

AMENDED IN SENATE APRIL 2, 2008

AMENDED IN SENATE SEPTEMBER 7, 2007

AMENDED IN ASSEMBLY JUNE 1, 2007

AMENDED IN ASSEMBLY MARCH 28, 2007

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 163

Introduced by Assembly Member Eng Mendoza
(Coauthor: Senator Ridley-Thomas)

January 22, 2007

~~An act to amend Sections 101 and 313.1 of the Business and Professions Code, and to amend an initiative act entitled “An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation thereof, and repealing all acts and parts of acts inconsistent therewith” approved by electors November 7, 1922, by amending Sections 1, 2, 3, 4, 6, 8, and 14 thereof and adding Sections 1.5, 6.5, and 18.5 thereto, relating to chiropractors, and making an appropriation therefor. An act to add Section 19965 to the Business and Professions Code, relating to gambling.~~

LEGISLATIVE COUNSEL’S DIGEST

AB 163, as amended, Eng Mendoza. ~~Chiropractors. Gambling: local ordinances.~~

The Gambling Control Act authorizes a city or county to permit controlled gambling, consistent with state law, if a majority of voters affirmatively approve an ordinance so permitting, as specified. That

law authorizes an amendment of an ordinance permitting an expansion of gambling, within a specified limit, without voter approval, and also authorizes, without voter approval, an amendment to an ordinance permitting an increase of 24.99% in the number of gambling tables that may be operated in a gambling establishment or 2 gambling tables, whichever is greater, compared to the ordinance in effect on January 1, 1996.

This bill would further authorize a city or county, without voter approval, to amend an ordinance to increase the number of gambling tables that may be operated in a gambling establishment by 3 tables if the ordinance in effect on July 1, 2007, provided for 5 to 8 tables, and by 4 tables if the ordinance in effect on July 1, 2007, provided for 9 to 12 tables.

~~(1) Existing law, the Chiropractic Act enacted by initiative, provides for the licensing and regulation of chiropractors by the State Board of Chiropractic Examiners, which is composed of 7 members appointed by the Governor. Under the act, the board is required to employ an executive officer. Existing law establishes the Department of Consumer Affairs in the State and Consumer Services Agency, and the department is composed of various boards that regulate members of professions, including the healing arts, and vocations. Existing law prohibits a person from being denied admission to a chiropractic school, from being denied the right to take an examination, from being denied the right to receive a diploma or certificate of graduation from a chiropractic school, or from being denied licensure on the basis that he or she is blind.~~

~~This bill would enact the Chiropractor Consumer Protection Act, which would include the board in the Department of Consumer Affairs, would change 2 members of the board to public members appointed by the Senate Committee on Rules and the Speaker of the Assembly, and would require the members appointed by the Governor, including one public member, to be confirmed by the Senate. The bill would also prohibit the director from disapproving or rejecting any rule or regulation pertaining to chiropractic scope of practice or educational requirements. The bill would exempt the executive officer from civil service, and would specify that other employees of the board are subject to those provisions. The bill would also specify that protection of the public is the highest priority of the board. The bill would provide that the employment of legal counsel by the board be subject to certain requirements, and that the board be subject to specified meeting and disclosure requirements. The bill would also require that all~~

~~appropriations from the State Board of Chiropractic Examiners' Fund be made by the Legislature in the annual Budget Act. This bill would prohibit a person from being denied admission to a chiropractic school, from being denied the right to take an examination, from being denied the right to receive a diploma or certificate of graduation from a chiropractic school, or from being denied licensure because he or she is disabled. The bill would also specify that certain general provisions applicable to health care providers and health care provider licensing boards be applicable to chiropractors and to the board. The bill would appropriate \$1,542,000 from the State Board of Chiropractic Examiners' Fund for purposes of the Chiropractic Act, as specified.~~

~~Because the bill would amend an initiative act, the bill would require certain of its provisions be submitted to the voters for approval on the June 3, 2008, primary election ballot. The bill would state the Legislature's intent to appropriate \$300,000 from the State Board of Chiropractic Examiners' Fund for specified costs incurred by the Secretary of State in placing these provisions on the ballot.~~

~~(2) This bill would incorporate additional changes in Section 101 of the Business and Professions Code, proposed by SB 534, to be operative only if both this bill and SB 534 are chaptered and become effective on or before January 1, 2008, and this bill is chaptered last.~~

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

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

- 1 SECTION 1. Section 19965 is added to the Business and
- 2 Professions Code, to read:
- 3 19965. Notwithstanding Sections 19961 and 19962, a city,
- 4 county, or city and county may amend an ordinance to increase
- 5 the number of gambling tables that may be operated in a gambling
- 6 establishment as follows:
- 7 (a) If the ordinance in effect on July 1, 2007, provided for five
- 8 to eight tables, inclusive, the amended ordinance may allow an
- 9 increase of three tables.
- 10 (b) If the ordinance in effect on July 1, 2007, provided for nine
- 11 to 12 tables, inclusive, the amended ordinance may allow an
- 12 increase of four tables.

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All matter omitted in this version of the bill appears in the bill as amended in the Senate, September 7, 2007. (JR11)

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