The Consumer Affairs Act of 1970, Business and Profession Code Section 300 et al, which is the governing law for the Department of Consumer Affairs, requires the Department to represent the interests of California consumers before the State Legislature.

This Legislative Digest summarizes legislation that the Department reviewed on behalf of California consumers during the 2008 legislative year.

We hope that it serves as a useful resource for identifying legislation of interest.

Please don't hesitate to contact Susan Lancara, Manager of the Legislative and Regulatory Review Division, at (916) 574-7800 with any questions or comments.

Carrie Lopez, Director
Department of Consumer Affairs

For further information on bills, relevant code sections, the Governor’s veto messages, or bill authors, you can consult www.leginfo.ca.gov or your local legislator. For additional copies of the digest, please consult www.dca.ca.gov or contact the Department’s Division of Legislative and Regulatory Review at (916) 574-7800.
Foreword

The Department of Consumer Affairs’ (DCA) 2008 Legislative Digest is a summary of significant consumer protection legislation relative to DCA Boards, Bureaus, Commission, and Programs introduced during the second year of the 2007-2008 legislative session.

We have organized the Digest by subject category, bill number, and chapter number. Some bills may be referenced in more than one category.

Unless otherwise indicated, enacted bills become effective on January 1, 2009.

The Contents page lists each subject heading. The subject headings refer you to the summaries for each subject.

The Bill Summaries are organized numerically by bill number under each category. This section provides a brief summary of each bill, the bill’s author, and its disposition.

There is also a Bill Number Index and a Chaptered Bill Index, for easy reference.

All department and agency references are for California entities, unless noted otherwise.

While we have made every effort to ensure the accuracy of the information in this Digest, please refer to the California codes for exact statutory citations.
CONTENTS

A. GENERAL CONSUMER PROTECTION BILLS
   1. Business Practices
   2. Court System & Legal Services (Probate)
   3. Internet / e-Commerce / e-Government
   4. Landlord Tenant / Common Interest Developments
   5. Miscellaneous Consumer Issues
   6. New / Proposed Regulatory Programs
   7. Telecommunications

B. BILLS BY DCA BOARD, BUREAU, COMMISSION AND PROGRAM
   1. Accountancy
   2. Acupuncture
   3. All Boards / Bureaus / Commissions / Programs
   4. Architects
   5. Athletic Commission
   6. Automotive Repair
   7. Barbering & Cosmetology
   8. Behavioral Sciences
   9. Cemetery & Funeral
  10. Contractors
  11. Court Reporters
  12. Dentists / Dental Auxiliaries
  13. Electronic & Appliance Repair
  14. Engineers & Land Surveyors
  15. Fiduciaries, Professional
  16. Geologists & Geophysicists
  17. Guide Dogs
  18. Hearing Aid Dispensers
  19. Home Furnishings & Thermal Insulation
  20. Landscape Architects
  21. Medicine
  22. Naturopathic Medicine
  23. Occupational Therapy
  24. Office of Privacy Protection
  25. Optometry
  26. Osteopathic Medicine
  27. Pharmacy
  28. Physical Therapy
  29. Physician Assistants
  30. Podiatric Medicine
  31. Private Postsecondary Education
  32. Psychology
  33. Registered Nursing
  34. Respiratory Care
  35. Security & Investigative Services
  36. Speech-Language Pathology & Audiology
  37. Structural Pest Control
  38. Sunset Review
  39. Telephone Medical Advice Services
  40. Veterinary Medicine
  41. Vocational Nurses & Psychiatric Technicians

C. INDEXES OF BILLS
   By Bill Number and by Chapter Number
## A. GENERAL CONSUMER PROTECTION BILLS

### (1) BUSINESS PRACTICES

<table>
<thead>
<tr>
<th>Bill</th>
<th>Title</th>
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<tbody>
<tr>
<td>AB 588</td>
<td>Credit History: Public Utilities</td>
<td>Died in Senate Judiciary Committee</td>
</tr>
<tr>
<td>De Leon</td>
<td>Would have, upon written consent of a consumer utility subscriber, allowed utility providers to release the subscriber’s payment history to a financial institution or a consumer credit reporting agency specified by the utility subscriber.</td>
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<tr>
<td>AB 1925</td>
<td>Franchise Tax Board: Professional or Occupational Licenses</td>
<td>Failed in Senate Revenue &amp; Taxation Committee</td>
</tr>
<tr>
<td>Eng</td>
<td>Would have required a state governmental licensing entity issuing professional licenses, certificates, registrations, or permits to provide to the Franchise Tax Board (Board) the name and social security number or federal identification number of each licensee of that entity. Would have also required the Board to send a preliminary notice of suspension to a licensee that fails to pay taxes for which a notice of state tax lien has been recorded, and provided that the license of a licensee who fails to satisfy the unpaid taxes by a certain date shall be automatically suspended.</td>
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<tr>
<td>AB 2116</td>
<td>Automobile Sales Contracts: Conditional Contracts</td>
<td>Died in Senate Judiciary Committee</td>
</tr>
<tr>
<td>Portantino</td>
<td>Would have specified the details of the required disclosure of fees and payments necessary for a consumer to reinstate a motor vehicle sales contract after the vehicle has been repossessed for nonpayment.</td>
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<td>AB 2142</td>
<td>Vehicle Rental Agreements: Customer Facility Charge</td>
<td>Enacted Chapter 228</td>
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<tr>
<td>Swanson</td>
<td>Permits the Oakland International Airport to require the collection of a customer facility charge for a period of up to 10 years from the imposition of the charge, if a bond or other form of indebtedness is not used for financing, or if the bond or other form of indebtedness used for financing has been paid.</td>
<td></td>
</tr>
<tr>
<td>AB 2232</td>
<td>Telephone Corporations: State Video Franchiseholders: Video Providers: Employee Background Checks</td>
<td>Enacted Chapter 195</td>
</tr>
<tr>
<td>De La Torre</td>
<td>Prohibits any individual from entering upon the premises of a customer on behalf of a telephone corporation, state video franchise-holder, or video provider unless he or she has had a background check. Also requires background checks be conducted for applicants for employment by a telephone corporation, state video franchise-holder, or video provider if those applicants have direct contact with, or access to, the company's network or central office.</td>
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<tr>
<td>Bill Number</td>
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<td>Status</td>
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<tr>
<td>AB 2641</td>
<td>Military Service: Protection: Mediator</td>
<td>Enacted Chapter 642</td>
</tr>
<tr>
<td>Cook</td>
<td>Authorizes the Governor and each state agency and department to appoint a mediator to take complaints, as specified, and to resolve and coordinate the resolution of those complaints from state employees that are members of the California National Guard or members of a reserve component of the Armed Forces of the United States.</td>
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<tr>
<td>AB 3059</td>
<td>Economic &amp; Employment Enforcement Coalition</td>
<td>Vetoed</td>
</tr>
<tr>
<td>Committee on Labor &amp; Employment</td>
<td>Would have required the Labor and Workforce Development Agency to submit a report to the Legislature by March 1 of each year describing the overall effectiveness of the Economic and Employment Enforcement Coalition, a multi-agency labor law enforcement unit, and quantifying the results of the coalition's enforcement activities.</td>
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<tr>
<td>SB 374</td>
<td>Military Service: Benefits</td>
<td>Died in Senate Appropriations Committee</td>
</tr>
<tr>
<td>Harman</td>
<td>Would have required any board, commission, or bureau of the Department of Consumer Affairs (Department) to waive the initial license fee and renewal fee for any professional license issued under the regulation of the Department for any qualified active member of the Armed Forces, or their spouse.</td>
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<tr>
<td>SB 1400</td>
<td>Sweepstakes</td>
<td>Enacted Chapter 749</td>
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<tr>
<td>Simitian</td>
<td>Provides new rules and disclosure requirements for solicitation materials containing sweepstakes entry materials and solicitation materials selling information regarding sweepstakes.</td>
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<tr>
<td>SB 1765</td>
<td>Motion Picture, Television, &amp; Radio Contracts: 3rd-Party Rights</td>
<td>Died on Senate Inactive File</td>
</tr>
<tr>
<td>Kuehl</td>
<td>Would have prohibited the holder of rights in a motion picture, television program or series, or radio program from selling or licensing those rights for less than their fair market value where a third party is entitled to receive payment based on the proceeds from the sale or licensure.</td>
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</tr>
<tr>
<td>AB 250</td>
<td>Nonprobate Transfers: Revocable Transfer Upon Death Deeds</td>
<td>Failed in Senate Judiciary Committee</td>
</tr>
<tr>
<td>DeVore</td>
<td>Would have created the revocable transfer on death (TOD) deed, which would transfer real property on the death of its owner without a probate proceeding. Would have specified that a person who feloniously and intentionally kills a decedent is not entitled to real property transfers by a revocable TOD deed. Also would have removed the reference to court judgment and held that only the personal representative of the estate would be able to enforce liability to the extent necessary to protect the heirs, devisees and creditors of the decedent.</td>
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<tr>
<td>AB 1340</td>
<td>Guardians &amp; Conservators</td>
<td>Enacted Chapter 293</td>
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<tr>
<td>Jones</td>
<td>Makes technical clarifying changes regarding accounting documents submitted to courts by guardians and conservators, hearing notices for appointing temporary guardians or conservators, and court procedures for retaining the appointment of professional fiduciaries as guardians or conservators. Also makes changes to guardian and conservator petition</td>
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</table>

(2) COURT SYSTEM & LEGAL SERVICES
requirements as proposed by SB 800 (Corbett, 2007) which was held in the Assembly Appropriations Committee.

<table>
<thead>
<tr>
<th>Bill Number</th>
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<tbody>
<tr>
<td>AB 1873</td>
<td>Courts</td>
<td>Vetoed</td>
</tr>
<tr>
<td>AB 2014</td>
<td>Conservators &amp; Guardians: Property In Foreign Jurisdictions</td>
<td>Enacted Chapter 52</td>
</tr>
<tr>
<td>AB 2247</td>
<td>Conservatorships: Investments &amp; Purchase of Property</td>
<td>Died in Assembly Judiciary Committee</td>
</tr>
<tr>
<td>AB 2248</td>
<td>Wills: Requirements</td>
<td>Enacted Chapter 53</td>
</tr>
<tr>
<td>AB 2343</td>
<td>Public Administrators &amp; Conservators</td>
<td>Enacted Chapter 237</td>
</tr>
<tr>
<td>SB 685</td>
<td>Pet Trusts</td>
<td>Enacted Chapter 168</td>
</tr>
<tr>
<td>SB 800</td>
<td>Conservatorship &amp; Guardianship</td>
<td>Died in Assembly Appropriations Committee</td>
</tr>
</tbody>
</table>

Would have changed the post-judgment/postponement fees in small claims court; provided for an ASL (American Sign Language) interpreter on the Judicial Council’s Court Interpreters Advisory Panel; allowed the court to seek reimbursement for costs associated with providing minor’s counsel in dependency cases, and made a technical change concerning the service of documents relating to earnings withholding orders.

Establishes procedures for guardians and conservators to follow when a ward’s or a conservatee’s estate contains property located in a foreign jurisdiction (i.e. outside of California). Also places into two chapters of the Probate Code a statutory definition of the word estate.

Would have expanded investment options available to conservators and guardians that required prior authorization from the court and would also have revised the estate investment options available to conservators and guardians that did not require prior authorization from the court.

Requires witnesses of a will to sign the will during the testator’s lifetime. Also provides the courts a secondary standard for wills intended to be used for probate which were not signed by any witnesses or by only one witness.

Permits in statute the authority for the court to appoint a public administrator as a successor trustee if specified conditions are met and the public administrator consents in writing to the appointment; establishes guidelines for how a public administrator or a public guardian acting as a successor trustee would be compensated; and establishes on January 1, 2010 continuing education requirements for public administrators and public conservators.

Repeals current law on trusts for pets or domesticated animals and enacts new, more detailed provisions for the creation and enforcement of pet trusts. It allows a trustee to terminate the trust without court approval if the trust principal does not exceed $20,000 and clarifies that the trust is not automatically limited to 21 years to ensure that the pet is cared for until its death.

Would have required a conservator to establish a general plan for the care of a conservatee; established procedures for a proposed move of residence of a conservatee; and required a professional conservator to include registration information on a petition for conservatorship.
SB 1264 Harman
Wills & Trusts: No Contest Clauses
Repeals and recasts a part of the probate code concerning “no contest” clauses of wills, trusts, and other instruments.

SB 1421 Harman
Trust Administration: Income & Principal
Would have increased the monetary threshold to terminate a trust without court approval from $20,000 to $40,000, and allowed a trustee when faced with insufficient funds to charge certain disbursements to income or principal.

SB 1498 Committee on Judiciary
Maintenance of the Codes
Makes non-substantive changes in various provisions of law to effectuate the recommendations made by the Legislative Counsel to the Legislature.

(3) INTERNET / e-COMMERCE / e-GOVERNMENT

AB 2750 Krekorian
Music Piracy: Restitution
Provides that in a music or audio-visual piracy case, restitution shall be paid to the owner, lawful producer, or trade association acting on behalf of the owner or producer and provides that restitution includes the reasonable costs incurred by the owner, producer, or trade association acting on behalf of the owner or producer, to investigate the piracy.

SB 618 Alquist
State Agencies: Electronic Records
Would have required each state agency, no later than January 1, 2010, to maintain all of its records in an electronic format.

SB 1494 McClintock
State Agency Web Sites: Information
Would have required each state department and agency to develop and operate a Web site accessible by the public that includes specified information relating to expenditures of state funds.

(4) LANDLORD TENANT / COMMON INTEREST DEVELOPMENTS

AB 567 Saldana
Common Interest Development Bureau
Would have established until January 1, 2014, the Common Interest Development Bureau within the Department of Consumer Affairs and provided education, informal dispute resolution and mediation services to concerned stakeholders.

AB 952 Mullin
CIDs: Assessments: Low & Moderate-Income Residents
Would have required the board of directors of a homeowners association in a common interest development to provide a member who is delinquent in paying assessments a payment plan, if there is an established need for a plan.
AB 1892  
**Smyth**  
**CIDs: Solar Energy**  
Prohibits common interest developments from including language in their governing documents that bans the installation of solar energy systems.

Enacted
Chapter 40

AB 1921  
**Saldana**  
**Common Interest Developments**  
Would have revised the Davis-Stirling Common Interest Development Act that provides for the creation and regulation of common interest developments.

Died in Senate Transportation & Housing Committee

AB 1955  
**Plescia**  
**CIDs: Assessments**  
Would have allowed homeowners association (HOA) assessments to be based on the assessed property tax value of each home if the HOA levied those assessments in that manner on or before December 31, 2008.

Vetoed

AB 2052  
**Lieu**  
**Residential Tenancies: Domestic Violence**  
Permits a tenant, who is a victim of domestic violence, sexual assault, or stalking, to terminate a rental agreement and be free from any rent due beyond 30 days after quitting and allows a landlord to evict the alleged abuser based on the restraining/emergency protective order or the written police report.

Enacted
Chapter 440

AB 2180  
**Lieu**  
**CIDs: Solar Energy**  
Requires a homeowners association in a common interest development to respond to a request from a member to install a solar energy system in his/her separate unit within 60 days.

Enacted
Chapter 539

AB 2259  
**Mullin**  
**CIDs: Right to Rent or Lease**  
Would have permitted a homeowner in a common interest development to retain the right to rent or lease his or her unit, if the right existed at the time of ownership and to inform prospective buyers of any such restrictions before transfer of title.

Vetoed

AB 2586  
**Torrico**  
**Residential Tenancies: Security Deposit on Foreclosure**  
Would have provided various protections for tenants in the case of foreclosure, including requiring notification of termination of utility service and a guarantee that tenants receive their security deposits if they are forced to move after a foreclosure.

Vetoed

AB 2806  
**Karnette**  
**CIDs: Board Member Education**  
Would have required board members and candidates for the board of a common interest development (CID) to disclose to the governing board whether or not they had completed an education course on CID law, and required the board to provide that information to the members of the association.

Vetoed
AB 2846 CIDs: Assessments
Allows homeowners disputing assessments not exceeding the jurisdictional limits of the small claims court, currently $7,500, to pay under protest the disputed amount and all other amounts levied and commence an action in small claims court.

SB 948 CIDs: Board Member Education
Would have required, beginning January 1, 2009, every member of the board of directors of a homeowners association to complete a three-hour course approved by the Department of Real Estate, relating to decisional and statutory law regarding common interest developments each term.

SB 1057 Mobilehome Parks
Would have declared that a mobilehome owner's equity may include placement value and that local rent and price regulations on mobilehome parks serve to protect fixed-income residents, particularly senior citizens, by providing affordable housing to mobilehome park tenants in place.

SB 1234 Mobilehomes: Privacy
Prohibits a mobilehome park ownership or management from entering an enclosed accessory structure on a homeowner’s leased or rented space, without the prior written consent of the resident.

SB 1511 CIDs: Mortgages: Successors in Interest
Allows a homeowners association to file a request with the office of the recorder to receive a copy of the trustee’s deed of sale of any property under its governance that is foreclosed.

SB 1598 Tenancies: Prohibition of Smoking Tobacco Products
Would have authorized a landlord of a residential building to prohibit smoking of tobacco products on the property or in any building or portion that is located on the property.

(5) MISCELLANEOUS CONSUMER ISSUES

AB 10 Health Care
The introduced version of this bill would have allowed a health care provider, health care service plan, contractor, or corporation to use personal medical information to provide a written communication to a pharmacy patient during a face-to-face interaction and assist the pharmacist in providing useful information to the patient regarding a prescription drug. The bill was later amended to impact the Labor Code.

AB 109 Air Pollution: Alternative Fuels & Vehicle Technologies
Revises and clarifies provisions of two programs enacted by AB 118 (Nunez, Chapter 750, Statutes of 2007) relating to alternative fuels, vehicle technologies, and air quality funding programs.
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Description</th>
<th>Status</th>
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</thead>
<tbody>
<tr>
<td>AB 264</td>
<td>Secondhand Dealers &amp; Coin Dealers</td>
<td>Vetoed</td>
</tr>
<tr>
<td>Mendoza</td>
<td>Would have provided conforming changes to new forms of identification for customers of secondhand and coin dealers, which no longer require a signature, to verify borrowers' identities.</td>
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<tr>
<td>AB 450</td>
<td>State Board of Chiropractic Examiners</td>
<td>Enacted Chapter 12</td>
</tr>
<tr>
<td>Emmerson</td>
<td>Appropriates $1,542,000 from the State Board of Chiropractic Examiners' (Board) Fund in augmentation of the appropriation to the Board in the Budget Act of 2007. Also declares the Legislature's intent that protection of the public is the highest priority of the Board, and specifies that the appropriation would go into immediate effect.</td>
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<tr>
<td>AB 512</td>
<td>Contracts: Translation</td>
<td>Died in Senate Banking,</td>
</tr>
<tr>
<td>Lieber</td>
<td>Would have required supervised financial organizations that negotiate any material term of a contract or agreement, in one of five listed foreign languages, to provide either an approved disclosure form or a translated copy of the contract or agreement to the borrower.</td>
<td>Finance &amp; Insurance</td>
</tr>
<tr>
<td>AB 619</td>
<td>Vehicle Registration Amnesty Program</td>
<td>Enacted Chapter 420</td>
</tr>
<tr>
<td>Emmerson</td>
<td>Requires the Department of Motor Vehicles (DMV) to develop and administer a vehicle registration amnesty program which would be in effect from January 1, 2010, until December 31, 2010, for vehicles that were previously registered or classified incorrectly and that, pursuant to the program, become correctly registered, as defined. The DMV will be required to grant amnesty to a vehicle owner if all of the specified conditions were met by December 31, 2010, including, but not limited to, the owner filing a completed application, signed under penalty of perjury, with the DMV. The Governor's Signing Message requires DCA &amp; BAR to work with the author and the Legislature to make the necessary legislative changes to properly implement the program.</td>
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<tr>
<td>AB 624</td>
<td>Foundations: Diversity</td>
<td>Died in Senate Business,</td>
</tr>
<tr>
<td>Coto</td>
<td>Would have required private, corporate, or public foundations with assets over $250 million to publicly disclose racial, gender, and ethnicity data related to their governance structure and domestic grant making.</td>
<td>Professions &amp; Economic Dev Committee</td>
</tr>
<tr>
<td>AB 1137</td>
<td>Chiropractors</td>
<td>Failed in Senate Business,</td>
</tr>
<tr>
<td>Eng</td>
<td>Would have, among other things, included the Board of Chiropractic Examiners within the Department of Consumer Affairs. Would have also specified that some of its provisions would be included on the June 3, 2008 primary election ballot.</td>
<td>Professions, &amp; Economic Dev Committee</td>
</tr>
<tr>
<td>AB 1333</td>
<td>Payment of Utility Charges Following Foreclosure</td>
<td>Vetoed</td>
</tr>
<tr>
<td>Hancock</td>
<td>Would have required the legal owner of a property to pay for utilities provided to a property or its tenants following a foreclosure and permitted a municipal utility district to place a lien on a property for delinquent fees or charges for the furnishing of water or sewer service to residential property.</td>
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<tr>
<td>Bill Number</td>
<td>Bill Title</td>
<td>Status</td>
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<tr>
<td>AB 1634</td>
<td>Dogs &amp; Cats: Nonspayed or Unneutered: Civil Penalties</td>
<td>Died on Senate Inactive File</td>
</tr>
<tr>
<td>Levine</td>
<td>Would have enacted the California Responsible Pet Ownership Act to establish that a person who owns a dog or cat that is not licensed and that has not been spayed or neutered may be cited and, if cited, must pay civil penalties, microchip, and/or sterilize the animal at the owner’s cost.</td>
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</tr>
<tr>
<td>AB 1861</td>
<td>State Board of Chiropractic Examiners</td>
<td>Died in Assembly Appropriations Committee</td>
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<tr>
<td>Emmerson</td>
<td>Would have appropriated $1,542,000 from the State Board of Chiropractic Examiners’ (Board) Fund in augmentation of the appropriation to the Board in the Budget Act of 2007. Would have also declared the Legislature’s intent that protection of the public is the highest priority of the Board, and specified that the appropriation would go into immediate effect.</td>
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</tr>
<tr>
<td>AB 1866</td>
<td>Service Contracts: Retailers</td>
<td>Vetoed</td>
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<tr>
<td>Mendoza</td>
<td>Would have required retailers that sell service contracts to maintain contract information that includes a description of the terms and conditions of the service contract, and provide that information to the purchaser of a service contract or other beneficiary upon request. Also, would have required retailers to provide to a service contract purchaser or other beneficiary a copy of the service contract within 10 business days, upon request.</td>
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<tr>
<td>AB 1870</td>
<td>Secondhand Dealers &amp; Coin Dealers</td>
<td>Vetoed</td>
</tr>
<tr>
<td>De Leon</td>
<td>Would have permitted secondhand dealers and coin dealers to accept a “Matricula Consular” along with another item of identification bearing an address, as an acceptable identifying document in a pawn transaction.</td>
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</tr>
<tr>
<td>AB 1952</td>
<td>Business Licensing: Exemptions: Veterans</td>
<td>Enacted Chapter 435</td>
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<tr>
<td>Berg</td>
<td>Provides that every person who is honorably discharged or honorably relieved from the military, naval, or air service of the United States and is a resident of this state, is entitled to obtain a license to distribute circulars and sell any goods, other than alcoholic beverages, without payment of any business license fees.</td>
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<tr>
<td>AB 2059</td>
<td>Mailed Solicitations: Disclosures</td>
<td>Enacted Chapter 738</td>
</tr>
<tr>
<td>Nunez</td>
<td>Requires a person that sends a solicitation by mail to solicit a recipient whose telephone number is not on the national &quot;do not call” registry to consent to receive information via telephone to include a clear and conspicuous identification of the sender and of the entity that is requesting permission to call, the telephone number to which the calls are to be placed, and notice that the recipient may be contacted by a telephone solicitor.</td>
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<tr>
<td>AB 2116</td>
<td>Automobile Sales Contracts: Conditional Contracts</td>
<td>Died in Senate Judiciary Committee</td>
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<tr>
<td>AB 2123</td>
<td>California Financial Literacy Initiative</td>
<td>Vetoed</td>
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<tr>
<td>Lieu</td>
<td>Would have established the California Financial Literacy Initiative to be administered by the State Controller and would have provided financial literacy resources and instruction to Californians.</td>
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</tr>
<tr>
<td>AB 2136</td>
<td>Prepaid Calling Cards</td>
<td>Enacted Chapter 739</td>
</tr>
<tr>
<td>Mendoza</td>
<td>Requires an advertisement of the price, rate, or unit value in connection with the sale of prepaid calling cards or services to clearly and conspicuously disclose any geographic limitation and all ancillary charges and conditions; and imposes additional requirements upon a company that issues prepaid calling cards or services, including a requirement that the customer be informed of any increase prior to the customer agreeing to pay for the recharge.</td>
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<tr>
<td>AB 2142</td>
<td>Vehicle Rental Agreements: Customer Facility Charge</td>
<td>Enacted Chapter 228</td>
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<td>Swanson</td>
<td>Permits the Oakland International Airport to require the collection of a customer facility charge for a period of up to 10 years from the imposition of the charge, if a bond or other form of indebtedness is not used for financing, or if the bond or other form of indebtedness used for financing has been paid.</td>
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<tr>
<td>AB 2224</td>
<td>California Clean Energy Curriculum &amp; Training Initiative of 2008</td>
<td>Died in Assembly Appropriations Committee</td>
</tr>
<tr>
<td>De La Torre</td>
<td>Would have required the Labor and Workforce Development Agency, with the assistance of the Division of Apprenticeship Standards, Employment Training Panel, and the Workforce Investment Board, to create the California Clean Energy Curriculum and Training Initiative of 2008 to establish standardized curriculum for use at schools and provide outreach, assistance, and guidance to schools on creating clean energy training programs.</td>
<td></td>
</tr>
<tr>
<td>AB 2232</td>
<td>Telephone Corporations: State Video Franchiseholders: Video Providers: Employee Background Checks</td>
<td>Enacted Chapter 195</td>
</tr>
<tr>
<td>De La Torre</td>
<td>Prohibits any individual from entering upon the premises of a customer on behalf of a telephone corporation, state video franchiseholder, or video provider unless he or she has had a background check. Also requires background checks be conducted for applicants for employment by a telephone corporation, state video franchiseholder, or video provider if those applicants have direct contact with, or access to, the company's network or central office.</td>
<td></td>
</tr>
<tr>
<td>AB 2272</td>
<td>Vehicles: Motorcycles</td>
<td>Enacted Chapter 672</td>
</tr>
<tr>
<td>Fuentes</td>
<td>Deletes the weight limitation from the definition of &quot;motorcycle&quot; (weighs less than 1,500 pounds) and deletes the separate definition for electrically powered motorcycles (less than 2,500 pounds and has a maximum speed of 45 miles per hour) and deletes the restriction regarding 3-wheeled motor vehicles driving in the preferential use lane.</td>
<td></td>
</tr>
<tr>
<td>AB 2299</td>
<td>Maintenance of the Codes</td>
<td>Vetoed</td>
</tr>
<tr>
<td>Silva</td>
<td>Would have revised references to recording technologies in order to reflect current uses of those devices as well as the potential development of future technologies. Would also have corrected erroneous cross-references and revised statutes made obsolete by subsequent legislative acts.</td>
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<tr>
<td>Bill Number</td>
<td>Title</td>
<td>Status</td>
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</tr>
<tr>
<td>AB 2316</td>
<td>Greenhouse Gas Emission Reductions</td>
<td>Died in Assembly Appropriations Committee</td>
</tr>
<tr>
<td>Ruskin</td>
<td>Would have required the Milton Marks &quot;Little Hoover&quot; Commission on California State Government Organization and Economy, on or before January 1, 2010, to conduct a study and make recommendations to the Legislature on the consolidation, improvement, and greenhouse gas emissions reduction contributions of existing vehicle retirement programs.</td>
<td></td>
</tr>
<tr>
<td>AB 2452</td>
<td>Notaries Public</td>
<td>Enacted Chapter 67</td>
</tr>
<tr>
<td>Davis</td>
<td>Adds specified governmental employee identification cards as an allowable form of identification for a credible witness to prove the identity of an individual who executes a written instrument and deletes a provision allowing a witness to an individual's identification who is personally known to the officer to serve as evidence for an acknowledgment.</td>
<td></td>
</tr>
<tr>
<td>AB 2734</td>
<td>Health Care Practitioners: Business Cards &amp; Advertisements</td>
<td>Failed on Assembly Floor</td>
</tr>
<tr>
<td>Krekorian</td>
<td>Would have required dentists, physicians, osteopaths, and chiropractors to include their licensing information on advertisements and business cards. A violation by a licensed practitioner would have been punishable by a fine and a violation by an unlicensed person would have been a misdemeanor.</td>
<td></td>
</tr>
<tr>
<td>AB 2747</td>
<td>End-of-Life Care</td>
<td>Enacted Chapter 683</td>
</tr>
<tr>
<td>Berg</td>
<td>Requires physicians, nurses, and physician assistants to provide terminally ill patients with the opportunity to receive specified information and counseling regarding legal end-of-life care options, and requires providers who do not wish to comply with a patient's end-of-life decisions to refer the patient to an alternative provider and give the patient information on how to transfer.</td>
<td></td>
</tr>
<tr>
<td>AB 2750</td>
<td>Music Piracy: Restitution</td>
<td>Enacted Chapter 468</td>
</tr>
<tr>
<td>Krekorian</td>
<td>Provides that in a music or audio-visual piracy case restitution shall be paid to the owner, lawful producer, or trade association acting on behalf of the owner or producer and provides that restitution includes the reasonable costs incurred by the owner, producer, or trade association acting on behalf of the owner or producer, to investigate the piracy.</td>
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</tr>
<tr>
<td>AB 2769</td>
<td>Digital Broadcast Television</td>
<td>Died on Senate Floor</td>
</tr>
<tr>
<td>Levine</td>
<td>As originally written, would have required retailers who sell televisions to post a storefront notice regarding the upcoming transition from analog to digital broadcast television and consumers' options during this transition, and to provide consumers with a brochure containing additional information regarding the transition. The bill was later amended to impact the State Water Resources Control Board.</td>
<td></td>
</tr>
<tr>
<td>AB 2919</td>
<td>Advertising</td>
<td>Enacted Chapter 256</td>
</tr>
<tr>
<td>Garcia</td>
<td>Requires a business that sends a mailing that offers to assist the recipient in dealing with a governmental agency to state that it is not a governmental agency, that it is not associated with a governmental agency, and to include contact information for the governmental agency referred to.</td>
<td></td>
</tr>
<tr>
<td>SB 509</td>
<td>Hazardous Materials: Toxic Substances</td>
<td>Enacted Chapter 560</td>
</tr>
<tr>
<td>Simitian</td>
<td>Requires that before a designated product may be manufactured or sold in</td>
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</table>

Department of Consumer Affairs www.dca.ca.gov
California the manufacturer or seller must disclose, by one of two means, each ingredient contained in the product that exceeds an amount of one-tenth of one percent.

**SB 580**  
**Calderon**  
**Pawnbrokers**  
Provides for a minimum charge of no more than $3 a month on any loan issued by a pawnbroker and prohibits the pawnbrokers’ loan setup fee from exceeding $5 or two percent for each loan, whichever is greater, not to exceed $10.

**SB 722**  
**Correa**  
**Decedents Estates: Judgments of Conviction**  
Before this bill was amended, it would have permitted family members of the victim, facing a murder trial, as secondary beneficiaries to collect the decedent’s estate or insurance policy without waiting for the outcome of an appeal.

**SB 731**  
**Oropeza**  
**Massage Therapy**  
Provides for the certification of massage practitioners and massage therapists by the Massage Therapy Organization (Organization); makes the Organization subject to review by the Joint Committee on Boards, Commissions, and Consumer Protection (Joint Committee); prohibits a city, county, or other political jurisdiction from enacting or enforcing an ordinance relating to the practice of massage against an individual who is certified under the provisions of this bill, and sunsets these provisions effective January 1, 2016.

**SB 1167**  
**Wiggins**  
**Insurance: Vehicle Repair Task Force**  
Would have required the Insurance Commissioner, within a specified time period, to convene a task force to review the issues arising from the implementation of these requirements (no insurer can direct, suggest or recommend a customer to a specific automotive repair dealer) and to report its findings in writing to the Legislature by December 31, 2009.

**SB 1217**  
**Yee**  
**Board of Pilot Commissioners: Pilots: Fitness for Duty**  
Requires the Board of Pilot Commissioners, on or before April 15, 2010 and annually thereafter, to submit to the Secretary of the Senate and the Chief Clerk of the Assembly a report containing specified information describing its activities for the preceding calendar year.

**SB 1257**  
**Machado**  
**Consumer Rebates**  
Beginning July 1, 2009, would have imposed requirements on companies and retailers that offer consumer rebates including that a company allow a minimum of 15 days for a consumer to submit a rebate request.

**SB 1319**  
**Machado**  
**Unclaimed Property: Escheat**  
Would have improved the disposition of unclaimed property that escheats to the state; increased the holding period of unclaimed property from 18 months to 7 years; allowed the State Controller to pay interest on claims for the period it is held by the state; revised notice requirements to be sent to owners before their property escheats to the state; required greater disclosure to clients when opening an account on escheat provisions in law; and increased penalties for noncompliance of reporting and transfer requirements.
<table>
<thead>
<tr>
<th>Bill</th>
<th>Title</th>
<th>Status</th>
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<tbody>
<tr>
<td>SB 1329</td>
<td>Charitable Institutions: Fund Management: Dissolution</td>
<td>Enacted Chapter 715</td>
</tr>
<tr>
<td>Harman</td>
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<tr>
<td>SB 1400</td>
<td>Sweepstakes</td>
<td>Enacted Chapter 749</td>
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<td>Simitian</td>
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<tr>
<td>SB 1402</td>
<td>Reporting Requirements</td>
<td>Vetoed</td>
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<tr>
<td>Corbett</td>
<td></td>
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</tr>
<tr>
<td>SB 1765</td>
<td>Motion Picture, Television, &amp; Radio Contracts: 3rd-Party Rights</td>
<td>Died on Senate Inactive File</td>
</tr>
<tr>
<td>Kuehl</td>
<td></td>
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<tr>
<td>AB 311</td>
<td>Colon Hydrotherapy</td>
<td>Failed in Assembly Business &amp; Professions Committee</td>
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<td>Dymally</td>
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<tr>
<td>AB 567</td>
<td>Common Interest Development Bureau</td>
<td>Vetoed</td>
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<tr>
<td>Saldana</td>
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<tr>
<td>AB 1137</td>
<td>Chiropractors</td>
<td>Failed in Senate Business, Professions, &amp; Economic Dev Committee</td>
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<td>Eng</td>
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</tbody>
</table>

(6) NEW / PROPOSED REGULATORY PROGRAMS

**Colon Hydrotherapy**

Would have created the Board of Colon Hydrotherapy within the Department of Consumer Affairs to license and regulate colon hydrotherapists, prohibited the unlicensed practice of colon hydrotherapy, and established various requirements and standards for licensed colon hydro-therapists.

**Common Interest Development Bureau**

Would have established until January 1, 2014, the Common Interest Development Bureau within the Department of Consumer Affairs and provided education, informal dispute resolution and mediation services to concerned stakeholders.

**Chiropractors**

Would have, among other things, included the Board of Chiropractic Examiners within the Department of Consumer Affairs. Would have also specified that some of its provisions would be included on the June 3, 2008 primary election ballot.
AB 2224  
**California Clean Energy Curriculum & Training Initiative of 2008**

De La Torre  
Would have required the Labor and Workforce Development Agency, with the assistance of the Division of Apprenticeship Standards Employment Training Panel and the Workforce Investment Board, to create the California Clean Energy Curriculum and Training Initiative of 2008 to establish standardized curriculum for use at schools and provide outreach, assistance, and guidance to schools on creating clean energy training programs.

Died in Assembly Appropriations Committee

SB 853  
**Dentistry: Dental Assistants & Hygienists**

Perata  
Abolishes the Committee on Dental Auxiliaries (COMDA) and establishes the Dental Hygiene Committee of California to license and regulate dental hygienists. The responsibility to license and regulate dental assistants is transferred from COMDA to the Dental Board of California. Abolishes the Dental Auxiliary Fund and in its place establishes the Dental Hygiene Fund and the Dental Assisting Fund for dental hygienists and dental assistants respectively. Also reestablishes the Dental Board of California. Changes take effect July 1, 2009.

Enacted Chapter 31

SB 1526  
**Polysomnographic Technologists: Sleep & Wake Disorders**

Perata  
Would have required registration of individuals with the Medical Board of California (Board) in order to use the title “certified polysomnographic technologist” and engage in the practice of polysomnography. Also, would have required the Board to adopt regulations that established the means and circumstances under which a physician may employ a polysomnographic technician or polysomnographic trainee.

Vetoed

(7) **TELECOMMUNICATIONS**

AB 2136  
**Prepaid Calling Cards**

Mendoza  
Requires an advertisement of the price, rate, or unit value in connection with the sale of prepaid calling cards or services to clearly and conspicuously disclose any geographic limitation and all ancillary charges and conditions; and imposes additional requirements upon a company that issues prepaid calling cards or services, including a requirement that the customer be informed of any increase prior to the customer agreeing to pay for the recharge.

Enacted Chapter 739

AB 2885  
**Telecommunications: Mobile Telephony Service: Prepaid Service**

De La Torre  
Authorizes the Public Utilities Commission to enforce the standards and requirements for consumer disclosure and services applicable to sellers of prepaid calling cards and services.

Enacted Chapter 745
### B. BILLS BY DCA BOARDS, BUREAUS, & PROGRAMS

#### (1) ACCOUNTANCY

<table>
<thead>
<tr>
<th>Bill</th>
<th>Description</th>
<th>Status</th>
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</thead>
<tbody>
<tr>
<td>AB 1185</td>
<td>Accountants: Peer Review Program Would have required that the Board of Accountancy review and evaluate whether to implement a peer review program and report its findings to the Legislature and the Department of Consumer Affairs no later than September 1, 2008, rather than the existing due date of September 1, 2011.</td>
<td>Died in Senate Business, Professions &amp; Economic Dev Committee</td>
</tr>
<tr>
<td>AB 2473</td>
<td>Accountancy: Licensure Would have eliminated the notification process and fees required for accountants licensed in another state to practice in California; modified the notification requirements for firms licensed in another state to practice in California; and rephrased statutory language by changing the term “practice privilege” to “cross border practice” in statute.</td>
<td>Died in Assembly Business &amp; Professions Committee</td>
</tr>
<tr>
<td>SB 654</td>
<td>Accountants: Licensing Examination Would have provided that, for the purposes of qualifying applicants for admission to the accounting licensing examination and issuing certified public accountant licenses, the date on which an educational institution applied for accreditation shall be accepted as the date on which the institution was accredited if the accreditation was obtained at any time during the 5-year period subsequent to the application.</td>
<td>Failed in Senate Business &amp; Professions Committee</td>
</tr>
</tbody>
</table>

#### (2) ACUPUNCTURE

<table>
<thead>
<tr>
<th>Bill</th>
<th>Description</th>
<th>Status</th>
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</thead>
<tbody>
<tr>
<td>SB 136</td>
<td>Acupuncture: Tui Na Would have deleted the term “Asian massage” and instead would have authorized the holder of an acupuncturist's license to perform or prescribe the use of Tui Na. Would have defined Tui Na for purposes of that provision as a hands-on body treatment that uses pressure techniques, including myofascial release and manual therapy.</td>
<td>Died in Senate Business, Professions &amp; Economic Dev Committee</td>
</tr>
<tr>
<td>SB 963</td>
<td>Department of Consumer Affairs: Regulatory Boards Extends the sunset date for the Acupuncture Board from July 1, 2009 to January 1, 2011.</td>
<td>Enacted Chapter 385</td>
</tr>
</tbody>
</table>

#### (3) ALL BOARDS / BUREAUS / COMMISSIONS / PROGRAMS

<table>
<thead>
<tr>
<th>Bill</th>
<th>Description</th>
<th>Status</th>
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<tbody>
<tr>
<td>AB 1925</td>
<td>Franchise Tax Board: Professional or Occupational Licenses Would have required a state governmental licensing entity issuing</td>
<td>Failed in Senate Revenue &amp; Taxation</td>
</tr>
</tbody>
</table>
professional licenses, certificates, registrations, or permits to provide to the Franchise Tax Board (Board) the name and social security number or federal identification number of each licensee of that entity. Would have also required the Board to send a preliminary notice of suspension to a licensee that fails to pay taxes for which a notice of state tax lien has been recorded, and provided that the license of a licensee who fails to satisfy the unpaid taxes by a certain date shall be automatically suspended.

**AB 2118**
Villines

**State Agencies: Administrative Regulations**

Would have required that a state agency not adopt a regulation that would require any person or entity to use a specific technology unless that technology had been operational and proven effective for more than two years; or would place an undue burden on California business on an annual basis and result in significant loss of jobs.

**AB 2423**
Bass

**Professions & Vocations: Licensure**

Establishes or modifies the authority and procedures for granting an initial probationary license, and establishes special procedures for the denial of a license based on an applicant’s criminal history for the Bureau of Automotive Repair, Bureau of Barbering and Cosmetology, Bureau of Security and Investigative Services, Veterinary Medicine Board, Structural Pest Control Board, and the Bureau of Vocational Nursing and Psychiatric Technicians, within the Department of Consumer Affairs.

**AB 2427**
Eng

**Professions & Vocations**

Would have amended the Business and Professions Code to explicitly state that local governments could not regulate or prohibit licensees of health care professions in the Department of Consumer Affairs from performing established occupational practices that are within the scope of their license.

**AB 2641**
Cook

**Military Service: Protection: Mediator**

Authorizes the Governor and each state agency and department to appoint a mediator to take complaints and to resolve and coordinate the resolution of those complaints from state employees that are members of the California National Guard or members of a reserve component of the Armed Forces of the United States.

**SB 374**
Harman

**Military Service: Benefits**

Would have required any board, commission, or bureau of the Department of Consumer Affairs (Department) to waive the initial license fee and renewal fee for any professional license issued under the regulation of the Department for any qualified active member of the Armed Forces, or their spouse.

**SB 618**
Alquist

**State Agencies: Electronic Records**

Would have required each state agency, no later than January 1, 2010, to maintain all of its records in an electronic format.

**SB 721**
Ashburn

**State Agencies: Succession Plans**

Would have required every state agency to establish and implement a...
succession plan by January 1, 2010 and report to the legislature on the success or failure of this plan by January 1, 2012.

**SB 1402**

**Corbett**

**Reporting Requirements**

Would have added 10 specified Boards and Bureaus within the Department of Consumer Affairs to the entities required to provide licensing status information online; required a chiropractor to report to the Board of Chiropractic Examiners (Board) the bringing of an indictment or information regarding a felony against them or their conviction of any felony or misdemeanor; and required an insurer providing professional liability insurance to a chiropractor to send a complete report to the Board of any settlement or arbitration award of over $2,000 of a claim or action for damages meeting certain criteria.

**SB 1441**

**Ridley-Thomas**

**Healing Arts Practitioners: Substance Abuse**

Establishes the Substance Abuse Coordination Committee within the Department of Consumer Affairs (Department) for the purpose of determining uniform standards to be used by healing arts boards in dealing with substance-abusing licensees, establishes diversion program manager positions in specified boards to review and evaluate recommendations of those boards’ diversion evaluation committees, and states the intent of the Legislature that the Department perform an audit of the existing contractor for several boards’ diversion programs.

**SB 1494**

**McClintock**

**State Agency Web Sites: Information**

Would have required each state department and agency to develop and operate a Web site accessible by the public that includes specified information relating to expenditures of state funds.

**SB 1696**

**Yee**

**California Public Records Act: Disclosure**

Prohibits a state or local agency from entering into a confidentiality agreement or other contract to make information confidential or disclosable if that information is otherwise subject to disclosure under the California Public Records Act.

### (4) ARCHITECTS

**SB 1312**

**Yee**

**Registered Interior Designers**

Would have created the Registered Interior Designers Committee within the jurisdiction of the California Architects Board. Would have provided for the registration and regulation by the committee and the board of persons that engage in the practice of registered interior design and would have added one registered interior designer and an additional public member to the board. Also would have authorized the committee to issue a certificate of registration to a certified interior designer who applies before January 1, 2011.

**SB 1608**

**Corbett**

**Disabled Persons: Equal Access Rights: Civil Actions**

Requires a person licensed to practice architecture, as a condition of license renewal, to complete coursework regarding disability access.
requirements, certify that completion to the California Architects Board, and provide specified documentation from the course provider.

**(5) ATHLETIC COMMISSION**

**SB 963**
Ridley-Thomas

**Department of Consumer Affairs: Regulatory Boards**

Extends the sunset date for the Athletic Commission from July 1, 2009 to January 1, 2011.

**(6) AUTOMOTIVE REPAIR**

**AB 616**
Jones

**Smog Check: Annual Inspection: Repair Assistance Program**

Would have required the Bureau of Automotive Repair (BAR) to incorporate annual inspection of vehicles that are 15 model years or older into the motor vehicle inspection and maintenance (smog check) program by July 1, 2008. Also would have required BAR to develop a vehicle emissions profile that identifies vehicles or classes of vehicles that are likely to pass annual inspection.

**AB 2063**
Parra

**Smog Check Program: Biennial Inspection**

Would have subjected all vehicles registered within the state to biennial inspection, except as specifically exempted, regardless of where in the state the vehicle was registered.

**AB 2241**
Saldana

**Vehicle Operation: Temporary Permits**

Requires that a fee of $50 be paid for each temporary permit issued when a certificate of compliance is required, except that the fee will not be charged for a vehicle that has been accepted into the Bureau of Automotive Repair Consumer Assistance Program if the owner of the vehicle qualifies as an income eligible applicant for the program and presents sufficient evidence of this fact. Also limits the issuance of a temporary permit under these circumstances to a vehicle that has failed its most recent smog check inspection.

**AB 2316**
Ruskin

**Greenhouse Gas Emission Reductions**

Would have required the Milton Marks "Little Hoover" Commission on California State Government Organization and Economy, on or before January 1, 2010, to conduct a study and make recommendations to the Legislature on the consolidation, improvement, and greenhouse gas emissions reduction contributions of existing vehicle retirement programs.

**AB 2423**
Bass

**Professions & Vocations: Licensure**

Establishes or modifies the authority and procedures for granting an initial probationary license, and establishes special procedures for the denial of a license based on an applicant’s criminal history, for the Bureau of Automotive Repair, within the Department of Consumer Affairs.

**AB 2825**
Carter

**Automotive Repair: Crash Parts**

Would have authorized the customer to receive copies of invoices from the

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**Department of Consumer Affairs**

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distributor, dealer, or manufacturer for all specified crash parts installed for which the customer is charged in excess of $50 and required automotive repair dealers to provide these invoices upon request by the customer.

**AB 3053**  
**Jones**  
**Smog Check: Annual Inspection: Repair Assistance Program**  
Would have required the Department of Consumer Affairs to incorporate the annual inspection of motor vehicles that are models 15 years old or greater into the motor vehicle inspection and maintenance program by January 1, 2010, and would have required funds generated through additional inspection fees to be deposited into the High Polluter Repair or Removal Account. This bill was very similar to AB 616 (Jones) this session.

**SB 1167**  
**Wiggins**  
**Insurance: Vehicle Repair Task Force**  
Would have required the Insurance Commissioner, within a specified time period, to convene a task force to review the issues arising from the implementation of these requirements (no insurer can direct, suggest or recommend a customer to a specific automotive repair dealer) and report its findings in writing to the Legislature by December 31, 2009.

**SB 1371**  
**Correa**  
**Insurance: Automobile Repair Capping**  
Prohibits insurers from capping charges for paint and related materials.

**SB 1549**  
**Florez**  
**Smog Check Program: Exemptions**  
Before this bill was gutted and amended, it would have excluded from the smog check exemptions new car owners of pre-1976 vehicles within the boundaries of the San Joaquin Valley Unified Air Pollution Control District on or after January 1, 2009.

**SB 1573**  
**Florez**  
**Smog Check Program: Emission Standards**  
Would have required the Air Resources Board, in consultation with the Department of Consumer Affairs (Department), to prescribe emission standards (as opposed to the current system where the Department prescribes the standards). The Department would have been responsible for implementing and enforcing these standards.

**SB 1573**  
**Florez**  
**Smog Check Program: Emission Standards**  
Would have required the Air Resources Board, in consultation with the Department of Consumer Affairs (Department), to prescribe emission standards (as opposed to the current system where the Department prescribes the standards). The Department would have been responsible for implementing and enforcing these standards.

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**(7) BARBERING & COSMETOLOGY**

**AB 518**  
**Mendoza**  
**Barbering & Cosmetology: Threading**  
Excludes threading, a hair removal technique, from the practice of barbering and cosmetology indefinitely.

**AB 1545**  
**Eng**  
**Professions & Vocations: Barbering & Cosmetology**  
Establishes a new State Board of Barbering & Cosmetology, within the Department of Consumer Affairs on January 1, 2009, and establishes the authorization for the new board to appoint an executive officer. The board and their authorization to appoint an executive officer sunset on July 1, 2008. Also establishes guidelines to allow the former members and executive officer of the board who were members and executive officer at the time the board sunset to serve in an interim capacity until board members and an executive officer are appointed to the new board.
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Description</th>
<th>Status</th>
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<tbody>
<tr>
<td>AB 2423</td>
<td>Professions &amp; Vocations: Licensure</td>
<td>Enacted Chapter 675</td>
</tr>
<tr>
<td>Bass</td>
<td>Establishes or modifies the authority and procedures for granting an initial probationary license, and establishes special procedures for the denial of a license based on an applicant’s criminal history, for the Bureau of Barbering and Cosmetology, within the Department of Consumer Affairs.</td>
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<tr>
<td>SB 797</td>
<td>Professions &amp; Vocations</td>
<td>Enacted Chapter 33</td>
</tr>
<tr>
<td>Ridley-Thomas</td>
<td>Allows the executive officers of the following boards-Dental Board, Speech-Language Pathology and Audiology Board, Board of Vocational Nursing and Psychiatric Technicians, and Board of Barbering and Cosmetology, which sunset on July 1, 2008, to continue in their positions, operating under the Department of Consumer Affairs past their inoperative dates, subject to the appointment by the governor, until January 1, 2009. <em>(Urgency Measure)</em></td>
<td></td>
</tr>
<tr>
<td>SB 1579</td>
<td>Medical Referrals</td>
<td>Died in Senate Business, Professions &amp; Economic Dev Committee</td>
</tr>
<tr>
<td>Calderon</td>
<td>Would have allowed licensed barbers and cosmetologists to be compensated for providing information and advice to their clients on hair loss, including a referral to a hair restoration physician for a hair restoration educational consultation.</td>
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<tr>
<td>AB 164</td>
<td>Immunity: Marriage &amp; Family Therapy Schools</td>
<td>Enacted Chapter 23</td>
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<tr>
<td>Smyth</td>
<td>Extends immunity granted to individuals who communicate information to specified entities to include a marriage and family therapy school that aides in the evaluation of students and trainees.</td>
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<tr>
<td>AB 239</td>
<td>Alcoholism &amp; Drug Abuse Counselors</td>
<td>Vetoed</td>
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<tr>
<td>DeSaulnier</td>
<td>Would have enacted the Alcoholism and Drug Abuse Counselors (ADAC) Licensing Law and provided for the licensing, registration and regulation of alcohol and drug abuse counselors and interns by the Board of Behavioral Sciences. Would also have added one licensed ADAC to the Board and required the Governor to appoint an additional public member to the Board, on or after January 1, 2011.</td>
<td></td>
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<tr>
<td>AB 1367</td>
<td>Alcoholism &amp; Drug Abuse Counselors</td>
<td>Died in Assembly Appropriations Committee</td>
</tr>
<tr>
<td>DeSaulnier</td>
<td>Would have enacted the Alcoholism and Drug Abuse Counselors (ADAC) Licensing Law and provided for the licensing or registration and regulation of alcohol and drug abuse counselors and interns by the Board of Behavioral Sciences. Would have also added one licensed ADAC to the Board and required the Governor to appoint an additional public member to the Board.</td>
<td></td>
</tr>
<tr>
<td>AB 1486</td>
<td>Licensed Professional Counselors</td>
<td>Died in Senate Appropriations Committee</td>
</tr>
<tr>
<td>Calderon, Charles</td>
<td>Would have provided for the licensure and regulation of licensed professional counselors (LPC) and interns by the Board of Behavioral Sciences (Board), added four additional members to the Board, and enacted various requirements for LPCs, interns, and trainees including, but not limited to, field training requirements, practice requirements, and</td>
<td></td>
</tr>
</tbody>
</table>
enforcement specifications.

<table>
<thead>
<tr>
<th>Bill</th>
<th>Measure</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>AB 1897 Emmerson</td>
<td><strong>Marriage &amp; Family Therapists: Licensure</strong></td>
<td>Enacted Chapter 489</td>
</tr>
<tr>
<td>AB 1922 Hernandez</td>
<td><strong>Healing Arts Practitioners: Peer Review</strong></td>
<td>Enacted Chapter 25</td>
</tr>
<tr>
<td>AB 1951 Hayashi</td>
<td><strong>Mental Health: Capital Facilities</strong></td>
<td>Vetoed</td>
</tr>
<tr>
<td>AB 2543 Berg</td>
<td><strong>Geriatric &amp; Gerontology Workforce Expansion Act</strong></td>
<td>Vetoed</td>
</tr>
<tr>
<td>SB 963 Ridley-Thomas</td>
<td><strong>Department of Consumer Affairs: Regulatory Boards</strong></td>
<td>Enacted Chapter 385</td>
</tr>
<tr>
<td>SB 1218 Correa</td>
<td><strong>Marriage &amp; Family Therapy: Licensure &amp; Registration</strong></td>
<td>Vetoed</td>
</tr>
<tr>
<td>SB 1505 Yee</td>
<td><strong>Board of Behavioral Sciences: Fees</strong></td>
<td>Vetoed</td>
</tr>
</tbody>
</table>

**Marriage & Family Therapists: Licensure**

Allows the required doctor’s or master's degree of applicants for licensure as a marriage and family therapist to be obtained from an educational institution accredited by an equivalent agency of the Western Association of Schools and Colleges, as determined by the Board of Behavioral Sciences. Also makes these provisions inoperative on the date that legislation that reestablishes the Bureau of Private Postsecondary and Vocational Education or a successor agency/act, becomes operative.

**Healing Arts Practitioners: Peer Review**

Revises the definition of “licentiate” in Business and Professions Code Section 809 to include marriage and family therapists and licensed clinical social workers who since 1999 have been “licentiates” who may be reported under Section 805, which describes the licentiates who are subject to peer review activity.

**Mental Health: Capital Facilities**

Before this bill was amended, it would have required a psychologist, marriage and family therapist, educational psychologist, clinical social worker, or physician and surgeon to complete six hours of coursework in suicide prevention, assessment, intervention, and post-intervention strategies, including training in community resources and an understanding of cultural factors that promote help-seeking behavior as a condition of license renewal. This bill was later amended and no longer impacted the Department of Consumer Affairs.

**Geriatric & Gerontology Workforce Expansion Act**

Would have established a $10 supplementary fee for licensed clinical social workers (LCSWs) and marriage and family therapists (MFTs) to fund an education loan repayment program for LCSWs, MFTs, associate-LCSWs, and MFT-interns working in geriatric care settings.

**Department of Consumer Affairs: Regulatory Boards**

Extends the sunset date for the Board of Behavioral Sciences from July 1, 2009 to January 1, 2011.

**Marriage & Family Therapy: Licensure & Registration**

Would have updated current education requirements for marriage and family therapists (MFTs); allowed for a portion of required supervision of MFT applicants to be gained through teleconferencing; required MFT interns to provide a copy of their W-2 tax forms; and permitted group supervision to be provided in one-hour increments, as long as both increments are provided in the same week as the experience claimed.

**Board of Behavioral Sciences: Fees**

As introduced, this bill would have, effective July 1, 2009, increased the license renewal surcharge collected from Marriage and Family Therapists (MFTs) and Licensed Clinical Social Workers (LCSWs) and deposited into
the Mental Health Practitioner Education Fund from $10 to $30. In addition, the bill would have stated legislative intent that the Board of Behavioral Sciences reduce the biennial license fees for MFTs and LCSWs by $20. The bill was later amended to whistleblower protection.

**SB 1779**
**Business, Professions & Econ Dev Com**

**DCA Omnibus Bill**
Would have made several non-controversial, minor, non-substantive or technical changes to various provisions pertaining to the regulatory boards and bureaus of the Department of Consumer Affairs.

**AB 1816**
**Galgiani**

**Cemeteries: Temporary Manager**
Would have authorized a court to appoint a temporary cemetery manager to manage a cemetery for a limited term if it was found that the existing cemetery manager had ceased to perform his/her duties. The court would have been required to appoint a licensed cemetery manager, unless no licensed manager could be found, in which case the court could appoint any qualified person. *(Urgency Measure)*

**AB 1911**
**Galgiani**

**Funeral Establishments**
Requires a person whose license has been revoked, suspended, placed on probation, or surrendered under a stipulated decision by the Cemetery and Funeral Bureau (Bureau) and who works for or is applying to work for a funeral establishment or cemetery to report that fact to the funeral director, cemetery manager, crematory manager, or cemetery broker employing the person, and require the employer to notify the Bureau.

**AB 2946**
**Hayashi**

**Cemeteries**
Reestablishes the quarterly charge of not more than $8.50 paid to the Cemetery and Funeral Bureau by every cemetery authority for each burial, entombment, or inurnment.

**SB 824**
**Padilla**

**Department of Consumer Affairs: Assumption of Jurisdiction**
Would have deleted obsolete implementation dates and language regarding the Cemetery Board, the Funeral Directors and Embalmers Board, and the Structural Pest Control Board.

**SB 1135**
**Ducheny**

**Cemeteries: Endowment Trust Funds**
Amends the Health and Safety Code to increase the minimum amounts an endowment care cemetery is required to deposit in its endowment care fund.

**SB 1225**
**Harman**

**Private Cemeteries: Limited Liability Companies**
Permits limited liability companies (LLC) to own and operate private cemeteries and provide services through licensed cemetery employees, provided that the LLC maintains specified security or insurance to cover
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Title</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>SB 1779</td>
<td>DCA Omnibus Bill</td>
<td>Vetoed</td>
</tr>
<tr>
<td>SB 1780</td>
<td>DCA Non-Health Omnibus Bill</td>
<td>Died on Assembly Inactive File</td>
</tr>
<tr>
<td>AB 455</td>
<td>Contractors State License Board</td>
<td>Died on Senate Inactive File</td>
</tr>
<tr>
<td>AB 456</td>
<td>Construction Management Education Account</td>
<td>Died in Senate Appropriations Committee</td>
</tr>
<tr>
<td>AB 611</td>
<td>Contractors: Arbitration Procedures</td>
<td>Died on Senate Inactive File</td>
</tr>
<tr>
<td>AB 2288</td>
<td>Automatic Fire Extinguishing Systems: Certificate of Registration</td>
<td>Died in Senate Rules Committee</td>
</tr>
<tr>
<td>AB 2335</td>
<td>Building Permits</td>
<td>Enacted Chapter 66</td>
</tr>
<tr>
<td>AB 2336</td>
<td>Contractors: Arbitration Procedures</td>
<td>Died in Assembly Judiciary Committee</td>
</tr>
</tbody>
</table>

The DCA Omnibus Bill would have made several non-controversial, minor, non-substantive or technical changes to various provisions pertaining to the regulatory boards and bureaus of the Department of Consumer Affairs.

The DCA Non-Health Omnibus Bill would have made several non-controversial, minor, non-substantive or technical changes to various provisions relating to the non-health boards of the Department of Consumer Affairs.

The Contractors State License Board bill would have provided that concurrence of a majority of the duly sworn members of the Contractors State License Board (Board) shall be necessary to constitute an act or decision of the Board.

The Construction Management Education Account bill would have continuously appropriated funds in the Construction Management Education Account in the Contractors' License Fund for the purposes of construction management education.

The Contractors: Arbitration Procedures bill would have increased the maximum monetary limit that would allow a disciplinary case to go to voluntary arbitration to $100,000 (from $50,000).

The Automatic Fire Extinguishing Systems: Certificate of Registration bill would have required the State Fire Marshal to expand regulations and building standards to include the installation of automatic fire extinguishing systems, and would no longer have required consideration of the voluntary standards. Also would have provided that any licensed contractor who violated any of the building laws or standards enacted or adopted pursuant to these provisions would be subject to disciplinary action by the Contractors' State License Board.

The Building Permits bill repeals separate provisions and creates a single provision that combines and modifies the existing forms, declarations, and notice to the property owner and expands the acknowledgments property owners are required to make.

The Contractors: Arbitration Procedures bill would have increased the maximum monetary limit that would allow a disciplinary case to go to voluntary arbitration to $100,000 (from $50,000). This bill died and the language was moved to AB 611 (Nakanishi).
AB 2347  
**Ruskin**  
**Mercury-Added Thermostats: Collection Program**  
Enacts the Mercury Thermostat Collection Act of 2008 and requires a manufacturer that owns or owned a name brand of mercury-added thermostats sold in this state before January 1, 2006, to establish and maintain a collection, transportation, recycling, and disposal program for out-of-service mercury-added thermostats.

AB 2412  
**Eng**  
**Unlicensed Contractors**  
Would have revised the punishments that can be imposed on an unlicensed contractor, and provided that a person who used the services of an unlicensed contractor is a victim of crime, regardless of whether that person had knowledge the contractor was unlicensed.

AB 2479  
**Hancock**  
**Civil Actions: Energy Efficiency Standards**  
Before this bill was gutted and amended, it would have established civil penalties for unlicensed contractors who failed to comply with energy efficiency standards, made specified changes to the regulation of licensed contractors, and directed the Contractors State License Board to submit specified reports to the legislature relating to the regulation of contractors.

AB 2738  
**Jones**  
**Indemnification: Construction Contracts**  
Provides that if a builder or contractor tenders a claim, or a portion thereof, to a subcontractor, the subcontractor shall be entitled to either defend the claim with counsel of its choice or pay, within 30 days of receipt of an invoice from the builder or general contractor, no more than a reasonable allocated share of the builder's or general contractor's defense fees and costs. Also provides that a builder, general contractor, or subcontractor has the right to seek equitable indemnity for construction defect claims.

SB 355  
**Margett**  
**Contractors: Consultants**  
Would have defined a contractor to include a person who directs and controls subcontractors’ schedules or other activity integral to the completion of an improvement project. Also would have defined a contractor to include an individual or firm proposing to provide construction management services on state construction projects.

SB 569  
**Steinberg**  
**Public Works: Prevailing Wage Payments: Payroll Records**  
Would have required the body awarding a public work contract, for which the overall construction cost is greater than $100,000, to report to the Contractors’ State License Board the name and license number of each contractor and subcontractor performing the public work and the name, location, and identification number of the public works project for which the contract is awarded, as provided.

SB 738  
**Calderon**  
**Works Of Improvement**  
Would have required a contractor, prime contractor or subcontractor, on all public works of improvement, to pay the subcontractor within 7 days, rather than 10 days, of receipt of each progress payment and would require subcontractors and suppliers to file preliminary notices in order to enforce a claim against a bond.
SB 963  
Ridley-Thomas  
Department of Consumer Affairs: Regulatory Boards  
Extends the sunset date for the Contractors State License Board from July 1, 2009 to January 1, 2011.

SB 1337  
Correa  
Contractors: Limited Liability Companies  
Would have authorized a limited liability company to render services lawfully rendered only pursuant to a specified license, certificate, or registration if the provisions governing that license, certificate, or registration authorized a limited liability company to hold that license, certificate, or registration. Also would have authorized the issuance of contractors’ licenses to limited liability companies and would have authorized the responsible managing manager, responsible managing officer, or responsible managing employee of the limited liability company to qualify for that license.

SB 1362  
Margett  
Electrician Certification  
Authorizes the Contractors State License Board (Board), in addition to any other fees charged to C-10 and C-7 contractors, to charge a fee not to exceed $20, to be used by the Board to enforce provisions of the Labor Code related to electrician certification. Also provides that a C-10 electrical contractor that (1) willfully employs one or more uncertified persons to perform work as an electrician, (2) willfully fails to provide the adequate supervision of uncertified workers, or (3) willfully fails to provide adequate supervision of apprentices performing work, would be subject to disciplinary action, including license suspension or revocation.

SB 1432  
Margett  
Contractors  
Requires that the contractor’s bond and the qualifying individual’s bond be for the benefit of a property owner contracting for the construction of a single-family dwelling who is damaged as a result of a violation of the Contractors’ State License Law, if the dwelling is not intended or offered for sale at the time the damages were incurred. Also increases the amount (from $4,000 to $6,500) a natural person can seek in small claims court against a defendant guarantor that charges a fee for its guarantor or surety services.

SB 1449  
Calderon  
Works Of Improvement: Liens  
Would have required each subcontractor or material supplier entitled to a payment bond claim or stop notice on a public work of improvement in an amount greater than $400 to provide specified information regarding other subcontractors or material suppliers with which that person contracted that are entitled to file a claim on the surety bond on that work of improvement.

SB 1508  
Corbett  
Seismic Safety Standards: Strengthening Standards  
Would have required that the license examinations for a General Contractor’s license and a Carpentry and Framing License ensure that a licensee applicant had sufficient knowledge to perform the seismic strengthening of cripple walls and sill plate anchorage of light, wood frame residential buildings.
SB 1581  
Aanestad  
Contractors  
Would have provided that a contractor furnishing a performance and payment bond approved by the registrar of contractors need not include, as part of the contract, a notice stating that the owner or tenant has the right to require the contractor to have a performance and payment bond provided that the contractor gives the owner tangible evidence of the bond and is exempt from certain typeface point size requirements as long as the required notices and statements meet specified legibility and readability standards.

SB 1691  
Lowenthal  
Mechanics Liens  
Would have recast and revised the mechanics lien law by moving certain provisions into the Public Contract Code (regarding public works) while keeping the majority of the existing and proposed parts of mechanics lien law in the Civil Code. Also would have provided that the provisions of this bill would take effect on January 1, 2010.

SB 1698  
Romero  
Contractors: Public Works  
On and after January 1, 2011, would have prohibited a contractor from performing work as a contractor or subcontractor on a public work contracted by the state or a state agency unless he or she had obtained a public works certification from the Contractors State License Board (Board). Would have required the qualifier for a license to pass a public works certification examination in order to obtain that certification. Also would have required the Board to develop the examination by January 1, 2010, and specified the subjects that the examination must cover.

AB 2189  
Karnette  
Shorthand Reporters: Continuing Education Requirements  
Would have required the Court Reporters Board (Board) to establish, on or before July 1, 2009, minimum approved continuing education requirements for renewal of a shorthand reporter’s certificate and required the Board to establish a procedure for approving providers of continuing education courses.

SB 963  
Ridley-Thomas  
Department of Consumer Affairs: Regulatory Boards  
Extends the sunset date for the Court Reporters Board of California from July 1, 2009 to January 1, 2011.

AB 1545  
Eng  
Professions & Vocations: Dentists  
Establishes a new Dental Board of California (Board), within the Department of Consumer Affairs on January 1, 2009, and establishes the authorization for the new Board to appoint an executive officer. The Board and their authorization to appoint an executive officer sunset on July 1, 2008. Also establishes guidelines to allow the former members and executive officer of the board who were members and executive officer at the time the board sunset to serve in an interim capacity until Board
members and an executive officer are appointed to the new Board.

**AB 2210**
**Price**

**Dentistry: Emergency Services**

Exempts an individual licensed by the Dental Board of California (Board) from being liable in negligence for any personal injury, wrongful death, or property damage caused by the Board licensee’s good faith but negligent act or omission when providing emergency medical care during a declared state of emergency. Also, allows the Board to suspend compliance with any provision of the Dental Practice Act committed by Board licensees during a declared state of emergency.

**AB 2637**
**Eng**

**Dental Auxiliaries**

Abolishes the dental assisting licensing categories that are currently scheduled to take effect January 1, 2010, and replaces those licensing categories with specialty permits, further specifies scope of practice for dental assistants in statute, and sets standards for dental assistant education courses to follow if they are to be accredited by the Dental Board of California.

**AB 2734**
**Krekorian**

**Health Care Practitioners: Business Cards & Advertisements**

Would have required dentists, physicians, osteopaths, and chiropractors to include their licensing information on advertisements and business cards. A violation by a licensed practitioner would have been punishable by a fine and a violation by an unlicensed person would have been a misdemeanor.

**AB 2968**
**Carter**

**Cosmetic Surgery**

Would have required a person to undergo a physical examination by a licensed physician, maxillofacial surgeon, nurse practitioner, or physician assistant, and receive a written clearance prior to any elective cosmetic surgery procedure from a physician or maxillofacial surgeon.

**SB 797**
**Ridley-Thomas**

**Professions & Vocations**

Allows the executive officers of the following boards: Dental Board, Speech-Language Pathology and Audiology Board, Board of Vocational Nursing and Psychiatric Technicians and Board of Barbering and Cosmetology, which sunset on July 1, 2008, to continue in their positions, operating under the Department of Consumer Affairs past their inoperative dates, subject to the appointment by the governor, until January 1, 2009. *(Urgency Measure)*

**SB 853**
**Perata**

**Dentistry: Dental Assistants & Hygienists**

Abolishes the Committee on Dental Auxiliaries (COMDA) and establishes the Dental Hygiene Committee of California to license and regulate dental hygienists. The responsibility to license and regulate dental assistants is transferred from COMDA to the Dental Board of California. Abolishes the Dental Auxiliary Fund and in its place establishes the Dental Hygiene Fund and the Dental Assisting Fund for dental hygienists and dental assistants respectively. Also reestablishes the Dental Board of California. Changes take effect July 1, 2009.

**SB 1178**

**Dentistry: Registered Sex Offenders**

Enacted
Aanestad

Makes modifications to the Dental Board of California’s ability to revoke a license of a convicted sex offender.

Chapter 517

Vetoed

SB 1415
Kuehl

Patient Records: Maintenance & Storage

Would have required specified healing arts practitioners to provide patients with a statement summarizing the patient’s rights regarding medical records and the practitioner’s record retention policy, and required healing arts practitioners to notify patients before the early destruction of their medical records.

Vetoed

SB 1441
Ridley-Thomas

Healing Arts Practitioners: Substance Abuse

Establishes the Substance Abuse Coordination Committee within the Department of Consumer Affairs for the purpose of determining uniform standards to be used by healing arts boards in dealing with substance-abusing licensees, establishes diversion program manager positions in specified boards to review and evaluate recommendations of those boards’ diversion evaluation committees, and states the intent of the Legislature that the Department perform an audit of the existing contractor for several boards’ diversion programs.

Enacted

Chapter 548

SB 1633
Kuehl

Dental Services: Credit

Would have set in place procedures and requirements for dentists or a dentist's employee or agent to follow before arranging for or establishing a line of credit that is extended or is to be extended by a third party.

Vetoed

SB 1779
Business, Professions & Econ Dev Com

DCA Omnibus Bill

Would have made several non-controversial, minor, non-substantive or technical changes to various provisions pertaining to the regulatory boards and bureaus of the Department of Consumer Affairs.

Vetoed

SB 1780
Business, Professions & Econ Dev Com

DCA Non-Health Omnibus Bill

Would have made several non-controversial, minor, non-substantive or technical changes to various provisions relating to the non-health boards of the Department of Consumer Affairs.

Died on Assembly Inactive File

(13) ELECTRONIC & APPLIANCE REPAIR

SB 2793
Blakeslee

Professional Engineers: Disclosures

Would have authorized an engineer to disclose to any governmental official information regarding a building or structure that the engineer believed in good faith may have posed a danger to public health or safety. Also would have prohibited a contract between an engineer and a building owner from containing any provision that would have limited or interfered with the engineer’s right to provide that disclosure and would have also prohibited a building owner from threatening, or initiating or maintaining legal action against, or otherwise retaliating against an engineer due to that disclosure or the engineer’s ability to make that disclosure. Would have made a

Died in Senate Business, Professions, & Economic Dev Committee

Department of Consumer Affairs

www.dca.ca.gov
building owner who violated those provisions liable for a specified civil penalty.

**DCA Omnibus Bill**

Would have made several non-controversial, minor, non-substantive or technical changes to various provisions pertaining to the regulatory boards and bureaus of the Department of Consumer Affairs.

**DCA Non-Health Omnibus Bill**

Would have made several non-controversial, minor, non-substantive or technical changes to various provisions relating to the non-health boards of the Department of Consumer Affairs.

**(15) FIDUCIARIES, PROFESSIONAL**

**Guardians & Conservators**

Makes technical clarifying changes regarding accounting documents submitted to courts by guardians and conservators, hearing notices for appointing temporary guardians or conservators, and court procedures for retaining the appointment of professional fiduciaries as guardians or conservators. Also makes changes to guardian and conservator petition requirements as proposed by SB 800 (Corbett, 2007) which was held in the Assembly Appropriations Committee.

**Professional Fiduciaries**

Would have made changes to the statutory definition of “Professional Fiduciary” in the Professional Fiduciaries Act.

**DCA Omnibus Bill**

Would have made several non-controversial, minor, non-substantive or technical changes to various provisions pertaining to the regulatory boards and bureaus of the Department of Consumer Affairs.

**DCA Non-Health Omnibus Bill**

Would have made several non-controversial, minor, non-substantive or technical changes to various provisions relating to the non-health boards of the Department of Consumer Affairs.

**(16) GEOLOGISTS & GEOPHYSICISTS**

**Geologists & Geophysicists**

Deletes the exemption from the written examination for any person with an equivalent certificate of registration and also requires each applicant for registration to pay an examination fee fixed by the board at an amount, up to $450, equal to the actual cost to the board to administer the written examination.
Ridley-Thomas
Extends the sunset date for the Board for Geologists and Geophysicists from July 1, 2009 to January 1, 2011.

(17) GUIDE DOGS

AB 2276
Fuentes
State Board of Guide Dogs
Would have extended the sunset date for the State Board of Guide Dogs from July 1, 2011 to July 1, 2016.

(18) HEARING AID DISPENSERS

AB 368
Carter
Hearing Aids
Would have required health care service plans and health insurers, on or after January 1, 2009, to offer at minimal cost, coverage up to $1,000 for hearing aids to all enrollees, subscribers and insureds under 18 years of age to one claim during a 48 month period and would not apply to certain types of insurance.

(19) HOME FURNISHINGS & THERMAL INSULATION

AB 706
Leno
Fire Retardants
Would have required the Bureau of Home Furnishing and Thermal Insulation (Bureau) to: repeal Technical Bulletin 117 and replace it with the cigarette ignition resistance standard ASTM E1353-08a; establish an alternative assessment to review the life cycle impacts of components, chemicals, or classes of chemicals used to meet the fire retardancy standards set by the Bureau; and beginning January 1, 2015, prohibit furniture products from containing a component or chemical, that is used to meet the fire retardancy standards set by the Bureau or statute, that has not been certified by the Director of Toxics and Substance Control, to have met the requirements of the alternative assessment that would have established by this bill.

(20) LANDSCAPE ARCHITECTS

No bills introduced in the 2008 legislative session.

(21) MEDICINE

AB 55
Laird
Healing Arts: Referrals, Anti-Kickback Provisions
Creates specific exceptions to existing laws that generally preclude healing arts practitioners from receiving any consideration for the referral of a patient. Specifically, this statute stipulates that hospitals, group practices, and other specific persons are not prohibited from providing healing arts practitioners with electronic prescribing systems or electronic health record systems, as those are defined in federal regulations. (Urgency Measure)

AB 158
Ma
Medicine: Licensing: Continuing Education Requirements
Encourages the Medical Board of California to require physicians to
complete a course in the diagnosis and treatment of hepatitis as part of existing continuing education requirements.

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Description</th>
<th>Status</th>
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</thead>
<tbody>
<tr>
<td>AB 214</td>
<td>Public Protection &amp; Physician Health Program Act of 2008</td>
<td>Vetoed</td>
</tr>
<tr>
<td>Fuentes</td>
<td>Would have created a diversion-like program for licensed physicians, to be overseen by an independent committee established within the Department of Public Health (DPH) and administered by a physician health program under contract with DPH. The designated physician health program would have entered into agreements with substance-abusing or mentally incapacitated physicians for ongoing treatment and monitoring.</td>
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<tr>
<td>AB 547</td>
<td>Medical Board of California: Licensure Fees</td>
<td>Vetoed</td>
</tr>
<tr>
<td>Ma</td>
<td>Would have authorized the Medical Board of California (Board) to set the initial licensing and renewal fees for a physician and surgeon by regulation, up to a maximum amount defined in statute, and required the Bureau of State Audits to review the Board’s financial status by January 1, 2012.</td>
<td></td>
</tr>
<tr>
<td>AB 1944</td>
<td>Physicians &amp; Surgeons: Health Care Districts</td>
<td>Died in Senate Health Committee</td>
</tr>
<tr>
<td>Swanson</td>
<td>Would have repealed an existing pilot project that exempts qualified district hospitals from the prohibition of the corporate practice of medicine, authorizing them to directly employ physicians, and instead provide a full exemption to local health care districts indefinitely.</td>
<td></td>
</tr>
<tr>
<td>AB 1951</td>
<td>Mental Health: Capital Facilities</td>
<td>Vetoed</td>
</tr>
<tr>
<td>Hayashi</td>
<td>Before this bill was amended, it would have required a psychologist, marriage and family therapist, educational psychologist, clinical social worker, or physician and surgeon to complete six hours of coursework in suicide prevention, assessment, intervention, and post-intervention strategies, including training in community resources and an understanding of cultural factors that promote help-seeking behavior as a condition of license renewal. This bill was later amended and no longer impacted the Department of Consumer Affairs.</td>
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</tr>
<tr>
<td>AB 2398</td>
<td>Cosmetic Surgery: Employment of Physicians &amp; Surgeons</td>
<td>Died on Senate Floor</td>
</tr>
<tr>
<td>Nakanishi</td>
<td>Would have authorized the Medical Board of California to revoke the license of a physician who is knowingly employed by a business that provides outpatient elective cosmetic medical procedures in violation of the corporate practice of medicine, and stipulated that a business that provides outpatient elective cosmetic medical procedures in violation of the corporate practice of medicine is guilty of a crime.</td>
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<tr>
<td>AB 2439</td>
<td>Steven M Thompson Physician Corps Loan Repayment Program</td>
<td>Enacted Chapter 640</td>
</tr>
<tr>
<td>De La Torre</td>
<td>Requires the Medical Board of California to charge a $25 fee in addition to existing licensing fees and deposit this money in the Steven M. Thompson Physician Corps Loan Repayment Program. The $25 supplemental fee will be charged at the time of initial licensure and each biennial license renewal.</td>
<td></td>
</tr>
<tr>
<td>AB 2442</td>
<td>Medicine: Diversion Program</td>
<td>Vetoed</td>
</tr>
<tr>
<td>Nakanishi</td>
<td>Would have repealed various reporting requirements related to the</td>
<td></td>
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</table>
diversion program of the Medical Board of California, which became inoperative on July 1, 2008, and authorized the transfer of $500,000 to the Steven Thompson Physician Corps Loan Repayment Program. **(Urgency Measure)**

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Title</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>AB 2443</td>
<td>Medical Board of California: Physician &amp; Surgeon Well-Being</td>
<td>Vetoed</td>
</tr>
<tr>
<td>Nakanishi</td>
<td>Authorizes the Medical Board of California to establish a physician wellness program, including, but not limited to, a list of specified activities. Would have specified that the program must be developed within existing resources unless otherwise authorized by the Budget Act.</td>
<td></td>
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<tr>
<td>AB 2444</td>
<td>Medical Board of California: Disciplinary Actions</td>
<td>Enacted</td>
</tr>
<tr>
<td>Nakanishi</td>
<td>Authorizes the Medical Board of California to require a physician to complete training or education as part of a public letter of reprimand.</td>
<td>Chapter 242</td>
</tr>
<tr>
<td>AB 2445</td>
<td>Medical Board of California: Disciplinary Procedures</td>
<td>Enacted</td>
</tr>
<tr>
<td>Nakanishi</td>
<td>Authorizes the Medical Board of California to issue a license to a physician and concurrently issue a public letter of reprimand, in lieu of issuing a probationary license, for a minor violation of the Medical Practice Act.</td>
<td>Chapter 247</td>
</tr>
<tr>
<td>AB 2649</td>
<td>Medical Assistants: Authorized Services</td>
<td>Vetoed</td>
</tr>
<tr>
<td>Ma</td>
<td>Would have stated that medical assistants are not authorized to perform specified procedures on persons who are diabetic or persons suffering from circulatory disorders affecting the extremities.</td>
<td></td>
</tr>
<tr>
<td>AB 2734</td>
<td>Health Care Practitioners: Business Cards &amp; Advertisements</td>
<td>Failed on Assembly Floor</td>
</tr>
<tr>
<td>Krekorian</td>
<td>Would have required dentists, physicians, osteopaths, and chiropractors to include their licensing information on advertisements and business cards. A violation by a licensed practitioner would be punishable by a fine and a violation by an unlicensed person would be a misdemeanor.</td>
<td></td>
</tr>
<tr>
<td>AB 2747</td>
<td>End-of-Life Care</td>
<td>Enacted</td>
</tr>
<tr>
<td>Berg</td>
<td>Requires physicians, nurses, and physician assistants to provide terminally ill patients with the opportunity to receive specified information and counseling regarding legal end of life care options, and requires providers who do not wish to comply with a patient’s end of life decisions to refer the patient to an alternative provider and give the patient information on how to transfer.</td>
<td>Chapter 683</td>
</tr>
<tr>
<td>AB 2794</td>
<td>Diagnostic Imaging Services</td>
<td>Enacted</td>
</tr>
<tr>
<td>Blakeslee</td>
<td>Prohibits healing arts professionals from billing for diagnostic imaging services that are not actually rendered by the practitioner, and requires providers of diagnostic imaging services to bill patients directly for services.</td>
<td>Chapter 469</td>
</tr>
<tr>
<td>AB 2841</td>
<td>Medical Procedures: Reusable Adipose Cannula</td>
<td>Died on Assembly Inactive File</td>
</tr>
<tr>
<td>Ma</td>
<td>Would have required a physician to make specified disclosures to a patient before using a reusable adipose cannula, a device inserted into the body to remove fat tissue, in a medical procedure.</td>
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<tr>
<td>Bill Number</td>
<td>Title</td>
<td>Status</td>
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<tr>
<td>AB 2968</td>
<td><strong>Cosmetic Surgery</strong></td>
<td>Vetoed</td>
</tr>
<tr>
<td>Carter</td>
<td>Would have required a person to undergo a physical examination by a</td>
<td></td>
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<tr>
<td></td>
<td>licensed physician, maxillofacial surgeon, nurse practitioner, or</td>
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<td></td>
<td>physician assistant, and receive a written clearance prior to any</td>
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<td>elective cosmetic surgery procedure from a physician or maxillofacial</td>
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<td>surgeon.</td>
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<tr>
<td>SB 761</td>
<td><strong>Healing Arts: Diversion: Investigations</strong></td>
<td>Died in Assembly Appropriations Committee</td>
</tr>
<tr>
<td>Ridley-Thomas</td>
<td>Would have extended the Medical Board of California (Board) diversion</td>
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<td></td>
<td>program to July 1, 2010, required the Board to create and appoint a</td>
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<td>Diversion Advisory Council, extended the Board’s vertical prosecution</td>
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<td>program’s January 1, 2009 sunset date to January 1, 2011, and required</td>
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<td>the Board to transition investigators who handle the most complex</td>
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<td>investigations into “special agent” classifications.</td>
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<tr>
<td>SB 907</td>
<td><strong>Physicians &amp; Surgeons: Referrals</strong></td>
<td>Died in Senate Business, Professions &amp;</td>
</tr>
<tr>
<td>Calderon</td>
<td>Would have permitted a physician to provide consideration for a</td>
<td>Economic Dev Committee</td>
</tr>
<tr>
<td></td>
<td>referral for an elective cosmetic procedure, if specified conditions</td>
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<tr>
<td></td>
<td>are met.</td>
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<tr>
<td>SB 1294</td>
<td><strong>Healing Arts</strong></td>
<td>Failed in Assembly Appropriations Committee</td>
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<tr>
<td>Ducheny</td>
<td>Would have extended an existing pilot project that authorizes</td>
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<td>qualified district hospitals to directly employ physicians, by five</td>
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<td>years, until 2017, and made several small expansions of the project.</td>
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</tr>
<tr>
<td>SB 1379</td>
<td><strong>Physician &amp; Surgeon Loan Repayment</strong></td>
<td>Enacted Chapter 607</td>
</tr>
<tr>
<td>Ducheny</td>
<td>Directs the deposit of fines collected by the Department of Managed</td>
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<td>Health Care (DMHC) to the Steven Thompson Physician Corps Loan</td>
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<td>Repayment Program (Thompson Program), up to $1 million per year, and</td>
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<td>directs fines in excess of $1 million to the Major Risk Medical</td>
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<td>Insurance Program; and requires a one-time transfer from DMHC to the</td>
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<td></td>
<td>Thompson Program in the amount of $1 million, and to the Major Risk</td>
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<tr>
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<td>Medical Insurance Program in the amount of $10 million. (Urgency</td>
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<td>Measure)</td>
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<tr>
<td>SB 1415</td>
<td><strong>Patient Records: Maintenance &amp; Storage</strong></td>
<td>Vetoed</td>
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<tr>
<td>Kuehl</td>
<td>Would have required specified healing arts practitioners to provide</td>
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<td>patients with a statement summarizing the patient’s rights regarding</td>
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<td>medical records and the practitioner’s record retention policy, and</td>
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<td>required healing arts practitioners to notify patients before the</td>
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<td>early destruction of their medical records.</td>
<td></td>
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<tr>
<td>SB 1454</td>
<td><strong>Healing Arts: Outpatient Settings</strong></td>
<td>Died on Assembly Floor</td>
</tr>
<tr>
<td>Ridley-Thomas</td>
<td>Would have strengthened requirements for advertisements and disclosures</td>
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<td>by healing arts practitioners, increased oversight and enforcement of</td>
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<td>the use of lasers and intense pulse light devices in cosmetic medical</td>
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<td>procedures, and increased oversight and enforcement of accredited</td>
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<td>outpatient medical settings.</td>
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<tr>
<td>SB 1526</td>
<td><strong>Polysomnographic Technologists: Sleep &amp; Wake Disorders</strong></td>
<td>Vetoed</td>
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</tbody>
</table>

*Department of Consumer Affairs [www.dca.ca.gov](http://www.dca.ca.gov)*
Would have required registration of individuals with the Medical Board of California (Board) in order to use the title “certified polysomnographic technologist” and engage in the practice of polysomnography. Also, would have required the Board to adopt regulations that establish the means and circumstances under which a physician may employ a polysomnographic technician or polysomnographic trainee.

**SB 1579**

**Medical Referrals**

Would have allowed licensed barbers and cosmetologists to be compensated for providing information and advice to their clients on hair loss, including a referral to a hair restoration physician for a hair restoration educational consultation.

**SB 1640**

**Hospitals: Employment of Physicians**

Would have amended an existing pilot project that authorizes specified district hospitals to directly employ physicians to allow non-district hospitals in medically underserved areas to participate in the pilot project as well. Also would have extended the pilot project’s sunset date by five years, from January 1, 2011 to January 1, 2016, and increased the number of physicians that can participate.

**SB 1779**

**DCA Omnibus Bill**

Would have made several non-controversial, minor, non-substantive or technical changes to various provisions pertaining to the regulatory boards and bureaus of the Department of Consumer Affairs.

**SB 1779**

**DCA Omnibus Bill**

Would have made several non-controversial, minor, non-substantive or technical changes to various provisions pertaining to the regulatory boards and bureaus of the Department of Consumer Affairs.

**SB 1779**

**DCA Omnibus Bill**

Would have made several non-controversial, minor, non-substantive or technical changes to various provisions pertaining to the regulatory boards and bureaus of the Department of Consumer Affairs.

**SB 328**

**Personal Information: Prohibited Practices**

Would have included a telephone calling pattern record or list in the definition of personal information; prohibited any person from obtaining or attempting to obtain, or disclosing personal information about a customer or employee contained in the records of a business; and provided civil
remedies for violations of the provisions of this bill.

### (25) OPTOMETRY

<table>
<thead>
<tr>
<th>Bill</th>
<th>Description</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>AB 2848</td>
<td><strong>Optometrists: Retired Licenses</strong>&lt;br&gt;Would have exempted a licensee of the Board of Optometry (Board) from continuing education requirements and payment of the renewal fee if he or she applies to the Board for a retired license, and would have prevented him or her from engaging in the practice of optometry.</td>
<td>Died on Senate Inactive File</td>
</tr>
<tr>
<td>SB 1406</td>
<td><strong>Optometry</strong>&lt;br&gt;Allows an optometrist who graduated from an accredited school of optometry on or after May 1, 2000, to perform lacrimal irrigation and dilation procedures without additional certification, provides for a Glaucoma Diagnosis and Treatment Advisory Committee within the State Board of Optometry to consist of six members for purposes of assisting the Board in establishing certain requirements for glaucoma certification, requires the Committee to submit its final recommendations to the Office of Examination Resources (OER) within the Department of Consumer Affairs by April 1, 2009 and for the OER to present those recommendations and any modifications to the Board by July 1, 2009.</td>
<td>Enacted Chapter 352</td>
</tr>
<tr>
<td>SB 1415</td>
<td><strong>Patient Records: Maintenance &amp; Storage</strong>&lt;br&gt;Would have required specified healing arts practitioners to provide patients with a statement summarizing the patient’s rights regarding medical records and the practitioner’s record retention policy, and required healing arts practitioners to notify patients before the early destruction of their medical records.</td>
<td>Vetoed</td>
</tr>
</tbody>
</table>

### (26) OSTEOPATHIC MEDICINE

<table>
<thead>
<tr>
<th>Bill</th>
<th>Description</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>AB 55</td>
<td><strong>Healing Arts: Referrals, Anti-Kickback Provisions</strong>&lt;br&gt;Creates specific exceptions to existing laws that generally preclude healing arts practitioners from receiving any consideration for the referral of a patient. Specifically, this statute stipulates that hospitals, group practices, and other specific persons are not prohibited from providing healing arts practitioners with electronic prescribing systems or electronic health record systems, as those are defined in federal regulations. <em>(Urgency Measure)</em></td>
<td>Enacted Chapter 290</td>
</tr>
<tr>
<td>AB 2734</td>
<td><strong>Health Care Practitioners: Business Cards &amp; Advertisements</strong>&lt;br&gt;Would have required dentists, physicians, osteopaths, and chiropractors to include their licensing information on advertisements and business cards. A violation by a licensed practitioner would have been punishable by a fine and a violation by an unlicensed person would be a misdemeanor.</td>
<td>Failed on Assembly Floor</td>
</tr>
<tr>
<td>SB 1441</td>
<td><strong>Healing Arts Practitioners: Substance Abuse</strong>&lt;br&gt;Establishes the Substance Abuse Coordination Committee within the Department of Consumer Affairs</td>
<td>Enacted Chapter 548</td>
</tr>
</tbody>
</table>
Department of Consumer Affairs (Department) for the purpose of determining uniform standards to be used by healing arts boards in dealing with substance-abusing licensees, establishes diversion program manager positions in specified boards to review and evaluate recommendations of those boards’ diversion evaluation committees, and states the intent of the Legislature that the Department perform an audit of the existing contractor for several boards’ diversion programs.

**Health Care**

The introduced version of this bill would have allowed a health care provider, health care service plan, contractor, or corporation to use personal medical information to provide a written communication to a pharmacy patient during a face-to-face interaction and assist the pharmacist in providing useful information to the patient regarding a prescription drug. The bill was later amended to impact the Labor Code.

**Surgical Clinics: Licensure**

Would have provided that a surgical clinic that is licensed by the State Department of Public Health, accredited by an accreditation agency, or certified to participate in the Medicare Program is not entitled to specified benefits until it had obtained a license issued by the Board of Pharmacy.

**Pharmacy Technicians**

Would have authorized the Board of Pharmacy (Board) to issue a pharmacy technician license to an individual if that individual was a high school graduate or possessed a general educational development certificate equivalent, was certified by the Pharmacy Technician Certification Board or passed a pharmacy technician examination approved by the Board, and had either obtained a specified associate’s degree, completed a specified course of training, or graduated from a specified school of pharmacy.

**Product Liability Actions: Prescription Pharmaceutical Products**

Would have declared that a manufacturer of a prescription pharmaceutical product shall not be relieved of a duty to warn consumers of the risks and side effects of that product solely because the product was prescribed to a patient by a physician, if that product is advertised directly to consumers.

**Pharmacists: Furnishing Drugs During Emergency**

Would have specified that, for purposes of furnishing dangerous drugs or devices during a federal, state, or local emergency, a pharmacist is not required to await a declaration of emergency so long as the declaration is reasonably anticipated due to the severity of the emergency or natural disaster.

**Medical Information**

Would have allowed a pharmacy to make written communications to a patient, without the patient’s authorization, under specified conditions.
SB 1270  
Cedillo  
**Pharmacy: Electronic Pedigree Task Force**

Would have required the Board of Pharmacy (Board) to establish the Electronic Pedigree Task Force and would have required the staff of the Board to support the needs of the task force. Would have imposed specified duties on the task force, including the duty to submit an annual report regarding task force findings to the Board and specified legislative committees. Would have made the provisions regarding the task force inoperative on the later of July 1, 2012, or the date upon which requirements for a pedigree become effective, and would repeal those provisions as of January 1 of the next year.

SB 1307  
Ridley-Thomas  
**Pharmacy: Pedigree**

Moves the compliance date that prohibits a wholesaler from selling, trading, transferring, or acquiring a dangerous drug without receiving a pedigree from January 1, 2009 to January 1, 2015, establishes a graduated implementation schedule for drug manufacturers that requires compliance with the e-pedigree requirement for 50 percent of drugs by January 1, 2015, and the remaining 50 percent of drugs by January 2016, and requires manufacturers to inform the Board of Pharmacy of the drugs it designates for each implementation cycle and require a pedigree to include a unique identification number.

SB 1441  
Ridley-Thomas  
**Healing Arts Practitioners: Substance Abuse**

Establishes the Substance Abuse Coordination Committee within the Department of Consumer Affairs (Department) for the purpose of determining uniform standards to be used by healing arts boards in dealing with substance-abusing licensees, establishes diversion program manager positions in specified boards to review and evaluate recommendations of those boards’ diversion evaluation committees, and states the intent of the Legislature that the Department perform an audit of the existing contractor for several boards’ diversion programs.

SB 1779  
Business, Professions & Econ Dev Com  
**DCA Omnibus Bill**

Would have made several non-controversial, minor, non-substantive or technical changes to various provisions pertaining to the regulatory boards and bureaus of the Department of Consumer Affairs.

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**AB 2111**  
Smyth  
**Physical Therapy Regulation**

Increases application, initial licensure, and license renewal fees for physical therapists and physical therapy assistants. Also, authorizes the Physical Therapy Board to disqualify an applicant or revoke the license of a person who impersonates or acts as a proxy for an examinee.

SB 1441  
Ridley-Thomas  
**Healing Arts Practitioners: Substance Abuse**

Establishes the Substance Abuse Coordination Committee within the Department of Consumer Affairs (Department) for the purpose of determining uniform standards to be used by healing arts boards in dealing with substance-abusing licensees, establishes diversion program manager positions in specified boards to review and evaluate recommendations of those boards’ diversion evaluation committees, and states the intent of the Legislature that the Department perform an audit of the existing contractor for several boards’ diversion programs.
positions in specified boards to review and evaluate recommendations of those boards’ diversion evaluation committees, and states the intent of the Legislature that the Department perform an audit of the existing contractor for several boards’ diversion programs.

SB 1779
Business, Professions & Econ Dev Com

DCA Omnibus Bill

Would have made several non-controversial, minor, non-substantive or technical changes to various provisions pertaining to the regulatory boards bureaus of the Department of Consumer Affairs.

(29) PHYSICIAN ASSISTANTS

AB 638
Bass

California Physician Assistant Loan Assumption Program

Creates the California Physician Assistant Scholarship and Loan Repayment Program within the Health Professions Education Foundation to provide scholarships to physician assistant students and to repay qualifying educational loans of physician assistants who practice in medically underserved areas of the state and in specified clinics. Also directs the deposit of voluntary contributions made by a physician assistant upon renewal of his or her license into the Program.

AB 2482
Maze

Physician Assistants: Continuing Education

Requires completion of continuing education for license renewal of all licensed physician assistants.

AB 2747
Berg

End-of-Life Care

Requires physicians, nurses, and physician assistants to provide terminally ill patients with the opportunity to receive specified information and counseling regarding legal end-of-life care options, and requires providers who do not wish to comply with a patient’s end-of-life decisions to refer the patient to an alternative provider and give the patient information on how to transfer.

SB 1441
Ridley-Thomas

Healing Arts Practitioners: Substance Abuse

Establishes the Substance Abuse Coordination Committee within the Department of Consumer Affairs (Department) for the purpose of determining uniform standards to be used by healing arts boards in dealing with substance-abusing licensees, establishes diversion program manager positions in specified boards to review and evaluate recommendations of those boards’ diversion evaluation committees, and states the intent of the Legislature that the Department perform an audit of the existing contractor for several boards’ diversion programs.

(30) PODIATRIC MEDICINE

AB 55
Laird

Healing Arts: Referrals, Anti-Kickback Provisions

Creates specific exceptions to existing laws that generally preclude healing arts practitioners from receiving any consideration for the referral of a patient. Specifically, this statute stipulates that hospitals, group practices,
and other specific persons are not prohibited from providing healing arts practitioners with electronic prescribing systems or electronic health record systems, as those are defined in federal regulations. *(Urgency Measure)*

<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Sponsor</th>
<th>Bill Title</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>SB 1415</td>
<td>Kuehl</td>
<td>Patient Records: Maintenance &amp; Storage</td>
<td>Vetoed</td>
</tr>
<tr>
<td>SB 1779</td>
<td>Business, Professions &amp; Econ Dev Com</td>
<td>DCA Omnibus Bill</td>
<td>Vetoed</td>
</tr>
<tr>
<td>AB 1182</td>
<td>Niello</td>
<td>California Private Postsecondary Education Act of 2008</td>
<td>Died in Assembly Higher Education Committee</td>
</tr>
<tr>
<td>AB 2746</td>
<td>Niello</td>
<td>California Private Postsecondary Education Act of 2008</td>
<td>Died in Assembly Appropriation Committee</td>
</tr>
<tr>
<td>SB 823</td>
<td>Perata</td>
<td>California Private Postsecondary Education Act of 2008</td>
<td>Vetoed</td>
</tr>
<tr>
<td>SB 963</td>
<td>Ridley-Thomas</td>
<td>Department of Consumer Affairs: Regulatory Boards</td>
<td>Enacted Chapter 385</td>
</tr>
<tr>
<td>SB 1355</td>
<td>Corbett</td>
<td>Postsecondary Education: Private Student Loans</td>
<td>Vetoed</td>
</tr>
</tbody>
</table>

*(31) PRIVATE POSTSECONDARY & VOCATIONAL EDUCATION*

- **AB 1182 Niello (California Private Postsecondary Education Act of 2008)**
  - Died in Assembly Higher Education Committee
  - Would have established the California Private Postsecondary Education Act of 2008, which would have created the Bureau for Private Postsecondary Education within the Department of Consumer Affairs for the purpose of regulating private postsecondary educational institutions offering or providing educational services in California, and established various requirements, prohibitions, and standards for these institutions.

- **AB 2746 Niello (California Private Postsecondary Education Act of 2008)**
  - Died in Assembly Appropriation Committee
  - Would have established the California Private Postsecondary Education Act of 2008, which would have created the Bureau for Private Postsecondary Education within the Department of Consumer Affairs for the purpose of regulating private postsecondary educational institutions offering or providing educational services in California, and established various requirements, prohibitions, and standards for these institutions.

- **SB 823 Perata (California Private Postsecondary Education Act of 2008)**
  - Vetoed
  - Would have established the California Private Postsecondary Education Act of 2008, which would have created the Bureau for Private Postsecondary Education within the Department of Consumer Affairs for the purpose of regulating private postsecondary educational institutions offering or providing educational services in California, and established various requirements, prohibitions, and standards for these institutions.

- **SB 963 Ridley-Thomas (Department of Consumer Affairs: Regulatory Boards)**
  - Enacted Chapter 385
  - If SB 823 (Perata) had passed, this bill would have extended the sunset date for the Bureau for Private Postsecondary Education from July 1, 2009 to January 1, 2011.

- **SB 1355 Corbett (Postsecondary Education: Private Student Loans)**
  - Vetoed
  - Would have required specified healing arts practitioners to provide patients with a statement summarizing the patient’s rights regarding medical records and the practitioner’s record retention policy, and required healing arts practitioners to notify patients before the early destruction of their medical records.
Would have required public and private postsecondary educational institutions to provide students with various information and disclosures regarding federal and private educational loans.

### (32) PSYCHOLOGY

**AB 1951 Hayashi**

**Mental Health: Capital Facilities**

Before this bill was amended, it would have required a psychologist, marriage and family therapist, educational psychologist, clinical social worker, or physician and surgeon to complete six hours of coursework in suicide prevention, assessment, intervention, and post-intervention strategies, including training in community resources and an understanding of cultural factors that promote help-seeking behavior as a condition of license renewal. This bill was later amended and no longer impacted the Department of Consumer Affairs.

**SB 963 Ridley-Thomas**

**Department of Consumer Affairs: Regulatory Boards**

Extends the sunset date for the Board of Psychology from July 1, 2009 to January 1, 2011.

**SB 1427 Calderon**

**Psychologists: Scope of Practice: Prescribing Drugs**

Would have authorized the Board of Psychology to establish and administer a certification process through new fees to grant licensed psychologists the authority to write prescriptions if certain conditions are met.

### (33) REGISTERED NURSING

**AB 1436 Hernandez**

**Nurse Practitioners**

Would have authorized a nurse practitioner (NP) to perform comprehensive health care services, including services through psychosocial assessment, physical diagnosis, and management of health and illness needs for which the NP is educationally prepared and competent to perform, and to admit and discharge patients from health facilities in collaboration with a physician and surgeon or doctor of osteopathy.

**AB 2747 Berg**

**End-of-Life Care**

Requires physicians, nurses, and physician assistants to provide terminally ill patients with the opportunity to receive specified information and counseling regarding legal end of life care options, and requires providers who do not wish to comply with a patient's end of life decisions to refer the patient to an alternative provider and give the patient information on how to transfer.

**SB 1441 Ridley-Thomas**

**Healing Arts Practitioners: Substance Abuse**

Establishes the Substance Abuse Coordination Committee within the Department of Consumer Affairs (Department) for the purpose of determining uniform standards to be used by healing arts boards in dealing with substance-abusing licensees, establishes diversion program manager

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Department of Consumer Affairs

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positions in specified boards to review and evaluate recommendations of those boards’ diversion evaluation committees, and states the intent of the Legislature that the Department perform an audit of the existing contractor for several boards’ diversion programs.

**SB 1779**

**Business, Professions & Econ Dev Com**

**DCA Omnibus Bill**

Would have made several non-controversial, minor, non-substantive or technical changes to various provisions pertaining to the regulatory boards and bureaus of the Department of Consumer Affairs.

**Vetoed**

**SB 1125**

**Denham**

**Polysomnographic Technologist Act**

Would have provided for the licensing and regulation of Polysomnographic Technologists by the Respiratory Care Board of California.

**Died in Senate Business, Professions & Economic Dev**

**AB 2423**

**Bass**

**Professions and Vocations: Licensure**

Establishes or modifies the authority and procedures for granting an initial probationary license, and establishes special procedures for the denial of a license based on an applicant’s criminal history, for the Bureau of Security and Investigative Services, within the Department of Consumer Affairs.

**Enacted Chapter 675**

**AB 2498**

**Saldana**

**Firearms Training: Eligibility To Possess Firearms**

Would have required firearms training facilities that have a contract for firearms training with the federal government to verify the eligibility of individuals seeking training to possess a firearm.

**Vetoed**

**AB 2592**

**Ma**

**Locksmiths**

Makes numerous changes to existing laws regulating locksmiths. Among other things, increases penalties for unlicensed locksmiths and establishes various new requirements for licensed locksmiths.

**Enacted Chapter 679**

**SB 1209**

**Maldonado**

**Private Security Services**

Would have repealed and recast the Proprietary Security Services Act, which required registration of proprietary private security officers by the Bureau of Security and Investigative Services, to grant the Bureau enforcement authority and to require registration of proprietary private security employers.

**Died in Assembly Appropriations Committee**

**SB 1282**

**Margett**

**Private Investigators: Continuing Education**

Would have required private investigators licensed by the Bureau of Security and Investigative Services (Bureau) to complete 12 hours of **Vetoed**
continuing education from a continuing education provider approved by the Bureau as a condition of biennial license renewal, beginning January 1, 2012.

**SB 1469**

**Calderon**

**Collateral Recovery: Tow Vehicles**

Would have authorized the impoundment of a vehicle used by an unlicensed repossession, made various minor changes to the Collateral Recovery Act, made changes relating to the retrieval of impounded vehicles by legal owners and/or their agents, and made minor changes to traffic laws regarding towing requirements for repossession.

**Vetoed**

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**SB 797**

**Ridley-Thomas**

**Professions & Vocations: Speech-Language Pathology & Audiology**

Establishes a new Speech-Language Pathology & Audiology Board (Board), within the Department of Consumer Affairs, on January 1, 2009, and establishes the authorization for the new board to appoint an executive officer. The Board and the authorization to appoint an executive officer sunset on July 1, 2008. Also establishes guidelines to allow the former members and executive officer of the Board who were members and executive officer at the time the Board sunset to serve in an interim capacity until board members and an executive officer are appointed to the new Board.

**Enacted**

**AB 1545**

**Eng**

**Professions & Vocations: Speech-Language Pathology & Audiology**

Establishes a new Speech-Language Pathology & Audiology Board (Board), within the Department of Consumer Affairs, on January 1, 2009, and establishes the authorization for the new board to appoint an executive officer. The Board and the authorization to appoint an executive officer sunset on July 1, 2008. Also establishes guidelines to allow the former members and executive officer of the Board who were members and executive officer at the time the Board sunset to serve in an interim capacity until board members and an executive officer are appointed to the new Board.

**Enacted Chapter 35**

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**SB 2423**

**Bass**

**Professions & Vocations: Licensure**

Establishes or modifies the authority and procedures for granting an initial probationary license, for the Structural Pest Control Board within the Department of Consumer Affairs, and establishes special procedures for the denial of a license based on an applicant’s criminal history.

**Enacted Chapter 675**

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**SB 824**

**Padilla**

**Department of Consumer Affairs: Assumption of Jurisdiction**

Would have deleted obsolete implementation dates and language regarding the Cemetery Board, the Funeral Directors and Embalmers Board, and the Structural Pest Control Board.

**Died in Senate Business, Professions & Economic Dev Committee**

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**SB 1206**

**Calderon**

**Pest Control**

Authorizes a branch 2 or branch 3 registered company to advertise fumigation or any all encompassing treatment if the company complies with specified requirements.

**Enacted Chapter 46**

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**(36) SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY**

**Professions & Vocations: Speech-Language Pathology & Audiology**

Establishes a new Speech-Language Pathology & Audiology Board (Board), within the Department of Consumer Affairs, on January 1, 2009, and establishes the authorization for the new board to appoint an executive officer. The Board and the authorization to appoint an executive officer sunset on July 1, 2008. Also establishes guidelines to allow the former members and executive officer of the Board who were members and executive officer at the time the Board sunset to serve in an interim capacity until board members and an executive officer are appointed to the new Board.

**Enacted**

**AB 1545**

**Eng**

**Professions & Vocations: Speech-Language Pathology & Audiology**

Establishes a new Speech-Language Pathology & Audiology Board (Board), within the Department of Consumer Affairs, on January 1, 2009, and establishes the authorization for the new board to appoint an executive officer. The Board and the authorization to appoint an executive officer sunset on July 1, 2008. Also establishes guidelines to allow the former members and executive officer of the Board who were members and executive officer at the time the Board sunset to serve in an interim capacity until board members and an executive officer are appointed to the new Board.

**Enacted Chapter 35**

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**SB 2423**

**Bass**

**Professions & Vocations: Licensure**

Establishes or modifies the authority and procedures for granting an initial probationary license, for the Structural Pest Control Board within the Department of Consumer Affairs, and establishes special procedures for the denial of a license based on an applicant’s criminal history.

**Enacted Chapter 675**

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**SB 824**

**Padilla**

**Department of Consumer Affairs: Assumption of Jurisdiction**

Would have deleted obsolete implementation dates and language regarding the Cemetery Board, the Funeral Directors and Embalmers Board, and the Structural Pest Control Board.

**Died in Senate Business, Professions & Economic Dev Committee**

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**SB 1206**

**Calderon**

**Pest Control**

Authorizes a branch 2 or branch 3 registered company to advertise fumigation or any all encompassing treatment if the company complies with specified requirements.

**Enacted Chapter 46**
SB 731
Oropeza

Massage Therapy

Provides for the certification of massage practitioners and massage therapists by the Massage Therapy Organization (Organization); makes the Organization subject to review by the Joint Committee on Boards, Commissions, and Consumer Protection (Joint Committee); prohibits a city, county, or other political jurisdiction from enacting or enforcing an ordinance relating to the practice of massage against an individual who is certified under the provisions of this bill, and sunsets these provisions effective January 1, 2016.

Enacted Chapter 384

SB 963
Ridley-Thomas

Department of Consumer Affairs: Regulatory Boards

Extends the sunset date for the Acupuncture Board, Athletic Commission, Board of Behavioral Sciences, Contractors State License Board, Court Reporters Board, Board for Geology & Geophysicists, and the Board of Psychology within the Department of Consumer Affairs, which are scheduled to become inoperative July 1, 2009, to January 1, 2011. Also would have established a January 1, 2013 sunset date for the Bureau for Private Postsecondary Education if SB 823 (Perata) had passed.

Enacted Chapter 385

(39) TELEPHONE MEDICAL ADVICE SERVICES

No bills introduced in the 2007 legislative session

(40) VETERINARY MEDICINE

AB 1760
Galgiani

Veterinarians & Registered Veterinary Technicians

Would have required the California Veterinary Medical Board (Board) to offer the veterinary licensing exam at least twice a year, clarified that the Governor appoints one public member to the Board, and authorized the Board to cite, fine, and take punitive action on registered veterinary technicians who violate the Veterinary Medicine Practice Act.

Vetoed

AB 2423
Bass

Professions and Vocations: Licensure

Establishes or modifies the authority and procedures for granting an initial probationary license for the Board of Veterinary Medicine, within the Department of Consumer Affairs, and establishes special procedures for the denial of a license based on an applicant’s criminal history.

Enacted Chapter 675

AB 2427
Eng

Professions & Vocations

Would have amended the Business and Professions Code to explicitly state that local governments could not regulate or prohibit licensees of health care professions in the Department of Consumer Affairs from performing established occupational practices that are within the scope of their license.

Vetoed

SB 1205
Aanestad

Veterinary Medicine

Would have established an advisory committee to the Veterinary Medical
Board (Board); made changes to the Registered Veterinary Technician (RVT) Committee; clarified eligibility criteria of education for the RVT; and prioritized cases handled by the Board for purposes of investigation and prosecution.

**SB 1584**

**Veterinary Medicine: Fees**

Increases various fees for veterinarians and registered veterinary technicians, establishes a committee to assist the Veterinary Medical Board, sets investigatory and enforcement priorities, and makes other changes to the Veterinary Medicine Practice Act.

**(41) VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS**

**AB 1545**

**Professions & Vocations: Vocational Nursing**

Establishes a new Board of Vocational Nursing & Psychiatric Technicians (Board), within the Department of Consumer Affairs, on January 1, 2009, and establishes the authorization for the new Board to appoint an executive officer. The Board and their authorization to appoint an executive officer sunset on July 1, 2008. Also establishes guidelines to allow the former members and executive officer of the Board who were members and executive officer at the time the Board sunset to serve in an interim capacity until board members and an executive officer are appointed to the new Board.

**AB 1927**

**Vocational Nursing & Psychiatric Technicians**

Requires the Board of Vocational Nursing and Psychiatric Technicians to deny or revoke accreditation for any psychiatric technician school that does not give student applicants credit in the fields of nursing and psychiatric technician practice for previous education and the opportunity to obtain credit for other acquired knowledge by the use of challenge examinations or other methods of evaluation.

**AB 2423**

**Professions & Vocations: Licensure**

Establishes or modifies the authority and procedures for granting an initial probationary license, for the Board of Vocational Nursing and Psychiatric Technicians, within the Department of Consumer Affairs, and establishes special procedures for the denial of a license based on an applicant’s criminal history.

**SB 797**

**Professions & Vocations**

Allows the executive officers of the following boards-Dental Board, Speech-Language Pathology and Audiology Board, Board of Vocational Nursing and Psychiatric Technicians and Board of Barbering and Cosmetology, which sunset on July 1, 2008, to continue in their positions, operating under the Department of Consumer Affairs past their inoperative dates, subject to the appointment by the governor, until January 1, 2009. *(Urgency Measure)*
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