

ASSEMBLY BILL

No. 178

Introduced by Committee on Business and Professions (Assembly Members Bonilla (Chair), Bloom, Dodd, Gatto, Holden, Mullin, Ting, and Wood)

January 26, 2015

An act to amend Sections 5510, 5517, 5620, 5621, and 5622 of the Business and Professions Code, relating to architects.

LEGISLATIVE COUNSEL'S DIGEST

AB 178, as introduced, Committee on Business and Professions. Architects and landscape architects: authority: extension.

Existing law provides for the licensure and regulation of persons engaged in the practice of architecture, including landscape architecture, by the California Architects Board. 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 these provisions 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:

1 5510. There is in the Department of Consumer Affairs a
2 California Architects Board which consists of 10 members.

3 Any reference in law to the California Board of Architectural
4 Examiners shall mean the California Architects Board.

5 This section shall remain in effect only until January 1, ~~2016,~~
6 ~~2020~~, and as of that date is ~~repealed, unless a later enacted statute,~~
7 ~~that is enacted before January 1, 2016, deletes or extends that date~~
8 ~~repealed~~. Notwithstanding any other ~~provision of law~~, the repeal
9 of this section renders the board subject to review by the
10 appropriate policy committees of the Legislature.

11 SEC. 2. Section 5517 of the Business and Professions Code is
12 amended to read:

13 5517. The board may appoint a person exempt from civil
14 service who shall be designated as an executive officer and who
15 shall exercise the powers and perform the duties delegated by the
16 board and vested in him or her by this chapter.

17 This section shall remain in effect only until January 1, ~~2016,~~
18 ~~2020~~, and as of that date is ~~repealed, unless a later enacted statute,~~
19 ~~that is enacted before January 1, 2016, deletes or extends that date~~
20 ~~repealed~~.

21 SEC. 3. Section 5620 of the Business and Professions Code is
22 amended to read:

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

35 (a) There is in the Department of Consumer Affairs a California
36 Architects Board as defined in Article 2 (commencing with Section
37 5510) of Chapter 3.

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

1 (b) Except as provided herein, the board may delegate its
2 authority under this chapter to the Landscape Architects Technical
3 Committee.

4 (c) After review of proposed regulations, the board may direct
5 the examining committee to notice and conduct hearings to adopt,
6 amend, or repeal regulations pursuant to Section 5630, provided
7 that the board itself shall take final action to adopt, amend, or
8 repeal those regulations.

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

12 (e) This section shall remain in effect only until January 1, 2016,
13 2020, and as of that date is ~~repealed, unless a later enacted statute,~~
14 ~~that is enacted before January 1, 2016, deletes or extends that date~~
15 ~~repealed.~~

16 SEC. 4. Section 5621 of the Business and Professions Code is
17 amended to read:

18 5621. (a) There is hereby created within the jurisdiction of the
19 board, a Landscape Architects Technical Committee, hereinafter
20 referred to in this chapter as the landscape architects committee.

21 (b) The landscape architects committee shall consist of five
22 members who shall be licensed to practice landscape architecture
23 in this state. The Governor shall appoint three of the members.
24 The Senate Committee on Rules and the Speaker of the Assembly
25 shall appoint one member each.

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

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

38 (e) This section shall remain in effect only until January 1, 2016,
39 2020, and as of that date is ~~repealed, unless a later enacted statute,~~

1 ~~that is enacted before January 1, 2016, deletes or extends that date~~
2 ~~repealed.~~

3 SEC. 5. Section 5622 of the Business and Professions Code is
4 amended to read:

5 5622. (a) The landscape architects committee may assist the
6 board in the examination of candidates for a landscape architect's
7 license and, after investigation, evaluate and make
8 recommendations regarding potential violations of this chapter.

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

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

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

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