

SELECTED ASSEMBLY AND SENATE BILLS

AB 113 (Pavley) California Poet Laureate.

Establishes the position of a California Poet Laureate, who will be appointed for a maximum of two two-year terms by the Governor from a list of nominees compiled by the California Arts Council. The Poet Laureate will perform a number of duties including at least six public readings and a project designed to bring literary arts to the general public and schools.

Last Action: Chaptered by Secretary of State. Chapter 206, Statutes of 2001.

AB 269 (Correa) Professional and vocational licensing boards, commissions and bureaus.

Requires that "public protection" must be the highest priority for all boards, bureaus and commissions overseen by the Department of Consumer Affairs in performing their licensing, regulatory, and disciplinary functions. If there is a conflict between public protection and any other priority, public protection shall prevail.

Last Action: Chaptered by Secretary of State. Chapter 107, Statutes of 2002.

AB 270 (Correa) Professions: accountancy.

Changes the membership of the California Board of Accountancy so that a majority of the members will be consumers and representatives of the public instead of accountants representing their own profession, thereby making California the first state in the nation with a public member majority on a state board regulating auditors and accountants. Requires an accountant to report to the Accountancy Board specified legal actions taken against the accountant, including convictions, civil judgments, and settlements. Includes as unprofessional conduct repeated negligent acts and provides the Accountancy Board with additional authority to investigate violations of the law and professional accounting standards.

Last Action: Chaptered by Secretary of State. Chapter 231, Statutes of 2002.

AB 555 (Dutra) Common interest development managers.

Requires that individuals, in order to refer to themselves as "certified common interest development (CID) managers," must meet specified educational requirements, including passing a knowledge, skills and aptitude examination within the previous five years or achieving a certification designation endorsed by a professional association of community managers. Certified CID managers must also receive specified instruction in existing law related to common interest development management.

Last Action: Chaptered by Secretary of State. Chapter 1116, Statutes of 2002.

AB 585 (Nation) Accountants.

Creates two pathways for becoming a Certified Public Accountant in the state. The first pathway, similar to current law, requires an applicant to have a bachelor's degree consisting of 24 semester units in both accounting and business related subjects as well as two years of qualifying experience. The second pathway, based on the national Uniform Accountancy Act, requires a bachelor's degree, completion of at least 150

semester units of college education (of which 24 semester units must be in accounting and business related subjects) and one year of qualifying experience.
Last Action: Chaptered by Secretary of State. Chapter 704, Statutes of 2001.

AB 678 (Papan) Contractors.

Authorizes a person who unknowingly uses an unlicensed contractor to bring an action in any court in this state for recovery of compensation paid to the unlicensed contractor for performance of any act or contract.
Last Action: Chaptered by Secretary of State. Chapter 226, Statutes of 2001.

AB 978 (Steinberg) Native American graves protection and repatriation.

Establishes the California Native American Graves Protection and Repatriation Act of 2001, a process for repatriation of Native American human remains and cultural items that are currently in the possession of state agencies and museums.
Last Action: Chaptered by Secretary of State. Chapter 818, Statutes of 2001.

AB 982 (Firebaugh) Healthcare.

Establishes the Dental Loan Repayment Program of 2002, the Physician Loan Repayment Program of 2002, and the California Medical and Dental Student Loan Repayment Program of 2002. These programs are created to provide up to \$105,000 in loan repayments for medical and dental practitioners who serve in underserved areas.
Last Action: Chaptered by Secretary of State. Chapter 1131, Statutes of 2002.

AB 1084 (Wesson) Public contracts.

Encourages the participation of small businesses in public contracts for construction, goods, and services by expanding their eligibility for simplified bidding procedures and other preferences.
Last Action: Chaptered by Secretary of State. Chapter 882, Statutes of 2001.

AB 1402 (Simitian) Public works: design-build contracts.

Allows school districts to use the design-build procurement process to save time and money in contracting for the construction of school facilities in excess of \$10 million. The Superintendent of Public Instruction and the Secretary for Education are required to develop guidelines for design-build projects. Design-build contracts allow an awarding agency to select a contractor who will both design the needed project and build it as part of one contract.
Last Action: Chaptered by Secretary of State. Chapter 421, Statutes of 2001.

AB 2020 (Correa) Optometry.

Enacts one of the nation's strongest consumer protection "mandatory release" laws requiring optometrists and ophthalmologists to provide all patients, unless specifically exempted, with copies of their contact lens prescriptions, thereby allowing patients to choose where they purchase contact lenses. Specifies the requirements for expiration dates on prescriptions for contact lenses. Requires that sellers other than the prescriber must attempt to verify the prescription with the prescriber. Requires an out-

of-state contact lens seller to provide a dedicated toll-free telephone number, facsimile line, or email address where contact lens prescribers may confirm their prescriptions. Last Action: Chaptered by Secretary of State. Chapter 814, Statutes of 2002.

AB 2244 (Wayne) Prepaid calling cards and services.

Requires prepaid calling cards to include the disclosure of all appropriate charges and provides for additional protections for consumers. Also requires that disclosures shall be provided, as specified, in English or any other language used in the card's instructions or promotion.

Last Action: Chaptered by Secretary of State. Chapter 778, Statutes of 2002.

AB 2873 (Frommer) Accounting.

Enacts provisions requiring accountants to fully document procedures used and findings made during an audit. Makes the willful destruction of a client's records by a licensed accountant grounds for disciplinary action by the California Board of Accountancy. Requires the retention of audit documentation for seven years and specifies what the documentation shall contain.

Last Action: Chaptered by Secretary of State. Chapter 230, Statutes of 2002.

AB 2880 (Chavez) Private security services.

Makes revisions to the "power to arrest" course, including increasing the length of the course to eight hours and revising the subjects that the course is required to cover. Requires the Department of Consumer Affairs to develop and approve by regulation a standard course and curriculum for security officer skills training. Also requires Private Patrol Operators to maintain an accurate and current record of proof of completion of the required Power to Arrest course and specified annual review training.

Last Action: Chaptered by Secretary of State. Chapter 886, Statutes of 2002.

AB 2944 (Kehoe) Advertising: facsimile machines.

Deletes the existing state law prohibiting unsolicited fax advertisements if certain requirements are not met. This is intended to ensure that federal law will prevail. Federal law provides an unconditional prohibition on the use of fax machines or any other similar type of equipment to disseminate unsolicited fax advertisements to persons or entities.

Last Action: Chaptered by Secretary of State. Chapter 700, Statutes of 2002.

AB 2970 (Wayne) Accounting: audits.

Prevents a "revolving door" by prohibiting an accountant from accepting employment from an audit client or its affiliate within 12 months of issuance of a financial statement when the employment permits the accountant to exercise authority over accounting or financial reporting.

Last Action: Chaptered by Secretary of State. Chapter 232, Statutes of 2002.

ACA 11 (Richman) Infrastructure: finance.

Creates a source of dedicated "pay-as-you-go" financing for state and local infrastructure projects. Transfers an increasing percentage of annual General Fund revenues to a dedicated account, with a provision to reduce or suspend transfers during poor economic conditions. Provides that the Legislature shall allocate half of those funds for state projects and half for local projects.

Last Action: Chaptered by Secretary of State. Res. Chapter 185, Statutes of 2002.

SB 26 (Figueroa) Professions and vocations.

Requires the Institute for Medical Quality to examine the hospital peer review process. Requires an enforcement monitor to be appointed at the Dental Board of California and requires an independent review of the scope of practice of dental auxiliaries. Places the Osteopathic Medical Board of California under the jurisdiction of the Department of Consumer Affairs, and makes other changes to specified boards.

Last Action: Chaptered by Secretary of State. Chapter 615, Statutes of 2001.

SB 133 (Figueroa) Accountants.

Creates an optional pathway for certified public accountant licensure applicants. Requires peer review for certain accounting firms and puts an additional public member on the Accountancy Board. Increases the size of the Board's reserve fund.

Last Action: Chaptered by Secretary of State. Chapter 718, Statutes of 2001.

SB 771 (Figueroa) Unsolicited and unwanted telephone solicitations.

Requires the Office of the Attorney General to develop and maintain a state "do not call" list for residential and wireless telephone subscribers who do not want to receive unsolicited telemarketing calls, and prohibits solicitors from calling phone numbers on this list. The list is scheduled to become operative on January 1, 2003.

Last Action: Chaptered by Secretary of State. Chapter 695, Statutes of 2001.

SB 898 (Perata) Deferred deposits.

Requires the California Department of Corporations to strictly regulate deferred deposit laws affecting "payday advances" (also known as "payday loans"). Creates a number of new consumer protections. Changes include: prohibitions on various unscrupulous or abusive practices, elimination of set-up charges, penalties for noncompliance, appropriate bonding requirements, clear disclosure of charges, bookkeeping and reporting requirements, advertising restrictions, and the creation of a toll-free consumer complaint hotline.

Last Action: Chaptered by Secretary of State. Chapter 777, Statutes of 2002.

SB 1194 (Romero) Legal services: attorneys and immigration consultants.

Provides improved remedies for individuals harmed by persons engaging in the unauthorized practice of law. Strengthens the bonding requirements for persons who perform work as immigration consultants, as an added protection to individuals who use

their services. Allows for the recovery of damages for the victims, equitable relief, attorney's fees and, if appropriate, exemplary damages.

Last Action: Chaptered by Secretary of State. Chapter 304, Statutes of 2001.

SB 1239 (Figueroa) Consumer credit reporting agencies: identity theft.

Expands consumer protections for victims of identity theft by requiring consumer credit reporting agencies to notify potential victims of their statutory rights and provide up to 12 free copies of their credit file per year, upon request.

Last Action: Chaptered by Secretary of State. Chapter 860, Statutes of 2002.

SB 1467 (Bowen) Public contracts: conflict of interest.

Strengthens conflict of interest and penalty provisions for state purchases of information technology goods and services, as well as all procurement by the University of California and California State University Systems.

Last Action: Chaptered by Secretary of State. Chapter 1122, Statutes of 2002.

SB 1950 (Figueroa) Healing arts.

Strengthens public protections in medicine by requiring public disclosure of malpractice settlements by physicians larger than \$30,000, under certain conditions; increasing public representation on the Medical Board of California; requiring an enforcement monitor to be appointed at the Medical Board; and establishing priorities for complaint investigation.

Last Action: Chaptered by Secretary of State. Chapter 1085, Statutes of 2002.