

Introduced by Senator Price

February 17, 2011

An act to amend Sections 5000, 5015.6, and 6510 of the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

SB 542, as introduced, Price. Professions and vocations: regulatory boards.

Existing law provides for the licensure and regulation of various professions and vocations by boards within the department, including, the California Board of Accountancy and the Professional Fiduciaries Bureau. Existing law authorizes the board to appoint an executive officer and authorizes the Governor to appoint the chief of the bureau. Under existing law, these provisions are repealed on January 1, 2012. Under existing law, boards scheduled for repeal are required to be evaluated by the Joint Sunset Review Committee.

This bill would extend the operation of these provisions until January 1, 2016, and would specify that these boards would be subject to review by the appropriate policy committees of the Legislature.

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 5000 of the Business and Professions
- 2 Code is amended to read:
- 3 5000. There is in the Department of Consumer Affairs the
- 4 California Board of Accountancy, which consists of 15 members,
- 5 seven of whom shall be licensees, and eight of whom shall be

1 public members who shall not be licentiates of the board or
 2 registered by the board. The board has the powers and duties
 3 conferred by this chapter.

4 The Governor shall appoint four of the public members, and the
 5 seven licensee members as provided in this section. The Senate
 6 Rules Committee and the Speaker of the Assembly shall each
 7 appoint two public members. In appointing the seven licensee
 8 members, the Governor shall appoint members representing a cross
 9 section of the accounting profession with at least two members
 10 representing a small public accounting firm. For the purposes of
 11 this chapter, a small public accounting firm shall be defined as a
 12 professional firm that employs a total of no more than four
 13 licensees as partners, owners, or full-time employees in the practice
 14 of public accountancy within the State of California.

15 This section shall remain in effect only until January 1, ~~2012~~
 16 2016, and as of that date is repealed, unless a later enacted statute,
 17 that is enacted before January 1, ~~2012~~ 2016, deletes or extends
 18 that date. ~~The repeal of this section renders the board subject to the~~
 19 ~~review required by Division 1.2 (commencing with Section 473).~~
 20 *Notwithstanding any other provision of law, the repeal of this*
 21 *section renders the board subject to review by the appropriate*
 22 *policy committees of the Legislature.* However, the review of the
 23 board shall be limited to reports or studies specified in this chapter
 24 and those issues identified by the ~~Joint Committee on Boards,~~
 25 ~~Commissions, and Consumer Protection~~ *appropriate policy*
 26 *committees of the Legislature* and the board regarding the
 27 implementation of new licensing requirements.

28 SEC. 2. Section 5015.6 of the Business and Professions Code
 29 is amended to read:

30 5015.6. The board may appoint a person exempt from civil
 31 service who shall be designated as an executive officer and who
 32 shall exercise the powers and perform the duties delegated by the
 33 board and vested in him or her by this chapter.

34 This section shall remain in effect only until January 1, ~~2012~~
 35 2016, and as of that date is repealed, unless a later enacted statute,
 36 that is enacted before January 1, ~~2012~~ 2016, deletes or extends
 37 that date.

38 SEC. 3. Section 6510 of the Business and Professions Code is
 39 amended to read:

1 6510. (a) There is within the jurisdiction of the department
2 the Professional Fiduciaries Bureau. The bureau is under the
3 supervision and control of the director. The duty of enforcing and
4 administering this chapter is vested in the chief of the bureau, who
5 is responsible to the director. Every power granted or duty imposed
6 upon the director under this chapter may be exercised or performed
7 in the name of the director by a deputy director or by the chief,
8 subject to conditions and limitations as the director may prescribe.

9 (b) The Governor shall appoint, subject to confirmation by the
10 Senate, the chief of the bureau, at a salary to be fixed and
11 determined by the director with the approval of the Director of
12 Finance. The chief shall serve under the direction and supervision
13 of the director and at the pleasure of the Governor.

14 (c) This section shall remain in effect only until January 1, ~~2012~~
15 *2016*, and as of that date is repealed, unless a later enacted statute,
16 that is enacted before January 1, ~~2012~~ *2016*, deletes or extends
17 that date. ~~The repeal of this section renders the bureau subject to~~
18 ~~the review required by Division 1.2 (commencing with Section~~
19 ~~473).~~ *Notwithstanding any other provision of law, the repeal of*
20 *this section renders the board subject to review by the appropriate*
21 *policy committees of the Legislature.*

22 Notwithstanding any other provision of law, upon the repeal of
23 this section, the responsibilities and jurisdiction of the bureau shall
24 be transferred to the Professional Fiduciaries Advisory Committee,
25 as provided by Section 6511.