

AMENDED IN SENATE MAY 12, 2021

AMENDED IN SENATE APRIL 13, 2021

**SENATE BILL**

**No. 607**

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**Introduced by Senator Roth**

February 18, 2021

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An act to amend Sections 115.5, 1724, 1753, 1753.55, ~~1753.6~~ 1753.6, 7137, 7583.22, 7583.23, 7583.24, 7583.29, and 7583.47 of, to amend, repeal, and add Sections 7071.6, 7071.8, and 7071.9 of, to add ~~Section~~ Sections 101.8, 1636.5, and 5650.5 to, and to repeal Section 1753.4 of, the Business and Professions Code, and to amend Section 17973 of the ~~Heath~~ Health and Safety Code, relating to professions and ~~vocations~~.  
*vocations, and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

SB 607, as amended, Roth. Professions and vocations.

(1) Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs. ~~Existing~~ Existing law generally authorizes a board to charge fees for the reasonable regulatory cost of administering the regulatory program for the profession or vocation. Existing law establishes the Professions and Vocations Fund in the State Treasury, which consists of specified special funds and accounts, some of which are continuously appropriated.

Existing law provides for the issuance of temporary licenses in certain fields where the applicant, among other requirements, has a license to practice within that field in another jurisdiction, as specified. Existing law requires a board within the department to expedite the licensure process for an applicant who holds a current license in another jurisdiction in the same profession or vocation and who supplies

satisfactory evidence of being married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in California under official active duty military orders.

This bill would require a board to waive all fees associated with the application and initial license for an applicant who meets these expedited licensing requirements.

(2) Existing law, the Dental Practice Act, provides for the licensure and regulation of dentists and dental auxiliaries, including registered dental assistants in extended functions, by the Dental Board of ~~California~~. *California within the Department of Consumer Affairs*. Existing law requires a person who applies to the board for a license as a registered dental assistant in extended functions on and after January 1, 2010, to successfully complete a clinical or practical examination administered by the board. Existing law authorizes a registered dental assistant in extended functions who was licensed before January 1, 2010, to perform certain additional duties only if they pass the clinical or practical examination.

This bill would delete the clinical or practical examination requirement for registered dental assistants in extended functions and make related technical amendments.

The Dental Practice Act authorizes a dentist to administer or order the administration of minimal sedation on pediatric patients under 13 years of age if the dentist possesses specified licensing credentials, including holding a pediatric minimal sedation permit, and follows certain procedures. Existing law requires a dentist who desires to administer or order the administration of minimal sedation to apply to the board, as specified, and to submit an application fee.

This bill would specify that the application fee for a pediatric minimal sedation permit cannot exceed \$1,000, and the renewal fee cannot exceed \$600.

*The Dental Practice Act requires the board to approve foreign dental schools based on specified standards. The act requires a foreign dental school seeking approval to submit an application to the board, including, among other things, a finding that the educational program of the foreign dental school is equivalent to that of similar accredited institutions in the United States and adequately prepares its students for the practice of dentistry. The act requires an approved institution to submit a renewal application every 7 years and to pay a specified renewal fee. The act prohibits the board from accepting new*

*applications for approval of foreign dental schools by January 1, 2020, and requires foreign dental schools seeking approval after this date to complete the international consultative and accreditation process with the Commission on Dental Accreditation of the American Dental Association (CODA) or a comparable accrediting body approved by the board. The act also requires previously approved foreign dental schools to complete the CODA or comparable accreditation by January 1, 2024, to remain approved.*

*This bill would provide, notwithstanding this latter approval requirement, that a foreign dental school that was approved prior to January 1, 2020, through a date between January 1, 2024, and December 31, 2026, maintains that approval through that date. The bill would further provide that, upon the expiration of that board approval, the foreign dental school is required to comply with the CODA or comparable accreditation process.*

(3) Existing law provides for the licensure and regulation of landscape architects by the California Architects Board and the Landscape Architects Technical Committee of the California Architects ~~Board~~ Board within the Department of Consumer Affairs.

This bill would authorize the board to obtain and review criminal offender record information and would require an applicant, as a condition of licensure, to furnish to the Department of Justice a full set of fingerprints for the purpose of conducting a criminal history record check and criminal offender record information search. The bill would require the Department of Justice to transmit fingerprint images and related information to the Federal Bureau of Investigation for the purposes of the background check, and would require the Department of Justice to provide a state or federal response to the board. The bill would require the applicant to pay the reasonable regulatory costs for furnishing the fingerprints and conducting the searches, and would require the applicant to certify, under penalty of perjury, whether the applicant's fingerprints have been furnished to the Department of Justice. By expanding the crime of perjury, the bill would impose a state-mandated local program.

(4) Existing law, the Contractors' State License Law, provides for the licensure and regulation of contractors by the Contractors' State License Board within the Department of Consumer Affairs. Existing law authorizes the issuance of contractors' licenses to individual owners, partnerships, corporations, and limited liability companies, and authorizes those persons and entities to qualify for a license if specified

conditions are met. Existing law requires an applicant or licensee to file or have on file with the board a contractor's bond in the sum of \$15,000, as provided. Existing law requires an applicant or licensee who is not a proprietor, a general partner, or a joint licensee to additionally file or have on file with the board a qualifying individual's bond in the sum of \$12,500, unless an exception is met. *Existing law additionally authorizes the board to set fees by regulation, including various application, examination scheduling, and license and registration fees, according to a prescribed schedule. Existing law requires the fees received under this law to be deposited in the Contractors License Fund, a fund that is partially continuously appropriated for the purposes of the law.*

This bill, beginning January 1, 2023, would instead require an applicant or licensee to file or have on file with the board a contractor's bond in the sum of \$25,000, and would, if applicable, require a qualifying individual's bond in the sum of \$25,000.

*This bill would revise and recast the board's authority to set fees by regulation and would increase various fee amounts. In connection with initial license fees and renewal fees for active and inactive licenses, the bill would differentiate between an individual owner as opposed to a partnership, corporation, limited liability company, or joint venture, and would authorize higher fees for the latter categories of licensees. The bill would additionally authorize the board to set fees for the processing and issuance of a duplicate copy of any certificate of licensure, to change the business name of a license, and for a dishonored check, as specified.*

*Because the increased and new fees would be deposited into the Contractors License Fund, a continuously appropriated fund, the bill would make an appropriation.*

(5) Existing law provides authority for an enforcement agency to enter and inspect any buildings or premises whenever necessary to secure compliance with or prevent a violation of the building standards published in the California Building Standards Code and other rules and regulations that the enforcement agency has the power to enforce. Existing law requires an inspection of exterior elevated elements and associated waterproofing elements, as defined, including decks and balconies, for buildings with 3 or more multifamily dwelling units by a licensed architect, licensed civil or structural engineer, a building contractor holding specified licenses, or an individual certified as a building inspector or building official, as specified. Existing law

prohibits a contractor performing the inspection from bidding on the repair work.

This bill would eliminate the prohibition against a contractor performing the inspection from bidding on the repair work. By altering the enforcement duties for local enforcement entities, the bill would impose a state-mandated local program.

*(6) Existing law, the Private Security Services Act, establishes the Bureau of Security and Investigative Services within the Department of Consumer Affairs to license and regulate persons employed by any lawful business as security guards or patrolpersons. Existing law prohibits a person required to be registered as a security guard from engaging in specified conduct, including, but not limited to, carrying or using a firearm unless they possess a valid and current firearms permit.*

*Existing law requires the applicant for a firearms permit to complete specified requirements, including an assessment that evaluates whether the applicant possesses appropriate judgment, restraint, and self-control for the purposes of carrying and using a firearm during the course of the applicant's security guard duties. Existing law requires the results of the assessment be provided to the bureau within 30 days.*

*This bill would specify that a security guard is required to complete the assessment to be issued a firearms permit prior to carrying a firearm. This bill would prohibit an applicant who fails the assessment from completing another assessment within 90 days after the results are provided to the bureau.*

*(7) The Bagley-Keene Open Meeting Act (Bagley-Keene Act), requires, with specified exceptions, that all meetings of a state body, as defined, be open and public, and all persons be permitted to attend any meeting of a state body, except as provided. The Bagley-Keene Act, among other things, requires a state body that elects to conduct a meeting or proceeding by teleconference to make the portion of the meeting that is required to be open to the public audible to the public at the location specified in the notice of the meeting. The Bagley-Keene Act requires a state body that elects to conduct a meeting or proceeding by teleconference to post agendas at all teleconference locations, identify each teleconference location in the notice and agenda of the meeting or proceeding, and requires each teleconference location to be accessible to the public. Existing law requires that when a member of a multimember state advisory body participates remotely the body provide a means by which the public may remotely hear audio of the*

*meeting or remotely observe the meeting. Existing law requires a multimember state advisory body to end or adjourn a meeting if it discovers that a required means of remote access has failed during the meeting, and, if the meeting is to adjourn and reconvene on the same day, that law requires the body to communicate, among other things, how a member of the public may hear audio of the meeting or observe the meeting.*

*This bill would additionally authorize a state body that is organized within the Department of Consumer Affairs, to hold an open or closed meeting by teleconference if specified requirements are met. The bill would specify that the meeting notice and agenda is not required to disclose a member’s remote location, would not require the state body to post the agenda at a remote location, and would not require the state body to designate a physical meeting location where members of the public may physically attend the meeting and participate. The bill would require the state body to provide a means by which the public may remotely hear audio of the meeting and remotely observe the meeting, and would prescribe notice requirements if a meeting is adjourned and reconvened.*

(6)

(8) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: ~~no~~-yes. Fiscal committee: yes. State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 101.8 is added to the Business and
- 2 Professions Code, to read:
- 3 101.8. (a) In addition to the authorization to hold a meeting
- 4 by teleconference pursuant to Sections 11123 and 11123.5 of the
- 5 Government Code, a state body that is organized within the
- 6 Department of Consumer Affairs, including those identified in

1 *Section 101, may hold an open or closed meeting by teleconference*  
2 *pursuant to the requirements in this section and that complies with*  
3 *all other applicable requirements of Article 9 (commencing with*  
4 *Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of*  
5 *the Government Code, except as set forth in this section.*

6 *(b) Any of the members of a state body may participate in a*  
7 *teleconference meeting from one or more remote locations. If*  
8 *minutes of the meeting are taken, the minutes shall include which*  
9 *member or members of the state body participated from a remote*  
10 *location.*

11 *(c) The meeting notice and agenda shall not be required to*  
12 *disclose any information regarding a member's remote location,*  
13 *and remote locations are not required to be accessible to the*  
14 *public. The state body shall not be required to post the agenda at*  
15 *a remote location.*

16 *(d) The state body shall not be required to designate a physical*  
17 *meeting location where members of the public may physically*  
18 *attend the meeting and participate, but if the state body designates*  
19 *a physical meeting location, the notice of the meeting shall include*  
20 *the physical meeting location. A member of the state body shall*  
21 *not be required to participate at the designated physical meeting*  
22 *location. The state body shall post the agenda at the physical*  
23 *meeting location.*

24 *(e) This section shall not affect the time within which the state*  
25 *body must provide notice of a meeting in accordance with Section*  
26 *11125, 11125.4, or 11125.5 of the Government Code.*

27 *(f) All actions taken during a meeting by teleconference shall*  
28 *be by rollcall vote.*

29 *(g) The state body shall provide a means by which the public*  
30 *may remotely hear audio of the meeting and remotely observe the*  
31 *meeting, if applicable, and remotely participate in the meeting.*  
32 *The applicable teleconference phone number or internet website,*  
33 *or other information indicating how the public can access the*  
34 *meeting remotely, shall be included in the meeting notice.*

35 *(h) Upon discovering that a means of remote access required*  
36 *by subdivision (g) has failed during a meeting, the state body shall*  
37 *end or adjourn the meeting in accordance with Section 11128.5*  
38 *of the Government Code. In addition to any other requirements*  
39 *that may apply, the state body shall provide notice of the meeting's*  
40 *end or adjournment on its internet website and by email to any*

1 person who has requested notice of meetings of the state body. If  
2 the meeting will be adjourned and reconvened on the same day,  
3 further notice shall be provided by an automated message on a  
4 telephone line included on the state body's agenda, or by a similar  
5 means, that will communicate when the state body intends to  
6 reconvene the meeting and how a member of the public may hear  
7 audio of the meeting or observe the meeting, as applicable.

8 (i) For purposes of this section, the following definitions shall  
9 apply:

10 (1) "State body" has the same meaning as in Sections 11121  
11 and 11121.1 of the Government Code.

12 (2) "Meeting" has the same meaning as in Section 11122.5 of  
13 the Government Code.

14 (3) "Remote location" means a location where a member of a  
15 state body participates in a teleconference meeting subject to this  
16 section, other than a physical meeting location described in  
17 subdivision (d).

18 (4) "Teleconference" has the meaning prescribed in paragraph  
19 (2) of subdivision (b) of Section 11123 of the Government Code,  
20 and includes meetings conducted via online and internet platforms.

21 (j) This section does not limit or affect the ability of a state body  
22 to hold a teleconference meeting under another provision of Article  
23 9 (commencing with Section 11120) of Chapter 1 of Part 1 of  
24 Division 3 of Title 2 of the Government Code.

25 (k) State bodies that meet at least two times each calendar year  
26 pursuant to this section shall be deemed to have met the  
27 requirements of subdivision (a) of Section 101.7.

28 ~~SECTION 1.~~

29 SEC. 2. Section 115.5 of the Business and Professions Code  
30 is amended to read:

31 115.5. (a) A board within the department shall expedite the  
32 licensure process and waive all fees charged by the board  
33 associated with the application and initial license for an applicant  
34 who meets both of the following requirements:

35 (1) Supplies evidence satisfactory to the board that the applicant  
36 is married to, or in a domestic partnership or other legal union  
37 with, an active duty member of the Armed Forces of the United  
38 States who is assigned to a duty station in this state under official  
39 active duty military orders.



1 (2) Holds a current license in another state, district, or territory  
2 of the United States in the profession or vocation for which the  
3 applicant seeks a license from the board.

4 (b) A board may adopt regulations necessary to administer this  
5 section.

6 *SEC. 3. Section 1636.5 is added to the Business and Professions*  
7 *Code, to read:*

8 *1636.5. Notwithstanding Section 1636.4, any foreign dental*  
9 *school whose program was approved prior to January 1, 2020,*  
10 *through any date between January 1, 2024, and December 31,*  
11 *2026, shall maintain approval through that date. Upon expiration*  
12 *of the approval, the foreign dental school shall be required to*  
13 *comply with the provisions of Section 1636.4.*

14 ~~SEC. 2.~~

15 *SEC. 4. Section 1724 of the Business and Professions Code,*  
16 *as added by Section 13 of Chapter 929 of the Statutes of 2018, is*  
17 *amended to read:*

18 1724. The amount of charges and fees for dentists licensed  
19 pursuant to this chapter shall be established by the board as is  
20 necessary for the purpose of carrying out the responsibilities  
21 required by this chapter as it relates to dentists, subject to the  
22 following limitations:

23 (a) The fee for an application for licensure qualifying pursuant  
24 to paragraph (1) of subdivision (c) of Section 1632 shall not exceed  
25 one thousand five hundred dollars (\$1,500). The fee for an  
26 application for licensure qualifying pursuant to paragraph (2) of  
27 subdivision (c) of Section 1632 shall not exceed one thousand  
28 dollars (\$1,000).

29 (b) The fee for an application for licensure qualifying pursuant  
30 to Section 1634.1 shall not exceed one thousand dollars (\$1,000).

31 (c) The fee for an application for licensure qualifying pursuant  
32 to Section 1635.5 shall not exceed one thousand dollars (\$1,000).

33 (d) The fee for an initial license and for the renewal of a license  
34 is five hundred twenty-five dollars (\$525). On and after January  
35 1, 2016, the fee for an initial license shall not exceed six hundred  
36 fifty dollars (\$650), and the fee for the renewal of a license shall  
37 not exceed six hundred fifty dollars (\$650). On and after January  
38 1, 2018, the fee for an initial license shall not exceed eight hundred  
39 dollars (\$800), and the fee for the renewal of a license shall not  
40 exceed eight hundred dollars (\$800).

1 (e) The fee for an application for a special permit shall not  
2 exceed one thousand dollars (\$1,000), and the renewal fee for a  
3 special permit shall not exceed six hundred dollars (\$600).

4 (f) The delinquency fee shall be 50 percent of the renewal fee  
5 for such a license or permit in effect on the date of the renewal of  
6 the license or permit.

7 (g) The penalty for late registration of change of place of  
8 practice shall not exceed seventy-five dollars (\$75).

9 (h) The fee for an application for an additional office permit  
10 shall not exceed seven hundred fifty dollars (\$750), and the fee  
11 for the renewal of an additional office permit shall not exceed three  
12 hundred seventy-five dollars (\$375).

13 (i) The fee for issuance of a replacement pocket license,  
14 replacement wall certificate, or replacement engraved certificate  
15 shall not exceed one hundred twenty-five dollars (\$125).

16 (j) The fee for a provider of continuing education shall not  
17 exceed five hundred dollars (\$500) per year.

18 (k) The fee for application for a referral service permit and for  
19 renewal of that permit shall not exceed twenty-five dollars (\$25).

20 (l) The fee for application for an extramural facility permit and  
21 for the renewal of a permit shall not exceed twenty-five dollars  
22 (\$25).

23 (m) The fee for an application for an elective facial cosmetic  
24 surgery permit shall not exceed four thousand dollars (\$4,000),  
25 and the fee for the renewal of an elective facial cosmetic surgery  
26 permit shall not exceed eight hundred dollars (\$800).

27 (n) The fee for an application for an oral and maxillofacial  
28 surgery permit shall not exceed one thousand dollars (\$1,000), and  
29 the fee for the renewal of an oral and maxillofacial surgery permit  
30 shall not exceed one thousand two hundred dollars (\$1,200).

31 (o) The fee for an application for a general anesthesia permit  
32 shall not exceed one thousand dollars (\$1,000), and the fee for the  
33 renewal of a general anesthesia permit shall not exceed six hundred  
34 dollars (\$600).

35 (p) The fee for an onsite inspection and evaluation related to a  
36 general anesthesia or moderate sedation permit shall not exceed  
37 four thousand five hundred dollars (\$4,500).

38 (q) The fee for an application for a moderate sedation permit  
39 shall not exceed one thousand dollars (\$1,000), and the fee for the

1 renewal of a conscious sedation permit shall not exceed six hundred  
2 dollars (\$600).

3 (r) The fee for an application for an oral conscious sedation  
4 permit shall not exceed one thousand dollars (\$1,000), and the fee  
5 for the renewal of an oral conscious sedation permit shall not  
6 exceed six hundred dollars (\$600).

7 (s) The fee for an application for a pediatric minimal sedation  
8 permit shall not exceed one thousand dollars (\$1,000), and the fee  
9 for the renewal of a pediatric minimal sedation permit shall not  
10 exceed six hundred dollars (\$600).

11 (t) The fee for a certification of licensure shall not exceed one  
12 hundred twenty-five dollars (\$125).

13 (u) The fee for an application for the law and ethics examination  
14 shall not exceed two hundred fifty dollars (\$250).

15 (v) This section shall become operative on January 1, 2022.

16 ~~SEC. 3.~~

17 *SEC. 5.* Section 1753 of the Business and Professions Code is  
18 amended to read:

19 1753. (a) On and after January 1, 2010, the board may license  
20 as a registered dental assistant in extended functions a person who  
21 submits written evidence, satisfactory to the board, of all of the  
22 following eligibility requirements:

23 (1) Current licensure as a registered dental assistant or  
24 completion of the requirements for licensure as a registered dental  
25 assistant.

26 (2) Successful completion of a board-approved course in the  
27 application of pit and fissure sealants.

28 (3) Successful completion of either of the following:

29 (A) An extended functions postsecondary program approved  
30 by the board in all of the procedures specified in Section 1753.5.

31 (B) An extended functions postsecondary program approved  
32 by the board to teach the duties that registered dental assistants in  
33 extended functions were allowed to perform pursuant to board  
34 regulations prior to January 1, 2010, and a course approved by the  
35 board in the procedures specified in paragraphs (1), (2), (5), and  
36 (7) to (11), inclusive, of subdivision (b) of Section 1753.5.

37 (4) Passage of a written examination administered by the board.  
38 The board shall designate whether the written examination shall  
39 be administered by the board or by the board-approved extended  
40 functions program.

1 (b) A registered dental assistant in extended functions may apply  
2 for an orthodontic assistant permit or a dental sedation assistant  
3 permit, or both, by providing written evidence of the following:

4 (1) Successful completion of a board-approved orthodontic  
5 assistant or dental sedation assistant course, as applicable.

6 (2) Passage of a written examination administered by the board  
7 that shall encompass the knowledge, skills, and abilities necessary  
8 to competently perform the duties of the particular permit.

9 (c) A registered dental assistant in extended functions with  
10 permits in either orthodontic assisting or dental sedation assisting  
11 shall be referred to as an “RDAEF with orthodontic assistant  
12 permit,” or “RDAEF with dental sedation assistant permit,” as  
13 applicable. These terms shall be used for reference purposes only  
14 and do not create additional categories of licensure.

15 (d) Completion of the continuing education requirements  
16 established by the board pursuant to Section 1645 by a registered  
17 dental assistant in extended functions who also holds a permit as  
18 an orthodontic assistant or dental sedation assistant shall fulfill the  
19 continuing education requirement for such permit or permits.

20 ~~SEC. 4.~~

21 *SEC. 6.* Section 1753.4 of the Business and Professions Code  
22 is repealed.

23 ~~SEC. 5.~~

24 *SEC. 7.* Section 1753.55 of the Business and Professions Code  
25 is amended to read:

26 1753.55. (a) A registered dental assistant in extended functions  
27 is authorized to perform the additional duties as set forth in  
28 subdivision (b) pursuant to the order, control, and full professional  
29 responsibility of a supervising dentist, if the licensee meets one of  
30 the following requirements:

31 (1) Is licensed on or after January 1, 2010.

32 (2) Is licensed prior to January 1, 2010, and has successfully  
33 completed a board-approved course in the additional procedures  
34 specified in paragraphs (1), (2), (5), and (7) to (11), inclusive, of  
35 subdivision (b) of Section 1753.5.

36 (b) (1) Determine which radiographs to perform on a patient  
37 who has not received an initial examination by the supervising  
38 dentist for the specific purpose of the dentist making a diagnosis  
39 and treatment plan for the patient. In these circumstances, the  
40 dental assistant in extended functions shall follow protocols

1 established by the supervising dentist. This paragraph only applies  
2 in the following settings:

3 (A) In a dental office setting.

4 (B) In public health settings, using telehealth, as defined by  
5 Section 2290.5, for the purpose of communication with the  
6 supervising dentist, including, but not limited to, schools, head  
7 start and preschool programs, and community clinics, under the  
8 general supervision of a dentist.

9 (2) Place protective restorations, which for this purpose are  
10 identified as interim therapeutic restorations, and defined as a  
11 direct provisional restoration placed to stabilize the tooth until a  
12 licensed dentist diagnoses the need for further definitive treatment.  
13 An interim therapeutic restoration consists of the removal of soft  
14 material from the tooth using only hand instrumentation, without  
15 the use of rotary instrumentation, and subsequent placement of an  
16 adhesive restorative material. Local anesthesia shall not be  
17 necessary for interim therapeutic restoration placement. Interim  
18 therapeutic restorations shall be placed only in accordance with  
19 both of the following:

20 (A) In either of the following settings:

21 (i) In a dental office setting, under the direct or general  
22 supervision of a dentist as determined by the dentist.

23 (ii) In public health settings, using telehealth, as defined by  
24 Section 2290.5, for the purpose of communication with the  
25 supervising dentist, including, but not limited to, schools, head  
26 start and preschool programs, and community clinics, under the  
27 general supervision of a dentist.

28 (B) After the diagnosis, treatment plan, and instruction to  
29 perform the procedure provided by a dentist.

30 (c) The functions described in subdivision (b) may be performed  
31 by a registered dental assistant in extended functions only after  
32 completion of a program that includes training in performing those  
33 functions, or after providing evidence, satisfactory to the board,  
34 of having completed a board-approved course in those functions.

35 (d) No later than January 1, 2018, the board shall adopt  
36 regulations to establish requirements for courses of instruction for  
37 the procedures authorized to be performed by a registered dental  
38 assistant in extended functions pursuant to this section using the  
39 competency-based training protocols established by the Health  
40 Workforce Pilot Project (HWPP) No. 172 through the Office of

1 Health Planning and Development. The board shall submit to the  
 2 committee proposed regulatory language for the curriculum for  
 3 the Interim Therapeutic Restoration to the committee for the  
 4 purpose of promulgating regulations for registered dental hygienists  
 5 and registered dental hygienists in alternative practice as described  
 6 in Section 1910.5. The language submitted by the board shall  
 7 mirror the instructional curriculum for the registered dental  
 8 assistant in extended functions. Any subsequent amendments to  
 9 the regulations that are promulgated by the board for the Interim  
 10 Therapeutic Restoration curriculum shall be submitted to the  
 11 committee.

12 (e) The board may issue a permit to a registered dental assistant  
 13 in extended functions who files a completed application, including  
 14 the fee, to provide the duties specified in this section after the board  
 15 has determined the registered dental assistant in extended functions  
 16 has completed the coursework required in subdivision (c).

17 (f) This section shall become operative on January 1, 2018.

18 ~~SEC. 6.~~

19 *SEC. 8.* Section 1753.6 of the Business and Professions Code  
 20 is amended to read:

21 1753.6. (a) Each person who holds a license as a registered  
 22 dental assistant in extended functions on the operative date of this  
 23 section may only perform those procedures that a registered dental  
 24 assistant is allowed to perform as specified in and limited by  
 25 Section 1752.4, and the procedures specified in paragraphs (1) to  
 26 (6), inclusive, until the person provides evidence of having  
 27 completed a board-approved course in the additional procedures  
 28 specified in paragraphs (1), (2), (5), and (7) to (11), inclusive, of  
 29 subdivision (b) of Section 1753.5:

- 30 (1) Cord retraction of gingiva for impression procedures.
- 31 (2) Take final impressions for permanent indirect restorations.
- 32 (3) Formulate indirect patterns for endodontic post and core
- 33 castings.
- 34 (4) Fit trial endodontic filling points.
- 35 (5) Apply pit and fissure sealants.
- 36 (6) Remove excess cement from subgingival tooth surfaces with
- 37 a hand instrument.

38 (b) This section shall become operative on January 1, 2010.

1     ~~SEC. 7.~~

2     *SEC. 9.* Section 5650.5 is added to the Business and Professions  
3 Code, to read:

4     5650.5. (a) Pursuant to Section 144, the board has the authority  
5 to obtain and review criminal offender record information. The  
6 information obtained as a result of the fingerprinting shall be used  
7 in accordance with Section 11105 of the Penal Code to determine  
8 whether the applicant is subject to denial, suspension, or revocation  
9 of a license pursuant to Division 1.5 (commencing with Section  
10 475) or Section 5660, 5675, or 5676.

11     (b) As a condition of application for a license, each applicant  
12 shall furnish to the Department of Justice a full set of fingerprints  
13 for the purpose of conducting a criminal history record check and  
14 to undergo a state- and federal- level criminal offender record  
15 information search conducted through the Department of Justice,  
16 as follows:

17     (1) The board shall electronically submit to the Department of  
18 Justice fingerprint images and related information required by the  
19 Department of Justice of all landscape architect license applicants  
20 for the purpose of obtaining information as to the existence and  
21 content of a record of state or federal arrests and state or federal  
22 convictions and also information as to the existence and content  
23 of a record of state or federal arrests for which the Department of  
24 Justice establishes that the person is free on bail or on their  
25 recognizance pending trial or appeal.

26     (2) When received, the Department of Justice shall transmit  
27 fingerprint images and related information received pursuant to  
28 this section, to the Federal Bureau of Investigation for the purpose  
29 of obtaining a federal criminal history records check. The  
30 Department of Justice shall review the information returned from  
31 the Federal Bureau of Investigation and compile and disseminate  
32 a response to the board.

33     (3) The Department of Justice shall provide a state or federal  
34 response to the board pursuant to subdivision (p) of Section 11105  
35 of the Penal Code.

36     (4) The board shall request from the Department of Justice  
37 subsequent notification service, as provided pursuant to Section  
38 11105.2 of the Penal Code, for persons described in paragraph (1).

1 (5) The Department of Justice shall charge the applicant a fee  
2 sufficient to cover the cost of processing the request described in  
3 this subdivision.

4 (c) The applicant shall certify, under penalty of perjury, when  
5 applying for a license whether the applicant's fingerprints have  
6 been furnished to the Department of Justice in compliance with  
7 this section.

8 (d) Failure to comply with the requirements of this section  
9 renders the application for a license incomplete, and the application  
10 shall not be considered until the applicant demonstrates compliance  
11 with all requirements of this section.

12 (e) Notwithstanding any other law, the results of any criminal  
13 offender record information request by either state or federal law  
14 enforcement authorities shall not be released by the board except  
15 in accordance with state and federal requirements.

16 (f) As used in this section, the term "applicant" shall be limited  
17 to an initial applicant who has never been registered or licensed  
18 by the board or to an applicant for a new licensure or registration  
19 category.

20 (g) As a condition of petitioning the board for reinstatement of  
21 a revoked or surrendered license, an applicant shall comply with  
22 subdivision (a).

23 ~~SEC. 8.~~

24 *SEC. 10.* Section 7071.6 of the Business and Professions Code  
25 is amended to read:

26 7071.6. (a) The board shall require as a condition precedent  
27 to the issuance, reinstatement, reactivation, renewal, or continued  
28 maintenance of a license, that the applicant or licensee file or have  
29 on file a contractor's bond in the sum of fifteen thousand dollars  
30 (\$15,000).

31 (b) Excluding the claims brought by the beneficiaries specified  
32 in subdivision (a) of Section 7071.5, the aggregate liability of a  
33 surety on claims brought against a bond required by this section  
34 shall not exceed the sum of seven thousand five hundred dollars  
35 (\$7,500). The bond proceeds in excess of seven thousand five  
36 hundred dollars (\$7,500) shall be reserved exclusively for the  
37 claims of the beneficiaries specified in subdivision (a) of Section  
38 7071.5. However, nothing in this section shall be construed so as  
39 to prevent any beneficiary specified in subdivision (a) of Section



1 7071.5 from claiming or recovering the full measure of the bond  
2 required by this section.

3 (c) A bond shall not be required of a holder of a license that has  
4 been inactivated on the official records of the board during the  
5 period the license is inactive.

6 (d) Notwithstanding any other law, as a condition precedent to  
7 licensure, the board may require an applicant to post a contractor's  
8 bond in twice the amount required pursuant to subdivision (a) until  
9 the time that the license is renewed, under the following conditions:

10 (1) The applicant has either been convicted of a violation of  
11 Section 7028 or has been cited pursuant to Section 7028.7.

12 (2) If the applicant has been cited pursuant to Section 7028.7,  
13 the citation has been reduced to a final order of the registrar.

14 (3) The violation of Section 7028, or the basis for the citation  
15 issued pursuant to Section 7028.7, constituted a substantial injury  
16 to the public.

17 (e) (1) The board shall conduct a study to obtain information  
18 to evaluate whether the current fifteen-thousand-dollar (\$15,000)  
19 amount of the contractor bond is sufficient, or whether an increase  
20 may be necessary.

21 (2) The board shall report its findings and recommendations to  
22 the appropriate policy committees of the Legislature, in accordance  
23 with Section 9795 of the Government Code, by January 1, 2021.

24 (f) This section shall remain in effect only until January 1, 2023,  
25 and as of that date is repealed.

26 ~~SEC. 9.~~

27 *SEC. 11.* Section 7071.6 is added to the Business and  
28 Professions Code, to read:

29 7071.6. (a) The board shall require as a condition precedent  
30 to the issuance, reinstatement, reactivation, renewal, or continued  
31 maintenance of a license, that the applicant or licensee file or have  
32 on file a contractor's bond in the sum of twenty-five thousand  
33 dollars (\$25,000).

34 (b) Excluding the claims brought by the beneficiaries specified  
35 in subdivision (a) of Section 7071.5, the aggregate liability of a  
36 surety on claims brought against a bond required by this section  
37 shall not exceed the sum of seven thousand five hundred dollars  
38 (\$7,500). The bond proceeds in excess of seven thousand five  
39 hundred dollars (\$7,500) shall be reserved exclusively for the  
40 claims of the beneficiaries specified in subdivision (a) of Section

1 7071.5. However, nothing in this section shall be construed so as  
2 to prevent any beneficiary specified in subdivision (a) of Section  
3 7071.5 from claiming or recovering the full measure of the bond  
4 required by this section.

5 (c) A bond shall not be required of a holder of a license that has  
6 been inactivated on the official records of the board during the  
7 period the license is inactive.

8 (d) Notwithstanding any other law, as a condition precedent to  
9 licensure, the board may require an applicant to post a contractor's  
10 bond in twice the amount required pursuant to subdivision (a) until  
11 the time that the license is renewed, under the following conditions:

12 (1) The applicant has either been convicted of a violation of  
13 Section 7028 or has been cited pursuant to Section 7028.7.

14 (2) If the applicant has been cited pursuant to Section 7028.7,  
15 the citation has been reduced to a final order of the registrar.

16 (3) The violation of Section 7028, or the basis for the citation  
17 issued pursuant to Section 7028.7, constituted a substantial injury  
18 to the public.

19 (e) This section shall become operative on January 1, 2023.

20 ~~SEC. 10:~~

21 *SEC. 12.* Section 7071.8 of the Business and Professions Code  
22 is amended to read:

23 7071.8. (a) This section applies to an application for a license,  
24 for renewal or restoration of a license, an application to change  
25 officers or members of a corporation or a limited liability company,  
26 or for continued valid use of a license which has been disciplined,  
27 whether or not the disciplinary action has been stayed, made by  
28 any of the following persons or firms:

29 (1) A person whose license has been suspended or revoked as  
30 a result of disciplinary action, or a person who was a qualifying  
31 individual for a licensee at any time during which cause for  
32 disciplinary action occurred resulting in suspension or revocation  
33 of the licensee's license, whether or not the qualifying individual  
34 had knowledge or participated in the prohibited act or omission.

35 (2) A person who was an officer, director, manager, partner, or  
36 member of the personnel of record of a licensee at any time during  
37 which cause for disciplinary action occurred resulting in suspension  
38 or revocation of the licensee's license and who had knowledge of  
39 or participated in the act or omission which was the cause for the  
40 disciplinary action.

1 (3) A partnership, corporation, limited liability company, firm,  
2 or association of which an existing or new officer, director,  
3 manager, partner, qualifying person, or member of the personnel  
4 of record has had a license suspended or revoked as a result of  
5 disciplinary action.

6 (4) A partnership, corporation, limited liability company, firm,  
7 or association of which a member of the personnel of record,  
8 including, but not limited to, an officer, director, manager, partner,  
9 or qualifying person was, likewise, a manager, officer, director,  
10 or partner of a licensee at any time during which cause for  
11 disciplinary action occurred resulting in suspension or revocation  
12 of the license, and who had knowledge of or participated in the  
13 act or omission which was the cause for the disciplinary action.

14 (b) The board shall require as a condition precedent to the  
15 issuance, reissuance, renewal, or restoration of a license to the  
16 applicant, or to the approval of an application to change officers  
17 of a corporation or a limited liability company, or removal of  
18 suspension, or to the continued valid use of a license which has  
19 been suspended or revoked, but which suspension or revocation  
20 has been stayed, that the applicant or licensee file or have on file  
21 a contractor's bond in a sum to be fixed by the registrar based upon  
22 the seriousness of the violation, but which sum shall not be less  
23 than fifteen thousand dollars (\$15,000) nor more than 10 times  
24 that amount required by Section 7071.6.

25 (c) The bond is in addition to, may not be combined with, and  
26 does not replace any other type of bond required by this chapter.  
27 The bond shall remain on file with the registrar for a period of at  
28 least two years and for any additional time that the registrar  
29 determines. The bond period shall run only while the license is  
30 current, active, and in good standing, and shall be extended until  
31 the license has been current, active, and in good standing for the  
32 required period. Each applicant or licensee shall be required to file  
33 only one disciplinary contractor's bond of the type described in  
34 this section for each application or license subject to this bond  
35 requirement.

36 (d) This section shall remain in effect only until January 1, 2023,  
37 and as of that date is repealed.

38 ~~SEC. 11.~~

39 *SEC. 13.* Section 7071.8 is added to the Business and  
40 Professions Code, to read:

1 7071.8. (a) This section applies to an application for a license,  
2 for renewal or restoration of a license, an application to change  
3 officers or members of a corporation or a limited liability company,  
4 or for continued valid use of a license which has been disciplined,  
5 whether or not the disciplinary action has been stayed, made by  
6 any of the following persons or firms:

7 (1) A person whose license has been suspended or revoked as  
8 a result of disciplinary action, or a person who was a qualifying  
9 individual for a licensee at any time during which cause for  
10 disciplinary action occurred resulting in suspension or revocation  
11 of the licensee's license, whether or not the qualifying individual  
12 had knowledge or participated in the prohibited act or omission.

13 (2) A person who was an officer, director, manager, partner, or  
14 member of the personnel of record of a licensee at any time during  
15 which cause for disciplinary action occurred resulting in suspension  
16 or revocation of the licensee's license and who had knowledge of  
17 or participated in the act or omission which was the cause for the  
18 disciplinary action.

19 (3) A partnership, corporation, limited liability company, firm,  
20 or association of which an existing or new officer, director,  
21 manager, partner, qualifying person, or member of the personnel  
22 of record has had a license suspended or revoked as a result of  
23 disciplinary action.

24 (4) A partnership, corporation, limited liability company, firm,  
25 or association of which a member of the personnel of record,  
26 including, but not limited to, an officer, director, manager, partner,  
27 or qualifying person was, likewise, a manager, officer, director,  
28 or partner of a licensee at any time during which cause for  
29 disciplinary action occurred resulting in suspension or revocation  
30 of the license, and who had knowledge of or participated in the  
31 act or omission which was the cause for the disciplinary action.

32 (b) The board shall require as a condition precedent to the  
33 issuance, reissuance, renewal, or restoration of a license to the  
34 applicant, or to the approval of an application to change officers  
35 of a corporation or a limited liability company, or removal of  
36 suspension, or to the continued valid use of a license which has  
37 been suspended or revoked, but which suspension or revocation  
38 has been stayed, that the applicant or licensee file or have on file  
39 a contractor's bond in a sum to be fixed by the registrar based upon  
40 the seriousness of the violation, but which sum shall not be less

1 than twenty-five thousand dollars (\$25,000) nor more than 10  
2 times that amount required by Section 7071.6.

3 (c) The bond is in addition to, may not be combined with, and  
4 does not replace any other type of bond required by this chapter.  
5 The bond shall remain on file with the registrar for a period of at  
6 least two years and for any additional time that the registrar  
7 determines. The bond period shall run only while the license is  
8 current, active, and in good standing, and shall be extended until  
9 the license has been current, active, and in good standing for the  
10 required period. Each applicant or licensee shall be required to file  
11 only one disciplinary contractor's bond of the type described in  
12 this section for each application or license subject to this bond  
13 requirement.

14 (d) This section shall become operative on January 1, 2023.

15 ~~SEC. 12.~~

16 *SEC. 14.* Section 7071.9 of the Business and Professions Code  
17 is amended to read:

18 7071.9. (a) If the qualifying individual, as referred to in  
19 Sections 7068 and 7068.1, is neither the proprietor, a general  
20 partner, nor a joint licensee, the qualifying individual shall file or  
21 have on file a qualifying individual's bond as provided in Section  
22 7071.10 in the sum of twelve thousand five hundred dollars  
23 (\$12,500). This bond is in addition to, and shall not be combined  
24 with, any contractor's bond required by Sections 7071.5 to 7071.8,  
25 inclusive, and is required for the issuance, reinstatement,  
26 reactivation, or continued valid use of a license.

27 (b) Excluding the claims brought by the beneficiaries specified  
28 in paragraph (1) of subdivision (a) of Section 7071.10, the  
29 aggregate liability of a surety on claims brought against the bond  
30 required by this section shall not exceed the sum of seven thousand  
31 five hundred dollars (\$7,500). The bond proceeds in excess of  
32 seven thousand five hundred dollars (\$7,500) shall be reserved  
33 exclusively for the claims of the beneficiaries specified in  
34 paragraph (1) of subdivision (a) of Section 7071.10. However,  
35 nothing in this section shall be construed to prevent any beneficiary  
36 specified in paragraph (1) of subdivision (a) of Section 7071.10  
37 from claiming or recovering the full measure of the bond required  
38 by this section. This bond is in addition to, and shall not be  
39 combined with, any contractor's bond required by Sections 7071.5

1 to 7071.8, inclusive, and is required for the issuance, reinstatement,  
2 reactivation, or continued valid use of a license.

3 (c) The responsible managing officer of a corporation shall not  
4 be required to file or have on file a qualifying individual's bond,  
5 if the responsible managing officer owns 10 percent or more of  
6 the voting stock of the corporation and certifies to that fact on a  
7 form prescribed by the registrar.

8 (d) The qualifying individual for a limited liability company  
9 shall not be required to file or have on file a qualifying individual's  
10 bond if the qualifying individual owns at least a 10-percent  
11 membership interest in the limited liability company and certifies  
12 to that fact on a form prescribed by the registrar.

13 (e) This section shall remain in effect only until January 1, 2023,  
14 and as of that date is repealed.

15 ~~SEC. 13.~~

16 *SEC. 15.* Section 7071.9 is added to the Business and  
17 Professions Code, to read:

18 7071.9. (a) If the qualifying individual, as referred to in  
19 Sections 7068 and 7068.1, is neither the proprietor, a general  
20 partner, nor a joint licensee, the qualifying individual shall file or  
21 have on file a qualifying individual's bond as provided in Section  
22 7071.10 in the sum of twenty-five thousand dollars (\$25,000). This  
23 bond is in addition to, and shall not be combined with, any  
24 contractor's bond required by Sections 7071.5 to 7071.8, inclusive,  
25 and is required for the issuance, reinstatement, reactivation, or  
26 continued valid use of a license.

27 (b) Excluding the claims brought by the beneficiaries specified  
28 in paragraph (1) of subdivision (a) of Section 7071.10, the  
29 aggregate liability of a surety on claims brought against the bond  
30 required by this section shall not exceed the sum of seven thousand  
31 five hundred dollars (\$7,500). The bond proceeds in excess of  
32 seven thousand five hundred dollars (\$7,500) shall be reserved  
33 exclusively for the claims of the beneficiaries specified in  
34 paragraph (1) of subdivision (a) of Section 7071.10. However,  
35 nothing in this section shall be construed to prevent any beneficiary  
36 specified in paragraph (1) of subdivision (a) of Section 7071.10  
37 from claiming or recovering the full measure of the bond required  
38 by this section. This bond is in addition to, and shall not be  
39 combined with, any contractor's bond required by Sections 7071.5

1 to 7071.8, inclusive, and is required for the issuance, reinstatement,  
2 reactivation, or continued valid use of a license.

3 (c) The responsible managing officer of a corporation shall not  
4 be required to file or have on file a qualifying individual's bond,  
5 if the responsible managing officer owns 10 percent or more of  
6 the voting stock of the corporation and certifies to that fact on a  
7 form prescribed by the registrar.

8 (d) The qualifying individual for a limited liability company  
9 shall not be required to file or have on file a qualifying individual's  
10 bond if the qualifying individual owns at least a 10-percent  
11 membership interest in the limited liability company and certifies  
12 to that fact on a form prescribed by the registrar.

13 (e) This section shall become operative on January 1, 2023.

14 *SEC. 16. Section 7137 of the Business and Professions Code*  
15 *is amended to read:*

16 7137. (a) The board may set fees by regulation. These fees  
17 shall be set according to the following schedule:

18 ~~(a)(1) The~~

19 *(1) Application fees shall be set as follows:*

20 *(A) The application fee for an original license in a single*  
21 *classification shall be ~~three hundred thirty dollars (\$330) four~~*  
22 *hundred fifty dollars (\$450) and may be increased to not more than*  
23 *~~three hundred seventy-five dollars (\$375); five hundred sixty-three~~*  
24 *dollars (\$563).*

25 ~~(2)~~

26 *(B) The application fee for each additional classification applied*  
27 *for in connection with an original license shall ~~not be more than~~*  
28 *~~eighty-five dollars (\$85); be one hundred fifty dollars (\$150) and~~*  
29 *may be increased to not more than one hundred eighty-eight dollars*  
30 *(\$188).*

31 ~~(3)~~

32 *(C) The application fee for each additional classification*  
33 *pursuant to Section 7059 shall be ~~one hundred fifty dollars (\$150)~~*  
34 *two hundred thirty dollars (\$230) and may be increased to not*  
35 *more than ~~one hundred seventy-five dollars (\$175); two hundred~~*  
36 *eighty-eight dollars (\$288).*

37 ~~(4)~~

38 *(D) The application fee to replace a responsible managing*  
39 *officer, responsible managing manager, responsible managing*  
40 *member, or responsible managing employee pursuant to Section*

1 7068.2 shall be ~~one hundred fifty dollars (\$150)~~ *two hundred thirty*  
2 *dollars (\$230)* and may be increased to not more than ~~one hundred~~  
3 ~~seventy-five dollars (\$175)~~; *two hundred eighty-eight dollars*  
4 *(\$288)*.

5 ~~(5)~~

6 (E) The application fee to add personnel, other than a qualifying  
7 individual, to an existing license shall be ~~one hundred dollars~~  
8 ~~(\$100)~~ *one hundred twenty-five dollars (\$125)* and may be  
9 increased to not more than ~~one hundred fifteen dollars (\$115)~~; *one*  
10 *hundred fifty-seven dollars (\$157)*.

11 (F) *The application fee for an asbestos certification examination*  
12 *shall be one hundred twenty-five dollars (\$125) and may be*  
13 *increased to not more than one hundred fifty-seven dollars (\$157)*.

14 (G) *The application fee for a hazardous substance removal or*  
15 *remedial action certification examination shall be one hundred*  
16 *twenty-five dollars (\$125) and may be increased to not more than*  
17 *one hundred fifty-seven dollars (\$157)*.

18 (2) *Examination scheduling fees shall be set as follows:*

19 ~~(b)~~

20 (A) The fee for rescheduling an examination for an applicant  
21 who has applied for an original license, additional classification,  
22 a change of responsible managing officer, responsible managing  
23 manager, responsible managing member, or responsible managing  
24 employee, or for an asbestos certification or hazardous substance  
25 removal certification, shall ~~not be more than seventy dollars (\$70)~~;  
26 *be one hundred dollars (\$100) and may be increased to not more*  
27 *than one hundred twenty-five dollars (\$125)*.

28 ~~(e)~~

29 (B) The fee for scheduling or rescheduling an examination for  
30 a licensee who is required to take the examination as a condition  
31 of probation shall ~~not be more than seventy dollars (\$70)~~; *be one*  
32 *hundred dollars (\$100) and may be increased to not more than*  
33 *one hundred twenty-five dollars (\$125)*.

34 (3) *Initial license and registration fees shall be set as follows:*

35 ~~(d)~~

36 (A) The initial license fee for an active or inactive license *for*  
37 *an individual owner* shall be two hundred dollars (\$200) and may  
38 be increased to not more than ~~two hundred twenty-five dollars~~  
39 ~~(\$225)~~; *two hundred fifty dollars (\$250)*.



1 (B) *The initial license fee for an active or inactive license for a*  
2 *partnership, corporation, limited liability company, or joint venture*  
3 *shall be three hundred fifty dollars (\$350) and may be increased*  
4 *to not more than four hundred thirty-eight dollars (\$438).*

5 (C) *The registration fee for a home improvement salesperson*  
6 *shall be two hundred dollars (\$200) and may be increased to not*  
7 *more than two hundred fifty dollars (\$250).*

8 (4) *License and registration renewal fees shall be set as follows:*

9 ~~(e) (1)~~

10 (A) *The renewal fee for an active license for an individual owner*  
11 *shall be ~~four hundred dollars (\$400)~~ four hundred fifty dollars*  
12 *(\$450) and may be increased to not more than ~~four hundred fifty~~*  
13 *dollars (\$450); five hundred sixty-three dollars (\$563).*

14 ~~(2)~~

15 (B) *The renewal fee for an inactive license for an individual*  
16 *owner shall be ~~two hundred dollars (\$200)~~ three hundred dollars*  
17 *(\$300) and may be increased to not more than ~~two hundred~~*  
18 *~~twenty-five dollars (\$225); three hundred seventy-five dollars~~*  
19 *(\$375).*

20 (C) *The renewal fee for an active license for a partnership,*  
21 *corporation, limited liability company, or joint venture shall be*  
22 *seven hundred dollars (\$700) and may be increased to not more*  
23 *than eight hundred seventy-five dollars (\$875).*

24 (D) *The renewal fee for an inactive license for a partnership,*  
25 *corporation, limited liability company, or joint venture shall be*  
26 *five hundred dollars (\$500) and may be increased to not more*  
27 *than six hundred twenty-five dollars (\$625).*

28 (E) *The renewal fee for a home improvement salesperson*  
29 *registration shall be two hundred dollars (\$200) and may be*  
30 *increased to not more than two hundred fifty dollars (\$250).*

31 ~~(f)~~

32 (5) *The delinquency fee is an amount equal to 50 percent of the*  
33 *renewal fee, if the license is renewed after its expiration.*

34 ~~(g) The registration fee for a home improvement salesperson~~  
35 ~~shall be eighty-three dollars (\$83) and may be increased to not~~  
36 ~~more than ninety-five dollars (\$95).~~

37 ~~(h) The renewal fee for a home improvement salesperson~~  
38 ~~registration shall be eighty-three dollars (\$83) and may be increased~~  
39 ~~to not more than ninety-five dollars (\$95).~~

1 ~~(i) The application fee for an asbestos certification examination~~  
2 ~~shall be eighty-three dollars (\$83) and may be increased to not~~  
3 ~~more than ninety-five dollars (\$95).~~

4 ~~(j) The application fee for a hazardous substance removal or~~  
5 ~~remedial action certification examination shall be eighty-three~~  
6 ~~dollars (\$83) and may be increased to not more than ninety-five~~  
7 ~~dollars (\$95).~~

8 ~~(k) In~~

9 *(6) Miscellaneous fees shall be set as follows:*

10 *(A) In addition to any other fees charged to C-10 contractors,*  
11 *the board shall charge a fee of twenty dollars (\$20), to be assessed*  
12 *with the renewal fee for an active license, which shall be used by*  
13 *the board to enforce provisions of the Labor Code related to*  
14 *electrician certification.*

15 ~~(†)~~

16 *(B) The service fee to deposit with the registrar lawful money*  
17 *or cashier's check pursuant to paragraph (1) of subdivision (a) of*  
18 *Section 995.710 of the Code of Civil Procedure for purposes of*  
19 *compliance with any provision of Article 5 (commencing with*  
20 *Section 7065) shall be one hundred dollars (\$100), which shall be*  
21 *used by the board only to process each deposit filed with the*  
22 *registrar, to cover the reasonable costs to the registrar for holding*  
23 *money or cashier's checks in trust in interest bearing deposit or*  
24 *share accounts, and to offset the costs of processing payment of*  
25 *lawful claims against a deposit in a civil action.*

26 *(C) The fee for the processing and issuance of a duplicate copy*  
27 *of any certificate of licensure or other form evidencing licensure*  
28 *or renewal of licensure pursuant to Section 122 shall be twenty-five*  
29 *dollars (\$25).*

30 *(D) The fee to change the business name of a license as it is*  
31 *recorded under this chapter shall be one hundred dollars (\$100)*  
32 *and may be increased to not more than one hundred twenty-five*  
33 *dollars (\$125).*

34 *(E) The service charge for a dishonored check authorized by*  
35 *Section 6157 of the Government Code shall be twenty-five dollars*  
36 *(\$25) for each check.*

37 ~~(m)~~

38 *(b) The board shall, by regulation, establish criteria for the*  
39 *approval of expedited processing of applications. Approved*  
40 *expedited processing of applications for licensure or registration,*

1 as required by other provisions of law, shall not be subject to this  
2 subdivision.

3 *SEC. 17. Section 7583.22 of the Business and Professions Code*  
4 *is amended to read:*

5 7583.22. (a) A licensee, qualified manager of a licensee, or  
6 security guard who, in the course of ~~his or her~~ *their* employment,  
7 may be required to carry a firearm shall, prior to carrying a firearm,  
8 do both of the following:

9 (1) Complete a course of training in the carrying and use of  
10 firearms.

11 (2) Receive a firearms qualification card or be otherwise  
12 qualified to carry a firearm as provided in Section 7583.12.

13 (b) *A security guard who, in the course of their employment,*  
14 *may be required to carry a firearm, shall, prior to carrying a*  
15 *firearm, be found capable of exercising appropriate judgment,*  
16 *restraint, and self-control for the purposes of carrying and using*  
17 *a firearm during the course of their duties, pursuant to Section*  
18 *7583.47.*

19 ~~(b)~~

20 (c) A licensee shall not permit an employee to carry or use a  
21 loaded or unloaded firearm, whether or not it is serviceable or  
22 operative, unless the employee possesses a valid and current  
23 firearms qualification card issued by the bureau or is so otherwise  
24 qualified to carry a firearm as provided in Section 7583.12.

25 ~~(c)~~

26 (d) A pocket card issued by the bureau pursuant to Section  
27 7582.13 may also serve as a firearms qualification card if so  
28 indicated on the face of the card.

29 ~~(d)~~

30 (e) Paragraph (1) of subdivision (a) shall not apply to a peace  
31 officer as defined in Chapter 4.5 (commencing with Section 830)  
32 of Title 3 of Part 2 of the Penal Code, who has successfully  
33 completed a course of study in the use of firearms or to a federal  
34 qualified law enforcement officer, as defined in Section 926B of  
35 Title 18 of the United States Code, who has successfully completed  
36 a course of study in the use of firearms.

37 *SEC. 18. Section 7583.23 of the Business and Professions Code*  
38 *is amended to read:*

39 7583.23. The bureau shall issue a firearms permit when all of  
40 the following conditions are satisfied:

- 1 (a) The applicant is a licensee, a qualified manager of a licensee,  
2 or a registered security guard subject to the following:
- 3 (1) The firearms permit may only be associated with the  
4 following:
- 5 (A) A sole owner of a sole ownership licensee, pursuant to  
6 Section 7582.7 or 7525.1.
- 7 (B) A partner of a partnership licensee, pursuant to Section  
8 7582.7 or 7525.1.
- 9 (C) A qualified manager of a licensee, pursuant to Section 7536  
10 or 7582.22.
- 11 (D) A security guard registrant.
- 12 (2) If the firearms permit is associated with a security guard  
13 registration, they are subject to the provisions of Section 7583.47,  
14 regardless of any other license possessed or associated with the  
15 firearms permit.
- 16 (b) A certified firearms training instructor has certified that the  
17 applicant has successfully completed a written examination  
18 prepared by the bureau and training course in the carrying and use  
19 of firearms approved by the bureau.
- 20 (c) The applicant has filed with the bureau a classifiable  
21 fingerprint card, a completed application for a firearms permit on  
22 a form prescribed by the director, dated and signed by the applicant,  
23 certifying under penalty of perjury that the information in the  
24 application is true and correct. In lieu of a classifiable fingerprint  
25 card, the applicant may submit fingerprints into an electronic  
26 fingerprinting system administered by the Department of Justice.  
27 An applicant who submits their fingerprints by electronic means  
28 shall have their fingerprints entered into the system through a  
29 terminal operated by a law enforcement agency or other facility  
30 authorized by the Department of Justice to conduct electronic  
31 fingerprinting. The terminal operator may charge a fee sufficient  
32 to reimburse it for the costs incurred in providing this service.
- 33 (d) The applicant is at least 21 years of age and the bureau has  
34 determined, after investigation, that the carrying and use of a  
35 firearm by the applicant, in the course of their duties, presents no  
36 apparent threat to the public safety, or that the carrying and use of  
37 a firearm by the applicant is not in violation of the Penal Code.
- 38 (e) The applicant has produced evidence to the firearm training  
39 facility that the applicant is a citizen of the United States or has  
40 permanent legal alien status in the United States. Evidence of

1 citizenship or permanent legal alien status shall be deemed  
2 sufficient by the bureau to ensure compliance with federal laws  
3 prohibiting possession of firearms by persons unlawfully in the  
4 United States and may include, but not be limited to, United States  
5 Department of Justice, Immigration and Naturalization Service  
6 Form I-151 or I-551, Alien Registration Receipt Card,  
7 naturalization documents, or birth certificates evidencing lawful  
8 residence or status in the United States.

9 (f) The application is accompanied by the application fees  
10 prescribed in this chapter.

11 ~~(g) Beginning January 1, 2018, or on a date to be determined~~  
12 ~~by the bureau, but no later than July 1, 2018, the~~ *The* applicant is  
13 a registered security guard and they have been found capable of  
14 exercising appropriate judgment, restraint, and self-control, for  
15 the purposes of carrying and using a firearm during the course of  
16 their duties, pursuant to Section 7583.47.

17 *SEC. 19. Section 7583.24 of the Business and Professions Code*  
18 *is amended to read:*

19 7583.24. (a) The bureau shall not issue a firearm permit if the  
20 applicant is prohibited from possessing, receiving, owning, or  
21 purchasing a firearm pursuant to state or federal law.

22 (b) Before issuing an initial firearm permit the bureau shall  
23 provide the Department of Justice with the name, address, social  
24 security number, and fingerprints of the applicant.

25 (c) The Department of Justice shall inform the bureau, within  
26 60 days from receipt of the information specified in subdivision  
27 (b), of the applicant's eligibility to possess, receive, purchase, or  
28 own a firearm pursuant to state and federal law.

29 (d) An applicant who has been denied a firearm permit based  
30 upon subdivision (a) may reapply for the permit after the  
31 prohibition expires. The bureau shall treat this application as an  
32 initial application and shall follow the required screening process  
33 as specified in this section.

34 ~~(e) The bureau shall not issue a firearm permit pursuant to this~~  
35 ~~chapter to a registered security guard if the applicant has been~~  
36 ~~found incapable, at the time of application, of exercising~~  
37 ~~appropriate judgment, restraint, and self-control for the purposes~~  
38 ~~of carrying and using a firearm during the course of his or her~~  
39 ~~duties, pursuant to Section 7583.47. An applicant who has been~~  
40 ~~denied a firearm permit pursuant to this subdivision may reapply~~

1 for the permit after 12 months from the date of denial. The bureau  
2 shall treat the application as an initial application and the applicant  
3 must satisfy all the requirements specified in Section 7583.23.

4 (f) ~~The bureau shall not issue a firearm permit pursuant to this~~  
5 ~~chapter to a licensee or a qualified manager of a licensee who,~~  
6 ~~within the past 12 months, has been found incapable of exercising~~  
7 ~~appropriate judgment, restraint, and self-control, for the purposes~~  
8 ~~of carrying and using a firearm during the course of his or her~~  
9 ~~duties, pursuant to the assessment required under Section 7583.47~~  
10 ~~for a permit associated with a security guard registration.~~

11 *SEC. 20. Section 7583.29 of the Business and Professions Code*  
12 *is amended to read:*

13 7583.29. (a) If a firearms permit is denied, the denial of the  
14 permit shall be in writing and shall describe the basis for the denial.  
15 The denial shall inform the applicant that if ~~he or she~~ *the applicant*  
16 desires a review by a disciplinary review committee to contest the  
17 denial, the review shall be requested of the director within 30 days  
18 following notice of the issuance of the denial. A review or hearing  
19 shall be held pursuant to Section 7581.3. However, no review or  
20 hearing shall be granted to an individual who is otherwise  
21 prohibited by law from carrying a firearm.

22 (b) ~~(1) If a firearms permit is denied on the basis of the results~~  
23 ~~of an assessment required pursuant to Section 7583.47 for a permit~~  
24 ~~associated with a security guard registration, the denial shall be in~~  
25 ~~writing and shall describe the basis for the denial. The denial shall~~  
26 ~~inform the applicant that if he or she desires to contest the denial,~~  
27 ~~the applicant shall request a hearing within 30 days of the issuance~~  
28 ~~of the denial.~~

29 ~~(2)~~

30 (b) Appeals of denials pursuant to this ~~subdivision~~ *section* shall  
31 be in accordance with Chapter 5 (commencing with Section 11500)  
32 of Part 1 of Division 3 of Title 2 of the Government Code.

33 *SEC. 21. Section 7583.47 of the Business and Professions Code*  
34 *is amended to read:*

35 7583.47. (a) As used in this section, “assessment” means the  
36 application of a testing instrument identified by the bureau that  
37 evaluates whether an applicant for a firearms permit who is a  
38 registered security guard, at the time of the assessment, possesses  
39 appropriate judgment, restraint, and self-control for the purposes

1 of carrying and using a firearm during the course of ~~his or her~~ *their*  
2 security guard duties.

3 (b) ~~Beginning January 1, 2018, or on a date to be determined~~  
4 ~~by the bureau, but no later than July 1, 2018, the~~ *The* applicant  
5 shall complete the assessment, as specified in this section.

6 (c) (1) The bureau shall implement a process to administer the  
7 assessment specified in this section. The establishment of the  
8 assessment and the process for administering the assessment shall  
9 not be subject to the requirements of Chapter 3.5 (commencing  
10 with Section 11340) of Part 1 of Division 3 of Title 2 of the  
11 Government Code.

12 (2) The bureau shall consult with a California licensed  
13 psychologist, psychologists, or other persons with subject matter  
14 expertise, whose minimum duties shall include, but are not limited  
15 to, assisting the bureau with all of the following:

16 (A) Establishing criteria for a contract with a vendor to  
17 administer the assessment.

18 (B) Identifying minimum standards for the assessment.

19 (C) Evaluating currently available assessments.

20 (D) Providing consultative services on the bids received by the  
21 bureau from third-party vendors seeking to administer and interpret  
22 the assessment, to ensure both of the following:

23 (i) Compliance with the applicable standards of care for the  
24 administration and interpretation of such assessments.

25 (ii) The assessment will be administered in accordance with the  
26 assessment manufacturer's requirements.

27 (3) The bureau shall contract with a third-party vendor to  
28 administer the assessment. All third-party vendors seeking to  
29 administer the assessment must meet the minimum standards  
30 established by the bureau, its consultants, and the assessment  
31 manufacturer's requirements for administering the assessment.  
32 Considerations for the third-party vendor contract shall include,  
33 but are not limited to, all of the following:

34 (A) Cost to the applicant to complete the assessment.

35 (B) Geographic accessibility statewide of the assessment to  
36 applicants.

37 (C) Assessment compliance with the established minimum  
38 standards for the assessment and assessment process.

39 (D) Ensuring an assessment carried out on an applicant complies  
40 with the applicable professional standards of care for such

1 assessments, as well as the assessment manufacturer's requirements  
2 for administering the assessment.

3 (d) Upon the bureau's verification that the applicant has satisfied  
4 subdivisions (a) to (f), inclusive, of Section 7583.23 and upon the  
5 applicant's clearance of a background check by the Department  
6 of Justice and the Federal Bureau of Investigation to possess a  
7 firearm, the bureau shall notify the applicant that ~~he or she~~ *the*  
8 *applicant* is to contact the bureau's vendor to complete the  
9 assessment. The applicant, or ~~his or her~~ *the applicant's* designee  
10 or employer if the employer voluntarily chooses, shall bear the  
11 cost of the assessment.

12 (e) Within 30 days of administering an applicant's assessment,  
13 the vendor shall directly provide the bureau, on a form and in a  
14 manner prescribed by the bureau, the applicant's assessment results.  
15 If the results of the applicant's assessment indicate that ~~he or she~~  
16 *the applicant* is incapable of exercising appropriate judgment,  
17 restraint, and self-control for the purposes of carrying and using  
18 a firearm during the course of ~~his or her~~ *the applicant's* duties, at  
19 the point in time of the evaluation, the bureau shall not issue a  
20 firearms permit. *If the applicant fails the assessment, the applicant*  
21 *may complete another assessment no earlier than 90 days after*  
22 *the results of the previous assessment are provided to the bureau.*

23 (f) The application shall be deemed incomplete until the bureau  
24 receives the applicant's results of ~~his or her~~ *the applicant's*  
25 assessment.

26 (g) The bureau may prescribe, adopt, and enforce emergency  
27 regulations, and promulgate regulations to implement this section.  
28 Any emergency regulation prescribed, adopted, or enforced  
29 pursuant to this section shall be adopted in accordance with Chapter  
30 3.5 (commencing with Section 11340) of Part 1 of Division 3 of  
31 Title 2 of the Government Code, and for purposes of that chapter,  
32 including Section 11349.6 of the Government Code, the adoption  
33 of the regulation is an emergency and shall be considered by the  
34 Office of Administrative Law as necessary for the immediate  
35 preservation of the public peace, health and safety, and general  
36 welfare.

37 (h) The assessment required pursuant to this section shall be  
38 subject to review by the appropriate policy committees of the  
39 Legislature. The review shall be performed as if this section was  
40 scheduled to be repealed as of January 1, ~~2020~~: 2025.



1 ~~SEC. 14.~~

2 *SEC. 22.* Section 17973 of the Health and Safety Code is  
3 amended to read:

4 17973. (a) Exterior elevated elements that include load-bearing  
5 components in all buildings containing three or more multifamily  
6 dwelling units shall be inspected. The inspection shall be performed  
7 by a licensed architect; licensed civil or structural engineer; a  
8 building contractor holding any or all of the “A,” “B,” or “C-5”  
9 license classifications issued by the Contractors’ State License  
10 Board, with a minimum of five years’ experience, as a holder of  
11 the aforementioned classifications or licenses, in constructing  
12 multistory wood frame buildings; or an individual certified as a  
13 building inspector or building official from a recognized state,  
14 national, or international association, as determined by the local  
15 jurisdiction. These individuals shall not be employed by the local  
16 jurisdiction while performing these inspections. The purpose of  
17 the inspection is to determine that exterior elevated elements and  
18 their associated waterproofing elements are in a generally safe  
19 condition, adequate working order, and free from any hazardous  
20 condition caused by fungus, deterioration, decay, or improper  
21 alteration to the extent that the life, limb, health, property, safety,  
22 or welfare of the public or the occupants is not endangered. The  
23 person or business performing the inspection shall be hired by the  
24 owner of the building.

25 (b) For purposes of this section, the following terms have the  
26 following definitions:

27 (1) “Associated waterproofing elements” include flashings,  
28 membranes, coatings, and sealants that protect the load-bearing  
29 components of exterior elevated elements from exposure to water  
30 and the elements.

31 (2) “Exterior elevated element” means the following types of  
32 structures, including their supports and railings: balconies, decks,  
33 porches, stairways, walkways, and entry structures that extend  
34 beyond exterior walls of the building and which have a walking  
35 surface that is elevated more than six feet above ground level, are  
36 designed for human occupancy or use, and rely in whole or in  
37 substantial part on wood or wood-based products for structural  
38 support or stability of the exterior elevated element.

1 (3) “Load-bearing components” are those components that  
2 extend beyond the exterior walls of the building to deliver structural  
3 loads from the exterior elevated element to the building.

4 (c) The inspection required by this section shall at a minimum  
5 include:

6 (1) Identification of each type of exterior elevated element that,  
7 if found to be defective, decayed, or deteriorated to the extent that  
8 it does not meet its load requirements, would, in the opinion of the  
9 inspector, constitute a threat to the health or safety of the occupants.

10 (2) Assessment of the load-bearing components and associated  
11 waterproofing elements of the exterior elevated elements identified  
12 in paragraph (1) using methods allowing for evaluation of their  
13 performance by direct visual examination or comparable means  
14 of evaluating their performance. For purposes of this section, a  
15 sample of at least 15 percent of each type of exterior elevated  
16 element shall be inspected.

17 (3) The evaluation and assessment shall address each of the  
18 following as of the date of the evaluation:

19 (A) The current condition of the exterior elevated elements.

20 (B) Expectations of future performance and projected service  
21 life.

22 (C) Recommendations of any further inspection necessary.

23 (4) A written report of the evaluation stamped or signed by the  
24 inspector presented to the owner of the building or the owner’s  
25 designated agent within 45 days of completion of the inspection.  
26 The report shall include photographs, any test results, and narrative  
27 sufficient to establish a baseline of the condition of the components  
28 inspected that can be compared to the results of subsequent  
29 inspections. In addition to the evaluation required by this section,  
30 the report shall advise which, if any, exterior elevated element  
31 poses an immediate threat to the safety of the occupants, and  
32 whether preventing occupant access or conducting emergency  
33 repairs, including shoring, are necessary.

34 (d) The inspection shall be completed by January 1, 2025, and  
35 by January 1 every six years thereafter. The inspector conducting  
36 the inspection shall produce an initial report pursuant to paragraph  
37 (4) of subdivision (c) and, if requested by the owner, a final report  
38 indicating that any required repairs have been completed. A copy  
39 of any report that recommends immediate repairs, advises that any  
40 building assembly poses an immediate threat to the safety of the

1 occupants, or that preventing occupant access or emergency repairs,  
2 including shoring, are necessary, shall be provided by the inspector  
3 to the owner of the building and to the local enforcement agency  
4 within 15 days of completion of the report. Subsequent inspection  
5 reports shall incorporate copies of prior inspection reports,  
6 including the locations of the exterior elevated elements inspected.  
7 Local enforcement agencies may determine whether any additional  
8 information is to be provided in the report and may require a copy  
9 of the initial or final reports, or both, be submitted to the local  
10 jurisdiction. Copies of all inspection reports shall be maintained  
11 in the building owner's permanent records for not less than two  
12 inspection cycles, and shall be disclosed and delivered to the buyer  
13 at the time of any subsequent sale of the building.

14 (e) The inspection of buildings for which a building permit  
15 application has been submitted on or after January 1, 2019, shall  
16 occur no later than six years following issuance of a certificate of  
17 occupancy from the local jurisdiction and shall otherwise comply  
18 with the provisions of this section.

19 (f) If the property was inspected within three years prior to  
20 January 1, 2019, by an inspector as described in subdivision (a)  
21 and a report of that inspector was issued stating that the exterior  
22 elevated elements and associated waterproofing elements are in  
23 proper working condition and do not pose a threat to the health  
24 and safety of the public, no new inspection pursuant to this section  
25 shall be required until January 1, 2025.

26 (g) An exterior elevated element found by the inspector that is  
27 in need of repair or replacement shall be corrected by the owner  
28 of the building. All necessary permits for repair or replacement  
29 shall be obtained from the local jurisdiction. All repair and  
30 replacement work shall be performed by a qualified and licensed  
31 contractor in compliance with all of the following:

32 (1) The recommendations of a licensed professional described  
33 in subdivision (a).

34 (2) Any applicable manufacturer's specifications.

35 (3) The California Building Standards Code, consistent with  
36 subdivision (d) of Section 17922 of the Health and Safety Code.

37 (4) All local jurisdictional requirements.

38 (h) (1) An exterior elevated element that the inspector advises  
39 poses an immediate threat to the safety of the occupants, or finds  
40 preventing occupant access or emergency repairs, including

1 shoring, or both, are necessary, shall be considered an emergency  
2 condition and the owner of the building shall perform required  
3 preventive measures immediately. Immediately preventing  
4 occupant access to the exterior elevated element until emergency  
5 repairs can be completed constitutes compliance with this  
6 paragraph. Repairs of emergency conditions shall comply with the  
7 requirements of subdivision (g), be inspected by the inspector, and  
8 reported to the local enforcement agency.

9 (2) The owner of the building requiring corrective work to an  
10 exterior elevated element that, in the opinion of the inspector, does  
11 not pose an immediate threat to the safety of the occupants, shall  
12 apply for a permit within 120 days of receipt of the inspection  
13 report. Once the permit is approved, the owner of the building  
14 shall have 120 days to make the repairs unless an extension of time  
15 is granted by the local enforcement agency.

16 (i) (1) The owner of the building shall be responsible for  
17 complying with the requirements of this section.

18 (2) If the owner of the building does not comply with the repair  
19 requirements within 180 days, the inspector shall notify the local  
20 enforcement agency and the owner of the building. If within 30  
21 days of the date of the notice the repairs are not completed, the  
22 owner of the building shall be assessed a civil penalty based on  
23 the fee schedule set by the local authority of not less than one  
24 hundred dollars (\$100) nor more than five hundred dollars (\$500)  
25 per day until the repairs are completed, unless an extension of time  
26 is granted by the local enforcement agency.

27 (3) In the event that a civil penalty is assessed pursuant to this  
28 section, a building safety lien may be recorded in the county  
29 recorder's office by the local jurisdiction in the county in which  
30 the parcel of land is located and from the date of recording shall  
31 have the force, effect, and priority of a judgment lien.

32 (j) (1) A building safety lien authorized by this section shall  
33 specify the amount of the lien, the name of the agency on whose  
34 behalf the lien is imposed, the street address, the legal description  
35 and assessor's parcel number of the parcel on which the lien is  
36 imposed, and the name and address of the recorded owner of the  
37 building.

38 (2) In the event that the lien is discharged, released, or satisfied,  
39 either through payment or foreclosure, notice of the discharge  
40 containing the information specified in paragraph (1) shall be

1 recorded by the governmental agency. A safety lien and the release  
2 of the lien shall be indexed in the grantor-grantee index.

3 (3) A building safety lien may be foreclosed by an action  
4 brought by the appropriate local jurisdiction for a money judgment.

5 (4) Notwithstanding any other law, the county recorder may  
6 impose a fee on the city to reimburse the costs of processing and  
7 recording the lien and providing notice to the owner of the building.

8 A city may recover from the owner of the building any costs  
9 incurred regarding the processing and recording of the lien and  
10 providing notice to the owner of the building as part of its  
11 foreclosure action to enforce the lien.

12 (k) The continued and ongoing maintenance of exterior elevated  
13 elements in a safe and functional condition in compliance with  
14 these provisions shall be the responsibility of the owner of the  
15 building.

16 (l) Local enforcement agencies shall have the ability to recover  
17 enforcement costs associated with the requirements of this section.

18 (m) For any building subject to the provisions of this section  
19 that is proposed for conversion to condominiums to be sold to the  
20 public after January 1, 2019, the inspection required by this section  
21 shall be conducted prior to the first close of escrow of a separate  
22 interest in the project and shall include the inspector's  
23 recommendations for repair or replacement of any exterior elevated  
24 element found to be defective, decayed, or deteriorated to the extent  
25 that it does not meet its load requirements, and would, in the  
26 opinion of the inspector, constitute a threat to the health or safety  
27 of the occupants. The inspection report and written confirmation  
28 by the inspector that any repairs or replacements recommended  
29 by the inspector have been completed shall be submitted to the  
30 Department of Real Estate by the proponent of the conversion and  
31 shall be a condition to the issuance of the final public report. A  
32 complete copy of the inspection report and written confirmation  
33 by the inspector that any repairs or replacements recommended  
34 by the inspector have been completed shall be included with the  
35 written statement of defects required by Section 1134 of the Civil  
36 Code, and provided to the local jurisdiction in which the project  
37 is located. The inspection, report, and confirmation of completed  
38 repairs shall be a condition of the issuance of a final inspection or  
39 certificate of occupancy by the local jurisdiction.

1 (n) This section shall not apply to a common interest  
2 development, as defined in Section 4100 of the Civil Code.

3 (o) The governing body of any city, county, or city and county,  
4 may enact ordinances or laws imposing requirements greater than  
5 those imposed by this section.

6 ~~SEC. 15.~~

7 *SEC. 23.* No reimbursement is required by this act pursuant to  
8 Section 6 of Article XIII B of the California Constitution for certain  
9 costs that may be incurred by a local agency or school district  
10 because, in that regard, this act creates a new crime or infraction,  
11 eliminates a crime or infraction, or changes the penalty for a crime  
12 or infraction, within the meaning of Section 17556 of the  
13 Government Code, or changes the definition of a crime within the  
14 meaning of Section 6 of Article XIII B of the California  
15 Constitution.

16 However, if the Commission on State Mandates determines that  
17 this act contains other costs mandated by the state, reimbursement  
18 to local agencies and school districts for those costs shall be made  
19 pursuant to Part 7 (commencing with Section 17500) of Division  
20 4 of Title 2 of the Government Code.