

AMENDED IN ASSEMBLY MARCH 3, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 177

**Introduced by ~~Committee on Business and Professions~~ (Assembly Members ~~Bonilla (Chair), Bloom, Dodd, Gatto, Holden, Mullin, Ting, and Wood~~) Assembly Member *Bonilla*
(Coauthor: Senator Hill)**

January 26, 2015

An act to amend Sections ~~6710~~ 5510, 5517, 5620, 5621, 5622, 6710, and 6714 of the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

AB 177, as amended, ~~Committee on Business and Professions~~ *Bonilla*. Professions and vocations: ~~engineers~~. *licensing boards: authority: extension.*

The Professional Engineers Act provides for the licensure and regulation of engineers by the Board for Professional Engineers, Land ~~surveyors~~, *Surveyors*, and Geologists, which consists of 15 members, in the Department of Consumer Affairs. The act requires the board to appoint an executive ~~officer~~ *officer*, as specified. *Existing law provides for the licensure and regulation of architects and landscape architects by the California Architects Board, which consists of 10 members, in the department. Existing law establishes, within the jurisdiction of the board, the Landscape Architects Technical Committee for the purpose of, among other things, assisting the board in the examination of candidates for a landscape architect's license.* Under existing law, these provisions are repealed on January 1, 2016.

This bill would extend the operation of these provisions until January 1, 2020.

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 5510 of the Business and Professions*
2 *Code is amended to read:*

3 5510. There is in the Department of Consumer Affairs a
4 California Architects Board which consists of 10 members.

5 Any reference in law to the California Board of Architectural
6 Examiners shall mean the California Architects Board.

7 This section shall remain in effect only until January 1, ~~2016,~~
8 ~~2020,~~ and as of that date is ~~repealed,~~ unless a later enacted statute,
9 ~~that is enacted before January 1, 2016, deletes or extends that date~~
10 ~~repealed.~~ Notwithstanding any other ~~provision~~ of law, the repeal
11 of this section renders the board subject to review by the
12 appropriate policy committees of the Legislature.

13 *SEC. 2. Section 5517 of the Business and Professions Code is*
14 *amended to read:*

15 5517. The board may appoint a person exempt from civil
16 service who shall be designated as an executive officer and who
17 shall exercise the powers and perform the duties delegated by the
18 board and vested in him or her by this chapter.

19 This section shall remain in effect only until January 1, ~~2016,~~
20 ~~2020,~~ and as of that date is ~~repealed,~~ unless a later enacted statute,
21 ~~that is enacted before January 1, 2016, deletes or extends that date~~
22 ~~repealed.~~

23 *SEC. 3. Section 5620 of the Business and Professions Code is*
24 *amended to read:*

25 5620. The duties, powers, purposes, responsibilities, and
26 jurisdiction of the California State Board of Landscape Architects
27 that were succeeded to and vested with the Department of
28 Consumer Affairs in accordance with Chapter 908 of the Statutes
29 of 1994 are hereby transferred to the California Architects Board.
30 The Legislature finds that the purpose for the transfer of power is
31 to promote and enhance the efficiency of state government and
32 that assumption of the powers and duties by the California
33 Architects Board shall not be viewed or construed as a precedent

1 for the establishment of state regulation over a profession or
2 vocation that was not previously regulated by a board, as defined
3 in Section 477.

4 (a) There is in the Department of Consumer Affairs a California
5 Architects Board as defined in Article 2 (commencing with Section
6 5510) of Chapter 3.

7 Whenever in this chapter “board” is used, it refers to the
8 California Architects Board.

9 (b) Except as provided herein, the board may delegate its
10 authority under this chapter to the Landscape Architects Technical
11 Committee.

12 (c) After review of proposed regulations, the board may direct
13 the examining committee to notice and conduct hearings to adopt,
14 amend, or repeal regulations pursuant to Section 5630, provided
15 that the board itself shall take final action to adopt, amend, or
16 repeal those regulations.

17 (d) The board shall not delegate its authority to discipline a
18 landscape architect or to take action against a person who has
19 violated this chapter.

20 (e) This section shall remain in effect only until January 1, 2016,
21 2020, and as of that date is repealed, unless a later enacted statute,
22 that is enacted before January 1, 2016, deletes or extends that date
23 repealed.

24 *SEC. 4. Section 5621 of the Business and Professions Code is*
25 *amended to read:*

26 5621. (a) There is hereby created within the jurisdiction of the
27 board, a Landscape Architects Technical Committee, hereinafter
28 referred to in this chapter as the landscape architects committee.

29 (b) The landscape architects committee shall consist of five
30 members who shall be licensed to practice landscape architecture
31 in this state. The Governor shall appoint three of the members.
32 The Senate Committee on Rules and the Speaker of the Assembly
33 shall appoint one member each.

34 (c) The initial members to be appointed by the Governor are as
35 follows: one member for a term of one year; one member for a
36 term of two years; and one member for a term of three years. The
37 Senate Committee on Rules and the Speaker of the Assembly shall
38 initially each appoint one member for a term of four years.
39 Thereafter, appointments shall be made for four-year terms,
40 expiring on June 1 of the fourth year and until the appointment

1 and qualification of his or her successor or until one year shall
2 have elapsed, whichever first occurs. Vacancies shall be filled for
3 the unexpired term.

4 (d) No person shall serve as a member of the landscape
5 architects committee for more than two consecutive terms.

6 (e) This section shall remain in effect only until January 1, 2016,
7 2020, and as of that date is repealed, unless a later enacted statute,
8 that is enacted before January 1, 2016, deletes or extends that date
9 repealed.

10 *SEC. 5. Section 5622 of the Business and Professions Code is*
11 *amended to read:*

12 5622. (a) The landscape architects committee may assist the
13 board in the examination of candidates for a landscape architect's
14 license and, after investigation, evaluate and make
15 recommendations regarding potential violations of this chapter.

16 (b) The landscape architects committee may investigate, assist,
17 and make recommendations to the board regarding the regulation
18 of landscape architects in this state.

19 (c) The landscape architects committee may perform duties and
20 functions that have been delegated to it by the board pursuant to
21 Section 5620.

22 (d) The landscape architects committee may send a
23 representative to all meetings of the full board to report on the
24 committee's activities.

25 (e) This section shall remain in effect only until January 1, 2016,
26 2020, and as of that date is repealed, unless a later enacted statute,
27 that is enacted before January 1, 2016, deletes or extends that date
28 repealed.

29 **SECTION 1.**

30 *SEC. 6. Section 6710 of the Business and Professions Code is*
31 *amended to read:*

32 6710. (a) There is in the Department of Consumer Affairs a
33 Board for Professional Engineers, Land Surveyors, and Geologists,
34 which consists of 15 members.

35 (b) Any reference in any law or regulation to the Board of
36 Registration for Professional Engineers and Land Surveyors, or
37 the Board for Professional Engineers and Land Surveyors, is
38 deemed to refer to the Board for Professional Engineers, Land
39 Surveyors, and Geologists.

1 (c) This section shall remain in effect only until January 1, 2020,
2 and as of that date is ~~repealed, unless a later enacted statute, that~~
3 ~~is enacted before January 1, 2020, deletes or extends that date.~~
4 *repealed.* Notwithstanding any other law, the repeal of this section
5 renders the board subject to review by the appropriate policy
6 committees of the Legislature.

7 ~~SEC. 2.~~

8 *SEC. 7.* Section 6714 of the Business and Professions Code is
9 amended to read:

10 6714. The board shall appoint an executive officer at a salary
11 to be fixed and determined by the board with the approval of the
12 Director of Finance.

13 This section shall remain in effect only until January 1, 2020,
14 and as of that date is ~~repealed, unless a later enacted statute, that~~
15 ~~is enacted before January 1, 2020, deletes or extends that date.~~
16 *repealed.*