

AMENDED IN SENATE JUNE 10, 2008

AMENDED IN ASSEMBLY MARCH 24, 2008

CALIFORNIA LEGISLATURE—2007—08 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2592**

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**Introduced by Assembly Member Ma**

February 22, 2008

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An act to amend Sections 6980, 6980.10, 6980.12, 6980.13, ~~6980.17~~, ~~6980.18~~, ~~6980.19~~, ~~6980.20~~, ~~6980.21~~, 6980.22, 6980.23, 6980.26, ~~6980.27~~, ~~6980.28~~, ~~6980.33~~, ~~6980.34~~, ~~6980.39~~, ~~6980.42~~, ~~6980.44~~, ~~6980.33~~, ~~6980.42~~, 6980.48, ~~6980.49~~, ~~6980.50~~, ~~6980.53~~, ~~6980.58~~, ~~6980.53~~, 6980.59, 6980.60, 6980.64, 6980.65, and 6980.79 of, to add Sections ~~6980.51~~, ~~6980.54~~, and ~~6980.77~~ *Section 6980.54* to, to repeal Section 6980.36 of, and to repeal and add Section 6980.14 of, the Business and Professions Code, relating to locksmiths.

LEGISLATIVE COUNSEL'S DIGEST

AB 2592, as amended, Ma. Locksmiths.

Existing law provides for the licensure and regulation of locksmiths and the registration of employees of locksmiths by the Bureau of Security and Investigative Services in the Department of Consumer Affairs. Under existing law, the bureau is under the supervision and control of the Director of Consumer Affairs. Existing law also requires the Governor to appoint a chief to serve under the direction and supervision of the director. Existing law makes it a misdemeanor for any person to violate the locksmith provisions.

Existing law exempts from licensure *or registration* as a locksmith or employee of a locksmith certain individuals and practices.

This bill would modify and expand those exemptions, as specified.

~~Existing law requires employees of licensed locksmiths to be registered with the bureau, and prohibits certain persons from being placed in active charge of the business. Existing law requires a licensee or registrant to carry and display a pocket identification or registration card, issued by the chief, at all times while engaged in the work of a locksmith, as specified. Existing law authorizes the bureau to charge a fee sufficient to reimburse the department for furnishing an enhanced pocket registration card, which is composed of durable material, or a pocket identification card. Under existing law, this fee may not exceed the actual cost for providing the service, as specified, and may not exceed \$6.~~

~~This bill would revise the prohibition against certain persons being placed in active charge of the business, would require the registration of a qualified manager, as defined, and an apprentice, as defined, and would require a qualified manager to meet specified education and experience requirements. The bill would require a licensee to have a qualified manager, to list that manager and all registered employees on its application for licensure, and to make those names available to the public, as specified. The bill would make other conforming changes regarding qualified managers. The bill would modify the content of the pocket registration or identification card, would require a partner or officer of a licensee to carry a pocket identification card, and would provide for the surrender and inoperation of the card upon the termination of a partner's, officer's, or registrant's employment with a licensee. The bill would make an individual's registration inoperative on the date upon which he or she is no longer employed by a licensee, and would provide for reactivation as specified. and would delete the \$6 limit on the fee for issuing that card or the enhanced registration card. In addition, the bill would require a licensee, registrant, or partner or officer of a licensee to also carry and display a valid driver's license or valid identification card issued by the Department of Motor Vehicles, as specified.~~

Existing law requires branch offices of licensed locksmiths to be registered with the bureau.

~~This bill would revise the definition of branch office and would require the application for registration of the branch office to include, among other things, the qualified manager and employees of the branch office. The bill would require each locksmith license to be conspicuously displayed at each branch office and in each mobile service vehicle, as defined, for which the license is issued, and. The bill would impose~~

*authorize the director to assess a \$250 fine for violation of this that requirement.*

Existing law requires a licensee to notify the bureau of any change in its officers or the addition of new partners, and requires applications to be submitted for those officers and partners. A 2nd or subsequent violation of this requirement is subject to a fine of \$25.

This bill would increase that fine to \$500.

Existing law requires advertisements by a locksmith to contain the locksmith's address, as specified.

This bill would define "advertisement" for that purpose and require each advertisement to contain certain additional information, and would ~~impose~~ *authorize the director to assess* fines for violations of those requirements.

Existing law makes it a misdemeanor, punishable by a fine of \$1,000 or imprisonment in a county jail, as specified, or both that fine and imprisonment, for any unlicensed or unregistered person to engage in certain acts relating to the locksmith business. Existing law also makes it a misdemeanor to violate or conspire to violate any of the provisions governing locksmiths.

This bill would revise and recast those provisions and would increase the fine for violations of those provisions to \$10,000. ~~The bill would authorize the director to issue a citation to a licensee or registrant for any violation, which citation may include an order of abatement or a fine, not to exceed \$2,500. The bill would also authorize the issuance of an injunction by a court and imposition of civil fines, as specified. The bill would prohibit the issuance of licenses to persons convicted of specified violations for certain periods of time and would also prohibit a locksmith from duplicating a key in certain circumstances.~~

Existing law imposes various fees for license application and renewal, branch office registration and renewal, employee registration and renewal, *and* fingerprint processing, ~~and pocket identification cards.~~

This bill would increase *certain* of those fees, as specified, and would ~~specify the fee for registration as an apprentice. The bill would require licensees to satisfy certain continuing education requirements as a condition of license renewal~~ *require that the fee for fingerprint card processing not exceed the actual cost of the processing.*

*The bill would enact other related provisions.*

Because a violation of the requirements and prohibitions created by this bill would be a crime, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. Section 6980 of the Business and Professions  
2 Code is amended to read:

3 6980. The following terms as used in this chapter have the  
4 meaning expressed in this article:

5 ~~(a) "Apprentice" means an individual who is not substantially~~  
6 ~~employed as a locksmith, but is learning the trade, through study,~~  
7 ~~guided experience, and mentoring. An apprentice may not serve~~  
8 ~~as a qualified manager, but may own, be a partner in, or be an~~  
9 ~~officer in, a licensed locksmith company.~~

10 ~~(b)~~

11 (a) "Branch office" means any additional physical location,  
12 other than the principal place of business of a licensee, where any  
13 locksmith service is provided. Branch office includes the California  
14 office of any out-of-state business conducting, directing,  
15 dispatching, or managing a locksmith business, service, or service  
16 providers in California. A telephone answering service or a  
17 telephone-call forwarding *call-forwarding* device, for routing calls  
18 within the immediate geographic area, shall not be deemed to be  
19 a branch office.

20 ~~(c)~~

21 (b) "Bureau" means the Bureau of Security and Investigative  
22 Services.

23 ~~(d)~~

24 (c) "Chief" means the Chief of the Bureau of Security and  
25 Investigative Services.

26 ~~(e)~~

27 (d) "Department" means the Department of Consumer Affairs.

28 ~~(f)~~

29 (e) "Director" means the Director of the Department of  
30 Consumer Affairs.

1 ~~(g)~~

2 (f) “Employer” means a person who employs an individual for  
3 wages or salary, lists the individual on the employer’s payroll  
4 records, and withholds all legally required deductions and  
5 contributions.

6 ~~(h)~~

7 (g) “Employee” means an individual who works for an  
8 employer, is listed on the employer’s payroll records, and is under  
9 the employer’s direction and control. An independent contractor  
10 is not an employee pursuant to this chapter.

11 ~~(i)~~

12 (h) “Employer-employee relationship” means an individual who  
13 works for another and where the individual’s name appears on the  
14 payroll records of the employer.

15 ~~(j)~~

16 (i) “Licensee” means a business entity, whether an individual,  
17 partnership, or corporation, licensed under this chapter.

18 ~~(k)~~

19 (j) “Locksmith” means any person who, for any consideration  
20 or compensation whatsoever, engages, directly or indirectly and  
21 as a primary or secondary object, in the business of rekeying,  
22 installing, repairing, opening, modifying locks, or who originates  
23 keys for locks, including, but not limited to, electronic cloning of  
24 transponder keys and any other electronic programming of  
25 automotive keys and electronic operating devices, such as key  
26 fobs, door and ignition key devices, and successive electronic and  
27 other high-security key technology. A “locksmith” does not mean  
28 a person whose activities are limited to making a duplicate key  
29 from an existing key.

30 ~~(l)~~

31 (k) “Person” means any individual, firm, company, association,  
32 organization, partnership, or corporation.

33 ~~(m)~~

34 (l) “Registrant” means ~~a qualified manager, employee, or~~  
35 ~~apprentice, an employee~~ registered pursuant to the provisions of  
36 this chapter.

37 ~~(n)~~

38 (m) “Lock” means any mechanical, electromechanical,  
39 electronic, or electromagnetic device, or similar device, including  
40 any peripheral hardware, that is designed to control access from

1 one area to another, or that is designed to control the use of a  
2 device, including, but not limited to, a safe, vault, or safe deposit  
3 box.

4 ~~(o)~~

5 (n) “Recombination” means changing the combination of any  
6 combination-actuated lock.

7 ~~(p)~~

8 (o) “Master key system” means any system in which a lock is  
9 rekeyed so that the lock can be operated by its own individual key  
10 and can also be operated by a key that can operate other locks if  
11 the other locks cannot be operated with the lock’s individual key.

12 ~~(q)~~

13 (p) “Key duplication machine” means any tool whose only  
14 capability is to manufacture a new key by using an existing key  
15 as a guide, which includes, but is not limited to, any of the  
16 following:

17 (1) Standard key duplication machines that are limited to  
18 duplication of a metallic key from an existing metallic key,  
19 standard single- or double-sided key, including a plastic “credit  
20 card” emergency key.

21 (2) High-security key machines that include the duplication of  
22 restricted keys, such as sidewinders and laser cut styles of  
23 machines.

24 (3) Transponder cloning and reprogramming machines that  
25 transfer electronic codes and signals and successive technology to  
26 keys, fobs, and door and ignition operating devices.

27 ~~(r)~~

28 (q) “Key blank” means a key that has not been altered or cut  
29 and does not include depth keys.

30 ~~(s)~~

31 (r) “Pin kit” means a container that holds only the following  
32 lock parts and materials:

33 (1) Bottom pins.

34 (2) Top pins (not including master pins).

35 (3) Springs.

36 (4) Plug follower.

37 (5) Proprietary tools, provided by a lock manufacturer, designed  
38 for the purpose of rekeying a lock.

39 ~~(t)~~

1 (s) “Locksmith tool” means (1) any tool designed for the purpose  
2 of opening, bypassing, altering, rekeying, servicing, or repairing  
3 any lock, or (2) any burglar tool, as described in Section 466 of  
4 the Penal Code.

5 ~~(t)~~

6 (t) “Motor service vehicle” means any vehicle, as defined in  
7 Section 6161 of the Vehicle Code, or other mode of transportation,  
8 that is used in the business of rekeying, installing, repairing,  
9 opening, or modifying locks, or originating keys for locks.

10 ~~(v) “Qualified manager” is an individual, located in the State  
11 of California, who shall be in the position of the active charge and  
12 management of a licensed locksmith company or registered branch  
13 office.~~

14 SEC. 2. Section 6980.10 of the Business and Professions Code  
15 is amended to read:

16 6980.10. (a) No person shall engage within this state in the  
17 activities of a locksmith as defined in subdivision ~~(k)~~ (j) of Section  
18 6980, unless the person holds a valid locksmith license, is  
19 registered pursuant to the provisions of this chapter, or is exempt  
20 from the provisions of this chapter.

21 (b) Any person who does any of the following is guilty of a  
22 misdemeanor, punishable by a fine of ten thousand dollars  
23 (\$10,000), or by imprisonment in a county jail for not more than  
24 one year, or by both that fine and imprisonment:

25 (1) Acts as or represents himself or herself to be a licensee under  
26 this chapter when that person is not a licensee under this chapter.

27 (2) Falsely represents that he or she is employed by a licensee  
28 under this chapter when he or she is not employed by a licensee  
29 under this chapter.

30 (3) Carries a badge, identification card, or business card,  
31 indicating that he or she is a licensee under this chapter when he  
32 or she is not a licensee under this chapter.

33 (4) Uses a letterhead or other written or electronically generated  
34 materials indicating that he or she is a licensee under this chapter  
35 when he or she is not a licensee under this chapter.

36 (5) Advertises that he or she is a licensee under this chapter  
37 when he or she is not a licensee under this chapter.

38 (c) A proceeding to impose the fine specified in subdivision (b)  
39 may be brought in any court of competent jurisdiction in the name  
40 of the people of the State of California by the Attorney General

1 or by any district attorney or city attorney, or with the consent of  
 2 the district attorney, the city prosecutor in any city or city and  
 3 county having a full-time city prosecutor for the jurisdiction in  
 4 which the violation occurred. If the action is brought by the district  
 5 attorney, the penalty collected shall be paid to the treasurer of the  
 6 county in which the judgment is entered. If the action is brought  
 7 by a city attorney or city prosecutor, one-half of the penalty  
 8 collected shall be paid to the treasurer of the city in which the  
 9 judgment was entered and one-half to the treasurer of the county  
 10 in which the judgment was entered. If the action is brought by the  
 11 Attorney General, all of the penalty collected shall be deposited  
 12 in the Private Security Services Fund.

13 SEC. 3. Section 6980.12 of the Business and Professions Code  
 14 is amended to read:

15 6980.12. This chapter does not apply to the following persons:

16 (a) Any person, or his or her agent or employee, who is the  
 17 manufacturer of a product, other than locks and keys, and who  
 18 installs, repairs, opens, or modifies locks or who makes keys for  
 19 the locks of that product as a normal incident to its marketing.

20 (b) Employees who are industrial or institutional locksmiths,  
 21 provided that the employees provide locksmith services only to a  
 22 single employer that does not provide locksmith services for hire  
 23 to the public for any consideration or compensation whatsoever.

24 (c) Tow truck operators who do not originate keys for locks and  
 25 whose locksmith services are limited to opening motor vehicles.

26 (d) Any person employed exclusively and regularly by a state  
 27 correctional institution, or other state or federal agency, and who  
 28 does not provide locksmith services for hire to the public for any  
 29 consideration or compensation whatsoever.

30 (e) Any person registered with the bureau pursuant to Chapter  
 31 11 (commencing with Section 7500) if the duties of that person's  
 32 position that constitute locksmithing are ancillary to the primary  
 33 duties and functions of that person's position.

34 (f) Any agent or employee of a retail establishment that has a  
 35 primary business other than providing locksmith services, providing  
 36 all of the following criteria are met:

37 (1) The services provided by the retail establishment are limited  
 38 to rekeying and recombination of locks.

39 (2) All rekeying, recombination, and installation of locks must  
 40 take place on the premises of the retail establishment.

1 (3) All rekeying, recombination, and installation services  
2 provided by the retail establishment subject to this chapter are  
3 limited to locks purchased on the retail establishment's premises  
4 and are conducted prior to purchasers taking possession of the  
5 locks.

6 (4) No unlicensed agent or employee of the retail establishment  
7 shall advertise or represent himself or herself to be licensed under  
8 this chapter, and no agent or employee of the retail establishment  
9 shall advertise or represent himself or herself to be a locksmith.

10 (5) No agent or employee of the retail establishment shall design  
11 or implement a master key system, as defined in subdivision ~~(p)~~  
12 *(o)* of Section 6980.

13 (6) No agent or employee of the retail establishment shall rekey,  
14 change the combination of, alter, or install any automotive locks.

15 (7) The retail establishment shall not have on its premises any  
16 locksmith tool, as defined in subdivision ~~(t)~~ *(s)* of Section 6980,  
17 other than the following:

18 (A) Standard key duplication machines.

19 (B) Key blanks.

20 (C) Pin kits.

21 (g) Any law enforcement officer employed by any city, county,  
22 city and county, state, or federal law enforcement agency, if all  
23 services are performed during the course of the officer's  
24 professional duties.

25 (h) Firefighters or emergency medical personnel employed by  
26 any city, county, city and county, district, or state agency, if all  
27 services are performed during the course of duties as a firefighter  
28 or emergency medical person.

29 (i) A new motor vehicle dealer, as defined in Section 426 of the  
30 Vehicle Code, and employees of a new motor vehicle dealer acting  
31 within the scope of employment at a dealership.

32 SEC. 4. Section 6980.13 of the Business and Professions Code  
33 is amended to read:

34 6980.13. (a) Any person who violates any provision of this  
35 chapter, or who conspires with another person to violate any  
36 provision of this chapter, or who knowingly engages a nonexempt  
37 or unlicensed locksmith *after being notified in writing by the*  
38 *bureau of the individual's unlicensed status with the bureau*, is  
39 guilty of a misdemeanor, punishable by a fine of ten thousand  
40 dollars (\$10,000), or by imprisonment in a county jail for not more

1 than one year, or by both that fine and imprisonment, except as  
2 otherwise provided in this chapter.

3 (b) A proceeding to impose the fine specified in subdivision (a)  
4 may be brought in any court of competent jurisdiction in the name  
5 of the people of the State of California by the Attorney General  
6 or by any district attorney or city attorney, or with the consent of  
7 the district attorney, the city prosecutor in any city or city and  
8 county having a full-time city prosecutor for the jurisdiction in  
9 which the violation occurred. If the action is brought by the district  
10 attorney, the penalty collected shall be paid to the treasurer of the  
11 county in which the judgment is entered. If the action is brought  
12 by a city attorney or city prosecutor, one-half of the penalty  
13 collected shall be paid to the treasurer of the city in which the  
14 judgment was entered and one-half to the treasurer of the county  
15 in which the judgment was entered. If the action is brought by the  
16 Attorney General, all of the penalty collected shall be deposited  
17 in the Private Security Services Fund.

18 (c) Any person who is convicted of a violation of this section  
19 or Section 6980.10 shall not be issued a license for a period of one  
20 year following a first conviction and shall not be issued a license  
21 for a period of five years following a second or subsequent  
22 conviction of this section or Section 6980.10 or any combination  
23 of those sections.

24 ~~(d) The chief shall gather evidence of violations of this chapter,~~  
25 ~~and of any rule or regulation established pursuant to this chapter,~~  
26 ~~by persons engaged in the business of a licensee who fail to obtain~~  
27 ~~a license and shall furnish that evidence to prosecuting officers of~~  
28 ~~any county or city for the purpose of prosecuting those violations~~  
29 ~~occurring within their jurisdiction.~~

30 (e)

31 (d) It is the intent of the Legislature that the prosecuting officer  
32 of any county or city shall prosecute all violations of this chapter  
33 occurring within his or her jurisdiction.

34 SEC. 5. Section 6980.14 of the Business and Professions Code  
35 is repealed.

36 SEC. 6. Section 6980.14 is added to the Business and  
37 Professions Code, to read:

38 6980.14. (a) The superior court in and for the county where  
39 any person has engaged or is about to engage in any act that  
40 constitutes a violation of this chapter, or where any person engages

1 in the business of a locksmith after the revocation or expiration of  
2 any license or during the period of suspension of any license, may,  
3 upon application of the chief or any person licensed under these  
4 provisions or any association representing those licensees or any  
5 member of the general public, issue an injunction or other  
6 appropriate order restraining this conduct and may impose civil  
7 fines not exceeding ten thousand dollars (\$10,000). The  
8 proceedings under this section shall be governed by Chapter 3  
9 (commencing with Section 525) of Title 7 of Part 2 of the Code  
10 of Civil Procedure, except that there shall be no requirement to  
11 allege facts necessary to show or tending to show lack of adequate  
12 remedy at law or irreparable injury.

13 (b) During the period of revocation, expiration, or suspension,  
14 any business-~~phone~~ *telephone* number used to conduct, direct,  
15 operate, dispatch, manage, or utilize an illegal, nonexempt, or  
16 unlicensed locksmith business, locksmith service, service provider,  
17 or related activity, may be disconnected by ruling of the chief.

18 (c) The superior court for the county in which any person has  
19 engaged in any act that constitutes a violation of this chapter may,  
20 upon a petition filed by the chief with the approval of the director,  
21 order this person to make restitution to persons injured as a result  
22 of the violation.

23 (d) The court may order a person subject to an injunction or  
24 restraining order, provided for in subdivision (a), or subject to an  
25 order requiring restitution pursuant to subdivision (c), to reimburse  
26 the bureau for expenses incurred by the bureau in its investigation  
27 related to its petition.

28 (e) A proceeding to impose the fine specified in subdivision (a)  
29 and enjoin the unlicensed operation may be brought in any court  
30 of competent jurisdiction in the name of the people of the State of  
31 California by the Attorney General or by any district attorney or  
32 city attorney, or with the consent of the district attorney, the city  
33 prosecutor in any city or city and county having a full-time city  
34 prosecutor for the jurisdiction in which the violation occurred. If  
35 the action is brought by the district attorney, the penalty collected  
36 shall be paid to the treasurer of the county in which the judgment  
37 is entered. If the action is brought by a city attorney or city  
38 prosecutor, one-half of the penalty collected shall be paid to the  
39 treasurer of the city in which the judgment was entered and one-half  
40 to the treasurer of the county in which the judgment was entered.

1 If the action is brought by the Attorney General, all of the penalty  
2 collected shall be deposited in the Private Security Services Fund.

3 (f) The remedy provided for by this section shall be in addition  
4 to any other remedy provided for in this chapter.

5 ~~SEC. 7. Section 6980.17 of the Business and Professions Code~~  
6 ~~is amended to read:~~

7 ~~6980.17. (a) An application for a locksmith license shall be~~  
8 ~~made in writing to, and filed with, the chief in the form as may be~~  
9 ~~required by the director, and shall be accompanied by the~~  
10 ~~application fee prescribed by this chapter. The chief may require~~  
11 ~~the submission of any other relevant information, evidence,~~  
12 ~~statements, or documents.~~

13 ~~(b) Every application for a locksmith license shall state, among~~  
14 ~~other things that may be required, the name of the applicant, the~~  
15 ~~name under which the applicant will do business, and the physical~~  
16 ~~location by street, number, and city of the office of the business~~  
17 ~~for which the license is sought.~~

18 ~~(c) No license shall be issued in any fictitious name that may~~  
19 ~~be confused with, or that is similar to, any federal, state, county,~~  
20 ~~or municipal governmental function or agency, or to any law~~  
21 ~~enforcement agency, or in any name that may tend to describe any~~  
22 ~~business function or enterprise not actually engaged in by the~~  
23 ~~applicant.~~

24 ~~(d) No license shall be issued in any fictitious name that is~~  
25 ~~misleading or would constitute false advertising.~~

26 ~~(e) A licensee shall have a designated qualified manager listed~~  
27 ~~on its application. The name of the licensee's qualified manager~~  
28 ~~shall be available to the public, upon request, at no charge.~~

29 ~~(f) A licensee shall list all registered employees on its~~  
30 ~~application. A list of the licensee's employees' names shall be~~  
31 ~~available to the public, upon request, at no charge.~~

32 ~~SEC. 8:~~

33 ~~SEC. 7. Section 6980.18 of the Business and Professions Code~~  
34 ~~is amended to read:~~

35 ~~6980.18. (a) Each individual applicant, each partner of a~~  
36 ~~partnership, and designated officers of a corporation shall submit~~  
37 ~~with the application one personal identification form provided by~~  
38 ~~the chief upon which shall appear a photograph taken within one~~  
39 ~~year immediately preceding the date of the filing of the application,~~  
40 ~~together with two legible sets of fingerprints, one set of which~~

1 shall be forwarded to the Federal Bureau of Investigation for  
2 purposes of a background check, and a personal description of  
3 each person, respectively. Any photograph submitted by an  
4 applicant shall measure 1 ¼ by 1 ½ inches, with a face size no  
5 greater than 1 by 1 ¼ inches. The identification form shall include  
6 residence addresses and employment history for the previous five  
7 years.

8 (b) The bureau may impose a fee not to exceed ~~twenty dollars~~  
9 ~~(\$20)~~ for the actual cost of processing classifiable fingerprint cards  
10 submitted by applicants, excluding those submitted into an  
11 electronic fingerprint system using electronic fingerprint  
12 technology.

13 ~~SEC. 9. Section 6980.19 of the Business and Professions Code~~  
14 ~~is amended to read:~~

15 ~~6980.19. (a) If the applicant for a license is an individual, the~~  
16 ~~application shall state the full name of the individual, the full~~  
17 ~~residence address of the applicant, and that the applicant is to be~~  
18 ~~personally and actively in charge of the business for which the~~  
19 ~~license is sought. The application shall be subscribed, verified,~~  
20 ~~and signed by the applicant, under penalty of perjury.~~

21 ~~(b) The license application for an individual may also be~~  
22 ~~submitted as an application for registration as a qualified manager~~  
23 ~~pursuant to Section 6980.42.~~

24 ~~SEC. 10. Section 6980.20 of the Business and Professions~~  
25 ~~Code is amended to read:~~

26 ~~6980.20. If the applicant for a license is a partnership, the~~  
27 ~~application shall state the true names and addresses of all the~~  
28 ~~general partners and the name of the partner to be actively in charge~~  
29 ~~of the business for which the license is sought, who shall be~~  
30 ~~registered as the qualified manager for the licensee. The application~~  
31 ~~shall be subscribed, verified, and signed under penalty of perjury~~  
32 ~~by all of the general partners.~~

33 ~~SEC. 11. Section 6980.21 of the Business and Professions~~  
34 ~~Code is amended to read:~~

35 ~~6980.21. (a) If the applicant for a license is a corporation, the~~  
36 ~~application shall state the true names and complete residence~~  
37 ~~addresses of the chief executive officer, secretary, chief financial~~  
38 ~~officer, and any other corporate officer who will be active in the~~  
39 ~~business to be licensed. The corporation identification number~~  
40 ~~issued by the Secretary of State shall be indicated on the~~

1 application. The application shall also state the name and address  
2 of a designated person to be actively in charge of the business for  
3 which the license is sought, who shall be registered as the qualified  
4 manager for the licensee. The application shall be subscribed,  
5 verified, and signed by a duly authorized officer of the applicant  
6 under penalty of perjury.

7 (b) ~~Except as herein otherwise provided, no individual shall be~~  
8 ~~placed in active charge of the business if the individual has ever~~  
9 ~~had a license or registration revoked for cause or has ever been~~  
10 ~~disqualified from further employment in the locksmith business~~  
11 ~~pursuant to this chapter or pursuant to the laws of any other state.~~

12 ~~SEC. 12.~~

13 *SEC. 8.* Section 6980.22 of the Business and Professions Code  
14 is amended to read:

15 6980.22. No new or original license shall be issued to any  
16 applicant pending final disposition of any disciplinary action  
17 previously filed against the person or applicant or partner, or officer  
18 of the applicant, or pending final disposition of any disciplinary  
19 action related to the locksmith business previously filed in another  
20 state against the person or applicant or partner, or officer of the  
21 applicant.

22 ~~SEC. 13.~~

23 *SEC. 9.* Section 6980.23 of the Business and Professions Code  
24 is amended to read:

25 6980.23. (a) ~~The chief shall issue a pocket identification card~~  
26 ~~to the owner, partners, and officers. The chief shall determine the~~  
27 ~~form and content of the card. The pocket card shall be composed~~  
28 ~~of durable material and may incorporate technologically advanced~~  
29 ~~security features and shall contain the signature and photograph~~  
30 ~~of the owner, partner, or officer and the signature of the chief. The~~  
31 ~~security features. The bureau may charge a fee sufficient to~~  
32 ~~reimburse the department for costs for furnishing the pocket card.~~  
33 ~~The fee charged may not exceed the actual cost for system~~  
34 ~~development, maintenance, and processing necessary to provide~~  
35 ~~the service, and may not exceed sixteen dollars (\$16).~~

36 (b) ~~When the relationship with a licensee of a person to whom~~  
37 ~~the card is issued terminates, for any reason, he or she shall~~  
38 ~~surrender the card to the licensee. Within five days, the licensee~~  
39 ~~shall notify the bureau of any card surrendered or requested to be~~  
40 ~~surrendered under this subdivision and shall mail or deliver to the~~

1 bureau for cancellation any card surrendered under this subdivision.  
2 Upon receipt of notification under this subdivision, the bureau  
3 shall place the pocket identification card holder on inactive status,  
4 until such time as the person becomes owner, partner, or officer  
5 of a licensee.

6 ~~SEC. 14.~~

7 *SEC. 10.* Section 6980.26 of the Business and Professions Code  
8 is amended to read:

9 6980.26. (a) Each locksmith license, together with the current  
10 renewal certificate, if any, shall at all times be conspicuously  
11 displayed at the place of business, each branch office, and in each  
12 mobile service vehicle for which the license is issued.

13 (b) The director may assess a fine of two hundred fifty dollars  
14 (\$250) per violation of subdivision (a). These fines shall be  
15 deposited in the Private Security Services Fund.

16 ~~SEC. 15.~~ Section 6980.27 of the Business and Professions  
17 Code is amended to read:

18 ~~6980.27.~~ Every locksmith license shall expire at 12 midnight  
19 of the last day of the month two years following the date of  
20 issuance unless renewed; provided however, that the bureau may  
21 establish procedures, pursuant to Sections 152.5 and 152.6, for the  
22 administration of a staggered license renewal program. To renew  
23 an unexpired license or registration, the licensee shall apply for  
24 renewal on a form prescribed by the director, pay any and all fines  
25 assessed by the chief or the director which are not pending appeal,  
26 and pay the renewal fee prescribed by this chapter. On renewal,  
27 such evidence of renewal of the license or registration as the  
28 director may prescribe shall be issued to the licensee. The bureau  
29 shall send to each licensee a notice of renewal at least 45 calendar  
30 days prior to the expiration of each unexpired license. Any  
31 applicable continuing education requirements under this chapter  
32 shall be completed prior to renewal of a license.

33 ~~SEC. 16.~~ Section 6980.28 of the Business and Professions  
34 Code is amended to read:

35 ~~6980.28.~~ A locksmith license not renewed within three years  
36 following its expiration may not be renewed thereafter. Renewal  
37 of the license within three years, or issuance of an original license  
38 thereafter, shall be subject to payment of any and all fines assessed  
39 by the chief or the director that are not pending appeal and all other  
40 applicable fees. Any applicable continuing education requirements

1 under this chapter shall be completed prior to renewal of the  
 2 license.

3 ~~SEC. 17.~~

4 *SEC. 11.* Section 6980.33 of the Business and Professions Code  
 5 is amended to read:

6 6980.33. A licensee, or a partner or officer of a licensee, shall  
 7 carry a valid pocket identification card, issued by the bureau  
 8 pursuant to Section 6980.23, *and either a valid driver's license*  
 9 *issued pursuant to Section 12811 of the Vehicle Code or a valid*  
 10 *identification card issued pursuant to Section 13000 of the Vehicle*  
 11 *Code*, at all times the licensee, or partner or officer, is engaged in  
 12 the work of a locksmith, as defined in this chapter, whether on or  
 13 off the premises of the licensee's place of business. Every person,  
 14 while engaged in any activity for which licensure is required, shall  
 15 display his or her valid pocket card, *and driver's license or*  
 16 *identification card*, as provided by regulation.

17 ~~SEC. 18.~~ Section 6980.34 of the Business and Professions  
 18 Code is amended to read:

19 6980.34. (a) Every application for a locksmith license in which  
 20 the person applying desires to have the license issued under a  
 21 fictitious business name shall include a certified copy of the  
 22 fictitious business name statement filed with the county clerk  
 23 pursuant to Chapter 5 (commencing with Section 17900) of Part  
 24 3 of Division 7.

25 (b) A licensee desiring to operate a locksmith business under  
 26 one or more fictitious business names shall apply and qualify for  
 27 an initial license for each fictitious business name.

28 (c) No licensee shall indicate, or cause to be indicated, in any  
 29 printed matter, or in any directory or listing, that he or she conducts  
 30 a locksmith business under any name, other than the name for  
 31 which he or she is licensed.

32 (d) An application for a license for an additional fictitious  
 33 business name shall be in the same form, and the applicant shall  
 34 meet the same requirements, as for an initial license.

35 (e) A licensee operating a locksmith business under one or more  
 36 fictitious business names shall have a designated qualified manager  
 37 listed on its application. This qualifying manager's name shall be  
 38 listed and be available to the public, upon request, at no charge.

39 (f) A licensee desiring to operate a locksmith business under  
 40 one or more fictitious business names shall list its licensed

1 employees on its application. The employees' names shall be listed  
2 and be available to the public, upon request, at no charge.

3 ~~SEC. 19.~~

4 ~~SEC. 12.~~ Section 6980.36 of the Business and Professions Code  
5 is repealed.

6 ~~SEC. 20.~~ Section 6980.39 of the Business and Professions  
7 Code is amended to read:

8 ~~6980.39.~~ An application for a branch office registration shall  
9 include:

10 (a) ~~The full name and address of, and the telephone number at,~~  
11 ~~the principal licensed location, and the license number of the~~  
12 ~~applicant.~~

13 (b) ~~The address and physical location of, and the telephone~~  
14 ~~number at, the branch office.~~

15 (c) ~~A branch office shall have a designated qualified manager~~  
16 ~~listed on its application. This qualifying manager's name will be~~  
17 ~~listed and be publicly available, upon request, at no charge.~~

18 (d) ~~A branch office shall list its registered employees on its~~  
19 ~~application, and shall make these names publicly available, upon~~  
20 ~~request, at no charge.~~

21 ~~SEC. 21.~~

22 ~~SEC. 13.~~ Section 6980.42 of the Business and Professions Code  
23 is amended to read:

24 6980.42. (a) Within seven days after commencing employment,  
25 ~~any qualified manager or~~ employee of a locksmith who is not  
26 currently registered with the bureau and who is performing the  
27 services of a locksmith shall submit to the bureau a completed  
28 application for registration, two classifiable fingerprint cards, one  
29 set of which shall be forwarded to the Federal Bureau of  
30 Investigation for purposes of a background check, and the  
31 appropriate registration fee. No application is required to be  
32 submitted if the ~~qualified manager or~~ employee terminated  
33 employment within seven days. "Within seven days" means 168  
34 hours from the time a ~~qualified manager or~~ an employee provides  
35 any service for which he or she shall be compensated by a licensee.

36 (b) Except as provided in subdivision (c), ~~a qualified manager~~  
37 ~~or an~~ employee of a licensee may be assigned to work with a  
38 temporary registration card issued by the licensee until the bureau  
39 issues a registration card or denies the application for registration.  
40 A temporary registration card shall in no event be valid for more

1 than 120 days. However, the director may extend the expiration  
2 date beyond the 120 days if there is an abnormal delay in  
3 processing applications for locksmith-qualified managers or  
4 employees. For purposes of this section, the 120-day period shall  
5 commence on the date the applicant signs the application.

6 ~~(c) A qualified manager or~~ An employee who has been convicted  
7 of a crime prior to applying for a position as a ~~qualified manager~~  
8 ~~or locksmith~~ employee performing the services of a locksmith shall  
9 not be issued a temporary registration card and shall not be  
10 assigned to work as a ~~qualified manager or employee locksmith~~  
11 until the bureau issues a permanent registration card. This  
12 subdivision shall apply only if the applicant for registration has  
13 disclosed the conviction to the bureau on his or her application  
14 form, or if the fact of the conviction has come to the attention of  
15 the bureau through official court or other governmental documents.

16 (d) The bureau may impose a fee not to exceed ~~twenty dollars~~  
17 ~~(\$20)~~ for the actual cost of processing classifiable fingerprint cards  
18 submitted by applicants, excluding those submitted into an  
19 electronic fingerprint system using electronic fingerprint  
20 technology.

21 ~~(e) A qualified manager shall demonstrate competency in the~~  
22 ~~field of locksmithing in one or more of the following ways:~~

23 ~~(1) Successful completion of a state or nationally recognized~~  
24 ~~professional proficiency program.~~

25 ~~(2) Five years of documented experience in the field of~~  
26 ~~locksmithing, except as follows:~~

27 ~~(A) Completion of a state-approved or nationally accredited~~  
28 ~~trade school course of study, may be substituted on a year-by-year~~  
29 ~~basis for up to three years of experience.~~

30 ~~(B) A skills examination by an instructor approved by the bureau~~  
31 ~~may be substituted for up to two years of experience under this~~  
32 ~~paragraph.~~

33 ~~(3) Have served five years in the capacity of a qualified manager~~  
34 ~~prior to January 1, 2009.~~

35 ~~(f) An apprentice shall register with the bureau as an apprentice,~~  
36 ~~and shall follow all rules and regulations applicable to a locksmith~~  
37 ~~employee, except for the following:~~

38 ~~(1) An apprentice shall list his or her respective trade school as~~  
39 ~~his or her employer.~~

1     ~~(2) An apprentice shall list his or her qualified manager and the~~  
2 ~~licensee that he or she works for, if employed in a mentorship~~  
3 ~~program or workstudy program.~~

4     ~~(g) An individual's registration under this chapter shall become~~  
5 ~~inactive on the date upon which he or she is no longer employed~~  
6 ~~by a licensee. An inactive registration shall be reactivated upon a~~  
7 ~~licensee reporting to the board that the individual is employed by~~  
8 ~~the licensee in the same capacity as his or her previous registration.~~

9     ~~SEC. 22. Section 6980.44 of the Business and Professions~~  
10 ~~Code is amended to read:~~

11     ~~6980.44. The qualified manager, employee, or apprentice~~  
12 ~~application shall be verified and shall include the following:~~

13     ~~(a) The full name, residence address, telephone number, and~~  
14 ~~date of birth of the qualified manager, employee, or apprentice.~~

15     ~~(b) The name, address, telephone number, and license number~~  
16 ~~of the employer, and the date the employment commenced.~~

17     ~~(c) A statement as to whether the qualified manager, employee,~~  
18 ~~or apprentice has been arrested or convicted of a misdemeanor,~~  
19 ~~excluding minor traffic violations.~~

20     ~~(d) A statement as to whether the qualified manager, employee,~~  
21 ~~or apprentice has been convicted of a felony.~~

22     ~~SEC. 23. Section 6980.48 of the Business and Professions~~  
23 ~~Code is amended to read:~~

24     ~~6980.48. (a) Upon determining that the applicant is qualified~~  
25 ~~for registration pursuant to this chapter, the bureau shall issue a~~  
26 ~~pocket registration card to the qualified manager or employee. The~~  
27 ~~card shall be composed of durable material, may incorporate~~  
28 ~~technologically advanced security features, and shall contain the~~  
29 ~~signature and photograph of the registrant and the signature of the~~  
30 ~~chief. The bureau may charge a fee sufficient to reimburse the~~  
31 ~~department for costs for furnishing the pocket card. The fee charged~~  
32 ~~may not exceed the actual direct cost for system development,~~  
33 ~~maintenance, and processing necessary to provide the service, and~~  
34 ~~may not exceed sixteen dollars (\$16).~~

35     ~~(b) The registrant shall carry a valid registration card issued by~~  
36 ~~the bureau under this section at all times the registrant is engaged~~  
37 ~~in the work of a locksmith whether on or off the premises of the~~  
38 ~~licensee's place of business. Every person, while engaged in any~~  
39 ~~activity for which licensure is required, shall display his or her~~  
40 ~~valid pocket card as provided by regulation.~~

1     ~~(e) The registrant shall surrender his or her registration card to~~  
 2 ~~the licensee upon the termination of the registrant’s employment~~  
 3 ~~with the licensee. Within five days, the licensee shall mail or~~  
 4 ~~deliver to the bureau for cancellation any card surrendered under~~  
 5 ~~this subdivision. Upon receipt of a card surrendered under this~~  
 6 ~~subdivision, the bureau shall place the registrant on inactive status.~~

7     ~~SEC. 24. Section 6980.49 of the Business and Professions~~  
 8 ~~Code is amended to read:~~

9     ~~6980.49. A licensee shall at all times be responsible for~~  
 10 ~~ascertaining that his or her qualified manager or employees subject~~  
 11 ~~to registration are currently registered or have made proper~~  
 12 ~~application for registration as provided in this article. The licensee~~  
 13 ~~shall not have in his or her employment a person performing the~~  
 14 ~~services of a locksmith whose registration has expired, or been~~  
 15 ~~revoked, denied, suspended, or canceled.~~

16     ~~SEC. 25. Section 6980.50 of the Business and Professions~~  
 17 ~~Code is amended to read:~~

18     ~~6980.50. (a) All registrations shall be placed on a cyclical~~  
 19 ~~renewal and shall expire two years following the date of issuance~~  
 20 ~~or assigned renewal date.~~

21     ~~(b) At least 60 days prior to the expiration of a registration, a~~  
 22 ~~registrant who desires to renew his or her registration shall forward~~  
 23 ~~to the bureau a copy of his or her current registration card, along~~  
 24 ~~with the renewal fee as set forth in this chapter.~~

25     ~~(c) The licensee shall provide to any qualified manager or~~  
 26 ~~employee information regarding procedures for renewal of~~  
 27 ~~registration.~~

28     ~~(d) An expired registration may still be renewed within 30 days~~  
 29 ~~from the date of expiration provided the registrant pays a~~  
 30 ~~delinquency fee provided by this chapter. A registration not~~  
 31 ~~renewed within 30 days following its expiration may not be~~  
 32 ~~renewed thereafter. The holder of an expired registration may~~  
 33 ~~obtain a new registration only on compliance with all the provisions~~  
 34 ~~of this chapter relating to the issuance of an original registration.~~  
 35 ~~The holder of an expired registration shall not engage in any~~  
 36 ~~activity requiring registration under this chapter until the bureau~~  
 37 ~~issues a renewal or new registration.~~

38     ~~(e) If the renewed registration card has not been delivered to~~  
 39 ~~the registrant, prior to the date of expiration of the prior~~  
 40 ~~registration, the registrant may present evidence of renewal to~~

1 ~~substantiate continued registration, for a period not to exceed 90~~  
2 ~~days after the date of expiration.~~

3 ~~(f) A registration shall not be renewed until any and all fines,~~  
4 ~~not pending appeal, assessed by the chief or the director have been~~  
5 ~~paid.~~

6 ~~SEC. 26. Section 6980.51 is added to the Business and~~  
7 ~~Professions Code, to read:~~

8 ~~6980.51. (a) On and after January 1, 2010, the board shall~~  
9 ~~issue renewal licenses only to those applicants who have completed~~  
10 ~~32 hours of approved continuing education in the preceding two~~  
11 ~~years.~~

12 ~~(b) Notwithstanding any other provision of law, continuing~~  
13 ~~education hours shall be earned by attending courses relevant to~~  
14 ~~the locksmith business and sponsored or cosponsored by any~~  
15 ~~continuing education provider approved by the bureau.~~

16 ~~SEC. 14. Section 6980.48 of the Business and Professions Code~~  
17 ~~is amended to read:~~

18 ~~6980.48. (a) Upon determining that the applicant is qualified~~  
19 ~~for registration pursuant to this chapter, the bureau shall issue a~~  
20 ~~pocket registration card to the employee. The applicant may request~~  
21 ~~to be issued an enhanced pocket card that shall be composed of~~  
22 ~~durable material and may incorporate technologically advanced~~  
23 ~~security features. The bureau may charge a fee sufficient to~~  
24 ~~reimburse the department for costs for furnishing the enhanced~~  
25 ~~pocket card. The fee charged may not exceed the actual cost for~~  
26 ~~system development, maintenance, and processing necessary to~~  
27 ~~provide the service, and may not exceed six dollars (\$6). If the~~  
28 ~~applicant does not request an enhanced card, the department shall~~  
29 ~~issue a standard card at no cost to the applicant.~~

30 ~~(b) The registrant shall carry a valid registration card issued by~~  
31 ~~the bureau under this section, and either a valid driver's license~~  
32 ~~issued pursuant to Section 12811 of the Vehicle Code or a valid~~  
33 ~~identification card issued pursuant to Section 13000 of the Vehicle~~  
34 ~~Code, at all times the registrant is engaged in the work of a~~  
35 ~~locksmith whether on or off the premises of the licensee's place~~  
36 ~~of business. Every person, while engaged in any activity for which~~  
37 ~~licensure is required, shall display his or her valid pocket card,~~  
38 ~~and driver's license or identification card, as provided by~~  
39 ~~regulation.~~

1 ~~SEC. 27.~~

2 *SEC. 15.* Section 6980.53 of the Business and Professions Code  
3 is amended to read:

4 6980.53. A locksmith licensed by the bureau shall be subject  
5 to the provisions of Sections 466.6 and 466.8 of the Penal Code  
6 requiring verification of identification of clients and maintenance  
7 of work orders containing required client information. A copy of  
8 each work order completed pursuant to Sections 466.6 and 466.8  
9 of the Penal Code shall be retained for two years, shall include the  
10 name and license number of the locksmith performing the service,  
11 and shall be open to inspection by the bureau or any peace officer  
12 during business hours or submitted to the bureau upon request.

13 ~~SEC. 28.~~

14 *SEC. 16.* Section 6980.54 is added to the Business and  
15 Professions Code, to read:

16 6980.54. (a) A locksmith licensed by the bureau shall be  
17 subject to the provisions of Section 466.6 of the Penal Code, and  
18 shall be able to duplicate any key for any vehicle from another  
19 key.

20 (b) A locksmith licensed by the bureau shall be subject to the  
21 provisions of Section 466.8 of the Penal Code, and shall be able  
22 to duplicate any key for a residence, commercial establishment,  
23 or personal property from another key, except as follows:

24 (1) Duplication is prohibited when a key is stamped, imprinted,  
25 marked, or incised with the wording “Do Not Duplicate” or  
26 “Unlawful To Duplicate” and includes the originator’s company  
27 name and telephone number.

28 (2) Duplication is prohibited when a key is a Restricted Key or  
29 a High Security Key and includes the originator’s company name  
30 and telephone number or registration number.

31 ~~SEC. 29.~~ Section 6980.58 of the Business and Professions  
32 Code is amended to read:

33 ~~6980.58.~~ A licensee and its qualified manager shall at all times  
34 be responsible for those actions of the licensee’s employees  
35 performed in violation of this chapter, when acting within the  
36 course and scope of the employee’s employment.

37 ~~SEC. 30.~~

38 *SEC. 17.* Section 6980.59 of the Business and Professions Code  
39 is amended to read:

1 6980.59. (a) A licensee shall notify the bureau within 30 days  
2 of any change of its officers required to be named pursuant to  
3 Section 6980.21 and of the addition of any new partners.  
4 Applications, on forms prescribed by the director, shall be  
5 submitted by all new officers and partners. The director may deny  
6 the application of a new officer or partner if the director determines  
7 that the officer or partner has committed any act which constitutes  
8 grounds for the denial of a license pursuant to Section 6980.71.

9 (b) A Notice of Warning shall be issued for the first violation  
10 of this section. Thereafter, the director shall assess a fine of five  
11 hundred dollars (\$500) for each subsequent violation of this section.

12 ~~SEC. 31.~~

13 *SEC. 18.* Section 6980.60 of the Business and Professions Code  
14 is amended to read:

15 6980.60. No ~~licensee, qualified manager,~~ licensee or employee  
16 shall conduct business from any location other than the location  
17 for which a license or branch office registration was issued.

18 ~~SEC. 32.~~

19 *SEC. 19.* Section 6980.64 of the Business and Professions Code  
20 is amended to read:

21 6980.64. (a) Every advertisement by a licensee soliciting or  
22 advertising business shall contain his or her business name,  
23 business address, or business telephone number, and license  
24 number as they appear in the records of the bureau, ~~except a free~~  
25 ~~telephone directory listing which does not allow space for a license~~  
26 ~~number.~~ *bureau.*

27 (b) For the purpose of this section, “advertisement” includes  
28 any business card, stationery, brochure, flyer, circular, newsletter,  
29 fax form, printed or published paid advertisement in any media  
30 form, directory listing, or telephone book listing.

31 (c) The director may assess a fine of five hundred dollars (\$500)  
32 for the first violation of this section and one thousand dollars  
33 (\$1,000) for each subsequent violation. These fines shall be  
34 deposited in the Private Security Services Fund.

35 ~~SEC. 33.~~

36 *SEC. 20.* Section 6980.65 of the Business and Professions Code  
37 is amended to read:

38 6980.65. No licensee or person shall aid and abet an unlicensed  
39 or nonexempt locksmith in any activity for which a license is  
40 required. For purposes of this section, to aid or abet includes, but

1 is not limited to, the falsification of documents or facilitation of  
2 the acquisition of locksmith tools. Any licensee or person found  
3 in violation of this section shall be subject to Section 6980.14. A  
4 person shall not be subject to this section if he or she reasonably  
5 relied on a copy of a license or registration or of a *license*,  
6 *registration*, pocket registration, or pocket identification card.

7 ~~SEC. 34. Section 6980.77 is added to the Business and~~  
8 ~~Professions Code, to read:~~

9 ~~6980.77. (a) If, upon investigation, the director determines~~  
10 ~~that a licensee or a registrant is in violation of any provision of~~  
11 ~~this chapter, the director may issue a citation to the licensee or~~  
12 ~~registrant. The citation shall be in writing and shall describe with~~  
13 ~~particularity the nature of the violation, including specific~~  
14 ~~references to the provision of law determined to have been violated,~~  
15 ~~and shall be delivered by certified mail to the licensee's or~~  
16 ~~registrant's address of record. If the citation is issued to a registrant,~~  
17 ~~a copy of the citation shall also be sent by certified mail to the~~  
18 ~~licensee's address of record. If the director deems it appropriate,~~  
19 ~~the citation may contain an order of abatement fixing a reasonable~~  
20 ~~time for abatement of the violation and may contain assessment~~  
21 ~~of an administrative fine not to exceed two thousand five hundred~~  
22 ~~dollars (\$2,500).~~

23 ~~(b) A citation or fine assessment shall inform the licensee or~~  
24 ~~registrant that if he or she desires a hearing to contest the finding~~  
25 ~~of a violation, the hearing shall be requested by written notice to~~  
26 ~~the director within 30 days of the issuance of the citation or~~  
27 ~~assessment, as appropriate. Any request for reconsideration~~  
28 ~~received in writing by the director within the 30 days shall stay~~  
29 ~~the 30 days allowed to request a hearing while the director~~  
30 ~~reconsiders the citation or fine assessment. Upon decision, the~~  
31 ~~director shall notify the licensee or registrant in writing whether~~  
32 ~~the citation or fine assessment has been withdrawn or has been~~  
33 ~~reaffirmed. If the citation or fine assessment has been reaffirmed,~~  
34 ~~the director shall again inform the licensee or registrant in writing~~  
35 ~~that he or she has 30 days to request a hearing. If a hearing is not~~  
36 ~~requested pursuant to this section, payment of any fine shall not~~  
37 ~~constitute an admission of the violation charged. Hearings shall~~  
38 ~~be held pursuant to Chapter 5 (commencing with Section 11500)~~  
39 ~~of Part 1 of Division 3 of Title 2 of the Government Code.~~

1 ~~(e) If the licensee or registrant neither requests a hearing nor~~  
2 ~~abates the violation or pays the assessed fine within 30 days of the~~  
3 ~~citation, the license or registration of the person shall be suspended~~  
4 ~~or revoked and no license or registration shall be reissued pursuant~~  
5 ~~to Article 4 (commencing with Section 6980.17) or Article 6~~  
6 ~~(commencing with Section 6980.42) until the violation is abated~~  
7 ~~or the assessed fine is paid.~~

8 ~~(d) Any registration fee that is past due shall be doubled if the~~  
9 ~~licensee or registrant fails to pay any assessed fine within 30 days~~  
10 ~~of the assessment.~~

11 ~~(e) Administrative fines collected pursuant to this section shall~~  
12 ~~be deposited in the Private Security Services Fund.~~

13 ~~SEC. 35.~~

14 ~~SEC. 21.~~ Section 6980.79 of the Business and Professions Code  
15 is amended to read:

16 6980.79. The fees prescribed by this chapter are those fixed in  
17 the following schedule:

18 (a) A locksmith license application fee may not exceed fifty  
19 dollars (\$50).

20 (b) An original license and renewal fee for a locksmith license  
21 may not exceed one hundred dollars (\$100).

22 (c) A branch office registration fee and branch office renewal  
23 fee may not exceed seventy-five dollars (\$75).

24 (d) Notwithstanding Section 163.5, the reinstatement fee as  
25 required by Section 6980.28 is the amount equal to the renewal  
26 fee plus a penalty of 50 percent thereof.

27 (e) An initial registration fee for ~~a qualified manager or an~~  
28 ~~employee~~ may not exceed forty dollars (\$40).

29 (f) A registration renewal fee for ~~a qualified manager or an~~  
30 ~~employee~~ may not exceed seventy-five dollars (\$75).

31 (g) The fingerprint processing fee is that amount charged the  
32 bureau by the Department of Justice.

33 (h) All applicants seeking a license pursuant to this chapter shall  
34 also remit to the bureau the fingerprint fee that is charged to the  
35 bureau by the Department of Justice.

36 (i) The fee for a "Certificate of Licensure" may not exceed  
37 twenty dollars (\$20).

38 (j) A delinquency fee is the amount equal to the renewal fee  
39 plus a penalty of 100 percent thereof.

1     ~~(k) A locksmith apprentice registration fee and renewal fee may~~  
2 ~~not exceed thirty-five dollars (\$35).~~  
3     ~~SEC. 36.~~  
4     ~~SEC. 22.~~ No reimbursement is required by this act pursuant to  
5 Section 6 of Article XIII B of the California Constitution because  
6 the only costs that may be incurred by a local agency or school  
7 district will be incurred because this act creates a new crime or  
8 infraction, eliminates a crime or infraction, or changes the penalty  
9 for a crime or infraction, within the meaning of Section 17556 of  
10 the Government Code, or changes the definition of a crime within  
11 the meaning of Section 6 of Article XIII B of the California  
12 Constitution.