

AMENDED IN SENATE AUGUST 22, 2012

AMENDED IN SENATE JUNE 25, 2012

AMENDED IN ASSEMBLY MARCH 5, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1588

Introduced by Assembly Member Atkins
(Principal coauthors: Assembly Members Cook and Nielsen)
(Coauthors: Assembly Members Allen, Bill Berryhill, Block, Butler,
Beth Gaines, Pan, V. Manuel Pérez, Williams, and Yamada)

February 6, 2012

An act to add Section 114.3 to the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

AB 1588, as amended, Atkins. Professions and vocations: reservist licensees: fees and continuing education.

Existing law provides for the regulation of various professions and vocations by boards within the Department of Consumer Affairs and for the licensure or registration of individuals in that regard. Existing law authorizes any licensee whose license expired while he or she was on active duty as a member of the California National Guard or the United States Armed Forces to reinstate his or her license without examination or penalty if certain requirements are met.

This bill would require the boards described above, *with certain exceptions*, to waive the renewal fees, continuing education requirements, and other renewal requirements as determined by the board, if any are applicable, of any licensee or registrant who is a ~~reservist~~ called to active duty as a member of the United States ~~Military~~

~~Reserve Armed Forces~~ or the California National Guard if certain requirements are met. *The bill would, except as specified, prohibit a licensee or registrant from engaging in any activities requiring a license while a waiver is in effect.* The bill would require a licensee or registrant to meet certain renewal requirements within a specified time period after being discharged from active duty service prior to engaging in any activity requiring a license. *The bill would require a licensee or registrant to notify the board of his or her discharge from active duty within a specified time period.*

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 114.3 is added to the Business and
 2 Professions Code, to read:
 3 114.3. (a) Notwithstanding any other provision of law, every
 4 board, as defined in Section 22, within the department shall waive
 5 the renewal fees, continuing education requirements, and other
 6 renewal requirements as determined by the board, if any are
 7 applicable, for any licensee or registrant ~~who is a reservist~~ called
 8 to active duty as a member of the United States ~~Military Reserve~~
 9 ~~Armed Forces~~ or the California National Guard if all of the
 10 following requirements are met:
 11 (1) The licensee or registrant possessed a current and valid
 12 license with the board at the time he or she was called to active
 13 duty.
 14 (2) The renewal requirements are waived only for the period
 15 during which the licensee or registrant is on active duty service.
 16 (3) Written documentation that substantiates the licensee or
 17 registrant’s active duty service is provided to the board.
 18 (b) ~~The~~ (1) *Except as specified in paragraph (2), the licensee*
 19 *or registrant shall not engage in any activities requiring a license*
 20 *during the period that the waivers provided by this section are in*
 21 *effect.* ~~In~~
 22 (2) *If the licensee or registrant will provide services for which*
 23 *he or she is licensed while on active duty, the board shall convert*
 24 *the license status to military active and no private practice of any*
 25 *type shall be permitted.*

1 (c) In order to engage in any activities for which he or she is
2 licensed *once discharged from active duty*, the licensee or registrant
3 shall meet all necessary renewal requirements as determined by
4 the board within ~~one year~~ *six months* from the ~~reservist's licensee's~~
5 *or registrant's* date of discharge from active duty service.

6 (d) *After a licensee or registrant receives notice of his or her*
7 *discharge date, the licensee or registrant shall notify the board of*
8 *his or her discharge from active duty within 60 days of receiving*
9 *his or her notice of discharge.*

10 (e)

11 (e) A board may adopt regulations to carry out the provisions
12 of this section.

13 (f) *This section shall not apply to any board that has a similar*
14 *license renewal waiver process statutorily authorized for that*
15 *board.*