

STATE OF CALIFORNIA



DEPARTMENT OF CONSUMER AFFAIRS
DIVISION OF LEGISLATIVE & POLICY REVIEW

2011 LEGISLATIVE DIGEST





DIVISION OF
LEGISLATIVE *and*
POLICY REVIEW



2011 LEGISLATIVE DIGEST

Edmund G. Brown Jr., Governor
State of California

Anna Caballero, Secretary
State Consumer Services Agency

Brian J. Stiger, Acting Director
Department of Consumer Affairs

Staff

Luis Portillo, Manager

Rose Ramos, Legislative Coordinator

Legislative/Policy Analysts

Brian Clifford
Ryan Arnold

Erica Eisenlauer
Marc Mason

Justin Paddock
John Perry

Katherine Demos, Research Analyst / Regulations Coordinator



PREFACE

2011 Legislative Digest

The Department of Consumer Affairs (DCA) is the lead agency for consumer protection in the State of California. The Consumer Affairs Act of 1970, codified as Business and Professions Code Section 300 et seq., requires the Department to represent the interests of California consumers before the Legislature.

The Department licenses and regulates over two million professionals in a number of different professions, including doctors, dentists, contractors, cosmetologists and auto-repair technicians. DCA consists of 36 regulatory entities that establish minimum qualifications and levels of competency for licensure in their respective fields. They also license, register, or certify practitioners, investigate complaints and discipline violators. The entire Department's boards' and bureaus' operations are special fund, being funded through licensing fees.

The Department's Division of Legislative & Policy Review (LPR) has prepared this 2011 Legislative Digest. This report was completed as a result of activity conducted by the California State Legislature, the Department, and its various boards and bureaus, as well as other consumer-related organizations.

The Legislative Digest contains a compendium of significant legislation that occurred during the 2011 Session affecting the Department's boards, bureaus, and other programs, as well as consumer protection in general. It is organized by subject category and indexed by bill number and chapter number for ease of reference. LPR has been preparing this report for over 21 years and DCA hopes that it will continue to serve as a useful resource for identifying legislation of interest.

This report can also be viewed at the Department's Internet site at www.dca.ca.gov under "Publications." Click on "Complete List of All Publications" and follow the link to the "Legislative Digest Index" to find a link to this report, as well as annual reports going back several years.

Please do not hesitate to contact Luis Portillo, Legislative Manager of LPR, at (916) 574-7800 should you have any questions or comments.

BRIAN STIGER
Acting Director
Department of Consumer Affairs

CONTENTS

A. GENERAL CONSUMER PROTECTION BILLS	Page No.
1. Business Practices	1
2. Court System & Legal Services (Probate)	3
3. Internet / e-Commerce / e-Government	4
4. Landlord Tenant / Common Interest Developments	4
5. Miscellaneous Consumer Issues	6
6. New / Proposed Regulatory Programs	9
B. BILLS BY DCA BOARD, BUREAU, COMMISSION AND PROGRAM	
1. Accountancy	9
2. Acupuncture	10
3. All Boards / Bureaus / Commissions / Programs	10
4. Architects	15
5. Athletic Commission, California	15
6. Automotive Repair	15
7. Barbering & Cosmetology	15
8. Behavioral Sciences	16
9. Cemetery & Funeral	17
10. Contractors	18
11. Court Reporters	19
12. Dentists / Dental Hygienists	20
13. Electronic & Appliance Repair, Home Furnishings & Thermal Insulation	20
14. Engineers & Land Surveyors	20
15. Fiduciaries, Professional	21
16. Geologists & Geophysicists	21
17. Guide Dogs	21
18. Landscape Architects	21
19. Medicine	22
20. Naturopathic Medicine	24
21. Occupational Therapy	24
22. Optometry	25
23. Osteopathic Medicine	25
24. Pharmacy	25
25. Physical Therapy	26
26. Physician Assistants	27
27. Podiatric Medicine	27
28. Private Postsecondary Education	27
29. Psychology	28
30. Registered Nursing	29
31. Respiratory Care	30
32. Security & Investigative Services	30
33. Speech-Language Pathology & Audiology & Hearing Aid Dispensers	30
34. Sunset Review	30
35. Telephone Medical Advice Services	30
36. Veterinary Medicine	31
37. Vocational Nurses & Psychiatric Technicians	31
C. INDEXES OF BILLS	
By Bill Number and by Chapter Number	

TABLE OF BILLS

A. GENERAL CONSUMER PROTECTION BILLS

(1) Business Practices

	Bill	Status	Page
<i>Athlete Agents</i>	SB 238	Enacted	2
<i>Athlete agents: conflicts of interest</i>	SB 101	Enacted	2
<i>Boards and commissions: time reporting</i>	AB 800	2-Year Bill	1
<i>Business: manufactured optical discs</i>	SB 550	Enacted	2
<i>Credit Cards: personal information</i>	AB 1219	Enacted	2
<i>Debt Buyers</i>	SB 890	2-Year Bill	3
<i>Massage Therapy</i>	AB 619	Enacted	1
<i>Medical records: confidential information</i>	SB 850	Enacted	3
<i>Motor Vehicle Conditional Sale Contracts</i>	AB 238	Enacted	1
<i>Pawnbrokers</i>	AB 424	Enacted	1
<i>Political Reform Act of 1974: public officers: financial interest</i>	AB 785	2-Year Bill	1
<i>Professional photocopiers</i>	AB 214	Enacted	1
<i>Professional sports teams: relocation agreements</i>	SB 652	2-Year Bill	3
<i>Public safety: ski resorts</i>	SB 278	Vetoed	2
<i>Reader Privacy Act</i>	SB 602	Enacted	3
<i>Unfair Competition</i>	AB 473	2-Year Bill	1
<i>Vehicle Rental Contracts</i>	AB 817	2-Year Bill	2

(2) Court System & Legal Services

<i>Debt Buyers</i>	SB 890	2-Year Bill	4
<i>Documents: notaries public - solicitation</i>	AB 75	Enacted	3
<i>Public guardians & conservators: authority: property held in trust</i>	AB 1288	Enacted	4
<i>Vehicle Rental Agreements</i>	AB 621	Enacted	3
<i>Vital records: certified copies</i>	AB 659	2-Year Bill	4

(3) Internet/e-Commerce/e-Government

<i>Personal Information: Privacy: Security Breaches</i>	SB 24	Enacted	4
---	-------	---------	---

(4) Landlord Tenant / Common Interest Developments

<i>Building Standards: Water Meters: Multiunit Structures</i>	AB 19	2-Year Bill	4
<i>Civil actions: Limitations: Real Property Development</i>	AB 1207	2-Year Bill	5
<i>Common Interest Developments</i>	AB 805	2-Year Bill	5
<i>Common Interest Developments</i>	AB 806	2-Year Bill	5
<i>Common Interest Developments</i>	SB 150	Enacted	5
<i>Common Interest Developments: Artificial Turf</i>	SB 759	Vetoed	6
<i>Common Interest Developments: Electric Vehicle Charging Stations</i>	SB 209	Enacted	5
<i>Common Interest Developments: Meetings</i>	SB 563	Enacted	6
<i>Common Interest Developments: Requests for Documents: Fees</i>	AB 771	Enacted	5
<i>Eviction for Animal Fighting</i>	SB 426	Enacted	6
<i>Rental Dwellings: Smoking</i>	SB 332	Enacted	5
<i>Tenancies: Unlawful Detainer</i>	AB 265	2-Year Bill	4
<i>Tenancy and Victims of Domestic Violence</i>	AB 588	Enacted	5
<i>Tenancy: Political Signs</i>	SB 337	Enacted	6

(5) Miscellaneous Consumer Issues

	Bill	Status	Page
<i>Budget Act of 2011-12: General Government Omnibus Trailer Bill</i>	SB 80	Enacted	7
<i>Business: Self-Storage Facilities</i>	SB 279	Enacted	8
<i>Cellular Telephones: Notice Requirement</i>	SB 932	2-Year Bill	9
<i>Claims Against the State: Appropriation</i>	SB 206	Enacted	7
<i>Consumer Protections: Made in California Program</i>	SB 823	2-Year Bill	8
<i>Consumer Warranties: Vehicles</i>	AB 1061	2-Year Bill	7
<i>Disposition of Remains: Authorized Agent</i>	AB 905	Enacted	7
<i>Dog Licensing: Puppy Licenses</i>	AB 1121	Vetoed	7
<i>Estates and Trusts: Wrongful Taking</i>	AB 354	Enacted	6
<i>Healing Arts: Advertising</i>	SB 399	2-Year Bill	8
<i>Lease Contracts: Warranties</i>	SB 868	2-Year Bill	9
<i>Maintenance of the Codes</i>	AB 1023	Enacted	7
<i>Male Circumcision</i>	AB 768	Enacted	7
<i>Massage Therapy Instruction: Fraud: Criminal Prosecutions</i>	SB 285	Enacted	8
<i>Medical Records: Confidential Information</i>	SB 850	Enacted	8
<i>Nonprobate Transfers: Revocable Transfer on Death Deeds</i>	AB 699	2-Year Bill	6
<i>Rental Vehicles</i>	SB 875	2-Year Bill	8
<i>Smoking in the Workplace</i>	SB 575	2-Year Bill	8
<i>State Agencies: Collection of Demographic Data</i>	AB 1088	Enacted	7
<i>Tanning Facilities</i>	SB 746	Enacted	8
<i>The Raechel and Jacqueline Houck Rental Car Safety Act: Vehicle Rentals</i>	AB 753	2-Year Bill	6
<i>Vehicles: Key Information Access</i>	SB 750	2-Year Bill	8
<i>Vehicle Rental Agreements</i>	AB 621	Enacted	6

(6) New / Proposed Regulatory Programs

<i>Athletic Trainers</i>	AB 374	2-Year Bill	9
<i>Debt Settlement Consumer Protection Act</i>	SB 708	2-Year Bill	9
<i>Radiologist Assistants</i>	AB 352	2-Year Bill	9
<i>Sprinkler Fitters: Licensing</i>	SB 886	2-Year Bill	9

B. BILLS BY BOARD, BUREAU, COMMISSION AND PROGRAM

(1) Accountancy

<i>Accountancy</i>	SB 306	Enacted	10
<i>Accountants: Discipline: Internet Posting</i>	AB 797	2-Year Bill	9
<i>Accounting Ethics Requirement</i>	SB 773	Enacted	10
<i>Business and Professions: Regulatory Boards</i>	SB 543	Enacted	10
<i>Retired Public Accountants</i>	AB 431	Enacted	9

(2) Acupuncture

<i>Acupuncture</i>	SB 628	2-Year Bill	10
--------------------	--------	-------------	----

(3) All Boards / Bureaus / Commissions / Programs

<i>Civil Service: Personal Services Contracts</i>	AB 149	2-Year Bill	10
<i>Consumer Health Protection Enforcement Act</i>	SB 544	2-Year Bill	13
<i>Franchise Tax Board: Delinquent Tax Debt</i>	AB 1424	Enacted	12
<i>Healing Arts Omnibus</i>	SB 943	Enacted	14
<i>Non-Health Omnibus</i>	SB 944	Enacted	14

	Bill	Status	Page
<i>Regulations – Altering the Administrative Procedures Act</i>	AB 1037	2-Year Bill	11
<i>Regulations – Business Impacts</i>	SB 560	2-Year Bill	14
<i>Regulations – California Smart Regulation Act</i>	SB 591	2-Year Bill	14
<i>Regulations – Department of Finance Economic Review</i>	AB 273	2-Year Bill	11
<i>Regulations: Economic Analysis and Review</i>	SB 196	2-Year Bill	12
<i>Regulations – Economic Analysis Instructions</i>	ABX1 6	Dead	12
<i>Regulations – Economic Impact Statements</i>	AB 530	2-Year Bill	11
<i>Regulations – Effective Date</i>	ABX1 4	Dead	12
<i>Regulations – Effective Date</i>	SB 553	2-Year Bill	13
<i>Regulations – Five Year Reporting</i>	AB 535	2-Year Bill	11
<i>Regulations – Five Year Reporting</i>	ABX1 3	Dead	12
<i>Regulations – Impact Assessments</i>	SB 401	2-Year Bill	13
<i>Regulations – Impact Assessments</i>	SB 688	2-Year Bill	14
<i>Regulations – Impact on Business</i>	SB 400	2-Year Bill	13
<i>Regulations – Independent Economic Assessment</i>	SB 353	2-Year Bill	12
<i>Regulations – Legislative Informational Hearings</i>	AB 586	2-Year Bill	11
<i>Regulations – Legislative Validation & Effective Date</i>	AB 338	2-Year Bill	11
<i>Regulations – Notice to Local Governments</i>	AB 213	2-Year Bill	10
<i>Regulations – Notice to the Legislature</i>	ABX1 5	Dead	12
<i>Regulations – Regulatory Principles</i>	AB 1322	2-Year Bill	11
<i>Regulations – Repeal of Duplicative Regulations</i>	AB 425	2-Year Bill	11
<i>Regulations – Review Process</i>	SB 396	2-Year Bill	13
<i>Regulations: Top-to-Bottom Code Review</i>	SB 366	2-Year Bill	13
<i>Regulatory Boards: Expert Consultants</i>	SB 541	Enacted	13
<i>State Government: Financial Accountability</i>	SB 617	Enacted	14
<i>Teleconferencing</i>	SB 103	2-Year Bill	12

(4) Architects

<i>Business and Professions: Regulatory Boards</i>	SB 543	Enacted	15
<i>Mechanics Liens: Design Professionals</i>	SB 424	Enacted	15
<i>Professional Limited Liability Partnerships</i>	AB 560	Enacted	15

(5) Athletic Commission

<i>Business and Professions: Regulatory Boards</i>	SB 543	Enacted	15
--	--------	---------	----

(6) Automotive Repair

<i>Repair and Restoration of Airbags</i>	SB 869	Enacted	15
<i>Smog Check Program: Visual Inspections</i>	SB 519	2-Year Bill	15
<i>Vehicles: Smog Check: Transfer of Ownership Certifications</i>	AB 474	2-Year Bill	15

(7) Barbering and Cosmetology

<i>Tanning Facilities</i>	SB 746	Enacted	15
---------------------------	--------	---------	----

(8) Behavioral Sciences

<i>Business and Professions: Regulatory Boards</i>	SB 704	Enacted	17
<i>Continuing Education: Lesbian, Gay, Bisexual, and Transgender Patients</i>	SB 747	Vetoed	17
<i>Healing Arts</i>	SB 274	Enacted	16
<i>Healing Arts: Professional Clinical Counselors</i>	SB 146	Enacted	16
<i>Health Facilities: Licensure</i>	AB 774	2-Year Bill	16
<i>Licensed Behavior Analysts</i>	AB 1205	2-Year Bill	16
<i>Marriage and Family Therapists</i>	SB 363	Enacted	16
<i>Marriage and Family Therapy: Interns and Trainees: Advertisements</i>	AB 956	Enacted	16

(9) Cemetery & Funeral

	Bill	Status	Page
<i>Disposition of Human Remains</i>	SB 413	2-Year Bill	17
<i>Human Remains: Hydrolysis</i>	AB 4	2-Year Bill	17
<i>Licensed Funeral Establishments: Price List: Internet Posting</i>	SB 658	Enacted	17
<i>Public Cemetery Districts: Nonresident Burial</i>	AB 966	Enacted	17

(10) Contractors

<i>Board of Equalization: Seller's Permit: Refusal to Issue</i>	AB 1307	Enacted	18
<i>Business and Professions: Regulatory Boards</i>	SB 543	Enacted	19
<i>Contractors</i>	AB 249	2-Year Bill	18
<i>Contractors</i>	AB 1091	Enacted	18
<i>Contractors</i>	SB 474	Enacted	19
<i>Contractors: Expertise: Legal Representation</i>	SB 865	2-Year Bill	19
<i>Contractors: Workers' Compensation Insurance</i>	AB 878	Enacted	18
<i>Energy Efficiency Standards</i>	SB 454	Enacted	19
<i>Gardening or Landscape Maintenance Services: Regulation</i>	AB 465	2-Year Bill	18
<i>Mechanics Liens</i>	AB 456	Enacted	18
<i>Mechanics Liens</i>	SB 190	Enacted	19
<i>Rainwater Capture Act of 2011</i>	AB 275	Vetoed	18
<i>Sprinkler Fitters: Licensing</i>	SB 886	2-Year Bill	19
<i>Workers' Compensation Insurance: Contractors</i>	AB 397	Enacted	18

(11) Court Reporters

<i>Court Proceedings</i>	AB 1096	2-Year Bill	19
<i>Shorthand Reporters: Continuing Education Requirements</i>	SB 671	Vetoed	19

(12) Dentists / Dental Hygienists

<i>Dental Board Sunset Extension Bill</i>	SB 540	Enacted	20
<i>Dentistry – Working Group on Workforce Requirements</i>	SB 694	2-Year Bill	20

(13) Electronic & Appliance Repair, Home Furnishings & Thermal Insulation

<i>Appliances: Tankless Water Heater Venting Materials</i>	AB 370	2-Year Bill	20
<i>Furniture: Flammability Standards</i>	SB 147	2-Year Bill	20
<i>Home Furnishings: Inspections: Compensation</i>	AB 87	2-Year Bill	20

(14) Engineers & Land Surveyors

<i>Business and Professions: Regulatory Boards</i>	SB 543	Enacted	21
<i>Mechanics Liens: Design Professionals</i>	SB 424	Enacted	20
<i>Professional Engineers</i>	SB 692	2-Year Bill	21
<i>Water Quality: Stormwater Discharge: Civil Engineering Activities</i>	AB 1210	Vetoed	20

(15) Fiduciaries, Professional

<i>Business and Professions: Regulatory Boards</i>	SB 543	Enacted	21
<i>Professional Fiduciaries</i>	AB 997	Enacted	21
<i>Professional Fiduciaries</i>	AB 1324	2-Year Bill	21

(16) Geologists & Geophysicists

No bills introduced in the 2011 legislative session.

(17) Guide Dogs

Business and Professions: Regulatory Boards

Bill	Status	Page
-------------	---------------	-------------

SB 543	Enacted	21
--------	---------	----

(18) Landscape Architects

No bills introduced in the 2011 legislative session.

(19) Medicine

Athletic Trainers

Continuing Education: Lesbian, Gay, Bisexual, and Transgender Patients

Continuing Medical Education: Nutrition and Lifestyle Behavior

Emergency Services and Care

Healing Arts: Outpatient Settings

Healing Arts: Peer Review

Healing Arts: Telehealth

Male Circumcision

Physicians and Surgeons: Direct Employment

Physicians and Surgeons: Employment

Physicians and Surgeons: Expungement Orders

Physicians and Surgeons: Misdemeanor Incarcerations

Physicians and Surgeons: Unprofessional Conduct

Radiologist Assistants

Registered Dispensing Opticians: Transfer of Ownership

Rural Hospitals: Physician Services

Workers' Compensation: Utilization Review

AB 374	2-Year Bill	22
SB 747	Vetoed	24
SB 380	Enacted	24
SB 233	Enacted	23
SB 100	Enacted	23
AB 655	Enacted	22
AB 415	Enacted	22
AB 768	Enacted	22
AB 926	2-Year Bill	23
AB 1360	2-Year Bill	23
AB 536	Enacted	22
AB 1267	Enacted	23
AB 1127	Enacted	23
AB 352	2-Year Bill	22
SB 824	Enacted	24
AB 824	2-Year Bill	23
AB 584	Vetoed	22

(20) Naturopathic Medicine

Naturopathic Doctors

SB 667	2-Year Bill	24
--------	-------------	----

(21) Occupational Therapy

Professional Corporations: Licensed Physical Therapists and Occupational Therapists

AB 783	2-Year Bill	24
--------	-------------	----

(22) Optometry

*Health Care Service Plans: vision care
Optometrists*

AB 778	2-Year Bill	25
AB 761	2-Year Bill	25

(23) Osteopathic Medicine

Healing Arts: Peer Review

Healing Arts: Telehealth

AB 655	Enacted	25
AB 415	Enacted	25

(24) Pharmacy

Bleeding Disorders

Controlled Substances: Pain Management

AB 389	2-Year Bill	25
AB 507	Enacted	26

	Bill	Status	Page
<i>Hypodermic Needles and Syringes</i>	SB 41	Enacted	26
<i>Pharmacies: Regulation</i>	SB 431	Enacted	26
<i>Pharmacy</i>	AB 377	2-Year Bill	25
<i>Pharmacy Licenses for Physician-Owned Ambulatory Surgical Clinics</i>	AB 847	2-Year Bill	26

(25) Physical Therapy

<i>Business and Professions: Regulatory Boards</i>	SB 543	Enacted	26
<i>Patient Direct Access to Physical Therapy Services</i>	SB 924	2-Year Bill	26
<i>Professional Corporations: Licensed Physical Therapists and Occupational Therapists</i>	AB 783	2-Year Bill	26

(26) Physician Assistants

<i>Continuing Education: Lesbian, Gay, Bisexual, and Transgender Patients</i>	SB 747	Vetoed	27
<i>Emergency Services and Care</i>	SB 233	Enacted	27

(27) Podiatric Medicine

No bills introduced in the 2011 legislative session.

(28) Private Postsecondary Education

<i>Bureau for Private Postsecondary Education – Transfer to the California Postsecondary Education Commission</i>	SB 498	2-Year Bill	28
<i>California Education Facilities Authority</i>	AB 1163	Enacted	28
<i>Continuing Education</i>	AB 675	2-Year Bill	27
<i>Flight School Oversight Exemption</i>	SB 619	Enacted	28
<i>Postsecondary Education: Student Tuition Recovery Fund</i>	AB 773	2-Year Bill	27
<i>Private Postsecondary Education Act</i>	AB 1013	Enacted	28
<i>Private Postsecondary Education: Nonnative English Speakers</i>	SB 675	2-Year Bill	28
<i>Private Postsecondary Education: Schools of Cosmetology</i>	AB 797	2-Year Bill	28
<i>Private Postsecondary Education – Unaccredited Doctoral Degrees</i>	AB 611	Enacted	27

(29) Psychology

<i>Continuing Education: Lesbian, Gay, Bisexual, and Transgender Patients</i>	SB 747	Vetoed	29
<i>Workers' Compensation: Utilization Review</i>	AB 584	Vetoed	28

(30) Registered Nursing

<i>Continuing Education: Lesbian, Gay, Bisexual, and Transgender Patients</i>	SB 747	Vetoed	29
<i>Emergency Services and Care</i>	SB 233	Enacted	29
<i>Nursing</i>	SB 538	Vetoed	29
<i>Schools: Emergency Medical Assistance: Administration of Epilepsy Medication</i>	SB 161	Enacted	29

(31) Respiratory Care

No bills introduced in the 2011 legislative session.

(32) Security & Investigative Services

<i>Firearms: Private Patrol Operations</i>	AB 811	2-Year Bill	30
--	--------	-------------	----

(33) Speech-Language Pathology & Audiology & Hearing Aid Dispensers

	Bill	Status	Page
<i>Speech-Language Pathology and Audiology: Hearing Aid Dispensers</i>	SB 933	Enacted	30

(34) Sunset Review

<i>Business and Professions: Regulatory Boards</i>	SB 543	Enacted	30
<i>Dental Board Sunset Extension Bill</i>	SB 540	Enacted	30
<i>Nursing</i>	SB 538	Vetoed	30

(35) Telephone Medical Advice Services

No bills introduced in the 2011 legislative session.

(36) Veterinary Medicine

<i>Rabies: Vaccinations</i>	AB 258	Enacted	31
<i>Veterinary Medicine: Unlicensed Practice</i>	SB 697	2-Year Bill	31

(37) Vocational Nurses & Psychiatric Technicians

<i>Continuing Education: Lesbian, Gay, Bisexual, and Transgender Patients</i>	SB 747	Vetoed	31
<i>Nursing</i>	SB 539	Enacted	31

DEPARTMENT OF CONSUMER AFFAIRS
DIVISION OF LEGISLATIVE & POLICY REVIEW
LEGISLATIVE DIGEST - 2011 Legislative Session

A. GENERAL CONSUMER PROTECTION BILLS

(1) BUSINESS PRACTICES

AB 214 Davis	<u>Professional Photocopiers</u> Clarifies the requirement that the identification card issued by a county clerk to an employee of a professional photocopier or partnership or corporation contain a photograph of the employee.	Enacted Chapter 287
AB 238 Huber	<u>Motor Vehicle Conditional Sale Contracts</u> This bill removes the legal remedy of contract rescission (treating the contract as if it never existed in the first place) for motor vehicle conditional sales contracts entered into after January 1, 2012, that fail to properly disclose certain fees or fail to properly subtotal those fees.	Enacted Chapter 526
AB 424 Eng	<u>Pawnbrokers</u> Revises the language in the Financial Code related to pawnbrokers that defines the term “month” to mean a period of 30 consecutive days. The bill also allows pawnbrokers to charge an interest rate of 2.5 percent per month on all unpaid balances of any loan.	Enacted Chapter 318
AB 473 Calderon	<u>Unfair Competition</u> This bill would make it unlawful, under specified conditions, for any person to manufacture any article or product that is sold or offered for sale in this state while using stolen or misappropriated information technology in its business operations.	Two-Year Bill
AB 619 Halderman	<u>Massage Therapy</u> Renames in statute the “Massage Therapy Organization” to the “California Massage Therapy Council” (CAMTC) in adherence to the implementation of SB 731 (Oropeza, Chapter 384, Statutes of 2008). This bill will also make other clarifying language changes regarding the posting of license numbers in advertisements and that litigation against CAMTC must be initiated in the county of their CAMTC’s main office.	Enacted Chapter 162
AB 785 Mendoza	<u>Political Reform Act of 1974: Public Officers: Financial Interest</u> This bill would provide, for purposes of this prohibition, that a public official who is an elected or appointed member of a state or local government agency has a financial interest in a decision of that agency if an immediate family member of the public official has a financial interest in the decision.	Two-Year Bill
AB 800 Huber	<u>Boards and commissions: Time Reporting</u> Would require that members of a board or commission submit a quarterly report to the chair of the board or commission that details the time worked by each member fulfilling the duties of their position. The chair is required to submit a compiled quarterly time report to the Senate	Two-Year Bill

Committee on Rules, the Assembly Committee on Rules, and any policy committee of the Legislature that has jurisdiction over the board or commission.

AB 817 Gatto	<u>Vehicle Rental Contracts</u> This bill would direct the California Law Revision Commission to study whether the laws regulating vehicle rental companies and their consumers would benefit from greater clarity and concision, and to report its findings and recommendations to the Legislature on or before December 31, 2012.	Two-Year Bill
AB 1219 Perea	<u>Credit Cards: Personal Information</u> This urgency bill creates an exemption for retail motor fuel dispensers from the Song-Beverly Credit Card Act of 1971. Specifically this bill allows gas stations to ask consumers for ZIP codes at gas pumps as a means of completing a transaction and ensuring a measure of fraud protection. This is an urgency bill in order to prevent potential disruption of retail motor fuel dispenser services throughout the State.	Enacted Chapter 690
SB 101 Corbett	<u>Athletic Agents: Conflict of Interest</u> Amends the Miller-Ayala Athlete Agents Act to allow athlete agents to have a financial interest in any entity as long as that entity does not directly employ athletes. This bill will also limit the prohibition of athlete agents dividing revenue with any professional entity or organization provided that the revenue is not related to the on-the-field employment of the represented athlete.	Enacted Chapter 63
SB 238 De Leon	<u>Athlete Agents</u> Requires the courts to suspend or revoke the practice privilege of an athlete agent who is found to be in violation of the Miller–Ayala Athlete Agents Act (Act). This bill will also require athlete agents or representatives of agents to forfeit any considerations obtained in connection to the action that was in violation of the Act.	Enacted Chapter 146
SB 278 Gaines	<u>Public Safety: Ski Resorts</u> Would have required ski resorts to prepare an annual safety plan and make the plans available to the public the same day a request for a copy of that safety plan is made. This bill also required that ski resorts prepare a monthly report with specified details concerning any fatal accidents because of recreational activities at the resort and to develop their own signage and padding policies, unique to each resort.	Vetoed
SB 550 Padilla	<u>Business: Manufactured Optical Discs</u> Allows law enforcement officials to inspect commercial optical disc (CD or DVD) manufacturing facilities without a search warrant to ensure compliance with existing laws; prohibits the possession of optical disc manufacturing equipment that are not in compliance with existing law; requires optical disc manufacturers to keep certain records; and increases fines applicable to a person who violates the provisions regulating manufactured optical discs.	Enacted Chapter 421

SB 602 Yee	<u>Reader Privacy Act</u> This enacts the Reader Privacy Act, which would, among other things, prohibit a commercial provider of a book service, as defined, from disclosing, or being compelled to disclose, any personal information relating to a user of the book service, subject to certain exceptions.	Enacted Chapter 424
SB 652 Steinberg	<u>Professional Sports Teams: Relocation Agreements</u> This bill would have prohibited professional sports teams in California from entering into relocation agreements until all existing financial agreements with the current public entities have been satisfied. This was an urgency bill.	Two-Year Bill
SB 850 Leno	<u>Medical Records: Confidential Information</u> Require an electronic health or medical record system to automatically record and preserve any change or deletion of electronically stored medical information, and would require the record to include, among other things, the identity of the person who accessed and changed the medical information and the change that was made to the medical information.	Enacted Chapter 714
SB 890 Leno	<u>Debt Buyers</u> This bill, the Fair Debt Buyers Practices Act, would impose various restrictions on debt buyers who seek to take steps to collect purchased debt, including (1) prohibiting the collection of a debt without valid documentation; (2) requiring a debt buyer who receives payment to provide a receipt; (3) prohibiting suit or other action to collect a consumer debt if the statute of limitations has expired; (4) requiring specified documentation of the debt to be attached to a complaint; and (5) requiring a dismissal of the action, with prejudice, if a debt buyer seeks a default judgment without complying with specified requirements.	Two-Year Bill
<div style="border: 2px solid teal; padding: 5px; display: inline-block;">(2) COURT SYSTEM & LEGAL SERVICES</div>		
AB 75 Hill	<u>Documents: Notaries Public - Solicitation</u> Provides the Secretary of State with the discretion to refuse to authenticate a document that is clearly intended to be used for fraudulent purposes. Additionally, this bill preserves the ability for public notaries who work for financial institutions to perform protests of non-payment, but eliminate the mandate for other public notaries to perform this procedure. Finally, this bill clarifies the definition of “conspicuous” and strengthens the requirements on font size, placement of the disclaimer and restrictions on surrounding text.	Enacted Chapter 269
AB 621 Calderon	<u>Vehicle Rental Agreements</u> Provides a mechanism for service of legal process on out-of-country individuals who cause injuries involving rental cars in California, up to a maximum contractual limit, by allowing process to be served to the rental car company or its registered agent.	Enacted Chapter 531

AB 659 [Vital Records: Certified Copies](#) **Two-Year Bill**
Silva Would require, if a request for a certified copy of a birth, death, or marriage record is made in person, that the requester produce government-issued photo identification, in addition to the existing requirement of a statement sworn under penalty of perjury. The bill also would specify that a child, grandparent, grandchild, sibling, spouse, or domestic partner of a registrant, who requests a certified copy of a registrant's birth, death, or marriage record, must be an adult or emancipated minor in order to satisfy the definition of an authorized person for that purpose.

AB 1288 [Public Guardians & Conservators: Authority: Property Held in Trust](#) **Enacted**
Gordon Extends the authority of the Public Guardian/Conservator to control a dependent adult's assets, including trust assets, from 15 to 30 days to help protect property subject to loss, injury, waste, or misappropriation. Chapter 370

SB 890 [Debt Buyers](#) **Two-Year Bill**
Leno This bill, the Fair Debt Buyers Practices Act, would impose various restrictions on debt buyers who seek to take steps to collect purchased debt, including (1) prohibiting the collection of a debt without valid documentation; (2) requiring a debt buyer who receives payment to provide a receipt; (3) prohibiting suit or other action to collect a consumer debt if the statute of limitations has expired; (4) requiring specified documentation of the debt to be attached to a complaint; and (5) requiring a dismissal of the action, with prejudice, if a debt buyer seeks a default judgment without complying with specified requirements.

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

SB 24 [Personal Information: Privacy: Security Breaches](#) **Enacted**
Simitian This bill amends California's security breach notification law to require those private and public entities issuing a security breach notification to write the notice in plain language, include certain specified information about the breach, and forward an electronic copy of the notice to the Attorney General. Chapter 197

(4) LANDLORD TENANT / COMMON INTEREST DEVELOPMENTS

AB 19 [Building Standards: Water Meters: Multiunit Structures](#) **Two-Year Bill**
Fong Would mandate that water purveyors adopt policies requiring that multiunit residential structures or mixed use residential and commercial structures that apply for water connections after January 1, 2014, have, as a condition of new water service, submeters that measure the water supplied to each individual dwelling unit.

AB 265 [Tenancies: Unlawful Detainer](#) **Two-Year Bill**
Ammiano This bill would create a statutory right of redemption for residential tenants to avoid eviction if they tender payment of past due rent plus applicable court fees and costs to the landlord prior to eviction.

AB 588 Pérez	<u>Tenancy and Victims of Domestic Violence</u> This bill amends existing law so that a tenant who is a victim of domestic violence, sexual assault, or stalking has more time (180 days instead of 60) to provide notice of intent to terminate a lease early.	Enacted Chapter 76
AB 771 Butler	<u>Common Interest Developments: Requests for Documents: Fees</u> This bill requires common interest development (CID) governing bodies to provide fee estimates and specified fee disclosures when providing documents to an owner and would revise other existing disclosure requirements for sellers of a property located in a CID.	Enacted Chapter 206
AB 805 Torres	<u>Common Interest Developments</u> This bill would reorganize and recodifies the Davis-Stirling Common Interest Development Act and make minor substantive changes in order to achieve internal consistency. This bill is double-joined with AB 806 (Torres, 2011), a technical companion bill that makes conforming changes in other codes so that cross-references to the Davis-Stirling Act correspond to the new section numbers.	Two-Year Bill
AB 806 Torres	<u>Common Interest Developments</u> This bill would make, as of January 1, 2014, technical and conforming changes to reflect a proposed reorganization and recodification of the Davis-Stirling Common Interest Redevelopment Act as provided in AB 805 (Torres, 2011).	Two-Year Bill
AB 1207 Furutani	<u>Civil Actions: Limitations: Real Property Development</u> Would exempt, in certain circumstances, the standard statute of limitations for bringing a civil action against a party 10 years after improvements to that property have been completed. This exemption would apply in instances where a claim alleges personal injury or wrongful death due to exposure to hazardous or toxic materials, pollution, hazardous waste, or associated environmental remediation activities.	Two-Year Bill
SB 150 Correa	<u>Common Interest Developments</u> This bill provides that the owner of a separate interest in a common interest development (CID) shall not be subject to any provisions in the CID's governing documents that prohibit the owner from renting or leasing his or her interest, unless the provision was effective prior to the date that the owner acquired the interest.	Enacted Chapter 62
SB 209 Corbett	<u>Common Interest Developments: Electric Vehicle Charging Stations</u> This bill provides that a prohibition or restriction on the installation or use of an electrical vehicle charging station in any of the governing documents of a common interest development is void and unenforceable.	Enacted Chapter 121
SB 332 Padilla	<u>Rental Dwellings: Smoking</u> This bill codifies the existing ability of landlords to prohibit smoking in leased residential premises and specifies applicable notice and lease agreement requirements.	Enacted Chapter 264

SB 337
Kehoe **Tenancy: Political Signs** **Enacted**
This bill prevents landlords from prohibiting residential tenants from posting or displaying political signs that are less than six square feet in size and do not otherwise violate laws or valid real property restrictions, on or within their homes. Chapter 383

SB 426
Calderon **Eviction for Animal Fighting** **Enacted**
This bill provides that a building or property used to conduct willful dogfighting or cockfighting in violation of specified criminal provisions is a per se nuisance and would specify that a tenant who commits or maintains this nuisance may be evicted. Chapter 128

SB 563
Committee on Trans. & Housing **Common Interest Developments: Meetings** **Enacted**
This bill would revise rules applicable to Common Interest Development board of directors meetings by requiring notice of closed, executive session meetings, prohibiting boards from conducting meetings through e-mail exchanges, allowing for teleconference meetings, and prohibiting boards from taking actions outside of a meeting. Chapter 257

SB 759
Lieu **Common Interest Developments: Artificial Turf** **Vetoed**
Would have prohibited a common interest development from enforcing any provision of its governing documents that prohibits or has the effect of prohibiting the use of artificial turf or any other synthetic surface that resembles grass.

(5) MISCELLANEOUS CONSUMER ISSUES

AB 354
Silva **Estates and Trusts: Wrongful Taking** **Enacted**
This bill clarifies that a person who has, in bad faith, used undue influence or has committed elder or dependent adult financial abuse to take property from a decedent is liable under an existing statute that applies double-damages to those who have wrongfully taken property directly from the estate. Chapter 55

AB 621
Calderon **Vehicle Rental Agreements** **Enacted**
Provides a mechanism for service of legal process on out-of-country individuals who cause injuries involving rental cars in California, up to a maximum contractual limit, by allowing process to be served to the rental car company or its registered agent. Chapter 531

AB 699
Wagner **Nonprobate Transfers: Revocable Transfer on Death Deeds** **Two-Year Bill**
This bill authorizes, until January 1, 2017, a new type of real property transfer deed, the revocable transfer on death deed, as recommended by the California Law Revision Commission pursuant to a Legislatively-mandated study.

AB 753
Monning **The Raechel and Jacqueline Houck Rental Car Safety Act: Vehicle Rentals** **Two-Year Bill**
Would enact the Raechel and Jacqueline Houck Rental Car Safety Act that requires rental car companies to comply with vehicle manufacturer safety recalls before they can rent or sell the vehicle to consumers.

AB 768 Gatto	<u>Male Circumcision</u> This urgency bill precludes local governments and agencies from prohibiting or restricting the practice of male circumcision or the exercise of parental authority with respect to male circumcision.	Enacted Chapter 398
AB 905 Pan	<u>Disposition of Remains: Authorized Agent</u> This bill adds to the list of persons authorized to take control of a decedent's remains the person authorized to direct disposition indicated on a United States Department of Defense Record of Emergency Data, DD Form 93. This bill is operative only if the DD Form 93 and corresponding federal law are amended to allow the PADD to be any person, regardless of the relationship of the PADD to the decedent.	Enacted Chapter 321
AB 1023 Wagner	<u>Maintenance of the Codes</u> Makes numerous technical changes to existing law, recommended by the Legislative Counsel's Office.	Enacted Chapter 296
AB 1061 Eng	<u>Consumer Warranties: Vehicles</u> Would require every manufacturer, distributor, or retailer making express warranties with respect to a new vehicle also to fully set forth a detailed list of items that are not covered under the warranty.	Two-Year Bill
AB 1088 Eng	<u>State agencies: Collection of Demographic Data</u> Requires the Department of Industrial Relations, the Department of Fair Employment and Housing, and any State agency, board, or commission that directly or by contract collects demographic data to include data on specified collection categories and tabulations in every demographic report on ancestry or ethnic origins of California residents that it publishes or releases on or after July 1, 2012.	Enacted Chapter 689
AB 1121 Pan	<u>Dog Licensing: Puppy Licenses</u> This bill would have required pet dealers, dog breeders, rescue groups, and humane societies to submit a monthly report to the applicable local dog licensing authority containing the names and contact information of those persons who purchased or adopted dogs in the previous month. The bill would also have permitted local dog licensing agencies to offer a "puppy license," valid until the dog is one year old. The Governor's veto message indicated that local agencies already have the authority to adopt such measures in their jurisdictions.	Vetoed
SB 80 Committee on Budget and Fiscal Review	<u>Budget act of 2011-12: General Government Omnibus Trailer Bill</u> Implements the General Government portion of the 2011 State Budget. This bill would, among other things, delete the statutory provision that requires the California Board of Accountancy (Board) to set license renewal fee levels so that the reserve balance in the Board's contingent fund is equal to approximately nine months of annual authorized expenditures.	Enacted Chapter 11
SB 206 Kehoe	<u>Claims Against The State: Appropriation</u> Appropriates \$600,000 from the State Board of Chiropractic Examiners' Fund to the State Board of Chiropractic Examiners in order to pay for a specified settlement in the case of Catherine Hayes v. Board of Chiropractic Examiners.	Enacted Chapter 125

SB 279 Emmerson	<u>Business: Self-Storage Facilities</u> Replaces two references to "county" with "judicial district," thus, requiring any advertisement of a lien sale to be in a newspaper of general circulation in the judicial district where the sale is to be held.	Enacted Chapter 65
SB 285 Correa	<u>Massage Therapy Instruction: Fraud: Criminal Prosecutions</u> Provides that a person who provides a certificate, transcript, diploma, or other document, or otherwise affirms that a person has received instruction in massage therapy knowing that the person has not received instruction in massage therapy or knowing that the person has not received massage therapy instruction consistent with that document or affirmation is guilty of a misdemeanor and is subject to specified penalties.	Enacted Chapter 149
SB 399 Huff	<u>Healing Arts: Advertising</u> Would make technical, nonsubstantive changes to the provisions governing healing arts licensees' ethical advertising techniques in connection with the professional practice or business for which he or she is licensed.	Two-Year Bill
SB 575 DeSaulnier	<u>Smoking in the Workplace</u> Would prohibit smoking in owner-operated businesses and eliminate most of the specified exemptions that permit smoking in certain work environments.	Two-Year Bill
SB 746 Lieu	<u>Tanning Facilities</u> Prohibits the use of ultraviolet tanning devices by persons under the age of 18.	Enacted Chapter 664
SB 750 Hernandez	<u>Vehicles: Key Information Access</u> Would remove the sunset date of January 1, 2013, which exempts certain automobile manufacturers from providing information to a registered locksmith for lost or misplaced keys, as long as they operate a telephone or electronic request service 24 hours a day, seven days a week.	Two-Year Bill
SB 823 Corbett	<u>Consumer Protections: Made in California Program</u> Would create the "Made in California" marketing program similar to the "California Grown" program that will be designed to add value to products manufactured in California.	Two-Year Bill
SB 850 Leno	<u>Medical Records: Confidential Information</u> Require an electronic health or medical record system to automatically record and preserve any change or deletion of electronically stored medical information, and would require the record to include, among other things, the identity of the person who accessed and changed the medical information and the change that was made to the medical information.	Enacted Chapter 714
SB 875 Price	<u>Rental Vehicles</u> Would provide that rental vehicle fuel gauges applies to passenger and nonpassenger vehicle rental transactions by a rental company made on or after January 1, 2000.	Two-Year Bill

SB 932 Price	<u>Cellular Telephones: Notice Requirement</u> Requires cell phone retailers to prominently display a notice declaring that cell phones expose consumers to radio-frequency energy and that they should consult the device's user manual for additional details. This notice must be placed next to the price displayed at the retailer and upon the exterior of the telephone's packaging.	Two-Year Bill
-------------------------------	---	----------------------

(6) NEW / PROPOSED REGULATORY PROGRAMS

AB 352 Eng	<u>Radiologist Assistants</u> This bill establishes a licensing committee within the Medical Board to license and regulate the radiologist assistant profession.	Two-Year Bill
-----------------------------	--	----------------------

AB 374 Hayashi	<u>Athletic Trainers</u> This bill would require any person holding himself or herself out as a "certified athletic trainer" to have completed a specified level of education and have been certified by the Board of Certification, Inc., a national, nonprofit athletic trainer certifying agency.	Two-Year Bill
---------------------------------	--	----------------------

SB 708 Corbett	<u>Debt Settlement Consumer Protection Act</u> This bill would enact the Debt Settlement Consumer Protection Act to provide for the licensure and regulation of debt settlement providers, caps the fee allowed at 20% of the amount of debt saved, and requires numerous disclosures from the provider to the consumer before entering into an agreement for debt settlement services. The Act would be enforced by the Commissioner of Corporations and the Attorney General.	Two-Year Bill
---------------------------------	---	----------------------

SB 886 Corbett	<u>Sprinkler Fitters: Licensing</u> Would require certification and regulation of sprinkler fitters by the State Fire Marshal and prohibits a person from performing work on a fire suppression system without a certificate or permit issued by the State Fire Marshal.	Two-Year Bill
---------------------------------	--	----------------------

B. BILLS BY DCA BOARDS, BUREAUS, & PROGRAMS

(1) ACCOUNTANCY

AB 431 Ma	<u>Retired Public Accountants</u> Allows the Board of Accountancy to create a retired status for its licensees.	Enacted Chapter 395
----------------------------	---	-------------------------------

AB 797 Ma	<u>Accountants: Discipline: Internet Posting</u> Would have required the California Board of Accountancy to post on its Internet web site the text of decisions it issued imposing discipline against a licensee for a period of at least 10 years.	Two-Year Bill
----------------------------	---	----------------------

SB 306
Leon **Accountancy**
Exempts an individual holding a current license, certificate, or permit to practice public accountancy in another state from the requirement to obtain a permit, issued by the California Board of Accountancy, to practice or to secure a Practice Privilege if they meet specified criteria. It allows an individual to begin practicing as a Certified Public Accountant in California prior to notifying the Board provided that notice is given to the Board within five business days. It also repeals the provision applicable to the Board's safe harbor regulation. This is an urgency measure. **Enacted**
Chapter 445

SB 543
**Steinberg/
Price** **Business and Professions: Regulatory Boards**
Extends the sunset date for the California Board of Accountancy, along with a number of other boards, until January 1, 2016. **Enacted**
Chapter 448

SB 773
**Negrete
McLeod** **Accounting Ethics Requirement**
Establishes the ethics study requirements that would apply to an applicant for an accountancy license, beginning on January 1, 2014. It also authorizes the California Board of Accountancy's Ethics Curriculum Committee (ECC) to determine if a course or portion of a course satisfies the ethics study requirements. Additionally, it makes conforming changes to related provisions and deletes the requirement that the Board adopt the ECC's recommendations by regulation. **Enacted**
Chapter 344

(2) ACUPUNCTURE

SB 628
Yee **Acupuncture**
Requires the Acupuncture Board to create the Traumatology Committee within the Board in order to determine the level of experience and training needed to qualify as a Traditional Chinese Medicine traumatologist. The Board will then certify the traumatologist applicants after they have satisfied the requirements set by the Committee but only for one year. **Two-Year Bill**

(3) ALL BOARDS / BUREAUS / COMMISSIONS / PROGRAMS

AB 149
Lara **Civil Service: Personal Services Contracts**
Would allow state agencies and departments to appoint a limited term position in the event the State Personnel Board disapproves a personal services contract. **Two-Year Bill**

AB 213
Silva **Regulations – Notice to Local Governments**
This bill would require state agencies, when providing notice of proposed adoption, amendment, or repeal of a regulation, to mail or email the notice to local government agencies or local government agency representatives that the agency believes may be interested in, or impacted by, the proposed action. **Two-Year Bill**

AB 273 Fuentes	<u>Regulations – Department of Finance Economic Review</u> This bill would require the Department of Finance to review state agencies' determinations, estimates and other findings related to costs and economic impacts of proposed regulations.	Two-Year Bill
AB 338 Wagner	<u>Regulations – Legislative Validation & Effective Date</u> This bill would postpone the effective date of regulations from 30 days after the Office of Administrative Law (OAL) files them with the Secretary of State's Office to 90 days. The bill would also require OAL to submit a copy of a disapproved regulation to the Legislature when it concludes that the agency exceeded its statutory authority in adopting the regulation.	Two-Year Bill
AB 425 Fuentes	<u>Regulations – Repeal of Duplicative Regulations</u> This bill would require each state entity that promulgates regulations to review those regulations and repeal or report to the Legislature by December 31, 2012, those regulations identified as duplicative, archaic, or inconsistent with state statute. In addition, it would require the affected state agencies to report to the Legislature by December 31, 2012, all regulations deemed to inhibit economic growth in the state.	Two-Year Bill
AB 530 Smyth	<u>Regulations – Economic Impact Statements</u> This bill would require agencies to include in regulations packets submitted to the Office of Administrative Law, an economic impact statement with the initial statement for reasons for adopting, amending, or repealing a regulation.	Two-Year Bill
AB 535 Morrell	<u>Regulations – Five Year Reporting</u> This bill would require state agencies that promulgate regulations to review and report on those regulations five years after adoption.	Two-Year Bill
AB 586 Garrick	<u>Regulations – Legislative Informational Hearings</u> This bill would require standing committees of the Legislature, with jurisdiction over a state agency proposing to adopt a regulation with a gross cost in excess of \$10 million as estimated in the initial statement of reasons for the regulation, to hold an informational hearing regarding the proposed regulation.	Two-Year Bill
AB 1037 Perez	<u>Regulations – Altering the Administrative Procedures Act</u> This bill would alter the state's regulatory structure, increases the threshold for business activities under the definition of "small business" for rulemaking purposes, and requires agencies to reassess regulations five years after adoption.	Two-Year Bill
AB 1322 Bradford	<u>Regulations – Regulatory Principles</u> This bill codifies Presidential Executive Order 12866, signed by President Clinton. This executive order highlights principles for regulatory bodies to use while developing rules. These principles include, but are not limited to, using performance incentives, conducting a detailed cost-benefit analysis, and ensuring coordination and communication with other government bodies and stakeholders.	Two-Year Bill

AB 1424 Perea	<u>Franchise Tax Board: Delinquent Tax Debt</u> Authorizes all State licensing entities, including boards and bureaus under the Department of Consumer Affairs (Department) other than the Contractors' State License Board (CSLB), to deny, suspend, or revoke a license if the licensee or applicant appeared on the Franchise Tax Board or the State Board of Equalization's certified lists of top 500 largest tax delinquencies over \$100,000. This bill would also authorize the Department to suspend a license in the event that a board fails to take action.	Enacted Chapter 455
ABX1 3 Logue	<u>Regulations – Five Year Reporting</u> This bill would require a state agency to review and report on regulations that it adopts or amends on and after January 1, 2012, 5 years after adoption, as specified. The bill would require the Office of Administrative Law to make the review and report available on its Internet Web site.	Dead
ABX1 4 Logue	<u>Regulations – Effective Date</u> This bill would alter the effective date of a regulation to the next January 1 date that occurs after 90 days have passed from the regulation's approval date.	Dead
ABX1 5 Logue	<u>Regulations – Notice to the Legislature</u> This bill would require that a notice of a proposed regulation also be given to the Legislature.	Dead
ABX1 6 Logue	<u>Regulations – Economic Analysis Instructions</u> This bill would require the Department of Finance to adopt and update instructions for inclusion in the State Administrative Manual that prescribe the methods that any agency shall use in making certain determinations, estimates, statements, and findings relating to the economic and cost impacts of a regulation on businesses and private individuals.	Dead
SB 103 Liu	<u>Teleconferencing</u> Requires that upon the request of a single member of a state body, that state body must hold an open or closed meeting by teleconference unless deemed too expensive by the Chair of that body. This bill also requires that any state body that has a website must provide supplemental live audio or video on the website of any board meeting that is open to the public.	Two-Year Bill
SB 196 Cannella	<u>Regulations: Economic Analysis and Review</u> This bill would require agencies proposing regulations to complete a standardized economic assessment, developed through regulations by the Department of Finance, and to request the University of California to review their assessment.	Two-Year Bill
SB 353 Blakeslee	<u>Regulations – Independent Economic Assessment</u> This bill would require regulations that will have an estimated economic impact of more than \$100,000,000 to have an independent economic assessment conducted.	Two-Year Bill

SB 366 Calderon	<u>Regulations: Top-to-Bottom Code Review</u> This bill would require each agency to review all regulations that are applicable to or adopted by them and determine if any are duplicative, overlapping, or out of date. Agencies will have six months to complete this review, suggest changes to their code, receive public comment, receive comment from the Legislature and their oversight agencies, and adopt regulations.	Two-Year Bill
SB 396 Huff	<u>Regulations – Review Process</u> This bill would require all state agencies to review regulations that are 20 years old or older and to develop a report for the Legislature that will include, among other information, a detailed determination on whether or not the regulation should remain, be updated, or be repealed. These reports will be due to the Legislature by January 1, 2013 and a similar process will continue in the future, with updates every five years.	Two-Year Bill
SB 400 Dutton	<u>Regulations – Impact on Business</u> Requires state agencies to carefully consider the impacts proposed regulations will have on businesses. Additionally, the bill requires the Office of Administrative Law to review the economic analyses on any proposed regulations where impacts are estimated to exceed \$100 million.	Two-Year Bill
SB 401 Fuller	<u>Regulations – Impact Assessments</u> This bill would require that every regulation proposed by a state agency after January 1, 2012, contain a five year sunset provision. The bill also puts in place an abbreviated regulatory amendment process for agencies to use when only seeking to extend these new sunset dates an additional five years.	Two-Year Bill
SB 541 Price	<u>Regulatory Boards: Expert Consultants</u> Authorizes all boards and bureaus under the Department of Consumer Affairs to enter into agreements with expert consultants (also known as subject matter experts) for assistance with enforcement cases and examination development.	Enacted Chapter 339
SB 544 Price	<u>Consumer Health Protection Enforcement Act</u> This bill would enact various provisions applicable to all of the Department of Consumer Affairs healing arts boards designed to enhance and broaden the enforcement activities of these boards.	Two-Year Bill
SB 553 Fuller	<u>Regulations – Effective Date</u> This bill would postpone the effective date of regulations with adverse economic impacts totaling at least \$10,000,000 from 30 days after the Office of Administrative Law files them with the Secretary of State to 180 days, beginning January 1, 2012.	Two-Year Bill

SB 560 Wright	<u>Regulations – Business Impacts</u> This bill would require an agency, if it does not, or is not able to consult with businesses impacted by its regulation to inform the Office of Small Business Advocate and the Department of Finance in writing of its decision and the reasons for not consulting the impacted businesses. This bill also specifies additional steps necessary for conducting economic analyses and considering proposed alternatives.	Two-Year Bill
SB 591 Gaines	<u>Regulations – California Smart Regulation Act</u> This bill would require that each state agency reduce their total regulations by a third by December 31, 2013 and that any new proposed regulations can only be adopted by removing an existing regulation.	Two-Year Bill
SB 617 Calderon	<u>State Government: Financial Accountability</u> This bill modifies two separate areas of law, the Administrative Procedure Act (APA) and the Financial Integrity and State Manager’s Accountability Act of 1983 (FISMAA). This bill adds several minor requirements to altering a State agency’s regulations. Regulations with an expected economic impact greater than \$50 million, however, would have to perform a substantial economic analysis of anticipated impacts prior to noticing the rulemaking. This bill would also modify FISMAA to include, stressing the importance of, both the regular and routine monitoring of State agencies’ internal accounting control systems.	Enacted Chapter 496
SB 688 Wright	<u>Regulations – Impact Assessments</u> Would require state agencies to produce an estimate of the total actual compliance costs to affected businesses and individuals when adopting, amending, or repealing regulations. The bill would also require agencies to notify specific committees of the Legislature if total costs of compliance to affected businesses exceed \$10 million. This bill would also require that a regulation that exceeds the \$10 million threshold would not take effect until the following year.	Two-Year Bill
SB 943 Senate BP & ED Committee	<u>Healing Arts Omnibus</u> One of two omnibus bills authored by the Senate Business, Professions and Economic Development Committee. This bill makes several minor and non-substantive changes to provisions pertaining to the health-related regulatory programs of the Department of Consumer Affairs.	Enacted Chapter 350
SB 944 Senate BP & ED Committee	<u>Non-Health Omnibus</u> Makes several minor and non-substantive changes to provisions pertaining to non-health-related regulatory programs under the Department of Consumer Affairs.	Enacted Chapter 432

(4) ARCHITECTS

AB 560 Gorell	<u>Professional Limited Liability Partnerships</u> Extends the sunset date for provisions authorizing licensed architects to organize as limited liability partnerships from January 1, 2012 until January 1, 2019.	Enacted Chapter 291
SB 424 Rubio	<u>Mechanics Liens: Design Professionals</u> Authorizes a design professional to convert a design professional lien to a mechanics lien if certain requirements are met.	Enacted Chapter 127
SB 543 Steinberg/ Price	<u>Business and Professions: Regulatory Boards</u> Extends the sunset date for the California Architects Board along with a number of other boards, until January 1, 2016.	Enacted Chapter 448

(5) ATHLETIC COMMISSION

SB 543 Steinberg/ Price	<u>Business and Professions: Regulatory Boards</u> Extends the sunset date for the California State Athletic Commission along with a number of other boards, until January 1, 2016.	Enacted Chapter 448
--	---	-------------------------------

(6) AUTOMOTIVE REPAIR

AB 474 Jones	<u>Vehicles: Smog Check: Transfer of Ownership Certifications</u> This bill would extend from 90 to 180 days the duration that a Smog Check Program certificate of compliance or certificate of noncompliance is valid.	Two-Year Bill
SB 519 La Malfa	<u>Smog Check Program: Visual Inspections</u> This bill would prohibit a Smog Check technician from conducting an "under-the-hood" visual inspection of a vehicle receiving a Smog Check test.	Two-Year Bill
SB 869 Yee	<u>Repair and Restoration of Airbags</u> This bill creates a penalty for a person who fails to properly repair and restore an airbag to its original operating condition. The penalty would include a fine not to exceed \$5,000 and/or up to a one-year term in county jail.	Enacted Chapter 430

(7) BARBERING & COSMETOLOGY

SB 746 Lieu	<u>Tanning Facilities</u> Prohibits the use of ultraviolet tanning devices by persons under the age of 18.	Enacted Chapter 664
------------------------------	--	-------------------------------

(8) BEHAVIORAL SCIENCES

AB 774 Campos	<u>Health Facilities: Licensure</u> Would expand the authority, already provided to the Department of Public Health and the California Department of Corrections and Rehabilitation under existing law, to the Department of Mental Health, to grant a request for an extension of a professional waiver of licensure based on extenuating circumstances to marriage and family therapists and clinical social workers, who are gaining qualifying experience in those professions in this state.	Two-Year Bill
AB 956 Hernandez	<u>Marriage and Family Therapy: Interns and Trainees: Advertisements</u> Requires a marriage and family therapist registered intern (Intern) or a marriage and family therapist trainee (Trainee), prior to performing professional services, to provide each client or patient with the name of his or her employer and indicate whether he or she is under the supervision of a licensed person, as specified, and requires any advertisement by or on behalf of an Intern or Trainee to include specified information.	Enacted Chapter 166
AB 1205 Berryhill	<u>Licensed Behavior Analysts</u> Would, commencing January 1, 2015, prohibit a person from holding himself or herself out to be a behavior analyst or an assistant behavior analyst unless licensed by the Board of Behavioral Sciences (Board).	Two-Year Bill
SB 146 Wyland	<u>Healing Arts: Professional Clinical Counselors</u> Revises provisions relating to the practice of mental health professionals to include the practice of licensed professional clinical counselors, clinical counselor trainees, and clinical counselor interns. Also makes technical changes that update and conform existing language.	Enacted Chapter 381
SB 274 Wyland	<u>Healing Arts</u> Specifies that a person engages in the practice of educational psychology, clinical social work or professional clinical counseling when he or she performs or offers to perform, or holds themselves out as able to perform those services for remuneration in any form. It revises the provision allowing professional clinical counselor trainees, interns and applicants to perform services as an employee or volunteer. (Urgency Bill)	Enacted Chapter 148
SB 363 Emmerson	<u>Marriage and Family Therapists</u> Provides that Marriage and Family Therapist (MFT) trainees may counsel clients outside of a supervised course of study (practicum) if the period outside of practicum is less than 90 days, and also limits to 500 hours the number of experience hours that may be gained from client-centered advocacy. In addition, this bill would allow Licensed Professional Clinical Counselors to supervise MFT interns, but clarifies that they must first meet additional training and education requirements.	Enacted Chapter 384

SB 704
Negrete-McLeod **Business and Professions: Regulatory Boards** **Enacted**
Chapter 387
Revises and recasts examination requirements for Marriage and Family Therapists (MFT) and Licensed Clinical Social Workers requiring an applicant, while practicing as an unlicensed registrant (MFT intern or associate social worker), to pass the California Law and Ethics examination within the first year of registration. Additionally, the bill makes technical cleanup and conforming changes and would become effective January 1, 2013.

SB 747
Kehoe **Continuing Education: Lesbian, Gay, Bisexual, and Transgender Patients** **Vetoed**
This bill would have mandated that all licensed physicians, physician assistants, registered nurses, licensed vocational nurses, nurse practitioners, psychologists, marriage and family therapists, licensed clinical social workers, psychiatric technicians and certified nurse assistants complete a continuing education course on cultural competency, sensitivity and best practices for providing adequate care to lesbian, gay, bisexual and transgender patients. The Governor's veto message indicated that this subject is best handled by the individual licensing board's within their own regulatory capacity.

(9) CEMETERY & FUNERAL

AB 4
Miller **Human remains: Hydrolysis** **Two-Year Bill**
Would require the Cemetery and Funeral Bureau to create new licensure categories for hydrolysis facilities and hydrolysis facility managers with requirements similar to crematory law. The bill would require the Bureau to adopt regulations for the safe operation of hydrolysis chambers in California.

AB 966
Yamada **Public Cemetery Districts: Nonresident Burial** **Enacted**
Chapter 111
This bill allows the Davis Cemetery District to inter, in a specified section of the cemetery, nonresidents if specified conditions are met. This bill makes legislative findings and declarations as to the necessity of a special statute for Davis Cemetery District.

SB 413
La Malfa **Disposition of Human Remains** **Two-Year Bill**
Would deem a permit for the disposition of human remains to have been issued if no action has been taken within 3 weeks after a permit for disposition has been requested from the local registrar.

SB 658
Negrete-McLeod **Licensed Funeral Establishments: Price List: Internet Posting** **Enacted**
Chapter 386
Requires that cemetery and funeral establishments, that maintain a website, post the list of funeral goods and services that are required to be included in the establishment's General Price List (GPL) online, along with a statement that the GPL is available upon request starting January 1, 2013.

(10) CONTRACTORS

AB 249 Berryhill	<u>Contractors</u> On non-residential projects, this bill would restrict a person's ability to recover compensation paid to an unlicensed contractor. Specifically, the amount of compensation that could be recovered would be limited to the amount paid to the contractor while the contractor was unlicensed.	Two-Year Bill
AB 275 Solorio	<u>Rainwater Capture Act of 2011</u> Among other things, would have authorized a landscape contractor (C-27 classification), licensed by the Contractors' State License Board, to enter into prime contracts for the design and installation of rainwater capture systems, if the system is used exclusively for irrigation.	Vetoed
AB 397 Monning	<u>Workers' Compensation Insurance: Contractors</u> Requires a licensed contractor with an exemption from workers' compensation insurance requirements to recertify, at the time of renewal, that he or she is still exempt.	Enacted Chapter 546
AB 456 Wagner	<u>Mechanics Liens</u> Clarifies that the "proof of service affidavit", required for a mechanics lien to be valid, must have the property owner or reputed owner's name and address on it rather than the name and address of the person or persons who are being served the lien.	Enacted Chapter 673
AB 465 Berryhill	<u>Gardening or Landscape Maintenance Services: Regulation</u> Would provide for the regulation of gardening or landscape maintenance businesses by adding new requirements for these businesses prior to obtaining a local business license.	Two-Year Bill
AB 878 Berryhill	<u>Contractors: Workers' Compensation Insurance</u> Requires an insurer to report to the Contractors' State License Board whenever a licensee's workers' compensation insurance policy is cancelled under certain circumstances.	Enacted Chapter 686
AB 1091 Morrell	<u>Contractors</u> Revises and recasts provisions relating to requirements for licensed contractors in the event of a disassociation from a responsible managing officer, responsible managing employee, responsible managing member, or responsible managing manager that serves as a qualifier on the license.	Enacted Chapter 168
AB 1307 Skinner	<u>Board of Equalization: Seller's Permit: Refusal to Issue</u> Authorizes the Contractors' State License Board to refuse to issue, reinstate, reactivate, renew, or suspend a contractor's license for failure to resolve outstanding liabilities assessed by the Board of Equalization (BOE). This bill also authorizes the BOE to refuse to issue a seller's permit if the person has an outstanding tax liability due to the BOE.	Enacted Chapter 734

SB 190 Lowenthal	<u>Mechanics Liens</u> A clean-up measure that makes various technical and conforming changes to the mechanics lien law.	Enacted Chapter 44
SB 454 Pavley	<u>Energy efficiency standards</u> Requires the Energy Commission to enforce compliance with the state's building energy efficiency standards. The bill authorizes the Energy Commission to administratively enforce the state's appliance energy efficiency standards.	Enacted Chapter 591
SB 474 Evans	<u>Contractors</u> Provides that provisions in nonresidential construction contracts, entered into after January 1, 2013, that indemnify general contractors from liability, are void and unenforceable, should they arise out of the active negligence or willful misconduct of the general contractor.	Enacted Chapter 707
SB 543 Steinberg/ Price	<u>Business and Professions: Regulatory Boards</u> Extends the sunset date for the Contractors State License Board along with a number of other boards, until January 1, 2016.	Enacted Chapter 448
SB 865 Negrete- McLeod	<u>Contractors: Expertise: Legal Representation</u> Would require the Contractors' State License Board (CSLB) to indemnify an expert consultant against any judgment rendered against him or her for services provided to the CSLB.	Two-Year Bill
SB 886 Corbett	<u>Sprinkler Fitters: Licensing</u> Would require certification and regulation of sprinkler fitters by the State Fire Marshal and prohibits a person from performing work on a fire suppression system without a certificate or permit issued by the State Fire Marshal.	Two-Year Bill

(11) COURT REPORTERS

AB 1096 Harkey	<u>Court Proceedings</u> Would express the Legislature's intent to require that all court proceedings be automated.	Two-Year Bill
SB 671 Price	<u>Shorthand Reporters: Continuing Education Requirements</u> Would have required the Court Reporters Board (Board) to establish, on or before July 1, 2012, minimum approved continuing education requirements for renewal of a California shorthand reporter's certificate, with certain exceptions, and would have required the Board to establish a procedure for approving providers of continuing education courses, as specified.	Vetoed

(12) DENTISTS / DENTAL HYGIENISTS

- SB 540**
Price **Dental Board Sunset Extension Bill** **Enacted**
Chapter 385
This bill extends the sunset date of the Dental Board of California within the Department of Consumer Affairs from January 1, 2012, to January 1, 2016. The bill also creates a sunset date of January 1, 2015 for the Dental Hygiene Committee.
- SB 694**
Padilla **Dentistry – Working Group on Workforce Requirements** **Two-Year Bill**
This bill would require the Dental Board of California and the Director of the Department of Consumer Affairs to convene a working group to determine workforce requirements necessary to meet needs of additional children eligible for care under the Federal Health Care Law, passed in 2010.

(13) ELECTRONIC & APPLIANCE REPAIR, HOME FURNISHINGS & THERMAL INSULATION

- AB 87**
Logue **Home furnishings: Inspections: Compensation** **Two-Year Bill**
Would require the Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal Insulation to adopt regulations to require that compensation be provided to property owners during the course of inspection.
- AB 370**
Smyth **Appliances: Tankless Water Heater Venting Materials** **Two-Year Bill**
Would require a plastic pipe or plastic pipe fitting to be used for venting hot gases from a tankless water heater only if that pipe or pipe fitting meets specified certification requirements.
- SB 147**
Leno **Furniture: Flammability Standards** **Two-Year Bill**
Would require the Bureau of Electronic and Appliance Repair, Home Furnishings and Thermal Insulation to modify the flame retardance test currently applied to residential upholstered furniture to include an alternative smolder standard that can be met without the use of fire retardants and does not compromise public safety.

(14) ENGINEERS & LAND SURVEYORS

- AB 1210**
Garrick **Water Quality: Stormwater Discharge: Civil Engineering Activities** **Vetoed**
Would have exempted civil engineers from any requirement of additional experience, training, or certification requirements in order to perform activities in the preparation of a Stormwater Pollution Prevention Plan (SWPPP) pursuant to a specified general permit for stormwater discharge. This was also an urgency bill.
- SB 424**
Rubio **Mechanics Liens: Design Professionals** **Enacted**
Chapter 127
Authorizes a design professional to convert a design professional lien to a mechanics lien if certain requirements are met.

SB 543
**Steinberg/
Price**

Business and Professions: Regulatory Boards

Extends the sunset date for the Board of Professional Engineers, Land Surveyors, and Geologists, along with a number of other boards, until January 1, 2016. This bill requires the licensees of the Board to submit fingerprints for background checks. This bill also deletes the requirement that structural engineers must pass a California-specific examination prior to licensure.

Enacted
Chapter 448

SB 692
Walters

Professional Engineers

Would prohibit the practice of nine specified engineering fields without passing a specified examination and obtaining licensure by the Board for Professional Engineers, Land Surveyors, and Geologists.

Two-Year Bill

(15) FIDUCIARIES, PROFESSIONAL

AB 997
Wagner

Professional Fiduciaries

Clarifies the definition of a "professional fiduciary" and provides limited exemptions from the Professional Fiduciaries Act for charitable trusts that meet certain requirements.

Enacted
Chapter 323

AB 1324
Berryhill

Professional Fiduciaries

Would make a technical, nonsubstantive change to the Professional Fiduciaries Act.

Two-Year Bill

SB 543
**Steinberg/
Price**

Business and Professions: Regulatory Boards

Extends the sunset date for the Professional Fiduciaries Bureau along with a number of other boards, until January 1, 2016. It also allows the Bureau to enter into a stipulated settlement prior to an accusation being filed.

Enacted
Chapter 448

(16) GEOLOGISTS & GEOPHYSICISTS

No bills introduced in the 2011 legislative session.

(17) GUIDE DOGS

SB 543
**Steinberg/
Price**

Business and Professions: Regulatory Boards

Extends the sunset date for the Board of Guide Dogs for the Blind, along with a number of other boards, until January 1, 2014. This bill also extends the sunset date for the Board's Arbitration Program until January 1, 2014.

Enacted
Chapter 448

(18) LANDSCAPE ARCHITECTS

No bills introduced in the 2011 legislative session.

(19) MEDICINE

AB 352 Eng	<u>Radiologist Assistants</u> This bill establishes a licensing committee within the Medical Board to license and regulate the radiologist assistant profession.	Two-Year Bill
AB 374 Hayashi	<u>Athletic Trainers</u> This bill would require any person holding himself or herself out as a “certified athletic trainer” to have completed a specified level of education and have been certified by the Board of Certification, Inc., a national, nonprofit athletic trainer certifying agency.	Two-Year Bill
AB 415 Logue	<u>Healing Arts: Telehealth</u> This bill, titled the “Telehealth Advancement Act of 2011,” replaces the term “telemedicine” with the term “telehealth” in the Medical Practice Act, removes the requirement for a written, signed patient waiver prior to the provision of telehealth services.	Enacted Chapter 547
AB 536 Ma	<u>Physicians and Surgeons: Expungement Orders</u> This bill requires the Medical Board of California (Board) to post notification of an expungement order related to a physician licensee’s criminal conviction on the Board’s Internet Web site.	Enacted Chapter 379
AB 584 Fong	<u>Workers’ Compensation: Utilization Review</u> Would have required that a “physician,” as defined in the workers’ compensation law, who is conducting utilization reviews of proposed treatment for an injured worker, be licensed in California; required psychologists, for purposes of workers’ compensation, be licensed by California law; and, conformed the law that governs disability determinations by the Employment Development Department for purposes of the State Disability Insurance Program to the changes being made to the workers’ compensation law.	Vetoed
AB 655 Hayashi	<u>Healing Arts: Peer Review</u> This bill requires information sharing between peer review bodies for professional licensees under review, in accordance with specified procedures designed to protect patient privacy and release the provider of the information from any liability associated with the disclosure.	Enacted Chapter 380
AB 768 Gatto	<u>Male Circumcision</u> This urgency bill precludes local governments and agencies from prohibiting or restricting the practice of male circumcision or the exercise of parental authority with respect to male circumcision.	Enacted Chapter 398

AB 824 Chesbro	<u>Rural Hospitals: Physician Services</u> This bill would establish the Rural Hospital Physician and Surgeon Services Demonstration Project, which would exempt rural hospitals, as defined, from the prohibition against the corporate practice of medicine. Rural hospitals directly employing physicians would be prohibited from interfering with physicians' independent medical judgment in providing care to patients.	Two-Year Bill
AB 926 Hayashi	<u>Physicians and Surgeons: Direct Employment</u> This bill would reenact a pilot project that sunset January 1, 2011, allowing qualified healthcare district hospitals in rural counties to directly employ physicians. As compared to the repealed pilot project, this bill contains a minor expansion in both the number of physicians that would be able to be employed at qualified hospitals and that would be able to participate in the project as a whole.	Two-Year Bill
AB 1127 Brownley	<u>Physicians and Surgeons: Unprofessional Conduct</u> This bill expands the statutory definition of physician "unprofessional conduct" to include the repeated failure, except for good cause, by a licensee who is the subject of an investigation by the Medical Board of California, to attend and participate in an interview scheduled by the mutual agreement of the licensee and the Board.	Enacted Chapter 115
AB 1267 Halderman	<u>Physicians and Surgeons: Misdemeanor Incarcerations</u> This bill requires the Medical Board of California to automatically place a physician's license to practice medicine on inactive status during any period of incarceration resulting from a misdemeanor conviction.	Enacted Chapter 169
AB 1360 Swanson	<u>Physicians and Surgeons: Employment</u> This bill would establish protocols for local healthcare district hospitals and clinics located in medically underserved areas, serving medically underserved populations or designated as having a health professional shortage to directly employ a limited number of physicians.	Two-Year Bill
SB 100 Price	<u>Healing Arts: Outpatient Settings</u> This bill increases oversight of accredited outpatient medical settings, and increases physician oversight over the use of lasers and intense pulse light devices in cosmetic medical procedures.	Enacted Chapter 645
SB 233 Pavley	<u>Emergency Services and Care</u> This bill clarifies existing law to explicitly permit appropriate licensed health care personnel, acting within their scope of practice, to provide treatment and consultations in the emergency department of a medical facility.	Enacted Chapter 333

SB 380
Wright

Continuing Medical Education: Nutrition and Lifestyle Behavior

Enacted
Chapter 236

This bill authorizes the Medical Board of California to set content standards for continuing medical educational activities concerning a chronic disease that includes appropriate information on the prevention and treatment of the chronic disease by the application of changes in nutrition and lifestyle behavior. The bill also requires the Board to disseminate information on and convene a workgroup to discuss prevention and treatment of chronic diseases through nutrition and lifestyle changes.

SB 747
Kehoe

Continuing Education: Lesbian, Gay, Bisexual, and Transgender Patients

Vetoed

This bill would have mandated that all licensed physicians, physician assistants, registered nurses, licensed vocational nurses, nurse practitioners, psychologists, marriage and family therapists, licensed clinical social workers, psychiatric technicians and certified nurse assistants complete a continuing education course on cultural competency, sensitivity and best practices for providing adequate care to lesbian, gay, bisexual and transgender patients. The Governor's veto message indicated that this subject is best handled by the individual licensing board's within their own regulatory capacity.

SB 824
Negrete
McLeod

Registered Dispensing Opticians: Transfer of Ownership

Enacted
Chapter 389

This bill requires registered dispensing opticians (RDOs) that transfer or acquire ownership of a business to file a notice with the Medical Board within ten days of the transfer of ownership and requires the RDO transferring ownership to be responsible for complying with all laws and regulations affecting the business until the transferee's notice is received by the Board.

(20) NATUROPATHIC MEDICINE

SB 667
Runner

Naturopathic Doctors

Two-Year Bill

This bill would clarify that nothing in the Naturopathic Doctors Act prohibits a naturopathic doctor from ordering, prescribing, or administering a nonprescription substance that becomes a substance requiring a prescription based solely on its route of administration.

(21) OCCUPATIONAL THERAPY

AB 783
Hayashi

Professional Corporations: Licensed Physical Therapists and Occupational Therapists

Two-Year Bill

This bill would add licensed physical therapists and occupational therapists to the list of healing arts practitioners who may be shareholders, officers, directors, or professional employees of a medical, podiatric medical, or chiropractic corporation.

(22) OPTOMETRY

AB 761
Hernandez

Optometrists

This bill would have allowed optometrists to perform clinical tests as specified by the Clinical Laboratory Improvement Amendments of 1988. This bill would also have provided that a licensed optometrist can be a laboratory director as specified.

Two-Year Bill

AB 778
Atkins

Health Care Service Plans: Vision Care

Permits a dispensing optician, an optical company, a manufacturer or distributor of optical goods, or a nonoptometric corporation to own a health care service plan (health plan) that provides vision care services and share its profits, contract for business services with, lease office space or equipment to or from, or share office space with, a health plan that provides vision care services, and jointly advertise vision care services with a health plan that provides vision care services.

Two-Year Bill

(23) OSTEOPATHIC MEDICINE

AB 415
Logue

Healing Arts: Telehealth

This bill, titled the "Telehealth Advancement Act of 2011," replaces the term "telemedicine" with the term "telehealth" in the Medical Practice Act, removes the requirement for a written, signed patient waiver prior to the provision of telehealth services.

Enacted
Chapter 547

AB 655
Hayashi

Healing Arts: Peer Review

This bill requires information sharing between peer review bodies for professional licensees under review, in accordance with specified procedures designed to protect patient privacy and release the provider of the information from any liability associated with the disclosure.

Enacted
Chapter 380

(24) PHARMACY

AB 377
Solorio

Pharmacy

Would provide that a hospital pharmacy license can include a centralized hospital pharmacy physically located outside of the hospital or at a separate facility that is located within a 100-mile radius of the hospital and regulated under the hospital's license.

Two-Year Bill

AB 389
Berryhill

Bleeding Disorders

Would have imposed a number of requirements on providers of blood clotting products for home use for the treatment of bleeding disorders, including all forms of hemophilia, and required the Board of Pharmacy to administer and enforce this bill's provisions.

Two-Year Bill

AB 507 Hayashi	<u>Controlled substances: Pain Management</u> Repeals the Department of Justice’s authority to employ a physician to interview and examine any patient in connection with the prescription, possession, or use of a controlled substance; requires patient to submit to the interview and examination; and authorizes the physician to testify in prescribed administrative proceedings.	Enacted Chapter 396
AB 847 Lowenthal	<u>Pharmacy Licenses for Physician-Owned Ambulatory Surgical Clinics</u> Would redefine “clinic,” with respect to the Board of Pharmacy’s surgical clinic licensing authority to include outpatient settings accredited by an accrediting agency approved by the Medical Board and ambulatory surgical centers (ASCs) certified by Medicare. This bill also deletes the current requirement that ASCs operating under these provisions be licensed by the Board, and instead makes that licensure voluntary.	Two-Year Bill
SB 41 Yee	<u>Hypodermic Needles and Syringes</u> Suspends certain provisions of the Disease Prevention Demonstration Project (DPDP), including the ability for a city or county to authorize pharmacists to provide up to 10 hypodermic needles and syringes without a prescription, until January 1, 2015. The bill also permits, until January 1, 2015, pharmacists and physicians to furnish up to 30 hypodermic needles and syringes for human use, without a prescription or city/county authorization, to a person 18 years or older.	Enacted Chapter 738
SB 431 Emmerson	<u>Pharmacies: Regulation</u> Prohibits a pharmacist whose license was revoked by the Board of Pharmacy (Board) from dispensing medication to Californians via mail, and enhances existing reporting requirements to the Board when a pharmacy discovers theft of dangerous drugs.	Enacted Chapter 646

(25) PHYSICAL THERAPY

AB 783 Hayashi	<u>Professional Corporations: Licensed Physical Therapists and Occupational Therapists</u> This bill would add licensed physical therapists and occupational therapists to the list of healing arts practitioners who may be shareholders, officers, directors, or professional employees of a medical, podiatric medical, or chiropractic corporation.	Two-Year Bill
SB 543 Steinberg/ Price	<u>Business and Professions: Regulatory Boards</u> Provides that until January 1, 2013, the Physical Therapy Board cannot take disciplinary action against a physical therapist for working for a professional medical corporation.	Enacted Chapter 448
SB 924 Walters	<u>Patient Direct Access to Physical Therapy Services</u> This bill would allow patients’ direct access to physical therapists without a referral from a physician.	Two-Year Bill

(26) PHYSICIAN ASSISTANTS

SB 233
Pavley

Emergency Services and Care

This bill clarifies existing law to explicitly permit appropriate licensed health care personnel, acting within their scope of practice, to provide treatment and consultations in the emergency department of a medical facility.

Enacted
Chapter 333

SB 747
Kehoe

Continuing Education: Lesbian, Gay, Bisexual, and Transgender Patients

This bill would have mandated that all licensed physicians, physician assistants, registered nurses, licensed vocational nurses, nurse practitioners, psychologists, marriage and family therapists, licensed clinical social workers, psychiatric technicians and certified nurse assistants complete a continuing education course on cultural competency, sensitivity and best practices for providing adequate care to lesbian, gay, bisexual and transgender patients. The Governor's veto message indicated that this subject is best handled by the individual licensing board's within their own regulatory capacity.

Vetoed

(27) PODIATRIC MEDICINE

No bills introduced in the 2011 legislative session.

(28) PRIVATE POSTSECONDARY EDUCATION

AB 611
Gordon

Private Postsecondary Education – Unaccredited Doctoral Degrees

This bill prohibits a private postsecondary institution from offering an unaccredited doctoral degree program without making certain disclosures to students prior to enrollment.

Enacted
Chapter 103

AB 675
Hagman

Continuing Education

This bill would explicitly prohibit continuing education or competency credit courses from containing certain content. Specifically, content related to the advancement or promotion of labor organizing for a union, statutory or regulatory changes, political candidates, political advocacy, or political strategy.

Two-Year Bill

AB 773
Block

Postsecondary Education: Student Tuition Recovery Fund

This bill would allow the Bureau for Private Postsecondary Education to revoke the exempt status of an institution that is accredited by a regional accrediting agency recognized by the United States Department of Education if they fail to comply with their obligations to the Student Tuition Recovery Fund.

Two-Year Bill

AB 797 Conway	<u>Private Postsecondary Education: Schools of Cosmetology</u> This bill would exempt schools of cosmetology from the oversight of the Bureau for Private Postsecondary Education and private postsecondary education laws.	Two-Year Bill
AB 1013 Committee on Higher Education	<u>Private Postsecondary Education Act</u> This bill authorizes the Bureau for Private Postsecondary Education to publish its own list of acceptable ability-to-benefit examinations if the U.S. Department of Education does not have a list of relevant examinations that pertain to the intended occupational training. It also requires a refund to be paid by the first class session or within seven days of enrollment, as opposed to seven class days.	Enacted Chapter 167
AB 1163 Brownley	<u>California Education Facilities Authority</u> This bill amends the Education Code to provide that any financing under the California Educational Facilities Authority Act may be directed toward institutions that offer students instruction in the tenants of a particular faith, provided the institution does not violate Section 5 of Article XVI of the California Constitution or the Establishment Clause of the First Amendment to the United States Constitution.	Enacted Chapter 281
SB 498 Liu	<u>Bureau for Private Postsecondary Education – Transfer to the California Postsecondary Education Commission</u> This bill would, in effect, move the Bureau for Private Postsecondary Education from the Department of Consumer Affairs into the California Postsecondary Education Commission.	Two-Year Bill
SB 619 Fuller	<u>Flight School Oversight Exemption</u> This bill exempts flight instructors and flight schools that do not require students to enter into contracts of indebtedness and will not require prepayment of fees in excess of \$2,500 from regulation by the Bureau for Private Postsecondary Education.	Enacted Chapter 309
SB 675 Wright	<u>Private Postsecondary Education: Nonnative English Speakers</u> This bill would require that nonnative English speakers demonstrate their proficiency with the language prior to enrolling in a private postsecondary program that will be taught in whole or in part in English.	Two-Year Bill

(29) PSYCHOLOGY

AB 584 Fong	<u>Workers' Compensation: Utilization Review</u> Would have required that a "physician," as defined in the workers' compensation law, who is conducting utilization reviews of proposed treatment for an injured worker, be licensed in California; required psychologists, for purposes of workers' compensation, be licensed by California law; and, conformed the law that governs disability determinations by the Employment Development Department for purposes of the State Disability Insurance Program to the changes being made to the workers' compensation law.	Vetoed
------------------------------	---	---------------

SB 747
Kehoe

Continuing Education: Lesbian, Gay, Bisexual, and Transgender Patients

Vetoed

This bill would have mandated that all licensed physicians, physician assistants, registered nurses, licensed vocational nurses, nurse practitioners, psychologists, marriage and family therapists, licensed clinical social workers, psychiatric technicians and certified nurse assistants complete a continuing education course on cultural competency, sensitivity and best practices for providing adequate care to lesbian, gay, bisexual and transgender patients. The Governor's veto message indicated that this subject is best handled by the individual licensing board's within their own regulatory capacity.

(30) REGISTERED NURSING

SB 161
Huff

Schools: Emergency Medical Assistance: Administration of Epilepsy Medication

Enacted
Chapter 560

Allows school districts, county offices of education, or charter schools to participate in a program to train nonmedical school employees to administer emergency anti-seizure medication to students with epilepsy.

SB 233
Pavley

Emergency Services and Care

Enacted
Chapter 333

This bill clarifies existing law to explicitly permit appropriate licensed health care personnel, acting within their scope of practice, to provide treatment and consultations in the emergency department of a medical facility.

SB 538
Price

Nursing

Vetoed

Would have extended the sunset date for the Board of Registered Nursing (BRN) until January 1, 2016. This bill would have authorized the BRN to employ sworn-peace officers, investigators, inspectors, and deputies to provide investigative services. Additionally, this bill would have made several conforming changes to the requirements for new nursing schools and programs.

SB 747
Kehoe

Continuing Education: Lesbian, Gay, Bisexual, and Transgender Patients

Vetoed

This bill would have mandated that all licensed physicians, physician assistants, registered nurses, licensed vocational nurses, nurse practitioners, psychologists, marriage and family therapists, licensed clinical social workers, psychiatric technicians and certified nurse assistants complete a continuing education course on cultural competency, sensitivity and best practices for providing adequate care to lesbian, gay, bisexual and transgender patients. The Governor's veto message indicated that this subject is best handled by the individual licensing board's within their own regulatory capacity.

(31) RESPIRATORY CARE

No bills introduced in the 2011 legislative session.

(32) SECURITY & INVESTIGATIVE SERVICES

AB 811
Hall

Firearms: Private Patrol Operations

Two-Year Bill

Would authorize private patrol operators, licensed by the Bureau of Security and Investigative Services, to register and own firearms.

(33) SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY & HEARING AID DISPENSERS

SB 933
Runner

Speech-Language Pathology and Audiology: Hearing Aid Dispensers

Enacted
Chapter 449

Merges and consolidates the relevant Practice Acts for speech-language pathologists, audiologists, and hearing aid dispensers.

(34) SUNSET REVIEW

SB 538
Price

Nursing

Vetoed

Would have extended the sunset date for the Board of Registered Nursing (BRN) until January 1, 2016. This bill would have authorized the BRN to employ sworn-peace officers, investigators, inspectors, and deputies to provide investigative services. Additionally, this bill would have made several conforming changes to the requirements for new nursing schools and programs.

SB 540
Price

Dental Board Sunset Extension Bill

Enacted
Chapter 385

This bill extends the sunset date of the Dental Board of California within the Department of Consumer Affairs from January 1, 2012, to January 1, 2016. The bill also creates a sunset date of January 1, 2015 for the Dental Hygiene Committee.

SB 543
**Steinberg/
Price**

Business and Professions: Regulatory Boards

Enacted
Chapter 448

Extends the sunset date for the California Board of Accountancy, California Architects Board, Landscape Architects Technical Committee, Contractors State License Board, Board of Professional Engineers, Land Surveyors and Geologists, Professional Fiduciaries Bureau, State Athletic Commission and State Board Guide Dogs for the Blind.

(35) TELEPHONE MEDICAL ADVICE SERVICES

No bills introduced in the 2011 legislative session.

(36) VETERINARY MEDICINE

AB 258
Hagman

Rabies: Vaccinations

This bill allows exemptions from canine antirabies vaccination requirements for the owner of a dog that a licensed veterinarian determines has a compromised immune system or pre-existing condition that renders the vaccine dangerous to the animal's health.

Enacted
Chapter 542

SB 697
Emmerson

Veterinary Medicine: Unlicensed Practice

This bill would add provisions to the Veterinary Practice Act designed to provide more clear authority for the Veterinary Medical Board to enforce the law against those engaged in unlicensed veterinary practice.

Two-Year Bill

(37) VOCATIONAL NURSING & PSYCHIATRIC TECHNICIANS

SB 539
Price

Nursing

Extends the sunset date of the Board of Vocational Nursing and Psychiatric Technicians (BVNPT), expands requirements for employers of licensed vocation nurses and psychiatric technicians to report specified information to the BVNPT, and makes other technical changes.

Enacted
Chapter 338

SB 747
Kehoe

Continuing Education: Lesbian, Gay, Bisexual, and Transgender Patients

This bill would have mandated that all licensed physicians, physician assistants, registered nurses, licensed vocational nurses, nurse practitioners, psychologists, marriage and family therapists, licensed clinical social workers, psychiatric technicians and certified nurse assistants complete a continuing education course on cultural competency, sensitivity and best practices for providing adequate care to lesbian, gay, bisexual and transgender patients. The Governor's veto message indicated that this subject is best handled by the individual licensing board's within their own regulatory capacity.

Vetoed

2011 LEGISLATIVE DIGEST - INDEX BY BILL NUMBER

<i>Bill #</i>	<i>Chapter #</i>	<i>Page #</i>
AB 4		17
AB 19		4
AB 75	269	3
AB 87		20
AB 149		10
AB 213		10
AB 214	287	1
AB 238	526	1
AB 249		18
AB 258	542	31
AB 273		11
AB 265		4
AB 275		18
AB 338		11
AB 352		9, 22
AB 354	55	6
AB 370		20
AB 374		9, 22
AB 377		25
AB 389		25
AB 397	546	18
AB 415	547	22, 25
AB 424	318	1
AB 425		11
AB 431	395	9
AB 456	673	18
AB 465		18
AB 473		1
AB 474		15
AB 507	396	26
AB 530		11
AB 535		11
AB 536	379	22
AB 560	291	15
AB 584		22, 28
AB 586		11
AB 588	76	5
AB 611	103	27
AB 619	162	1
AB 621	531	3, 6
AB 655	380	22, 25
AB 659		4
AB 675		27
AB 699		6
AB 753		6
AB 761		25
AB 768	398	7, 22
AB 771	206	5
AB 773		27
AB 774		16
AB 783		24, 26
AB 785		1
AB 797		9, 28
AB 800		1
AB 805		5
AB 806		5
AB 811		30

<i>Bill #</i>	<i>Chapter #</i>	<i>Page #</i>
AB 817		2
AB 824		23
AB 847		26
AB 878	686	18
AB 905	321	7
AB 926		23
AB 956	166	16
AB 966	111	17
AB 997	323	21
AB 1013	167	28
AB 1023	296	7
AB 1037		11
AB 1061		7
AB 1088	689	7
AB 1091	168	18
AB 1096		19
AB 1121		7
AB 1127	115	23
AB 1163	281	28
AB 1205		16
AB 1207		5
AB 1210		20
AB 1219	690	2
AB 1267	169	23
AB 1288	370	4
AB 1307	734	18
AB 1322		11
AB 1324		21
AB 1360		23
AB 1424	455	12
ABX1 3		12
ABX1 4		12
ABX1 5		12
ABX1 6		12
SB 24	197	4
SB 41	738	26
SB 80	11	7
SB 100	645	23
SB 101	63	2
SB 103		12
SB 146	381	16
SB 147		20
SB 150	62	5
SB 161	560	29
SB 190	44	19
SB 196		12
SB 206	125	7
SB 209	121	5
SB 233	333	23, 27, 29
SB 238	146	2
SB 274	148	16
SB 278		2
SB 279	65	8
SB 285	149	8
SB 306	445	10
SB 332	264	5
SB 337	383	6

<i>Bill #</i>	<i>Chapter #</i>	<i>Page #</i>
SB 353		13
SB 363	384	16
SB 366		13
SB 380	236	24
SB 396		13
SB 399		8
SB 400		13
SB 401		13
SB 413		17
SB 424	127	15, 20
SB 426	128	6
SB 431	646	26
SB 454	591	19
SB 474	707	19
SB 498		28
SB 519		15
SB 538		29, 30
SB 539	338	31
SB 540	385	20, 30
SB 541	339	13
SB 543	448	10, 15, 19, 21, 26, 30
SB 544		13
SB 550	421	2
SB 553		13
SB 560		14
SB 563	257	6
SB 575		8
SB 591		14
SB 602	424	3
SB 617	496	14
SB 619	309	28
SB 628		10
SB 652		3
SB 658	386	17
SB 667		24
SB 671		19
SB 675		28
SB 688		14
SB 692		21
SB 694		20
SB 697		31
SB 704	387	17
SB 708		9
SB 746	664	8, 15
SB 747		17, 24, 27, 29, 31
SB 750		8
SB 759		6
SB 773	344	10
SB 823		8
SB 824	389	24
SB 850	714	3, 8
SB 865		19
SB 869	430	15
SB 875		8
SB 886		9, 19

2011 LEGISLATIVE DIGEST – INDEX BY CHAPTER NUMBER

<i>Chapter #</i>	<i>Bill #</i>	<i>Page #</i>
11	SB 80	7
44	SB 190	19
55	AB 354	6
62	SB 150	5
63	SB 101	2
65	SB 279	8
76	AB 588	5
103	AB 611	27
111	AB 966	17
115	AB 1127	23
121	SB 209	5
125	SB 206	7
127	SB 424	15, 20
128	SB 426	6
146	SB 238	2
148	SB 274	16
149	SB 285	8
162	AB 619	1
166	AB 956	16
167	AB 1013	28
168	AB 1091	18
169	AB 1267	23
197	SB 24	4
206	AB 771	5
236	SB 380	24
257	SB 563	6
264	SB 332	5
269	AB 75	3

<i>Chapter #</i>	<i>Bill #</i>	<i>Page #</i>
281	AB 1163	28
287	AB 214	1
291	AB 560	15
309	SB 619	28
318	AB 424	1
321	AB 905	7
323	AB 997	21
333	SB 233	23, 27, 29
338	SB 539	31
339	SB 541	13
344	SB 773	10
350	SB 943	14
370	AB 1288	4
379	AB 536	22
380	AB 655	22, 25
381	SB 146	16
383	SB 337	6
384	SB 363	16
385	SB 540	20, 30
386	SB 658	17
387	SB 704	17
389	SB 824	24
395	AB 431	9
396	AB 507	26
398	AB 768	7, 22
421	SB 550	2
424	SB 602	3
430	SB 869	15

<i>Chapter #</i>	<i>Bill #</i>	<i>Page #</i>
432	SB 944	14
445	SB 306	10
448	SB 543	10, 15, 19, 21, 26, 30
449	SB 933	30
455	AB 1424	12
496	SB 617	14
526	AB 238	1
531	AB 621	3, 6
542	AB 258	31
546	AB 397	18
547	AB 415	22, 25
560	SB 161	29
591	SB 454	19
645	SB 100	23
646	SB 431	26
664	SB 746	8, 15
673	AB 456	18
686	AB 878	18
689	AB 1088	7
690	AB 1219	2
707	SB 474	19
714	SB 850	3, 8
734	AB 1307	18
738	SB 41	26