

AMENDED IN ASSEMBLY APRIL 1, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 186

Introduced by Assembly Member Maienschein
(Principal coauthor: Assembly Member Hagman)
(Coauthors: Assembly Members Dahle, Donnelly, Beth Gaines,
Harkey, Olsen, and Patterson)
(Coauthors: Senators Fuller and Huff)

January 28, 2013

An act to amend Section 115.5 of the Business and Professions Code, relating to professions and vocations, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 186, as amended, Maienschein. Professions and vocations: military spouses: temporary licenses.

Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs. Existing law provides for the issuance of reciprocal licenses in certain fields where the applicant, among other requirements, has a license to practice within that field in another jurisdiction, as specified. ~~Under existing law, licensing fees imposed by certain boards within the department are deposited in funds that are continuously appropriated.~~ Existing law requires a board within the department to expedite the licensure process for an applicant who holds a current license in another jurisdiction in the same profession or vocation and who supplies satisfactory evidence of being married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces

of the United States who is assigned to a duty station in California under official active duty military orders.

This bill would authorize a board within the department to issue a provisional license to an applicant who qualifies for an expedited license pursuant to the above-described provision. *The bill would prohibit a provisional license from being provided to any applicant who has committed an act in any jurisdiction that would have constituted grounds for denial, suspension, or revocation of the license at the time the act was committed, or has been disciplined by a licensing entity in another jurisdiction, or is the subject of an unresolved complaint, review procedure, or disciplinary proceeding conducted by a licensing entity in another jurisdiction. The bill would require the board to approve a provisional license based on an application that includes an affidavit that the information submitted in the application is accurate and that verification documentation from the other jurisdiction has been requested.* The bill would require the provisional license to expire after 18 months or at the issuance of the expedited license.

By creating provisional licenses for which a fee may be collected and deposited into a continuously appropriated fund, this bill would make an appropriation.

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

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

- 1 SECTION 1. Section 115.5 of the Business and Professions
- 2 Code is amended to read:
- 3 115.5. (a) A board within the department shall expedite the
- 4 licensure process for an applicant who meets both of the following
- 5 requirements:
- 6 (1) Supplies evidence satisfactory to the board that the applicant
- 7 is married to, or in a domestic partnership or other legal union
- 8 with, an active duty member of the Armed Forces of the United
- 9 States who is assigned to a duty station in this state under official
- 10 active duty military orders.
- 11 (2) Holds a current license in another state, district, or territory
- 12 of the United States in the profession or vocation for which he or
- 13 she seeks a license from the board.
- 14 (b) (1) For each applicant who is eligible for an expedited
- 15 license pursuant to subdivision (a) and meets the requirements in

1 *paragraph (2), the board may shall provide a provisional license*
2 *while the board processes the application for licensure. The board*
3 *shall approve a provisional license based on an application that*
4 *includes an affidavit that the information submitted in the*
5 *application is accurate and that verification documentation from*
6 *the other jurisdiction has been requested. The provisional license*
7 *shall expire 18 months after issuance or upon issuance of the*
8 *expedited license.*

9 (2) (A) *The applicant shall not have committed an act in any*
10 *jurisdiction that would have constituted grounds for denial,*
11 *suspension, or revocation of the license under this code at the time*
12 *the act was committed.*

13 (B) *The applicant shall not have been disciplined by a licensing*
14 *entity in another jurisdiction and shall not be the subject of an*
15 *unresolved complaint, review procedure, or disciplinary*
16 *proceeding conducted by a licensing entity in another jurisdiction.*

17 (c) *A board may adopt regulations necessary to administer this*
18 *section.*