



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.

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**DEPARTMENT OF CONSUMER AFFAIRS
LEGISLATIVE DIGEST
2008 Legislative Session**

A. GENERAL CONSUMER PROTECTION BILLS

(1) BUSINESS PRACTICES

**AB 588
De Leon**

Credit History: Public Utilities

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.

**Died in Senate
Judiciary
Committee**

**AB 1925
Eng**

Franchise Tax Board: Professional or Occupational Licenses

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.

**Failed in Senate
Revenue &
Taxation
Committee**

**AB 2116
Portantino**

Automobile Sales Contracts: Conditional Contracts

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.

**Died in Senate
Judiciary
Committee**

**AB 2142
Swanson**

Vehicle Rental Agreements: Customer Facility Charge

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.

**Enacted
Chapter 228**

**AB 2232
De La Torre**

Telephone Corporations: State Video Franchiseholders: Video Providers: Employee Background Checks

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.

**Enacted
Chapter 195**

AB 2641 Cook	<u>Military Service: Protection: Mediator</u>	Enacted Chapter 642
	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.	
AB 3059 Committee on Labor & Employment	<u>Economic & Employment Enforcement Coalition</u>	Vetoed
	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.	
SB 374 Harman	<u>Military Service: Benefits</u>	Died in Senate Appropriations Committee
	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 1400 Simitian	<u>Sweepstakes</u>	Enacted Chapter 749
	Provides new rules and disclosure requirements for solicitation materials containing sweepstakes entry materials and solicitation materials selling information regarding sweepstakes.	
SB 1765 Kuehl	<u>Motion Picture, Television, & Radio Contracts: 3rd-Party Rights</u>	Died on Senate Inactive File
	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.	
(2) COURT SYSTEM & LEGAL SERVICES		
AB 250 DeVore	<u>Nonprobate Transfers: Revocable Transfer Upon Death Deeds</u>	Failed in Senate Judiciary Committee
	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.	
AB 1340 Jones	<u>Guardians & Conservators</u>	Enacted Chapter 293
	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.

AB 1873 Lieu	<u>Courts</u> 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.	Vetoed
AB 2014 Tran	<u>Conservators & Guardians: Property In Foreign Jurisdictions</u> 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.	Enacted Chapter 52
AB 2247 Spitzer	<u>Conservatorships: Investments & Purchase of Property</u> 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.	Died in Assembly Judiciary Committee
AB 2248 Spitzer	<u>Wills: Requirements</u> 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.	Enacted Chapter 53
AB 2343 Caballero	<u>Public Administrators & Conservators</u> 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.	Enacted Chapter 237
SB 685 Yee	<u>Pet Trusts</u> 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.	Enacted Chapter 168
SB 800 Corbett	<u>Conservatorship & Guardianship</u> 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.	Died in Assembly Appropriations Committee

SB 1264 Harman	<u>Wills & Trusts: No Contest Clauses</u> Repeals and recasts a part of the probate code concerning “no contest” clauses of wills, trusts, and other instruments.	Enacted Chapter 174
SB 1421 Harman	<u>Trust Administration: Income & Principal</u> 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.	Died in Assembly Judiciary Committee
SB 1498 Committee on Judiciary	<u>Maintenance of the Codes</u> Makes non-substantive changes in various provisions of law to effectuate the recommendations made by the Legislative Counsel to the Legislature.	Enacted Chapter 179

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

AB 2750 Krekorian	<u>Music Piracy: Restitution</u> 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.	Enacted Chapter 468
SB 618 Alquist	<u>State Agencies: Electronic Records</u> Would have required each state agency, no later than January 1, 2010, to maintain all of its records in an electronic format.	Died in Senate Appropriations Committee
SB 1494 McClintock	<u>State Agency Web Sites: Information</u> 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.	Died in Senate Appropriations Committee

(4) LANDLORD TENANT / COMMON INTEREST DEVELOPMENTS

AB 567 Saldana	<u>Common Interest Development Bureau</u> 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.	Vetoed
AB 952 Mullin	<u>CIDs: Assessments: Low & Moderate-Income Residents</u> 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.	Vetoed

AB 1892 Smyth	<u>CIDs: Solar Energy</u> 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	<u>Common Interest Developments</u> 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	<u>CIDs: Assessments</u> 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	<u>Residential Tenancies: Domestic Violence</u> 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	<u>CIDs: Solar Energy</u> 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	<u>CIDs: Right to Rent or Lease</u> 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	<u>Residential Tenancies: Security Deposit on Foreclosure</u> 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	<u>CIDs: Board Member Education</u> 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 Feuer	<u>CIDs: Assessments</u> 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.	Enacted Chapter 502
SB 948 Harman	<u>CIDs: Board Member Education</u> 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.	Died on Senate Inactive File
SB 1057 Migden	<u>Mobilehome Parks</u> 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.	Died in Senate Rules Committee
SB 1234 Correa	<u>Mobilehomes: Privacy</u> 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.	Enacted Chapter 115
SB 1511 Ducheny	<u>CIDs: Mortgages: Successors in Interest</u> 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.	Enacted Chapter 527
SB 1598 Padilla	<u>Tenancies: Prohibition of Smoking Tobacco Products</u> 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.	Died in Assembly Judiciary Committee

(5) MISCELLANEOUS CONSUMER ISSUES

AB 10 De La Torre	<u>Health Care</u> 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.	Enacted Chapter 753
AB 109 Nunez	<u>Air Pollution: Alternative Fuels & Vehicle Technologies</u> 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.	Enacted Chapter 313

AB 264 Mendoza	<u>Secondhand Dealers & Coin Dealers</u> 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.	Vetoed
AB 450 Emmerson	<u>State Board of Chiropractic Examiners</u> 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.	Enacted Chapter 12
AB 512 Lieber	<u>Contracts: Translation</u> 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.	Died in Senate Banking, Finance & Insurance Committee
AB 619 Emmerson	<u>Vehicle Registration Amnesty Program</u> 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 <u>Governor's Signing Message</u> requires DCA & BAR to work with the author and the Legislature to make the necessary legislative changes to properly implement the program.	Enacted Chapter 420
AB 624 Coto	<u>Foundations: Diversity</u> 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.	Died in Senate Business, Professions & Economic Dev Committee
AB 1137 Eng	<u>Chiropractors</u> 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.	Failed in Senate Business, Professions, & Economic Dev Committee
AB 1333 Hancock	<u>Payment of Utility Charges Following Foreclosure</u> 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.	Vetoed

AB 1634 Levine	<u>Dogs & Cats: Nonspayed or Unneutered: Civil Penalties</u>	Died on Senate Inactive File
<p>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.</p>		
AB 1861 Emmerson	<u>State Board of Chiropractic Examiners</u>	Died in Assembly Appropriations Committee
<p>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.</p>		
AB 1866 Mendoza	<u>Service Contracts: Retailers</u>	Vetoed
<p>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.</p>		
AB 1870 De Leon	<u>Secondhand Dealers & Coin Dealers</u>	Vetoed
<p>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.</p>		
AB 1952 Berg	<u>Business Licensing: Exemptions: Veterans</u>	Enacted Chapter 435
<p>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.</p>		
AB 2059 Nunez	<u>Mailed Solicitations: Disclosures</u>	Enacted Chapter 738
<p>Requires a person that sends a solicitation by mail to solicit a recipient whose telephone number is not on the national "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.</p>		
AB 2116 Portantino	<u>Automobile Sales Contracts: Conditional Contracts</u>	Died in Senate Judiciary Committee
<p>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.</p>		

AB 2123 Lieu	<u>California Financial Literacy Initiative</u> 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.	Vetoed
AB 2136 Mendoza	<u>Prepaid Calling Cards</u> 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 2142 Swanson	<u>Vehicle Rental Agreements: Customer Facility Charge</u> 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.	Enacted Chapter 228
AB 2224 De La Torre	<u>California Clean Energy Curriculum & Training Initiative of 2008</u> 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
AB 2232 De La Torre	<u>Telephone Corporations: State Video Franchiseholders: Video Providers: Employee Background Checks</u> 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.	Enacted Chapter 195
AB 2272 Fuentes	<u>Vehicles: Motorcycles</u> Deletes the weight limitation from the definition of "motorcycle" (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.	Enacted Chapter 672
AB 2299 Silva	<u>Maintenance of the Codes</u> 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.	Vetoed

AB 2316 Ruskin	<u>Greenhouse Gas Emission Reductions</u> 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.	Died in Assembly Appropriations Committee
AB 2452 Davis	<u>Notaries Public</u> 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.	Enacted Chapter 67
AB 2734 Krekorian	<u>Health Care Practitioners: Business Cards & Advertisements</u> 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.	Failed on Assembly Floor
AB 2747 Berg	<u>End-of-Life Care</u> 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.	Enacted Chapter 683
AB 2750 Krekorian	<u>Music Piracy: Restitution</u> 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.	Enacted Chapter 468
AB 2769 Levine	<u>Digital Broadcast Television</u> 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.	Died on Senate Floor
AB 2919 Garcia	<u>Advertising</u> 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.	Enacted Chapter 256
SB 509 Simitian	<u>Hazardous Materials: Toxic Substances</u> Requires that before a designated product may be manufactured or sold in	Enacted Chapter 560

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	<u>Pawnbrokers</u> 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.	Enacted Chapter 340
SB 722 Correa	<u>Decedents Estates: Judgments of Conviction</u> 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.	Died in Assembly Rules Committee
SB 731 Oropeza	<u>Massage Therapy</u> 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 1167 Wiggins	<u>Insurance: Vehicle Repair Task Force</u> 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.	Vetoed
SB 1217 Yee	<u>Board of Pilot Commissioners: Pilots: Fitness for Duty</u> 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.	Enacted Chapter 568
SB 1257 Machado	<u>Consumer Rebates</u> 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.	Vetoed
SB 1319 Machado	<u>Unclaimed Property: Escheat</u> 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.	Vetoed

SB 1329 Harman	<u>Charitable Institutions: Fund Management: Dissolution</u> Repeals the Uniform Management of Institutional Funds Act (UMIFA) and enacts the Uniform Prudent Management of Institutional Funds Act which would revise and reenact the provisions contained in UMIFA.	Enacted Chapter 715
SB 1400 Simitian	<u>Sweepstakes</u> Provides new rules and disclosure requirements for solicitation materials containing sweepstakes entry materials and solicitation materials selling information regarding sweepstakes.	Enacted Chapter 749
SB 1402 Corbett	<u>Reporting Requirements</u> 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.	Vetoed
SB 1765 Kuehl	<u>Motion Picture, Television, & Radio Contracts: 3rd-Party Rights</u> 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.	Died on Senate Inactive File
(6) NEW / PROPOSED REGULATORY PROGRAMS		
AB 311 Dymally	<u>Colon Hydrotherapy</u> 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.	Failed in Assembly Business & Professions Committee
AB 567 Saldana	<u>Common Interest Development Bureau</u> 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.	Vetoed
AB 1137 Eng	<u>Chiropractors</u> 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.	Failed in Senate Business, Professions, & Economic Dev Committee

AB 2224
De La Torre **California Clean Energy Curriculum & Training Initiative of 2008** **Died in
Assembly
Appropriations
Committee**

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.

SB 853
Perata **Dentistry: Dental Assistants & Hygienists** **Enacted
Chapter 31**

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 1526
Perata **Polysomnographic Technologists: Sleep & Wake Disorders** **Vetoed**

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.

(7) TELECOMMUNICATIONS

AB 2136
Mendoza **Prepaid Calling Cards** **Enacted
Chapter 739**

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.

AB 2885
De La Torre **Telecommunications: Mobile Telephony Service: Prepaid Service** **Enacted
Chapter 745**

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.

**DEPARTMENT OF CONSUMER AFFAIRS
LEGISLATIVE DIGEST
2008 Legislative Session**

B. BILLS BY DCA BOARDS, BUREAUS, & PROGRAMS

(1) ACCOUNTANCY

**AB 1185
Hayashi**

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.

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

**AB 2473
Niello**

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.

**Died in
Assembly
Business &
Professions
Committee**

**SB 654
Denham**

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.

**Failed in
Senate
Business &
Professions
Committee**

(2) ACUPUNCTURE

**SB 136
Cedillo**

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.

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

**SB 963
Ridley-
Thomas**

Department of Consumer Affairs: Regulatory Boards

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

**Enacted
Chapter 385**

(3) ALL BOARDS / BUREAUS / COMMISSIONS / PROGRAMS

**AB 1925
Eng**

Franchise Tax Board: Professional or Occupational Licenses

Would have required a state governmental licensing entity issuing

**Failed in Senate
Revenue &
Taxation**

	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.	Committee
AB 2118 Villines	<u>State Agencies: Administrative Regulations</u> 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.	Died in Assembly Business & Professions Committee
AB 2423 Bass	<u>Professions & Vocations: Licensure</u> 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.	Enacted Chapter 675
AB 2427 Eng	<u>Professions & Vocations</u> 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
AB 2641 Cook	<u>Military Service: Protection: Mediator</u> 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.	Enacted Chapter 642
SB 374 Harman	<u>Military Service: Benefits</u> 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.	Died in Senate Appropriations Committee
SB 618 Alquist	<u>State Agencies: Electronic Records</u> Would have required each state agency, no later than January 1, 2010, to maintain all of its records in an electronic format.	Died in Senate Appropriations Committee
SB 721 Ashburn	<u>State Agencies: Succession Plans</u> Would have required every state agency to establish and implement a	Died in Assembly Appropriations

succession plan by January 1, 2010 and report to the legislature on the success or failure of this plan by January 1, 2012. **Committee**

**SB 1402
Corbett**

Reporting Requirements

Vetoed

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

**Enacted
Chapter 548**

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

**Died in Senate
Appropriations
Committee**

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

**Enacted
Chapter 62**

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

**Died on Senate
Inactive File**

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

**Enacted
Chapter 549**

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.

Enacted
Chapter 385

(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.

Died in Senate
Rules
Committee

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.

Died in
Assembly
Transportation
Committee

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.

Enacted
Chapter 451

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.

Died in
Assembly
Appropriations
Committee

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.

Enacted
Chapter 675

AB 2825
Carter

Automotive Repair: Crash Parts

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

Vetoed

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

**Died in Senate
Appropriations
Committee**

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

Vetoed

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

**Enacted
Chapter 526**

Prohibits insurers from capping charges for paint and related materials.

SB 1549
Florez

Smog Check Program: Exemptions

Vetoed

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

Vetoed

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.

(7) BARBERING & COSMETOLOGY

AB 518
Mendoza

Barbering & Cosmetology: Threading

**Enacted
Chapter 187**

Excludes threading, a hair removal technique, from the practice of barbering and cosmetology indefinitely.

AB 1545
Eng

Professions & Vocations: Barbering & Cosmetology

**Enacted
Chapter 35**

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.

AB 2423 Bass	<u>Professions & Vocations: Licensure</u>	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.	Enacted Chapter 675
SB 797 Ridley-Thomas	<u>Professions & Vocations</u>	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. <i>(Urgency Measure)</i>	Enacted Chapter 33
SB 1579 Calderon	<u>Medical Referrals</u>	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.	Died in Senate Business, Professions & Economic Dev Committee
(8) BEHAVIORAL SCIENCES			
AB 164 Smyth	<u>Immunity: Marriage & Family Therapy Schools</u>	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.	Enacted Chapter 23
AB 239 DeSaulnier	<u>Alcoholism & Drug Abuse Counselors</u>	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.	Vetoed
AB 1367 DeSaulnier	<u>Alcoholism & Drug Abuse Counselors</u>	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.	Died in Assembly Appropriations Committee
AB 1486 Calderon, Charles	<u>Licensed Professional Counselors</u>	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	Died in Senate Appropriations Committee

enforcement specifications.

AB 1897 Emmerson	<u>Marriage & Family Therapists: Licensure</u>	Enacted Chapter 489
	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.	
AB 1922 Hernandez	<u>Healing Arts Practitioners: Peer Review</u>	Enacted Chapter 25
	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.	
AB 1951 Hayashi	<u>Mental Health: Capital Facilities</u>	Vetoed
	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.	
AB 2543 Berg	<u>Geriatric & Gerontology Workforce Expansion Act</u>	Vetoed
	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.	
SB 963 Ridley-Thomas	<u>Department of Consumer Affairs: Regulatory Boards</u>	Enacted Chapter 385
	Extends the sunset date for the Board of Behavioral Sciences from July 1, 2009 to January 1, 2011.	
SB 1218 Correa	<u>Marriage & Family Therapy: Licensure & Registration</u>	Vetoed
	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.	
SB 1505 Yee	<u>Board of Behavioral Sciences: Fees</u>	Vetoed
	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 **DCA Omnibus Bill** **Vetoed**
Business,
Professions
& Econ Dev
Com 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.

(9) CEMETERY & FUNERAL

AB 1816 **Cemeteries: Temporary Manager** **Vetoed**
Galgiani 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 **Funeral Establishments** **Enacted**
Galgiani 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. **Chapter 490**

AB 2946 **Cemeteries** **Enacted**
Hayashi 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. **Chapter 504**

SB 824 **Department of Consumer Affairs: Assumption of Jurisdiction** **Died in Senate**
Padilla Would have deleted obsolete implementation dates and language regarding the Cemetery Board, the Funeral Directors and Embalmers Board, and the Structural Pest Control Board. **Business, Professions & Economic Dev Committee**

SB 1135 **Cemeteries: Endowment Trust Funds** **Enacted**
Ducheny Amends the Health and Safety Code to increase the minimum amounts an endowment care cemetery is required to deposit in its endowment care fund. **Chapter 545**

SB 1225 **Private Cemeteries: Limited Liability Companies** **Enacted**
Harman 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 **Chapter 114**

liability.

SB 1779 Business, Professions & Econ Dev Com	<u>DCA Omnibus Bill</u> 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	<u>DCA Non-Health Omnibus Bill</u> 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
(10) CONTRACTORS		
AB 455 Cook	<u>Contractors State License Board</u> 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.	Died on Senate Inactive File
AB 456 Cook	<u>Construction Management Education Account</u> Would have continuously appropriated funds in the Construction Management Education Account in the Contractors' License Fund for the purposes of construction management education.	Died in Senate Appropriations Committee
AB 611 Nakanishi	<u>Contractors: Arbitration Procedures</u> Would have increased the maximum monetary limit that would allow a disciplinary case to go to voluntary arbitration to \$100,000 (from \$50,000).	Died on Senate Inactive File
AB 2288 Torrico	<u>Automatic Fire Extinguishing Systems: Certificate of Registration</u> 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.	Died in Senate Rules Committee
AB 2335 Nakanishi	<u>Building Permits</u> 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.	Enacted Chapter 66
AB 2336 Nakanishi	<u>Contractors: Arbitration Procedures</u> 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).	Died in Assembly Judiciary Committee

AB 2347 Ruskin	<u>Mercury-Added Thermostats: Collection Program</u>	Enacted Chapter 572
	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	<u>Unlicensed Contractors</u>	Vetoed
	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	<u>Civil Actions: Energy Efficiency Standards</u>	Vetoed
	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	<u>Indemnification: Construction Contracts</u>	Enacted Chapter 467
	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	<u>Contractors: Consultants</u>	Died in Assembly Business & Professions Committee
	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	<u>Public Works: Prevailing Wage Payments: Payroll Records</u>	Died in Assembly Appropriations Committee
	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	<u>Works Of Improvement</u>	Died in Senate Judiciary Committee
	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	<u>Department of Consumer Affairs: Regulatory Boards</u> Extends the sunset date for the Contractors State License Board from July 1, 2009 to January 1, 2011.	Enacted Chapter 385
SB 1337 Correa	<u>Contractors: Limited Liability Companies</u> 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.	Died in Senate Judiciary Committee
SB 1362 Margett	<u>Electrician Certification</u> 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.	Enacted Chapter 716
SB 1432 Margett	<u>Contractors</u> 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.	Enacted Chapter 157
SB 1449 Calderon	<u>Works Of Improvement: Liens</u> 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.	Died in Assembly Judiciary Committee
SB 1508 Corbett	<u>Seismic Safety Standards: Strengthening Standards</u> 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.	Died in Assembly Appropriations Committee

**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.

**Failed in
Assembly
Judiciary
Committee**

**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.

Vetoed

**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.

Vetoed

(11) COURT REPORTERS

**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.

Vetoed

**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.

**Enacted
Chapter 385**

(12) DENTISTS / DENTAL AUXILIARIES

**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

**Enacted
Chapter 35**

members and an executive officer are appointed to the new Board.

AB 2210 Price	<u>Dentistry: Emergency Services</u> 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.	Enacted Chapter 449
AB 2637 Eng	<u>Dental Auxiliaries</u> 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.	Enacted Chapter 499
AB 2734 Krekorian	<u>Health Care Practitioners: Business Cards & Advertisements</u> 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.	Failed on Assembly Floor
AB 2968 Carter	<u>Cosmetic Surgery</u> 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.	Vetoed
SB 797 Ridley-Thomas	<u>Professions & Vocations</u> 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. <i>(Urgency Measure)</i>	Enacted Chapter 33
SB 853 Perata	<u>Dentistry: Dental Assistants & Hygienists</u> 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 1178	<u>Dentistry: Registered Sex Offenders</u>	Enacted

Aanestad Chapter 517
Makes modifications to the Dental Board of California's ability to revoke a license of a convicted sex offender.

SB 1415 Patient Records: Maintenance & Storage Vetoed
Kuehl
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.

SB 1441 Healing Arts Practitioners: Substance Abuse Enacted
Ridley-Thomas Chapter 548
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.

SB 1633 Dental Services: Credit Vetoed
Kuehl
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.

(13) ELECTRONIC & APPLIANCE REPAIR

SB 1779 DCA Omnibus Bill Vetoed
Business, Professions & Econ Dev Com
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 1780 DCA Non-Health Omnibus Bill Died on
Business, Professions & Econ Dev Com Assembly Inactive File
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.

(14) ENGINEERS & LAND SURVEYORS,

AB 2793 Professional Engineers: Disclosures Died in Senate
Blakeslee Business, Professions, & Economic Dev Committee
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

building owner who violated those provisions liable for a specified civil penalty.

SB 1779 **DCA Omnibus Bill** **Vetoed**
Business, Professions & Econ Dev Com 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 1780 **DCA Non-Health Omnibus Bill** **Died on Assembly Inactive File**
Business, Professions & Econ Dev Com 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

AB 1340 **Guardians & Conservators** **Enacted Chapter 293**
Jones 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.

SB 1215 **Professional Fiduciaries** **Died in Assembly Judiciary Committee**
Harman Would have made changes to the statutory definition of "Professional Fiduciary" in the Professional Fiduciaries Act.

SB 1779 **DCA Omnibus Bill** **Vetoed**
Business, Professions & Econ Dev Com 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 1780 **DCA Non-Health Omnibus Bill** **Died on Assembly Inactive File**
Business, Professions & Econ Dev Com 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

AB 1284 **Geologists & Geophysicists** **Enacted Chapter 488**
Eng 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.

SB 963 **Department of Consumer Affairs: Regulatory Boards** **Enacted**

Ridley-Thomas

Extends the sunset date for the Board for Geologists and Geophysicists from July 1, 2009 to January 1, 2011.

Chapter 385

(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.

Died in
Assembly
Business &
Professions Com

(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.

Vetoed

(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.

Failed on
Senate Floor

(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*)

Enacted
Chapter 290

AB 158
Ma

Medicine: Licensing: Continuing Education Requirements

Encourages the Medical Board of California to require physicians to

Enacted
Chapter 754

complete a course in the diagnosis and treatment of hepatitis as part of existing continuing education requirements.

AB 214 Fuentes	<u>Public Protection & Physician Health Program Act of 2008</u>	Vetoed
	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.	
AB 547 Ma	<u>Medical Board of California: Licensure Fees</u>	Vetoed
	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.	
AB 1944 Swanson	<u>Physicians & Surgeons: Health Care Districts</u>	Died in Senate Health Committee
	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.	
AB 1951 Hayashi	<u>Mental Health: Capital Facilities</u>	Vetoed
	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.	
AB 2398 Nakanishi	<u>Cosmetic Surgery: Employment of Physicians & Surgeons</u>	Died on Senate Floor
	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.	
AB 2439 De La Torre	<u>Steven M Thompson Physician Corps Loan Repayment Program</u>	Enacted Chapter 640
	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.	
AB 2442 Nakanishi	<u>Medicine: Diversion Program</u>	Vetoed
	Would have repealed various reporting requirements related to the	

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*)

AB 2443 Nakanishi	<u>Medical Board of California: Physician & Surgeon Well-Being</u>	Vetoed
	Would have required 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.	
AB 2444 Nakanishi	<u>Medical Board of California: Disciplinary Actions</u>	Enacted Chapter 242
	Authorizes the Medical Board of California to require a physician to complete training or education as part of a public letter of reprimand.	
AB 2445 Nakanishi	<u>Medical Board of California: Disciplinary Procedures</u>	Enacted Chapter 247
	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.	
AB 2649 Ma	<u>Medical Assistants: Authorized Services</u>	Vetoed
	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.	
AB 2734 Krekorian	<u>Health Care Practitioners: Business Cards & Advertisements</u>	Failed on Assembly Floor
	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.	
AB 2747 Berg	<u>End-of-Life Care</u>	Enacted Chapter 683
	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.	
AB 2794 Blakeslee	<u>Diagnostic Imaging Services</u>	Enacted Chapter 469
	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.	
AB 2841 Ma	<u>Medical Procedures: Reusable Adipose Cannula</u>	Died on Assembly Inactive File
	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.	

AB 2968 Carter	<u>Cosmetic Surgery</u> 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.	Vetoed
SB 761 Ridley-Thomas	<u>Healing Arts: Diversion: Investigations</u> Would have extended the Medical Board of California (Board) diversion program to July 1, 2010, required the Board to create and appoint a Diversion Advisory Council, extended the Board's vertical prosecution program's January 1, 2009 sunset date to January 1, 2011, and required the Board to transition investigators who handle the most complex investigations into "special agent" classifications.	Died in Assembly Appropriations Committee
SB 907 Calderon	<u>Physicians & Surgeons: Referrals</u> Would have permitted a physician to provide consideration for a referral for an elective cosmetic procedure, if specified conditions are met.	Died in Senate Business, Professions & Economic Dev Committee
SB 1294 Ducheny	<u>Healing Arts</u> Would have extended an existing pilot project that authorizes qualified district hospitals to directly employ physicians, by five years, until 2017, and made several small expansions of the project.	Failed in Assembly Appropriations Committee
SB 1379 Ducheny	<u>Physician & Surgeon Loan Repayment</u> Directs the deposit of fines collected by the Department of Managed Health Care (DMHC) to the Steven Thompson Physician Corps Loan Repayment Program (Thompson Program), up to \$1 million per year, and directs fines in excess of \$1 million to the Major Risk Medical Insurance Program; and requires a one-time transfer from DMHC to the Thompson Program in the amount of \$1 million, and to the Major Risk Medical Insurance Program in the amount of \$10 million. <i>(Urgency Measure)</i>	Enacted Chapter 607
SB 1415 Kuehl	<u>Patient Records: Maintenance & Storage</u> 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 1454 Ridley-Thomas	<u>Healing Arts: Outpatient Settings</u> Would have strengthened requirements for advertisements and disclosures by healing arts practitioners, increased oversight and enforcement of the use of lasers and intense pulse light devices in cosmetic medical procedures, and increased oversight and enforcement of accredited outpatient medical settings.	Died on Assembly Floor
SB 1526	<u>Polysomnographic Technologists: Sleep & Wake Disorders</u>	Vetoed

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 establish the means and circumstances under which a physician may employ a polysomnographic technician or polysomnographic trainee.

**SB 1579
Calderon**

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.

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

**SB 1640
Ashburn**

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.

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

**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

(22) NATUROPATHIC MEDICINE

**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

(23) OCCUPATIONAL THERAPY

**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

(24) OFFICE OF PRIVACY PROTECTION

**SB 328
Corbett**

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

**Died in
Assembly
Banking &
Finance
Committee**

remedies for violations of the provisions of this bill.

(25) OPTOMETRY

AB 2848
Hernandez

Optometrists: Retired Licenses

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.

**Died on
Senate
Inactive File**

SB 1406
Correa

Optometry

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.

**Enacted
Chapter 352**

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

(26) OSTEOPATHIC 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*)

**Enacted
Chapter 290**

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 be a misdemeanor.

**Failed on
Assembly
Floor**

SB 1441
**Ridley-
Thomas**

Healing Arts Practitioners: Substance Abuse

Establishes the Substance Abuse Coordination Committee within the

**Enacted
Chapter 548**

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.

(27) PHARMACY

AB 10 De La Torre	<u>Health Care</u> 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.	Enacted Chapter 753
AB 1574 Plescia	<u>Surgical Clinics: Licensure</u> 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.	Vetoed
AB 1947 Emmerson	<u>Pharmacy Technicians</u> 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.	Died in Assembly Business & Professions Committee
AB 2690 Krekorian	<u>Product Liability Actions: Prescription Pharmaceutical Products</u> 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.	Died on Assembly Inactive File
AB 2756 Duvall	<u>Pharmacists: Furnishing Drugs During Emergency</u> 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.	Died on Senate Inactive File
SB 1096 Calderon	<u>Medical Information</u> Would have allowed a pharmacy to make written communications to a patient, without the patient's authorization, under specified conditions.	Died in Assembly Health Committee

SB 1270 Cedillo	<u>Pharmacy: Electronic Pedigree Task Force</u> 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.	Died in Assembly Appropriations Committee
SB 1307 Ridley- Thomas	<u>Pharmacy: Pedigree</u> 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.	Enacted Chapter 713
SB 1441 Ridley- Thomas	<u>Healing Arts Practitioners: Substance Abuse</u> 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.	Enacted Chapter 548
SB 1779 Business, Professions & Econ Dev Com	<u>DCA Omnibus Bill</u> 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

(28) PHYSICAL THERAPY

AB 2111 Smyth	<u>Physical Therapy Regulation</u> 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.	Enacted Chapter 301
SB 1441 Ridley- Thomas	<u>Healing Arts Practitioners: Substance Abuse</u> 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	Enacted Chapter 548

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

Vetoed

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

Enacted
Chapter 628

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

Enacted
Chapter 76

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

AB 2747
Berg

End-of-Life Care

Enacted
Chapter 683

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

Enacted
Chapter 548

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

Enacted
Chapter 290

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)**

SB 1415 Kuehl	<u>Patient Records: Maintenance & Storage</u>	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.	
SB 1779 Business, Professions & Econ Dev Com	<u>DCA Omnibus Bill</u>	Vetoed
	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.	

(31) PRIVATE POSTSECONDARY & VOCATIONAL EDUCATION

AB 1182 Niello	<u>California Private Postsecondary Education Act of 2008</u>	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	<u>California Private Postsecondary Education Act of 2008</u>	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	<u>California Private Postsecondary Education Act of 2008</u>	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	<u>Department of Consumer Affairs: Regulatory Boards</u>	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	<u>Postsecondary Education: Private Student Loans</u>	Vetoed

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

Vetoed

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

Enacted
Chapter 385

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

Died in Senate
Business,
Professions &
Economic Dev
Com

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

Died in Senate
Education
Committee

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

Enacted
Chapter 683

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

Enacted
Chapter 548

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 **DCA Omnibus Bill** **Vetoed**
Business, Professions & Econ Dev Com
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.

(34) RESPIRATORY CARE

SB 1779 **DCA Omnibus Bill** **Vetoed**
Business, Professions & Econ Dev Com
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 1125 **Polysomnographic Technologist Act** **Died in Senate Business, Professions & Economic Dev**
Denham
Would have provided for the licensing and regulation of Polysomnographic Technologists by the Respiratory Care Board of California.

(35) SECURITY & INVESTIGATIVE SERVICES

AB 2423 **Professions and Vocations: Licensure** **Enacted Chapter 675**
Bass
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.

AB 2498 **Firearms Training: Eligibility To Possess Firearms** **Vetoed**
Saldana
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.

AB 2592 **Locksmiths** **Enacted Chapter 679**
Ma
Makes numerous changes to existing laws regulating locksmiths. Among other things, increases penalties for unlicensed locksmiths and establishes various new requirements for licensed locksmiths.

SB 1209 **Private Security Services** **Died in Assembly Appropriations Committee**
Maldonado
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.

SB 1282 **Private Investigators: Continuing Education** **Vetoed**
Margett
Would have required private investigators licensed by the Bureau of Security and Investigative Services (Bureau) to complete 12 hours of

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

Vetoed

Would have authorized the impoundment of a vehicle used by an unlicensed reposessor, 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 reposseors.

(36) SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY

AB 1545
Eng

Professions & Vocations: Speech-Language Pathology & Audiology

Enacted
Chapter 35

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.

SB 797
Ridley-Thomas

Professions & Vocations

Enacted
Chapter 33

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)*

(37) STRUCTURAL PEST CONTROL

AB 2423
Bass

Professions & Vocations: Licensure

Enacted
Chapter 675

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.

SB 824
Padilla

Department of Consumer Affairs: Assumption of Jurisdiction

Died in Senate
Business,
Professions &
Economic Dev
Committee

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 1206
Calderon

Pest Control

Enacted
Chapter 46

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

(38) SUNSET REVIEW

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

Failed in Senate
Business,

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.

**Profession &
Economic Dev
Committee**

**SB 1584
Padilla**

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.

**Enacted
Chapter 529**

(41) VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS

**AB 1545
Eng**

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.

**Enacted
Chapter 35**

**AB 1927
Galgiani**

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.

**Enacted
Chapter 299**

**AB 2423
Bass**

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.

**Enacted
Chapter 675**

**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)

**Enacted
Chapter 33**

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