

AMENDED IN ASSEMBLY APRIL 20, 2021

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

**ASSEMBLY BILL**

**No. 225**

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**Introduced by Assembly Members Gray, Gallagher, and Patterson**

January 11, 2021

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An act to amend Section 115.6 ~~of, and to add Section 115.7 to, of the Business and Professions Code, relating to professions and vocations, and making an appropriation therefor.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 225, as amended, Gray. Department of Consumer Affairs: boards: veterans: military spouses: licenses.

Under existing law, the Department of Consumer Affairs, under the control of the Director of Consumer Affairs, is comprised of various boards that license and regulate various professions and ~~vocations, including healing arts licensees: vocations.~~ Existing law requires an applicant seeking a license from a board within the department to meet specified requirements and to pay certain licensing fees. Existing law requires specified boards within the department to issue, after appropriate investigation, certain types of temporary licenses to an applicant if the applicant meets specified requirements, including that the applicant supplies evidence satisfactory to the board that the applicant is married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States who is assigned to a duty station in this state under official active duty military orders and the applicant holds a current, active, and unrestricted license that confers upon the applicant the authority to practice, in another state, district, or territory of the United States, the profession or vocation for which the applicant seeks a temporary license from the

board. Existing law requires these temporary licenses to expire 12 months after issuance. Under existing law, some of the funds within the jurisdiction of a board consist of revenue from fees that are continuously appropriated.

This bill would require the temporary licenses described above to expire ~~30~~ 18 months after issuance. The bill would ~~require boards not responsible for the licensure and regulation of healing arts licensees and not subject to the temporary licensing provisions described above to issue licenses to an applicant if the applicant meets specified requirements, including that the~~ *expand the eligibility for a temporary license to an applicant who meets the specified criteria and who supplies evidence satisfactory to the board that the applicant is an honorably discharged a veteran of the Armed Forces of the United States within 6 months of separation from active duty under other-than-dishonorable conditions, and an applicant who supplies evidence satisfactory to the board that the applicant is or is married to, or in a domestic partnership or other legal union with, an active duty member of the Armed Forces of the United States, as provided. States with official orders for separation within 90 days under other-than-dishonorable conditions.* The bill would require an application for a license to include a signed affidavit attesting to the fact that the applicant meets all requirements for a license. The bill would authorize the immediate termination of a license issued pursuant to these provisions upon a finding that the licenseholder failed to meet specified requirements or provided substantively inaccurate information that would affect the person's eligibility for licensure, as provided. By expanding the scope of the crime of perjury, the bill would impose a state-mandated local program. The bill's expansion of the requirement to issue *temporary* licenses would result in revenues from fees for certain licenses being deposited into continuously appropriated funds. By establishing a new source of revenue for those continuously appropriated funds, the bill would make an appropriation.

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

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: yes.

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

1 SECTION 1. Section 115.6 of the Business and Professions  
2 Code is amended to read:

3 115.6. (a) A board within the department shall, after  
4 appropriate investigation, issue the following eligible temporary  
5 licenses to an applicant if the applicant meets the requirements set  
6 forth in subdivision (c):

7 (1) Registered nurse license by the Board of Registered Nursing.

8 (2) Vocational nurse license issued by the Board of Vocational  
9 Nursing and Psychiatric Technicians of the State of California.

10 (3) Psychiatric technician license issued by the Board of  
11 Vocational Nursing and Psychiatric Technicians of the State of  
12 California.

13 (4) Speech-language pathologist license issued by the  
14 Speech-Language Pathology and Audiology and Hearing Aid  
15 Dispensers Board.

16 (5) Audiologist license issued by the Speech-Language  
17 Pathology and Audiology and Hearing Aid Dispensers Board.

18 (6) Veterinarian license issued by the Veterinary Medical Board.

19 (7) All licenses issued by the Board for Professional Engineers,  
20 Land Surveyors, and Geologists.

21 (8) All licenses issued by the Medical Board of California.

22 (9) All licenses issued by the Podiatric Medical Board of  
23 California.

24 (b) The board may conduct an investigation of an applicant for  
25 purposes of denying or revoking a temporary license issued  
26 pursuant to this section. This investigation may include a criminal  
27 background check.

28 (c) An applicant seeking a temporary license pursuant to this  
29 section shall meet the following requirements:

30 (1) The applicant shall supply evidence satisfactory to the board  
31 that the applicant is ~~married~~ *one of the following:*

32 (A) *Married* to, or in a domestic partnership or other legal union  
33 with, an active duty member of the Armed Forces of the United  
34 States who is assigned to a duty station in this state under official  
35 active duty military orders.

36 (B) *A veteran of the Armed Forces of the United States within*  
37 *six months of separation from active duty under*  
38 *other-than-dishonorable conditions.*

1 (C) *An active duty member of the Armed Forces of the United*  
2 *States with official orders for separation within 90 days under*  
3 *other-than-dishonorable conditions.*

4 (2) The applicant shall hold a current, active, and unrestricted  
5 license that confers upon the applicant the authority to practice,  
6 in another state, district, or territory of the United States, the  
7 profession or vocation for which the applicant seeks a temporary  
8 license from the board.

9 (3) The applicant shall submit an application to the board that  
10 shall include a signed affidavit attesting to the fact that the  
11 applicant meets all of the requirements for the temporary license  
12 and that the information submitted in the application is accurate,  
13 to the best of the applicant's knowledge. The application shall also  
14 include written verification from the applicant's original licensing  
15 jurisdiction stating that the applicant's license is in good standing  
16 in that jurisdiction.

17 (4) The applicant shall not have committed an act in any  
18 jurisdiction that would have constituted grounds for denial,  
19 suspension, or revocation of the license under this code at the time  
20 the act was committed. A violation of this paragraph may be  
21 grounds for the denial or revocation of a temporary license issued  
22 by the board.

23 (5) The applicant shall not have been disciplined by a licensing  
24 entity in another jurisdiction and shall not be the subject of an  
25 unresolved complaint, review procedure, or disciplinary proceeding  
26 conducted by a licensing entity in another jurisdiction.

27 (6) The applicant shall, upon request by a board, furnish a full  
28 set of fingerprints for purposes of conducting a criminal  
29 background check.

30 (d) A board may adopt regulations necessary to administer this  
31 section.

32 (e) A temporary license issued pursuant to this section may be  
33 immediately terminated upon a finding that the temporary  
34 licenseholder failed to meet any of the requirements described in  
35 subdivision (c) or provided substantively inaccurate information  
36 that would affect the person's eligibility for temporary licensure.  
37 Upon termination of the temporary license, the board shall issue  
38 a notice of termination that shall require the temporary  
39 licenseholder to immediately cease the practice of the licensed  
40 profession upon receipt.

1 (f) An applicant seeking a temporary license as a civil engineer,  
2 geotechnical engineer, structural engineer, land surveyor,  
3 professional geologist, professional geophysicist, certified  
4 engineering geologist, or certified hydrogeologist pursuant to this  
5 section shall successfully pass the appropriate California-specific  
6 examination or examinations required for licensure in those  
7 respective professions by the Board for Professional Engineers,  
8 Land Surveyors, and Geologists.

9 (g) A temporary license issued pursuant to this section shall  
10 expire ~~30~~ 18 months after issuance, upon issuance of *a standard*  
11 *license, a license by endorsement, or an expedited license* pursuant  
12 to Section 115.5, ~~or upon denial of the application for expedited~~  
13 ~~licensure by the board, whichever occurs first.~~

14 ~~SEC. 2. Section 115.7 is added to the Business and Professions~~  
15 ~~Code, to read:~~

16 ~~115.7. (a) A board not specified in Division 2 (commencing~~  
17 ~~with Section 500) or subdivision (a) of Section 115.6 shall, after~~  
18 ~~appropriate investigation, issue a license to an applicant if the~~  
19 ~~applicant meets all of the following requirements:~~

20 ~~(1) The applicant shall supply evidence satisfactory to the board~~  
21 ~~that the applicant is an honorably discharged veteran of the Armed~~  
22 ~~Forces of the United States or is married to, or in a domestic~~  
23 ~~partnership or other legal union with, an active duty member of~~  
24 ~~the Armed Forces of the United States who is assigned to a duty~~  
25 ~~station in this state under official active duty military orders.~~

26 ~~(2) The applicant shall hold a current, active, and unrestricted~~  
27 ~~license that confers upon the applicant the authority to practice,~~  
28 ~~in another state, district, or territory of the United States, the~~  
29 ~~profession or vocation for which the applicant seeks a license from~~  
30 ~~the board.~~

31 ~~(3) The applicant shall submit an application to the board that~~  
32 ~~shall include a signed affidavit attesting to the fact that the~~  
33 ~~applicant meets all of the requirements for the license and that the~~  
34 ~~information submitted in the application is accurate, to the best of~~  
35 ~~the applicant's knowledge. The application shall also include~~  
36 ~~written verification from the applicant's original licensing~~  
37 ~~jurisdiction stating that the applicant's license is in good standing~~  
38 ~~in that jurisdiction.~~

39 ~~(4) The applicant shall not have committed an act in any~~  
40 ~~jurisdiction that would have constituted grounds for denial,~~

1 suspension, or revocation of the license under this code at the time  
2 the act was committed. A violation of this paragraph may be  
3 grounds for the denial or revocation of a license issued by the  
4 board.

5 ~~(5) The applicant shall not have been disciplined by a licensing  
6 entity in another jurisdiction and shall not be the subject of an  
7 unresolved complaint, review procedure, or disciplinary proceeding  
8 conducted by a licensing entity in another jurisdiction.~~

9 ~~(6) The applicant shall, upon request by a board, furnish a full  
10 set of fingerprints for purposes of conducting a criminal  
11 background check.~~

12 ~~(b) A board may adopt regulations necessary to administer this  
13 section.~~

14 ~~(c) A license issued pursuant to this section may be immediately  
15 terminated pursuant to the board's procedural due process  
16 requirements, upon a finding that the licenseholder failed to meet  
17 any of the requirements described in subdivision (a) or provided  
18 substantively inaccurate information that would affect the person's  
19 eligibility for licensure. Upon termination of the license, the board  
20 shall issue a notice of termination that shall require the  
21 licenseholder to immediately cease the practice of the licensed  
22 profession or vocation upon receipt.~~

23 ~~SEC. 3.~~

24 ~~SEC. 2. No reimbursement is required by this act pursuant to  
25 Section 6 of Article XIII B of the California Constitution because  
26 the only costs that may be incurred by a local agency or school  
27 district will be incurred because this act creates a new crime or  
28 infraction, eliminates a crime or infraction, or changes the penalty  
29 for a crime or infraction, within the meaning of Section 17556 of  
30 the Government Code, or changes the definition of a crime within  
31 the meaning of Section 6 of Article XIII B of the California  
32 Constitution.~~