CALIFORNIA BOARD OF ACCOUNTANCY

California Board of Accountancy
2450 Venture Oaks Way, Suite 300
Sacramento, CA 95833

phone: (916) 263-3680 *fax:* (916) 263-3675 *web:* www.cba.ca.gov

March 1, 2019

The Honorable Scott Wilk
State Capitol, Room 3063
Sacramento, CA 95814

Bill: **Senate Bill 53**
Position: **Oppose**

Dear Senator Wilk:

At its January 17, 2019 meeting, the California Board of Accountancy (CBA) voted to take an oppose position on Senate Bill (SB) 53, as introduced on December 10, 2018.

SB 53 would require advisory committees of two members to publicly notice its meetings and subject it to the requirements of the Bagley-Keene Open Meeting Act (Open Meeting Act). This includes publishing a 10-day meeting notice and agenda, opening the meeting to the public, recording/webcasting the meeting, and publishing minutes.

The CBA recognizes the value of our open meeting laws, and therefore, operates in an open and transparent manner, and uses two-member advisory committees in an appropriate manner. Under current law, the activities of its advisory activities are reviewed and approved by the whole committee or board in a meeting open to the public.

However, the CBA is concerned that SB 53 would negatively impact its operations by subjecting those advisory committees to the Open Meeting Act.

This bill would prevent the CBA, and its committees, from asking two members to review a document, draft a letter, provide expert analysis, or advise CBA staff on other matters without giving public notice.

SB 53 may prevent the CBA from conducting certain outreach and communications activities that include more than one member present, as that may constitute a meeting, and therefore be subject to the Open Meeting Act. This bill would also appear to prohibit two board members meeting together with Legislators in support of any important consumer protection issues relating to the practice of public accountancy as it would be impractical, if not impossible, to publicly notice such visits.

In addition, subjecting the activities of two-member advisory committees to the Open Meeting Act will increase the CBA's costs. In particular, staff would be required to travel and manage duties related to public meetings, including, the setup and operation of webcasting/recording equipment.

Further, the CBA would be required to rent meeting space to accommodate the public for the affected meetings.

For these reasons, the CBA has taken an oppose position on SB 53.

If you have any questions regarding this letter, you may contact Aaron Bone, Information and Planning Officer, at (916) 561-1792 or aaron.bone@cba.ca.gov.

Sincerely,

George Famalett, CPA
President, California Board of Accountancy

c: Senate Committee on Governmental Organization
Members, California Board of Accountancy
Patti Bowers, Executive Officer