

AMENDED IN ASSEMBLY APRIL 24, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 865**

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**Introduced by Assembly Member Eggman**

February 21, 2013

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An act to amend Sections 707, 736, and 770 of the Harbors and Navigation Code, relating to vessels.

LEGISLATIVE COUNSEL'S DIGEST

AB 865, as amended, Eggman. Yacht and Ship Brokers Act: licensing.

Existing law requires the Department of Boating and Waterways to publish or cause to be published on or before July 1 of each year a directory of licensed brokers and salespersons and to charge and collect the fees prescribed by the Yacht and Ship Brokers Act in accordance with a specified schedule. Existing law authorizes the department to make rules and regulations to carry out the provisions of the act.

This bill would require the department to post the directory on its Internet Web site. The bill would ~~delete the statutory fee schedule and would instead~~ require the department to adopt regulations setting forth the fees to be charged and collected under the act for, among other things, exams, licensing, renewals, and other services provided by the department under the act. *The bill would require that those fees be charged and collected under the act until such time that the department adopts those regulations.*

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 707 of the Harbors and Navigation Code  
 2 is amended to read:

3 707. The department shall publish or cause to be published on  
 4 or before July ~~1st~~ 1 of each year a directory of licensed brokers  
 5 and salespersons and shall post the directory on its Internet Web  
 6 site. The department may publish such additional information as  
 7 it deems expedient and may also issue a periodical bulletin  
 8 concerning affairs arising under the administration of this article.

9 SEC. 2. Section 736 of the Harbors and Navigation Code is  
 10 amended to read:

11 736. (a) The department shall adopt regulations setting forth  
 12 the fees to be charged and collected under this article.

13 (b) A criminal records investigation fee shall be collected for  
 14 both a salesperson’s and broker’s license in an amount determined  
 15 by the Department of Justice, or by any other state or federal  
 16 custodian of criminal records from which the department has  
 17 requested information concerning an applicant’s criminal record,  
 18 not to exceed the amount needed to reimburse the department for  
 19 conducting the criminal records investigation.

20 (c) *The following fees shall apply until such time that the*  
 21 *department adopts regulations pursuant to subdivision (a):*

22 (1) *Two hundred dollars (\$200) for each original broker’s*  
 23 *license.*

24 (2) *Seventy-five dollars (\$75) per year for the renewal of an*  
 25 *original broker’s license.*

26 (3) *One hundred dollars (\$100) for each original salesperson’s*  
 27 *license.*

28 (4) *Fifty dollars (\$50) per year for the renewal of an original*  
 29 *salesperson’s license.*

30 (5) *Twenty-five dollars (\$25) for a salesperson’s temporary*  
 31 *license.*

32 (6) *Twenty-five dollars (\$25) for each license obtained by a*  
 33 *broker for a branch office and for each renewal thereof.*

34 (7) *Ten dollars (\$10) for each transfer of a salesperson’s license*  
 35 *for each change of employment.*

36 (8) *Ten dollars (\$10) for each duplicate license.*

37 (9) *Ten dollars (\$10) for each substitution of a name in the*  
 38 *license of a corporation or a partnership.*

1     *(10) Ten dollars (\$10) for the granting of each certificate of*  
2     *convenience under Section 727.*

3     *(11) Twenty-five dollars (\$25) for each examination.*

4     SEC. 3. Section 770 of the Harbors and Navigation Code is  
5     amended to read:

6     770. The department ~~may~~ *shall* make rules and regulations to  
7     carry out the provisions of this article, including adopting a  
8     schedule to establish reasonable fees for exams, licensing, renewals,  
9     and other services provided by the department under this article.

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