

Introduced by Senator Berryhill

February 20, 2013

An act to amend Section 148 of the Business and Professions Code, relating to consumer affairs.

LEGISLATIVE COUNSEL'S DIGEST

SB 417, as introduced, Berryhill. Department of Consumer Affairs: unlicensed activity enforcement.

Existing law punishes specified unlicensed activity in the professions and vocations regulated by the Department of Consumer Affairs as an infraction and authorizes the establishment by boards within the department of an administrative citation system for unlicensed persons acting in the capacity of a licensee or registrant.

This bill would make a technical, nonsubstantive change to this provision.

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

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

- 1 SECTION 1. Section 148 of the Business and Professions Code
- 2 is amended to read:
- 3 148. ~~Any~~A board, bureau, or commission within the department
- 4 may, in addition to the administrative citation system authorized
- 5 by Section 125.9, also establish, by regulation, a similar system
- 6 for the issuance of an administrative citation to an unlicensed
- 7 person who is acting in the capacity of a licensee or registrant
- 8 under the jurisdiction of that board, bureau, or commission. The
- 9 administrative citation system authorized by this section shall meet

1 the requirements of Section 125.9 and may not be applied to an
2 unlicensed person who is otherwise exempted from the provisions
3 of the applicable licensing act. The establishment of an
4 administrative citation system for unlicensed activity does not
5 preclude the use of other enforcement statutes for unlicensed
6 activities at the discretion of the board, bureau, or commission.

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