

AMENDED IN SENATE SEPTEMBER 4, 2015

AMENDED IN SENATE AUGUST 31, 2015

AMENDED IN SENATE JUNE 30, 2015

AMENDED IN ASSEMBLY APRIL 23, 2015

AMENDED IN ASSEMBLY MARCH 3, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 177

Introduced by Assembly Member Bonilla
(Principal Coauthor: Senator Hill)

January 26, 2015

An act to amend Sections 207, 5510, 5517, 5620, 5621, 5622, 6710, 6714, 6749, 7839.2, 7841, 7841.1, 7841.2, 8710, and 8759 of, to amend and repeal Section 7885 of, to amend, repeal, and add Sections 205, 6797, 7886, and 8800 of, to add Section 5550.2 to, and to add and repeal Sections 6775.2, 7860.2, and 8780.2 of, the Business and Professions Code, relating to professions and vocations, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 177, as amended, Bonilla. Professions and vocations: licensing boards.

(1) The Professional Engineers Act provides for the licensure and regulation of engineers by the Board for Professional Engineers, Land Surveyors, and Geologists. The act requires the board to appoint an executive officer. Existing law repeals the board and the executive officer position on January 1, 2016.

This bill would extend the operation of these provisions to January 1, 2020. The bill, until January 1, 2020, would add as a cause for disciplinary action by the board, as specified, if a licensee or certificate holder under the act fails or refuses to respond to a written request from a representative of the board to cooperate in the investigation of a complaint against that licensee or certificate holder.

(2) Existing law, the Architects Practice Act, provides for the licensure and regulation of architects and landscape architects by the California Architects Board and authorizes the board to appoint an executive officer. 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. Existing law repeals the board, the executive officer position, and the committee on January 1, 2016. Existing law requires a person to pass an examination as a condition of licensure as an architect and authorizes a person to take the examination if he or she meets certain examination eligibility requirements.

This bill would extend the operation of those provisions to January 1, 2020. The bill would also authorize the board to grant eligibility to a candidate to take the licensure examination if he or she is enrolled in an Additional Path to Architecture Licensing program, as specified.

(3) The Professional Land Surveyors' Act provides for the licensure and regulation of land surveyors by the Board for Professional Engineers, Land Surveyors, and Geologists, which is vested with the power to administer the act until January 1, 2016.

This bill would extend that power to January 1, 2020. The bill, until January 1, 2020, would also add as a cause for disciplinary action by the board, as specified, if a licensee or certificate holder under the act fails or refuses to respond to a written request from a representative of the board to cooperate in the investigation of a complaint against that licensee or certificate holder.

(4) The Geologist and Geophysicist Act provides for the registration and regulation of professional geologists and professional geophysicists and the certification of applicants in a specialty in geology and geologists-in-training by the Board for Professional Engineers, Land Surveyors, and Geologists. The act requires an applicant for registration as a geologist to meet certain requirements, including, among others, that he or she has graduated with a major in geological sciences from college or university, and requires an applicant for registration as a

geophysicist to meet certain requirements, including, among others, that he or she has completed a combination of at least 30 semester hours in courses, as specified. The act requires an applicant for certification as a geologist-in-training to comply with certain requirements, including, among others, that the applicant successfully pass the Fundamentals of Geology examination.

This bill would provide for licensure instead of registration under the act. The bill would also allow an applicant for licensure as a geologist to have graduated from a college or university with a major in a discipline other than geological sciences that, in the opinion of the board, is relevant to geology. The bill would also allow an applicant for licensure as a geophysicist to have completed at least the equivalent of 30 semester hours in courses, as specified. The bill would require an applicant for certification as a geologist-in-training to have graduated from a college or university with a major in geological sciences or any other discipline relevant to geology, as specified. The bill, until January 1, 2020, would add as a cause for disciplinary action by the board, as specified, if a licensee or certificate holder under the act fails or refuses to respond to a written request from a representative of the board to cooperate in the investigation of a complaint against that licensee or certificate holder.

(5) Under existing law, there is the Professions and Vocations Fund in the State Treasury, which consists of certain special funds and accounts, including the Professional Engineer's and Land Surveyor's Fund and the Geology and Geophysics Account of the Professional Engineer's and Land Surveyor's Fund. Under existing law the moneys in the Geology and Geophysics Account are continuously appropriated to carry out the purposes of the Geologist and Geophysicist Act, the moneys in the Professional Engineers's and Land Surveyor's Fund are continuously appropriated for the purposes of the Professional Engineers Act and the Professional Land Surveyors' Act, and the moneys in those funds that are attributable to administrative fines, civil penalties, and criminal penalties, as specified, are not continuously appropriated and are only available for expenditure upon appropriation by the Legislature.

This bill, beginning July 1, 2016, would abolish the Geology and Geophysics Account of the Professional Engineer's and Land Surveyor's Fund and would rename the Professional Engineer's and Land Surveyor's Fund as the Professional Engineer's, Land Surveyor's, and Geologist's Fund. The bill would direct those moneys collected under the Professional Engineers Act, the Professional Land Surveyors' Act,

and the Geologist and Geophysicist Act to be deposited into the Professional Engineer’s, Land Surveyor’s, and Geologist’s Fund, a continuously appropriated fund. Because additional moneys, except for fine and penalty money, would be deposited into a continuously appropriated fund, the bill would make an appropriation.

(6) This bill would incorporate additional changes in Section 205 of the Business and Professions Code, proposed by AB 179 and AB 180 that would become operative only if this bill and either or both of those bills are chaptered and become effective January 1, 2016, and this bill is chaptered last.

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

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

- 1 SECTION 1. Section 205 of the Business and Professions Code
- 2 is amended to read:
- 3 205. (a) There is in the State Treasury the Professions and
- 4 Vocations Fund. The fund shall consist of the following special
- 5 funds:
- 6 (1) Accountancy Fund.
- 7 (2) California Architects Board Fund.
- 8 (3) Athletic Commission Fund.
- 9 (4) Barbering and Cosmetology Contingent Fund.
- 10 (5) Cemetery Fund.
- 11 (6) Contractors’ License Fund.
- 12 (7) State Dentistry Fund.
- 13 (8) State Funeral Directors and Embalmers Fund.
- 14 (9) Guide Dogs for the Blind Fund.
- 15 (10) Home Furnishings and Thermal Insulation Fund.
- 16 (11) California Architects Board-Landscape Architects Fund.
- 17 (12) Contingent Fund of the Medical Board of California.
- 18 (13) Optometry Fund.
- 19 (14) Pharmacy Board Contingent Fund.
- 20 (15) Physical Therapy Fund.
- 21 (16) Private Investigator Fund.
- 22 (17) Professional Engineer’s and Land Surveyor’s Fund.
- 23 (18) Consumer Affairs Fund.
- 24 (19) Behavioral Sciences Fund.
- 25 (20) Licensed Midwifery Fund.

- 1 (21) Court Reporters' Fund.
- 2 (22) Veterinary Medical Board Contingent Fund.
- 3 (23) Vocational Nurses Account of the Vocational Nursing and
- 4 Psychiatric Technicians Fund.
- 5 (24) Electronic and Appliance Repair Fund.
- 6 (25) Geology and Geophysics Account of the Professional
- 7 Engineer's and Land Surveyor's Fund.
- 8 (26) Dispensing Opticians Fund.
- 9 (27) Acupuncture Fund.
- 10 (28) Physician Assistant Fund.
- 11 (29) Board of Podiatric Medicine Fund.
- 12 (30) Psychology Fund.
- 13 (31) Respiratory Care Fund.
- 14 (32) Speech-Language Pathology and Audiology and Hearing
- 15 Aid Dispensers Fund.
- 16 (33) Board of Registered Nursing Fund.
- 17 (34) Psychiatric Technician Examiners Account of the
- 18 Vocational Nursing and Psychiatric Technicians Fund.
- 19 (35) Animal Health Technician Examining Committee Fund.
- 20 (36) State Dental Hygiene Fund.
- 21 (37) State Dental Assistant Fund.
- 22 (38) Structural Pest Control Fund.
- 23 (39) Structural Pest Control Eradication and Enforcement Fund.
- 24 (40) Structural Pest Control Research Fund.
- 25 (b) For accounting and recordkeeping purposes, the Professions
- 26 and Vocations Fund shall be deemed to be a single special fund,
- 27 and each of the several special funds therein shall constitute and
- 28 be deemed to be a separate account in the Professions and
- 29 Vocations Fund. Each account or fund shall be available for
- 30 expenditure only for the purposes as are now or may hereafter be
- 31 provided by law.
- 32 (c) This section shall remain in effect only until July 1, 2016,
- 33 and as of that date is repealed, unless a later enacted statute, that
- 34 is enacted before July 1, 2016, deletes or extends that date.
- 35 SEC. 2. Section 205 is added to the Business and Professions
- 36 Code, to read:
- 37 205. (a) There is in the State Treasury the Professions and
- 38 Vocations Fund. The fund shall consist of the following special
- 39 funds:
- 40 (1) Accountancy Fund.

- 1 (2) California Architects Board Fund.
- 2 (3) Athletic Commission Fund.
- 3 (4) Barbering and Cosmetology Contingent Fund.
- 4 (5) Cemetery Fund.
- 5 (6) Contractors' License Fund.
- 6 (7) State Dentistry Fund.
- 7 (8) State Funeral Directors and Embalmers Fund.
- 8 (9) Guide Dogs for the Blind Fund.
- 9 (10) Home Furnishings and Thermal Insulation Fund.
- 10 (11) California Architects Board-Landscape Architects Fund.
- 11 (12) Contingent Fund of the Medical Board of California.
- 12 (13) Optometry Fund.
- 13 (14) Pharmacy Board Contingent Fund.
- 14 (15) Physical Therapy Fund.
- 15 (16) Private Investigator Fund.
- 16 (17) Professional Engineer's, Land Surveyor's, and Geologist's
- 17 Fund.
- 18 (18) Consumer Affairs Fund.
- 19 (19) Behavioral Sciences Fund.
- 20 (20) Licensed Midwifery Fund.
- 21 (21) Court Reporters' Fund.
- 22 (22) Veterinary Medical Board Contingent Fund.
- 23 (23) Vocational Nurses Account of the Vocational Nursing and
- 24 Psychiatric Technicians Fund.
- 25 (24) Electronic and Appliance Repair Fund.
- 26 (25) Dispensing Opticians Fund.
- 27 (26) Acupuncture Fund.
- 28 (27) Physician Assistant Fund.
- 29 (28) Board of Podiatric Medicine Fund.
- 30 (29) Psychology Fund.
- 31 (30) Respiratory Care Fund.
- 32 (31) Speech-Language Pathology and Audiology and Hearing
- 33 Aid Dispensers Fund.
- 34 (32) Board of Registered Nursing Fund.
- 35 (33) Psychiatric Technician Examiners Account of the
- 36 Vocational Nursing and Psychiatric Technicians Fund.
- 37 (34) Animal Health Technician Examining Committee Fund.
- 38 (35) State Dental Hygiene Fund.
- 39 (36) State Dental Assistant Fund.
- 40 (37) Structural Pest Control Fund.

1 (38) Structural Pest Control Eradication and Enforcement Fund.

2 (39) Structural Pest Control Research Fund.

3 (b) For accounting and recordkeeping purposes, the Professions
4 and Vocations Fund shall be deemed to be a single special fund,
5 and each of the several special funds therein shall constitute and
6 be deemed to be a separate account in the Professions and
7 Vocations Fund. Each account or fund shall be available for
8 expenditure only for the purposes as are now or may hereafter be
9 provided by law.

10 (c) This section shall become operative on July 1, 2016.

11 *SEC. 2.1. Section 205 is added to the Business and Professions*
12 *Code, to read:*

13 *205. (a) There is in the State Treasury the Professions and*
14 *Vocations Fund. The fund shall consist of the following special*
15 *funds:*

16 (1) *Accountancy Fund.*

17 (2) *California Architects Board Fund.*

18 (3) *Athletic Commission Fund.*

19 (4) *Barbering and Cosmetology Contingent Fund.*

20 (5) *Cemetery Fund.*

21 (6) *Contractors' License Fund.*

22 (7) *State Dentistry Fund.*

23 (8) *State Funeral Directors and Embalmers Fund.*

24 (9) *Guide Dogs for the Blind Fund.*

25 (10) *Home Furnishings and Thermal Insulation Fund.*

26 (11) *California Architects Board-Landscape Architects Fund.*

27 (12) *Contingent Fund of the Medical Board of California.*

28 (13) *Optometry Fund.*

29 (14) *Pharmacy Board Contingent Fund.*

30 (15) *Physical Therapy Fund.*

31 (16) *Private Investigator Fund.*

32 (17) *Professional Engineer's, Land Surveyor's, and Geologist's*
33 *Fund.*

34 (18) *Consumer Affairs Fund.*

35 (19) *Behavioral Sciences Fund.*

36 (20) *Licensed Midwifery Fund.*

37 (21) *Court Reporters' Fund.*

38 (22) *Veterinary Medical Board Contingent Fund.*

39 (23) *Vocational Nursing and Psychiatric Technicians Fund.*

40 (24) *Electronic and Appliance Repair Fund.*

- 1 (25) *Dispensing Opticians Fund.*
- 2 (26) *Acupuncture Fund.*
- 3 (27) *Physician Assistant Fund.*
- 4 (28) *Board of Podiatric Medicine Fund.*
- 5 (29) *Psychology Fund.*
- 6 (30) *Respiratory Care Fund.*
- 7 (31) *Speech-Language Pathology and Audiology and Hearing*
- 8 *Aid Dispensers Fund.*
- 9 (32) *Board of Registered Nursing Fund.*
- 10 (33) *Animal Health Technician Examining Committee Fund.*
- 11 (34) *State Dental Hygiene Fund.*
- 12 (35) *State Dental Assistant Fund.*
- 13 (36) *Structural Pest Control Fund.*
- 14 (37) *Structural Pest Control Eradication and Enforcement Fund.*
- 15 (38) *Structural Pest Control Research Fund.*
- 16 (b) *For accounting and recordkeeping purposes, the Professions*
- 17 *and Vocations Fund shall be deemed to be a single special fund,*
- 18 *and each of the several special funds therein shall constitute and*
- 19 *be deemed to be a separate account in the Professions and*
- 20 *Vocations Fund. Each account or fund shall be available for*
- 21 *expenditure only for the purposes as are now or may hereafter be*
- 22 *provided by law.*
- 23 (c) *This section shall become operative on July 1, 2016.*
- 24 SEC. 2.2. *Section 205 is added to the Business and Professions*
- 25 *Code, to read:*
- 26 205. (a) *There is in the State Treasury the Professions and*
- 27 *Vocations Fund. The fund shall consist of the following special*
- 28 *funds:*
- 29 (1) *Accountancy Fund.*
- 30 (2) *California Architects Board Fund.*
- 31 (3) *Athletic Commission Fund.*
- 32 (4) *Barbering and Cosmetology Contingent Fund.*
- 33 (5) *Cemetery and Funeral Fund.*
- 34 (6) *Contractors' License Fund.*
- 35 (7) *State Dentistry Fund.*
- 36 (8) *Guide Dogs for the Blind Fund.*
- 37 (9) *Home Furnishings and Thermal Insulation Fund.*
- 38 (10) *California Architects Board-Landscape Architects Fund.*
- 39 (11) *Contingent Fund of the Medical Board of California.*
- 40 (12) *Optometry Fund.*

- 1 (13) *Pharmacy Board Contingent Fund.*
- 2 (14) *Physical Therapy Fund.*
- 3 (15) *Private Investigator Fund.*
- 4 (16) *Professional Engineer's, Land Surveyor's, and Geologist's*
- 5 *Fund.*
- 6 (17) *Consumer Affairs Fund.*
- 7 (18) *Behavioral Sciences Fund.*
- 8 (19) *Licensed Midwifery Fund.*
- 9 (20) *Court Reporters' Fund.*
- 10 (21) *Veterinary Medical Board Contingent Fund.*
- 11 (22) *Vocational Nurses Account of the Vocational Nursing and*
- 12 *Psychiatric Technicians Fund.*
- 13 (23) *Electronic and Appliance Repair Fund.*
- 14 (24) *Dispensing Opticians Fund.*
- 15 (25) *Acupuncture Fund.*
- 16 (26) *Physician Assistant Fund.*
- 17 (27) *Board of Podiatric Medicine Fund.*
- 18 (28) *Psychology Fund.*
- 19 (29) *Respiratory Care Fund.*
- 20 (30) *Speech-Language Pathology and Audiology and Hearing*
- 21 *Aid Dispensers Fund.*
- 22 (31) *Board of Registered Nursing Fund.*
- 23 (32) *Psychiatric Technician Examiners Account of the*
- 24 *Vocational Nursing and Psychiatric Technicians Fund.*
- 25 (33) *Animal Health Technician Examining Committee Fund.*
- 26 (34) *State Dental Hygiene Fund.*
- 27 (35) *State Dental Assistant Fund.*
- 28 (36) *Structural Pest Control Fund.*
- 29 (37) *Structural Pest Control Eradication and Enforcement Fund.*
- 30 (38) *Structural Pest Control Research Fund.*
- 31 (b) *For accounting and recordkeeping purposes, the Professions*
- 32 *and Vocations Fund shall be deemed to be a single special fund,*
- 33 *and each of the several special funds therein shall constitute and*
- 34 *be deemed to be a separate account in the Professions and*
- 35 *Vocations Fund. Each account or fund shall be available for*
- 36 *expenditure only for the purposes as are now or may hereafter be*
- 37 *provided by law.*
- 38 (c) *This section shall become operative on July 1, 2016.*
- 39 *SEC. 2.3. Section 205 is added to the Business and Professions*
- 40 *Code, to read:*

- 1 205. (a) *There is in the State Treasury the Professions and*
2 *Vocations Fund. The fund shall consist of the following special*
3 *funds:*
- 4 (1) *Accountancy Fund.*
 - 5 (2) *California Architects Board Fund.*
 - 6 (3) *Athletic Commission Fund.*
 - 7 (4) *Barbering and Cosmetology Contingent Fund.*
 - 8 (5) *Cemetery and Funeral Fund.*
 - 9 (6) *Contractors' License Fund.*
 - 10 (7) *State Dentistry Fund.*
 - 11 (8) *Guide Dogs for the Blind Fund.*
 - 12 (9) *Home Furnishings and Thermal Insulation Fund.*
 - 13 (10) *California Architects Board-Landscape Architects Fund.*
 - 14 (11) *Contingent Fund of the Medical Board of California.*
 - 15 (12) *Optometry Fund.*
 - 16 (13) *Pharmacy Board Contingent Fund.*
 - 17 (14) *Physical Therapy Fund.*
 - 18 (15) *Private Investigator Fund.*
 - 19 (16) *Professional Engineer's, Land Surveyor's, and Geologist's*
20 *Fund.*
 - 21 (17) *Consumer Affairs Fund.*
 - 22 (18) *Behavioral Sciences Fund.*
 - 23 (19) *Licensed Midwifery Fund.*
 - 24 (20) *Court Reporters' Fund.*
 - 25 (21) *Veterinary Medical Board Contingent Fund.*
 - 26 (22) *Vocational Nursing and Psychiatric Technicians Fund.*
 - 27 (23) *Electronic and Appliance Repair Fund.*
 - 28 (24) *Dispensing Opticians Fund.*
 - 29 (25) *Acupuncture Fund.*
 - 30 (26) *Physician Assistant Fund.*
 - 31 (27) *Board of Podiatric Medicine Fund.*
 - 32 (28) *Psychology Fund.*
 - 33 (29) *Respiratory Care Fund.*
 - 34 (30) *Speech-Language Pathology and Audiology and Hearing*
35 *Aid Dispensers Fund.*
 - 36 (31) *Board of Registered Nursing Fund.*
 - 37 (32) *Animal Health Technician Examining Committee Fund.*
 - 38 (33) *State Dental Hygiene Fund.*
 - 39 (34) *State Dental Assistant Fund.*
 - 40 (35) *Structural Pest Control Fund.*

1 (36) *Structural Pest Control Eradication and Enforcement Fund.*

2 (37) *Structural Pest Control Research Fund.*

3 (b) *For accounting and recordkeeping purposes, the Professions*
4 *and Vocations Fund shall be deemed to be a single special fund,*
5 *and each of the several special funds therein shall constitute and*
6 *be deemed to be a separate account in the Professions and*
7 *Vocations Fund. Each account or fund shall be available for*
8 *expenditure only for the purposes as are now or may hereafter be*
9 *provided by law.*

10 (c) *This section shall become operative on July 1, 2016.*

11 SEC. 3. Section 207 of the Business and Professions Code is
12 amended to read:

13 207. (a) Notwithstanding any other provision of law, the money
14 in any fund described in Section 205 that is attributable to
15 administrative fines, civil penalties, and criminal penalties imposed
16 by a regulating entity, or cost recovery by a regulating entity from
17 enforcement actions and case settlements, shall not be continuously
18 appropriated. The money in each fund that is not continuously
19 appropriated shall be available for expenditure as provided in this
20 code only upon appropriation by the Legislature.

21 (b) Notwithstanding any other provision of law, the annual
22 Budget Act may appropriate, in a single budget item for each
23 individual fund described in subdivision (a) of Section 205, the
24 entire amount available for expenditure in the budget year for that
25 fund. That appropriation may include funds that are continuously
26 appropriated and funds that are not continuously appropriated.

27 SEC. 4. Section 5510 of the Business and Professions Code is
28 amended to read:

29 5510. There is in the Department of Consumer Affairs a
30 California Architects Board which consists of 10 members.

31 Any reference in law to the California Board of Architectural
32 Examiners shall mean the California Architects Board.

33 This section shall remain in effect only until January 1, 2020,
34 and as of that date is repealed. Notwithstanding any other law, the
35 repeal of this section renders the board subject to review by the
36 appropriate policy committees of the Legislature.

37 SEC. 5. Section 5517 of the Business and Professions Code is
38 amended to read:

39 5517. The board may appoint a person exempt from civil
40 service who shall be designated as an executive officer and who

1 shall exercise the powers and perform the duties delegated by the
2 board and vested in him or her by this chapter.

3 This section shall remain in effect only until January 1, 2020,
4 and as of that date is repealed.

5 SEC. 6. Section 5550.2 is added to the Business and Professions
6 Code, to read:

7 5550.2. Notwithstanding subdivision (b) of Section 5552, the
8 board may grant eligibility, based on an eligibility point determined
9 by the Additional Path to Architectural Licensing Program, for a
10 candidate to take the examination for a license to practice
11 architecture if he or she is enrolled in an Additional Path to
12 Architectural Licensing program that integrates the experience
13 and examination components offered by a National Architectural
14 Accrediting Board-accredited degree program.

15 SEC. 7. Section 5620 of the Business and Professions Code is
16 amended to read:

17 5620. The duties, powers, purposes, responsibilities, and
18 jurisdiction of the California State Board of Landscape Architects
19 that were succeeded to and vested with the Department of
20 Consumer Affairs in accordance with Chapter 908 of the Statutes
21 of 1994 are hereby transferred to the California Architects Board.
22 The Legislature finds that the purpose for the transfer of power is
23 to promote and enhance the efficiency of state government and
24 that assumption of the powers and duties by the California
25 Architects Board shall not be viewed or construed as a precedent
26 for the establishment of state regulation over a profession or
27 vocation that was not previously regulated by a board, as defined
28 in Section 477.

29 (a) There is in the Department of Consumer Affairs a California
30 Architects Board as defined in Article 2 (commencing with Section
31 5510) of Chapter 3 of Division 3.

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

34 (b) Except as provided herein, the board may delegate its
35 authority under this chapter to the Landscape Architects Technical
36 Committee.

37 (c) After review of proposed regulations, the board may direct
38 the examining committee to notice and conduct hearings to adopt,
39 amend, or repeal regulations pursuant to Section 5630, provided

1 that the board itself shall take final action to adopt, amend, or
2 repeal those regulations.

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

6 (e) This section shall remain in effect only until January 1, 2020,
7 and as of that date is repealed.

8 SEC. 8. Section 5621 of the Business and Professions Code is
9 amended to read:

10 5621. (a) There is hereby created within the jurisdiction of the
11 board, a Landscape Architects Technical Committee, hereinafter
12 referred to in this chapter as the landscape architects committee.

13 (b) The landscape architects committee shall consist of five
14 members who shall be licensed to practice landscape architecture
15 in this state. The Governor shall appoint three of the members.
16 The Senate Committee on Rules and the Speaker of the Assembly
17 shall appoint one member each.

18 (c) The initial members to be appointed by the Governor are as
19 follows: one member for a term of one year; one member for a
20 term of two years; and one member for a term of three years. The
21 Senate Committee on Rules and the Speaker of the Assembly shall
22 initially each appoint one member for a term of four years.
23 Thereafter, appointments shall be made for four-year terms,
24 expiring on June 1 of the fourth year and until the appointment
25 and qualification of his or her successor or until one year shall
26 have elapsed, whichever first occurs. Vacancies shall be filled for
27 the unexpired term.

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

30 (e) This section shall remain in effect only until January 1, 2020,
31 and as of that date is repealed.

32 SEC. 9. Section 5622 of the Business and Professions Code is
33 amended to read:

34 5622. (a) The landscape architects committee may assist the
35 board in the examination of candidates for a landscape architect's
36 license and, after investigation, evaluate and make
37 recommendations regarding potential violations of this chapter.

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

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

4 (d) The landscape architects committee may send a
5 representative to all meetings of the full board to report on the
6 committee’s activities.

7 (e) This section shall remain in effect only until January 1, 2020,
8 and as of that date is repealed.

9 SEC. 10. Section 6710 of the Business and Professions Code
10 is amended to read:

11 6710. (a) There is in the Department of Consumer Affairs a
12 Board for Professional Engineers, Land Surveyors, and Geologists,
13 which consists of 15 members.

14 (b) Any reference in any law or regulation to the Board of
15 Registration for Professional Engineers and Land Surveyors, or
16 the Board for Professional Engineers and Land Surveyors, is
17 deemed to refer to the Board for Professional Engineers, Land
18 Surveyors, and Geologists.

19 (c) This section shall remain in effect only until January 1, 2020,
20 and as of that date is repealed. Notwithstanding any other law, the
21 repeal of this section renders the board subject to review by the
22 appropriate policy committees of the Legislature.

23 SEC. 11. Section 6714 of the Business and Professions Code
24 is amended to read:

25 6714. The board shall appoint an executive officer at a salary
26 to be fixed and determined by the board with the approval of the
27 Director of Finance.

28 This section shall remain in effect only until January 1, 2020,
29 and as of that date is repealed.

30 SEC. 12. Section 6749 of the Business and Professions Code
31 is amended to read:

32 6749. (a) A professional engineer shall use a written contract
33 when contracting to provide professional engineering services to
34 a client pursuant to this chapter. The written contract shall be
35 executed by the professional engineer and the client or the client’s
36 representative prior to the professional engineer commencing work,
37 unless the client knowingly states in writing that work may be
38 commenced before the contract is executed. The written contract
39 shall include, but not be limited to, all of the following:

- 1 (1) A description of the services to be provided to the client by
2 the professional engineer.
- 3 (2) A description of any basis of compensation applicable to
4 the contract, and the method of payment agreed upon by the parties.
- 5 (3) The name, address, and license or certificate number of the
6 professional engineer, and the name and address of the client.
- 7 (4) A description of the procedure that the professional engineer
8 and the client will use to accommodate additional services.
- 9 (5) A description of the procedure to be used by both parties to
10 terminate the contract.
- 11 (b) This section shall not apply to any of the following:
 - 12 (1) Professional engineering services rendered by a professional
13 engineer for which the client will not pay compensation.
 - 14 (2) A professional engineer who has a current or prior
15 contractual relationship with the client to provide engineering
16 services, and that client has paid the professional engineer all of
17 the fees that are due under the contract.
 - 18 (3) If the client knowingly states in writing after full disclosure
19 of this section that a contract which complies with the requirements
20 of this section is not required.
 - 21 (4) Professional engineering services rendered by a professional
22 engineer to any of the following:
 - 23 (A) A professional engineer licensed or registered under this
24 chapter.
 - 25 (B) A land surveyor licensed under Chapter 15 (commencing
26 with Section 8700).
 - 27 (C) An architect licensed under Chapter 3 (commencing with
28 Section 5500).
 - 29 (D) A contractor licensed under Chapter 9 (commencing with
30 Section 7000).
 - 31 (E) A geologist or a geophysicist licensed under Chapter 12.5
32 (commencing with Section 7800).
 - 33 (F) A manufacturing, mining, public utility, research and
34 development, or other industrial corporation, if the services are
35 provided in connection with or incidental to the products, systems,
36 or services of that corporation or its affiliates.
 - 37 (G) A public agency.
 - 38 (c) “Written contract” as used in this section includes a contract
39 that is in electronic form.

1 SEC. 13. Section 6775.2 is added to the Business and
2 Professions Code, to read:

3 6775.2. (a) The failure of, or refusal by, a licensee or a
4 certificate holder to respond to a written request from a
5 representative of the board to cooperate in the investigation of a
6 complaint against that licensee or certificate holder constitutes a
7 cause for disciplinary action under Section 6775 or 6775.1.

8 (b) This section shall remain in effect only until January 1, 2020,
9 and as of that date is repealed.

10 SEC. 14. Section 6797 of the Business and Professions Code
11 is amended to read:

12 6797. (a) The department shall receive and account for all
13 money derived from the operation of this chapter and, at the end
14 of each month, shall report such money to the Controller and shall
15 pay it to the Treasurer, who shall keep the money in a separate
16 fund known as the Professional Engineer’s and Land Surveyor’s
17 Fund.

18 (b) For accounting and recordkeeping purposes, the Professional
19 Engineer’s and Land Surveyor’s Fund shall be deemed to be a
20 single special fund, and shall be available for expenditure only for
21 the purposes as are now or may hereafter be provided by law.

22 (c) The fees and civil penalties received under this chapter shall
23 be deposited in the Professional Engineer’s and Land Surveyor’s
24 Fund. All moneys in the fund are hereby appropriated for the
25 purposes of this chapter.

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

29 SEC. 15. Section 6797 is added to the Business and Professions
30 Code, to read:

31 6797. (a) The department shall receive and account for all
32 money derived from the operation of this chapter and, at the end
33 of each month, shall report such money to the Controller and shall
34 pay it to the Treasurer, who shall keep the money in a separate
35 fund known as the Professional Engineer’s, Land Surveyor’s, and
36 Geologist’s Fund.

37 (b) For accounting and recordkeeping purposes, the Professional
38 Engineer’s, Land Surveyor’s, and Geologist’s Fund shall be
39 deemed to be a single special fund, and shall be available for

1 expenditure only for the purposes as are now or may hereafter be
2 provided by law.

3 (c) The fees and civil penalties received under this chapter shall
4 be deposited in the Professional Engineer's, Land Surveyor's, and
5 Geologist's Fund. All moneys in the fund are hereby appropriated
6 for the purposes of this chapter.

7 (d) This section shall become operative on July 1, 2016.

8 SEC. 16. Section 7839.2 of the Business and Professions Code
9 is amended to read:

10 7839.2. (a) A professional geologist or professional
11 geophysicist shall use a written contract when contracting to
12 provide geological or geophysical services to a client pursuant to
13 this chapter. The written contract shall be executed by the
14 professional geologist or professional geophysicist and the client
15 or the client's representative prior to the professional geologist or
16 professional geophysicist commencing work, unless the client
17 states in writing that work may be commenced before the contract
18 is executed. The written contract shall include, but is not limited
19 to, all of the following:

20 (1) A description of the services to be provided to the client by
21 the professional geologist or professional geophysicist.

22 (2) A description of any basis of compensation applicable to
23 the contract, and the method of payment agreed upon by the parties.

24 (3) The name, address, and license or certificate number of the
25 professional geologist or professional geophysicist, and the name
26 and address of the client.

27 (4) A description of the procedure that the professional geologist
28 or professional geophysicist and the client will use to accommodate
29 additional services.

30 (5) A description of the procedure to be used by both parties to
31 terminate the contract.

32 (b) Subdivision (a) shall not apply to any of the following:

33 (1) Geologic or geophysical services rendered by a professional
34 geologist or professional geophysicist for which the client will not
35 pay compensation.

36 (2) A geologist or geophysicist who has a current or prior
37 contractual relationship with the client to provide geologic or
38 geophysical services, and who has already been paid the fees that
39 are due under the contract by the client.

1 (3) If the client executes a waiver in writing after full disclosure
2 of this section that a contract that complies with the requirements
3 of this section is not required.

4 (4) Geological or geophysical services rendered by a geologist
5 or geophysicist to any of the following:

6 (A) A geologist or geophysicist licensed under this chapter.

7 (B) An engineer licensed under Chapter 7 (commencing with
8 Section 6700).

9 (C) A land surveyor licensed under Chapter 15 (commencing
10 with Section 8700).

11 (D) An architect licensed under Chapter 3 (commencing with
12 Section 5500).

13 (E) A contractor licensed under Chapter 9 (commencing with
14 Section 7000).

15 (F) A public agency.

16 (c) As used in this section, “written contract” includes a contract
17 in electronic form.

18 SEC. 17. Section 7841 of the Business and Professions Code
19 is amended to read:

20 7841. An applicant for licensure as a geologist shall have all
21 the following qualifications:

22 (a) Not have committed any acts or crimes constituting grounds
23 for denial of licensure under Section 480.

24 (b) Graduation from a college or university with a major in
25 geological sciences or any other discipline that, in the opinion of
26 the board, is relevant to geology.

27 (c) Have a documented record of a minimum of five years of
28 professional geological experience of a character satisfactory to
29 the board, demonstrating that the applicant is qualified to assume
30 responsible charge of this work upon licensure as a geologist. This
31 experience shall be gained under the supervision of a geologist or
32 geophysicist licensed in this or any other state, or under the
33 supervision of others who, in the opinion of the board, have the
34 training and experience to have responsible charge of geological
35 work. Professional geological work does not include routine
36 sampling, laboratory work, or geological drafting.

37 Each year of undergraduate study in the geological sciences shall
38 count as one-half year of training up to a maximum of two years,
39 and each year of graduate study or research counts as a year of
40 training.

1 Teaching in the geological sciences at college level shall be
2 credited year for year toward meeting the requirement in this
3 category, provided that the total teaching experience includes six
4 semester units per semester, or equivalent if on the quarter system,
5 of upper division or graduate courses.

6 Credit for undergraduate study, graduate study, and teaching,
7 individually, or in any combination thereof, shall in no case exceed
8 a total of three years towards meeting the requirement for at least
9 five years of professional geological work as set forth above.

10 The ability of the applicant shall have been demonstrated by the
11 applicant having performed the work in a responsible position, as
12 the term “responsible position” is defined in regulations adopted
13 by the board. The adequacy of the required supervision and
14 experience shall be determined by the board in accordance with
15 standards set forth in regulations adopted by it.

16 (d) Successfully pass a written examination that incorporates a
17 national examination for geologists created by a nationally
18 recognized entity approved by the board, and a supplemental
19 California specific examination. The California specific
20 examination shall test the applicant’s knowledge of state laws,
21 rules and regulations, and of seismicity and geology unique to
22 practice within this state.

23 SEC. 18. Section 7841.1 of the Business and Professions Code
24 is amended to read:

25 7841.1. An applicant for licensure as a geophysicist shall have
26 all of the following qualifications. This section shall not apply to
27 applicants for licensure as geologists.

28 (a) Not have committed any acts or crimes constituting grounds
29 for denial of licensure under Section 480.

30 (b) Meet one of the following educational requirements fulfilled
31 at a school or university whose curricula meet criteria established
32 by rules of the board.

33 (1) Graduation with a major in a geophysical science or any
34 other discipline that, in the opinion of the board, is relevant to
35 geophysics.

36 (2) Completion of a combination of at least 30 semester hours,
37 or the equivalent, in courses that, in the opinion of the board, are
38 relevant to geophysics. At least 24 semester hours, or the
39 equivalent, shall be in the third or fourth year, or graduate courses.

1 (c) Have at least seven years of professional geophysical work
2 that shall include either a minimum of three years of professional
3 geophysical work under the supervision of a professional
4 geophysicist, except that prior to July 1, 1973, professional
5 geophysical work shall qualify under this subdivision if it is under
6 the supervision of a qualified geophysicist, or a minimum of five
7 years' experience in responsible charge of professional geophysical
8 work. Professional geophysical work does not include the routine
9 maintenance or operation of geophysical instruments, or, even if
10 carried out under the responsible supervision of a professional
11 geophysicist, the routine reduction or plotting of geophysical
12 observations.

13 Each year of undergraduate study in the geophysical sciences
14 referred to in this section shall count as one-half year of training
15 up to a maximum of two years, and each year of graduate study
16 or research counts as a year of training.

17 Teaching in the geophysical sciences referred to in this section
18 at a college level shall be credited year for year toward meeting
19 the requirement in this category, provided that the total teaching
20 experience includes six semester units per semester, or equivalent
21 if on the quarter system, of third or fourth year or graduate courses.

22 Credit for undergraduate study, graduate study, and teaching,
23 individually, or in any combination thereof, shall in no case exceed
24 a total of four years towards meeting the requirements for at least
25 seven years of professional geophysical work as set forth above.

26 The ability of the applicant shall have been demonstrated by his
27 or her having performed the work in a responsible position, as the
28 term "responsible position" is defined in regulations adopted by
29 the board. The adequacy of the required supervision and experience
30 shall be determined by the board in accordance with standards set
31 forth in regulations adopted by it.

32 (d) Successfully pass a written examination.

33 SEC. 19. Section 7841.2 of the Business and Professions Code
34 is amended to read:

35 7841.2. An applicant for certification as a geologist-in-training
36 shall comply with all of the following:

37 (a) Not have committed acts or crimes constituting grounds for
38 denial of certification under Section 480.

39 (b) Successfully pass the Fundamentals of Geology examination.

1 (c) Graduation from a college or university with a major in
2 geological sciences or any other discipline that, in the opinion of
3 the board, is relevant to geology.

4 SEC. 20. Section 7860.2 is added to the Business and
5 Professions Code, to read:

6 7860.2. (a) The failure of, or refusal by, a licensee or a
7 certificate holder to respond to a written request from a
8 representative of the board to cooperate in the investigation of a
9 complaint against that licensee or certificate holder constitutes a
10 cause for disciplinary action under Section 7860.

11 (b) This section shall remain in effect only until January 1, 2020,
12 and as of that date is repealed.

13 SEC. 21. Section 7885 of the Business and Professions Code
14 is amended to read:

15 7885. (a) The board shall report each month to the State
16 Controller the amount and source of all revenue received by it
17 pursuant to this chapter and at the same time pay the entire amount
18 thereof into the State Treasury for credit to the Geology and
19 Geophysics Account, which is hereby created within the
20 Professional Engineer's and Land Surveyor's Fund established in
21 Section 6797.

22 (b) All moneys in the Geology and Geophysics Fund on January
23 1, 2012, shall be transferred on that date to the Geology and
24 Geophysics Account of the Professional Engineer's and Land
25 Surveyor's Fund.

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

29 SEC. 22. Section 7886 of the Business and Professions Code
30 is amended to read:

31 7886. (a) The moneys paid into the Geology and Geophysics
32 Account of the Professional Engineer's and Land Surveyor's Fund
33 pursuant to this chapter are hereby appropriated to be used by the
34 board to carry out the provisions of this chapter.

35 (b) This section shall remain in effect only until July 1, 2016,
36 and as of that date is repealed, unless a later enacted statute, that
37 is enacted before July 1, 2016, deletes or extends that date.

38 SEC. 23. Section 7886 is added to the Business and Professions
39 Code, to read:

1 7886. (a) The department shall receive and account for all
2 money derived under the operation of this chapter and, at the end
3 of each month, shall report such money to the Controller and shall
4 pay it to the Treasurer, who shall keep the money in a separate
5 fund known as the Professional Engineer’s, Land Surveyor’s, and
6 Geologist’s Fund.

7 (b) For accounting and recordkeeping purposes, the Professional
8 Engineer’s, Land Surveyor’s, and Geologist’s Fund shall be
9 deemed to be a single special fund and shall be available for
10 expenditure only for the purposes as are now or may hereafter be
11 provided by law.

12 (c) The fees and civil penalties received under this chapter shall
13 be deposited in the Professional Engineer’s, Land Surveyor’s, and
14 Geologist’s Fund. All moneys in the fund are hereby appropriated
15 for the purposes of this chapter.

16 (d) This section shall become operative on July 1, 2016.

17 SEC. 24. Section 8710 of the Business and Professions Code
18 is amended to read:

19 8710. (a) The Board for Professional Engineers, Land
20 Surveyors, and Geologists is vested with power to administer the
21 provisions and requirements of this chapter, and may make and
22 enforce rules and regulations that are reasonably necessary to carry
23 out its provisions.

24 (b) The board may adopt rules and regulations of professional
25 conduct that are not inconsistent with state and federal law. The
26 rules and regulations may include definitions of incompetence and
27 negligence. Every person who holds a license or certificate issued
28 by the board pursuant to this chapter, or a license or certificate
29 issued to a civil engineer pursuant to Chapter 7 (commencing with
30 Section 6700), shall be governed by these rules and regulations.

31 (c) This section shall remain in effect only until January 1, 2020,
32 and as of that date is repealed. Notwithstanding any other law, the
33 repeal of this section renders the board subject to review by the
34 appropriate policy committees of the Legislature.

35 SEC. 25. Section 8759 of the Business and Professions Code
36 is amended to read:

37 8759. (a) A licensed land surveyor or licensed civil engineer
38 authorized to practice land surveying shall use a written contract
39 when contracting to provide professional services to a client
40 pursuant to this chapter. The written contract shall be executed by

1 the licensed land surveyor or licensed civil engineer and the client
2 or the client's representative prior to the licensed land surveyor or
3 licensed civil engineer commencing work, unless the client
4 knowingly states in writing that work may be commenced before
5 the contract is executed. The written contract shall include, but
6 not be limited to, all of the following:

7 (1) A description of the services to be provided to the client by
8 the licensed land surveyor or licensed civil engineer.

9 (2) A description of any basis of compensation applicable to
10 the contract, and the method of payment agreed upon by the parties.

11 (3) The name, address, and license or certificate number of the
12 licensed land surveyor or licensed civil engineer, and the name
13 and address of the client.

14 (4) A description of the procedure that the licensed land surveyor
15 or licensed civil engineer and the client will use to accommodate
16 additional services.

17 (5) A description of the procedure to be used by both parties to
18 terminate the contract.

19 (b) This section shall not apply to any of the following:

20 (1) Professional land surveying services rendered by a licensed
21 land surveyor or licensed civil engineer for which the client will
22 not pay compensation.

23 (2) A licensed land surveyor or licensed civil engineer who has
24 a current or prior contractual relationship with the client to provide
25 professional services pursuant to this chapter, and that client has
26 paid the licensed land surveyor or licensed civil engineer all of the
27 fees that are due under the contract.

28 (3) If the client knowingly states in writing after full disclosure
29 of this section that a contract which complies with the requirements
30 of this section is not required.

31 (4) Professional services rendered by a licensed land surveyor
32 or a licensed civil engineer to any of the following:

33 (A) A professional engineer licensed under Chapter 7
34 (commencing with Section 6700).

35 (B) A land surveyor licensed under this chapter.

36 (C) An architect licensed under Chapter 3 (commencing with
37 Section 5500).

38 (D) A contractor licensed under Chapter 9 (commencing with
39 Section 7000).

1 (E) A geologist or a geophysicist licensed under Chapter 12.5
2 (commencing with Section 7800).

3 (F) A manufacturing, mining, public utility, research and
4 development, or other industrial corporation, if the services are
5 provided in connection with or incidental to the products, systems,
6 or services of that corporation or its affiliates.

7 (G) A public agency.

8 (c) “Written contract” as used in this section includes a contract
9 that is in electronic form.

10 SEC. 26. Section 8780.2 is added to the Business and
11 Professions Code, to read:

12 8780.2. (a) The failure of, or refusal by, a licensee or a
13 certificate holder to respond to a written request from a
14 representative of the board to cooperate in the investigation of a
15 complaint against that licensee or certificate holder constitutes a
16 cause for disciplinary action under Section 8780 or 8780.1.

17 (b) This section shall remain in effect only until January 1, 2020,
18 and as of that date is repealed.

19 SEC. 27. Section 8800 of the Business and Professions Code
20 is amended to read:

21 8800. (a) The department shall receive and account for all
22 money derived under the operation of this chapter and, at the end
23 of each month, shall report such money to the Controller and shall
24 pay it to the Treasurer, who shall keep the money in a separate
25 fund known as the Professional Engineer’s and Land Surveyor’s
26 Fund.

27 (b) For accounting and recordkeeping purposes, the Professional
28 Engineer’s and Land Surveyor’s Fund shall be deemed to be a
29 single special fund, and shall be available for expenditure only for
30 the purposes as are now or may hereafter be provided by law.

31 (c) The fees and civil penalties received under this chapter shall
32 be deposited in the Professional Engineer’s and Land Surveyor’s
33 Fund. All moneys in the fund are hereby appropriated for the
34 purposes of this chapter.

35 (d) This section shall remain in effect only until July 1, 2016,
36 and as of that date is repealed, unless a later enacted statute, that
37 is enacted before July 1, 2016, deletes or extends that date.

38 SEC. 28. Section 8800 is added to the Business and Professions
39 Code, to read:

1 8800. (a) The department shall receive and account for all
2 money derived under the operation of this chapter and, at the end
3 of each month, shall report such money to the Controller and shall
4 pay it to the Treasurer, who shall keep the money in a separate
5 fund known as the Professional Engineer's, Land Surveyor's, and
6 Geologist's Fund.

7 (b) For accounting and recordkeeping purposes, the Professional
8 Engineer's, Land Surveyor's, and Geologist's Fund shall be
9 deemed to be a single special fund, and shall be available for
10 expenditure only for the purposes as are now or may hereafter be
11 provided by law.

12 (c) The fees and civil penalties received under this chapter shall
13 be deposited in the Professional Engineer's, Land Surveyor's, and
14 Geologist's Fund. All moneys in the fund are hereby appropriated
15 for the purposes of this chapter.

16 (d) This section shall become operative on July 1, 2016.

17 *SEC. 29. (a) Section 2.1 of this bill incorporates changes to*
18 *Section 205 of the Business and Professions Code proposed by*
19 *both this bill and Assembly Bill 179. It shall only become operative*
20 *if (1) both bills are enacted and become effective on or before*
21 *January 1, 2016, (2) each bill amends Section 205 of the Business*
22 *and Professions Code, and (3) Assembly Bill 180 is not enacted*
23 *or as enacted does not amend that section, and (4) this bill is*
24 *enacted after Assembly Bill 179, in which case Sections 2, 2.2, and*
25 *2.3 of this bill shall not become operative.*

26 *(b) Section 2.2 of this bill incorporates changes to Section 205*
27 *of the Business and Professions Code proposed by both this bill*
28 *and Assembly Bill 180. It shall only become operative if (1) both*
29 *bills are enacted and become effective on or before January 1,*
30 *2016, (2) each bill amends Section 205 of the Business and*
31 *Professions Code, (3) Assembly Bill 179 is not enacted or as*
32 *enacted does not amend that section, and (4) this bill is enacted*
33 *after Assembly Bill 180 in which case Sections 2, 2.1, and 2.3 of*
34 *this bill shall not become operative.*

35 *(c) Section 2.3 of this bill incorporates changes to Section 205*
36 *of the Business and Professions Code proposed by this bill,*
37 *Assembly Bill 179, and Assembly Bill 180. It shall only become*
38 *operative if (1) all three bills are enacted and become effective on*
39 *or before January 1, 2016, (2) all three bills amend Section 205*
40 *of the Business and Professions Code, and (3) this bill is enacted*

- 1 *after Assembly Bill 179 and Assembly Bill 180, in which case*
- 2 *Sections 2, 2.1, and 2.2 of this bill shall not become operative.*

O