

Introduced by Senator Lieu

February 22, 2012

An act to amend Section 7503 of the Business and Professions Code, relating to repossessors.

LEGISLATIVE COUNSEL'S DIGEST

SB 1183, as introduced, Lieu. Repossessors: licensure.

Existing law, the Collateral Recovery Act, authorizes the Bureau of Security and Investigative Services to license and regulate the persons engaged in the business of repossessing personal property. Existing law provides that a person who declares as true any material matter relative to the submission of an application for licensure, a qualification certificate, or application for registration that he or she knows to be false is guilty of a misdemeanor, and requires an applicant to sign his or her application for licensure and qualification certificate.

This bill would make technical, nonsubstantive changes to these provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

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

- 1 SECTION 1. Section 7503 of the Business and Professions
- 2 Code is amended to read:
- 3 7503. An application for a repossession agency license shall
- 4 be made in writing to, and filed with, the bureau in the form that
- 5 may be required by the director and shall be accompanied by the
- 6 original license fee prescribed by this chapter. The director may

1 require the submission of any other pertinent information, evidence,
2 statements, or documents.

3 Every application for a repossession agency license shall be
4 signed by the applicant and state, among other things that may be
5 required, the name of the applicant and the name under which the
6 applicant will do business, the location by number and street and
7 city of the office of the business for which the license is sought,
8 and the usual business hours the business will maintain. An
9 applicant who declares as true any material matter pursuant to this
10 section that he or she knows to be false is guilty of a misdemeanor.
11 The residence address, residence telephone number, and driver's
12 license number of each licensee, principal owner of each licensee,
13 and any applicant for a license, if requested, shall be confidential
14 pursuant to the Information Practices Act of 1977 (Chapter 1
15 (commencing with Section 1798) of Title 1.8 of Part 4 of Division
16 3 of the Civil Code) and shall not be released to the public.

17 No license shall be issued in any fictitious name which may be
18 confused with or which is similar to any federal, state, county, or
19 municipal governmental function or agency, or in any name ~~which~~
20 *that* may tend to describe any business function or enterprise not
21 actually engaged in by the applicant, or in any name ~~which~~ *that* is
22 the same as or so similar to that of any existing licensee as would
23 tend to deceive the public, or in any name ~~which~~ *that* would
24 otherwise tend to be deceptive or misleading.

25 The application form shall contain a statement informing the
26 applicant that a false or dishonest answer to a question may be
27 grounds for denial or subsequent suspension or revocation of a
28 repossession agency license.