

AMENDED IN ASSEMBLY APRIL 16, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 446

**Introduced by Committee on Business and Professions (Correa
(Chair), Cedillo, Chavez, Koretz, Matthews, Nation, Shelley,
and Wesson)**

February 20, 2001

~~An act to amend Sections 2535.2, 2684, 2892.1, 2984, 3147, 3524, 4545,~~ *An act to amend Sections 4841.5, 4842.2, 4843.5, 4883, 4901, 5680.1, 7581, 7725.2, 7881, 8024.2 8008, 8507.1, 9746, 9801, and 9833 of the Business and Professions Code, relating to professions and vocations, and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

AB 446, as amended, Committee on Business and Professions. Professions and vocations.

(1) Existing law provides for the licensure of persons in various professions and vocations and requires payment of a renewal fee upon the renewal of an expired license. Under existing law, these renewal fees are deposited into funds that are continuously appropriated.

This bill would require, instead, that all accrued and unpaid renewal fees be paid at the time of renewal of an expired license. Because this bill would increase the amount of renewal fees paid into a number of continuously appropriated funds, the bill would make an appropriation.

(2) Existing law establishes the Registered Veterinary Technician Examining Committee Fund.

This bill would change the name of that fund to the Registered Veterinary Technician Committee Fund.

(3) The Private Security Services Act authorizes the Director of Consumer Affairs to enforce and administer its provisions, and authorizes the director to adopt and enforce reasonable rules in connection with this function, including establishing the qualifications a uniformed employee of a licensee who operates as a private patrol operator is required to meet as a condition of handling guide dogs.

This bill would delete this particular provision from the rules that the director is authorized to adopt and enforce.

(4) The Electronic and Appliance Repair Dealer Registration Law provides for the registration and regulation of service dealers, a business which includes the repairing, servicing, or maintaining of an electronic set. Under that law, an electronic set is defined as including various types of electronic equipment, including cellular telephones.

This bill would delete cellular telephones from the list of equipment included in the definition of an electronic set.

(5) Existing law establishes the Court Reporters Board of California and specifies its powers and duties. Existing law also creates the Transcript Reimbursement Fund for the purpose of providing shorthand reporting services to low-income litigants in civil cases who otherwise cannot afford those services.

This bill would add administration of this fund as a power or duty of the board.

(6) Existing law provides for the regulation and licensure by the Structural Pest Control Board of a structural pest control applicator and defines this term as including an individual who applies a specified chemical substance for various purposes, including for wood roof cleaning and treatment.

This bill would delete this particular purpose from the definition of a structural pest control applicator.

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

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

1 ~~SECTION 1. Section 2535.2 of the Business and Professions~~
2 ~~Code is amended to read:~~
3 ~~2535.2. Except as provided in Section 2535.4, a license that~~
4 ~~has expired may be renewed at any time within five years after its~~
5 ~~expiration upon filing of an application for renewal on a form~~
6 ~~prescribed by the board and payment of all accrued and unpaid~~



1 ~~renewal fees. If the license is not renewed on or before its~~
2 ~~expiration, the licensee, as a condition precedent to renewal, shall~~
3 ~~also pay the prescribed delinquency fee. Renewal under this~~
4 ~~section shall be effective on the date on which the application is~~
5 ~~filed, on the date on which all renewal fees are paid, or on the date~~
6 ~~on which the delinquency fee is paid, whichever last occurs. If so~~
7 ~~renewed, the license shall continue in effect through the expiration~~
8 ~~date provided in Section 2535, after the effective date of the~~
9 ~~renewal, when it shall expire and become invalid if it is not again~~
10 ~~renewed.~~

11 ~~SEC. 2.—Section 2684 of the Business and Professions Code~~
12 ~~is amended to read:~~

13 ~~2684.—(a) Notwithstanding Section 2422, any license or~~
14 ~~approval for the practice of physical therapy shall expire at 12~~
15 ~~midnight on the last day of the birth month of the licensee or holder~~
16 ~~of an approval during the second year of a two-year term, if not~~
17 ~~renewed.~~

18 ~~(b) To renew an unexpired license or approval, the licensee or~~
19 ~~the holder of an approval shall, on or before the dates on which it~~
20 ~~would otherwise expire, apply for renewal on a form prescribed by~~
21 ~~the board and pay the prescribed renewal fee.~~

22 ~~(c) A license that has expired may be renewed within five years~~
23 ~~of its expiration upon payment of all accrued and unpaid renewal~~
24 ~~fees.~~

25 ~~SEC. 3.—Section 2892.1 of the Business and Professions Code~~
26 ~~is amended to read:~~

27 ~~2892.1.—Except as provided in Sections 2892.3 and 2892.5, an~~
28 ~~expired license may be renewed at any time within four years after~~
29 ~~its expiration upon filing of an application for renewal on a form~~
30 ~~prescribed by the board, payment of all accrued and unpaid~~
31 ~~renewal fees, and payment of any fees due pursuant to Section~~
32 ~~2895.1.~~

33 ~~If the license is renewed more than 30 days after its expiration,~~
34 ~~the licensee, as a condition precedent to renewal, shall also pay the~~
35 ~~delinquency fee prescribed by this chapter. Renewal under this~~
36 ~~section shall be effective on the date on which the application is~~
37 ~~filed, on the date on which all renewal fees are paid, or on the date~~
38 ~~on which the delinquency fee is paid, whichever last occurs. If so~~
39 ~~renewed, the license shall continue in effect through the date~~



1 provided in Section 2892 that next occurs after the effective date
2 of the renewal, when it shall expire if it is not again renewed.

3 SEC. 4.—Section 2984 of the Business and Professions Code
4 is amended to read:

5 2984.—Except as provided in Section 2985, a license that has
6 expired may be renewed at any time within three years after its
7 expiration on filing of an application for renewal on a form
8 prescribed by the board and payment of all accrued and unpaid
9 renewal fees. If the license is renewed after its expiration, the
10 licensee, as a condition precedent to renewal, shall also pay the
11 prescribed delinquency fee, if any. Renewal under this section
12 shall be effective on the date on which the application is filed, on
13 the date on which all renewal fees are paid, or on the date on which
14 the delinquency fee, if any, is paid, whichever last occurs. If so
15 renewed, the license shall continue in effect through the expiration
16 date provided in Section 2982 that next occurs after the effective
17 date of the renewal, when it shall expire and become invalid if it
18 is not again renewed.

19 SEC. 5.—Section 3147 of the Business and Professions Code
20 is amended to read:

21 3147.—Except as otherwise provided by Section 114 of this
22 code, an expired certificate may be renewed at any time within
23 three years after its expiration on filing of an application for
24 renewal on a form prescribed by the board, and payment of all
25 accrued and unpaid renewal fees. If the certificate is renewed more
26 than 30 days after its expiration, the certificate holder as a
27 condition precedent to renewal, shall also pay the delinquency fee
28 prescribed by this chapter. Renewal under this section shall be
29 effective on the date on which the application is filed, on the date
30 on which the accrued renewal fees are paid, or on the date on which
31 the delinquency fee, if any, is paid, whichever last occurs. If so
32 renewed, the certificate shall continue in effect through the date
33 provided in Section 3146 that next occurs after the effective date
34 of the renewal, when it shall expire if it is not renewed.

35 A certificate that, under the law in effect before October 1, 1961,
36 became suspended because of the failure of its holder to renew it,
37 shall, for the purposes of this article, be considered to have expired
38 on the date that it became suspended.

39 SEC. 6.—Section 3524 of the Business and Professions Code
40 is amended to read:



1 ~~3524.—A license or approval that has expired may be renewed~~
2 ~~at any time within five years after its expiration by filing an~~
3 ~~application for renewal on a form prescribed by the committee or~~
4 ~~board, as the case may be, and payment of all accrued and unpaid~~
5 ~~renewal fees. If the license or approval is not renewed within 30~~
6 ~~days after its expiration, the licensed physician assistant and~~
7 ~~approved supervising physician, as a condition precedent to~~
8 ~~renewal, shall also pay the prescribed delinquency fee, if any.~~
9 ~~Renewal under this section shall be effective on the date on which~~
10 ~~the application is filed, on the date on which all renewal fees are~~
11 ~~paid, or on the date on which the delinquency fee, if any, is paid,~~
12 ~~whichever occurs last. If so renewed, the license shall continue in~~
13 ~~effect through the expiration date provided in Section 3522 or~~
14 ~~3523 that next occurs after the effective date of the renewal, when~~
15 ~~it shall expire, if it is not again renewed.~~

16 ~~SEC. 7.—Section 4545 of the Business and Professions Code~~
17 ~~is amended to read:~~

18 ~~4545.—Except as provided in Section 4545.2, a license that has~~
19 ~~expired may be renewed at any time within four years after its~~
20 ~~expiration on filing an application for renewal on a form~~
21 ~~prescribed by the board, and payment of all accrued and unpaid~~
22 ~~renewal fees, and payment of all fees required by this chapter. If~~
23 ~~the license is renewed more than 30 days after its expiration, the~~
24 ~~holder, as a condition precedent to renewal, shall also pay the~~
25 ~~delinquency fee prescribed by this chapter. Renewal under this~~
26 ~~section shall be effective on the date on which the application is~~
27 ~~filed, on the date on which all renewal fees are paid, or on the date~~
28 ~~on which the delinquency fee, if any, is paid, whichever last~~
29 ~~occurs. If so renewed, the license shall continue in effect through~~
30 ~~the date provided in Section 4544 that next occurs after the~~
31 ~~effective date of the renewal, when it shall expire if it is not again~~
32 ~~renewed.~~

33 ~~A certificate that was forfeited for failure to renew under the law~~
34 ~~in effect before October 1, 1961, shall, for the purposes of this~~
35 ~~article, be considered to have expired on the date that it became~~
36 ~~forfeited.~~

37 ~~SEC. 8.—~~

38 ~~SECTION 1. Section 4841.5 of the Business and Professions~~
39 ~~Code is amended to read:~~



1 4841.5. To be eligible to take the written and practical
2 examination for registration as a registered veterinary technician,
3 the applicant shall:

- 4 (a) Be at least 18 years of age.
- 5 (b) Furnish satisfactory evidence of graduation from, at
6 minimum, a two-year curriculum in veterinary technology, in a
7 college or other postsecondary institution approved by the board,
8 or the equivalent thereof as determined by the board. In the case
9 of a private postsecondary institution, the institution shall also be
10 approved by the Bureau for Private Postsecondary and Vocational
11 Education.

12 ~~SEC. 9.~~

13 *SEC. 2.* Section 4842.2 of the Business and Professions Code
14 is amended to read:

15 4842.2. (a) Commencing July 1, 1998, all funds collected by
16 the board under this article shall be deposited in the Veterinary
17 Medical Board Contingent Fund.

18 (b) All unappropriated funds existing in the Registered
19 Veterinary Technician Committee Fund on July 1, 1998, shall be
20 transferred to the Veterinary Medical Board Contingent Fund.

21 (c) This section shall become operative July 1, 1998.

22 ~~SEC. 10.~~

23 *SEC. 3.* Section 4843.5 of the Business and Professions Code
24 is amended to read:

25 4843.5. Except as otherwise provided in this article, an
26 expired certificate of registration may be renewed at any time
27 within five years after its expiration on filing of an application for
28 renewal on a form prescribed by the board, and payment of all
29 accrued and unpaid renewal fees. If the certificate of registration
30 is renewed more than 30 days after its expiration, the registrant, as
31 a condition precedent to renewal, shall also pay the delinquency
32 fee prescribed by this article. Renewal under this section shall be
33 effective on the date on which the application is filed, on the date
34 all renewal fees are paid, or on the date on which the delinquency
35 fee, if any, is paid, whichever occurs last.

36 ~~SEC. 11.~~

37 *SEC. 4.* Section 4883 of the Business and Professions Code is
38 amended to read:

39 4883. The board may deny, revoke, or suspend a license or
40 assess a fine as provided in Section 4875 for any of the following:



1 (a) Conviction of a crime substantially related to the
2 qualifications, functions, or duties of veterinary medicine,
3 surgery, or dentistry, in which case the record of the conviction
4 shall be conclusive evidence.

5 (b) For having professional connection with, or lending one's
6 name to, any illegal practitioner of veterinary medicine and the
7 various branches thereof.

8 (c) Violation or attempting to violate, directly or indirectly, any
9 of the provisions of this chapter.

10 (d) Fraud or dishonesty in applying, treating, or reporting on
11 tuberculin or other biological tests.

12 (e) Employment of anyone but a veterinarian licensed in the
13 state to demonstrate the use of biologics in the treatment of
14 animals.

15 (f) False or misleading advertising.

16 (g) Unprofessional conduct, that includes, but is not limited to,
17 the following:

18 (1) Conviction of a charge of violating any federal statutes or
19 rules or any statute or rule of this state regulating dangerous drugs
20 or controlled substances. The record of the conviction is
21 conclusive evidence thereof. A plea or verdict of guilty or a
22 conviction following a plea of nolo contendere is deemed to be a
23 conviction within the meaning of this section. The board may
24 order the license suspended or revoked, or assess a fine, or decline
25 to issue a license, when the time for appeal has elapsed, or the
26 judgment of conviction has been affirmed on appeal or when an
27 order granting probation is made suspending the imposition of
28 sentence, irrespective of a subsequent order under Section 1203.4
29 of the Penal Code allowing the person to withdraw his or her plea
30 of guilty and to enter a plea of not guilty, or setting aside the verdict
31 of guilty, or dismissing the accusation, information or indictment.

32 (2) (A) The use of or prescribing for or administering to
33 himself or herself, any controlled substance.

34 (B) The use of any of the dangerous drugs specified in Section
35 4022, or of alcoholic beverages to the extent, or in any manner as
36 to be dangerous or injurious to a person licensed under this chapter,
37 or to any other person or to the public, or to the extent that the use
38 impairs the ability of the person so licensed to conduct with safety
39 the practice authorized by the license.



1 (C) The conviction of more than one misdemeanor or any
2 felony involving the use, consumption, or self-administration of
3 any of the substances referred to in this section or any combination
4 thereof, and the record of the conviction is conclusive evidence.

5 A plea or verdict of guilty or a conviction following a plea of
6 nolo contendere is deemed to be a conviction within the meaning
7 of this section. The board may order the license suspended or
8 revoked or assess a fine, or may decline to issue a license, when
9 the time for appeal has elapsed or the judgment of conviction has
10 been affirmed on appeal or when an order granting probation is
11 made suspending imposition of sentence, irrespective of a
12 subsequent order under Section 1203.4 of the Penal Code allowing
13 the person to withdraw his or her plea of guilty and to enter a plea
14 of not guilty, or setting aside the verdict of guilty, or dismissing the
15 accusation, information, or indictment.

16 (3) A violation of any federal statute, rule, or regulation or any
17 of the statutes, rules, or regulations of this state regulating
18 dangerous drugs or controlled substances.

19 (h) Failure to keep one's premises and all equipment therein in
20 a clean and sanitary condition.

21 (i) Fraud, deception, negligence, or incompetence in the
22 practice of veterinary medicine.

23 (j) Aiding or abetting in any acts that are in violation of any of
24 the provisions of this chapter.

25 (k) The employment of fraud, misrepresentation, or deception
26 in obtaining the license.

27 (l) The revocation, suspension, or other discipline by another
28 state or territory of a license or certificate to practice veterinary
29 medicine in that state or territory.

30 (m) Cruelty to animals, conviction on a charge of cruelty to
31 animals, or both.

32 (n) Disciplinary action taken by any public agency in any state
33 or territory for any act substantially related to the practice of
34 veterinary medicine.

35 (o) Violation, or the assisting or abetting violation, of any
36 regulations adopted by the board pursuant to this chapter.

37 ~~SEC. 12.~~

38 *SEC. 5.* Section 4901 of the Business and Professions Code is
39 amended to read:



1 4901. Except as otherwise provided in this chapter, an expired
2 license may be renewed at any time within five years after its
3 expiration on filing of an application for renewal on a form
4 prescribed by the board, and payment of all accrued and unpaid
5 renewal fees. If the license is renewed more than 30 days after its
6 expiration, the licensee, as a condition precedent to renewal, shall
7 also pay the delinquency fee prescribed by this chapter. Renewal
8 under this section shall be effective on the date on which the
9 application is filed, on the date on which all renewal fees are paid,
10 or on the date on which the delinquency fee, if any, is paid,
11 whichever last occurs. If so renewed, the license shall continue in
12 effect through the expiration date provided in Section 4900 that
13 next occurs after the effective date of the renewal, when it shall
14 expire if it is not again renewed.

15 ~~SEC. 13.~~

16 *SEC. 6.* Section 5680.1 of the Business and Professions Code
17 is amended to read:

18 5680.1. Except as otherwise provided in this chapter, a license
19 that has expired may be renewed at any time within three years
20 after its expiration on filing of *an* application for renewal on a form
21 prescribed by the board, and payment of all accrued and unpaid
22 renewal fees. If the license is renewed more than 30 days after its
23 expiration, the licenseholder, as a condition precedent to renewal,
24 shall also pay the delinquency fee prescribed by this chapter.
25 Renewal under this section shall be effective on the date on which
26 the application is filed, on the date on which all renewal fees are
27 paid, or on the date on which the delinquency fee, if any, is paid,
28 whichever last occurs. If so renewed, the license shall continue in
29 effect through the date provided in Section 5680 that next occurs
30 after the effective date of the renewal, when it shall expire if it is
31 not again renewed.

32 ~~SEC. 14.~~

33 *SEC. 7.* Section 7581 of the Business and Professions Code is
34 amended to read:

35 7581. The director may adopt and enforce reasonable rules, as
36 follows:

37 (a) Classifying licensees according to the type of business
38 regulated by this chapter in which they are engaged, including, but
39 not limited to, persons employed by any lawful business as
40 security guards or patrolpersons, and armored contract carriers



1 and limiting the field and scope of the operations of a licensee to
2 those in which he or she is classified and qualified to engage.

3 (b) Fixing the qualifications of licensees and managers, in
4 addition to those prescribed in this chapter, necessary to promote
5 and protect the public welfare.

6 (c) Carrying out generally the provisions of this chapter,
7 including regulation of the conduct of licensees.

8 (d) Establishing the qualifications that any person employed by
9 a private patrol operator or any lawful business as a security guard
10 or patrolperson, or employed by an armored contract carrier, must
11 meet as a condition of becoming eligible to carry firearms pursuant
12 to subdivision (d) of Section 12031 of the Penal Code.

13 (e) Requiring each uniformed employee of a private patrol
14 operator and each armored vehicle guard, as defined in this
15 chapter, and any other person employed and compensated by a
16 private patrol operator or any lawful business as a security guard
17 or patrolperson and who in the course of this employment carries
18 a deadly weapon to be registered with the bureau upon application
19 on a form prescribed by the director accompanied by the
20 registration fee and by two classifiable sets of fingerprints of the
21 applicant or its equivalent as determined by the director and
22 approved by the Department of Justice, establishing the term of the
23 registration for a period of not less than two nor more than four
24 years, and providing for the renewal thereof upon proper
25 application and payment of the renewal fee. The director may,
26 after opportunity for a hearing, refuse this registration to any
27 person who lacks good moral character, and may impose
28 reasonable additional requirements as are necessary to meet local
29 needs that are not inconsistent with the provisions of this chapter.

30 (f) Establishing procedures whereby the local authorities of
31 any city, county, or city and county may file charges with the
32 director alleging that any registered security guard or
33 patrolperson, or anyone who is an applicant for registration, with
34 the bureau fails to meet standards for registration, and providing
35 further for the investigation of the charges.

36 (g) Requiring private patrol operators and any lawful business
37 to maintain detailed records identifying all firearms in their
38 possession or under their control, and the employees or persons
39 authorized to carry or have access to ~~such~~ those firearms.

40 ~~SEC. 15.~~



1 *SEC. 8.* Section 7725.2 of the Business and Professions Code
2 is amended to read:

3 7725.2. Except as otherwise provided in this article, a license
4 that has expired may be renewed at any time within five years after
5 its expiration on filing of an application for renewal on a form
6 prescribed by the bureau and payment of all accrued and unpaid
7 renewal fees. If the license is not renewed within 30 days after its
8 expiration the licensee, as a condition precedent to renewal, shall
9 also pay the delinquency fee prescribed by this chapter. Renewal
10 under this section shall be effective on the date on which the
11 application is filed, on the date on which all renewal fees are paid,
12 or on the date on which the delinquency fee, if any, is paid,
13 whichever last occurs. If so renewed, the license shall continue in
14 effect through the date provided in Section 7725 that next occurs
15 after the effective date of the renewal, when it shall expire if it is
16 not again renewed.

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

21 ~~SEC. 16.~~

22 *SEC. 9.* Section 7881 of the Business and Professions Code is
23 amended to read:

24 7881. Except as otherwise provided in this article, certificates
25 of registration as a geologist or as a geophysicist, or certified
26 specialty certificates, may be renewed at any time within five years
27 after expiration on filing an application for renewal on a form
28 prescribed by the board and payment of all accrued and unpaid
29 renewal fees. If the certificate is renewed more than 30 days after
30 its expiration, the certificate holder, as a condition precedent to
31 renewal, shall also pay the delinquency fee prescribed by this
32 chapter. Renewal under this section shall be effective on the date
33 on which the application is filed, on the date on which all renewal
34 fees are paid, or on the date on which the delinquency fee, if any,
35 is paid, whichever last occurs. If so renewed, the certificate shall
36 continue in effect through the date provided in Section 7880 that
37 next occurs after the effective date of the renewal, when it shall
38 expire if it is not again renewed.

39 ~~SEC. 17.~~ Section 8024.2 of the Business and Professions
40 Code is amended to read:



1 ~~8024.2.—(a) Except as otherwise provided in this article, a~~
2 ~~certificate that has expired may be renewed at any time within the~~
3 ~~period set forth in Section 8024.5 by doing all of the following:~~

- 4 ~~(1) Apply for renewal on a form prescribed by the board.~~
5 ~~(2) Pay all accrued and unpaid renewal fees.~~
6 ~~(3) Notify the board whether he or she has been convicted of~~
7 ~~any felony, any crime substantially related to the functions and~~
8 ~~duties of a court reporter, or any disciplinary action taken by any~~
9 ~~regulatory or licensing board in this or any other state, subsequent~~
10 ~~to the licensee's last renewal.~~

11 ~~(b) If the certificate is not renewed within 30 days after its~~
12 ~~expiration, the certificate holder, as a condition precedent to~~
13 ~~renewal, shall also pay the delinquency fee set forth in Section~~
14 ~~163.5. Renewal under this section shall be effective on the date on~~
15 ~~which all renewal fees are paid, or on the date on which the~~
16 ~~delinquency fee, if any, is paid, whichever last occurs. If so~~
17 ~~renewed, the certificate shall continue in effect through the date~~
18 ~~provided in Section 8024 that next occurs after the effective date~~
19 ~~of the renewal, when it shall expire if it is not again renewed.~~

20 ~~The certificate shall not be renewed if the certificate holder has~~
21 ~~failed to pay monetary sanctions identified in subdivision (g) of~~
22 ~~Section 8025.~~

23 ~~SEC. 18.~~

24 ~~SEC. 10. Section 8008 of the Business and Professions Code~~
25 ~~is amended to read:~~

26 8008. The board also has the following powers and duties:

- 27 (a) To adopt a seal.
28 (b) By affirmative vote of at least three members of the board,
29 to suspend or revoke a certificate, for any cause specified in this
30 chapter.
31 (c) To charge and collect all fees as provided for in this chapter.
32 (d) *To administer the Transcript Reimbursement Fund*
33 *described in Section 8030.2.*
34 (e) To require the renewal of all certificates.
35 ~~(e)~~
36 (f) To issue subpoenas, to administer oaths, and to take
37 testimony concerning any matter within the jurisdiction of the
38 board.
39 ~~(f)~~



1 (g) To investigate the actions of any licensee, upon receipt of
2 a verified complaint in writing from any person, for alleged acts
3 or omissions constituting grounds for disciplinary action under the
4 chapter.

5 ~~This section shall become operative on July 1, 1999.~~

6 *SEC. 11. Section 8507.1 of the Business and Professions Code*
7 *is amended to read:*

8 8507.1. (a) “Structural pest control applicator” is any
9 individual who is licensed by the board to apply a pesticide,
10 rodenticide, or allied chemicals or substances for the purpose of
11 eliminating, exterminating, controlling, or preventing infestation
12 or infections of pests or organisms included in Branch 2; *or* Branch
13 3, ~~or wood roof cleaning and treatment~~ on behalf of a registered
14 company.

15 A structural pest control applicator shall not contract for pest
16 control work or perform pest control work in his or her own behalf.

17 (b) As used in this chapter, “applicator” refers to “structural
18 pest control applicator.”

19 *SEC. 12. Section 9746 of the Business and Professions Code*
20 *is amended to read:*

21 9746. All cremated remains disposer registrations shall expire
22 at 12 midnight on September 30th of each year. A person desiring
23 to renew his or her registration shall file an application for renewal
24 on a form prescribed by the bureau accompanied by the required
25 fee. A registration that has expired may be renewed within five
26 years of its expiration upon payment of all accrued and unpaid
27 renewal fees. The bureau shall not renew the registration of any
28 person who has not filed the required annual report until he or she
29 has filed a complete annual report with the department.

30 ~~SEC. 19.~~

31 *SEC. 13. Section 9801 of the Business and Professions Code*
32 *is amended to read:*

33 9801. The following terms as used in this chapter have the
34 meaning expressed in this section:

35 (a) “Person” includes a firm, partnership, association, limited
36 liability company, or corporation.

37 (b) “Department” means the Department of Consumer
38 Affairs.

39 (c) “Director” means the Director of Consumer Affairs.



1 (d) “Bureau” means the Bureau of Electronic and Appliance
2 Repair.

3 (e) “Chief” means the Chief of the Bureau of Electronic and
4 Appliance Repair.

5 (f) “Service dealer” means a person who, for compensation,
6 engages in, or holds himself or herself out to the public as offering
7 services in the business of:

8 (1) Repairing, servicing, or maintaining an electronic set
9 normally used or sold for personal, family, household, or home
10 office use.

11 (2) Installing, repairing, servicing, or maintaining equipment
12 or a burglar alarm system for use in private motor vehicles.

13 (3) Installing, repairing, servicing, or maintaining television or
14 radio receiver antennas, rotators, and accessories or direct satellite
15 signal receiving equipment located on or adjacent to a residence
16 and not involving a function that is subject to and regulated under
17 the provisions of Chapter 9 (commencing with Section 7000).

18 (4) Repairing, servicing, or maintaining major appliances.

19 (g) “Equipment” for the purposes of this chapter means an
20 electronic set, appliance, antenna, rotator, and accessories.

21 (h) “Electronic set” includes, but is not limited to, any
22 television, radio, audio or video recorder or playback equipment,
23 video camera, video game, video monitor, computer system,
24 photocopier, or facsimile machine normally used or sold for
25 personal, family, household, or home office use.

26 (i) “Appliance” or “major home appliance” includes, but is
27 not limited to, any refrigerator, freezer, range, microwave oven,
28 washer, dryer, dishwasher, trash compactor, or room
29 ~~air-conditioner~~ *air conditioner* normally used or sold for personal,
30 family, household, or home office use, or for use in private motor
31 vehicles.

32 (j) “Antenna” includes, but is not limited to, a resonant device
33 designed especially for the purpose of capturing electromagnetic
34 energy transmitted by direct satellite or commercial radio or
35 television broadcasting facilities. An antenna, and its associated
36 accessories, ~~is~~ *are* not deemed to be a part of a set, and shall be
37 considered, under this section, to be located outside or in the attic
38 of a residence.

39 (k) “Rotator,” when used in connection with an antenna
40 installation or repair, includes, but is not limited to, an



1 electromechanical device operated from a remote location to
2 rotate an antenna on a horizontal plane. A rotator and its associated
3 accessories ~~is~~ *are* not deemed to be a part of a set and shall be
4 considered under this section, with the exception of the directional
5 control unit, to be located outside or in the attic of a residence.

6 (l) "Accessories," when used in connection with an antenna or
7 rotator installation or repair, includes, but is not limited to, masts,
8 towers, clamps, guy wires, eye hooks, standoff insulators, roof
9 saddles, vent pipe mounts, chimney mount kits, signal
10 amplifiers/boosters, multiset couplers, transmission lines, control
11 cables, directional control units, and other devices as may be used
12 from time to time to effect installation or repair.

13 (m) "Computer system" includes, but is not limited to, a
14 central processing unit that performs data manipulation functions,
15 and any associated peripheral devices, including, but not limited
16 to, keyboards, display terminals, printers, or disk drives.

17 (n) "Video game" includes, but is not limited to, any electronic
18 amusement device that utilizes a computer, microprocessor, or
19 similar electronic circuitry and its own cathode ray tube or a
20 television set or a monitor.

21 (o) "Direct satellite signal receiving equipment" includes, but
22 is not limited to, receivers, down converters, amplifiers, and audio
23 or video processors related to the reception of audio, video, or data
24 signals broadcasted or rebroadcasted by communication satellites
25 located in space.

26 (p) "Electronic repair industry" means those activities defined
27 in paragraph (1), (2), or (3) of subdivision (f).

28 (q) "Appliance repair industry" means those activities defined
29 in paragraph (4) of subdivision (f).

30 ~~SEC. 20.~~

31 *SEC. 14.* Section 9833 of the Business and Professions Code
32 is amended to read:

33 9833. A registrant shall notify the bureau in writing, within 30
34 days, of any change to the information provided by the form
35 specified in Section 9830. A service dealer shall not be required
36 to notify the bureau of employee changes. The director shall make
37 regulations prescribing the procedure for keeping the registration
38 information current.

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