

AMENDED IN ASSEMBLY AUGUST 18, 2016

SENATE BILL

No. 1479

Introduced by Committee on Business, Professions and Economic Development (Senators Hill (Chair), Bates, Berryhill, Block, Galgiani, Hernandez, Jackson, Mendoza, and Wieckowski)

March 10, 2016

An act to amend Sections 5092, 5094.3, 5550.2, 7074, 7159.5, 7612.6, 7844, and 7887 of the Business and Professions Code, and to amend Section 13995.1 of the Government Code, relating to business and professions.

LEGISLATIVE COUNSEL'S DIGEST

SB 1479, as amended, Committee on Business, Professions and Economic Development. Business and professions.

(1) Existing law provides for the licensure and regulation of accountants by the California Board of Accountancy, which is within the Department of Consumer Affairs. Existing law requires an applicant for licensure as a certified public accountant to provide documentation to the board of the completion of a certain number of units of ethics study, as specified. Existing law requires a portion of those units to come from courses containing specified terms in the course title, including, but not limited to, corporate governance.

This bill would instead require those units to come from courses in specified subjects relating to ethics.

(2) The Architects Practice Act provides for the licensure and regulation of architects and landscape architects by the California Architects Board, which is within the Department of Consumer Affairs, and requires a person to pass an examination as a condition of licensure as an architect. Existing law authorizes the board to grant eligibility to

a candidate to take the licensure examination if he or she is enrolled in an Additional Path to Architecture Licensing program that integrates the experience and examination components offered by a National Architectural Accrediting Board-accredited degree program.

This bill would instead authorize the board to grant eligibility to a candidate to take the licensure examination if he or she is enrolled in a degree program accepted by the National Council of Architectural Registration Boards that integrates the licensure degree experience and examination components required under that act.

(3) The Contractors' State License Law provides for the licensure and regulation of contractors by the Contractors' State License Board, which is within the Department of Consumer Affairs. That law requires, except as specified, an application for an original license, an additional classification, or for a change of qualifier to become void when certain conditions are met, including if the applicant or examinee for the applicant has failed to appear for the scheduled qualifying examination and fails to request and pay the fee for rescheduling within 90 days of notification of failure to appear or if the applicant or the examinee for the applicant has failed to achieve a passing grade in the scheduled qualifying examination and fails to request and pay the fee for rescheduling within 90 days of notification of failure to pass the examination.

This bill would delete those above-mentioned conditions as reasons for an application for an original license, an additional classification, or for a change of qualifier to become void.

With respect to home improvement contracts between an owner or tenant and a contractor, whether a general contractor or a specialty contractor, that is licensed or subject to be licensed with regard to the transaction, existing statutory law makes the failure to comply with specified provisions governing the furnishing of a performance and payment bond a cause for discipline. Existing regulatory law requires a licensee seeking approval of a blanket bond to meet certain conditions and to submit to the board an Application for Approval of Blanket Performance and Payment Bond. Existing regulatory law requires a licensee to be licensed in this state in an active status for not less than 5 years prior to submitting that application.

This bill would instead require such a licensee to be licensed for not less than 2 years prior to submitting that application.

(4) *Existing law, the Cemetery and Funeral Act, requires each cemetery authority to annually file with the Cemetery and Funeral*

Bureau a specified written report that includes information relating to the general and special endowment care funds. Existing law requires the report to be accompanied by an annual audit report of those funds and specifies the scope of the audit.

This bill would require the audit to be prepared in accordance with generally accepted accounting principles.

~~(4)~~

(5) The Geologist and Geophysicist Act provides for the registration and regulation of professional geologists and professional geophysicists by the Board for Professional Engineers, Land Surveyors, and Geologists, which is within the Department of Consumer Affairs. That act requires an applicant for registration to take an examination and requires the examination to be held at the times and places within the state that the board determines.

This bill would authorize the board to make arrangements with a public or private organization to conduct the examination. The bill would authorize the board to contract with such an organization ~~the~~ for materials or services related to the examination and would authorize the board to allow an organization specified by the board to receive, directly from applicants, payments of the examination fees charged by that organization for materials and services.

~~(5)~~

(6) The California Tourism Marketing Act requires the Governor to appoint a Tourism Selection Committee, as specified, and provides that the Director of the Governor's Office of Business and Economic Development has the power to veto actions of the commission. That act states various findings and declarations by the Legislature regarding the tourism industry in California, including that the mechanism created by that act to fund generic promotions be pursuant to the supervision and oversight of the secretary.

This bill would instead find and declare that the mechanism to fund generic promotions be pursuant to the supervision and oversight of the Director of the Governor's Office of Business and Economic Development.

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 5092 of the Business and Professions
2 Code is amended to read:

3 5092. (a) To qualify for the certified public accountant license,
4 an applicant who is applying under this section shall meet the
5 education, examination, and experience requirements specified in
6 subdivisions (b), (c), and (d), or otherwise prescribed pursuant to
7 this article. The board may adopt regulations as necessary to
8 implement this section.

9 (b) An applicant for the certified public accountant license shall
10 present satisfactory evidence that the applicant has completed a
11 baccalaureate or higher degree conferred by a college or university,
12 meeting, at a minimum, the standards described in Section 5094,
13 the total educational program to include a minimum of 24 semester
14 units in accounting subjects and 24 semester units in business
15 related subjects. This evidence shall be provided prior to admission
16 to the examination for the certified public accountant license,
17 except that an applicant who applied, qualified, and sat for at least
18 two subjects of the examination for the certified public accountant
19 license before May 15, 2002, may provide this evidence at the
20 time of application for licensure.

21 (c) An applicant for the certified public accountant license shall
22 pass an examination prescribed by the board pursuant to this article.

23 (d) The applicant shall show, to the satisfaction of the board,
24 that the applicant has had two years of qualifying experience. This
25 experience may include providing any type of service or advice
26 involving the use of accounting, attest, compilation, management
27 advisory, financial advisory, tax, or consulting skills. To be
28 qualifying under this section, experience shall have been performed
29 in accordance with applicable professional standards. Experience
30 in public accounting shall be completed under the supervision or
31 in the employ of a person licensed or otherwise having comparable
32 authority under the laws of any state or country to engage in the
33 practice of public accountancy. Experience in private or
34 governmental accounting or auditing shall be completed under the
35 supervision of an individual licensed by a state to engage in the
36 practice of public accountancy.

37 (e) This section shall become inoperative on January 1, 2014,
38 but shall become or remain operative if the educational

1 requirements in ethics study and accounting study established by
2 subdivision (b) of Section 5093, Section 5094.3, and Section
3 5094.6 are reduced or eliminated.

4 (f) The amendment to subdivision (d) of Section 5094.3 made
5 by the measure adding this subdivision shall not be deemed to
6 reduce or eliminate the educational requirements of Section 5094.3
7 for purposes of subdivision (e) of this ~~Section~~ section.

8 SEC. 2. Section 5094.3 of the Business and Professions Code
9 is amended to read:

10 5094.3. (a) An applicant for licensure as a certified public
11 accountant shall, to the satisfaction of the board, provide
12 documentation of the completion of 10 semester units or 15 quarter
13 units of ethics study, as set forth in paragraph (2) of subdivision
14 (b) of Section 5093, in the manner prescribed in this section.

15 (b) (1) Between January 1, 2014, and December 31, 2016,
16 inclusive, an applicant shall complete 10 semester units or 15
17 quarter units in courses described in subdivisions (d), (e), and (f).

18 (2) Beginning January 1, 2017, an applicant shall complete 10
19 semester units or 15 quarter units in courses described in
20 subdivisions (c), (d), (e), and (f).

21 (c) A minimum of three semester units or four quarter units in
22 courses at an upper division level or higher devoted to accounting
23 ethics or accountants' professional responsibilities, unless the
24 course was completed at a community college, in which case it
25 need not be completed at the upper division level or higher.

26 (d) Between January 1, 2014, and December 31, 2016, inclusive,
27 a maximum of 10 semester units or 15 quarter units, and on and
28 after January 1, 2017, a maximum of 7 semester units or 11 quarter
29 units, in the following subjects relating to ethics:

- 30 (1) Business, government, and society.
- 31 (2) Business law.
- 32 (3) Corporate governance.
- 33 (4) Corporate social responsibility.
- 34 (5) Ethics.
- 35 (6) Fraud.
- 36 (7) Human resources management.
- 37 (8) Business leadership.
- 38 (9) Legal environment of business.
- 39 (10) Management of organizations.
- 40 (11) Morals.

- 1 (12) Organizational behavior.
- 2 (13) Professional responsibilities.
- 3 (14) Auditing.

4 (e) (1) A maximum of three semester units or four quarter units
 5 in courses taken in the following disciplines:

- 6 (A) Philosophy.
- 7 (B) Religion.
- 8 (C) Theology.

9 (2) To qualify under this subdivision, the course title shall
 10 contain one or more of the terms “introduction,” “introductory,”
 11 “general,” “fundamentals of,” “principles,” “foundation of,” or
 12 “survey of,” or have the name of the discipline as the sole name
 13 of the course title.

14 (f) A maximum of one semester unit of ethics study for
 15 completion of a course specific to financial statement audits.

16 (g) An applicant who has successfully passed the examination
 17 requirement specified under Section 5082 on or before December
 18 31, 2013, is exempt from this section unless the applicant fails to
 19 obtain the qualifying experience as specified in Section 5092 or
 20 5093 on or before December 31, 2015.

21 SEC. 3. Section 5550.2 of the Business and Professions Code
 22 is amended to read:

23 5550.2. Notwithstanding subdivision (b) of Section 5552, the
 24 board may grant eligibility to take the licensure examination to a
 25 candidate enrolled in a degree program accepted by the National
 26 Council of Architectural Registration Boards that integrates the
 27 licensure degree experience and examination components required
 28 under this chapter. The eligibility point shall be determined by that
 29 degree program.

30 SEC. 4. Section 7074 of the Business and Professions Code is
 31 amended to read:

32 7074. (a) Except as otherwise provided by this section, an
 33 application for an original license, for an additional classification,
 34 or for a change of qualifier shall become void when:

- 35 (1) The applicant or the examinee for the applicant has failed
 36 to achieve a passing grade in the qualifying examination within
 37 18 months after the application has been deemed acceptable by
 38 the board.

1 (2) The applicant for an original license, after having been
2 notified to do so, fails to pay the initial license fee within 90 days
3 from the date of the notice.

4 (3) The applicant, after having been notified to do so, fails to
5 file within 90 days from the date of the notice any bond or cash
6 deposit or other documents that may be required for issuance or
7 granting pursuant to this chapter.

8 (4) After filing, the applicant withdraws the application.

9 (5) The applicant fails to return the application rejected by the
10 board for insufficiency or incompleteness within 90 days from the
11 date of original notice or rejection.

12 (6) The application is denied after disciplinary proceedings
13 conducted in accordance with the provisions of this code.

14 (b) The void date on an application may be extended up to 90
15 days or one examination may be rescheduled without a fee upon
16 documented evidence by the applicant that the failure to complete
17 the application process or to appear for an examination was due
18 to a medical emergency or other circumstance beyond the control
19 of the applicant.

20 (c) An application voided pursuant to this section shall remain
21 in the possession of the registrar for the period as he or she deems
22 necessary and shall not be returned to the applicant. Any
23 reapplication for a license shall be accompanied by the fee fixed
24 by this chapter.

25 *SEC. 5. Section 7159.5 of the Business and Professions Code*
26 *is amended to read:*

27 7159.5. This section applies to all home improvement contracts,
28 as defined in Section 7151.2, between an owner or tenant and a
29 contractor, whether a general contractor or a specialty contractor,
30 that is licensed or subject to be licensed pursuant to this chapter
31 with regard to the transaction.

32 (a) Failure by the licensee or a person subject to be licensed
33 under this chapter, or by his or her agent or salesperson, to comply
34 with the following provisions is cause for discipline:

35 (1) The contract shall be in writing and shall include the agreed
36 contract amount in dollars and cents. The contract amount shall
37 include the entire cost of the contract, including profit, labor, and
38 materials, but excluding finance charges.

1 (2) If there is a separate finance charge between the contractor
2 and the person contracting for home improvement, the finance
3 charge shall be set out separately from the contract amount.

4 (3) If a downpayment will be charged, the downpayment may
5 not exceed one thousand dollars (\$1,000) or 10 percent of the
6 contract amount, whichever is less.

7 (4) If, in addition to a downpayment, the contract provides for
8 payments to be made prior to completion of the work, the contract
9 shall include a schedule of payments in dollars and cents
10 specifically referencing the amount of work or services to be
11 performed and any materials and equipment to be supplied.

12 (5) Except for a downpayment, the contractor may neither
13 request nor accept payment that exceeds the value of the work
14 performed or material delivered.

15 (6) Upon any payment by the person contracting for home
16 improvement, and prior to any further payment being made, the
17 contractor shall, if requested, obtain and furnish to the person a
18 full and unconditional release from any potential lien claimant
19 claim or mechanics lien authorized pursuant to Sections 8400 and
20 8404 of the Civil Code for any portion of the work for which
21 payment has been made. The person contracting for home
22 improvement may withhold all further payments until these releases
23 are furnished.

24 (7) If the contract provides for a payment of a salesperson's
25 commission out of the contract price, that payment shall be made
26 on a pro rata basis in proportion to the schedule of payments made
27 to the contractor by the disbursing party in accordance with
28 paragraph (4).

29 (8) A contractor furnishing a performance and payment bond,
30 lien and completion bond, or a bond equivalent or joint control
31 approved by the registrar covering full performance and payment
32 is exempt from paragraphs (3), (4), and (5), and need not include,
33 as part of the contract, the statement regarding the downpayment
34 specified in subparagraph (C) of paragraph (8) of subdivision (d)
35 of Section 7159, the details and statement regarding progress
36 payments specified in paragraph (9) of subdivision (d) of Section
37 7159, or the Mechanics Lien Warning specified in paragraph (4)
38 of subdivision (e) of Section 7159. A contractor furnishing these
39 bonds, bond equivalents, or a joint control approved by the registrar
40 may accept payment prior to completion. If the contract provides

1 for a contractor to furnish joint control, the contractor shall not
2 have any financial or other interest in the joint control.
3 *Notwithstanding any other law, a licensee shall be licensed in this*
4 *state in an active status for not less than two years prior to*
5 *submitting an Application for Approval of Blanket Performance*
6 *and Payment Bond as provided in Section 858.2 of Title 16 of the*
7 *California Code of Regulations as it read on January 1, 2016.*

8 (b) A violation of paragraph (1), (3), or (5) of subdivision (a)
9 by a licensee or a person subject to be licensed under this chapter,
10 or by his or her agent or salesperson, is a misdemeanor punishable
11 by a fine of not less than one hundred dollars (\$100) nor more than
12 five thousand dollars (\$5,000), or by imprisonment in a county
13 jail not exceeding one year, or by both that fine and imprisonment.

14 (1) An indictment or information against a person who is not
15 licensed but who is required to be licensed under this chapter shall
16 be brought, or a criminal complaint filed, for a violation of this
17 section, in accordance with paragraph (4) of subdivision (d) of
18 Section 802 of the Penal Code, within four years from the date of
19 the contract or, if the contract is not reduced to writing, from the
20 date the buyer makes the first payment to the contractor.

21 (2) An indictment or information against a person who is
22 licensed under this chapter shall be brought, or a criminal complaint
23 filed, for a violation of this section, in accordance with paragraph
24 (2) of subdivision (d) of Section 802 of the Penal Code, within
25 two years from the date of the contract or, if the contract is not
26 reduced to writing, from the date the buyer makes the first payment
27 to the contractor.

28 (3) The limitations on actions in this subdivision shall not apply
29 to any administrative action filed against a licensed contractor.

30 (c) Any person who violates this section as part of a plan or
31 scheme to defraud an owner or tenant of a residential or
32 nonresidential structure, including a mobilehome or manufactured
33 home, in connection with the offer or performance of repairs to
34 the structure for damage caused by a natural disaster, shall be
35 ordered by the court to make full restitution to the victim based
36 on the person's ability to pay, as defined in subdivision (e) of
37 Section 1203.1b of the Penal Code. In addition to full restitution,
38 and imprisonment authorized by this section, the court may impose
39 a fine of not less than five hundred dollars (\$500) nor more than
40 twenty-five thousand dollars (\$25,000), based upon the defendant's

1 ability to pay. This subdivision applies to natural disasters for
2 which a state of emergency is proclaimed by the Governor pursuant
3 to Section 8625 of the Government Code, or for which an
4 emergency or major disaster is declared by the President of the
5 United States.

6 *SEC. 6. Section 7612.6 of the Business and Professions Code*
7 *is amended to read:*

8 7612.6. (a) Each cemetery authority shall file with the bureau
9 annually, on or before June 1, or within five months after close of
10 their fiscal year provided approval has been granted by the bureau
11 as provided for in Section 7612.7, a written report in a form
12 prescribed by the bureau setting forth the following:

13 (1) The number of square feet of grave space and the number
14 of crypts and niches sold or disposed of under endowment care by
15 specific periods as set forth in the form prescribed.

16 (2) The amount collected and deposited in both the general and
17 special endowment care funds segregated as to the amounts for
18 crypts, niches, and grave space by specific periods as set forth
19 either on the accrual or cash basis at the option of the cemetery
20 authority.

21 (3) A statement showing separately the total amount of the
22 general and special endowment care funds invested in each of the
23 investments authorized by law and the amount of cash on hand
24 not invested, which statement shall actually show the financial
25 condition of the funds.

26 (4) A statement showing separately the location, description,
27 and character of the investments in which the special endowment
28 care funds are invested. The statement shall show the valuations
29 of any securities held in the endowment care fund as valued
30 pursuant to Section 7614.7.

31 (5) A statement showing the transactions entered into between
32 the corporation or any officer, employee, or stockholder thereof
33 and the trustees of the endowment care funds with respect to those
34 endowment care funds. The statement shall show the dates,
35 amounts of the transactions, and shall contain a statement of the
36 reasons for those transactions.

37 (b) The report shall be verified by the president or vice president
38 and one other officer of the cemetery corporation. The information
39 submitted pursuant to paragraphs (2), (3), (4), and (5) of
40 subdivision (a) shall be accompanied by an annual audit-report

1 *report, prepared in accordance with generally accepted accounting*
2 *principles*, of the endowment care fund and special care fund signed
3 by a certified public accountant or public accountant. The scope
4 of the audit shall include the inspection, review, and audit of the
5 general purpose financial statements of the endowment care fund
6 and special care fund, which shall include the balance sheet, the
7 statement of revenues, expenditures, and changes in fund balance.

8 (c) If a cemetery authority files a written request prior to the
9 date the report is due, the bureau may, in its discretion, grant an
10 additional 30 days within which to file the report.

11 ~~SEC. 5.~~

12 *SEC. 7.* Section 7844 of the Business and Professions Code is
13 amended to read:

14 7844. (a) Examination for licensure shall be held at the times
15 and places within the state as the board shall determine. The scope
16 of examinations and the methods of procedure may be prescribed
17 by rule of the board.

18 (b) The board may make arrangements with a public or private
19 organization to conduct the examination. The board may contract
20 with a public or private organization for materials or services
21 related to the examination.

22 (c) The board may authorize an organization specified by the
23 board to receive directly from applicants payment of the
24 examination fees charged by that organization as payment for
25 examination materials and services.

26 ~~SEC. 6.~~

27 *SEC. 8.* Section 7887 of the Business and Professions Code is
28 amended to read:

29 7887. The amount of the fees prescribed by this chapter shall
30 be fixed by the board in accordance with the following schedule:

31 (a) The fee for filing each application for licensure as a geologist
32 or a geophysicist or certification as a specialty geologist or a
33 specialty geophysicist and for administration of the examination
34 shall be fixed at not more than two hundred fifty dollars (\$250).

35 (b) The license fee for a geologist or for a geophysicist and the
36 fee for the certification in a specialty shall be fixed at an amount
37 equal to the renewal fee in effect on the last regular renewal date
38 before the date on which the certificate is issued, except that, with
39 respect to certificates that will expire less than one year after
40 issuance, the fee shall be fixed at an amount equal to 50 percent

1 of the renewal fee in effect on the last regular renewal date before
2 the date on which the certificate is issued. The board may, by
3 appropriate regulation, provide for the waiver or refund of the
4 initial certificate fee where the certificate is issued less than 45
5 days before the date on which it will expire.

6 (c) The duplicate certificate fee shall be fixed at not more than
7 six dollars (\$6).

8 (d) The renewal fee for a geologist or for a geophysicist shall
9 be fixed at not more than four hundred dollars (\$400).

10 (e) The renewal fee for a specialty geologist or for a specialty
11 geophysicist shall be fixed at not more than one hundred dollars
12 (\$100).

13 (f) Notwithstanding Section 163.5, the delinquency fee for a
14 certificate is an amount equal to 50 percent of the renewal fee in
15 effect on the last regular renewal date.

16 (g) Each applicant for licensure as a geologist shall pay an
17 examination fee fixed at an amount equal to the actual cost to the
18 board to administer the examination described in subdivision (d)
19 of Section 7841, unless an applicant pays the examination fee
20 directly to an organization pursuant to Section 7844.

21 (h) Each applicant for licensure as a geophysicist or certification
22 as an engineering geologist or certification as a hydrogeologist
23 shall pay an examination fee fixed by the board at an amount equal
24 to the actual cost to the board for the development and maintenance
25 of the written examination, and shall not exceed one hundred
26 dollars (\$100).

27 (i) The fee for a retired license shall be fixed at not more than
28 50 percent of the fee for filing an application for licensure as a
29 geologist or a geophysicist in effect on the date of application for
30 a retired license.

31 ~~SEC. 7.~~

32 *SEC. 9.* Section 13995.1 of the Government Code is amended
33 to read:

34 13995.1. The Legislature hereby finds and declares all of the
35 following:

36 (a) Tourism is among California's biggest industries,
37 contributing over fifty-two billion dollars (\$52,000,000,000) to
38 the state economy and employing nearly 700,000 Californians in
39 1995.

1 (b) In order to retain and expand the tourism industry in
2 California, it is necessary to market travel to and within California.

3 (c) State funding, while an important component of marketing,
4 has been unable to generate sufficient funds to meet the threshold
5 levels of funding necessary to reverse recent losses of California's
6 tourism market share.

7 (d) In regard to the need for a cooperative partnership between
8 business and industry:

9 (1) It is in the state's public interest and vital to the welfare of
10 the state's economy to expand the market for, and develop,
11 California tourism through a cooperative partnership funded in
12 part by the state that will allow generic promotion and
13 communication programs.

14 (2) The mechanism established by this chapter is intended to
15 play a unique role in advancing the opportunity to expand tourism
16 in California, and it is intended to increase the opportunity for
17 tourism to the benefit of the tourism industry and the consumers
18 of the State of California.

19 (3) Programs implemented pursuant to this chapter are intended
20 to complement the marketing activities of individual competitors
21 within the tourism industry.

22 (4) While it is recognized that smaller businesses participating
23 in the tourism market often lack the resources or market power to
24 conduct these activities on their own, the programs are intended
25 to be of benefit to businesses of all sizes.

26 (5) These programs are not intended to, and they do not, impede
27 the right or ability of individual businesses to conduct activities
28 designed to increase the tourism market generally or their own
29 respective shares of the California tourism market, and nothing in
30 the mechanism established by this chapter shall prevent an
31 individual business or participant in the industry from seeking to
32 expand its market through alternative or complementary means,
33 or both.

34 (6) (A) An individual business's own advertising initiatives are
35 typically designed to increase its share of the California tourism
36 market rather than to increase or expand the overall size of that
37 market.

38 (B) In contrast, generic promotion of California as a tourism
39 destination is intended and designed to maintain or increase the
40 overall demand for California tourism and to maintain or increase

1 the size of that market, often by utilizing promotional methods
2 and techniques that individual businesses typically are unable, or
3 have no incentive, to employ.

4 (7) This chapter creates a mechanism to fund generic promotions
5 that, pursuant to the required supervision and oversight of the
6 director as specified in this chapter, further specific state
7 governmental goals, as established by the Legislature, and result
8 in a promotion program that produces nonideological and
9 commercial communication that bears the characteristics of, and
10 is entitled to all the privileges and protections of, government
11 speech.

12 (8) The programs implemented pursuant to this chapter shall
13 be carried out in an effective and coordinated manner that is
14 designed to strengthen the tourism industry and the state's economy
15 as a whole.

16 (9) Independent evaluation of the effectiveness of the programs
17 will assist the Legislature in ensuring that the objectives of the
18 programs as set out in this section are met.

19 (e) An industry-approved assessment provides a private-sector
20 financing mechanism that, in partnership with state funding, will
21 provide the amount of marketing necessary to increase tourism
22 marketing expenditures by California.

23 (f) The goal of the assessments is to assess the least amount per
24 business, in the least intrusive manner, spread across the greatest
25 practical number of tourism industry segments.

26 (g) The California Travel and Tourism Commission shall target
27 an amount determined to be sufficient to market effectively travel
28 and tourism to and within the state.

29 (h) In the course of developing its written marketing plan
30 pursuant to Section 13995.45, the California Travel and Tourism
31 Commission shall, to the maximum extent feasible, do both of the
32 following:

33 (1) Seek advice and recommendations from all segments of
34 California's travel and tourism industry and from all geographic
35 regions of the state.

36 (2) Harmonize, as appropriate, its marketing plan with the travel
37 and tourism marketing activities and objectives of the various
38 industry segments and geographic regions.

39 (i) The California Travel and Tourism Commission's marketing
40 budget shall be spent principally to bring travelers and tourists into

1 the state. No more than 15 percent of the commission's assessed
2 funds in any year shall be spent to promote travel within California,
3 unless approved by at least two-thirds of the commissioners.

O