2025 Updated Staff Comments: As requested by the Board, Staff sent a Support letter to the Author and B&P Committee. Additionally, participated in discussions with the Architect’s Board and CSLB. All agreed that the proper sections in our respective Acts needed to be referenced, and those amendments were accepted.

Staff Recommendation:

Staff recommends the Board take a Support position on AB 1341 as amended May 7, 2025



BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS

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April 15, 2025

The Honorable Josh Hoover
Member, California State Assembly
P.O. Box 942849
Sacramento, CA 94249-0007

RE: Assembly Bill 1341 – **SUPPORT on the Concept**

Dear Assemblymember Hoover:

The Board for Professional Engineers, Land Surveyors, and Geologists (Board) voted to **SUPPORT** on the concept of Assembly Bill 3176, as amended April 17, 2024, with the idea that when our Board discovers violations of the “building laws of the state” by regulated licensees, these violations are reported to the Contractors State License Board (CSLB). Additionally, the Board directed staff to work with the Author on language which appropriately references the Board’s laws towards these goals.

After consultation with staff from both CSLB and the California Architects Board, our Board offers the following proposed amendments which should serve to preserve the intent of this proposed bill. Please note that reference to “Division 3, Chapter 3” is purely for consistency with the current proposed language and our Board defers inclusion or judgement of that reference to the California Architects Board

- (i) As used in this section, “building laws of the state” includes, without limitation, all of the following:
- (1) ~~Section 5536~~ Any provision of Division 3, Chapter 3 of the Business and Professions Code.
 - (2) ~~Section 6730~~ Any provision of Division 3, Chapter 7 of the Business and Professions Code.
 - (3) Any provision of Division 3, Chapter 12.5 of the Business and Professions Code.
 - (4) ~~Sections 8725 and 8726~~ Any provision of Division 3, Chapter 15 of the Business and Professions Code.

We appreciate consideration of our position. Please feel free to contact me directly at 916-999-3579 or Ric.Moore@dca.ca.gov

Sincerely,

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

RICHARD B. MOORE, PLS
Executive Officer

cc Assembly Business and Professions Committee
David Fogt, Registrar for Contractors State License Board
Laura Zuniga, Executive Officer for California Architects Board

ASSEMBLY THIRD READING

AB 1341 (Hoover)

As Amended April 23, 2025

Majority vote

SUMMARY

Specifies that the unlicensed practice of architecture, engineering, land surveying, geography or geophysics by a licensed contractor constitutes cause for disciplinary action by the Contractors State License Board (CSLB or board).

Major Provisions

Identifies provisions of the Architects Practice Act, Professional Engineers Act, Professional Land Surveyors' Act, and the Geologist and Geophysicist Act as building laws of the state, which willful and deliberate disregard of constitutes a cause for disciplinary action against a licensee of the CSLB.

COMMENTS

Contractors State License Board. The CSLB is responsible for the implementation and enforcement of the License Law, which governs the licensure, practice, and discipline of contractors in California. A license is required for construction projects valued at \$1,000 or more, including labor and materials. The CSLB issues licenses to business entities and sole proprietors. Each license requires a qualifying individual (a "qualifier") who satisfies the experience and examination requirements for licensure and directly supervises and controls construction work performed under the license.

The CSLB is authorized to take disciplinary action against licensed and unlicensed contractors who have violated the License Law (but not other professional practice acts) and is empowered to use an escalating scale of penalties, ranging from citations and fines (referred to as civil penalties) to license suspension and revocation. Willful and deliberate disregard for the building laws of the state, or of a local jurisdiction, is ground for disciplinary action by the board. However, "building laws of the state" is undefined. This bill would expressly authorize the CSLB to take disciplinary action against a licensed contractor for the unlicensed practice of architecture, engineering, or land surveying, which is a violation of the respective practice acts for those professions.

Unlicensed Practice of Land Surveying. In 2019, the Board of Professional Engineers, Land Surveyors, and Geologists (BPELSG) reported that it had witnessed a spike in unlicensed activity, largely stemming from the advancement and democratization of technologies (I.e. Global Positioning System (GPS) and Ground Penetrating Radar (GPR) used to render land surveying and geophysical services. At the time, the BPELSG reported that the concern was not so much that laypersons were utilizing these tools, but that unlicensed individuals were interpreting resulting data and making subsequent recommendations, which constitute the practice of land surveying and geophysics in California. The Board reported conducting outreach at industry events and formed a relationship with the California Facilities Safe Excavation Board. However, the Board continues to receive complaints about unlicensed activity and encounter businesses with no knowledge of the state's licensing requirements. Professional stakeholders contend that certain entities—such as public agencies, developers, and contractors—often

perform activities that technically constitute licensed land surveying or civil engineering within their wider scope of work on a project.

In its 2023-24 Sunset Review Report, the BPELSG stated that it is currently seeking ways to enhance the effectiveness of its Enforcement Unit in addressing complaints related to unlicensed practice. While administrative citations are useful for public disclosure, they are often not effective in motivating violators to actually cease activity. The internet is increasingly used for advertising these unlicensed services, complicating enforcement. Additionally, businesses that may be licensed under other the Department of Consumer Affairs (DCA) entities, such as CSLB licensees, can often absorb the cost of administrative fines related to unlicensed land surveying or civil engineering activity with otherwise minimal impact on their professional licensure. While the Board has authority, through administrative citation, to order individuals advertising in phone directories to disconnect telephone services regulated by the Public Utilities Commission (PUC), many unlicensed individuals operate through mobile telephone services, which are not regulated by the PUC. The Board states they are exploring new strategies, such as collaborating with online platforms to educate users about licensure requirements and remove illegal listings.

Throughout the BPELSG's 2024 Sunset Review process, sponsors of this legislation worked with this Committee, and the Senate Committee on Business, Professions, and Economic Development to explore additional ways that Board staff might better combat unlicensed activity and uplift responsible actors, including the potential for increased and additional fines. These discussions resulted in substantive reforms that were contained in the AB 3252 (Berman, Chapter 558, Statutes of 2024), including expanding prohibitions related to the impersonation of a licensed engineer, land surveyor or geologist to also include the false use of "in-training" titles, requiring licensees to disclose the existence of professional liability insurance coverage in all client contracts, and additional business disclosure requirements to increase transparency. Nevertheless, meaningful enforcement against unlicensed activity by the BPELSG—particularly by businesses that are otherwise licensed by another state entity—remains difficult.

Considering that a large number of complaints related to unlicensed activity involve individuals or businesses licensed by the CSLB, the sponsors have put forward this legislation to provide an additional tool for state regulators to deter unlicensed land surveying and civil engineering activity. Under this bill, through clarifying what "building laws of the state" mean for purposes of enforcement, CSLB licensees can be disciplined for willful violation of engineering, land surveying, or architecture licensing requirements.

According to the Author

"It is the responsibility of the state to ensure that those who practice land surveying, engineering, and architecture have received the appropriate license and training. Industry experts have identified a rise in the unlicensed practice of these disciplines among contractors. Existing law already charges the Contractors' State License Board with disciplining contractors for violations of the state building laws. AB 1341 simply clarifies that the unlicensed practice of land surveying, engineering, and architecture are included as violations of the state building laws. Ensuring the integrity of these disciplines not only protects consumers but also promotes fairness among each profession."

Arguments in Support

As co-sponsors of this bill, the *California Land Surveyors Association*, the *California and Nevada Civil Engineers and Land Surveyors Association*, the *American Council of Engineering Companies of California*, and the *American Institute of Architects California* write in support:

"The work performed by land surveyors includes the setting of legal property boundaries and locating with high precision the geospatial location of fixed works in the context of construction and engineering design and is therefore critical to the integrity of engineering design and the construction or modification of any building or infrastructure in the state.

[The Board for Professional Engineers, Land Surveyors, and Geologists (BPELSG)] skillfully establishes training requirements and oversees the competence and performance of its licensees. Most enforcement actions pursued by BPELSG are related to the conduct of a licensee, but there is an unfortunate and sustained increase in the amount of unlicensed land surveying. The advancement of technologies such as the Global Positioning System (GPS) and Ground Penetrating Radar (GPR) are used by laypersons to perform unlicensed land surveying services. While these tools can be used in a variety of productive ways by licensed land surveyors, they are often inconsistent and inaccurate when used by laypersons.

[...]

While the Board can easily enforce standards of practice against licensees, it has inadequate tools to enforce against those who ignore the licensing requirement entirely. This not only puts the public at risk and causes cost overruns for public agencies, but it harms the licensees who are appropriately trained, pay their licensing fees, and dedicate themselves to meeting the professional standards imposed by the state. These problems are well documented in the last few sunset review processes for BPELSG."

Arguments in Opposition

There is no opposition on file.

FISCAL COMMENTS

According to the Assembly Appropriations Committee:

- 1) CSLB's Enforcement Division anticipates any additional workload to be relatively small (less than 20 referrals a year) and absorbable.

CSLB indicates referrals resulting from this bill would require similar workload to what is currently needed to support a disciplinary action for a finding of unlicensed architecture or land surveying by a CSLB licensee. Such disciplinary actions take about 15 hours each, and the work is performed by the Special Investigator classification. CSLB estimates the total cost for referrals resulting from this bill is approximately \$21,000 (300 hours x \$70 per hour with benefits), assuming 20 referrals.

- 2) The Board for Professional Engineers, Land Surveyors, and Geologists (BPELSG) anticipates negligible costs. BPELSG would share any documentation of violations with CSLB and estimates referring 10 to 20 cases per year to CSLB.

- 3) The California Architects Board (CAB) anticipates negligible costs, and possible minor savings. CAB currently receives around 10 cases per year forwarded directly from CSLB. CAB anticipates receiving 10 fewer cases per year since CSLB would discipline unlicensed activity themselves.

VOTES

ASM BUSINESS AND PROFESSIONS: 18-0-0

YES: Berman, Flora, Ahrens, Alanis, Bains, Bauer-Kahan, Caloza, Chen, Elhawary, Hadwick, Haney, Irwin, Jackson, Krell, Lowenthal, Macedo, Nguyen, Pellerin

ASM APPROPRIATIONS: 14-0-1

YES: Wicks, Sanchez, Arambula, Calderon, Caloza, Dixon, Elhawary, Fong, Mark González, Hart, Pacheco, Solache, Ta, Alanis

ABS, ABST OR NV: Pellerin

UPDATED

VERSION: April 23, 2025

CONSULTANT: Kaitlin Curry / Edward Franco / B. & P. / (916) 319-3301

FN: 0000311

AMENDED IN ASSEMBLY MAY 7, 2025
AMENDED IN ASSEMBLY APRIL 23, 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 7110 of the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL’S DIGEST

AB 1341, as amended, Hoover. Contractors: discipline: building law violations.

Existing law, the ~~Contractors’~~ *Contractors* State License Law, establishes the ~~Contractors’~~ *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 related to the practice and unlicensed practice of architecture, *landscape architecture*, engineering, geology or geophysics, 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.

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

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

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

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

(1) Section 8550 or 8556.

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

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

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

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

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

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

(8) Any state or local law relating to the issuance of building permits.

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

(1) Section 5536, subdivision (c) of Section 5536.1, and Section 5536.4.

(2) *Section 5640.*

~~(2)~~

(3) Section 6787.

~~(3)~~

(4) Section 7872.

~~(4)~~

(5) Section 8792.

O

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

Status/History: 4/29/2025 – Referred to Committee on Appropriations

Location: 4/29/2025 – Passed Judiciary and referred to Appropriations

Introduced: 2/19/2025

Amended: 4/10/2025

Board Position: Support at April 3, 2025 Board meeting

Board Staff Analysis: 5/20/2025

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: 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.

5/20/2025 Updated Staff Comments: This proposed language was amended by Judiciary Committee to include a new sunset date of January 1, 2030.

Staff Recommendation:

Staff recommends the Board take a Support position on SB 470 as amended April 10, 2025

AMENDED IN SENATE APRIL 10, 2025

SENATE BILL

No. 470

Introduced by Senator Laird

February 19, 2025

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

LEGISLATIVE COUNSEL'S DIGEST

SB 470, as amended, 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.~~ *instead repeal these provisions on January 1, 2030.*

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~~ *The act* 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.~~ *instead repeal these provisions on January 1, 2030.*

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.~~ *instead make these provisions operative on January 1, 2030.*

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

1 meeting, remotely address the body, or attend the meeting by
2 providing on the posted agenda a teleconference telephone number,
3 an internet website or other online platform, and a physical address
4 for each teleconference location. The telephonic or online means
5 provided to the public to access the meeting shall be equivalent to
6 the telephonic or online means provided to a member of the state
7 body participating remotely.

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

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

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

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

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

28 (f) (1) The agenda shall provide an opportunity for members
29 of the public to address the state body directly pursuant to Section
30 11125.7.

31 (2) Members of the public shall be entitled to exercise their right
32 to directly address the state body during the teleconferenced
33 meeting without being required to submit public comments before
34 the meeting or in writing.

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

37 (h) This section does not affect the requirement prescribed by
38 this article that the state body post an agenda of a meeting in
39 accordance with the applicable notice requirements of this article,
40 including Section 11125, requiring the state body to post an agenda

1 of a meeting at least 10 days in advance of the meeting, Section
2 11125.4, applicable to special meetings, and Sections 11125.5 and
3 11125.6, applicable to emergency meetings.

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

6 (j) (1) Except as provided in paragraph (2), a majority of the
7 members of the state body shall be physically present at the same
8 teleconference location. Additional members of the state body in
9 excess of a majority of the members may attend and participate in
10 the meeting from a remote location. A remote location is not
11 required to be accessible to the public. The notice and agenda shall
12 not disclose information regarding a remote location.

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

16 (A) The member has a need related to a physical or mental
17 disability, as those terms are defined in Sections 12926 and
18 12926.1, that is not otherwise reasonably accommodated pursuant
19 to the federal Americans with Disability Act of 1990 (42 U.S.C.
20 Sec. 12101 et seq.).

21 (B) The member notifies the state body at the earliest
22 opportunity possible, including at the start of a meeting, of their
23 need to participate remotely, including providing a general
24 description of the circumstances relating to their need to participate
25 remotely at the given meeting.

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

37 (4) If a member of the state body attends the meeting by
38 teleconference from a remote location, the member shall disclose
39 whether any other individuals 18 years of age or older are present

1 in the room at the remote location with the member, and the general
2 nature of the member's relationship with any such individuals.

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

7 (2) The visual appearance of a member of the state body on
8 camera may cease only when the appearance would be
9 technologically impracticable, including, but not limited to, when
10 the member experiences a lack of reliable broadband or internet
11 connectivity that would be remedied by joining without video, or
12 when the visual display of meeting materials, information, or
13 speakers on the internet or other online platform requires the visual
14 appearance of a member of a state body on camera to cease.

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

19 (l) All votes taken during the teleconferenced meeting shall be
20 by rollcall.

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

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

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

1

(p) *This section shall remain in effect only until January 1, 2030,*
2 *and as of that date is repealed.*

3 SEC. 2. Section 11123.5 of the Government Code, as amended
4 by Section 2 of Chapter 216 of the Statutes of 2023, is amended
5 to read:

6 11123.5. (a) For purposes of this section, the following
7 definitions apply:

8 (1) “Participate remotely” means participation in a meeting at
9 a location other than the physical location designated in the agenda
10 of the meeting.

11 (2) “Remote location” means a location other than the primary
12 physical location designated in the agenda of a meeting.

13 (3) “Teleconference” has the same meaning as in Section 11123.

14 (b) In addition to the authorization to hold a meeting by
15 teleconference pursuant to subdivision (b) of Section 11123 or
16 Section 11123.2, any state body that is an advisory board, advisory
17 commission, advisory committee, advisory subcommittee, or
18 similar multimember advisory body may hold an open meeting by
19 teleconference as described in this section, provided the meeting
20 complies with all of the section’s requirements and, except as set
21 forth in this section, it also complies with all other applicable
22 requirements of this article.

23 (c) A member of a state body as described in subdivision (b)
24 who participates in a teleconference meeting from a remote location
25 subject to this section’s requirements shall be listed in the minutes
26 of the meeting.

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

37 (e) This section does not affect the requirement prescribed by
38 this article that the state body post an agenda of a meeting at least
39 10 days in advance of the meeting. The agenda shall include
40 information regarding the physical meeting location designated

1 pursuant to subdivision (f), but is not required to disclose
2 information regarding any remote location.

3 (f) A state body described in subdivision (b) shall designate the
4 primary physical meeting location in the notice of the meeting
5 where members of the public may physically attend the meeting,
6 observe and hear the meeting, and participate. At least one staff
7 member of the state body shall be present at the primary physical
8 meeting location during the meeting. The state body shall post the
9 agenda at the primary physical meeting location, but need not post
10 the agenda at a remote location.

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

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

25 (2) The visual appearance of a member of a state body on camera
26 may cease only when the appearance would be technologically
27 impracticable, including, but not limited to, when the member
28 experiences a lack of reliable broadband or internet connectivity
29 that would be remedied by joining without video, or when the
30 visual display of meeting materials, information, or speakers on
31 the internet or other online platform requires the visual appearance
32 of a member of a state body on camera to cease.

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

36 (i) Upon discovering that a means of remote access required by
37 subdivision (g) has failed during a meeting, the state body
38 described in subdivision (b) shall end or adjourn the meeting in
39 accordance with Section 11128.5. In addition to any other
40 requirements that may apply, the state body shall provide notice

1 of the meeting's end or adjournment on its internet website and
 2 by email to any person who has requested notice of meetings of
 3 the state body under this article. If the meeting will be adjourned
 4 and reconvened on the same day, further notice shall be provided
 5 by an automated message on a telephone line posted on the state
 6 body's agenda, or by a similar means, that will communicate when
 7 the state body intends to reconvene the meeting and how a member
 8 of the public may hear audio of the meeting or observe the meeting.

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

12 (k) *This section shall remain in effect only until January 1, 2030,*
 13 *and as of that date is repealed.*

14 ~~SEC. 3. Section 11123.5 of the Government Code, as added~~
 15 ~~by Section 3 of Chapter 216 of the Statutes of 2023, is repealed.~~

16 *SEC. 3. Section 11123.5 of the Government Code, as added*
 17 *by Section 3 of Chapter 216 of the Statutes of 2023, is amended*
 18 *to read:*

19 11123.5. (a) In addition to the authorization to hold a meeting
 20 by teleconference pursuant to subdivision (b) of Section 11123,
 21 any state body that is an advisory board, advisory commission,
 22 advisory committee, advisory subcommittee, or similar
 23 multimember advisory body may hold an open meeting by
 24 teleconference as described in this section, provided the meeting
 25 complies with all of the section's requirements and, except as set
 26 forth in this section, it also complies with all other applicable
 27 requirements of this article.

28 (b) A member of a state body as described in subdivision (a)
 29 who participates in a teleconference meeting from a remote location
 30 subject to this section's requirements shall be listed in the minutes
 31 of the meeting.

32 (c) The state body shall provide notice to the public at least 24
 33 hours before the meeting that identifies any member who will
 34 participate remotely by posting the notice on its internet website
 35 and by emailing notice to any person who has requested notice of
 36 meetings of the state body under this article. The location of a
 37 member of a state body who will participate remotely is not
 38 required to be disclosed in the public notice or email and need not
 39 be accessible to the public. The notice of the meeting shall also

1 identify the primary physical meeting location designated pursuant
2 to subdivision (e).

3 (d) This section does not affect the requirement prescribed by
4 this article that the state body post an agenda of a meeting at least
5 10 days in advance of the meeting. The agenda shall include
6 information regarding the physical meeting location designated
7 pursuant to subdivision (e), but is not required to disclose
8 information regarding any remote location.

9 (e) A state body described in subdivision (a) shall designate the
10 primary physical meeting location in the notice of the meeting
11 where members of the public may physically attend the meeting
12 and participate. A quorum of the members of the state body shall
13 be in attendance at the primary physical meeting location, and
14 members of the state body participating remotely shall not count
15 towards establishing a quorum. All decisions taken during a
16 meeting by teleconference shall be by rollcall vote. The state body
17 shall post the agenda at the primary physical meeting location, but
18 need not post the agenda at a remote location.

19 (f) When a member of a state body described in subdivision (a)
20 participates remotely in a meeting subject to this section's
21 requirements, the state body shall provide a means by which the
22 public may remotely hear audio of the meeting or remotely observe
23 the meeting, including, if available, equal access equivalent to
24 members of the state body participating remotely. The applicable
25 teleconference phone number or internet website, or other
26 information indicating how the public can access the meeting
27 remotely, shall be in the 24-hour notice described in subdivision
28 (a) that is available to the public.

29 (g) Upon discovering that a means of remote access required
30 by subdivision (f) has failed during a meeting, the state body
31 described in subdivision (a) 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 (h) For purposes of this section:

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

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

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

10 (i) This section does not limit or affect the ability of a state body
11 to hold a teleconference meeting under another provision of this
12 article.

13 (j) This section shall become operative on January 1, ~~2026~~.
14 2030.

15 SEC. 4. The Legislature finds and declares that Section 1 of
16 this act, which amends Section 11123.2 of the Government Code,
17 and Sections 2 and 3 of this act, which amend and repeal Section
18 11123.5 of the Government Code, modify the public's right of
19 access to the meetings of public bodies or the writings of public
20 officials and agencies within the meaning of Section 3 of Article
21 I of the California Constitution. Pursuant to that constitutional
22 provision, the Legislature makes the following findings to
23 demonstrate the interest protected by this limitation and the need
24 for protecting that interest:

25 (a) By continuing to ensure that agendas are not required to be
26 posted at, and that agendas and notices do not disclose information
27 regarding, the location of each public official participating in a
28 public meeting remotely, including from the member's private
29 home or hotel room, this act protects the personal, private
30 information of public officials and their families while preserving
31 the public's right to access information concerning the conduct of
32 the people's business.

33 (b) During the COVID-19 public health emergency, audio and
34 video teleconference were widely used to conduct public meetings
35 in lieu of physical location meetings, and those public meetings
36 have been productive, increased public participation by all
37 members of the public regardless of their location and ability to
38 travel to physical meeting locations, increased the pool of people
39 who are able to serve on these bodies, protected the health and
40 safety of civil servants and the public, and have reduced travel

- 1 costs incurred by members of state bodies and reduced work hours
- 2 spent traveling to and from meetings.
- 3 (c) Conducting audio and video teleconference meetings
- 4 enhances public participation and the public's right of access to
- 5 meetings of the public bodies by improving access for individuals
- 6 who often face barriers to physical attendance.

O

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

Status/History: 5/16/2025 – Referred to Senate Committee on Appropriations

Location: 5/16/2025 – In Committee; set for hearing May 23

Introduced: 2/19/2025

Amended: 4/07/2025; 4/10/2025; 4/24/2025

Board Position: Watch from April 3, 2023 Board meeting

Board Staff Analysis: 5/20/2025

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.

5/20/2025 Updated Staff Comments: Multiple amendments to this proposal occurred while in review by Judiciary Committee which are primarily clarified under which agency the Bureau would be created (Department of Justice) and how the Bureau would perform its many operational functions, which include determining the status of a descendant of an enslaved person for the purposes of applying for a license. The most recent analysis from Appropriations tends towards concerns related to the overall cost to establish and maintain a new regulatory entity.

Staff Recommendation:

Staff recommends the Board take a Watch position on SB 518 as amended April 24, 2025.

SENATE COMMITTEE ON APPROPRIATIONS

Senator Anna Caballero, Chair
2025 - 2026 Regular Session

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

Version: April 24, 2025

Urgency: No

Hearing Date: May 5, 2025

Policy Vote: JUD. 11 - 2

Mandate: Yes

Consultant: Liah Burnley

Bill Summary: SB 518 establishes the Bureau for Descendants of American Slavery within the Department of Justice (DOJ).

Fiscal Impact:

- Unknown, ongoing annual costs likely in the millions of dollars (General Fund) to establish and operate the Bureau. Costs include support staff as well as operating expenses, office space, and equipment for agency staff, and per diem and travel reimbursement costs for staff. By way of comparison, the Commission on Asian and Pacific Islander American Affairs, created in 2002, advises the Governor and the Legislature on how to best respond to views, needs, and concerns of the state's diverse and complex APIA communities and provides assistance to policymakers, state agencies, departments, and commissions to develop appropriate responses and programs that meet the needs of APIA communities, including focus on cultural language sensitivity, and hate incident and hate crime prevention measures. The Governor's proposed budget for the commission for 2024-25 was \$675,000. If the agency created by this bill has a similar scope, its budget may be similar.
- Unknown, potentially significant cost to the state funded trial court system (Trial Court Trust Fund, General Fund) to adjudicate disputes regarding compensation and title to properties as a result of this bill. The fiscal impact of this bill to the courts will depend on many unknown factors unique to each case. An eight-hour court day costs approximately \$10,500 in staff in workload. If court days exceed 10, costs to the trial courts could reach hundreds of thousands of dollars. In 2023–24, over 4.8 million cases were filed statewide in the superior courts. While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund to fund additional staff and resources and to increase the amount appropriated to backfill for trial court operations. The Governor's 2025-26 budget proposes a \$40 million ongoing increase in discretionary funding from the General Fund to help pay for increased trial court operation costs beginning in 2025-26.
- Unknown potentially significant costs (General Fund, local funds) to state and local agencies to provide compensation and or property as reparations as required by this bill.

Background: In 2020, the Legislature passed, and the Governor signed, SB 3121 (Weber, Ch. 319, Stats. 2020), which established the first-in-the nation 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) to study and develop reparations proposals for California's role in accommodating and facilitating slavery, perpetuating the vestiges of enslavement, enforcing state-sanctioned discrimination, and permitting pervasive, systematic structures of discrimination against African Americans. The Task Force completed its work and issued its final report in 2023. The report contains a number of recommended remedies the state could implement in order to atone for its decades of state-sanctioned white supremacy. This bill is intended to implement two of the Task Force's recommendations, by establishing the Bureau for Descendants of American Slavery to oversee reparations programs, including by establishing a method for determining how a person can establish their status as a descendant eligible for reparations.

Proposed Law:

- Establishes the Bureau for Descendants of American Slavery within the DOJ. The bureau shall be under the direct control of a director who shall be responsible to the Attorney General. The bureau shall establish a mission statement consistent with the recommendations from the former 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. As part of its duties, the bureau shall determine how an individual's status as a descendant shall be confirmed. Proof of an individual's descendent status shall be a qualifying criterion for benefits authorized by the state for descendants. To accomplish these goals, the bureau shall include all of the following divisions:
 - A Genealogy Division to establish a process to certify descendants of American slaves; create a method for eligible individuals to submit claims and receive compensation or restitution for those particular harms California inflicted upon the claimant or their family; and, establish an equitable alternative qualifying criterion for benefits for descendants authorized by the state in cases where an individual's status as a descendant cannot be confirmed or proven.
 - An Education and Outreach Division to develop and implement a public education campaign regarding the cycle of gentrification, displacement, and exclusion; the connection between redlining and gentrification; and the history of discriminatory urban planning in California.
 - A Legal Affairs Division to do all of the following: Provide legal advice, counsel, and services to the bureau and its officials. Ensure that the bureau's programs are administered in accordance with applicable legislative authority. Advise the head of the bureau on legislative, legal, and regulatory initiatives. Serve as an external liaison on legal matters with other state agencies and other entities. Conduct a review of past and current laws, as well as proposed legislation, to determine whether those measures have caused, are causing, or may continue to cause harm. The division shall provide recommendations to mitigate or eliminate any harm identified in its review.

- A Property Reclamation Division to research and document California state properties acquired as a result of racially-motivated eminent domain, including properties that no longer exist due to state highway construction or other development; create a database of property ownership in the state identifying properties acquired through racially motivated eminent domain or other discriminatory government action; and review and investigate public complaints from people who claim their property was taken without just compensation, pursuant to Article 2 (commencing with Section 15215); and, address cases where individuals experienced harm due to the policies and practices of state and local agencies. Upon appropriation by the Legislature, Property Reclamation Division do all of the following:
 - Accept applications from persons who claim they are the dispossessed owner.
 - Review and investigate applications.
 - As part of its review, the division may request submission of additional information supporting the application that is reasonably necessary to verify the application, determine whether the applicant is a dispossessed owner, including determining whether the taking was racially motivated. If the division makes a request for additional documentation, it shall communicate that request to the applicant with a notice of the additional information required. The division shall consider any additional information provided by the applicant within 30 days of receipt.
 - After reviewing all of the relevant materials, determine whether the applicant is a dispossessed owner.
 - If the division determines that an applicant has established that they are a dispossessed owner pursuant to subdivision (c), the division shall determine all of the following:
 - The present day fair market value of the property that was taken as a result of racially motivated eminent domain.
 - The specific state or local public entity that took the property, or its successor.
 - Whether issuing property or just compensation to that dispossessed owner would serve to redress past acts of racial discrimination, prevent future acts of racial discrimination, and benefit the whole of the community and its general welfare.
 - If the division determines that issuing property or just compensation to the dispossessed owner is warranted, the division shall certify that the dispossessed owner is entitled to compensation, as follows:
 - If the taken property is still in the possession of the public entity that took the property, the division shall determine whether the

dispossessed owner should be compensated through the return of the taken property. In making this determination, the division shall consider whether the property's current use or zoning make it impractical to return the property and whether the condition of the property or its surrounding environment would make the return of the property inequitable.

- If the taken property is no longer in the possession of the public entity that took the property or the division determines that the dispossessed owner should not be compensated through the return of the taken property, the division shall solicit from the state or local entity, as applicable, a list of recommendations of publicly held properties that are suitable as compensation and shall determine whether the dispossessed owner should be compensated through the grant of title to one of the recommended publicly held properties.
- If the division determines that the dispossessed owner should not be compensated through either the return of the taken property or the grant of title to a publicly held property, the division shall certify that the dispossessed owner is entitled to financial compensation equal to the fair market value less any amount paid for the property at the time of the taking as adjusted for inflation.
 - If the division determines that an applicant is not a dispossessed owner or that issuing property or just compensation is not warranted, the division shall notify the applicant of its finding. The applicant may appeal the determination within 60 days of receiving the notice and provide additional information to support their claim. The division shall consider the appeal and any new information provided and issue a determination on the appeal within 120 days.
 - A person who receives a certification from the division may present the certification to the specific state or local public entity identified by the division and the state public entity, upon appropriation, or the local public entity may provide to the person the property or monetary compensation identified in the certification.
- If the state or local entity that took property by racially motivated eminent domain does not provide compensation in accordance with the division's certification, the dispossessed owner may bring a claim for compensation under the Government Claims Act. The person bringing the claim may assert any legal basis for return of the property or compensation that would have been available to the property owner at the time of the taking. The determination of the division shall not be binding upon the court. A claim brought pursuant to this section shall not be subject to the statute of limitations.
- Every finding, decision, determination, or other official act of the bureau is subject to judicial review in accordance with existing law.

- Defines the following:
 - “Descendants” means descendants of an African American chattel enslaved person in the United States, or descendants of a free Black person living in the United States prior to the end of the 19th century.
 - “Racially motivated eminent domain” means when the state, county, city, city and county, district, or other political subdivision of the state acquires private property for public use and does not distribute just compensation to the owner at the time of the acquisition, and the acquisition or the failure to provide just compensation was due, in whole or in part, to the owner’s ethnicity or race.
 - “Dispossessed owner” means a person who has had property taken from them as a result of racially motivated eminent domain or a direct descendant of the person whose property was taken.
 - “Publicly held property” means property that is owned by the state or by the local agency that took possession of the property that is the subject of an application submitted pursuant to this article.

Related Legislation: SB 437 (Weber-Pierson) requires the Director of Finance to allocate \$6,000,000, as specified, for the purpose of enabling the California State University to conduct research to explore options to determine how to confirm an individual’s status as a descendant and descendant. SB 437 is pending in this Committee.

-- END --

AMENDED IN SENATE APRIL 24, 2025

AMENDED IN SENATE APRIL 10, 2025

AMENDED IN SENATE APRIL 7, 2025

SENATE BILL

No. 518

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 15002.5 of, and to add Chapter 4 (commencing with Section 15210) to Part 6 of Division 3 of Title 2 of, the Government Code, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

SB 518, as amended, 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 the Department of Justice, under the control of the director, who would be appointed by the Attorney General 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. The bill would, upon appropriation, impose specified duties on the Property Reclamation Division to accept, review, and investigate applications, to determine whether an applicant is a dispossessed owner, and, if so, to determine whether and what type of property or just compensation is warranted, as defined and specified. In this regard, the bill would require a local entity, upon a determination that issuing property or just compensation is warranted, to recommend publicly held properties suitable as ~~compensation and to provide compensation in accordance with the division's determination.~~ By imposing new duties on local entities, this bill would impose a state-mandated local program.

This bill would authorize the state or local entity that took the property to provide compensation in accordance with the division's determination. The bill would make this authorization on state entities subject to appropriation. If the state or local entity does not provide compensation, the bill would authorize a dispossessed owner to bring a claim for compensation and to assert any legal claim that would have been available to the property owner at the time of the taking.

This bill would include findings and declarations relating to a gift of public funds.

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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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

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

SECTION 1. Section 15002.5 of the Government Code is amended to read:

15002.5. Except as provided in Chapter 4 (commencing with Section 15210), the Attorney General may arrange and classify the work of the Department of Justice, and consolidate, abolish, or create divisions, bureaus, branches, sections, or units within the department. Any statutory or other reference to the Office of the Attorney General, the State Bureau of Criminal Identification and Investigation, the Division of Law Enforcement, or the Bureau of Gambling Control shall be construed to refer to the division, bureau, branch, section, or unit within the department which is performing the functions referred to; and no such function shall be abolished without express statutory authority.

SEC. 2. Chapter 4 (commencing with Section 15210) is added to Part 6 of Division 3 of Title 2 of the Government Code, to read:

CHAPTER 4. BUREAU FOR DESCENDANTS OF AMERICAN SLAVERY

Article 1. General

15210. (a) It is the intent of the Legislature in establishing the bureau to establish an initial framework and it is the intent of the Legislature that the scope and responsibilities of the bureau may expand as necessary to fulfill its mission and address additional harms as identified.

(b) It is the intent of the Legislature that, as the bureau expands its scope in the future, it shall also advise on reparative remedies ~~for the African American community~~ to address the lasting harms of disenfranchisement, segregation, discrimination, exclusion neglect, violence, and the persistent consequences of this ~~legacy~~. *legacy that impacts both descendants and nondescendants.*

15211. For purposes of this chapter:

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

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

1 (c) "Director" means the Director of the Bureau for Descendants
2 of American Slavery.

3 (d) "Racially motivated eminent domain" means when the state,
4 county, city, city and county, district, or other political subdivision
5 of the state acquires private property for public use and does not
6 distribute just compensation to the owner at the time of the
7 acquisition, and the acquisition or the failure to provide just
8 compensation was due, in whole or in part, to the owner's ethnicity
9 or race.

10 15212. (a) Notwithstanding Section 15002.5, the Bureau for
11 Descendants of American Slavery is hereby established within the
12 Department of Justice. The bureau shall be under the direct control
13 of a director who shall be responsible to the Attorney General.

14 (b) The director shall be appointed by the Attorney General and
15 confirmed by the Senate, and shall perform all duties, exercise all
16 powers, assume and discharge all responsibilities, and carry out
17 and effect all purposes vested by law in the bureau.

18 (c) The salary of the director shall be fixed pursuant to Section
19 12502.

20 (d) The bureau shall establish a mission statement consistent
21 with the recommendations from the former Task Force to Study
22 and Develop Reparation Proposals for African Americans, with a
23 Special Consideration for African Americans Who are Descendants
24 of Persons Enslaved in the United States.

25 15213. As part of its duties, the bureau shall determine how
26 an individual's status as a descendant shall be confirmed. Proof
27 of an individual's descendent status shall be a qualifying criterion
28 for benefits authorized by the state for descendants. To accomplish
29 these goals, the bureau shall include all of the following divisions:

30 (a) A Genealogy Division to do all of the following:

31 (1) Establish a process to certify descendants of American
32 slaves.

33 (2) Create a method for eligible individuals to submit claims
34 and receive compensation or restitution for those particular harms
35 California inflicted upon the claimant or their family.

36 (3) Establish an equitable alternative qualifying criterion for
37 benefits for descendants authorized by the state in cases where an
38 individual's status as a descendant cannot be confirmed or proven.

39 (b) A Property Reclamation Division to do all of the following:

1 (1) Research and document California state properties acquired
2 as a result of racially-motivated eminent domain, including
3 properties that no longer exist due to state highway construction
4 or other development.

5 (2) Create a database of property ownership in the state
6 identifying properties acquired through racially motivated eminent
7 domain or other discriminatory government action.

8 (3) Review and investigate public complaints from people who
9 claim their property was taken without just compensation, pursuant
10 to Article 2 (commencing with Section 15215).

11 ~~(4) Upon appropriation, distribute just compensation for the fair~~
12 ~~market value, adjusted for property price appreciation, of the~~
13 ~~property at the time of the taking, pursuant to Article 2~~
14 ~~(commencing with Section 15215).~~

15 ~~(5)–~~

16 (4) Address cases where individuals experienced harm due to
17 the policies and practices of state and local agencies.

18 (c) An Education and Outreach Division to develop and
19 implement a public education campaign regarding the cycle of
20 gentrification, displacement, and exclusion; the connection between
21 redlining and gentrification; and the history of discriminatory urban
22 planning in California.

23 (d) A Legal Affairs Division to do all of the following:

24 (1) Provide legal advice, counsel, and services to the bureau
25 and its officials.

26 (2) Ensure that the bureau's programs are administered in
27 accordance with applicable legislative authority.

28 (3) Advise the head of the bureau on legislative, legal, and
29 regulatory initiatives.

30 (4) Serve as an external liaison on legal matters with other state
31 agencies and other entities.

32 (5) Conduct a review of past and current laws, as well as
33 proposed legislation, to determine whether those measures have
34 caused, are causing, or may continue to cause harm. The division
35 shall provide recommendations to mitigate or eliminate any harm
36 identified in its review.

Article 2. Property Reclamation Division

15215. (a) The Legislature finds and declares that it is in the public interest to compensate victims of racially motivated eminent domain, which deprived citizens of just compensation for their property due to racially discriminatory motives. The unjust taking of land without fair compensation destroyed communities, forced many from their historical neighborhoods, deprived those persons of the fair value of their property, and, in many cases, prevented the accumulation of generational wealth. Providing compensation to these victims of racial discrimination will restore the value of wrongfully taken property to dispossessed owners and hold government entities responsible for those wrongful discriminatory acts.

(b) This article shall govern the procedure by which dispossessed owners and their descendants may seek a determination that they were the victims of racially motivated eminent domain and seek the return of the taken property, other property of equal value, or financial compensation.

15216. For purposes of this article, the following definitions apply:

(a) “Dispossessed owner” means a person who has had property taken from them as a result of racially motivated eminent domain or a direct descendant of the person whose property was taken.

(b) “Publicly held property” means property that is owned by the state or by the local agency that took possession of the property that is the subject of an application submitted pursuant to this article.

15217. Upon appropriation by the Legislature, the Property Reclamation Division within the Bureau for Descendants of American Slavery shall do all of the following:

(a) Accept applications from persons who claim they are the dispossessed owner.

(b) (1) Review and investigate applications submitted under subdivision (a).

(2) As part of its review, the division may request submission of additional information supporting the application that is reasonably necessary to verify the application, determine whether the applicant is a dispossessed owner, including determining whether the taking was racially motivated. If the division makes

1 a request for additional documentation, it shall communicate that
 2 request to the applicant with a notice of the additional information
 3 required. The division shall consider any additional information
 4 provided by the applicant within 30 days of receipt.

5 (c) After reviewing all of the relevant materials, determine
 6 whether the applicant is a dispossessed owner.

7 (d) If the division determines that an applicant has established
 8 that they are a dispossessed owner pursuant to subdivision (c), the
 9 division shall determine ~~both~~ *all* of the following:

10 (1) The present day fair market value of the property that was
 11 taken as a result of racially motivated eminent domain.

12 (2) *The specific state or local public entity that took the property,*
 13 *or its successor.*

14 ~~(2)~~

15 (3) Whether issuing property or just compensation to that
 16 dispossessed owner would serve to redress past acts of racial
 17 discrimination, prevent future acts of racial discrimination, and
 18 benefit the whole of the community and its general welfare.

19 (e) If the division determines that issuing property or just
 20 compensation to the dispossessed owner is warranted pursuant to
 21 paragraph ~~(2)~~ (3) of subdivision (d), the division shall certify that
 22 the dispossessed owner is entitled to ~~one of the following:~~
 23 *compensation, as follows:*

24 (1) If the taken property is still in the possession of the public
 25 entity that took the property, ~~the return of the taken property.~~
 26 *division shall determine whether the dispossessed owner should*
 27 *be compensated through the return of the taken property or*
 28 *pursuant to paragraph (2) or (3). In making this determination,*
 29 *the division shall consider whether the property's current use or*
 30 *zoning make it impractical to return the property and whether the*
 31 *condition of the property or its surrounding environment would*
 32 *make the return of the property inequitable.*

33 (2) If the taken property is no longer in the possession of the
 34 public entity that took the ~~property,~~ *property or the division*
 35 *determines that the dispossessed owner should not be compensated*
 36 *through the return of the taken property pursuant to paragraph*
 37 *(1), the division shall solicit from the state or local entity, as*
 38 *applicable, a list of recommendations of publicly held properties*
 39 *that are suitable as compensation and select a publicly held property*
 40 *as compensation. shall determine whether the dispossessed owner*

1 *should be compensated through the grant of title to one of the*
 2 *recommended publicly held properties or pursuant to paragraph*
 3 *(3).*

4 ~~(3) If the taken property is no longer in the possession of the~~
 5 ~~public entity that took the property and no publicly held property~~
 6 ~~is suitable as compensation, division determines that the~~
 7 ~~dispossessed owner should not be compensated through either the~~
 8 ~~return of the taken property or the grant of title to a publicly held~~
 9 ~~property, the division shall certify that the dispossessed owner is~~
 10 ~~entitled to financial compensation equal to the fair market value~~
 11 ~~determined pursuant to paragraph (1) of subdivision (d): (d) less~~
 12 ~~any amount paid for the property at the time of the taking as~~
 13 ~~adjusted for inflation.~~

14 (f) If the division determines that an applicant is not a
 15 dispossessed owner or that issuing property or just compensation
 16 is not warranted, the division shall notify the applicant of its
 17 finding. The applicant may appeal the determination within 60
 18 days of receiving the notice and provide additional information to
 19 support their claim. The division shall consider the appeal and any
 20 new information provided and issue a determination on the appeal
 21 within 120 days.

22 ~~15218. (a)~~
 23 15218. (a) A person who receives a certification from the
 24 division pursuant to Section 15217 may present the certification
 25 to the specific state or local public entity identified by the division
 26 and the state public entity, upon appropriation, or the local public
 27 entity may provide to the person the property or monetary
 28 compensation identified in the certification.

29 If
 30 (b) (1) If the state or local entity that took property by racially
 31 motivated eminent domain does not provide compensation in
 32 accordance with the division's certification in subdivision (e) of
 33 Section 15217, the dispossessed owner may bring a claim for
 34 compensation under the Government Claims Act (Division 3.6
 35 (commencing with Section 810) of Title 1).

36 (2) The person bringing the claim may assert any legal basis
 37 for return of the property or compensation that would have been
 38 available to the property owner at the time of the taking. The
 39 determination of the division shall not be binding upon the court.

40 ~~(b)~~

1 (c) A claim brought pursuant to this section shall not be subject
2 to the statute of limitations, whether the action is brought before
3 or after the enactment of this article.

4 15219. (a) This article does not disturb or invalidate the title
5 of any property taken by racially motivated eminent domain except
6 against the state or local jurisdiction as set forth in this article.

7 (b) Every finding, decision, determination, or other official act
8 of the bureau is subject to judicial review in accordance with
9 existing law.

10 SEC. 3. The Legislature finds and declares that the addition of
11 Chapter 4 (commencing with Section 15210) to Part 6 of Division
12 3 of Title 2 of the Government Code by this act serves a public
13 purpose and does not constitute a gift of public funds within the
14 meaning of Section 6 of Article XVI of the California Constitution
15 by redressing past acts of racial discrimination, preventing future
16 acts of racial discrimination, and benefitting the whole of the
17 community and its general welfare.

18 SEC. 4. If the Commission on State Mandates determines that
19 this act contains costs mandated by the state, reimbursement to
20 local agencies and school districts for those costs shall be made
21 pursuant to Part 7 (commencing with Section 17500) of Division
22 4 of Title 2 of the Government Code.

SB 641 (Ashby-D)
**Department of Consumer Affairs and Department of Real Estate: states of emergency:
waivers and exemptions.**

Status/History: 5/14/2025 – Referred to Committee on Appropriations after passing Business, Professions, and Economic Development Committee and Public Safety Committee.

Location: 5/14/2025 – Set for hearing May 23

Introduced: 2/20/2025

Amended: 4/09/2025

Board Position: Watch at the April 3, 2025 Board meeting

Board Staff Analysis: 5/20/2025

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.

5/20/2025 Updated Staff Comments: Amendments for this proposed language focus on cleanup activities performed by a contractor appropriately licensed by CSLB and fraudulent activity by individuals licensed under the Department of Real Estate. There are no amendments which directly relate to individuals licensed by the Board

Staff Recommendation:

Staff recommends the Board take a Watch position on SB 641 as amended April 9, 2025

AMENDED IN SENATE APRIL 9, 2025

SENATE BILL

No. 641

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 amended, 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~~. *area, has passed an approved hazardous substance certification examination, and complies with certain occupational safety and health requirements concerning hazardous waste operations and emergency response, as specified.* 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.

1 The Legislature does not intend for any provision of this bill to
2 require regulations to implement.

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

5 108.1. (a) For purposes of this section, “disaster area” means
6 an area for which a federal, state, or local emergency or disaster
7 has been declared.

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

17 (1) Examination eligibility and timing requirements.

18 (2) Licensure renewal deadlines.

19 (3) Continuing education completion deadlines.

20 (4) License display requirements.

21 (5) Fee submission timing requirements.

22 (6) Delinquency fees.

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

30 (1) One year after the end of the declared emergency or disaster.

31 (2) An additional period of time beyond one year after the end
32 of the declared emergency or disaster, as determined by the board
33 or the Department of Real Estate.

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

36 122. (a) Except as specified in subdivision (b) or otherwise
37 provided by law, the department and each of the boards, bureaus,
38 committees, and commissions within the department may charge
39 a fee for the processing and issuance of a duplicate copy of any
40 certificate of licensure or other form evidencing licensure or

1 renewal of licensure. The fee shall be in an amount sufficient to
 2 cover all costs incident to the issuance of the duplicate certificate
 3 or other form but shall not exceed twenty-five dollars (\$25).

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

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

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

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

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

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

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

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

33 7058.9. (a) ~~A-Notwithstanding Section 40520 of the Public~~
 34 ~~Resources Code, a~~ contractor shall not engage in ~~private~~ debris
 35 removal unless the contractor has one of the following licenses or
 36 classifications:

37 (1) A - General Engineering Contractor.

38 (2) B - General Building Contractor.

39 ~~(3) A C-61 - Limited Specialty Contractor Classification for~~
 40 ~~Debris Removal and Flood Muck Out. The board may adopt~~

~~regulations to define the scope and requirements of this classification.~~

~~(3) C-12 Earthwork and Paving and C-21 Building Moving/Demolition.~~

(b) During a declared federal, state, or local emergency or for a declared disaster area, the registrar may authorize additional classifications to perform ~~private debris removal or removal,~~ *including muck out-services services*, based on the needs of the declared emergency or disaster.

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

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

(c) Any licensee authorized to perform debris removal pursuant to this section shall have passed an approved hazardous substance certification examination and shall comply with the hazardous waste operations and emergency response requirements pursuant to Section 5192 of Title 8 of the California Code of Regulations.

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

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

(a) ~~Expediently, and until 90 days~~ *one year* following the end of the emergency, determine the nature and scope of any unlawful, unfair, or fraudulent practices employed by any individual or entity seeking to take advantage of property owners in the wake of the emergency.

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

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

10176. The commissioner may, upon their own motion, and shall, upon the verified complaint in writing of any person, investigate the actions of any person engaged in the business or acting in the capacity of a real estate licensee within this state, and

1 the commissioner may temporarily suspend or permanently revoke
2 a real estate license at any time where the licensee, while a real
3 estate licensee, in performing or attempting to perform any of the
4 acts within the scope of this chapter has been guilty of any of the
5 following:

6 (a) Making any substantial misrepresentation.

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

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

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

13 (e) Commingling with their own money or property the money
14 or other property of others that is received and held by the licensee.

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

20 (g) The claiming or taking by a licensee of any secret or
21 undisclosed amount of compensation, commission, or profit or the
22 failure of a licensee to reveal to the buyer or seller contracting with
23 the licensee the full amount of the licensee's compensation,
24 commission, or profit under any agreement authorizing the licensee
25 to do any acts for which a license is required under this chapter
26 for compensation or commission prior to or coincident with the
27 signing of an agreement evidencing the meeting of the minds of
28 the contracting parties, regardless of the form of the agreement,
29 whether evidenced by documents in an escrow or by any other or
30 different procedure.

31 (h) The use by a licensee of any provision, which allows the
32 licensee an option to purchase, in an agreement with a buyer or
33 seller that authorizes the licensee to sell, buy, or exchange real
34 estate or a business opportunity for compensation or commission,
35 except when the licensee, prior to or coincident with election to
36 exercise the option to purchase, reveals in writing to the buyer or
37 seller the full amount of the licensee's profit and obtains the written
38 consent of the buyer or seller approving the amount of the profit.

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

4 (j) Obtaining the signature of a prospective buyer to an
5 agreement which provides that the prospective buyer shall either
6 transact the purchasing, leasing, renting, or exchanging of a
7 business opportunity property through the broker obtaining the
8 signature, or pay a compensation to the broker if the property is
9 purchased, leased, rented, or exchanged without the broker first
10 having obtained the written authorization of the owner of the
11 property concerned to offer the property for sale, lease, exchange,
12 or rent.

13 (k) Failing to disburse funds in accordance with a commitment
14 to make a mortgage loan that is accepted by the applicant when
15 the real estate broker represents to the applicant that the broker is
16 either of the following:

17 (1) The lender.

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

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

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

27 (n) (1) Making an unsolicited offer to an owner of real property,
28 on their own behalf or on behalf of a client, to purchase or
29 otherwise acquire any interest in the real property for an amount
30 less than the fair market value of the property or interest in the
31 property when that property is located in an area included in a
32 declared federal, state, or local emergency or disaster area, for the
33 duration of the declared emergency and for ~~three months~~ *one year*
34 thereafter.

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

1 SEC. 9. No reimbursement is required by this act pursuant to
2 Section 6 of Article XIII B of the California Constitution because
3 the only costs that may be incurred by a local agency or school
4 district will be incurred because this act creates a new crime or
5 infraction, eliminates a crime or infraction, or changes the penalty
6 for a crime or infraction, within the meaning of Section 17556 of
7 the Government Code, or changes the definition of a crime within
8 the meaning of Section 6 of Article XIII B of the California
9 Constitution.

10 SEC. 10. This act is an urgency statute necessary for the
11 immediate preservation of the public peace, health, or safety within
12 the meaning of Article IV of the California Constitution and shall
13 go into immediate effect. The facts constituting the necessity are:
14 In order to support licensed professionals impacted by the
15 disasters caused by the Palisades and Eaton wildfires, it is
16 necessary that this act take effect immediately.

VIII. Executive Officer's Report

- A. Rulemaking Status Report
- B. Personnel
- C. ABET
- D. Association of State Boards of Geology (ASBOG)
 - 1. Report from April 2025 Council of Examiners (COE) meeting
- E. National Council of Examiners for Engineering and Surveying (NCEES)
 - 1. May 15-17, 2025, Joint Central/Western Zone Interim Meeting, Albuquerque, NM – Report from Meeting
- F. 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 May 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.

Report from May 15-17, 2025 NCEES Central/Western Zone Joint Interim Meeting

NCEES Staff, Officers, and Committee/Task Force representatives presented an overview of progress made since the August 2024 Annual meeting on operations, examinations, and committee/task force charges. This report is not exhaustive and is intended to provide highlights from that meeting and serve as a basis for supplemental discussion from other board attendees. While many of the reports will result in motions to be presented to the entire Council at the upcoming August Annual meeting in New Orleans, there were several topics or issues which led to voting decisions during this meeting.

Western Zone Secretary Election

Perry Valdez, New Mexico Executive Director, as nominated with assistance from the California Board and David Peden, PE, SE, Washington State Board member and current WZ Secretary as nominated by his Board, were up for election. Perry Valdez ended up winning the election by a very close vote and will begin his two-year term as WZ Secretary beginning this August at the end of the Annual Meeting.

Structural Exam Administration Issues

As expected, much of the conversations at the meeting centered around the recent transition of the PE-Structural Exam to CBT (which began April 2024) and the issues expressed by examinees and boards over the last year related to administration troubles encountered while taking the exam. Additionally, some boards were concerned with the low pass rates in comparison to pass rates from recent history prior to the transition.

Just prior to the meeting, NCEES issued a memo to all member boards describing changes to the PE-Structural exam as a result of collaboration between NCEES staff, Pearson Vue psychometricians, Exam committees, and exam volunteers after those groups considered the concerns expressed to NCEES. An evaluation by Pearson Vue identified a “speededness” associated with the Depth exam sections which means that all examinees, regardless of performance, were experiencing a time issue. This led to a recommendation for an additional one hour, for a total time of 6.5 hours, which will be added to the PE-Structural Depth sections beginning in October 2025. Additionally, information stated during the zone meeting that the PAKS for this exam was nearing completion with an expected report date sometime later this summer. Recommendations from this new PAKS is expected to lead to further changes to the PE-Structural exam, both in terms of content and consideration on how to make the exam environment better for the examinees.

The Washington Board presented a motion at the WZ session (simultaneously presented at the Central Zone session too) requesting that NCEES Board of Directors (BoD) waive the one-year notice to member boards related to changes to examinations and to immediately (as reasonably possible) reduce the number of questions on the current Depth portions of the PE-Structural exam. This motion was introduced in lieu of the additional hour added to the exam time as described in the earlier memo. After debate, this motion passed in both zone sessions which meant that the BoD needed to consider this at their next meeting, scheduled to occur in the days after the ending of our zone meeting. Subsequently, it was reported that the BoD chose to deny that request presumably relying upon the plans as described in the issued memo to all member boards.


Other Highlights


- NCEES negotiated with Pearson Vue a new contract for exam development and administration services which resulted in less of an increase to administration costs than originally expected. As a result of that, NCEES now believes that the future exam fee increases, as approved at the August 2024 Annual meeting may likely be delayed for a year or two which would certainly benefit examinees.
- The delivered volume for both Fundamentals and Principles/Practice of Surveying exams continues to trend upwards but showing signs of peaking.
- The delivered volume for both Fundamentals and Principles/Practice of Engineering exams reflecting minor increases with FE more so than the PE exams.
- The PE-Nuclear Engineer exam has been on probation since 2020 due to low examinee population and the Examination Policy Procedures (EPP) Committee is planned to present a motion to discontinue this exam due to lack of interest. This topic generated discussion, and ultimately a decision by the BoD, to evaluate all policies related to probation and discontinuance of an exam.
- The Member Board Administrators (MBA) Committee is expected to present a motion to change the title for these individuals to Member Board Executives to better align their roles with member boards and NCEES. This is apparently consistent with what is used in other similar organizations for Architects, etc.
- The (new) Committee on Licensure is expected to present quite a few motions for revisions to Model Law/Rules.
- The Surveying and Mapping Task Licensure Task Force, in addition to being receptive to ideas for a less cumbersome name, is expected to present a motion to have the Examinations for Professional Surveying (EPS) Committee commence with creating a new PS-Geospatial Surveying examination to be used by member boards to license “non-boundary” surveyors in their jurisdictions. There was quite a bit of discussion on this during the Surveyors breakout forum.


Full reports and motions will become available to member boards between now and the August Annual meeting. Staff will prepare agenda topics for board discussion at the July 24-25 board meeting.

QUARTERLY OUTREACH REPORT (Q3)

SOCIAL MEDIA: January – March 2025

 TOP FACEBOOK POSTS	DATE	VIEWS
Changes to PE Act & PLS Act Posted	Jan 10	221
NCEES Needs SE's for PAKS Study	Jan 23	193
Notice and Agenda for Feb 6-7 Meeting Amended	Feb 5	143
Notice and Agenda for Feb 6-7 Meeting Posted	Jan 27	113
Meeting Materials for Feb 6-7 Meeting Posted	Feb 3	105

 TOP TWEETS	DATE	VIEWS
NCEES Needs SE's for PAKS Study	Jan 23	90
Notice and Agenda for Feb 6-7 Meeting Posted	Jan 27	67
Notice and Agenda for Feb 6-7 Meeting Amended	Feb 5	66
Meeting Materials for Feb 6-7 Meeting Posted	Feb 3	59
Changes to PE Act & PLS Act Posted	Feb10	46

 WEB PAGE VIEWS	VIEWS
License Lookup	95,568
Board Home Page	50,029
Applicants Information	34,290
PE Application	23,223
PE Licensee Information	21,803

OUTREACH EVENTS: January – March 2025

All "In-Person" Unless Noted "Virtual"

January 2025	
January 16	UC Irvine Senior Design Class "Path to Professional Licensure" N. King, PE (virtual)
January 23	ASCE San Francisco YMF "Professional Licensure in CA" N. King, PE
January 23	CSU Fresno Geomatics Conference: "Value of Licensure" Board Member M. Hartley, PLS & D. Sweeney, PLS
February 2025	
February 4	Sacramento City College, PLS Class – "Path Towards Licensure" D. Sweeney, PLS
February 18	Society of Civil & Structural Engineers (SEOSC) "Professional Licensure in CA N. King, PE
February 20	Ventura County Public Works Ass'n– "Monument Preservation Responsibilities for Local Agency Engineers and Surveyors" R. Moore, PLS
February 20	Channel Islands Chapter CLSA – "Licensing and Enforcement for Surveyors" R. Moore, PLS
February 27	Sonoma State Geology Program: "Pathway to GIT and PG with Focus on Undergraduate Education Requirements" J. Goodwin, PG, CEG & R. Moore, PLS
March 2025	
March 6	Sacramento County CLSA – "PLS Licensing" R. Moore, PLS & D. Sweeney, PLS
March 13	CSU San Bernardino, "Pathway to GIT and PG with Focus on Undergraduate Education Requirements" J. Goodwin, PG, CEG
March 13	CSU Long Beach, "Pathway to GIT and PG with Focus on Undergraduate Education Requirements" J. Goodwin, PG, CEG
March 20	Caltrans Dist. 10 Stockton – "Licensing for Surveyors" R. Moore, PLS & D. Sweeney, PLS

IX. President's Report/Board Member Activities

X. Election of 2025-26 President and Vice President (Possible Action)

XI. Approval of Meeting Minutes (Possible Action)

A. Approval of April 3, 2025, Board Meeting Minutes

DRAFT

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

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

Thursday, April 3, 2025

Board Members Present:	President Christina Wong; Vice-President Guillermo Martinez; Fel Amistad; Rossana D'Antonio; Michael Hartley; Coby King; Frank Ruffino; Wilfredo Sanchez; and Fermin Villegas
Board Members Absent:	Alireza Asgari, Khaesha Brooks, Betsy Mathieson; and Cliff Waldeck
Board Staff Present:	Ric Moore (Executive Officer); Tiffany Criswell (Assistant Executive Officer); Dawn Hall (Administrative Manager); Larry Kereszt (Examination 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 9:03 a.m. and a quorum was established.

II. Pledge of Allegiance

Vice-President Martinez led everyone in the recitation of the Pledge of Allegiance.

III. Public Comment for Items Not on the Agenda

No public comment.

IV. Administration

A. Fiscal Year 2024/25 Budget Report

Administrative Manager Dawn Hall reviewed the budget report. The total revenue is at \$10.2 million ahead of Fiscal Month 8 in Fiscal Year 2022/23. This is a low volume year for renewals resulting in a downturn when compared to Fiscal Month 8 of last year. We are at almost 90% of full year projections and a slight increase in our total full year projections. Staff is monitoring an increase in Office of Administrative Hearing expenses.

The fund condition continues to show a reserve and is holding at 1.6 months in reserve.

Mr. King noted an increase in non-budgeted expenses in IT and in facilities. Ms. Hall does not believe that it is related to the improvements that were made.

Mr. King asked, with anticipated reversions, where do we expect Fiscal Year 2025/26 months in reserve to be? Ms. Hall indicated that budget year 2025/26 in the fund condition are the full appropriations and not our projections. It is between \$1 and \$2 million a year in reversions as demonstrated in expenses in the last Fiscal Year which were under \$11.5 million, and they only jumped to \$12.2 million. Our projections for this fiscal year are well under the appropriations amount that is reflected on the fund condition. Mr. Moore estimates that it would likely be closer to 2.5 to 2.7 months in reserve by the time the current fiscal year closes.

V. Enforcement

A. Enforcement Statistical Reports

1. Fiscal Year 2024/25 Update

Brook Grabowski, Enforcement Manager reviewed the enforcement statistics. Ms. Criswell noted that the 3-4 year category may drop off by the next board meeting and praised staff for their accomplishments.

President Wong inquired about the average days from the investigation phase to when the citation becomes final seems to have doubled in length of time. Ms. Grabowski believes there are a few factors; there are a lot more citations being issued, staffing issues, and some of the citations have gone through a very lengthy appeal process and those will really drive that number up. Ms. Criswell added that when referring to the appeal process, we are referring to the formal appeals which includes opposing counsels, scheduling for hearings, continuances, much that we do not have control over. There were ten individual related cases resulting in 2024/25 not looking favorable. She does not anticipate that future Fiscal Years will be as challenging.

VI. Exams/Licensing

A. Examination/Licensing Updates

Larry Kereszt, Examination Unit Manager reported that the state Geology exam took place on March 4 and the National ASBOG exams took place on March 20-21. The state Land Surveyor exam will be conducted on April 9th, and the NCEES one-day national exam will take place on April 15th, which will conclude this spring's administration not including the continuous testing. Exam results and exam totals will be provided when they become available.

B. Adoption of Test Plan Specifications (Possible Action**)**

1. Professional Geologist – Certified Hydrogeologist (CHG) Examination

MOTION:	Mr. King and Ms. D'Antonio moved to adopt the Certified Hydrogeologist (CHG) Test Plan.
VOTE:	9-0, 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	

During Public Comment, an individual by the name of Michael Parolini representing the Structural Engineers Association of California (SEAOC) and the National Council of Structural Engineers Associations (NCSEA) spoke. He is aware that transition to computer-based testing (CBT) for the structural engineer exam is more complex than the other exams, which explains why it was the last exam to be administered via CBT. He wanted to come before the Board to clarify their position on the exam results. He wanted to explain that SEAOC and NCSEA support any pass rate whether it be 0% or 100%, provided that the passers of that exam are minimally competent engineers. That is the goal. If there are no qualified candidates then no one should get licensed, if everyone is qualified, everyone should get licensed. That is how the exam should work and why psychometricians are utilized. The challenge comes when, based on the history and all the feedback we have for their memberships and beyond, they support staff's further involvement with NCEES to help make changes to the current system to be more of a test of the content of structural engineering and less of the testing environment. The challenge right now is it is not a reflection of people's knowledge, it is a reflection getting through a single screen. That is the issue.

Mr. Moore added that since the last board meeting there was an informal online call between him and the boards that license structural engineers, NCEES Exams Chief, Board member Alireza Asgari, and Staff Civil Engineer Natalie King. NCEES is continuing to say that they will continue to do whatever they can to improve the exam, and we expect that we will hear more reporting on this at the upcoming Zone and Annual Meeting. President Wong expressed an appreciation that California is not the only one experiencing this issue.

C. Elimination of the Sonoma State Geology Program (**Possible Action**)

Mr. Moore reported that at the February board meeting, several individuals came before the Board to note that the Geology program at Sonoma State was eliminated. Since that meeting, Joshua Goodwin, Senior Registrar Geologist had a prearranged outreach event at Sonoma State and Mr. Moore attended the outreach as well. The concerns were how this may impact the number of applicants coming in and lessening the number of geology licensees and how this may surge across multiple campuses. During that outreach event, it was learned that a deadline for providing comment to the university would occur prior to the next board meeting. As a result, staff worked with President Wong to compose and submit a letter to advocate the impact this will have on licensure and consumers having the availability of licensed geologists.

Ms. D'Antonio asked if other professional agencies are involved. Mr. Goodwin reported that the California Geological Survey is trying to use their leverage, the Association of Engineering Geologists is aware and have had discussions with their lobbyists, and the Geological Society of America is holding a lunchtime roundtable today to discuss this subject.

Mr. King recommended sending the letter to the legislature, copy the local member of the assembly and local state senator, and the appropriate person in the Governor's office that oversees Cal State.

During Public Comment Michael Parolini added that engineering and geology classes are very expensive to execute and when compared to other courses such as liberal arts or sociology where you just have a class with one professor, it gets easy to look at the data and see where this program falls. There is a definite need. With declining birth rates and people retiring, there will be a big problem going forward. He believes outreach is important.

Alan Escarda, representing Professional Engineers in California Government (PECG) appreciates the letter the Board assembled. They will have a quarterly meeting with their organization the first week of June and he will present this to their attention to see if they can do something similar to advocate. He found it ironic that in working for Caltrans, Sonoma is one of the most geologically unstable areas in California. He may suggest assembling a letter more of the viewpoint of public safety and the need for the profession.

Matty Mookerjee, chair of the Geology Department at Sonoma State University and a Structural Geologist. He is currently at the GSA (Geological Society of America) Conference in Sacramento. He expressed his appreciation for the letter and the Board's support. He provided an update on somewhat of a reprieve in that their layoff date was extended by a year so that they can teach out the majors that they have. While he has not checked on every department, he is aware that they eliminated six. While they have been allowed to maintain all of their faculty, he does not believe that any other departments were allowed to do so, which may place them in a strategic position. The fact that none of the

professors are leaving next year means that they can continue to advocate for the saving of their department and reversing the decision will be easy because they will be there the entirety of next year. He is still asking the Board to continue their advocacy. He reiterated what Mr. Escarda said, the safety aspect is huge. They held a rally, and he had to remind them that the building only exists because their majors made sure it was safe to build. Sonoma State is a major producer of geologists. We need roads, we need buildings, we need bridges. No other department hits field work like they do and as a result, it is the reason students are so successful in the Fundamentals of Geology exam. Their enrollment has grown over the last two years due to recruitment, but the Sonoma State enrollment overall is going down, and that success is not being acknowledged. He believes that even at their height they would have done away with the program because we will always be small.

Christopher Keane, Director of Geoscience Profession and Higher Education at American Geosciences Institute. Part of their portfolio is tracking workforce issues across geosciences on a national basis. They are seeing very healthy employment in the geosciences and are not seeing any negative hits at a national level, but what they are seeing is the shift on who and where those are employed. They are seeing a substantial growth shift of that employment over the professional services and independent consulting to the tune of almost at 50% of the US employment of the geosciences. We all recognize that there is a very large public debate about the value of degrees and career pathways. Currently, professional geologists are contributing to the economy and providing a good livelihood for the individuals and the high impact on society. Just some words of encouragement as we move forward.

Kerry Cato, Professor of Geology at Cal State San Bernardino. He has been with San Bernardino for 9 years; 25 years prior he served as a practicing engineering geologist from industry on the East Coast, and then in California since 1995. More recently, he served on the oversight board for the repair of the Oroville spillway. He felt a need to bring his experience to the university because he did not see it being taught. He is very alarmed and concerned what is happening in the universities. He thanked the Board for this letter as it was necessary. He is very saddened to see what happened at Sonoma State, but it is happening everywhere. He believes that the letter, or the least the message for the letter, needs to be distributed widely to the CSU Chancellor and the members of the CSU Board. They have started their own outreach in high schools and have received a lot of interest. There is a problem in keeping their department alive due to its small size. They have difficulty meeting minimum class sizes, which is about 15 students. They are very concerned about their master's program, which requires 10 students to make those classes. He does not believe that consolidation of a few schools is going to be effective. There are first generations, that do not have anyone except themselves to learn about the fields. There is difficulty getting them into the field of geology because they are not sure it is a viable profession. He thanked the Board for their support.

VII. Legislation

A. 2025 Legislative Calendar

Mr. Moore reviewed the legislative calendar. Committees are currently meeting before spring recess which is expected to result in a lot of legislative activity.

B. Discussion of Legislation for 2025 (**Possible Action**)

1. Assembly Bill (AB) 667 – Professions and vocations: license examinations; interpreters

MOTION:	Mr. Ruffino and Mr. King moved to take an <u>oppose unless amended</u> position on AB 667 as revised April 1, 2025, and further authorized staff to communicate the Board's concerns to the Author's office along with a request to exempt the Board from this language.
VOTE:	9-0, 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	

2. AB 742 – Department of Consumer Affairs: licensing: applicants who are descendants of slaves

MOTION:	Mr. King and Dr. Amistad moved to take a position of <u>watch</u> on AB 742.
VOTE:	9-0, 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	

4. Senate Bill (SB) 518 – Descendants of enslaved persons; reparations

MOTION:	Ms. D'Antonio and Dr. Amistad moved to take a position of <u>watch</u> on SB 518.
VOTE:	7-1-1, 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	

3. AB 1341 – California Public Records Act: record withholding

MOTION:	Mr. King and Mr. Ruffino moved to take a position of <u>support</u> on the concept of AB 1341 as amended March 24, 2025, with the idea that when our board discovers violations of the building laws of the state by our regulated licensees, we report those violations to the CSLB and work with the author of AB 1341 on language that is satisfactory to staff.
VOTE:	7-2, 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	

5. SB 470 – Bagley-Keene Open Meeting Act: teleconferencing

During Public Comment, Alan Escarda representing Professional Engineers in California Government (PECG) pointed out that he represents a committee that monitors Board activities. There are five members in their committee, and he is retired, resulting in the only one that can take the time to attend the Board meetings. In rare cases, if he cannot attend, he will solicit other members, but they are still employed and may not have the flexibility to do so. The goal is to always attend Board functions. He believes virtual meetings open up a range of opportunities for the public to attend without having to travel.

MOTION:	Mr. King and Mr. Ruffino moved to take a position of <u>support</u> on SB 470 as introduced February 19, 2025
VOTE:	8-1, 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	

6. SB 606 – Shelter crisis: emergency housing: immunity from liability
No action taken.

7. SB 641 – Department of Consumer Affairs and Department of Real Estate: states of emergency: waivers and exemptions

MOTION:	Mr. Hartley and Ms. D'Antonio moved to take a position of <u>watch</u> on SB 641 as introduced February 19, 2025
VOTE:	9-0, 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	

VIII. Executive Officer's Report

A. Rulemaking Status Report

Mr. Moore reviewed the Rulemaking Status report and noted a change in the fee regs. Staff continues to work with DCA Budgets and the rulemaking advisors. This rulemaking will be returning to the Board at the May meeting as staff is updating rationale to support the fees already approved for retirement license.

Staff continues to work on the experience requirements for land surveyors and the application references and definitions of negligence and incompetence. We may potentially see another related to the geology applications if it is something that does not require legislation.

B. Update on Board's Business Modernization Project

Mr. Moore reported that over the first quarter of this year, staff and developers have dedicated much of their time on fixes related to examination results and diagnostics. Not only has it been frustrating for staff, but applicants as well. Currently, the enforcement functionality is not being prioritized due to these fixes.

Also, the license renewal assessment content is progressing well and is being worked on separately with other developers. The assessment related to land surveyor licensure and professional engineer licensure are complete. He noted

that Board members Ms. D'Antonio and Vice-President Martinez assisted during the beta test and provided feedback that aided in refinements. Staff is currently working on the Geologist and Geophysicist Act and associated regulations. When the time comes to integrate it into Connect, we will have the content ready.

Resources have been operating at full capacity within DCA project management and the vendor. Not only are they working for our Board, but they have other clients. The Board is currently working on assembling a separate contract directly with the developer so that we can minimize the impact this has on available resources.

C. Personnel

There are three vacancies with two slated for elimination per the Governor's reduction plan and a Senior Registrar vacancy.

D. ABET

No report given.

E. Association of State Boards of Geology (ASBOG)

The Board received out-of-state travel approval to attend the Council of Examiners workshop. Ms. Mathieson and Mr. Goodwin will be attending.

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

The out-of-state travel request has been approved by DCA however is continuing through Agency and Governor's Office to complete the approval process.

2. August 19-22, 2025, Annual Meeting, New Orleans, LA – Funded Delegates (Possible Action)

Mr. Moore reported that we need to advise NCEES of the funded delegates by May 1st. Staff is currently working on the out-of-state travel request. There can be up to 3 funded delegates and 3 first time attendees. If you have been appointed to the Board within the last 24 months of the date of the Annual Meeting and you have never attended an Annual Meeting, you can go as a first-time attendee. There is also a law enforcement portion which a staff member will attend. According to the roster, Mr. Waldeck, Ms. Brooks, and Mr. Villegas, are eligible as first time attendees. Ms. D'Antonio, Mr. Ruffino, and Mr. Hartley expressed interest. President Wong will be an alternate to Mr. Hartley if he is unable. In addition, Mr. King is available to attend as an emeritus member. Mr. Hartley confirmed later that he would not be available.

G. Update on Outreach Efforts

The new winter edition of the Board Bulletin was released today, and the spring edition will be released later this season.

IX. President's Report/Board Member Activities

President Wong reported that she attended several NCEES events including the Finance Committee meeting, Western Zone nominating committee meeting, and the State of the Council meeting. She also attended the quarterly DCA leadership meeting.

Mr. King announced that May will be his last meeting and expressed that the experience has been truly remarkable, emphasizing the professionalism of the staff and an honor to collaborate with such a dedicated team. He just wanted to express his appreciation for those who will not be in attendance at the May meeting.

Mr. Hartley expressed his concern with the ability to purchase land surveying tags with anyone's license number for a monument. He was made aware of someone that set a monument in Southern California with his license number having never worked south of Kern County. He expressed the need for a law to where an individual must prove licensure prior to purchasing tags. Ms. Criswell recommended discussing this further directly with him as it has been addressed multiple times before at the Board.

Vice-President Martinez also attended the NCEES State of the Council meeting and the DCA Leadership meeting.

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

President Wong selected Mr. King and Ms. D'Antonio to serve as the nominating committee and to provide a nomination slate at the May 29-30, 2025, Board meeting for discussion and possible action.

XI. Approval of Meeting Minutes (Possible Action)

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

MOTION:	Mr. Hartley and Dr. Amistad move to approve the February 6, 2025 Board meeting minutes.
VOTE:	7-0-2, 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 3:12 p.m.

PUBLIC PRESENT

Alan Escarda, PEGG

Matty Mookerjee, Sonoma State University

Christopher Keane, American Geosciences Institute

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
