

AMENDED IN ASSEMBLY MARCH 3, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 178

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 ~~5510, 5517, 5620, 5621, and 5622~~ 2841, 2847, 4501, and 4503 of the Business and Professions Code, relating to ~~architects~~: *healing arts*.

LEGISLATIVE COUNSEL'S DIGEST

AB 178, as amended, ~~Committee on Business and Professions~~ *Bonilla*. ~~Architects and landscape architects~~: *Board of Vocational Nursing and Psychiatric Technicians of the State of California*: authority: extension.

Existing law provides for the licensure and regulation of vocational nurses and psychiatric technicians by the Board of Vocational Nursing and Psychiatric Technicians of the State of California and requires the board, among other things, to appoint an executive officer. Existing law repeals these provisions on January 1, 2016.

This bill would extend that repeal date to January 1, 2020.

~~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 2841 of the Business and Professions*
2 *Code is amended to read:*

3 2841. (a) There is in the Department of Consumer Affairs a
4 Board of Vocational Nursing and Psychiatric Technicians of the
5 State of California, consisting of 11 members.

6 (b) Within the meaning of this chapter, “board,” or “the board,”
7 refers to the Board of Vocational Nursing and Psychiatric
8 Technicians of the State of California.

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10 ~~2020, and as of that date is repealed, unless a later enacted statute,~~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12 ~~repealed.~~ Notwithstanding any other ~~provision of law,~~ the repeal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

15 *SEC. 2. Section 2847 of the Business and Professions Code is*
16 *amended to read:*

17 2847. (a) The board shall select an executive officer who shall
18 perform duties as are delegated by the board and who shall be
19 responsible to it for the accomplishment of those duties.

20 (b) The person selected to be the executive officer of the board
21 shall be a duly licensed vocational nurse under this chapter, a duly
22 licensed ~~professional registered nurse as defined in Section 2725,~~
23 ~~under Chapter 6 (commencing with Section 2700),~~ or a duly
24 licensed psychiatric technician. The executive officer shall not be
25 a member of the board.

26 (c) With the approval of the Director of Finance, the board shall
27 fix the salary of the executive officer.

28 (d) The executive officer shall be entitled to traveling and other
29 necessary expenses in the performance of his or her duties. He or
30 she shall make a statement, certified before a duly authorized
31 person, that the expenses have been actually incurred.

32 (e) This section shall remain in effect only until January 1, ~~2016,~~
33 ~~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. 3. Section 4501 of the Business and Professions Code is*
4 *amended to read:*

5 4501. (a) “Board,” as used in this chapter, means the Board
6 of Vocational Nursing and Psychiatric Technicians of the State of
7 California.

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

12 *SEC. 4. Section 4503 of the Business and Professions Code is*
13 *amended to read:*

14 4503. (a) The board shall administer and enforce this chapter.

15 (b) This section shall remain in effect only until January 1, 2016,
16 2020, and as of that date is ~~repealed, unless a later enacted statute,~~
17 ~~that is enacted before January 1, 2016, deletes or extends that date.~~
18 ~~repealed.~~

19 ~~SECTION 1. Section 5510 of the Business and Professions~~
20 ~~Code is amended to read:~~

21 ~~5510. There is in the Department of Consumer Affairs a~~
22 ~~California Architects Board which consists of 10 members.~~

23 ~~Any reference in law to the California Board of Architectural~~
24 ~~Examiners shall mean the California Architects Board.~~

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

29 ~~SEC. 2. Section 5517 of the Business and Professions Code is~~
30 ~~amended to read:~~

31 ~~5517. The board may appoint a person exempt from civil~~
32 ~~service who shall be designated as an executive officer and who~~
33 ~~shall exercise the powers and perform the duties delegated by the~~
34 ~~board and vested in him or her by this chapter.~~

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

37 ~~SEC. 3. Section 5620 of the Business and Professions Code is~~
38 ~~amended to read:~~

39 ~~5620. The duties, powers, purposes, responsibilities, and~~
40 ~~jurisdiction of the California State Board of Landscape Architects~~

1 that were succeeded to and vested with the Department of
2 Consumer Affairs in accordance with Chapter 908 of the Statutes
3 of 1994 are hereby transferred to the California Architects Board.
4 The Legislature finds that the purpose for the transfer of power is
5 to promote and enhance the efficiency of state government and
6 that assumption of the powers and duties by the California
7 Architects Board shall not be viewed or construed as a precedent
8 for the establishment of state regulation over a profession or
9 vocation that was not previously regulated by a board, as defined
10 in Section 477.

11 (a) There is in the Department of Consumer Affairs a California
12 Architects Board as defined in Article 2 (commencing with Section
13 5510) of Chapter 3.

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

16 (b) Except as provided herein, the board may delegate its
17 authority under this chapter to the Landscape Architects Technical
18 Committee.

19 (c) After review of proposed regulations, the board may direct
20 the examining committee to notice and conduct hearings to adopt,
21 amend, or repeal regulations pursuant to Section 5630, provided
22 that the board itself shall take final action to adopt, amend, or
23 repeal those regulations.

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

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

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

31 5621. (a) There is hereby created within the jurisdiction of the
32 board, a Landscape Architects Technical Committee, hereinafter
33 referred to in this chapter as the landscape architects committee.

34 (b) The landscape architects committee shall consist of five
35 members who shall be licensed to practice landscape architecture
36 in this state. The Governor shall appoint three of the members.
37 The Senate Committee on Rules and the Speaker of the Assembly
38 shall appoint one member each.

39 (c) The initial members to be appointed by the Governor are as
40 follows: one member for a term of one year; one member for a

1 term of two years; and one member for a term of three years. The
2 Senate Committee on Rules and the Speaker of the Assembly shall
3 initially each appoint one member for a term of four years.
4 Thereafter, appointments shall be made for four-year terms,
5 expiring on June 1 of the fourth year and until the appointment
6 and qualification of his or her successor or until one year shall
7 have elapsed, whichever first occurs. Vacancies shall be filled for
8 the unexpired term.

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

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

13 SEC. 5.— Section 5622 of the Business and Professions Code is
14 amended to read:

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

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

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

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

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