

AMENDED IN SENATE MARCH 12, 2001

SENATE BILL

No. 135

Introduced by Senator Figueroa

January 29, 2001

An act to ~~amend Section 5810~~ *repeal and add Section 7124.6* of the Business and Professions Code, relating to ~~interior designers~~ *contractors*.

LEGISLATIVE COUNSEL'S DIGEST

SB 135, as amended, Figueroa. ~~Interior designers: termination of regulation~~ *Contractors.*

Existing law, the Contractors' State Licensing Law, requires the registrar to make available to the public the nature and disposition of all complaints on file against a licensee that have been referred for legal action. Existing law prohibits the disclosure of complaints that have been resolved in favor of the contractor.

This bill would also require the board to maintain an information system concerning the disposition and disclosure of complaints that would require the registrar to make available to the public the date, nature, and status of all complaints on file that have been referred for investigation due to a probable violation. The bill would require the board to adopt regulations creating a disclaimer that would accompany the disclosure of a complaint.

~~Existing law provides for the limited regulation of interior designers until January 1, 2002.~~

~~This bill would extend that termination date indefinitely.~~

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 5810 of the Business and Professions~~
2 *SECTION 1. Section 7124.6 of the Business and Professions*
3 *Code is repealed.*
4 ~~7124.6. (a) The registrar shall make available to members of~~
5 ~~the public the nature and disposition of all complaints on file~~
6 ~~against a licensee which have been referred for legal action.~~
7 ~~(b) Any complaints which were resolved in favor of the~~
8 ~~contractor shall not be subject to disclosure under subdivision (a).~~
9 *SEC. 2. Section 7124.6 is added to the Business and*
10 *Professions Code, to read:*
11 *7124.6. (a) The board shall maintain a system of information*
12 *regarding disclosure and disposition of complaints.*
13 *(b) The registrar shall make available to members of the public*
14 *the following information regarding complaints, unless the*
15 *information is limited by an adopted regulation of the board:*
16 *(1) The date, nature, and status of all complaints on file that*
17 *have been referred for investigation after a determination by board*
18 *enforcement staff that a probable violation has occurred.*
19 *(2) The date, nature, and disposition of all complaints on file*
20 *against a licensee that have been referred for legal action. Any*
21 *complaint that was resolved in favor of the contractor shall not be*
22 *subject to disclosure.*
23 *(c) Citations issued shall only be disclosed for a period of five*
24 *years from the date of issuance. Suspensions, revocations, terms,*
25 *and conditions of probation, or any other legal action affecting the*
26 *status of a licensee shall be disclosed for a minimum of seven years.*
27 *The board shall adopt regulations to establish when the period of*
28 *disclosure under this section shall be longer than seven years.*
29 *Complaints referred to arbitration shall be disclosed in*
30 *accordance with Section 7085.9.*
31 *(d) The board shall adopt regulations necessary to establish a*
32 *disclaimer that shall accompany the disclosure of a complaint. The*
33 *disclaimer shall state that the complaint is an allegation and the*
34 *disclaimer may contain any other information the board*
35 *determines would be informative to a person evaluating the*
36 *complaint.*
37 ~~Code is amended to read:~~



1 ~~5810.—This chapter shall be subject to the review required by~~
2 ~~Division 1.2 (commencing with Section 473).~~
3 ~~This chapter shall remain in effect only until January 1, _____,~~
4 ~~and as of that date is repealed, unless a later enacted statute, that~~
5 ~~is enacted before January 1, _____, deletes or extends that date.~~

