



**Agenda Item 3  
June 28, 2021**

**Approval of Meeting Minutes**

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**Purpose of the item**

The Government & Public Affairs Committee will review the April 13th, 2021 Committee meeting minutes.

**Action(s) requested**

The Committee will be asked to make a motion to approve the April 13th, 2021 Committee Meeting minutes.

**Background**

N/A

**Recommendation(s)**

N/A

**Next Step**

N/A

**Attachment(s)**

- Meeting minutes from the April 13th, 2021 Government & Public Affairs Committee Meeting.

**Board of Chiropractic Examiners  
TELECONFERENCE MEETING MINUTES  
Government & Public Affairs Committee Meeting  
April 13, 2021**

Teleconference Meeting

**Committee Members Present**

Frank Ruffino, Public Member  
Rafael Sweet, Public Member

**Staff Present**

Robert Puleo, Executive Officer  
Kristin Walker, Assistant Executive Officer  
Dixie Van Allen, Staff Services Manager I  
Michael Kanotz, Attorney III  
Andreia McMillen, Policy Analyst  
Amanda Campbell, Continuing Education Analyst

**1. Call to Order Call to Order & Establishment of a Quorum**

Mr. Ruffino called the meeting to order at 2:00 p.m.

Mr. Sweet called roll. All members were present. A quorum was established.

**2. Public Comment on Items Not on the Agenda**

No Discussion.

**3. Approval of Meeting Minutes**

May 21, 2018  
March 26, 2019  
August 27, 2019

**MOTION: MR. RUFFINO MOVED TO APPROVE MINUTES OF THE MAY 21<sup>st</sup>, 2018  
GOVERNMENT & PUBLIC AFFAIRS COMMITTEE MEETING.**

**SECOND: MR. SWEET SECONDED THE MOTION.**

Discussion: Mr. stated Ruffino he would abstain from approving the minutes because he did not participate in the meeting.

Public Comment: There was none.

**VOTE: 1 - 0, (MR. RUFFINO – ABSTAIN, MR. SWEET – AYE)  
MOTION CARRIED.**

**MOTION: MR. SWEET MOVED TO APPROVE MINUTES OF THE MARCH 26<sup>th</sup>, 2019 AND AUGUST 27<sup>th</sup>, 2019 GOVERNMENT & PUBLIC AFFAIRS COMMITTEE MEETING.**

**SECOND: MR. RUFFINO SECONDED THE MOTION.**

No Discussion.

Public Comment: There was none.

**VOTE: 2 - 0, (MR. RUFFINO – AYE, MR. SWEET – AYE)  
MOTION CARRIED.**

#### **4. Review, Discussion and Possible Action Regarding the Board Member Administrative Procedure Manual**

Mr. Puleo led the discussion on proposed changes to the Board Member Administrative Procedure Manual (BMAPM).

- Page 2

Mr. Puleo referred to the list of Board members and stated it has been updated to reflect the names of recently appointed members to the Board.

- Page 5

Mr. Puleo noted there were proposed changes regarding the list of state acronyms. Specifically, he suggested removing the reference to Business & Professions Code and replacing it with adding “Business and Professions (B&P)”. Additionally, he proposed removing the reference to the Department of Industrial Relations.

- Page 6

Mr. Puleo referred to the section on “General Rules of Conduct”, third paragraph, “When possible, the Board Chair, in consultation with the Vice Chair, shall determine which Board members have expertise in respective areas to act as spokesperson for the Board.” Mr. Puleo proposed including the EO to reflect the following: “in consultation with the Vice Chair and EO”.

Mr. Puleo referred to the last sentence on page 6, “All consumers, applicants and licensees with enforcement related questions, concerns or complaints should be referred to the EO or Chair.” He suggested removing “Chair”.

- Page 8

Under the “Role of Board Officers” heading, Mr. Puleo clarified that the Board Chair should consult with the Secretary and EO when approving meeting agendas.

Mr. Puleo referred to the section on Vice-Chair duties regarding the EO’s annual evaluation process and proposed adding “The Vice-Chair, in consultation with DCA’s Office of Human

Resources, and in accordance with departmental policy, coordinates the EO annual evaluation process...”.

- Page 9

Mr. Puleo recommended combining the following sections together 1) “Board Meetings and Offices” and 2) “Board Meetings”.

- Page 10

Under the “Agenda Items” heading, Mr. Puleo proposed removing the last sentence, “The Board Secretary will work with the EO to finalize the agenda.”

- Page 11

Mr. Puleo referred to the section on “Bagley-Keene Open Meeting Act” and proposed removing it from the procedure manual.

- Page 12

Mr. Puleo referred to the section regarding “Records of Meetings” and pointed out the reference to all original video and audio recordings be maintained and archived indefinitely and never destroyed.

Discussion: He clarified that staff would further research this matter to determine whether this provision is consistent with the Board’s records retention policy to maintain those records indefinitely.

Mr. Ruffino inquired whether the Board’s policy on retention of records differs from other boards and bureaus under DCA.

Mr. Puleo explained that each board consults with DCA in developing their record retention schedule. However, boards have their own individual retention schedule.

Mr. Ruffino asked to discuss the Board’s retention schedule at the next Board meeting.

Mr. Puleo stated he is unaware of such matter ever being presented to the Board for approval. He shared that Board staff are currently reviewing the retention schedule and will consult with legal counsel in the near future.

- Page 13

Mr. Puleo referred to the section on “Recording” and questioned whether it is appropriate to place audio and video recorded by the public or any other entity on the Board’s website.

Discussion: Mr. Ruffino suggested including a provision regarding minors testifying in a public setting.

Mr. Puleo stated that staff and legal counsel will explore this topic further to determine the best course of action.

- Page 15

Under the “Travel Arrangements” heading, Mr. Puleo suggested adding a reference to DCA’s Travel Guide (included in the Committee Meeting materials).

- Page 19

Mr. Puleo referred to the section on “Committee Appointments”, second paragraph, “Committee members shall appoint the Chair of their respective committee. If a disagreement arises, the Committee members shall consult with the Board Chair, the Vice Chair and the EO.”

Discussion: Mr. Puleo inquired whether this is a violation of the Bagley-Keen Act.

Mr. Kanotz responded that clarification is needed as this provision can lead to Board members having a meeting outside of Bagley-Keene.

Mr. Kanotz advised the Committee that it would be appropriate to bring this matter forward to a subsequent meeting or simply remove the provision from the procedure manual.

Mr. Puleo recommended adding a section regarding the selection of a committee Chair as the Board does currently have a procedure to address disagreements in this regard.

Mr. Ruffino stated this provision causes confusion and agreed with Mr. Kanotz suggestion to remove it from the procedure manual.

Mr. Sweet concurred.

- Page 20

Under the “Government and Public Affairs Committee” subheading, Mr. Puleo suggested removing the reference to 2013.

Discussion: Mr. Puleo asked the Committee how frequently the Board should receive such updates on the Strategic Plan.

Mr. Ruffino stated it would be appropriate to report this information to the Board once a year.

Mr. Sweet recommended adding a provision allowing the Committee to report progress to the Board on an-as needed basis.

Mr. Puleo shared that the Board does not currently have an active Strategic Plan. However, once it’s active, he suggested discussing the Strategic Plan at every committee meeting and report any updates to the Board once a year or as needed.

- Page 22

Mr. Puleo referred to the section on “Board Member Written Correspondence and Mailings”. Mr. Puleo inquired whether the Committee wished to clarify that any approved correspondence should be distributed to all the Board members.

Mr. Ruffino and Mr. Sweet had no objections.

Mr. Puleo referred to the section on “Request to Access Licensee or Applicant Records”. He inquired whether it would be appropriate for Board members to have unrestricted access to confidential information under any circumstances.

Discussion: Mr. Puleo stated this section raises concerns because, as currently drafted, it is unclear whether a Board member would have the ability to access licensee’s or applicant’s information that is not publicly available.

Mr. Ruffino proposed revising the first sentence of this section to reflect the following: “Board Members shall not access a licensee’s, or applicant’s file without the EO’s knowledge and legal counsel approval. He also suggested removing the second sentence “Records or copies of records shall not be removed from the Board’s office at any time”

Mr. Sweet agreed with Mr. Ruffino’s assessment.

Mr. Kanotz stated it is unclear whether this section pertains to disciplinary matters. He explained it would be only be appropriate for a Board member to access a licensee or applicant’s file when discussing disciplinary action. Furthermore, he noted disciplinary information would not need to be accessed via the licensee or applicant’s paper file because is made available to the public on the Board’s website.

Mr. Kanotz advised the Committee that it would be appropriate to remove the section in its entirety.

Mr. Ruffino and Mr. Sweet had no objections.

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Mr. Puleo referred to the section on Press Statements and Contacts, “When possible, the Board Chair, in consultation with the Vice Chair, shall determine which Board members have expertise in respective areas to act as spokesperson for the Board.” He proposed including the EO to reflect the following: “...in consultation with the Vice Chair and EO”.

Mr. Ruffino requested an update on the process to issue BCE identification cards.

Mr. Puleo stated that the Board’s ability to produce any type of official badge is limited. However, staff will follow up with DCA to facilitate this process.

- Page 24

Under the “Executive Officer Evaluation” heading, Mr. Puleo proposed referencing DCA’s Travel Guide, which is included in the Committee Meeting materials.

Under the “Board Examination Heading”, Mr. Puleo suggested removing reference to the EO as an instrument of the Board and replacing it with “the EO as an agent of the Board”. The same changes would apply to the section on Board Staff.

- Page 25

Mr. Puleo proposed changing the “Periodic Fee Audit” heading to “Period Fee Analysis” as the latter heading accurately describes the process to update fees. Additionally, he suggested removing the reference to “using the 2017 methodology” as it refers to the last fee analysis conducted by the Board.

- Page 26

Under the “Various Other Tasks and Responsibilities” heading, Mr. Puleo referred to the following sentence: “This process shall be overseen by the Vice Chair in consultation with the Chair” and proposed adding, “...in consultation with the Chair and EO”.

Under the “Terms and Removal of Board Members” heading, paragraph two, Mr. Puleo suggested removing the reference to “January 2, 1974”.

- Page 27

Under the “Resignation of Board Members (Board Policy)” heading, Mr. Puleo stated staff would contact the Governor’s Appointment Office and inquire if there is a written policy on the resignation of Board members. It would be beneficial to reference their policy under this section.

- Page 28

Under the “Request for Grants” heading, Mr. Puleo indicated the Board has never requested grants and it is unclear why this section is included in the procedure manual.

Discussion: Mr. Kanotz advised removing this provision.

Mr. Ruffino and Mr. Sweet had no objections.

- Page 30

Mr. Kanotz pointed out that the citation under the Honoraria Prohibition section is incorrect. He proposed removing the reference to Government Code section 89503 and replace it with “89502”.

- Page 31

Mr. Puleo referred to the section on “Injury to a Board Member” heading and clarified that Board members are considered state employees. Therefore, he inquired whether Labor Code section 4600 is consistent with an injury to a Board member being handled the same as an injury to a staff person.

Mr. Kanotz stated this section should be conformed to DCA’s policy for reporting injuries. He proposed removing the language from this section, and instead, add a reference to DCA’s policy for reporting injuries.

**MOTION: MR. RUFFINO MOVED TO RECOMMEND TO THE FULL BOARD THE ADOPTION OF THE REVISED BOARD MEMBER ADMINISTRATIVE MANUAL PROCEDURE.**

**SECOND: MR. SWEET SECONDED THE MOTION.**

Discussion: None

Public Comment: There was none.

**VOTE: 2-0 (MR. RUFFINO – AYE, MR. SWEET – AYE)  
MOTION CARRIED.**

#### **5. Review, Discussion and Possible Action Regarding the Legislative Bill Tracking Manual**

Mr. Puleo provided the Committee with a brief overview of minor changes made to the Legislative Bill Tracking Manual.

**MOTION: MR. SWEET MOVED TO APPROVE THE LEGISLATIVE BILL TRACKING MANUAL.**

**SECOND: MR. RUFFINO SECONDED THE MOTION.**

Discussion: None

Public Comment: There was none.

**VOTE: 2-0 (MR. RUFFINO – AYE, MR. SWEET – AYE)  
MOTION CARRIED.**

#### **6. Review, Discussion and Possible Action Regarding AB 29 (Cooper) State Agencies: Meetings**

Ms. McMillen provided the Committee with a summary of AB 29.

Mr. Puleo stated staff is supportive of the intent of this bill to make available any relevant materials for a noticed meeting. However, there is a number of minor concerns that could possibly prohibit the Board from discussing and providing the most recent information available



at Board meetings.

Mr. Sweet inquired about the likelihood of this bill being amended.

Mr. Puleo stated will likely be amended. He explained this bill would impact all state agencies and it is likely that other programs will share the same concerns.

Ms. McMillen added that in previous legislative sessions, similar bills had been introduced and amended as they moved through the legislative process.

Mr. Ruffino inquired whether this bill would result in additional workload for Board staff.

Mr. Puleo clarified that this bill would may not have a fiscal impact upon the Board. However, it would possibly prevent the Board from providing and discussing the most recent information available at board meetings.

The committee agreed to take a "WATCH" position on this AB 29.

**MOTION: MR. RUFFINO MOVED TO RECOMMEND A WATCH POSITION ON AB 29.**

**SECOND: MR. SWEET SECONDED THE MOTION.**

Discussion: None

Public Comment: There was none.

**VOTE: 2-0 (MR. RUFFINO – AYE, MR. SWEET – AYE)**

**MOTION CARRIED.**

#### **7. Review, Discussion and Possible Action Regarding AB 339 (Lee) State and Local Government: Open Meetings**

Ms. McMillen provided the Committee with a summary of AB 339.

Mr. Puleo expressed concern over the cost of providing increased access through technology and of providing translation services in multiple languages is currently unknown and may not be possible within existing resources. Board staff will need more time to determine the actual impact.

**MOTION: MR. RUFFINO MOVED TO RECOMMEND A WATCH POSITION ON AB 339.**

**SECOND: MR. SWEET SECONDED THE MOTION.**

Discussion: None

Public Comment: There was none.

**VOTE: 2-0 (MR. RUFFINO – AYE, MR. SWEET – AYE)**

**MOTION CARRIED.**

**8. Review, Discussion and Possible Action Regarding AB 646 (Low) Department of Consumer Affairs: Boards: Expunged Convictions**

Ms. McMillen provided the Committee with a summary of AB 646.

Mr. Puleo shared that staff is supportive of the intent of this bill to reduce employment barriers for people who have been rehabilitated. However, this bill could potentially undermine the Board's consumer protection mandate if disciplinary information available to the public is limited.

**MOTION: MR. SWEET MOVED TO RECOMMEND A WATCH POSITION ON AB 646.**

**SECOND: MR. RUFFINO SECONDED THE MOTION.**

Discussion: None

Public Comment: There was none.

**VOTE: 2-0 (MR. RUFFINO – AYE, MR. SWEET – AYE)  
MOTION CARRIED.**

**9. Review, Discussion and Possible Action Regarding AB 1236 (Ting) Healing Arts: Data Collection**

Ms. McMillen provided the Committee with a summary of AB 1236.

Mr. Puleo stated this bill would likely result in additional workload and expenses for the Board. Board staff will need more time to determine the actual impact and whether there are efficient and cost-effective methods of collecting and reporting the information identified in the bill.

Mr. Ruffino inquired whether this bill would require an additional position to meet new data collection requirements.

Mr. Puleo informed the Committee that it is difficult to know if an additional position would be required because the actual impact is unknown. However, once more information is available, we will be able to make that determination.

**MOTION: MR. SWEET MOVED TO RECOMMEND A WATCH POSITION ON AB 1236.**

**SECOND: MR. RUFFINO SECONDED THE MOTION.**

Discussion: None

Public Comment: There was none.

**VOTE: 2-0 (MR. RUFFINO – AYE, MR. SWEET – AYE)  
MOTION CARRIED.**

### **10. Review, Discussion and Possible Action Regarding AB 1386 (Cunningham) License Fees: Military Partners and Spouses**

Ms. McMillen provided the Committee with a summary of AB 1386.

This bill would require boards under the Department of Consumer Affairs (DCA) to waive license fees for partners and spouses of active military members.

Mr. Puleo noted that it is unclear whether this bill would require the Board to waive all fees associated with obtaining a license.

Mr. Ruffino inquired whether this bill would apply to pass-through fees collected by the Department of Justice.

Mr. Puleo noted it is unclear from the language used in the bill what fee(s) would be included. However, it is likely that the Board would not be required to absorb such costs .

**MOTION: MR. RUFFINO MOVED TO RECOMMEND A WATCH POSITION ON AB 1386.**

**SECOND: MR. SWEET SECONDED THE MOTION.**

Discussion: None

Public Comment: There was none.

**VOTE: 2-0 (MR. RUFFINO – AYE, MR. SWEET – AYE)**

**MOTION CARRIED.**

### **11. Review, Discussion and Possible Action Regarding AB 1468 (Cunningham) Prior Authorization**

Ms. McMillen provided the Committee with a summary of AB 1468.

Mr. Puleo stated that this bill does not directly impact the Board. Mr. Puleo added that until other stakeholders have weighed in and more information is available, it's difficult to know whether this bill will benefit chiropractic patients.

Mr. Ruffino asked if the California's Chiropractic Association (CalChiro) has taken a position on this bill.

Mr. Puleo noted he is unaware of their position.

**MOTION: MR. RUFFINO MOVED TO RECOMMEND A WATCH POSITION ON AB 1468.**

**SECOND: MR. SWEET SECONDED THE MOTION.**

Discussion: None

Public Comment: Ms. Dawn Benton, the Executive Director of CalChiro stated they have been working with the California Physical Therapy Association (CPTA) on the language for this bill. She informed the Committee that CalChiro will likely support this bill.

**VOTE: 2-0 (MR. RUFFINO – AYE, MR. SWEET – AYE)  
MOTION CARRIED.**

**12. Review, Discussion and Possible Action Regarding SB 772 (Ochoa-Bogh) Professions and Vocations: Citations: Minor Violations**

Ms. McMillen provided the Committee with a summary of SB 772.

Mr. Puleo noted the Board rarely issues a citation and fine for a first-time minor violation. However, this bill would disregard the Board’s progressive approach relative to minor violations and would take away the Board’s discretion to assess appropriate citation fees associated with minor violations.

Additionally, Mr. Puleo stated this bill would not only reduce the Board’s revenue significantly, it would also result in significant workload and ongoing expenses for the Board.

Mr. Ruffino noted the Board should retain the right to assess a minor fine for minor violations. He inquired if there is a range of what typical minor violation fees amount to.

Mr. Puleo responded the Board is authorized to issue fines up to \$5,000. However, the Board does not typically assess the maximum fine unless it is an egregious violation. He clarified that minor first offenses can range anywhere between \$100 to \$500.

Mr. Ruffino stated this bill would interfere with the Board’s ability to protect consumers.

**MOTION: MR. RUFFINO MOVED TO RECOMMEND AN OPPOSE POSITION ON SB 772.**

**SECOND: MR. SWEET SECONDED THE MOTION.**

Discussion: None

Public Comment: There was none.

**VOTE: 2-0 (MR. RUFFINO – AYE, MR. SWEET – AYE)  
MOTION CARRIED.**

**13. Future Agenda Items**

**Discussion:** Mr. Ruffino asked staff to include AB 885 on the agenda for the next Committee meeting.

**Adjournment**

Mr. Ruffino adjourned the meeting at 4:30 p.m.

**Agenda Item 4  
June 28, 2021**

**Update, Discussion and Possible Action Regarding Legislation**

**Purpose of the item**

This agenda item has been included to provide the Committee with an update on the bills staff is tracking during the current two-year legislative session.

**Action(s) requested**

The Committee will be asked to review and discuss the bills provided below. If necessary, the Committee will have an opportunity to take a position on any new or previously discussed bills

**Background**

Board staff is monitoring and tracking several bills introduced during the current two-year legislative session.

**Bills staff are tracking**

**Watch**

<b>Bill</b>	<b>Author</b>	<b>Title</b>	<b>Status</b>	<b>Position</b>
<b>AB 29</b>	<b>Cooper</b>	State Bodies: Meetings	<b>Dead:</b> 5/20/21, held in Asm. APPR. committee; under submission.	Comm: Watch
<b>AB 646</b>	<b>Low</b>	Department of Consumer Affairs: Boards: Expunged Convictions	<b>Dead:</b> 5/20/21, held in Asm. APPR. committee; hearing postponed.	Comm: Watch
<b>AB 1236</b>	<b>Ting</b>	Healing Arts: Licensees: Data Collection	<b>Dead:</b> Ordered to inactive file at the request of author.	Comm: Watch
<b>AB 1386</b>	<b>Cunningham</b>	License Fees: Military Partners and Spouses	<b>Dead:</b> 5/20/21, held in Asm. APPR. committee and under submission.	Comm: Watch
<b>AB 1468</b>	<b>Cunningham</b>	Prior Authorization	<b>Dead:</b> 5/20/21, held in Asm. APPR. committee and under submission.	Comm: Watch
<b>SB 731</b>	<b>Durazo</b>	Criminal Records: Relief	In Assembly. Referred to Com. on PUB. S. Hearing Date: 6/29/2021	

**Neutral**

<b>Bill</b>	<b>Author</b>	<b>Title</b>	<b>Status</b>	<b>Position</b>
<b>AB 305</b>	<b>Maienschein</b>	Veteran Services: Notice	In Senate, re-referred to committees on G.O. and M. & V.A. 6/15/2021	
<b>SB 607</b>	<b>Roth</b>	Professions and Vocations	In Assembly. Read first time. Held at Desk.	

**Oppose**

<b>Bill</b>	<b>Author</b>	<b>Title</b>	<b>Status</b>	<b>Position</b>
<b>SB 772</b>	<b>Ochoa-Bogh</b>	Professions and Vocations: Citations: Minor Violations	<b>Dead:</b> Re-referred to B& P committee. Hearing canceled at the request of author.	Comm: Oppose

**No Position**

<b>Bill</b>	<b>Author</b>	<b>Title</b>	<b>Status</b>	<b>Position</b>
<b>AB 885</b>	<b>Quirk</b>	Bagley-Keene Open Meeting Act: Teleconferencing	<b>Dead:</b> Re-referred to Asm. G.O. committee. No further action from committee.	
<b>AB 1026</b>	<b>Smith</b>	Business Licenses: Veterans	<b>Dead:</b> 5/20/21, held in Asm. APPR. committee; under submission.	

### Summary of Bills

<b>Bill</b>	<b>Author</b>	<b>Summary</b>	<b>Amended</b>
<b>AB 29</b>	<b>Cooper</b>	This bill would require a state body's meeting notice to include all writings and materials. This bill would require the writings and materials to be posted to the state body's website 72 hours in advance of the meeting or provided to any person who requests the writings or materials in writing. This bill would prohibit a state body from discussing those writings or materials, or taking action on an item, until the state body has complied with these provisions.	12/7/2020
<b>AB 305</b>	<b>Maienschein</b>	This bill would require that specified state agencies inquire as to veteran status on application forms and request permission to transmit the applicant's information to the Department of Veterans Affairs.	6/15/2021
<b>AB 646</b>	<b>Low</b>	This bill would require boards and bureaus under the Department of Consumer Affairs (Department) that post information on their website about a revoked license, when the revocation is due to a criminal conviction, to update or remove information about the revoked license should the board receive an expungement order related to the conviction. This bill would authorize a board to charge a fee to perform these activities, not to exceed the necessary cost of administering this bill.	4/14/2021
<b>AB 885</b>	<b>Quirk</b>	This bill would amend the teleconferencing statutes of the Bagley-Keene Act to require public meetings held via teleconference to be both audibly and visually observable to the public. Additionally, this bill would clarify that only one primary physical meeting location need be disclosed and held open for public participation and affirm all members of the state body participating in the meeting remotely would still count towards a quorum.	3/24/2021
<b>AB 1026</b>	<b>Smith</b>	This bill would require boards and bureaus to reduce initial licensing fees for honorably-discharged veterans by 50 percent. Applicants would be required to submit satisfactory evidence they are an honorably-discharged veteran by providing a copy of a driver's license or identification card with the word "Veteran" printed on it.	2/18/2021
<b>AB 1236</b>	<b>Ting</b>	This bill would require healing arts boards within DCA to collect specified demographic information relating to their licensees, post the information on their website and provide the information annually to the Office of Statewide Health Planning and Development.	4/29/2021
<b>AB 1386</b>	<b>Cunningham</b>	This bill would require boards and bureaus to waive initial license fees for military partners or spouses, as specified.	4/28/2021
<b>AB 1468</b>	<b>Cunningham</b>	This bill would prohibit a health care service plan or health insurer that provides coverage for specified services, including chiropractic, from requiring prior authorization for the initial 12 treatment visits within a new episode of care.	4/29/2021
<b>SB 607</b>	<b>Roth</b>	This bill would require the Board to waive all fees associated with the application and initial license for military partners or spouses.	5/20/2021

<b>SB 731</b>	<b>Durazo</b>	This bill would implement a system to prospectively and retroactively seal conviction and arrest records.	5/20/2021
<b>SB 772</b>	<b>Ochoa-Bogh</b>	This bill would have prohibited the assessment of an administrative fine for minor violations if the licensee corrects the violation within 30 days. Minor violations are defined as those that did not pose a serious health or safety threat, were not willful, did not occur while on probation, and are not violations that the licensee has a history of committing.	2/19/2021

**Recommendation(s)**

N/A

**Next Step**

N/A

**Attachment(s)**

- AB 305 analysis / text
- AB



## **Board of Chiropractic Examiners Bill Analysis**

**Bill Number:** AB 305  
**Author:** Assembly member Brian Maienschein  
**Bill Version:** Amended June 15, 2021  
**Subject:** Veteran Services: Notice  
**Sponsor:** Author  
**Status of Bill:** Referred to Senate committees on Governmental Organization and Military & Veterans Affairs on June 15, 2021.

### **Summary:**

This bill would require that specified state agencies inquire as to veteran status on application forms and request permission to transmit the applicant's information to the Department of Veterans Affairs.

### **Existing Law:**

Requires every state agency that requests on any written form or written publication, or through its internet website, whether a person is a veteran, to request that information in a specified manner.

### **This Bill Would:**

- Require the following 13 state agencies to include questions on their intake and application forms that are intended to determine whether an applicant is a veteran of the U.S. Armed Forces:
  1. CA Community Colleges
  2. CA State University
  3. Board of Governors of the California Community Colleges
  4. Department of Aging
  5. Department of Developmental Services
  6. Department of Fish and Wildlife
  7. Department of Motor Vehicles
  8. Department of Rehabilitation
  9. Employment Development Department
  10. Department of Health Care Services
  11. Department of Social Services (CDSS)
  12. Housing Finance Agency
  13. University of California (UC)
  
- Specifically, those state agencies would be required to include the following on any intake or application form:

a) An option for a person to indicate they are affiliated with the Armed Forces of the United States by asking both of the following:

i) "Have you ever served in the United States military?"

ii) "Are you the spouse, legal partner, parent, or child of a person who is serving in or who has served in the United States military?"

b) An option for a person who identifies as being military affiliated to give their consent to be contacted regarding eligibility for state or federal veterans' benefits.

- Require each intake or application form to also include a statement of potential eligibility to receive state and federal services, with contact information for California Department of Veterans Affairs (CalVet).
- Requires each agency named above to electronically transmit certain information to CalVet, if provided, for each person who has identified they or a family member has served in the armed forces and has consented to be contacted about benefits.

### **Background:**

According to the author's office:

Approximately 1.8 million veterans reside in California- more than in any other state. However, gaps exist in identifying veterans and connecting them with services. In various surveys, veterans indicated one of the top barriers to receiving services was that "they do not feel understood by the providers who serve them." Opportunities to help veterans and their families are often lost simply because the connection is not made.

"Ensuring that our veteran population is provided with the information and resources they need to find the benefits that best suit them should be a priority in California. Closing the disconnect between service providers and service members is just one step we can take to ensure that our veterans are treated with the respect they deserve."

### **Fiscal Impact:**

This bill would not have a fiscal impact upon the BCE.

### **Support & Opposition:**

Support:

U.S. Department of Defense  
Military Services in California  
San Diego Military Advisory Council

Opposition: None on file

**Arguments:**

**Pro:**

- The Department of Defense states that this bill is “designed to assist service providers in identifying veterans and families in order to provide better care. In various surveys, veterans have indicated that one of the top barriers to receiving care was that they “do not feel understood by the providers who serve them”. This initiative encourages states to engage all helping agencies (including healthcare, social services, housing, and education) to join in the effort in supporting those who have served our country.

Service providers in various state agencies have a profound impact on these heroes and their care by connecting them to services and care through asking the simple question: 'Have you or a family member ever served in the U.S. military?' By asking this question, providers may ask additional questions that would lead to improved identification of challenges and needs. Additionally, connecting service members, veterans and their families to the appropriate state Veterans Services agencies may increase their access to federal funding and support services to provide that care rather than relying solely on limited state funding."

**Con:** None on file.

**Staff Recommended Position: NEUTRAL**

The amendments made to this bill on June 15, 2021, removed the provision regarding state agencies repealing current law to inquire as to veteran status.

Staff is supportive of the sponsor’s intent to increase awareness of services and benefits available to veterans and their families in California. However, AB 305 does not directly impact BCE’ licensees or board operations. Therefore, staff recommends a “Neutral” position.

AMENDED IN SENATE JUNE 15, 2021  
AMENDED IN ASSEMBLY MAY 24, 2021  
california legislature—2021–22 regular session

**ASSEMBLY BILL**

**No. 305**

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**Introduced by Assembly Member Maienschein**

January 25, 2021

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An act to ~~repeal and add~~ *amend* Section 11019.11 ~~of of~~, and to add *Section 11019.12* to, the Government Code, relating to veterans.

legislative counsel's digest

AB 305, as amended, Maienschein. Veteran services: notice.

Existing law requires every state agency that requests on any written form or written publication, or through its internet website, whether a person is a veteran, to request that information in a specified manner.

This bill would ~~delete that requirement, and would instead~~ require specified governmental agencies to include, at their next scheduled update, *additional* questions on their intake and application ~~forms forms~~, *except as provided*, to determine whether a person is affiliated with the Armed Forces of the United States. The bill would require those agencies, through the intake or application form, to request permission from that person to transmit their contact information to the Department of Veterans Affairs so that the person may be notified of potential eligibility to receive state and federal veterans benefits.

This bill would require the agencies to electronically transmit to the Department of Veterans Affairs specified information regarding each person who has identified that they, or their spouse, legal partner, parent, or child, served in the Armed Forces of the United States and has consented to be contacted about military, veterans, family member, or

survivor benefits. By requiring community college districts to comply with these requirements, this bill would impose a state-mandated local program.

This bill would request the Regents of the University of California to comply with the above-described provisions.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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

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

- 1     ~~SECTION 1. Section 11019.11 of the Government Code is~~
- 2     ~~repealed.~~
- 3     ~~SECTION 1. Section 11019.11 of the Government Code is~~
- 4     ~~amended to read:~~
- 5     ~~11019.11. (a) Every Except as provided in Section 11019.12,~~
- 6     ~~every state agency that requests on any written form or written~~
- 7     ~~publication, or through its Internet Web site, internet website,~~
- 8     ~~whether a person is a veteran, shall request that information only~~
- 9     ~~in the following format: “Have you ever served in the United States~~
- 10    ~~military?”~~
- 11    ~~(b) This section shall apply only to a written form or written~~
- 12    ~~publication that is newly printed on or after July 1, 2014.~~
- 13    ~~SEC. 2. Section 11019.11 is added to the Government Code,~~
- 14    ~~to read:~~
- 15    ~~11019.11.—~~
- 16    ~~SEC. 2. Section 11019.12 is added to the Government Code,~~
- 17    ~~to read:~~
- 18    ~~11019.12. (a) Each agency named in subdivision (d) shall~~
- 19    ~~include all of the following on any intake or application form at~~
- 20    ~~the next scheduled update of their intake or application forms:~~
- 21    ~~(1) An option for a person to indicate whether they are affiliated~~
- 22    ~~with the Armed Forces of the United States by asking both of the~~

1 ~~following:~~ *following in a manner that substantially conforms to*  
2 *the following format:*

3 (A) “Have you ever served in the United States military?”

4 (B) “Are you the spouse, legal partner, parent, or child of a  
5 person who is serving in or who has served in the United States  
6 military?”

7 (2) An option for a person who identifies as being military  
8 affiliated, as provided in paragraph (1), to give their consent to be  
9 contacted regarding eligibility to receive state or federal veterans  
10 benefits by including the following statement:

11 “I consent to this agency transmitting my name, email address,  
12 mailing address, and mobile telephone number to the Department  
13 of Veterans Affairs for this purpose only, and only after I have  
14 been notified that this transmittal will occur.”

15 (3) ~~Each intake or application form shall also include a~~ *A*  
16 *statement of potential eligibility to receive state and federal*  
17 *services, with contact information for the Department of Veterans*  
18 *Affairs.*

19 (b) Each agency shall electronically transmit to the Department  
20 of Veterans Affairs all of the following information if provided  
21 regarding each person who has identified that they, or their spouse,  
22 legal partner, parent, or child, served in the Armed Forces of the  
23 United States since the last data transfer and has consented to be  
24 contacted about military, veterans, family member, or survivor  
25 benefits, pursuant to subdivision (a):

26 (1) ~~True, full~~ *Full legal name.*

27 (2) Email address.

28 (3) Mailing address.

29 (4) Mobile telephone number.

30 (c) Information obtained by the Department of Veterans Affairs  
31 pursuant to this section shall be used only to assist individuals in  
32 accessing benefits and shall not be disseminated except as needed  
33 for that purpose.

34 (d) The following agencies shall abide by the requirements of  
35 this section:

36 (1) The California Community Colleges, and the Board of  
37 Governors of the California Community Colleges.

38 (2) The California Department of Aging.

39 (3) The State Department of Developmental Services.

40 (4) The California Housing Finance Agency.

- 1 (5) The California State University.
- 2 (6) The Department of Community Services and Development.
- 3 (7) The Department of Fish and Wildlife.
- 4 (8) The Department of Motor Vehicles.
- 5 (9) The Department of Rehabilitation.
- 6 (10) The Employment Development Department.
- 7 (11) The State Department of Health Care Services.
- 8 (12) The State Department of Social Services.

9 (13) The University of California, as set forth in subdivision 10  
10 (e).

11 (e) The Regents of the University of California are requested  
12 to comply with this section. This section shall apply to the  
13 University of California if the Regents adopt a resolution  
14 consenting to be subject thereto.

15 (f) *This section does not apply to intake or application forms*  
16 *that are provided to a person subsequent to any intake or*  
17 *application forms that have included the information required by*  
18 *this section.*

19 SEC. 3. If the Commission on State Mandates determines that  
20 this act contains costs mandated by the state, reimbursement to  
21 local agencies and school districts for those costs shall be made  
22 pursuant to Part 7 (commencing with Section 17500) of Division  
23 4 of Title 2 of the Government Code.

## **Board of Chiropractic Examiners Bill Analysis**

**Bill Number:** SB 607  
**Author:** Senator Richard Roth  
**Bill Version:** Amended May 20, 2021  
**Subject:** Professions and Vocations  
**Sponsor:** Author  
**Status of Bill:** In Assembly, pending referral to policy committee.

### **Summary:**

This bill would, among other proposals, require a Board to waive all fees associated with the application and initial license for military partners or spouses.

### **Existing Law:**

- Provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs.
- Authorizes a board to charge fees for the reasonable regulatory cost of administering the regulatory program for the profession or vocation.
- Requires a board within the department to expedite the licensure process for an applicant who holds a current license in another jurisdiction in the same profession or vocation and who supplies satisfactory evidence of being married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in California under official active duty military orders.

### **This Bill Would:**

- Require a board to waive all fees associated with the application and initial license for an applicant who meets these expedited licensing requirements.

### **Background:**

Due to the potential hardships of licensing on military applicants, veterans, and their families, the Legislature has passed, and the DCA boards have implemented, several policies to ease the burdens on military applicants, spouses, and licensees. For instance, Business and Professions Code(BPC) Section 114 exempts licensees from penalties for reinstating a retired license if called to active duty. BPC Section 114.3 requires boards under the DCA to waive renewal fees, continuing education requirements, and other requirements for military licensees as long as specified requirements are met. In addition, BPC Section 115.4 requires boards under the DCA to expedite the initial licensure process for applicants who are honorably discharged veterans. Although the license application may be expedited, hardships associated with a transition to



California remain and as such, this bill waives initial licensing fees for military spouses who are currently subject to the expedited application processing.

**Fiscal Impact:**

The Board receives approximately 5 applications from military partners and spouses each year. Currently, an applicant is required to pay \$371 to cover costs of processing the application. Once the applicant is eligible for a license, they are required to pay \$ 186 for the initial license fee to cover costs of issuing the license.

This bill would require the Board to waive initial license fees for those individuals, thereby resulting in a revenue loss of \$2,785 annually.

**Support & Opposition:**

Support:

- California Board of Accountancy
- Dental Board of California
- Foundation for Allied Dental Education
- SureTec Insurance
- Tokio Marine HCC

Opposition: None on file

**Arguments:**

Pro:

- The author states this bill seeks to ease some of the burden placed on military families following a service-related relocation.
- The California Board of Accountancy (CBA) states SB 607 is consistent with CBA's continued practice of assisting members of the military and their families.

Con:

- This bill would result in a minor reduction in the Board's revenue.

**Staff Recommended Position: NEUTRAL**

While this bill will result in a slight reduction in the Board's revenue, it will assist military personnel and their families who are relocated to California.

AMENDED IN SENATE MAY 20, 2021  
AMENDED IN SENATE MAY 12, 2021  
AMENDED IN SENATE APRIL 13, 2021

**SENATE BILL**

**No. 607**

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**Introduced by Senator Roth**

February 18, 2021

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An act to amend Sections 115.5, 1724, 1753, 1753.55, 1753.6, 7137, 7583.22, 7583.23, 7583.24, 7583.27, 7583.29, and 7583.47 of, to amend, repeal, and add Sections 7071.6, 7071.8, and 7071.9 of, to add Sections ~~101.8, 1636.5,~~ 1636.5 and 5650.5 to, and to repeal Section 1753.4 of, the Business and Professions Code, and to amend Section 17973 of the Health and Safety Code, relating to professions and vocations, and making an appropriation therefor.

legislative counsel's digest

SB 607, as amended, Roth. Professions and vocations.

(1) Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs. Existing law generally authorizes a board to charge fees for the reasonable regulatory cost of administering the regulatory program for the profession or vocation. Existing law establishes the Professions and Vocations Fund in the State Treasury, which consists of specified special funds and accounts, some of which are continuously appropriated.

Existing law provides for the issuance of temporary licenses in certain fields where the applicant, among other requirements, has a license to practice within that field in another jurisdiction, as specified. Existing law requires a board within the department to expedite the licensure process for an applicant who holds a current license in another

jurisdiction in the same profession or vocation and who supplies satisfactory evidence of being married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in California under official active duty military orders.

This bill would require a board to waive all fees associated with the application and initial license for an applicant who meets these expedited licensing requirements.

(2) Existing law, the Dental Practice Act, provides for the licensure and regulation of dentists and dental auxiliaries, including registered dental assistants in extended functions, by the Dental Board of California within the Department of Consumer Affairs. Existing law requires a person who applies to the board for a license as a registered dental assistant in extended functions on and after January 1, 2010, to successfully complete a clinical or practical examination administered by the board. Existing law authorizes a registered dental assistant in extended functions who was licensed before January 1, 2010, to perform certain additional duties only if they pass the clinical or practical examination.

This bill would delete the clinical or practical examination requirement for registered dental assistants in extended functions and make related technical amendments.

The Dental Practice Act authorizes a dentist to administer or order the administration of minimal sedation on pediatric patients under 13 years of age if the dentist possesses specified licensing credentials, including holding a pediatric minimal sedation permit, and follows certain procedures. Existing law requires a dentist who desires to administer or order the administration of minimal sedation to apply to the board, as specified, and to submit an application fee.

This bill would specify that the application fee for a pediatric minimal sedation permit cannot exceed \$1,000, and the renewal fee cannot exceed \$600.

The Dental Practice Act requires the board to approve foreign dental schools based on specified standards. The act requires a foreign dental school seeking approval to submit an application to the board, including, among other things, a finding that the educational program of the foreign dental school is equivalent to that of similar accredited institutions in the United States and adequately prepares its students for the practice of dentistry. The act requires an approved institution to submit a renewal application every 7 years and to pay a specified renewal fee. The act

prohibits the board from accepting new applications for approval of foreign dental schools by January 1, 2020, and requires foreign dental schools seeking approval after this date to complete the international consultative and accreditation process with the Commission on Dental Accreditation of the American Dental Association (CODA) or a comparable accrediting body approved by the board. The act also requires previously approved foreign dental schools to complete the CODA or comparable accreditation by January 1, 2024, to remain approved.

This bill would provide, notwithstanding this latter approval requirement, that a foreign dental school that was approved prior to January 1, 2020, through a date between January 1, 2024, and December 31, 2026, maintains that approval through that date. The bill would further provide that, upon the expiration of that board approval, the foreign dental school is required to comply with the CODA or comparable accreditation process.

(3) Existing law provides for the licensure and regulation of landscape architects by the California Architects Board and the Landscape Architects Technical Committee of the California Architects Board within the Department of Consumer Affairs.

This bill would authorize the board to obtain and review criminal offender record information and would require an applicant, as a condition of licensure, to furnish to the Department of Justice a full set of fingerprints for the purpose of conducting a criminal history record check and criminal offender record information search. The bill would require the Department of Justice to transmit fingerprint images and related information to the Federal Bureau of Investigation for the purposes of the background check, and would require the Department of Justice to provide a state or federal response to the board. The bill would require the applicant to pay the reasonable regulatory costs for furnishing the fingerprints and conducting the searches, and would require the applicant to certify, under penalty of perjury, whether the applicant's fingerprints have been furnished to the Department of Justice. By expanding the crime of perjury, the bill would impose a state-mandated local program.

(4) Existing law, the ~~Contractors~~<sup>Contractors</sup> State License Law, provides for the licensure and regulation of contractors by the ~~Contractors~~<sup>Contractors</sup> State License Board within the Department of Consumer Affairs. Existing law authorizes the issuance of contractors' licenses to individual owners, partnerships, corporations, and limited

liability companies, and authorizes those persons and entities to qualify for a license if specified conditions are met. Existing law requires an applicant or licensee to file or have on file with the board a contractor's bond in the sum of \$15,000, as provided. Existing law requires an applicant or licensee who is not a proprietor, a general partner, or a joint licensee to additionally file or have on file with the board a qualifying individual's bond in the sum of \$12,500, unless an exception is met. Existing law additionally authorizes the board to set fees by regulation, including various application, examination scheduling, and license and registration fees, according to a prescribed schedule. Existing law requires the fees received under this law to be deposited in the Contractors License Fund, a fund that is partially continuously appropriated for the purposes of the law.

This bill, beginning January 1, 2023, would instead require an applicant or licensee to file or have on file with the board a contractor's bond in the sum of \$25,000, and would, if applicable, require a qualifying individual's bond in the sum of \$25,000.

This bill would revise and recast the board's authority to set fees by regulation and would increase various fee amounts. In connection with initial license fees and renewal fees for active and inactive licenses, the bill would differentiate between an individual owner as opposed to a partnership, corporation, limited liability company, or joint venture, and would authorize higher fees for the latter categories of licensees. The bill would additionally authorize the board to set fees for the processing and issuance of a duplicate copy of any certificate of licensure, to change the business name of a license, and for a dishonored check, as specified.

Because the increased and new fees would be deposited into the Contractors License Fund, a continuously appropriated fund, the bill would make an appropriation.

(5) Existing law provides authority for an enforcement agency to enter and inspect any buildings or premises whenever necessary to secure compliance with or prevent a violation of the building standards published in the California Building Standards Code and other rules and regulations that the enforcement agency has the power to enforce. Existing law requires an inspection of exterior elevated elements and associated waterproofing elements, as defined, including decks and balconies, for buildings with 3 or more multifamily dwelling units by a licensed architect, licensed civil or structural engineer, a building contractor holding specified licenses, or an individual certified as a

building inspector or building official, as specified. Existing law prohibits a contractor performing the inspection from bidding on the repair work.

This bill would eliminate the prohibition against a contractor performing the inspection from bidding on the repair work. By altering the enforcement duties for local enforcement entities, the bill would impose a state-mandated local program.

(6) Existing law, the Private Security Services Act, establishes the Bureau of Security and Investigative Services within the Department of Consumer Affairs to license and regulate persons employed by any lawful business as security guards or patrolpersons. Existing law prohibits a person required to be registered as a security guard from engaging in specified conduct, including, but not limited to, carrying or using a firearm unless they possess a valid and current firearms permit.

Existing law requires the applicant for a firearms permit to complete specified requirements, including an assessment that evaluates whether the applicant possesses appropriate judgment, restraint, and self-control for the purposes of carrying and using a firearm during the course of the applicant's security guard duties. Existing law requires the results of the assessment be provided to the bureau within 30 days.

*Existing law requires the bureau to automatically revoke a firearm permit upon notification from the Department of Justice that the holder of the firearm permit is prohibited from possessing, receiving, or purchasing a firearm under state or federal law. Existing law additionally requires the bureau to seek an emergency order against the holder of the firearms permit if a specified event occurs, including that the permitholder was arrested for assault or battery, or the permitholder has been determined incapable of exercising appropriate judgment, restraint, and self-control, among other events, and the bureau determines that the holder of the firearm permit presents an undue hazard to public safety that may result in substantial injury to another.*

This bill would specify that a security guard is required to complete the assessment to be issued a firearms permit prior to carrying a firearm. ~~This~~ The bill would prohibit an applicant who fails the assessment from completing another assessment within 90 days after the results are provided to the bureau.

*This bill would instead authorize the bureau to revoke a firearm permit upon notification from the Department of Justice that the holder*

*of the firearm permit is prohibited from possessing, receiving, or purchasing a firearm under state or federal law, and would instead authorize the bureau to seek an emergency order against a permitholder if a specified event occurs. The bill would remove from the list of specified events the determination that a permitholder is incapable of exercising appropriate judgment, restraint, and self-control.*

~~(7) The Bagley Keene Open Meeting Act (Bagley Keene Act), requires, with specified exceptions, that all meetings of a state body, as defined, be open and public, and all persons be permitted to attend any meeting of a state body, except as provided. The Bagley Keene Act, among other things, requires a state body that elects to conduct a meeting or proceeding by teleconference to make the portion of the meeting that is required to be open to the public audible to the public at the location specified in the notice of the meeting. The Bagley Keene Act requires a state body that elects to conduct a meeting or proceeding by teleconference to post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and requires each teleconference location to be accessible to the public. Existing law requires that when a member of a multimember state advisory body participates remotely the body provide a means by which the public may remotely hear audio of the meeting or remotely observe the meeting. Existing law requires a multimember state advisory body to end or adjourn a meeting if it discovers that a required means of remote access has failed during the meeting, and, if the meeting is to adjourn and reconvene on the same day, that law requires the body to communicate, among other things, how a member of the public may hear audio of the meeting or observe the meeting.~~

~~This bill would additionally authorize a state body that is organized within the Department of Consumer Affairs, to hold an open or closed meeting by teleconference if specified requirements are met. The bill would specify that the meeting notice and agenda is not required to disclose a member's remote location, would not require the state body to post the agenda at a remote location, and would not require the state body to designate a physical meeting location where members of the public may physically attend the meeting and participate. The bill would require the state body to provide a means by which the public may remotely hear audio of the meeting and remotely observe the meeting, and would prescribe notice requirements if a meeting is adjourned and reconvened.~~

(8)

(7) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: yes.

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

1     ~~SECTION 1. Section 101.8 is added to the Business and~~  
2     ~~Professions Code, to read:~~  
3     ~~101.8. (a) In addition to the authorization to hold a meeting~~  
4     ~~by teleconference pursuant to Sections 11123 and 11123.5 of the~~  
5     ~~Government Code, a state body that is organized within the~~  
6     ~~Department of Consumer Affairs, including those identified in~~  
7     ~~Section 101, may hold an open or closed meeting by teleconference~~  
8     ~~pursuant to the requirements in this section and that complies with~~  
9     ~~all other applicable requirements of Article 9 (commencing with~~  
10    ~~Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of~~  
11    ~~the Government Code, except as set forth in this section.~~  
12    ~~(b) Any of the members of a state body may participate in a~~  
13    ~~teleconference meeting from one or more remote locations. If~~  
14    ~~minutes of the meeting are taken, the minutes shall include which~~  
15    ~~member or members of the state body participated from a remote~~  
16    ~~location.~~  
17    ~~(c) The meeting notice and agenda shall not be required to~~  
18    ~~disclose any information regarding a member's remote location,~~  
19    ~~and remote locations are not required to be accessible to the public.~~  
20    ~~The state body shall not be required to post the agenda at a remote~~  
21    ~~location.~~  
22    ~~(d) The state body shall not be required to designate a physical~~  
23    ~~meeting location where members of the public may physically~~  
24    ~~attend the meeting and participate, but if the state body designates~~  
25    ~~a physical meeting location, the notice of the meeting shall include~~  
26    ~~the physical meeting location. A member of the state body shall~~



1 ~~not be required to participate at the designated physical meeting~~  
2 ~~location. The state body shall post the agenda at the physical~~  
3 ~~meeting location.~~

4 ~~(e) This section shall not affect the time within which the state~~  
5 ~~body must provide notice of a meeting in accordance with Section~~  
6 ~~11125, 11125.4, or 11125.5 of the Government Code.~~

7 ~~(f) All actions taken during a meeting by teleconference shall~~  
8 ~~be by rolleall vote.~~

9 ~~(g) The state body shall provide a means by which the public~~  
10 ~~may remotely hear audio of the meeting and remotely observe the~~  
11 ~~meeting, if applicable, and remotely participate in the meeting.~~  
12 ~~The applicable teleconference phone number or internet website,~~  
13 ~~or other information indicating how the public can access the~~  
14 ~~meeting remotely, shall be included in the meeting notice.~~

15 ~~(h) Upon discovering that a means of remote access required~~  
16 ~~by subdivision (g) has failed during a meeting, the state body shall~~  
17 ~~end or adjourn the meeting in accordance with Section 11128.5 of~~  
18 ~~the Government Code. In addition to any other requirements that~~  
19 ~~may apply, the state body shall provide notice of the meeting's~~  
20 ~~end or adjournment on its internet website and by email to any~~  
21 ~~person who has requested notice of meetings of the state body. If~~  
22 ~~the meeting will be adjourned and reconvened on the same day,~~  
23 ~~further notice shall be provided by an automated message on a~~  
24 ~~telephone line included on the state body's agenda, or by a similar~~  
25 ~~means, that will communicate when the state body intends to~~  
26 ~~reconvene the meeting and how a member of the public may hear~~  
27 ~~audio of the meeting or observe the meeting, as applicable.~~

28 ~~(i) For purposes of this section, the following definitions shall~~  
29 ~~apply:~~

30 ~~(1) "State body" has the same meaning as in Sections 11121~~  
31 ~~and 11121.1 of the Government Code.~~

32 ~~(2) "Meeting" has the same meaning as in Section 11122.5 of~~  
33 ~~the Government Code.~~

34 ~~(3) "Remote location" means a location where a member of a~~  
35 ~~state body participates in a teleconference meeting subject to this~~  
36 ~~section, other than a physical meeting location described in~~  
37 ~~subdivision (d).~~

38 ~~(4) "Teleconference" has the meaning prescribed in paragraph~~  
39 ~~(2) of subdivision (b) of Section 11123 of the Government Code,~~  
40 ~~and includes meetings conducted via online and internet platforms.~~

1 ~~(j) This section does not limit or affect the ability of a state body~~  
2 ~~to hold a teleconference meeting under another provision of Article~~  
3 ~~9 (commencing with Section 11120) of Chapter 1 of Part 1 of~~  
4 ~~Division 3 of Title 2 of the Government Code.~~

5 ~~(k) State bodies that meet at least two times each calendar year~~  
6 ~~pursuant to this section shall be deemed to have met the~~  
7 ~~requirements of subdivision (a) of Section 101.7.~~

8 ~~SEC. 2.~~

9 *SECTION 1.* Section 115.5 of the Business and Professions  
10 Code is amended to read:

11 115.5. (a) A board within the department shall expedite the  
12 licensure process and waive all fees charged by the board  
13 associated with the application and initial license for an applicant  
14 who meets both of the following requirements:

15 (1) Supplies evidence satisfactory to the board that the applicant  
16 is married to, or in a domestic partnership or other legal union  
17 with, an active duty member of the Armed Forces of the United  
18 States who is assigned to a duty station in this state under official  
19 active duty military orders.

20 (2) Holds a current license in another state, district, or territory  
21 of the United States in the profession or vocation for which the  
22 applicant seeks a license from the board.

23 (b) A board may adopt regulations necessary to administer this  
24 section.

25 ~~SEC. 3.~~

26 *SEC. 2.* Section 1636.5 is added to the Business and Professions  
27 Code, to read:

28 1636.5. Notwithstanding Section 1636.4, any foreign dental  
29 school whose program was approved prior to January 1, 2020,  
30 through any date between January 1, 2024, and December 31,  
31 2026, shall maintain approval through that date. Upon expiration  
32 of the approval, the foreign dental school shall be required to  
33 comply with the provisions of Section 1636.4.

34 ~~SEC. 4.~~

35 *SEC. 3.* Section 1724 of the Business and Professions Code,  
36 as added by Section 13 of Chapter 929 of the Statutes of 2018, is  
37 amended to read:

38 1724. The amount of charges and fees for dentists licensed  
39 pursuant to this chapter shall be established by the board as is  
40 necessary for the purpose of carrying out the responsibilities

1 required by this chapter as it relates to dentists, subject to the  
2 following limitations:

3 (a) The fee for an application for licensure qualifying pursuant  
4 to paragraph (1) of subdivision (c) of Section 1632 shall not exceed  
5 one thousand five hundred dollars (\$1,500). The fee for an  
6 application for licensure qualifying pursuant to paragraph (2) of  
7 subdivision (c) of Section 1632 shall not exceed one thousand  
8 dollars (\$1,000).

9 (b) The fee for an application for licensure qualifying pursuant  
10 to Section 1634.1 shall not exceed one thousand dollars (\$1,000).

11 (c) The fee for an application for licensure qualifying pursuant  
12 to Section 1635.5 shall not exceed one thousand dollars (\$1,000).

13 (d) The fee for an initial license and for the renewal of a license  
14 is five hundred twenty-five dollars (\$525). On and after January  
15 1, 2016, the fee for an initial license shall not exceed six hundred  
16 fifty dollars (\$650), and the fee for the renewal of a license shall  
17 not exceed six hundred fifty dollars (\$650). On and after January  
18 1, 2018, the fee for an initial license shall not exceed eight hundred  
19 dollars (\$800), and the fee for the renewal of a license shall not  
20 exceed eight hundred dollars (\$800).

21 (e) The fee for an application for a special permit shall not  
22 exceed one thousand dollars (\$1,000), and the renewal fee for a  
23 special permit shall not exceed six hundred dollars (\$600).

24 (f) The delinquency fee shall be 50 percent of the renewal fee  
25 for such a license or permit in effect on the date of the renewal of  
26 the license or permit.

27 (g) The penalty for late registration of change of place of  
28 practice shall not exceed seventy-five dollars (\$75).

29 (h) The fee for an application for an additional office permit  
30 shall not exceed seven hundred fifty dollars (\$750), and the fee  
31 for the renewal of an additional office permit shall not exceed three  
32 hundred seventy-five dollars (\$375).

33 (i) The fee for issuance of a replacement pocket license,  
34 replacement wall certificate, or replacement engraved certificate  
35 shall not exceed one hundred twenty-five dollars (\$125).

36 (j) The fee for a provider of continuing education shall not  
37 exceed five hundred dollars (\$500) per year.

38 (k) The fee for application for a referral service permit and for  
39 renewal of that permit shall not exceed twenty-five dollars (\$25).

1 (l) The fee for application for an extramural facility permit and  
2 for the renewal of a permit shall not exceed twenty-five dollars  
3 (\$25).

4 (m) The fee for an application for an elective facial cosmetic  
5 surgery permit shall not exceed four thousand dollars (\$4,000),  
6 and the fee for the renewal of an elective facial cosmetic surgery  
7 permit shall not exceed eight hundred dollars (\$800).

8 (n) The fee for an application for an oral and maxillofacial  
9 surgery permit shall not exceed one thousand dollars (\$1,000), and  
10 the fee for the renewal of an oral and maxillofacial surgery permit  
11 shall not exceed one thousand two hundred dollars (\$1,200).

12 (o) The fee for an application for a general anesthesia permit  
13 shall not exceed one thousand dollars (\$1,000), and the fee for the  
14 renewal of a general anesthesia permit shall not exceed six hundred  
15 dollars (\$600).

16 (p) The fee for an onsite inspection and evaluation related to a  
17 general anesthesia or moderate sedation permit shall not exceed  
18 four thousand five hundred dollars (\$4,500).

19 (q) The fee for an application for a moderate sedation permit  
20 shall not exceed one thousand dollars (\$1,000), and the fee for the  
21 renewal of a conscious sedation permit shall not exceed six hundred  
22 dollars (\$600).

23 (r) The fee for an application for an oral conscious sedation  
24 permit shall not exceed one thousand dollars (\$1,000), and the fee  
25 for the renewal of an oral conscious sedation permit shall not  
26 exceed six hundred dollars (\$600).

27 (s) The fee for an application for a pediatric minimal sedation  
28 permit shall not exceed one thousand dollars (\$1,000), and the fee  
29 for the renewal of a pediatric minimal sedation permit shall not  
30 exceed six hundred dollars (\$600).

31 (t) The fee for a certification of licensure shall not exceed one  
32 hundred twenty-five dollars (\$125).

33 (u) The fee for an application for the law and ethics examination  
34 shall not exceed two hundred fifty dollars (\$250).

35 (v) This section shall become operative on January 1, 2022.

36 ~~SEC. 5.~~

37 *SEC. 4.* Section 1753 of the Business and Professions Code is  
38 amended to read:

39 1753. (a) On and after January 1, 2010, the board may license  
40 as a registered dental assistant in extended functions a person who

1 submits written evidence, satisfactory to the board, of all of the  
2 following eligibility requirements:

3 (1) Current licensure as a registered dental assistant or  
4 completion of the requirements for licensure as a registered dental  
5 assistant.

6 (2) Successful completion of a board-approved course in the  
7 application of pit and fissure sealants.

8 (3) Successful completion of either of the following:

9 (A) An extended functions postsecondary program approved  
10 by the board in all of the procedures specified in Section 1753.5.

11 (B) An extended functions postsecondary program approved  
12 by the board to teach the duties that registered dental assistants in  
13 extended functions were allowed to perform pursuant to board  
14 regulations prior to January 1, 2010, and a course approved by the  
15 board in the procedures specified in paragraphs (1), (2), (5), and  
16 (7) to (11), inclusive, of subdivision (b) of Section 1753.5.

17 (4) Passage of a written examination administered by the board.  
18 The board shall designate whether the written examination shall  
19 be administered by the board or by the board-approved extended  
20 functions program.

21 (b) A registered dental assistant in extended functions may apply  
22 for an orthodontic assistant permit or a dental sedation assistant  
23 permit, or both, by providing written evidence of the following:

24 (1) Successful completion of a board-approved orthodontic  
25 assistant or dental sedation assistant course, as applicable.

26 (2) Passage of a written examination administered by the board  
27 that shall encompass the knowledge, skills, and abilities necessary  
28 to competently perform the duties of the particular permit.

29 (c) A registered dental assistant in extended functions with  
30 permits in either orthodontic assisting or dental sedation assisting  
31 shall be referred to as an “RDAEF with orthodontic assistant  
32 permit,” or “RDAEF with dental sedation assistant permit,” as  
33 applicable. These terms shall be used for reference purposes only  
34 and do not create additional categories of licensure.

35 (d) Completion of the continuing education requirements  
36 established by the board pursuant to Section 1645 by a registered  
37 dental assistant in extended functions who also holds a permit as  
38 an orthodontic assistant or dental sedation assistant shall fulfill the  
39 continuing education requirement for such permit or permits.

1 ~~SEC. 6.~~

2 *SEC. 5.* Section 1753.4 of the Business and Professions Code  
3 is repealed.

4 ~~SEC. 7.~~

5 *SEC. 6.* Section 1753.55 of the Business and Professions Code  
6 is amended to read:

7 1753.55. (a) A registered dental assistant in extended functions  
8 is authorized to perform the additional duties as set forth in  
9 subdivision (b) pursuant to the order, control, and full professional  
10 responsibility of a supervising dentist, if the licensee meets one of  
11 the following requirements:

12 (1) Is licensed on or after January 1, 2010.

13 (2) Is licensed prior to January 1, 2010, and has successfully  
14 completed a board-approved course in the additional procedures  
15 specified in paragraphs (1), (2), (5), and (7) to (11), inclusive, of  
16 subdivision (b) of Section 1753.5.

17 (b) (1) Determine which radiographs to perform on a patient  
18 who has not received an initial examination by the supervising  
19 dentist for the specific purpose of the dentist making a diagnosis  
20 and treatment plan for the patient. In these circumstances, the  
21 dental assistant in extended functions shall follow protocols  
22 established by the supervising dentist. This paragraph only applies  
23 in the following settings:

24 (A) In a dental office setting.

25 (B) In public health settings, using telehealth, as defined by  
26 Section 2290.5, for the purpose of communication with the  
27 supervising dentist, including, but not limited to, schools, head  
28 start and preschool programs, and community clinics, under the  
29 general supervision of a dentist.

30 (2) Place protective restorations, which for this purpose are  
31 identified as interim therapeutic restorations, and defined as a  
32 direct provisional restoration placed to stabilize the tooth until a  
33 licensed dentist diagnoses the need for further definitive treatment.  
34 An interim therapeutic restoration consists of the removal of soft  
35 material from the tooth using only hand instrumentation, without  
36 the use of rotary instrumentation, and subsequent placement of an  
37 adhesive restorative material. Local anesthesia shall not be  
38 necessary for interim therapeutic restoration placement. Interim  
39 therapeutic restorations shall be placed only in accordance with  
40 both of the following:

1 (A) In either of the following settings:

2 (i) In a dental office setting, under the direct or general  
3 supervision of a dentist as determined by the dentist.

4 (ii) In public health settings, using telehealth, as defined by  
5 Section 2290.5, for the purpose of communication with the  
6 supervising dentist, including, but not limited to, schools, head  
7 start and preschool programs, and community clinics, under the  
8 general supervision of a dentist.

9 (B) After the diagnosis, treatment plan, and instruction to  
10 perform the procedure provided by a dentist.

11 (c) The functions described in subdivision (b) may be performed  
12 by a registered dental assistant in extended functions only after  
13 completion of a program that includes training in performing those  
14 functions, or after providing evidence, satisfactory to the board,  
15 of having completed a board-approved course in those functions.

16 (d) No later than January 1, 2018, the board shall adopt  
17 regulations to establish requirements for courses of instruction for  
18 the procedures authorized to be performed by a registered dental  
19 assistant in extended functions pursuant to this section using the  
20 competency-based training protocols established by the Health  
21 Workforce Pilot Project (HWPP) No. 172 through the Office of  
22 *Statewide* Health Planning and Development. The board shall  
23 submit to the committee proposed regulatory language for the  
24 curriculum for the Interim Therapeutic Restoration to the  
25 committee for the purpose of promulgating regulations for  
26 registered dental hygienists and registered dental hygienists in  
27 alternative practice as described in Section 1910.5. The language  
28 submitted by the board shall mirror the instructional curriculum  
29 for the registered dental assistant in extended functions. Any  
30 subsequent amendments to the regulations that are promulgated  
31 by the board for the Interim Therapeutic Restoration curriculum  
32 shall be submitted to the committee.

33 (e) The board may issue a permit to a registered dental assistant  
34 in extended functions who files a completed application, including  
35 the fee, to provide the duties specified in this section after the board  
36 has determined the registered dental assistant in extended functions  
37 has completed the coursework required in subdivision (c).

38 (f) This section shall become operative on January 1, 2018.

1 ~~SEC. 8.~~

2 *SEC. 7.* Section 1753.6 of the Business and Professions Code  
3 is amended to read:

4 1753.6. (a) Each person who holds a license as a registered  
5 dental assistant in extended functions on the operative date of this  
6 section may only perform those procedures that a registered dental  
7 assistant is allowed to perform as specified in and limited by  
8 Section 1752.4, and the procedures specified in paragraphs (1) to  
9 (6), inclusive, until the person provides evidence of having  
10 completed a board-approved course in the additional procedures  
11 specified in paragraphs (1), (2), (5), and (7) to (11), inclusive, of  
12 subdivision (b) of Section 1753.5:

- 13 (1) Cord retraction of gingiva for impression procedures.
- 14 (2) Take final impressions for permanent indirect restorations.
- 15 (3) Formulate indirect patterns for endodontic post and core  
16 castings.
- 17 (4) Fit trial endodontic filling points.
- 18 (5) Apply pit and fissure sealants.
- 19 (6) Remove excess cement from subgingival tooth surfaces with  
20 a hand instrument.

21 (b) This section shall become operative on January 1, 2010.

22 ~~SEC. 9.~~

23 *SEC. 8.* Section 5650.5 is added to the Business and Professions  
24 Code, to read:

25 5650.5. (a) Pursuant to Section 144, the board has the authority  
26 to obtain and review criminal offender record information. The  
27 information obtained as a result of the fingerprinting shall be used  
28 in accordance with Section 11105 of the Penal Code to determine  
29 whether the applicant is subject to denial, suspension, or revocation  
30 of a license pursuant to Division 1.5 (commencing with Section  
31 475) or Section 5660, 5675, or 5676.

32 (b) As a condition of application for a license, each applicant  
33 shall furnish to the Department of Justice a full set of fingerprints  
34 for the purpose of conducting a criminal history record check and  
35 to undergo a state- and federal- level criminal offender record  
36 information search conducted through the Department of Justice,  
37 as follows:

- 38 (1) The board shall electronically submit to the Department of  
39 Justice fingerprint images and related information required by the  
40 Department of Justice of all landscape architect license applicants



1 for the purpose of obtaining information as to the existence and  
2 content of a record of state or federal arrests and state or federal  
3 convictions and also information as to the existence and content  
4 of a record of state or federal arrests for which the Department of  
5 Justice establishes that the person is free on bail or on their  
6 recognizance pending trial or appeal.

7 (2) When received, the Department of Justice shall transmit  
8 fingerprint images and related information received pursuant to  
9 this section, to the Federal Bureau of Investigation for the purpose  
10 of obtaining a federal criminal history records check. The  
11 Department of Justice shall review the information returned from  
12 the Federal Bureau of Investigation and compile and disseminate  
13 a response to the board.

14 (3) The Department of Justice shall provide a state or federal  
15 response to the board pursuant to subdivision (p) of Section 11105  
16 of the Penal Code.

17 (4) The board shall request from the Department of Justice  
18 subsequent notification service, as provided pursuant to Section  
19 11105.2 of the Penal Code, for persons described in paragraph (1).

20 (5) The Department of Justice shall charge the applicant a fee  
21 sufficient to cover the cost of processing the request described in  
22 this subdivision.

23 (c) The applicant shall certify, under penalty of perjury, when  
24 applying for a license whether the applicant's fingerprints have  
25 been furnished to the Department of Justice in compliance with  
26 this section.

27 (d) Failure to comply with the requirements of this section  
28 renders the application for a license incomplete, and the application  
29 shall not be considered until the applicant demonstrates compliance  
30 with all requirements of this section.

31 (e) Notwithstanding any other law, the results of any criminal  
32 offender record information request by either state or federal law  
33 enforcement authorities shall not be released by the board except  
34 in accordance with state and federal requirements.

35 (f) As used in this section, the term "applicant" shall be limited  
36 to an initial applicant who has never been registered or licensed  
37 by the board or to an applicant for a new licensure or registration  
38 category.

1 (g) As a condition of petitioning the board for reinstatement of  
2 a revoked or surrendered license, an applicant shall comply with  
3 subdivision (a).

4 ~~SEC. 10.~~

5 *SEC. 9.* Section 7071.6 of the Business and Professions Code  
6 is amended to read:

7 7071.6. (a) The board shall require as a condition precedent  
8 to the issuance, reinstatement, reactivation, renewal, or continued  
9 maintenance of a license, that the applicant or licensee file or have  
10 on file a contractor's bond in the sum of fifteen thousand dollars  
11 (\$15,000).

12 (b) Excluding the claims brought by the beneficiaries specified  
13 in subdivision (a) of Section 7071.5, the aggregate liability of a  
14 surety on claims brought against a bond required by this section  
15 shall not exceed the sum of seven thousand five hundred dollars  
16 (\$7,500). The bond proceeds in excess of seven thousand five  
17 hundred dollars (\$7,500) shall be reserved exclusively for the  
18 claims of the beneficiaries specified in subdivision (a) of Section  
19 7071.5. However, nothing in this section shall be construed so as  
20 to prevent any beneficiary specified in subdivision (a) of Section  
21 7071.5 from claiming or recovering the full measure of the bond  
22 required by this section.

23 (c) A bond shall not be required of a holder of a license that has  
24 been inactivated on the official records of the board during the  
25 period the license is inactive.

26 (d) Notwithstanding any other law, as a condition precedent to  
27 licensure, the board may require an applicant to post a contractor's  
28 bond in twice the amount required pursuant to subdivision (a) until  
29 the time that the license is renewed, under the following conditions:

30 (1) The applicant has either been convicted of a violation of  
31 Section 7028 or has been cited pursuant to Section 7028.7.

32 (2) If the applicant has been cited pursuant to Section 7028.7,  
33 the citation has been reduced to a final order of the registrar.

34 (3) The violation of Section 7028, or the basis for the citation  
35 issued pursuant to Section 7028.7, constituted a substantial injury  
36 to the public.

37 (e) (1) The board shall conduct a study to obtain information  
38 to evaluate whether the current fifteen-thousand-dollar (\$15,000)  
39 amount of the contractor bond is sufficient, or whether an increase  
40 may be necessary.

1 (2) The board shall report its findings and recommendations to  
2 the appropriate policy committees of the Legislature, in accordance  
3 with Section 9795 of the Government Code, by January 1, 2021.

4 (f) This section shall remain in effect only until January 1, 2023,  
5 and as of that date is repealed.

6 ~~SEC. 11.~~

7 *SEC. 10.* Section 7071.6 is added to the Business and  
8 Professions Code, to read:

9 7071.6. (a) The board shall require as a condition precedent  
10 to the issuance, reinstatement, reactivation, renewal, or continued  
11 maintenance of a license, that the applicant or licensee file or have  
12 on file a contractor's bond in the sum of twenty-five thousand  
13 dollars (\$25,000).

14 (b) Excluding the claims brought by the beneficiaries specified  
15 in subdivision (a) of Section 7071.5, the aggregate liability of a  
16 surety on claims brought against a bond required by this section  
17 shall not exceed the sum of seven thousand five hundred dollars  
18 (\$7,500). The bond proceeds in excess of seven thousand five  
19 hundred dollars (\$7,500) shall be reserved exclusively for the  
20 claims of the beneficiaries specified in subdivision (a) of Section  
21 7071.5. However, nothing in this section shall be construed so as  
22 to prevent any beneficiary specified in subdivision (a) of Section  
23 7071.5 from claiming or recovering the full measure of the bond  
24 required by this section.

25 (c) A bond shall not be required of a holder of a license that has  
26 been inactivated on the official records of the board during the  
27 period the license is inactive.

28 (d) Notwithstanding any other law, as a condition precedent to  
29 licensure, the board may require an applicant to post a contractor's  
30 bond in twice the amount required pursuant to subdivision (a) until  
31 the time that the license is renewed, under the following conditions:

32 (1) The applicant has either been convicted of a violation of  
33 Section 7028 or has been cited pursuant to Section 7028.7.

34 (2) If the applicant has been cited pursuant to Section 7028.7,  
35 the citation has been reduced to a final order of the registrar.

36 (3) The violation of Section 7028, or the basis for the citation  
37 issued pursuant to Section 7028.7, constituted a substantial injury  
38 to the public.

39 (e) This section shall become operative on January 1, 2023.

1     ~~SEC. 12.~~

2     *SEC. 11.* Section 7071.8 of the Business and Professions Code  
3 is amended to read:

4     7071.8. (a) This section applies to an application for a license,  
5 for renewal or restoration of a license, an application to change  
6 officers or members of a corporation or a limited liability company,  
7 or for continued valid use of a license which has been disciplined,  
8 whether or not the disciplinary action has been stayed, made by  
9 any of the following persons or firms:

10     (1) A person whose license has been suspended or revoked as  
11 a result of disciplinary action, or a person who was a qualifying  
12 individual for a licensee at any time during which cause for  
13 disciplinary action occurred resulting in suspension or revocation  
14 of the licensee's license, whether or not the qualifying individual  
15 had knowledge or participated in the prohibited act or omission.

16     (2) A person who was an officer, director, manager, partner, or  
17 member of the personnel of record of a licensee at any time during  
18 which cause for disciplinary action occurred resulting in suspension  
19 or revocation of the licensee's license and who had knowledge of  
20 or participated in the act or omission which was the cause for the  
21 disciplinary action.

22     (3) A partnership, corporation, limited liability company, firm,  
23 or association of which an existing or new officer, director,  
24 manager, partner, qualifying person, or member of the personnel  
25 of record has had a license suspended or revoked as a result of  
26 disciplinary action.

27     (4) A partnership, corporation, limited liability company, firm,  
28 or association of which a member of the personnel of record,  
29 including, but not limited to, an officer, director, manager, partner,  
30 or qualifying person was, likewise, a manager, officer, director,  
31 or partner of a licensee at any time during which cause for  
32 disciplinary action occurred resulting in suspension or revocation  
33 of the license, and who had knowledge of or participated in the  
34 act or omission which was the cause for the disciplinary action.

35     (b) The board shall require as a condition precedent to the  
36 issuance, reissuance, renewal, or restoration of a license to the  
37 applicant, or to the approval of an application to change officers  
38 of a corporation or a limited liability company, or removal of  
39 suspension, or to the continued valid use of a license which has  
40 been suspended or revoked, but which suspension or revocation

1 has been stayed, that the applicant or licensee file or have on file  
2 a contractor's bond in a sum to be fixed by the registrar based upon  
3 the seriousness of the violation, but which sum shall not be less  
4 than fifteen thousand dollars (\$15,000) nor more than 10 times  
5 that amount required by Section 7071.6.

6 (c) The bond is in addition to, may not be combined with, and  
7 does not replace any other type of bond required by this chapter.  
8 The bond shall remain on file with the registrar for a period of at  
9 least two years and for any additional time that the registrar  
10 determines. The bond period shall run only while the license is  
11 current, active, and in good standing, and shall be extended until  
12 the license has been current, active, and in good standing for the  
13 required period. Each applicant or licensee shall be required to file  
14 only one disciplinary contractor's bond of the type described in  
15 this section for each application or license subject to this bond  
16 requirement.

17 (d) This section shall remain in effect only until January 1, 2023,  
18 and as of that date is repealed.

19 ~~SEC. 13.~~

20 *SEC. 12.* Section 7071.8 is added to the Business and  
21 Professions Code, to read:

22 7071.8. (a) This section applies to an application for a license,  
23 for renewal or restoration of a license, an application to change  
24 officers or members of a corporation or a limited liability company,  
25 or for continued valid use of a license which has been disciplined,  
26 whether or not the disciplinary action has been stayed, made by  
27 any of the following persons or firms:

28 (1) A person whose license has been suspended or revoked as  
29 a result of disciplinary action, or a person who was a qualifying  
30 individual for a licensee at any time during which cause for  
31 disciplinary action occurred resulting in suspension or revocation  
32 of the licensee's license, whether or not the qualifying individual  
33 had knowledge or participated in the prohibited act or omission.

34 (2) A person who was an officer, director, manager, partner, or  
35 member of the personnel of record of a licensee at any time during  
36 which cause for disciplinary action occurred resulting in suspension  
37 or revocation of the licensee's license and who had knowledge of  
38 or participated in the act or omission which was the cause for the  
39 disciplinary action.

1 (3) A partnership, corporation, limited liability company, firm,  
2 or association of which an existing or new officer, director,  
3 manager, partner, qualifying person, or member of the personnel  
4 of record has had a license suspended or revoked as a result of  
5 disciplinary action.

6 (4) A partnership, corporation, limited liability company, firm,  
7 or association of which a member of the personnel of record,  
8 including, but not limited to, an officer, director, manager, partner,  
9 or qualifying person was, likewise, a manager, officer, director,  
10 or partner of a licensee at any time during which cause for  
11 disciplinary action occurred resulting in suspension or revocation  
12 of the license, and who had knowledge of or participated in the  
13 act or omission which was the cause for the disciplinary action.

14 (b) The board shall require as a condition precedent to the  
15 issuance, reissuance, renewal, or restoration of a license to the  
16 applicant, or to the approval of an application to change officers  
17 of a corporation or a limited liability company, or removal of  
18 suspension, or to the continued valid use of a license which has  
19 been suspended or revoked, but which suspension or revocation  
20 has been stayed, that the applicant or licensee file or have on file  
21 a contractor's bond in a sum to be fixed by the registrar based upon  
22 the seriousness of the violation, but which sum shall not be less  
23 than twenty-five thousand dollars (\$25,000) nor more than 10  
24 times that amount required by Section 7071.6.

25 (c) The bond is in addition to, may not be combined with, and  
26 does not replace any other type of bond required by this chapter.  
27 The bond shall remain on file with the registrar for a period of at  
28 least two years and for any additional time that the registrar  
29 determines. The bond period shall run only while the license is  
30 current, active, and in good standing, and shall be extended until  
31 the license has been current, active, and in good standing for the  
32 required period. Each applicant or licensee shall be required to file  
33 only one disciplinary contractor's bond of the type described in  
34 this section for each application or license subject to this bond  
35 requirement.

36 (d) This section shall become operative on January 1, 2023.

37 ~~SEC. 14.~~

38 *SEC. 13.* Section 7071.9 of the Business and Professions Code  
39 is amended to read:

1 7071.9. (a) If the qualifying individual, as referred to in  
2 Sections 7068 and 7068.1, is neither the proprietor, a general  
3 partner, nor a joint licensee, the qualifying individual shall file or  
4 have on file a qualifying individual's bond as provided in Section  
5 7071.10 in the sum of twelve thousand five hundred dollars  
6 (\$12,500). This bond is in addition to, and shall not be combined  
7 with, any contractor's bond required by Sections 7071.5 to 7071.8,  
8 inclusive, and is required for the issuance, reinstatement,  
9 reactivation, or continued valid use of a license.

10 (b) Excluding the claims brought by the beneficiaries specified  
11 in paragraph (1) of subdivision (a) of Section 7071.10, the  
12 aggregate liability of a surety on claims brought against the bond  
13 required by this section shall not exceed the sum of seven thousand  
14 five hundred dollars (\$7,500). The bond proceeds in excess of  
15 seven thousand five hundred dollars (\$7,500) shall be reserved  
16 exclusively for the claims of the beneficiaries specified in  
17 paragraph (1) of subdivision (a) of Section 7071.10. However,  
18 nothing in this section shall be construed to prevent any beneficiary  
19 specified in paragraph (1) of subdivision (a) of Section 7071.10  
20 from claiming or recovering the full measure of the bond required  
21 by this section. This bond is in addition to, and shall not be  
22 combined with, any contractor's bond required by Sections 7071.5  
23 to 7071.8, inclusive, and is required for the issuance, reinstatement,  
24 reactivation, or continued valid use of a license.

25 (c) The responsible managing officer of a corporation shall not  
26 be required to file or have on file a qualifying individual's bond,  
27 if the responsible managing officer owns 10 percent or more of  
28 the voting stock of the corporation and certifies to that fact on a  
29 form prescribed by the registrar.

30 (d) The qualifying individual for a limited liability company  
31 shall not be required to file or have on file a qualifying individual's  
32 bond if the qualifying individual owns at least a 10-percent  
33 membership interest in the limited liability company and certifies  
34 to that fact on a form prescribed by the registrar.

35 (e) This section shall remain in effect only until January 1, 2023,  
36 and as of that date is repealed.

37 ~~SEC. 15.~~

38 *SEC. 14.* Section 7071.9 is added to the Business and  
39 Professions Code, to read:

1 7071.9. (a) If the qualifying individual, as referred to in  
2 Sections 7068 and 7068.1, is neither the proprietor, a general  
3 partner, nor a joint licensee, the qualifying individual shall file or  
4 have on file a qualifying individual's bond as provided in Section  
5 7071.10 in the sum of twenty-five thousand dollars (\$25,000). This  
6 bond is in addition to, and shall not be combined with, any  
7 contractor's bond required by Sections 7071.5 to 7071.8, inclusive,  
8 and is required for the issuance, reinstatement, reactivation, or  
9 continued valid use of a license.

10 (b) Excluding the claims brought by the beneficiaries specified  
11 in paragraph (1) of subdivision (a) of Section 7071.10, the  
12 aggregate liability of a surety on claims brought against the bond  
13 required by this section shall not exceed the sum of seven thousand  
14 five hundred dollars (\$7,500). The bond proceeds in excess of  
15 seven thousand five hundred dollars (\$7,500) shall be reserved  
16 exclusively for the claims of the beneficiaries specified in  
17 paragraph (1) of subdivision (a) of Section 7071.10. However,  
18 nothing in this section shall be construed to prevent any beneficiary  
19 specified in paragraph (1) of subdivision (a) of Section 7071.10  
20 from claiming or recovering the full measure of the bond required  
21 by this section. This bond is in addition to, and shall not be  
22 combined with, any contractor's bond required by Sections 7071.5  
23 to 7071.8, inclusive, and is required for the issuance, reinstatement,  
24 reactivation, or continued valid use of a license.

25 (c) The responsible managing officer of a corporation shall not  
26 be required to file or have on file a qualifying individual's bond,  
27 if the responsible managing officer owns 10 percent or more of  
28 the voting stock of the corporation and certifies to that fact on a  
29 form prescribed by the registrar.

30 (d) The qualifying individual for a limited liability company  
31 shall not be required to file or have on file a qualifying individual's  
32 bond if the qualifying individual owns at least a 10-percent  
33 membership interest in the limited liability company and certifies  
34 to that fact on a form prescribed by the registrar.

35 (e) This section shall become operative on January 1, 2023.

36 ~~SEC. 16.~~

37 *SEC. 15.* Section 7137 of the Business and Professions Code  
38 is amended to read:

39 7137. (a) The board may set fees by regulation. These fees  
40 shall be set according to the following schedule:



1 (1) Application fees shall be set as follows:

2 (A) The application fee for an original license in a single  
3 classification shall be four hundred fifty dollars (\$450) and may  
4 be increased to not more than five hundred sixty-three dollars  
5 (\$563).

6 (B) The application fee for each additional classification applied  
7 for in connection with an original license shall be one hundred  
8 fifty dollars (\$150) and may be increased to not more than one  
9 hundred eighty-eight dollars (\$188).

10 (C) The application fee for each additional classification  
11 pursuant to Section 7059 shall be two hundred thirty dollars (\$230)  
12 and may be increased to not more than two hundred eighty-eight  
13 dollars (\$288).

14 (D) The application fee to replace a responsible managing  
15 officer, responsible managing manager, responsible managing  
16 member, or responsible managing employee pursuant to Section  
17 7068.2 shall be two hundred thirty dollars (\$230) and may be  
18 increased to not more than two hundred eighty-eight dollars (\$288).

19 (E) The application fee to add personnel, other than a qualifying  
20 individual, to an existing license shall be one hundred twenty-five  
21 dollars (\$125) and may be increased to not more than one hundred  
22 fifty-seven dollars (\$157).

23 (F) The application fee for an asbestos certification examination  
24 shall be one hundred twenty-five dollars (\$125) and may be  
25 increased to not more than one hundred fifty-seven dollars (\$157).

26 (G) The application fee for a hazardous substance removal or  
27 remedial action certification examination shall be one hundred  
28 twenty-five dollars (\$125) and may be increased to not more than  
29 one hundred fifty-seven dollars (\$157).

30 (2) Examination scheduling fees shall be set as follows:

31 (A) The fee for rescheduling an examination for an applicant  
32 who has applied for an original license, additional classification,  
33 a change of responsible managing officer, responsible managing  
34 manager, responsible managing member, or responsible managing  
35 employee, or for an asbestos certification or hazardous substance  
36 removal certification, shall be one hundred dollars (\$100) and may  
37 be increased to not more than one hundred twenty-five dollars  
38 (\$125).

39 (B) The fee for scheduling or rescheduling an examination for  
40 a licensee who is required to take the examination as a condition

1 of probation shall be one hundred dollars (\$100) and may be  
2 increased to not more than one hundred twenty-five dollars (\$125).

3 (3) Initial license and registration fees shall be set as follows:

4 (A) The initial license fee for an active or inactive license for  
5 an individual owner shall be two hundred dollars (\$200) and may  
6 be increased to not more than two hundred fifty dollars (\$250).

7 (B) The initial license fee for an active or inactive license for a  
8 partnership, corporation, limited liability company, or joint venture  
9 shall be three hundred fifty dollars (\$350) and may be increased  
10 to not more than four hundred thirty-eight dollars (\$438).

11 (C) The registration fee for a home improvement salesperson  
12 shall be two hundred dollars (\$200) and may be increased to not  
13 more than two hundred fifty dollars (\$250).

14 (4) License and registration renewal fees shall be set as follows:

15 (A) The renewal fee for an active license for an individual owner  
16 shall be four hundred fifty dollars (\$450) and may be increased to  
17 not more than five hundred sixty-three dollars (\$563).

18 (B) The renewal fee for an inactive license for an individual  
19 owner shall be three hundred dollars (\$300) and may be increased  
20 to not more than three hundred seventy-five dollars (\$375).

21 (C) The renewal fee for an active license for a partnership,  
22 corporation, limited liability company, or joint venture shall be  
23 seven hundred dollars (\$700) and may be increased to not more  
24 than eight hundred seventy-five dollars (\$875).

25 (D) The renewal fee for an inactive license for a partnership,  
26 corporation, limited liability company, or joint venture shall be  
27 five hundred dollars (\$500) and may be increased to not more than  
28 six hundred twenty-five dollars (\$625).

29 (E) The renewal fee for a home improvement salesperson  
30 registration shall be two hundred dollars (\$200) and may be  
31 increased to not more than two hundred fifty dollars (\$250).

32 (5) The delinquency fee is an amount equal to 50 percent of the  
33 renewal fee, if the license is renewed after its expiration.

34 (6) Miscellaneous fees shall be set as follows:

35 (A) In addition to any other fees charged to C-10 contractors,  
36 the board shall charge a fee of twenty dollars (\$20), to be assessed  
37 with the renewal fee for an active license, which shall be used by  
38 the board to enforce provisions of the Labor Code related to  
39 electrician certification.

1 (B) The service fee to deposit with the registrar lawful money  
2 or cashier's check pursuant to paragraph (1) of subdivision (a) of  
3 Section 995.710 of the Code of Civil Procedure for purposes of  
4 compliance with any provision of Article 5 (commencing with  
5 Section 7065) shall be one hundred dollars (\$100), which shall be  
6 used by the board only to process each deposit filed with the  
7 registrar, to cover the reasonable costs to the registrar for holding  
8 money or cashier's checks in trust in interest bearing deposit or  
9 share accounts, and to offset the costs of processing payment of  
10 lawful claims against a deposit in a civil action.

11 (C) The fee for the processing and issuance of a duplicate copy  
12 of any certificate of licensure or other form evidencing licensure  
13 or renewal of licensure pursuant to Section 122 shall be twenty-five  
14 dollars (\$25).

15 (D) The fee to change the business name of a license as it is  
16 recorded under this chapter shall be one hundred dollars (\$100)  
17 and may be increased to not more than one hundred twenty-five  
18 dollars (\$125).

19 (E) The service charge for a dishonored check authorized by  
20 Section 6157 of the Government Code shall be twenty-five dollars  
21 (\$25) for each check.

22 (b) The board shall, by regulation, establish criteria for the  
23 approval of expedited processing of applications. Approved  
24 expedited processing of applications for licensure or registration,  
25 as required by other provisions of law, shall not be subject to this  
26 subdivision.

27 ~~SEC. 17.~~

28 *SEC. 16.* Section 7583.22 of the Business and Professions Code  
29 is amended to read:

30 7583.22. (a) A licensee, qualified manager of a licensee, or  
31 security guard who, in the course of their employment, may be  
32 required to carry a firearm shall, prior to carrying a firearm, do  
33 both of the following:

34 (1) Complete a course of training in the carrying and use of  
35 firearms.

36 (2) Receive a firearms qualification card or be otherwise  
37 qualified to carry a firearm as provided in Section 7583.12.

38 (b) A security guard who, in the course of their employment,  
39 may be required to carry a firearm, shall, prior to carrying a firearm,  
40 be found capable of exercising appropriate judgment, restraint,

1 and self-control for the purposes of carrying and using a firearm  
2 during the course of their duties, pursuant to Section 7583.47.

3 (c) A licensee shall not permit an employee to carry or use a  
4 loaded or unloaded firearm, whether or not it is serviceable or  
5 operative, unless the employee possesses a valid and current  
6 firearms qualification card issued by the bureau or is so otherwise  
7 qualified to carry a firearm as provided in Section 7583.12.

8 (d) A pocket card issued by the bureau pursuant to Section  
9 7582.13 may also serve as a firearms qualification card if so  
10 indicated on the face of the card.

11 (e) Paragraph (1) of subdivision (a) shall not apply to a peace  
12 officer as defined in Chapter 4.5 (commencing with Section 830)  
13 of Title 3 of Part 2 of the Penal Code, who has successfully  
14 completed a course of study in the use of firearms or to a federal  
15 qualified law enforcement officer, as defined in Section 926B of  
16 Title 18 of the United States Code, who has successfully completed  
17 a course of study in the use of firearms.

18 ~~SEC. 18.~~

19 *SEC. 17.* Section 7583.23 of the Business and Professions Code  
20 is amended to read:

21 7583.23. The bureau shall issue a firearms permit when all of  
22 the following conditions are satisfied:

23 (a) The applicant is a licensee, a qualified manager of a licensee,  
24 or a registered security guard subject to the following:

25 (1) The firearms permit may only be associated with the  
26 following:

27 (A) A sole owner of a sole ownership licensee, pursuant to 28  
Section 7582.7 or 7525.1.

29 (B) A partner of a partnership licensee, pursuant to Section  
30 7582.7 or 7525.1.

31 (C) A qualified manager of a licensee, pursuant to Section 7536  
32 or 7582.22.

33 (D) A security guard registrant.

34 (2) If the firearms permit is associated with a security guard  
35 registration, they are subject to the provisions of Section 7583.47,  
36 regardless of any other license possessed or associated with the  
37 firearms permit.

38 (b) A certified firearms training instructor has certified that the  
39 applicant has successfully completed a written examination

1 prepared by the bureau and training course in the carrying and use  
2 of firearms approved by the bureau.

3 (c) The applicant has filed with the bureau a classifiable  
4 fingerprint card, a completed application for a firearms permit on  
5 a form prescribed by the director, dated and signed by the applicant,  
6 certifying under penalty of perjury that the information in the  
7 application is true and correct. In lieu of a classifiable fingerprint  
8 card, the applicant may submit fingerprints into an electronic  
9 fingerprinting system administered by the Department of Justice.  
10 An applicant who submits their fingerprints by electronic means  
11 shall have their fingerprints entered into the system through a  
12 terminal operated by a law enforcement agency or other facility  
13 authorized by the Department of Justice to conduct electronic  
14 fingerprinting. The terminal operator may charge a fee sufficient  
15 to reimburse it for the costs incurred in providing this service.

16 (d) The applicant is at least 21 years of age and the bureau has  
17 determined, after investigation, that the carrying and use of a  
18 firearm by the applicant, in the course of their duties, presents no  
19 apparent threat to the public safety, or that the carrying and use of  
20 a firearm by the applicant is not in violation of the Penal Code.

21 (e) The applicant has produced evidence to the firearm training  
22 facility that the applicant is a citizen of the United States or has  
23 permanent legal alien status in the United States. Evidence of  
24 citizenship or permanent legal alien status shall be deemed  
25 sufficient by the bureau to ensure compliance with federal laws  
26 prohibiting possession of firearms by persons unlawfully in the  
27 United States and may include, but not be limited to, United States  
28 Department of Justice, Immigration and Naturalization Service  
29 Form I-151 or I-551, Alien Registration Receipt Card,  
30 naturalization documents, or birth certificates evidencing lawful  
31 residence or status in the United States.

32 (f) The application is accompanied by the application fees  
33 prescribed in this chapter.

34 (g) The applicant is a registered security guard and they have  
35 been found capable of exercising appropriate judgment, restraint,  
36 and self-control, for the purposes of carrying and using a firearm  
37 during the course of their duties, pursuant to Section 7583.47.

38 ~~SEC. 19.~~

39 *SEC. 18.* Section 7583.24 of the Business and Professions Code  
40 is amended to read:

1 7583.24. (a) The bureau shall not issue a firearm permit if the  
2 applicant is prohibited from possessing, receiving, owning, or  
3 purchasing a firearm pursuant to state or federal law.

4 (b) Before issuing an initial firearm permit the bureau shall  
5 provide the Department of Justice with the name, address, social  
6 security number, and fingerprints of the applicant.

7 (c) The Department of Justice shall inform the bureau, within  
8 60 days from receipt of the information specified in subdivision  
9 (b), of the applicant's eligibility to possess, receive, purchase, or  
10 own a firearm pursuant to state and federal law.

11 (d) An applicant who has been denied a firearm permit based  
12 upon subdivision (a) may reapply for the permit after the  
13 prohibition expires. The bureau shall treat this application as an  
14 initial application and shall follow the required screening process  
15 as specified in this section.

16 *SEC. 19. Section 7583.27 of the Business and Professions Code*  
17 *is amended to read:*

18 7583.27. (a) A firearm permit ~~shall be automatically~~ *may be*  
19 *revoked* if at any time the Department of Justice notifies the bureau  
20 that the holder of the firearm permit is prohibited from possessing,  
21 receiving, or purchasing a firearm pursuant to state or federal law.  
22 Following the automatic revocation, an administrative hearing  
23 shall be provided upon written request to the bureau in accordance  
24 with Chapter 5 (commencing with Section 11500) of Part 1 of  
25 Division 3 of Title 2 of the Government Code.

26 (b) The bureau ~~shall~~ *may* seek an emergency order pursuant to  
27 Article 13 (commencing with Section 11460.10) of Chapter 4.5  
28 of Part 1 of Division 3 of Title 2 of the Government Code against  
29 the holder of the firearms permit if, after the bureau's investigation  
30 relating to any of the following events, the bureau determines that  
31 the holder of the firearms permit presents an undue hazard to public  
32 safety that may result in substantial injury to another:

33 (1) Receipt of subsequent arrest information of an arrest for any  
34 of the following:

35 (A) Assault.

36 (B) Battery.

37 (C) Any use of force or violence on any person committed by  
38 the permit holder.

39 (2) A report from a bureau-approved firearms training facility  
40 or instructor made pursuant to Section 7585.18.

1 (3) A report from the permitholder's employer or former  
2 employer that the permitholder may be a threat to public safety.

3 (4) A complaint filed by any member of the public that the  
4 permitholder may be a threat to public safety.

5 ~~(5) If the permitholder has been determined incapable of~~  
6 ~~exercising appropriate judgment, restraint, and self-control pursuant~~  
7 ~~to the assessment required under Section 7583.47 for a permit~~  
8 ~~associated with a security guard registration.~~

9 SEC. 20. Section 7583.29 of the Business and Professions  
10 Code is amended to read:

11 7583.29. ~~(a)~~ If a firearms permit is denied, the denial of the  
12 permit shall be in writing and shall describe the basis for the denial.  
13 The denial shall inform the applicant that if the applicant desires  
14 a review by a disciplinary review committee to contest the denial,  
15 the review shall be requested of the director within 30 days  
16 following notice of the issuance of the denial. A review or hearing  
17 shall be held pursuant to Section 7581.3. However, no review or  
18 hearing shall be granted to an individual who is otherwise  
19 prohibited by law from carrying a firearm.

20 ~~(b) Appeals of denials pursuant to this section shall be in~~  
21 ~~accordance with Chapter 5 (commencing with Section 11500) of~~  
22 ~~Part 1 of Division 3 of Title 2 of the Government Code.~~

23 SEC. 21. Section 7583.47 of the Business and Professions  
24 Code is amended to read:

25 7583.47. (a) As used in this section, "assessment" means the  
26 application of a testing instrument identified by the bureau that  
27 evaluates whether an applicant for a firearms permit who is a  
28 registered security guard, at the time of the assessment, possesses  
29 appropriate judgment, restraint, and self-control for the purposes  
30 of carrying and using a firearm during the course of their security  
31 guard duties.

32 (b) The applicant shall complete the assessment, as specified  
33 in this section.

34 (c) (1) The bureau shall implement a process to administer the  
35 assessment specified in this section. The establishment of the  
36 assessment and the process for administering the assessment shall  
37 not be subject to the requirements of Chapter 3.5 (commencing  
38 with Section 11340) of Part 1 of Division 3 of Title 2 of the  
39 Government Code.

1 (2) The bureau shall consult with a California licensed  
2 psychologist, psychologists, or other persons with subject matter  
3 expertise, whose minimum duties shall include, but are not limited  
4 to, assisting the bureau with all of the following:  
5 (A) Establishing criteria for a contract with a vendor to  
6 administer the assessment.  
7 (B) Identifying minimum standards for the assessment.  
8 (C) Evaluating currently available assessments.  
9 (D) Providing consultative services on the bids received by the  
10 bureau from third-party vendors seeking to administer and interpret  
11 the assessment, to ensure both of the following:  
12 (i) Compliance with the applicable standards of care for the  
13 administration and interpretation of such assessments.  
14 (ii) The assessment will be administered in accordance with the  
15 assessment manufacturer's requirements.  
16 (3) The bureau shall contract with a third-party vendor to  
17 administer the assessment. All third-party vendors seeking to  
18 administer the assessment must meet the minimum standards  
19 established by the bureau, its consultants, and the assessment  
20 manufacturer's requirements for administering the assessment.  
21 Considerations for the third-party vendor contract shall include,  
22 but are not limited to, all of the following:  
23 (A) Cost to the applicant to complete the assessment.  
24 (B) Geographic accessibility statewide of the assessment to  
25 applicants.  
26 (C) Assessment compliance with the established minimum  
27 standards for the assessment and assessment process.  
28 (D) Ensuring an assessment carried out on an applicant complies  
29 with the applicable professional standards of care for such  
30 assessments, as well as the assessment manufacturer's requirements  
31 for administering the assessment.  
32 ~~(d) Upon the bureau's verification that the applicant has satisfied~~  
33 ~~subdivisions (a) to (f), inclusive, of Section 7583.23 and upon the~~  
34 ~~applicant's clearance of a background check by the Department~~  
35 ~~of Justice and the Federal Bureau of Investigation to possess a~~  
36 ~~firearm, the bureau shall notify the applicant that the applicant is~~  
37 ~~to contact the bureau's vendor to complete the assessment. The~~  
38 ~~applicant, or the applicant's designee or employer if the employer~~  
39 ~~voluntarily chooses, shall bear the cost of the assessment.~~



1 (e) Within 30 days of administering an applicant's assessment,  
2 the vendor shall directly provide the bureau, on a form and in a  
3 manner prescribed by the bureau, the applicant's assessment results.  
4 If the results of the applicant's assessment indicate that the  
5 applicant is incapable of exercising appropriate judgment, restraint,  
6 and self-control for the purposes of carrying and using a firearm  
7 during the course of the applicant's duties, at the point in time of  
8 the evaluation, the bureau shall not issue a firearms permit. If the  
9 applicant fails the assessment, the applicant may complete another  
10 assessment no earlier than 90 days after the results of the previous  
11 assessment are provided to the bureau.

12 (f) The application shall be deemed incomplete until the bureau  
13 receives the ~~applicant's results of the applicant's assessment.~~  
14 *assessment and the results indicate that the applicant is capable*  
15 *of exercising appropriate judgment, restraint, and self-control for*  
16 *the purposes of carrying and using a firearm during the course of*  
17 *the applicant's duties.*

18 (g) *Notwithstanding any other law, an applicant who fails the*  
19 *assessment shall not be entitled to an administrative hearing or*  
20 *an appeal subject to Chapter 5 (commencing with Section 11500)*  
21 *of Part 1 of Division 3 of Title 2 of the Government Code. However,*  
22 *such an applicant who is denied a firearms permit may request*  
23 *review of the denial pursuant to Section 7583.29.*

24 ~~(g)~~  
25 (h) The bureau may prescribe, adopt, and enforce emergency  
26 regulations, and promulgate regulations to implement this section.  
27 Any emergency regulation prescribed, adopted, or enforced  
28 pursuant to this section shall be adopted in accordance with Chapter  
29 3.5 (commencing with Section 11340) of Part 1 of Division 3 of  
30 Title 2 of the Government Code, and for purposes of that chapter,  
31 including Section 11349.6 of the Government Code, the adoption  
32 of the regulation is an emergency and shall be considered by the  
33 Office of Administrative Law as necessary for the immediate  
34 preservation of the public peace, health and safety, and general  
35 welfare.

36 ~~(h)~~  
37 (i) The assessment required pursuant to this section shall be  
38 subject to review by the appropriate policy committees of the  
39 Legislature. The review shall be performed as if this section was  
40 scheduled to be repealed as of January 1, 2025.

1 SEC. 22. Section 17973 of the Health and Safety Code is  
2 amended to read:

3 17973. (a) Exterior elevated elements that include load-bearing  
4 components in all buildings containing three or more multifamily  
5 dwelling units shall be inspected. The inspection shall be performed  
6 by a licensed architect; licensed civil or structural engineer; a  
7 building contractor holding any or all of the “A,” “B,” or “C-5”  
8 license classifications issued by the ~~Contractors’~~ *Contractors* State  
9 License Board, with a minimum of five years’ experience, as a  
10 holder of the aforementioned classifications or licenses, in  
11 constructing multistory wood frame buildings; or an individual  
12 certified as a building inspector or building official from a  
13 recognized state, national, or international association, as  
14 determined by the local jurisdiction. These individuals shall not  
15 be employed by the local jurisdiction while performing these  
16 inspections. The purpose of the inspection is to determine that  
17 exterior elevated elements and their associated waterproofing  
18 elements are in a generally safe condition, adequate working order,  
19 and free from any hazardous condition caused by fungus,  
20 deterioration, decay, or improper alteration to the extent that the  
21 life, limb, health, property, safety, or welfare of the public or the  
22 occupants is not endangered. The person or business performing  
23 the inspection shall be hired by the owner of the building.

24 (b) For purposes of this section, the following terms have the  
25 following definitions:

26 (1) “Associated waterproofing elements” include flashings,  
27 membranes, coatings, and sealants that protect the load-bearing  
28 components of exterior elevated elements from exposure to water  
29 and the elements.

30 (2) “Exterior elevated element” means the following types of  
31 structures, including their supports and railings: balconies, decks,  
32 porches, stairways, walkways, and entry structures that extend  
33 beyond exterior walls of the building and which have a walking  
34 surface that is elevated more than six feet above ground level, are  
35 designed for human occupancy or use, and rely in whole or in  
36 substantial part on wood or wood-based products for structural  
37 support or stability of the exterior elevated element.

38 (3) “Load-bearing components” are those components that  
39 extend beyond the exterior walls of the building to deliver structural  
40 loads from the exterior elevated element to the building.

- 1 (c) The inspection required by this section shall at a minimum  
2 include:
- 3 (1) Identification of each type of exterior elevated element that,  
4 if found to be defective, decayed, or deteriorated to the extent that  
5 it does not meet its load requirements, would, in the opinion of the  
6 inspector, constitute a threat to the health or safety of the occupants.
- 7 (2) Assessment of the load-bearing components and associated  
8 waterproofing elements of the exterior elevated elements identified  
9 in paragraph (1) using methods allowing for evaluation of their  
10 performance by direct visual examination or comparable means  
11 of evaluating their performance. For purposes of this section, a  
12 sample of at least 15 percent of each type of exterior elevated  
13 element shall be inspected.
- 14 (3) The evaluation and assessment shall address each of the  
15 following as of the date of the evaluation:
- 16 (A) The current condition of the exterior elevated elements.  
17 (B) Expectations of future performance and projected service  
18 life.  
19 (C) Recommendations of any further inspection necessary.
- 20 (4) A written report of the evaluation stamped or signed by the  
21 inspector presented to the owner of the building or the owner's  
22 designated agent within 45 days of completion of the inspection.  
23 The report shall include photographs, any test results, and narrative  
24 sufficient to establish a baseline of the condition of the components  
25 inspected that can be compared to the results of subsequent  
26 inspections. In addition to the evaluation required by this section,  
27 the report shall advise which, if any, exterior elevated element  
28 poses an immediate threat to the safety of the occupants, and  
29 whether preventing occupant access or conducting emergency  
30 repairs, including shoring, are necessary.
- 31 (d) The inspection shall be completed by January 1, 2025, and  
32 by January 1 every six years thereafter. The inspector conducting  
33 the inspection shall produce an initial report pursuant to paragraph  
34 (4) of subdivision (c) and, if requested by the owner, a final report  
35 indicating that any required repairs have been completed. A copy  
36 of any report that recommends immediate repairs, advises that any  
37 building assembly poses an immediate threat to the safety of the  
38 occupants, or that preventing occupant access or emergency repairs,  
39 including shoring, are necessary, shall be provided by the inspector  
40 to the owner of the building and to the local enforcement agency

1 within 15 days of completion of the report. Subsequent inspection  
2 reports shall incorporate copies of prior inspection reports,  
3 including the locations of the exterior elevated elements inspected.  
4 Local enforcement agencies may determine whether any additional  
5 information is to be provided in the report and may require a copy  
6 of the initial or final reports, or both, be submitted to the local  
7 jurisdiction. Copies of all inspection reports shall be maintained  
8 in the building owner’s permanent records for not less than two  
9 inspection cycles, and shall be disclosed and delivered to the buyer  
10 at the time of any subsequent sale of the building.

11 (e) The inspection of buildings for which a building permit  
12 application has been submitted on or after January 1, 2019, shall  
13 occur no later than six years following issuance of a certificate of  
14 occupancy from the local jurisdiction and shall otherwise comply  
15 with the provisions of this section.

16 (f) If the property was inspected within three years prior to  
17 January 1, 2019, by an inspector as described in subdivision (a)  
18 and a report of that inspector was issued stating that the exterior  
19 elevated elements and associated waterproofing elements are in  
20 proper working condition and do not pose a threat to the health  
21 and safety of the public, no new inspection pursuant to this section  
22 shall be required until January 1, 2025.

23 (g) An exterior elevated element found by the inspector that is  
24 in need of repair or replacement shall be corrected by the owner  
25 of the building. All necessary permits for repair or replacement  
26 shall be obtained from the local jurisdiction. All repair and  
27 replacement work shall be performed by a qualified and licensed  
28 contractor in compliance with all of the following:

29 (1) The recommendations of a licensed professional described  
30 in subdivision (a).

31 (2) Any applicable manufacturer’s specifications.

32 (3) The California Building Standards Code, consistent with  
33 subdivision (d) of Section 17922 of the Health and Safety Code.

34 (4) All local jurisdictional requirements.

35 (h) (1) An exterior elevated element that the inspector advises  
36 poses an immediate threat to the safety of the occupants, or finds  
37 preventing occupant access or emergency repairs, including  
38 shoring, or both, are necessary, shall be considered an emergency  
39 condition and the owner of the building shall perform required  
40 preventive measures immediately. Immediately preventing

1 occupant access to the exterior elevated element until emergency  
2 repairs can be completed constitutes compliance with this  
3 paragraph. Repairs of emergency conditions shall comply with the  
4 requirements of subdivision (g), be inspected by the inspector, and  
5 reported to the local enforcement agency.

6 (2) The owner of the building requiring corrective work to an  
7 exterior elevated element that, in the opinion of the inspector, does  
8 not pose an immediate threat to the safety of the occupants, shall  
9 apply for a permit within 120 days of receipt of the inspection  
10 report. Once the permit is approved, the owner of the building  
11 shall have 120 days to make the repairs unless an extension of time  
12 is granted by the local enforcement agency.

13 (i) (1) The owner of the building shall be responsible for  
14 complying with the requirements of this section.

15 (2) If the owner of the building does not comply with the repair  
16 requirements within 180 days, the inspector shall notify the local  
17 enforcement agency and the owner of the building. If within 30  
18 days of the date of the notice the repairs are not completed, the  
19 owner of the building shall be assessed a civil penalty based on  
20 the fee schedule set by the local authority of not less than one  
21 hundred dollars (\$100) nor more than five hundred dollars (\$500)  
22 per day until the repairs are completed, unless an extension of time  
23 is granted by the local enforcement agency.

24 (3) In the event that a civil penalty is assessed pursuant to this  
25 section, a building safety lien may be recorded in the county  
26 recorder's office by the local jurisdiction in the county in which  
27 the parcel of land is located and from the date of recording shall  
28 have the force, effect, and priority of a judgment lien.

29 (j) (1) A building safety lien authorized by this section shall  
30 specify the amount of the lien, the name of the agency on whose  
31 behalf the lien is imposed, the street address, the legal description  
32 and assessor's parcel number of the parcel on which the lien is  
33 imposed, and the name and address of the recorded owner of the  
34 building.

35 (2) In the event that the lien is discharged, released, or satisfied,  
36 either through payment or foreclosure, notice of the discharge  
37 containing the information specified in paragraph (1) shall be  
38 recorded by the governmental agency. A safety lien and the release  
39 of the lien shall be indexed in the grantor-grantee index.

1 (3) A building safety lien may be foreclosed by an action  
2 brought by the appropriate local jurisdiction for a money judgment.

3 (4) Notwithstanding any other law, the county recorder may  
4 impose a fee on the city to reimburse the costs of processing and  
5 recording the lien and providing notice to the owner of the building.  
6 A city may recover from the owner of the building any costs  
7 incurred regarding the processing and recording of the lien and  
8 providing notice to the owner of the building as part of its  
9 foreclosure action to enforce the lien.

10 (k) The continued and ongoing maintenance of exterior elevated  
11 elements in a safe and functional condition in compliance with  
12 these provisions shall be the responsibility of the owner of the  
13 building.

14 (l) Local enforcement agencies shall have the ability to recover  
15 enforcement costs associated with the requirements of this section.

16 (m) For any building subject to the provisions of this section  
17 that is proposed for conversion to condominiums to be sold to the  
18 public after January 1, 2019, the inspection required by this section  
19 shall be conducted prior to the first close of escrow of a separate  
20 interest in the project and shall include the inspector's  
21 recommendations for repair or replacement of any exterior elevated  
22 element found to be defective, decayed, or deteriorated to the extent  
23 that it does not meet its load requirements, and would, in the  
24 opinion of the inspector, constitute a threat to the health or safety  
25 of the occupants. The inspection report and written confirmation  
26 by the inspector that any repairs or replacements recommended  
27 by the inspector have been completed shall be submitted to the  
28 Department of Real Estate by the proponent of the conversion and  
29 shall be a condition to the issuance of the final public report. A  
30 complete copy of the inspection report and written confirmation  
31 by the inspector that any repairs or replacements recommended  
32 by the inspector have been completed shall be included with the  
33 written statement of defects required by Section 1134 of the Civil  
34 Code, and provided to the local jurisdiction in which the project  
35 is located. The inspection, report, and confirmation of completed  
36 repairs shall be a condition of the issuance of a final inspection or  
37 certificate of occupancy by the local jurisdiction.

38 (n) This section shall not apply to a common interest  
39 development, as defined in Section 4100 of the Civil Code.

1 (o) The governing body of any city, county, or city and county,  
2 may enact ordinances or laws imposing requirements greater than  
3 those imposed by this section.

4 SEC. 23. No reimbursement is required by this act pursuant to  
5 Section 6 of Article XIII B of the California Constitution for certain  
6 costs that may be incurred by a local agency or school district  
7 because, in that regard, this act creates a new crime or infraction,  
8 eliminates a crime or infraction, or changes the penalty for a crime  
9 or infraction, within the meaning of Section 17556 of the  
10 Government Code, or changes the definition of a crime within the  
11 meaning of Section 6 of Article XIII B of the California  
12 Constitution.

13 However, if the Commission on State Mandates determines that  
14 this act contains other costs mandated by the state, reimbursement  
15 to local agencies and school districts for those costs shall be made  
16 pursuant to Part 7 (commencing with Section 17500) of Division  
17 4 of Title 2 of the Government Code.

O

## **Board of Chiropractic Examiners Bill Analysis**

**Bill Number:** SB 731

**Author:** Senator Maria Elena Durazo

**Bill Version:** Amended May 20, 2021

**Subject:** Criminal Records: Relief

**Sponsor:** Californians for Safety and Justice

**Status of Bill:** In Assembly Committee on Public Safety. Hearing Date: June 29, 2021

### **Summary:**

This bill would implement a system to prospectively and retroactively seal conviction and arrest records. Specifically, this bill would expand the automatic review and granting of “record relief” to felony arrest records and additional felony convictions, as specified. It also would expand conviction relief by way of petition to all felony convictions.

### **Existing Law:**

- Provides that on a monthly basis the Department of Justice (DOJ) shall review the records in the statewide criminal databases and shall identify persons with records of arrest that are eligible for arrest record relief, with no requirement that the person file a motion seeking relief. A person is eligible for relief if the arrest occurred on or after January 1, 2021 and meets any of the following conditions:
  - a) The arrest was for a misdemeanor and the charge dismissed.
  - b) The arrest was for a misdemeanor and no criminal proceedings have been initiated one year from the date of the arrest.
  - c) If the arrest was for a jail felony, punishable by 8 or more years and no proceedings have been initiated 3 years after the date of the arrest, and no conviction occurred, or the arrestee was acquitted of the charges.
  - d) If the person successfully completed a specified diversion program.
- Provides that automatic arrest record relief is subject to the following conditions:

It does not relieve a person of an obligation to disclose an arrest in an application for employment as a peace officer.

  - a) It does not limit the ability of a criminal justice agency to access the arrest information.
  - b) It does not limit the ability of a district attorney to prosecute for the offense if it is within the statute of limitations.
  - c) It does not impact a person’s authorization to own or possess a firearm
  - d) It does not impact any prohibition on holding public office.
  - e) It does not impact licensing for foster homes and similar facilities.
  - f) It does not limit other motions for relief. (Penal Code Section 851.93)
- Provides that if a person is sentenced to jail due to a felony, the court, in its discretion, may allow a person to withdraw their guilty plea (and enter a plea of not guilty) and dismiss the



accusations or information against the defendant when specified conditions are met. (Penal Code Section 1203.41)

- Provides that on a monthly basis (commencing July 1, 2022), the DOJ shall review records in the statewide criminal justice databases and shall identify person with convictions that meet specified criteria and are eligible for automatic conviction relief. A person is eligible for relief if they meet all of the following conditions:
  1. The person is not required to register as a Sex Offender.
  2. The person does not have an active record for local, state, or federal supervision in the Supervised Release file.
  3. Based on the information available, it does not appear the person is currently serving a sentence for an offense and there is no indication of pending criminal charges.
  4. There is no indication that the conviction resulted in a sentence of incarceration in state prison.
  5. The conviction occurred on or after January 1, 2021 and the defendant either was sentenced to probation and appears to have completed their term of probation without revocation or, the defendant was convicted of an infraction or misdemeanor, was not granted probation, and at least one calendar year has passed since the date of judgement. (Penal Code Section 1203.425(a)(1))
  
- Provides that automatic conviction record relief is subject to the following conditions:
  1. It does not relieve a person of the obligation to disclose a conviction when applying to be a peace officer.
  2. It does not relieve a person of the obligation to disclose the conviction in response to a direct question contained in a questionnaire for public office or for contracting with the California State Lottery Commission
  3. It does not affect a person's authorization to own, possess, etc. a firearm.
  4. It does not affect a prohibition from holding public office that would otherwise apply as a result of the conviction.
  5. It does not affect the authority to receive, or take action based on, criminal history information including the authority to receive certified court records.
  6. It does not make eligible a person otherwise ineligible to provide in-home supportive services.
  7. It may still act as a prior for future arrests and convictions. (Penal Code Section 1203.425(a)(3)).

**This Bill Would:**

- Authorize a person to be eligible for arrest record relief if the criminal proceeding has been initiated at least 3 years after the arrest eligible for relief.
- Provide that if the arrest was for a jail or prison felony with a sentence of 8 or more years shall be eligible for relief when no criminal proceedings have happened 6 years after the arrest.
- Provide that if a defendant is sentenced to jail due to a felony, the court, in its discretion, may allow the defendant to withdraw their guilty plea and enter a plea of not guilty, and expand the

relief of penalties for all felonies. Therefore, relief would be available to a defendant who has been convicted of any felony.

- Delete the prohibition on granting relief if the person was incarcerated in the state prison.
- Provide, in addition, that relief granted does not release the defendant from the terms and conditions of any unexpired criminal protective orders.
- Add the following criteria for automatic conviction relief:
  - a) The conviction occurred on or after January 1, 2005
  - b) The defendant was convicted of a felony other than one for which the defendant completed probation without revocation
  - c) The defendant appears to have completed all terms of incarceration, probation, mandatory supervision, post release supervision, and parole and a period of four years has elapsed during which the defendant was not convicted of a new felony. This does not apply to a serious or violent felony as defined in the Penal Code or an offense for which a person must register as a sex offender.

### **Background:**

According to the author's office:

"Nationally, an estimated 70 million people (nearly one in three adults, and 8 million people in California alone) have a past arrest or conviction on their record. The vast majority of people with convictions have long finished their sentence in prison, jail, parole or probation and exited the 'deepest end' of the justice system.

Despite the data on recidivism, California still maintains these records until the person reaches 100 years of age. Due to widespread usage of background checks in today's society, the availability of these records present thousands of barriers for one quarter of the state's population resulting in chronic housing insecurities, long-term unemployment, and widespread constraints on civic participation. These collateral consequences disproportionately impact Black and Latino communities and have become one of the leading drivers of multi-generational poverty."

### **Fiscal Impact:**

This bill would likely have minimal fiscal impact on the BCE.

### **Support & Opposition:**

Support:

Over 50 professional organizations support this bill, including the following:

- Californians for Safety and Justice (Sponsor)
- California Labor Federation, Afl-cio

- California Attorneys for Criminal Justice
- California Immigrant Policy Center
- California Coalition for Women Prisoners
- Family Reunification, Equity & Empowerment
- Law Enforcement Action Partnership
- Legal Services for Prisoners with Children
- Starting Over INC
- Time for Change Foundation
- Underground Scholars Initiative Berkeley
- We the People – San Diego

Opposition:

- California Association of Licensed Investigators
- California Board of Psychology
- California District Attorneys Association
- California Statewide Law Enforcement Association
- Peace Officers Research Association of California (PORAC)

**Arguments:**

Pro:

- The bill’s sponsor, Californians for Safety and Justice (CFJ) states that “[n]ationally, an estimated 70 million people (nearly one in three adults, and 8 million people in California alone) have a past arrest or conviction on their record. California still maintains these records until the person reaches 100 years of age.” Due to widespread usage of background checks in today’s society, the availability of these records present thousands of barriers for individuals with prior criminal history.

Additionally, SB 731 proposes a structured, automated approach to sunseting criminal records: 1) Automated sealing of all records that do not result in conviction; and 2) Phased relief for convictions records, thereby expanding record sealing to all sentences following completion of terms of incarceration, post-release supervision, and an additional period of time - provided the person has completed their sentence without any new felony convictions and has no new charges pending.

Con:

- Peace Officers Research Association of California (PORAC) of California states “... by expanding the relief of penalties for all felonies, we are placing our communities at risk. Oftentimes, felony crimes are violent and leave behind innocent victims whose lives will never be the same.

By allowing violent criminals back on the street, with their record dismissed, they will have less deterrent to commit another crime. Thus, leaving more victims in their wake. If the author is willing to amend the bill to exclude violent criminals, we would be inclined to remove our opposing.”

- The California Board of Psychology argues that “this bill would significantly diminish the Board’s ability to adequately protect the health and safety of consumers by removing the Board’s ability to review and evaluate a current licensee’s arrest and conviction information for the purposes of approving an application for licensure. Such records have provided a comprehensive proof of an applicant’s ability to practice without harm to the public.”

For example, an initial arrest record has revealed instances of domestic violence the might not have been shared with the Board previously. While these types of arrest warrants are usually dropped, some arrest reports include information regarding substance abuse or cognitive issues. These types of reports provide a holistic view of an applicant in the context of consumer protection and are vital to our vetting process.”

**Staff Recommended Position: WATCH**

This bill would expand upon recent criminal justice reforms by creating further mechanisms for conviction dismissal. While the bill will limit the criminal history information a regulatory board will have access to, it will remove barriers that currently prevent individuals with prior criminal histories from obtaining employment and becoming productive members of their communities.

AMENDED IN SENATE MAY 20, 2021

AMENDED IN SENATE APRIL 20, 2021

AMENDED IN SENATE APRIL 5, 2021

AMENDED IN SENATE MARCH 3, 2021

**SENATE BILL**

**No. 731**

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**Introduced by Senators Durazo and Bradford  
(Coauthors: Senators Skinner and Wiener)**

(Coauthors: Assembly Members Carrillo, Cristina Garcia, Gipson,  
Kalra, Lee, Medina, and Stone)

February 19, 2021

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An act to amend Sections 851.93, 1203.41, ~~1203.425, and 11105~~ and *1203.425* of the Penal Code, relating to criminal records.

legislative counsel's digest

SB 731, as amended, Durazo. Criminal records: relief.

Existing law authorizes a defendant who was sentenced to a county jail for the commission of a felony and who has met specified criteria to petition to withdraw their plea of guilty or nolo contendere and enter a plea of not guilty after the completion of their sentence, as specified. Existing law requires the court to dismiss the accusations or information against the defendant and release them from all penalties and disabilities resulting from the offense, except as specified.

This bill would make this relief available to a defendant who has been convicted of any felony.

Commencing July 1, 2022, existing law requires the Department of Justice, on a monthly basis, to review the records in the statewide criminal justice databases and identify persons who are eligible for specified automatic conviction and records of arrest relief without

requiring the filing of a petition or motion. Under existing law, a person is eligible for arrest record relief if they were arrested on or after January 1, 2021, and the arrest was for a misdemeanor and the charge was dismissed or criminal proceedings have not been initiated within one year after the arrest, or the arrest was for a felony punishable in the county jail and criminal proceedings have not been initiated within 3 years after the date of the arrest. Under existing law, a person is eligible for automatic conviction record relief if, on or after January 1, 2021, they were sentenced to probation, and completed it without revocation, or if they were convicted of an infraction or a misdemeanor, and other criteria are met, as specified.

This bill would generally make this arrest record relief available to a person who has been arrested for a felony, including a felony punishable in the state prison, as specified. The bill would additionally make this conviction record relief available for a defendant ~~convicted~~ *convicted, on or after January 1, 2005, of a felony for which they did not complete probation without revocation if the defendant appears to have completed all terms of incarceration, probation, mandatory supervision, postrelease supervision, and parole. parole, and a period of four years has elapsed during which the defendant was not convicted of a new offense, except as specified.*

~~Existing law directs the Attorney General to furnish state summary criminal history information, as defined, to specified individuals, organizations, and agencies when necessary for the execution of official duties or to implement a statute or regulation. Existing law also directs the Attorney General to disseminate federal criminal history information when specifically authorized and upon a showing of compelling need. Existing law makes the unauthorized furnishing of criminal history information a crime.~~

~~Commencing July 1, 2022, this bill would require the Attorney General to exclude records of arrest and conviction that were granted relief under specified provisions from state summary criminal history information, except as specified. By expanding the scope of a crime, this bill would create a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

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

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

1 SECTION 1. Section 851.93 of the Penal Code is amended to  
2 read:

3 851.93. (a) (1) On a monthly basis, the Department of Justice  
4 shall review the records in the statewide criminal justice databases,  
5 and based on information in the state summary criminal history  
6 repository, shall identify persons with records of arrest that meet  
7 the criteria set forth in paragraph (2) and are eligible for arrest  
8 record relief.

9 (2) A person is eligible for relief pursuant to this section, if the  
10 arrest occurred on or after January 1, 2021, and meets any of the  
11 following conditions:

12 (A) The arrest was for a misdemeanor offense and the charge  
13 was dismissed.

14 (B) The arrest was for a misdemeanor offense, there is no  
15 indication that criminal proceedings have been initiated, at least  
16 one calendar year has elapsed since the date of the arrest, and no  
17 conviction occurred, or the arrestee was acquitted of any charges  
18 that arose, from that arrest.

19 (C) (i) The arrest was for a felony offense not described in  
20 clause (ii), there is no indication that criminal proceedings have  
21 been initiated, at least three calendar years have elapsed since the  
22 date of the arrest, and no conviction occurred, or the arrestee was  
23 acquitted of any charges arising, from that arrest.

24 (ii) If the arrest was for an offense punishable by imprisonment  
25 in the state prison for eight years or more or by imprisonment  
26 pursuant to subdivision (h) of Section 1170 for eight years or more,  
27 there is no indication that criminal proceedings have been initiated,  
28 at least six years have elapsed since the date of the arrest, and no  
29 conviction occurred, or the arrestee was acquitted of any charges  
30 arising, from that arrest.

31 (D) The person successfully completed any of the following,  
32 relating to that arrest:

33 (i) A prefiling diversion program, as defined in subdivision(d)  
34 of Section 851.87, administered by a prosecuting attorney in lieu  
35 of filing an accusatory pleading.

1 (ii) A drug diversion program administered by a superior court  
2 pursuant to Section 1000.5, or a deferred entry of judgment  
3 program pursuant to Section 1000 or 1000.8.

4 (iii) A pretrial diversion program, pursuant to Section 1000.4.

5 (iv) A diversion program, pursuant to Section 1001.9.

6 (v) A diversion program described in Chapter 2.8 (commencing  
7 with Section 1001.20), Chapter 2.8A (commencing with Section  
8 1001.35), Chapter 2.81 (commencing with Section 1001.40),  
9 Chapter 2.9 (commencing with Section 1001.50), Chapter 2.9A  
10 (commencing with Section 1001.60), Chapter 2.9B (commencing  
11 with Section 1001.70), Chapter 2.9C (commencing with Section  
12 1001.80), Chapter 2.9D (commencing with Section 1001.81), or  
13 Chapter 2.92 (commencing with Section 1001.85), of Title 6.

14 (b) (1) The department shall grant relief to a person identified  
15 pursuant to subdivision (a), without requiring a petition or motion  
16 by a party for that relief if the relevant information is present in  
17 the department's electronic records.

18 (2) The state summary criminal history information shall  
19 include, directly next to or below the entry or entries regarding the  
20 person's arrest record, a note stating "arrest relief granted," listing  
21 the date that the department granted relief, and this section. This  
22 note shall be included in all statewide criminal databases with a  
23 record of the arrest.

24 (3) Except as otherwise provided in subdivision (d), an arrest  
25 for which arrest relief has been granted is deemed not to have  
26 occurred, and a person who has been granted arrest relief is released  
27 from any penalties and disabilities resulting from the arrest, and  
28 may answer any question relating to that arrest accordingly.

29 (c) On a monthly basis, the department shall electronically  
30 submit a notice to the superior court having jurisdiction over the  
31 criminal case, informing the court of all cases for which a  
32 complaint was filed in that jurisdiction and for which relief was  
33 granted pursuant to this section. Commencing on August 1, 2022,  
34 for any record retained by the court pursuant to Section 68152 of  
35 the Government Code, except as provided in subdivision (d), the  
36 court shall not disclose information concerning an arrest that is  
37 granted relief pursuant to this section to any person or entity, in  
38 any format, except to the person whose arrest was granted relief  
39 or a criminal justice agency, as defined in Section 851.92.



1 (d) Relief granted pursuant to this section is subject to all of the  
2 following conditions:

3 (1) Arrest relief does not relieve a person of the obligation to  
4 disclose an arrest in response to a direct question contained in a  
5 questionnaire or application for employment as a peace officer, as  
6 defined in Section 830.

7 (2) Relief granted pursuant to this section has no effect on the  
8 ability of a criminal justice agency, as defined in Section 851.92,  
9 to access and use records that are granted relief to the same extent  
10 that would have been permitted for a criminal justice agency had  
11 relief not been granted.

12 (3) This section does not limit the ability of a district attorney  
13 to prosecute, within the applicable statute of limitations, an offense  
14 for which arrest relief has been granted pursuant to this section.

15 (4) Relief granted pursuant to this section does not affect a  
16 person's authorization to own, possess, or have in the person's  
17 custody or control a firearm, or the person's susceptibility to  
18 conviction under Chapter 2 (commencing with Section 29800) of  
19 Division 9 of Title 4 of Part 6, if the arrest would otherwise affect  
20 this authorization or susceptibility.

21 (5) Relief granted pursuant to this section does not affect any  
22 prohibition from holding public office that would otherwise apply  
23 under law as a result of the arrest.

24 (6) Relief granted pursuant to this section does not affect the  
25 authority to receive, or take adverse action based on, criminal  
26 history information, including the authority to receive certified  
27 court records received or evaluated pursuant to Section 1522,  
28 1568.09, 1569.17, or 1596.871 of the Health and Safety Code, or  
29 pursuant to any statutory or regulatory provisions that incorporate  
30 the criteria of those sections.

31 (e) This section does not limit petitions, motions, or orders for  
32 arrest record relief, as required or authorized by any other law,  
33 including, but not limited to, Sections 851.87, 851.90, 851.91,  
34 1000.4, and 1001.9.

35 (f) The department shall annually publish on the OpenJustice  
36 Web portal, as described under Section 13010, statistics for each  
37 county regarding the total number of arrests granted relief pursuant  
38 to this section and the percentage of arrests for which the state  
39 summary criminal history information does not include a  
40 disposition.

1 (g) This section shall be operative commencing July 1, 2022,  
2 subject to an appropriation in the annual Budget Act.

3 SEC. 2. Section 1203.41 of the Penal Code is amended to read:

4 1203.41. (a) If a defendant is convicted of a felony, the court,  
5 in its discretion and in the interests of justice, may order the  
6 following relief, subject to the conditions of subdivision (b):

7 (1) The court may permit the defendant to withdraw their plea  
8 of guilty or plea of nolo contendere and enter a plea of not guilty,  
9 or, if the defendant has been convicted after a plea of not guilty,  
10 the court shall set aside the verdict of guilty, and, in either case,  
11 the court shall dismiss the accusations or information against the  
12 defendant and the defendant shall thereafter be released from all  
13 penalties and disabilities resulting from the offense of which they  
14 have been convicted, except as provided in Section 13555 of the  
15 Vehicle Code.

16 (2) The relief available under this section may be granted only  
17 after the lapse of one year following the defendant's completion  
18 of the sentence, if the sentence was imposed pursuant to  
19 subparagraph (B) of paragraph (5) of subdivision (h) of Section  
20 1170, or after the lapse of two years following the defendant's  
21 completion of the sentence, if the sentence was imposed pursuant  
22 to subparagraph (A) of paragraph (5) of subdivision (h) of Section  
23 1170 or if the defendant was sentenced to the state prison.

24 (3) The relief available under this section may be granted only  
25 if the defendant is not on parole or under supervision pursuant to  
26 subparagraph (B) of paragraph (5) of subdivision (h) of Section  
27 1170, and is not serving a sentence for, on probation for, or charged  
28 with the commission of any offense.

29 (4) The defendant shall be informed, either orally or in writing,  
30 of the provisions of this section and of their right, if any, to petition  
31 for a certificate of rehabilitation and pardon at the time they are  
32 sentenced.

33 (5) The defendant may make the application and change of plea  
34 in person or by attorney, or by a probation officer authorized in  
35 writing.

36 (b) Relief granted pursuant to subdivision (a) is subject to all  
37 of the following conditions:

38 (1) In any subsequent prosecution of the defendant for any other  
39 offense, the prior conviction may be pleaded and proved and shall

1 have the same effect as if the accusation or information had not  
2 been dismissed.

3 (2) The order shall state, and the defendant shall be informed,  
4 that the order does not relieve them of the obligation to disclose  
5 the conviction in response to any direct question contained in any  
6 questionnaire or application for public office, for licensure by any  
7 state or local agency, or for contracting with the California State  
8 Lottery Commission.

9 (3) Dismissal of an accusation or information pursuant to this  
10 section does not permit a person to own, possess, or have in their  
11 custody or control any firearm or prevent their conviction under  
12 Chapter 2 (commencing with Section 29800) of Division 9 of Title  
13 4 of Part 6.

14 (4) Dismissal of an accusation or information underlying a  
15 conviction pursuant to this section does not permit a person  
16 prohibited from holding public office as a result of that conviction  
17 to hold public office.

18 (c) This section applies to any conviction specified in  
19 subdivision (a) that occurred before, on, or after January 1, 2021.

20 (d) A person who petitions for a change of plea or setting aside  
21 of a verdict under this section may be required to reimburse the  
22 court for the actual costs of services rendered, whether or not the  
23 petition is granted and the records are sealed or expunged, at a rate  
24 to be determined by the court not to exceed one hundred fifty  
25 dollars (\$150), and to reimburse the county for the actual costs of  
26 services rendered, whether or not the petition is granted and the  
27 records are sealed or expunged, at a rate to be determined by the  
28 county board of supervisors not to exceed one hundred fifty dollars  
29 (\$150), and to reimburse any city for the actual costs of services  
30 rendered, whether or not the petition is granted and the records are  
31 sealed or expunged, at a rate to be determined by the city council  
32 not to exceed one hundred fifty dollars (\$150). Ability to make  
33 this reimbursement shall be determined by the court using the  
34 standards set forth in paragraph (2) of subdivision (g) of Section  
35 987.8 and shall not be a prerequisite to a person's eligibility under  
36 this section. The court may order reimbursement in any case in  
37 which the petitioner appears to have the ability to pay, without  
38 undue hardship, all or any portion of the costs for services  
39 established pursuant to this subdivision.

1 (e) (1) Relief shall not be granted under this section unless the  
2 prosecuting attorney has been given 15 days' notice of the petition  
3 for relief. The probation officer shall notify the prosecuting attorney  
4 when a petition is filed, pursuant to this section, if the defendant  
5 was on mandatory supervision. The parole officer shall notify the  
6 prosecuting attorney when a petition is filed, pursuant to this  
7 section, if the defendant was on parole.

8 (2) It shall be presumed that the prosecuting attorney has  
9 received notice if proof of service is filed with the court.

10 (f) If, after receiving notice pursuant to subdivision (e), the  
11 prosecuting attorney fails to appear and object to a petition for  
12 dismissal, the prosecuting attorney shall not move to set aside or  
13 otherwise appeal the grant of that petition.

14 SEC. 3. Section 1203.425 of the Penal Code is amended to  
15 read:

16 1203.425. (a) (1) (A) Commencing July 1, 2022, and subject  
17 to an appropriation in the annual Budget Act, on a monthly basis,  
18 the Department of Justice shall review the records in the statewide  
19 criminal justice databases, and based on information in the state  
20 summary criminal history repository and the Supervised Release  
21 File, shall identify persons with convictions that meet the criteria  
22 set forth in subparagraph (B) and are eligible for automatic  
23 conviction record relief.

24 (B) A person is eligible for automatic conviction relief pursuant  
25 to this section if they meet all of the following conditions:

26 (i) The person is not required to register pursuant to the Sex  
27 Offender Registration Act.

28 (ii) The person does not have an active record for local, state,  
29 or federal supervision in the Supervised Release File.

30 (iii) Based upon the information available in the department's  
31 record, including disposition dates and sentencing terms, it does  
32 not appear that the person is currently serving a sentence for an  
33 offense and there is no indication of pending criminal charges.

34 (iv) The conviction meets either of the following criteria:

35 (I) The conviction occurred on or after January 1, 2021, and  
36 meets either of the following criteria:

37 (ia) The defendant was sentenced to probation, and, based upon  
38 the disposition date and the term of probation specified in the  
39 department's records, appears to have completed their term of  
40 probation without revocation.

1 (ib) The defendant was convicted of an infraction or  
2 misdemeanor, was not granted probation, and, based upon the  
3 disposition date and the term specified in the department’s records,  
4 the defendant appears to have completed their sentence, and at  
5 least one calendar year has elapsed since the date of judgment.

6 (II) The conviction occurred on or after January 1, ~~1973~~, 2005,  
7 the defendant was convicted of a felony other than one for which  
8 the defendant completed probation without revocation, and based  
9 upon the disposition date and the sentence specified in the  
10 department’s records, appears to have completed all terms of  
11 incarceration, probation, mandatory supervision, postrelease  
12 supervision, and ~~parole~~. *parole, and a period of four years has*  
13 *elapsed since the date on which the defendant completed probation*  
14 *or supervision for that conviction and during which the defendant*  
15 *was not convicted of a new felony offense. This subclause does not*  
16 *apply to a conviction of a serious felony defined in subdivision (c)*  
17 *of Section 1192.7, a violent felony as defined in Section 667.5, or*  
18 *a felony offense requiring registration pursuant to Chapter 5.5*  
19 *(commencing with Section 290) of Title 9 of Part 1.*

20 (2) (A) Except as specified in subdivision (b), the department  
21 shall grant relief, including dismissal of a conviction, to a person  
22 identified pursuant to paragraph (1) without requiring a petition  
23 or motion by a party for that relief if the relevant information is  
24 present in the department’s electronic records.

25 (B) The state summary criminal history information shall  
26 include, directly next to or below the entry or entries regarding the  
27 person’s criminal record, a note stating “relief granted,” listing the  
28 date that the department granted relief and this section. This note  
29 shall be included in all statewide criminal databases with a record  
30 of the conviction.

31 (C) Except as otherwise provided in paragraph (4) and in Section  
32 13555 of the Vehicle Code, a person granted conviction relief  
33 pursuant to this section shall be released from all penalties and  
34 disabilities resulting from the offense of which the person has been  
35 convicted.

36 (3) Commencing July 1, 2022, and subject to an appropriation  
37 in the annual Budget Act, on a monthly basis, the department shall  
38 electronically submit a notice to the superior court having  
39 jurisdiction over the criminal case, informing the court of all cases  
40 for which a complaint was filed in that jurisdiction and for which

1 relief was granted pursuant to this section. Commencing on August  
2 1, 2022, for any record retained by the court pursuant to Section  
3 68152 of the Government Code, except as provided in paragraph  
4 (4), the court shall not disclose information concerning a conviction  
5 granted relief pursuant to this section or Section 1203.4, 1203.4a,  
6 1203.41, or 1203.42, to any person or entity, in any format, except  
7 to the person whose conviction was granted relief or a criminal  
8 justice agency, as defined in Section 851.92.

9 (4) Relief granted pursuant to this section is subject to the  
10 following conditions:

11 (A) Relief granted pursuant to this section does not relieve a  
12 person of the obligation to disclose a criminal conviction in  
13 response to a direct question contained in a questionnaire or  
14 application for employment as a peace officer, as defined in Section  
15 830.

16 (B) Relief granted pursuant to this section does not relieve a  
17 person of the obligation to disclose the conviction in response to  
18 a direct question contained in a questionnaire or application for  
19 public office, or for contracting with the California State Lottery  
20 Commission.

21 (C) Relief granted pursuant to this section has no effect on the  
22 ability of a criminal justice agency, as defined in Section 851.92,  
23 to access and use records that are granted relief to the same extent  
24 that would have been permitted for a criminal justice agency had  
25 relief not been granted.

26 (D) Relief granted pursuant to this section does not limit the  
27 jurisdiction of the court over a subsequently filed motion to amend  
28 the record, petition or motion for postconviction relief, or collateral  
29 attack on a conviction for which relief has been granted pursuant  
30 to this section.

31 (E) Relief granted pursuant to this section does not affect a  
32 person's authorization to own, possess, or have in the person's  
33 custody or control a firearm, or the person's susceptibility to  
34 conviction under Chapter 2 (commencing with Section 29800) of  
35 Division 9 of Title 4 of Part 6, if the criminal conviction would  
36 otherwise affect this authorization or susceptibility.

37 (F) Relief granted pursuant to this section does not affect a  
38 prohibition from holding public office that would otherwise apply  
39 under law as a result of the criminal conviction.

1 (G) Relief granted pursuant to this section does not affect the  
2 authority to receive, or take adverse action based on, criminal  
3 history information, including the authority to receive certified  
4 court records received or evaluated pursuant to Section 1522,  
5 1568.09, 1569.17, or 1596.871 of the Health and Safety Code, or  
6 pursuant to any statutory or regulatory provisions that incorporate  
7 the criteria of those sections.

8 (H) Relief granted pursuant to this section does not make eligible  
9 a person who is otherwise ineligible to provide, or receive payment  
10 for providing, in-home supportive services pursuant to Article 7  
11 (commencing with Section 12300) of Chapter 3 of Part 3 of  
12 Division 9 of the Welfare and Institutions Code, or pursuant to  
13 Section 14132.95, 14132.952, or 14132.956 of the Welfare and  
14 Institutions Code.

15 (I) In a subsequent prosecution of the defendant for any other  
16 offense, the prior conviction may be pleaded and proved and shall  
17 have the same effect as if the relief had not been granted.

18 (J) Relief granted pursuant to this section does not release the  
19 defendant from the terms and conditions of any unexpired criminal  
20 protective orders that have been issued by the court pursuant to  
21 paragraph (1) of subdivision (i) of Section 136.2, subdivision (j)  
22 of Section 273.5, subdivision (l) of Section 368, or subdivision  
23 (k) of Section 646.9. These protective orders shall remain in full  
24 effect until expiration or until any further order by the court  
25 modifying or terminating the order, despite the dismissal of the  
26 underlying accusation or information.

27 (5) This section shall not limit petitions, motions, or orders for  
28 relief in a criminal case, as required or authorized by any other  
29 law, including, but not limited to, Sections 1203.4, 1203.4a, 1016.5,  
30 and 1473.7.

31 (6) Commencing July 1, 2022, and subject to an appropriation  
32 in the annual Budget Act, the department shall annually publish  
33 statistics for each county regarding the total number of convictions  
34 granted relief pursuant to this section and the total number of  
35 convictions prohibited from automatic relief pursuant to  
36 subdivision (b), on the OpenJustice Web portal, as defined in  
37 Section 13010.

38 (b) (1) The prosecuting attorney, probation department, or the  
39 Department of Corrections and Rehabilitation may, no later than  
40 90 calendar days before the date of a person's eligibility for relief

1 pursuant to this section, file a petition to prohibit the department  
2 from granting automatic relief pursuant to this section, based on  
3 a showing that granting that relief would pose a substantial threat  
4 to the public safety.

5 (2) The court shall give notice to the defendant and conduct a  
6 hearing on the petition within 45 days after the petition is filed.

7 (3) At a hearing on the petition pursuant to this subdivision, the  
8 defendant, the probation department, the Department of Corrections  
9 and Rehabilitation, the prosecuting attorney, and the arresting  
10 agency, through the prosecuting attorney, may present evidence  
11 to the court. Notwithstanding Sections 1538.5 and 1539, the hearing  
12 may be heard and determined upon declarations, affidavits, police  
13 investigative reports, copies of state summary criminal history  
14 information and local summary criminal history information, or  
15 any other evidence submitted by the parties that is material,  
16 reliable, and relevant.

17 (4) The prosecutor, probation department, or Department of  
18 Corrections and Rehabilitation has the initial burden of proof to  
19 show that granting conviction relief would pose a substantial threat  
20 to the public safety. In determining whether granting relief would  
21 pose a substantial threat to the public safety, the court may consider  
22 any relevant factors including, but not limited to, either of the  
23 following:

24 (A) Declarations or evidence regarding the offense for which a  
25 grant of relief is being contested.

26 (B) The defendant's record of arrests and convictions.

27 (5) If the court finds that the prosecutor, probation department,  
28 or the Department of Corrections and Rehabilitation, has satisfied  
29 the burden of proof, the burden shifts to the defendant to show that  
30 the hardship of not obtaining relief outweighs the threat to the  
31 public safety of providing relief. In determining whether the  
32 defendant's hardship outweighs the threat to the public safety, the  
33 court may consider any relevant factors including, but not limited  
34 to, either of the following:

35 (A) The hardship to the defendant that has been caused by the  
36 conviction and that would be caused if relief is not granted.

37 (B) Declarations or evidence regarding the defendant's good  
38 character.

39 (6) If the court grants a petition pursuant to this subdivision,  
40 the court shall furnish a disposition report to the Department of



1 Justice pursuant to Section 13151, stating that relief pursuant to  
2 this section was denied, and the department shall not grant relief  
3 pursuant to this section.

4 (7) A person denied relief pursuant to this section may continue  
5 to be eligible for relief pursuant to Section ~~1203.4 or 1203.4a.~~  
6 *1203.4, 1203.4a, or 1203.41*. If the court subsequently grants relief  
7 pursuant to one of those sections, the court shall furnish a  
8 disposition report to the Department of Justice pursuant to Section  
9 13151, stating that relief was granted pursuant to the applicable  
10 section, and the department shall grant relief pursuant to that  
11 section.

12 (c) At the time of sentencing, the court shall advise a defendant,  
13 either orally or in writing, of the provisions of this section and of  
14 the defendant's right, if any, to petition for a certificate of  
15 rehabilitation and pardon.

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**All matter omitted in this version of the bill  
appears in the bill as amended in the  
Senate, April 20, 2021. (JR11)**

# Calendar

## April – December 2021

### July

Su	Mo	Tu	We	Th	Fr	Sa
27	28	29	30	1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

### August

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31	1	2	3	4

### September

Su	Mo	Tu	We	Th	Fr	Sa
29	30	31	1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	1	2

### October

Su	Mo	Tu	We	Th	Fr	Sa
26	27	28	29	30	1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31	1	2	3	4	5	6

### November

Su	Mo	Tu	We	Th	Fr	Sa
31	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	1	2	3	4

### December

Su	Mo	Tu	We	Th	Fr	Sa
28	29	30	1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	1

#### List of Holidays April – December 2021

July 4, 2021: Independence Day  
 July 5, 2021: Independence Day (observed)  
 September 6, 2021: Labor Day  
 October 11, 2021: Columbus Day  
 November 11, 2021: Veterans Day  
 November 25, 2021: Thanksgiving Day  
 November 26, 2021: Office closed for Thanksgiving holiday  
 December 25, 2021: Christmas Day

#### Scheduled Meeting Dates

July 16, 2021 = Full Board Meeting