

AMENDED IN ASSEMBLY JUNE 28, 2016

AMENDED IN ASSEMBLY JUNE 22, 2016

AMENDED IN SENATE APRIL 20, 2016

AMENDED IN SENATE APRIL 7, 2016

SENATE BILL

No. 1085

Introduced by Senator Roth

February 17, 2016

An act to amend Section 7841.1 of, and to add Sections 6795.2, 7881.5, and 8801.1 to, the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

SB 1085, as amended, Roth. Professional engineers: geologists and ~~geophysicists~~ *geophysicists*: land surveyors.

Existing law makes the Board for Professional Engineers, Land Surveyors, and Geologists responsible for the certification, licensure, and regulation of the practice of professional engineering, the practice of professional geologists and geophysicists, and the practice of professional land surveyors. Except for an applicant for a geophysicist license, existing law requires these applicants for a certificate or license to complete an examination that tests knowledge of state laws, as provided. Existing law subjects these certificates and licenses to renewal and requires the holder of the certificate or license to apply for renewal on a form prescribed by the board and pay a prescribed fee, as provided.

This bill would additionally require an applicant for renewal to complete a board-administered online ~~assessment, which includes questions~~ *assessment* to reinforce the certificate holder's or licenseholder's knowledge of laws applicable to his or her practice area.

The bill would authorize the failure to complete the assessment within a specified period of time to be a cause for disciplinary action. The bill would prohibit the board from charging the renewal applicant a fee for the administration or development of the assessment. The bill would also require an applicant for a geophysicist license to complete an examination that tests knowledge of state laws, as provided.

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 6795.2 is added to the Business and
2 Professions Code, to read:

3 6795.2. (a) At the time of renewal specified in Section 6795
4 or 6796, the board shall administer an assessment of the certificate
5 holder ~~that includes questions~~ to reinforce the certificate holder's
6 knowledge of state laws and the board's rules and ~~regulations~~
7 ~~relating to the practice of professional engineers.~~ *regulations.*
8 Failure to complete this assessment within 60 days after the date
9 of expiration of the certificate may result in disciplinary action
10 under Section 6775, but shall not affect the renewal of the
11 certificate.

12 (b) The crime in subdivision (j) of Section 6787 shall not apply
13 to this section.

14 (c) The board shall not charge the certificate holder a fee for
15 the administration or development of the assessment.

16 (d) For the purposes of this section, "assessment" means an
17 online program that contains educational reading material and
18 questions. The material shall be based on state law and the board's
19 rules and regulations ~~related~~ *relating to the practice of professional*
20 *engineers. The scope of the assessment shall be limited to the*
21 *board's top five types of violations related to the administrative*
22 *and procedural aspects of the practice of professional engineers*
23 *and any changes or additions to existing ~~law.~~ law related to such*
24 *administrative and procedural aspects.*

25 SEC. 2. Section 7841.1 of the Business and Professions Code
26 is amended to read:

27 7841.1. An applicant for licensure as a geophysicist shall have
28 all of the following qualifications. This section shall not apply to
29 applicants for licensure as geologists.

1 (a) Not have committed any acts or crimes constituting grounds
2 for denial of licensure under Section 480.

3 (b) Meet one of the following educational requirements fulfilled
4 at a school or university whose curricula meet criteria established
5 by rules of the board.

6 (1) Graduation with a major in a geophysical science or any
7 other discipline that, in the opinion of the board, is relevant to
8 geophysics.

9 (2) Completion of a combination of at least 30 semester hours,
10 or the equivalent, in courses that, in the opinion of the board, are
11 relevant to geophysics. At least 24 semester hours, or the
12 equivalent, shall be in the third or fourth year, or graduate courses.

13 (c) Have at least seven years of professional geophysical work
14 that shall include either a minimum of three years of professional
15 geophysical work under the supervision of a professional
16 geophysicist, except that prior to July 1, 1973, professional
17 geophysical work shall qualify under this subdivision if it is under
18 the supervision of a qualified geophysicist, or a minimum of five
19 years' experience in responsible charge of professional geophysical
20 work. Professional geophysical work does not include the routine
21 maintenance or operation of geophysical instruments, or, even if
22 carried out under the responsible supervision of a professional
23 geophysicist, the routine reduction or plotting of geophysical
24 observations.

25 Each year of undergraduate study in the geophysical sciences
26 referred to in this section shall count as one-half year of training
27 up to a maximum of two years, and each year of graduate study
28 or research counts as a year of training.

29 Teaching in the geophysical sciences referred to in this section
30 at a college level shall be credited year for year toward meeting
31 the requirement in this category, provided that the total teaching
32 experience includes six semester units per semester, or equivalent
33 if on the quarter system, of *the* third or fourth year or graduate
34 courses.

35 Credit for undergraduate study, graduate study, and teaching,
36 individually, or in any combination thereof, shall in no case exceed
37 a total of four years towards meeting the requirements for at least
38 seven years of professional geophysical work as set forth above.

39 The ability of the applicant shall have been demonstrated by his
40 or her having performed the work in a responsible position, as the

1 term “responsible position” is defined in regulations adopted by
2 the board. The adequacy of the required supervision and experience
3 shall be determined by the board in accordance with standards set
4 forth in regulations adopted by it.

5 (d) Successfully pass a written examination that shall test the
6 applicant’s knowledge of state laws, rules, and regulations, and of
7 the principles and practices of geophysics within this state. The
8 board shall administer the test on the state laws and the board’s
9 rules and regulations as a separate part of the examination for
10 licensure as a geophysicist.

11 SEC. 3. Section 7881.5 is added to the Business and Professions
12 Code, to read:

13 7881.5. (a) At the time of renewal specified in Section 7880
14 or 7881, the board shall administer an assessment of the certificate
15 holder ~~that includes questions~~ to reinforce the certificate holder’s
16 knowledge of state laws and the board’s rules and ~~regulations~~
17 ~~relating to the practice of professional geologists and geophysicists.~~
18 *regulations*. Failure to complete this assessment within 60 days
19 after the date of expiration of the certificate may result in
20 disciplinary action under Section 7860, but shall not affect the
21 renewal of the certificate.

22 (b) The crime in subdivision (h) of Section 7872 shall not apply
23 to this section.

24 (c) The board shall not charge the certificate holder a fee for
25 the administration or development of the assessment.

26 (d) For the purposes of this section, “assessment” means an
27 online program that contains educational reading material and
28 questions. The material shall be based on state law and the board’s
29 rules and regulations ~~related~~ *relating to the practice of professional*
30 *geologists and geophysicists. The scope of the assessment shall*
31 *be limited to the board’s top five types of violations related to the*
32 *administrative and procedural aspects of the practice of*
33 *professional geologists and geophysicists and any changes or*
34 *additions to existing law.* ~~law related to such administrative and~~
35 ~~procedural aspects.~~

36 SEC. 4. Section 8801.1 is added to the Business and Professions
37 Code, to read:

38 8801.1. (a) At the time of renewal specified in Section 8801
39 or 8802, the board shall administer an assessment of the
40 licenseholder ~~that includes questions~~ to reinforce the

1 licenseholder’s knowledge of state laws and the board’s rules and
2 ~~regulations regulating the practice of professional land surveyors.~~
3 *regulations*. Failure to complete this assessment within 60 days
4 after the date of expiration of the license may result in disciplinary
5 action under Section 8780, but shall not affect the renewal of the
6 license.

7 (b) The crime in subdivision (j) of Section 8792 shall not apply
8 to this section.

9 (c) The board shall not charge the licenseholder a fee for the
10 administration or development of the assessment.

11 (d) For the purposes of this section, “assessment” means an
12 online program that contains educational reading material and
13 questions. The material shall be based on state law and the board’s
14 rules and regulations ~~related~~ *relating to the practice of professional*
15 *land surveyors. The scope of the assessment shall be limited to the*
16 *board’s top five types of violations related to the administrative*
17 *and procedural aspects of the practice of professional land*
18 *surveyors and any changes or additions to existing ~~law.~~ law related*
19 *to such administrative and procedural aspects.*