

AMENDED IN SENATE MAY 1, 2007
AMENDED IN SENATE APRIL 16, 2007
AMENDED IN SENATE MARCH 29, 2007

SENATE BILL

No. 374

Introduced by Senator Harman
(Coauthors: Senators Cogdill, Dutton, Hollingsworth, and Wyland)
(Coauthors: Assembly Members Anderson, Benoit, Cook, Garrick,
Jeffries, Krekorian, Nakanishi, Silva, Strickland, and Tran)

February 21, 2007

An act to add Section 115.5 to the Business and Professions Code, and to add Section 398.5 to the Military and Veterans Code, relating to military benefits.

LEGISLATIVE COUNSEL'S DIGEST

SB 374, as amended, Harman. Military service: benefits.

Existing law provides certain benefits for qualifying members of the Armed Forces of the United States.

This bill would require every board, bureau, and commission within the Department of Consumer Affairs to waive the initial license fee and the renewal fee for any license, certificate, or registration issued, under the authority of that board, bureau, or commission, to a qualified member, or the spouse of a qualified member, as defined, if specified requirements are satisfied.

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

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

1 SECTION 1. Section 115.5 is added to the Business and
2 Professions Code, to read:

3 115.5. Notwithstanding any other provision of this code, every
4 board, bureau, and commission within the department shall waive
5 the initial license fee and the renewal fee for any license, certificate,
6 or registration issued, under the authority of that board, bureau, or
7 commission, to an individual who is either a qualified member of
8 the Armed Forces of the United States, as defined in Section 398.5
9 of the Military and Veterans Code, or the spouse of a qualified
10 member of the Armed Forces of the United States, if that individual
11 meets all of the requirements specified in subdivision (a) of Section
12 398.5 of the Military and Veterans Code.

13 SEC. 2. Section 398.5 is added to the Military and Veterans
14 Code, to read:

15 398.5. (a) Every board, bureau, and commission within the
16 Department of Consumer Affairs shall waive the initial license fee
17 and the renewal fee for any license, certificate, or registration
18 issued, under the authority of that board, bureau, or commission,
19 to a qualified member or the spouse of a qualified member who
20 meets all of the following requirements:

21 (1) Submits an application for the fee waiver, authorized by this
22 section and Section 115.5 of the Business and Professions Code,
23 to the board, bureau, or commission issuing the fee waiver in any
24 form and manner as prescribed by that board, bureau or
25 commission.

26 (2) Submits official documentation to the board, bureau, or
27 commission issuing the fee waiver, substantiating the qualified
28 member’s status in the Armed Forces of the United States.

29 (3) Is in good standing with the Department of Consumer
30 Affairs.

31 (4) Meets all of the qualifications for licensure.

32 (b) For purposes of this section:

33 (1) “Full-time” means on military orders for not less than 60
34 consecutive days.

35 (2) “Good standing with the Department of Consumer Affairs”
36 means that the qualified member or the qualified member’s spouse
37 does not have any pending disciplinary action, a probationary

1 suspended license, or a revoked license, and does not have any
2 unpaid administrative fines.

3 (3) “Qualified member” means:

4 (A) A California resident who is either:

5 (i) A full-time member in an active component of a department
6 of the Armed Forces of the United States, including, but not limited
7 to, the United States Coast Guard.

8 (ii) A full-time or part-time member of a federal reserve
9 component of a department of the Armed Forces of the United
10 States, including, but not limited to, the United States Coast Guard
11 Reserve, who is serving full-time on active duty or in a combination
12 of active duty and inactive drill training.

13 (iii) A member of the California National Guard who is on
14 full-time active duty or state active service, or in a combination
15 of active duty and inactive drill training.

16 (iv) *A member of the State Military Reserve who is activated*
17 *into full-time state service.*

18 (B) Is in good standing with his or her service command at the
19 time the waiver is requested.

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