

AMENDED IN SENATE JULY 8, 2009
AMENDED IN SENATE JUNE 30, 2009
AMENDED IN ASSEMBLY MAY 11, 2009
AMENDED IN ASSEMBLY APRIL 13, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 623

**Introduced by Assembly Member Emmerson
(Coauthor: Assembly Member Jones)**

February 25, 2009

An act to amend Section 5600 of, and to add Section 5600.05 to, the Business and Professions Code, relating to architects.

LEGISLATIVE COUNSEL'S DIGEST

AB 623, as amended, Emmerson. Architects: continuing education.

Existing law provides for the licensure and regulation of persons engaged in the practice of architecture by the California Architects Board. Existing law requires a person licensed to practice architecture to complete, as a condition of license renewal, coursework regarding disability access requirements, as specified, ~~and~~ to certify that completion, and to provide specified documentation to the board.

This bill would authorize the board to audit the records of a licensee to verify ~~the~~ completion of the coursework and would require a ~~license~~ *licensee* to provide the specified documentation only upon that audit. The bill would exempt a licensee from these coursework requirements for the licensee's first license renewal in certain circumstances.

The bill would also authorize the board to require a licensee, as a condition of license renewal, to certify to the board that he or she has

completed continuing education in, or relevant to, the practice of architecture in subjects relating to health, safety, and welfare. If the board imposes that requirement, the bill would require the board to adopt regulations establishing requirements relating to continuing education—and, would authorize the board to audit the records of a licensee to verify completion of any continuing education requirements, *and would require an applicant for license renewal to verify completion of the requisite continuing education hours, as specified.*

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 5600 of the Business and Professions
 2 Code is amended to read:
 3 5600. (a) All licenses issued or renewed under this chapter
 4 shall expire at 12 midnight on the last day of the birth month of
 5 the licensee in each odd-numbered year following the issuance
 6 or renewal of the license.
 7 (b) To renew an unexpired license, the licensee shall,
 8 before the time at which the license would otherwise expire, apply
 9 for renewal on a form prescribed by the board and pay the renewal
 10 fee prescribed by this chapter.
 11 (c) The renewal form shall include a statement specifying
 12 whether the licensee was convicted of a crime or disciplined by
 13 another public agency during the preceding renewal period and
 14 that the licensee’s representations on the renewal form are true,
 15 correct, and contain no material omissions of fact, to the best
 16 knowledge and belief of the licensee.
 17 SEC. 2. Section 5600.05 is added to the Business and
 18 Professions Code, to read:
 19 5600.05. (a) (1) As a condition of license renewal, a licensee
 20 shall have completed coursework regarding disability access
 21 requirements pursuant to paragraphs (2) and (3). A licensee shall
 22 certify to the board, as a part of the license renewal process, that
 23 he or she has completed the required coursework prior to approval
 24 of his or her license renewal and shall, upon a board audit, provide
 25 documentation to the board from the course provider that shall
 26 include the course title, subjects covered, name of provider and
 27 trainer or educator, date of completion, number of hours completed,

1 and a statement about the trainer or educator’s knowledge and
2 experience background.

3 (2) (A) For licenses renewed on and after July 1, 2009, and
4 before January 1, 2010, a licensee shall have completed one hour
5 of coursework.

6 (B) For licenses renewed on and after January 1, 2010, and
7 before January 1, 2011, a licensee shall have completed two and
8 one-half hours of coursework.

9 (C) For licenses renewed on and after January 1, 2011, a licensee
10 shall have completed five hours of coursework within the previous
11 two years.

12 (3) Coursework regarding disability access requirements shall
13 include information and practical guidance concerning
14 requirements imposed by the Americans with Disabilities Act of
15 1990 (Public Law 101-336; 42 U.S.C. Sec. 12101 et seq.), state
16 laws that govern access to public facilities, and federal and state
17 regulations adopted pursuant to those laws. Coursework provided
18 pursuant to this paragraph shall be presented by trainers or
19 educators with knowledge and expertise in these requirements.

20 (4) The board may audit the records of a licensee to verify the
21 completion of the coursework requirements of this subdivision. A
22 licensee shall maintain records of completion of the required
23 coursework, containing the information specified in paragraph (1),
24 for two years from the date of license renewal and shall make those
25 records available to the board for auditing upon request.

26 (5) A licensee shall be exempt from the coursework
27 requirements set forth in this subdivision for his or her first license
28 renewal if his or her initial license is issued after January 1, 2010,
29 and is renewed within one year of that initial issuance date.

30 (b) (1) If the board determines that the public health, safety,
31 and welfare would be served by requiring all architects issued a
32 license under this chapter to complete continuing education, it may
33 require as a condition of license renewal that the licensee certifies
34 to the board, on a form prescribed by the board, that he or she has
35 completed continuing education in, or relevant to, the practice of
36 architecture in subjects relating to health, safety, and welfare during
37 the preceding two years, as determined by the board. The
38 coursework in disability access requirements specified by
39 subdivision (a) shall be applied to the continuing education hours
40 prescribed by the board.

1 (2) If the board requires continuing education pursuant to
2 paragraph (1), the board shall first, by regulation, prescribe
3 requirements relating to continuing education, including, but not
4 limited to, the required courses and number of hours.

5 (3) The board may audit the records of a licensee to verify the
6 completion of any continuing education requirements of this
7 subdivision. A licensee shall maintain records of completion of
8 required continuing education coursework for a minimum of two
9 years from the date of license renewal and shall make those records
10 available to the board for auditing upon request.

11 *(c) If the board adopts a continuing education requirement for*
12 *license renewal as authorized by subdivision (b), an applicant for*
13 *license renewal shall separately certify on a form prescribed by*
14 *the board that the applicant has completed the requisite hours of*
15 *continuing education required by subdivision (b) as a condition*
16 *of license renewal, and that the requisite hours of continuing*
17 *education included at least five hours of disability access*
18 *continuing education as required by subdivision (a).*