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California State Assembly

BUSINESS AND PROFESSIONS

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AGENDA

Tuesday, August 25, 2026
Upon adjournment of Session -- 1021 O Street, Room 1100

BILLS REFERRED TO COMMITTEE PURSUANT TO A.R. 77.2

1.	AB 2772	Berman	Interior designers.
2.	SB 342	Umberg	Contractors: unlicensed work.
3.	SB 1303	Wahab	Naturopathic Doctors Act.
4.	SB 1347	Niello	Pupil health: emergency stock albuterol inhalers.

Date of Hearing: August 25, 2026

ASSEMBLY COMMITTEE ON BUSINESS AND PROFESSIONS
Marc Berman, Chair
AB 2772 (Berman) – As Amended August 17, 2026

NOTE: This bill is being heard pursuant to Assembly Rule 77.2 for concurrence in Senate amendments only.

SUBJECT: Interior designers.

SUMMARY: Extends the sunset date for the California Council for Interior Design Certification (CCIDC) until January 1, 2031 and makes additional technical changes, statutory improvements, and policy reforms in response to issues raised during CCIDC's sunset review oversight process.

EXISTING LAW:

1) Defines the practice of a Certified Interior Designer (CID) as the preparation and submission of nonstructural or nonseismic plans to local building departments that are of sufficient complexity so as to require the skills of a licensed contractor to implement them, and the programming, planning, designing, and documenting of the construction and installation of nonstructural or nonseismic elements, finishes and furnishings within the interior spaces of a building. (BPC § 5800(a))

2) Establishes CCIDC, a nonprofit organization that consists of CIDs whose governing board includes representatives of the public. (BPC § 5800(b))

3) Provides that a CID may voluntarily obtain a stamp from CCIDC that includes a number that uniquely identifies and bears the name of that CID and identifies the individual as either a CID or a CID with commercial designation. (BPC § 5801)

4) Subjects the procedure for the issuance of a stamp by CCIDC, including the examinations recognized and required by CCIDC, to occupational analyses and examination validation. (BPC § 5801.1)

5) Requires all drawings, specifications, or documents prepared for submission to any government regulatory agency by any CID or under their supervision to be affixed by a stamp and signed by that CID. (BPC § 5802)

6) Exempts CIDs from the Contractors State License Law insofar as they are designing systems for work to be performed by a licensed contractor. (BPC § 5803)

7) Makes it an unfair business practice for any CID or any other person to represent to the public that the person is "state certified" to practice interior design, or to use any other words or symbols that represent to the public that the person is so certified. (BPC § 5804)

8) Provides that nothing in the CID title act precludes CIDs or any other person from submitting interior design plans for commercial or residential buildings to local building officials, except as provided. (BPC § 5805)

9) Provides that nothing in the CID title act prohibits interior design or interior decorator services by any person or retail activity. (BPC § 5806)

10) Requires CIDs to use a written contract when contracting to provide interior design services to a client. (BPC § 5807)

11) Provides that the CID title act shall be subject to review by the appropriate policy committees of the Legislature and shall remain in effect only until January 1, 2027, and as of that date is repealed. (BPC § 5810)

12) Requires meetings of CCIDC to comply with the rules of the Bagley-Keene Open Meeting Act and authorizes CCIDC to take reasonable actions to carry out its responsibilities and duties; to adopt bylaws, rules, and procedures necessary to effectuate the purposes of the CID title act; and to establish application fees, renewal fees, and other fees related to the regulatory costs of providing services and carrying out CCIDC's responsibilities and duties. (BPC § 5811)

13) Authorizes CCIDC to issue a certification to any applicant who provides satisfactory evidence that they meet all of the requirements of this chapter and who complies with the bylaws, rules, and procedures established by CCIDC and authorizes CCIDC to issue a commercial designation to a CID or qualified applicant who, in addition to the requirements for a CID, passes additional interior design courses and examinations, as determined to be required by CCIDC. (BPC § 5811.1)

14) Makes it an unfair business practice for any person to represent or hold themselves out as, or to use the title "Certified Interior Designer" or any other term, such as "licensed," "registered," or "CID," that implies or suggests that the person is certified as an interior designer when they do not hold a valid certification from CCIDC. (BPC § 5812)

15) Enacts the California Public Records Act (CPRA), which gives every person a right to inspect any public record in the possession of a state agency, except as specifically exempted. (Government Code (GOV) §§ 7920.000 *et seq.*)

16) Enacts the Bagley-Keene Open Meeting Act, which requires all meetings of a state body to be open and public and requires that all persons shall be permitted to attend any meeting of a state body except as otherwise provided. (GOV §§ 11120 *et seq.*)

THIS BILL:

1) Extends CCIDC's sunset date until January 1, 2031.

2) Provides that protection of the public shall be the highest priority for CCIDC in exercising its certification and disciplinary authority, and any other functions, and that whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount.

3) Declares that it is the intent of the Legislature in extending CCIDC's powers and duties through the sunset review process that the council continue to serve as an entity entrusted with administering a state function in its certification of interior design professionals.

4) Authorizes CCIDC to adopt additional policies and procedures that provide greater transparency to certificate holders and the public in addition to requirements imposed on CCIDC under the Bagley-Keene Open Meeting Act.

5) Provides that meetings of CCIDC shall be governed by either Rosenberg's Rules of Order or Robert's Rules of Order, Newly Revised.

6) Prohibits the total annual compensation for an individual employed or contracted by CCIDC from exceeding the annual salary provided to specified executives within state government, including the Secretary of the Business and Consumer Services Agency.

7) Requires CCIDC to provide a meaningful opportunity for public participation in the adoption, amendment, or repeal of any policies, procedures, rules, or bylaws that substantially impact the rights, benefits, privileges, duties, obligations, or responsibilities of individuals or entities subject to certification or approval by the council, including, but not limited to, actions by CCIDC to increase fees, impose additional requirements for certification or approval, or substantively modify the disciplinary processes.

8) At a minimum, requires CCIDC to publish the complete text of any policies, procedures, rules, or bylaws proposed for adoption, amendment, or repeal along with a summary of the changes being considered for a period of at least 45 calendar days before the adoption, amendment, or repeal.

9) Requires CCIDC to accept written public comments during the 45-day period and allow further public comment during a meeting held for those purposes.

10) Beginning July 1, 2028, requires that CCIDC, to the extent practicable, make its records available for public inspection in a manner consistent with the CPRA as though the council were a public agency for purposes of that act.

11) Authorizes CCIDC to charge for the direct costs of responding to requests for records, including staff time reasonably required to identify, locate, and provide records.

12) Declares that it is the intent of the Legislature that, in addition to having all exemptions under the California Public Records Act apply, CCIDC shall not disclose investigatory records or records containing sensitive information regarding applicants, certificate holders, employers or clients of certificate holders, or other members of the public.

13) Requires CIDs to report to CCIDC within 30 days of any civil action judgment, settlement, arbitration award, or administrative action for an amount or value of $5,000 or greater in any action alleging fraud, deceit, negligence, incompetence, or recklessness by the CID in the practice of interior design.

14) Adds CIDs to the definition of "design professional" within the Civil Code.

FISCAL EFFECT: Pursuant to Senate Rule 28.8, negligible state costs.

COMMENTS:

Purpose. This bill is the sunset review vehicle for the California Council for Interior Design Certification, authored by the Chair of the Assembly Committee on Business and Professions.

Background.

Sunset review. In order to ensure that California's myriad professional oversight entities are meeting the state's public protection priorities, authorizing statutes for these regulatory bodies are subject to statutory dates of repeal, at which point the entity "sunsets" unless the date is extended by the Legislature. The sunset process provides a regular forum for discussion around the successes and challenges of various programs and the consideration of proposed changes to laws governing the regulation of professionals. Currently, the sunset review process applies to approximately three dozen different boards, bureaus, and commissions under the Department of Consumer Affairs, as well as the Department of Real Estate and three nongovernmental nonprofit councils, including CCIDC.

On a schedule averaging every four years, each entity is required to present a report to the Legislature's policy committees, which in return prepare a comprehensive background paper on the efficacy and efficiency of their licensing and enforcement programs. Both the Administration and regulated professional stakeholders actively engage in this process. Legislation is then subsequently introduced extending the repeal date for the entity along with any reforms identified during the sunset review process.

California Council for Interior Design Certification. CCIDC was first established in 1992. Unlike the majority of regulatory bodies responsible for overseeing professions and vocations in California, CCIDC is not a state agency and does not function as part of the state's government. Instead, CCIDC is incorporated as a private nonprofit public benefit corporation with 501(c)(3) tax exempt status. Certification offered by CCIDC is voluntary at the state level, though statute allows only certified individuals to use the term "certified interior designer" or any other language that implies certification by CCIDC.

As of December 2025, there are 1,722 certified interior designers (CIDs) in California. A CID is defined in statute as:

> A person who prepares and submits nonstructural or nonseismic plans … to local building departments that are of sufficient complexity so as to require the skills of a licensed contractor to implement them, and who engages in programming, planning, designing, and documenting the construction and installation of nonstructural or nonseismic elements, finishes and furnishings within the interior spaces of a building, and has demonstrated by means of education, experience and examination, the competency to protect and enhance the health, safety, and welfare of the public.

CCIDC is authorized to issue a commercial designation to CIDs who have passed additional interior design courses and examinations.

While the phrase "interior design" is commonly associated with decorative services focused exclusively on visual elements such as furniture arrangements or wall colors, CIDs utilize considerable technical knowledge to ensure that indoor spaces are safe and functional in addition to aesthetically pleasing. CIDs are frequently involved in designing nonstructural interior elements and preparing code-compliant interior plans and documents and often work with building codes, accessibility standards, and contractors. CCIDC attributes public misconceptions regarding the scope of the interior design profession to the rise in popularity of design-oriented reality television, arguing that media portrayals "oversimplify and misrepresent the complexity and technical expertise required in professional practice."

CCIDC has the authority to grant or deny applications for certification and to discipline certificate holders by denying, suspending, or imposing probationary conditions on certificates. CCIDC may also require a CID to complete remedial coursework in ethics and business practices as a condition of reinstatement or resolution of a disciplinary action. Through these responsibilities, CCIDC helps ensure that CIDs meet professional competency standards designed to protect California consumers. CCIDC does not approve or oversee educational institutions offering programs in interior design.

Issues Raised during Sunset Review. The background paper for CCIDC's sunset review oversight hearing contained a total of 13 issues and recommendations, each of which is eligible to result in statutory changes enacted through CCIDC's sunset bill.

Staff Compensation. Issue #3 in the sunset background paper for CCIDC raised the question of whether the financial compensation for CCIDC's staff should be statutorily limited to ensure parity with comparable leadership at other regulatory entities. As a private nonprofit council, CCIDC's employees are not subject to civil service requirements and its Board of Directors has broad discretion to make hiring decisions and set compensation. Nonprofit corporations like CCIDC are generally authorized to grant compensation to their executives that is deemed "reasonable" by the Internal Revenue Service (IRS). However, during multiple prior sunset reviews of another nonprofit council, the California Massage Therapy Council (CAMTC), it was noted that some executives were receiving an extraordinarily high salary; in response, the Legislature enacted legislation to cap the salary of that council's executive staff to the salary provided to the Secretary of what is now the Business and Consumer Services Agency.

The sunset background paper made it clear that the compensation paid to CCIDC's executive staff does not appear to even remotely approach the inappropriate amounts previously paid to CAMTC. CCIDC's Compensation Committee, comprised of the Chair, Treasurer, and Secretary of its Board of Directors, conducts an annual performance evaluation of CCIDC's executive director and determines appropriate compensation and benefit adjustments. There is currently no reason to believe that CCIDC would increase its executive compensation to a degree that would implicate the same concerns as those regarding CAMTC.

However, given the precedent established by the Legislature in setting guardrails around executive compensation for nonprofit councils, the sunset background paper suggested it may be prudent to consider whether there is a desire to make that policy consistent for all similar councils established in statute to oversee professionals. A letter submitted to the Assembly Journal in conjunction with the prior legislation stated: "The salary cap established in AB 1504 narrowly addresses the unusual nature of CAMTC, which is entrusted with serving an important function ordinarily administered by a state entity. This language is unique to this circumstance, and is in no way an indication of the Legislature's intention to establish compensation caps on any other nonprofits in the future."

Because CCIDC is similarly entrusted with substantially the same functions as CAMTC, there is an argument that the Legislature should establish a consistent policy. This bill would cap the salary that may be provided to employees of CCIDC to the amount currently paid to the Secretary of the Business and Consumer Services Agency. While there is no expectation that this would affect any current CCIDC employees, the language reflects the unique nature of CCIDC as a certifying council.

Public Records Act. Issue #4 in the sunset background paper for CCIDC considered whether CCIDC should be required to make its records available for public inspection in a manner consistent with the California Public Records Act. The California Public Records Act (CPRA) provides that "public records are open to inspection at all times during the office hours of the state or local agency and every person has a right to inspect any public record." The CPRA's definition of "state agency" includes "every state office, officer, department, bureau, board, and commission or other state body or agency," but likely does not include private nonprofit councils. In *California State University (CSU) v. Superior Court* (2011), the court ruled that CSU auxiliary organizations, which are private nonprofit corporations operating pursuant to statute, are not state agencies subject to the CPRA. Stakeholder comments submitted by the California chapters of the International Interior Design Association (IIDA) allege that CCIDC "does not respond to Public Records requests and has asserted as a nonprofit it does not need to comply with such requests."

Language enacted in CAMTC's most recent sunset bill requires CAMTC to "make the records of the Council available for public inspection in a manner consistent with the California Public Records Act … as though the Council were a public agency for purposes of that act." The law requires compliance with the spirit of the CPRA only "to the extent practicable" and provides CAMTC with substantial discretion not to disclose "investigatory records or records containing sensitive information." The intent of this language was to recognize the quasi-public nature of nonprofit councils like CAMTC and enhance transparency and public accountability.

The sunset background paper suggested that the Legislature may wish to consider extending similar requirements to CCIDC, while remaining mindful of whether CCIDC could administratively sustain any new responsibilities to respond to requests for records. This bill would require CCIDC to make its records available for public inspection in a manner consistent with the CPRA, as though CCIDC were a public agency for purposes of that act. The bill delays this requirement until July 1, 2028 and includes numerous exemptions to prevent the disclosure of investigatory records or records containing sensitive information regarding applicants, certificate holders, employers or clients of certificate holders, or other members of the public.

Administrative Procedures Act. Issue #5 in the sunset background paper for CCIDC raised the issue of whether the adoption of bylaws by CCIDC's Board of Directors should be subjected to requirements similar to those under the Administrative Procedure Act (APA). The APA establishes basic minimum requirements for the adoption of regulations and the conduct of administrative hearings and adjudication. The APA ensures that agency rulemaking and administrative hearings provide for public participation. Chapter 3.5, which establishes the public process for establishing administrative regulations, is expressly applied only to a state agency, as narrowly defined, presumably rendering it inapplicable to CCIDC.

This bill would require CCIDC to provide a meaningful opportunity for public participation in the development of any policies, procedures, rules, or bylaws that substantially impact the rights, benefits, privileges, duties, obligations, or responsibilities of individuals or entities subject to certification or approval by CCIDC, including, but not limited to, actions by the council to increase fees, impose additional requirements for certification or approval, or substantively modify the disciplinary processes. CCIDC would specifically be required to publish the complete text of any proposed policies, procedures, rules, or bylaws along with a summary of the changes being considered for a period of at least 45 calendar days. Similar language was previously enacted for CAMTC.

Bagley-Keene Open Meeting Act. Issue #6 in the sunset background paper for CCIDC questioned whether meetings of CCIDC's Board of Directors in compliance with the requirements of the Bagley Keene Open Meeting Act, which requires meetings of regulatory bodies to be noticed and made available for attendance or observation by members of the public. The intent of the Act is "that actions of state agencies be taken openly and that their deliberation be conducted openly." These requirements are applied to "state bodies," which are defined within statute as including "a board, commission, committee, or similar multimember body that exercises any authority of a state body delegated to it by that state body." All three nonprofit councils subject to sunset review have statutory language expressly requiring compliance with Bagley-Keene, including CCIDC.

During CCIDC's most recent sunset review in 2022, an issue was raised that it was unclear if CCIDC was abiding by the requirements of Bagley-Keene. Specifically, the provisions of the Council's bylaws providing for public notice and the publication of meeting materials did not appear to conform to the Act. Additionally, because Bagley-Keene is nuanced and complex, many incoming members of boards overseen by the Department of Consumer Affairs are required to attend training programs that cover the important elements of the Act; it did not appear that CCIDC required members of its Board of Directors to take similar training. In response to this prior sunset issue, CCIDC stated that it does cover Bagley-Keene during new director orientation, and CCIDC has implied that their meetings were sufficiently open to the public. However, comments submitted by stakeholders allege that CCIDC has asserted that it is not subject to open meeting laws.

CCIDC's most recent report to the Committees continues to raise questions as to whether the Council is in compliance with Bagley-Keene. For example, CCIDC's report indicates that every member of its Board of Directors has participated in board meetings via the Zoom virtual meeting platform since 2022. This would not be lawful under the current requirements of Bagley-Keene, which provides two options for teleconferencing by public bodies: either every location where a member of a body is participating remotely must be accessible to all members of the public, or a majority of the members of a body to be physically present at the same teleconference location. While these requirements were more flexible during the COVID-19 pandemic, the law has been more restrictive for several years now.

This bill would clarify that CCIDC may adopt additional policies and procedures that provide greater transparency to certificate holders and the public than required by the Bagley-Keene Open Meeting Act. While this language may be of future value, its enactment is also intended to reiterate the existing expectation that CCIDC comply with the requirements of Bagley-Keene. CCIDC is expected to revisit its procedures and bylaws to ensure that all its meetings either meet or exceed the requirements for open meetings.

Stamp Acceptance. Issue #8 in the sunset background paper for CCIDC discussed the longstanding issue of stamp acceptance, which was the primary genesis for CCIDC's creation and has been raised in nearly every sunset review of CCIDC by the Legislature. Certification was intended to help alleviate confusion among local building authorities in circumstances where building permits are required and provide assurance in knowing that a CID is competent to provide interior design services in accordance with the state building codes for the work they are allowed to perform. However, there is currently disagreement in regard to whether certification has proven to be an effective solution to challenges with stamp acceptance for interior designers.

Stakeholder comments submitted present one perspective as follows: "The Council's voluntary existence creates confusion; they offer stamps that confer no privileges. Authorities Having Jurisdiction often refuse to accept these stamps, given that they are not fully backed by the State. These stamps are precluded from including the seal of California. They note in their report that several jurisdictions routinely reject plans submitted by designers." Stakeholders argue that CIDs are prohibited from being in responsible charge of certain projects, architectural firms do not recognize a CID certification for employment, and that a 15-year review of CID permit submissions in San Francisco resulted in fewer than 50 CIDs filing only 124 permits during that time span.

CCIDC, meanwhile, asserts that the stamp acceptance issue is "more limited in scope than previously assumed." CCIDC references the small number of plan check denial cases it has reviewed, in which a majority of the rejected plans were subsequently accepted, and argues that "these outcomes suggest that most issues surrounding CID plan submissions arise not from systemic opposition, but rather from misunderstandings or lack of familiarity with the Title Act and the legal scope of [CIDs]. In most cases, effective communication and targeted outreach have led to successful resolution."

Notwithstanding the scale of the problem, there have continued to be numerous stakeholder discussions around how to improve recognition of interior designers among local building officials. CCIDC has proposed potential solutions, including adding CIDs to the statutory definition of "registered design professional." This bill would add CIDs to that definition.

Technical Cleanup. Issue #12 in the sunset background paper for CCIDC noted that as the interior design profession continues to evolve and new laws are enacted, provisions of the Business and Professions Code relating to interior design may become outmoded or superfluous. This bill includes several technical, clarifying, or corrective amendments. The bill also makes several declaratory statements about the Legislature's intent in creating and extending CCIDC.

Continued Regulation. Issue #13 in the sunset background paper for CCIDC discussed whether the certification of interior design professionals should be continued and be administered by CCIDC. As discussed in the sunset background paper, CCIDC CCIDC currently certifies approximately 1,722 interior designers, a substantial minority of what is believed to be the interior design profession statewide. CCIDC operates with a relatively small budget and employs only two staff. CCIDC does not have a formal enforcement program and has only received 223 documented complaints since it was founded. As a voluntary certification program for unlicensed design professionals, CCIDC's legislative mandate is relatively modest, and its operations appear appropriately tailored to that scale.

This bill would enhance CCIDC's ability to receive and respond to information about potential misconduct by CCIDC. Under language proposed by CCIDC that has been amended into the bill, CIDs would be required to report to the CCIDC within 30 days of the date the CID has knowledge of any civil action judgment, settlement, arbitration award, or administrative action resulting in a judgment, settlement, or arbitration award against the CID in any action alleging fraud, deceit, negligence, incompetence, or recklessness by the CID in the practice of interior design if the amount or value of the judgment, settlement, or arbitration award is $5,000 or greater. This language is intended to respond to criticisms that CCIDC is currently ineffective as an investigative and enforcement entity in the oversight of interior design professionals.

This bill would also extend CCIDC's sunset date by four years, establishing a new repeal date of January 1, 2031. The sunset background paper suggested that if the Legislature chooses to extend CCIDC's recognition in statute, it should consider enacting additional reforms to increase the transparency and accountability of CCIDC and support the statewide recognition of CIDs as design professionals. This bill contains reforms of that nature and will ensure that a continued CCIDC will better emulate the state licensing board model in its activities as a quasi-public entity.

Current Related Legislation. AB 1796 (Jackson) would have established a new category of licensed professional for interior designers within the California Architects Board (CAB), defined the scope of practice for professional interior design, and expanded the membership of the CAB to include a professional interior designer. *This bill did not receive a hearing in the Senate Committee on Business, Professions, and Economic Development.*

AB 2771 (Berman) is the sunset review vehicle for the California Board of Private Postsecondary Education. *This bill is currently pending on the Senate Floor.*

AB 2773 (Committee on Business and Professions) is the sunset review vehicle for the California Board of Occupational Therapy. *This bill is currently pending presentation to the Governor.*

AB 2774 (Berman) is the sunset review vehicle for the Physical Therapy Board of California. *This bill is currently pending on the Assembly Floor.*

AB 2775 (Berman) is the sunset review vehicle for the State Board of Chiropractic Examiners. *This bill is currently pending on the Senate Floor.*

SB 1302 (Wahab) is the sunset review vehicle for the California Board of Registered Nursing. *This bill is currently pending on the Assembly Floor.*

SB 1303 (Wahab) is the sunset review vehicle for the California Board of Naturopathic Medicine. *This bill is currently pending in this committee.*

SB 1304 (Wahab) is the sunset review vehicle for the California Respiratory Care Board. *This bill is currently pending on the Assembly Floor.*

SB 1363 (Wahab) is the sunset review vehicle for the Board of Barbering and Cosmetology. *This bill is currently pending on the Senate Floor.*

SB 1368 (Wahab) is the sunset review vehicle for the California Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board. *This bill is currently pending on the Senate Floor.*

Prior Related Legislation. SB 816 (Roth), Chapter 723, Statutes of 2023 codified CCIDC's authority to issue a CID commercial designation.

SB 1437 (Roth), Chapter 311, Statutes of 2022 extended CCIDC's sunset date.

SB 308 (Lieu), Chapter 333, Statutes of 2013 extended CCIDC's sunset date, required CIDs to use written contracts when providing interior design services, and required meetings of CCIDC's board to comply with the Bagley-Keene Open Meeting Act.

AB 2482 (Ma) of 2012 would have established a California Registered Interior Designers Board within the DCA regulate interior designers. *This bill died without a hearing in this committee.*

SB 1312 (Yee/Calderon) of 2008 would have placed interior designers under a Registered Interior Designers Committee within the CAB. *This bill failed on the Senate Floor.*

SB 363 (Figueroa), Chapter 874, Statutes of 2003 extended CCIDC's sunset date, modified the qualifying education and experience standards for a CID, and required CCIDC to provide a report on the costs and benefits of its examination requirements and feasible alternatives.

SB 136 (Figueroa), Chapter 495, Statutes of 2001 extended CCIDC's sunset date, required CCIDC to report specified information to the Joint Committee and to undergo an independent audit of its finances, and required CCIDC to change from a 501(c)(6) nonprofit corporation to a 501(c)(3) nonprofit corporation.

AB 1096 (Romero) of 1999 would have established a Board of Interior Design within the DCA. *This bill was vetoed by the Governor.*

SB 153 (Craven), Chapter 396, Statutes of 1990 established a voluntary certification process for interior designers through CCIDC.

SB 354 (Craven), Chapter 699, Statutes of 1988 required the CSLB to fund a study on the necessity and feasibility of licensing interior designers.

ARGUMENTS IN SUPPORT:

California Building Officials supports this bill, writing: "Local Building Officials and the California Council for Interior Design Certification (CCIDC) share a common mission of protecting the health, safety, and welfare of the public. California's Certified Interior Designer program establishes meaningful standards for education, examination, and experience that support competent professional practice and promote public confidence. AB 2772 strengthens that successful program by enhancing accountability, reinforcing CCIDC's public protection mission, and extending California's Certified Interior Designer program through 2031. These improvements support continued collaboration among design professionals, building officials, and public agencies in protecting California consumers."

ARGUMENTS IN OPPOSITION:

The *International Interior Design Association* (IIDA) writes in opposition: "For decades, IIDA has supported policies that advance professional competency, public safety, and accountability within the commercial interior design profession. Unfortunately, the history of CCIDC demonstrates that the organization has consistently failed to meet these objectives. Across multiple sunset review cycles, the Legislature has identified concerns regarding transparency, governance, financial reporting, public access, and program administration. Despite repeated opportunities to address these issues, many remain unresolved today." IIDA further writes: "After multiple sunset reviews and years of recommendations, CCIDC continues to demonstrate the same structural and operational deficiencies. Continuing to extend the organization without meaningful reform does not serve consumers, design professionals, or the Legislature. For these reasons, IIDA respectfully recommends that the Legislature allow CCIDC to sunset and evaluate more appropriate approaches to professional regulation and public protection."

REGISTERED SUPPORT:

California Building Officials
California Council for Interior Design Certification
California Legislative Coalition for Interior Designers
One individual

REGISTERED OPPOSITION:

International Interior Design Association
Six individuals

Analysis Prepared by: Robert Sumner / B. & P. / (916) 319-3301

Date of Hearing: August 25, 2026

ASSEMBLY COMMITTEE ON BUSINESS AND PROFESSIONS
Marc Berman, Chair
SB 342 (Umberg) – As Amended August 19, 2026

NOTE: This bill is being heard pursuant to Assembly Rule 77.2.

SENATE VOTE: 39-0

SUBJECT: Contractors: unlicensed work

SUMMARY: Authorizes a contractor to recover compensation owed for work conducted while the contractor was licensed, and prohibits a person from recovering compensation paid to an unlicensed contractor for work completed while the contractor was licensed, as specified.

EXISTING LAW:

1) Establishes, until January 1, 2025, the Contractors State License Board (CSLB or Board) under the Department of Consumer Affairs (DCA) to implement and enforce the Contractors State License Law (License Law), which includes the licensing and regulation of contractors and home improvement salespersons. (Business and Professions Code (BPC) §§ 7000 *et seq.*)

2) Requires, until January 1, 2025, the CSLB to appoint a Registrar of Contractors to be the executive officer and secretary of the CSLB and to carry out all of the administrative duties of the Board. (BPC § 7011)

3) Establishes an enforcement division within the CSLB to rigorously enforce the License Law, prohibiting all forms of unlicensed activity and enforcing the obligation to secure the payment of valid and current workers' compensation insurance, as specified. (BPC § 7011.4(a))

4) Requires the CSLB to provide an annual report to the Legislature, no later than October 1, related to complaints filed with the CSLB, as specified. (BPC § 7017.3)

5) Exempts from the License Law a work or operation on one undertaking or project by one or more contracts if the aggregate price for labor, materials, and all other items is less than $1,000 that work or operation being considered of casual, minor, or inconsequential nature, and the work or operation does not require a building permit. (BPC § 7048)

6) Authorizes the CSLB to issue licenses to individual owners, partnerships, corporations, and limited liability companies. (BPC § 7065(b))

7) Defines "contractor" to include any person, consultant to an owner-builder, firm, association, organization, partnership, business trust, corporation, or company, who or which undertakes, offers to undertake, purports to have the capacity to undertake, or submits a bid to construct any building or home improvement project, or part thereof. (BPC § 7026.1(a)(2)(A))

8) Establishes that, unless exempted from licensure, it is a misdemeanor for a person to engage in the business of, or act in the capacity of, a contractor if the person is not licensed in accordance with the License Law. (BPC § 7028(a)(1))

9) Authorizes the Registrar, upon complaint or otherwise, seeing that a licensee has engaged in, or is engaging in, any act, practice, or transaction which constitutes a violation of the License Law whereby another person may be substantially injured, or that any person, who does not hold a state contractor's license in any classification, has engaged in, or is engaging in, any act, practice, or transaction which constitutes a violation of the License Law, whether or not there is substantial injury, to apply for an injunction restraining such person from acting in the capacity of a contractor without a license in violation of the License Law, or from acting in violation of the License Law when another person may be substantially injured. (BPC § 7028.3)

10) Empowers the Registrar of Contractors to issue citations containing orders of abatement and civil penalties against persons acting in the capacity of or engaging in the business of a contractor without having a license in good standing to so act or engage. (BPC § 7028.6)

11) Provides that all licenses issued under the provisions of the License Law shall expire two years from the last day of the month in which the license is issued, or two years from the date on which the renewed license last expired. Requires the licensee to, before the time at which the license would otherwise expire, apply for renewal on a form prescribed by the Registrar and pay the prescribed renewal fee. (BPC § 7140)

12) Requires the Registrar to grant retroactive renewal of a license if, within 90 days of the expiration of the license, the otherwise eligible licensee submits a completed application for renewal on a form prescribed by the Registrar and pays the appropriate renewal and delinquency fees. An application shall be deemed submitted if it is delivered to the Board's headquarters or postmarked within 90 days of the expiration of the license. (BPC § 7141.5)

13) Prohibits any person engaged in the business or acting in the capacity of a contractor to bring or maintain any action, or recover in law or equity in any action, in any court of this state for the collection of compensation for the performance of any act or contract where a license is required by the License Law without alleging that they were a duly licensed contractor at all times during the performance of that act or contract, regardless of the merits of the cause of action brought by the person, except as specified. (BPC § 7031 (a))

14) Authorizes a person who utilizes the services of an unlicensed contractor to bring an action in any court of competent jurisdiction in this state to recover all compensation paid to the unlicensed contractor for the performance of any act or contract. (BPC § 7031 (b))

15) Specifies that the judicial doctrine of substantial compliance shall not apply under this section where the person who engaged in the business or acted in the capacity of a contractor has never been a duly licensed contractor in this state. The court may determine that there has been substantial compliance with licensure requirements under this section if it is shown at an evidentiary hearing that the person who engaged in the business or acted in the capacity of a contractor (1) had been duly licensed as a contractor in this state prior to the performance of the act or contract, (2) acted reasonably and in good faith to maintain proper licensure, and

(3) acted promptly and in good faith to remedy the failure to comply with the licensure requirements upon learning of the failure. (BPC § 7031(e))

THIS BILL:

1) Authorizes a person to maintain an action for compensation if the person was a duly licensed contractor at the time the contract was executed and during the portion of the performance of the contract for which compensation is sought, without regard to the underlying merits of the cause of action.

2) Authorizes a person to bring an action to recover the portion of compensation paid to an unlicensed contractor for work performed during the time in which the contractor was unlicensed.

3) Limits these authorizations to an action for compensation arising from a contract for any of the following:

   a) A public work of improvement.

   b) A commercial construction project.

   c) An institutional construction project.

   d) Construction of a common interest development, as defined in Section 4100 of the Civil Code.

   e) Construction of a multifamily residential project consisting of four or more units if a tenant or resident is not a party to the contract.

FISCAL EFFECT:

According to the Assembly Appropriations Committee:

1) The Contractors State License Board (CSLB) estimates minor and absorbable costs (special fund). Recent amendments substantially narrowed the bill to contracts for public works. CSLB indicates public works matters represent only a small portion of their complaint and enforcement caseload. They estimate receiving 45 complaints a year, with each complaint taking 16 hours to complete. Actual costs will depend on, among other things, the volume of complaints received and the complexity of any subsequent investigations.

2) Cost pressures (Trial Court Trust Fund, General Fund) of an unknown amount, but potentially greater than $150,0000 annually, to the courts to adjudicate any additional filings by contractors and others to collect or recover compensation for work performed on projects of public works. Actual costs will depend on the number of cases filed and the amount of court time needed to resolve each case. It generally costs approximately $1,000 to operate a courtroom for one hour. Although courts are not funded on the basis of workload, increased pressure on the Trial Court Trust Fund may create a demand for increased funding for courts from the General Fund. The state budget provides annual General Fund backfills to the Trial Court Trust Fund to offset revenue reductions. This backfill was $117.3 million in 2025-26.

COMMENTS:

Purpose. This bill is sponsored by the *California Conference of Carpenters*. According to the author, "[this bill] strikes a balance between maintaining consumer protections and ensuring that contractors are not unduly punished for administrative missteps. By modernizing California's contractor licensing laws, this bill supports a fairer business environment while upholding the integrity of the licensing system."

Background.

The CSLB is responsible for implementing and enforcing the License Law, which governs the licensure, practice, and discipline of contractors in California. A license is required for construction projects valued at $1,000 or more, including labor and materials. The CSLB issues licenses to business entities and sole proprietors. Each license requires a qualifying individual (a "qualifier") who satisfies the experience and examination requirements for licensure and directly supervises and controls construction work performed under the license. The CSLB issues four types of licenses: "A" General Engineering Contractor; "B" General Building Contractor; "B-2" Residential Remodeling Contractor; and "C" Specialty Contractor, of which there are 42 classifications. Each licensing classification (I.e., electrical, drywall, painting, plumbing, roofing, and fencing) authorizes a specific type of construction work. At the time of this writing, there are more than 244,500 contractors with an active license in California.

A contractor is prohibited from bringing an action to recover compensation for work performed unless the contractor was licensed at all times during the performance of a contract. A person who hires an unlicensed contractor may bring an action to recover all compensation paid to an unlicensed contractor. Additionally, any lien that a contractor records to secure payment for work performed is unenforceable unless the contractor was duly licensed at all times during the performance of the contract. These laws are intended to protect consumers and prevent unjust enrichment of unlicensed contractors. Nonetheless, the court is authorized to determine that there has been substantial compliance with licensure requirements of the License Law if it is shown at an evidentiary hearing that the person who engaged in the business or acted in the capacity of a contractor (1) had been duly licensed as a contractor in this state prior to the performance of the act or contract, (2) acted reasonably and in good faith to maintain proper licensure, and (3) acted promptly and in good faith to remedy the failure to comply with the licensure requirements upon learning of the failure. The judicial doctrine of substantial compliance appears to address lapses in licensure exceeding 90 days, provided the contractor is not acting nefariously.

SB 1793 (Holden), Chapter 244, Statutes of 2026, sought to repeal the "at all times" requirement but was ultimately amended to restore it due to concerns about diminishing consumer protections and limiting the severity of consequences for contracting without a license. This issue was revisited in 2020 during the CSLB's sunset review,[1] and SB 1474 (Committee on Business, Professions and Economic Development), Chapter 312, Statutes of 2020, required CSLB to

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[1] Each year, the Assembly Committee on Business and Professions and the Senate Committee on Business, Professions and Economic Development hold joint sunset review oversight hearings to review the licensing entities under the DCA. The sunset review process provides an opportunity for the Legislature, DCA, boards and bureaus, and stakeholders to discuss the licensing entity's performance and make recommendations for improvement.

retroactively reinstate any license if a corrected/complete license renewal is received within 90 days of the license expiration date. It resurfaced again in 2024 during the CSLB's most recent sunset review. At the time, the Associated General Contractors suggested that "it might be better to require that the contractor be prohibited from collecting construction fees/costs for ONLY the specific days of non-licensure, not the entire project." SB 1455 (Ashby), Chapter 485, Statutes of 2024, the CSLB's sunset bill, did not amend BPC § 7031.

This bill creates an exception from the all-or-nothing rule for compensation arising from a contract for a public work of improvement, a commercial construction project, an institutional construction project, construction of a common interest development, as defined, or construction of a multifamily residential project consisting of four or more units if a tenant or resident is not a party to the contract. For compensation relating to those construction contracts, a contractor could recover compensation for work performed while licensed. Furthermore, a person could recover compensation paid to an unlicensed contractor for the portion of the work performed while the contractor was unlicensed.

Prior Related Legislation. SB 1474 (Committee on Business, Professions and Economic Development), Chapter 312, Statutes of 2020, required CSLB to grant retroactive renewal of a contractor's license within 90 days of the expiration date if certain requirements are met and removed a previous requirement for the contractor to demonstrate that the renewal was late due to circumstances beyond their control.

AB 1793 (Holden), Chapter 244, Statutes of 2016, initially sought to repeal the requirement for contractors to be a duly licensed contractor "at all times" during performance of the contract to file an action to recover compensation, but was amended to instead delete the requirement for a contractor to provide evidence that they did not know or reasonably should not have known that there were not duly licensed when performance of the act or contract commenced for the judicial doctrine of substantial compliance to apply.

SB 263 (Monning) of 2013 would have provided that a contractor may pursue payment for any work on the contract while duly licensed, but preclude payment for work performed in a classification in which the contractor was not licensed, was under license suspension, or was under an expired or inactive license when the work was performed. That bill was substantially amended to address an unrelated topic.

AB 1386 (Horton), Chapter 289, Statutes of 2003, authorized a court to apply the judicial doctrine of substantial compliance to allow an action for recovery to proceed where a previously licensed contractor: (1) acted reasonably and in good faith to maintain proper licensure; (2) did not know or reasonably should not have known that he or she was not duly licensed when performance of the act or contract commenced; and (3) acted promptly and in good faith to reinstate his or her license upon learning it was invalid.

AB 2693 (Wyman) of 2002 would have provided that an action against an unlicensed contractor for recovery of monies paid to the unlicensed contractor is limited to payments made for work performed while the contractor was unlicensed.

AB 678 (Papan), Chapter 226, Statutes of 2001, authorized people who use the services of an unlicensed contractor to bring an action to recover all compensation paid to the unlicensed contractor for performance of any act or contract.

ARGUMENTS IN SUPPORT:

As the sponsor, the *California Conference of Carpenters* writes in support:

> California Business & Professions Code Section 7031 is currently set up to prohibit contractors with a gap in a contractor's license, no matter how brief, from using the courts to collect against claims and costs incurred on construction project and potentially have to remit back to the project owner all money paid for work conducted on a project, even if the project is completed in full. For example, a contractor could be compelled to return 100% of the contract payments received on a project due to a 1% gap period in the license, with the project's owner receiving the windfall of a free project. This is true even if the gap is for a single day on a multi-year project for an administrative reason, i.e., a renewal application is a day late. The attached proposed modified version of Section 7031 would make a modest but important change. It would simply make any penalty proportional to the period of unlicensed performance. It would correct a problem that leads to inequitable and often absurd results.

ARGUMENTS IN OPPOSITION:

In opposition, the *Los Angeles Unified School District* writes:

> SB 342 would represent a dramatic change in the law for public entities and commercial developers authorizing unlicensed contractors to recover payments for any period during which they were properly licensed and file lawsuits for compensation despite their unlicensed status. At its worst, SB 342 would allow unlicensed contractors to recover compensation for work that actually leads to the revocation of their licenses. SB 342 would allow contractors whose licenses are revoked by the Contractors State License Board, for such violations as project abandonment, failing to pay workers or suppliers, committing financial fraud, or failing to maintain required workers' compensation insurance or surety bonds, to be compensated for work prior to the revocation, despite this conduct serving as the basis for revocation. California should not allow contractors whose licenses are subsequently revoked to be compensated for their violations of the licensing laws. Existing law serves a deterrent to this exploitive conduct and should not be altered.

POLICY ISSUES:

Need for the bill. Current law requires the CSLB to grant a contractor a retroactive license renewal if the contractor applies for renewal within 90 days of the license's expiration. It is unclear why a contractor would not be aware of a licensing lapse lasting more than 90 days. Nonetheless, a court may determine that there has been substantial compliance with licensure requirements if the contractor had been licensed prior to the performance of the contract, acted reasonably and in good faith to maintain licensure, and acted properly and in good faith to remedy license delinquency. Any contractor making a reasonable effort to comply with this state's licensing laws is presumably already protected by law.

Weakens Consumer Protection and Incentivizes Unlicensed Activity. This bill reduces the amount of compensation a consumer can recover from an unlicensed contractor, which may lead fewer consumers to pursue this option. Furthermore, by allowing contractors to profit while unlicensed, this bill reduces the incentive to obtain a license. There is very little that CSLB can do to bring an unlicensed contractor into compliance. The CSLB may cite and fine the person, but an unlicensed contractor has little incentive to pay, unless they wish to obtain a license. The CSLB largely relies on local law enforcement and district attorneys to assist with enforcement. In contrast, the CSLB is authorized to take disciplinary action against licensed contractors who have violated the License Law and is empowered to impose an escalating range of penalties, from citations and fines to license suspension or revocation. Additionally, the CSLB may order a contractor to pay restitution, and a consumer may file a claim against a contractor's bond, which is a condition of licensure. These options are not available to consumers when issues arise with unlicensed contractors.

AMENDMENTS:

The author intends to amend the bill as follows to account for individuals who pay for a home to be built or rebuilt in a common interest development:

> **7031.** (a) (1) Except as provided in paragraph (2) or subdivision (e), no person engaged in the business or acting in the capacity of a contractor may bring or maintain any action, or recover in law or equity in any action, in any court of this state for the collection of compensation for the performance of any act or contract where a license is required by this chapter without alleging that they were a duly licensed contractor at all times during the performance of that act or contract, regardless of the merits of the cause of action brought by the person.
>
> (2) Paragraph (1) shall not apply to either of the following:
>
> (A) Any contractor who is individually licensed under this chapter but who fails to comply with Section 7029.
>
> (B) (i) An action for compensation arising from a contract for any of the following:
>
> (I) A public work of improvement.
>
> (II) A commercial construction project.
>
> (III) An institutional construction project.
>
> (IV) Construction of a common interest development, as defined in Section 4100 of the Civil Code*, if a tenant or resident is not a party to the contract*.
>
> (V) Construction of a multifamily residential project consisting of four or more units if a tenant or resident is not a party to the contract.

(ii) A person may maintain an action for compensation under this subparagraph if the person was a duly licensed contractor at the time the contract was executed and during the portion of the performance of the contract for which compensation is sought, without regard to the underlying merits of the cause of action.

(b) (1) Except as provided in paragraph (2) or subdivision (e), a person who utilizes the services of an unlicensed contractor may bring an action in any court of competent jurisdiction in this state to recover all compensation paid to the unlicensed contractor for performance of any act or contract.

(2) (A) Paragraph (1) does not apply to an action for compensation arising from a contract for any of the following:

(i) A public work of improvement.

(ii) A commercial construction project.

(iii) An institutional construction project.

(iv) Construction of a common interest development, as defined in Section 4100 of the Civil Code*, if a tenant or resident is not a party to the contract*.

(v) Construction of a multifamily residential project consisting of four or more units if a tenant or resident is not a party to the contract.

(B) A person may bring an action under this paragraph to recover the portion of compensation paid to the unlicensed contractor for work performed during the time in which the contractor was unlicensed.

(c) A security interest taken to secure any payment for the performance of any act or contract for which a license is required by this chapter is unenforceable if the person performing the act or contract was not a duly licensed contractor at all times during the performance of the act or contract.

(d) If licensure or proper licensure is controverted, then proof of licensure pursuant to this section shall be made by production of a verified certificate of licensure from the Contractors State License Board which establishes that the individual or entity bringing the action was duly licensed in the proper classification of contractors at all times during the performance of any act or contract covered by the action. Nothing in this subdivision shall require any person or entity controverting licensure or proper licensure to produce a verified certificate. When licensure or proper licensure is controverted, the burden of proof to establish licensure or proper licensure shall be on the licensee.

(e) The judicial doctrine of substantial compliance shall not apply under this section where the person who engaged in the business or acted in the capacity of a contractor has never been a duly licensed contractor in this state. However, notwithstanding subdivision (b) of Section 143, the court may determine that there has been substantial compliance with licensure requirements under this section if it is shown at an evidentiary hearing that the person who engaged in the business or acted in the capacity of a contractor (1) had been duly licensed as a contractor in this state prior to the performance of the act or contract, (2) acted reasonably and in good faith to maintain proper licensure, and (3) acted promptly and in good faith to remedy the failure to comply with the licensure requirements upon learning of the failure.

(f) The exceptions to the prohibition against the application of the judicial doctrine of substantial compliance found in subdivision (e) shall apply to all contracts entered into on or after January 1, 1992, and to all actions or arbitrations arising therefrom, except that the amendments to subdivisions (e) and (f) enacted during the 1994 portion of the 1993–94 Regular Session of the Legislature shall not apply to either of the following:

(1) Any legal action or arbitration commenced prior to January 1, 1995, regardless of the date on which the parties entered into the contract.

(2) Any legal action or arbitration commenced on or after January 1, 1995, if the legal action or arbitration was commenced prior to January 1, 1995, and was subsequently dismissed.

REGISTERED SUPPORT:

California Conference of Carpenters
California Legislative Conference of Plumbing, Heating & Piping Industry
Construction Employers' Association
Finishing Contractors Association of Southern California
National Electrical Contractors Association
Northern California Allied Trades
Northern California Floor Covering Association
Southern California Glass Management Association
United Contractors
Wall and Ceiling Alliance
Western Electrical Contractors Association
Western Line Constructors
Western Painting and Coating Contractors Association
Western Wall and Ceiling Contractors Association

REGISTERED OPPOSITION:

Association of California School Administrators
California Coalition for Adequate School Housing
California Special Districts Association
California State Association of Counties
League of California Cities
Los Angeles Unified School District
San Bernardino County Transportation Authority

Analysis Prepared by: Kaitlin Curry / B. & P. / (916) 319-3301

Date of Hearing: August 25, 2026

ASSEMBLY COMMITTEE ON BUSINESS AND PROFESSIONS
Marc Berman, Chair
SB 1303 (Wahab) – As Amended August 20, 2026

NOTE: This bill is being heard pursuant to Assembly Rule 77.2.

SENATE VOTE: 39-0

SUBJECT: Naturopathic Doctors Act

SUMMARY: Extends the sunset date for the California Board of Naturopathic Medicine (Board) until January 1, 2031 and makes additional technical changes, statutory improvements, and policy reforms in response to issues raised during the Board's sunset review oversight process.

EXISTING LAW:

1) Establishes the Naturopathic Doctors Act for the purpose of licensing and regulating naturopathic doctors (NDs). (Business and Professions Code (BPC) §§ 3610 *et seq.*)

2) Establishes the Board to administer and enforce the Naturopathic Doctors Act. (BPC § 3612)

3) Provides that the Board shall consist of five NDs, two physicians and surgeons, and two public members, with members appointed by the Governor, the Senate Committee on Rules, and the Speaker of the Assembly. (BPC § 3621)

4) Establishes minimum requirements for naturopathic medical education programs approved by the Board. (BPC § 3623)

5) Authorizes the Board to employ officers and employees as necessary to discharge its duties. (BPC § 3626)

6) Provides that NDs may engage in specified activities and provide specified services as part of their scope of practice, including the following:

   a) Order and perform physical and laboratory examinations for diagnostic purposes.

   b) Order diagnostic imaging studies, including X-ray, ultrasound, mammogram, bone densitometry, and others, consistent with naturopathic training.

   c) Dispense, administer, order, prescribe, and furnish or perform dietary supplements and nonprescription drugs; hot or cold hydrotherapy; devices, as provided; health education and counseling; repair and care incidental to superficial lacerations and abrasions, except suturing; and removal of foreign bodies located in the superficial tissues.

   (BPC § 3640)

7) Authorizes an ND to furnish or order drugs, including Schedule III through Schedule V controlled substances, in accordance with standardized procedures or protocols and subject to specified requirements and limitations. (BPC § 3640.5)

8) Additionally authorizes an ND to independently prescribe and administer epinephrine to treat anaphylaxis, natural and synthetic hormones, and specified substances that are chemically identical to those for sale without a prescription. (BPC § 3640.7)

9) Provides that the Naturopathic Doctors Act does not prevent or restrict the practice, services, or activities by specified individuals, and specifies that an unlicensed person may represent that they "practice naturopathy" but may not use the title "naturopathic doctor" unless they have been issued a license by the Board. (BPC § 3644)

10) Specifies various fees that may be charged by the Board to its applicants and licensees. (BPC § 3680)

11) Provides that the Naturopathic Doctors Act shall be repealed on January 1, 2027 unless extended by the Legislature. (BPC § 3686)

12) Defines "physician" for purposes of workers' compensation laws. (Labor Code § 3209.3)

13) Requires applicants for a special license plate for disabled persons or veterans to submit a certificate to the Department of Motor Vehicles (DMV) signed by an eligible health care provider. (Vehicle Code § 5007)

THIS BILL:

1) Extends the Board's sunset date until January 1, 2031.

2) Staggers the terms of members appointed by the Governor after the bill's effective date as follows:

   a) Two members shall serve an initial term of two years.

   b) Two members shall serve an initial term of three years.

   c) Three members shall serve an initial term of four years.

   d) Thereafter, all appointments shall be for four-year terms.

3) Repeals obsolete language exempting applicants who graduated prior to 1986 from specified application requirements for applications received prior to December 31, 2007.

4) Authorizes the Board to accept the voluntary cancellation of an ND license upon the written request of the licensee, provided that the cancellation is not in lieu of an administrative enforcement action.

5) Establishes a process for an ND to obtain a fictitious-name permit, which would allow for ND to practice under a name other than their own.

6) Provides that it is unprofessional conduct to use any fictitious, false, or assumed name, or any name other than their own by a licensee either alone, in conjunction with a partnership or group, or as the name of a professional corporation, in any public communication, advertisement, sign, or announcement of their practice without a fictitious-name permit.

7) Revises the requirements for a naturopathic medical education program to obtain approval.

8) Authorizes NDs to perform minor office procedures as part of their scope of practice, including the following:

    a) Care and operative procedures relative to lacerations, skin lesions, and abrasions.

    b) Incision and drainage of abscesses.

    c) Trephination of subungual hematomas.

    d) Removal of foreign bodies beyond the superficial tissues.

    e) Topical and parenteral use of local anesthetic solutions, their adjuncts, and diluents.

    f) Obtaining samples of superficial human tissue by means of biopsy, consistent with the practice of naturopathic medicine.

9) Expands the authority for an ND to furnish, order, or prescribe controlled substances to include Schedule II controlled substances under specified circumstances.

10) Limits the authority of an ND to furnish, order, or prescribe controlled substances to require standardized procedures or protocols to be developed jointly with, and approved by, a physician and surgeon, and requires any standardized procedures or protocols to include patient-specific authorization.

11) Requires the Board to adopt an exclusionary drug formulary identifying drug classes that shall not be independently furnished, ordered, or prescribed by an ND, including but not limited to chemotherapeutic agents, antipsychotic medications and mood stabilizers, immunosuppressants, antiarrhythmics and intravenous vasolidators or inotropes, and general anesthetics and neuromuscular blockers.

12) Revises provisions of the Labor Code to include NDs as an eligible practitioner for purposes of workers' compensation laws.

13) Authorizes NDs to sign certificates submitted to the DMV as part of the application for a special license plate for disabled persons.

14) Establishes new penalties for the unlicensed practice or advertising of naturopathic medicine, or the aiding or abetting thereof.

15) Provides that an unlicensed person may provide authorized services not within the reserved scope of practice of an ND and may use the title "naturopath" in conjunction with those services under the existing framework for alternative and complementary care.

FISCAL EFFECT: According to the Assembly Committee on Appropriations, costs of approximately $761,000 per year to continue operation of the Board; the Board anticipates minor and absorbable costs for an increase in workload to create and implement retired status, as well as increases in revenue; the Department of Consumer Affairs (DCA) anticipates absorbable costs for system updates to support the new fictitious name permit program.

COMMENTS:

Purpose. This bill is the sunset review vehicle for the California Board of Naturopathic Medicine, authored by the Chair of the Senate Committee on Business, Professions, and Economic Development. The bill extends the sunset date for the Board and enacts technical changes, statutory improvements, and policy reforms in response to issues raised during the Board's sunset review oversight process.

Background.

Sunset review. To ensure that California's myriad professional oversight entities are meeting the state's public protection priorities, authorizing statutes for these regulatory bodies are subject to statutory dates of repeal, at which point the entity "sunsets" unless the date is extended by the Legislature. The sunset process provides for a regular forum for discussion around the successes and challenges of various programs and the consideration of proposed changes to laws governing the regulation of professionals. Currently, the sunset review process applies to approximately three dozen different boards, bureaus, and commissions housed within the DCA, as well as the Department of Real Estate and three nongovernmental nonprofit councils.

On a schedule averaging every four years, each entity is required to present a report to the Legislature's policy committees, which in return prepare a comprehensive background paper on the efficacy and efficiency of their licensing and enforcement programs. Both the Administration and regulated professional stakeholders actively engage in this process. Legislation is then subsequently introduced extending the repeal date for the entity along with any reforms identified during the sunset review process.

California Board of Naturopathic Medicine. The Board is responsible for licensing and regulating NDs under the Naturopathic Doctors Act. The foundational principle of naturopathy is a belief that the human body is capable of healing itself with the assistance of natural therapies and treatments. Naturopathic medicine is a system of primary health care that integrates the values and practices of traditional naturopathy with modern methods and modalities for the diagnosing, treating, and preventing of health conditions, injuries, and disease. As of June 30, 2025, there were 1,057 active ND licensees in California. NDs provide care in a variety of settings, including solo practices, integrative clinics, and academic institutions.

Issues Raised during Sunset Review. The background paper for Board's sunset review oversight hearing contained a total of 16 issues and recommendations, each of which is eligible to result in statutory changes enacted through Board's sunset bill.[1]

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[1] https://abp.assembly.ca.gov/media/1284

Board Expiration Dates. Issue #2 in the sunset background paper for the Board noted that four of the seven members' terms expired on January 1, 2026, and those members are serving their grace year. The sunset background paper considered whether Board member terms need to be staggered. Board members serve four-year terms, and members may not serve more than two consecutive terms. Members may continue to serve after their term's expiration date until a replacement is appointed or one year has elapsed, whichever occurs sooner. Appointments for prematurely vacated positions are initially for the remainder of the term only.

At the time that the sunset background paper was published, the Board had two vacancies and six of its seven appointed members serving in their second term or ineligible for a second term and serving in their grace year, including the Board President. Without staggering member terms, the Board could have effectively been left with one remaining Board member. Without amending member terms, nearly the entire Board roster could need to be replaced at one time, which would place undue pressure on the appointments process and introduce instability to program operations that would be avoidable under a coordinated term expiration calendar. This bill would stagger the terms of future members of the Board to ensure greater stability and continuity in the future.

Fictitious Name Permit Program. Issue #6 in the sunset background paper for the Board posed the question of whether the Board should be authorized to issue fictitious name permits to ensure naturopathic practices are complying with Naturopathic Doctors Act naming requirements for corporations. The Board has requested authority to establish a fictitious name permit program during two prior sunset reviews and submitted this request in its current sunset report. During the 2021 sunset review, legislative staff recommended that the Board expand upon its request, providing a clear rationale for how the program would better serve the public.

A fictitious name, also known as a "DBA" (doing business as), is a business name that differs from the legal name of the individual or entity that owns the business and who is licensed by the Board. Currently, consumers may only know a practice by its business or fictitious name. When a consumer files a complaint, this lack of transparency adds a level of complexity to investigations that are meant to be filed against the responsible doctor in the corporation.

For example, if Dr. Jane Smith operates a clinic under the name "Wellness First Medical Group," a consumer will likely file a complaint against the Wellness First Medical Group, not Dr. Smith. According to the Board, a fictitious name permit program would improve the Board's ability to protect the public by enhancing ownership transparency. Establishing a fictitious name permit program would allow both the consumer and the Board to identify the naturopathic doctor who is responsible for the corporation.

Additionally, statute prescribes naming conventions of naturopathic corporations, requiring they contain the words, "naturopathic" or "naturopathic doctor" and words to communicate its status as a corporation. Absent a fictitious name permit program, the Board is unable to proactively ensure compliance with that law during the licensure process and instead, must enforce naming conventions on a reactive basis while investigating a complaint. The process of investigating and educating or citing and issuing an order of abatement for the licensee to correct the deficiency is less effective and more costly for the Board and licensees alike.

Based on the above, the Board strongly believes there is a demonstrated need for a fictitious name permit program. The Board additionally cites the benefit to consumers from preventing misleading or deceptive names, such as those: referring to an individual practice as a "center" or "institute"; referencing a type or scope of practice, including implying a board certification when none exists; using names that are nearly identical to well reputed practices, which is intended to fraudulently siphon off clients; among other forms of deceptive practices that can lead to consumer harm. This bill would establish a framework for the Board to implement a fictitious name permit program.

Naturopath Title Protection. Issue #8 in the sunset background paper for the Board noted that the Board reports that complaints about unlicensed activity accounts for 71 percent of its complaints received. Complainants frequently report confusion when individuals use these titles without licensure, leading consumers to mistakenly believe they are receiving care from a licensed naturopathic doctor. Unlicensed naturopaths contend that they do not fall within the jurisdiction of the Board and therefore, the Board should not be expending resources to investigate these complaints. The sunset background paper considered whether the Board has regulatory authority over unlicensed naturopaths.

As discussed in the sunset background paper, naturopathy is a broadly used term encompassing approximately 50 types of complementary and alternative health care practitioners. Practitioners who might use the title "naturopath" may include those practicing homeopathy, hydrotherapy, reflexology, iridology, nutritional therapy, acupressure, and others. These practitioners may lawfully provide services that do not require medical training or credentials, so long as they comply with the requirements of the Medical Practice Act.

The Medical Practice Act broadly prohibits the unlicensed practice of medicine, which is punishable as a misdemeanor. However, in 2002, the Legislature enacted SB 577 (Burton), which was intended "to allow access by California residents to complementary and alternative health care practitioners who are not providing services that require medical training and credentials." The legislation cited a report by the National Institute of Medicine and other studies that found that "millions of Californians, perhaps more than five million, are presently receiving a substantial volume of health care services from complementary and alternative health care practitioners" but that "the provision of many of these services may be in technical violation of the Medical Practice Act."

SB 577 established an exception to the Medical Practice Act's prohibitions on the unlicensed practice of medicine for practitioners who provide alternative or complementary care. Those practitioners may not imply that they are licensed physicians, and must disclose in any advertisements that they are not licensed by the state. Additionally, alternative and complementary care practitioners must provide patients with various specified disclosures prior to providing services, which must be acknowledged in writing by the patient.

In addition to being protected from violating the Medical Practice Act if the above requirements are met, complementary and alternative health care practitioners are permitted to use the titles of "Naturopath," "Naturopathic practitioner," or "Traditional naturopathic practitioner," by the Naturopathic Doctors Act if the person using the title is educated and trained as the title suggests. However, the requisite education and training are not prescribed, and Board licensure is not required. Additionally, the Medical Practice Act does not require specified education or training.

Placement of title protection for an unlicensed population within the Naturopathic Doctors Act seems to be cause for consumers who file complaints against unlicensed naturopaths with the Board. Equally a cause of confusion for consumers is the similarly phrased protected titles – "naturopathic doctor" and "naturopath" – that may lead consumers to file complaints with the Board.

The sunset background paper recommended that the Board advise the Committees of necessary changes to increase its efficacy in protecting the public from the complaints about unlicensed naturopaths and unlicensed activity in general while simultaneously reducing its enforcement expenditures. The Board was also urged to advise the Committees if consumers would be better served if the terms "naturopath," "naturopathic practitioner," and "traditional naturopathic practitioner" were replaced with terms more specific to the actual service being provided or another less confusing term. The Board was directed to update the Committees on whether requiring registration would benefit consumers, naturopaths, and the Board.

This bill would revise the authority of the Board to take action against individuals engaged in, or aiding or abetting, the unlicensed practice or advertising of naturopathic medicine. The bill would codify specific penalties that may be imposed for violations of the Naturopathic Doctors Act. The bill would then specifically exempt the provision of services authorized by SB 577 and the use of the title "naturopath" when the unlicensed individual is complying with the disclosure and consent requirements for alternative and complementary care providers. This language is intended to ensure that consumers who receive unlicensed "naturopathy" services are aware that they are not receiving services from an ND and that the Board does not have oversight over those services.

Expanded Authority. Issue #12 in the sunset background paper for the Board noted that when the Naturopathic Doctors Act was enacted through SB 907 (Burton), the Board was directed to review naturopathic doctor education and training and make recommendations to the Legislature regarding the naturopathic doctor scope, but that those recommendations have not yet been adopted. The Committees considered whether it is time to align California's naturopathic doctor scope with their education and training.

Despite being highly trained in primary care and integrative medicine, licensed NDs may be limited from practicing to the full extent of their education and clinical training. The limited independent pharmaceutical formulary, requirement for a supervisory protocol agreement, and restrictions on performing minor procedures like suturing may hinder their ability to provide comprehensive care. In response to the evolving nature of the profession, the Board's Drug Formulary Advisory Committee convened meetings on May 5, 2025, and November 17, 2025, to consider revising its formulary recommendations. Rather than recommend an inclusive list of drugs similar to the previous Committee, the updated recommendations used an exclusionary methodology, taking into account regulatory scope, clinical setting, and collaborative care considerations. The Board now recommends excluding certain classes of drugs, specifically chemotherapeutic agents, controlled substances, advanced psychiatric medications, immunosuppressants, advanced cardiovascular agents, injectable biologics and monoclonal antibodies, and general anesthetics and neuromuscular blockers.

This bill would expand the licensed scope of practice for naturopathic medicine. First, it would allow NDs to perform minor office procedures, including the following:

A) Care and operative procedures relative to lacerations, skin lesions, and abrasions.

B) Incision and drainage of abscesses.

C) Trephination of subungual hematomas.

D) Removal of foreign bodies.

Further, this bill would broaden the authority for NDs to furnish, order, or prescribe controlled substances. NDs would only be allowed to furnish, order, or prescribe Schedule II drugs pursuant to standardized procedures or protocols developed jointly with, and approved by, a supervising physician and surgeon, which would be required to include patient-specific authorization. The supervising physician and surgeon would be required to be available at the time of the patient examination.

The Board would additionally be required to adopt an exclusionary drug formulary identifying drug classes that shall not be independently furnished, ordered, or prescribed by an ND. This exclusionary drug formulary would include but not be limited to chemotherapeutic agents, antipsychotic medications and mood stabilizers, immunosuppressants, antiarrhythmics and intravenous vasolidators or inotropes, and general anesthetics and neuromuscular blockers. The Board would be required to regularly review and update the exclusionary drug formulary to reflect changes in clinical practice, education, and patient safety standards.

Recognition of Naturopathic Doctors in Public Health Documentation. Issue #14 in the sunset background paper for the Board posed the question of whether NDs should be authorized to submit injury and disability certifications for the purposes of workers' compensation and disability license plates on behalf of their patients. NDs are recognized as primary care providers in California. Additionally, statute provides that NDs, "shall have the same authority and responsibility as a licensed physician and surgeon with regard to public health laws, including laws governing reportable diseases and conditions, communicable disease control and prevention, recording vital statistics, and performing health and physical examinations consistent with their education and training."

Provisions of the Labor Code define the health care practitioners who are authorized to evaluate injury or disease arising out of employment for the purposes of determining eligibility for compensation from workers' compensation insurance. However, this definition does not currently include NDs. Psychologists, acupuncturists, optometrists, dentists, podiatrists, and chiropractic practitioners are all included in the Labor Code definition, despite not possessing the same authority and responsibility as a licensed physician and surgeon regarding public health laws.

Additionally, NDs are not authorized to complete paperwork certifying a patient's disability for special license plates issued by the Department of Motor Vehicles. Vehicle Code designates a physician and surgeon, nurse practitioner, certified nurse midwife, physician assistant, podiatrist, chiropractor, and optometrist as the healthcare practitioners who may certify the qualifying disability. NDs are not currently authorized to sign the required certificates.

Because NDs frequently work in underserved and rural communities where they are often the first, and sometimes only, line of healthcare available, lack of recognition in the Labor Code and Vehicle Code can be disruptive to the continuity of care for many vulnerable patients, cause the patient to seek out multiple practitioners, or may prevent patients from receiving the services they need altogether, creating inequities not intended by this Legislature. The sunset background paper suggested that the Committees may wish to resolve these gaps in authorization. This bill would add NDs to both the Labor Code and the Vehicle Code for these purposes.

Technical Changes. Issue #15 in the sunset background paper for the Board suggested that there may be instances where nonsubstantive and technical changes to the Naturopathic Doctors Act are needed to correct deficiencies or other inconsistencies in the law. Because of numerous statutory changes, code sections can become confusing, contain provisions that are no longer applicable, make references to outdated report requirements, and cross-reference code sections that are no longer relevant. The Board's sunset review is an appropriate time to review, recommend, and make necessary statutory changes. This bill includes changes of this nature.

Continued Regulation. Issue #16 in the sunset background paper for the Board considered whether the licensing and regulation of NDs should be continued and regulated by the Board. The sunset background paper concluded that the welfare of consumers is best preserved under the presence of a strong licensing and regulatory program to oversee NDs that can sustain its existence through license fees. The sunset background paper recommended that the Board should be continued and reviewed again on a future date to be determined. This bill would extend the Board's sunset date by an additional four years.

Current Related Legislation. AB 2771 (Berman) is the sunset review vehicle for the California Board of Private Postsecondary Education. *This bill is currently pending on the Senate Floor.*

AB 2772 (Berman) is the sunset review vehicle for the California Council for Interior Design Certification. *This bill is currently pending on the Senate Floor.*

AB 2773 (Committee on Business and Professions) is the sunset review vehicle for the California Board of Occupational Therapy. *This bill is currently pending on the Senate Floor.*

AB 2774 (Berman) is the sunset review vehicle for the Physical Therapy Board of California. *This bill is currently pending on the Senate Floor.*

AB 2775 (Berman) is the sunset review vehicle for the State Board of Chiropractic Examiners. *This bill is currently pending on the Senate Floor.*

SB 1302 (Wahab) is the sunset review vehicle for the California Board of Registered Nursing. *This bill is currently pending on the Assembly Floor.*

SB 1304 (Wahab) is the sunset review vehicle for the California Respiratory Care Board. *This bill is currently pending on the Assembly Floor.*

SB 1363 (Wahab) is the sunset review vehicle for the Board of Barbering and Cosmetology. *This bill is currently pending on the Assembly Floor.*

SB 1368 (Wahab) is the sunset review vehicle for the California Speech-Language Pathology & Audiology & Hearing Aid Dispensers Board. *This bill is currently pending on the Assembly Floor.*

SB 1333 (Jones) would have expanded the scope of an ND licensed by the Board by authorizing an ND to perform minor office procedures, as defined, as well as furnish, order, or prescribe legend drugs, including Schedule II to Schedule V drugs inclusive and controlled substances under the California Uniform Controlled Substances Act independent of physician and surgeon supervision. *This bill did not receive a hearing in the Senate Business, Professions & Economic Development Committee.*

Prior Related Legislation. AB 2485 (Committee on Business and Professions) extended the sunset date for the Board until January 1, 2027 and made additional technical changes, statutory improvements, and policy reforms in response to issues raised during the Board's sunset review oversight process.

ARGUMENTS IN SUPPORT:

The *California Naturopathic Doctors Association* (CNDA) writes in support of this bill: "Most naturopathic doctors practice in primary care, yet current law creates unnecessary barriers for the patients who depend on them. Patients are often required to seek outside referrals for medication management or minor procedures, such as wound suturing, even when their ND is trained and qualified to provide those services. These inefficiencies increase health care costs, delay treatment, and may expose patients to preventable complications when acute conditions (such as streptococcal infections or urinary tract infections) are not addressed promptly." The CNDA further writes: "We agree with the CBNM that modernizing the naturopathic doctor scope of practice to better reflect both their education and training, as well as standards in other states that license naturopathic doctors, can improve access to care, reduce unnecessary health system burden, and help California attract and retain more primary care providers."

ARGUMENTS IN OPPOSITION:

The *California Medical Association* (CMA) writes in opposition to this bill in a letter co-signed by a coalition of physician specialty organizations: "While we share the Legislature's commitment to improving access to care and strengthening California's health care system, SB 1303 raises significant concerns regarding patient safety, clinical education and training standards, and the integrity of medical practice." The CMA specifically opposes recent amendments to the bill that would expand the authority of NDs to prescribe controlled substances and perform minor office procedures, as well as the language authorizing NDs to certify disabilities for purposes of the DMV or make disability determinations within the workers' compensation system. The CMA letter further states: "Additionally, this bill risks further fragmenting care by creating ambiguity in clinical roles and accountability. High-quality care depends on coordinated, physician-led teams in which each member practices within a clearly defined, evidence-based scope. Although improving access, particularly in underserved communities, is an important goal, there is insufficient evidence that expanding ND scope in this manner will meaningfully improve access without creating additional risks to patient safety, continuity, and follow-up care."

POLICY ISSUES:

Consideration of Scope of Practice Expansions. Recent amendments to this bill would revise and augment the current scope of practice for NDs, including by extending the authority of an ND to prescribe controlled substances or perform minor office procedures. Proposals to provide for a more extensive scope of practice for naturopathic medicine were thoroughly discussed both in the Board's sunset review background paper and during the joint sunset oversight hearing held earlier this year. Additionally, intent language was amended into this bill in April 2026 stating: "It is the intent of the Legislature to work with stakeholders and the California Board of Naturopathic Medicine to evaluate opportunities to authorize naturopathic doctors to provide additional services to patients for which they are trained, educated, and qualified and that will expand access to safe, holistic, and preventive care for California's consumers."

While proposals to enhance ND scope of practice have been subject to public discussion for several months, the language itself was only amended into this bill. The current legislative timeline allows for only minimal discussion of these proposals, which have received significant opposition. There may be cogent arguments in favor of the expanding the scope of practice for NDs; nevertheless, consideration of these proposals would benefit from further deliberation and discussion on a less accelerated timeline than is currently possible through this bill.

AMENDMENTS:

To remove provisions of the bill expanding the ND scope of practice, strike the entirety of Sections 7, 8, 9, 10, 17, 18, and 19 from the bill.

REGISTERED SUPPORT:

American Association of Naturopathic Physicians
Association of Accredited Naturopathic Medical Colleges
California Board of Naturopathic Medicine
California Naturopathic Certification Board
California Naturopathic Doctors Association
Council on Naturopathic Medical Education
Federation of Naturopathic Medicine Regulatory Authorities
Water's Edge Natural Medicine

REGISTERED OPPOSITION:

American Association of Payers Administrators and Networks
American College of Obstetricians & Gynecologists - District IX
American Naturopathic Association
American Property Casualty Insurance Association
Associated Naturopathic Schools and Colleges of America
Association of California Healthcare Districts
California Academy of Child and Adolescent Psychiatry
California Academy of Family Physicians
California Association of Joint Powers Authorities
California Chamber of Commerce

California Chapter American College of Cardiology
California Coalition on Workers Compensation
California Medical Association
California Orthopaedic Association
California Podiatric Medical Association
California Radiological Society
California Rheumatology Alliance
California Society of Anesthesiologists
California Society of Dermatology & Dermatologic Surgery
California Society of Pathologists
California Society of Plastic Surgeons
California Special Districts Association
California State Association of Counties
National Board of Naturopathic Examiners
Osteopathic Physicians and Surgeons of California
Public Risk Innovation, Solutions, and Management
Rural County Representatives of California
Urban Counties of California

Analysis Prepared by: Robert Sumner / B. & P. / (916) 319-3301

Date of Hearing: August 25, 2026

ASSEMBLY COMMITTEE ON BUSINESS AND PROFESSIONS
Marc Berman, Chair
SB 1347 (Niello) – As Amended August 20, 2026

NOTE: This bill is being heard pursuant to Assembly Rule 77.2.

SENATE VOTE: 36-0

SUBJECT: Pupil health: emergency stock albuterol inhalers

SUMMARY: Authorizes a pharmacy to furnish stock albuterol inhalers to a local educational agency (LEA) pursuant to a written order from an authorized prescribe and extends the current authorization for LEAs to provide and administer emergency stock albuterol inhalers to childcare programs operated by or under contract with an LEA, as well as their trained employees.

EXISTING LAW:

1) Establishes the California State Board of Pharmacy (BOP) within the Department of Consumer Affairs to administer and enforce the Pharmacy Law. (Business and Professions Code (BPC) §§ 4000 *et seq.*)

2) Defines "pharmacy" as an area, place, or premises licensed by the BOP in which the profession of pharmacist is practiced and where prescriptions are compounded, including any where controlled substances, dangerous drugs, or dangerous devices are stored, possessed, prepared, manufactured, derived, compounded, or repackaged, and from which the controlled substances, dangerous drugs, or dangerous devices are furnished, sold, or dispensed at retail. (BPC § 4037)

3) Declares pharmacist practice to be a dynamic, patient-oriented health service that applies a scientific body of knowledge to improve and promote patient health by means of patient-care activities to optimize appropriate drug use, drug-related therapy, disease management and prevention, and communication for clinical and consultative purposes. (BPC § 4050)

4) Authorizes a pharmacist to perform specified functions and provide specified services as part of their scope of practice, including furnishing certain medications, performing certain procedures, administering drugs and biological products, ordering and interpreting tests, and providing consultation, training, and education to patients. (BPC § 4052)

5) Prohibits the furnishing of any dangerous drug or device, except upon the prescription of a physician, dentist, podiatrist, optometrist, veterinarian, or naturopathic doctor. (BPC § 4059)

6) Authorizes a pharmacy to furnish epinephrine delivery systems to a local educational agency if specified conditions are met. (BPC § 4119.2)

7) Authorizes a pharmacy to furnish naloxone hydrochloride or another opioid antagonist to a school district, county office of education, or charter school if specified conditions are met. (BPC § 4119.8)

8) Requires LEAs to provide emergency epinephrine auto-injectors to school nurses or trained personnel who have volunteered to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an anaphylactic reaction. (Education Code (EDC) § 49414)

9) Authorizes LEAs to provide emergency naloxone hydrochloride or another opioid antagonist to school nurses or trained personnel who have volunteered to administer the medication, and allows for those school nurses or trained personnel to use naloxone hydrochloride or another opioid antagonist to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an opioid overdose. (EDC § 49414.3)

10) Authorizes school districts, county offices of education, and charter schools to provide emergency stock albuterol inhalers, including, if necessary, single-use disposable holding chambers, to school nurses or trained personnel who have volunteered to administer the medication, and authorizes those school nurses or trained personnel to use an emergency stock albuterol inhaler to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from respiratory distress. (EDC § 49414.7)

THIS BILL:

1) Allows for a pharmacy to furnish stock albuterol inhalers to an LEA pursuant to a written order from an authorized prescriber pursuant to provisions of the Education Code allowing school nurses or trained volunteer personnel to use emergency stock albuterol inhalers.

2) Expands the authority of LEAs to provide and administer emergency stock albuterol inhalers to include childcare programs operated by or under contract with an LEA, as well as their trained employees.

3) Amends the definition of volunteer or trained personnel authorized to administer stock albuterol under specified conditions to include employees of a childcare program who have volunteered, received training, and are subject to liability limitations pursuant to existing law.

4) Authorizes childcare programs operated by or under contract with an LEA to designate one or more volunteers to receive initial and annual refresher training, as specified.

5) Adds childcare programs to the existing entities to which LEAs electing to utilize stock albuterol inhalers for emergency aid must distribute specified biannual notices.

6) Requires that a prescription provided by an authorizing physician and surgeon include appropriate doses of available stock albuterol inhalers for the ages and weights of individuals at each school and childcare program site.

7) Amends the definition of volunteer or trained personnel, authorized to administer stock albuterol under specified conditions, to include employees of a childcare program who have volunteered, received training, and are subject to liability limitations pursuant to existing law.

8) Defines "childcare program" as a state or federally subsidized childcare program operated by, or under contract with, an LEA, including specified programs.

FISCAL EFFECT: This bill is keyed nonfiscal by the Legislative Counsel.

COMMENTS:

Purpose. This bill is sponsored by the author. According to the author:

> In 2023, the Legislature passed on a bi-partisan basis AB 1283 (Chen), which authorized stock albuterol in public schools. This measure has helped safeguard children and has ensured our school health professionals have the necessary medication on hand at school to provide lifesaving treatment. Since the passage of AB 1283 (Chen, 2023), the state has made access to preschool a priority and is now expanding to Universal Preschool. This prioritization means the traditional definitions of "school" hasn't always been clear in the education code whether it included preschool. Some school districts have expressed confusion if they are supposed to be providing the stock albuterol in their preschool programs and other programs. Clarity in statute is needed for schools to ensure they do not have any exposed liability for their students. This is consistent with the passage of SB 568 (Niello) in 2025 which clarified the stock epinephrine in schools program also applied to preschool.

Background.

California State Board of Pharmacy. The BOP is the regulatory body responsible for overseeing pharmacies and pharmacist practice in California. As of 2025, the BOP is estimated to regulate over 50,700 pharmacists, 1,300 advanced practice pharmacists, 4,400 intern pharmacists, and 65,700 pharmacy technicians across 32 distinct licensing programs. In addition to regulating professionals, the BOP licenses and oversees pharmacies, clinics, wholesalers, third-party logistic providers, and automated drug delivery systems.

As one of approximately three dozen boards and bureaus under the Department of Consumer Affairs, the BOP plays an important role in the regulatory ecosystem that oversees the healing arts. In the face of persistent concerns such as the opioid crisis, the BOP is empowered to ensure that dangerous drugs and controlled substances are dispensed and furnished only under lawful circumstances. Under regulations enforced by the BOP, pharmacists are tasked with a corresponding responsibility for ensuring that the prescriptions they fill are legitimate and not for purposes of abuse. Entrusted with administering and enforcing the state's Pharmacy Law, statute provides that "protection of the public shall be the highest priority for the California State Board of Pharmacy in exercising its licensing, regulatory, and disciplinary functions."

Furnishing Directly to Local Education Agencies. The Pharmacy Law generally requires the furnishing of drugs or devices by a pharmacist to be pursuant to a valid prescription for a specific patient. However, there are several exceptions that allow for a pharmacy to furnish specified drugs or devices directly to a local agency so that it may be administered to an unidentified individual who may later be in need. For example, current law authorizes a pharmacy to furnish epinephrine delivery systems to a local educational agency. The Pharmacy Law similarly allows a pharmacy to furnish naloxone hydrochloride or another opioid antagonist to an LEA or a law enforcement agency, subject to respective conditions.

Access to Asthma Medication in Schools. The Legislature enacted AB 1283 (Chen) in 2023, which authorized an LEA to make emergency stock albuterol inhalers available at school districts, county offices of education, and charter schools. The bill additionally authorized school nurses or trained personnel who have volunteered to administer an albuterol inhaler to persons suffering from, or reasonably believed to be suffering from, respiratory distress. The provisions of the bill were voluntary, but schools were encouraged and recommended to have a minimum of two trained school employees.

As discussed in the Assembly Committee on Education, asthma is a chronic lung disease and the leading cause of absenteeism for students, affecting approximately 10 percent of school-aged children nationwide and accounting for 5.2 million absences annually. The California Department of Public Health (CDPH) reports that one in seven Californians have asthma, and that one in three children with asthma miss school due to asthma-related illness. The CDPH states that people with uncontrolled asthma may need to visit the emergency department in order to receive help with managing an asthma attack; in 2024, asthma was the primary reason for 145,000 emergency department visits in California.

In August 2026, Governor Gavin Newsom announced the CalRx School Albuterol Access Initiative, a partnership with Amneal Pharmaceuticals intended to create "a simple statewide system to supply public and charter schools with emergency albuterol inhalers and spacers at no cost for three years." The press release further announced that CalRx would partner with the California School Nurses Organization to provide asthma and stock albuterol training guidelines to public school districts at no cost. The director of CDPH has issued an albuterol "standing order" for school use, replacing the need for schools to obtain an individual prescription from a physician.

Existing law authorizes an LEA, including a school district, county office of education, or charter school, to provide emergency stock albuterol inhalers to school nurses or trained personnel and authorizes those individuals to use an emergency stock albuterol inhaler to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from respiratory distress. This bill would extend that same authority to childcare programs operated by or under contract with an LEA, such as a California state preschool program, Head Start program, or a general childcare and development program. The bill provides liability protection to the childcare staff administering the medication. This language falls within the jurisdiction of the Assembly Committee on Education, which previously considered and passed this bill.

Additionally, this bill now authorizes a pharmacy to furnish stock albuterol inhalers to an LEA pursuant to a written order from an authorized prescriber pursuant to the Education Code. This authority would mirror existing provisions for pharmacies to furnish epinephrine delivery systems and opioid antagonists to LEAs. The author believes that this additional authority will enhance the ability of LEAs to stock and administer albuterol inhalers in school settings when needed, consistent with the state's broader efforts to address asthma among students.

Prior Related Legislation. AB 1283 (Chen), Chapter 574, Statutes of 2023 authorized an LEA to make emergency stock albuterol inhalers available at school districts, county offices of education, and charter schools and authorized school nurses or trained personnel who have volunteered to administer an albuterol inhaler to persons suffering from, or reasonably believed to be suffering from, respiratory distress.

AB 1748 (Mayes) authorized a pharmacy to furnish naloxone hydrochloride or another opioid antagonist to an LEA.

AB 559 (Wiggins) authorized a pharmacy to furnish epinephrine auto-injectors to an LEA.

ARGUMENTS IN SUPPORT:

The *California School Nurses Organization* supports this bill, writing: "Current California law permits schools to stock emergency inhalers, but ambiguities in the statutory framework have left some program operators uncertain about whether they are authorized to do so. As a result, children in certain school settings may have no access to treatment at all if they either forget their own inhaler or have a new or previously undiagnosed case of asthma. Clarifying the law to affirmatively authorize all school programs to stock and administer albuterol inhalers ensures that school nurses and trained staff can act confidently during a medical emergency without administrative confusion. The bill also maintains this provision as an authorization, rather than a requirement, maintaining local flexibility and allowing for communities to decide what is best for them."

ARGUMENTS IN OPPOSITION:

There is no opposition on file.

REGISTERED SUPPORT:

Alameda County Office of Education
Alameda County School Nurse Network
American Medical Response West
Association of California School Administrators
Asthma and Allergy Foundation of America
California School Nurses Organization
California Society for Allergy, Asthma and Immunology
California Society for Respiratory Care
Small School Districts Association

REGISTERED OPPOSITION:

None on file

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