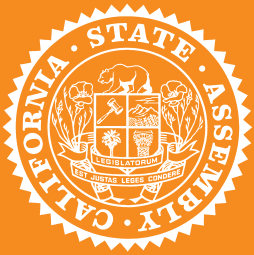


California Legislature

ASSEMBLY BUSINESS AND PROFESSIONS

2021-22 LEGISLATIVE SUMMARY



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California Legislature

Assembly Business and Professions Committee



2021-2022 Legislative Bill Summary

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ASSEMBLY COMMITTEE ON BUSINESS AND PROFESSIONS
HONORABLE MARC BERMAN, CHAIR (2022)
HONORABLE EVAN LOW, CHAIR (2021)
HONORABLE HEATH FLORA, VICE CHAIR

The jurisdiction of the Assembly Committee on Business and Professions includes: 1) the regulation of healing arts and non-healing arts professions; 2) licensing and enforcement issues for all boards and bureaus within the Department of Consumer Affairs (DCA); 3) creation and elimination of boards, bureaus, and commissions under the DCA (i.e., sunrise and sunset review); 4) occupational licensing; 5) vocational education; 6) certain aspects of the Department of General Services; 7) charitable solicitations; 8) veterinarians and licensing issues; and 9) product labeling (except agricultural and medical product labeling).

Over the course of 2021-2022 session of the California State Legislature, the Committee held a total of 30 hearings, including eleven joint Sunset Review hearings with the Senate Committee on Business, Professions, and Economic Development and other committees. A total of 222 bills were referred to the Committee during the 2021-2022 legislative year.

Numerous businesses and professions throughout California are regulated under the Business and Professions Code, the Government Code, the Civil Code, and the Health and Safety Code and fall within the Committee's jurisdiction, including:

- | | | |
|---|---|--|
| 1) Accountants, tax preparers, and notaries | 18) Health clubs and gyms | 33) Physicians and surgeons and Osteopathic physicians and surgeons |
| 2) Acupuncturists | 19) Interior designers | 34) Physician assistants |
| 3) Architects | 20) Junk dealers and recyclers, pawnbrokers, reposseors, and auctioneers | 35) Podiatrists |
| 4) Automotive repair | 21) Land surveyors | 36) Private postsecondary education |
| 5) Barbers and cosmetologists | 22) Landscape architects | 37) Product labeling |
| 6) Building standards | 23) Marriage and family therapists, licensed clinical social workers, licensed educational psychologists, and licensed professional clinical counselors | 38) Professional engineers |
| 7) Cannabis | 24) Martial artists and promoters | 39) Professional fiduciaries |
| 8) Chiropractors | 25) Massage therapists | 40) Psychiatric technicians |
| 9) Contractors | 26) Medical cannabis professionals and businesses | 41) Psychologists |
| 10) Court reporters | 27) Midwives | 42) Real estate brokers, salespersons, and appraisers |
| 11) Dentists, dental hygienists, and dental auxiliaries | 28) Naturopathic doctors | 43) Registered nurses |
| 12) Dietitians | 29) Occupational therapists | 44) Respiratory care practitioners |
| 13) Dispensing opticians | 30) Optometrists and opticians | 45) Security and investigative services |
| 14) Electronic and appliance repair, home furnishings, thermal insulation, and household movers | 31) Pharmacists and pharmacy licensees | 46) Sellers of travel and tour guides |
| 15) Franchises | 32) Physical therapists | 47) Speech-language pathologists, hearing aid dispensers, and audiologists |
| 16) Funeral, cemetery, and crematory establishments | | |
| 17) Geologists and geophysicists | | |

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Assembly Business and Professions Committee

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Animals

AB-121 (Holden) - Public animal shelters: adoptions: military service members.

Prohibits a public animal shelter from charging an adoption fee for a dog or cat if the person adopting the animal is an active duty military service member who presents to the shelter a current military identification.

Note: Referred to the Assembly Business and Professions Committee but was not set for hearing.

Status: Assembly-Died - Business and Professions

AB-384 (Kalra) - Cannabis and cannabis products: animals: veterinary medicine.

Authorizes a veterinarian to recommend the use of cannabis for use on an animal for potential therapeutic effect of health supplementation purposes, and would require the Veterinary Medical Board to adopt and publish guidelines by January 1, 2023 for veterinarians to follow when recommending cannabis to animal patients. Amends the definition of a “cannabis product” and “edible cannabis product” under the Medicinal and Adult-Use Cannabis Regulation and Safety Act to include cannabis products intended for use on, or consumption by, an animal.

Note: Held on the Assembly Appropriations Committee suspense file.

Status: Assembly-Died – Appropriations

AB-468 (Friedman) - Emotional support dogs.

Requires a person or business that sells or provides an emotional support dog to provide notice specifying that the dog does not have the special training required to be a guide, signal or service dog. Requires a person or business that sells or provides a certificate, tag, vest, leash or harness for an emotional support dog to provide notice to the buyer that the material does not entitle an emotional support dog to the rights and privileges afforded to a guide, signal or service dog. Prohibits a licensed healthcare practitioner from providing documentation about an individual's need for an emotional support animal without meeting specified requirements. Creates civil penalties for specified violations.

Status: Chapter 168, Statutes of 2021

AB-702 (Santiago) - Animal welfare: Dog and Cat Bill of Rights.

This bill would require local jurisdictions, animal control agencies, or the entities responsible for enforcing animal-related laws, to establish permit programs regulating the breeding of cats and dogs, as specified. This bill would also prohibit individuals from establishing or maintaining any cat or dog kennel for breeding purposes, keeping any cat or dog for breeding purposes, or breed any cat or dog that is owned, harbored, or kept, without first applying and receiving a breeder permit. Additionally, this bill would require all cat or dog breeders to abide by specified standards, and direct animal control agencies to enforce the provisions of this bill.

Note: Set to be heard by the Assembly Business and Professions Committee but the hearing was cancelled at the request of the author.

Status: Assembly-Died - Business and Professions

AB-1781 (Blanca Rubio) - Safe transportation of dogs and cats.

Establishes the Safe Transportation of Dogs and Cats Act to ensure uniform standards for safe transportation of dogs and cats by public or private shelters or animal control agencies. The measure defines a “mobile or traveling housing facility” as a transporting vehicle, including, but not limited to, a car, truck, trailer bus, or recreation vehicle used to transport animals by a public control agency or shelter, society for prevention of cruelty to animals shelter, humane society shelter or rescue group, that is in a cooperative agreement with at least one private or public shelter.

Status: Chapter 80, Statutes of 2022

AB-1885 (Kalra) - Cannabis and cannabis products: animals: veterinary medicine.

Authorizes a veterinarian to recommend the use of cannabis on an animal for potential therapeutic effect or health supplementation purposes. Revises definitions under Medicinal and Adult-Use Cannabis Regulation and Safety Act to include products intended for animal use. Provisions that delay its implementation until the Department of Cannabis Control promulgates regulations for animal product standards, no later than July 1, 2025, and prohibits the marketing or sale of those products before the regulations take effect.

Status: Chapter 389, Statutes of 2022

AB-1901 (Nazarian) - Dog training services and facilities: requirements.

Establishes the Dog Trainer Sufficiency Act, which requires a written disclosure be provided to the purchaser of dog training services and revises specific information that is required to be included in the disclosed document to the consumer of dog-training services, updates the definition of a "dog trainer," and authorizes an individual to bring a civil action for violations.

Status: Chapter 276, Statutes of 2022

AB-2723 (Holden) - Animals: microchips: theft.

Establishes additional requirements on various types of public animal shelters related to microchip registration and the release of dogs and cats and modifies the definition of dog theft; exempts dogs and cats temporarily housed under an emergency evacuation order from the requirements.

Status: Chapter 549, Statutes of 2022

SB-774 (Hertzberg) - Pets and veterinary services: emotional support dogs.

Exempts unhoused individuals from a mandate in existing law that requires all individuals have at least a 30-day existing relationship with a health care practitioner prior to obtaining a certification for an emotional support dog.

Status: Chapter 550, Statutes of 2022

Business and Product Regulation

AB-468 (Friedman) - Emotional support dogs.

Requires a person or business that sells or provides an emotional support dog to provide notice specifying that the dog does not have the special training required to be a guide, signal or service dog. Requires a person or business that sells or provides a certificate, tag, vest, leash or harness for an emotional support dog to provide notice to the buyer that the material does not entitle an emotional support dog to the rights and privileges afforded to a guide, signal or service dog. Prohibits a licensed healthcare practitioner from providing documentation about an individual's need for an emotional support animal without meeting specified requirements. Creates civil penalties for specified violations.

Status: Chapter 168, Statutes of 2021

AB-676 (Holden) - Franchises.

Makes various changes to the California Franchise Relations Act and the Franchise Investment Law, and creates new requirements and prohibitions for franchise agreements.

Status: Chapter 728, Statutes of 2022

AB-847 (Quirk) - Electrically conductive balloons.

Requires any person that sells, offers for sale, or manufactures for sale, in this state, any foil balloon to ensure that those foil balloons pass a standard test, as determined by an accredited testing facility capable of high-voltage testing, as specified, and for each foil balloon to be permanently marked with a warning label, as specified.

Status: Chapter 401, Statutes of 2022

AB-899 (Cunningham) - Contractors: unlicensed work: inflation adjustment.

Requires Contractors State License Board (CSLB) to annually adjust the \$500 value of a construction contract that is not subject to regulation under the License Law, so long as the nature of the work performed is considered casual, minor, or inconsequential, to reflect the rate of inflation by the Consumer Price Index.

Note: Referred to the Assembly Business and Professions Committee but was not set for hearing.

Status: Assembly-Died - Business and Professions

AB-1030 (Chen) - Professional Land Surveyors' Act and Professional Engineers Act.

Makes changes to the Professional Engineers Act and the Professional Land Surveyors' Act to include, with regard to the practice of identifying the location, alignment, or elevation for any of the fixed works embraced within the practice of civil engineering, laying out the reference points or lines through the use of mathematical or physical measurements. Expands the practice of land surveying and civil engineering to include determining the benthic surface below water bodies and the measuring for volumetric calculations of earthwork.

Note: Referred to the Assembly Business and Professions Committee but was not set

for hearing.

Status: Assembly-Died - Business and Professions

AB-1084 (Low) - Gender neutral retail departments.

Requires a retail department store with 500 or more employees that sells childcare items or toys to maintain a gender neutral section or area.

Status: Chapter 750, Statutes of 2021

AB-1287 (Bauer-Kahan) - Price discrimination: gender.

Prohibits a person or business entity from charging a different price for any two goods that are substantially similar if those goods are priced differently based on the gender of the individuals for whom the goods are marketed and intended.

Status: Chapter 555, Statutes of 2022

AB-1740 (Muratsuchi) - Catalytic converters.

Prohibits a core recycler from entering into a transaction to purchase or receive a catalytic converter from any person that is not a commercial enterprise, as defined, or verifiable owner of the vehicle from which the catalytic converter was removed.

Status: Chapter 513, Statutes of 2022

AB-2374 (Bauer-Kahan) - Crimes against public health and safety: illegal dumping.

Increases the maximum fines for illegal dumping for persons employing more than 10 full-time employees and requires any person convicted of illegal dumping to remove or pay the cost of removing the waste matter they were convicted of illegally dumping.

Status: Chapter 784, Statutes of 2022

AB-2380 (Maienschein) - Online pet retailers: retail financing options.

Prohibits, under the Lockyer-Polanco-Farr Pet Protection Act, an online pet retailer from offering or facilitating a loan or other financing for the adoption or sale of a dog, cat, or rabbit.

Status: Chapter 548, Statutes of 2022

SB-1087 (Gonzalez) - Vehicles: catalytic converters.

Prohibits a person from purchasing a used catalytic converter except from specified sellers and makes a violation punishable as an infraction.

Status: Chapter 514, Statutes of 2022

SB-1194 (Allen) - Public restrooms: building standards.

Authorizes a local government to require by ordinance or resolution that multiuser public toilet facilities within its jurisdiction be designed, constructed, and identified for use by all genders.

Status: Chapter 839, Statutes of 2022

SB-1247 (Hueso) - Franchises.

Establishes new requirements related to disclosures a franchisor is required to provide to California-based franchisees.

Note: Vetoed by the Governor.

Status: Senate-Vetoed

Governor's Veto Message:

To the Members of the California State Senate:

I am returning Senate Bill 1247 without my signature.

The bill would require a franchise contract to include specified information relating to rebates or other monetary incentives when the franchisee purchases or sells goods and services.

A franchise contract serves as the central authority for the relationship between two legally independent parties - the franchisor and the franchisee. These contracts can be hundreds of pages long and contain a highly detailed description of the rights, responsibilities, and remedies of the party.

I appreciate the author's intent to provide more information on the rebates vendors may provide based on franchisee purchases. However, I am not convinced the state should dictate this specific term within a complex contract governing a business to business relationship.

For these reasons, I cannot sign this bill.

*Sincerely,
Gavin Newsom*

SB-1317 (Bradford) - Secondhand goods: tangible personal property: reporting requirements.

Eliminates the requirement that secondhand dealers and coin dealers report personally identifying information regarding the seller or pledger of secondhand goods to the California Pawn and SecondhandDealer System (CAPSS) database, and instead requires that this information to be kept on file and available upon request by law enforcement.

Status: Chapter 723, Statutes of 2022

SB-1495 (Committee on Business, Professions and Economic Development) - Professions and vocations.

Makes numerous technical and clarifying provisions related to programs within the Department of Consumer Affairs and deletes an obsolete cross reference under the Division of Weights and Measures in the Business and Professions Code.

Status: Chapter 511, Statutes of 2022

Cannabis Licensing and Regulation

AB-273 (Irwin) - Cannabis: advertisements: highways.

Places numerous restrictions on the content of outdoor advertising by cannabis businesses and requires a licensing authority to suspend the license of any licensee who violates those restrictions for one year.

Note: Failed passage in the Assembly Business and Professions Committee.

Status: Assembly-Died - Business and Professions

AB-287 (Quirk) - Civil actions: statute of limitations.

Extends the statute of limitations for an action for civil penalties to be brought against unlicensed cannabis activity from one year to three years.

Status: Chapter 264, Statutes of 2021

AB-290 (Quirk) - Cannabis testing.

Specifies that for this purpose “final form” means the unpackaged product as it will be consumed and would specify that the cannabis or cannabis product does not have to be delivered to the licensed testing laboratory in the final retail packaging to be considered in its final form.

Note: Referred to the Assembly Business and Professions Committee but was not set for hearing.

Status: Assembly-Died - Business and Professions

AB-384 (Kalra) - Cannabis and cannabis products: animals: veterinary medicine.

Authorizes a veterinarian to recommend the use of cannabis for use on an animal for potential therapeutic effect of health supplementation purposes, and would require the Veterinary Medical Board to adopt and publish guidelines by January 1, 2023 for veterinarians to follow when recommending cannabis to animal patients. Amends the definition of a “cannabis product” and “edible cannabis product” under the Medicinal and Adult-Use Cannabis Regulation and Safety Act to include cannabis products intended for use on, or consumption by, an animal.

Note: Held on the Assembly Appropriations Committee suspense file.

Status: Assembly-Died – Appropriations

AB-527 (Wood) - Controlled substances.

Provides that if any cannabinoids are federally rescheduled or otherwise made a legally prescribable controlled substance, they shall also be legal to prescribe under state law, and reconciles conflicts between state and federal controlled substance schedules.

Status: Chapter 618, Statutes of 2021

AB-725 (Ward) - Cannabis tax: penalty.

Removes the monetary penalty imposed on a licensee who fails to pay the excise or cultivation tax enacted by Adult Use of Marijuana Act.

Note: Referred to the Assembly Revenue and Taxation Committee but was not set for hearing.

Status: Assembly-Died - Revenue and Taxation

AB-1014 (McCarty) - Cannabis: retailers: delivery: vehicles.

Requires the Department of Cannabis Control (DCC) to update its regulations governing cannabis delivery to increase the maximum value of cannabis goods from \$5,000 to \$10,000.

Note: Placed on the Senate Inactive File.

Status: Senate-Died

AB-1034 (Bloom) - Cannabis: retail preparation, sale, or consumption of noncannabis food and beverage products.

Authorizes a local jurisdiction to allow for the preparation or sale of noncannabis food or beverage products by a licensed cannabis retailer or microbusiness in an area where the consumption of cannabis is allowed.

Note: Set to be heard by the Senate Business, Professions and Economic Development Committee but the hearing was cancelled at the request of the author.

Status: Senate-Died - Business, Professions and Economic Development

AB-1138 (Blanca Rubio) - Unlawful cannabis activity: enforcement.

Subjects any person who aids and abets unlicensed commercial cannabis activity to civil penalties of up to \$30,000 per day.

Status: Chapter 530, Statutes of 2021

AB-1222 (Chen) - Cannabis packaging: beverages.

Allows cannabis beverages to be packaged in clear or colored glass containers.

Status: Chapter 532, Statutes of 2021

AB-1302 (Quirk) - Commercial cannabis billboards: placement restrictions.

Allows cannabis licensees to advertise or market on a billboard along a highway that is farther than a 15-mile radius from the California border.

Note: Vetoed by the Governor.

Status: Assembly-Vetoed

Governor's Veto Message:

To the Members of the California State Assembly:

I am returning Assembly Bill 1302 without my signature.

AB 1302 would allow billboard-based cannabis advertising almost anywhere along any Interstate Highway or State Highway - except for within a 15-mile radius of the California border.

When the voters passed Proposition 64, they enacted robust protections shielding youth from exposure to cannabis and cannabis advertising. Among other things, voters completely prohibited billboard-based cannabis advertising on all Interstate Highways, and on all State Highways that cross the California border. Allowing advertising on these high-traffic thoroughfares could expose young passengers to cannabis advertising.

AB 1302 would weaken the protections passed in Proposition 64. California can refine and advance its regulation of cannabis while also remaining faithful to the will of the voters, and I will continue to work with the author to strike this balance. For these reasons, I am returning AB 1302 without my signature.

*Sincerely,
Gavin Newsom*

AB-1305 (Lackey) - The Medicinal and Adult-Use Cannabis Regulation and Safety Act: exemption for DEA-approved commercial cannabis activity.

Exempts activity performed pursuant to a registration with the federal Drug Enforcement Administration (DEA) from licensure and regulation under the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA).

Status: Chapter 157, Statutes of 2021

AB-1435 (Carrillo) - Noncannabis cannabinoids.

Imposes testing and labeling requirements on products that are, or contain, one or more psychoactive or nonpsychoactive cannabinoids that are derived from a plant that is not cannabis, referred to as noncannabis cannabinoids or NCCs.

Note: Referred to the Assembly Committee on Revenue and Taxation but was not set for hearing.

Status: Assembly-Died - Revenue and Taxation

AB-1646 (Chen) - Cannabis packaging: beverages.

Allows cannabis beverages to be packaged in containers made of any material that are clear or any color.

Status: Chapter 388, Statutes of 2022

AB-1656 (Aguiar-Curry) - Cannabis: industrial hemp.

States that the Medicinal and Adult-Use Cannabis Regulation and Safety Act (MAUCRSA) does not prohibit a cannabis licensee from manufacturing, distributing, or selling industrial hemp products if the product complies with all applicable state laws and regulations.

Note: Placed on Senate Inactive File.

Status: Senate-Died

AB-1725 (Smith) - Illegal cultivation of cannabis.

Increases the criminal penalties on an individual who plants, cultivates, harvests, dries, or processes cannabis plants in violation of the Control, Regulate and Tax Adult Use of

Marijuana Act (AUMA).

Note: This bill did not receive a hearing in the Assembly Committee on Public Safety.

Status: Assembly-Died - Public Safety

AB-1885 (Kalra) - Cannabis and cannabis products: animals: veterinary medicine.

Authorizes a veterinarian to recommend the use of cannabis on an animal for potential therapeutic effect or health supplementation purposes. Revises definitions under Medicinal and Adult-Use Cannabis Regulation and Safety Act to include products intended for animal use. Provisions that delay its implementation until the Department of Cannabis Control promulgates regulations for animal product standards, no later than July 1, 2025, and prohibits the marketing or sale of those products before the regulations take effect.

Status: Chapter 389, Statutes of 2022

AB-1894 (Luz Rivas) - Integrated cannabis vaporizer: packaging, labeling, advertisement, and marketing.

Beginning July 1, 2024, places new requirements and restrictions for the packages and labels of integrated cannabis vaporizers, as well as for the advertisement and marketing of those products.

Status: Chapter 390, Statutes of 2022

AB-1954 (Quirk) - Physicians and surgeons: treatment and medication of patients using cannabis.

Prohibits a physician and surgeon from denying treatment or medication to a qualified medicinal cannabis patient on the sole basis of the patient's use of cannabis, except as specified.

Status: Chapter 232, Statutes of 2022

AB-2102 (Jones-Sawyer) - Cannabis: facilities used for unlawful purposes.

Establishes a civil penalty of up to \$30,000 per violation for knowingly renting, leasing, or making available a building, room, space, or enclosure for the purpose of unlawfully

manufacturing, distributing, or selling cannabis, in addition to the criminal penalty, and authorizes injunctive relief, as specified.

Note: Set to be heard by the Senate Committee on Judiciary but the hearing was cancelled at the request of the author.

Status: Senate-Died – Judiciary

AB-2150 (Lackey) - Cannabis research.

Charges the Center for Medicinal Cannabis Research (Center) with establishing a study that exams the effects of cannabis products that are currently in the commercial cannabis market, specifically the public safety consequences of driving after cannabis use on public safety and driving, and appropriates \$2 million to the Center from the State and Local Government Law Enforcement Account in the California Cannabis Tax Fund for this purpose.

Note: Set to be heard by the Senate Business, Professions and Economic Development Committee but the hearing was cancelled at the request of the author.

Status: Senate-Died - Business, Professions and Economic Development

AB-2155 (Villapudua) - Cannabis beverages.

Defines “cannabis beverage” as a form of edible cannabis product that is intended to be consumed in its final state as a beverage.

Status: Chapter 33, Statutes of 2022

AB-2210 (Quirk) - Cannabis: state temporary event licenses: venues licensed by the Department of Alcoholic Beverage Control: unsold inventory.

Prohibits the Department of Cannabis Control (DCC) from denying an application for a state temporary event license solely on the basis that there is a license issued pursuant to the Alcoholic Beverage Control Act (Act) for the proposed premises of the event. The bill would require all on- and off-sale privileges of alcoholic beverages at the venue to be suspended for the day of the event and would prohibit all alcohol consumption on the venue premises for the day of the event, and would prohibit those privileges and consumption from resuming until 6 a.m. on the day after the event.

Status: Chapter 391, Statutes of 2022

AB-2506 (Quirk) - Cannabis: excise tax: cultivation tax.

Eliminates the cultivation tax and increases the excise tax to make up the difference in revenue.

Note: Referred to the Assembly Business and Professions Committee but was not set for hearing.

Status: Assembly-Died - Business and Professions

AB-2568 (Cooley) - Cannabis: insurance providers.

Expressly provides that licensees of the California Department of Insurance (CDI) are not committing a crime under California law solely for providing insurance or related services to persons licensed to engage in commercial cannabis activity.

Status: Chapter 393, Statutes of 2022

AB-2691 (Wood) - Cannabis: temporary cultivator event retail license.

Requires the Department of Cannabis Control to issue temporary event cultivator retail licenses to cannabis cultivators, as specified, for cannabis events operating in accordance with existing law.

Note: Placed on the Assembly Inactive File.

Status: Assembly-Died

AB-2728 (Smith) - Unlawful cannabis activity: penalties.

Increases the civil penalties for unlicensed cannabis operations from three times the required license fee to four times the required license fee.

Note: Referred to the Senate Committee on Judiciary but was not set for hearing.

Status: Senate-Died – Judiciary

AB-2792 (Blanca Rubio) - Cannabis: excise tax: cultivation tax.

Reduces the cannabis excise tax and makes other changes to the collection of cannabis taxes.

Note: Referred to the Assembly Business and Professions Committee but was not set for hearing.

Status: Assembly-Died - Business and Professions

AB-2824 (Mia Bonta) - Cannabis: curbside pickup.

Authorizes a cannabis retailer to conduct sales by curbside pickup during permitted hours of operation.

Note: Referred to the Assembly Business and Professions Committee but was not set for hearing.

Status: Assembly-Died - Business and Professions

AB-2844 (Kalra) - Cannabis catering.

Authorizes the Department of Cannabis Control (Department) to issue a state caterer license that authorizes the licensee to serve cannabis at a private event approved by a local jurisdiction for the purpose of allowing event attendees to consume the cannabis.

Note: Held on the Assembly Appropriations Committee suspense file.

Status: Assembly-Died – Appropriations

**AB-2925 (Cooper) - Cannabis Control Appeals Panel: membership:
California Cannabis Tax Fund: spending reports.**

Requires the Department of Health Care Services (DHCS) to provide a spending report to the Legislature regarding funds from the Youth Education, Prevention, Early Intervention and Treatment Account derived from cannabis tax revenue.

Status: Chapter 394, Statutes of 2022

SB-544 (Laird) - Cannabis testing.

Requires the Department of Cannabis Control (Department) to establish, by January 1, 2023, one or more standardized cannabinoids test methods to be used by all testing laboratories and authorizes the Department to establish testing standards through a reference laboratory.

Status: Chapter 547, Statutes of 2021

SB-603 (Bradford) - Cannabis license deferral and waiver fee program: tax credit.

Requires cannabis-licensing agencies to develop a needs-based fee waiver and deferral program and establishes a state and local cannabis fee tax credit for fees paid by local equity applicants and licensees.

Note: This bill did not receive a hearing in the Assembly Committee on Revenue and Taxation.

Status: Assembly-Died - Revenue and Taxation

SB-1097 (Pan) - Cannabis and cannabis products: labeling and advertisement.

Requires the Department of Cannabis Control (DCC), in consultation with the Department of Public Health (CDPH), to adopt regulations to require additional cannabis and cannabis product packaging warning labels about mental health risks of cannabis use and to create a brochure about safer cannabis use, which must then be offered to new consumers by cannabis businesses.

Note: Placed on the Assembly Inactive File.

Status: Assembly-Died

SB-1148 (Laird) - Cannabis: licenses: California Environmental Quality Act.

Exempts the issuance of a state license to engage in commercial cannabis activity from the California Environmental Quality Act (CEQA) if a local jurisdiction, as the lead agency, has filed a notice of exemption or a notice of determination following the adoption of a negative declaration or certification of an environmental impact report for that specific activity.

Note: Referred to the Assembly Appropriations Committee but was not set for hearing.

Status: Assembly-Died – Appropriations

SB-1186 (Wiener) - Medicinal Cannabis Patients' Right of Access Act.

Prohibits local governments from banning, or effectively banning, the delivery of medicinal cannabis to patients or primary caregivers within their jurisdictions, enforceable through an action for writ of mandate.

Status: Chapter 395, Statutes of 2022

SB-1281 (Bradford) - Cannabis taxes.

Reduces the cannabis excise tax rate, shifts the point of collection for the excise tax from distribution to retail sale, and suspends the cannabis cultivation tax.

Note: This bill was not set for a hearing in the Assembly Committee on Revenue and Taxation.

Status: Assembly-Died - Revenue and Taxation

SB-1293 (Bradford) - Income taxation: credits: cannabis: equity applicants and licensees.

Establishes a \$10,000 Cannabis Equity Tax Credit for cannabis businesses and license applicants who were previously arrested for, or convicted of, a marijuana offense under prohibition; who reside in a low-income household; or who reside in an area with a population disproportionately impacted by past criminal justice policies implementing cannabis prohibition.

Note: Held on the Assembly Appropriations Committee suspense file.

Status: Assembly-Died – Appropriations

SB-1326 (Caballero) - Cannabis: interstate agreements.

Empowers the Governor to enter into agreements with other states that allow for interstate commerce between licensed cannabis businesses across state lines, which would not take effect until federal action or guidance to allow for such commerce, or until the Attorney General issues a written opinion that such commerce would not result in significant legal risk to the state.

Status: Chapter 396, Statutes of 2022

Health Licensing and Regulation

AB-107 (Salas) - Licensure: veterans and military spouses.

Expands to all Department of Consumer Affairs (DCA) licensing boards the requirement that specified boards issue temporary licenses to the spouses of active-duty members of the United States Armed Forces, as specified, requires the DCA and the Department of Real Estate to compile information on military, veteran, and spouse licensure into an annual report for the Legislature, and for the DCA to post the information on its website.

Status: Chapter 693, Statutes of 2021

AB-225 (Gray) - Department of Consumer Affairs: boards: veterans: military spouses: licenses.

Requires certain boards and bureaus within the Department of Consumer Affairs (DCA) to issue temporary licenses to veterans and active duty members of the Armed Forces who meet specified criteria.

Note: Referred to the Senate Business, Professions, and Economic Development Committee but was not set for a hearing.

Status: Senate-Died - Business, Professions and Economic Development

AB-269 (Patterson) - Nursing: licensure: renewal fees: reduced fee.

Authorizes the Board of Registered Nursing (BRN) to reduce the license renewal fee for registered nurses (RNs), but no less than one-half, if they meet specified retirement conditions and only provide services for free or for nominal charges.

Note: Held on the Assembly Appropriations Committee suspense file.

Status: Assembly-Died – Appropriations

AB-356 (Chen) - Fluoroscopy: temporary permit.

Authorizes the California Department of Public Health (CDPH) to issue to a physician and surgeon or a doctor of podiatric medicine a one-time, temporary permit authorizing them to operate or supervise the operation of fluoroscopic x-ray equipment if they meet certain requirements.

Status: Chapter 459, Statutes of 2021

AB-359 (Cooper) - Physicians and surgeons: licensure: examination.

Authorizes applicants who took more than four tries to pass Step 3 of the United States Medical Licensing Examination but have a license in another state to qualify for a California physician's and surgeon's license and loosens restrictions on continuing medical education to allow for courses that include practice and office management, coding, reimbursement, and education methodology.

Status: Chapter 612, Statutes of 2021

AB-392 (Nazarian) - Clinical laboratories: total protein test: authorization.

Extends indefinitely the authorization for licensed plasma collection centers to utilize personnel, including unlicensed personnel, to perform a total protein test using a digital refractometer and make clarifying and technical changes.

Status: Chapter 429, Statutes of 2022

AB-407 (Salas) - Optometry: scope of practice.

Expands and revises the scopes of practice for qualified optometrists and optometric assistants to diagnose and treat specified disorders and dysfunctions of the visual system and authorizes optometric assistants to perform preliminary subjective refraction procedures under specified conditions.

Status: Chapter 652, Statutes of 2021

AB-410 (Fong) - Licensed registered nurses and licensed vocational nurses: Nurse Licensure Compact.

Enacts the Nurse Licensure Compact, under which the Board of Registered Nursing and the Board of Vocational Nursing and Psychiatric Technicians would be authorized to issue a multistate license that would authorize the holder to practice as a registered nurse or a licensed vocational nurse, as applicable, in all party states under a multistate licensure privilege, as specified.

Note: Referred to the Assembly Business and Professions Committee but was not set for hearing at the request of the author.

Status: Assembly-Died - Business and Professions

AB-435 (Mullin) - Hearing aids: locked programming software: notice.

Requires hearing aid dispensers and licensed dispensing audiologists to provide a written notice to consumers who purchase hearing aids that use proprietary or locked programming software. The notice would state that such hearing aids can only be serviced or programmed at specific facilities or locations, and shall be signed by the purchaser before sale.

Status: Chapter 266, Statutes of 2021

AB-443 (Carrillo) - Physicians and surgeons: fellowship programs: special faculty permits.

Expands the current foreign fellowship program under the Medical Board of California (Board) and authorizes placements of international medical graduates in federally qualified health centers (FQHCs), as specified. Expands eligibility for a Special Faculty Permit (SFP) under the Board, and provides that an immigrant international medical graduate participating in a fellowship program in a rural community or underserved community may receive an SFP, as specified. Makes conforming changes to the SFP program.

Note: Set to be heard by the Senate Business, Professions and Economic Development Committee but the hearing was cancelled at the request of the author.

Status: Senate-Died - Business, Professions and Economic Development

AB-462 (Carrillo) - Licensed Professional Clinical Counselor Act.

Eliminates the requirement for Associate Professional Clinical Counselors to obtain 150 hours of clinical experience in a hospital or community mental health setting to gain full licensure, and eliminates the requirement for Licensed Professional Clinical Counselors to complete additional education and clinical experience related to marriage and family therapy in order to treat couples or families.

Status: Chapter 440, Statutes of 2021

AB-526 (Wood) - Dentists and podiatrists: clinical laboratories and vaccines.

Authorizes both dentists and doctors of podiatric medicine to independently prescribe and administer influenza and COVID-19 vaccines and provides additional authority for dentists to administer rapid point-of-care tests for COVID-19.

Status: Chapter 653, Statutes of 2021

AB-562 (Low) - Mental health services for health care providers: Frontline COVID-19 Provider Mental Health Resiliency Act of 2021.

Requires the Department of Consumer Affairs (DCA) to establish a mental health resiliency program, until January 1, 2025, in consultation with relevant health arts boards, and contract with vendors of mental health services, as defined, to provide mental health services to eligible licensees.

Note: Held on the Senate Appropriations Committee suspense file.

Status: Senate-Died – Appropriations

AB-646 (Low) - Department of Consumer Affairs: boards: expunged convictions.

Requires professional licensing boards under the jurisdiction of the Department of Consumer Affairs (DCA) to update or remove information about an individual's revoked license within 90 days of receiving an expungement order related to the conviction, as specified.

Note: Held on the Senate Appropriations Committee suspense file.

Status: Senate-Died – Appropriations

AB-657 (Cooper) - Healing arts: expedited licensure process: applicants providing abortions.

Requires the Medical Board of California, the Osteopathic Medical Board of California, the Board of Registered Nursing, and the Physician Assistant Board to expedite the license application for an applicant who demonstrates that they intend to provide abortions.

Status: Chapter 560, Statutes of 2022

AB-690 (Arambula) - Marriage and family therapists: clinical social workers: professional clinical counselors.

Clarifies the types of settings where registrants and trainees may practice and gain required supervised experience hours toward licensure as marriage and family

therapists, clinical social workers, and professional clinical counselors. Defines private practices and professional corporations as nonexempt settings, as specified. Expands the number of supervisees per supervisor in nonexempt settings from three to six individuals.

Status: Chapter 747, Statutes of 2021

AB-691 (Chau) - Optometry: SARS-CoV-2 vaccinations: SARS-CoV-2 clinical laboratory tests or examinations.

Expands the authority of a qualified optometrist to administer immunizations to include the administration of the COVID-19 vaccine, and authorizes an optometrist to engage in specified COVID-19 testing.

Status: Chapter 654, Statutes of 2021

AB-723 (Low) - Marriage and family therapy: scope of practice.

Updates the Business and Professions Code to clarify that the scope of practice for marriage and family therapists (MFTs) includes the application of psychotherapeutic and family systems and theories, principles, and methods in the delivery of services to individuals, couples, or groups in order to assess evaluate, and treat relational issues, emotional disorders, behavioral problems, mental illness, alcohol and substance use, and to modify intrapersonal and interpersonal behaviors. Provides intent language declaring that its provisions do not expand or constrict the scope of practice of marriage and family therapists.

Note: This bill was subsequently amended out of the jurisdiction of the Assembly Committee on Business and Professions.

Status: Assembly-Died – Appropriations

AB-733 (Chiu) - Dental hygienists: registered dental hygienist in alternative practice: scope of practice.

Authorizes a registered dental hygienist in alternative practice to perform specified duties and functions authorized to be performed by a registered dental hygienist as an independent contractor for a physician and surgeon or medical practice on an individual who is under 18 years of age or pregnant, enrolled in the Medi-Cal program, and has not utilized Medi-Cal dental program benefits in the past 12 months.

Note: Referred to the Assembly Business and Professions Committee but was not set for hearing.

Status: Assembly-Died - Business and Professions

AB-810 (Flora) - Healing arts: reports: claims against licensees.

Increases the minimum fine for a violation of specified reporting provisions for healing arts licensees from \$50 to \$100.

Note: Referred to the Assembly Business and Professions Committee but was not set for hearing at the request of the author.

Status: Assembly-Died - Business and Professions

AB-852 (Wood) - Nurse practitioners: scope of practice: practice without standardized procedures.

Prohibits a pharmacy or pharmacist from refusing to dispense or furnish an electronic prescription solely because the prescription was not submitted via the pharmacy or pharmacist's proprietary software and expands the exemptions from the requirement that prescriptions be issued electronically.

Note: Another version of this bill was previously heard in the Assembly Business and Professions Committee that dealt with nurse practitioners prior to being substantially amended in the Senate.

Status: Chapter 518, Statutes of 2022

AB-864 (Low) - Controlled substances: CURES database.

States the intent of the Legislature to enact legislation to transfer maintenance and operation of CURES from the Department of Justice to the State Department of Public Health no later than January 1, 2023.

Note: Set to be heard by the Assembly Business and Professions Committee but the hearing was cancelled at the request of the author.

Status: Assembly-Died - Business and Professions

AB-918 (Quirk-Silva) - Acupuncture: licensure: examination.

Changes the required examination for acupuncture license applicants to one or more examinations administered by the National Certification Commission for Acupuncture and Oriental Medicine, as determined by the board based on the skills, standards, and knowledge required for licensure pursuant to the act.

Note: Referred to the Assembly Business and Professions Committee but was not set for hearing at the request of the author.

Status: Assembly-Died - Business and Professions

AB-1015 (Blanca Rubio) - Board of Registered Nursing: workforce planning: nursing programs: clinical placements.

Requires the Board of Registered Nursing to incorporate regional forecasts into its biennial analyses of the nursing workforce, develop a plan to address regional areas of shortage identified by its nursing workforce forecast, as specified, and annually collect, analyze, and report information related to the number of clinical placement slots that are available and the location of those clinical placement slots within the state.

Status: Chapter 591, Statutes of 2021

AB-1064 (Fong) - Pharmacy practice: vaccines: independent initiation and administration.

Expands the authority of a pharmacist to initiate and administer immunizations to include any vaccine approved or authorized by the United States Food and Drug Administration (FDA) for persons 3 years of age and older.

Status: Chapter 655, Statutes of 2021

AB-1102 (Low) - Telephone medical advice services.

Clarifies that a telephone medical advice service is required to ensure that all health care professionals who provide telephone medical advice services from an out-of-state location are operating consistent with the laws governing the professionals' respective state licenses and clarifies that a telephone medical advice service is required to comply with directions and requests for information made by the respective in-state healing arts licensing boards.

Status: Chapter 684, Statutes of 2022

AB-1120 (Irwin) - Clinical laboratories: blood withdrawal.

Expands the scope of practice of certified phlebotomists to include the collection of blood through a peripheral venous catheter using blood collection devices approved by the United States Food and Drug Administration, as specified.

Status: Chapter 685, Statutes of 2022

AB-1236 (Ting) - Healing arts: licensees: data collection.

Requires health care regulatory boards under the jurisdiction of the Department of Consumer Affairs to collect demographic information from its licensees and registrants, as specified. Requires such boards to post de-identified, aggregate information on the data collected on their websites, and to transmit the data to the Office of Statewide Health Planning and Development beginning July 1, 2022.

Note: Placed on the Assembly Inactive File.

Status: Assembly-Died

AB-1278 (Nazarian) - Physicians and surgeons: payments: disclosure: notice.

Requires a physician and surgeon to provide their patient with a written or electronic notice informing them of the federal Centers for Medicare and Medicaid Services (CMS) Open Payments database at an initial office visit.

Status: Chapter 750, Statutes of 2022

AB-1282 (Bloom) - Veterinary medicine: blood banks for animals.

Authorizes veterinarians to operate community blood banks for animals, which source blood from animals volunteered by their owners. Establishes conditions for the phase-out of captive closed-colony canine blood banks, which source blood from dogs kept, housed, or maintained at a facility for the purpose of collecting their blood. Permits the importation of animal blood from out-of-state banks that comply with California standards. Finally, this bill provides implementation requirements for the Veterinary Medical Board (VMB) and the California Department of Food and Agriculture (CDFA), as specified.

Status: Chapter 752, Statutes of 2021

AB-1328 (Irwin) - Clinical laboratory technology and pharmacists.

Authorizes licensed pharmacists to perform all Clinical Laboratory Improvement Amendments of 1988 (CLIA) waived clinical laboratory tests or examinations, as specified.

Note: Placed on the Senate Inactive File.

Status: Senate-Died

AB-1343 (Cooper) - Controlled substances: CURES database.

Exempts from the requirement that a health care practitioner consult the CURES database prior to prescribing certain controlled substances a health care practitioner who is employed by a substance use disorder treatment clinic or program who is treating patients who are enrolled in substance abuse disorder treatment with regularly prescribed or furnished controlled substances, if there have been consultations in the CURES database within the previous six months.

Note: Referred to the Assembly Business and Professions Committee but was not set for hearing.

Status: Assembly-Died - Business and Professions

AB-1407 (Burke) - Nurses: implicit bias courses.

Requires a nursing program or school to include one hour of direct participation in implicit bias training; requires a registered nurse (RN) to complete one hour of implicit bias continuing education (CE) within the first two years of licensure; and requires a hospital to implement an evidence-based implicit bias program as part of any new graduate training program that trains new RNs.

Status: Chapter 445, Statutes of 2021

AB-1430 (Arambula) - Pharmacy: dispensing: controlled substances.

Requires a pharmacist who dispenses Schedule II or Schedule IIN controlled substances to dispense the drug in a lockable vial paid for by the drug's manufacturer, include the code for the lockable vial in any patient notes, and provide the patient with an educational pamphlet on the potential for abuse and diversion of controlled substances.

Note: Held on the Assembly Appropriations Committee suspense file.

Status: Assembly-Died – Appropriations

AB-1494 (Fong) - Blood banks: collection.

Authorizes blood to be collected at a blood bank with a registered nurse (RN) in charge instead of a physician or surgeon and authorizes, until January 1, 2026, for purposes of mobile blood bank units, the RN in charge to be physically present on the premises or available by video teleconference, as specified.

Note: Referred to the Assembly Appropriations Committee but was not set for hearing.

Status: Assembly-Died – Appropriations

AB-1498 (Low) - Members of boards within the Department of Consumer Affairs: per diem.

Existing law states that each member of a board under the jurisdiction of the Department of Consumer Affairs shall receive a per diem of one hundred dollars for each day spent in the discharge of official duties. This bill requires “each day” to be defined as either the accumulation of eight hours that the member spent in the discharge of official duties or a day on which the member performed any official duty.

Note: Referred to the Assembly Appropriations Committee but was not set for hearing.

Status: Assembly-Died – Appropriations

AB-1532 (Committee on Business and Professions) - Nursing.

Extends the Board of Registered Nursing (BRN) and COVID-19 flexibilities by one year; authorizes non-citizen California residents to serve as members of the BRN; and requires the BRN to post the availability of its temporary licenses on the front page of its website.

Status: Chapter 628, Statutes of 2021

AB-1533 (Committee on Business and Professions) - Pharmacy.

Extends the sunset date for the California State Board of Pharmacy (Board) until January 1, 2026 and makes additional technical changes, statutory improvements, and

policy reforms in response to issues raised during the Board's sunset review oversight process.

Status: Chapter 629, Statutes of 2021

AB-1534 (Committee on Business and Professions) - California State Board of Optometry: optometry: opticianry.

Extends the sunset date for the California State Board of Optometry (CBO) until January 1, 2026 and makes additional technical changes, statutory improvements, and policy reforms in response to issues raised during the Board's sunset review oversight process.

Status: Chapter 630, Statutes of 2021

AB-1535 (Committee on Business and Professions) - Veterinary Medical Board: application and examination: discipline and citation.

Enacts various changes to the regulation of veterinarians, Registered Veterinary Technicians, Veterinary Assistant Controlled Substances Permit holders, veterinary schools, and veterinary premises, stemming from the joint sunset review oversight of the Veterinary Medical Board by the Assembly Committee on Business and Professions and the Senate Committee on Business, Professions, and Economic Development.

Status: Chapter 631, Statutes of 2021

AB-1536 (Committee on Business and Professions) - Board of Vocational Nursing and Psychiatric Technicians of the State of California: vocational nursing and psychiatric technicians.

Makes changes to the Board of Vocational Nursing and Psychiatric Technicians (BVNPT) stemming from the BVNPT's sunset review including: extending the BVNPT by three years, delegating the authority to issue default decisions and stipulated surrenders of licenses to its executive officer, requiring the BVNPT follow a timeline for approving schools, establishes fees for schools seeking approval, and makes other non-substantive and technical changes.

Status: Chapter 632, Statutes of 2021

AB-1537 (Low) - The California Massage Therapy Council.

Extends the sunset date for the California Massage Therapy Council (CAMTC) until January 1, 2023 and states that it is the intent of the Legislature that there be subsequent consideration of legislation to create a new state board and a new category of licensed professional through the sunrise review process.

Status: Chapter 179, Statutes of 2021

AB-1552 (Eduardo Garcia) - Dentistry: foreign dental schools: applications.

Extends the deadline for foreign dental schools previously approved by the Dental Board of California (DBC) to become approved by the Commission on Dental Accreditation of the American Dental Association (CODA) from January 1, 2024 until January 1, 2030.

Note: Failed passage in the Assembly Business and Professions Committee

Status: Assembly-Died - Business and Professions

AB-1635 (Nguyen) - Suicide prevention: mental health provider educational loan repayment.

Establishes an account in the Mental Health Practitioner Education Fund and, upon appropriation by the Legislature, requires moneys in that account to fund grants to repay educational loans for a qualified mental health practitioner who commits to providing direct patient care for at least 24 months in a facility or organization that provides mental health services to individuals who have been referred by a suicide prevention hotline.

Note: Held on the Assembly Appropriations Committee suspense file.

Status: Assembly-Died – Appropriations

AB-1636 (Akilah Weber) - Physician's and surgeon's certificate: registered sex offenders.

Requires the Medical Board of California (MBC) to automatically revoke a license, or deny a petition to reinstate a license, for individuals who have committed certain acts of sexual abuse, misconduct, or relations with a patient, and broadens what prior sexual misconduct the MBC may consider as cause for denying an initial license.

Status: Chapter 453, Statutes of 2022

AB-1662 (Gipson) - Licensing boards: disqualification from licensure: criminal conviction.

Requires each board under the Department of Consumer Affairs (DCA) to establish a process by which prospective applicants may request a preapplication determination as to whether their criminal history could be cause for denial of a completed application for licensure by the board.

Note: Held on the Senate Appropriations Committee suspense file.

Status: Senate-Died – Appropriations

AB-1704 (Chen) - Leg-podiatric radiography permit: Podiatric Medical Board of California.

Creates an alternate permit process for unlicensed personnel to perform X-ray imaging under the supervision of a licensed podiatrist.

Status: Chapter 580, Statutes of 2022

AB-1758 (Aguiar-Curry) - Board of Behavioral Sciences: marriage and family therapists: clinical social workers: professional clinical counselors: supervision of applicants for licensure via videoconferencing.

Allows until January 1, 2026, including an assessment from the direct supervisor it is appropriate, the required weekly supervision of an a Licensed Marriage and Family Therapist, Licensed Clinical Social Worker, or Licensed Professional Clinical Counselor may be satisfied in all settings through two-way, real-time videoconferencing in order to meet current licensure requirements.

Status: Chapter 204, Statutes of 2022

AB-1759 (Aguiar-Curry) - Board of Behavioral Sciences: licensees and registrants: marriage and family therapy, educational psychology, clinical social work, and professional clinical counseling.

Requires, on or after January 1, 2023, applicants for licensure, as a Licensed Marriage and Family Therapist, Licensed Clinical Social Worker, Licensed Educational Psychologist, or a Licensed Professional Clinical Counselor, and current licensees

before their first renewal after January 1, 2023, to complete three-hours of training or coursework in the provision of mental health services via telehealth, and revises the requirements for registrants to take and pass the California Law and Ethics Examination every renewal period.

Status: Chapter 520, Statutes of 2022

AB-1767 (Boerner Horvath) - Midwifery: California Board of Licensed Midwives.

Removes licensed midwives from the jurisdiction of the Medical Board of California (MBC) and instead establishes a California Board of Licensed Midwives for purposes of licensing and regulating that profession.

Note: Set to be heard by the Assembly Business and Professions Committee but the hearing was cancelled at the request of the author.

Status: Assembly-Died - Business and Professions

AB-1779 (Mathis) - State Athletic Commission Act: regulation of contests: licensed physicians.

Codifies specified provisions of the federal Professional Boxing Safety Act of 1996 and existing California State Athletic Commission regulations and restates existing statute related to ringside physicians and combat sport promoters.

Note: Referred to the Assembly Business and Professions Committee but was not set for hearing at the request of the author.

Status: Assembly-Died - Business and Professions

AB-1954 (Quirk) - Physicians and surgeons: treatment and medication of patients using cannabis.

Prohibits a physician and surgeon from denying treatment or medication to a qualified medicinal cannabis patient on the sole basis of the patient's use of cannabis, except as specified.

Status: Chapter 232, Statutes of 2022

AB-2055 (Low) - Controlled substances: CURES database.

Transfers responsibility for the maintenance and operation of the CURES prescription drug monitoring program (PDMP) from the Department of Justice (DOJ) to a department specified by the Governor, effective April 1, 2023.

Note: Held on the Assembly Appropriations Committee suspense file.

Status: Assembly-Died – Appropriations

AB-2060 (Quirk) - Medical Board of California.

Changes the membership composition of the Medical Board of California (MBC) so that a majority of the board consists of public members who are not practicing physicians.

Note: Placed on the Assembly Inactive File.

Status: Assembly-Died

AB-2087 (Petrie-Norris) - Prescription drugs.

Restates that it is unlawful to dispense or furnish a prescription drug, or advertise the ability to do so, without a valid license to do so and authorizes enforcement of violations of existing law by private right of action.

Note: Held on the Assembly Appropriations Committee suspense file.

Status: Assembly-Died – Appropriations

AB-2098 (Low) - Physicians and surgeons: unprofessional conduct.

Expressly provides that the dissemination of misinformation or disinformation related to COVID-19 by physicians and surgeons constitutes unprofessional conduct.

Status: Chapter 938, Statutes of 2022

AB-2107 (Flora) - Clinical laboratory testing.

Authorizes a person licensed as a clinical genetic molecular biologist scientist to use molecular biology techniques to perform a clinical laboratory test or examination for the detection of any disease affecting humans.

Status: Chapter 956, Statutes of 2022

AB-2178 (Bloom) - Physicians and surgeons: special faculty permits: academic medical center.

Revises the definition of "academic medical center" for purposes of obtaining a special faculty permit under the Medical Board of California.

Status: Chapter 329, Statutes of 2022

AB-2194 (Ward) - Pharmacists and pharmacy technicians: continuing education: cultural competency.

Requires pharmacists and pharmacy technicians to complete at least one hour of continuing education through a cultural competency course focused on LGBTQ+ patients.

Status: Chapter 958, Statutes of 2022

AB-2236 (Low) - Optometry.

Expands the scope of practice for optometrists certified to use therapeutic pharmaceutical agents to perform specified advanced procedures after graduating from an accredited school of optometry and meeting additional education and hands-on training requirements, including instruction involving both simulated eyes and live human patients.

Note: Vetoed by the Governor.

Status: Assembly-Vetoed

Governor's Veto Message:

To the Members of the California State Assembly:

I am returning Assembly Bill 2236 without my signature.

This bill would authorize optometrists to perform ocular surgical procedures currently performed by ophthalmologists after completing specified education and training.

I am not convinced that the education and training required is sufficient to prepare optometrists to perform the surgical procedures identified. This bill would allow optometrists to perform advanced surgical procedures with less than one year of training. In comparison, physicians who perform these procedures must complete at

least a three year residency program.

For this reason, I cannot sign this bill.

*Sincerely,
Gavin Newsom*

AB-2265 (Arambula) - Pharmacy: dispensing controlled substances: lockable vials.

Requires a pharmacist who dispenses a Schedule II or Schedule IIN controlled substance to dispense the drug in a lockable vial paid for by the drug's manufacturer, include the code for the lockable vial in any patient notes, and provide the patient with an educational pamphlet on the risks associated with opioids.

Note: Held on the Assembly Appropriations Committee suspense file.

Status: Assembly-Died – Appropriations

AB-2276 (Carrillo) - Dental assistants.

Authorizes unlicensed dental assistants to polish teeth and apply dental sealants.

Note: Held on the Assembly Appropriations Committee suspense file.

Status: Assembly-Died – Appropriations

AB-2397 (Megan Dahle) - Board of Registered Nursing: online license verification.

Requires the Board of Registered Nursing to consult with the Department of Consumer Affairs no later than July 1, 2023, and develop recommendations for the implementation of the Nursys online license verification system for verifying the licenses of California nurses seeking to practice outside the state. The bill would require the board to implement those recommendations within a reasonable period.

Note: Referred to the Assembly Business and Professions Committee but was not set for hearing at the request of the author.

Status: Assembly-Died - Business and Professions

AB-2574 (Salas) - Optometry.

Corrects an erroneous cross-reference between the clinical laboratory director definition related to optometrists and the Optometry Practice Act and re-authorizes and requires an optometrist to, in an emergency, stabilize, if possible, and immediately refer any patient who has an acute attack of angle-closure glaucoma to an ophthalmologist.

Status: Chapter 596, Statutes of 2022

AB-2626 (Calderon) - Medical Board of California: licensee discipline: abortion.

Prohibits specified licensing boards from suspending, revoking, or denying a license solely for performing an abortion that is lawful in California in accordance with the licensee's practice act.

Status: Chapter 565, Statutes of 2022

AB-2637 (Blanca Rubio) - Nursing: schools and programs: exemptions.

Authorizes Board of Registered Nursing (BRN)-approved schools of nursing to apply for exemption from certain aspects of BRN-approval, including faculty changes, enrollment numbers, and clinical simulation hours (up to 50%), if the schools meet certain performance metrics, such as USDOE programmatically and institutionally accredited, 80% national exam pass rate, <7.5% cohort default rate, and debt-to-earning rates that would qualify as passing in 2017 federal rules; requires exempt schools to continue to notify the BRN of substantive changes, and follow all accreditation requirements, submit annual reports, and seek continuing approval every 5 years; and prohibits payments for clinical placements.

Note: Referred to the Assembly Business and Professions Committee but was not set for hearing at the request of the author.

Status: Assembly-Died - Business and Professions

AB-2671 (Committee on Business and Professions) - California Board of Occupational Therapy: legislative review.

Extends the California Board of Occupational Therapy (CBOT) by four years, authorizes occupational therapists (OTs) to form professional corporations, and authorizes OTs to serve as shareholders and officers of professional medical corporations.

Status: Chapter 290, Statutes of 2022

AB-2684 (Committee on Business and Professions) - Board of Registered Nurses: removal of member.

Extends the sunset date for Board of Registered Nursing (BRN) and makes changes to the Nursing Practice Act recommended during the joint sunset review of the BRN.

Status: Chapter 413, Statutes of 2022

AB-2685 (Committee on Business and Professions) - Naturopathic Doctors Act: Naturopathic Medicine Committee.

Extends the sunset date for the Naturopathic Medicine Committee (NMC) until January 1, 2027 and makes additional technical changes, statutory improvements, and policy reforms in response to issues raised during the NMC's sunset review oversight process.

Status: Chapter 414, Statutes of 2022

AB-2686 (Committee on Business and Professions) - Speech-Language Pathology Audiology and Hearing Aid Dispensers Board.

Extends the sunset date for the Speech-Language Pathology and Audiology and Hearing Aid Dispensers Board (Board) until January 1, 2027 and makes additional technical changes, statutory improvements, and policy reforms in response to issues raised during the Board's sunset review oversight process.

Status: Chapter 415, Statutes of 2022

AB-2687 (Committee on Business and Professions) - California Massage Therapy Council.

Extends the operation of the Massage Therapy Act until January 1, 2027.

Status: Chapter 236, Statutes of 2022

AB-2754 (Bauer-Kahan) - Psychology: supervising psychologists: qualifications.

Permits the supervision of a psychologist licensure applicant, and of a registered psychological associate, to be provided through in-person or synchronous audiovisual means.

Status: Chapter 163, Statutes of 2022

SB-48 (Limón) - Medi-Cal: annual cognitive health assessment.

Requires certain healthcare providers to complete continuing education on the special care needs of patients with dementia.

Note: This bill was subsequently amended out of the jurisdiction of the Assembly Committee on Business and Professions.

Status: Chapter 484, Statutes of 2021

SB-306 (Pan) - Sexually transmitted disease: testing.

Permits pharmacists to dispense a drug, without the name of an individual for whom the drug is intended, when prescribed for the sexual partner of someone who has been diagnosed with a sexually transmitted disease (STD). Prohibits health care providers who prescribe, dispense, or furnish such a drug from being subject to, civil, criminal, or administrative penalties, as specified. Finally, this bill requires public and commercial health coverage of home STD test kits and would add rapid STD tests to existing law which permits HIV counselors to perform rapid HIV and hepatitis C tests.

Status: Chapter 486, Statutes of 2021

SB-310 (Rubio) - Unused medications: cancer medication recycling.

Establishes a registration program for the collection and distribution of specified unused cancer medications under the Cancer Medication Recycling Act.

Status: Chapter 541, Statutes of 2021

SB-362 (Newman) - Community pharmacies: quotas.

Prohibits a community pharmacy from establishing quotas to numerically measure or evaluate a pharmacist or pharmacy technician's performance of duties requiring a license.

Status: Chapter 334, Statutes of 2021

SB-401 (Pan) - Psychology: unprofessional conduct: disciplinary action: sexual acts.

Revises and recasts the circumstances under which specified sexual acts constitute unprofessional conduct by psychologists and registered psychological associates.

Status: Chapter 298, Statutes of 2022

SB-409 (Caballero) - Pharmacy practice: testing.

Expands the types of clinical laboratory tests that a licensed pharmacist may perform to include clinical laboratory tests that are classified as waived under the federal Clinical Laboratory Improvement Amendments of 1988 (CLIA) and that are used to detect or screen for specified conditions, establishes additional requirements for testing performed by pharmacists and the pharmacies using the pharmacists, and authorizes a pharmacist-in-charge to serve as the laboratory director.

Status: Chapter 604, Statutes of 2021

SB-509 (Wilk) - Optometry: COVID-19 pandemic: temporary licenses.

Requires the California State Board of Optometry (Board) to issue a temporary license to practice optometry to applicants who are unable to meet certain examination requirements due to the state of emergency declared in response to the COVID-19 pandemic.

Status: Chapter 219, Statutes of 2021

SB-524 (Skinner) - Health care coverage: patient steering.

Prohibits a health plan or a health insurer from engaging in specified activities that limit enrollees' or insureds' access to pharmacies that are part of the plan's or insurer's network, except when special handling or clinical requirements are necessary, and, permits the use of financial incentives at network pharmacies.

Note: Vetoed by the Governor.

Status: Senate-Vetoed

Governor's Veto Message:

To the Members of the California State Senate:

I am returning Senate Bill 524 without my signature.

This bill would prohibit patient steering to certain pharmacies by health plans, health insurers, and their agents, as specified.

While offering consumers a choice in pharmacies within their health plan or insurer networks is a worthwhile goal, the bill lacks clarity in key areas which may render it subject to misinterpretation or a lack of enforceability. It is unclear what business relationships between health plans, insurers, and their agents are intended to be affected because the bill does not define "agent" or "corporate affiliate." Furthermore, it is unclear what it means to "limit an enrollees' (or insureds') access" to certain pharmacy providers.

It is necessary to define these terms and concepts so appropriate oversight and enforcement may occur, particularly in light of the complexity of the contracting arrangements and benefit designs at issue. Finally, it is important to ensure that efforts to address these concerns do not have the unintended consequence of interfering with the ability of health plans and insurers to coordinate care and contain pharmaceutical costs for California's consumers.

*Sincerely,
Gavin Newsom*

SB-534 (Jones) - Dental hygienists.

Makes various technical revisions and changes to the licensing and enforcement operations of the Dental Hygiene Board of California (Board). Establishes an expiration timeframe for out-of-state Registered Dental Hygienists (RDH) special permits. Provides disciplinary and enforcement authority to the Board over mobile dental hygiene clinics and portable dental hygiene equipment. Enacts various changes to the Board's educational program approval, as specified.

Status: Chapter 491, Statutes of 2021

SB-607 (Min) - Professions and vocations.

Makes statutory updates, technical corrections, and noncontroversial changes to various provisions of law relating to boards and bureaus under the Department of Consumer Affairs.

Status: Chapter 367, Statutes of 2021

SB-652 (Bates) - Dentistry: use of sedation: training.

Extends the current deep sedation and general anesthesia requirements for dental patients under 13 years of age to all patients regardless of age.

Note: Referred to the Assembly Business and Professions Committee but was not set for hearing.

Status: Assembly-Died - Business and Professions

SB-801 (Archuleta) - Healing arts: Board of Behavioral Sciences: Board of Psychology: licensees.

Makes various changes to the regulation of licensed and registered professionals under the jurisdiction of the Board of Psychology (BOP) and the Board of Behavioral Sciences (BBS), which includes psychologists, registered psychologists, psychological assistants, licensed clinical social workers (LCSWs), licensed marriage and family therapists (LMFTs), licensed educational psychologists (LEPs), licensed professional clinical counselors (LPCCs), associate clinical social workers registrants (ASWs), associate marriage and family therapists registrants (AMFTs), and associate professional clinical counselors registrants (APCCs), stemming from the joint sunset review oversight of the BOP and the BBS.

Status: Chapter 647, Statutes of 2021

SB-806 (Roth) - Healing arts.

Extends the sunset dates for the Medical Board of California (MBC), the Osteopathic Medical Board of California (OMBC), the Podiatric Medical Board of California (PMBC), and the Physician Assistant Board (PAB), and makes additional technical changes, statutory improvements, and policy reforms in response to issues raised during the sunset review process.

Status: Chapter 649, Statutes of 2021

**SB-826 (Committee on Business, Professions and Economic Development)
- Business and professions.**

Makes numerous technical and clarifying provisions related to programs within the Department of Consumer Affairs (DCA).

Status: Chapter 188, Statutes of 2021

SB-872 (Dodd) - Pharmacies: mobile units.

Authorizes a county, city and county, or special hospital authority to operate a licensed mobile unit to provide prescription medication to individuals within the county's jurisdiction and specifies certain criteria that a mobile unit must meet; clarifies that dangerous drugs will not be left in the unit unattended and during hours the mobile unit is not in operation.

Status: Chapter 220, Statutes of 2022

SB-994 (Jones) - Vocational nursing: direction of naturopathic doctor.

Authorizes naturopathic doctors to supervise and direct licensed vocational nurses, as specified.

Status: Chapter 713, Statutes of 2022

SB-1134 (Melendez) - Substance use disorder counselors: Allied Behavioral Health Board.

Creates the Allied Behavioral Health Board within the Department of Consumer Affairs, transfers the responsibility to oversee certifying organizations from the State Department of Health Care Services to the board, and requires the board to establish regulations and standards for the licensure of substance use disorder counselors, as specified.

Note: This bill was not set for a hearing in the Assembly Committee on Health.

Status: Assembly-Died – Health

SB-1237 (Newman) - Licenses: military service.

Defines the phrase “called to active duty,” for purposes of various license requirement waivers under the Department of Consumer Affairs (DCA), as having the same meaning as “active duty” as defined under federal law and provides that the definition additionally includes active duty in the California National Guard due to the proclamation of a state of insurrection, the proclamation of a state extreme emergency, or otherwise being called by the Governor, as specified.

Status: Chapter 386, Statutes of 2022

SB-1259 (Laird) - Pharmacists: furnishing opioid antagonists.

Expands existing authorization for a pharmacist to furnish specified opioid overdose reversal drugs without a prescription, in accordance with standardized procedures or protocols, to cover any approved opioid antagonist.

Status: Chapter 245, Statutes of 2022

SB-1267 (Pan) - Clinical laboratories.

Adds reproductive biology to the category of science specialties that may be performed in clinical laboratories by specified clinical laboratory personnel, adds additional license categories for clinical reproductive biologists and clinical laboratory geneticists, and expands the definition for the subspecialty of genetics.

Status: Chapter 473, Statutes of 2022

SB-1346 (Becker) - Surplus medication collection and distribution.

Makes various changes to the requirements for a voluntary drug repository and distribution program that distributes surplus medications to medically indigent patients.

Status: Chapter 886, Statutes of 2022

SB-1375 (Atkins) - Nursing: nurse practitioners.

Expands the training options for Nurse Practitioners (NPs) and Certified Nurse-Midwives (CNMs) seeking to perform abortions by aspiration techniques.

Status: Chapter 631, Statutes of 2022

SB-1428 (Archuleta) - Psychological testing technicians.

Requires, by January 1, 2024, an individual performing psychological or neuropsychological tests to register as a psychological testing technician with the Board of Psychology. Defines a psychological testing technician as an individual who, if registered with the Board of Psychology, can administer and score standardized objective psychological and neuropsychological tests, as well as observe and describe the client's behavior and responses during the test. Creates a registration process for a psychological testing technician. Also requires applicants to submit specific information to the Board of Psychology that demonstrate the applicant has satisfied every qualification for registration.

Status: Chapter 622, Statutes of 2022

SB-1434 (Roth) - State Board of Chiropractic Examiners.

Extends the review date for the Board of Chiropractic Examiners (BCE) to January 1, 2027, requires the BCE to include contact information in its licensee directory, renews the requirement that the BCE report on its fee structure, adjusts various fees, and deletes exemptions from a probation disclosure requirement.

Status: Chapter 623, Statutes of 2022

SB-1436 (Roth) - Respiratory therapy.

Extends until January 1, 2027, the provisions establishing the Respiratory Care Board; requires mandatory reporting to the Board any suspension or termination for cause of a respiratory care practitioner.

Status: Chapter 624, Statutes of 2022

SB-1438 (Roth) - Physical Therapy Board of California.

Extends the repeal date for the Physical Therapy Board of California (PTBC) by four years to January 1, 2027, and authorizes a physician and surgeon or podiatrist to perform telehealth examinations of patients who have initiated treatment directly with a physical therapist for purposes of continuing that treatment.

Status: Chapter 509, Statutes of 2022

SB-1440 (Roth) - Licensed Midwifery Practice Act of 1993: complaints.

Provides that if the Medical Board of California (MBC) does not receive specified information about a quality of care complaint against a licensed midwife (LM) within 10 business days of requesting it, the complaint may be reviewed by medical experts and referred for investigation without that information.

Status: Chapter 510, Statutes of 2022

SB-1441 (Roth) - Healing arts: nonconventional treatment.

Requires the Medical Board of California (MBC) and the Osteopathic Medical Board of California (OMBC) to annually review, and update as necessary, their disciplinary policies and procedures regarding emerging and innovative medical practices for licensed physicians and surgeons.

Note: Placed on the Assembly Inactive File.

Status: Assembly-Died

SB-1443 (Roth) - The Department of Consumer Affairs.

Reschedules the sunset review dates for various boards under the Department of Consumer Affairs (DCA), establishes and adjusts fees charged to licensees under the Cemetery and Funeral Act, and makes other minor and technical changes.

Status: Chapter 625, Statutes of 2022

SB-1453 (Ochoa Bogh) - Speech language pathologists.

Allows a licensed speech-language pathologist to perform a flexible fiber optic transnasal endoscopic (FEES) procedure without the supervision of a licensed physician and prohibits a licensed speech-language pathologist from performing a FEES procedure on a patient who has one or more contraindications.

Status: Chapter 450, Statutes of 2022

SB-1475 (Glazer) - Blood banks: collection.

Authorizes, until January 1, 2028, blood to be collected at a blood bank when a physician and surgeon is not physically present on the premises if specified conditions are met.

Status: Chapter 726, Statutes of 2022

Non-Health Licensing and Regulation

AB-44 (Petrie-Norris) - Real estate licensees.

Authorizes a Realtor who has changed their surname to continue to use their former surname for business marketing associated with their real estate license.

Note: Referred to the Assembly Business and Professions Committee but was not set for hearing.

Status: Assembly-Died - Business and Professions

AB-54 (Kiley) - COVID-19 emergency order violation: license revocation.

Prohibits the Department of Consumer Affairs (DCA), any non-healing arts board under the DCA, and the Department of Alcoholic Beverage Control (ABC) from revoking a license for failure to comply with any COVID-19 emergency orders unless the board or department can prove that lack of compliance resulted in transmission of COVID-19.

Note: Failed passage in the Assembly Business and Professions Committee.

Status: Assembly-Died - Business and Professions

AB-107 (Salas) - Licensure: veterans and military spouses.

Expands to all Department of Consumer Affairs (DCA) licensing boards the requirement that specified boards issue temporary licenses to the spouses of active-duty members of the United States Armed Forces, as specified, requires the DCA and the Department of Real Estate to compile information on military, veteran, and spouse licensure into an annual report for the Legislature, and for the DCA to post the information on its website.

Status: Chapter 693, Statutes of 2021

AB-224 (Daly) - Department of Consumer Affairs: Bureau of Household Goods and Services: household movers.

Exempts motor carriers that may transport used household goods but do not load or unload the containers from the Household Movers Act and exempts brokers that utilize exempted motor carriers if they do not otherwise advertise, solicit, offer, or arrange for the full service moving of used household goods by motor carrier for compensation.

Note: Held on the Senate Appropriations Committee suspense file.

Status: Senate-Died – Appropriations

AB-225 (Gray) - Department of Consumer Affairs: boards: veterans: military spouses: licenses.

Requires certain boards and bureaus within the Department of Consumer Affairs (DCA) to issue temporary licenses to veterans and active duty members of the Armed Forces who meet specified criteria.

Note: Referred to the Senate Business, Professions, and Economic Development Committee but was not set for a hearing.

Status: Senate-Died - Business, Professions and Economic Development

AB-229 (Holden) - Use of force instruction: private security guards: alarm company responders.

Requires, beginning January 1, 2023, that various licensees regulated by the Bureau of Security and Investigative Services complete a course of training in the exercise of the appropriate use of force in order to be issued a license or a firearms permit. Specifies that in addition to existing reporting requirements, private patrol operators must report within seven business days any incidents involving physical altercation with a member of the public requiring any type of first aid or other medical attention, and any physical use of force or violence on any person while on duty. This bill also prohibits a person required to be registered as a security guard from carrying or using a firearm or baton unless the security guard is an employee of a private patrol operator, the state, or a political subdivision of the state.

Status: Chapter 697, Statutes of 2021

AB-246 (Quirk) - Contractors: disciplinary actions.

Provides the Contractors State License Board (CSLB) the authority to take disciplinary action against licensed contractors found to have illegally dumped construction material or debris.

Status: Chapter 46, Statutes of 2021

AB-293 (Kalra) - Preneed funeral arrangements: unclaimed property.

Establishes a process for abandoned or unclaimed preneed funeral arrangements to escheat to the state under the Unclaimed Property Law, beginning January 1, 2023.

Status: Chapter 514, Statutes of 2021

AB-294 (Santiago) - Vehicle Tow and Storage Act.

Establishes the Vehicle Towing and Storage Board in the Department of Consumer Affairs and would empower the board to, among other things, regulate and resolve disputes involving vehicle towing businesses.

Note: Held on the Assembly Appropriations Committee suspense file.

Status: Assembly-Died – Appropriations

AB-298 (Irwin) - Accountancy: California Board of Accountancy.

Makes changes to the California Accountancy Act, which governs the California Board of Accountancy (CBA), regarding the Certified Public Accountant (CPA) Exam process, CBA board meetings, privacy of CBA email addresses and ethics education requirements.

Status: Chapter 300, Statutes of 2021

AB-465 (Nazarian) - Professional fiduciaries: prelicensing and renewal or restoration: education.

Requires, beginning January 1, 2023, prelicense education courses for licensed professional fiduciaries to include at least 1 hour of cultural competency training and, as part of the approved continuing education courses for licensees, at least two hours of in ethics, two hours of instruction in cultural competency, or two hours of instruction in both ethics and cultural competency every year.

Status: Chapter 167, Statutes of 2021

AB-471 (Low) - Bureau of Automotive Repair: administration: citations: safety inspections.

Authorizes the Bureau of Automotive Repair to establish an informal citation conference for automotive repair dealers, beginning July 1, 2023, and authorizes the Bureau to

establish a program to permit remedial training in lieu of posting minor violations online until July 1, 2026. Requires the Bureau to collect additional information on licensing applications. Revises and recasts the provisions of the brake and lamp inspection act into a new Vehicle Safety Systems Inspection program, as determined by the Bureau.

Status: Chapter 372, Statutes of 2021

AB-484 (Medina) - Alarm company operators: advertisements.

Allows a licensed alarm company operator that maintains an internet website, in any radio or TV broadcast or billboard advertisement by the licensee, to direct potential customers to the licensee's website for the licensee's name and license number.

Status: Chapter 373, Statutes of 2021

AB-492 (Patterson) - Cosmetology students: externships.

Allows cosmetology externships to be paid, allows cosmetology students to begin working as externs after completing 25 percent of their required clock hours, increases the number of hours per week an extern may receive clock hour credit toward graduation, and increases the percentage of total clock hours that may be obtained through externships.

Note: This bill was not set for a hearing in the Senate Committee on Business, Professions, and Economic Development.

Status: Senate-Died - Business, Professions and Economic Development

AB-496 (Chen) - Cremation of veterans with the United States flag.

Authorizes a crematory to cremate a single American flag along with the remains of a person who was a member of a branch of the United States military.

Status: Chapter 118, Statutes of 2021

AB-501 (Cristina Garcia) - Reduction of human remains and the disposition of reduced human remains.

Defines "reduction" as the process of transforming a human body into soil using the natural decomposition process, accelerated with the addition of organic materials. Establishes a new regulatory process for a Licensed Reductions Facility under the jurisdiction of the Cemetery and Funeral Bureau for the disposition of human remains,

including the reduction of human remains. Finally, this bill mandates the Cemetery and Funeral Bureau, and the California Department of Public Health to implement specified regulations by July 1, 2023.

Note: Held on the Senate Appropriations Committee suspense file.

Status: Senate-Died – Appropriations

AB-569 (Grayson) - Contractors: civil penalties: letters of admonishment.

Increases the maximum civil penalty amounts that can be assessed against licensed contractors for violations of the Contractors State License Law consistent with changes in the Consumer Price Index. Authorizes the Contractors State License Board to issue a Letter of Admonishment in lieu of a citation for multiple violations at a time.

Status: Chapter 94, Statutes of 2021

AB-646 (Low) - Department of Consumer Affairs: boards: expunged convictions.

Requires professional licensing boards under the jurisdiction of the Department of Consumer Affairs (DCA) to update or remove information about an individual's revoked license within 90 days of receiving an expungement order related to the conviction, as specified.

Note: Held on the Senate Appropriations Committee suspense file.

Status: Senate-Died – Appropriations

AB-651 (Gipson) - Endowment care cemeteries: examination, investigation, and discipline.

Increases the minimum dollar amounts that must be deposited into a cemetery endowment care trust fund. Requires the Cemetery and Funeral Bureau (Bureau) to conduct a study of cemetery endowment care funds by January 1, 2029. Authorizes a county, under specified conditions, to assume maintenance responsibility of an abandoned cemetery. Directs the Bureau to examine the endowment care fund of a cemetery whenever the Bureau receives a valid complaint alleging financial misconduct or neglect of duties.

Status: Chapter 442, Statutes of 2021

AB-702 (Santiago) - Animal welfare: Dog and Cat Bill of Rights.

This bill would require local jurisdictions, animal control agencies, or the entities responsible for enforcing animal-related laws, to establish permit programs regulating the breeding of cats and dogs, as specified. This bill would also prohibit individuals from establishing or maintaining any cat or dog kennel for breeding purposes, keeping any cat or dog for breeding purposes, or breed any cat or dog that is owned, harbored, or kept, without first applying and receiving a breeder permit. Additionally, this bill would require all cat or dog breeders to abide by specified standards, and direct animal control agencies to enforce the provisions of this bill.

Note: Set to be heard by the Assembly Business and Professions Committee but the hearing was cancelled at the request of the author.

Status: Assembly-Died - Business and Professions

AB-830 (Flora) - Business: Department of Consumer Affairs: licensed professions and vocations.

Makes various technical changes and noncontroversial reforms to laws governing professions regulated by boards and bureaus under the Department of Consumer Affairs (DCA).

Status: Chapter 376, Statutes of 2021

AB-868 (Eduardo Garcia) - State of emergency: funeral expense assistance.

Creates the "Emergency Funeral Expenses Fund" and requires the California Department of Social Services to provide funeral expenses to a person who applies for funeral expense assistance for eligible funeral home contract costs incurred for a decedent who died due to COVID-19 or as a result of an emergency that is the basis of a state of emergency declared by the Governor.

Note: This bill was subsequently amended out of the jurisdiction of the Assembly Business and Professions Committee.

Status: Senate-Died - Governmental Organization

AB-913 (Smith) - Collateral recovery.

Clarifies and updates definitions used in the Collateral Recovery Act to conform to current practices and align with other provisions of law.

Status: Chapter 416, Statutes of 2021

AB-948 (Holden) - Real estate licensees: Bureau of Real Estate Appraisers: disclosures: demographic information: reporting: continuing education.

Makes various reforms to safeguard against discrimination during the appraisal process. Requires the collection of information in order to provide data in regards to demographics and other relevant evidence to analyze the appraiser's practices.

Status: Chapter 352, Statutes of 2021

AB-1010 (Berman) - Architects: continuing education.

Requires licensed architects, as a condition of license renewal, to complete five hours of continuing education training on zero net carbon design, presented by those with knowledge and expertise in these design requirements and requires the California Architects Board to adopt regulations to establish qualifications for courses and course providers by July 1, 2024.

Status: Chapter 176, Statutes of 2021

AB-1026 (Smith) - Business licenses: veterans.

This bill would require a regulatory board under the Department of Consumer Affairs to grant a 50-percent fee reduction for an initial license to an applicant who provides satisfactory evidence that the applicant has served as an active duty member of the United States Armed Forces of the California National Guard and was honorably discharged.

Note: Held on the Assembly Appropriations Committee suspense file.

Status: Assembly-Died – Appropriations

AB-1129 (Frazier) - Home Inspectors License Law.

Create a separate licensing program within the Contractors State License Board (CSLB) for Home Inspectors.

Note: Referred to the Assembly Business and Professions Committee but was not set for hearing.

Status: Assembly-Died - Business and Professions

AB-1194 (Low) - Conservatorship.

Amends the Guardianship-Conservatorship Law to provide additional protections and rights for conservatees and require better coordination between the courts and the Professional Fiduciaries Bureau.

Status: Chapter 417, Statutes of 2021

AB-1386 (Cunningham) - License fees: military partners and spouses.

Prohibits a licensing board under the Department of Consumer Affairs from charging an initial or original license fee to an applicant who holds a current similar license in another state and is the spouse of an active duty member of the Armed Forces that is stationed in California.

Note: Held on the Assembly Appropriations Committee suspense file.

Status: Assembly-Died – Appropriations

AB-1498 (Low) - Members of boards within the Department of Consumer Affairs: per diem.

Existing law states that each member of a board under the jurisdiction of the Department of Consumer Affairs shall receive a per diem of one hundred dollars for each day spent in the discharge of official duties. This bill requires “each day” to be defined as either the accumulation of eight hours that the member spent in the discharge of official duties or a day on which the member performed any official duty.

Note: Referred to the Assembly Appropriations Committee but was not set for hearing.

Status: Assembly-Died – Appropriations

AB-1662 (Gipson) - Licensing boards: disqualification from licensure: criminal conviction.

Requires each board under the Department of Consumer Affairs (DCA) to establish a process by which prospective applicants may request a preapplication determination as to whether their criminal history could be cause for denial of a completed application for licensure by the board.

Note: Held on the Senate Appropriations Committee suspense file.

Status: Senate-Died – Appropriations

AB-1747 (Quirk) - Contractors: disciplinary action.

Provides that willful or deliberate disregard of any state or local law relating to the issuance of building permits constitutes a cause for disciplinary action against a licensed contractor by the Contractors State License Board (CSLB), and increases, from \$5,000 to \$30,000, the maximum civil penalty that the CSLB is authorized to assess for a violation of specified state building, labor and safety laws subject to disciplinary action by CSLB (Business and Professions Code (BPC) Section 7110 violations), including the newly added violation above.

Status: Chapter 757, Statutes of 2022

AB-1779 (Mathis) - State Athletic Commission Act: regulation of contests: licensed physicians.

Codifies specified provisions of the federal Professional Boxing Safety Act of 1996 and existing California State Athletic Commission regulations and restates existing statute related to ringside physicians and combat sport promoters.

Note: Referred to the Assembly Business and Professions Committee but was not set for hearing at the request of the author.

Status: Assembly-Died - Business and Professions

AB-1781 (Blanca Rubio) - Safe transportation of dogs and cats.

Establishes the Safe Transportation of Dogs and Cats Act to ensure uniform standards for safe transportation of dogs and cats by public or private shelters or animal control agencies. The measure defines a “mobile or traveling housing facility” as a transporting vehicle, including, but not limited to, a car, truck, trailer bus, or recreation vehicle used to transport animals by a public control agency or shelter, society for prevention of cruelty to animals shelter, humane society shelter or rescue group, that is in a cooperative agreement with at least one private or public shelter.

Status: Chapter 80, Statutes of 2022

AB-1812 (Voepel) - Private security services: firearms requalification.

Permits the Bureau of Security and Investigative Services to authorize a firearms training facility to teach a portion of the firearms requalification course via the internet.

Note: Set to be heard by the Assembly Business and Professions Committee but the hearing was cancelled at the request of the author.

Status: Assembly-Died - Business and Professions

AB-1874 (Smith) - Contractors: unlicensed work.

Authorizes a person who is not licensed as a contractor to advertise for construction work or a work of improvement if the total cost of labor is less than \$500 and the person states in the advertisement that they are not a licensed contractor.

Note: Failed passage in the Assembly Business and Professions Committee.

Status: Assembly-Died - Business and Professions

AB-1881 (Santiago) - Animal welfare: Dog and Cat Bill of Rights.

Requires every public animal control agency, shelter, or rescue group to post or provide a notice regarding the welfare of dogs and cats, as specified.

Note: Failed passage on the Senate Floor.

Status: Senate-Died

AB-1901 (Nazarian) - Dog training services and facilities: requirements.

Establishes the Dog Trainer Sufficiency Act, which requires a written disclosure be provided to the purchaser of dog training services and revises specific information that is required to be included in the disclosed document to the consumer of dog-training services, updates the definition of a "dog trainer," and authorizes an individual to bring a civil action for violations.

Status: Chapter 276, Statutes of 2022

AB-2105 (Smith) - Contractors: initial license fee reduction: veterans.

Requires the Contractors State License Board (CSLB) to grant a 50% fee reduction for an initial license or registration fee to an applicant who is an honorably discharged veteran of the United States Armed Forces and has demonstrated their discharge grade status by providing CSLB a copy of a current and valid driver's license or identification card with the word "Veteran" printed on its face or a copy of their DD-214 long form.

Status: Chapter 156, Statutes of 2022

AB-2196 (Maienschein) - Barbering and cosmetology: instructional hours.

Makes various clarifying and technical adjustments to provisions enacted in the most recent sunset extension bill for the State Board of Barbering and Cosmetology (BBC), within the Department of Consumer Affairs (DCA).

Status: Chapter 527, Statutes of 2022

AB-2224 (McCarty) - Real estate: transactions: iBuyers.

Requires an iBuyer to work with a local real estate broker when selling and completing a sale of real property located in California. Defines an "iBuyer" as an online real estate company that utilizes an automated valuation model to identify and purchase a residential or commercial property without the use of a mortgage or other type of financing. The bill also defines "automated valuation model" as a computational process, derived from machine learning, statistical modeling, data analytics, or artificial intelligence that produces an estimate of the value of a residential or commercial property.

Note: Set to be heard by the Senate Business, Professions and Economic Development Committee but the hearing was cancelled at the request of the author.

Status: Senate-Died - Business, Professions and Economic Development

AB-2515 (Holden) - Proprietary and private security services.

Revises and updates requirements for obtaining and carrying a baton permit. Requires an individual registered as a proprietary private security employer to deliver a written report to the Department of Consumer Affairs describing the circumstances of any physical altercation with the public by an on duty registered proprietary private security officer, who, at the time of the incident, was acting within their scope of employment. The report detailing the physical altercation must be received within seven business days after the qualifying incident. Finally, this measure exempts hospitals and staff from the required reporting of physical incidents in the event hospital staff request help from a proprietary private security officer to restrain an individual for medical or mental health purposes.

Status: Chapter 287, Statutes of 2022

AB-2606 (Carrillo) - Cats: declawing procedures: prohibition.

Prohibits any person, including a veterinarian, from performing a declawing procedure or a tendonectomy on any cat, or otherwise altering a cat's toes, claws, or paws in a way that prevents or impairs their normal function, except when there is a therapeutic purpose.

Note: Set to be heard by the Senate Business, Professions and Economic Development Committee but the hearing was cancelled at the request of the author.

Status: Senate-Died - Business, Professions and Economic Development

AB-2723 (Holden) - Animals: microchips: theft.

Establishes additional requirements on various types of public animal shelters related to microchip registration and the release of dogs and cats and modifies the definition of dog theft; exempts dogs and cats temporarily housed under an emergency evacuation order from the requirements.

Status: Chapter 549, Statutes of 2022

AB-2745 (Irwin) - Real estate broker's license.

Requires all non-licensed general real estate experience to be conducted within the last five years of applying for a broker's license.

Status: Chapter 162, Statutes of 2022

AB-2894 (Cooper) - Contractors: workers' compensation insurance.

Requires all active licensees to, at the time of renewal, provide their workers' compensation classification codes to the Contractors State License Board, as specified.

Note: Held on the Senate Appropriations Committee suspense file.

Status: Senate-Died – Appropriations

AB-2916 (McCarty) - Contractors: disclosure of letters of admonishment.

Authorizes the Contractors State License Board (CSLB) to require public disclosure of a letter of admonishment for two years instead of one year. In determining whether a letter of admonishment must be publically disclosed for one year or two years, this bill

requires CSLB to consider the gravity of the violation, the good faith of the contractor, and the contractor's history of previous violations.

Status: Chapter 293, Statutes of 2022

SB-216 (Dodd) - Contractors: workers' compensation insurance: mandatory coverage.

Requires asbestos abatement contractors; concrete contractors; heating, ventilation, and air conditioning (HVAC) contractors; and tree service contractors to have workers' compensation insurance regardless of whether they have employees until January 1, 2026, at which time all contractors are required to have workers' compensation insurance regardless of whether they have employees.

Status: Chapter 978, Statutes of 2022

SB-241 (Umberg) - Civil actions.

Creates a regulatory framework for out-of-state firms to provide shorthand reporting services within California by registering with the Court Reporters Board of California (CRB), makes changes to provisions of law relating to trials and hearing processes, and authorizes, until July 1, 2023, a party to appear remotely and the court to conduct conferences, hearings, proceedings, and trials in civil cases, in whole or in part, through the use of remote technology.

Status: Chapter 214, Statutes of 2021

SB-263 (Rubio) - Real estate applicants and licensees: education requirements: fair housing and implicit bias training.

Requires the Department of Real Estate (DRE) to revise the real estate practice course to include a component on implicit bias and revises the legal aspects of real estate course for that applicant to include a component on state and federal fair housing laws; requires a licensee, as part of the licensee's necessary 45 hours of continuing education, to successfully complete a two-hour course in implicit bias training.

Status: Chapter 361, Statutes of 2021

SB-414 (Jones) - Land.

This bill revises the definition of cadastral surveying; updates how data may be provided for purposes of surveys; makes technical changes to provisions of the land surveying act (Act); and, extends from 30 to 45 days, the amount of time for an appeal hearing, as specified.

Status: Chapter 106, Statutes of 2021

SB-484 (Archuleta) - Home inspections: sewer lateral repairs.

Exempts a licensed plumbing contractor, upon meeting certain conditions, from provisions relating to a home inspection, which prohibits repairs to a structure on which the inspector or the inspector's company has prepared a home inspection.

Status: Chapter 545, Statutes of 2021

SB-607 (Min) - Professions and vocations.

Makes statutory updates, technical corrections, and noncontroversial changes to various provisions of law relating to boards and bureaus under the Department of Consumer Affairs.

Status: Chapter 367, Statutes of 2021

SB-757 (Limón) - Solar energy system improvements: consumer protection.

This bill would add the installation of solar energy systems to the definition of “home improvement” and would add new regulations to the laws pertaining to home improvement sales persons related to solar energy systems.

Status: Chapter 249, Statutes of 2021

SB-774 (Hertzberg) - Pets and veterinary services: emotional support dogs.

Exempts unhoused individuals from a mandate in existing law that requires all individuals have at least a 30-day existing relationship with a health care practitioner prior to obtaining a certification for an emotional support dog.

Status: Chapter 550, Statutes of 2022

SB-800 (Archuleta) - Real estate: licenses.

Makes various changes to the Real Estate Law intended to improve oversight of real estate and real estate appraiser professionals stemming from the joint sunset review oversight of the Department of Real Estate (DRE) and Bureau of Real Estate Appraisers (BREA).

Status: Chapter 431, Statutes of 2021

SB-802 (Roth) - Private postsecondary education: California Private Postsecondary Education Act of 2009.

Extends the sunset date for the Bureau for Private Postsecondary Education (BPPE) until January 1, 2023 and makes additional technical changes, statutory improvements, and policy reforms in response to issues raised during the BPPE's sunset review oversight process.

Status: Chapter 552, Statutes of 2021

SB-803 (Roth) - Barbering and cosmetology.

Makes technical changes, statutory improvements, and policy reforms to the Barbering and Cosmetology Act in response to issues raised during the Legislature's sunset review of the State Board of Barbering and Cosmetology (BBC), including changes to prelicensure education and examination requirements for barbers and cosmetologists.

Status: Chapter 648, Statutes of 2021

SB-826 (Committee on Business, Professions and Economic Development) - Business and professions.

Makes numerous technical and clarifying provisions related to programs within the Department of Consumer Affairs (DCA).

Status: Chapter 188, Statutes of 2021

SB-1064 (Newman) - Structural pest control: workers' compensation insurance coverage.

Requires structural pest control companies to provide proof of workers' compensation for company registration with or licensure by the California Structural Pest Control Board.

Status: Chapter 190, Statutes of 2022

SB-1120 (Jones) - Engineering, land surveying, and geology.

Requires applicants, licensees, and certificate holders to provide the Board for Professional Engineers, Land Surveyors, and Geologists (Board) with a valid email address, if available, and notify the Board of any email address changes; clarifies that unlicensed individuals cannot offer professional engineering and land surveying services; and updates land survey requirements.

Status: Chapter 302, Statutes of 2022

SB-1237 (Newman) - Licenses: military service.

Defines the phrase “called to active duty,” for purposes of various license requirement waivers under the Department of Consumer Affairs (DCA), as having the same meaning as “active duty” as defined under federal law and provides that the definition additionally includes active duty in the California National Guard due to the proclamation of a state of insurrection, the proclamation of a state extreme emergency, or otherwise being called by the Governor, as specified.

Status: Chapter 386, Statutes of 2022

SB-1433 (Roth) - Private postsecondary education: California Private Postsecondary Education Act of 2009.

Extends the sunset date for the Bureau for Private Postsecondary Education (BPPE) until January 1, 2027 and makes additional technical changes, statutory improvements, and policy reforms in response to issues raised during the BPPE's sunset review oversight process.

Status: Chapter 544, Statutes of 2022

SB-1437 (Roth) - Interior designers.

Extends the sunset date for the California Council for Interior Design Certification by four years, until January 1, 2027 and deletes an obsolete reporting requirement.

Status: Chapter 311, Statutes of 2022

SB-1443 (Roth) - The Department of Consumer Affairs.

Reschedules the sunset review dates for various boards under the Department of Consumer Affairs (DCA), establishes and adjusts fees charged to licensees under the Cemetery and Funeral Act, and makes other minor and technical changes.

Status: Chapter 625, Statutes of 2022

SB-1495 (Committee on Business, Professions and Economic Development) - Professions and vocations.

Makes numerous technical and clarifying provisions related to programs within the Department of Consumer Affairs and deletes an obsolete cross reference under the Division of Weights and Measures in the Business and Professions Code.

Status: Chapter 511, Statutes of 2022

Other

AB-1632 (Akilah Weber) - Restroom access: medical conditions.

Requires a place of business that is open to the general public for the sale of goods, and that has a toilet facility for its employees, to allow any individual who has an eligible medical condition or who uses an ostomy device to use that toilet facility under certain conditions, as specified.

Status: Chapter 893, Statutes of 2022

AB-1733 (Quirk) - State bodies: open meetings.

Amends the Bagley-Keene Open Meetings Act to allow for all state board meetings to be conducted exclusively through teleconference technology.

Note: This bill was not set for a hearing in the Assembly Committee on Governmental Organization.

Status: Assembly-Died - Governmental Organization

AB-2104 (Flora) - Professions and vocations.

Prohibits the Department of Consumer Affairs (DCA) and each board under DCA from charging more than \$2 for the certification of a copy of any record, document, or paper in its custody and from charging more than \$150 for the delinquency, penalty, or late fee

for any licensee.

Note: Referred to the Assembly Business and Professions Committee but was not set for hearing at the request of the author.

Status: Assembly-Died - Business and Professions

AB-2322 (Wood) - California building standards: fire resistance: occupancy risk categories.

Requires the State Fire Marshal (SFM) to research and develop mandatory building standards for fire resistance based on occupancy risk categories in very high, high, and moderate California fire severity zones in state responsibility areas, local responsibility areas, and in land designated as a Wildland-Urban Interface Fire Area by cities and other local agencies. Authorizes the SFM to propose these building standards to the California Building Standards Commission (BSC) and requires the BSC to consider them for adoption.

Status: Chapter 284, Statutes of 2022

AB-2341 (Medina) - California Private Postsecondary Education Act of 2009: complaint processing contracts.

Authorizes an out-of-state public institution of higher education to apply to the Bureau for Private Postsecondary Education for an approval to operate in California.

Note: Set to be heard by the Senate Education Committee but the hearing was cancelled at the request of the author.

Status: Senate-Died – Education

AB-2382 (Lee) - Light pollution control.

Requires state agencies to ensure that an outdoor lighting fixture that is installed or replaced on or after January 2, 2023, on a structure or land that is owned, leased, or managed by the state agency is shielded and adheres to additional lighting requirements.

Note: Vetoed by the Governor.

Status: Assembly-Vetoed

Governor's Veto Message:

To the Members of the California State Assembly:

I am returning Assembly Bill 2382 without my signature.

AB 2382 would establish new light reduction requirements for outdoor lighting fixtures installed or replaced on structures or lands that are owned, leased, or managed by a state agency. While I appreciate the stated goals of this bill to conserve energy and decrease ambient light in the night sky, the provisions create an overly broad mandate that raises concerns for health and safety, security, and crime prevention. Further, the California Green Building Standards Code includes light pollution reduction standards for nonresidential buildings. These standards are developed during a public, deliberative process.

Furthermore, the costs associated with this bill are unfunded and potentially significant. There are 24,000 state-owned buildings, in addition to the state's leased and managed properties. Requiring all outdoor lighting at these locations to be shielded, include shutoff devices, or have a motion sensor may cost millions of dollars not accounted for in the budget.

With our state facing lower-than-expected revenues over the first few months of this fiscal year, it is important to remain disciplined when it comes to spending, particularly spending that is ongoing. We must prioritize existing obligations and priorities, including education, health care, public safety and safety-net programs.

The Legislature sent measures with potential costs of well over \$20 billion in one-time spending commitments and more than \$10 billion in ongoing commitments not accounted for in the state budget. Bills with significant fiscal impact, such as this measure, should be considered and accounted for as part of the annual budget process.

For these reasons, I cannot sign this bill.

*Sincerely,
Gavin Newsom*

AB-2611 (Daly) - California family-owned businesses.

Defines "California family-owned business" to mean a business that meets specified requirements.

Note: Vetoed by the Governor.

Status: Assembly-Vetoed

Governor's Veto Message:

To the Members of the California State Assembly:

I am returning Assembly Bill 2611 without my signature.

This bill would create a new "California family-owned business" definition for use in future provisions of the law. However, it does not provide a purpose for this definition or identify an intended program or policy for its application.

As a family business owner myself, I am proud of the contributions family-owned businesses provide to our local communities and the state. My Administration is a strong advocate for developing, supporting, and retaining businesses in California, with a particular focus on small and underserved business groups, including those owned by women, minorities, veterans, as well as businesses in lower income, rural, and disaster-impacted communities. Many of these businesses are also family-owned.

I am not convinced that the definition created in this bill is needed to continue the important work, in partnership with the Legislature, to ensure that our California family-owned businesses thrive. For these reasons I am returning this bill without my signature.

*Sincerely,
Gavin Newsom*

AB-2948 (Cooper) - Consumer protection: Department of Consumer Affairs: complaints.

Requires the Director of Consumer Affairs to advise, within 60 calendar days of the date that a complaint is deemed closed, the consumer of the action taken on the complaint and of any other means which may be available to the consumer to secure relief, unless doing so would be injurious to the public health, safety, or welfare.

Note: Referred to the Assembly Business and Professions Committee but was not set for hearing.

Status: Assembly-Died - Business and Professions

SB-1120 (Jones) - Engineering, land surveying, and geology.

Requires applicants, licensees, and certificate holders to provide the Board for Professional Engineers, Land Surveyors, and Geologists (Board) with a valid email address, if available, and notify the Board of any email address changes; clarifies that unlicensed individuals cannot offer professional engineering and land surveying services; and updates land survey requirements.

Status: Chapter 302, Statutes of 2022

SB-1134 (Melendez) - Substance use disorder counselors: Allied Behavioral Health Board.

Creates the Allied Behavioral Health Board within the Department of Consumer Affairs, transfers the responsibility to oversee certifying organizations from the State Department of Health Care Services to the board, and requires the board to establish regulations and standards for the licensure of substance use disorder counselors, as specified.

Note: This bill was not set for a hearing in the Assembly Committee on Health.

Status: Assembly-Died - Health