

AMENDED IN ASSEMBLY APRIL 14, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1175**

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**Introduced by Assembly Member Ridley-Thomas**

February 27, 2015

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An act to amend ~~Section~~ *Sections 9873 and 19170* of the Business and Professions Code, relating to consumer affairs.

LEGISLATIVE COUNSEL'S DIGEST

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

Existing law, the Electronic Appliance Repair Dealer Registration ~~Law~~; *Law and the Home Furnishings and Thermal Insulation Act*, provides for the licensure and regulation ~~of~~ *of, among others*, electronic appliance and repair ~~dealers~~ *dealers, upholstered furniture and bedding retailers, and upholstered furniture and bedding wholesalers* 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 also requires the director to set certain fees by regulation.*

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.~~ *specified, but would prohibit the director from adopting regulations to increase these fees before January 1, 2017.*

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.~~ *specified, but would prohibit the director from adopting regulations to increase these fees before January 1, 2017.*

*Existing law also requires the chief of the bureau, with the approval of the director, to set, within specified maximum and minimum amounts, the license issuance and biennial renewal fees for an importer, furniture and bedding manufacturer, wholesale furniture and bedding dealer, supply dealer, custom upholsterer, sanitizer, retail furniture and bedding dealer, retail furniture dealer, and retail bedding dealer.*

*This bill would increase the maximum amount for each of these issuance and biennial 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:

1 9873. The fees prescribed by this chapter shall be set by the  
2 director by regulation, according to the following schedule:

3 (a) (1) The initial registration fee for an electronic repair  
4 industry service dealer or for an appliance repair industry service  
5 dealer is not more than two hundred five dollars (\$205) for each  
6 place of business in this state. The initial registration fee for a  
7 service contractor is not more than ninety-five dollars (\$95) for  
8 each place of business in this state.

9 (2) The initial registration fee for a person who engages in  
10 business as both an electronic repair industry service dealer and  
11 an appliance repair industry service dealer is not more than four  
12 hundred five dollars (\$405) for each place of business in this state.  
13 The initial registration fee for a person who is a service contractor  
14 and engages in business as either an electronic repair industry  
15 service dealer or an appliance repair industry service dealer is not  
16 more than three hundred dollars (\$300) for each place of business  
17 in this state.

18 (3) The initial registration fee for a person who engages in both  
19 the electronic repair industry and the appliance repair industry as  
20 a service dealer and is a service contractor is not more than five  
21 hundred dollars (\$500) for each place of business in this state.

22 (4) A service dealer or service contractor who does not operate  
23 a place of business in this state, but engages in the electronic repair  
24 industry, the appliance repair industry, or sells, issues, or  
25 administers service contracts in this state shall pay the registration  
26 fee specified herein as if he or she had a place of business in this  
27 state.

28 (b) (1) The annual registration renewal fee for an electronic  
29 repair industry service dealer or for an appliance repair industry  
30 service dealer is not more than two hundred *five* dollars ~~(\$200)~~  
31 *(\$205)* for each place of business in this state, if renewed prior to  
32 its expiration date. The annual registration renewal fee for a service  
33 contractor is ninety-five dollars (\$95) for each place of business  
34 in this state, if renewed prior to its expiration date.

35 (2) The annual renewal fee for a service dealer who engages in  
36 the business as both an electronic repair industry service dealer  
37 and an appliance repair industry service dealer is not more than  
38 four hundred dollars (\$400) for each place of business in this state.

39 (3) The annual renewal fee for a service dealer who engages in  
40 the electronic repair industry and the appliance repair industry and

1 is a service contractor is not more than four hundred seventy-five  
2 dollars (\$475) for each place of business in this state.

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

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

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

14 (e) *Notwithstanding any other law, the director shall not adopt*  
15 *any regulation to increase any fee provided for in this section*  
16 *before January 1, 2017.*

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

20 9873. The fees prescribed by this chapter shall be set by the  
21 director by regulation, according to the following schedule:

22 (a) The initial registration fee for an electronic repair industry  
23 service dealer or for an appliance repair industry service dealer is  
24 not more than two hundred five dollars (\$205) for each place of  
25 business in this state. The initial registration fee for a person who  
26 engages in business as both an electronic repair industry service  
27 dealer and an appliance repair industry service dealer is not more  
28 than four hundred five dollars (\$405).

29 (b) The annual registration renewal fee for an electronic repair  
30 industry service dealer or for an appliance repair industry service  
31 dealer is not more than two hundred *five* dollars ~~(\$200)~~ (\$205) for  
32 each place of business in this state, if renewed prior to its expiration  
33 date. The annual renewal fee for a service dealer who engages in  
34 the business as both an electronic repair industry service dealer  
35 and an appliance repair industry service dealer is not more than  
36 four hundred dollars (\$400).

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.

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

1 SEC. 3. Section 19170 of the Business and Professions Code  
2 is amended to read:

3 19170. (a) The fee imposed for the issuance and for the  
4 biennial renewal of each license granted under this chapter shall  
5 be set by the chief, with the approval of the director, at a sum not  
6 more nor less than that shown in the following table:

	Maximum	Minimum
	fee	fee
10 Importer’s license .....	<del>\$750</del>	
11	<del>\$940</del>	\$120
12 Furniture and bedding manufacturer’s	<del>750</del>	
13 license .....	940	120
14 Wholesale furniture and bedding	<del>540</del>	
15 dealer’s license .....	675	120
16 Supply dealer’s license .....	<del>540</del>	
17	675	120
18 Custom upholsterer’s license .....	<del>360</del>	
19	450	80
20 Sanitizer’s license .....	<del>360</del>	
21	450	80
22 Retail furniture and bedding dealer’s license .....	<del>240</del>	
23	300	40
24 Retail furniture dealer’s license .....	<del>120</del>	
25	150	20
26 Retail bedding dealer’s license .....	<del>120</del>	
27	150	20

28  
29 (b) Individuals who, in their own homes and without the  
30 employment of any other person, make, sell, advertise, or contract  
31 to make pillows, quilts, quilted pads, or comforters are exempt  
32 from the fee requirements imposed by subdivision (a). However,  
33 these individuals shall comply with all other provisions of this  
34 chapter.

35 (c) Retailers who only sell “used” and “antique” furniture as  
36 defined in Sections 19008.1 and 19008.2 are exempt from the fee  
37 requirements imposed by subdivision (a). Those retailers are also  
38 exempt from the other provisions of this chapter.

39 (d) A person who makes, sells, or advertises upholstered  
40 furniture and bedding as defined in Sections 19006 and 19007,

1 and who also makes, sells, or advertises furniture used exclusively  
2 for the purpose of physical fitness and exercise, shall comply with  
3 the fee requirements imposed by subdivision (a).

4 (e) A person who has paid the required fee and who is licensed  
5 either as an upholstered furniture and bedding manufacturer or a  
6 custom upholsterer under this chapter shall not be required to  
7 additionally pay the fee for a sanitizer's license.

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