

AMENDED IN ASSEMBLY MAY 23, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 2544

Introduced by Assembly Member Bill Campbell

February 21, 2002

An act to ~~amend Section 7153 of~~ *add Section 7017.5* to the Business and Professions Code, relating to contractors.

LEGISLATIVE COUNSEL'S DIGEST

AB 2544, as amended, 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.~~

Existing law requires the board to submit a report to the Governor and the Legislature regarding board transactions, including a complete statement of receipts and expenditures during the preceding biennium.

This bill would require the board to post specified information on its Web site each week regarding home improvement salesperson registration applications.

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

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

1 ~~SECTION 1.—Section 7153 of the Business and Professions~~
2 ~~SECTION 1. Section 7017.5 is added to the Business and~~
3 ~~Professions Code, to read:~~
4 ~~7017.5. By the close of the first business day of each week, the~~
5 ~~board shall post the following home improvement salesperson~~
6 ~~registration information on its Web site:~~
7 ~~(a) The earliest enrolled date of the unprocessed applications~~
8 ~~on file at the close of the prior business day.~~
9 ~~(b) The earliest enrolled date of an application for which a~~
10 ~~registration number has been issued at the time of the posting~~
11 ~~required by this section.~~
12 ~~Code is amended to read:~~
13 ~~7153.—(a) (1) It is a misdemeanor for any person to engage in~~
14 ~~the occupation of salesperson for one or more home improvement~~
15 ~~contractors within this state without having a registration issued by~~
16 ~~the registrar for each of the home improvement contractors by~~
17 ~~whom he or she is employed as a home improvement salesperson.~~
18 ~~If, upon investigation, the registrar has probable cause to believe~~
19 ~~that a salesperson is in violation of this section, the registrar may~~
20 ~~issue a citation pursuant to Section 7028.7.~~
21 ~~(2) It is a misdemeanor for any person to engage in the~~
22 ~~occupation of salesperson of home improvement goods or services~~
23 ~~within this state without having a registration issued by the~~
24 ~~registrar.~~
25 ~~(3) While awaiting approval of a submitted application for~~
26 ~~registration from the registrar, a person may act as a home~~
27 ~~improvement salesperson for the home improvement contractor~~
28 ~~he or she specified in his or her application for registration.~~
29 ~~(b) Any security interest taken by a contractor, to secure any~~
30 ~~payment for the performance of any act or conduct described in~~
31 ~~Section 7151 that occurs on or after January 1, 1995, is~~
32 ~~unenforceable if the person soliciting the act or contract was not~~
33 ~~a duly registered salesperson or was not exempt from registration~~



- 1 ~~pursuant to Section 7152 at the time the homeowner signs the~~
- 2 ~~home improvement contract solicited by the salesperson.~~

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