

ASSEMBLY BILL

No. 789

Introduced by Assembly Member Calderon

February 25, 2015

An act to amend Section 2546.10 of the Business and Professions Code, relating to contact lens sellers.

LEGISLATIVE COUNSEL'S DIGEST

AB 789, as introduced, Calderon. Contact lens sellers: fines.

The Nonresident Contact Lens Seller Registration Act prohibits a person located outside California from shipping, mailing, or delivering, in any manner, contact lenses at retail to a patient at a California address unless registered with the Division of Licensing of the Medical Board of California. A violation of the act results in a fine of not less than \$1,000 or more than \$2,500 for each violation.

This bill would raise the minimum fine from \$1,000 to \$1,500.

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 2546.10 of the Business and Professions
- 2 Code is amended to read:
- 3 2546.10. (a) ~~Any~~A person who violates any of the provisions
- 4 of this chapter shall be subject to a fine of not less than one
- 5 thousand *five hundred* dollars ~~(\$1,000)~~ (\$1,500) nor more than
- 6 two thousand five hundred dollars (\$2,500) per violation. The fines
- 7 collected pursuant to this section shall be available upon

1 appropriation to the Medical Board of California for the purposes
2 of administration and enforcement.

3 (b) The Medical Board of California shall adopt regulations
4 implementing this section and shall consider the following factors,
5 including, but not limited to, applicable enforcement penalties,
6 prior conduct, gravity of the offense, and the manner in which
7 complaints will be processed.

8 (c) The proceedings under this section shall be conducted in
9 accordance with the provisions of Chapter 5 (commencing with
10 Section 11500) of Part 1 of Division 3 of Title 2 of the Government
11 Code.