

**Introduced by Senator Cannella**

February 8, 2013

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An act to amend Section 27 of the Business and Professions Code, relating to consumer affairs.

LEGISLATIVE COUNSEL'S DIGEST

SB 207, as introduced, Cannella. Department of Consumer Affairs: licensee information.

Existing law requires various boards in the Department of Consumer Affairs to provide information concerning the status of licensees on the Internet, including a licensee's address of record. Existing law requires the Board for Professional Engineers, Land Surveyors, and Geologists to disclose information on its registrants and licensees.

This bill would eliminate the requirement that the Board for Professional Engineers, Land Surveyors, and Geologists disclose any information about its registrants and would modify the disclosure information for its licensees to exclude the address of record.

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 27 of the Business and Professions Code
- 2 is amended to read:
- 3 27. (a) Each entity specified in subdivisions (c), (d), and (e)
- 4 shall provide on the Internet information regarding the status of
- 5 every license issued by that entity in accordance with the California
- 6 Public Records Act (Chapter 3.5 (commencing with Section 6250)
- 7 of Division 7 of Title 1 of the Government Code) and the

1 Information Practices Act of 1977 (Chapter 1 (commencing with  
2 Section 1798) of Title 1.8 of Part 4 of Division 3 of the Civil Code).  
3 The public information to be provided on the Internet shall include  
4 information on suspensions and revocations of licenses issued by  
5 the entity and other related enforcement action, including  
6 accusations filed pursuant to the Administrative Procedure Act  
7 (Chapter 3.5 (commencing with Section 11340) of Part 1 of  
8 Division 3 of Title 2 of the Government Code) taken by the entity  
9 relative to persons, businesses, or facilities subject to licensure or  
10 regulation by the entity. The information may not include personal  
11 information, including home telephone number, date of birth, or  
12 social security number. Each entity shall disclose a licensee's  
13 address of record. However, each entity shall allow a licensee to  
14 provide a post office box number or other alternate address, instead  
15 of his or her home address, as the address of record. This section  
16 shall not preclude an entity from also requiring a licensee, who  
17 has provided a post office box number or other alternative mailing  
18 address as his or her address of record, to provide a physical  
19 business address or residence address only for the entity's internal  
20 administrative use and not for disclosure as the licensee's address  
21 of record or disclosure on the Internet.

22 (b) In providing information on the Internet, each entity specified  
23 in subdivisions (c) and (d) shall comply with the Department of  
24 Consumer Affairs Guidelines for Access to Public Records.

25 (c) Each of the following entities within the Department of  
26 Consumer Affairs shall comply with the requirements of this  
27 section:

28 (1) The Board for Professional Engineers, Land Surveyors, and  
29 Geologists shall disclose information, *excluding the address of*  
30 *record*, on its ~~registrants and~~ licensees.

31 (2) The Bureau of Automotive Repair shall disclose information  
32 on its licensees, including auto repair dealers, smog stations, lamp  
33 and brake stations, smog check technicians, and smog inspection  
34 certification stations.

35 (3) The Bureau of Electronic and Appliance Repair, Home  
36 Furnishings, and Thermal Insulation shall disclose information on  
37 its licensees and registrants, including major appliance repair  
38 dealers, combination dealers (electronic and appliance), electronic  
39 repair dealers, service contract sellers, and service contract  
40 administrators.

1 (4) The Cemetery and Funeral Bureau shall disclose information  
2 on its licensees, including cemetery brokers, cemetery salespersons,  
3 cemetery managers, crematory managers, cemetery authorities,  
4 crematories, cremated remains disposers, embalmers, funeral  
5 establishments, and funeral directors.

6 (5) The Professional Fiduciaries Bureau shall disclose  
7 information on its licensees.

8 (6) The Contractors' State License Board shall disclose  
9 information on its licensees and registrants in accordance with  
10 Chapter 9 (commencing with Section 7000) of Division 3. In  
11 addition to information related to licenses as specified in  
12 subdivision (a), the board shall also disclose information provided  
13 to the board by the Labor Commissioner pursuant to Section 98.9  
14 of the Labor Code.

15 (7) The Bureau for Private Postsecondary Education shall  
16 disclose information on private postsecondary institutions under  
17 its jurisdiction, including disclosure of notices to comply issued  
18 pursuant to Section 94935 of the Education Code.

19 (8) The California Board of Accountancy shall disclose  
20 information on its licensees and registrants.

21 (9) The California Architects Board shall disclose information  
22 on its licensees, including architects and landscape architects.

23 (10) The State Athletic Commission shall disclose information  
24 on its licensees and registrants.

25 (11) The State Board of Barbering and Cosmetology shall  
26 disclose information on its licensees.

27 (12) The State Board of Guide Dogs for the Blind shall disclose  
28 information on its licensees and registrants.

29 (13) The Acupuncture Board shall disclose information on its  
30 licensees.

31 (14) The Board of Behavioral Sciences shall disclose  
32 information on its licensees, including marriage and family  
33 therapists, licensed clinical social workers, licensed educational  
34 psychologists, and licensed professional clinical counselors.

35 (15) The Dental Board of California shall disclose information  
36 on its licensees.

37 (16) The State Board of Optometry shall disclose information  
38 regarding certificates of registration to practice optometry,  
39 statements of licensure, optometric corporation registrations, branch  
40 office licenses, and fictitious name permits of its licensees.

1 (17) The Board of Psychology shall disclose information on its  
2 licensees, including psychologists, psychological assistants, and  
3 registered psychologists.

4 (d) The State Board of Chiropractic Examiners shall disclose  
5 information on its licensees.

6 (e) The Structural Pest Control Board shall disclose information  
7 on its licensees, including applicators, field representatives, and  
8 operators in the areas of fumigation, general pest and wood  
9 destroying pests and organisms, and wood roof cleaning and  
10 treatment.

11 (f) “Internet” for the purposes of this section has the meaning  
12 set forth in paragraph (6) of subdivision (f) of Section 17538.