

AMENDED IN SENATE JULY 1, 2008

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

ASSEMBLY BILL

No. 2427

Introduced by Assembly Member Eng

February 21, 2008

An act to amend Section 460 of the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

AB 2427, as amended, Eng. Professions and vocations.

Existing law makes it unlawful for a city or county to prohibit a person, authorized by one of the agencies of the Department of Consumer Affairs to engage in a particular business, from engaging in that business, occupation, or profession or any portion thereof.

This bill would also make it unlawful for a city or county to prohibit that person or a group of those persons from engaging in any act or series of acts that ~~fall~~ falls within the statutory or regulatory definition of that business, occupation, or profession, *but would prohibit construing this provision to prohibit the enforcement of a local ordinance effective prior to January 1, 2009, as specified.*

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 460 of the Business and Professions Code
- 2 is amended to read:
- 3 460. No city or county shall prohibit a person or group of
- 4 persons, authorized by one of the agencies in the Department of

1 Consumer Affairs by a license, certificate, or other such means to
2 engage in a particular business, from engaging in that business,
3 occupation, or profession or any portion thereof, or from engaging
4 in any act or series of acts that ~~fall~~ falls within the statutory or
5 regulatory definition of that business, occupation, or profession.
6 ~~Nothing~~ *However, nothing in this section shall be construed to*
7 *prohibit the enforcement of a local ordinance effective prior to*
8 *January 1, 2009, related to any act or series of acts that falls within*
9 *the statutory or regulatory definition of that business, occupation,*
10 *or profession. In addition, nothing in this section shall prohibit*
11 *any city or county or city and county from levying a business*
12 *license tax solely for revenue purposes nor any city or county from*
13 *levying a license tax solely for the purpose of covering the cost of*
14 *regulation.*