

Assembly Bill No. 1892

Passed the Assembly May 17, 2012

Chief Clerk of the Assembly

Passed the Senate August 23, 2012

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2012, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 338 to the Business and Professions Code, relating to the Department of Consumer Affairs.

LEGISLATIVE COUNSEL'S DIGEST

AB 1892, Halderman. Department of Consumer Affairs: construction defect solicitations.

Under existing law, the Department of Consumer Affairs is comprised of boards that license and regulate various professions and vocations. Existing law provides that these boards are established to ensure that private businesses and professions are regulated to protect the people of this state. Under existing law, the department is under the control of the Director of Consumer Affairs. Existing law requires the director to administer and enforce the provisions of the Consumer Affairs Act, the intent of which is to promote and protect the interests of the people as consumers. Existing law also specifies the rights of a homeowner to bring an action against a builder for construction defects, including the applicable standards for home construction, the statute of limitations, the burden of proof, the damages recoverable, prelitigation procedures, and the obligations of the homeowner.

This bill would require the department to post a notice on its Internet Web site advising a consumer who receives a construction defect solicitation to check with his or her builder in addition to taking other further action.

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

SECTION 1. Section 338 is added to the Business and Professions Code, to read:

338. The department shall post the following statement on its Internet Web site:

“If you receive a construction defect solicitation, please check with your builder in addition to taking any further action.”

Approved _____, 2012

Governor