

## Assembly Bill No. 1182

### CHAPTER 273

An act to amend Sections 8518 and 8674 of the Business and Professions Code, relating to structural pest control operators.

[Approved by Governor August 2, 1995. Filed with Secretary of State August 2, 1995.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 1182, Kuykendall. Structural pest control operators.

Existing law provides for the licensing and registration of persons and companies that engage in the business of structural pest control. Under these provisions, when a registered company completes a project, it must file a notice of work completed with the Structural Pest Control Board within 5 working days.

This bill would provide that a registered company must file a notice of work completed and not completed within 10 working days of completion. The bill would also provide that the registered company must furnish a copy of the notice to the owner or the owner's agent within 10 working days of completion.

The bill would also make related changes.

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

SECTION 1. Section 8518 of the Business and Professions Code is amended to read:

8518. When a registered company completes work under a contract, it shall not later than ten working days thereafter file with the board a notice of work completed and not completed, on a form prescribed by the board. The notice shall include a statement of the cost of the completed work and estimated cost of work not completed. The registered company shall furnish a copy of the notice of work completed and not completed to the owner of the property or the owner's agent within 10 working days after completing the work. Each notice shall have affixed thereto a stamp issued by the board in the denomination fixed by the board pursuant to Section 8674 as the fee for filing a notice of work completed and not completed. The board shall provide for the sale of the stamps and for the refund of moneys paid for stamps that are returned to it unused.

SEC. 2. Section 8674 of the Business and Professions Code is amended to read:

8674. The fees prescribed by this chapter are the following:  
(a) A duplicate license fee of not more than two dollars (\$2).



(b) A fee for filing a change of name of a licensee of not more than two dollars (\$2).

(c) An operator's examination fee of not more than twenty-five dollars (\$25).

(d) An operator's license fee of not more than one hundred fifty dollars (\$150).

(e) An operator's license renewal fee of not more than one hundred fifty dollars (\$150).

(f) A company registration fee of not more than one hundred twenty dollars (\$120).

(g) A branch office registration fee of not more than sixty dollars (\$60).

(h) A field representative's examination fee of not more than fifteen dollars (\$15).

(i) A field representative's license fee of not more than forty-five dollars (\$45).

(j) A field representative's license renewal fee of not more than forty-five dollars (\$45).

(k) An applicator's examination fee of not more than fifteen dollars (\$15).

(l) An applicator's license fee of not more than fifty dollars (\$50).

(m) An applicator's license renewal fee of not more than fifty dollars (\$50).

(n) An inspection report filing fee of not more than three dollars (\$3).

(o) A fee for certifying a copy of an inspection report of not more than three dollars (\$3).

(p) A fee for filing a notice of work completed and not completed of not more than two dollars (\$2).

(q) A fee for filing a change of a registered company's name, principal office address, or branch office address, qualifying manager, or the names of a registered company's officers, or bond or insurance of not more than twenty-five dollars (\$25) for each change.

(r) A fee for approval of continuing education providers of not more than fifty dollars (\$50).

(s) A pesticide use report filing fee of not more than five dollars (\$5) for each pesticide use report or combination of use reports representing a registered structural pest control company's total county pesticide use for the month.

(t) A fee for approval of continuing education courses of not more than twenty-five dollars (\$25).

(u) (1) Any person who pays a fee pursuant to subdivision (s) shall, in addition, pay a fee of two dollars (\$2) for each pesticide use stamp purchased from the board. Notwithstanding any other provision of law, the fee established pursuant to this subdivision shall be deposited with a bank or other depository approved by the Department of Finance and designated by the Research Advisory



Panel or into the Structural Pest Control Research Fund which is hereby created and continuously appropriated to be used only for structural pest control research. If the Research Advisory Panel designates that the fees be deposited in an account other than the Structural Pest Control Research Fund, any moneys in the fund shall be transferred to the designated account.

(2) Prior to the deposit of any funds, the depository shall enter into an agreement with the Department of Consumer Affairs that includes, but is not limited to, all of the following requirements:

(A) The depository shall serve as custodian for the safekeeping of the funds.

(B) Funds deposited in the designated account shall be encumbered solely for the exclusive purpose of implementing and continuing the program for which they were collected.

(C) Funds deposited in the designated account shall be subject to an audit at least once every two years by an auditor selected by the Director of Consumer Affairs. A copy of the audit shall be provided to the director within 30 days of completion of the audit.

(D) The Department of Consumer Affairs shall be reimbursed for all expenses it incurs that are reasonably related to implementing and continuing the program for which the funds were collected in accordance with the agreement.

(E) A reserve in an amount sufficient to pay for costs arising from unanticipated occurrences associated with administration of the program shall be maintained in the designated account.

(3) A charge for administrative expenses of the board in an amount not to exceed 5 percent of the amount collected and deposited in the Structural Pest Control Research Fund may be assessed against the fund. The charge shall be limited to expenses directly related to the administration of the fund.

(4) The board shall, by regulation, establish a five-member research advisory panel including, but not limited to, representatives from each of the following: (1) the Structural Pest Control Board, (2) the structural pest control industry, (3) the Department of Pesticide Regulation, and (4) the University of California. The panel shall solicit and review research proposals for recommendation to the board. The board shall distribute funds to qualified applicants, pursuant to the panel's recommendation, upon a two-thirds vote.

