

AMENDED IN ASSEMBLY APRIL 2, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 897**

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**Introduced by Assembly Member Wagner**

February 22, 2013

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An act to ~~amend Section 4467~~ *repeal Sections 4467 and 4469* of the Government Code, relating to disability access.

LEGISLATIVE COUNSEL'S DIGEST

AB 897, as amended, Wagner. Disability access ~~fees; reporting; fees and information.~~

Existing law establishes the Disability Access and Education Revolving Fund in the Division of the State Architect for the purpose of increasing disability access and compliance with construction-related accessibility requirements, as specified. Existing law requires, until December 31, 2018, that any applicant for a local business license or equivalent instrument or permit, or any applicant for the renewal of a business license or equivalent instrument or permit, pay an additional fee of one dollar for that license, instrument, or permit, to be collected by the issuing city, county, or city and county. The revenues from this fee are to be used for specified administrative costs, to fund increased certified access specialist (CASp) services in the jurisdiction for the public, and to facilitate compliance with construction-related accessibility requirements. Existing law requires each city, county, or city and county, commencing March 1, 2014, to annually report to the Legislature regarding the collection and distribution of disability access fees in the previous calendar year, as prescribed.

*Existing law also requires each city, county, and city and county to provide an applicant for a local business license or equivalent*

*instrument or permit, or an applicant for the renewal of a business license or equivalent instrument or permit with specified information related to disability access compliance and directing the applicants to designated state agencies for further information.*

*This bill would delete repeal the above annual reporting requirement fee, reporting, and information requirements.*

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 Section 4467 of the Government Code is repealed.  
 2     4467. ~~(a) On and after January 1, 2013, and until December~~  
 3     31, 2018, any applicant for a local business license or equivalent  
 4     instrument or permit, and from any applicant for the renewal of a  
 5     business license or equivalent instrument or permit, shall pay an  
 6     additional fee of one dollar (\$1) for that license, instrument, or  
 7     permit, which shall be collected by the city, county, or city and  
 8     county that issued the license, instrument, or permit.  
 9     (b) The city, county, or city and county shall retain 70 percent  
 10    of the fees collected under this section, of which up to 5 percent  
 11    of the retained moneys may be used for related administrative costs  
 12    of this chapter. The remaining moneys shall be used to fund  
 13    increased certified access specialist (CASp) services in that  
 14    jurisdiction for the public and to facilitate compliance with  
 15    construction-related accessibility requirements. The highest priority  
 16    shall be given to the training and retention of certified access  
 17    specialists to meet the needs of the public in the jurisdiction as  
 18    provided in Section 55.53 of the Civil Code.  
 19    (c) The remaining 30 percent of all fees collected under this  
 20    section shall be transmitted on a quarterly basis to the Division of  
 21    the State Architect for deposit in the Disability Access and  
 22    Education Revolving Fund established under Sections 4465 and  
 23    4470. The funds shall be transmitted within 15 days of the last day  
 24    of the fiscal quarter. The Division of the State Architect shall  
 25    develop and post on its Internet Web site a standard reporting form  
 26    for use by all local jurisdictions. Up to 75 percent of the collected  
 27    funds in the Disability Access and Education Revolving Fund shall  
 28    be used to establish and maintain oversight of the CASp program  
 29    and to moderate the expense of CASp certification and testing.

1 ~~(d) Each city, county, or city and county shall make an annual~~  
 2 ~~report, commencing March 1, 2014, to the Legislature and to the~~  
 3 ~~Chairs of the Senate and Assembly Committees on Judiciary, and~~  
 4 ~~the Chair of the Senate Committee on Budget and Fiscal Review~~  
 5 ~~and the Chair of the Assembly Committee on Budget, of the total~~  
 6 ~~fees collected in the previous calendar year and of its distribution,~~  
 7 ~~including the moneys spent on administrative services, the moneys~~  
 8 ~~spent to increase CASp services, the moneys spent to fund~~  
 9 ~~programs to facilitate compliance, and the moneys transmitted to~~  
 10 ~~the Disability Access and Education Revolving Fund. A report to~~  
 11 ~~be submitted pursuant to this subdivision shall be submitted in~~  
 12 ~~compliance with Section 9795.~~

13 *SEC. 2. Section 4469 of the Government Code is repealed.*

14 ~~4469. On and after January 1, 2013, each city, county, or city~~  
 15 ~~and county shall provide to an applicant for a business license or~~  
 16 ~~equivalent instrument or permit and to an applicant for the renewal~~  
 17 ~~of a business license or equivalent instrument or permit, the~~  
 18 ~~following information:~~

19  
 20 ~~“Under federal and state law, compliance with disability access~~  
 21 ~~laws is a serious and significant responsibility that applies to all~~  
 22 ~~California building owners and tenants with buildings open to the~~  
 23 ~~public. You may obtain information about your legal obligations~~  
 24 ~~and how to comply with disability access laws at the following~~  
 25 ~~agencies:~~

26 ~~The Division of the State Architect at~~  
 27 ~~[www.dgs.ca.gov/dsa/Home.aspx](http://www.dgs.ca.gov/dsa/Home.aspx).~~

28 ~~The Department of Rehabilitation at [www.rehab.eahwnet.gov](http://www.rehab.eahwnet.gov).~~

29 ~~The California Commission on Disability Access at~~  
 30 ~~[www.ceda.ca.gov](http://www.ceda.ca.gov).”~~

31  
 32 ~~SECTION 1. Section 4467 of the Government Code is amended~~  
 33 ~~to read:~~

34 ~~4467. (a) On and after January 1, 2013, and until December~~  
 35 ~~31, 2018, any applicant for a local business license or equivalent~~  
 36 ~~instrument or permit, and from any applicant for the renewal of a~~  
 37 ~~business license or equivalent instrument or permit, shall pay an~~  
 38 ~~additional fee of one dollar (\$1) for that license, instrument, or~~  
 39 ~~permit, which shall be collected by the city, county, or city and~~  
 40 ~~county that issued the license, instrument, or permit.~~

1     ~~(b) The city, county, or city and county shall retain 70 percent~~  
2 ~~of the fees collected under this section, of which up to 5 percent~~  
3 ~~of the retained moneys may be used for related administrative costs~~  
4 ~~of this chapter. The remaining moneys shall be used to fund~~  
5 ~~increased certified access specialist (CASp) services in that~~  
6 ~~jurisdiction for the public and to facilitate compliance with~~  
7 ~~construction-related accessibility requirements. The highest priority~~  
8 ~~shall be given to the training and retention of certified access~~  
9 ~~specialists to meet the needs of the public in the jurisdiction as~~  
10 ~~provided in Section 55.53 of the Civil Code.~~

11     ~~(e) The remaining 30 percent of all fees collected under this~~  
12 ~~section shall be transmitted on a quarterly basis to the Division of~~  
13 ~~the State Architect for deposit in the Disability Access and~~  
14 ~~Education Revolving Fund established under Sections 4465 and~~  
15 ~~4470. The funds shall be transmitted within 15 days of the last day~~  
16 ~~of the fiscal quarter. The Division of the State Architect shall~~  
17 ~~develop and post on its Internet Web site a standard reporting form~~  
18 ~~for use by all local jurisdictions. Up to 75 percent of the collected~~  
19 ~~funds in the Disability Access and Education Revolving Fund shall~~  
20 ~~be used to establish and maintain oversight of the CASp program~~  
21 ~~and to moderate the expense of CASp certification and testing.~~