

**ASSEMBLY BILL**

**No. 2544**

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**Introduced by Assembly Member Bill Campbell**

February 21, 2002

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An act to amend Section 7153 of the Business and Professions Code, relating to contractors.

LEGISLATIVE COUNSEL'S DIGEST

AB 2544, as introduced, Bill Campbell. Contractors: home improvement salespersons.

Existing law, the Contractors' State License Law, authorizes the Contractors' State License Board to conduct all functions and duties relating to the licensing, regulation, and discipline of licensees. Existing law provides that it is a misdemeanor for a person to act as a home improvement salesperson for a home improvement contractor unless that person has submitted an application and received a registration certificate issued by the registrar of contractors.

This bill would authorize a person who is awaiting approval of his or her application for registration from the registrar to act as a home improvement salesperson for the home improvement contractor specified in his or her application for registration.

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

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

- 1 SECTION 1. Section 7153 of the Business and Professions
- 2 Code is amended to read:

1 7153. (a) (1) It is a misdemeanor for any person to engage in  
2 the occupation of salesperson for one or more home improvement  
3 contractors within this state without having a registration issued by  
4 the registrar for each of the home improvement contractors by  
5 whom he or she is employed as a home improvement salesperson.  
6 If, upon investigation, the registrar has probable cause to believe  
7 that a salesperson is in violation of this section, the registrar may  
8 issue a citation pursuant to Section 7028.7.

9 (2) It is a misdemeanor for any person to engage in the  
10 occupation of salesperson of home improvement goods or services  
11 within this state without having a registration issued by the  
12 registrar.

13 (3) *While awaiting approval of a submitted application for*  
14 *registration from the registrar, a person may act as a home*  
15 *improvement salesperson for the home improvement contractor he*  
16 *or she specified in his or her application for registration.*

17 (b) Any security interest taken by a contractor, to secure any  
18 payment for the performance of any act or conduct described in  
19 Section 7151 that occurs on or after January 1, 1995, is  
20 unenforceable if the person soliciting the act or contract was not  
21 a duly registered salesperson or was not exempt from registration  
22 pursuant to Section 7152 at the time the homeowner signs the  
23 home improvement contract solicited by the salesperson.

