

AMENDED IN SENATE JUNE 21, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1746**

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**Introduced by Assembly Member Emmerson**

February 8, 2010

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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 1746, 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, 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, would, until January 1, 2015, require the board to audit at least 3% of the license renewals received each year; to verify completion of the coursework, and would, commencing with the 2-year license renewal cycle beginning January 1, 2013, require a 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. ~~A license that violates these provisions~~ *licensee who provides false or misleading information relative to the completion of coursework* would be subject to ~~a specified civil penalties~~ *an administrative citation or disciplinary action by the board*. The bill would require the board to submit, on or before January 1, 2019, a letter to the Legislature relating to these requirements.

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 licenseholder in each odd-numbered year following the issuance  
6 or renewal of the license.  
7 (b) To renew an unexpired license, the licenseholder 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, until the conclusion of the  
25 license renewal cycle beginning January 1, 2011, provide  
26 documentation to the board from the course provider that shall  
27 include the course title, subjects covered, name of provider and  
28 trainer or educator, date of completion, number of hours completed,  
29 and a statement about the trainer’s or educator’s knowledge and  
30 experience background. Commencing with the license renewal  
31 cycle beginning January 1, 2013, a licensee shall, upon a board  
32 audit, provide the documentation from the course provider to the  
33 board. A licensee who ~~fails to complete the required coursework~~  
34 ~~or~~ provides false or misleading ~~statements~~ *information* as it relates  
35 specifically to the requirements of this paragraph shall be subject

1 to a civil penalty imposed by the board not to exceed five thousand  
2 dollars (\$5,000), or license suspension or revocation, or by both  
3 civil penalty and license suspension or revocation. *an*  
4 *administrative citation, which may include an administrative fine*  
5 *pursuant to Section 125.9, or to disciplinary action by the board.*

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

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

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

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

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

30 (c) Until January 1, 2015, the board shall audit at least 3 percent  
31 of the license renewals received each year to verify the completion  
32 of the continuing education requirements of this subdivision.

33 (d) On or before January 1, 2019, the board shall submit a letter  
34 to the Legislature on the disability access continuing education  
35 provisions required under this subdivision, including the level of  
36 licensee compliance with the requirements, any actions taken by  
37 the board for noncompliance with the requirements, the findings

- 1 of board audits, and any recommendations of the board for
- 2 improving the process.

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