

2000

Legislative Digest 1999-2000

California Department of Consumer Affairs

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DEPARTMENT OF CONSUMER AFFAIRS

*To promote and protect the
interests of California consumers*



LEGISLATIVE DIGEST

1999 - 2000



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Gray Davis, Governor

Aileen Adams, Secretary, State and Consumer Services Agency

Kathleen Hamilton, Director, Department of Consumer Affairs

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LEGISLATIVE DIGEST

1999-2000 SESSION

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January 2001

The Consumer Affairs Act of 1970, which is the governing law for the Department of Consumer Affairs, requires the Department to represent the interests of California consumers before the State Legislature.

This Legislative Digest summarizes legislation that the Department reviewed on behalf of California consumers during the 1999-2000 legislative session.

We have revised the Digest, and hope you find the new format helpful and that it serves as a useful resource for identifying legislation of interest.

We look forward to working with you on behalf of California consumers in the 2001-2002 legislative session.

Yours truly,

Kathleen Hamilton, Director
Department of Consumer Affairs

Foreword

The Department of Consumer Affairs (DCA) 1999-2000 Legislative Digest is a summary of significant consumer protection legislation introduced during the 1999-2000 legislative session. This year's edition has a new format and presents a brief summary of each bill.

We have organized the Digest by bill number, subject category, and chapter number. The three major subject categories are **Consumer Protection**, **Professional and Business Regulation**, and **DCA Administration**. Each category contains numerous subcategories. We have added a new subcategory relating to Internet/e-Commerce/e-Government under Consumer Protection. Some bills may be referenced in more than one category or subcategory.

Bills that failed or were "withdrawn" by their authors are included for information purposes only. Unless otherwise indicated, enacted bills become effective on January 1, 2000 or January 1, 2001. For brevity, most entries are cross-referenced wherever appropriate.

Part I is the **Table of Bills**, which lists each bill alphabetically by subject heading within each subcategory. The subject heading refers you to the bill number, indicates the disposition of the bill, and where the summary appears.

Part II contains the **Bill Summaries**, which is organized numerically by bill number under each subcategory. This part provides a brief summary of each bill, the bill's author, and its disposition. Unlike past years, we are now listing omnibus bills under each affected program. AB and SB indicate Assembly and Senate bills, respectively.

Part III is the **Appendix**, which contains a Bill Number Index, a Chaptered Bill Index, a Department of Consumer Affairs Directory, and an overview of the Legislative Process.

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

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

For further information on bills, relevant code sections, or the Governor's veto messages, you can consult www.leginfo.ca.gov or your local legislator. For additional copies of the digest, please consult www.dca.ca.gov or contact the Department's Division of Legislative and Regulatory Review.

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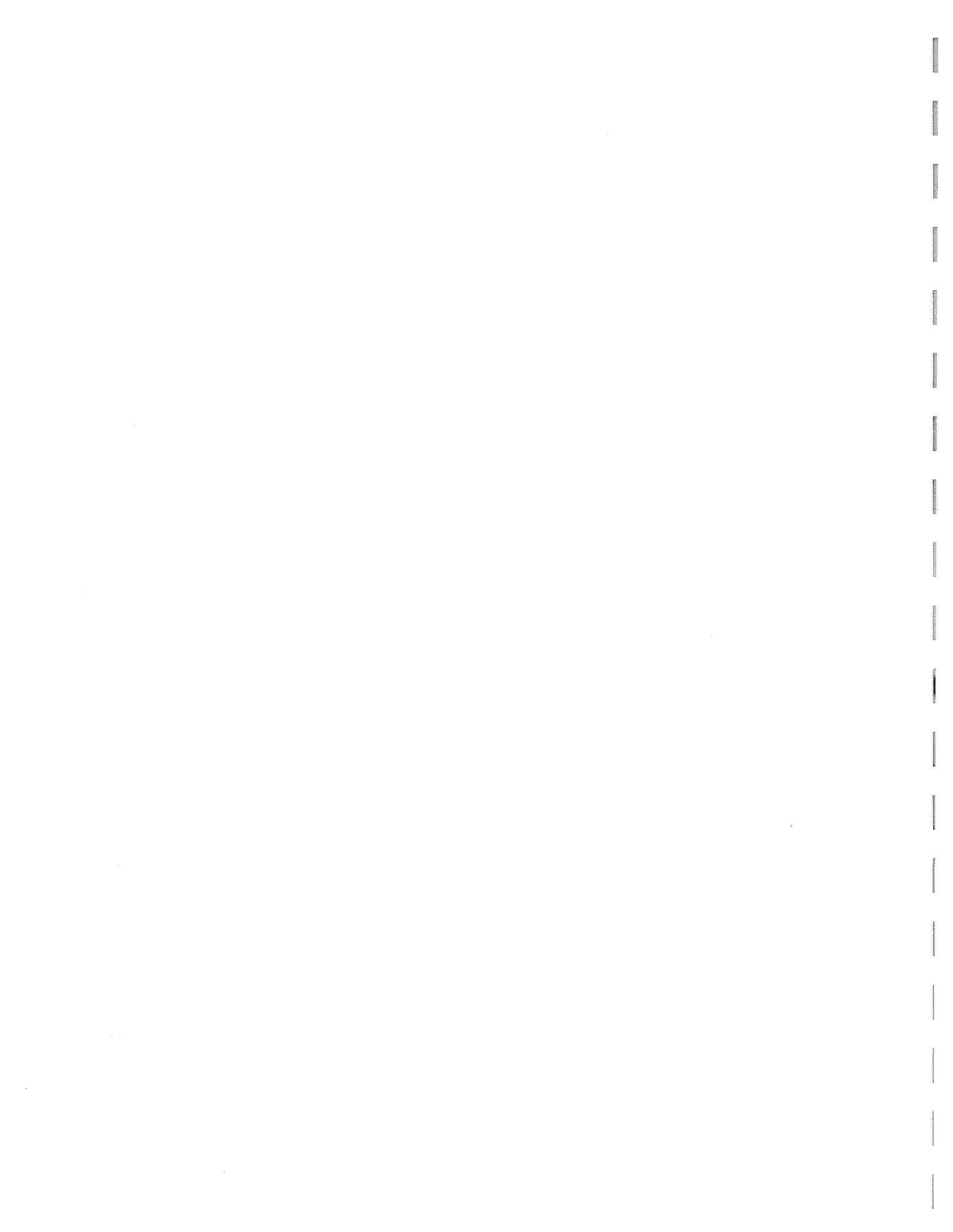
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I. TABLE OF BILLS

A. CONSUMER PROTECTION

<u>Title</u>	<u>Bill #</u>	<u>Disposition</u>	<u>Page #</u>
(1) Automobiles/Lemon Law			
Consumer Notification: Vehicle Replacement Parts	AB 1778	Enacted	1
Gag Orders on Dealer Buyback Vehicles	AB 2517	Enacted	1
Insurance: Automotive Lubricant Product Warranties	AB 509	Enacted	1
Lemon Law Protection: New Motor Vehicle Warranties	AB 1290	Enacted	1
Lemon Law Protection: New Motor Vehicle Warranties	SB 1718	Enacted	2
Towing Services	AB 2729	Enacted	2
Vehicle Air Bags	AB 1471	Enacted	1
Vehicle Dealers: Licensure	AB 159	Enacted	1
(2) Business Practices			
Billing Practices: Customer Marital Status	SB 185	Enacted	3
Charities: Unfair Business Practices	SB 1359	Vetoed	3
Florists: Business Location Representations	AB 1375	Vetoed	2
Going-Out-Of-Business Sales	AB 2725	Vetoed	3
Health Clubs	SB 1744	Vetoed	4
Home Improvement Contracts	SB 187	Enacted	3
Home Improvement Contracts: At-Risk Buyers	SB 99	Vetoed	3
Hotels: Operator Rights	SB 1171	Enacted	3
Misleading Advertising: Coupons	AB 1231	Enacted	2
Pawn Shops and Coin Dealers	SB 1520	Enacted	3
Pawnbroker Fees	SB 1885	Enacted	4
Self-Service Storage Facilities	AB 2263	Enacted	2
Seller Assisted Marketing Plans	AB 2699	Enacted	2
Sellers of Travel	SB 1606	Vetoed	3
Simulated Checks	AB 1816	Enacted	2
Unlawful Practice of Law: Living Trusts	AB 1138	Failed	2
(3) Court System & Legal Services			
Conservators: Statewide Registry	AB 925	Enacted	4
Elder and Dependent Abuse	AB 526	Enacted	4
Estate Law: Technical Clean-up	AB 1051	Enacted	4
Estates and Trusts	AB 239	Enacted	4
Immigration Consultants	AB 1858	Enacted	5
Lawyers: Financial Services to the Elderly	SB 72	Enacted	5
Legal Document and Unlawful Detainer Assistants	AB 2810	Enacted	5
Legal Document Assistants	SB 1927	Vetoed	6
Notaries Public: Immigration Consultant Services	AB 2687	Enacted	5
Paralegals	AB 1761	Enacted	5
Small Claims Court Fees	AB 1361	Vetoed	5

State Bar	SB 144	Enacted	5
State Bar Court	SB 1420	Enacted	6
State Bar Funding	SB 1367	Enacted	6
State Bar: Admissions Qualifications (Baby Bar)	AB 1042	Vetoed	4
State Bar: Attorneys Discipline System	SB 143	Enacted	5
Unlawful Practice of Law: Living Trusts	AB 1138	Failed	5

(4) Credit & Financial Services

Consumer Credit Reporting Agencies	AB 758	Enacted	6
Credit Card Fraud	SB 930	Enacted	8
Credit Cards: Minimum Payment Disclosure	AB 1963	Vetoed	7
Credit Cards: Privacy Opt-Out Disclosure	AB 2869	Enacted	7
Credit Reports	SB 2166	Enacted	8
Credit Scores	SB 1607	Enacted	8
Debit Card Liability	SB 313	Enacted	7
Debt Collection	SB 219	Enacted	7
Debt Collectors	AB 969	Enacted	6
Financial Institutions: Year 2000 Problem	SB 317	Enacted	8
Mortgage Loans: Hazard Insurance	AB 1454	Enacted	7
Payday Loans	AB 1973	Failed	7
Payday Loans	SB 1501	Failed	8
Pre-Printed Checks: Consumer Notice	SB 545	Enacted	8
Simulated Checks	AB 1816	Enacted	7

(5) Health & Safety

Abortion	SB 370	Enacted	9
Biological Specimen Storage	SB 765	Enacted	9
Dangerous Drugs and Devices	AB 751	Enacted	8
Emergency Care: Automated External Defibrillator: Immunity From Liability	SB 911	Enacted	9
Emergency Room/On-call Coverage	AB 2611	Enacted	9
Reproductive Technology	SB 1630	Vetoed	9
Underground Pollution: MTBE	SB 989	Enacted	9

(6) Health Care/Health Maintenance Organizations/ Managed Care

Contraceptive Drug Coverage	AB 39	Enacted	10
Department of Managed Health Care	AB 78	Enacted	10
Discount Health Care Programs	SB 173	Failed	12
Grievances: Independent Medical Review	SB 189	Enacted	12
Health Care Service Plans: Patient Right to Sue	SB 21	Enacted	11
Health Coverage: Breast Cancer Services	SB 5	Enacted	11
Health Coverage: Cancer Screening Tests	SB 205	Enacted	12
Health Coverage: Contraceptives	SB 41	Enacted	11
Health Coverage: Diabetes	SB 64	Enacted	11
Health Coverage: Hospice Care	AB 892	Enacted	10
Health Coverage: Mental Illness	AB 88	Enacted	10
Health Coverage: Phenylketonuria (PKU)	SB 148	Enacted	12
Health Coverage: Psychiatric Emergency Services and Care	SB 349	Enacted	12

Health Coverage: Second Opinions	AB 12	Enacted	9
Health Plans: Procedures for Authorizing/Denying Treatment	SB 59	Enacted	11
HMOs: Medical Directors: California Licensure	AB 58	Vetoed	10
Independent Medical Review of Medical Decisions	AB 55	Enacted	10
Insurance Information Privacy	AB 2797	Enacted	11
Medical Information Confidentiality	SB 19	Enacted	11
Risk-Bearing Organizations: Financial Solvency	SB 260	Enacted	12
Telephone Medical Advice Services	AB 285	Enacted	10
Telephone Medical Advice Services	AB 2903	Enacted	11

(7) Insurance

Attorneys: Defense of Insureds	AB 2069	Enacted	13
Automobile Insurance	SB 1731	Enacted	15
Automobile Insurance: Vehicle Inspections	AB 1848	Enacted	13
Earthquake Insurance	SB 622	Failed	14
Earthquake Insurance: Extension for Filing Claims	SB 1899	Enacted	15
Insurance	AB 1309	Enacted	13
Insurance: Agents and Brokers	SB 1077	Enacted	14
Insurance: Automotive Lubricant Product Warranties	AB 509	Enacted	13
Insurance: Brokers Fees	AB 2639	Enacted	14
Insurance: Production Agencies	AB 393	Enacted	12
Insurance Claims	AB 1979	Enacted	13
Insurance Claims: Dispute Resolution	SB 1237	Enacted	14
Insurance Commissioner Reform: Campaign Contributions	SB 953	Failed	14
Insurance Commissioner Reform: Market Conduct Examinations	SB 1805	Enacted	15
Insurance Commissioner Reform: Restriction on Use of Fines & Penalties	SB 1524	Enacted	15
Insurance Commissioner Reform: Use of Settlement Funds	AB 481	Vetoed	12
Insurance Commissioner Reform: Use of Settlement Funds	SB 2107	Enacted	15
Insurance Fraud	AB 2594	Enacted	13
Insurance Fraud	SB 1988	Enacted	15
Insurance Information Privacy	AB 2797	Enacted	14
Insurance Policies: Disclosure of Finance Charges	AB 802	Enacted	13
Insurance Sales: Internet Disclosure	AB 2251	Enacted	13
Insurers: Unfair Practices	SB 1500	Enacted	14
Low-Cost Automobile Insurance	AB 2904	Enacted	14
Low-Cost Automobile Insurance	SB 171	Enacted	14
Low-Cost Automobile Insurance	SB 527	Enacted	14
Rental Car Insurance: Agent Licenses	AB 62	Enacted	12

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

Cyberpiracy	SB 1319	Enacted	16
Employee Computer Records	SB 1016	Vetoed	16
Employee Computer Records	SB 1822	Vetoed	17
Insurance Sales: Internet Disclosure	AB 2251	Enacted	16
Interactive Television	SB 1599	Withdrawn	17
Internet: Licensee Information	SB 1889	Enacted	17
Internet Access: Line Sharing	AB 991	Enacted	15

Internet Escrow Transactions	AB 333	Enacted	15
Internet Prescriptions	SB 1828	Enacted	17
Licensing Information: Internet Disclosure	AB 2833	Withdrawn	16
Public Records: Electronic Format	AB 2799	Enacted	16
Public Records: Electronic Format	SB 1065	Vetoed	16
State Agency Meetings: Internet Notice	AB 1234	Enacted	15
State Agency Reports: Internet Posting	AB 1759	Vetoed	16
Universal Telephone Service	SB 1712	Enacted	17

(9) Miscellaneous Consumer Issues

Amusement Rides: Safety	AB 850	Enacted	17
Bay Pilots	SB 2144	Enacted	19
Bay Pilots: Immunity from Liability	SB 1109	Enacted	18
Bay Pilots: Rates	AB 951	Enacted	18
CD/DVD Labeling	SB 1384	Enacted	19
Charities: Unfair Business Practices	SB 1359	Vetoed	18
Common Interest Developments: Disciplinary Actions	AB 1823	Enacted	18
Deceased Personalities Identity	SB 209	Enacted	18
Landlords: Notice of Pest Control	SB 2143	Enacted	19
Landlord/Tenant: Notice of Rent Increase	SB 1745	Enacted	19
Peace Officer Training: Foreign Nationals	SB 287	Enacted	18
Recovery of Unclaimed Property	AB 1625	Vetoed	18
School Buses: Seatbelts	AB 15	Enacted	17
Simulated Checks	AB 1816	Enacted	18

(10) New/Proposed Regulatory Programs

Common Interest Developments	AB 1893	Withdrawn	20
Department of Managed Health Care	AB 78	Enacted	19
Discount Health Care Programs	SB 173	Failed	20
Electricians	AB 931	Enacted	19
Home Inspectors	SB 1216	Vetoed	20
Interior Designers	AB 1096	Vetoed	19
Occupational Therapists	SB 1287	Vetoed	20
Occupational Therapists: New Licensing Program	SB 1046	Enacted	20
Orthotists & Prosthetists	AB 2355	Failed	20
Paralegals	AB 1761	Enacted	20
Payday Loans	SB 1501	Failed	20
Professional Fiduciaries	SB 1881	Vetoed	21
Reproductive Technology	SB 1630	Vetoed	21
Telephone Medical Advice Services	AB 285	Enacted	19

(11) Privacy/Identity Theft

Customer Records Disposal	AB 2246	Enacted	21
Department of Motor Vehicles Records: Access	AB 512	Vetoed	21
Employee Computer Records	SB 1016	Vetoed	22
Employee Computer Records	SB 1822	Vetoed	24
Financial Privacy	AB 1707	Failed	21

Financial Privacy	SB 1337	Failed	23
Financial Privacy	SB 1372	Failed	23
Identity Theft: Credit Protection	SB 1767	Failed	23
Identity Theft: Protection of Personal Information	SB 1365	Failed	23
Identity Theft: Regional Centers Pilot Project	AB 1949	Vetoed	21
Identity Theft Database	AB 1862	Enacted	21
Identity Theft Remedies	AB 1897	Enacted	21
Identity Theft Remedies	AB 2462	Failed	22
Insurance Information Privacy	AB 2797	Enacted	22
Interactive Television	SB 1599	Withdrawn	23
Medical Information Confidentiality	SB 19	Enacted	22
Medical Information Disclosure	AB 416	Enacted	21
Medical Information Disclosure	SB 1903	Enacted	24
Medical Profiling	SB 1419	Failed	23
Office of Privacy Protection	SB 129	Enacted	22
Personal Information: Supermarket Club Cards	SB 926	Enacted	22
Personal Information Privacy	SB 71	Failed	22
State Agency Reports: Internet Posting	AB 1759	Vetoed	21
Tax Record Confidentiality	SB 1724	Enacted	23

(12) Telecommunications

Internet Access: Line Sharing	AB 991	Enacted	24
New Area Codes: Telephone Number Assignment	AB 406	Enacted	24
Rural Telephone Cooperatives	AB 994	Enacted	24
Telecommunications Services	AB 535	Enacted	24
Universal Telephone Service	SB 1712	Enacted	24

(13) Utilities

Energy Rate Cost Cap	AB 265	Enacted	25
Gas and Electric Service	AB 1421	Enacted	25

B. PROFESSIONAL & BUSINESS REGULATION BY DCA BOARD, BUREAU, AND PROGRAM

(1) Accountancy

Board: Sunset Extension	SB 1306	Enacted	25
Board Issues	AB 2889	Enacted	25
Board Issues	SB 1863	Enacted	25
Board Issues/ Sunset Extension	AB 1677	Enacted	25

(2) Acupuncture

Acupuncture: Scope of Practice	SB 466	Vetoed	26
Board Issues	SB 1308	Enacted	26
Board Issues: Acupuncture Students	AB 2888	Enacted	26
Board Issues: Practical Exam	AB 1105	Enacted	25

(3) Architects

Architects	AB 1916	Vetoed	26
Board Issues	AB 1678	Enacted	26
Enforcement and Licensing	SB 1863	Enacted	26

(4) Athletic Commission

Athletic Event Fees	AB 2937	Failed	26
Boxing Event Fees	AB 52	Enacted	26
Commission: Sunset Review	SB 2028	Enacted	27

(5) Automotive Repair

Automobile Dismantlers: Definition	AB 342	Enacted	27
Bureau of Automotive Repair Advisory Committee	SB 214	Failed	27
Bureau Issues	SB 1307	Enacted	27
Insurance and Autobody Fraud	SB 1988	Enacted	27
Motor Vehicle Diagnostic and Repair Information	SB 1146	Enacted	27
Vehicle Dealers: Licensure Exemptions	AB 159	Enacted	27

(6) Barbering & Cosmetology

Bureau Issues	AB 2888	Enacted	28
Bureau Issues	SB 1307	Enacted	28
Facials: Licensure Exception	AB 1427	Withdrawn	27
Hair Braiding: Licensure Exemption	SB 235	Enacted	28
Independent Contractors/Booth Renters	SB 1134	Withdrawn	28

(7) Behavioral Sciences

Board Issues	AB 1677	Enacted	28
Board Issues	SB 1308	Enacted	29
Board Issues	SB 1554	Enacted	29
Child Custody Evaluators/Investigators	SB 433	Enacted	29
Disciplinary Actions: Statute of Limitations	SB 809	Enacted	29
Licensing: Curriculum	AB 253	Enacted	28
Licensing: Disciplinary Information	AB 352	Enacted	28
Marriage and Family Therapist Interns	AB 2161	Enacted	28
Medical Information Disclosure	AB 416	Enacted	28
Peer Review: Marriage and Family Therapists and Clinical Social Workers	AB 2374	Enacted	29

(8) Cemetery & Funeral

Bureau Issues	AB 2888	Enacted	30
Cemetery Districts	SB 2096	Enacted	30
Cremated Remains: Licensing and Enforcement	AB 2279	Enacted	30
Funeral Directors and Embalmers: Continuing Education and PreNeed Trusts	AB 1379	Enacted	29
Preneed Funeral Arrangements	AB 2079	Enacted	29
Public Cemetery Authorities: Construction Standards	SB 954	Enacted	30

(9) Contractors

Board: Sunset Extension	SB 1306	Enacted	32
Board: Sunset Review	SB 2029	Enacted	33
Board Issues	AB 1678	Enacted	31
Board Issues	SB 1307	Enacted	32
Construction Defects	AB 2112	Failed	31
Contractors: Express Trust Funds: Mechanics' Liens	SB 914	Enacted	32
Contractors Criminal History Checks	AB 2370	Failed	31
Home Improvement Contracts	SB 187	Enacted	32
Home Improvement Contracts: At-Risk Buyers	SB 99	Vetoed	31
Home Solicitation Contracts	AB 1304	Failed	31
Licensing Information: Internet Disclosure	AB 2833	Withdrawn	31
Mechanics' Liens	AB 576	Enacted	30
Mechanics' Liens: Bond Alternative	SB 471	Failed	32
Mechanics' Liens: Recovery Fund Alternative	AB 742	Failed	30
Mechanics' Liens: Single Family Residence Exemption	ACA 5	Failed	31
Roadway Construction Contractors	AB 1206	Enacted	31
Special Fraud Unit	AB 952	Vetoed	30
Special Fraud Unit	AB 1849	Failed	31
Surety Bonds	SB 1524	Not Relevant	32
Underground Pollution: MTBE	SB 989	Enacted	32

(10) Court Reporters

Board Issues	SB 1307	Enacted	33
Board: Sunset Review	SB 2032	Enacted	33
Deposition Officers	SB 877	Enacted	33
Shorthand Reporting	SB 2090	Enacted	33
Shorthand Reporting Entities	AB 2808	Enacted	33
Transcription Fees	SB 449	Vetoed	33

(11) Dentists

Board Issues	SB 1308	Enacted	34
Clinical Laboratory Exams	SB 585	Enacted	34
Cultural and Linguistic Competency Task Force	AB 2394	Enacted	34
Dentists Offices	AB 497	Enacted	33
HMOs: Medical Directors: California Licensure	AB 58	Vetoed	33
Oral Conscious Sedation	AB 869	Enacted	34
Outpatient Surgery: General Anesthesia	AB 552	Enacted	33
Peace Officers: Dental Board	AB 900	Enacted	34

(12) Engineers & Land Surveyors

Board: Sunset Extension	SB 1306	Enacted	35
Board: Sunset Review	SB 2030	Enacted	35
Board Issues	SB 1307	Enacted	35
Code of Professional Conduct	AB 2629	Enacted	35

Engineers: Civil Liability	AB 2249	Failed	35
Land Surveying	AB 1341	Enacted	34
Land Surveying	AB 1342	Enacted	35
Land Surveying	SB 1863	Enacted	35
Land Surveyor Licensing Qualifications	SB 1563	Enacted	35
Safety Engineers: Title Act Protection	AB 2505	Failed	35

(13) Geologists & Geophysicists

Board: Sunset Review	SB 2028	Enacted	36
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(14) Guide Dogs

Board Issues	SB 1307	Enacted	36
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(15) Hearing Aid Dispensers

Bureau Issues	AB 2697	Enacted	36
Hearing Aid Dispensers	AB 545	Enacted	36

(16) Home Furnishings & Thermal Insulation

Bunk Beds	AB 1520	Enacted	36
Bunk Beds	AB 1711	Enacted	37
Fire Safe Cigarettes	SB 2070	Failed	37
Mattress Fire Safety	AB 1866	Failed	37

(17) Landscape Architects

Committee Issues	AB 1678	Enacted	37
Landscape Architects: Licensing	SB 1863	Enacted	37

(18) Medical Board

Abortion	SB 370	Enacted	39
Alternative Practices	SB 2100	Enacted	40
Board Issues	SB 1308	Enacted	40
Board Issues	SB 1554	Enacted	40
Child Custody Evaluators/Investigators	SB 433	Enacted	39
Clinical Laboratory Exams	SB 585	Enacted	39
Cosmetic Surgery	SB 837	Withdrawn	39
Cosmetic Surgery: Advertising	SB 450	Enacted	39
Cosmetic Surgery: Education and Training	SB 835	Vetoed	39
Cosmetic Surgery/Outpatient Surgery	AB 271	Enacted	37
Cultural and Linguistic Competency Task Force	AB 2394	Enacted	38
Curriculum Requirements	AB 1820	Enacted	38
Electronic Prescriptions	AB 2240	Enacted	38
Energy Rate Cost Cap	AB 265	Not Relevant	37
Health Coverage: Psychiatric Emergency Services and Care	SB 349	Enacted	38
HMOs: Medical Directors: California Licensure	AB 58	Vetoed	37
Internet Prescriptions	SB 1828	Enacted	40
Medical Board Fee Increase/Cost Recovery Cap	SB 1045	Withdrawn	40

Midwives	SB 1479	Enacted	40
Outpatient Surgery: General Anesthesia	AB 552	Enacted	37
Outpatient Surgery/Cosmetic Surgery	SB 595	Failed	39
Pain Management Training	AB 791	Enacted	38
Physicians: Disciplinary Actions	AB 2571	Enacted	38
Practice of Medicine: Unprofessional Conduct	AB 1558	Enacted	38
Referral Services: Advertising	SB 836	Enacted	39
Reproductive Technology	SB 1630	Vetoed	40
Triplicate Prescriptions	AB 2018	Enacted	38

(19) Nursing Home Administrators

Nursing Home Administrators	SB 1981	Withdrawn	40
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(20) Occupational Therapy

New Licensing Program	SB 1046	Enacted	41
Occupational Therapists	SB 1287	Vetoed	41

(21) Optometry

HMOs: Medical Directors: California Licensure	AB 58	Vetoed	41
Optometry Scope of Practice	SB 929	Enacted	41

(22) Osteopathic Physicians

Board Issues	SB 1636	Enacted	41
Sunset Review	SB 2031	Vetoed	41
Various Boards: Sunset Review	SB 2034	Enacted	41

(23) Pharmacy

Board Issues	SB 1308	Enacted	43
Board Issues	SB 1554	Enacted	43
Dangerous Drugs and Devices	AB 751	Enacted	42
Dispensing of Drugs: Physician Assistants and Nurse Practitioners	SB 816	Enacted	43
Electronic Prescriptions	AB 2240	Enacted	42
HMOs: Medical Directors: California Licensure	AB 58	Vetoed	41
Home Medical Device Retail Facilities: New Licensing Program	AB 1496	Enacted	42
Internet Prescriptions	SB 1828	Enacted	43
Medication Errors	SB 1339	Enacted	43
Pharmacists	AB 261	Enacted	42
Pharmacy Law	SB 838	Enacted	43
Prescriptions: Electronic Transmission	AB 1430	Vetoed	42
Prescriptions: Outpatient Dispensing	SB 188	Enacted	43
Prescription Labeling	AB 1545	Enacted	42
Registered Pharmacists	SB 651	Enacted	43
Triplicate Prescriptions	AB 2018	Enacted	42

(24) Physical Therapy

Physical Therapy Scope of Practice	SB 1600	Enacted	44
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(25) Physician Assistants

Board Issues	SB 1554	Enacted	44
Clinical Laboratory Exam	SB 585	Enacted	44
Medical Assistant Supervision	SB 1852	Withdrawn	44
Physician Assistant Training Program	SB 1861	Failed	44
Dispensing of Drugs: Physician Assistants and Nurse Practitioners	SB 816	Enacted	44
Prescription Authority	AB 1545	Enacted	44

(26) Podiatric Medicine

Board Issues	AB 2888	Enacted	45
Board Issues	SB 1308	Enacted	45
Board Issues	SB 1554	Enacted	45
HMOs: Medical Directors: California Licensure	AB 58	Vetoed	44
Licensing Fees: Workers' Compensation: Doctors of Podiatric Medicine	AB 1252	Enacted	45

(27) Private Postsecondary & Vocational Education

Bureau: Sunset Extension	SB 2028	Enacted	45
Psychology: Approved Schools	AB 400	Enacted	45
Security Guard Training Facilities	AB 1898	Enacted	45

(28) Psycholgoy

Board Issues	SB 1308	Enacted	46
Board Issues	SB 1554	Enacted	46
Child Custody Evaluators/Investigators	SB 433	Enacted	46
Disciplinary Actions: Statute of Limitations	SB 809	Enacted	46
HMOs: Medical Directors: California Licensure	AB 58	Vetoed	45
Medical Information Disclosure	AB 416	Enacted	46
Psychology: Approved Schools	AB 400	Enacted	45
Psychology: Prescription Authority	AB 1144	Withdrawn	46

(29) Registered Nursing

Board Issues	AB 2888	Enacted	47
Clinical Laboratory Exams	SB 585	Enacted	47
Dispensing of Drugs: Physician Assistants and Nurse Practitioners	SB 816	Enacted	47
Diversion Program	SB 1308	Enacted	47
Health Facilities: Nursing Staff	AB 394	Enacted	46
Medical Assistant Supervision	SB 1852	Withdrawn	47
Nurses	SB 308	Enacted	47
Prescription Authority	AB 1545	Enacted	47
Telephone Medical Advice Services	AB 285	Enacted	46

(30) Respiratory Care Board

Disciplinary Actions: Statute of Limitations	SB 809	Enacted	47
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(31) Security & Investigative Services

Bureau Issues	AB 2888	Enacted	49
Department of Motor Vehicles Records: Access	AB 512	Vetoed	48
“Mystery Shoppers” Licensure Exemption	AB 671	Enacted	48
Peace Officer Training	SB 832	Enacted	49
Peace Officer Training: Course Approval	SB 747	Enacted	49
Private Bicycle Registration Services	SB 1206	Vetoed	49
Private Investigators	AB 1985	Enacted	48
Private Security Services	SB 1252	Enacted	50
Repossession Services: Regulation	SB 378	Enacted	49
Security Guard Training Facilities	AB 1898	Enacted	48
Security Guards: Temporary Permits	SB 2123	Enacted	50
Security Officers and Security Guards: Licensure Exemption	SB 1163	Enacted	49
Security Professionals: Criminal Background Check	AB 341	Enacted	48

(32) Smog Check (Bureau of Automobile Repair)

Smog Check Inspection Requirements for Kit Cars	SB 1811	Vetoed	51
Smog Check Program: Exemptions and Repair Assistance	AB 1105	Enacted	50
Smog Check Program: Remote Sensing Equipment	SB 1301	Enacted	51
Smog Check Program: Study	SB 1056	Enacted	50
Smog Check Program: Test-Only Inspections	SB 1719	Failed	51
Smog Check Testing Requirements	SB 1288	Enacted	51
Smog Impact Fee Refunds	AB 809	Enacted	50
Smog Impact Fee Refunds	SB 215	Enacted	50
Vehicle Retirement Programs	SB 1058	Failed	51

(33) Speech-Language Pathology & Audiology

Board Issues	AB 2888	Enacted	51
Board Issues	SB 1308	Enacted	51
Speech-Language Pathology and Audiology Board	AB 124	Enacted	51

(34) Structural Pest Control

Board: Sunset Review	SB 2033	Enacted	52
Board Issues	SB 1307	Enacted	52
Continuing Education	SB 1639	Withdrawn	52
Structural Pest Control: Unlicensed Solicitation	AB 693	Enacted	52

(35) Sunset Review

Contractors State License Board: Sunset Review	SB 2029	Enacted	52
Court Reporters Board: Sunset Review	SB 2032	Enacted	53
Engineers and Land Surveyors Board: Sunset Review	SB 2030	Enacted	52
Structural Pest Control Board: Sunset Review	SB 2033	Enacted	53
Various Boards/Bureaus: Sunset Review	SB 2028	Enacted	52

Various Boards: Sunset Review	SB 2031	Vetoed	52
Various Boards: Sunset Review	SB 2034	Enacted	53

(36) Telephone Medical Advice Services

Telephone Medical Advice Services	AB 285	Enacted	53
Telephone Medical Advice Services	AB 2903	Enacted	53

(37) Veterinary Medicine

Veterinary Medicine: Continuing Education	SB 1620	Enacted	54
Veterinary Medicine: Equine Massage	AB 2042	Failed	53
Veterinary Medicine: Foreign Schools	AB 2842	Failed	53
Veterinary Medicine Records	SB 490	Enacted	53

(38) Vocational Nurses & Psychiatric Technicians

Board Issues	SB 1308	Enacted	54
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C. DCA ADMINISTRATION

(1) New Programs

Cultural and Linguistic Competency Task Force	AB 2394	Enacted	54
Internet Disclosure of Licensee Information	SB 1308	Enacted	55
Internet: Licensee Information	SB 1889	Enacted	55
Occupational Therapists: New Licensing Program	SB 1046	Enacted	55
Office of Privacy Protection	SB 129	Enacted	54
Sunset Review	SB 1306	Enacted	55
Sunset Review	SB 1307	Enacted	55
Sunset Review	SB 2028	Enacted	55

(2) General Administration

Administrative Adjudication: Decisions	AB 1692	Enacted	57
Administrative Procedures	AB 505	Enacted	56
Administrative Procedure Act	AB 1822	Enacted	57
Child Support Enforcement	SB 240	Enacted	58
Civil Rights Protections	AB 1001	Enacted	56
Employee Computer Records	SB 1016	Vetoed	58
Employee Computer Records	SB 1822	Vetoed	59
Employee Conduct	AB 1856	Enacted	57
Employee Rights	AB 1670	Enacted	57
Employee Rights	AB 2222	Enacted	57
Employee Rights	SB 1327	Enacted	59
Employees: Inspection of Personnel Records	SB 172	Vetoed	58
Employment: Sick Leave	AB 109	Enacted	55
Grant Information Act of 1999	AB 187	Enacted	56
Internet: Licensee Information	SB 1889	Enacted	59
Maintenance of the Codes	SB 966	Enacted	58
Public Employees: Whistleblowing	AB 1412	Enacted	56

Public Records: Appeal of Denials	SB 48	Vetoed	58
Public Records: Appeal of Denials	SB 2027	Vetoed	59
Public Records: Electronic Format	AB 2799	Enacted	57
Public Records: Electronic Format	SB 1065	Vetoed	59
Public Safety Officers: Personnel Reports	AB 2267	Enacted	57
State Agency Meetings: Internet Notice	AB 1234	Enacted	56
State Agency Recycling	AB 75	Enacted	55
State Agency Reports: Internet Posting	AB 1759	Vetoed	57
State Employees: Disclosure of Improper Activities	SB 951	Enacted	58
State Government: Year 2000 Problem	AB 724	Enacted	56

NOTES

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DEPARTMENT OF CONSUMER AFFAIRS
LEGISLATIVE DIGEST
1999/2000 Legislative Session

A. CONSUMER PROTECTION

(1) AUTOMOBILES/LEMON LAW

<u>Bill/Author</u>	<u>Title/Description</u>	<u>Disposition</u>
AB 159 Floyd	<u>Vehicle Dealers: Licensure</u> Requires a written examination for individuals selling used vehicles on a retail or wholesale basis only and expressly excludes automobile dismantlers, motorcycle dealers, and trailer dealers. This statute also excludes from the total advertised price of the vehicle, emission testing fees not exceeding \$50 and the actual fees charged for the certificates pursuant to statute.	Chapter 230 Statutes of 1999
AB 509 Calderon	<u>Insurance: Automotive Lubricant Product Warranties</u> Excludes automobile lubricant warranties from the definition of automobile insurance.	Chapter 238 Statutes of 1999
AB 1290 Davis	<u>Lemon Law Protection: New Motor Vehicle Warranties</u> Enhances lemon law protection by increasing the time period during which an automobile can be declared a "lemon" from 12 months/12,000 miles to 18 months/18,000 miles.	Chapter 448 Statutes of 1999
AB 1471 Havice	<u>Vehicle Air Bags</u> Prohibits the reuse of previously deployed air bags.	Chapter 449 Statutes of 1999
AB 1778 Lowenthal	<u>Consumer Notification: Vehicle Replacement Parts</u> Requires automotive repair dealers to disclose to customers on the estimate and on the final invoice whether the parts used to repair their vehicles are original manufacturer parts or after-market parts. Under the provisions of this statute, a customer still retains the right to refuse to have after-market parts installed on his/her vehicle. Also, allows a consumer to approve increases in the original estimated price via facsimile transmission or electronic mail.	Chapter 336 Statutes of 2000
AB 2517 Shelley	<u>Gag Orders on Dealer Buyback Vehicles</u> Prohibits new motor vehicle dealers from requiring that consumers sign a confidentiality statement (gag order) as a condition of dealer repurchase (buyback) of a vehicle as part of a warranty settlement or arbitration decision.	Chapter 258 Statutes of 2000

AB 2729
Wesson

Towing Services

Prohibits kickbacks between tow truck operators and automotive repair shops.

Chapter 641
Statutes of 2000

SB 1718
Sher

Lemon Law Protection: New Motor Vehicle Warranties

1) Enhances lemon law protection for consumers and small businesses by reducing the number of failed repair attempts required for a vehicle to be considered a lemon from four to two on defects likely to cause death or serious bodily injury, and 2) expands lemon law protections to vehicles with a manufacturer's weight rating of less than 10,000 pounds that are bought or used primarily for business.

Chapter 679
Statutes of 2000

(2) BUSINESS PRACTICES

AB 1138
Strom-Martin

Unlawful Practice of Law: Living Trusts

Would have helped stop consumer harm created by living trust mills. Specifically, the bill would have provided consumers redress for financial losses incurred through investments in fraudulent estate planning services.

Failed on
Assembly Floor

AB 1231
Machado

Misleading Advertising: Coupons

Makes it unlawful for any person to offer a coupon described as "free" or as a "gift", "prize", or other similar term if: (1) the recipient of the coupon has to pay money or buy any good or service to obtain or use the coupon; and (2) the person offering the coupon or anyone honoring the coupon made the majority of his or her sales in the preceding year in connection with one or more "free", "gift", "prize", or other similar coupons.

Chapter 907
Statutes of 1999

AB 1375
House

Florists: Business Location Representations

Would have prohibited florists from misrepresenting the geographic location of their businesses.

Vetoed

AB 1816
Wayne

Simulated Checks

Provides additional consumer protections against deceptive and misleading business practices that are prevalent in the sweepstakes industry and senior scams by definitively prohibiting the use of simulated checks in the State of California.

Chapter 185
Statutes of 2000

AB 2263
Correa

Self-Service Storage Facilities

Allows self-storage facilities to assess a reasonable late payment fee for delinquent rental payments.

Chapter 156
Statutes of 2000

AB 2699
Cox

Seller Assisted Marketing Plans

Provides that a product distributorship that meets specified requirements is not a seller assisted marketing plan.

Chapter 413
Statutes of 2000

AB 2725
Wesson

Going-Out-Of-Business Sales

Vetoed

Would have established time limitations and advertising guidelines for going-out-of-business sales and prohibited merchants from adding additional inventory during a sale. The intent of this bill was to curtail fraudulent advertising practices used to lure consumers into a store that is not actually going out of business.

SB 99
Hughes

Home Improvement Contracts: At-Risk Buyers

Vetoed

Would have required sellers of home improvement contracts to: 1) assess the ability of a consumer to pay for the contract, and 2) send those buyers who meet the criteria of "at-risk" to financial counseling.

SB 185
Peace

Billing Practices: Customer Marital Status

Chapter 343
Statutes of 1999

Prohibits any business from using words that reference an individual's marital status as part of the mailing address on a billing statement, related correspondence, enclosing envelope, or any solicitation for new business.

SB 187
Hughes

Home Improvement Contracts

Chapter 512
Statutes of 1999

Prohibits home improvement contracts from including a security interest in the buyer's residence if the buyer is 65 years of age or older. The statute also increases penalties for violations of existing law relating to home equity fraud.

SB 1171
Johnson

Hotels: Operator Rights

Chapter 354
Statutes of 1999

Makes it unfair competition for any person to distribute solicitations at a hotel under specified conditions; allows an innkeeper to evict a guest if the guest refuses or fails to leave the guestroom at the posted checkout time; and requires a minor's parent, guardian or other responsible adult to assume full liability for the minor's charges and actions at a hotel.

SB 1359
Karnette

Charities: Unfair Business Practices

Vetoed

This Attorney General-sponsored bill would have subjected currently exempted nonprofit charities and persons selling intangibles (insurance policies, investments) to the disclosure requirements of the Unfair Business Practices Act.

SB 1520
Schiff

Pawn Shops and Coin Dealers

Chapter 994
Statutes of 2000

Requires the Department of Justice and local law enforcement agencies, in consultation with coin and secondhand dealer (pawnshop) representatives, to develop a statewide standard electronic transmission format for required daily reports of property transactions.

SB 1606
Speier

Sellers of Travel

Vetoed

Would have required the Attorney General to provide information about the Sellers of Travel Law and services provided by the Travel Consumers Restitution Corporation on its Internet website. The bill would also have required the Trade and Commerce Agency to

promulgate regulations governing how it provides website links and referrals on its toll-free telephone number to other non-governmental (commercial) entities.

SB 1744
Murray

Health Clubs

Vetoed

Would have allowed health clubs to enter into contracts over the \$1,000 limit currently imposed under existing law.

SB 1885
Johnston

Pawnbroker Fees

Chapter 128
Statutes of 2000

Revises pawnbroker loan fees as set in statute.

(3) COURT SYSTEM AND LEGAL SERVICES

AB 239
Kalोगian

Estates and Trusts

Chapter 175
Statutes of 1999

As an omnibus statute, makes various non-controversial and technical changes to the Probate Code. This is one of several probate law bills sponsored by the Estate Planning, Trust and Probate Law Section of the California State Bar.

AB 526
Zettel

Elder and Dependent Abuse

Chapter 383
Statutes of 1999

Creates an exception to the hearsay rule for certain statements by elder and dependent adults who are victims of abuse.

AB 925
Hertzberg

Conservators: Statewide Registry

Chapter 409
Statutes of 1999

Creates a Statewide Registry (Registry) for private conservators and guardians. Requires the Department of Justice to maintain the Registry, and to make all information in the Registry available to the court for any purpose, but to otherwise keep such information confidential. Requires conservators and guardians to register with the Registry and re-register every three years thereafter.

AB 1042
Cedillo

State Bar: Admissions Qualifications (Baby Bar)

Vetoed

Would have eliminated the Baby Bar requirement for unaccredited law school students as a condition of attorney licensure.

AB 1051
Kalोगian

Estate Law: Technical Clean-up

Chapter 263
Statutes of 1999

Clarifies provisions in the Family Code regarding inter-spousal agreements involving community and quasi community property; makes technical amendments in the Probate Code; and removes a redundancy in the requirement of proving actual knowledge by both attorney and client that the decedent's estate is being administered. These technical amendments were recommended by the Estate Planning and Probate Law Section of the State Bar of California.

AB 1138 Strom-Martin	<u>Unlawful Practice of Law: Living Trusts</u> Would have helped stop consumer harm created by living trust mills. Specifically, the bill would have provided consumers redress for financial losses incurred through investments in fraudulent estate planning services.	Failed on Assembly Floor
AB 1361 Aroner	<u>Small Claims Court Fees</u> Would have authorized each county board of supervisors to fully fund the small claims advisors clinic; increase the small claims filing fee by up to five dollars; and conduct an annual review of small claims court filings to determine whether the fee increase should be continued.	Vetoed
AB 1761 Brewer	<u>Paralegals</u> Creates title protection for paralegals by establishing the qualifications for practice and making it unlawful for any person not meeting those qualifications to call him/herself a paralegal.	Chapter 439 Statutes of 2000
AB 1858 Romero	<u>Immigration Consultants</u> Requires immigration consultants to disclose in all advertising that they are not attorneys, and increases the civil penalties for violation of immigration consultant law from \$10,000 to \$100,000.	Chapter 674 Statutes of 2000
AB 2687 Margett	<u>Notaries Public: Immigration Consultant Services</u> Makes technical and clarifying changes regarding the regulation of notaries public and immigration consultants.	Chapter 194 Statutes of 2000
AB 2810 Pacheco, Robert	<u>Legal Document and Unlawful Detainer Assistants</u> This urgency statute clarifies that, although legal document assistants and unlawful detainer assistants must register in every county in which they do business, only one statewide bond of \$25,000 must be posted. Urgency Statute Effective 9/11/00	Chapter 386 Statutes of 2000
SB 72 Murray	<u>Lawyers: Financial Services to the Elderly</u> Permits attorneys, while acting as fiduciaries, to sell financial products to a client who is an elderly or dependent adult with whom the lawyer has, or has had within the preceding three years, an attorney-client relationship, if specific conditions are met.	Chapter 454 Statutes of 1999
SB 143 Burton	<u>State Bar: Attorneys Discipline System</u> Makes various changes to provisions regarding an attorney's rights during disciplinary investigations and proceedings. In addition, this statute changes the appointment authority of the State Bar Court and changes the composition of the Review Department of the State Bar Court.	Chapter 221 Statutes of 1999
SB 144 Schiff	<u>State Bar</u> 1) Establishes 2000 State Bar membership dues of \$395; 2) makes the State Bar's Conference of Delegates and other State Bar sections self-funded; 3) reduces the requirement of continuing education; 4)	Chapter 342 Statutes of 1999

requires the State Bar to contract with an independent accounting firm to conduct a financial audit of Bar expenses each fiscal year; 5) requires the State Bar to contract with the Bureau of State Audits to conduct a biannual performance audit of the State Bar's operations; and 6) places a \$50,000 limit on specified contracts for goods and services.

SB 1367
Schiff

State Bar Funding

Extends funding for the State Bar until January 1, 2002.

Chapter 118
Statutes of 2000

SB 1420
Burton

State Bar Court

Makes technical changes relating to the appointment of State Bar Court judges and the State Bar Court's disciplinary appeals process, and requires the State Bar to review its workload standards for effectiveness and efficiency and report its findings to the Legislature.

Chapter 246
Statutes of 2000

SB 1927
Haynes

Legal Document Assistants

Would have allowed legal document assistants who limit their practice to Riverside County and whose practice consists solely of assisting in small claims matters to only post a \$5,000 bond, rather than the \$25,000 bond required elsewhere in the State.

Vetoed

(4) CREDIT AND FINANCIAL SERVICES

AB 758
Thomson

Consumer Credit Reporting Agencies

Conforms the California Consumer Credit Reporting Agencies Act to the federal Fair Credit Reporting Act by only allowing prevailing plaintiffs (instead of prevailing parties) to recover court costs and reasonable attorney's fees with regard to a consumer who files a claim against a consumer credit reporting agency; discontinues the exemption for out-of-state creditors from the provisions of the California Consumer Credit Reporting Agencies Act; and allows a debt collector to recover attorney's fees if an action taken against a debt collector was not brought in good faith.

Chapter 836
Statutes of 1999

AB 969
Papan

Debt Collectors

1) Subjects debt collectors to federal law relating to fair debt collection practices; 2) allows a good faith defense for collectors who believed their actions were in compliance with the law; 3) excludes an employee from the initial disclosure requirements while that person is acting as a debt collector for another person, if both persons are related by common ownership or affiliated by corporate control; and 4) renames the Robbins-Rosenthal Fair Debt Collection Act as the Rosenthal Fair Debt Collection Act.

Chapter 319
Statutes of 1999

AB 1454
Assembly
Insurance

Mortgage Loans: Hazard Insurance

Beginning July 1, 2000, expands the restriction against excess coverage requirements to include a requirement that the lender provide written notice to the borrower before the execution of any note or security document containing specified disclosures.

Chapter 412
Statutes of 1999

AB 1816
Wayne

Simulated Checks

Provides additional consumer protections against deceptive and misleading business practices that are prevalent in the sweepstakes industry and senior scams by definitively prohibiting the use of simulated checks in the State of California.

Chapter 185
Statutes of 2000

AB 1963
Hertzberg

Credit Cards: Minimum Payment Disclosure

Would have required credit card issuers to provide information on each billing statement, disclosing the number of months and total amount it would take to pay off an entire balance if only monthly minimum payments are made.

Vetoed

AB 1973
Wesson

Payday Loans

Would have increased the maximum transaction amount for payday loans, capped transaction fees, and required payday loan businesses to provide consumer credit counseling information to customers. This bill would have also required the Department of Justice to maintain a toll-free consumer number for complaints against check cashing agencies, and to compile and submit an annual report to the Legislature on the activities of check cashers.

Failed in
Senate Judiciary
Committee

AB 2869
Machado

Credit Cards: Privacy Opt-Out Disclosure

Requires credit card issuers to include in written consumer notices both a preprinted form and a toll-free number to be used by customers to prohibit disclosure of their personal information for marketing purposes. This statute also modifies the definition of "marketing information" to include information that is provided to a subsidiary or affiliate organization of the company.

Chapter 977
Statutes of 2000

SB 219
Peace

Debt Collection

Changes the "assignment for the benefit of creditors" procedure by increasing the amount of unsecured claims from \$2,000 to \$4,300 with regard to wages, salaries, or commissions, including vacation, severance, sick leave pay, and sales commissions as specified. Also establishes an exemption for alimony, maintenance or support of the debtor's spouse and children, as well as extends the period for perfection of purchase money security interests from 10 to 20 days.

Chapter 202
Statutes of 1999

SB 313
Figueroa

Debit Card Liability

Provides that consumers shall only be held liable for up to \$50 for unauthorized use of their debit card under specified conditions.

Chapter 244
Statutes of 1999

**SB 317
Leslie**

Financial Institutions: Year 2000 Problem

Enacts the California Consumer's Year 2000 (Y2K) Financial Protection Act (Act). The Act establishes standards for the resolution of errors caused by any Y2K problem. The statute prohibits financial institutions from imposing any fee, charge, or penalty on consumers as a result of a Y2K problem, and to reimburse problem-related charges imposed by third parties.

**Chapter 513
Statutes of 1999**

**SB 545
Dunn**

Pre-Printed Checks: Consumer Notice

Effective July 1, 2000, this statute requires any credit card issuer that extends credit to a cardholder through the use of a preprinted check to provide specific information attached directly to the check that explains the terms and conditions of use.

**Chapter 171
Statutes of 1999**

**SB 930
Hughes**

Credit Card Fraud

Requires a credit card issuer who solicits a consumer and receives a completed application that contains an address that is different from the address on the original solicitation to verify the change of address by contacting the consumer. This statute also prohibits specified entities that accept credit cards from printing more than the last five digits of the credit card account number or the expiration date on receipts as specified.

**Chapter 423
Statutes of 1999**

**SB 1501
Perata**

Payday Loans

Would have regulated payday loan businesses through the Department of Financial Institutions (DFI), and established a \$25,000 bonding requirement for them. The DFI would have been required to maintain a toll-free telephone number for consumer complaints. The bill also would have capped the amount of the loan and associated fees. The bill also would have required specified consumer disclosure and notices.

**Failed in
Assembly
Banking and
Finance
Committee**

**SB 1607
Figueroa**

Credit Scores

Requires a consumer credit reporting agency to disclose credit scoring criteria, and the accompanying reason codes, to consumers applying for home loans.

**Chapter 978
Statutes of 2000**

**SB 2166
Sher**

Credit Reports

Conforms state law to federal law by prohibiting a consumer credit reporting agency from including medical information provided for insurance purposes in a consumer credit report.

**Chapter 1012
Statutes of 2000**

(5) HEALTH & SAFETY

**AB 751
Gallegos**

Dangerous Drugs and Devices

Makes it a misdemeanor for any person to illegally furnish any material represented as, or presented in lieu of, any dangerous drug or dangerous device. Also, extends local health officers' authority to take action against unlicensed persons dispensing or furnishing prescription drugs. **Urgency Statute Effective 09/08/00**

**Chapter 350
Statutes of 2000**

AB 2611
Gallegos

Emergency Room/On-call Coverage

Chapter 828
Statutes of 2000

Funds a study of hospital emergency room on-call coverage to address concerns relating to the availability of specialists to consult with physicians who treat patients in emergency room settings.

SB 370
Burton

Abortion

Chapter 692
Statutes of 2000

Repeals three obsolete Penal Code sections relating to abortion and clarifies that any person who performs or assists in performing an abortion without a valid license to practice medicine is subject to criminal penalties under the Medical Practice Act.

SB 765
Schiff

Biological Specimen Storage

Chapter 748
Statutes of 1999

Requires licensed health care professionals who collect human biological specimens for clinical testing to secure those specimens in a locked container when the specimens are placed in a public location; and requires clinical laboratory employees who discover that a specimen was not properly secured, to notify the licensee and the appropriate licensing entity.

SB 911
Figueroa

Emergency Care: Automated External Defibrillator: Immunity From Liability

Chapter 163
Statutes of 1999

Provides immunity from civil liability for trained persons who use an automated external defibrillator in rendering emergency care or treatment at the scene of an emergency. The immunity does not apply in cases of personal injury or wrongful death resulting from gross negligence or willful misconduct.

SB 989
Sher

Underground Pollution: MTBE

Chapter 812
Statutes of 1999

Requires the Contractors State License Board to review its examination requirements for contractors who install and remove underground storage tanks; requires development of a timetable for eliminating the use of methyl tertiary butyl ether (MTBE) in motor vehicle fuel at the earliest possible date; increases the monitoring and containment requirements for certain tanks; and increases financial assistance for upgrading underground tanks.

SB 1630
Hayden

Reproductive Technology

Vetoed

Would have provided for the regulation of physicians and health facilities that perform assisted reproductive technology.

**(6) HEALTH CARE/HEALTH MAINTENANCE ORGANIZATIONS/
MANAGED CARE**

AB 12
Davis

Health Coverage: Second Opinions

Chapter 531
Statutes of 1999

Requires health care service plans and certain disability insurers to provide or authorize a second opinion by an appropriately qualified health care professional if requested by the patient.

AB 39 Hertzberg	<u>Contraceptive Drug Coverage</u>	Chapter 532 Statutes of 1999
	Requires every group health care service plan contract and every individual health care service plan to provide coverage for prescription contraceptives. The statute exempts certain religious employers from this requirement.	
AB 55 Migden	<u>Independent Medical Review of Medical Decisions</u>	Chapter 533 Statutes of 1999
	Requires every health care service plan to provide an enrollee with the opportunity to seek an independent medical review whenever health care services have been denied, modified, or delayed by the plan or by one of its contracting providers if the decision was based on a finding that the proposed services are not medically necessary. The statute establishes an independent medical review system whereby requests for reviews shall be conducted by an independent medical review organization, as specified.	
AB 58 Davis	<u>HMOs: Medical Directors: California Licensure</u>	Vetoed
	Would have required California licensure for physicians and other healthcare providers who make decisions regarding the medical necessity or appropriateness of health care services for California residents and would have revised the membership of the Medical Board and Dental Board.	
AB 78 Gallegos	<u>Department of Managed Health Care</u>	Chapter 525 Statutes of 1999
	Establishes the Department of Managed Health Care in the Business, Transportation, and Housing Agency. Transfers responsibility for the regulation of health care service plans from the Department of Corporations to the Department of Managed Care. Also establishes an Office of Patient Advocate to provide educational material to plan enrollees and to render advice and assistance to enrollees.	
AB 88 Thomson	<u>Health Coverage: Mental Illness</u>	Chapter 534 Statutes of 1999
	Requires health care service plan contracts and disability insurance policies to provide coverage for the diagnosis and medically necessary treatment of certain severe mental illnesses and of serious emotional disturbances of a child. The statute does not apply to the Medi-Cal program.	
AB 285 Corbett	<u>Telephone Medical Advice Services</u>	Chapter 535 Statutes of 1999
	Requires in-state and out-of-state business entities engaged in the business of providing telephone medical advice services to a patient in California to register with the newly created Telephone Medical Advice Services Bureau within the Department of Consumer Affairs.	
AB 892 Alquist	<u>Health Coverage: Hospice Care</u>	Chapter 528 Statutes of 1999
	Defines basic health care services to include hospice care and requires health care service plans to provide hospice care that is equivalent to that provided by the federal Medicare program.	

AB 2797 Papan	<u>Insurance Information Privacy</u>	Chapter 278 Statutes of 2000
	Clarifies that insurers cannot share a customer's personal health information, medical history, or genetic history with financial institutions or other third parties for the purpose of a loan or extending any other form of credit.	
AB 2903 Assembly Health	<u>Telephone Medical Advice Services</u>	Chapter 857 Statutes of 2000
	Revises the registration requirements for telephone medical advice providers established by AB 285 by requiring registration only for those entities employing or contracting with five or more health care professionals to provide telephone medical advise.	
SB 5 Rainey	<u>Health Coverage: Breast Cancer Services</u>	Chapter 537 Statutes of 1999
	Requires health care service plan contracts, except specialized health care plan contracts and certain disability insurance policies, to provide coverage for breast cancer screening, diagnosis, and treatment. The statute further prohibits the denial of enrollment or coverage solely due to breast cancer.	
SB 19 Figueroa	<u>Medical Information Confidentiality</u>	Chapter 526 Statutes of 1999
	Enhances patient protection regarding the disclosure of medical information by providers of health care, as specified. The statute prohibits a health care service plan from conditioning health care services upon an enrollee waiving medical information confidentiality protections. The statute also prohibits any health care service plan or its contractors from using medical information for any commercial purposes.	
SB 21 Figueroa	<u>Health Care Service Plans: Patient Right to Sue</u>	Chapter 536 Statutes of 1999
	Provides health care service plan enrollees with the right to sue for harm caused by the failure to exercise ordinary care in the arranging for the provision of, or denial of, health care services in specified circumstances.	
SB 41 Speier	<u>Health Coverage: Contraceptives</u>	Chapter 538 Statutes of 1999
	Requires certain individual and group policies of disability insurance to provide coverage for a variety of approved prescription contraceptive methods. Provides an exemption for religious employers, as specified.	
SB 59 Perata	<u>Health Plans: Procedures for Authorizing/Denying Treatment</u>	Chapter 539 Statutes of 1999
	Requires health plans and health insurers to adopt and follow specified policies and procedures when determining whether to authorize or deny treatment, and requires adoption of a standard Medi-Cal notice form.	
SB 64 Solis	<u>Health Coverage: Diabetes</u>	Chapter 540 Statutes of 1999
	Requires health insurers to provide coverage for specified equipment, supplies, and prescription drugs for the management and treatment of diabetes when medically necessary.	

SB 148 Alpert	<u>Health Coverage: Phenylketonuria (PKU)</u> Requires health insurers to provide coverage for the testing and treatment of phenylketonuria (PKU).	Chapter 541 Statutes of 1999
SB 173 Alpert	<u>Discount Health Care Programs</u> Would have exempted discount health care programs from regulation under the Knox-Keene Act by providing for regulation under a different regulatory scheme.	Failed in Assembly Appropriations Committee
SB 189 Schiff	<u>Grievances: Independent Medical Review</u> Requires health plans to complete internal appeals within 30 days generally, or within 72 hours in cases where the enrollee's health is at risk; authorizes enrollees to seek independent review from an outside organization, selected by the Department of Corporations, for all denials; requires the independent review entity to complete its decision within 30 days; and directs the plans to promptly implement the review organization's recommendations.	Chapter 542 Statutes of 1999
SB 205 Perata	<u>Health Coverage: Cancer Screening Tests</u> Requires health care service plans and disability insurance policies, with specified exceptions, to provide coverage for all generally medically accepted cancer screening tests.	Chapter 543 Statutes of 1999
SB 260 Speier	<u>Risk-Bearing Organizations: Financial Solvency</u> Establishes an eight-member Financial Solvency Standards Board within the Department of Managed Health Care to take specified actions with regard to financial solvency and standards affecting the delivery of health care services.	Chapter 529 Statutes of 1999
SB 349 Figueroa	<u>Health Coverage: Psychiatric Emergency Services and Care</u> Redefines emergency services and care to include screening, examination, and evaluation to determine if a psychiatric emergency medical condition exists, and requires health plans to pay for these services.	Chapter 544 Statutes of 1999

(7) INSURANCE

AB 62 Papan	<u>Rental Car Insurance: Agent Licenses</u> Establishes licensure by the Department of Insurance for rental car insurance agents.	Chapter 618 Statutes of 1999
AB 393 Scott	<u>Insurance: Production Agencies</u> Clarifies that insurance agent licensing laws prevail in any conflict with other sections of the Insurance Code.	Chapter 321 Statutes of 2000
AB 481 Scott	<u>Insurance Commissioner Reform: Use of Settlement Funds</u> Would have required the Legislature's and the Governor's approval,	Vetoed

through the Budget Act, for any expenditure of the Department of Insurance's settlement funds on education and/or research.

AB 509
Calderon

Insurance: Automotive Lubricant Product Warranties

Chapter 238
Statutes of 1999

Excludes auto lubricant warranties from the definition of automobile insurance.

AB 802
Dutra

Insurance Policies: Disclosure of Finance Charges

Chapter 388
Statutes of 1999

Requires that every insurance policy and insurance premium billing statement contain disclosures of periodic finance charges and the annual percentage rate associated with those charges, as specified.

AB 1309
Scott

Insurance

Chapter 721
Statutes of 1999

This statute is a clean-up measure to SB 1237 (Escutia, Chapter 720, Statutes of 1999) which created: 1) a qualified right for a third party to commence an action against an insurer for unfair claims settlement practices, and 2) arbitration procedures for resolving claims of \$50,000 or less. AB 1309: 1) limits actions by third parties to actions by individuals who seek recovery for bodily injury, wrongful death, or property damage resulting from an incident involving a motor vehicle; 2) clarifies that an insurer can gain protection from bad faith liability by requesting, as well as by agreeing to, arbitration (subject to certain conditions); and 3) allows self-insured public employers to discharge workers' compensation obligations by purchasing a special excess workers' compensation policy.

AB 1848
Maddox

Automobile Insurance: Vehicle Inspections

Chapter 210
Statutes of 2000

Explicitly permits insurers to inspect a vehicle for which collision or comprehensive insurance is being issued.

AB 1979
Wesson

Insurance Claims

Chapter 470
Statutes of 2000

Exempts reinsurance contracts from the insurance claim advisory requirement regarding the consequences of making a false claim.

AB 2069
Corbett

Attorneys: Defense of Insureds

Chapter 472
Statutes of 2000

Requires the State Bar of California to conduct a study concerning the legal and professional responsibility issues that may arise when an attorney is hired by an insurer and that attorney subsequently represents a client in an action against the insurer.

AB 2251
Cox

Insurance Sales: Internet Disclosure

Chapter 211
Statutes of 2000

Requires insurance companies, agents, and brokers who advertise on the Internet to disclose their business name, state of residence, and license number or certificate of authority number.

AB 2594
Cox

Insurance Fraud

Chapter 843
Statutes of 2000

Substantially increases the penalties for insurance fraud perpetrated by organized crime rings that file fraudulent personal injury claims.

AB 2639 Calderon	<u>Insurance: Brokers Fees</u> Allows broker-agents who sell personal lines of insurance to charge broker fees for personal lines insurance transactions.	Chapter 1074 Statutes of 2000
AB 2797 Papan	<u>Insurance Information Privacy</u> Clarifies that insurers cannot share a customer's personal health information, medical history, or genetic history with financial institutions or other third parties for the purpose of a loan or extending any other form of credit.	Chapter 278 Statutes of 2000
AB 2904 Assembly Insurance	<u>Low-Cost Automobile Insurance</u> Allows driving experience outside the U.S. and Canada to count toward the three years of driving experience needed to participate in the low-cost automobile insurance pilot programs established by the Legislature in Los Angeles and San Francisco Counties. Urgency Statute Effective 9/30/00	Chapter 1033 Statutes of 2000
SB 171 Escutia	<u>Low-Cost Automobile Insurance</u> Establishes a pilot program to offer low-cost automobile insurance policies in Los Angeles.	Chapter 794 Statutes of 1999
SB 527 Speier	<u>Low-Cost Automobile Insurance</u> Establishes a pilot program to offer low-cost automobile insurance policies in San Francisco.	Chapter 807 Statutes of 1999
SB 622 Speier	<u>Earthquake Insurance</u> Would have codified current case law regarding the doctrines of inception of loss and equitable tolling, effectively extending the time allowed for earthquake victims to file insurance claims upon subsequent discovery of damages.	Held in Assembly Committee on Insurance
SB 953 Speier	<u>Insurance Commissioner Reform: Campaign Contributions</u> Would have limited campaign or other monetary contributions to the Insurance Commissioner or a candidate for the office of the Insurance Commissioner.	Failed on Assembly Floor
SB 1077 Burton	<u>Insurance: Agents and Brokers</u> Makes substantive changes to provisions of the Insurance Code relating to an insurer's authority to terminate or amend an agency or brokerage contract and responsibility to provide compensation for or continue coverage under a policy subject to contract termination.	Chapter 753 Statutes of 1999
SB 1237 Escutia	<u>Insurance Claims: Dispute Resolution</u> Creates: 1) a qualified right for a third party to commence an action against an insurer for unfair claims settlement practices; and 2) arbitration procedures for resolving claims of \$50,000 or less.	Chapter 720 Statutes of 1999
SB 1500 Burton	<u>Insurers: Unfair Practices</u> Requires the Insurance Commissioner, when issuing an order to show cause, to specify the reason(s) an act or practice is believed to be unfair or deceptive.	Chapter 280 Statutes of 2000

SB 1524 Figueroa	<u>Insurance Commissioner Reform: Restriction on Use of Fines and Penalties</u> Requires any Department of Insurance outreach activities paid for by insurance settlement funds to be germane to their source of funding.	Chapter 1089 Statutes of 2000
SB 1731 Lewis	<u>Automobile Insurance</u> Clarifies when and how automobile liability insurers may be exempt from participation in the California Automobile Assigned Risk Plan.	Chapter 175 Statutes of 2000
SB 1805 Escutia	<u>Insurance Commissioner Reform: Market Conduct Examinations</u> Requires the Department of Insurance to make public all adopted market conduct examinations pertaining to unfair or deceptive insurance practices.	Chapter 997 Statutes of 2000
SB 1899 Burton	<u>Earthquake Insurance: Extension for Filing Claims</u> Provides victims of the 1994 Northridge earthquake an additional year to file claims for their quake-related damages.	Chapter 1090 Statutes of 2000
SB 1988 Speier	<u>Insurance Fraud</u> Among other things, requires the Bureau of Automotive Repair to establish a pilot program to inspect vehicles for fraudulent repairs after having been involved in a collision and to prepare a report to the Legislature. Also, requires automobile insurers to provide policyholders with a consumer bill of rights.	Chapter 867 Statutes of 2000
SB 2107 Speier	<u>Insurance Commissioner Reform: Use of Settlement Funds</u> Requires that Department of Insurance settlements must be approved by the Commissioner, be transmitted to the State Treasurer, be only used to pay claims to victims of insurance company claims payment violations, and not be used to produce materials featuring the Commissioner.	Chapter 1091 Statutes of 2000

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

AB 333 Papan	<u>Internet Escrow Transactions</u> Defines Internet escrow transactions and provides guidelines for their use.	Chapter 437 Statutes of 2000
AB 991 Papan	<u>Internet Access: Line Sharing</u> Enacts the California High Speed Internet Access Act of 1999. Specifically, this statute requires the Public Utilities Commission to monitor and participate in federal proceedings addressing whether to require local telephone companies to permit line sharing by companies offering high-speed data services.	Chapter 714 Statutes of 1999
AB 1234 Shelley	<u>State Agency Meetings: Internet Notice</u> Effective July 1, 2001, requires all state agency meeting notices to be posted on the Internet in addition to the existing written notice procedure. The written meetings notice must include the address of	Chapter 393 Statutes of 1999

the Internet site where the meeting notices are available. Additionally, the statute expands the filing period for an action taken for the purpose of obtaining a judicial determination on actions taken by a state body from 30 to 90 days.

AB 1759
Papan

State Agency Reports: Internet Posting

Vetoed

Would have required every state agency to post on its website a list of all its reports and studies.

AB 2251
Cox

Insurance Sales: Internet Disclosure

Chapter 211
Statutes of 2000

Requires insurance companies, agents, and brokers who advertise on the Internet to disclose their business name, state of residence, and license number or certificate of authority number.

AB 2799
Shelley

Public Records: Electronic Format

Chapter 982
Statutes of 2000

Requires governmental agencies to provide public records held in an electronic format to the public in an electronic format. The bill also requires public agencies to justify, in writing, the withholding of a public record.

AB 2833
Alquist

Licensing Information: Internet Disclosure

Withdrawn by
Author

Would have required the Contractors State License Board to publish on its Internet website a listing of the names and business addresses of its licensed contractors and information regarding any disciplinary action, pending investigation, or dispute mediation against a licensee. The bill also would have required a new mediation process.

SB 1016
Bowen

Employee Computer Records

Vetoed

Would have prohibited an employer from secretly monitoring the electronic mail or other personal computer records of an employee. Would have required an employer who intends to inspect, review, or retain any personal electronic mail or any other personal computer records of an employee to prepare and distribute a workplace privacy and electronic monitoring policy to all employees.

SB 1065
Bowen

Public Records: Electronic Format

Vetoed

Would have clarified that the direct costs of copying public records include the costs associated with duplicating electronic records. Records held by the Department of Motor Vehicles, to which access is otherwise restricted, were exempted from these provisions. Would have amended the Public Records Act to require state and local agencies to make public records available in an electronic format upon request.

SB 1319
Burton

Cyberpiracy

Chapter 218
Statutes of 2000

Prohibits an individual from using an internet domain name that is identical or confusingly similar to the name of another person, living or deceased, if the name is used with bad faith intent.

SB 1599 Bowen	<u>Interactive Television</u> Would have regulated the emerging technology of interactive television services (such as Web-TV) by prohibiting video providers from using electronic devices to monitor their customers' activities without written consent.	Withdrawn by Author
SB 1712 Polanco	<u>Universal Telephone Service</u> Requires the Public Utilities Commission to examine the feasibility of redefining and expanding universal telephone service to include telecommunications technologies such as voice, video, and data service.	Chapter 943 Statutes of 2000
SB 1822 Bowen	<u>Employee Computer Records</u> Would have prohibited all employers, including state agencies, from secretly monitoring their employees' electronic mail (e-mail) or other computer records without prior notification. Would have required employers to compile and distribute workplace privacy and electronic monitoring policies and practices to all employees.	Vetoed
SB 1828 Speier	<u>Internet Prescriptions</u> Prohibits the furnishing of drugs over the Internet without a prior medical examination, medical indication, or prescription.	Chapter 681 Statutes of 2000
SB 1889 Figueroa	<u>Internet: Licensee Information</u> Allows licensees of specified Department of Consumer Affairs boards/bureaus to provide a post office box number or other alternate address, instead of his or her home address, as the address of record for purposes of Internet disclosure to the public. Also specifies that boards/bureaus preserve the authority to require a physical business or home address when a licensee provides a post office box or alternate address as the address of record.	Chapter 927 Statutes of 2000

(9) MISCELLANEOUS CONSUMER ISSUES
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AB 15 Gallegos	<u>School Buses: Seatbelts</u> Requires all California school buses manufactured after January 1, 2002 to be equipped with seatbelts.	Chapter 648 Statutes of 1999
AB 850 Torlakson	<u>Amusement Rides: Safety</u> Establishes state regulation through the Division of Occupational and Safety within the Department of Industrial Relations of permanent amusement rides at amusement parks (roller coasters, water slides, etc.), and excludes slides, playground equipment, certain parks, and entities from the program.	Chapter 585 Statutes of 1999

AB 951 Wiggins	<u>Bay Pilots: Rates</u>	Chapter 261 Statutes of 1999
	Increases the rate that bay pilots may charge for navigational services provided to vessels entering or leaving specified bays, including the bay of San Francisco. The increase was negotiated and agreed to by the pilots and the shipping industry and recommended by the Board of Pilot Commissioners.	
AB 1625 Cardoza	<u>Recovery of Unclaimed Property</u>	Vetoed
	Would have allowed only licensed private investigators, attorneys, public accountants, and licensed persons owing a fiduciary duty to a property owner to recover unclaimed property that has reverted to the State.	
AB 1816 Wayne	<u>Simulated Checks</u>	Chapter 185 Statutes of 2000
	Provides additional consumer protections against deceptive and misleading business practices that are prevalent in the sweepstakes industry and senior scams by definitively prohibiting the use of simulated checks in the State of California.	
AB 1823 Dutra	<u>Common Interest Developments: Disciplinary Actions</u>	Chapter 257 Statutes of 2000
	Requires common interest development associations to notify a homeowner when the board of directors meets to consider disciplinary action for the homeowner's alleged violation of the governing documents. Also, requires a disciplined homeowner to provide a prospective purchaser with a notice of any unpaid monetary fines or penalties and of any unresolved violations.	
SB 209 Burton	<u>Deceased Personalities Identity</u>	Chapter 998 Statutes of 1999
	Requires consent from the heirs of a deceased personality prior to the use of a deceased personality's name, voice, signature, photograph, or likeness in a product, article of merchandise, goods, or service. Protects a deceased personality's name, voice, signature, photograph, or likeness for commercial purposes for 70 years, instead of 50 years, after death.	
SB 287 Baca	<u>Peace Officer Training: Foreign Nationals</u>	Chapter 268 Statutes of 1999
	Requires peace officers to receive training on the 1963 Vienna Convention on Consular Relations Treaty. Additionally, requires peace officers to advise foreign nationals of their right to communicate with an official from the consulate of their country, and to notify the arrested person's consulate officers of the arrest.	
SB 1109 Burton	<u>Bay Pilots: Immunity From Liability</u>	Chapter 786 Statutes of 2000
	Establishes a liability indemnification process for the state-licensed maritime pilots who serve the Bays of San Francisco, San Pablo, and Suisun.	
SB 1359 Karnette	<u>Charities: Unfair Business Practices</u>	Vetoed
	This Attorney General-sponsored bill would have subjected currently exempted nonprofit charities and persons selling intangibles	

(insurance policies, investments) to the disclosure requirements of the Unfair Business Practices Act.

SB 1384
Senate
Business &
Professions

CD/DVD Labeling

Modifies the recently enacted requirement that manufacturers place identifying marks on optical discs (CDs & DVDs). Specifically, this statute provides manufacturers with an additional option, which utilizes newly available technology, to protect optical discs against piracy and bootlegging.

Chapter 120
Statutes of 2000

SB 1745
Burton

Landlord/Tenant: Notice of Rent Increase

Requires landlords, until January 1, 2006, to provide tenants with additional notice of annual rent increases greater than ten percent.

Chapter 680
Statutes of 2000

SB 2143
Bowen

Landlords: Notice of Pest Control

Requires landlords to provide new tenants with a notice of scheduled pest control services.

Chapter 234
Statutes of 2000

SB 2144
Perata

Bay Pilots

Exempts incidents involving pilots aboard vessels of less than 300 gross tons from review and disciplinary action.

Chapter 394
Statutes of 2000

(10) NEW/PROPOSED REGULATORY PROGRAMS

AB 78
Gallegos

Department of Managed Health Care

Establishes the Department of Managed Health Care in the Business, Transportation, and Housing Agency. Transfers responsibility for the regulation of health care service plans from the Department of Corporations to the Department of Managed Health Care. Also establishes an Office of Patient Advocate to provide educational material to plan enrollees and to render advice and assistance to enrollees.

Chapter 525
Statutes of 1999

AB 285
Corbett

Telephone Medical Advice Services

Establishes state regulation of in-state and out-of-state business entities engaged in the business of providing telephone medical advice services to a patient in California by requiring them to register with the newly created Telephone Medical Advice Services Bureau within the Department of Consumer Affairs.

Chapter 535
Statutes of 1999

AB 931
Calderon

Electricians

Requires the Department of Industrial Relations to regulate electricians by January 1, 2001. The statute does not apply to persons working with electrical connections of less than 100 volt-amperes.

Chapter 781
Statutes of 1999

AB 1096
Romero

Interior Designers

Would have established state regulation of interior designers through a newly created nine-member Board of Interior Design within the

Vetoed

Department of Consumer Affairs. Also, would have repealed the existing state-sanctioned private certification program for interior designers, and established a title act to limit the use of the term "registered interior designer."

**AB 1761
Brewer**

Paralegals

Creates title protection for paralegals by establishing the qualifications for practice and making it unlawful for any person not meeting those qualifications to call him/herself a paralegal.

**Chapter 439
Statutes of 2000**

**AB 1893
Dutra**

Common Interest Developments

Would have established state regulation of managers of common interest developments through a new program within the Department of Consumer Affairs. The bill was subsequently amended to remove these provisions and instead related to mortgages and deeds of trust.

**Withdrawn by
the Author**

**AB 2355
Granlund**

Orthotists and Prosthetists

Would have established state regulation of orthotists and prosthetists through a newly created five-member Prosthetic and Orthotic Board within the Department of Consumer Affairs.

**Failed in Senate
Business and
Professions
Committee**

**SB 173
Alpert**

Discount Health Care Programs

Would have exempted discount health care programs from regulation under the Knox-Keene Act by providing for regulation under a different regulatory scheme.

**Failed in
Assembly
Appropriations
Committee**

**SB 1046
Murray**

Occupational Therapists: New Licensing Program

Creates a new Board of Occupational Therapy within the Department of Consumer Affairs to license and regulate occupational therapists and occupational therapy assistants in California.

**Chapter 697
Statutes of 2000**

**SB 1216
Hughes**

Home Inspectors

Would have required that any person representing him/herself as a home inspector pass a basic competency examination.

Vetoed

**SB 1287
Murray**

Occupational Therapists

Would have, effective July 1, 2000, provided for the licensure of occupational therapists and certification of occupational therapy assistants by the California Board of Occupational Therapy within the Department of Consumer Affairs.

Vetoed

**SB 1501
Perata**

Payday Loans

Would have regulated payday loan businesses through the Department of Financial Institutions (DFI), and established a \$25,000 bonding requirement for them. The DFI would have been required to maintain a toll-free telephone number for consumer complaints, and to develop notices and information that these businesses would be required to provide to consumers. The bill also would have capped the amount of the loan and associated fees.

**Failed in
Assembly
Banking and
Finance
Committee**

SB 1630 Hayden	<u>Reproductive Technology</u> Would have provided for the regulation of physicians and health facilities that perform assisted reproductive technology.	Vetoed
SB 1881 O'Connell	<u>Professional Fiduciaries</u> Would have required the Department of Consumer Affairs to conduct a study of professional fiduciaries and report its findings to the Governor and Legislature by December 1, 2002, and would have appropriated \$100,000 from the General Fund to conduct the study.	Vetoed
(11) PRIVACY/IDENTITY THEFT		
AB 416 Machado	<u>Medical Information Disclosure</u> Prohibits the release of patient outpatient psychotherapy information by a health care provider unless the party requesting the information submits a formal request, as specified.	Chapter 527 Statutes of 1999
AB 512 Maddox	<u>Department of Motor Vehicles Records: Access</u> Would have authorized private investigators and process servers to access confidential residential records held by the Department of Motor Vehicles. The information would have been obtained only through a registered DMV vendor.	Vetoed
AB 1707 Kuehl	<u>Financial Privacy</u> Would have prohibited the disclosure of personal financial information. Specifically, banks and other financial institutions would have been prohibited from disclosing information to third parties without prior written consent (opt-in).	Failed in Assembly Banking and Finance Committee
AB 1759 Papan	<u>State Agency Reports: Internet Posting</u> Please see AB 1759 on page 16 for summary.	Vetoed
AB 1862 Torlakson	<u>Identity Theft Database</u> Requires the Department of Justice to establish an identity theft database for use by law enforcement and victims.	Chapter 631 Statutes of 2000
AB 1897 Davis	<u>Identity Theft Remedies</u> Allows an identity theft victim to: 1) initiate a law enforcement investigation to help restore his/her identity, and 2) petition for an expedited court finding of factual innocence.	Chapter 956 Statutes of 2000
AB 1949 Hertzberg	<u>Identity Theft: Regional Centers Pilot Project</u> Would have appropriated \$3 million from the General Fund to the Department of Justice to administer a three-year pilot project establishing two special multi-jurisdictional regional identity theft units.	Vetoed
AB 2246 Wayne	<u>Customer Records Disposal</u> Requires businesses to take all reasonable steps possible to destroy customer records containing personal information prior to their disposal.	Chapter 1039 Statutes of 2000

AB 2462 R. Wright	<u>Identity Theft Remedies</u>	Would have allowed an identity theft victim to correct any criminal record resulting from identity theft, and would have required credit reporting agencies to permanently block any inaccurate information resulting from identity theft when a victim provides a valid copy of a Department of Motor Vehicles investigative report.	Failed in Senate Judiciary Committee
AB 2797 Papan	<u>Insurance Information Privacy</u>	Clarifies that insurers cannot share a customer's personal health information, medical history, or genetic history with financial institutions or other third parties for the purpose of a loan or extending any other form of credit.	Chapter 278 Statutes of 2000
SB 19 Figueroa	<u>Medical Information Confidentiality</u>	Enhances rules regarding the disclosure of medical information by providers of health care, as specified. The statute further prohibits a health care service plan from conditioning health care services upon an enrollee waiving medical information confidentiality protections. The statute also prohibits any health care service plan or its contractors from using medical information for any commercial purposes.	Chapter 526 Statutes of 1999
SB 71 Murray	<u>Personal Information Privacy</u>	Would have enacted the California Personal Information Privacy Bill of Rights to provide privacy protection to consumers.	Failed in Senate Judiciary Committee
SB 129 Peace	<u>Office of Privacy Protection</u>	Effective January 1, 2002, establishes an Office of Privacy Protection within the Department of Consumer Affairs (DCA) to serve as a central clearinghouse for privacy-related consumer complaints, education, and information. This statute also requires DCA to help facilitate coordination of local, state, and federal law enforcement agencies in identity theft and privacy-related criminal investigations. Implementation of this program is contingent upon annual Budget Act enactment and funding.	Chapter 984 Statutes of 2000
SB 926 Speier	<u>Personal Information: Supermarket Club Cards</u>	Establishes the Supermarket Club Card Disclosure Act of 1999, which prohibits a club card issuer from requesting the driver's license number or social security account number of an individual applying for a supermarket club card. Also, prohibits a club card issuer from selling or sharing a supermarket cardholder's name, address, telephone number, or other personal identification information. Provides a limited exemption to membership card stores.	Chapter 586 Statutes of 1999
SB 1016 Bowen	<u>Employee Computer Records</u>	Would have prohibited an employer from secretly monitoring the electronic mail or other personal computer records of an employee. Would have required an employer who intends to inspect, review, or retain any personal electronic mail or any other personal computer records of an employee to prepare and distribute a workplace privacy and electronic monitoring policy to all employees.	Vetoed

SB 1337 Speier	<u>Financial Privacy</u> Would have prohibited the disclosure of personal information by financial institutions. Specifically, banks, credit unions, trust companies, and industrial loan companies would have been prohibited from disclosing a consumer's personal information without prior written consent (opt-in).	Failed Senate Finance, Investment & International Trade Committee
SB 1365 Murray	<u>Identity Theft: Protection of Personal Information</u> Would have prohibited disclosure of the personal information of identity theft victims for direct marketing purposes against their wishes. The bill also would have imposed criminal sanctions on individuals who willfully disclose information about an identity theft victim for direct marketing purposes, and created causes of action for injunction and damages against individuals and businesses that violate the bill's provisions.	Failed in Senate Public Safety Committee
SB 1372 Leslie	<u>Financial Privacy</u> Would have allowed financial institutions to disclose a consumer's personal information unless the consumer affirmatively notified the financial institution not to do so (opt-out).	Failed in Senate Judiciary Committee
SB 1419 Haynes	<u>Medical Profiling</u> Would have prohibited any person, health care provider, or state agency from engaging in medical profiling for criminal characteristics without prior written consent.	Failed in Assembly Judiciary Committee
SB 1599 Bowen	<u>Interactive Television</u> Would have regulated the emerging technology of interactive television services (such as Web-TV) by prohibiting video providers from using electronic devices to monitor their customers' activities without written consent.	Withdrawn by Author
SB 1724 Dunn	<u>Tax Record Confidentiality</u> Provides protections for taxpayers by restricting the use and disclosure of personal tax return information by tax preparers, banks, and others who obtain such information, as well as by increasing the sanctions for unauthorized disclosures.	Chapter 1084 Statutes of 2000
SB 1767 Bowen	<u>Identity Theft: Credit Protection</u> Would have required credit reporting agencies to accept consumer identity theft fraud alerts on their existing toll-free telephone lines; prohibited creditors from extending new credit when a fraud alert is active; allowed a consumer to provide a written request to impose a freeze on his/her credit file; required credit grantors to provide the original fraudulent credit application within ten days of an identity theft victim's request; and prohibited the use of social security numbers as account numbers.	Failed in Assembly Banking and Finance Committee

SB 1822
Bowen

Employee Computer Records

Vetoed

Would have prohibited all employers, including state agencies, from secretly monitoring their employees' electronic mail (e-mail) or other computer records without prior notification. Would have required employers to compile and distribute workplace privacy and electronic monitoring policies and practices to all employees.

SB 1903
Speier

Medical Information Disclosure

Chapter 1066
Statutes of 2000

Restricts disclosure of medical information to corporations and their subsidiaries and affiliates. Also, requires a valid authorization for release of medical information, and allows patients to correct erroneous medical records.

(12) TELECOMMUNICATIONS

AB 406
Knox

New Area Codes: Telephone Number Assignment

Chapter 809
Statutes of 1999

Requires the Public Utilities Commission to conserve area codes by using existing telephone numbers.

AB 535
Reyes

Telecommunications Services

Chapter 384
Statutes of 1999

Requires local telephone service companies offering pay-per-use custom calling services to provide subscribers with information about the pay-per-use features and blocking options. The statute provides for a one-time bill adjustment for subscribers who incur a charge through inadvertent or unauthorized use of a pay-per-use feature.

AB 991
Papan

Internet Access: Line Sharing

Chapter 714
Statutes of 1999

Enacts the California High Speed Internet Access Act of 1999. Specifically, this statute requires the Public Utilities Commission to monitor and participate in federal proceedings addressing whether to require local telephone companies to permit line sharing by companies offering high-speed data services.

AB 994
R. Wright

Rural Telephone Cooperatives

Chapter 931
Statutes of 2000

Extends to January 1, 2005, existing law requiring the Public Utilities Commission to maintain a program to establish a local rate structure designed to reduce disparities in rates charged by small independent telephone corporations.

SB 1712
Polanco

Universal Telephone Service

Chapter 943
Statutes of 2000

Requires the Public Utilities Commission to examine the feasibility of redefining and expanding universal telephone service to include telecommunications technologies such as voice, video, and data service.

(13) UTILITIES

AB 265
Davis

Energy Rate Cost Cap

Establishes a cap on the wholesale cost of electricity for San Diego Gas and Electric Company customers. A prior version of the bill would have increased the maximum licensing fee for physicians from \$600 to \$690.

Chapter 328
Statutes of 2000

AB 1421
R. Wright

Gas and Electric Service

Provides that incumbent utilities are the mandatory provider of basic gas services to all "core" (residential and small commercial) customers. This statute prohibits the Public Utilities Commission from unbundling distribution related gas services, and essentially repeals the provisions of SB 1601 (Peace, Chapter 401, Statutes of 1998) which authorized the PUC to investigate unbundled gas services and make a recommendation to the Legislature prior to January 1, 2000.

Chapter 909
Statutes of 1999

B. PROFESSIONAL & BUSINESS REGULATIONS BY DCA BOARD, BUREAU, & PROGRAM

(1) ACCOUNTANCY, BOARD OF

AB 1677
Assembly
Consumer
Protection

Board Issues/ Sunset Extension

Changes the name of the Board to the California Board of Accountancy and makes other technical changes regarding license renewal. Extends the sunset date of the Board by one year to 2001.

Chapter 657
Statutes of 1999

AB 2889
Assembly
Consumer
Protection

Board Issues

Effective 9/30/00, corrects code references to reflect the name change from the State Board of Accountancy to the California Board of Accountancy, and makes various non-controversial technical changes to various statutes.

Chapter 1055
Statutes of 2000

SB 1306
Senate
Business &
Professions

Board: Sunset Extension

Extends the sunset date for the Board by one year to 2002.

Chapter 656
Statutes of 1999

SB 1863
Senate
Business &
Professions

Board Issues

Authorizes the California Board of Accountancy to take disciplinary action against persons who it suspects have cheated or subverted a licensing examination. This statute also contains provisions relating to architects and landscape architects.

Chapter 1054
Statutes of 2000

(2) ACUPUNCTURE BOARD

AB 1105
Jackson

Board Issues: Practical Exam

Eliminates the Acupuncture Board's authority to conduct a practical exam and substitutes the development of a written examination. In

Chapter 67
Statutes of 1999

addition, the statute contains provisions relating to the Smog Check Program.

AB 2888
Assembly
Consumer
Protection

Board Issues: Acupuncture Students

Increases the period of license exemption for specified acupuncture students, and corrects code references to reflect the Board's new name.

Chapter 568
Statutes of 2000

SB 466
Perata

Acupuncture: Scope of Practice

Would have expanded the scope of practice for acupuncturists by authorizing them to use lasers, magnets, and animal and mineral products as treatment modalities.

Vetoed

SB 1308
Senate
Business &
Professions

Board Issues

Changes the name of the Board to be Acupuncture Board, rather than Acupuncture Committee, and makes other changes to the Board's licensing and enforcement authority.

Chapter 655
Statutes of 1999

(3) ARCHITECTS BOARD

AB 1678
Assembly
Consumer
Protection

Board Issues

Renames the Board of Architectural Examiners as the Architects Board and enhances the Board's enforcement authority.

Chapter 982
Statutes of 1999

AB 1916
Bates

Architects

Would have authorized the Architects Board to register business entities providing architectural services (firms), and required those entities to have a licensed architect in responsible control over those services.

Vetoed

SB 1863
Senate
Business &
Professions

Enforcement and Licensing

Increases penalties and fines for unlicensed practice by architects and landscape architects, deletes the provisions allowing temporary certificates to out-of-state landscape architects, and allows the Landscape Architects Technical Committee to waive the written examination requirement under specified conditions.

Chapter 1054
Statutes of 2000

(4) ATHLETIC COMMISSION

AB 52
Cedillo

Boxing Event Fees

Caps the Athletic Commission's gate tax on boxing events at \$100,000, and requires 50 percent of any boxing event gate tax over \$70,000 to go to the boxers' pension fund.

Chapter 436
Statutes of 2000

AB 2937
Cedillo

Athletic Event Fees

Would have capped the Commission's gate tax on athletic events at \$50,000.

Failed in
Assembly
Governmental
Organization
Committee

SB 2028
Figueroa

Commission: Sunset Review

Extends the sunset date for the Athletic Commission by four years to 2005.

Chapter 393
Statutes of 2000

**(5) AUTOMOTIVE REPAIR, BUREAU OF
(See also Smog Check Program)**

AB 159
Floyd

Vehicle Dealers: Licensure Exemptions

Requires a written examination for individuals selling used vehicles on a retail or wholesale basis only, and expressly excludes automobile dismantlers, motorcycle dealers, and trailer dealers. This statute also excludes from the total advertised price of the vehicle, emission testing fees not exceeding \$50 and the actual fees charged for the certificates pursuant to statute.

Chapter 230
Statutes of 1999

AB 342
Cox

Automobile Dismantlers: Definition

Sets greater restrictions on the exemption from being classified as an automobile dismantler by ensuring that those exempted businesses do not engage in actions, such as the selling of vehicle parts, characteristically done by a licensed dismantler.

Chapter 316
Statutes of 1999

SB 214
Polanco

Bureau of Automotive Repair Advisory Committee

Would have created a nine-member advisory committee within the Bureau of Automotive Repair, and would have specified the composition and duties of the committee.

Failed in
Assembly
Consumer
Protection
Committee

SB 1146
Burton

Motor Vehicle Diagnostic and Repair Information

Requires vehicle manufacturers to provide emissions-related diagnostic and repair information to automotive repair dealers and aftermarket parts and tool companies.

Chapter 1077
Statutes of 2000

SB 1307
Senate
Business &
Professions

Bureau Issues

Requires automotive repair dealers to also identify members and trustees as persons who control or conduct the business of the automotive repair dealer.

Chapter 983
Statutes of 1999

SB 1988
Speier

Insurance and Autobody Fraud

Among other things, requires the Bureau of Automotive Repair to establish a pilot program to inspect vehicles for autobody repair fraud and prepare a report to the Legislature. Also, requires automobile insurers to provide policyholders with a consumer bill of rights.

Chapter 867
Statutes of 2000

(6) BARBERING AND COSMETOLOGY, BUREAU OF

AB 1427
Wiggins

Facials: Licensure Exception

Would have exempted persons performing noninvasive facials from licensure under the Barbering and Cosmetology Act, provided specified massage training was completed.

Withdrawn by
Author

AB 2888 Assembly Consumer Protection	<u>Bureau Issues</u> Makes numerous technical amendments to the Barbering and Cosmetology Act and renames the former board as the Bureau of Barbering and Cosmetology.	Chapter 568 Statutes of 2000
SB 235 Haynes	<u>Hair Braiding: Licensure Exemption</u> Exempts hair braiding and wig styling from licensure requirements under the Barbering and Cosmetology Practice Act.	Chapter 37 Statutes of 2000
SB 1134 Karnette	<u>Independent Contractors/Booth Renters</u> Would have set forth independent contractor guidelines for booth renters doing independent contract work in barbering and cosmetology settings.	Withdrawn by Author
SB 1307 Senate Business & Professions	<u>Bureau Issues</u> Authorizes the Bureau of Barbering and Cosmetology, among other things, to establish separate fees for each of its licensing processes.	Chapter 983 Statutes of 1999
(7) BEHAVIORAL SCIENCES, BOARD OF		
AB 253 Thomson	<u>Licensing: Curriculum</u> Requires all marriage, family, and child counselor applicants who begin graduate study on or after January 1, 2001 to also complete specified course work in psychopharmacology.	Chapter 406 Statutes of 1999
AB 352 Migden	<u>Licensing: Disciplinary Information</u> Adds the Board of Behavioral Sciences to the list of state boards that are required to create and maintain a disciplinary central file, and expands the definition of a peer review body to include any professional society of marriage and family therapy and social work.	Chapter 252 Statutes of 1999
AB 416 Machado	<u>Medical Information Disclosure</u> Prohibits the release of patient outpatient psychotherapy information by a health care provider unless the party requesting the information submits a formal request, as specified.	Chapter 527 Statutes of 1999
AB 1677 Assembly Consumer Protection	<u>Board Issues</u> Requires supervised experience to be gained under a Board-approved licensed mental health professional and establishes standards for record keeping.	Chapter 657 Statutes of 1999
AB 2161 Vincent	<u>Marriage and Family Therapist Interns</u> Adds registered marriage and family therapist interns to the list of professionals authorized to provide mental health treatment to minors, as defined, without parental consent. Also, allows these interns to have access to relevant portions of the mental health records of their clients as determined by a supervising marriage and family therapist.	Chapter 519 Statutes of 2000

AB 2374 Lempert	<u>Peer Review: Marriage and Family Therapists and Clinical Social Workers</u>	Chapter 136 Statutes of 2000
	Includes marriage and family therapists and clinical social workers in the group of professionals protected under peer review confidentiality.	
SB 433 Johnson	<u>Child Custody Evaluators/Investigators</u>	Chapter 932 Statutes of 1999
	Requires the Judicial Council to establish the education, experience, and training requirements for court-appointed child custody investigators by January 2002, and requires child custody evaluators, after January 1, 2005, to be licensed psychiatrists, psychologists, marriage and family therapists, clinical social workers, or evaluators certified by the courts.	
SB 809 O'Connell	<u>Disciplinary Actions: Statute of Limitations</u>	Chapter 459 Statutes of 1999
	Requires the Board of Behavioral Sciences to file accusations against marriage, family and child counselors, and clinical social workers within three years after discovery of the act or omission alleged as grounds for disciplinary action, or within seven years after the act or omission occurs, whichever occurs first. Also, specifies that the aforementioned statute of limitations does not apply to accusations alleging procurement of a license by fraud or misrepresentation, and that when an allegation involves a minor, the seven-year time limit shall not begin until the minor reaches the age of majority.	
SB 1308 Senate Business & Professions	<u>Board Issues</u>	Chapter 655 Statutes of 1999
	Makes numerous technical changes to the Board of Behavioral Sciences' licensing authority.	
SB 1554 Senate Business & Professions	<u>Board Issues</u>	Chapter 836 Statutes of 2000
	Makes numerous changes to Board of Behavioral Sciences' licensing and enforcement authority including notification of a criminal conviction, reciprocity standards, and unprofessional conduct.	

(8) CEMETERY AND FUNERAL BUREAU
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AB 1379 Granlund	<u>Funeral Directors and Embalmers: Continuing Education and Preneed Trusts</u>	Chapter 241 Statutes of 1999
	Repeals the continuing education requirements for funeral directors and embalmers and authorizes the trustee of a preneed funeral trust fund to pay taxes on the earnings of the trust on behalf of the consumer. Prohibits using the trust corpus to pay the taxes on the earnings.	
AB 2079 Granlund	<u>Preneed Funeral Arrangements</u>	Chapter 757 Statutes of 2000
	Revises the income basis on which the administrative fee for preneed funeral trusts is calculated and preserves the authority of the Cemetery and Funeral Bureau to determine the fee cap for administrative charges.	

AB 2279 Dutra	<u>Cremated Remains: Licensing and Enforcement</u>	Chapter 276 Statutes of 2000
	Specifies conditions for the removal, storage, and maintenance of cremated remains by licensees of the Cemetery and Funeral Bureau. The statute provides for disciplinary action against a cremated remains disposer who makes a willful and material false statement on the annual report.	
AB 2888 Assembly Consumer Protection	<u>Bureau Issues</u>	Chapter 568 Statutes of 2000
	Makes numerous technical non-controversial amendments to various sections of the Business and Professions Code covering cemeteries and funeral homes. The majority of the bill contains technical amendments to the Cemetery and Funeral Act to reflect the name change to Cemetery and Funeral Bureau.	
SB 954 Karnette	<u>Public Cemetery Authorities: Construction Standards</u>	Chapter 207 Statutes of 1999
	Requires public cemeteries to comply with the columbarium construction and repair standards that apply to private cemeteries.	
SB 2096 Poochigan	<u>Cemetery Districts</u>	Chapter 68 Statutes of 2000
	Authorizes the Visalia Public Cemetery District to acquire and manage a mausoleum that was originally constructed in 1965. This is an exception to existing law, which precludes public cemetery districts from owning mausoleums built after 1937.	
(9) CONTRACTORS STATE LICENSE BOARD		
AB 576 Honda	<u>Mechanics' Liens</u>	Chapter 13 Statutes of 2000
	As clean-up legislation that corrects a drafting error in SB 914 (Sher, Chapter 795, Statutes of 1999), this statute revises the notice that is filed by a contractor or material supplier with a property owner in order to enforce a mechanics' lien.	
AB 742 Honda	<u>Mechanics' Liens: Recovery Fund Alternative</u>	Failed on Assembly Floor
	Would have created a Contractor Default Recovery Fund to compensate contractors and material suppliers who provided labor or materials on residential works of improvement and were not paid by the prime contractor. The bill would have provided that a mechanics' lien may not be filed against an owner-occupied residential property where the owner had paid a prime contractor in full for a work of improvement.	
AB 952 Wiggins	<u>Special Fraud Unit</u>	Vetoed
	Would have created a major fraud investigation unit in the Contractors State License Board to enforce laws against the underground economy.	

AB 1206 Wesson	<u>Roadway Construction Contractors</u> Requires the Contractors State License Board to issue specialty licenses to persons who engage in the preparation and removal of roadway construction zones, lane closures, or traffic diversions. The statute provides an exemption for contractors who are presently performing this work and who meet specified criteria.	Chapter 708 Statutes of 1999
AB 1304 Maddox	<u>Home Solicitation Contracts</u> Would have exempted licensed private investigators from Civil Code provisions that require home solicitation contracts to include a three-day right of rescission.	Failed on Assembly Floor
AB 1678 Assembly Consumer Protection	<u>Board Issues</u> Among other things, raises the cap on delinquent license renewal fees to \$150, increases the statute of limitations on home improvement contract violations to four years, and requires the Contractors State License Board to report on contractors without workers' compensation insurance.	Chapter 982 Statutes of 1999
AB 1849 Wiggins	<u>Special Fraud Unit</u> Would have created a major fraud investigation unit within the Contractors State License Board to enforce laws against the underground economy.	Failed in Senate Appropriations Committee
AB 2112 Dutra	<u>Construction Defects</u> Would have expressed the Legislature's findings and declarations regarding the lack of affordable housing and construction defect litigation.	Held in Conference Committee
AB 2370 Honda	<u>Contractors Criminal History Checks</u> Would have required all home improvement contractor and home improvement salesperson applicants licensed by the Contractors State License Board to submit fingerprints for criminal history checks by the Department of Justice.	Failed in Senate Appropriations Committee
AB 2833 Alquist	<u>Licensing Information: Internet Disclosure</u> Would have required the Contractors State License Board to publish on its Internet website a listing of the names and business addresses of its licensed contractors and information regarding any disciplinary action, pending investigation, or dispute mediation against a licensee. The bill also would have required a new mediation process.	Withdrawn by Author
ACA 5 Honda	<u>Mechanics' Liens: Single Family Residence Exemption</u> This Assembly Constitution Amendment would have exempted single-family, owner-occupied dwellings from the provisions of the mechanics' lien law if the owner had paid the prime contractor in full.	Failed in Assembly Judiciary Committee
SB 99 Hughes	<u>Home Improvement Contracts: At-Risk Buyers</u> Would have required sellers of home improvement contracts to 1) assess the ability of a consumer to pay for the contract and 2) have	Vetoed

those buyers who meet the criteria for “at-risk” to seek independent financial counseling.

SB 187
Hughes

Home Improvement Contracts

Prohibits home improvement contracts from including a security interest in the buyer’s residence if the buyer is a person 65 years of age or older. This statute also increases penalties for violations of existing law targeting home equity fraud.

Chapter 512
Statutes of 1999

SB 471
Solis

Mechanics’ Liens: Bond Alternative

Would have required property owners who contract for a work of improvement with a contract value of more than \$1 million to provide financial security for the project through a bond, letter of credit or deposit account. The bill would have exempted single-family residences and public works projects. This bill was intended to ensure that contractors, subcontractors, material suppliers and employees were paid for completed work in the event the owner of a construction project defaulted on his or her contract with the prime contractor.

Failed on
Assembly Floor

SB 914
Sher

Contractors: Express Trust Funds: Mechanics’ Liens

Re-establishes the right of employee benefit express trust funds to file claims on contractor’s license bonds, and to file mechanics’ lien claims against property owners for unpaid wages and fringe benefits the employer has failed to pay to the fund.

Chapter 795
Statutes of 1999

SB 989
Sher

Underground Pollution: MTBE

Requires the Contractors State License Board to review its examination requirements for contractors who install and remove underground storage tanks; requires development of a timetable for eliminating the use of methyl tertiary butyl ether (MTBE) in motor vehicle fuel at the earliest possible date; increases the monitoring and containment requirements for certain tanks; and increases financial assistance for upgrading underground tanks.

Chapter 812
Statutes of 1999

SB 1306
Senate
Business &
Professions

Board: Sunset Extension

Extends the sunset date for the Contractors State License Board by one year to 2001.

Chapter 656
Statutes of 1999

SB 1307
Senate
Business &
Professions

Board Issues

Makes a minor technical change regarding Contractors State License Board membership terms.

Chapter 983
Statutes of 1999

SB 1524
Figueroa

Surety Bonds

Before being amended, would have allowed homeowners to file a claim against a contractor’s bond without having to first demonstrate that the contractor’s actions were “willful and deliberate”. The bill was amended to deal with an unrelated issue.

Not Relevant

SB 2029
Figueroa

Board: Sunset Review

This statute: 1) extends the sunset date of Contractors State License Board for two more years to 2003; 2) adds two additional public members; 3) establishes an independent enforcement program monitor; 4) requires numerous studies; and 5) makes other related changes.

Chapter 1005
Statutes of 2000

(10) COURT REPORTERS BOARD

AB 2808
Papan

Shorthand Reporting Entities

Requires the Court Reporters Board of California to investigate complaints against shorthand reporting entities and report to the Legislature on the necessity of registering these entities.

Chapter 334
Statutes of 2000

SB 449
Burton

Transcription Fees

Would have changed the fees a court reporter could charge a party for an original printed copy and additional copies of court transcripts.

Vetoed

SB 877
McPherson

Deposition Officers

Requires a deposition officer to offer the same services to all parties.

Chapter 474
Statutes of 2000

SB 1307
Senate
Business &
Professions

Board Issues

Among other things, revises various Board Fees.

Chapter 983
Statutes of 1999

SB 2032
Figueroa

Board: Sunset Review

Extends the sunset date for the Court Reporters Board of California for four years until 2005.

Chapter 1007
Statutes of 2000

SB 2090
Murray

Shorthand Reporting

Adds reporting of any court ordered hearing or arbitration to the scope of practice for court reporters, and specifies requirements for schools wishing to discontinue court reporter programs.

Chapter 1009
Statutes of 2000

(11) DENTAL BOARD

AB 58
Davis

HMOs: Medical Directors: California Licensure

Please see AB 58 on page 10 for summary.

Vetoed

AB 497
Gallegos

Dentists Offices

Provides that the Dental Practice Act does not prohibit a dentist from maintaining more than one practice location if specified requirements are met.

Chapter 224
Statutes of 2000

AB 552
Thompson

Outpatient Surgery: General Anesthesia

This statute extends, from January 1, 2000 to January 1, 2002, current

Chapter 177
Statutes of 1999

law that authorizes a physician to administer general anesthesia in the office of a licensed dentist if the physician holds a general anesthesia permit issued by the Dental Board.

AB 869
Keeley

Oral Conscious Sedation

Chapter 9
Statutes of 2000

This urgency statute delays, from January 1, 2000, to January 1, 2001, the implementation of AB 2006 (Keeley, Chapter 513, Statutes 1998) related to the administration of oral conscious sedation to a minor patient. **Urgency Statute Effective 4/6/00**

AB 900
Alquist

Peace Officers: Dental Board

Chapter 840
Statutes of 1999

Authorizes the Director of the Department of Consumer Affairs to designate 10 of the Department's investigators as peace officers who are assigned to the Investigations Unit of the Dental Board. Requires the Board to contract with an outside entity to conduct an independent study assessing the need for sworn peace officers in the Board's Investigation Unit.

AB 2394
Firebaugh

Cultural and Linguistic Competency Task Force

Chapter 802
Statutes of 2000

Establishes the Task Force on Culturally and Linguistically Competent Physicians and Dentists to be chaired by the Directors of the Department of Consumer Affairs and the Department of Health Services. The task force is required, among other things, to develop recommendations for a continuing education program for physicians and dentists. Also, establishes a subcommittee of the task force to study the feasibility of establishing a pilot program that would allow Mexican and Caribbean-licensed physicians and dentists to practice in nonprofit community health centers in California's medically underserved areas.

SB 585
Chesbro

Clinical Laboratory Exams

Chapter 70
Statutes of 1999

Permits licensed nurse practitioners, licensed physician assistants, certified nurse midwives, and licensed dentists to perform clinical laboratory examinations classified as provider-performed microscopy under specified federal laws governing clinical laboratories.

SB 1308
Senate
Business &
Professions

Board Issues

Chapter 655
Statutes of 1999

Exempts specified dental students from licensure, changes the Board's name to the Dental Board, and enhances the Board's enforcement authority in various areas.

**(12) ENGINEERS AND LAND SURVEYORS, BOARD FOR
PROFESSIONAL**

AB 1341
Granlund

Land Surveying

Chapter 125
Statutes of 1999

Exempts local law enforcement officials investigating a crime from the land surveyor licensure requirements. Specifies that this exemption does not permit the local law enforcement official to perform land surveying for any purpose other than determining or prosecuting a crime.

AB 1342 Granlund	<u>Land Surveying</u>	Requires every map, plot, report, description, or other document issued by a licensed land surveyor or civil engineer to include certain information, such as the bearing and length of lines, and the name and legal designation of the property depicted. Provides that a record of survey is not required when a survey is made of a mobilehome park interior lot, with certain exceptions. Requires the corner record to be a single sheet of paper.	Chapter 608 Statutes of 1999
AB 2249 Cox	<u>Engineers: Civil Liability</u>	Would have specified that the responsibility of job site safety supervision shall not be assumed by, or attributed to, an engineer or engineering firm unless specified conditions are met.	Failed in Assembly Consumer Protection Committee
AB 2505 Ashburn	<u>Safety Engineers: Title Act Protection</u>	Would have re-established title protection for safety engineers, which was eliminated in 1998.	Failed in Assembly Consumer Protection Committee
AB 2629 Cox	<u>Code of Professional Conduct</u>	Authorizes the Board for Professional Engineers and Land Surveyors to adopt a code of professional conduct for its licensees, and requires engineers and land surveyors to provide clients with a written contract.	Chapter 976 Statutes of 2000
SB 1306 Senate Business & Professions	<u>Board: Sunset Extension</u>	Extends the sunset date for the Board by one year to 2001.	Chapter 656 Statutes of 1999
SB 1307 Senate Business & Professions	<u>Board Issues</u>	Establishes a retired license category for Board licensees, and makes other changes.	Chapter 983 Statutes of 1999
SB 1563 Leslie	<u>Land Surveyor Licensing Qualifications</u>	Requires land surveyor applicants to have at least two years of either postsecondary education or experience, or a combination of both, in land surveying for admission to the first division licensing examination. Also, requires county recorders to provide land surveyors with filing data within 10 days of the filing of a map.	Chapter 678 Statutes of 2000
SB 1863 Senate Business & Professions	<u>Land Surveying</u>	Revises the manner in which land surveyors and civil engineers prepare maps and plats.	Chapter 1054 Statutes of 2000
SB 2030 Figueroa	<u>Board: Sunset Review</u>	Extends the sunset date for the Board for Professional Engineers and Land Surveyors by one year until 2002, requires the Department of	Chapter 1006 Statutes of 2000

Consumer Affairs to review the regulatory scheme for engineering specialties, and makes other related changes.

(13) GEOLOGISTS AND GEOPHYSICISTS, BOARD FOR

SB 2028
Figueroa

Board: Sunset Review

Chapter 393
Statutes of 2000

Extends the sunset date for the Board for Geologists and Geophysicists by four years to 2005. This statute also establishes a name change for the Board and makes technical changes to the sunset law.

(14) GUIDE DOGS FOR THE BLIND, BOARD OF

SB 1307
Senate
Business &
Professions

Board Issues

Chapter 983
Statutes of 1999

Clarifies that the Board is not a party to a dispute between a guide dog user and a guide dog school.

(15) HEARING AID DISPENSERS BUREAU

AB 545
Pacheco, Rob

Hearing Aid Dispensers

Chapter 440
Statutes of 1999

Transfers the powers and duties of the Hearing Aid Dispensers Examining Committee to the Director of the Department of Consumer Affairs and establishes the Hearing Aid Dispensers Advisory Commission within the jurisdiction of the Department.

AB 2697
Cardoza

Bureau Issues

Chapter 277
Statutes of 2000

This Department of Consumer Affairs sponsored law is clean-up legislation to Assembly Bill 545 (Pacheco, C. 440, Statutes 1999), which established a Hearing Aid Dispensers Advisory Commission. Specifically, this statute: 1) recasts the Commission as the Hearing Aid Dispensers Advisory Committee; 2) makes the governance of the Hearing Aid Dispenser Bureau consistent with Department programs; 3) clarifies the functional relationship between the Department of Consumer Affairs, the Bureau, and the Committee; and 4) requires the Governor to appoint the bureau chief.

(16) HOME FURNISHINGS AND THERMAL INSULATION, BUREAU OF

AB 1520
Leach

Bunk Beds

Chapter 920
Statutes of 1999

Enacts the Bunk Bed Safety Act of 1999 (Act). The Act prohibits the manufacture, sale, lease, sublease or retrofit of bunk beds that do not conform to the State's modified American Society of Testing Materials standard. Non-compliant bunk beds made prior to January 1, 2000 must have a sticker disclosing that they do not comply with the prescribed safety standard.

AB 1711 Leach	<u>Bunk Beds</u> As clean-up legislation to AB 1520, conforms state and federal law to allow the sale of bunk beds in California that meet both federal and state safety standards.	Chapter 6 Statutes of 2000
AB 1866 Dutra	<u>Mattress Fire Safety</u> Would have required mattresses manufactured after January 1, 2003, which are for sale in California, to meet open flame resistance standards established by the Department of Consumer Affairs Bureau of Home Furnishings and Thermal Insulation.	Held in Senate Appropriations Committee
SB 2070 Schiff	<u>Fire Safe Cigarettes</u> Would have required the State Fire Marshal to develop, by January 1, 2002, fire safety standards (self-extinguishing and cooler burning) for cigarettes sold, offered for sale, or manufactured in California.	Held in Assembly Governmental Organization Committee

(17) LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE
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AB 1678 Assembly Consumer Protection	<u>Committee Issues</u> Makes a technical change to the contract provisions for landscape architects.	Chapter 982 Statutes of 1999
SB 1863 Senate Business & Professions	<u>Landscape Architects: Licensing</u> Increases penalties and fines for unlicensed practice by architects and landscape architects, deletes the provisions allowing temporary certificates to out-of-state landscape architects, and allows the Landscape Architects Technical Committee to waive the written examination requirement under specified conditions.	Chapter 1054 Statutes of 2000

(18) MEDICAL BOARD

AB 58 Davis	<u>HMOs: Medical Directors: California Licensure</u> Please see AB 58 on page 10 for summary.	Vetoed
AB 265 Davis	<u>Energy Rate Cost Cap</u> Prior to being amended, would have raised licensing fees for physicians. In its final form, the statute deals with energy issues.	Not Relevant
AB 271 Gallegos	<u>Cosmetic Surgery/Outpatient Surgery</u> Enacts the Cosmetic and Outpatient Surgery Patient Protection Act, which, among other things, requires physicians performing cosmetic surgery to carry malpractice insurance, establishes minimum staffing levels, and requires physicians to report patients deaths or serious hospitalizations to the Medical Board of California.	Chapter 944 Statutes of 1999
AB 552 Thompson	<u>Outpatient Surgery: General Anesthesia</u> Please see AB 552 on page 33 for summary.	Chapter 177 Statutes of 1999

AB 791 Thomson	<u>Pain Management Training</u>	Chapter 403 Statutes of 1999
	Adds pain management and end-of-life care to the curriculum requirements for persons entering medical school on or after June 1, 2000, and requires health facilities to include pain as an item to be assessed at the same time as patient vital signs are taken.	
AB 1558 Wildman	<u>Practice of Medicine: Unprofessional Conduct</u>	Chapter 922 Statutes of 1999
	Requires a physician and surgeon who collects biological specimens for clinical testing to ensure that those specimens are secured in a locked container when placed in a public location. The statute authorizes the Medical Board of California to impose a fine of up to \$1,000 for a violation of these provisions.	
AB 1820 R. Wright	<u>Curriculum Requirements</u>	Chapter 440 Statutes of 2000
	Requires specified instruction in geriatrics for medical students.	
AB 2018 Thomson	<u>Triplicate Prescriptions</u>	Chapter 1092 Statutes of 2000
	Simplifies the triplicate prescription monitoring system for Schedule II drugs. The bill was drastically narrowed from a prior version that would have eliminated written triplicate prescriptions.	
AB 2240 Bates	<u>Electronic Prescriptions</u>	Chapter 293 Statutes of 2000
	Eliminates the requirement that electronically transmitted prescriptions for non-controlled substances be reduced to a written or hard copy form. Also, authorizes prescribers and pharmacists to enter prescriptions for non-controlled substances and hospital drug orders into a pharmacy's or hospital's computer from any location.	
AB 2394 Firebaugh	<u>Cultural and Linguistic Competency Task Force</u>	Chapter 802 Statutes of 2000
	Establishes the Task Force on Culturally and Linguistically Competent Physicians and Dentists to be chaired by the Directors of the Department of Consumer Affairs and the Department of Health Services. The task force is required, among other things, to develop recommendations for a continuing education program for physicians and dentists. Also, establishes a subcommittee of the task force to study the feasibility of establishing a pilot program that would allow Mexican and Caribbean-licensed physicians and dentists to practice in nonprofit community health centers in California's medically underserved areas.	
AB 2571 Campbell	<u>Physicians: Disciplinary Actions</u>	Chapter 269 Statutes of 2000
	Provides an exemption from existing law that places a statute of limitations on disciplinary actions taken by the Medical Board. Specifically provides that the statute of limitations does not apply when a physician intentionally conceals his or her incompetence, gross negligence, or repeated negligent acts.	
SB 349 Figueroa	<u>Health Coverage: Psychiatric Emergency Services and Care</u>	Chapter 544 Statutes of 1999
	Please see SB 349 on page 12 for summary.	

SB 370 Burton	<u>Abortion</u>	Repeals three obsolete Penal Code sections relating to abortion and clarifies that any person who performs or assists in performing an abortion without a valid license to practice medicine is subject to criminal penalties under the Medical Practice Act.	Chapter 692 Statutes of 2000
SB 433 Johnson	<u>Child Custody Evaluators/Investigators</u>	Requires the Judicial Council to establish the education, experience, and training requirements for court-appointed child custody investigators by January 2002, and requires child custody evaluators, after January 1, 2005, to be licensed psychiatrists, psychologists, marriage and family therapists, clinical social workers, or evaluators certified by the courts.	Chapter 932 Statutes of 1999
SB 450 Speier	<u>Cosmetic Surgery: Advertising</u>	Requires physicians and surgeons who use the term "board certified" to cite the source of their certification; requires the Medical Board of California to develop appropriate guidelines for liposuction; and waives licensure renewal fees for physicians who provide only volunteer, unpaid services.	Chapter 631 Statutes of 1999
SB 585 Chesbro	<u>Clinical Laboratory Exams</u>	Please see SB 585 on page 34 for summary.	Chapter 70 Statutes of 1999
SB 595 Speier	<u>Outpatient Surgery/Cosmetic Surgery</u>	Would have required the Medical Board to adopt a new standard that subjects outpatient surgery settings to accreditation requirements; and established a more stringent standard in the event the Board did not act by 11/01/00. Also, would have prohibited the use of anesthesia in outpatient settings except as authorized by Board regulations.	Failed in Assembly Appropriations Committee
SB 835 Figueroa	<u>Cosmetic Surgery: Education and Training</u>	Would have enacted the Cosmetic Surgery Patient Disclosure Act, which would have required physicians who perform cosmetic surgery to provide the Medical Board with specified information, including training, board certifications, and number of procedures performed. The bill also would have required the Board to make this information available to the public upon request, and post the information on the Internet.	Vetoed
SB 836 Figueroa	<u>Referral Services: Advertising</u>	Revises and expands the prohibition against fraudulent advertising by health care professionals.	Chapter 856 Statutes of 1999
SB 837 Figueroa	<u>Cosmetic Surgery</u>	Would have required physicians to perform cosmetic surgery only in a licensed general acute care hospital or specified outpatient setting. Also, would have required that the Medical Board adopt regulations to implement these provisions and to make recommendations to the	Withdrawn by Author

Legislature on cosmetic procedures found to be safe.

SB 1045
Murray

Medical Board Fee Increase/Cost Recovery Cap

Would have increased physician licensing fees, and placed a cap of \$12,500 on the amount of cost recovery to be collected by the Medical Board from a physician found in violation of the Medical Practice Act.

**Withdrawn by
Author**

SB 1308
Senate
**Business &
Professions**

Board Issues

Makes numerous changes to the Board's licensing and enforcement authority.

**Chapter 655
Statutes of 1999**

SB 1479
Figueroa

Midwives

Expands the disclosures that a midwife is required to make to a client related to liability coverage, arrangements for the transfer of care, complaint reporting procedures, and the statutory parameters of a midwife's licensed authority.

**Chapter 303
Statutes of 2000**

SB 1554
Senate
**Business &
Professions**

Board Issues

Makes numerous changes to the Board's licensing authority and Diversion Program for licensees with substance abuse problems.

**Chapter 836
Statutes of 2000**

SB 1630
Hayden

Reproductive Technology

Would have provided for the regulation of physicians and health facilities that perform assisted reproductive technology.

Vetoed

SB 1828
Speier

Internet Prescriptions

Prohibits the furnishing of drugs over the Internet without a prior medical examination, medical indication, or prescription.

**Chapter 681
Statutes of 2000**

SB 2100
Vasconcellos

Alternative Practices

Requires the Medical Board and the Osteopathic Medical Board to establish disciplinary policies and procedures related to alternative practices and treatments in medicine. Also, requests that the University of California assist the Governor and Legislature in preparing relevant information, analyses, and recommendations relating to alternative health, focusing on cancer treatments and therapies.

**Chapter 660
Statutes of 2000**

(19) NURSING HOME ADMINISTRATORS, BUREAU OF

SB 1981
Leslie

Nursing Home Administrators

Would have required the nursing home administrator licensing exam to be offered four times a year, rather than once; authorized provisional licenses to be granted to out-of-state administrators that met certain criteria; and increased national and state examination fees.

**Withdrawn by
Author**

(20) OCCUPATIONAL THERAPY, BOARD OF

SB 1046
Murray

New Licensing Program

Creates a new Board of Occupational Therapy within the Department of Consumer Affairs to license and regulate occupational therapists and occupational therapy assistants in California.

Chapter 697
Statutes of 2000

SB 1287
Murray

Occupational Therapists

Would have, effective July 1, 2000, provided for the licensure of occupational therapists and certification of occupational therapy assistants by the Board of Occupational Therapy within the Department of Consumer Affairs.

Vetoed

(21) OPTOMETRY, BOARD OF

AB 58
Davis

HMOs: Medical Directors: California Licensure

Please see AB 58 on page 10 for summary.

Vetoed

SB 929
Polanco

Optometry Scope of Practice

Expands the scope of practice for optometrists, amends the list of topical pharmaceutical agents that can be used by certified optometrists, repeals the Therapeutic Pharmaceutical Agent Advisory Committee, and allows unlicensed assistants to perform additional duties under the direct responsibility of a licensed optometrist or ophthalmologist.

Chapter 676
Statutes of 2000

(22) OSTEOPATHIC MEDICAL BOARD

SB 1636
Poochigian

Board Issues

Authorizes the Osteopathic Medical Board to adopt a citation and fine program and makes other related changes.

Chapter 197
Statutes of 2000

SB 2031
Figueroa

Sunset Review

Would have placed the Osteopathic Medical Board under the purview of the Department of Consumer Affairs, increased the Board's public members from two to four, and established a Board sunset review date of 2003. The Legislature would have appointed the new public members. Also, would have established a sunset review date of 2001 for the Board of Chiropractic Examiners.

Vetoed

SB 2034
Figueroa

Various Boards: Sunset Review

Establishes a sunset review date of 2001 for the Board of Chiropractic Examiners, and 2003 for the Osteopathic Medical Board.

Chapter 199
Statutes of 2000

(23) PHARMACY, BOARD OF

AB 58
Davis

HMOs: Medical Directors: California Licensure

Please see AB 58 on page 10 for summary.

Vetoed

AB 261 Lempert	<p><u>Pharmacists</u></p> <p>Expands the conditions in which a pharmacist can perform certain procedures or functions, including adjusting drug regimens, as part of the care provided to a patient. Also, requires that certain procedures be performed in accordance with written, patient-specific protocol, and that patient medical records be available to both the patient's prescriber and the pharmacist.</p>	Chapter 375 Statutes of 1999
AB 751 Gallegos	<p><u>Dangerous Drugs and Devices</u></p> <p>Makes it a misdemeanor for any person to illegally furnish any material represented as, or presented in lieu of, any dangerous drug or dangerous device. Also, extends the authority of local health officers to take action against unlicensed persons dispensing or furnishing prescription drugs. Urgency Statute Effective 09/08/00</p>	Chapter 350 Statutes of 2000
AB 1430 Bates	<p><u>Prescriptions: Electronic Transmission</u></p> <p>Among other things, would have 1) permitted prescribers, prescribers' agents, and pharmacists to enter prescriptions and orders directly into a pharmacy or hospital computer; 2) provided that a pharmacy would not be required to reduce data or image electronic prescriptions to writing or to hard copy form; and 3) repealed existing law which requires the reporting of out-of-state controlled substance transactions to the Attorney General within 24 hours.</p>	Vetoed
AB 1496 Olberg	<p><u>Home Medical Device Retail Facilities: New Licensing Program</u></p> <p>Transfers the regulation of medical device retailers from the Board of Pharmacy to a newly created licensing category within the Department of Health Services for home medical device retail facilities.</p>	Chapter 837 Statutes of 2000
AB 1545 Correa	<p><u>Prescription Labeling</u></p> <p>Requires a pharmacist to list the name of a dispensing nurse practitioner or physician on the label of a prescription. Requires the Board of Pharmacy to notify the Board of Registered Nursing and Physician Assistant Committee of prescription complaints related to their licensees.</p>	Chapter 914 Statutes of 1999
AB 2018 Thomson	<p><u>Triplicate Prescriptions</u></p> <p>Simplifies the triplicate prescription monitoring system for Schedule II drugs. The bill was drastically narrowed from a prior version that would have eliminated written triplicate prescriptions.</p>	Chapter 1092 Statutes of 2000
AB 2240 Bates	<p><u>Electronic Prescriptions</u></p> <p>Eliminates the requirement that electronically transmitted prescriptions for non-controlled substances be reduced to a written or hard copy form. Also, authorizes prescribers and pharmacists to enter prescriptions for non-controlled substances and hospital drug orders into a pharmacy or hospital computer from any location.</p>	Chapter 293 Statutes of 2000

SB 188 Leslie	<u>Prescriptions: Outpatient Dispensing</u> Allows specified licensed rural hospitals to dispense drugs to certain outpatients of the hospital if a retail pharmacy is not reasonably available to the patient; clarifies that the quantity of drugs dispensed on an outpatient basis shall not exceed a 72-hour supply; deletes provisions stating that a physician shall not be criminally liable for an unknowing or unwilling violation of the outpatient dispensing rules; requires the Board of Pharmacy to adopt regulations establishing conditions to permit the temporary absence of a pharmacist for breaks and lunch periods, as specified, without closing the pharmacy.	Chapter 900 Statutes of 1999
SB 651 Burton	<u>Registered Pharmacists</u> Provides that a person employed in the practice of pharmacy may not be subject to any exemption from coverage under wage orders of the Industrial Welfare Commission unless s/he individually meets the criteria established for professional employees; prohibits the Board of Pharmacy from adopting or amending any rule or regulation that would conflict with the above provision; and requires that the pharmacist reimbursement for each prescription claim through the Medi-Cal Program be increased as specified.	Chapter 190 Statutes of 1999
SB 816 Escutia	<u>Dispensing of Drugs: Physician Assistants and Nurse Practitioners</u> Revises existing provisions of law which permit nurse practitioners and physician assistants to furnish prescription drugs under the supervision of a physician to clarify that it is a prescribing activity for purposes of registering with the federal Drug Enforcement Agency.	Chapter 749 Statutes of 1999
SB 838 Figueroa	<u>Pharmacy Law</u> Allows the Board of Pharmacy to register a nonresident pharmacy that is organized as a limited liability company in the state in which it is licensed.	Chapter 73 Statutes of 1999
SB 1308 Senate Business & Professions	<u>Board Issues</u> Among other things, extends the Controlled Substance Utilization Review and Evaluation System by three years to 2003 and makes changes to the Board's licensing and enforcement authority.	Chapter 655 Statutes of 1999
SB 1339 Figueroa	<u>Medication Errors</u> Establishes a quality assurance program requirement for pharmacies to help reduce medication errors, and requires the Board of Pharmacy to adopt regulations to establish program specifications.	Chapter 677 Statutes of 2000
SB 1554 Senate Business & Professions	<u>Board Issues</u> Makes various changes to the pharmacy law.	Chapter 836 Statutes of 2000
SB 1828 Speier	<u>Internet Prescriptions</u> Prohibits the furnishing of drugs over the Internet without a prior medical examination, medical indication, or prescription.	Chapter 681 Statutes of 2000

(24) PHYSICAL THERAPY BOARD

**SB 1600
Burton**

Physical Therapy Scope of Practice

Addresses a scope of practice issue for physical therapists by permanently authorizing them to perform electromyography (EMG) for the purpose of evaluating neuromuscular performance, provided they are certified by the Physical Therapy Board of California.

**Chapter 427
Statutes of 2000**

(25) PHYSICIAN ASSISTANT COMMITTEE

**AB 1545
Correa**

Prescription Authority

Permits a physician assistant to sign for the delivery or receipt of complimentary drugs. Requires the Board of Pharmacy to notify the Physician Assistant Committee of complaints against a physician assistant related to prescription dispensing.

**Chapter 914
Statutes of 1999**

**SB 585
Chesbro**

Clinical Laboratory Exams

Please see SB 585 on page 34 for summary.

**Chapter 70
Statutes of 1999**

**SB 816
Escutia**

Dispensing of Drugs: Physician Assistants and Nurse Practitioners

This statute revises existing provisions of law which permit nurse practitioners and physician assistants to furnish prescription drugs under the supervision of a physician to clarify that it is a prescribing activity for purposes of registering with the federal Drug Enforcement Agency.

**Chapter 749
Statutes of 1999**

**SB 1554
Senate
Business &
Professions**

Board Issues

Clarifies the qualification standards for supervisors of physician assistants.

**Chapter 836
Statutes of 2000**

**SB 1852
Alpert**

Medical Assistant Supervision

Would have permitted nurse practitioners, nurse midwives, and physician assistants to supervise medical assistants in specified licensed clinics.

**Withdrawn by
Author**

**SB 1861
Hayden**

Physician Assistant Training Program

Would have required the Office of Statewide Health Planning and Development to implement a primary care physician assistant training program for international medical graduates, and provided ten scholarships for students enrolled in physician assistant programs.

**Failed in
Assembly
Appropriations
Committee**

(26) PODIATRIC MEDICINE, BOARD OF

**AB 58
Davis**

HMOs: Medical Directors: California Licensure

Please see AB 58 on Page 10 for summary.

Vetoed

AB 1252
Wildman

**Licensing Fees: Workers' Compensation: Doctors of Podiatric
Medicine**

Chapter 977
Statutes of 1999

Increases the number of doctors required to serve on the Industrial Medical Council (IMC) and requires that a podiatrist and an acupuncturist serve on the IMC. Increases, until January 1, 2002, the biennial renewal fee for practicing podiatric medicine from \$800 to \$900.

AB 2888
Assembly
Consumer
Protection

Board Issues

Chapter 568
Statutes of 2000

Clarifies the permissible terms that may be used in a fictitious business name for a licensed podiatrist's practice, and makes other changes.

SB 1308
Senate
Business &
Professions

Board Issues

Chapter 655
Statutes of 1999

Makes two minor technical changes to the podiatric medicine law.

SB 1554
Senate
Business &
Professions

Board Issues

Chapter 836
Statutes of 2000

Requires the Board to disclose various disciplinary information such as malpractice judgments and arbitration awards.

(27) PRIVATE POSTSECONDARY & VOCATIONAL EDUCATION, BUREAU FOR

AB 400
Lempert

Psychology: Approved Schools

Chapter 625
Statutes of 2000

Generally requires psychology applicants to attend an accredited, rather than approved, school unless certain criteria are met. Allows applicants to attend an approved school only if the school was approved by the Bureau for Private Postsecondary Vocational Education before July 1, 1999.

AB 1898
Wright R

Security Guard Training Facilities

Chapter 273
Statutes of 2000

Transfers regulation of facilities that train private patrol operators and security guards from the Bureau for Private Postsecondary and Vocational Education to the Bureau of Security and Investigative Services.

SB 2028
Figueroa

Bureau: Sunset Extension

Chapter 393
Statutes of 2000

Extends the sunset date for the Bureau for Private Postsecondary and Vocational Education by one year to 2002.

(28) PSYCHOLOGY, BOARD OF

AB 58
Davis

HMOs: Medical Directors: California Licensure

Vetoed

Please see AB 58 on page 10 for summary.

AB 400
Lempert

Psychology: Approved Schools

Chapter 625
Statutes of 2000

Generally requires psychology applicants to attend an accredited, rather than approved, school unless certain criteria are met. Allows

applicants to attend an approved school only if the school was approved by the Bureau for Private Postsecondary Vocational Education before July 1, 1999.

**AB 416
Machado**

Medical Information Disclosure

Prohibits the release of patient's participation in outpatient psychotherapy information by a health care provider unless the party requesting the information submits a formal request, as specified.

**Chapter 527
Statutes of 1999**

**AB 1144
Aanestad**

Psychology: Prescription Authority

Would have granted prescription authority to psychologists who have completed the Department of Defense Psychopharmacology training program.

**Withdrawn by
Author**

**SB 433
Johnson**

Child Custody Evaluators/Investigators

Please see SB 433 on page 29 for summary.

**Chapter 932
Statutes of 1999**

**SB 809
O'Connell**

Disciplinary Actions: Statute of Limitations

Requires the Board of Psychology to file accusations against psychologists within three years after discovery of the act or omission alleged as grounds for disciplinary action, or within seven years after the act or omission occurs, whichever occurs first. Also, specifies that the aforementioned statute of limitations does not apply to accusations alleging procurement of a license by fraud or misrepresentation, and that when an allegation involves a minor, the seven-year time limit shall not begin until the minor reaches the age of majority.

**Chapter 459
Statutes of 1999**

**SB 1308
Senate
Business &
Professions**

Board Issues

Makes numerous changes to the Board's licensing and enforcement authority, including requiring Internet disclosure of licensee information.

**Chapter 655
Statutes of 1999**

**SB 1554
Senate
Business &
Professions**

Board Issues

Among other things, permanently authorizes the Board to take disciplinary action against licensees for sexual misconduct.

**Chapter 836
Statutes of 2000**

(29) REGISTERED NURSING, BOARD OF

**AB 285
Corbett**

Telephone Medical Advice Services

Requires the newly created Telephone Medical Advice Services Bureau within the Department of Consumer Affairs to register in-state and out-of-state businesses that provide telephone medical advice services to patients.

**Chapter 535
Statutes of 1999**

**AB 394
Kuehl**

Health Facilities: Nursing Staff

Prohibits general acute care hospitals, acute psychiatric hospitals, and special hospitals from assigning unlicensed personnel to perform nursing functions in lieu of a registered nurse. Requires the

**Chapter 945
Statutes of 1999**

Department to adopt regulations establishing minimum licensed nurse-to-patient ratios and to coordinate with the Board to ensure that staffing ratios are consistent with Board-approved nursing education requirements. And, requires a county hospital to be subjected to a phase-in process developed in conjunction with the Department.

**AB 1545
Correa**

Prescription Authority

**Chapter 914
Statutes of 1999**

Allows a nurse practitioner, in limited settings, to dispense drugs and makes related changes to the dispensing of prescription drugs. Requires the Board of Registered Nursing and the Physician Assistant Committee to investigate complaints involving serious bodily injury due to the dispensing of dangerous drugs or dangerous devices by a nurse practitioner or a physician assistant.

**AB 2888
Assembly
Consumer
Protection**

Board Issues

**Chapter 568
Statutes of 2000**

Adds clinical nurse specialists to the jurisdiction of the Board of Registered Nursing,

**SB 308
Escutia**

Nurses

**Chapter 149
Statutes of 1999**

Effective July 22, 1999, indefinitely extends the collection of the \$5 assessment fee by the Board, renames the Minority Health Professions Education Foundation and the Minority Health Professions Education Fund as the Health Professions Education Foundation and the Health Professions Education Fund, respectively, and makes other technical changes to existing law.

**SB 585
Chesbro**

Clinical Laboratory Exams

**Chapter 70
Statutes of 1999**

Please see SB 585 on page 34 for summary.

**SB 816
Escutia**

Dispensing of Drugs: Physician Assistants and Nurse Practitioners

**Chapter 749
Statutes of 1999**

Revises existing provisions of law that permit nurse practitioners and physician assistants to furnish prescription drugs under the supervision of a physician to clarify that it is a prescribing activity for purposes of registering with the federal Drug Enforcement Agency.

**SB 1308
Senate
Business &
Professions**

Diversion Program

**Chapter 655
Statutes of 1999**

Makes changes to the Board's Diversion Program for licensees with substance abuse problems.

**SB 1852
Alpert**

Medical Assistant Supervision

**Withdrawn by
Author**

Would have permitted nurse practitioners, nurse midwives, and physician assistants to supervise medical assistants in specified licensed clinics.

(30) RESPIRATORY CARE BOARD

**SB 809
O'Connell**

Disciplinary Actions: Statute of Limitations

**Chapter 459
Statutes of 1999**

Requires the Respiratory Care Board to file accusations against

respiratory care therapists within three years after discovery of the act or omission alleged as grounds for disciplinary action, or within seven years after the act or omission occurs, whichever occurs first. Also, specifies that the aforementioned statute of limitations does not apply to accusations alleging procurement of a license by fraud or misrepresentation, and that when an allegation involves a minor, the seven-year time limit shall not begin until the minor reaches the age of majority.

(31) SECURITY AND INVESTIGATIVE SERVICES, BUREAU OF

AB 341 Cox	<u>Security Professionals: Criminal Background Check</u>	Chapter 318 Statutes of 1999
	Requires all applicants for licensure as a security professional to undergo a criminal history check from the Federal Bureau of Investigation. This requirement applies to security guards, private patrol operators, private investigators, locksmiths, repossessioners and their employees and alarm company operators and their agents, and ensures that persons convicted of federal crimes and state crimes outside of California are screened and denied a license, if appropriate. Certain active duty peace officers and reserve officers are exempted from these requirements. The statute includes a \$3 fee to pay for Bureau of Security and Investigative Services administrative costs.	
AB 512 Maddox	<u>Department of Motor Vehicles Records: Access</u>	Vetoed
	This bill would have authorized access to confidential residential records held by the Department of Motor Vehicles for private investigators and process servers. Use of the information would have been limited to process serving or to assist in an investigation to obtain evidence. The information would have been obtained only through a registered DMV vendor.	
AB 671 Campbell	<u>"Mystery Shoppers" Licensure Exemption</u>	Chapter 123 Statutes of 1999
	Exempts "mystery shoppers" from licensure as private investigators. Proponents successfully argued that mystery shoppers do not present a threat to consumers and the stringent licensure requirements including 6,000 hours of experience, are excessive for this type of work.	
AB 1898 Wright R	<u>Security Guard Training Facilities</u>	Chapter 273 Statutes of 2000
	Transfers regulation of facilities that train private patrol operators and security guards from the Bureau for Private Postsecondary and Vocational Education to the Bureau of Security and Investigative Services.	
AB 1985 Leach	<u>Private Investigators</u>	Chapter 216 Statutes of 2000
	Requires the Bureau of Security and Investigative Services within the Department of Consumer Affairs to 1) issue durable pocket identification cards; 2) allow for enhanced reciprocity for out-of-state licensees; and 3) recognize investigation experience obtained at a public defenders' office.	

AB 2888 Assembly Consumer Protection	<u>Bureau Issues</u> Makes various changes to the Bureau of Security and Investigative Services' authority over locksmiths, reposseors, security guards, and alarm companies.	Chapter 568 Statutes of 2000
SB 378 Kelley	<u>Repossession Services: Regulation</u> Creates a biennial renewal and reduces renewal fees by 25 percent for repossession agencies. Authorizes the Department of Motor Vehicles, Department of Corporations and the Department of Financial Institutions to cooperate with the Department of Consumer Affairs' Bureau of Security and Investigative Services (BSIS) to enforce the provisions of the Collateral Recovery Act. Clarifies that reposseors may use registered independent contract employees, and that impound fees may only be charged to the registered owner of the vehicle. Additionally, the statute exempts reposseors from carrying equipment required of tow truck operators.	Chapter 456 Statutes of 1999
SB 747 Burton	<u>Peace Office Training: Course Approval</u> Transfers responsibility for approving tear gas training for private investigators, private patrol operators, and private security guards from the Commission on Peace Officer Standards and Training (POST) to the Department of Consumer Affairs' Bureau of Security and Investigative Services. Also requires that examinations given during the POST training courses include standardized qualifying examinations and that the results of the examinations be confidential.	Chapter 852 Statutes of 1999
SB 832 Committee on Public Safety	<u>Peace Officer Training</u> Makes technical, conforming and non-substantive changes to various sections of the Penal Code, and eliminates incorrect code references to reflect that responsibility for approving tear gas training for private investigators, private patrol operators, and security guards rests with the Bureau of Security and Investigative Services and not the Commission of Peace Officers Standards and Training.	Chapter 853 Statutes of 1999
SB 1163 Ortiz	<u>Security Officers and Security Guards: Licensure Exemption</u> Authorizes police departments to train and employ security officers used to secure city property and facilities. This statute is intended to give police departments the authority already granted to sheriff's offices to employ security officers. These security officers are exempt from licensure as security guards with the Department of Consumer Affairs.	Chapter 112 Statutes of 1999
SB 1206 Perata	<u>Private Bicycle Registration Services</u> Would have required the Department of Consumer Affairs' Bureau of Security and Investigative Services (BSIS) to license private bicycle security providers (BSP). These BSPs would have been authorized to register bicycles and provide local law enforcement access to the collected registration data via the Internet. The BSIS would have also been charged with monitoring "service standards for Internet bicycle registration and data collection," to ensure uniformity, access by law enforcement, and confidentiality of information provided by bike registrants.	Vetoed

SB 1252
Peace

Private Security Services

Requires licensed private patrol operators whose primary office is located outside of California to maintain an office in this state and to maintain at that office all records required under law governing private security services.

Chapter 665
Statutes of 1999

SB 2123
Figueroa

Security Guards: Temporary Permits

This Department of Consumer Affairs-sponsored law ensures compliance with the state's security guard registration requirements by requiring security guard employers to immediately forward the required documentation and fees to the Bureau of Security and Investigative Services. In addition, the bill increases the penalties for failure to comply with the requirement, and eliminates temporary registration for security guards as of June 30, 2003.

Chapter 683
Statutes of 2000

(32) SMOG CHECK PROGRAM
(see also Bureau of Automotive Repair)

AB 809
Lowenthal

Smog Impact Fee Refunds

Requires the Department of Motor Vehicles to locate and notify those persons who paid the \$300 smog impact fee of their eligibility for a full refund, plus interest.

Chapter 31
Statutes of 2000

AB 1105
Jackson

Smog Check Program: Exemptions and Repair Assistance

Expands the exemption in place for vehicles 4 or less years old to vehicles that are 6 or less years old and also subjects those vehicles to the \$4 annual smog abatement fee. The statute also subjects specified other vehicles exempted from the biennial smog check requirement to the \$4 annual smog abatement fee. This statute raises the repair assistance income threshold level to 185% of the federal poverty level. The statute also expands the repair assistance program to owners of motor vehicles that are directed to a test-only facility and fail the smog check inspection. The statute authorizes the Bureau of Automotive Repair (BAR) within the Department of Consumer Affairs to increase its contribution toward the repair of a motor vehicle under the program. This statute authorizes BAR to specify the amount of money that shall be paid to an owner of a high polluting motor vehicle who voluntarily retires the vehicle. The statute also declares the intent of the Legislature that, if the \$300 smog impact fee imposed on motor vehicles previously registered in another state is ruled unconstitutional or unenforceable by an appellate court or the California Supreme Court, the repair assistance program and any voluntary vehicle retirement program implemented by the Department shall not be supported through the General Fund.

Chapter 67
Statutes of 1999

SB 215
Karnette

Smog Impact Fee Refunds

Repeals the \$300 smog impact fee and appropriates over \$665 million from the General Fund of California for refunding this fee.

Chapter 32
Statutes of 2000

SB 1056
Johannessen

Smog Check Program: Study

Requires the California Air Resources Board to review and assess the

Chapter 209
Statutes of 1999

potential cost-effectiveness of specified emissions reduction devices that are intended for installation in light-duty motor vehicles and to consider the results of that assessment in determining whether an emission reduction device is a cost-effective means of emission reduction, as compared to vehicle retirement programs.

SB 1058
Johannessen

Vehicle Retirement Programs

Would have allowed dismantlers to resell or reuse specified parts off of vehicles purchased and retired by local air quality districts.

**Held in
Assembly
Appropriations
Committee**

SB 1288
Murray

Smog Check Testing Requirements

Until January 1, 2002, requires vehicle Smog Check tests every two years, or until the vehicle is sold and registered to a retail buyer, whichever occurs first. The statute also requires the dealer to obtain smog certificates for all vehicles that are offered for retail sale.

**Chapter 355
Statutes of 1999**

SB 1301
Kelley

Smog Check Program: Remote Sensing Equipment

Requires the Department of Consumer Affairs on or before June 30, 2000, as part of a pilot program, to evaluate standards for the operation of remote sensing equipment, evaluate the need to certify individuals who operate that equipment, and evaluate the need to license entities that provide remote sensing services under the direction of the Department.

**Chapter 273
Statutes of 1999**

SB 1719
Johannessen

Smog Check Program: Test-Only Inspections

Would have allowed vehicles required to obtain their Smog Check certification at a test-only facility to get certified at a Gold Shield test-and-repair station provided the nearest test-only facility is 15 miles from the vehicle owner's home or two or less test-only facilities are operating in the county in which the owner lives.

**Held in Senate
Appropriations
Committee**

SB 1811
Johannessen

Smog Check Inspection Requirements for Kit Cars

Would have exempted specified collector/hobby/kit cars from the Smog Check Program.

Vetoed

(33) SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY BOARD

AB 124
Ackerman

Speech-Language Pathology and Audiology Board

Effective January 1, 2001, re-establishes the Board for two years until July 1, 2003. The Board had sunset on July 1, 1999, and was under the Department of Consumer Affairs' authority. This statute also makes numerous other changes to the Board's licensing authority.

**Chapter 436
Statutes of 1999**

AB 2888
**Assembly
Consumer
Protection**

Board Issues

Adds incompetence and gross negligence as grounds for license discipline, and makes other changes.

**Chapter 568
Statutes of 2000**

SB 1308
**Senate
Business &
Professions**

Board Issues

Makes purely technical code correction changes to the Board's statutes.

**Chapter 655
Statutes of 1999**

(34) STRUCTURAL PEST CONTROL BOARD

**AB 693
Machado**

Structural Pest Control: Unlicensed Solicitation

Allows an unlicensed individual to solicit pest control work on behalf of a registered structural pest control company, under specified conditions; and prohibits a sole proprietorship from practicing structural pest control unless they are registered in accordance with the law.

**Chapter 257
Statutes of 1999**

**SB 1307
Senate
Business &
Professions**

Board Issues

Among other things, eliminates the requirement that pest control companies file daily inspection reports with the Board.

**Chapter 983
Statutes of 1999**

**SB 1639
Murray**

Continuing Education

Would have allowed the Structural Pest Control Board to waive its approval fee for continuing education courses that are offered through membership with a professional association.

**Withdrawn by
Author**

**SB 2033
Figueroa**

Board: Sunset Review

Extends the sunset date for the Structural Pest Control Board by four years to July 1, 2005, and revises the procedure for administering the Structural Pest Control Research Fund.

**Chapter 539
Statutes of 2000**

(35) SUNSET REVIEW

**SB 2028
Figueroa**

Various Boards/Bureaus: Sunset Review

Extends the sunset dates for the Athletic Commission and the Board for Geologists and Geophysicists by four years to 2005; and the Bureau of Private Postsecondary and Vocational Education by one year to 2002. This statute also establishes a name change for the Board for Geologists and Geophysicists and makes technical changes to the sunset law.

**Chapter 393
Statutes of 2000**

**SB 2029
Figueroa**

Contractors State License Board: Sunset Review

Extends the sunset date of the Contractors State License Board for two more years to 2003; adds two additional public members; establishes an independent enforcement program monitor; requires numerous studies; and makes other related changes.

**Chapter 1005
Statutes of 2000**

**SB 2030
Figueroa**

Engineers and Land Surveyors Board: Sunset Review

Extends the sunset date for the Board for Professional Engineers and Land Surveyors by one year to 2002, and makes other related changes.

**Chapter 1006
Statutes of 2000**

**SB 2031
Figueroa**

Various Boards: Sunset Review

Would have placed the Osteopathic Medical Board under the purview of the Department of Consumer Affairs, increased the Board's public members from two to four, and established a Board sunset review

Vetoed

date of 2003. The Legislature would have appointed the new public members. Also, would have established a sunset review date of 2001 for the State Board of Chiropractic Examiners.

SB 2032
Figueroa

Court Reporters Board: Sunset Review

Chapter 1007
Statutes of 2000

Extends the sunset date for the Court Reporters Board of California for four years to 2005.

SB 2033
Figueroa

Structural Pest Control Board: Sunset Review

Chapter 539
Statutes of 2000

Extends the sunset date for the Structural Pest Control Board by four years to 2005, and revises the procedure for administering the Structural Pest Control Research Fund.

SB 2034
Figueroa

Various Boards: Sunset Review

Chapter 199
Statutes of 2000

Establishes a sunset review date of 2001 for the Board of Chiropractic Examiners, and 2003 for the Osteopathic Medical Board.

(36) TELEPHONE MEDICAL ADVICE SERVICES BUREAU

AB 285
Corbett

Telephone Medical Advice Services

Chapter 535
Statutes of 1999

Establishes state regulation of in-state and out-of-state business entities engaged in the business of providing telephone medical advice services to a patient in California by requiring them to register with the newly created Telephone Medical Advice Services Bureau within the Department of Consumer Affairs.

AB 2903
Assembly
Health

Telephone Medical Advice Services

Chapter 857
Statutes of 2000

Revises the registration requirements for telephone medical advice providers established by AB 285 by requiring registration only for those entities employing or contracting with five or more health care professionals to provide telephone medical advise.

(37) VETERINARY MEDICINE, BOARD OF

AB 2042
Briggs

Veterinary Medicine: Equine Massage

Failed in Senate
Business and
Professions
Committee

Would have exempted persons practicing equine massage from the Veterinary Medicine Practice Act until January 1, 2002, and after that date required equine massage practitioners to become certified and registered with the Veterinary Medical Board.

AB 2842
Calderon

Veterinary Medicine: Foreign Schools

Failed in Senate
Business and
Professions
Committee

Would have expanded the veterinary schools approved by the Veterinary Medical Board to include schools approved by specified foreign accrediting organizations.

SB 490
Kelley

Veterinary Medicine Records

Chapter 418
Statutes of 1999

Prohibits a veterinarian from releasing any information concerning the veterinary care of an animal or the person responsible for that animal,

with specified exceptions. Specifies that any veterinarian who negligently releases confidential information shall be liable in a civil action for any damages caused by the release of that information. Provides that all information obtained from a dog owner incidental to vaccinating the animal against rabies shall be confidential and may not be used, distributed or released for any other purpose other than to ensure compliance with rabies vaccination laws. Prohibits the sale or distribution of the names and telephone numbers of dog owners who have had their dogs vaccinated against rabies.

SB 1620
Kelley

Veterinary Medicine: Continuing Education

Limits the Veterinary Medical Board's authority to approve continuing education providers and courses, and instead provides for blanket approval of a specified group of providers.

Chapter 995
Statutes of 2000

**(38) VOCATIONAL NURSE AND PSYCHIATRIC TECHNICIANS,
BOARD OF**

SB 1308
Senate
Business &
Professions

Board Issues

Increases various licensing fees and specifies that the Governor is the appointing authority for the additional public member added in 1998.

Chapter 655
Statutes of 1999

C. DCA ADMINISTRATION

(1) New Programs

AB 2394
Firebaugh

Cultural and Linguistic Competency Task Force

Establishes the Task Force on Culturally and Linguistically Competent Physicians and Dentists to be chaired by the Directors of the Department of Consumer Affairs and the Department of Health Services. The task force is required, among other things, to develop recommendations for a continuing education program for physicians and dentists. Also, establishes a subcommittee of the task force to study the feasibility of establishing a pilot program that would allow Mexican and Caribbean-licensed physicians and dentists to practice in nonprofit community health centers in California's medically underserved areas.

Chapter 802
Statutes of 2000

SB 129
Peace

Office of Privacy Protection

Effective January 1, 2002, establishes an Office of Privacy Protection within the Department of Consumer Affairs (DCA) to serve as a central clearinghouse for privacy-related consumer complaints, education, and information. This statute also requires DCA to help facilitate coordination of local, state, and federal law enforcement agencies in identity theft and privacy-related criminal investigations. Implementation of this program is contingent upon annual Budget Act enactment and funding.

Chapter 984
Statutes of 2000

SB 1046 Murray	<u>Occupational Therapists: New Licensing Program</u> Creates a new Board of Occupational Therapy within the Department of Consumer Affairs to license and regulate occupational therapists and occupational therapy assistants in California.	Chapter 697 Statutes of 2000
SB 1306 Senate Business & Professions	<u>Sunset Review</u> Provides that when a board is sunset and taken over by the Department of Consumer Affairs, it shall be designated as a "bureau."	Chapter 656 Statutes of 1999
SB 1307 Senate Business & Professions	<u>Sunset Review</u> Clarifies that any board that is sunset shall come under the direct jurisdiction of the Department of Consumer Affairs, and makes other related changes.	Chapter 983 Statutes of 1999
SB 1308 Senate Business & Professions	<u>Internet Disclosure of Licensee Information</u> Gives specified boards until July 1, 2001 to provide on the Internet information regarding license status; updates name changes for several boards; and makes other related changes.	Chapter 655 Statutes of 1999
SB 1889 Figueroa	<u>Internet: Licensee Information</u> Allows licensees of specified Department of Consumer Affairs boards/bureaus to provide a post office box number or other alternate address, instead of his or her home address, as the address of record for purposes of Internet disclosure to the public. Also specifies that boards/bureaus preserve the authority to require a physical business or home address when a licensee provides a post office box or alternate address as the address of record.	Chapter 927 Statutes of 2000
SB 2028 Figueroa	<u>Sunset Review</u> Makes technical revisions to the sunset review process including extending the date on which the Department of Consumer Affairs must file its annual sunset report with the Joint Legislative Sunset Review Committee.	Chapter 393 Statutes of 2000

(2) GENERAL ADMINISTRATION

AB 75 Strom-Martin	<u>State Agency Recycling</u> Requires each state agency, on or before July 1, 2000, to develop an integrated waste management plan in consultation with the Integrated Waste Management Board. It requires each state entity to divert 25 percent of the solid waste generated from landfill or transformation facilities by January 1, 2002 and at least 50 percent by January 1, 2004.	Chapter 764 Statutes of 1999
AB 109 Knox	<u>Employment: Sick Leave</u> Requires an employer who provides sick leave for employees, including state and local governmental entities, to permit employees to use accrued sick leave to attend to the illness of his/her child,	Chapter 164 Statutes of 1999

parent, or spouse. Requires the Labor Commissioner to investigate complaints and use administrative procedures or judicial remedies to recover wages, penalties, and other compensation on behalf of the complainant. An employee is authorized to bring a civil action for any violation of these provisions.

AB 187
Hertzberg

Grant Information Act of 1999

Enacts the Grant Information Act of 1999 allowing state agencies to make available on the Internet a listing of all grants administered by that agency, including an executive summary of each grant, the grant title, eligibility requirements, total available grant funding, the number of awards, and the amount per award, among other things. The information shall provide instructions on filing grant applications electronically, or on the manner in which to download, complete and mail grant applications to the state agency

Chapter 405
Statutes of 1999

AB 505
Wright

Administrative Procedures

Makes numerous changes to the Administrative Procedure Act, creates the Office of Small Business Advocate, requires each state agency to designate an existing staff member as a small business liaison, and establishes the Governor's Small Business Reform Task Force.

Chapter 1059
Statutes of 2000

AB 724
Dutra

State Government: Year 2000 Problem

Until June 30, 2001, allows a state agency to cite Year 2000 (Y2K) problems as a reason for not providing requested electronic copies of public records, upon approval from the Department of Information Technology. Delays the implementation of providing licensee information for specified boards within the Department of Consumer Affairs on the Internet until after July 1, 2001, and makes other provisions for potential Y2K problems.

Chapter 784
Statutes of 1999

AB 1001
Villaraigosa

Civil Rights Protections

1) Adds sexual orientation as a protected basis under the Fair Employment and Housing Act; 2) defines *sexual orientation* as meaning heterosexuality, homosexuality, and bisexuality; and 3) extends the protection to actual, as well as, perceived sexual orientation. Similar provisions in AB 1670.

Chapter 592
Statutes of 1999

AB 1234
Shelley

State Agency Meetings: Internet Notice

Effective July 1, 2001, requires all state agency meeting notices to be given over the Internet in addition to the existing written notice procedure. The written meeting notice must include the address of the Internet site where the meeting notices are available. Additionally, the statute expands the filing period for an action taken for the purpose of obtaining a judicial determination on actions taken by a state body from 30 to 90 days.

Chapter 393
Statutes of 1999

AB 1412
Wildman

Public Employees: Whistleblowing

Prohibits any state or local governmental employee from interfering with the right of any person to disclose an improper governmental

Chapter 156
Statutes of 1999

activity to an investigating committee of the Legislature.

AB 1670
Assembly
Judiciary

Employee Rights

1) Extends Fair Employment and Housing Act (FEHA) harassment protections to contract workers; 2) requires employers to provide reasonable accommodations to pregnant employees if requested; 3) clarifies that genetic testing of employees is prohibited; 4) expands the class of employers subject to FEHA's prohibition against discrimination on the basis of mental disability; and 5) clarifies that protections against housing and employment discrimination cover discrimination based upon a victim's perceived membership in a protected class, and clarifies that FEHA's protections against housing and employment discrimination cover the right to freely associate.

Chapter 591
Statutes of 1999

AB 1692
Assembly
Consumer
Protection

Administrative Adjudication: Decisions

Repeals existing provisions of the Administrative Procedure Act pertaining to the disposition of administratively adjudicated cases and recasts those provisions to clarify the timeframe. The provisions do not change current law, but restate the provisions in language that is more readily understandable.

Chapter 339
Statutes of 1999

AB 1759
Papan

State Agency Reports: Internet Posting

Please see AB 1759 on page 16 for summary.

Vetoed

AB 1822
Wayne

Administrative Procedure Act

Makes numerous changes to the Administrative Procedure Act that would clarify state rulemaking provisions. Among other things, requires state agencies to post specified information regarding proposed regulations on their websites.

Chapter 1060
Statutes of 2000

AB 1856
Kuehl

Employee Conduct

Expressly provides that employees of any entity covered by the California Fair Employment and Housing Act are personally liable for their acts of harassment, regardless of whether their employer knows or should have known of the conduct and fails to take immediate and appropriate corrective action.

Chapter 151
Statutes of 2000

AB 2222
Kuehl

Employee Rights

Conforms with the federal Americans with Disabilities Act of 1990 by placing various restrictions on an employer's ability to require medical or psychological testing or make disability-related inquiries or questions throughout the application and employment process.

Chapter 1049
Statutes of 2000

AB 2267
Cedillo

Public Safety Officers: Personnel Reports

Establishes access rights to personnel files for public safety officers.

Chapter 209
Statutes of 2000

AB 2799
Shelley

Public Records: Electronic Format

Requires governmental agencies to provide public records held in an electronic format to the public in an electronic format. The statute

Chapter 982
Statutes of 2000

also requires public agencies to justify, in writing, the withholding of a public record.

**SB 48
Sher**

Public Records: Appeal of Denials

Vetoed

Would have established a simplified procedure for a public appeal to the State Attorney General after denial of a public record request by a public agency.

**SB 172
Escutia**

Employees: Inspection of Personnel Records

Vetoed

Would have required all employers to permit their employees to inspect their personnel files or a copy at the employee's workplace during normal business hours, with no loss of compensation.

**SB 240
Speier**

Child Support Enforcement

**Chapter 652
Statutes of 1999**

Makes numerous changes to the state child support enforcement program in an attempt to improve collection of child support. Specifically, requires all local child support agencies and courts to follow uniform statewide processes and procedures; requires any board regulating a professional license, the State Bar, and the Department of Real Estate to require a licensee to provide the social security number of each individual listed on the license and any person who qualifies for the license; and requires family law facilitators also to provide services in actions or proceedings for child custody or visitation, including providing educational materials relating to those proceedings.

**SB 951
Hayden**

State Employees: Disclosure of Improper Activities

**Chapter 673
Statutes of 1999**

Renames the "Reporting of Improper Governmental Activities Act" as the "California Whistleblower Protection Act" and revises the protection afforded to persons who make a disclosure to include persons who make a protected disclosure, or refuse to obey an illegal order. Provides that a protected disclosure includes disclosure to anyone of information that may evidence an improper governmental activity or evidence any condition that may significantly threaten the health or safety of employees or the public if the disclosure was made for the purpose of remedying the condition.

**SB 966
Senate
Judiciary**

Maintenance of the Codes

**Chapter 83
Statutes of 1999**

Makes technical clean-up changes to existing law recommended by the Legislative Counsel to the Legislature.

**SB 1016
Bowen**

Employee Computer Records

Vetoed

Would have prohibited an employer from secretly monitoring the electronic mail or other personal computer records of an employee. Would have required an employer who intends to inspect, review, or retain any personal electronic mail or any other personal computer records of an employee to prepare and distribute a workplace privacy and electronic monitoring policy to all employees.

SB 1065
Bowen

Public Records: Electronic Format

Vetoed

Would have clarified that the direct costs of copying public records include the costs associated with duplicating electronic records. Records held by the Department of Motor Vehicles, to which access is otherwise restricted, were exempted from these provisions. Would have amended the Public Records Act to require state and local agencies to make public records available in an electronic format upon request.

SB 1327
Escutia

Employee Rights

Chapter 886
Statutes of 2000

Requires employers, including state and local public employers, to make the contents of personnel files available to employees at reasonable times but exempts from inspection, records relating to investigation of a criminal offense, letters of reference, and specified ratings and reports

SB 1822
Bowen

Employee Computer Records

Vetoed

Please see SB 1822 on page 17 for summary.

SB 1889
Figueroa

Internet: Licensee Information

Chapter 927
Statutes of 2000

Please see SB 1889 on page 17 for summary.

SB 2027
Sher

Public Records: Appeal of Denials

Vetoed

Would have revised the appeals process for denial of access to public records.

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III. APPENDIX

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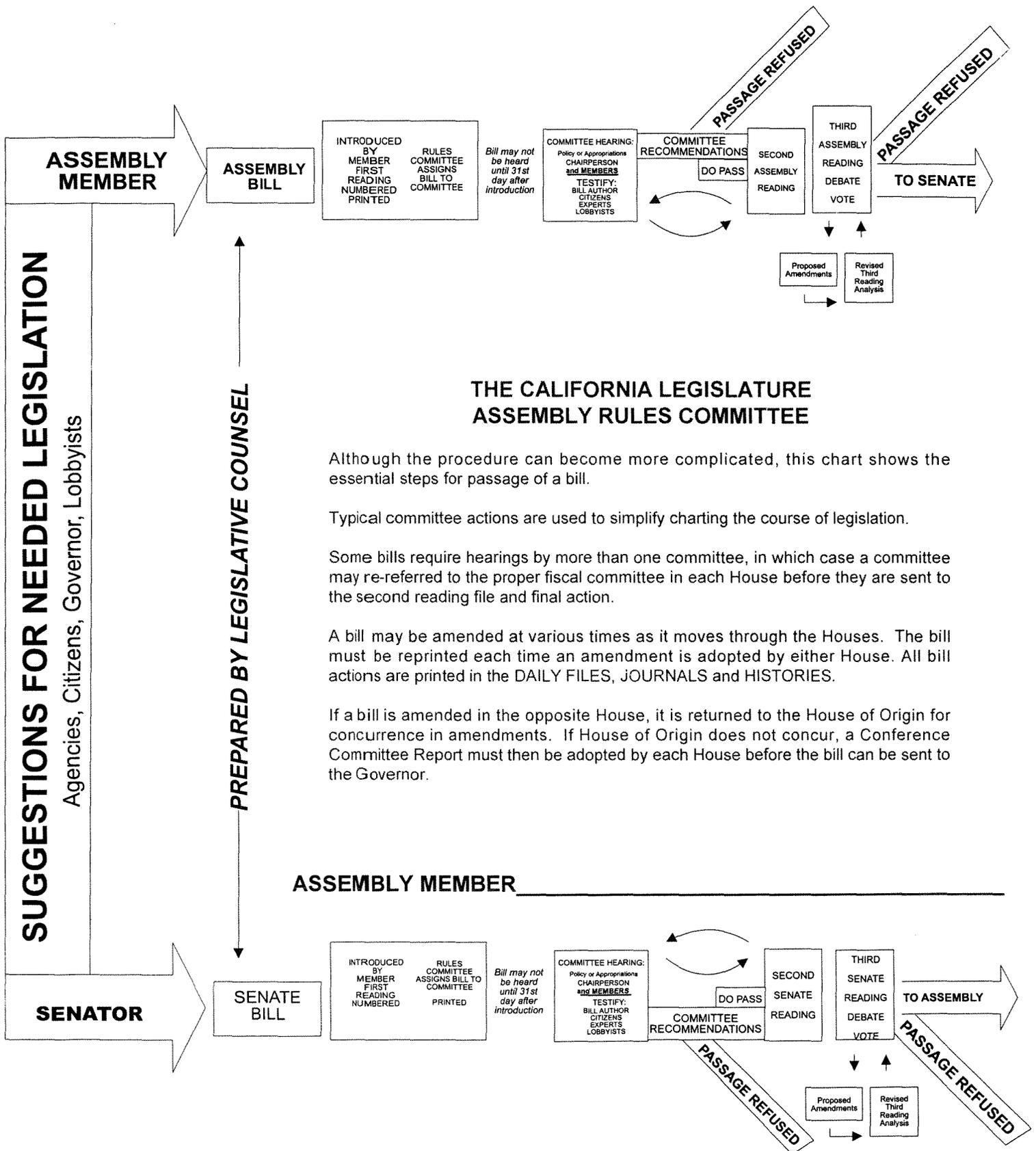
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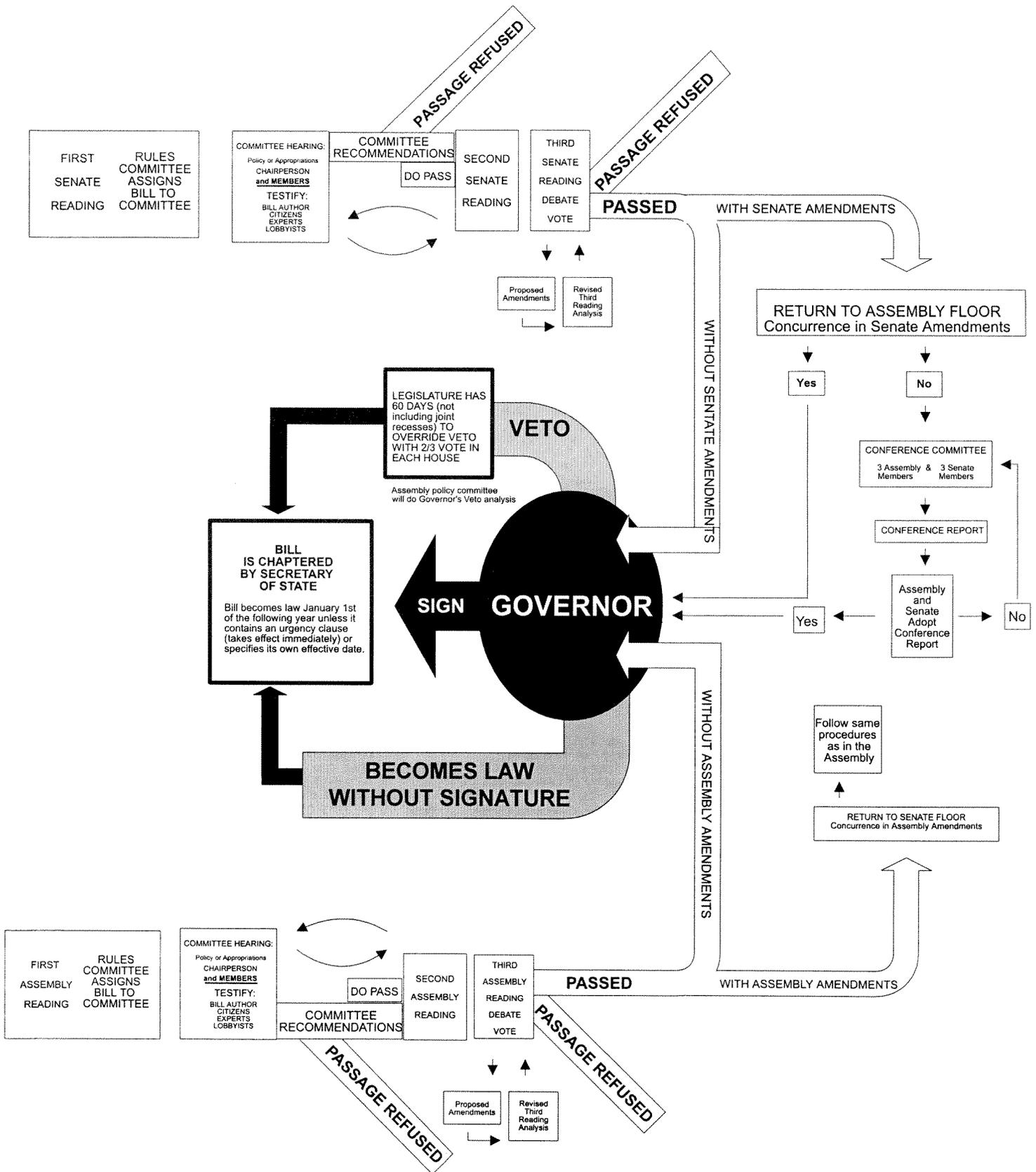
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THE LIFE CYCLE OF LEGISLATION



FROM IDEA INTO LAW



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