

AMENDED IN ASSEMBLY APRIL 23, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1702

Introduced by Assembly Member Maienschein
(Coauthor: Senator Mitchell)

February 13, 2014

An act to add Section 480.5 to the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

AB 1702, as amended, Maienschein. Professions and vocations: incarceration.

Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs, among other entities. Existing law establishes various eligibility criteria needed to qualify for a license and authorizes a board to deny a license on the grounds that the applicant has been convicted of a crime substantially related to the qualifications, functions, or duties of the business or profession for which application is made.

This bill would provide that an individual who has satisfied any of the requirements needed to obtain a license while incarcerated, who applies for that license upon release from incarceration, and who is otherwise eligible for the license shall not be subject to a delay in processing the application or a denial of the license ~~solely based on the prior incarceration, except when the incarceration was for a crime substantially related to the qualifications, functions, or duties of the business or profession.~~ *on the basis that some or all of the licensure requirements were completed while the individual was incarcerated.*

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 480.5 is added to the Business and
- 2 Professions Code, to read:
- 3 480.5. (a) An individual who has satisfied any of the
- 4 requirements needed to obtain a license regulated under this ~~code~~
- 5 *division* while incarcerated, who applies for that license upon
- 6 release from incarceration, and who is otherwise eligible for the
- 7 license shall not be subject to a delay in processing his or her
- 8 application or a denial of the license solely ~~based on the prior~~
- 9 ~~incarceration, except as provided in Section 480.~~ *on the basis that*
- 10 *some or all of the licensure requirements were completed while*
- 11 *the individual was incarcerated.*
- 12 (b) Nothing in this section shall be construed to apply to a
- 13 petition for reinstatement of a license *or to limit the ability of a*
- 14 *board to deny a license pursuant to Section 480.*
- 15 (c) This section shall not apply to the licensure of individuals
- 16 under the initiative act referred to in Chapter 2 (commencing with
- 17 Section 1000) of Division 2.