

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1386

Introduced by Assembly Member Low

February 27, 2015

~~An act to amend Section 302 of the Business and Professions Code, relating to professions and vocations.~~ *An act to amend Section 7099.4 of the Business and Professions Code, relating to contractors.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1386, as amended, Low. ~~Consumer affairs.~~ *Contractors: discipline: citation.*

Existing law, the Contractors' State License Law, provides for the licensure and regulation of contractors by the Contractors' State License Board. Existing law, based upon an investigation and probable cause, authorizes the registrar of contractors, in lieu of disciplinary proceedings, to issue a citation to a licensee, as defined, or an applicant for a license for violations of the Contractors' State License Law. Existing law provides that if the licensee or applicant fails to notify the registrar that he or she intends to contest the citation within 15 working days from service of the citation, the citation is deemed a final order of the registrar and is not subject to review by any court or agency, as provided.

This bill would extend the time available for a licensee or applicant to contest that citation from 15 to 20 working days.

~~Under existing law, the Department of Consumer Affairs is comprised of boards that license and regulate various professions and vocations. Existing law provides that these boards are established to ensure that private businesses and professions are regulated to protect the people~~

of this state. Under existing law, the department is under the control of the Director of Consumer Affairs. The term “director” is defined for the purposes of related provisions:

~~This bill would make nonsubstantive changes to that definition provision.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 7099.4 of the Business and Professions
2 Code is amended to read:

3 7099.4. If within ~~15~~ 20 working days from service of the
4 citation issued by the registrar, the licensee or applicant for
5 licensure fails to notify the registrar that he or she intends to contest
6 the citation, the citation shall be deemed a final order of the
7 registrar and not be subject to review by any court or agency. The
8 ~~15-day~~ 20-day period may be extended by the registrar for cause.

9 SECTION 1. ~~Section 302 of the Business and Professions Code~~
10 is amended to read:

11 302. ~~As used in this chapter, the following terms shall have~~
12 ~~the following meanings:~~

13 (a) ~~“Department” means the Department of Consumer Affairs.~~

14 (b) ~~“Director” means the Director of Consumer Affairs.~~

15 (c) ~~“Consumer” means any individual who seeks or acquires,~~
16 ~~by purchase or lease, any goods, services, money, or credit for~~
17 ~~personal, family, or household purposes.~~

18 (d) ~~“Person” means an individual, partnership, corporation,~~
19 ~~limited liability company, association, or other group, however~~
20 ~~organized.~~

21 (e) ~~“Individual” does not include a partnership, corporation,~~
22 ~~association, or other group, however organized.~~

23 (f) ~~“Division” means the Division of Consumer Services.~~

24 (g) ~~“Interests of consumers” is limited to the cost, quality, purity,~~
25 ~~safety, durability, performance, effectiveness, dependability,~~
26 ~~availability, and adequacy of choice of goods and services offered~~
27 ~~or furnished to consumers and the adequacy and accuracy of~~
28 ~~information relating to consumer goods, services, money, or credit~~
29 ~~(including labeling, packaging, and advertising of contents,~~
30 ~~qualities, and terms of sales).~~

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