

ASSEMBLY BILL

No. 1175

Introduced by Assembly Member Ridley-Thomas

February 27, 2015

An act to amend Section 9873 of the Business and Professions Code, relating to consumer affairs.

LEGISLATIVE COUNSEL'S DIGEST

AB 1175, as introduced, Ridley-Thomas. Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal Insulation.

Existing law, the Electronic Appliance Repair Dealer Registration Law, provides for the licensure and regulation of electronic appliance and repair dealers by the Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal Insulation and makes a failure to comply with its provisions a crime. Existing law establishes the bureau under the supervision and control of the Director of Consumer Affairs. Existing law requires the director to administer and enforce those provisions relating to the licensure and regulation of electronic and appliance repair service dealers and persons engaged in various businesses associated with home furnishings.

Existing law establishes the maximum amount for the initial registration fee for each place of business in the state of an electronic repair industry service dealer, an appliance repair industry service dealer, a service contractor, a person who is engaged in business as both an electronic repair industry service dealer and appliance repair industry service dealer, a service contractor who is engaged in business as either an electronic repair industry service dealer or an appliance industry service dealer, and a service contractor who engages in both the electronic repair industry and the appliance repair industry as a service

dealer. Existing law requires a service dealer or service contractor who does not operate a place of business in the state, but engages in at least some of these activities in the state to pay these fees as if he or she had a place of business in the state.

This bill would increase the maximum amounts of the initial registration fees for each of the above described persons, as specified.

Existing law also establishes, among other things, the maximum amount for the annual registration renewal fee for each place of business for an electronic repair industry service dealer, an appliance repair industry dealer, a service contractor, and a service dealer who is engaged in business as both an electronic repair industry service dealer and an appliance repair industry service dealer.

This bill would increase the maximum amount for each of these annual registration renewal fees, as specified.

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 9873 of the Business and Professions
2 Code, as amended by Section 19 of Chapter 428 of the Statutes of
3 2014, is amended to read:

4 9873. The fees prescribed by this chapter shall be set by the
5 director by regulation, according to the following schedule:

6 (a) (1) The initial registration fee for an electronic repair
7 industry service dealer or for an appliance repair industry service
8 dealer is not more than ~~one hundred sixty-five~~ *two hundred five*
9 ~~dollars~~ ~~(\$165)~~ *(\$205)* for each place of business in this state. The
10 initial registration fee for a service contractor is not more than
11 ~~seventy-five~~ *ninety-five* ~~dollars~~ ~~(\$75)~~ *(\$95)* for each place of
12 business in this state.

13 (2) The initial registration fee for a person who engages in
14 business as both an electronic repair industry service dealer and
15 an appliance repair industry service dealer is not more than ~~three~~
16 ~~hundred twenty-five~~ *four hundred five* ~~dollars~~ ~~(\$325)~~ *(\$405)* for
17 each place of business in this state. The initial registration fee for
18 a person who is a service contractor and engages in business as
19 either an electronic repair industry service dealer or an appliance
20 repair industry service dealer is not more than ~~two hundred forty~~

1 *three hundred* dollars ~~(\$240)~~ (\$300) for each place of business in
2 this state.

3 (3) The initial registration fee for a person who engages in both
4 the electronic repair industry and the appliance repair industry as
5 a service dealer and is a service contractor is not more than ~~four~~
6 *five* hundred dollars ~~(\$400)~~ (\$500) for each place of business in
7 this state.

8 (4) A service dealer or service contractor who does not operate
9 a place of business in this state, but engages in the electronic repair
10 industry, the appliance repair industry, or sells, issues, or
11 administers service contracts in this state shall pay the registration
12 fee specified herein as if he or she had a place of business in this
13 state.

14 (b) (1) The annual registration renewal fee for an electronic
15 repair industry service dealer or for an appliance repair industry
16 service dealer is not more than ~~one hundred sixty-five~~ *two hundred*
17 dollars ~~(\$165)~~ (\$200) for each place of business in this state, if
18 renewed prior to its expiration date. The annual registration renewal
19 fee for a service contractor is ~~seventy-five~~ *ninety-five* dollars ~~(\$75)~~
20 (\$95) for each place of business in this state, if renewed prior to
21 its expiration date.

22 (2) The annual renewal fee for a service dealer who engages in
23 the business as both an electronic repair industry service dealer
24 and an appliance repair industry service dealer is not more than
25 ~~three four~~ hundred dollars ~~(\$300)~~ (\$400) for each place of business
26 in this state.

27 (3) The annual renewal fee for a service dealer who engages in
28 the electronic repair industry and the appliance repair industry and
29 is a service contractor is not more than ~~three four~~ hundred
30 *seventy-five* dollars ~~(\$375)~~ (\$475) for each place of business in
31 this state.

32 (4) A service dealer or service contractor who does not operate
33 a place of business in this state, but who engages in the electronic
34 repair industry, the appliance repair industry, or sells or issues
35 service contracts in this state shall pay the registration fee specified
36 herein as if he or she had a place of business in this state.

37 (c) The delinquency fee is an amount equal to 50 percent of the
38 renewal fee for a license in effect on the date of renewal of the
39 license, except as otherwise provided in Section 163.5.

1 (d) This section shall remain in effect only until January 1, 2019,
2 and as of that date is repealed, unless a later enacted statute, which
3 is enacted before January 1, 2019, deletes or extends that date.

4 SEC. 2. Section 9873 of the Business and Professions Code,
5 as amended by Section 20 of Chapter 428 of the Statutes of 2014,
6 is amended to read:

7 9873. The fees prescribed by this chapter shall be set by the
8 director by regulation, according to the following schedule:

9 (a) The initial registration fee for an electronic repair industry
10 service dealer or for an appliance repair industry service dealer is
11 not more than ~~one hundred sixty-five~~ *two hundred five* dollars
12 ~~(\$165)~~ *(\$205)* for each place of business in this state. The initial
13 registration fee for a person who engages in business as both an
14 electronic repair industry service dealer and an appliance repair
15 industry service dealer is not more than ~~three hundred twenty-five~~
16 *four hundred five* dollars ~~(\$325)~~ *(\$405)*.

17 (b) The annual registration renewal fee for an electronic repair
18 industry service dealer or for an appliance repair industry service
19 dealer is not more than ~~one hundred sixty-five~~ *two hundred* dollars
20 ~~(\$165)~~ *(\$200)* for each place of business in this state, if renewed
21 prior to its expiration date. The annual renewal fee for a service
22 dealer who engages in the business as both an electronic repair
23 industry service dealer and an appliance repair industry service
24 dealer is not more than ~~three~~ *four* hundred dollars ~~(\$300)~~ *(\$400)*.

25 (c) The delinquency fee is an amount equal to 50 percent of the
26 renewal fee for a license in effect on the date of renewal of the
27 license, except as otherwise provided in Section 163.5.

28 (d) This section shall become operative on January 1, 2019.