



NOTICE OF MEETING Landscape Architects Technical Committee

LATC MEMBERS

Jon S. Wreschinsky, Chair
Pamela S. Brief, Vice Chair
Andrew C. N. Bowden
Susan M. Landry
Patricia M. Trauth

***Action may be
taken on any
item listed on
the agenda.***

**The Landscape Architects Technical Committee (LATC or Committee) will
meet by teleconference at
10 a.m., on August 2, 2022**

NOTE: Pursuant to Government Code section 11133, this meeting will be held by teleconference with no physical public locations.

Important Notice to the Public: The Committee will hold a public meeting via WebEx Events. To participate in the WebEx meeting, please log on to this website the day of the meeting:

<https://dca-meetings.webex.com/dca-meetings/j.php?MTID=m81f0da72a8517d2ad250eca6892b6ac5>

Instructions to connect to the meeting can be found at the end of this agenda.

Due to potential technical difficulties, please consider submitting written comments by July 27, 2022, to latc@dca.ca.gov for consideration.

AGENDA

10 a.m. to 5 p.m.
(or until completion of business)

Action may be taken on any item listed below.

- A. Call to Order – Roll Call – Establishment of a Quorum
- B. Chair's Procedural Remarks and Committee Member Introductory Comments

(Continued)

- C. Public Comment on Items Not on the Agenda
The Committee may not discuss or take action on any item raised during this public comment section, except to decide whether to refer the item to the Committee's next Strategic Planning session and/or place the matter on the agenda of a future meeting (Government Code sections 11125 and 11125.7(a)).
- D. Update from the Department of Consumer Affairs (DCA) – Board and Bureau Relations, DCA
- E. Review and Possible Action on April 7-8, 2022, LATC Meeting Minutes
- F. Program Manager's Report
 - 1. Update on Committee's Administrative/Management, Examination, Licensing, and Enforcement Programs
 - 2. Discuss and Possible Action on Annual Enforcement Report
- G. Discuss and Possible Action on the Committee's Annual Budget – DCA, Budget Office
- H. Review and Discuss 2022 Legislation
 - 1. Assembly Bill (AB) 646 (Low) Department of Consumer Affairs: Boards: Expunged Convictions
 - 2. AB 1662 (Gipson) Licensing Boards: Disqualification from Licensure: Criminal Conviction
 - 3. Senate Bill (SB) 1237 (Newman) Licenses: Military Service
 - 4. SB 1443 (Roth) The Department of Consumer Affairs
- I. Discuss and Possible Action on University of California, Los Angeles Extension Landscape Architecture Pilot Low Residency
- J. Review and Possible Action on Draft 2022-2024 Strategic Plan
- K. Discuss and Possible Action on Draft 2022-2024 Strategic Plan Objective to Continue Promoting the Value of the Profession Using Social Media, Specifically Twitter, and Work to Establish a LinkedIn and Instagram Presence to Reach a Greater Audience
- L. Council of Landscape Architectural Registration Boards (CLARB)
 - 1. Review CLARB September 21-23, 2022, Annual Meeting Agenda
 - 2. Review and Possible Action on 2022 CLARB Board of Directors and Leadership Advisory Council Elections Ballot
- M. Review of Future Committee Meeting Dates

N. Adjournment

Action may be taken on any item on the agenda. The time and order of agenda items are subject to change at the discretion of the Committee Chair and may be taken out of order. The meeting will be adjourned upon completion of the agenda, which may be at a time earlier or later than posted in this notice. In accordance with the Bagley-Keene Open Meeting Act, all meetings of the Committee are open to the public.

The meeting will be webcast, provided there are no unforeseen technical difficulties or limitations. To view the webcast, please visit thedcapage.wordpress.com/webcasts/. The meeting will not be cancelled if webcast is not available.

Government Code section 11125.7 provides the opportunity for the public to address each agenda item during discussion or consideration by the Committee prior to taking any action on said item. Members of the public will be provided appropriate opportunities to comment on any issue before the Committee, but the Committee Chair may, at their discretion, apportion available time among those who wish to speak. Individuals may appear before the Committee to discuss items not on the agenda; however, the Committee can neither discuss nor take official action on these items at the time of the same meeting (Government Code sections 11125 and 11125.7(a)).

This meeting is being held via WebEx Events. The meeting is accessible to the disabled. A person who needs a disability-related accommodation or modification to participate in the meeting may make a request by contacting:

Person: Kourtney Nation

Telephone: (916) 575-7230

Email: Kourtney.Nation@dca.ca.gov

Telecommunication Relay Service: Dial 711

Mailing Address:

Landscape Architects Technical Committee

2420 Del Paso Road, Suite 105

Sacramento, CA 95834

Providing your request at least five (5) business days before the meeting will help to ensure availability of the requested accommodation.

Protection of the public shall be the highest priority for the Committee in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount (Business and Professions Code section 5620.1).

AGENDA ITEM A: CALL TO ORDER – ROLL CALL – ESTABLISHMENT OF A QUORUM

Roll is called by the Landscape Architects Technical Committee (LATC) Vice Chair or, in his/her absence, by an LATC member designated by the Chair.

LATC Member Roster

Andrew C. N. Bowden
Pamela S. Brief
Susan M. Landry
Patricia M. Trauth
Jon S. Wreschinsky

AGENDA ITEM B: CHAIR'S PROCEDURAL REMARKS AND COMMITTEE MEMBER INTRODUCTORY COMMENTS

LATC Chair Jon Wreschinsky will review the scheduled LATC actions and make appropriate announcements.

AGENDA ITEM C: PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA

Members of the public may address the Committee at this time.

The Committee may not discuss or take action on any item raised during this public comment section, except to decide whether to refer the item to the Committee's next Strategic Planning session and/or place the matter on the agenda of a future meeting (Government Code sections 11125 and 11125.7(a)).

Public comments will also be taken on agenda items at the time the item is heard and prior to the Committee taking any action on said items. Total time allocated for public comment may be limited at the discretion of the Committee Chair.

AGENDA ITEM D: UPDATE ON THE DEPARTMENT OF CONSUMER AFFAIRS (DCA) – BOARD AND BUREAU RELATIONS, DCA

Board and Bureau Relations staff will provide the Committee with an update on the DCA.

AGENDA ITEM E: REVIEW AND POSSIBLE ACTION ON APRIL 7-8, 2022, LATC MEETING MINUTES

Summary

The Committee is asked to review and take possible action on the minutes of the April 7-8, 2022 LATC meeting.

Action Requested

Approval of the April 7-8, 2022 LATC Meeting Minutes

Attachment

April 7-8, 2022 LATC Meeting Minutes (Draft)



Landscape Architects Technical Committee



Draft Minutes

CALIFORNIA ARCHITECTS BOARD Landscape Architects Technical Committee Meeting

April 7-8, 2022
Sacramento

Landscape Architects Technical Committee (LATC/Committee) Members Present

Jon S. Wreschinsky, Chair
Pamela S. Brief, Vice Chair
Andrew C. N. Bowden
Susan M. Landry
Patricia M. Trauth

California Architects Board (Board) Members Present

Ronald A. Jones, LATC Liaison

Staff Present

Laura Zuniga, Executive Officer
Trish Rodriguez, Program Manager
Nicholas Barnhart, Licensing Coordinator
Blake Clark, Examination Analyst
Kourtney Nation, Special Projects Analyst
Stacy Townsend, Enforcement Analyst

Department of Consumer Affairs (DCA) Staff Present

Brianna Miller, Manager, Board and Bureau Relations
Karen Halbo, Regulatory Counsel, Attorney III
Michael Kanotz, LATC Counsel, Attorney III

A. Call to Order – Roll Call – Establishment of a Quorum

LATC Chair, Jon Wreschinsky called the meeting to order at 10:32 a.m. and Vice Chair, Pamela Brief called roll. Five members of LATC were present, thus a quorum was established.

B. Chair's Procedural Remarks and Committee Member Introductory Comments

Mr. Wreschinsky thanked the meeting participants for their attendance and welcomed Ronald Jones, LATC Liaison to the Board. Mr. Wreschinsky also reminded the members that votes on all motions will be taken by roll call.

C. Public Comment on Items Not on the Agenda

Mr. Wreschinsky invited members of the public to address the LATC. There were no comments from the public.

Mr. Wreschinsky announced that a comment was submitted by the University of California, Los Angeles Extension addressing upcoming changes to the landscape architecture extension certificate program.

D. Update from the Department of Consumer Affairs (DCA) – Board and Bureau Relations, DCA

Brianna Miller reminded the Committee that as of April 1, 2022, DCA's boards, bureaus, commissions and committees returned to meeting in accordance with all aspects of the Open Meeting Act, including publicly noticing all meeting locations. She added that DCA has shared guidance from the California Health and Human Services Agency to reduce the spread of COVID-19 for in-person meetings.

Ms. Miller shared that DCA formed an Enlightened Licensing work group in 2020 to utilize licensing subject matter experts within DCA to help boards and bureaus streamline licensing processes. Ms. Miller announced the recent appointments of Tonya Corcoran as DCA's first Compliance and Equity Officer, Terrence Brass as Chief of the Division of Investigation, and Dadang Prihadi as the Internal Audits Chief. She shared that Board and Bureau Relations issued the first iteration of a new quarterly newsletter to keep board and committee members informed of various departmental activities.

E. Review and Possible Action on January 27, 2022, Committee Meeting Minutes

- **Andrew C. N. Bowden moved to approve the January 27, 2022, LATC Meeting Minutes as presented.**

Pamela S. Brief seconded the motion.

There were no comments from the public.

Members Bowden, Brief, and Chair Wreschinsky voted in favor of the motion. Members Landry and Trauth abstained. The motion passed 3-0-2.

F. Program Manager's Report - Update on Committee's Administrative/Management, Examination, Licensing, and Enforcement Programs

Trish Rodriguez advised the Committee of the status of the Business Modernization Project and shared that the LATC strategic planning session would be facilitated by DCA SOLID. She announced that an outreach presentation would be held remotely via Zoom on April 14, 2022, for landscape architecture students at the University of California, Berkely. Ms. Rodriguez informed the Committee that Nicholas Barnhart was selected for the Licensing Coordinator position. She reminded the members that the requirement for all new initial license applicants to submit fingerprints went

into effect on January 1, 2022. Ms. Rodriguez explained that LATC received approvals from the Department of Justice and Federal Bureau of Investigation for California and federal background checks, and the necessary Live Scan form is available to prospective licensees on the LATC website.

Ms. Rodriguez introduced Karen Halbo, LATC Regulatory Counsel, who provided an overview of LATC's current rulemaking activity. Mr. Bowden inquired when the next sunset process will begin. Laura Zuniga responded that a current bill would extend the sunset date an additional year to 2025.

Ms. Rodriguez presented that an intra-agency contract was executed for the DCA Office of Professional Examination Services to conduct a linkage study between the most recent Occupational Analysis and the Council of Landscape Architects Registration Boards (CLARB) Job Task Analysis. She concluded her update with an overview of LATC's current enforcement activity. Members Bowden and Wreschinsky noted that candidates who repeat the California Supplemental Examination (CSE) have a higher fail rate. Susan Landry asked if additional detail could be provided indicating how many repeat candidates are included in the total report count. Patricia Trauth noted the recent decrease in CSE candidate count. Mr. Wreschinsky suggested that the LATC consider addressing this topic during the strategic planning session. Ms. Brief noted that many factors contribute to the CSE pass rates and as LATC increases pathways to licensure it could be expected that pass rates will fluctuate. Ms. Rodriguez clarified that once the Business Modernization Project is complete and the new platform is available, staff could easily extract candidate pathway data for studies and presentations to the Committee. Mr. Bowden requested that the CSE data chart be expanded to include reference data from before the start of the COVID-19 pandemic.

G. Review and Discuss 2022 Legislation

1. Assembly Bill (AB) 225 (Gray) Department of Consumer Affairs: Boards: Veterans: Military Spouses: Licenses

Ms. Zuniga presented that AB 225 expands the provisions of the existing military spouse temporary licensure program to apply to military veterans who were not dishonorably discharged and active-duty military members with orders of separation in 90 days.

2. AB 1662 (Gipson) Licensing Boards: Disqualification from Licensure: Criminal Conviction

Ms. Zuniga presented that AB 1662 would allow a prospective licensure applicant who has been convicted of a crime to submit a request for a pre-application determination regarding their criminal conviction, before the applicant obtains any required training or education. Mr. Wreschinsky asked how many applicants currently fall into this category. Ms. Zuniga responded that since implementation of the fingerprinting requirement for architects and landscape architects, the number of applicants with criminal convictions for both the Board and LATC have remained low.

3. AB 1733 (Quirk) State Bodies: Open Meetings

Ms. Zuniga presented that AB 1733 would make permanent changes to the Bagley-Keene Open Meeting Act to allow the flexibility for remote meetings and require one location for public access.

4. Senate Bill (SB) 1237 (Newman) Licenses: Military Service

Ms. Zuniga presented that SB 1237 would define the phrase “called to active-duty” to include active-duty in the U.S. Armed Forces or the California National Guard.

5. SB 1365 (Jones) Licensing Boards: Procedures

Ms. Zuniga presented that SB 1365 requires all boards to post a list of the criteria they use to evaluate applicants with criminal convictions on their website. She added that LATC and the Board generally have this information included within their Disciplinary Guidelines. Ms. Zuniga further explained that the bill would require DCA to develop a process for each board to use when verifying applicant information, and a procedure to provide for an informal appeals process.

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

Ms. Zuniga presented that SB 1443 would extend the sunset date for LATC and the Board for another year, until January 1, 2025.

I.* Review of Future Committee Meeting Dates

Ms. Landry suggested holding a future meeting at the Campbell City Hall.
Ms. Rodriguez presented that the next Board meeting would be held on May 20, 2022, and the next LATC meeting is scheduled for August 2, 2022.
Ms. Brief noted that she plans to attend the Board meeting in May.

H. Council of Landscape Architectural Registration Boards (CLARB)

Ms. Rodriguez reminded the Committee that CLARB has proposed a Uniform Standard for licensure and shared that LATC Chair Wreschinsky provided two letters to CLARB last year addressing discrepancies and concerns between California’s current licensure requirements and the proposed Uniform Standard. She added that CLARB rejected the LATC’s concerns and later announced it would hold a mid-year meeting on April 20, 2022, to vote on its proposed Uniform Standard. Ms. Rodriguez explained that LATC appointed a subcommittee consisting of Mr. Wreschinsky and Ms. Brief at its meeting on January 27, 2022, to prepare recommendations on the CLARB Resolutions. Ms. Rodriguez added that the subcommittee held several meetings with staff and prepared an amendment to Resolution #3 that was submitted to CLARB on April 6, 2022.

Mr. Wreschinsky presented that Resolutions #1 and #2 relate to the adoption of the Uniform Standard and Resolution #2 specifically outlines the changes to the

CLARB Model Law necessary to implement the Uniform Standard. He continued that Resolution #3 outlines CLARB's effort to address DEI (Diversity, Equity, and Inclusion) issues by removing specific language from the current Model Law.

Mr. Wreschinsky shared that CLARB has established special meeting rules for the April 20, 2022, Mid-Year Meeting. He noted CLARB has stated that voting for the resolutions does not obligate any jurisdiction to implement the changes, however, it is clear in the CLARB Bylaws that any decision approved by the CLARB membership is expected to be adopted by each jurisdiction. Mr. Wreschinsky reminded the Committee that a delegate must be designated to vote on behalf of LATC at the CLARB Mid-Year Meeting.

- **Susan M. Landry moved to approve Jon S. Wreschinsky as delegate in attendance on the Letter of Delegate Credentials for the April 20, 2022, CLARB Special Meeting.**

Andrew C. N. Bowden seconded the motion.

There were no comments from the public.

Members Bowden, Brief, Landry, Trauth, and Chair Wreschinsky voted in favor of the motion. The motion passed 5-0.

H.1. Review and Possible Action on Uniform Standard Task Force Recommended Positions on CLARB Resolutions:

- a. Resolution #1 Adoption of the CLARB Uniform Licensure Standard for Landscape Architecture***
- b. Resolution #2 Revisions to the CLARB Model Law and Regulations to Align with the Draft Uniform Licensure Standard for Landscape Architecture***
- c. Resolution #3 Revisions to the CLARB Model Law and Regulations to Promote Diversity, Equity, and Inclusion in Licensure Standards and to Align with CLARB's DEI Principles***

Mr. Wreschinsky reminded the Committee that Resolution #1 pertains specifically to adoption of the CLARB Uniform Standard and that he submitted two letters to CLARB on behalf of LATC regarding the Committee's concerns with the proposed Uniform Standard and did not receive a positive response to either letter. He added that LATC's Uniform Standard subcommittee took CLARB's response into consideration when developing their series of recommendations on how the LATC should vote on each of the proposed Resolutions. Ms. Landry asked what would happen if the CLARB Resolutions are approved and California laws are not in alignment with the approved Uniform Standard. Mr. Wreschinsky clarified that LATC is not obligated to implement the Uniform Standard and added that adoption of the Uniform Standard would result in a more restrictive process for applying for licensure in California, because it does not allow for the alternative pathways currently outlined in California law and would require additional years of experience,

beyond what California currently requires. Ms. Landry asked if the Uniform Standard would affect California licensees seeking reciprocity in another jurisdiction. Ms. Brief explained that reciprocity requirements are set by each state and that CLARB has attempted to unify the varying requirements among jurisdictions. Ms. Brief added that she had explained to members of the American Society of Landscape Architects (ASLA) that there is no way for California to implement the Uniform Standard as proposed because it would increase barriers to licensure.

Mr. Bowden commented that since California has such a large licensee population, LATC's regulations should have been considered by CLARB. Ms. Trauth asked if CLARB provided any history on how representatives were selected to serve on the committee that developed the Uniform Standard, noting that the states with the largest licensee populations were not represented. Mr. Wreschinsky explained that CLARB did not specify how the committee members were chosen to participate. Mr. Jones opined that the Board has experienced a similar struggle with the National Council of Architectural Registration Boards (NCARB) in that the Board has the largest licensee population and the fewest voices involved with NCARB activity.

Mr. Bowden noted that LATC has a responsibility to the people of California which may not align with CLARB's Model Law. He added that CLARB worked diligently to come up with the Uniform Standard, however, the proposed Resolutions are not acceptable for California. Mr. Bowden agreed with the recommendations presented by the Licensure Standards subcommittee, as outlined in the draft letter to CLARB. Mr. Wreschinsky added that other member boards included with California in CLARB Region 5 have raised similar concerns with the proposed Uniform Standard and the Oregon Board has already decided not to support Resolutions #1 and #2. Ms. Rodriguez added that the letters sent from LATC to CLARB on this matter were shared with all other CLARB Member Board Executives.

Mr. Bowden asked if LATC should reach out to other states with large licensee populations to see how they plan to vote on the proposed Resolutions. Mr. Wreschinsky noted that LATC has not been advised that any other jurisdictions have written to CLARB regarding the proposed Resolutions. Ms. Trauth added that LATC staff conducted research on experience requirements of other licensing jurisdictions and found that the average years of experience required was around six years, which is consistent with California. Mr. Wreschinsky noted that ASLA was involved with development of the CLARB Uniform Standard, however, it was not clear if ASLA members were aware of LATC's concerns. He added that process information was not shared by CLARB which led him to believe CLARB was not interested in LATC's concerns or took a neutral stand. Mr. Wreschinsky added that in some respects having uniformity from one jurisdiction to the next could benefit the profession, but the process CLARB chose to address the issue and their initial motives were questionable. He added that a number of states may have been leaning toward deregulation and CLARB decided to address those issues with one standard for all to make it easier to defend professional licensure nationally. Ms. Landry asked if CLARB must disclose how decisions surrounding the Uniform Standard are made. Mr. Wreschinsky responded that meeting minutes are not available for the CLARB subcommittee discussions on this issue and the meeting

minutes from the full CLARB board are limited. Ms. Landry inquired if LATC could reach out to other jurisdictions for input on the Resolutions. Ms. Brief added that LATC's charge is specifically related to the state of California and Californians on how to vote. Mr. Wreschinsky echoed that LATC can only speak for California.

Mr. Wreschinsky reminded the Committee that Resolution #2 is tied directly to acceptance or rejection of Resolution #1 and moved on to discussion of Resolution #3, Revisions to the CLARB Model Law and Regulations to Promote Diversity, Equity, and Inclusion in Licensure Standards and to Align with CLARB's DEI Principles. He added that an explanation was not provided regarding only the removal of "good moral character" from the CLARB Model Law, to address DEI. He expanded that based on the LATC's current regulations, it is important to have a statement that addresses that the information cannot be taken into consideration as a licensure requirement. He continued that based on that premise, the working group recommends voting no on Resolution #3 as proposed and offered an amendment to CLARB that would bring it in line with California regulation. Mr. Wreschinsky explained that other DEI issues may need to be addressed in the future and questioned if it is a regulatory board's responsibility to specifically address these issues when the vast majority do not align with LATC's charge and have more to do with school acceptance policies and opportunities for individuals to enter the profession. Ms. Landry agreed to vote no on Resolution #3 unless the LATC's proposed amendment is accepted. Mr. Wreschinsky expanded that increasing the total number of years of required experience under the proposed Uniform Standard, is more restrictive than the state of California and in some respects could be discriminatory. Ms. Brief opined that removing the phrase "good moral character" does not meet the needs of a DEI process, which, she added would be more about CLARB being transparent about their strategic plan to address DEI or plan on diversification among their board members.

- **Susan M. Landry moved to reject Resolution #1 Adoption of the CLARB Uniform Licensure Standard for Landscape Architecture.**

Patricia M. Trauth seconded the motion.

There were no comments from the public.

Members Bowden, Brief, Landry, Trauth, and Chair Wreschinsky voted in favor of the motion. The motion passed 5-0.

- **Susan M. Landry moved to reject Resolution #2 Revisions to the CLARB Model Law and Regulations to Align with the Draft Uniform Licensure Standard for Landscape Architecture.**

Patricia M. Trauth seconded the motion.

There were no comments from the public.

Members Bowden, Brief, Landry, Trauth, and Chair Wreschinsky voted in favor of the motion. The motion passed 5-0.

- **Andrew C. N. Bowden moved to reject Resolution #3 Revisions to the CLARB Model Law and Regulations to Promote Diversity, Equity, and Inclusion in Licensure Standards and to Align with CLARB's Diversity Equity and Inclusion (DEI) Principles.**

Susan M. Landry seconded the motion.

There were no comments from the public.

Members Bowden, Brief, Landry, Trauth, and Chair Wreschinsky voted in favor of the motion. The motion passed 5-0.

H.2. Discuss and Possible Action on CLARB Workgroup Invitation to Evaluate Outcomes of the Job Task Analysis

Mr. Wreschinsky explained that CLARB has reached out to LATC to inquire if one of the Committee members is interested in serving on the upcoming Workgroup to evaluate outcomes of the Job Task Analysis.

- **Susan M. Landry moved to appoint Jon S. Wreschinsky to participate in CLARB's workgroup to evaluate outcomes of the job task analysis.**

Andrew C. N. Bowden seconded the motion.

There were no comments from the public.

Members Bowden, Brief, Landry, Trauth, and Chair Wreschinsky voted in favor of the motion. The motion passed 5-0.

J. Recess

The meeting recessed at 1:36 p.m.

K. Call to Order – Roll Call – Establishment of a Quorum

On April 8, 2022, the meeting was called to order at 9:00 a.m., and the following persons were present:

LATC Members Present

Jon S. Wreschinsky, Chair
Pamela S. Brief, Vice Chair
Andrew C. N. Bowden
Susan M. Landry
Patricia M. Trauth

Board Members Present

Ronald A. Jones, LATC Liaison

Staff Present

Laura Zuniga, Executive Officer
Trish Rodriguez, Program Manager

Nicholas Barnhart, Licensing Coordinator
Blake Clark, Examination Analyst
Kourtney Nation, Special Projects Analyst
Stacy Townsend, Enforcement Analyst

DCA Staff Present

Michael Kanotz, LATC Counsel, Attorney III
Trisha St. Clair, Strategic Business Analyst & Facilitator, SOLID
Sarah Irani, Strategic Business Analyst & Facilitator, SOLID

L. Strategic Planning Session

Trisha St. Clair and Sarah Irani from SOLID facilitated the LATC's strategic planning session and lead the LATC through a review of its mission, values, and strategic goals, which assisted members in developing objectives for 2022-2024. SOLID will update the Strategic Plan with changes made during the session, and the Committee will review and finalize the plan at its next meeting.

M. Adjournment

The meeting adjourned at 2:20 p.m.

**Agenda items for this meeting were taken out of order to allow ample time to discuss Agenda Item H. The order of business conducted herein follows the transaction of business.*

**AGENDA ITEM F: PROGRAM MANAGER’S REPORT – UPDATE ON
COMMITTEE’S ADMINISTRATIVE/MANAGEMENT,
EXAMINATION, LICENSING, AND ENFORCEMENT
PROGRAMS**

The Program Manager, Trish Rodriguez, will provide an update on the LATC’s Administration/Management, Examination, Licensing, and Enforcement programs.

Attachment

Program Manager’s Report Dated July 1, 2022



MEMORANDUM

| | |
|---------|---|
| DATE | July 1, 2022 |
| TO | Landscape Architects Technical Committee (LATC) Members |
| FROM | Trish Rodriguez, Program Manager |
| SUBJECT | Program Manager Report |

The following information is provided as an overview of Committee activities and projects as of June 30, 2022.

Administrative/Management

Business Modernization Cohort 2 Project programs consisting of LATC, California Architects Board, Structural Pest Control Board, Cemetery and Funeral Bureau, and the Bureau of Household Goods and Services started the Project on May 16, 2022. The Project is an 18-month duration with incremental releases to the public. The first release is targeted for Fall 2022. The software solution branded by DCA is called “Connect”. Initial workshops were held to get an overview of LATC’s internal processes for the Eligibility Application, California Supplemental Examination (CSE) Application, and Initial License Application. Use Cases, which are descriptions of the ways in which a user will interact with the system, were developed and will be used to build the system. The first release build will include automation of the Eligibility Application, CSE Application; additional applications may be added in the first release as capacity permits.

California Architects Board The Board held a hybrid meeting on June 8, 2022, in person and via teleconference. Remaining dates for 2022 are September 16, and December 9.

Committee The Department of Consumer Affairs (DCA) Strategic Organization, Leadership & Individual Development (SOLID) facilitated a strategic planning session on April 8, 2022, to identify objectives for LATC’s next strategic plan (2022-2024). The draft strategic plan will be presented to the LATC at its next meeting on August 2, 2022, for approval.

Coronavirus (COVID-19) All state workers are required to either show proof of full vaccination or be tested for COVID-19 at least once per week when working on-site. When holding in person public meetings, the following is also recommended:

- Follow state and local public health guidelines
- Continue to mask in indoor settings
- Post face covering guidance signage at meeting entrance

Outreach An outreach presentation was held on April 14, 2022, for students enrolled in a professional practice course at the University of California, Berkeley. The presentation was provided remotely via Zoom and included an overview of LATC's mandate, Landscape Architects Practice Act, importance of licensure, examination process, and updates to the various education and training pathways to licensure. Fifteen students attended the outreach presentation and were asked to complete a survey regarding the usefulness of the information in the outreach presentation. Overall, attendees appreciated the presentation and found the information regarding the pathways to licensure and the importance of licensure helpful. Survey results are provided below:

| Outreach Student Survey – UC Berkeley, April 14, 2022 | | | | | |
|---|----------------|-----------|----------|-------------------|---------|
| Statement: | Strongly Agree | Agree | Disagree | Strongly Disagree | N/A |
| The presentation was informative. I learned more about pathways to licensure than I already knew. | 9 60% | 5 33% | 0 0% | 0 0% | 1 7% |
| I understand the importance of licensure and how it relates to the public's health, safety, and welfare | 5 33% | 9 60% | 0 0% | 0 0% | 1 7% |
| I know what I have to do to become licensed. | 4 27% | 10 67% | 0 0% | 0 0% | 1 7% |
| I could have used this information earlier. | 5 33% | 9 60% | 0 0% | 0 0% | 1 7% |
| The presentation answered all of my questions. | 4 27% | 10 67% | 0 0% | 0 0% | 1 7% |

Personnel The Assistant Executive Officer position remains vacant.

Social Media LATC maintains a Twitter account that currently has 224 followers. This account largely permits the LATC to have active social media participation with the public and professionals.

Training Courses completed by staff March 1-June 30, 2022:

| | |
|----------|---|
| April 5 | Defensive Driver Training (Nicholas Barnhart, Licensing Coordinator) |
| April 6 | Ethics Training for State Officials (Nicholas Barnhart) |
| April 6 | Information Security Awareness Fundamentals 2022 (Nicholas Barnhart) |
| April 6 | Sexual Harassment Prevention Training SB 1343 (Nicholas Barnhart) |
| April 12 | HR Liaison: Confidentiality & Security (Nicholas Barnhart) |
| April 13 | Examination and Certification Online System (ECOS) Training (Stacy Townsend, Enforcement Analyst) |
| April 19 | New Employee Orientation (Nicholas Barnhart) |
| May 4 | Skilled Enhancement Training (SET) Series Session 1: Self Awareness and Resilience & Well-Being (Nicholas Barnhart) |
| May 5 | Web Accessibility: Accessible PDF Documents (Nicholas Barnhart) |
| May 10 | Agile Training (Blake Clark, Examination Coordinator/LATC and CAB Cohort 2 Product Owner) |
| May 10 | Jira Walkthrough Training (Blake Clark) |
| May 11 | SET Session 2: Strategies for Effective Business Communication: Speaking, Listening, & Writing (Nicholas Barnhart) |

| | |
|---------|---|
| May 18 | SET Session 3: Generational Difference and Unconscious Bias (Nicholas Barnhart) |
| May 25 | SET Session 4: Leveraging the Integration of MS Office and Overcoming Challenges in the Workplace (Nicholas Barnhart) |
| June 1 | RMA101 – Introduction to Public Records Management (Nicholas Barnhart) |
| June 8 | SET Session 6: Completed Staff Work and Languages of Appreciation (Nicholas Barnhart) |
| June 14 | RMA 102 – State Records Center Introduction (Nicholas Barnhart) |
| June 15 | SET Session 7: Teamwork Foundations and Time Management: Urgent versus Important (Nicholas Barnhart) |
| June 22 | SET Session 8: Color Lingo and Final Celebration (Nicholas Barnhart) |

Website On April 1, 2022, the Notice of Availability of Second Modified Text concerning CCR section 2620.5 (Requirements for an Approved Extension Certificate Program) was posted to the LATC website.

On April 28, 2022, approved documents for LATC's Section 100 of CCR section 2670 (Rules of Professional Conduct) were posted to the LATC website. CCR section 2670 (Rules of Professional Conduct) was amended to neutralize gendered language, reorder, and renumber subsections. The amendments resulted in change without regulatory effect. The amendments became effective upon filing with the Secretary of State on April 18, 2022.

On June 17, 2022, the Notice of Approval of Regulatory Action for CCR sections 2615 (Form of Examinations) and 2620 (Education and Training Credits) was posted to the website. This regulatory action amended the education and training credit standards for a candidate to qualify as a landscape architect, effective June 8, 2022.

Legislative Proposal ***Business and Professions Code (BPC) section 5659 (Inclusion of License Number – Requirement)*** LATC set an objective to educate the different jurisdictional agencies about landscape architecture licensure and its regulatory scope of practice to allow licensees to perform duties prescribed within the regulations. Staff reviewed the Landscape Architects Practice Act and BPC section 460 (Local Government Entities – Powers), which prevents local government entities from prohibiting a licensed professional from engaging in the practice for which they are licensed while also allowing those entities to adopt or enforce local ordinances. Staff worked with DCA legal counsel to add language to section 5659 to coincide with section 460 specifically referencing landscape architects. The proposed additional language would prohibit local jurisdictions from rejecting plans solely based on the fact they are stamped by a licensed landscape architect; however, they could still reject plans based on defects or public protection from the licensee.

Proposed language to amend BPC section 5659 was presented to the LATC on February 5, 2020, and the Board approved the LATC's recommendation at its February 28, 2020, meeting. Staff proceeded with the proposal and submitted it to legislative staff in mid-March 2020, however the bill proposal was late and not accepted. The bill was resubmitted to legislative staff in January 2021 however proposed language in the omnibus bill would delay review for other programs, thus removed. At this time, LATC is planning to resubmit this proposal in the fall to the Senate Business and Professions Committee.

| Date | Action Taken |
|-------------------|---|
| February 28, 2020 | Proposed language approved by Board |
| March 18, 2020 | Bill proposal provided to EO for review and submittal |
| Mid-March 2020 | Bill proposal submitted to legislative staff |
| January 2021 | Submitted to the Business, Professions, and Economic Development Committee |
| March 2021 | Resubmitted to Senate Business, Professions, and Economic Development Committee |

Regulatory Proposals **CCR Sections 2611 (Abandonment of Application), 2611.5 (Retention of Candidate Files), and 2616 (Application for Licensure Following Examination)** LATC approved proposed changes to define the abandonment of an application and provide authority for the retention and purging of candidate files on February 5, 2020. These proposed changes were adopted by the Board on February 28, 2020 and filed with the Secretary of State on December 13, 2021. The regulatory action took effect April 1, 2022.

Staff reviewed all candidate files and identified 864 candidates as inactive for more than five years. Notices were mailed to all identified candidates communicating that their files may be purged due to inactivity. Candidates are given six weeks after the mailing of the notice to request that their file be retained for additional time. If no response is received, or if the candidate expresses that they no longer wish to pursue licensure, their candidate file will be purged.

CCR Sections 2615 (Form of Examinations) and 2620 (Education and Training Credits)

This proposal grants credit for related and non-related degrees while also adding an experience-only pathway. On December 1, 2021, the final regulatory package was provided to OAL for review. On January 11, 2022, the assigned OAL reviewing attorney notified LATC staff of an issue within the rulemaking file that would require a 15-day notice to the public in order to proceed with the rulemaking as directed by the LATC and Board. As a result, the regulatory proposal was withdrawn from OAL review on January 12, 2022, and staff issued the 15-day Notice of Availability of Second Modified Text and Addendum to the Initial Statement of Reasons on January 24, 2022. The public comment period ended on February 9, 2022, and staff worked with DCA Legal to resubmit the rulemaking file to OAL on April 28, 2022. OAL approved the rulemaking file on June 8, 2022, and the changes were effective the same day, upon filing with the Secretary of State. The OAL Notice of Approval of Regulatory Action was posted to the LATC website, distributed to LATC's interested parties mailing list, and shared via LATC's social media accounts on Twitter, Instagram, and LinkedIn.

Following is a chronology of LATC's regulatory proposal for CCR sections 2615 and 2620:

| Date | Action Taken |
|--------------------|---|
| September 12, 2018 | Board approved proposed amendments and directed the EO to proceed with the combined rulemaking file |
| February 7, 2019 | Proposed regulation submitted to DCA Legal for pre-review |
| June 6, 2019 | Proposed regulation to DCA Legal Affairs for initial analysis |
| November 18, 2020 | Proposed regulation submitted to Agency for review |
| April 27, 2021 | Proposed regulation submitted to OAL to publish notice of 45-day comment period |
| June 24, 2021 | Modified Text issued, commencing 15-day comment period |
| August 4, 2021 | LATC recommended Board approval of Modified Text |
| September 10, 2021 | Board approved Modified Text and directed the EO to proceed with the rulemaking file |

| | |
|-------------------|---|
| October 18, 2021 | Submitted final regulation package to Agency for review. |
| December 1, 2021 | Final regulation package submitted to OAL for review. |
| January 12, 2022 | Regulatory Package Withdrawn to Issue 15-Day Notice and Resubmit |
| January 24, 2022 | Second Modified Text issued, commencing 15-day comment period |
| February 18, 2022 | Second Modified Text approved by Board |
| April 28, 2022 | Final regulation package resubmitted to OAL for review |
| June 8, 2022 | Regulatory proposal approved by OAL and filed with Secretary of State |
| June 8, 2022 | Regulatory action takes effect |

CCR Section 2620.5 (Requirements for an Approved Extension Certificate Program) At the December 6, 2018, LATC meeting, the Committee began discussions to address the following in regulation: 1) extension certificate program approval, expiration, reauthorization, and extensions of said approval; 2) possible provisions for site reviews; and 3) the information that shall be provided by the extension certificate program to evaluate the program's compliance with the regulation.

The Board approved the LATC's proposed regulatory language at its meeting on June 12, 2019. On December 27, 2021, the final regulatory package was provided to OAL for review. On February 4, 2022, the assigned OAL reviewing attorney raised clarity concerns within the proposed text that would require a 15-day notice to the public of modified text. As a result, the regulatory proposal was withdrawn from OAL review on February 8, 2022. Staff worked with DCA Legal to resubmit the rulemaking file to OAL on June 22, 2022.

At the December 2, 2020, LATC meeting, the Committee recommend to the Board approval of the extension certificate program within the University of California, Los Angeles effective through December 31, 2025.

Following is a chronology of LATC's regulatory proposal for CCR section 2620.5:

| Date | Action Taken |
|-------------------|--|
| June 12, 2019 | Proposed regulatory language approved by Board |
| April 8, 2020 | DCA Legal Affairs Division returned proposed regulation to LATC staff for review |
| May 6, 2020 | Proposed regulation submitted to DCA Legal Affairs Division for continued initial analysis |
| May 24, 2021 | Proposed regulation submitted to Agency for review |
| June 24, 2021 | Proposed regulation submitted to OAL to publish notice of 45-day comment period |
| September 3, 2021 | Submitted final regulation package to DCA Legal for review |
| December 9, 2021 | Submitted final regulation package to Agency for review. |
| December 27, 2021 | Final regulation package submitted to OAL for review. |
| February 8, 2022 | Regulatory Package Withdrawn |
| February 18, 2022 | Modified Text approved by Board |
| February 28, 2022 | Modified Text issued, commencing 15-day comment period |
| April 1, 2022 | Second Modified Text, commencing 15-day comment period |
| May 20, 2022 | Second Modified Text approved by Board |
| June 22, 2022 | Final regulation package resubmitted to OAL for review |

CCR Sections 2630 (Issuance of Citations) and 2630.2 (Appeal of Citations) To be more in line with the Board's procedures for the appeal of citations, staff proposed edits to LATC's appeal of citations regulation. Additionally, it was advised by legal counsel that additional edits needed to be made to the issuance of citations regulation. Language has been added clarifying the Board's existing ability to issue orders of corrections to cease unlawful advertising under BPC section 149, clarifying that the 30-day deadlines are counted as calendar days, amending the appeal of citations process. The proposed language was presented to the LATC on December 2, 2020, and adopted by the Board at its December 11, 2020, meeting. DCA Legal completed their pre-review on April 5, 2021. The package was submitted for Initial Analysis on April 6, 2021. In September 2021, staff worked with DCA Legal on amendments to the package while in the Initial Analysis phase. The amendments made were substantial and were reviewed, and approved, by the Board at its December 10, 2021, meeting. Staff revised the necessary documents and submitted to DCA Legal for review on January 4, 2022. DCA Legal provided feedback for the revised documents which were resubmitted for review on July 15, 2022.

Following is a chronology of the regulatory proposal for CCR sections 2630 and 2630.2:

| Date | Action Taken |
|-------------------|--|
| December 11, 2020 | Proposed regulatory language approved by Board |
| March 2, 2021 | Proposed regulation package to DCA Legal for pre-review |
| April 6, 2021 | Proposed regulation submitted to DCA Legal for Initial Analysis and Budget Office for approval |
| December 10, 2021 | Proposed amendments approved by the Board |
| January 4, 2022 | Revised regulatory documents provided to DCA Legal for initial analysis |

CCR Section 2651 (Waiver of Fees for Licensure, Renewal, or Replacement of License Upon Declaration of Emergency) Effective January 1, 2020, section 11009.5 of the Government Code allows state licensing entities to reduce or waive licensing fees for people affected by a proclaimed or declared emergency in the previous year. Licensing programs within DCA may, but are not required to, establish a process for reducing or waiving the licensing fees of those impacted by federal, state, or local emergencies.

In February 2021, staff worked with DCA regulations counsel to draft a regulatory proposal that would implement an emergency fee waiver by adopting CCR, title 16, division 26, article 1, section 2651 Waiver of Fees for Licensure, Renewal, or Replacement of License Upon Declaration of Emergency. The proposed language was adopted by the Board on June 11, 2021. This regulatory package is on hold as LATC conducts a fee study to analyze the fiscal impact to its budget. A budget update will be presented to the LATC on August 2.

Following is a chronology of the regulatory proposal for CCR section 2651:

| Date | Action Taken |
|-------------------|---|
| June 11, 2021 | Proposed regulatory language approved by Board |
| July 6, 2021 | Proposed regulation package submitted to DCA Legal for pre-review |
| November 22, 2021 | DCA Legal returned proposed regulation to LATC staff for additional review of fiscal impacts |
| April 26, 2022 | LATC staff met with DCA Budget Office staff to explore fiscal impacts of various waiver types |

CCR Section 2680 (Disciplinary Guidelines) As part of the Strategic Plan established by LATC at the January 2013 meeting, LATC set an objective of collaborating with the Board in order to review and update LATC's *Disciplinary Guidelines*. Staff worked closely with Board staff to update their respective guidelines to mirror each other wherever appropriate.

At its June 13, 2018 meeting, the Board reviewed and approved the proposed changes to the LATC's *Disciplinary Guidelines* and CCR section 2680 as modified. DCA guidance due to the passage of AB 2138 as well as proposed changes to CCR sections 2655 (Substantial Relationship Criteria) and 2656 (Criteria for Rehabilitation) required staff to make revisions to the *Disciplinary Guidelines*. On February 8, 2019, the Committee made a recommendation to the Board to adopt the proposed regulatory language for section 2655 and option 1 for section 2656 and approve the revised *Disciplinary Guidelines*. The rulemaking file was submitted to the DCA Legal Affairs Office for Initial Analysis. During Initial Analysis, DCA Legal Affairs found that additional amendments were necessary. The LATC and Board approved additional amendments to the proposed regulatory language at their meetings on August 4, 2021, and September 10, 2021, respectively. After the Committee's approval and in anticipation of the Board's approval, staff revised documents for the regulatory proposal to incorporate the additional amendments and submitted them to DCA Legal for review on August 26, 2021. Revised Economic and Fiscal Impact statement were submitted to DCA Budget Office on January 10, 2022. On March 4, 2022, DCA Legal completed their review and provided edits to the regulatory package for staff review. On March 10, 2022, staff provided the revised documents to DCA Legal to obtain Executive and Agency review. On March 25, the revised documents were submitted to the Director's office for review and on April 11, 2022, the documents were provided to Agency and approved on May 5, 2022. The package was submitted to OAL to publish Notice of the 45-day comment period May 20, 2022, through July 5, 2022. No written comments were received. Staff is preparing the final documents to submit to DCA for final review.

Following is a chronology of LATC's regulatory proposal for CCR section 2680:

| Date | Action Taken |
|--------------------|--|
| September 10, 2015 | Proposed regulatory language to LATC's Disciplinary Guidelines approved by Board |
| October 21, 2015 | Board staff provided suggested edits to the Board's Disciplinary Guidelines to DCA Legal for review |
| November 12, 2015 | DCA Legal notified Board staff that the edits to their Disciplinary Guidelines were sufficient and substantive, and would require re-approval by the Board |
| December 10, 2015 | Amended proposed regulatory language to Board's Disciplinary Guidelines approved by Board |
| March 15, 2016 | Board staff prepared the regulatory package for DCA Legal Affairs Division's review and approval |
| April 8, 2016 | DCA Legal Affairs Division advised further substantive changes to the Disciplinary Guidelines were necessary prior to submission to OAL |
| December 15, 2016 | Amended proposed regulatory language of the Board's Disciplinary Guidelines approved by Board |
| July 13, 2017 | Amended proposed regulatory language to LATC's Disciplinary Guidelines based on the Board's Disciplinary Guidelines approved by LATC |
| September 5, 2017 | DCA Legal Affairs Division informed staff that additional substantive changes were necessary for both LATC's and |

| | |
|--------------------|---|
| | Board's Disciplinary Guidelines |
| September 7, 2017 | Amended proposal of LATC's Disciplinary Guidelines, with additional substantive changes approved by Board |
| December 7, 2017 | Amended proposal for the Board's Disciplinary Guidelines approved by Board; however, the Board requested additional research on its statutory authority to impose fines |
| May 4, 2018 | LATC reviewed proposed regulatory language to LATC's Disciplinary Guidelines, including language on statutory authority to impose fines, and recommended Board approval |
| June 13, 2018 | Proposed regulatory language to LATC's Disciplinary Guidelines approved by Board |
| February 8, 2019 | Revised proposed regulatory language to LATC's Disciplinary Guidelines, due to the passing of AB 2138, approved by LATC |
| February 27, 2019 | Revised proposed regulatory language to both LATC's and Board's Disciplinary Guidelines approved by Board |
| July 30, 2019 | Proposed changes to LATC's Disciplinary Guidelines submitted to DCA Legal for prereview |
| October 8, 2019 | DCA Legal Affairs Division concluded pre-review of LATC's Disciplinary Guideline's regulatory package |
| October 15, 2019 | Proposed regulation package to DCA Legal for initial analysis |
| April 17, 2020 | DCA Budget Office approved Economic and Fiscal Impact Statement (Std. 399) |
| October 19, 2020 | Signed revised Economic and Fiscal Impact Statement (Std. 399) provided to DCA Budget Office |
| August 4, 2021 | The Committee reviewed and approved additional amendments to the Guidelines. |
| August 26, 2021 | Staff submitted revised documents for the regulation package incorporating the additional amendments to DCA Legal. The Board reviewed and approved the additional amendments to the Guidelines. |
| September 10, 2021 | Revised Economic and Fiscal Impact statement provided to DCA Budget Office. |
| January 10, 2022 | Revised documents provided to DCA Legal for Executive and Agency review. |
| March 10, 2022 | Revised documents to the Director's office for review. |
| March 25, 2022 | Revised documents provided to Agency for review and approval. |
| April 11, 2022 | Received Agency approval and package submitted to OAL to publish notice of 45-day comment period. |
| May 5, 2022 | Start of 45-day comment period. |
| May 20, 2022 | End of 45-day comment period. |
| July 5, 2022 | |

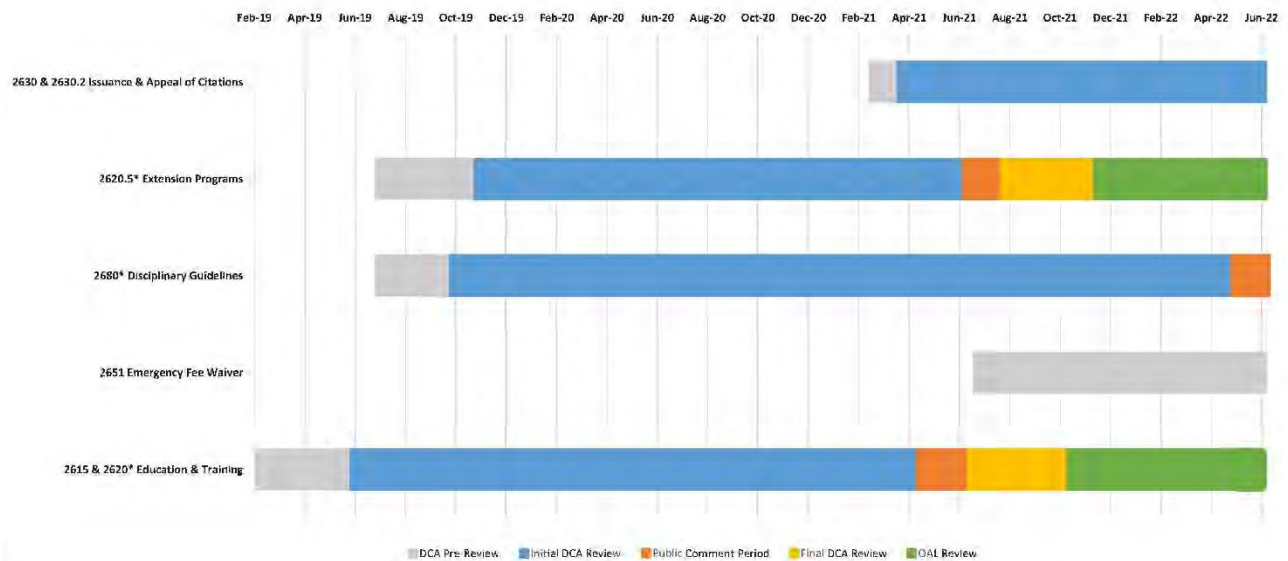
Regulation Proposals Tracker This chart allows at-a-glance tracking of the pending regulation packages. Since the April LATC meeting, two regulation packages for CCR sections 2615/2620 and 2620.5 entered the final DCA review stage (Education and Training Credits and Requirements for an Approved Extension Certificate Program). On April 1, 2022, a regulatory action became effective amending CCR sections 2611 (Abandonment of Application) and 2616 (Application for Licensure Following Examination) to define the abandonment of an application and to adopt CCR section 2611.5 (Retention of Candidate Files) to provide LATC with authority and procedure for the retention and purging of candidate files. On May 10, 2022, LATC staff initiated the new file purge process and identified 864 abandoned/inactive candidate files. Staff

will issue notices to the identified candidates' last address known to the Board and wait at least six weeks after mailing to receive a request to retain the file for an additional time, as outlined in CCR sections 2611 and 2611.5. On June 8, 2022, a regulatory action became effective amending CCR sections 2615 (Form of Examinations) and 2620 (Education and Training Credits) granting credit for related and non-related degrees while also adding an experience-only pathway.

**Landscape Architects Technical Committee
Status of Pending Regulations**

| Regulatory Proposals | DCA Pre-Review | | | Initial DCA Review | | | Public Comment Period | | | Final DCA Review | | | OAL Review | | |
|---|----------------|------------------|------|--------------------|------------------|------|-----------------------|------------------|------|------------------|------------------|------|------------|------------------|------|
| | Start Date | Current/End Date | Days | Start Date | Current/End Date | Days | Start Date | Current/End Date | Days | Start Date | Current/End Date | Days | Start Date | Current/End Date | Days |
| 2630 & 2630.2 Issuance & Appeal of Citation | Mar-21 | Apr-21 | 34 | Apr-21 | Jun-22 | 450 | | | 0 | | | 0 | | | 0 |
| 2620.5* Extension Programs | Jul-19 | Nov-19 | 123 | Nov-19 | Jun-21 | 600 | Jul-21 | Aug-21 | 46 | Sep-21 | Dec-21 | 115 | Dec-21 | Jun-22 | 211 |
| 2680* Disciplinary Guidelines | Jul-19 | Oct-19 | 92 | Oct-19 | May-22 | 961 | May-22 | Jul-22 | 46 | | | 0 | | | 0 |
| 2651 Emergency Fee Waiver | Jul-21 | Jun-22 | 359 | | | 0 | | | 0 | | | 0 | | | 0 |
| 2615 & 2620* Education & Training | Feb-19 | Jun-19 | 120 | Jun-19 | Apr-21 | 696 | May-21 | Jul-21 | 63 | Aug-21 | Dec-21 | 122 | Dec-21 | Jun-22 | 211 |

Tracking of Pending LATC Regulatory Proposals



*Note: Initial DCA review delayed to allow processing of priority rulemakings (AB 2138-related and others)

LATC EXAMINATION PROGRAM

California Supplemental Examination (CSE). Performance data for the CSE during the current and prior FYs is displayed in the following tables.

CSE Performance by Candidate Type (July 1, 2021 to June 30, 2022)

| Candidate Type | Passed | Rate | Failed | Rate | Total |
|----------------|--------|------|--------|------|-------|
| First-time | 57 | 63% | 33 | 37% | 90 |
| Repeat | 10 | 29% | 24 | 71% | 34 |
| Total | 67 | 54% | 57 | 46% | 124 |

CSE Performance by Candidate Type (FY 20/21)

| Candidate Type | Passed | Rate | Failed | Rate | Total |
|----------------|--------|------|--------|------|-------|
| First-time | 75 | 68% | 35 | 32% | 110 |
| Repeat | 20 | 67% | 10 | 33% | 30 |
| Total | 95 | 68% | 45 | 32% | 140 |

Landscape Architect Registration Examination (LARE). A LARE administration was held March 28 – April 9, 2022. Examination results for all LARE administrations are released by CLARB within six weeks of the last day of administration. The next LARE administration will be held August 6-20, 2022. The application deadline was June 22, 2022.

The pass rates for LARE sections taken by California candidates during the March 28 – April 9, 2022, administration are shown in the following table:

LARE Pass Rates by CA Applicants (March 28 – April 9, 2022)

| Section | CA Applicants | Passed | Rate | Failed | Rate |
|-------------------------------------|---------------|--------|------|--------|------|
| Project and Construction Management | 50 | 29 | 58% | 21 | 42% |
| Inventory and Analysis | 53 | 27 | 51% | 26 | 49% |
| Design | 58 | 25 | 43% | 33 | 57% |
| Grading, Drainage and Construction | 62 | 38 | 61% | 24 | 39% |

Included below are the national pass rates for the LARE sections taken during the March 28 – April 9, 2022 administration:

LARE National Pass Rates (March 28 – April 9, 2022)

| Section | CA Applicants | Pass Rate | *National Applicants | Pass Rate | ▲ % |
|-------------------------------------|---------------|-----------|----------------------|-----------|------|
| Project and Construction Management | 50 | 58% | N/A | 57% | +1% |
| Inventory and Analysis | 53 | 51% | N/A | 63% | -12% |
| Design | 58 | 43% | N/A | 54% | -11% |
| Grading, Drainage and Construction | 62 | 61% | N/A | 65% | -4% |

▲ % is the difference in the California and national (CLARB) pass rates.

*National Applicant count for most recent LARE administration unavailable due to recent system change by CLARB

CA Versus National LARE Pass Rates (2018 to 2021)

California and national pass rates for LARE sections taken in 2021 are shown in the following table:

| Section | CA Applicants | Pass Rate | National Applicants | Pass Rate | ▲% |
|-------------------------------------|---------------|-----------|---------------------|-----------|------|
| Project and Construction Management | 158 | 60% | 1,013 | 61% | -1% |
| Inventory and Analysis | 192 | 49% | 1,076 | 60% | -11% |
| Design | 186 | 51% | 1,036 | 57% | -6% |
| Grading, Drainage and Construction | 149 | 53% | 966 | 62% | -9% |

▲% is the difference in the California and national (CLARB) pass rates.

California and national pass rates for LARE sections taken in 2020 are shown in the following table:

| Section | CA Applicants | Pass Rate | National Applicants | Pass Rate | ▲% |
|-------------------------------------|---------------|-----------|---------------------|-----------|-----|
| Project and Construction Management | 138 | 62% | 877 | 64% | -2% |
| Inventory and Analysis | 122 | 57% | 850 | 66% | -9% |
| Design | 94 | 63% | 778 | 66% | -3% |
| Grading, Drainage and Construction | 98 | 60% | 769 | 65% | -5% |

▲% is the difference in the California and national (CLARB) pass rates.

California and national pass rates for LARE sections taken in 2019 are shown in the following table:

| Section | CA Applicants | Pass Rate | National Applicants | Pass Rate | ▲% |
|-------------------------------------|---------------|-----------|---------------------|-----------|------|
| Project and Construction Management | 176 | 66% | 1,019 | 68% | -2% |
| Inventory and Analysis | 208 | 54% | 1,154 | 70% | -16% |
| Design | 182 | 60% | 1,149 | 65% | -5% |
| Grading, Drainage and Construction | 156 | 60% | 1,123 | 65% | -5% |

▲% is the difference in the California and national (CLARB) pass rates.

California and national pass rates for LARE sections taken in 2018 are shown in the following table:

| Section | CA Applicants | Pass Rate | National Applicants | Pass Rate | ▲% |
|-------------------------------------|---------------|-----------|---------------------|-----------|-----|
| Project and Construction Management | 220 | 66% | 1,187 | 71% | -5% |
| Inventory and Analysis | 200 | 62% | 1,172 | 68% | -6% |
| Design | 181 | 62% | 1,169 | 64% | -2% |
| Grading, Drainage and Construction | 191 | 69% | 1,156 | 69% | 0% |

▲% is the difference in the California and national (CLARB) pass rates.

CLARB 2022 Job/Task Analysis In late January 2022, CLARB launched its Job Task Analysis (JTA). Conducted every 5-7 years as a survey, a JTA of the practice of landscape architecture ensures what is tested on the Landscape Architect Registration Examination (LARE) accurately reflects the knowledge and skills required to practice as a licensed professional. The JTA is used in the development of LARE content and to create the next LARE blueprint. On January 18, 2022, CLARB invited a representative from the LATC to participate in a 2023 work group to evaluate the outcomes of the JTA and to determine how the outcomes may influence refinements to the experience required for licensure. Jon S. Wreschinsky was appointed to the work group at the April 7, 2022, LATC meeting.

LATC ENFORCEMENT PROGRAM

Enforcement Actions

Paykan Corporation (Hawthorne) - The Board issued a one-count citation that included a \$1,000 administrative fine to Paykan Corporation for alleged violations of Business and Professions Code (BPC) section 5640 (Unlicensed Person Engaging in Practice - Sanctions). The action alleged that Paykan Corporation used the stamp of a licensed landscape architect without permission for a project requiring landscape architectural plans. Paykan Corporation paid the fine, satisfying the citation. The citation became final on June 27, 2022.

| <u>Enforcement Statistics</u> | <u>Current Quarter</u> Apr-June 2022 | <u>Prior Quarter</u> Jan-Mar 2022 | <u>FYTD</u> 21/22 | <u>5-FY Avg</u> 2017/18- 2021/22 |
|-------------------------------------|---|--------------------------------------|----------------------|--|
| Complaints | | | | |
| Received/Opened (Reopened): | 7 (0) | 10 (0) | 30 (1) | 35 (0) |
| Closed: | 9 | 10 | 28 | 36 |
| Average Days to Close: | 107 days | 174 days | 115 days | 102 days |
| Pending: | 11* | 11* | 10* | 10 |
| Average Age (Pending): | 102 days* | 86 days* | 97 days | 103 days |
| Citations | | | | |
| Issued: | 2 | 0 | 1* | 1 |
| Pending: | 1* | 0* | 0* | 0 |
| Pending AG: † | 0* | 0* | 0* | 0 |
| Final: | 1 | 0 | 1 | 1 |
| Disciplinary Actions | | | | |
| Pending AG: | 0* | 0* | 0* | 0 |
| Pending DA: | 0* | 0* | 0* | 0 |
| Final: | 0 | 0 | 0 | 0 |
| Settlement Reports (§5678)** | | | | |
| Received/Opened: | 0 | 0 | 0 | 2 |
| Closed: | 0 | 2 | 2 | 1 |
| Pending: | 0* | 0* | 0* | 1 |

* Calculated as a quarterly average of pending cases.

** Also included within "Complaints" information.

† Also included within "Pending Citations"

AGENDA ITEM F.2: DISCUSS AND POSSIBLE ACTION ON ANNUAL ENFORCEMENT REPORT

Summary

The Landscape Architects Technical Committee (LATC) maintains an ongoing goal of reducing its average enforcement case completion timeline and seeking greater efficiencies in the handling of all enforcement cases. As part of the Department of Consumer Affairs' Consumer Protection Enforcement Initiative, the LATC's enforcement completion goal for cases not referred to the Attorney General's Office is 270 days. At the end of Fiscal Year (FY) 21/22, the LATC had 9 pending enforcement cases. The average time to complete an internal investigation in FY 21/22 was 115 days.

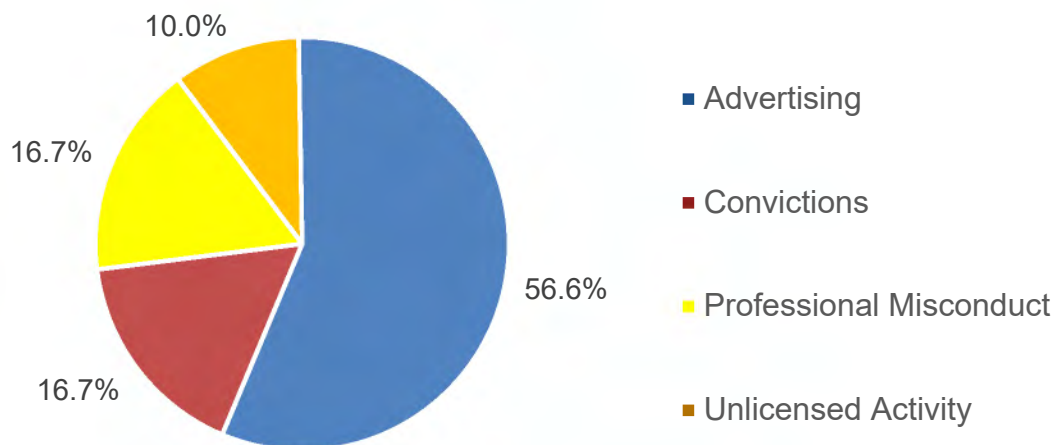
The attached Enforcement Program Report includes tables and graphs with the following information: 1) types of complaints received by the LATC during FY 21/22; 2) comparison of complaints received, closed, and pending by FY; 3) comparison of age of pending complaints by FY; 4) summary of closed complaints by FY; 5) summary of disciplinary and enforcement actions by FY; and 6) most common violations of the Landscape Architects Practice Act and regulations that resulted in enforcement action during FYs 19/20-21/22.

Attachment

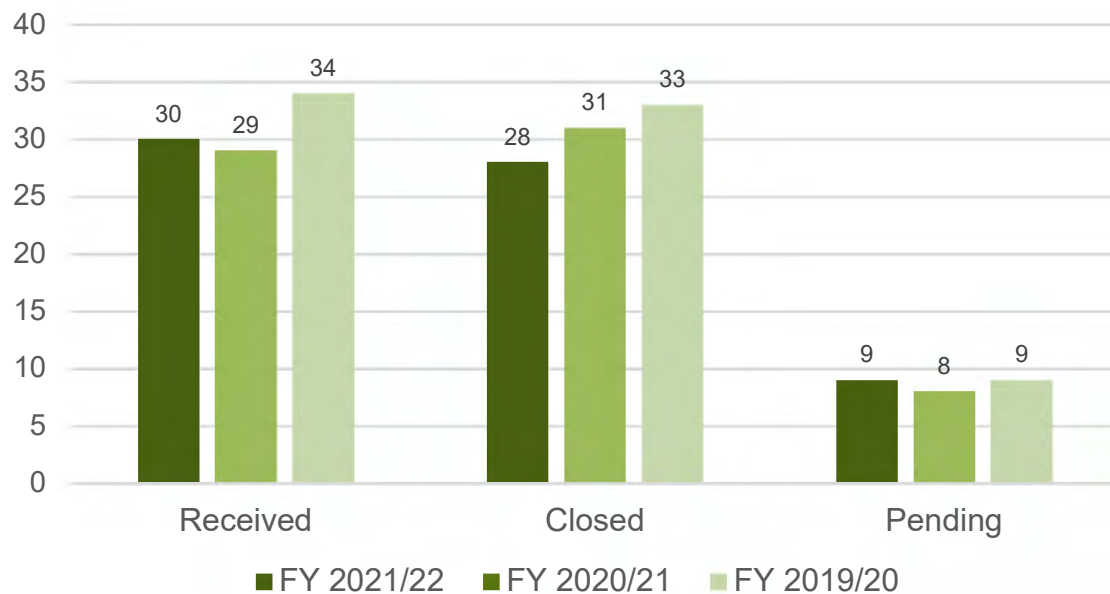
Enforcement Program Report

ENFORCEMENT PROGRAM REPORT

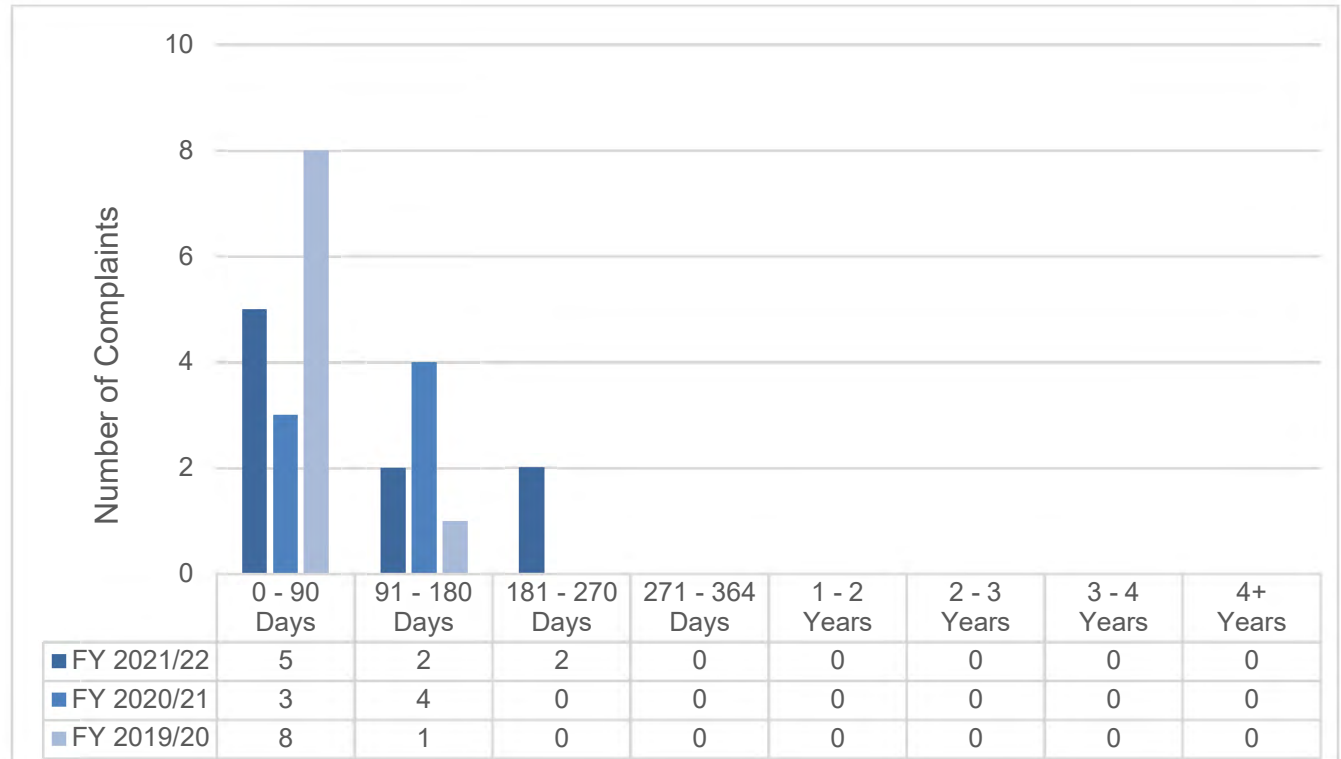
Types of Complaints Received Fiscal Year (FY) 2021/22



Complaints Received, Closed, and Pending by FY



Comparison of Age of Pending Complaints by FY



Closure of Complaints by FY

| Type of Closure | FY 2021/22 | FY 2020/21 | FY 2019/20 |
|-------------------------------------|------------|------------|------------|
| Citation Issued | 3 | 0 | 2 |
| Insufficient Evidence | 0 | 1 | 0 |
| Letter of Advisement | 18 | 14 | 19 |
| No Violation | 7 | 13 | 12 |
| Other (i.e., Deceased, Error, etc.) | 0 | 2 | 0 |

Disciplinary and Enforcement Actions by FY

| Action | FY 2021/22 | FY 2020/21 | FY 2019/20 |
|-------------------------------|-------------------|-------------------|-------------------|
| Disciplinary Cases Initiated | 0 | 0 | 0 |
| Pending Disciplinary Cases | 0 | 0 | 0 |
| Final Disciplinary Orders | 0 | 0 | 0 |
| Final Citations | 1 | 1 | 1 |
| Administrative Fines Assessed | \$1,000 | \$1,000 | \$2,000 |

Most Common Violations by FY

The most common violations that resulted in enforcement action during the last three fiscal years are listed below.

| Business and Professions Code (BPC) Section | FY 2021/22 | FY 2020/21 | FY 2019/20 |
|--|-------------------|-------------------|-------------------|
| BPC § 5616 – Landscape Architecture Contract - Contents, Notice Requirements | 0 (0%) | 0 (0%) | 1 (50%) |
| BPC § 5640 – Unlicensed Person Engaging in Practice - Sanctions | 3 (100%) | 0 (0%) | 1 (50%) |
| BPC § 5675 – Felony Conviction - Disciplinary Action | 0 (0%) | 0 (0%) | 0 (0%) |

**AGENDA ITEM G: DISCUSS AND POSSIBLE ACTION ON THE
COMMITTEE'S ANNUAL BUDGET – *DCA, BUDGET
OFFICE***

Summary

Harmony DeFilippo, Budget Analyst with the Department of Consumer Affairs Budget Office, will provide an overview of the LATC's budget and fund condition.

Action Requested

To review and discuss the LATC's budget.

Attachments

1. November 5, 2021 Memorandum Regarding Fiduciary Responsibilities, Liabilities, and Governing Laws with Respect to the Fiscal State of the Board of Vocational Nursing and Psychiatric Technicians
2. LATC FY 2021/22 Expenditure Projection Report
3. LATC FY 2021/22 Revenue Projection Report
4. LATC Fund Condition



BUSINESS, CONSUMER SERVICES, AND HOUSING AGENCY • GAVIN NEWSOM, GOVERNOR

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MEMORANDUM

| | |
|----------------|--|
| DATE | November 5, 2021 |
| TO | Board Members Board of Vocational Nursing and Psychiatric Technicians |
| FROM | <i>Kristy Schieldge</i> Kristy Schieldge, Attorney IV Department of Consumer Affairs, Legal Affairs Division |
| SUBJECT | Agenda Item 5: Discussion Regarding Fiduciary Responsibilities, Liabilities, and Governing Laws with Respect to the Fiscal State of the Board |

Introduction

The purpose of this agenda item is to inform the Board members about their fiduciary duties and responsibilities under California law for the fiscal management and administration of the Board's fund. The discussion will focus on the duties imposed on all Board members and the Board's Executive Officer and the potential liability associated with noncompliance under California law.

Governing Laws

The Board is authorized pursuant to California's Budget Act (Assembly Bill (AB) 128 (Ch. 21, Stats. 2021) and the Department of Finance to spend money ("expenditures") and incur monetary obligations for specific purposes, for example, to pay for personnel and Attorney General costs ("budgetary appropriation"). A budgetary appropriation for a specific purpose is usually limited by the amount and time during which it may be expended (e.g., the current fiscal year), and the Board's ability to spend money is strictly tied to that appropriation.

Board members, through their Executive Officer, are responsible for ensuring that the Board remains solvent and does not attempt to incur expenditures in excess of the Board's legally authorized budgetary appropriation. California law imposes on state officers, including Board members, the following responsibilities and corresponding liability for failing to meet those responsibilities.

Government Code section 13320 requires every state agency, including the Board, to submit to the Department of Finance:

a complete and detailed budget at such time and in such form as may be prescribed by the department, setting forth all proposed expenditures and estimated revenues for the ensuing fiscal year.

Government Code section 13324 provides:

Every person who incurs any expenditure in excess of the allotments or other provisions of the fiscal year budget as approved by the department or as subsequently changed by or with the approval of the department, is ***liable both personally and on his official bond for the amount of the excess expenditures***. (Emphasis added.)

Section 32.00 of the Budget Act provides, in pertinent part:

(a) **The officers of the various departments, boards, commissions, and institutions, for whose benefit and support appropriations are made in this act, are expressly forbidden to make any expenditures in excess of these appropriations.** Any indebtedness attempted to be created against the state in violation of this section shall be null and void, and shall not be allowed by the Controller nor paid out of any state appropriation.

(b) **Any member of a department, board, commission, or institution who shall vote for any expenditure, or create any indebtedness against the state in excess of the respective appropriations made by this act shall be liable both personally and on the member's official bond for the amount of the indebtedness,** to be recovered in any court of competent jurisdiction by the person or persons, firm, or corporation to which the indebtedness is owing. . . .

(c) Neither subdivision (a) nor (b) applies to the expenditure of moneys to fund continuous appropriations, including appropriations made in the California Constitution, and federal laws mandating the expenditure of funds. (Emphasis added.)

Discussion

Based upon the foregoing, the Board's operations and spending must strictly follow the appropriations approved by the Department of Finance and authorized by the Budget Act.

Under the foregoing authorities, expenditures in excess of the appropriations made in the Budget Act will be disallowed by the State Controller and an action to create such indebtedness would trigger personal liability in the amount of the unauthorized indebtedness for the Board's officers, which include the Board members and its Executive Officer. This would be the legal equivalent of writing a check for which no funds are available. An example

might include voting to settle litigation for a monetary amount in excess of what the Board's fund is authorized to spend or for which the Board does not currently have funds available.

Conclusion

In essence, the Board and its Executive Officer have a responsibility to ensure the Board does not vote for or authorize the spending of money in excess of the amounts authorized by the Budget Act, or for unauthorized purposes.

I will be available at the meeting to answer questions the members may have.

Department of Consumer Affairs

Expenditure Projection Report

California Architects Board

Reporting Structure(s): 11110320 Landscape Architects Committee

Fiscal Month: 11

Fiscal Year: 2021 - 2022

Run Date: 06/22/2022

PERSONAL SERVICES

| Fiscal Code | Line Item | PY FM13 | Budget | Current Month | YTD | Encumbrance | YTD + Encumbrance | Projections to Year End | Balance |
|-------------|--------------------------------|-----------|-----------|---------------|-----------|-------------|-------------------|-------------------------|----------|
| 5100 | PERMANENT POSITIONS | \$260,287 | \$338,000 | \$28,628 | \$301,244 | \$0 | \$301,244 | \$329,872 | \$8,128 |
| 5100 | TEMPORARY POSITIONS | \$0 | \$6,000 | \$0 | \$0 | \$0 | \$0 | \$0 | \$6,000 |
| 5105-5108 | PER DIEM, OVERTIME, & LUMP SUM | \$1,500 | \$3,000 | \$600 | \$1,900 | \$0 | \$1,900 | \$2,400 | \$600 |
| 5150 | STAFF BENEFITS | \$175,378 | \$207,000 | \$16,695 | \$189,774 | \$0 | \$189,774 | \$207,809 | -\$809 |
| | PERSONAL SERVICES | \$437,165 | \$554,000 | \$45,923 | \$492,918 | \$0 | \$492,918 | \$540,081 | \$13,919 |

OPERATING EXPENSES & EQUIPMENT

| Fiscal Code | Line Item | PY FM13 | Budget | Current Month | YTD | Encumbrance | YTD + Encumbrance | Projections to Year End | Balance |
|-------------|--------------------------------|-----------|-----------|---------------|-----------|-------------|-------------------|-------------------------|-----------|
| 5301 | GENERAL EXPENSE | \$8,879 | \$34,000 | \$25 | \$12,344 | \$1,376 | \$13,720 | \$13,720 | \$20,280 |
| 5302 | PRINTING | \$1,589 | \$16,000 | \$263 | \$4,177 | \$0 | \$4,177 | \$4,677 | \$11,323 |
| 5304 | COMMUNICATIONS | \$1,145 | \$5,000 | \$107 | \$1,578 | \$0 | \$1,578 | \$1,855 | \$3,145 |
| 5306 | POSTAGE | \$109 | \$12,000 | \$0 | \$142 | \$0 | \$142 | \$142 | \$11,858 |
| 5308 | INSURANCE | \$75 | \$0 | \$10 | \$10 | \$0 | \$10 | \$85 | -\$85 |
| 53202-204 | IN STATE TRAVEL | \$3,226 | \$14,000 | \$903 | \$8,424 | \$0 | \$8,424 | \$16,021 | -\$2,021 |
| 53206-208 | OUT OF STATE TRAVEL | \$0 | \$0 | \$0 | \$1,434 | \$0 | \$1,434 | \$1,434 | -\$1,434 |
| 5322 | TRAINING | \$0 | \$3,000 | \$0 | \$0 | \$400 | \$400 | \$400 | \$2,600 |
| 5324 | FACILITIES | \$56,383 | \$25,000 | \$4,760 | \$51,529 | \$4,889 | \$56,418 | \$58,043 | -\$33,043 |
| 53402-53403 | C/P SERVICES (INTERNAL) | \$34,881 | \$28,000 | \$908 | \$34,341 | \$0 | \$34,341 | \$39,750 | -\$11,750 |
| 53404-53405 | C/P SERVICES (EXTERNAL) | \$34,718 | \$304,000 | \$4,696 | \$32,069 | \$23,940 | \$56,009 | \$68,438 | \$235,562 |
| 5342 | DEPARTMENT PRORATA | \$166,350 | \$213,000 | \$0 | \$219,000 | \$0 | \$219,000 | \$219,000 | -\$6,000 |
| 5342 | DEPARTMENTAL SERVICES | \$26,278 | \$30,000 | \$27 | \$26,013 | \$0 | \$26,013 | \$31,268 | -\$1,268 |
| 5344 | CONSOLIDATED DATA CENTERS | \$1,163 | \$1,000 | \$1 | \$2,066 | \$0 | \$2,066 | \$2,261 | -\$1,261 |
| 5346 | INFORMATION TECHNOLOGY | \$4,206 | \$40,000 | \$0 | \$2,716 | \$15,549 | \$18,264 | \$30,394 | \$9,606 |
| 5362-5368 | EQUIPMENT | \$25,630 | \$14,000 | \$0 | \$339 | \$0 | \$339 | \$9,161 | \$4,839 |
| 54 | SPECIAL ITEMS OF EXPENSE | \$652 | \$0 | \$252 | \$252 | \$0 | \$252 | \$643 | -\$643 |
| | OPERATING EXPENSES & EQUIPMENT | \$365,283 | \$739,000 | \$11,952 | \$396,434 | \$46,154 | \$442,588 | \$497,292 | \$241,708 |

| | | | | | | | | |
|----------------|-----------|-------------|----------|-----------|----------|-----------|-------------|-----------|
| OVERALL TOTALS | \$802,448 | \$1,293,000 | \$57,875 | \$889,352 | \$46,154 | \$935,506 | \$1,037,374 | \$255,626 |
|----------------|-----------|-------------|----------|-----------|----------|-----------|-------------|-----------|

| | | | | | | | | |
|--------------------|-----------|-------------|----------|-----------|----------|-----------|-------------|-----------|
| REIMBURSEMENTS | | -\$1,000 | | | | | | |
| OVERALL NET TOTALS | \$802,448 | \$1,292,000 | \$57,875 | \$889,352 | \$46,154 | \$935,506 | \$1,037,374 | \$255,626 |

19.79%

Department of Consumer Affairs

Revenue Projection Report

Reporting Structure(s): 11110320 Landscape Architects Committee

Fiscal Month:

Fiscal Year: 2021 - 2022

Run Date: 06/22/2022

Revenue

| Fiscal Code | Line Item | Budget | Year to Date | Projection To Year End |
|--------------------------------------|-----------|------------------|------------------|------------------------|
| Delinquent Fees | | \$9,000 | \$12,310 | \$13,110 |
| Other Regulatory Fees | | \$2,000 | \$413 | \$616 |
| Other Regulatory License and Permits | | \$108,000 | \$70,370 | \$80,635 |
| Other Revenue | | \$11,000 | \$3,314 | \$3,314 |
| Renewal Fees | | \$716,000 | \$687,620 | \$712,620 |
| Revenue | | \$846,000 | \$774,027 | \$810,295 |

0757 - Landscape Architects Technical Committee Fund Analysis of Fund Condition
(Dollars in Thousands)
2022-23 Governor’s Budget with 2021-22 FM 11 Projections

Prepared 7.14.2022

| | PY 2020-21 | CY 2021-22 | BY 2022-23 | BY +1 2023-24 | BY +2 2024-25 |
|--|---------------|---------------|---------------|------------------|------------------|
| BEGINNING BALANCE | \$ 1,316 | \$ 1,254 | \$ 905 | \$ 362 | \$ -151 |
| Prior Year Adjustment | \$ -15 | \$ 0 | \$ 0 | \$ 0 | \$ 0 |
| Adjusted Beginning Balance | \$ 1,301 | \$ 1,254 | \$ 905 | \$ 362 | \$ -151 |
| REVENUES, TRANSFERS AND OTHER ADJUSTMENTS | | | | | |
| Revenues | | | | | |
| 4121200 - Delinquent fees | \$ 10 | \$ 13 | \$ 9 | \$ 9 | \$ 9 |
| 4127400 - Renewal fees | \$ 724 | \$ 712 | \$ 716 | \$ 716 | \$ 716 |
| 4129200 - Other regulatory fees | \$ 3 | \$ 1 | \$ 2 | \$ 2 | \$ 2 |
| 4129400 - Other regulatory licenses and permits | \$ 83 | \$ 81 | \$ 108 | \$ 108 | \$ 108 |
| 4163000 - Income from surplus money investments | \$ 8 | \$ 2 | \$ 2 | \$ 0 | \$ 0 |
| 4171400 - Escheat of unclaimed checks and warrants | \$ 0 | \$ 1 | \$ 0 | \$ 0 | \$ 0 |
| 4173500 - Settlements and Judgements - Other | \$ 1 | \$ 0 | \$ 0 | \$ 0 | \$ 0 |
| Totals, Revenues | \$ 829 | \$ 810 | \$ 837 | \$ 835 | \$ 835 |
| Totals, Transfers and Other Adjustments | \$ 0 | \$ 0 | \$ 0 | \$ 0 | \$ 0 |
| TOTALS, REVENUES, TRANSFERS AND OTHER ADJUSTMENTS | \$ 829 | \$ 810 | \$ 837 | \$ 835 | \$ 835 |
| TOTAL RESOURCES | \$ 2,130 | \$ 2,064 | \$ 1,742 | \$ 1,197 | \$ 684 |
| Expenditures: | | | | | |
| 1111 Department of Consumer Affairs Regulatory Boards, Bureaus, Divisions (State Operations) | \$ 802 | \$ 1,037 | \$ 1,293 | \$ 1,145 | \$ 1,180 |
| Chapter 16, Statutes of 2020 (AB 84) | \$ 0 | \$ 39 | \$ 0 | \$ 0 | \$ 0 |
| Estimated BIZMOD Costs for BY+1 and BY+2 | \$ 0 | \$ 0 | \$ 0 | \$ 116 | \$ 82 |
| 9892 Supplemental Pension Payments (State Operations) | \$ 16 | \$ 16 | \$ 16 | \$ 16 | \$ 16 |
| 9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations) | \$ 58 | \$ 67 | \$ 71 | \$ 71 | \$ 71 |
| TOTALS, EXPENDITURES AND EXPENDITURE ADJUSTMENTS | \$ 876 | \$ 1,159 | \$ 1,380 | \$ 1,348 | \$ 1,349 |
| FUND BALANCE | | | | | |
| Reserve for economic uncertainties | \$ 1,254 | \$ 905 | \$ 362 | \$ -151 | \$ -665 |
| Months in Reserve | 13.0 | 7.9 | 3.2 | -1.3 | -5.9 |

NOTES:
Assumes workload and revenue projections are realized in BY +1 and ongoing.
Expenditure growth projected at 3% beginning BY +1.
Expenditures General Salary 4.55% increase.
Assume estimated BIZMOD maintenance costs in BY+1 ongoing

AGENDA ITEM H: REVIEW AND DISCUSS 2022 LEGISLATION

Summary

An update to the 2022 legislative items listed below will be presented to the LATC.

Action Requested

None

Attachments

1. [Assembly Bill \(AB\) 646 \(Low\)](#) Department of Consumer Affairs: Boards: Expunged Convictions
2. [AB 1662 \(Gipson\)](#) Licensing Boards: Disqualification from Licensure: Criminal Conviction
3. [Senate Bill \(SB\) 1237 \(Newman\)](#) Licenses: Military Service
4. [SB 1443 \(Roth\)](#) The Department of Consumer Affairs

AMENDED IN ASSEMBLY JANUARY 24, 2022

AMENDED IN ASSEMBLY APRIL 14, 2021

AMENDED IN ASSEMBLY APRIL 12, 2021

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

ASSEMBLY BILL

No. 646

Introduced by Assembly Members Low, Cunningham, and Gipson
(Coauthor: Senator Roth)

February 12, 2021

An act to add Section 493.5 to the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL’S DIGEST

AB 646, as amended, Low. Department of Consumer Affairs: boards: expunged convictions.

Existing law establishes the Department of Consumer Affairs, which is composed of various boards, and authorizes a board to suspend or revoke a license on the ground that the licensee has been convicted of a crime substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued. Existing law, the Medical Practice Act, provides for the licensure and regulation of the practice of medicine by the Medical Board of California and requires the board to post certain historical information on current and former licensees, including felony and certain misdemeanor convictions. Existing law also requires the Medical Board of California, upon receipt of a certified copy of an expungement order from a current or former licensee, to post notification of the expungement order and the date thereof on its internet website.

This bill would require a board within the department that has posted on its ~~internet website~~ *online license search system* that a person's license was revoked because the person was convicted of a crime, within 90 days of receiving an expungement order for the underlying offense from the person, if the person reapplies for licensure or is relicensed, to post notification of the expungement order and the date thereof on ~~the board's internet website~~. *its online license search system*. The bill would require the board, on receiving an expungement order, if the person is not currently licensed and does not reapply for licensure, to remove within the same period the initial posting on its ~~internet website~~ *online license search system* that the person's license was revoked and information previously posted regarding arrests, charges, and convictions. The bill would ~~authorize~~ *require* the board to charge a fee of \$25 to the ~~person, not to exceed the cost~~ *person to cover the reasonable regulatory cost* of administering the bill's ~~provisions~~. *provisions, unless there is no associated cost*. The bill would require the fee to be deposited by the board into the appropriate fund and would make the fee available only upon appropriation by the Legislature.

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

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

- 1 SECTION 1. Section 493.5 is added to the Business and
- 2 Professions Code, to read:
- 3 493.5. (a) A board within the department that has posted on
- 4 its ~~internet website~~ *online license search system* that a person's
- 5 license was revoked because the person was convicted of a crime,
- 6 upon receiving from the person a certified copy of an expungement
- 7 order granted pursuant to Section 1203.4 of the Penal Code for the
- 8 underlying offense, shall, within 90 days of receiving the
- 9 expungement order, unless it is otherwise prohibited by law, or by
- 10 other terms or conditions, do either of the following:
- 11 (1) If the person reapplies for licensure or has been relicensed,
- 12 post notification of the expungement order and the date thereof on
- 13 its ~~internet website~~. *online license search system*.
- 14 (2) If the person is not currently licensed and does not reapply
- 15 for licensure, remove the initial posting on its ~~internet website~~
- 16 *online license search system* that the person's license was revoked

1 and information previously posted regarding arrests, charges, and
2 convictions.

3 (b) ~~A(1) Except as provided in paragraph (2), a board within~~
4 ~~the department may shall charge a fee of twenty-five dollars (\$25)~~
5 ~~to a person described in subdivision (a), not to exceed (a) to cover~~
6 ~~the reasonable regulatory cost of associated with administering~~
7 ~~this section. The~~

8 (2) *A board shall not charge the fee if there is no cost associated*
9 *with administering this section.*

10 (3) *A board may adopt regulations to implement this subdivision.*
11 *The adoption, amendment, or repeal of a regulation authorized*
12 *by this subdivision is hereby exempted from the rulemaking*
13 *provisions of the Administrative Procedure Act (Chapter 3.5*
14 *(commencing with Section 11340) of Part 1 of Division 3 of Title*
15 *2 of the Government Code).*

16 (4) *The fee shall be deposited by the board into the appropriate*
17 *fund and shall be available only upon appropriation by the*
18 *Legislature.*

19 (c) For purposes of this section, “board” means an entity listed
20 in Section 101.

21 (d) If any provision in this section conflicts with Section 2027,
22 Section 2027 shall prevail.

AMENDED IN ASSEMBLY APRIL 27, 2022

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

ASSEMBLY BILL**No. 1662****Introduced by Assembly Member Gipson**

January 18, 2022

An act to ~~amend Section 480 of~~ *add Section 480.7 to* the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL’S DIGEST

AB 1662, as amended, Gipson. Licensing boards: disqualification from licensure: criminal conviction.

Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs. Existing law authorizes a board to deny, suspend, or revoke a license on the grounds that the applicant or licensee has been subject to formal discipline, as specified, or convicted of a crime substantially related to the qualifications, functions, or duties of the business or profession for which the application is made, as specified.

~~This bill would authorize a prospective applicant that has been convicted of a crime to submit to a board a request for a preapplication determination that includes information provided by the prospective applicant regarding their criminal conviction. The bill would require a board that receives that request to determine if the prospective applicant would be disqualified from licensure by the board based on the information submitted with the request, and deliver that determination to the prospective applicant.~~ *require a board 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. The bill*

would provide that the preapplication determination, among other things, may be requested by the prospective applicant at any time prior to the submission of an application and would require the board to include specified written information regarding the criteria used to evaluate criminal history and how the prospective applicant may challenge a denial by the board. The bill would provide that a preapplication determination does not constitute a denial or disqualification of an application and would prohibit requiring a preapplication determination for licensure or for participation in any education or training program. The bill would require a board to publish information regarding its process for requesting a preapplication determination on its internet website and authorize a board to charge a fee, as specified, to be deposited by the board into the appropriate fund and available only upon appropriation by the Legislature.

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

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

- 1 SECTION 1. Section 480.7 is added to the Business and
- 2 Professions Code, to read:
- 3 480.7. (a) A board shall establish a process by which
- 4 prospective applicants may request a preapplication determination
- 5 as to whether their criminal history could be cause for denial of
- 6 a completed application for licensure by the board pursuant to
- 7 Section 480.
- 8 (b) The process required by subdivision (a) shall allow for
- 9 prospective applicants to request a preapplication determination
- 10 at any time prior to the submission of a completed application
- 11 through any method through which the board allows for the
- 12 submission of completed applications.
- 13 (c) (1) If a prospective applicant requests a preapplication
- 14 determination, a board designated in subdivision (b) of Section
- 15 144 may require a prospective applicant to furnish a full set of
- 16 fingerprints for purposes of conducting a criminal history record
- 17 check as part of a preapplication determination.
- 18 (2) Prospective applicants seeking a preapplication
- 19 determination shall be considered applicants for purposes of
- 20 Section 144.

1 (3) A board that receives criminal history information as part
2 of a preapplication determination is not required to request
3 subsequent arrest notification service from the Department of
4 Justice pursuant to Section 11105.2 of the Penal Code.

5 (d) If a prospective applicant requests a preapplication
6 determination, a board issuing a license pursuant to Chapter 3
7 (commencing with Section 5500), Chapter 3.5 (commencing with
8 Section 5615), Chapter 10 (commencing with Section 7301),
9 Chapter 20 (commencing with Section 9800), or Chapter 20.3
10 (commencing with Section 9880), of Division 3, or Chapter 3
11 (commencing with Section 19000) or Chapter 3.1 (commencing
12 with Section 19225) of Division 8 may require prospective
13 applicants for licensure under those chapters to disclose criminal
14 conviction history as part of a preapplication determination.

15 (e) A preapplication determination shall not constitute the denial
16 or disqualification of an application for purposes of Section 489
17 or any other law.

18 (f) Upon making a preapplication determination finding that a
19 prospective applicant's criminal history could be cause for denial
20 of a completed application, a board shall provide the prospective
21 applicant with all of the following in writing:

22 (1) A summary of the criteria used by the board to consider
23 whether a crime is considered to be substantially related to the
24 qualifications, functions, or duties of the business or profession it
25 regulates consistent with Section 481.

26 (2) The processes for the applicant to request a copy of the
27 applicant's complete conviction history and question the accuracy
28 or completeness of the record pursuant to Sections 11122 to 11127,
29 inclusive, of the Penal Code.

30 (3) That the applicant would have the right to appeal the board's
31 decision.

32 (4) Any existing procedure the board has for the prospective
33 applicant would have to challenge the decision or to request
34 reconsideration following the denial of a completed application,
35 including a copy of the criteria relating to rehabilitation formulated
36 under Section 482.

37 (g) A board shall publish information regarding its process for
38 requesting a preapplication determination on its internet website.

1 (h) A preapplication determination shall not be a requirement
2 for licensure or for participation in any education or training
3 program.

4 (i) Pursuant to this section, a board may charge a fee to a
5 prospective applicant in an amount not to exceed the lesser of fifty
6 dollars (\$50) or the reasonable cost of administering this section.
7 The fee shall be deposited by the board into the appropriate fund
8 and shall be available only upon appropriation by the Legislature.

9 (j) For purposes of this section, “board” includes each licensing
10 entity listed in Section 101, excluding the Bureau for Private
11 Postsecondary Education and the State Athletic Commission, and
12 the Department of Real Estate.

13 ~~SECTION 1. Section 480 of the Business and Professions Code~~
14 ~~is amended to read:~~

15 ~~480. (a) Notwithstanding any provision of this code, a board~~
16 ~~may deny a license regulated by this code on the grounds that the~~
17 ~~applicant has been convicted of a crime or has been subject to~~
18 ~~formal discipline only if either of the following conditions are met:~~

19 ~~(1) The applicant has been convicted of a crime within the~~
20 ~~preceding seven years from the date of application that is~~
21 ~~substantially related to the qualifications, functions, or duties of~~
22 ~~the business or profession for which the application is made,~~
23 ~~regardless of whether the applicant was incarcerated for that crime,~~
24 ~~or the applicant has been convicted of a crime that is substantially~~
25 ~~related to the qualifications, functions, or duties of the business or~~
26 ~~profession for which the application is made and for which the~~
27 ~~applicant is presently incarcerated or for which the applicant was~~
28 ~~released from incarceration within the preceding seven years from~~
29 ~~the date of application. However, the preceding seven-year~~
30 ~~limitation shall not apply in either of the following situations:~~

31 ~~(A) The applicant was convicted of a serious felony, as defined~~
32 ~~in Section 1192.7 of the Penal Code or a crime for which~~
33 ~~registration is required pursuant to paragraph (2) or (3) of~~
34 ~~subdivision (d) of Section 290 of the Penal Code.~~

35 ~~(B) The applicant was convicted of a financial crime currently~~
36 ~~classified as a felony that is directly and adversely related to the~~
37 ~~fiduciary qualifications, functions, or duties of the business or~~
38 ~~profession for which the application is made, pursuant to~~
39 ~~regulations adopted by the board, and for which the applicant is~~
40 ~~seeking licensure under any of the following:~~

- ~~(i) Chapter 6 (commencing with Section 6500) of Division 3.~~
~~(ii) Chapter 9 (commencing with Section 7000) of Division 3.~~
~~(iii) Chapter 11.3 (commencing with Section 7512) of Division 3.~~
~~(iv) Licensure as a funeral director or cemetery manager under Chapter 12 (commencing with Section 7600) of Division 3.~~
~~(v) Division 4 (commencing with Section 10000).~~
~~(2) The applicant has been subjected to formal discipline by a licensing board in or outside California within the preceding seven years from the date of application based on professional misconduct that would have been cause for discipline before the board for which the present application is made and that is substantially related to the qualifications, functions, or duties of the business or profession for which the present application is made. However, prior disciplinary action by a licensing board within the preceding seven years shall not be the basis for denial of a license if the basis for that disciplinary action was a conviction that has been dismissed pursuant to Section 1203.4, 1203.4a, 1203.41, 1203.42, or 1203.425 of the Penal Code or a comparable dismissal or expungement.~~
~~(b) Notwithstanding any provision of this code, a person shall not be denied a license on the basis that the person has been convicted of a crime, or on the basis of acts underlying a conviction for a crime, if that person has obtained a certificate of rehabilitation under Chapter 3.5 (commencing with Section 4852.01) of Title 6 of Part 3 of the Penal Code, has been granted clemency or a pardon by a state or federal executive, or has made a showing of rehabilitation pursuant to Section 482.~~
~~(c) Notwithstanding any provision of this code, a person shall not be denied a license on the basis of any conviction, or on the basis of the acts underlying the conviction, that has been dismissed pursuant to Section 1203.4, 1203.4a, 1203.41, 1203.42, or 1203.425 of the Penal Code, or a comparable dismissal or expungement. An applicant who has a conviction that has been dismissed pursuant to Section 1203.4, 1203.4a, 1203.41, or 1203.42 of the Penal Code shall provide proof of the dismissal if it is not reflected on the report furnished by the Department of Justice.~~
~~(d) Notwithstanding any provision of this code, a board shall not deny a license on the basis of an arrest that resulted in a disposition other than a conviction, including an arrest that resulted in an infraction, citation, or a juvenile adjudication.~~

~~(e) A board may deny a license regulated by this code on the ground that the applicant knowingly made a false statement of fact that is required to be revealed in the application for the license. A board shall not deny a license based solely on an applicant's failure to disclose a fact that would not have been cause for denial of the license had it been disclosed.~~

~~(f) A board shall follow the following procedures in requesting or acting on an applicant's criminal history information:~~

~~(1) A board issuing a license pursuant to Chapter 3 (commencing with Section 5500), Chapter 3.5 (commencing with Section 5615), Chapter 10 (commencing with Section 7301), Chapter 20 (commencing with Section 9800), or Chapter 20.3 (commencing with Section 9880), of Division 3, or Chapter 3 (commencing with Section 19000) or Chapter 3.1 (commencing with Section 19225) of Division 8 may require applicants for licensure under those chapters to disclose criminal conviction history on an application for licensure.~~

~~(2) Except as provided in paragraph (1), a board shall not require an applicant for licensure to disclose any information or documentation regarding the applicant's criminal history. However, a board may request mitigating information from an applicant regarding the applicant's criminal history for purposes of determining substantial relation or demonstrating evidence of rehabilitation, provided that the applicant is informed that disclosure is voluntary and that the applicant's decision not to disclose any information shall not be a factor in a board's decision to grant or deny an application for licensure.~~

~~(3) If a board decides to deny an application for licensure based solely or in part on the applicant's conviction history, the board shall notify the applicant in writing of all of the following:~~

~~(A) The denial or disqualification of licensure.~~

~~(B) Any existing procedure the board has for the applicant to challenge the decision or to request reconsideration.~~

~~(C) That the applicant has the right to appeal the board's decision.~~

~~(D) The processes for the applicant to request a copy of the applicant's complete conviction history and question the accuracy or completeness of the record pursuant to Sections 11122 to 11127 of the Penal Code.~~

1 ~~(g) (1) A prospective applicant that has been convicted of a~~
2 ~~crime may submit to a board, by mail or email, and at any time,~~
3 ~~including before obtaining any training or education required for~~
4 ~~licensure by that board or before paying any application fee, a~~
5 ~~request for a preapplication determination that includes information~~
6 ~~provided by the prospective applicant regarding their criminal~~
7 ~~conviction.~~

8 ~~(2) Upon receiving a request submitted pursuant to paragraph~~
9 ~~(1), a board shall determine if the prospective applicant may be~~
10 ~~disqualified from licensure by the board based on the information~~
11 ~~submitted with the request, and deliver the determination by mail~~
12 ~~or email to the prospective applicant within a reasonable time.~~

13 ~~(h) (1) For a minimum of three years, each board under this~~
14 ~~code shall retain application forms and other documents submitted~~
15 ~~by an applicant, any notice provided to an applicant, all other~~
16 ~~communications received from and provided to an applicant, and~~
17 ~~criminal history reports of an applicant.~~

18 ~~(2) Each board under this code shall retain the number of~~
19 ~~applications received for each license and the number of~~
20 ~~applications requiring inquiries regarding criminal history. In~~
21 ~~addition, each licensing authority shall retain all of the following~~
22 ~~information:~~

23 ~~(A) The number of applicants with a criminal record who~~
24 ~~received notice of denial or disqualification of licensure.~~

25 ~~(B) The number of applicants with a criminal record who~~
26 ~~provided evidence of mitigation or rehabilitation.~~

27 ~~(C) The number of applicants with a criminal record who~~
28 ~~appealed any denial or disqualification of licensure.~~

29 ~~(D) The final disposition and demographic information,~~
30 ~~consisting of voluntarily provided information on race or gender,~~
31 ~~of any applicant described in subparagraph (A), (B), or (C).~~

32 ~~(3) (A) Each board under this code shall annually make~~
33 ~~available to the public through the board's internet website and~~
34 ~~through a report submitted to the appropriate policy committees~~
35 ~~of the Legislature deidentified information collected pursuant to~~
36 ~~this subdivision. Each board shall ensure confidentiality of the~~
37 ~~individual applicants.~~

38 ~~(B) A report pursuant to subparagraph (A) shall be submitted~~
39 ~~in compliance with Section 9795 of the Government Code.~~

- 1 ~~(i) “Conviction” as used in this section shall have the same~~
2 ~~meaning as defined in Section 7.5.~~
3 ~~(j) This section does not in any way modify or otherwise affect~~
4 ~~the existing authority of the following entities in regard to~~
5 ~~licensure:~~
6 ~~(1) The State Athletic Commission.~~
7 ~~(2) The Bureau for Private Postsecondary Education.~~
8 ~~(3) The California Horse Racing Board.~~

AMENDED IN SENATE MARCH 30, 2022

SENATE BILL**No. 1237**

Introduced by Senator NewmanFebruary 17, 2022

An act to amend Section 114.3 of the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

SB 1237, as amended, Newman. Licenses: military service.

Existing law provides for the regulation of various professions and vocations by boards within the Department of Consumer Affairs and for the licensure or registration of individuals in that regard. Existing law authorizes any licensee or registrant whose license expired while the licensee or registrant was on active duty as a member of the California National Guard or the United States Armed Forces to reinstate the licensee's or registrant's license without examination or penalty if certain requirements are met.

Existing law requires the boards described above, with certain exceptions, to waive the renewal fees, continuing education requirements, and other renewal requirements as determined by the board, if any are applicable, of any licensee or registrant who is called to active duty as a member of the United States Armed Forces or the California National Guard if certain requirements are met. Existing law, except as specified, prohibits a licensee or registrant from engaging in any activities requiring a license while a waiver is in effect.

This bill would ~~require the boards to waive the renewal fee of any licensee or registrant who is called to active duty as a member of the United States Armed Forces or the California National Guard if the licensee or registrant is stationed outside of California.~~ *define the phrase*

“called to active duty” to include active duty in the United States Armed Forces and on duty in the California National Guard, as specified. This bill would also make nonsubstantive changes to those provisions.

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

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

1 SECTION 1. Section 114.3 of the Business and Professions
2 Code is amended to read:

3 114.3. (a) Notwithstanding any other law, every board, as
4 defined in Section 22, within the department shall waive the
5 renewal fees, continuing education requirements, and other renewal
6 requirements as determined by the board, if any are applicable,
7 for a licensee or registrant called to active duty as a member of
8 the United States Armed Forces or the California National Guard
9 if all of the following requirements are met:

10 (1) The licensee or registrant possessed a current and valid
11 license with the board at the time the licensee or registrant was
12 called to active duty.

13 (2) The renewal requirements are waived only for the period
14 during which the licensee or registrant is on active duty service.

15 (3) Written documentation that substantiates the licensee or
16 registrant’s active duty service is provided to the board.

17 *(b) For purposes of this section, the phrase “called to active*
18 *duty” shall have the same meaning as “active duty” as defined in*
19 *Section 101 of Title 10 of the United States Code and shall*
20 *additionally include individuals who are on active duty in the*
21 *California National Guard, whether due to proclamation of a state*
22 *of insurrection pursuant to Section 143 of the Military and Veterans*
23 *Code or due to a proclamation of a state extreme emergency or*
24 *when the California National Guard is otherwise on active duty*
25 *pursuant to Section 146 of the Military and Veterans Code.*

26 ~~(b)~~

27 (c) (1) Except as specified in paragraph (2), the licensee or
28 registrant shall not engage in any activities requiring a license
29 during the period that the waivers provided by this section are in
30 effect.

31 (2) If the licensee or registrant will provide services for which
32 the licensee or registrant is licensed while on active duty, the board

1 shall convert the license status to military active and no private
2 practice of any type shall be permitted.

3 ~~(e)~~

4 (d) In order to engage in any activities for which the licensee
5 or registrant is licensed once discharged from active duty, the
6 licensee or registrant shall meet all necessary renewal requirements
7 as determined by the board within six months from the licensee's
8 or registrant's date of discharge from active duty service.

9 ~~(d)~~

10 (e) After a licensee or registrant receives notice of the licensee
11 or registrant's discharge date, the licensee or registrant shall notify
12 the board of their discharge from active duty within 60 days of
13 receiving their notice of discharge.

14 ~~(e) A board shall waive the renewal fees of a licensee or~~
15 ~~registrant called to active duty as a member of the United States~~
16 ~~Armed Forces or the California National Guard if the licensee or~~
17 ~~registrant is stationed outside of California.~~

18 (f) A board may adopt regulations to carry out the provisions
19 of this section.

20 (g) This section shall not apply to any board that has a similar
21 license renewal waiver process statutorily authorized for that board.

AMENDED IN ASSEMBLY JUNE 21, 2022

AMENDED IN SENATE MAY 19, 2022

SENATE BILL

No. 1443

Introduced by Senator Roth

February 18, 2022

An act to amend Sections 1601.1, 1616.5, 2456.1, 5000, 5015.6, 5510, 5517, 5620, 5621, 5622, 6710, 6714, 6981, 7000.5, 7011, 7511.5, 7512.3, 7512.14, 7512.15, 7520.3, 7525.1, 7529, 7533.5, 7538, 7538.5, 7539, 7573.5, 7576, 7588.8, 7593.1, 7593.5, 7599.80, 7599.345, 7602, 7653, 7712.5, 7712.9, 7729, 7729.3, 7729.4, 7729.5, 7729.6, 7729.7, 7729.8, 7729.10, 7730, 7730.1, 7730.2, 7730.3, 7730.4, 7730.5, 7730.6, 7730.7, 7730.8, 7730.10, 7730.11, 8000, 8005, 8030.2, 8030.4, 8030.6, 8030.8, 8050, 8051, 8710, 9812.5, 9830.5, 9832.5, 9847.5, 9849, 9851, 9853, 9855.9, 9860, 9862.5, 9863, 9873, ~~18602, and 18613~~ *of and 18602 of, and to add Section 7729.11 to, the Business and Professions Code, relating to professions and vocations, and making an appropriation therefore.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1443, as amended, Roth. The Department of Consumer Affairs.

Under existing law, the Department of Consumer Affairs is comprised of various boards, bureaus, commissions, committees, and similarly constituted agencies that license and regulate the practice of various professions and vocations.

This bill would continue in existence several of these boards, bureaus, and commissions, including the Dental Board of California, the California Board of Accountancy, and the California Architects Board, among others, until January 1, 2025, and make related conforming changes.

Existing law specifies that all osteopathic physician's and surgeon's certificates shall expire at midnight on the last day of the birth month of the licensee during the 2nd year of a 2-year term. Existing law requires the Osteopathic Medical Board of California to establish by regulation procedures for the administration of a birth date renewal program.

This bill, instead, would specify that physician's and surgeon's certificates shall be issued for 2 years and shall expire at midnight on the last day of the month in which the license was issued. The bill would also remove the provisions requiring the board to establish procedures for the administration of a birth date renewal program.

Existing law, the Private Investigator Act, provides for the licensure and regulation of private investigators by the Bureau of Security and Investigative Services and makes violations of those provisions a crime. Existing law, until January 1, 2024, authorizes the bureau to issue a private investigator license to a limited liability company.

This bill would extend that date to January 1, 2025. By extending the operation of these provisions, the bill would impose a state-mandated local program.

Existing law, the Alarm Company Act, establishes the Bureau of Security and Investigative Services headed by the Chief of the Bureau of Security and Investigative Services within the Department of Consumer Affairs and sets forth its powers and duties over the licensure, registration, and regulation of alarm company operators. Existing law prohibits a person from engaging in the activities of an alarm company operator unless the person holds a valid alarm company operator's license. Existing law makes a violation of these provisions a crime. Existing law authorizes the bureau to establish fees and penalties for licensure and registration. Existing law, beginning on January 1, 2024, prohibits an alarm company operator from conducting business under these provisions as a limited liability company.

This bill would extend that date until January 1, 2025, and make other conforming changes. By extending the operation of these provisions, the bill would impose a state-mandated local program.

Existing law, the Cemetery and Funeral Act, establishes the Cemetery and Funeral Bureau within the Department of Consumer Affairs and sets forth its powers and duties relating to the licensure and regulation of cemeteries, crematories, funeral establishments, and their personnel. Existing law authorizes the bureau to set the amount, within specified parameters, of various fees and regulatory charges under the act,

including fees and charges relating to a certificate of authority, a crematory license, a funeral director's license, a funeral establishment's license, an embalmer's license, a cemetery broker's license, a cemetery salesperson's license, a cremated remains disposer, a crematory manager license, a cemetery manager license, a cemetery authority operating a cemetery, and a hydrolysis facility license.

This bill would remove the bureau's authority to set the amount of those fees and, instead, specify the amount of each fee. The bill would establish a delinquent renewal fee for a funeral establishment license. The bill would make other conforming changes.

Existing law authorizes a cemetery authority that maintains a cemetery to place its cemetery under endowment care and establish, maintain, and operate an endowment care fund. Existing law prohibits commingling special care funds derived from trusts created by a revocable agreement for investment and requires those funds to be accounted for separately from all other funds. Existing law requires a cemetery authority to file with the bureau an annual audit report of the endowment care fund and special care fund, as specified.

This bill would establish fees for filing an annual report on the endowment care fund and special care fund, as specified.

Existing law requires, until January 1, 2024, funds generated by fees received by the Court Reporters Board of California, pursuant to specified provisions, in excess of funds needed to support the board's operating budget for the fiscal year, to be transferred from the Court Reporters' Fund and used by the board for the purpose of establishing and maintaining a Transcript Reimbursement Fund, which is continuously appropriated, to provide shorthand reporting services to low-income litigants in civil cases who are unable to otherwise afford those services.

This bill would continue the operation of provisions that provide for funds to be transferred into the Transcript Reimbursement Fund until January 1, 2025, and make other conforming changes. By continuing the transfer of funds into a continuously appropriated fund, the bill would make an appropriation.

Existing law provides for the licensure and regulation of shorthand reporters by the Court Reporters Board of California. Existing law subjects a person or entity to certain penalties if the person or entity engages in specified acts relating to shorthand reporting, including any act that constitutes shorthand reporting, unless the person or entity is a licensed shorthand reporter, a shorthand reporting corporation, or one

of specified other persons or entities not subject to those provisions. Existing law makes a violation of these provisions a misdemeanor. Existing law, on and after July 1, 2022, and until January 1, 2024, authorizes an entity that is not a shorthand reporting corporation to engage in specified acts if the entity is approved for registration by the board, as specified.

This bill would authorize an entity that is not a shorthand reporting corporation to engage in those specified acts if the entity is approved for registration by the board, as specified, until January 1, 2025. Because a violation of the provisions regulating shorthand reporting is a crime, by expanding the provisions described above to apply to these additional registrants, the bill would expand the scope of a crime and impose a state-mandated local program.

Existing law specifies that there is in the Department of Consumer Affairs a Bureau of Household Goods and Services, under the supervision and control of a director. Existing law, the Electronic and Appliance Repair Dealer Registration Law, regulates service dealers, as defined, and applies its provisions, until January 1, 2023, to service contractors. Among other things, existing law, until January 1, 2023, requires the director to gather evidence of specified violations by any service contractor and to conduct spot check investigations of service contractors throughout the state on a continuous basis. Existing law establishes the Electronic and Appliance Repair Fund, a continuously appropriated fund, and establishes a specified fee structure that, among other things, specifies the initial registration fee and annual renewal fee for a service dealer or service contractor who does not operate a place of business in this state. Existing law revises those provisions and repeals the provisions applicable to an out-of-state service contractor on January 1, 2023.

This bill would continue to extend applicability of those provisions to service contractors, and would authorize the continued exercise of specified responsibilities by the director to service contractors until January 1, 2024. The bill would extend the fee schedule and provisions applicable to an out-of-state service contractor until January 1, 2024. Because the bill would continue the operation of provisions that require service contractors to pay fees that are deposited into a continuously appropriated fund, the Electronic and Appliance Repair Fund, this 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: $\frac{2}{3}$. 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 1601.1 of the Business and Professions
2 Code is amended to read:

3 1601.1. (a) There shall be in the Department of Consumer
4 Affairs the Dental Board of California in which the administration
5 of this chapter is vested. The board shall consist of eight practicing
6 dentists, one registered dental hygienist, one registered dental
7 assistant, and five public members. Of the eight practicing dentists,
8 one shall be a member of a faculty of any California dental college,
9 and one shall be a dentist practicing in a nonprofit community
10 clinic. The appointing powers, described in Section 1603, may
11 appoint to the board a person who was a member of the prior board.
12 The board shall be organized into standing committees dealing
13 with examinations, enforcement, and other subjects as the board
14 deems appropriate.

15 (b) For purposes of this chapter, any reference in this chapter
16 to the Board of Dental Examiners shall be deemed to refer to the
17 Dental Board of California.

18 (c) The board shall have all authority previously vested in the
19 existing board under this chapter. The board may enforce all
20 disciplinary actions undertaken by the previous board.

21 (d) This section shall remain in effect only until January 1, 2025,
22 and as of that date is repealed. Notwithstanding any other law, the
23 repeal of this section renders the board subject to review by the
24 appropriate policy committees of the Legislature.

25 SEC. 2. Section 1616.5 of the Business and Professions Code
26 is amended to read:

27 1616.5. (a) The board, by and with the approval of the director,
28 may appoint a person exempt from civil service who shall be
29 designated as an executive officer and who shall exercise the

1 powers and perform the duties delegated by the board and vested
2 in the executive officer by this chapter.

3 (b) This section shall remain in effect only until January 1, 2025,
4 and as of that date is repealed.

5 *SEC. 3. Section 2456.1 of the Business and Professions Code*
6 *is amended to read:*

7 2456.1. All osteopathic physician's and surgeon's certificates
8 shall *be issued for two years and shall expire at 12* midnight on
9 the last day of the ~~birth~~ month of the licensee in which the license
10 was issued during the second year of ~~a~~ the two-year term if not
11 renewed on or before that day.

12 ~~The board shall establish by regulation procedures for the~~
13 ~~administration of a birth date renewal program, including, but not~~
14 ~~limited to, the establishment of a system of staggered license~~
15 ~~expiration dates such that a relatively equal number of licenses~~
16 ~~expire monthly.~~

17 To renew an unexpired license, the licensee shall, on or before
18 the dates on which it would otherwise expire, apply for renewal
19 on a form prescribed by the board and pay the prescribed renewal
20 fee.

21 ~~SEC. 3.~~

22 *SEC. 4. Section 5000 of the Business and Professions Code*
23 *is amended to read:*

24 5000. (a) There is in the Department of Consumer Affairs the
25 California Board of Accountancy, which consists of 15 members,
26 7 of whom shall be licensees, and 8 of whom shall be public
27 members who shall not be licentiates of the board or registered by
28 the board. The board has the powers and duties conferred by this
29 chapter.

30 (b) The Governor shall appoint four of the public members, and
31 the seven licensee members as provided in this section. The Senate
32 Committee on Rules and the Speaker of the Assembly shall each
33 appoint two public members. In appointing the seven licensee
34 members, the Governor shall appoint individuals representing a
35 cross section of the accounting profession.

36 (c) This section shall remain in effect only until January 1, 2025,
37 and as of that date is repealed.

38 (d) Notwithstanding any other law, the repeal of this section
39 renders the board subject to review by the appropriate policy
40 committees of the Legislature. However, the review of the board

1 shall be limited to reports or studies specified in this chapter and
2 those issues identified by the appropriate policy committees of the
3 Legislature and the board regarding the implementation of new
4 licensing requirements.

5 ~~SEC. 4.~~

6 *SEC. 5.* Section 5015.6 of the Business and Professions Code
7 is amended to read:

8 5015.6. The board may appoint a person exempt from civil
9 service who shall be designated as an executive officer and who
10 shall exercise the powers and perform the duties delegated by the
11 board and vested in the executive officer by this chapter.

12 This section shall remain in effect only until January 1, 2025,
13 and as of that date is repealed.

14 ~~SEC. 5.~~

15 *SEC. 6.* Section 5510 of the Business and Professions Code
16 is amended to read:

17 5510. There is in the Department of Consumer Affairs a
18 California Architects Board which consists of 10 members.

19 Any reference in law to the California Board of Architectural
20 Examiners shall mean the California Architects Board.

21 This section shall remain in effect only until January 1, 2025,
22 and as of that date is repealed. Notwithstanding any other law, the
23 repeal of this section renders the board subject to review by the
24 appropriate policy committees of the Legislature.

25 ~~SEC. 6.~~

26 *SEC. 7.* Section 5517 of the Business and Professions Code
27 is amended to read:

28 5517. The board may appoint a person exempt from civil
29 service who shall be designated as an executive officer and who
30 shall exercise the powers and perform the duties delegated by the
31 board and vested in the executive officer by this chapter.

32 This section shall remain in effect only until January 1, 2025,
33 and as of that date is repealed.

34 ~~SEC. 7.~~

35 *SEC. 8.* Section 5620 of the Business and Professions Code
36 is amended to read:

37 5620. The duties, powers, purposes, responsibilities, and
38 jurisdiction of the California State Board of Landscape Architects
39 that were succeeded to and vested with the Department of
40 Consumer Affairs in accordance with Chapter 908 of the Statutes

1 of 1994 are hereby transferred to the California Architects Board.
2 The Legislature finds that the purpose for the transfer of power is
3 to promote and enhance the efficiency of state government and
4 that assumption of the powers and duties by the California
5 Architects Board shall not be viewed or construed as a precedent
6 for the establishment of state regulation over a profession or
7 vocation that was not previously regulated by a board, as defined
8 in Section 477.

9 (a) There is in the Department of Consumer Affairs a California
10 Architects Board as defined in Article 2 (commencing with Section
11 5510) of Chapter 3 of Division 3.

12 Whenever in this chapter “board” is used, it refers to the
13 California Architects Board.

14 (b) Except as provided herein, the board may delegate its
15 authority under this chapter to the Landscape Architects Technical
16 Committee.

17 (c) After review of proposed regulations, the board may direct
18 the examining committee to notice and conduct hearings to adopt,
19 amend, or repeal regulations pursuant to Section 5630, provided
20 that the board itself shall take final action to adopt, amend, or
21 repeal those regulations.

22 (d) The board shall not delegate its authority to discipline a
23 landscape architect or to take action against a person who has
24 violated this chapter.

25 (e) This section shall remain in effect only until January 1, 2025,
26 and as of that date is repealed.

27 ~~SEC. 8.~~

28 *SEC. 9.* Section 5621 of the Business and Professions Code
29 is amended to read:

30 5621. (a) There is hereby created within the jurisdiction of the
31 board, a Landscape Architects Technical Committee, hereinafter
32 referred to in this chapter as the landscape architects committee.

33 (b) The landscape architects committee shall consist of five
34 members who shall be licensed to practice landscape architecture
35 in this state. The Governor shall appoint three of the members.
36 The Senate Committee on Rules and the Speaker of the Assembly
37 shall appoint one member each.

38 (c) The initial members to be appointed by the Governor are as
39 follows: one member for a term of one year; one member for a
40 term of two years; and one member for a term of three years. The

Senate Committee on Rules and the Speaker of the Assembly shall initially each appoint one member for a term of four years. Thereafter, appointments shall be made for four-year terms, expiring on June 1 of the fourth year and until the appointment and qualification of the member's successor or until one year shall have elapsed, whichever first occurs. Vacancies shall be filled for the unexpired term.

(d) No person shall serve as a member of the landscape architects committee for more than two consecutive terms.

(e) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

~~SEC. 9.~~

SEC. 10. Section 5622 of the Business and Professions Code is amended to read:

5622. (a) The landscape architects committee may assist the board in the examination of candidates for a landscape architect's license and, after investigation, evaluate and make recommendations regarding potential violations of this chapter.

(b) The landscape architects committee may investigate, assist, and make recommendations to the board regarding the regulation of landscape architects in this state.

(c) The landscape architects committee may perform duties and functions that have been delegated to it by the board pursuant to Section 5620.

(d) The landscape architects committee may send a representative to all meetings of the full board to report on the committee's activities.

(e) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

~~SEC. 10.~~

SEC. 11. Section 6710 of the Business and Professions Code is amended to read:

6710. (a) There is in the Department of Consumer Affairs a Board for Professional Engineers, Land Surveyors, and Geologists, which consists of 15 members.

(b) Any reference in any law or regulation to the Board of Registration for Professional Engineers and Land Surveyors, or the Board for Professional Engineers and Land Surveyors, is deemed to refer to the Board for Professional Engineers, Land Surveyors, and Geologists.

(c) This section shall remain in effect only until January 1, 2025, and as of that date is repealed. Notwithstanding any other law, the repeal of this section renders the board subject to review by the appropriate policy committees of the Legislature.

~~SEC. 11.~~

SEC. 12. Section 6714 of the Business and Professions Code is amended to read:

6714. The board shall appoint an executive officer at a salary to be fixed and determined by the board with the approval of the Director of Finance.

This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

~~SEC. 12.~~

SEC. 13. Section 6981 of the Business and Professions Code is amended to read:

6981. Notwithstanding any other law, the powers and duties of the bureau, as set forth in this chapter, shall be subject to review by the appropriate policy committees of the Legislature. The review shall be performed as if this chapter were scheduled to be repealed as of January 1, 2025.

~~SEC. 13.~~

SEC. 14. Section 7000.5 of the Business and Professions Code is amended to read:

7000.5. (a) There is in the Department of Consumer Affairs a Contractors State License Board, which consists of 15 members.

(b) Notwithstanding any other provision of law, the repeal of this section renders the board subject to review by the appropriate policy committees of the Legislature.

(c) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

~~SEC. 14.~~

SEC. 15. Section 7011 of the Business and Professions Code is amended to read:

7011. (a) The board, by and with the approval of the director, shall appoint a registrar of contractors and fix the registrar's compensation.

(b) The registrar shall be the executive officer and secretary of the board and shall carry out all of the administrative duties as provided in this chapter and as delegated to the registrar by the board.

1 (c) For the purpose of administration of this chapter, there may
2 be appointed a deputy registrar, a chief reviewing and hearing
3 officer, and, subject to Section 159.5, other assistants and
4 subordinates as may be necessary.

5 (d) Appointments shall be made in accordance with the
6 provisions of civil service laws.

7 (e) This section shall remain in effect only until January 1, 2025,
8 and as of that date is repealed.

9 ~~SEC. 15.~~

10 *SEC. 16.* Section 7511.5 of the Business and Professions Code
11 is amended to read:

12 7511.5. Notwithstanding any other law, the powers and duties
13 of the bureau, as set forth in this chapter, shall be subject to review
14 by the appropriate policy committees of the Legislature. The review
15 shall be performed as if this chapter were scheduled to be repealed
16 as of January 1, 2025.

17 ~~SEC. 16.~~

18 *SEC. 17.* Section 7512.3 of the Business and Professions Code,
19 as amended by Section 76 of Chapter 312 of the Statutes of 2020,
20 is amended to read:

21 7512.3. (a) As used in this chapter, “person” includes any
22 individual, firm, company, limited liability company, association,
23 organization, partnership, and corporation.

24 (b) This section shall remain in effect only until January 1, 2025,
25 and as of that date is repealed.

26 ~~SEC. 17.~~

27 *SEC. 18.* Section 7512.3 of the Business and Professions Code,
28 as amended by Section 77 of Chapter 312 of the Statutes of 2020,
29 is amended to read:

30 7512.3. (a) As used in this chapter, “person” includes any
31 individual, firm, company, association, organization, partnership,
32 and corporation.

33 (b) This section shall become operative on January 1, 2025.

34 ~~SEC. 18.~~

35 *SEC. 19.* Section 7512.14 of the Business and Professions
36 Code is amended to read:

37 7512.14. (a) As used in this chapter, “member” means an
38 individual who is a member of a limited liability company as
39 specified in Section 17704.01 of the Corporations Code.

(b) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

~~SEC. 19.~~

SEC. 20. Section 7512.15 of the Business and Professions Code is amended to read:

7512.15. (a) As used in this chapter, “manager” means an individual designated under an operating agreement of a manager-managed limited liability company who is responsible for performing the management functions for the limited liability company specified in subdivision (c) of Section 17704.07 of the Corporations Code.

(b) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

~~SEC. 20.~~

SEC. 21. Section 7520.3 of the Business and Professions Code is amended to read:

7520.3. (a) As a condition of the issuance, reinstatement, reactivation, or continued valid use of a license under this chapter, a limited liability company shall, in accordance with this section, maintain a policy or policies of insurance against liability imposed on or against it by law for damages arising out of claims based upon acts, errors, or omissions arising out of the private investigator services it provides.

(b) The total aggregate limit of liability under the policy or policies of insurance required under this section shall be as follows:

(1) For a limited liability company licensee with five or fewer persons named as members pursuant to subdivision (i) of Section 7525.1, the aggregate limit shall not be less than one million dollars (\$1,000,000).

(2) For a limited liability company licensee with more than five persons named as members pursuant to subdivision (i) of Section 7525.1, an additional one hundred thousand dollars (\$100,000) of insurance shall be obtained for each person named as members of the licensee except that the maximum amount of insurance is not required to exceed five million dollars (\$5,000,000) in any one designated period, less amounts paid in defending, settling, or discharging claims as set forth under this section.

(c) Prior to the issuance, reinstatement, or reactivation of a limited liability company license as provided under this chapter, the applicant or licensee shall, in the manner prescribed by the

bureau, submit the information and documentation required by this section and requested by the bureau, demonstrating compliance with the financial security requirements specified by this section.

(d) For any insurance policy secured by a licensee in satisfaction of this section, a Certificate of Liability Insurance, signed by an authorized agent or employee of the insurer, shall be submitted electronically or otherwise to the bureau. The insurer issuing the certificate shall report to the bureau the following information for any policy required under this section: name, license number, policy number, dates that coverage is scheduled to commence and lapse, and cancellation date if applicable. The insurer shall list the bureau as the certificate holder for the purposes of receiving notifications related to the policy's status.

(e) (1) If a licensee fails to maintain sufficient insurance as required by this section, or fails to provide proof of the required insurance upon request by the bureau, the license is subject to suspension and shall be automatically suspended pursuant to this subdivision until the date that the licensee provides proof to the bureau of compliance with the insurance coverage requirement.

(2) Prior to an automatic suspension, the bureau shall notify the licensee, in writing, that it has 30 days to provide proof to the bureau of having the required insurance or the license shall be automatically suspended.

(3) If the licensee fails to provide proof of insurance coverage within this period, the bureau may automatically suspend the license.

(f) If the license of a limited liability company is suspended pursuant to subdivision (e), each member of the limited liability company shall be personally liable up to one million dollars (\$1,000,000) each for damages resulting to third parties in connection with the company's performance, during the period of suspension, of any act or contract when a license is required by this chapter.

(g) On and after July 1, 2018, a licensee organized as a limited liability company shall report a paid or pending claim against its liability insurance to the bureau, which shall post a notice of the claim on the Department of Consumer Affairs BreEZe License Verification Internet Web page.

(h) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

1 ~~SEC. 21.~~

2 *SEC. 22.* Section 7525.1 of the Business and Professions Code,
3 as amended by Section 81 of Chapter 312 of the Statutes of 2020,
4 is amended to read:

5 7525.1. An application shall be verified and shall include:

6 (a) The full name and business address of the applicant.

7 (b) The name under which the applicant intends to do business.

8 (c) A statement as to the general nature of the business in which
9 the applicant intends to engage.

10 (d) A verified statement of their experience qualifications.

11 (e) (1) If the applicant is an individual, a qualified manager, a
12 partner of a partnership, an officer of a corporation designated in
13 subdivision (h), or a member, officer, or manager of a limited
14 liability company designated in subdivision (i), one personal
15 identification form provided by the bureau upon which shall appear
16 a photograph taken within one year immediately preceding the
17 date of the filing of the application together with two legible sets
18 of fingerprints, one set of which shall be forwarded to the Federal
19 Bureau of Investigation for purposes of a background check, on a
20 form approved by the Department of Justice, and a personal
21 description of each person, respectively. The identification form
22 shall include residence addresses and employment history for the
23 previous five years and be signed under penalty of perjury.

24 (2) The bureau may impose a fee not to exceed three dollars
25 (\$3) for processing classifiable fingerprint cards submitted by
26 applicants, excluding those submitted into an electronic fingerprint
27 system using electronic fingerprint technology.

28 (f) In addition, if the applicant for a license is an individual, the
29 application shall list all other names known as or used during the
30 past 10 years and shall state that the applicant is to be personally
31 and actively in charge of the business for which the license is
32 sought. If any other qualified manager is to be actively in charge
33 of the business, the application shall be subscribed, verified, and
34 signed by the applicant, under penalty of perjury. If any other
35 person is to be actively in charge of the business, the application
36 shall also be subscribed, verified, and signed by that person under
37 penalty of perjury.

38 (g) If the applicants for a license are copartners, the application
39 shall state the true names and addresses of all partners and the
40 name of the partner to be actively in charge of the business for

1 which the license is sought and list all other names known as or
2 used during the past 10 years. If a qualified manager other than a
3 partner is to be actively in charge of the business, then the
4 application shall be subscribed, verified, and signed by all of the
5 partners under penalty of perjury. If any other person is to be
6 actively in charge of the business, the application shall also be
7 subscribed, verified, and signed by that person, under penalty of
8 perjury, under penalty of perjury by all of the partners and the
9 qualified manager, or by all of the partners or the qualified
10 manager.

11 (h) If the applicant for a license is a corporation, the application
12 shall state the true names and complete residence addresses of the
13 chief executive officer, secretary, chief financial officer, and any
14 other corporate officer who will be active in the business to be
15 licensed. The application shall also state the name and address of
16 the designated person to be actively in charge of the business for
17 which the license is sought. The application shall be subscribed,
18 verified, and signed by a duly authorized officer of the applicant
19 and by the qualified manager thereof, under penalty of perjury.

20 (i) If the applicant for a license is a limited liability company,
21 the application shall state the true name and complete residence
22 address of each member, manager, and any officer who will be
23 active in the business to be licensed. A certified copy of the articles
24 of organization, as filed by the Secretary of State, shall be supplied
25 to the bureau upon request. In the case of a manager-managed
26 limited liability company, the application shall be subscribed,
27 verified, and signed by a manager; otherwise, in the case of a
28 member-managed limited liability company, the application shall
29 be subscribed, verified, and signed by a duly authorized member
30 of the applicant and by the qualified manager thereof. The
31 application shall also state whether any of the members, managers,
32 officers, or the qualified manager has ever used an alias.

33 (j) Any other information, evidence, statements, or documents
34 as may be required by the director.

35 (k) At the discretion of the applicant, a valid email address.

36 (l) This section shall remain in effect only until January 1, 2025,
37 and as of that date is repealed.

1 ~~SEC. 22.~~

2 *SEC. 23.* Section 7525.1 of the Business and Professions Code,
3 as amended by Section 82 of Chapter 312 of the Statutes of 2020,
4 is amended to read:

5 7525.1. An application shall be verified and shall include:

6 (a) The full name and business address of the applicant.

7 (b) The name under which the applicant intends to do business.

8 (c) A statement as to the general nature of the business in which
9 the applicant intends to engage.

10 (d) A verified statement of their experience qualifications.

11 (e) (1) If the applicant is an individual, a qualified manager, a
12 partner of a partnership, or an officer of a corporation designated
13 in subdivision (h), one personal identification form provided by
14 the bureau upon which shall appear a photograph taken within one
15 year immediately preceding the date of the filing of the application
16 together with two legible sets of fingerprints, one set of which
17 shall be forwarded to the Federal Bureau of Investigation for
18 purposes of a background check, on a form approved by the
19 Department of Justice, and a personal description of each person,
20 respectively. The identification form shall include residence
21 addresses and employment history for the previous five years and
22 be signed under penalty of perjury.

23 (2) The bureau may impose a fee not to exceed three dollars
24 (\$3) for processing classifiable fingerprint cards submitted by
25 applicants, excluding those submitted into an electronic fingerprint
26 system using electronic fingerprint technology.

27 (f) In addition, if the applicant for a license is an individual, the
28 application shall list all other names known as or used during the
29 past 10 years and shall state that the applicant is to be personally
30 and actively in charge of the business for which the license is
31 sought. If any other qualified manager is to be actively in charge
32 of the business, the application shall be subscribed, verified, and
33 signed by the applicant, under penalty of perjury. If any other
34 person is to be actively in charge of the business, the application
35 shall also be subscribed, verified, and signed by that person under
36 penalty of perjury.

37 (g) If the applicants for a license are copartners, the application
38 shall state the true names and addresses of all partners and the
39 name of the partner to be actively in charge of the business for
40 which the license is sought and list all other names known as or

1 used during the past 10 years. If a qualified manager other than a
2 partner is to be actively in charge of the business, then the
3 application shall be subscribed, verified, and signed by all of the
4 partners under penalty of perjury. If any other person is to be
5 actively in charge of the business, the application shall also be
6 subscribed, verified, and signed under penalty of perjury by that
7 person, by all of the partners and the qualified manager, or by all
8 of the partners or the qualified manager.

9 (h) If the applicant for a license is a corporation, the application
10 shall state the true names and complete residence addresses of the
11 chief executive officer, secretary, chief financial officer, and any
12 other corporate officer who will be active in the business to be
13 licensed. The application shall also state the name and address of
14 the designated person to be actively in charge of the business for
15 which the license is sought. The application shall be subscribed,
16 verified, and signed by a duly authorized officer of the applicant
17 and by the qualified manager thereof, under penalty of perjury.

18 (i) Any other information, evidence, statements, or documents
19 as may be required by the director.

20 (j) At the discretion of the applicant, a valid email address.

21 (k) This section shall become operative on January 1, 2025.

22 ~~SEC. 23.~~

23 *SEC. 24.* Section 7529 of the Business and Professions Code,
24 as amended by Section 83 of Chapter 312 of the Statutes of 2020,
25 is amended to read:

26 7529. (a) (1) Upon the issuance of and with each biennial
27 renewal of a license, a license in the form of an enhanced photo
28 identification card of the size, design, and content as may be
29 determined by the director or the director's designee shall be issued
30 by the bureau to each licensee, as follows:

31 (A) If the licensee is an individual, the enhanced photo
32 identification card shall be issued to the licensee and to the
33 licensee's qualified manager.

34 (B) If the licensee is a partnership, the enhanced photo
35 identification card shall be issued to each partner of the partnership
36 licensee active in the business and to the licensee's qualified
37 manager.

38 (C) If the licensee is a corporation, the enhanced photo
39 identification card shall be issued to each officer active in the
40 business and to the licensee's qualified manager.

(D) If the licensee is a limited liability company, the enhanced photo identification card shall be issued to each member, officer, and manager of the licensee active in the business and to the licensee's qualified manager.

(2) The enhanced photo identification card is evidence that the licensee is licensed pursuant to this chapter. The card shall contain the name of the licensee, license expiration date, and a photograph of the licensee. The enhanced photo identification card shall clearly state that the person is licensed as a private investigator or is the qualified manager or officer of the licensee. The enhanced photo identification card is to be composed of a durable material and may incorporate technologically advanced security features. The bureau may recover its costs in an amount sufficient to reimburse the department's costs for furnishing the enhanced photo identification card. The fee charged shall not exceed the actual direct costs for system development, maintenance, and processing necessary to provide this service. The total amount of costs shall be recovered by including that amount in the fee charged for the initial application of and renewal of licensure. When the position, office, or association with a licensee belonging to a person to whom a card is issued is terminated, the person shall surrender the card to the licensee and, within five days thereafter, the licensee shall mail or deliver the card to the bureau for cancellation. Every person, while engaged in any activity for which licensure is required, shall display the person's valid enhanced photo identification card as provided by regulation.

(b) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

~~SEC. 24.~~

SEC. 25. Section 7529 of the Business and Professions Code, as amended by Section 84 of Chapter 312 of the Statutes of 2020, is amended to read:

7529. (a) Upon the issuance of and with each biennial renewal of a license, a license in the form of an enhanced photo identification card of the size, design, and content as may be determined by the director or the director's designee shall be issued by the bureau to each licensee, as follows:

(1) If the licensee is an individual, the enhanced photo identification card shall be issued to the licensee and to the licensee's qualified manager.

1 (2) If the licensee is a partnership, the enhanced photo
2 identification card shall be issued to each partner of the partnership
3 licensee active in the business and to the licensee's qualified
4 manager.

5 (3) If the licensee is a corporation, the enhanced photo
6 identification card shall be issued to each officer active in the
7 business and to the licensee's qualified manager.

8 (b) The enhanced photo identification card is evidence that the
9 licensee is licensed pursuant to this chapter. The card shall contain
10 the name of the licensee, license expiration date, and a photograph
11 of the licensee. The enhanced photo identification card shall clearly
12 state that the person is licensed as a private investigator or is the
13 qualified manager or officer of the licensee. The enhanced photo
14 identification card is to be composed of a durable material and
15 may incorporate technologically advanced security features. The
16 bureau may recover its costs in an amount sufficient to reimburse
17 the department's costs for furnishing the enhanced photo
18 identification card. The fee charged shall not exceed the actual
19 direct costs for system development, maintenance, and processing
20 necessary to provide this service. The total amount of costs shall
21 be recovered by including that amount in the fee charged for the
22 initial application of and renewal of licensure. When the position,
23 office, or association with a licensee belonging to a person to whom
24 a card is issued is terminated, the person shall surrender the card
25 to the licensee and, within five days thereafter, the licensee shall
26 mail or deliver the card to the bureau for cancellation. Every
27 person, while engaged in any activity for which licensure is
28 required, shall display the person's valid enhanced photo
29 identification card as provided by regulation.

30 (c) This section shall become operative on January 1, 2025.

31 ~~SEC. 25.~~

32 *SEC. 26.* Section 7533.5 of the Business and Professions Code,
33 as amended by Section 85 of Chapter 312 of the Statutes of 2020,
34 is amended to read:

35 7533.5. (a) A licensee shall notify the bureau within 30 days
36 of any change in its corporate officers required to be named
37 pursuant to subdivision (h) of Section 7525.1 or members or
38 managers required to be named pursuant to subdivision (i) of
39 Section 7525.1, and of any addition of a new partner.

(b) Applications, on forms prescribed by the director, shall be submitted by all new officers, members or managers, and partners. The director may suspend or revoke a license issued under this chapter if the director determines that the new officer, member or manager, or partner of a licensee has committed any of the acts constituting grounds to deny an application for a license or to take disciplinary action against a licensee pursuant to Section 7538 or 7538.5, respectively.

(c) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

~~SEC. 26.~~

SEC. 27. Section 7533.5 of the Business and Professions Code, as amended by Section 86 of Chapter 312 of the Statutes of 2020, is amended to read:

7533.5. (a) A licensee shall notify the bureau within 30 days of any change in its corporate officers required to be named pursuant to subdivision (h) of Section 7525.1, and of any addition of a new partner.

(b) Applications, on forms prescribed by the director, shall be submitted by all new officers and partners. The director may suspend or revoke a license issued under this chapter if the director determines that the new officer or partner of a licensee has committed any of the acts constituting grounds to deny an application for a license or to take disciplinary action against a licensee pursuant to Section 7538 or 7538.5, respectively.

(c) This section shall become operative on January 1, 2025.

~~SEC. 27.~~

SEC. 28. Section 7538 of the Business and Professions Code, as amended by Section 87 of Chapter 312 of the Statutes of 2020, is amended to read:

7538. (a) After a hearing the director may deny a license unless the applicant makes a showing satisfactory to the director that the applicant, if an individual, and the applicant's qualified manager have not, or, if the applicant is a person other than an individual, that its qualified manager and each of its officers, partners, members, or managers have not:

(1) Committed any act that, if committed by a licensee, would be a ground for the suspension or revocation of a license under this chapter.

(2) Committed any act constituting dishonesty or fraud.

1 (3) Committed any act or crime constituting grounds for denial
2 of licensure under Section 480, including illegally using, carrying,
3 or possessing a deadly weapon.

4 (4) Been refused a license under this chapter or had a license
5 revoked.

6 (5) Been an officer, partner, qualified manager, member, or
7 manager of any person who has been refused a license under this
8 chapter or whose license has been revoked.

9 (6) While unlicensed committed, or aided and abetted the
10 commission of, any act for which a license is required by this
11 chapter.

12 (7) Knowingly made any false statement in their application.

13 (b) This section shall remain in effect only until January 1, 2025,
14 and as of that date is repealed.

15 ~~SEC. 28.~~

16 *SEC. 29.* Section 7538 of the Business and Professions Code,
17 as amended by Section 88 of Chapter 312 of the Statutes of 2020,
18 is amended to read:

19 7538. (a) After a hearing the director may deny a license unless
20 the applicant makes a showing satisfactory to the director that the
21 applicant, if an individual, and the applicant's qualified manager
22 have not, or, if the applicant is a person other than an individual,
23 that its qualified manager and each of its officers and partners have
24 not:

25 (1) Committed any act that, if committed by a licensee, would
26 be a ground for the suspension or revocation of a license under
27 this chapter.

28 (2) Committed any act constituting dishonesty or fraud.

29 (3) Committed any act or crime constituting grounds for denial
30 of licensure under Section 480, including illegally using, carrying,
31 or possessing a deadly weapon.

32 (4) Been refused a license under this chapter or had a license
33 revoked.

34 (5) Been an officer, partner, or qualified manager of any person
35 who has been refused a license under this chapter or whose license
36 has been revoked.

37 (6) While unlicensed committed, or aided and abetted the
38 commission of, any act for which a license is required by this
39 chapter.

40 (7) Knowingly made any false statement in their application.

(b) This section shall become operative on January 1, 2025.

~~SEC. 29.~~

SEC. 30. Section 7538.5 of the Business and Professions Code, as amended by Section 89 of Chapter 312 of the Statutes of 2020, is amended to read:

7538.5. (a) The director may refuse to issue any license provided for in this chapter to any of the following:

(1) An individual who has had any license revoked, has a license currently under suspension, or failed to renew their license while under suspension.

(2) An individual who, while acting as a partner of a partnership, an officer or director of a corporation, or a member, manager, or officer of a limited liability company, had their license revoked, has a license currently under suspension, or failed to renew their license while under suspension.

(3) An individual who, while acting as a partner of the partnership, an officer, director of the corporation, or a member, manager, or officer of a limited liability company meets both of the following conditions:

(A) The individual was a partner of any partnership, an officer or director of any corporation, or a member, manager, or officer of any limited liability company whose license was revoked, is currently under suspension, or was not renewed while under suspension.

(B) While acting as a partner, officer, director, member, or manager, they participated in any of the prohibited acts for which the license was revoked or suspended.

(4) An individual who is serving or has served as the qualified manager for any licensee that has had its license revoked, is currently under suspension, or failed to renew while under suspension.

(b) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

~~SEC. 30.~~

SEC. 31. Section 7538.5 of the Business and Professions Code, as amended by Section 90 of Chapter 312 of the Statutes of 2020, is amended to read:

7538.5. (a) The director may refuse to issue any license provided for in this chapter to any of the following:

1 (1) An individual who has had any license revoked, has a license
2 currently under suspension, or failed to renew their license while
3 under suspension.

4 (2) An individual who, while acting as a partner of a partnership,
5 or an officer or director of a corporation, had their license revoked,
6 has a license currently under suspension, or failed to renew their
7 license while under suspension.

8 (3) An individual, who, while acting as a partner of the
9 partnership, or an officer or director of the corporation, meets both
10 of the following conditions:

11 (A) The individual was a partner of any partnership, or an officer
12 or director of any corporation, whose license was revoked, is
13 currently under suspension, or was not renewed while under
14 suspension.

15 (B) The individual, while acting as a partner, officer, or director,
16 participated in any of the prohibited acts for which the license was
17 revoked or suspended.

18 (4) An individual who is serving or has served as the qualified
19 manager for any licensee that has had its license revoked, is
20 currently under suspension, or failed to renew while under
21 suspension.

22 (b) This section shall become operative on January 1, 2025.

23 ~~SEC. 31.~~

24 *SEC. 32.* Section 7539 of the Business and Professions Code,
25 as amended by Section 91 of Chapter 312 of the Statutes of 2020,
26 is amended to read:

27 7539. (a) Any licensee or officer, director, partner, member,
28 manager, or qualified manager of a licensee may divulge to any
29 law enforcement officer or district attorney, or their representative,
30 any information they may acquire as to any criminal offense, but
31 they shall not divulge to any other person, except as otherwise
32 required by law, any information acquired by them except at the
33 direction of the employer or client for whom the information was
34 obtained.

35 (b) A licensee or officer, director, partner, member, manager,
36 qualified manager, or employee of a licensee shall not knowingly
37 make any false report to their employer or client for whom
38 information was being obtained.

39 (c) A written report shall not be submitted to a client except by
40 the licensee, qualified manager, or a person authorized by one or

1 either of them, and the person submitting the report shall exercise
2 diligence in ascertaining whether or not the facts and information
3 in the report are true and correct.

4 (d) A licensee, or officer, director, partner, manager, member,
5 qualified manager, or employee of a licensee shall not use a badge
6 in connection with the official activities of the licensee's business.

7 (e) A licensee, or officer, director, partner, manager, member,
8 qualified manager, or employee of a licensee, shall not use a title,
9 or wear a uniform, or use an insignia, or use an identification card,
10 or make any statement with the intent to give an impression that
11 they are connected in any way with the federal government, a state
12 government, or any political subdivision of a state government.

13 (f) A licensee, or officer, partner, manager, member, qualified
14 manager, or employee of a licensee shall not use any identification
15 to indicate that they are licensed as a private investigator other
16 than the official identification card issued by the bureau or the
17 business card regularly used by the business. However, a licensee
18 may issue an employer identification card.

19 (g) A licensee, or officer, director, partner, manager, member,
20 qualified manager, or employee of a licensee, shall not enter any
21 private building or portion thereof, except premises commonly
22 accessible to the public, without the consent of the owner or of the
23 person in legal possession thereof.

24 (h) A licensee shall not permit an employee or agent in their
25 own name to advertise, engage clients, furnish reports or present
26 bills to clients, or in any manner conduct business for which a
27 license is required under this chapter. All business of the licensee
28 shall be conducted in the name of and under the control of the
29 licensee.

30 (i) A licensee, or officer, director, partner, manager, member,
31 qualified manager, or employee of a licensee shall not knowingly
32 and directly solicit employment from any person who has directly
33 sustained bodily injury or from that person's spouse or other family
34 member to obtain authorization on behalf of the injured person as
35 an investigator to investigate the accident or act that resulted in
36 injury or death to that person or damage to the property of that
37 person. Nothing in this subdivision shall prohibit the soliciting of
38 employment from that injured person's attorney, insurance
39 company, self-insured administrator, insurance adjuster, employer,
40 or any other person having an indirect interest in the investigation

1 of the injury. This subdivision shall not apply to any business agent
2 or attorney employed by a labor organization. A licensee, or officer,
3 director, partner, manager, member, or qualified manager of a
4 licensee shall not pay or compensate any of their employees or
5 agents on the basis of a bonus, bounty, or quota system whereby
6 a premium is placed on the number of employer or client rule
7 violations or infractions purportedly discovered as a result of any
8 investigation made by a licensee.

9 (j) A licensee shall not use a fictitious business name in
10 connection with the official activities of the licensee's business,
11 except as provided by the bureau.

12 (k) This section shall remain in effect only until January 1, 2025,
13 and as of that date is repealed.

14 ~~SEC. 32.~~

15 *SEC. 33.* Section 7539 of the Business and Professions Code,
16 as amended by Section 92 of Chapter 312 of the Statutes of 2020,
17 is amended to read:

18 7539. (a) A licensee or officer, director, partner, or qualified
19 manager of a licensee may divulge to any law enforcement officer
20 or district attorney, or their representative, any information they
21 may acquire as to any criminal offense, but they shall not divulge
22 to any other person, except as otherwise required by law, any
23 information acquired by them except at the direction of the
24 employer or client for whom the information was obtained.

25 (b) A licensee or officer, director, partner, qualified manager,
26 or employee of a licensee shall not knowingly make any false
27 report to their employer or client for whom information was being
28 obtained.

29 (c) A written report shall not be submitted to a client except by
30 the licensee, qualified manager, or a person authorized by one or
31 either of them, and the person submitting the report shall exercise
32 diligence in ascertaining whether or not the facts and information
33 in the report are true and correct.

34 (d) A licensee, or officer, director, partner, qualified manager,
35 or employee of a licensee shall not use a badge in connection with
36 the official activities of the licensee's business.

37 (e) A licensee, or officer, director, partner, qualified manager,
38 or employee of a licensee, shall not use a title, or wear a uniform,
39 or use an insignia, or use an identification card, or make any
40 statement with the intent to give an impression that they are

1 connected in any way with the federal government, a state
2 government, or any political subdivision of a state government.

3 (f) A licensee, or officer, partner, qualified manager, or
4 employee of a licensee shall not use any identification to indicate
5 that they are licensed as a private investigator other than the official
6 identification card issued by the bureau or the business card
7 regularly used by the business. However, a licensee may issue an
8 employer identification card.

9 (g) A licensee, or officer, director, partner, qualified manager,
10 or employee of a licensee, shall not enter any private building or
11 portion thereof, except premises commonly accessible to the public,
12 without the consent of the owner or of the person in legal
13 possession thereof.

14 (h) A licensee shall not permit an employee or agent in their
15 own name to advertise, engage clients, furnish reports or present
16 bills to clients, or in any manner conduct business for which a
17 license is required under this chapter. All business of the licensee
18 shall be conducted in the name of and under the control of the
19 licensee.

20 (i) A licensee, or officer, director, partner, qualified manager,
21 or employee of a licensee, shall not knowingly and directly solicit
22 employment from any person who has directly sustained bodily
23 injury or from that person's spouse or other family member to
24 obtain authorization on behalf of the injured person as an
25 investigator to investigate the accident or act that resulted in injury
26 or death to that person or damage to the property of that person.
27 This subdivision does not prohibit the soliciting of employment
28 from that injured person's attorney, insurance company,
29 self-insured administrator, insurance adjuster, employer, or any
30 other person having an indirect interest in the investigation of the
31 injury. This subdivision does not apply to any business agent or
32 attorney employed by a labor organization. A licensee, officer,
33 director, partner, or qualified manager of a licensee shall not pay
34 or compensate any of their employees or agents on the basis of a
35 bonus, bounty, or quota system whereby a premium is placed on
36 the number of employer or client rule violations or infractions
37 purportedly discovered as a result of any investigation made by a
38 licensee.

1 (j) A licensee shall not use a fictitious business name in
2 connection with the official activities of the licensee's business,
3 except as provided by the bureau.

4 (k) This section shall become operative on January 1, 2025.

5 ~~SEC. 33.~~

6 *SEC. 34.* Section 7573.5 of the Business and Professions Code
7 is amended to read:

8 7573.5. Notwithstanding any other law, the powers and duties
9 of the bureau, as set forth in this chapter, shall be subject to review
10 by the appropriate policy committees of the Legislature. The review
11 shall be performed as if this chapter were scheduled to be repealed
12 as of January 1, 2025.

13 ~~SEC. 34.~~

14 *SEC. 35.* Section 7576 of the Business and Professions Code
15 is amended to read:

16 7576. Notwithstanding any other law, the powers and duties
17 of the bureau, as set forth in this chapter, shall be subject to review
18 by the appropriate policy committees of the Legislature. The review
19 shall be performed as if this chapter were scheduled to be repealed
20 as of January 1, 2025.

21 ~~SEC. 35.~~

22 *SEC. 36.* Section 7588.8 of the Business and Professions Code
23 is amended to read:

24 7588.8. Notwithstanding any other law, the powers and duties
25 of the bureau, as set forth in this chapter, shall be subject to review
26 by the appropriate policy committees of the Legislature. The review
27 shall be performed as if this chapter were scheduled to be repealed
28 as of January 1, 2025.

29 ~~SEC. 36.~~

30 *SEC. 37.* Section 7593.1 of the Business and Professions Code,
31 as amended by Section 23 of Chapter 376 of the Statutes of 2021,
32 is amended to read:

33 7593.1. (a) Each individual applicant, partner of a partnership,
34 designated officer of a corporation, member, officer, or manager
35 of a limited liability company, and a qualified manager shall submit
36 with the application one personal identification form provided by
37 the chief, with two legible sets of fingerprints, one set of which
38 shall be forwarded to the Federal Bureau of Investigation for
39 purposes of a background check, and personal description of each
40 such person, respectively. The identification form shall include

1 residence addresses and employment history for the previous five
2 years.

3 (b) The bureau may impose a fee not to exceed three dollars
4 (\$3) for processing classifiable fingerprint cards submitted by
5 applicants excluding those submitted into an electronic fingerprint
6 system using electronic fingerprint technology.

7 (c) This section shall remain in effect only until January 1, 2025,
8 and as of that date is repealed.

9 ~~SEC. 37.~~

10 *SEC. 38.* Section 7593.1 of the Business and Professions Code,
11 as amended by Section 24 of Chapter 376 of the Statutes of 2021,
12 is amended to read:

13 7593.1. (a) Each individual applicant, partner of a partnership,
14 designated officer of a corporation, and a qualified manager shall
15 submit with the application, one personal identification form
16 provided by the chief, with two legible sets of fingerprints, one
17 set of which shall be forwarded to the Federal Bureau of
18 Investigation for purposes of a background check, and personal
19 description of each such person, respectively. The identification
20 form shall include residence addresses and employment history
21 for the previous five years.

22 (b) The bureau may impose a fee not to exceed three dollars
23 (\$3) for processing classifiable fingerprint cards submitted by
24 applicants excluding those submitted into an electronic fingerprint
25 system using electronic fingerprint technology.

26 (c) This section shall become operative on January 1, 2025.

27 ~~SEC. 38.~~

28 *SEC. 39.* Section 7593.5 of the Business and Professions Code
29 is amended to read:

30 7593.5. (a) If the applicant for a license is a limited liability
31 company, the application shall state the true names and complete
32 residence addresses of each member, manager, and any other
33 officer who will be active in the business to be licensed. A copy
34 of the articles of organization issued by the Secretary of State shall
35 be supplied to the bureau upon request. The application shall also
36 state the name and address of the designated person to be actively
37 in charge of the business for which the license is sought. The
38 application shall be subscribed, verified, and signed by a duly
39 authorized member of the applicant under penalty of perjury.

(b) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

~~SEC. 39.~~

SEC. 40. Section 7599.80 of the Business and Professions Code is amended to read:

7599.80. Notwithstanding any other law, the powers and duties of the bureau, as set forth in this chapter, shall be subject to review by the appropriate policy committees of the Legislature. The review shall be performed as if this chapter were scheduled to be repealed as of January 1, 2025.

~~SEC. 40.~~

SEC. 41. Section 7599.345 of the Business and Professions Code is amended to read:

7599.345. Notwithstanding any other law, commencing January 1, 2025, a licensee shall not conduct business under this chapter as a limited liability company.

~~SEC. 41.~~

SEC. 42. Section 7602 of the Business and Professions Code is amended to read:

7602. (a) (1) There is in the department the Cemetery and Funeral Bureau, under the supervision and control of the director.

(2) The director may appoint a chief at a salary to be fixed and determined by the director, with the approval of the Director of Finance. The duty of enforcing and administering this chapter is vested in the chief, and the chief is responsible to the director. The chief shall serve at the pleasure of the director.

(3) Every power granted or duty imposed upon the director under this chapter may be exercised or performed in the name of the director by a deputy director or by the chief, subject to conditions and limitations the director may prescribe.

(b) Notwithstanding any other law, the powers and duties of the bureau, as set forth in this chapter, shall be subject to review by the appropriate policy committees of the Legislature. The review shall be performed as if this chapter is scheduled to be repealed on January 1, 2025.

SEC. 43. *Section 7653 of the Business and Professions Code is amended to read:*

7653. (a) The bureau shall adopt, and may from time to time amend, rules and regulations prescribing standards of knowledge and experience and financial responsibility for applicants for

1 certificates of authority. In reviewing an application for a certificate
2 of authority, the bureau may consider acts of incorporators, officers,
3 directors, and stockholders of the applicant, which shall constitute
4 grounds for the denial of a certificate of authority under Division
5 1.5 (commencing with Section 475).

6 (b) Upon receipt of an application for a certificate of authority,
7 the bureau may cause an investigation to be made of the physical
8 status, plans, specifications, and financing of the proposed
9 cemetery, and any other qualifications required of the applicant
10 under this act, and for this purpose may subpoena witnesses,
11 administer oaths, and take testimony.

12 (c) At the time of the filing of the application required by this
13 section, the applicant shall pay to the Cemetery and Funeral Fund
14 the sum ~~fixed by the bureau at not in excess of four hundred dollars~~
15 ~~(\$400)~~ of seven hundred fifty dollars (\$750) to defray the expenses
16 of investigation. In the event the sum shall be insufficient to defray
17 all of the expenses, the applicant shall, within five days after
18 request, deposit an additional sum sufficient to defray those
19 expenses, provided that the total sum shall not exceed nine hundred
20 dollars (\$900).

21 ~~(d) This section shall become operative on July 1, 2016.~~

22 *SEC. 44. Section 7712.5 of the Business and Professions Code*
23 *is amended to read:*

24 7712.5. (a) The bureau shall adopt, and may from time to time
25 amend, rules and regulations prescribing standards of knowledge
26 and experience and financial responsibility for applicants for a
27 crematory license. In reviewing an application for a crematory
28 license, the bureau may consider acts of the applicant, including
29 acts of incorporators, officers, directors, and stockholders of the
30 applicant, which shall constitute grounds for the denial of a
31 crematory license under Division 1.5 (commencing with Section
32 475).

33 (b) Upon receipt of an application for a crematory license, the
34 bureau may cause an investigation to be made of the physical
35 status, plans, specifications, and financing of the proposed
36 crematory, the character of the applicant, including, if applicable,
37 its officers, directors, shareholders, or members, and any other
38 qualifications required of the applicant under this article, and for
39 this purpose may subpoena witnesses, administer oaths, and take
40 testimony.

(c) At the time of the filing of the application required by this article, the applicant shall pay to the Cemetery and Funeral Fund the sum ~~fixed by the bureau at not in excess of four hundred dollars (\$400)~~ of seven hundred fifty dollars (\$750) to defray the expenses of investigation. In the event the sum shall be insufficient to defray all of the expenses, the applicant shall, within five days after request therefor, deposit an additional sum sufficient to defray such expenses, provided that the total sum shall not exceed nine hundred dollars (\$900).

~~(d) This section shall become operative on July 1, 2016.~~

SEC. 45. *Section 7712.9 of the Business and Professions Code is amended to read:*

7712.9. ~~(a) Every crematory licensee operating a crematory pursuant to a license issued in compliance with this article shall pay an annual regulatory charge for each crematory, to be fixed by the bureau at not more than four hundred dollars (\$400).~~ crematory of seven hundred fifty dollars (\$750). In addition to an annual regulatory charge for each crematory, every licensee operating a crematory pursuant to a license issued pursuant to this article shall pay an additional charge ~~to be fixed by the bureau at not more than eight dollars and fifty cents (\$8.50)~~ of eleven dollars and fifty cents (\$11.50) per cremation made during the preceding quarter, which charges shall be deposited in the Cemetery and Funeral Fund.

~~(b) This section shall become operative on July 1, 2016.~~

SEC. 46. *Section 7729 of the Business and Professions Code is amended to read:*

7729. The amount of the fees prescribed by this chapter shall be fixed according to the following ~~schedule with the minimum amount specified being the amount fixed on January 1, 1988.~~ schedule:

(a) The application fee for a funeral director's license shall be ~~not less than one hundred dollars (\$100) and not more than two hundred dollars (\$200).~~ three hundred eighty dollars (\$380).

(b) The application fee for change of location of a funeral establishment's license shall be ~~not less than one hundred fifty dollars (\$150) and not more than two hundred fifty dollars (\$250).~~ four hundred seventy dollars (\$470).

(c) The application fee for permission to assign a funeral establishment's license shall be ~~not less than two hundred dollars~~

1 ~~(\$200) and not more than three hundred dollars (\$300); five~~
2 ~~hundred sixty dollars (\$560).~~

3 (d) The license renewal fee payable by a licensed funeral director
4 shall be ~~not less than one hundred dollars (\$100) and not more~~
5 ~~than two hundred dollars (\$200); three hundred eighty dollars~~
6 ~~(\$380).~~ The fee for a delinquent renewal of a funeral director's
7 license shall be 150 percent of the timely renewal fee.

8 (e) The application fee for an embalmer's license and the
9 examination on the state's laws required under paragraph (2) of
10 subdivision (a) of Section 7646 for the license shall be ~~not less~~
11 ~~than one hundred dollars (\$100) and not more than one hundred~~
12 ~~fifty dollars (\$150); two hundred eighty dollars (\$280).~~

13 (f) The renewal fee payable by a licensed embalmer shall be
14 ~~not less than seventy-five dollars (\$75) and not more than one~~
15 ~~hundred twenty-five dollars (\$125); one hundred ninety dollars~~
16 ~~(\$190).~~ The fee for a delinquent renewal of an embalmer's license
17 shall be 150 percent of the timely renewal fee.

18 (g) The application fee for a certificate of registration as an
19 apprentice embalmer shall be ~~not less than thirty dollars (\$30) and~~
20 ~~not more than sixty dollars (\$60); one hundred twenty dollars~~
21 ~~(\$120).~~

22 (h) The fee for an application by a funeral establishment for
23 approval to train apprentice embalmers and for renewal of that
24 approval shall be ~~not less than fifty dollars (\$50) and not more~~
25 ~~than one hundred dollars (\$100); one hundred ninety dollars~~
26 ~~(\$190).~~

27 (i) The application fee for a funeral director's examination shall
28 be ~~not less than seventy-five dollars (\$75) and not more than one~~
29 ~~hundred dollars (\$100); one hundred ninety dollars (\$190).~~

30 (j) The fee for a timely filing of an individual report or a
31 combined report on preneed trust funds shall be ~~not less than one~~
32 ~~hundred dollars (\$100) and not more than two hundred dollars~~
33 ~~(\$200); five hundred dollars (\$500).~~ The fee for a late filing of any
34 report on preneed trust funds shall be 150 percent of the applicable
35 timely fee.

36 (k) The application fee for permission to change the name
37 appearing on a funeral establishment's license shall be ~~not less~~
38 ~~than one hundred dollars (\$100) and not more than two hundred~~
39 ~~dollars (\$200); three hundred dollars (\$300),~~ and for permission
40 to change the name on any other license or certificate, ~~not less than~~

1 ~~twenty dollars (\$20) and not more than forty dollars (\$40). shall~~
2 ~~be twenty-five dollars (\$25).~~

3 (l) The application fee for a duplicate funeral director's license,
4 a duplicate funeral establishment's license, a duplicate embalmer's
5 license, or a duplicate certificate of registration as an apprentice
6 embalmer, shall be ~~not less than twenty dollars (\$20) and not more~~
7 ~~than forty dollars (\$40);~~ *fifty dollars (\$50).*

8 (m) The fee for filing a report of a change of corporate officers,
9 managers, or preneed trust fund trustees shall be ~~not less than~~
10 ~~twenty-five dollars (\$25) and not more than fifty dollars (\$50).~~

11 (n) The application fee for a funeral establishment license shall
12 be ~~not less than three hundred dollars (\$300) and not more than~~
13 ~~four hundred dollars (\$400);~~ *seven hundred fifty dollars (\$750).*

14 (o) The license renewal fee for a licensed funeral establishment
15 shall be ~~not less than three hundred dollars (\$300) nor more than~~
16 ~~four hundred dollars (\$400);~~ *seven hundred fifty dollars (\$750).*
17 *The fee for a delinquent renewal of a funeral establishment license*
18 *shall be 150 percent of the timely renewal fee.*

19 *SEC. 47. Section 7729.3 of the Business and Professions Code*
20 *is amended to read:*

21 7729.3. The original cemetery broker's license fee shall be
22 ~~fixed by the bureau at not more than four hundred dollars (\$400);~~
23 *seven hundred fifty dollars (\$750).*

24 *SEC. 48. Section 7729.4 of the Business and Professions Code*
25 *is amended to read:*

26 7729.4. (a) The original cemetery broker's license fee is
27 payable at the time of the filing of an application for an original
28 cemetery broker's license.

29 (b) If the applicant fails the required written examination, ~~he or~~
30 ~~she~~ *they* may be permitted to take another examination upon the
31 filing of an application for reexamination and the payment of a
32 reexamination fee. This reexamination fee shall be ~~fixed by the~~
33 ~~bureau at not more than one hundred dollars (\$100);~~ *one hundred*
34 *ninety dollars (\$190).*

35 (c) No part of any original cemetery broker's license fee or
36 reexamination fee is refundable. It is deemed earned upon receipt
37 by the bureau, whether the accompanying application for a license
38 is complete or incomplete.

39 *SEC. 49. Section 7729.5 of the Business and Professions Code*
40 *is amended to read:*

1 7729.5. The annual renewal fee for a cemetery broker's license
2 shall be fixed by the bureau at not more than three hundred dollars
3 ~~(\$300)~~; five hundred sixty dollars (\$560).

4 SEC. 50. Section 7729.6 of the Business and Professions Code
5 is amended to read:

6 7729.6. If the licensee is a cemetery brokerage corporation,
7 the license issued to it entitles one officer only, on behalf of the
8 corporation, to engage in the business of a cemetery broker without
9 the payment of a further fee, that officer to be designated in the
10 application of the corporation for a license. For each other officer
11 of a licensed cemetery brokerage corporation, through whom it
12 engages in the business of a cemetery broker, the annual renewal
13 fee, in addition to the fee paid by the corporation, shall be fixed
14 ~~by the bureau at not more than one hundred dollars (\$100)~~; one
15 hundred ninety dollars (\$190).

16 SEC. 51. Section 7729.7 of the Business and Professions Code
17 is amended to read:

18 7729.7. If the licensee is a cemetery brokerage copartnership,
19 the license issued to it entitles one member only of the
20 copartnership to engage on behalf of the copartnership in the
21 business of a cemetery broker, which member shall be designated
22 in the application of the copartnership for a license. For each other
23 member of the copartnership who on behalf of the copartnership
24 engages in the business of a cemetery broker, the annual renewal
25 fee, in addition to the fee paid by the copartnership, shall be fixed
26 ~~by the bureau at not more than one hundred dollars (\$100)~~; one
27 hundred ninety dollars (\$190).

28 SEC. 52. Section 7729.8 of the Business and Professions Code
29 is amended to read:

30 7729.8. The cemetery salesperson's license fee shall be fixed
31 ~~by the bureau at not more than thirty dollars (\$30)~~; sixty dollars
32 (\$60).

33 SEC. 53. Section 7729.10 of the Business and Professions Code
34 is amended to read:

35 7729.10. The annual renewal fee for a cemetery salesperson's
36 license shall be fixed by the bureau at not more than twenty-five
37 ~~dollars (\$25)~~; fifty dollars (\$50).

38 SEC. 54. Section 7729.11 is added to the Business and
39 Professions Code, to read:

1 7729.11. *The fee for a timely filing of an annual report on the*
2 *endowment care fund and special care fund by a certificate of*
3 *authority shall be five hundred dollars (\$500). The fee for a late*
4 *filing of an annual report on the endowment care fund and special*
5 *care fund shall be 150 percent of the applicable timely fee.*

6 SEC. 55. *Section 7730 of the Business and Professions Code*
7 *is amended to read:*

8 7730. For a branch office broker's license, the fee shall be ~~fixed~~
9 ~~by the bureau at not more than one hundred dollars (\$100). one~~
10 ~~hundred ninety dollars (\$190).~~

11 SEC. 56. *Section 7730.1 of the Business and Professions Code*
12 *is amended to read:*

13 7730.1. The cremated remains disposer registration fee shall
14 be one hundred ~~ninety dollars (\$100).~~ (\$190).

15 SEC. 57. *Section 7730.2 of the Business and Professions Code*
16 *is amended to read:*

17 7730.2. The renewal fee for a cremated remains disposer
18 registration shall be ~~fifty dollars (\$50).~~ one hundred dollars (\$100).

19 SEC. 58. *Section 7730.3 of the Business and Professions Code*
20 *is amended to read:*

21 7730.3. For change of name or of address of licensee on the
22 records of the bureau, the fee shall be ~~fixed by the bureau at not~~
23 ~~more than~~ twenty-five dollars (\$25).

24 SEC. 59. *Section 7730.4 of the Business and Professions Code*
25 *is amended to read:*

26 7730.4. For transfer of a salesperson's license on change of
27 employer, the fee shall be ~~fixed by the bureau at not more than~~
28 ~~twenty-five dollars (\$25).~~ fifty dollars (\$50).

29 SEC. 60. *Section 7730.5 of the Business and Professions Code*
30 *is amended to read:*

31 7730.5. For a duplicate license the fee shall be ~~fixed by the~~
32 ~~bureau at not more than twenty-five dollars (\$25).~~ fifty dollars
33 (\$50).

34 SEC. 61. *Section 7730.6 of the Business and Professions Code*
35 *is amended to read:*

36 7730.6. (a) For reinstatement of a license within the fiscal
37 year, the fee shall be ~~fixed by the bureau at not more than~~
38 ~~twenty-five dollars (\$25).~~ fifty dollars (\$50).

39 (b) As used in this section, "reinstatement of a license" means
40 the reissuance of a canceled cemetery broker's license, or a

1 cemetery salesperson's license which was canceled during the year
2 for which it was issued upon the salesperson's withdrawal from
3 the employ of a cemetery broker.

4 *SEC. 62. Section 7730.7 of the Business and Professions Code*
5 *is amended to read:*

6 7730.7. (a) The fee for a crematory manager examination and
7 reexamination ~~may not exceed five hundred dollars (\$500).~~ shall
8 be six hundred eighty dollars (\$680).

9 (b) The license fee to obtain a crematory manager license ~~may~~
10 ~~not exceed one hundred dollars (\$100).~~ shall be one hundred thirty
11 dollars (\$130).

12 (c) The renewal fee for a crematory manager license ~~may not~~
13 ~~exceed one hundred dollars (\$100).~~ shall be one hundred fifty
14 dollars (\$150).

15 *SEC. 63. Section 7730.8 of the Business and Professions Code*
16 *is amended to read:*

17 7730.8. (a) The fee for a cemetery manager examination ~~and~~
18 ~~reexamination may not exceed nine hundred dollars (\$900).~~ shall
19 be eight hundred dollars (\$800).

20 (b) The license fee to obtain a cemetery manager license ~~may~~
21 ~~not exceed one hundred dollars (\$100).~~ shall be one hundred thirty
22 dollars (\$130).

23 (c) The renewal fee for a cemetery manager license ~~may not~~
24 ~~exceed one hundred dollars (\$100).~~ shall be one hundred fifty
25 dollars (\$150).

26 *SEC. 64. Section 7730.10 of the Business and Professions Code*
27 *is amended to read:*

28 7730.10. ~~(a)~~ Every cemetery authority operating a cemetery
29 shall pay an annual regulatory charge for each cemetery ~~to be fixed~~
30 ~~by the bureau at not more than four hundred dollars (\$400).~~ of
31 seven hundred fifty dollars (\$750). In addition to an annual
32 regulatory charge for each cemetery, an additional quarterly charge
33 ~~to be fixed by the bureau at not more than eight dollars and fifty~~
34 ~~cents (\$8.50)~~ eleven dollars and fifty cents (\$11.50) for each burial,
35 entombment, or inurnment made during the preceding quarter shall
36 be paid to the bureau and these charges shall be deposited in the
37 Cemetery and Funeral Fund. If the cemetery authority performs a
38 burial, entombment, or inurnment, and the cremation was
39 performed at a crematory located on the grounds of the cemetery
40 and under common ownership with the cemetery authority, the

1 total of all additional charges shall be not more than ~~eight dollars~~
2 ~~and fifty cents (\$8.50); eleven dollars and fifty cents (\$11.50).~~

3 ~~(b) This section shall become operative on July 1, 2016.~~

4 SEC. 65. Section 7730.11 of the Business and Professions Code
5 is amended to read:

6 7730.11. (a) The bureau shall establish the fee to obtain or
7 renew a hydrolysis facility license, which shall not exceed the
8 reasonable cost of license administration.

9 (b) Every licensee operating a hydrolysis facility pursuant to a
10 license issued pursuant to this article shall pay an additional charge
11 ~~to be fixed by the bureau of not more than eight dollars and fifty~~
12 ~~cents (\$8.50) eleven dollars and fifty cents (\$11.50)~~ per hydrolysis
13 made during the preceding quarter, which charges shall be
14 deposited into the Cemetery and Funeral Fund.

15 ~~(c) This section shall become operative on July 1, 2020.~~

16 ~~SEC. 42.~~

17 SEC. 66. Section 8000 of the Business and Professions Code
18 is amended to read:

19 8000. (a) There is in the Department of Consumer Affairs a
20 Court Reporters Board of California, which consists of five
21 members, three of whom shall be public members and two of
22 whom shall be holders of certificates issued under this chapter
23 who have been actively engaged as shorthand reporters within this
24 state for at least five years immediately preceding their
25 appointment.

26 (b) This section shall remain in effect only until January 1, 2025,
27 and as of that date is repealed.

28 (c) Notwithstanding any other law, repeal of this section renders
29 the board subject to review by the appropriate policy committees
30 of the Legislature.

31 ~~SEC. 43.~~

32 SEC. 67. Section 8005 of the Business and Professions Code
33 is amended to read:

34 8005. (a) The Court Reporters Board of California is charged
35 with the executive functions necessary for effectuating the purposes
36 of this chapter. It may appoint committees as it deems necessary
37 or proper. The board may appoint, prescribe the duties, and fix the
38 salary of an executive officer. Except as provided by Section 159.5,
39 the board may also employ other employees as may be necessary,
40 subject to civil service and other law.

(b) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

~~SEC. 44.~~

SEC. 68. Section 8030.2 of the Business and Professions Code is amended to read:

8030.2. (a) (1) To provide shorthand reporting services to low-income litigants in civil cases, who are unable to otherwise afford those services, funds generated by fees received by the board pursuant to subdivision (c) of Section 8031 in excess of funds needed to support the board's operating budget for the fiscal year in which a transfer described below is made shall be used by the board for the purpose of establishing and maintaining a Transcript Reimbursement Fund. The Transcript Reimbursement Fund shall be funded by a transfer of funds from the Court Reporters' Fund in the amount of three hundred thousand dollars (\$300,000) annually. The board is authorized to transfer funds in increments of one hundred thousand dollars (\$100,000) for a total of three hundred thousand dollars (\$300,000). Notwithstanding any other provision of this article, a transfer to the Transcript Reimbursement Fund in excess of the fund balance established at the beginning of each fiscal year shall not be made by the board if the transfer will result in the reduction of the balance of the Court Reporters' Fund to an amount less than six months' operating budget.

(2) If funds are appropriated to the Transcript Reimbursement Fund from a source other than fees received by the board pursuant to subdivision (c) of Section 8031, those funds shall not be subject to the annual transfer limit of three hundred thousand dollars (\$300,000) described in paragraph (1).

(b) Refunds and unexpended funds that are anticipated to remain in the Transcript Reimbursement Fund at the end of the fiscal year shall be considered by the board in establishing the fee assessment pursuant to Section 8031 so that the assessment shall maintain the level of funding for the Transcript Reimbursement Fund, as specified in subdivision (a), in the following fiscal year.

(c) The Transcript Reimbursement Fund is hereby created in the State Treasury. Notwithstanding Section 13340 of the Government Code, moneys in the Transcript Reimbursement Fund are continuously appropriated for the purposes of this chapter.

(d) (1) Applicants who have been reimbursed pursuant to this chapter for services provided to litigants and who are awarded

1 court costs or attorney's fees by judgment or by settlement
2 agreement shall refund the full amount of that reimbursement to
3 the fund within 90 days of receipt of the award or settlement.

4 (2) An applicant appearing pro se who has been reimbursed for
5 services provided to litigants under this chapter shall refund the
6 full amount reimbursed if a court orders the applicant's fee waiver
7 withdrawn or denied retroactively pursuant to Section 68636 of
8 the Government Code, within 90 days of the court's order
9 withdrawing or denying the fee waiver.

10 (e) Subject to the limitations of this chapter, the board shall
11 maintain the fund at a level that is sufficient to pay all qualified
12 claims. To accomplish this objective, the board shall utilize all
13 refunds, unexpended funds, fees, and any other moneys received
14 by the board.

15 (f) Notwithstanding Section 16346 of the Government Code,
16 all unencumbered funds remaining in the Transcript
17 Reimbursement Fund as of January 1, 2025, shall be transferred
18 to the Court Reporters' Fund.

19 (g) This section shall remain in effect only until January 1, 2025,
20 and as of that date is repealed.

21 ~~SEC. 45.~~

22 *SEC. 69.* Section 8030.4 of the Business and Professions Code
23 is amended to read:

24 8030.4. As used in this chapter:

25 (a) "Applicant" means a qualified legal services project,
26 qualified support center, other qualified project, or pro bono
27 attorney applying to receive funds from the Transcript
28 Reimbursement Fund established by this chapter. The term
29 "applicant" includes an indigent person appearing pro se to
30 represent themselves at any stage of the case and applying to receive
31 funds from the Transcript Reimbursement Fund established in
32 Section 8030.2.

33 (b) "Case" means a single legal proceeding from its inception,
34 through all levels of hearing, trial, and appeal, until its ultimate
35 conclusion and disposition.

36 (c) "Certified shorthand reporter" means a shorthand reporter
37 certified pursuant to Article 3 (commencing with Section 8020)
38 performing shorthand reporting services pursuant to Section 8017.

(d) “Developmentally Disabled Assistance Act” means the Developmentally Disabled Assistance and Bill of Rights Act of 1975 (Public Law 94-103), as amended.

(e) “Fee-generating case” means any case or matter that, if undertaken on behalf of an eligible client by an attorney in private practice, reasonably may be expected to result in payment of a fee for legal services from an award to a client, from public funds, or from an opposing party. A reasonable expectation as to payment of a legal fee exists wherever a client enters into a contingent fee agreement with the client’s lawyer. If there is no contingent fee agreement, a case is not considered fee generating if adequate representation is deemed to be unavailable because of the occurrence of any of the following circumstances:

(1) If the applicant has determined that referral is not possible because of any of the following:

(A) The case has been rejected by the local lawyer referral service, or if there is no such service, by two private attorneys who have experience in the subject matter of the case.

(B) Neither the referral service nor any lawyer will consider the case without payment of a consultation fee.

(C) The case is of the type that private attorneys in the area ordinarily do not accept, or do not accept without prepayment of a fee.

(D) Emergency circumstances compel immediate action before referral can be made, but the client is advised that, if appropriate and consistent with professional responsibility, referral will be attempted at a later time.

(2) If recovery of damages is not the principal object of the case and a request for damages is merely ancillary to an action for equitable or other nonpecuniary relief or inclusion of a counterclaim requesting damages is necessary for effective defense or because of applicable rules governing joinder of counterclaims.

(3) If a court appoints an applicant or an employee of an applicant pursuant to a statute or a court rule or practice of equal applicability to all attorneys in the jurisdiction.

(4) In any case involving the rights of a claimant under a public-supported benefit program for which entitlement to benefit is based on need.

(f) (1) “Indigent person” means any of the following:

1 (A) A person whose income is 125 percent or less of the current
2 poverty threshold established by the United States Office of
3 Management and Budget.

4 (B) A person who is eligible for supplemental security income.

5 (C) A person who is eligible for, or receiving, free services
6 under the federal Older Americans Act or the Developmentally
7 Disabled Assistance Act.

8 (D) A person whose income is 75 percent or less of the
9 maximum level of income for lower income households as defined
10 in Section 50079.5 of the Health and Safety Code, for purposes of
11 a program that provides legal assistance by an attorney in private
12 practice on a pro bono basis.

13 (E) A person who qualifies for a waiver of fees pursuant to
14 Section 68632 of the Government Code.

15 (2) For the purposes of this subdivision, the income of a person
16 who is disabled shall be determined after deducting the costs of
17 medical and other disability-related special expenses.

18 (g) “Lawyer referral service” means a lawyer referral program
19 authorized by the State Bar of California pursuant to the rules of
20 professional conduct.

21 (h) “Legal Services Corporation” means the Legal Services
22 Corporation established under the Legal Services Corporation Act
23 of 1974 (Public Law 93-355), as amended.

24 (i) “Older Americans Act” means the Older Americans Act of
25 1965 (Public Law 89-73), as amended.

26 (j) “Other qualified project” means a nonprofit organization
27 formed for charitable or other public purposes, that does not receive
28 funds from the Legal Services Corporation or pursuant to the
29 federal Older Americans Act, and provides free legal services to
30 indigent persons.

31 (k) “Pro bono attorney” means any attorney, law firm, or legal
32 corporation, licensed to practice law in this state, that undertakes,
33 without charge to the party, the representation of an indigent
34 person, referred by a qualified legal services project, qualified
35 support center, or other qualified project, in a case not considered
36 to be fee generating, as defined in this chapter.

37 (l) “Qualified legal services project” means a nonprofit project,
38 incorporated and operated exclusively in California, that provides
39 as its primary purpose and function legal services without charge
40 to indigent persons, has a board of directors or advisory board

1 composed of both attorneys and consumers of legal services, and
2 provides for community participation in legal services
3 programming. A legal services project funded, either in whole or
4 in part, by the Legal Services Corporation or with the federal Older
5 Americans Act funds is presumed to be a qualified legal services
6 project for the purposes of this chapter.

7 (m) “Qualified support center” means an incorporated nonprofit
8 legal services center that has an office or offices in California that
9 provide legal services or technical assistance without charge to
10 qualified legal services projects and their clients on a multicounty
11 basis in California. A support center funded, either in whole or in
12 part, by the Legal Services Corporation or with the federal Older
13 Americans Act funds is presumed to be a qualified legal services
14 project for the purposes of this chapter.

15 (n) “Rules of professional conduct” means those rules adopted
16 by the State Bar of California pursuant to Sections 6076 and 6077.

17 (o) “Supplemental security income recipient” means an
18 individual receiving or eligible to receive payments under Title
19 XVI of the Social Security Act (Public Law 92-603), as amended,
20 or payment under Chapter 3 (commencing with Section 12000) of
21 Part 3 of Division 9 of the Welfare and Institutions Code.

22 (p) “Vexatious litigant” means a person as defined in subdivision
23 (b) of Section 391 of the Code of Civil Procedure.

24 (q) This section shall remain in effect only until January 1, 2025,
25 and as of that date is repealed.

26 ~~SEC. 46.~~

27 *SEC. 70.* Section 8030.6 of the Business and Professions Code
28 is amended to read:

29 8030.6. (a) The board shall disburse funds from the Transcript
30 Reimbursement Fund for the costs, exclusive of per diem charges
31 by official reporters, of preparing either an original transcript and
32 one copy thereof, or where appropriate, a copy of the transcript,
33 of court or deposition proceedings, or both, incurred as a
34 contractual obligation between the shorthand reporter and the
35 applicant, for litigation conducted in California. If there is no
36 deposition transcript, the board may reimburse the applicant or the
37 certified shorthand reporter designated in the application for per
38 diem costs. The rate of per diem for depositions shall not exceed
39 seventy-five dollars (\$75) for one-half day, or one hundred
40 twenty-five dollars (\$125) for a full day. If a transcript is ordered

1 within one year of the date of the deposition, but subsequent to
2 the per diem having been reimbursed by the Transcript
3 Reimbursement Fund, the amount of the per diem shall be deducted
4 from the regular customary charges for a transcript. Reimbursement
5 may be obtained pursuant to the following provisions:

6 (1) The applicant or certified shorthand reporter shall promptly
7 submit to the board the certified shorthand reporter's invoice for
8 transcripts together with the appropriate documentation as is
9 required by this chapter.

10 (2) Except as provided in paragraph (3), the board shall promptly
11 determine if the applicant or the certified shorthand reporter is
12 entitled to reimbursement under this chapter and shall make
13 payment as follows:

14 (A) Regular customary charges for preparation of original
15 deposition transcripts and one copy thereof, or a copy of the
16 transcripts.

17 (B) Regular customary charges for expedited deposition
18 transcripts up to a maximum of two thousand five hundred dollars
19 (\$2,500) per case.

20 (C) Regular customary charges for the preparation of original
21 transcripts and one copy thereof, or a copy of transcripts of court
22 proceedings.

23 (D) Regular customary charges for expedited or daily charges
24 for preparation of original transcripts and one copy thereof or a
25 copy of transcripts of court proceedings.

26 (E) The charges shall not include notary or handling fees. The
27 charges may include actual shipping costs and exhibits, except
28 that the cost of exhibits may not exceed thirty-five cents (\$0.35)
29 each or a total of thirty-five dollars (\$35) per transcript.

30 (3) The maximum amount reimbursable by the fund under
31 paragraph (2) shall not exceed thirty thousand dollars (\$30,000)
32 per case per year.

33 (4) A vexatious litigant shall be ineligible to receive funds from
34 the Transcript Reimbursement Fund. However, a vexatious litigant
35 may become eligible to receive funds if the vexatious litigant is
36 no longer subject to the provisions of Title 3A (commencing with
37 Section 391) of Part 2 of the Code of Civil Procedure pursuant to
38 Section 391.8 of Code of Civil Procedure.

1 (5) Disbursements to cover the costs of providing transcripts to
2 all applicants appearing pro se pursuant to this section shall not
3 exceed two thousand five hundred dollars (\$2,500) per case.

4 (6) If entitled, and funds are available, the board shall disburse
5 the appropriate sum to the applicant or the certified shorthand
6 reporter when the documentation described in Section 8030.8
7 accompanies the application. A notice shall be sent to the recipient
8 requiring the recipient to file a notice with the court in which the
9 action is pending stating the sum of reimbursement paid pursuant
10 to this section. The notice filed with the court shall also state that
11 if the sum is subsequently included in any award of costs made in
12 the action, that the sum is to be ordered refunded by the applicant
13 to the Transcript Reimbursement Fund whenever the sum is
14 actually recovered as costs. The court shall not consider whether
15 payment has been made from the Transcript Reimbursement Fund
16 in determining the appropriateness of any award of costs to the
17 parties. The board shall also notify the applicant that the reimbursed
18 sum has been paid to the certified shorthand reporter and shall
19 notify the applicant of the duty to refund any of the sum actually
20 recovered as costs in the action.

21 (7) If not entitled, the board shall return a copy of the invoice
22 to the applicant and the designated certified shorthand reporter
23 together with a notice stating the grounds for denial.

24 (8) The board shall complete its actions under this section within
25 30 days of receipt of the invoice and all required documentation,
26 including a completed application.

27 (9) Applications for reimbursements from the fund shall be filed
28 on a first-come-first-served basis.

29 (10) Applications for reimbursement that cannot be paid from
30 the fund due to insufficiency of the fund for that fiscal year shall
31 be held over until the next fiscal year to be paid out of the renewed
32 fund. Applications held over shall be given a priority standing in
33 the next fiscal year.

34 (b) This section shall remain in effect only until January 1, 2025,
35 and as of that date is repealed.

36 ~~SEC. 47.~~

37 *SEC. 71.* Section 8030.8 of the Business and Professions Code
38 is amended to read:

39 8030.8. (a) For purposes of this chapter, documentation
40 accompanying an invoice is sufficient to establish entitlement for

1 reimbursement from the Transcript Reimbursement Fund if it is
2 filed with the executive officer on an application form prescribed
3 by the board that is complete in all respects, and that establishes
4 all of the following:

5 (1) The case name and number and that the litigant or litigants
6 requesting the reimbursement are indigent persons. If the applicant
7 is an indigent person appearing pro se the application shall be
8 accompanied by a copy of the fee waiver form approved by the
9 court in the matter for which the applicant seeks reimbursement.

10 (2) The applicant is qualified under the provisions of this
11 chapter.

12 (3) The case is not a fee-generating case, as defined in Section
13 8030.4.

14 (4) The invoice or other documentation shall evidence that the
15 certified shorthand reporter to be reimbursed was, at the time the
16 services were rendered, a duly licensed certified shorthand reporter.

17 (5) The invoice shall be accompanied by a statement, signed by
18 the applicant, stating that the charges are for transcripts actually
19 provided as indicated on the invoice.

20 (6) The applicant has acknowledged, in writing, that as a
21 condition of entitlement for reimbursement that the applicant agrees
22 to refund the entire amount disbursed from the Transcript
23 Reimbursement Fund from any costs or attorney's fees awarded
24 to the applicant by the court or provided for in any settlement
25 agreement in the case.

26 (7) The certified shorthand reporter's invoice for transcripts
27 shall include separate itemizations of charges claimed, as follows:

28 (A) Total charges and rates for customary services in preparation
29 of an original transcript and one copy or a copy of the transcript
30 of depositions.

31 (B) Total charges and rates for expedited deposition transcripts.

32 (C) Total charges and rates in connection with transcription of
33 court proceedings.

34 (b) For an applicant claiming to be eligible pursuant to
35 subdivision (j), (l), or (m) of Section 8030.4, a letter from the
36 director of the project or center, certifying that the project or center
37 meets the standards set forth in one of those subdivisions and that
38 the litigant or litigants are indigent persons, is sufficient
39 documentation to establish eligibility.

(c) For an applicant claiming to be eligible pursuant to subdivision (k) of Section 8030.4, a letter certifying that the applicant meets the requirements of that subdivision, that the case is not a fee-generating case, as defined in subdivision (e) of Section 8030.4, and that the litigant or litigants are indigent persons, together with a letter from the director of a project or center defined in subdivision (j), (l), or (m) of Section 8030.4 certifying that the litigant or litigants had been referred by that project or center to the applicant, is sufficient documentation to establish eligibility.

(d) The applicant may receive reimbursement directly from the board if the applicant has previously paid the certified shorthand reporter for transcripts as provided in Section 8030.6. To receive payment directly, the applicant shall submit, in addition to all other required documentation, an itemized statement signed by the certified shorthand reporter performing the services that describes payment for transcripts in accordance with the requirements of Section 8030.6.

(e) The board may prescribe appropriate forms to be used by applicants and certified shorthand reporters to facilitate these requirements.

(f) This chapter does not restrict the contractual obligation or payment for services, including, but not limited to, billing the applicant directly, during the pendency of the claim.

(g) This section shall remain in effect only until January 1, 2025, and as of that date is repealed.

~~SEC. 48.~~

SEC. 72. Section 8050 of the Business and Professions Code, as amended by Section 2 of Chapter 214 of the Statutes of 2021, is amended to read:

8050. (a) It is the intent of the Legislature to enhance the regulation of licensed shorthand reporters and shorthand reporting corporations pursuant to this section, by imposing specific penalties in addition to other remedies permitted by this chapter that seek to discourage practices that are inconsistent with the integrity and impartiality required of officers of the court, to promote competition based upon the quality and price of shorthand reporting services, and to ensure consistent regulation of corporations owned by certificate holders and those not owned by certificate holders.

(b) This section shall apply to an individual or entity that does any of the following:

1 (1) Any act that constitutes shorthand reporting that occurs
2 wholly or partly in this state.

3 (2) Employs, independently contracts with, or recruits a licensed
4 shorthand reporter to report or transcribe deposition testimony in
5 a court proceeding or in a deposition.

6 (3) Contracts with a resident of this state by mail or otherwise
7 that requires either party to perform licensed shorthand reporting
8 wholly or partly in this state.

9 (4) Independently contracts with or is employed by an entity
10 that does any of the acts described in paragraphs (1) to (3),
11 inclusive.

12 (c) (1) This section does not apply to an individual, whether
13 acting as an individual or as an officer, director, or shareholder of
14 a shorthand reporting corporation, as defined in Section 8040, who
15 possesses a valid license, issued pursuant to Section 8018 or a
16 valid registration issued pursuant to Section 8051, that may be
17 revoked or suspended by the board, or to a shorthand reporting
18 corporation that is in compliance with Section 8044.

19 (2) This section does not apply to a court, a party to litigation,
20 an attorney of a party, or a full-time employee of a party or the
21 attorney of a party, who provides or contracts for certified
22 shorthand reporting for purposes related to the litigation.

23 (d) An individual or entity described in subdivision (b) shall
24 not do any of the following:

25 (1) Seek compensation for a transcript that is in violation of the
26 minimum transcript format standards set forth in Section 2473 of
27 Article 8 of Division 24 of Title 16 of the California Code of
28 Regulations.

29 (2) Seek compensation for a certified court transcript applying
30 fees higher than those set out in Section 69950 of the Government
31 Code.

32 (3) Make a transcript available to one party in advance of other
33 parties, as described in subdivision (d) of Section 2025.510 of the
34 Code of Civil Procedure, or offer or provide a service to only one
35 party as described in subdivision (b) of Section 2025.320 of the
36 Code of Civil Procedure.

37 (4) Fail to promptly notify a party of a request for preparation
38 of all or any part of a transcript, excerpts, or expedites for one
39 party without the other parties' knowledge, as described in

1 paragraph (5) of subdivision (b) of Section 2475 of Article 8 of
2 Division 24 of Title 16 of the California Code of Regulations.

3 (e) Nothing in this section shall be construed to prohibit a
4 licensed shorthand reporter, shorthand reporting corporation, or
5 an individual or entity described in subdivision (b), from offering
6 or providing long-term or multicase volume discounts or services
7 ancillary to reporting and transcribing a deposition, arbitration, or
8 judicial proceeding in contracts that are subject to laws related to
9 shorthand reporting.

10 (f) An individual or entity that violates this section shall be
11 subject to a civil fine not exceeding ten thousand dollars (\$10,000)
12 per violation.

13 (g) The Attorney General, a district attorney, a city attorney, or
14 the board may bring a civil action for a violation of this section,
15 including an action for injunctive relief and any other appropriate
16 relief, and shall be entitled, if they are the prevailing party, to
17 recover reasonable attorney's fees.

18 (h) This section shall remain in effect only until January 1, 2025,
19 and as of that date is repealed.

20 ~~SEC. 49.~~

21 *SEC. 73.* Section 8050 of the Business and Professions Code,
22 as added by Section 3 of Chapter 214 of the Statutes of 2021, is
23 amended to read:

24 8050. (a) It is the intent of the Legislature to enhance the
25 regulation of licensed shorthand reporters and shorthand reporting
26 corporations pursuant to this section, by imposing specific penalties
27 in addition to other remedies permitted by this chapter that seek
28 to discourage practices that are inconsistent with the integrity and
29 impartiality required of officers of the court and to promote
30 competition based upon the quality and price of shorthand reporting
31 services.

32 (b) This section shall apply to an individual or entity that does
33 any of the following:

34 (1) Any act that constitutes shorthand reporting that occurs
35 wholly or partly in this state.

36 (2) Employs, independently contracts with, or recruits a licensed
37 shorthand reporter to report or transcribe deposition testimony in
38 a court proceeding or in a deposition.

1 (3) Contracts with a resident of this state by mail or otherwise
2 that requires either party to perform licensed shorthand reporting
3 wholly or partly in this state.

4 (4) Independently contracts with or is employed by an entity
5 that does any of the acts described in paragraphs (1) to (3),
6 inclusive.

7 (c) (1) This section does not apply to an individual, whether
8 acting as an individual or as an officer, director, or shareholder of
9 a shorthand reporting corporation, as defined in Section 8040, who
10 possesses a valid license, issued pursuant to Section 8018, that
11 may be revoked or suspended by the board, or to a shorthand
12 reporting corporation that is in compliance with Section 8044.

13 (2) This section does not apply to a court, a party to litigation,
14 an attorney of the party, or a full-time employee of the party or
15 the attorney of the party, who provides or contracts for certified
16 shorthand reporting for purposes related to the litigation.

17 (d) An individual or entity described in subdivision (b) shall
18 not do any of the following:

19 (1) Seek compensation for a transcript that is in violation of the
20 minimum transcript format standards set forth in Section 2473 of
21 Article 8 of Division 24 of Title 16 of the California Code of
22 Regulations.

23 (2) Seek compensation for a certified court transcript applying
24 fees other than those set out in Section 69950 of the Government
25 Code.

26 (3) Make a transcript available to one party in advance of other
27 parties, as described in subdivision (d) of Section 2025.510 of the
28 Code of Civil Procedure, or offer or provide a service to only one
29 party as described in subdivision (b) of Section 2025.320 of the
30 Code of Civil Procedure.

31 (4) Fail to promptly notify a party of a request for preparation
32 of all or any part of a transcript, excerpts, or expedites for one
33 party without the other parties' knowledge, as described in
34 paragraph (5) of subdivision (b) of Section 2475 of Article 8 of
35 Division 24 of Title 16 of the California Code of Regulations.

36 (e) Nothing in this section shall be construed to prohibit a
37 licensed shorthand reporter, shorthand reporting corporation, or
38 an individual or entity described in subdivision (b), from offering
39 or providing long-term or multicase volume discounts or services
40 ancillary to reporting and transcribing a deposition, arbitration, or

1 judicial proceeding in contracts that are subject to laws related to
2 shorthand reporting.

3 (f) An individual or entity that violates this section shall be
4 subject to a civil fine not exceeding ten thousand dollars (\$10,000)
5 per violation.

6 (g) The Attorney General, a district attorney, a city attorney, or
7 the board may bring a civil action for a violation of this section,
8 including an action for injunctive relief and any other appropriate
9 relief, and shall be entitled, if they are the prevailing party, to
10 recover reasonable attorney's fees.

11 (h) This section shall become operative on January 1, 2025.

12 ~~SEC. 50.~~

13 *SEC. 74.* Section 8051 of the Business and Professions Code
14 is amended to read:

15 8051. (a) On and after July 1, 2022, an entity that is not a
16 shorthand reporting corporation may, wherever incorporated in
17 the United States, engage in the conduct described in subdivision
18 (b) of Section 8050 if it is approved for registration by the board
19 after meeting all of the following requirements:

20 (1) The entity pays an annual registration fee to the board, in
21 an amount determined by the board, not to exceed five hundred
22 dollars (\$500). The fee shall not exceed the board's cost of
23 administering this section.

24 (2) The entity has designated a board-certified reporter-in-charge
25 who is a full-time employee of the registered entity and a resident
26 of California, and who holds a currently valid California license
27 at all times as a certified shorthand reporter where the certificate
28 holder has no restrictions on their license and is not subject to a
29 pending board accusation or investigation at the time of the entity's
30 application for registration. The reporter-in-charge shall be
31 responsible to the board for an entity's compliance with all state
32 laws and regulations pertaining to and within the scope of the
33 practice of certified shorthand reporting and any acts of the entity
34 pertaining to and within the scope of the practice of a certificate
35 holder shall be deemed acts of the reporter-in-charge. Nothing in
36 this paragraph shall be construed as permitting the board to restrict,
37 suspend, or revoke the license of a reporter-in-charge for conduct
38 committed or directed by another person unless the
39 reporter-in-charge had knowledge of or knowingly participated in
40 such conduct.

1 (3) The entity agrees in the registration to abide by the laws,
2 regulations, and standards of practice applicable to businesses that
3 render shorthand reporting services pursuant to Section 13401 of
4 the Corporations Code, except for the requirements of Sections
5 8040 and 8044.

6 (b) An entity shall provide the board with all of the following
7 information for consideration of initial registration pursuant to
8 subdivision (a):

9 (1) The name and certificate number of the entity's certified
10 reporter-in-charge.

11 (2) Whether the entity, a controlling officer or parent corporation
12 of the entity, the entity's reporter-in-charge, or any of its officers,
13 employees, or independent contractors, has been subject to any
14 enforcement action, relating to the provision of court reporting
15 services, by a state or federal agency within five years before
16 submitting the initial registration. If so, the entity shall provide
17 the board a copy of the operative complaint with the initial
18 registration.

19 (3) Whether the entity, within five years before submitting the
20 registration, has settled, or been adjudged to have liability for, a
21 civil complaint alleging the entity or the entity's reporter-in-charge
22 engaged in misconduct relating to the provision of court reporting
23 services for more than fifty thousand dollars (\$50,000).

24 (4) Any additional documentation the board reasonably deems
25 necessary for consideration in the initial registration process.

26 (c) Within 90 days of receiving a completed application for
27 initial registration, including any disclosures made pursuant to
28 subdivision (b), the board shall either approve the entity's
29 registration or deny the application upon a finding that a substantial
30 risk would be posed to the public, which shall be subsequently
31 provided to the applicant in writing with specificity as to the basis
32 of that finding.

33 (d) A registration issued by the board pursuant to this section
34 shall be valid for one year, at which time it may be approved for
35 renewal by the board upon meeting the requirements of subdivision
36 (a).

37 (e) A registered entity shall notify the board in writing within
38 30 days of the date when a reporter-in-charge ceases to act as the
39 reporter-in-charge and propose another certificate holder to take
40 over as the reporter-in-charge. The proposed replacement

1 reporter-in-charge shall be subject to approval by the board. If
2 disapproved, the entity shall propose another replacement within
3 15 days of the date of disapproval and shall continue to name
4 proposed replacements until a reporter-in-charge is approved by
5 the board.

6 (f) The board shall revoke the registration of an entity if the
7 board determines the entity:

8 (1) Engaged, in whole or in part, through officers, employees,
9 or independent contractors that are not certificate holders, in acts
10 that are within the scope of practice of a certificate holder, unless
11 otherwise permitted by law.

12 (2) Directed or authorized the reporter-in-charge to violate state
13 laws or regulations pertaining to shorthand reporting or offering
14 financial incentives to the reporter-in-charge for engaging in acts
15 that violate state law.

16 (g) In addition to revoking an entity's registration as required
17 by subdivision (f), a registration issued under this section may be
18 revoked, suspended, denied, restricted, or subjected to other
19 disciplinary action as the board deems fit for violations of the laws
20 or regulations pertaining to shorthand reporting by the entity's
21 officers, employees, or independent contractors, including the
22 issuance of citations and fines.

23 (h) The board shall consider suspending the registration of an
24 entity for a minimum of one year if the license of its
25 reporter-in-charge is suspended or revoked for violating this section
26 more than twice in a consecutive five-year period.

27 (i) An entity shall have the right to reasonable notice and
28 opportunity to comment to and before the board regarding any
29 determination to deny or revoke registration before that
30 determination becomes final. An entity may seek review of a board
31 decision to deny or revoke registration under this section either in
32 an administrative hearing under Chapter 5 (commencing with
33 Section 11500) of Part 1 of Division 3 of Title 2 of the Government
34 Code or through an action brought pursuant to Section 1085 of the
35 Code of Civil Procedure.

36 (j) A certificate holder shall not engage in the practice of
37 shorthand reporting on behalf of an entity that the reporter knows
38 or should know is not registered with the board and shall verify
39 whether a person or entity is registered with the board before

1 engaging in the practice of shorthand reporting on behalf of that
2 person or entity.

3 (k) The board shall create and make available on its internet
4 website a directory of registered entities. The board shall not take
5 action against a certificate holder solely for a violation of
6 subdivision (j) if the certificate holder reasonably relied on the
7 board's directory stating that the entity was registered at the time.

8 (l) The board may adopt regulations to implement this section.

9 (m) This section shall remain in effect only until January 1,
10 2025, and as of that date is repealed.

11 ~~SEC. 51.~~

12 *SEC. 75.* Section 8710 of the Business and Professions Code
13 is amended to read:

14 8710. (a) The Board for Professional Engineers, Land
15 Surveyors, and Geologists is vested with power to administer the
16 provisions and requirements of this chapter, and may make and
17 enforce rules and regulations that are reasonably necessary to carry
18 out its provisions.

19 (b) The board may adopt rules and regulations of professional
20 conduct that are not inconsistent with state and federal law. The
21 rules and regulations may include definitions of incompetence and
22 negligence. Every person who holds a license or certificate issued
23 by the board pursuant to this chapter, or a license or certificate
24 issued to a civil engineer pursuant to Chapter 7 (commencing with
25 Section 6700), shall be governed by these rules and regulations.

26 (c) This section shall remain in effect only until January 1, 2025,
27 and as of that date is repealed. Notwithstanding any other law, the
28 repeal of this section renders the board subject to review by the
29 appropriate policy committees of the Legislature.

30 ~~SEC. 52.~~

31 *SEC. 76.* Section 9812.5 of the Business and Professions Code
32 is amended to read:

33 9812.5. The director shall gather evidence of violations of this
34 chapter and of any regulation established hereunder by any service
35 contractor, whether registered or not, and by any employee, partner,
36 officer, or member of any service contractor. The director shall,
37 on their own initiative, conduct spot check investigations of service
38 contractors throughout the state on a continuous basis.

39 This section shall remain in effect only until January 1, 2024,
40 and as of that date is repealed.

1 ~~SEC. 53.~~

2 *SEC. 77.* Section 9830.5 of the Business and Professions Code
3 is amended to read:

4 9830.5. (a) Each service contractor shall pay the fee required
5 by this chapter for each place of business operated by them in this
6 state and shall register with the bureau upon forms prescribed by
7 the director. The forms shall contain sufficient information to
8 identify the service contractor, including name, address, retail
9 seller's permit number, if a permit is required under the Sales and
10 Use Tax Law (Part 1 (commencing with Section 6001) of Division
11 2 of the Revenue and Taxation Code), a copy of the certificate of
12 qualification as filed with the Secretary of State if the service
13 contractor is a foreign corporation, and other identifying data to
14 be prescribed by the bureau. If the business is to be carried on
15 under a fictitious name, that fictitious name shall be stated. If the
16 service contractor is a partnership, identifying data shall be stated
17 for each partner. If the service contractor is a private company that
18 does not file an annual report on Form 10-K with the Securities
19 and Exchange Commission, data shall be included for each of the
20 officers and directors of the company as well as for the individual
21 in charge of each place of the service contractor's business in the
22 State of California, subject to any regulations the director may
23 adopt. If the service contractor is a publicly held corporation or a
24 private company that files an annual report on Form 10-K with
25 the Securities and Exchange Commission, it shall be sufficient for
26 purposes of providing data for each of the officers and directors
27 of the corporation or company to file with the director the most
28 recent annual report on Form 10-K that is filed with the Securities
29 and Exchange Commission.

30 (b) A service contractor who does not operate a place of business
31 in this state but who sells, issues, or administers service contracts
32 in this state, shall hold a valid registration issued by the bureau
33 and shall pay the registration fee required by this chapter as if they
34 had a place of business in this state.

35 (c) This section shall remain in effect only until January 1, 2024,
36 and as of that date is repealed.

37 ~~SEC. 54.~~

38 *SEC. 78.* Section 9832.5 of the Business and Professions Code
39 is amended to read:

1 9832.5. (a) Registrations issued under this chapter shall expire
2 no more than 12 months after the issue date. The expiration date
3 of registrations shall be set by the director in a manner to best
4 distribute renewal procedures throughout the year.

5 (b) To renew an unexpired registration, the service contractor
6 shall, on or before the expiration date of the registration, apply for
7 renewal on a form prescribed by the director, and pay the renewal
8 fee prescribed by this chapter.

9 (c) To renew an expired registration, the service contractor shall
10 apply for renewal on a form prescribed by the director, pay the
11 renewal fee in effect on the last regular renewal date, and pay all
12 accrued and unpaid delinquency and renewal fees.

13 (d) Renewal is effective on the date that the application is filed,
14 the renewal fee is paid, and all delinquency fees are paid.

15 (e) For purposes of implementing the distribution of the renewal
16 of registrations throughout the year, the director may extend, by
17 not more than six months, the date fixed by law for renewal of a
18 registration, except that, in that event, any renewal fee that may
19 be involved shall be prorated in such a manner that no person shall
20 be required to pay a greater or lesser fee than would have been
21 required had the change in renewal dates not occurred.

22 (f) This section shall remain in effect only until January 1, 2024,
23 and as of that date is repealed.

24 ~~SEC. 55.~~

25 *SEC. 79.* Section 9847.5 of the Business and Professions Code
26 is amended to read:

27 9847.5. (a) Each service contractor shall maintain those records
28 as are required by the regulations adopted to carry out the
29 provisions of this chapter for a period of at least three years. These
30 records shall be open for reasonable inspection by the director or
31 other law enforcement officials.

32 (b) This section shall remain in effect only until January 1, 2024,
33 and as of that date is repealed.

34 ~~SEC. 56.~~

35 *SEC. 80.* Section 9849 of the Business and Professions Code,
36 as amended by Section 12 of Chapter 578 of the Statutes of 2018,
37 is amended to read:

38 9849. (a) The expiration of a valid registration shall not deprive
39 the director of jurisdiction to proceed with any investigation or
40 hearing on a cease and desist order against a service dealer or

1 service contractor or to render a decision to suspend, revoke, or
2 place on probation a registration.

3 (b) This section shall remain in effect only until January 1, 2024,
4 and as of that date is repealed.

5 ~~SEC. 57.~~

6 *SEC. 81.* Section 9849 of the Business and Professions Code,
7 as amended by Section 13 of Chapter 578 of the Statutes of 2018,
8 is amended to read:

9 9849. (a) The expiration of a valid registration shall not deprive
10 the director of jurisdiction to proceed with any investigation or
11 hearing on a cease and desist order against a service dealer or to
12 render a decision to suspend, revoke, or place on probation a
13 registration.

14 (b) This section shall become operative on January 1, 2024.

15 ~~SEC. 58.~~

16 *SEC. 82.* Section 9851 of the Business and Professions Code,
17 as amended by Section 14 of Chapter 578 of the Statutes of 2018,
18 is amended to read:

19 9851. (a) The superior court in and for the county wherein any
20 person carries on, or attempts to carry on, business as a service
21 dealer or service contractor in violation of the provisions of this
22 chapter, or any regulation thereunder, shall, on application of the
23 director, issue an injunction or other appropriate order restraining
24 that conduct.

25 (b) The proceedings under this section shall be governed by
26 Chapter 3 (commencing with Section 525) of Title 7 of Part 2 of
27 the Code of Civil Procedure, except that the director shall not be
28 required to allege facts necessary to show or tending to show lack
29 of an adequate remedy at law or irreparable injury.

30 (c) This section shall remain in effect only until January 1, 2024,
31 and as of that date is repealed.

32 ~~SEC. 59.~~

33 *SEC. 83.* Section 9851 of the Business and Professions Code,
34 as amended by Section 15 of Chapter 578 of the Statutes of 2018,
35 is amended to read:

36 9851. (a) The superior court in and for the county wherein any
37 person carries on, or attempts to carry on, business as a service
38 dealer in violation of the provisions of this chapter, or any
39 regulation thereunder, shall, on application of the director, issue
40 an injunction or other appropriate order restraining that conduct.

1 (b) The proceedings under this section shall be governed by
2 Chapter 3 (commencing with Section 525) of Title 7 of Part 2 of
3 the Code of Civil Procedure, except that the director shall not be
4 required to allege facts necessary to show or tending to show lack
5 of an adequate remedy at law or irreparable injury.

6 (c) This section shall become operative on January 1, 2024.

7 ~~SEC. 60.~~

8 *SEC. 84.* Section 9853 of the Business and Professions Code,
9 as amended by Section 16 of Chapter 578 of the Statutes of 2018,
10 is amended to read:

11 9853. (a) A plea or verdict of guilty or a conviction following
12 a plea of nolo contendere made to a charge substantially related
13 to the qualifications, functions, and duties of a service dealer or
14 service contractor is deemed to be a conviction within the meaning
15 of this article. The director may suspend, revoke, or place on
16 probation a registration, or may deny registration, when the time
17 for appeal has elapsed, or the judgment of conviction has been
18 affirmed on appeal or when an order granting probation is made
19 suspending the imposition of sentence, irrespective of a subsequent
20 order under Section 1203.4 of the Penal Code, allowing that person
21 to withdraw their plea of guilty and to enter a plea of not guilty,
22 or setting aside the verdict of guilty, or dismissing the accusation,
23 information, or indictment.

24 (b) This section shall remain in effect only until January 1, 2024,
25 and as of that date is repealed.

26 ~~SEC. 61.~~

27 *SEC. 85.* Section 9853 of the Business and Professions Code,
28 as amended by Section 17 of Chapter 578 of the Statutes of 2018,
29 is amended to read:

30 9853. (a) A plea or verdict of guilty or a conviction following
31 a plea of nolo contendere made to a charge substantially related
32 to the qualifications, functions, and duties of a service dealer is
33 deemed to be a conviction within the meaning of this article. The
34 director may suspend, revoke, or place on probation a registration,
35 or may deny registration, when the time for appeal has elapsed, or
36 the judgment of conviction has been affirmed on appeal or when
37 an order granting probation is made suspending the imposition of
38 sentence, irrespective of a subsequent order under Section 1203.4
39 of the Penal Code allowing that person to withdraw their plea of

1 guilty and to enter a plea of not guilty, or setting aside the verdict
2 of guilty, or dismissing the accusation, information, or indictment.

3 (b) This section shall become operative January 1, 2024.

4 ~~SEC. 62.~~

5 *SEC. 86.* Section 9855.9 of the Business and Professions Code
6 is amended to read:

7 9855.9. This article shall remain in effect only until January
8 1, 2024, and as of that date is repealed.

9 ~~SEC. 63.~~

10 *SEC. 87.* Section 9860 of the Business and Professions Code,
11 as amended by Section 22 of Chapter 578 of the Statutes of 2018,
12 is amended to read:

13 9860. (a) The director shall establish procedures for accepting
14 complaints from the public against any service dealer or service
15 contractor.

16 (b) This section shall remain in effect only until January 1, 2024,
17 and as of that date is repealed.

18 ~~SEC. 64.~~

19 *SEC. 88.* Section 9860 of the Business and Professions Code,
20 as amended by Section 23 of Chapter 578 of the Statutes of 2018,
21 is amended to read:

22 9860. (a) The director shall establish procedures for accepting
23 complaints from the public against any service dealer.

24 (b) This section shall become operative on January 1, 2024.

25 ~~SEC. 65.~~

26 *SEC. 89.* Section 9862.5 of the Business and Professions Code
27 is amended to read:

28 9862.5. (a) If a complaint indicates a possible violation of this
29 chapter or of the regulations adopted pursuant to this chapter, the
30 director may advise the service contractor of the contents of the
31 complaint and, if the service contractor is so advised, the director
32 shall make a summary investigation of the facts after the service
33 contractor has had reasonable opportunity to reply thereto.

34 (b) This section shall remain in effect only until January 1, 2024,
35 and as of that date is repealed.

36 ~~SEC. 66.~~

37 *SEC. 90.* Section 9863 of the Business and Professions Code,
38 as amended by Section 25 of Chapter 578 of the Statutes of 2018,
39 is amended to read:

1 9863. (a) If, upon summary investigation, it appears probable
2 to the director that a violation of this chapter, or the regulations
3 thereunder, has occurred, the director, in their discretion, may
4 suggest measures that in the director's judgment would compensate
5 the complainant for the damages they suffered as a result of the
6 alleged violation. If the service dealer or service contractor accepts
7 the director's suggestions and performs accordingly, the director
8 shall give that fact due consideration in any subsequent disciplinary
9 proceeding. If the service dealer or service contractor declines to
10 abide by the suggestions of the director, the director may
11 investigate further and may institute disciplinary proceedings in
12 accordance with the provisions of this chapter.

13 (b) This section shall remain in effect only until January 1, 2024,
14 and as of that date is repealed.

15 ~~SEC. 67.~~

16 *SEC. 91.* Section 9863 of the Business and Professions Code,
17 as amended by Section 26 of Chapter 578 of the Statutes of 2018,
18 is amended to read:

19 9863. (a) If, upon summary investigation, it appears probable
20 to the director that a violation of this chapter, or the regulations
21 thereunder, has occurred, the director, in their discretion, may
22 suggest measures that in the director's judgment would compensate
23 the complainant for the damages they suffered as a result of the
24 alleged violation. If the service dealer accepts the director's
25 suggestions and performs accordingly, the director shall give that
26 fact due consideration in any subsequent disciplinary proceeding.
27 If the service dealer declines to abide by the suggestions of the
28 director, the director may investigate further and may institute
29 disciplinary proceedings in accordance with the provisions of this
30 chapter.

31 (b) This section shall become operative on January 1, 2024.

32 ~~SEC. 68.~~

33 *SEC. 92.* Section 9873 of the Business and Professions Code,
34 as added by Section 3 of Chapter 29 of the Statutes of 2019, is
35 amended to read:

36 9873. The fees prescribed by this chapter shall be set by the
37 director by regulation, according to the following schedule:

38 (a) (1) The initial registration fee for an electronic repair
39 industry service dealer or for an appliance repair industry service
40 dealer is not more than two hundred five dollars (\$205) for each

1 place of business in this state. The initial registration fee for a
2 service contractor is not more than ninety-five dollars (\$95) for
3 each place of business in this state.

4 (2) The initial registration fee for a person who engages in
5 business as both an electronic repair industry service dealer and
6 an appliance repair industry service dealer is not more than four
7 hundred five dollars (\$405) for each place of business in this state.

8 The initial registration fee for a person who is a service contractor
9 and engages in business as either an electronic repair industry
10 service dealer or an appliance repair industry service dealer is not
11 more than three hundred dollars (\$300) for each place of business
12 in this state.

13 (3) The initial registration fee for a person who engages in both
14 the electronic repair industry and the appliance repair industry as
15 a service dealer and is a service contractor is not more than five
16 hundred dollars (\$500) for each place of business in this state.

17 (4) A service dealer or service contractor who does not operate
18 a place of business in this state, but engages in the electronic repair
19 industry or the appliance repair industry, or sells, issues, or
20 administers service contracts in this state, shall pay the registration
21 fee specified herein as if that service dealer or service contractor
22 had a place of business in this state.

23 (b) (1) The annual registration renewal fee for an electronic
24 repair industry service dealer or for an appliance repair industry
25 service dealer is not more than two hundred five dollars (\$205)
26 for each place of business in this state, if renewed prior to its
27 expiration date. The annual registration renewal fee for a service
28 contractor is ninety-five dollars (\$95) for each place of business
29 in this state, if renewed prior to its expiration date.

30 (2) The annual renewal fee for a service dealer who engages in
31 the business as both an electronic repair industry service dealer
32 and an appliance repair industry service dealer is not more than
33 four hundred dollars (\$400) for each place of business in this state.

34 (3) The annual renewal fee for a service dealer who engages in
35 the electronic repair industry and the appliance repair industry and
36 is a service contractor is not more than four hundred seventy-five
37 dollars (\$475) for each place of business in this state.

38 (4) A service dealer or service contractor who does not operate
39 a place of business in this state, but who engages in the electronic
40 repair industry or the appliance repair industry, or sells or issues

1 service contracts in this state, shall pay the renewal fee specified
2 herein as if that service dealer or service contractor had a place of
3 business in this state.

4 (c) The delinquency fee is an amount equal to 50 percent of the
5 renewal fee for a license in effect on the date of renewal of the
6 license, except as otherwise provided in Section 163.5.

7 (d) This section shall remain in effect only until January 1,
8 2024, and as of that date is repealed.

9 ~~SEC. 69.~~

10 *SEC. 93.* Section 9873 of the Business and Professions Code,
11 as added by Section 4 of Chapter 29 of the Statutes of 2019, is
12 amended to read:

13 9873. The fees prescribed by this chapter shall be set by the
14 director by regulation, according to the following schedule:

15 (a) The initial registration fee for an electronic repair industry
16 service dealer or for an appliance repair industry service dealer is
17 not more than two hundred five dollars (\$205) for each place of
18 business in this state. The initial registration fee for a person who
19 engages in business as both an electronic repair industry service
20 dealer and an appliance repair industry service dealer is not more
21 than four hundred five dollars (\$405).

22 (b) The annual registration renewal fee for an electronic repair
23 industry service dealer or for an appliance repair industry service
24 dealer is not more than two hundred five dollars (\$205) for each
25 place of business in this state, if renewed prior to its expiration
26 date. The annual renewal fee for a service dealer who engages in
27 the business as both an electronic repair industry service dealer
28 and an appliance repair industry service dealer is not more than
29 four hundred dollars (\$400).

30 (c) The delinquency fee is an amount equal to 50 percent of the
31 renewal fee for a license in effect on the date of renewal of the
32 license, except as otherwise provided in Section 163.5.

33 (d) This section shall become operative on January 1, 2024.

34 ~~SEC. 70.~~

35 *SEC. 94.* Section 18602 of the Business and Professions Code
36 is amended to read:

37 18602. (a) Except as provided in this section, there is in the
38 Department of Consumer Affairs the State Athletic Commission,
39 which consists of seven members. Five members shall be appointed
40 by the Governor, one member shall be appointed by the Senate

1 Committee on Rules, and one member shall be appointed by the
2 Speaker of the Assembly.

3 The members of the commission appointed by the Governor are
4 subject to confirmation by the Senate pursuant to Section 1322 of
5 the Government Code.

6 No person who is currently licensed, or who was licensed within
7 the last two years, under this chapter may be appointed or
8 reappointed to, or serve on, the commission.

9 (b) In appointing commissioners under this section, the
10 Governor, the Senate Committee on Rules, and the Speaker of the
11 Assembly shall make every effort to ensure that at least four of
12 the members of the commission shall have experience and
13 demonstrate expertise in one of the following areas:

14 (1) A licensed physician or surgeon having expertise or
15 specializing in neurology, neurosurgery, head trauma, or sports
16 medicine. Sports medicine includes, but is not limited to,
17 physiology, kinesiology, or other aspects of sports medicine.

18 (2) Financial management.

19 (3) Public safety.

20 (4) Past experience in the activity regulated by this chapter,
21 either as a contestant, a referee or official, a promoter, or a venue
22 operator.

23 (c) Each member of the commission shall be appointed for a
24 term of four years. All terms shall end on January 1. Vacancies
25 occurring prior to the expiration of the term shall be filled by
26 appointment for the unexpired term. No commission member may
27 serve more than two consecutive terms.

28 (d) Notwithstanding any other provision of this chapter,
29 members first appointed shall be subject to the following terms:

30 (1) The Governor shall appoint two members for two years, two
31 members for three years, and one member for four years.

32 (2) The Senate Committee on Rules shall appoint one member
33 for four years.

34 (3) The Speaker of the Assembly shall appoint one member for
35 four years.

36 (e) (1) This section shall remain in effect only until January 1,
37 2025, and as of that date is repealed.

38 (2) Notwithstanding any other law, the repeal of this section
39 renders the board subject to review by the appropriate policy
40 committees of the Legislature.

1 ~~SEC. 71. Section 18613 of the Business and Professions Code~~
2 ~~is amended to read:~~

3 ~~18613. (a) (1) The commission shall appoint a person exempt~~
4 ~~from civil service who shall be designated as an executive officer~~
5 ~~and who shall exercise the powers and perform the duties delegated~~
6 ~~by the commission and vested in the executive officer by this~~
7 ~~chapter. The appointment of the executive officer is subject to the~~
8 ~~approval of the Director of Consumer Affairs.~~

9 ~~(2) The commission may employ a chief athletic inspector. If~~
10 ~~the commission employs a chief athletic inspector, the chief athletic~~
11 ~~inspector shall exercise the powers and perform the duties delegated~~
12 ~~by the commission and authorized by the executive officer related~~
13 ~~to the regulation of events under this chapter.~~

14 ~~(3) The commission may employ an assistant chief athletic~~
15 ~~inspector. If the commission employs an assistant chief athletic~~
16 ~~inspector, the assistant chief athletic inspector shall assist the chief~~
17 ~~athletic inspector in exercising the powers and performing the~~
18 ~~duties delegated by the commission and authorized by the executive~~
19 ~~officer related to the regulation of events under this chapter.~~

20 ~~(4) The commission may employ in accordance with Section~~
21 ~~154 other personnel as may be necessary for the administration of~~
22 ~~this chapter.~~

23 ~~(b) This section shall remain in effect only until January 1, 2025,~~
24 ~~and as of that date is repealed.~~

25 ~~SEC. 72.~~

26 ~~SEC. 95. No reimbursement is required by this act pursuant~~
27 ~~to Section 6 of Article XIII B of the California Constitution because~~
28 ~~the only costs that may be incurred by a local agency or school~~
29 ~~district will be incurred because this act creates a new crime or~~
30 ~~infraction, eliminates a crime or infraction, or changes the penalty~~
31 ~~for a crime or infraction, within the meaning of Section 17556 of~~
32 ~~the Government Code, or changes the definition of a crime within~~
33 ~~the meaning of Section 6 of Article XIII B of the California~~
34 ~~Constitution.~~

AGENDA ITEM I: DISCUSS AND POSSIBLE ACTION ON UNIVERSITY OF CALIFORNIA, LOS ANGELES EXTENSION LANDSCAPE ARCHITECTURE PILOT LOW RESIDENCY

Summary

At the April 4, 2022 LATC meeting, Stephanie Landregan, Director of the University of California, Los Angeles (UCLA) Extension Landscape Architecture Certificate Program outlined an ongoing pilot low-residency program option. Ms. Landregan explained that in response to the pandemic the UCLA Extension Landscape Architecture Certificate Program successfully shifted to an online distance learning format. The program is considering the adaption of this shift to serve more students including those who live out of commuter range of UCLA and interest from former UC Berkeley Extension students to resume/continue with an Extension Certificate. Students enrolled in the low-residency program will participate in person a couple weekends per quarter and complete the remainder of the program through distance-based remote education.

California Code of Regulations (CCR) section 2620.5 sets forth the requirements for an approved extension certificate program and specifies that a program's curriculum shall not be revised until it has been approved by the Board. In June 2020, the UCLA Program submitted a Self-Evaluation Report (SER) to the LATC for the 2013-2020 academic years. An LATC subcommittee reviewed the SER, in compliance with CCR section 2620.5, and prepared a report and recommendation for Board approval. At their December 11, 2020, meeting, the Board approved the UCLA Program effective through December 31, 2025.

On June 22, 2022, a final regulatory package was submitted to the Office of Administrative Law for review of amendments to CCR section 2620.5 that would establish criteria for the following: 1) program approval including expiration, renewal, and extensions of approval; 2) program denial and appeal of Board denial; 3) the process to conduct site inspections; and 4) the information that shall be provided by the extension certificate program to evaluate the program's compliance with this regulation.

Action Requested

None

Attachment

UCLA Landscape Architecture Proposed Pilot Low Residency Program Dated July 14, 2022

Proposal to adopt the UCLA Pilot Low-Residency Hybrid Extension Certificate Program in Landscape Architecture

July 14, 2022

Introduction

In the last few years, educational institutions around the world went through significant and fundamental changes. Some of these changes are due to the ongoing development of innovative pedagogy as well as digital advancements, which enable instructors and teachers the ability to teach effectively online. The COVID 19 pandemic accelerated some of these changes, allowing educational institutions and workplaces the ability to transition to online and distance education and employment. During the pandemic, the University of California Los Angeles (UCLA) Extension Landscape Architecture Certificate Program (the Program) successfully transitioned to a fully online format which was necessitated by the mandated stay-at-home orders. The success of this transition sparked the idea of developing a low-residency hybrid program for the future. Melding the use of digital technology with value-added in-person class meetings, creates a program format that can serve a broader student demographic in the state of California.

The low-residency hybrid program UCLA Extension is proposing requires students to attend in-person (residency) class meetings. The number and duration of the residency component will vary depending on the course syllabus, format, instructor, and learning objectives. Residency in the program is a required element and when combined with distance-based learning, creates a rich experienced-based educational experience. UCLA Extension's Landscape Architecture Certificate Program is a post-baccalaureate program; with the exception of a practice vs theory focus, it is similar to a three-year Master of Landscape Architecture degree in scope and length.

Program Layout

The California Business and Professions Code, under Title 16, Division 26. The Landscape Architects Technical Committee regulates Extension Certificates in Landscape Architecture under Article 1. 2620.5. With the closure of UC Berkeley's Extension Landscape Architecture Certificate Program, the UCLA Extension Program is the only evening and weekend educational option for students in California wanting to study landscape architecture. With that in mind, how should the UCLA Extension Landscape Architecture Certificate Program expand to serve all of California?

In 2019 when campuses across the country and world moved to remote instruction, experience-based learning suffered. The remote learning platforms provided great opportunities for theory and knowledge but lacked teaching in a real-world context that enables students to learn to design with nature. As the pandemic continued, education and technology have stepped up to make skill-based education accessible. The physical understanding of a site, its context, climate, and a sense and appreciation of the environment cannot be fully conveyed via Zoom or Google Earth.

Quarantining and social isolation gave many people time to return to school. UCLA Extension's Landscape Architecture Program attracted students from all over California, the northwest, and even the east coast. The need to continue to accommodate students in this now expanded geographic reach and to return to site-based experiential education has inspired the program to pilot a low-residency hybrid program.

Landscape Architecture as a practice is nature-informed and site-based. Landscape Architecture requires observation where the senses inform observation, analysis, and design. It is a site-specific and experience-based discipline.

Many of the students that join the program are working professionals with families and financial responsibilities. Their life schedules do not fit well with the traditional university model of full-time academic status. The low-residency hybrid program UCLA Extension is proposing enables students from all over the state to complete their landscape architecture studies without leaving their employment or communities.

The Low-Residency Hybrid Model

Los Angeles vicinity based courses for cohorts

The low-residency hybrid program will remain a three-year program, the same as the current approved program. What will change is the format of class meetings. The new model offers two or three Los Angeles-based, site specific, and/or studio specific classes per quarter (typically weekends). The remaining class meetings are online and synchronous to foster collaboration, and not self-paced. The student cohort is required to attend classes and work together regardless of the class format. During the residential period, program instruction includes site visits, site analysis, studio instruction, and the opportunity for students to meet, brainstorm, and network with their cohort. Coordinating these in-person weekend courses per cohort will reduce travel costs and time for all students. Outside of the time that program students are on-site, their main directive will be to attend eight (8) or nine (9) remote live classes, meet learning objectives, complete assignments, and demonstrate the knowledge, skills, and abilities (KSA's) of each course. Though not physically on campus for all class meetings, students are expected to structure their education in a self-driven and productive manner.

Design courses are arranged so that the first class meeting is an in-person site visit where students do site analysis. The subsequent online class meetings capitalize on the site work analysis process, concept development, and direct design. The second in-person class meeting is typically a studio or live presentation and critique. Applied technical courses (Irrigation, Planting Design, Grading and Drainage) have an in-person site component. All design and applied technical courses will have up to three (3) in-person class meetings. Technical computer software courses do not have in-person meetings and are fully online and synchronous.

To complete the program curriculum in three years, students follow the current approved curriculum sequence. Each quarter students enroll in a minimum of two core program courses. There are a few quarters where students will enroll in additional courses to fulfill the 6-unit elective requirement.

Low-Residency Hybrid Pilot Feedback and Lessons Learned

The low-residency pilot was launched in January 2022. Each course in the pilot was surveyed to assess the success of the new format. Seeking insight, feedback, and suggestions from both students and instructors was paramount to ensuring each course was meeting the learning objectives and student needs.

The course schedule coordination between instructors and the program administration has been critical to the success of the residency component of the pilot. Minimizing travel for local as well as nonlocal students while maximizing and enriching the learning opportunities of in-person class meetings was the balance sought. The winter, spring, and summer pilot formats have required two in-person class meetings, per course, per quarter for all design, graphics, and technical courses. Computer software courses transitioned to a fully online synchronous format. All remote live class meetings were recorded, and attendance was mandatory. Following is the feedback on these three quarters.

Feedback

Instructor and student feedback regarding the low-residency hybrid format has been overwhelmingly favorable. The student association conducted a student survey, to provide students the opportunity to share their experiences. Students appreciate both the flexibility of the pilot format as well as the ability to create community with fellow students during the in-person class meetings. Further feedback was solicited from instructors, guidance committee members, and student leaders at the program's recent instructor retreat on June 11, 2022. The student survey results and the engaging conversations at the retreat brought to light areas for improvement, which we will address.

In general, students, instructors, and guidance committee members favor the in-person class meetings that maximize the experiential learning opportunities unique to landscape architecture.

Below are comments from the student survey, conducted by the student association in the spring of 2022 and shared by student association board members at the June 11, 2022, instructor retreat.

Student comments and survey results

The low-residency hybrid format is generally favored. Several student comments include:

- Software classes work great fully remote, except when people come unprepared
- I really enjoy the hybrid class structure. It does make it difficult for some subjects: however, I find it not only convenient but also so rewarding when we do get together in person.
- Love the hybrid program because students can live and work where they want while studying
- Living locally but still enjoying the remote format. Professors are generous with time and communication has been good.

Student suggestions for low-residency hybrid program improvement:

- Make in-person classes more like intensive, all-day studio workshops, possibly with opportunities to work with different groups or collaborate with other classes. Make the in-person experience more dynamic and enriching.
- (Have) classes visit the final presentation class of the next cohort
- Hybrid structure needn't be so rigid. Mandating 2 classes per class per quarter doesn't make sense. Sometimes the 2 in-person classes feel completely unnecessary, and some classes feel like they need more than 2 in-person sessions. Alternatively, work with instructors so that the in-person classes feel truly worthwhile.

Below are comments and suggestions from guidance committee members, students, and instructors at the instructor retreat on June 11, 2022. The retreat was conducted via Zoom, attendees were divided into breakout rooms. Each room had a few instructors, chosen loosely on the courses they teach in curriculum sequence, and at least one guidance committee member and one student association board member.

Instructor Retreat comments

In breakout sessions, the following were items specific to the low-residency hybrid model:

- Consider more than two in-person meetings per course to understand the challenges with this for out-of-town students. However, the deciding factor of # of in-person meetings should be the quality of the education/program and employability of our students, not students' travel arrangements
- Better definition of the goal of the program. Stay hybrid (low-residency), move to 50/50? Quantity vs quality question for the program. Is the goal more students or the best education, how do we do both?
- Early classes should teach digital tools, you can hand draw on digital programs. We owe it to students to be working in the latest software to best prepare them for employment. They minimize downtime and maximize smart time.
- Portfolio Reviews are very formal. Could we do open portfolio reviews for all students to hear feedback? Cal Poly does "speed dating" portfolio review. Students have 30 seconds to present, get feedback and move to the next reviewer.

Email feedback from instructors, graduate employers, and class jurors (July 2022)

To gather as much feedback, individually and from those unable to attend the retreat, letters were solicited in early July from instructors, and class design panelists/jurors. Concurrent with this request, letters to the UCLA Academic Senate were solicited to provide an evaluation of learning objectives and hybrid platform success. These letters are attached in Appendix A

Excerpts from these letters:

Perry Cardoza, *President of NUVIS Landscape Architecture*

I firmly support their (UCLA Extension Landscape Architecture's) remote teaching format/hybrid approach because it works. Recently, I had the opportunity to critique their senior projects via a cloud-based video conference. I found this hybrid format engaging, convenient, and seamless. I was impressed with each student's communication skills, navigating video presentations while verbally expressing design concepts. In fact, I saw an overall improvement in their skill development for graphic ability and verbal communication.

Jim Smith, AIA, *former Chief of Design, LA County Parks and Recreation*

I feel the students involved in the hybrid site design learning experience meet the previous norm of our students. In the development on each student's individual design process and presentation of site layout design from concept and concept graphic diagramming, functional bubble diagramming, schematic design and final presentation graphic communication from plan, section elevations and 3D sketches in the remote learning situation certainly are meeting the norm or former students.

John Hourian, ASLA, *President Hourian Associates*

As a professional landscape architect reviewing the presentation of the 'Capstone' projects, I concluded that work presented within the hybrid environment had no negative impact on the quality of work. If anything, communication, and presentation skills greatly improved through the process.

The quality of work from each student's research, graphics, and design reflected a creative understanding of each of their projects.

Michelle Sullivan (Indjayan), RLA#3525, *Guidance Committee Chair*

In June of this year, the program director organized a retreat in which the director, faculty, student representatives, along with Guidance Committee members reviewed and provided thoughtful discussions on the program with a focus on the hybrid (low-residency) model. The consensus was in support of the hybrid (low-residency) model; blending online instruction, with in-person instruction-interaction, thus the importance of the word hybrid. The program continues to refine the tools and teaching means and methods, along with teaching platforms, to support an impactful educational rigor, aligned with program objectives in support of the strategic plan in meeting the established vision and goals of the program.

Lessons Learned

Since 1976, UCLA Extension has worked continuously to provide high-quality education in landscape architecture. Since the beginning of the pandemic, students, instructors, and administrators have assessed the successes and the challenges of online teaching. Reaching more individuals and allowing flexibility for working adults both with and without children has been a plus. We are more familiar with the tools and strengths of online education and are aware of the challenges and limitations. Below are some of the lessons learned from the past three years, of which one year (2022) began a pilot to incorporate in-person with online classes.

- For the low-residency hybrid program to work best, the program will need to address enlivening the online presentations and empowering the instructors. The program is considering “flipped” classes which have both pre-work and in-class instruction. The use of software such as Conceptboard and Miro is being reviewed.
- Setting the goal of two in-person class meetings for the pilot created compromises with the curriculum. The concurrent classes can accommodate this better with 3 in-person classes, with one not mandatory, and possibly high flex (this is a live broadcast class addressing both students in the classroom and online). Presently UCLA does not readily have this capacity.
- The hybrid (low-residency) model can allow for flexibility and in-person experiences.
- Focus in-person classes to be intensive, all-day studio workshops, possibly with opportunities to work with different groups or collaborate with other classes/cohorts. Make the in-person experience dynamic and enriching. Lectures should be conducted online, and the best use of in-person classes should capitalize on site analysis, natural processes, human factors, studio instruction, and critiques.

Summary

Approved Extension Certificate Programs are codified in the Landscape Architect's Practice Act and regulated by the LATC, Article 1. 2620.5. Changes to curriculum are presented to the LATC, and per statute, the program is required to offer classes in a timely, sequenced manner.

This report presents to the LATC, with substantiation, the results of the instructional pilot low-residency hybrid format. Survey results from class evaluations, students, instructors, and guidance committee members support the continuation of the low-residency hybrid program format. As with all instructional platforms there will be continued evaluation of both format and success of learning objectives. Classes will be conducted both remotely (synchronously) and in-person, as best suited to the syllabus learning objectives.

The low-residency hybrid pilot has allowed the program to accommodate the stranded nontraditional students living outside the Southern California area previously served by the UC Berkeley Extension Program. These students are in full support of the format.

The UCLA Extension Landscape Architecture Program would like to formalize the Program as a low-residency hybrid program, with the approval of the LATC.

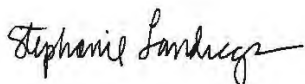
2021 Student Show link

For additional information on the class projects, please follow the link to our student produced show from last fall <http://landarchconnect.com/2021StudentShow/index.html>

Appendix A

Letters received with comments are attached in the following appendix.

Respectfully submitted,



Stephanie V. Landregan, FASLA, PLA

Program Director

UCLA Extension Landscape Architecture Certificate Program

CA. Landscape Architecture License # 4093

Appendix A

July 7, 2022

To: Academic Senate
RE: UCLA Extension Program, Landscape Architecture

Dear Academic Senate,

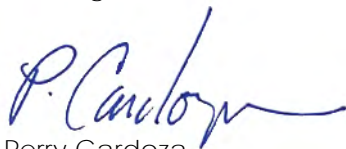
Over the last 20 years, I have had the opportunity to experience both the UCLA Extension program's traditional and remote/hybrid approaches to classroom instruction. As a guest lecturer and periodic classroom contributor, I have critiqued student work and discussed program goals with instructors and students. As President of NUVIS Landscape Architecture, I am personally involved with evaluating potential new hires. I can honestly say that this program consistently produces quality, well-rounded professionals with the skillsets needed in landscape architecture firms. Notably, from 2020 to the present, NUVIS has been working solely with recent UCLA Extension graduates to develop a pilot program to reduce residential landscape water use through sustainable planting and irrigation for Los Angeles residents. We are currently employing twelve recent graduates with the hope of increasing that number to twenty.

I firmly support their remote teaching format/hybrid approach because it works. Recently, I had the opportunity to critique their senior projects via a cloud-based video conference. I found this hybrid format engaging, convenient, and seamless. I was impressed with each student's communication skills, navigating video presentations while verbally expressing design concepts. In fact, I saw an overall improvement in their skill development for graphic ability and verbal communication. Throughout this pandemic, I saw first-hand how important being flexible and adaptive to change is to the success of my firm. UCLA's Extension program has learned these lessons by creatively bridging the gap between traditional classroom learning and remote instruction.

The pandemic has forced all of us to communicate in different ways. The UCLA extension program took an innovative approach to address the unique challenges of the pandemic and adapted to remote instruction without sacrificing the quality of education. Like the UCLA program, my firm shifted from a traditional office environment to a hybrid model. We have elected to continue with our hybrid office because it better serves the needs of our employees without impacting production or quality. I expect the hybrid platform of the UCLA Extension program in Landscape Architecture will continue to provide a quality learning experience for students.

In closing, I wholeheartedly support the continuation of the UCLA Extension hybrid platform.

Best regards,



Perry Cardoza
President, PLA, ASLA

July 6, 2022

To Whom It May Concern:

Let me introduce myself. I am Michelle Sullivan (Indjayan), a licensed landscape architect with the State of California #3525. I was a principal with the firm of Studio-MLA, based in Los Angeles until fall of 2021, and over the course of several years, been the Guidance Committee Chair for the UCLA Extension - Landscape Architecture program. I am writing regarding the UCLA Extension – Landscape Architecture– hybrid program format.

When the pandemic hit our nation in Spring of 2020, we all had to adapt to continuing our daily lives in new ways. In the workplace, we very quickly moved toward a remote work online platform, and the Landscape Architecture program also nimbly moved forward with online teaching. It was impressive, to see the support provided within the program administration and faculty to initiate a completely new approach from in person teaching to online remote education. The weekly class structure has been maintained, but instruction and studio now have predominantly occurred via the online-remote platform. I have had the privilege of attending many class project presentations, along with student portfolio reviews, and the quality of the output of the design, and presentation has been maintained and even further developed to aligned with what I have experienced within the professional realm of a landscape architectural workplace. Many of the formats within this online platform offer a larger online classroom, with breakout rooms for more specific teacher to student interaction. Through this online program, the student body has been able to attend from farther geographic locations, thus providing more opportunity for those interested in pursuing an accredited landscape architecture program. In addition, there are student chat groups that allow for further communication/sharing interactions within the student population.

The Guidance Committee has met numerous times since the onset of the pandemic, and during this time as directed by the department leadership, with input from faculty and students updated the program's strategic plan to revisit the vision and goals of the program, with an emphasis in support of equity and inclusion. The hybrid program format has been identified as a means in support of the program thriving and meeting the program's goals.

We will continue to assess and evaluate the program hybrid model. In June of this year, the program director organized a retreat in which the director, faculty, student representatives, along with Guidance Committee reviewed and provided thoughtful discussions on the program with a focus on the hybrid model. The consensus was in support of the hybrid model; blending on-line instruction, with in person instruction-interaction, thus the importance of the word hybrid. The program continues to refine the tools and teaching means and methods, along with teaching platforms, to support an impactful educational rigor, aligned with program objectives in support of the strategic plan in meeting the established vision and goals of the program.

Sincerely,

Michelle Sullivan (Indjayan)
Guidance Committee Chair
Landscape Architect, RLA #3525

July 5, 2022

To Members of the Academic Senate:

As a Guidance Committee member for the UCLA Extension - Landscape Architecture program, an occasional landscape design studio instructor (Design 7), and as a regularly invited guest of the senior level design reviews and the capstone course series I am writing of behalf of the UCLA Extension, Landscape Architecture hybrid program format.

The arrival of the pandemic in Spring of 2020 brought with it a jolt of epic proportions to our daily lives, our work place operations and the ways and means of our educational system. With very little notice and time to prepare the Landscape Architecture program moved very quickly and efficiently to the online teaching format. With great support and leadership by program administration and with the determination & resourcefulness of the faculty the program was able to easily transition into a new on-line remote teaching environment. Throughout the shut down and isolation period the program and its instructors were able to maintain the high-quality, professional and engaging learning environment that the Landscape Department is known for despite the circumstances of remote instruction.

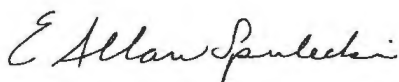
The new approach from in person teaching to online remote education has provided a unique opportunity for a new, innovative, evolution of the program to broaden its reach to perspective students further afield from our Southern California region; allowing for greater flexibility and accommodation to both instructors and student alike who have to manage often multiple professional and personal family commitments; greatly reduce the personal time commitment and costs associated with commuting / transportation - significant in this vast, car centric, megalopolis known as Los Angeles.

The weekly class structure has been maintained, with formal instruction and studio design sessions are occurring via the online-remote platform. Along the way each class or design studio have found ways to tailor to their individual curriculum opportunities for deeper discussions, added student / instructor interactions and in-depth presentation dialogues via the Zoom room technology and its built-in features. And while not totally relying on a virtual only education metrology the program has sought to build into this new format opportunities for in-person engagement & interactions via course related field trips or landscape design related activities.

This transformation and evolution have come with many challenges requiring a significant amount determination and hard work by all involved. As both an instructor and invited guest I can attest that the level of student performance and achievement has not suffered and, is consistent with performance & expectations of the pre-pandemic period - if not better! The evolutionally change thrust upon the program has made the program stronger and more robust. Under the direction and leadership of the Program Director a retreat of all instructors, Guidance Committee members and representatives of the student body was gathered to reflect on our experiences of this new approach and of its focus going forward with the hybrid model. The consensus was unanimous in support of the hybrid model - blending on-line instruction, with in person instruction & interactions where possible. The program continues to examine our process and introduce refinements to the means and methods established at the beginning, while exploring opportunities for additional innovation and inter-personal interactions.

The dedication and commitment by the administration, instructors, and students throughout this endeavor has been outstanding - a reflection of program goals, values and objectives for a rigorous, thoughtful and meaningful landscape design education. It is for this reason that I join with my colleagues in support of the new hybrid program format.

Sincerely,

A handwritten signature in cursive script, reading "E. Allan Spulecki". The ink is dark and the signature is fluid, with a large initial "E" and a stylized "S".

E. Allan Spulecki, AIA, ASLA
California RLA #6727

July 10, 2022

To Whom It May Concern:

UCLA extension has been easily accessible to all students via the network of freeways Los Angeles has to offer with some challenges for more distant learners. I know I have attended many Extension classes over the years from advanced Spanish, career evaluation, and the identification of California art. I still use what I learned even today. Yet, today looks different than when I attended extension courses before the advent of CoVid and for what students are seeking while working toward their certificate in Landscape Architecture. In this letter, I want to share an educational opportunity for the program which will only continue to enhance the diversity and inclusivity UCLA strives to meet in its student body.

Throughout the CoVid crisis of 2020 and on, I have continued to professionally work in the office and the field as a landscape horticulturalist. Definitely, my role has offered new opportunities for learning and working with plants and clients. It has been challenging, and I know as an advisory council member for UCLA extension in Landscape Architecture learning remotely was a lifesaver for the students, as many are working at other jobs and raising families and also adapting to the so called “new norm”. While sitting on the UCLA Landscape Architecture Advisory Council, I have enjoyed reviewing numerous planting designs and capstone projects over Zoom hosted by knowledgeable instructors. I do look forward to seeing modified learning via Zoom as deemed appropriate as well as class time hosted in person to see and listen to other students questions and comments as projects are reviewed. One method of teaching over Zoom may not fit all learners, as I could see from my own personal observations. The advisory council discussed at a recent retreat this approach for remote and in person learning, and the term was coined as “Hybrid” learning.

While I applaud the faculty’s adaptability to Zoom and other computer platforms to review projects designed on the computer using photography or via hand drawings, but I do believe modified “hybrid” in person and remote learning approaches would be best to meet the mission, vision and goals of the Landscape Architect extension program proudly offered and with a storied history by UCLA.

Sincerely,

Katharine Rudnyk

UCLA Extension Advisory Council Member 2022

Landregan, Stephanie

To: Landregan, Stephanie
Subject: FW: THANK YOU for assisting with Capsstone

From: Carlos Flores <carlos@studioflores.com>
Sent: Sunday, September 5, 2021 4:55 PM
To: Landregan, Stephanie <SLandreg@unex.ucla.edu>
Subject: Re: THANK YOU!

Stephanie,

It is always a pleasure to get to see the great work coming from the students in your program. Thanks again for the chance to share feedback with them.

I look forward to seeing the digital show, and also to seeing some of these students again in the ASLA presentations coming up.

I hope you, Melissa, Meg, Pam, and Jim all have a well deserved relaxing holiday.

Carlos

On Sep 5, 2021, at 3:37 PM, Landregan, Stephanie <SLandreg@unex.ucla.edu> wrote:

Dear Patricia, Vaughn, John, Andy, and Carlos,

On behalf of the Capstone Students and instructors, we thank you for sharing your insights and time these last two days. Our students benefit from your reviews and comments and the generous gift of your time.

Have an excellent remainder of the holiday, and we will send you the invitation to the digital student show!

Most gratefully,

Stephanie

Stephanie V. Landregan, FASLA, MSPM, LEED® BD+C
CA Licensed Landscape Architect #4093

Landscape Architecture Program Director
Horticulture and Gardening Program Director
General line: 310.825.9414
Direct line: 310.825.1735
Fax: 310.206.7382
Please leave a message!

"it is always the right time to do the right thing." - Martin Luther King, Jr.

Fall 2021 enrollment is open: www.uclaextension.edu

<image001.png>

[Landscape Architecture Website](#) | [Landscape Architecture FB](#) | [Horticulture & Gardening FB](#) | [Horticulture Website](#)

Landregan, Stephanie

To: Landregan, Stephanie
Subject: FW: Please assist in letters of support to the Academic Senate on our remote/hybrid instruction success, our deadline is July 7!

From: vcorona@aol.com <vcorona@aol.com>
Sent: Wednesday, July 6, 2022 6:02 PM
To: Landregan, Stephanie <SLandreg@unex.ucla.edu>; McDonald, Melissa <mmcdonald@unex.ucla.edu>
Subject: Re: Please assist in letters of support to the Academic Senate on our remote/hybrid instruction success, our deadline is July 7!

Hi Stephanie and Melissa,

Here is my input for remote teaching, hope this helps. My responses are in bold and italic after each question:

- Have we been able to provide a consistent learning experience through remote teaching? Can you access the transition to remote, the ability to deliver classes remotely?
- ***The AutoCAD classes are ideal for teaching the classes remotely. The lectures are mainly viewing the AutoCAD screen as the instructor goes through the commands and handouts, that are downloaded during or prior to the lecture. In addition, the lectures are recorded via Zoom for students to replay at their own pace.***
- We would like to know if the performance of the students have been consistent, or may have improved. ***The students' performance has been consistent, and I have not seen a change in the number of passing students versus non passing. with remote learning.***
- Has our ability to reach broader audiences (outside our local reach) been important to you? ***I have seen an increase in enrollment due to the fact with remote learning we have been able to reach to a broader audience and that is a plus to the program.***
- If you are an accreditor or accrediting body, have the outcomes from our students met, exceeded or failed to exceed previous norms? ***I would say yes, the outcomes have been met if not exceeded from previous norms due to the broader audience outreach.***

Victor Corona, AIA

Landregan, Stephanie

To: Landregan, Stephanie
Subject: FW: Description of Capstone and Final Presentations expectations of Panelists

From: Deborah Richie-Bray <deb@richie-bray.com>
Sent: Saturday, September 4, 2021 3:37 PM
To: Landregan, Stephanie <SLandreg@unex.ucla.edu>
Subject: RE: Description of Capstone and Final Presentations expectations of Panelists

Stephanie,
Projects this year are really great.
Thank you for including me, it is always a pleasure.
Hope I was helpful.

Look forward to seeing you again soon.
Hopefully in Nashville, I'll be there.

Deborah

*Deborah Richie-Bray, ASLA
Richie-Bray, Inc. Landscape Architecture
904 Silver Spur #395
Rolling Hills Estates, CA 90274-3800*

*310-377-5868 office
310-995-8825 cell
www.richie-bray.com*

From: Landregan, Stephanie <SLandreg@unex.ucla.edu>
Sent: Saturday, September 4, 2021 8:36 AM
To: Deborah <deb@richie-bray.com>
Subject: FW: Description of Capstone and Final Presentations expectations of Panelists
Importance: High

The Capstone Project Studio is an intensive course in which students develop a comprehensive and creative final design project that reflects their special interests and demonstrates the theory, skills, and knowledge acquired over the prior years of study in the Landscape Architecture Program. Students select individual projects and complete the Capstone Studio Project in 12 weeks.

Each student shall make a **15-minute** verbal presentation of his or her project. This presentation should describe the project and present a convincing narrative for the design solution using the design process and research to substantiate the design solution.

Students should cover the following

- STATEMENT - Project Statement (why the project is important to you, the profession & society) & summary of Theoretical Premise/Justification research
- SITE – Site/Program Analysis and Diagrams (may include case studies if *directly* relevant to your design)
- STORY – Concept/Design Metaphor narrative based on the Site Analysis
- SOLUTION - Final Site Design (plans, sections, elevations, sketches, renderings, and inspirational imagery)
-

Panelists should comment on the student's ability to:

present a project succinctly (and within the time frame);
 narrate the solution by storytelling using the design process and research;
 demonstrate graphically their solution with sections, elevations, sketches, plans and renderings using different scales appropriately; and
 defend their design and efforts professionally.

I hope this helps you in joining us as a panelist!

Best,

Stephanie

Stephanie V. Landregan, FASLA, MSPM, LEED® AP BD+C
 CA Landscape Architecture License #4093

Program Director
 Landscape Architecture Program and
 Horticulture and Gardening Program
 UCLA Extension, Department of the Arts

310.825.1735 direct line

<http://www.uclaextension.edu/landarch> www.twitter.com/LandArch_UCLAx <http://landarch-ucla-x.blogspot.com/>

UCLA Extension Mission: "To provide knowledge and connections for people to achieve their personal and professional goals"

Landregan, Stephanie

To: Landregan, Stephanie
Subject: FW: Please assist in letters/emails of support to the Academic Senate on our remote/hybrid instruction success, our deadline is July 7!

From: FRANCISCO BEHR <fabehr@g.ucla.edu>
Sent: Wednesday, July 6, 2022 7:41 AM
To: Landregan, Stephanie <SLandreg@unex.ucla.edu>
Subject: Re: Please assist in letters/emails of support to the Academic Senate on our remote/hybrid instruction success, our deadline is July 7!

Hi Stephanie,

Here are my responses.

- Have we been able to provide a consistent learning experience through remote teaching? Can you access the transition to remote, the ability to deliver classes remotely?

The new hybrid format of Landscape Design 3 utilizes a combination of remote classes with 2 field trips that are scheduled on a single weekend for student convenience. The compressed field trip scheduling works to very effectively provide the necessary live "in space" experience for their real world project site and a guided visit to a similar and exemplary project. The remote portion of the class has continued to improve thanks to software advances for both academic materials delivery and project design and presentation tools. Remote teaching has improved the project review process thanks to the required digital deliverables. While initially the teaching through demonstration was problematic; but thanks for new software options I believe that we have regained the effectiveness of being able to show students how to sketch, draw and design via remote teaching.

-
- We would like to know if the performance of the students have been consistent, or may have improved.

The student performance has matched and surpassed work that was previously done in person. Again the push toward learning digital tools has empowered students to produce more materials in less time. This allows for an increase in the depth and quantity of professional knowledge that I can deliver to improve their understanding of Landscape Architecture.

-
- Has our ability to reach broader audiences (outside our local reach) been important to you?

By allowing students from other locations to take this class I have seen an increase in the level of dedication and focus by non local students. It also has brought fresh perspectives that appear to have enriched the student to student conversations and interactions.

-
- If you are an accreditor or accrediting body, have the outcomes from our students met, exceeded or failed to exceed previous norms?

I believe that the elimination of the commuting time has allowed students to spend more class time and thus improve the overall academic results. It also has allowed them to have more flexibility in scheduling work sharing time with other students. I have no doubt that remote teaching is a very effective method of teaching Landscape Architecture classes.

FRANCISCO BEHR

fabehr@g.ucla.edu

<https://landarch.uclaextension.edu>

Landregan, Stephanie

To: Landregan, Stephanie
Subject: FW: Please assist in letters of support to the Academic Senate on our remote/hybrid instruction success, our deadline is July 7!

From: james smith <jvsmith11@att.net>

Sent: Thursday, July 7, 2022 4:27 PM

To: Landregan, Stephanie <SLandreg@unex.ucla.edu>

Subject: Re: Please assist in letters of support to the Academic Senate on our remote/hybrid instruction success, our deadline is July 7!

Stephanie<

Comments to hybrid remote learning:

Consistent learning experience is relative. I feel the students do receive balanced input and support, review comments, etc. but the takeaway is not as strong as in person design discussions and expressing ideas graphically between the instructor and the students. I have office hours 24/7 for communication via scanned drawings, which I mark up and return to the students, in addition to verbal communication (phone call)s and emails between each week's class. A lot of work for the students and the instructor but worth it. In person studios are more alive and interactive.

The students in Design II classes show consistent performance, are involved in the studio classes and exchanges. The effort these student exude is exceptional even in the remote environment and they are enthusiastic overall. The balance is similar to the in person studio setting. Each person comes to the "party" their own level of energy and tenacity.

Reaching students outside our local reach has it pluses and minuses. Very good students come from outside are area and will be professional assets to their communities. As I assign a Case Study-Spaces in the Urban Fabric project on looking at sites in their local areas gives a look at issues different than those locally which enriches all the student's site and space knowledge. Having to travel and be involved more in project sites that are local is difficult.

I feel the students involved in the hybrid site design learning experience meet the previous norm of our students. In the development on each student's individual design process and presentation of site layout design from concept and concept graphic diagramming, functional bubble diagramming, schematic design and final presentation graphic communication from plan, section elevations and 3D sketches in the remote learning situation certainly are meeting the norm or former students.

I feel the quality of students that enter our program have made the hybrid model work as they are dedicated to becoming professional landscape architects.

Let me know if you need anything further.

Jim

Landregan, Stephanie

To: Landregan, Stephanie
Subject: RE: Please assist in letters/email of support to the Academic Senate on our remote/hybrid instruction success, our deadline is July 7!
Importance: High

From: John Hourian, ASLA <team@hourianassociates.com>
Sent: Wednesday, July 6, 2022 11:37 AM
To: Landregan, Stephanie <SLandreg@unex.ucla.edu>
Cc: John Hourian, ASLA <team@hourianassociates.com>
Subject: FW: Please assist in letters/email of support to the Academic Senate on our remote/hybrid instruction success, our deadline is July 7!

Stephanie,

As a professional landscape architect reviewing the presentation of the 'Capstone' projects, I concluded that work presented within the hybrid environment had no negative impact on the quality of work. If anything, communication, and presentation skills greatly improved through the process.

The quality of work from each student's research, graphics, and design reflected a creative understanding of each of their projects.

Best,

John Hourian ASLA
Landscape Architect
CA LIC 1288

So. Ca. ASLA Chapter President
1980 and 1985

Landregan, Stephanie

From: Landregan, Stephanie
Sent: Wednesday, July 13, 2022 4:57 PM
To: Landregan, Stephanie
Subject: FW: Please assist in letters/emails of support to the Academic Senate on our remote/hybrid instruction success, our deadline is July 7!

Subject: Re: Please assist in letters/emails of support to the Academic Senate on our remote/hybrid instruction success, our deadline is July 7!

Hi Stephanie,

To add to Pamela's responses.

- Have we been able to provide a consistent learning experience through remote teaching? Can you access the transition to remote, the ability to deliver classes remotely?

The Trees Materials class has utilized a combination of remote classes and field trips that are student scheduled for convenience. The class allows students to complete Field Work in their local area, or designated regional parks, that provide a consistent opportunity to enhance their classwork. The challenge of teaching tree identification via remote classes is not underestimated. We acknowledge these challenges, and provide remote curriculum that calibrates their eye, while allowing for real world experiences to complement and reinforce this learning curve.

-
- We would like to know if the performance of the students have been consistent, or may have improved.

In-person learning offers certain specific opportunities, however the benefit of remote has been revealed in the volume of curriculum that can be provided. The "all in person" approach had limited time, and didn't push the students to spend time outside the classroom to practice their identification. Now, with the hybrid approach, we're maximizing the learning opportunities in new ways. I think the performance of the students may have been improved in their ability to have robust discussions... I think there are still ways to improve the performance as instructors find creative ways to develop curriculum.

-
- Has our ability to reach broader audiences (outside our local reach) been important to you?

The concepts in tree identification are universal, regardless of the species. Developing a critical eye, learning about species, design, integration, installation practices, nursery practices, and tree selection are able to be learned by the student regardless of their region in the state/country.

Recognizing the opportunity to interact between students is important, if we're to embrace this broader audience approach.

-
- If you are an accreditor or accrediting body, have the outcomes from our students met, exceeded or failed to exceed previous norms?

I think the outcomes are exceeded, but in new ways that we had not anticipated. They have an opportunity to work in the "new norm" of remote. Also, they have the opportunity to attend classes remotely, while also dealing with regular life, work, family, children, spouses, and other demands. I think it's more appealing for students to have hybrid opportunities. To exceed their previous norms will be achieved through their connections with other students, industry professionals, and feeling they are part of this community.

Hope this helps....

Lisa Smith

PLEASE NOTE NEW EMAIL ADDRESS: Lisa@thetreeresource.com

Registered Consulting Arborist #464

ISA Board Certified Master Arborist #WE3782BM

ISA Tree Risk Assessor Qualified - Instructor

310-663-2290

www.THETREERESOURCE.com

Landregan, Stephanie

To: Landregan, Stephanie
Subject: FW: Please assist in letters of support to the Academic Senate on our remote/hybrid instruction success, our deadline is July 7!

From: Marc Yeber <myeber@hotmail.com>
Sent: Wednesday, July 6, 2022 9:59 AM
To: Landregan, Stephanie <SLandreg@unex.ucla.edu>
Subject: Re: Please assist in letters of support to the Academic Senate on our remote/hybrid instruction success, our deadline is July 7!

Hello STEPHANIE,

In response to your query about my observations of the student outcomes of the UCLA Extension Landscape Program while instruction is being conducted in hybrid/ online mode, I am happy to offer my thoughts regarding the continuation of offering instruction in an online-hybrid manner. As you know, I also have had the opportunity to compare the differences of in-person vs. online instruction of architecture classes at El Camino College, which offers me further insight into a more nuanced understanding of the relationships between program expectations and student outcomes.

In general, I believe the UCLA Extension Landscape & Horticulture Program can continue to be successful relying on synchronous online instruction delivery. The student work continues to be strong as a result of offering instruction in an online environment. Following are some of my specific observations.

- I have not observed a discernable difference in the quality of work produced while partaking in student reviews since migrating to online in comparison to similar interactions in-person. In fact, anecdotally, there have been some incidences where the student work executed online seemed to exceed that of similar demonstrated in class from the recent past.
- The delivery of content and presentation platforms employed provide similar opportunities to interact with the material as was being presented in person.
- The level of exploration, analysis, and design process as a result of online instruction seems to be just as in-depth and thoughtful as it was when the courses were taught in class.
- The level of student self-motivation and enthusiasm (*which is key in any architecture discipline*) seems to remain the same as it was in the classroom setting.

That said, there are a couple of areas of online instruction that need further assessment and evaluation to determine their effectiveness.

1. Peer-to-Peer interaction – As you are aware, much of the teaching in architecture is dependent on a Socratic modality. Though several students stated that they relied on small group online interactions, this may not be enough to mimic the collaborative aspects of 'being in studio' or having that live peer-to-peer interaction.
2. Instructor to Student Interaction – It is not clear how instructors interact with students beyond delivery of course content or instruction. What is the online interaction during studio/ lab time? What about Instructor office hours? Is there interaction beyond instruction and office hours?

3. Instructional Resources – It is unknown as to the resources that students can access during online instruction. Making different types of online resources available to students is key to student success. From learning support (such as tutoring) and additional instructional content (links to videos, websites, readings, etc.) can make the online instruction a better experience for the student.

With continued evaluation and modifications, I strongly feel the program can continue to be successful in an online-hybrid setting. The hybrid/online mode is more flexible and addresses the needs that are specific to your particular student population. Additionally, the mode allows the program to throw a wider geographic net to grow enrollment and get a more diverse cross section of students, which will further enhance the student's learning experience.

Please feel free to reach out to me for further insights.

MARC

MARC YEBER, ASLA



Urban Designer | Design & Planning Principal, CONT-X Studio

TEL: 310.648.8443 BUS: contx@outlook.com

The above message is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized use or disclosure is prohibited. If you are not the intended recipient, please contact the sender via reply email and destroy all copies of this message.

Landregan, Stephanie

From: james smith <jvsmith11@att.net>
Sent: Thursday, July 7, 2022 4:27 PM
To: Landregan, Stephanie
Subject: Re: Please assist in letters of support to the Academic Senate on our remote/hybrid instruction success, our deadline is July 7!
Attachments: winmail.dat

Stephanie<

Comments to hybrid remote learning:

Consistent learning experience is relative. I feel the students do receive balanced input and support, review comments, etc. but the takeaway is not as strong as in person design discussions and expressing ideas graphically between the instructor and the students. I have office hours 24/7 for communication via scanned drawings, which I mark up and return to the students, in addition to verbal communication (phone call)s and emails between each week's class. A lot of work for the students and the instructor but worth it. In person studios are more alive and interactive.

The students in Design II classes show consistent performance, are involved in the studio classes and exchanges. The effort these student exude is exceptional even in the remote environment and they are enthusiastic overall. The balance is similar to the in person studio setting. Each person comes to the "party" their own level of energy and tenacity.

Reaching students outside our local reach has it pluses and minuses. Very good students come from outside are area and will be professional assets to their communities. As I assign a Case Study-Spaces in the Urban Fabric project on looking at sites in their local areas gives a look at issues different than those locally which enriches all the student's site and space knowledge. Having to travel and be involved more in project sites that are local is difficult.

I feel the students involved in the hybrid site design learning experience meet the previous norm of our students. In the development on each student's individual design process and presentation of site layout design from concept and concept graphic diagramming, functional bubble diagramming, schematic design and final presentation graphic communication from plan, section elevations and 3D sketches in the remote learning situation certainly are meeting the norm or former students.

I feel the quality of students that enter our program have made the hybrid model work as they are dedicated to becoming professional landscape architects.

Let me know if you need anything further.

Jim

On Wednesday, June 29, 2022 at 02:39:07 PM PDT, Landregan, Stephanie <slandreg@unex.ucla.edu> wrote:

Dear Instructors

PLEASE send this to any jurors or panelists who assisted with reviewing your classes, and COPY ME.

Thanks

Good afternoon landscape architecture supporters and former jurors,

I hope you are doing well and enjoying this summer.

I am reaching out to solicit your input in drafting a proposal to the academic senate. As you may be aware, UCLA Extension is seeking an approval to be able to continue offering remote sections and we are also proposing We will also be providing letters to the LATC in support of our hybrid pilot's success.

UCLA Extension has been conducting most of our classes remotely since the pandemic necessitated cancelling face to face classes. The remote platform kept the "live" weekly classes format, but instructors and students had to adapt to online platforms. Eventually, classes have been conducted on Zoom, as have so many professional meetings throughout the world. We are still working on enhancing this platform and to improve the academic quality and to better empower our instructors in this platform.

We are soliciting your input on supporting the success of the remote teaching format, based upon your assessment from your experience viewing final projects, outputs and presentations of students, or any other modes of assessments, during the spring 2020 - spring 2022 quarters. Few things to consider, but not limited to:

- * Have we been able to provide a consistent learning experience through remote teaching? Can you access the transition to remote, the ability to deliver classes remotely?
 - * We would like to know if the performance of the students have been consistent, or may have improved.
 - * Has our ability to reach broader audiences (outside our local reach) been important to you?
 - * If you are an accreditor or accrediting body, have the outcomes from our students met, exceeded or failed to exceed previous norms?
- Please forward your comments, reviews, and letters of support to inform our next steps. You may directly respond to this email, preferably by July 7.

Most gratefully,

Stephanie
Stephanie V. Landregan, FASLA, MSPM, LEED(r) BD+C
CA Licensed Landscape Architect #4093

Program Director, Landscape Architecture
Program Director, Horticulture & Gardening
General line: 310.825.9414
Direct line: 310.825.1735 Please leave a message!
Fax: 310.206.7382

"It is always the right time to do the right thing." - Martin Luther King, Jr.
Spring 2022 enrollment is open: www.uclaextension.edu <<http://www.uclaextension.edu>>

[/Users/rodjohnson/Library/Containers/com.microsoft.Outlook/Data/Library/Caches/Signatures/signature_1378008264]

Landscape Architecture Website<<http://landarch.uclaextension.edu/>> | Landscape Architecture
FB<<https://www.facebook.com/UCLAExtensionLandscapeArchitecture/>> | Horticulture & Gardening
FB<<https://www.facebook.com/pages/UCLA-Extension-Horticulture-Gardening-Certificate-Program/101329733308454#!/pages/UCLA-Extension-Horticulture-Gardening-Certificate-Program/101329733308454>> |
Horticulture Website<<http://horticulture.uclaextension.edu/>>

Landregan, Stephanie

To: Landregan, Stephanie
Subject: FW: FW: Please assist in letters/emails of support to the Academic Senate on our remote/hybrid instruction success, our deadline is July 7!

From: Rebecca Schwaner <rebeccas927@gmail.com>

Sent: Wednesday, July 6, 2022 9:46 AM

To: Landregan, Stephanie <SLandreg@unex.ucla.edu>; McDonald, Melissa <mmcdonald@unex.ucla.edu>

Subject: Re: FW: Please assist in letters/emails of support to the Academic Senate on our remote/hybrid instruction success, our deadline is July 7!

I have been teaching in the UCLA Landscape Architecture program for over two decades now and I have experience both with in-person classes, with remote classes and with hybrid classes.

Moving to remote/virtual was a challenge; I did a lot of research on pedagogical approaches and what works best for remote/virtual classes and it was clear to me that how I presented material in the in-person environment needed to be radically changed to be successful in these new teaching modes. I have to say that I put in more hours, both in reorganizing the class material, in class presentations and in follow-up 'office' hours than ever before, an extraordinary amount of time, but worth it.

The student work in the last 2+ years has been exceptional. I schedule my in-person sessions specifically to address material that is difficult to teach on line: drawing and coloring, where I take in brands of pencils and markers so students can evaluate the product and approach, techniques - and practice - and the final class presentations so that we can all see, touch, share the final drawing set and talk about the quarter experience. The final class, in person, is valuable because I get to see their quarter output and it has been top quality. Evaluating progress on line can be good and effective but is a very different experience from seeing work in person.

Our students are older, wanting a career change or wanting to do work that is socially and environmentally meaningful. They have families and jobs, children and obligations, and for them the virtual/remote environment has been very positive. It is easier and more productive for them to not have to leave the family, find a babysitter, drive across town and park...and the virtual experience has in some ways been more personal, with more individually-based support from faculty than the in-person classes provide - it is more 'private' and this may make a difference. As more mature students they also bring a lot of interesting experience to classes and often contribute to deeper approaches, understandings and product. This is also true of students that are not local; their lives and environments also enrich our classes. I think there is value where students come from places that have very different climactic/environmental conditions from those in SoCal - we are focused on water, drought-tolerant planting, irrigation (important but part of our program...there is also design!)...but this should not stop us from considering other environments and looking at a larger view. Our focus is still local but we can't be myopic.

So my assessment of the transition is that it has been great, healthy, productive and DIFFICULT. If an instructor does not understand the difference and has not reworked material and presentation there can be problems. If we are all interested and focused on how students learn, on progress and outcomes and how to best achieve them and what it takes to do this, we are golden. The instructor group has met on an ongoing basis and there has been a lot of work done to reorient and evaluate our program in this new framework.

I also love the opportunity to reach out beyond our local area. This has been a discussion point, but I have had students from Tampa, Florida, Hawaii and northern California and they have all done well. I believe there needs to be more clarity on this issue because it is connected with current mandatory in-person classes; I think there is a solution to this because I'd like to continue to service our community beyond LA with minimum stress for students. There are prestigious universities that have been doing virtual/remote/hybrid classes for a long time now and there are lessons to be learned. We are not alone. Our program has a lot to offer both on the academic side - students and program - but can also contribute to the body of knowledge around teaching modalities, with experience in an older student community, experience with a working faculty that has beautiful built work, and with students who are graduates of our program and are now working professionals who contribute.

As I mentioned, remote/virtual/hybrid classes are not new, but the pandemic forced us to move in that direction, perhaps prematurely, but I believe that our program is great, healthy, effective and that students are also in favor of and appreciate the value of the hybrid model. We are all learning how we can improve but I believe the direction is positive and correct.

..*)
(,.'*Rebecca*' Schwaner
(,.'*

AGENDA ITEM J: REVIEW AND POSSIBLE ACTION ON DRAFT 2022-2024 STRATEGIC PLAN

Summary

On April 8, 2022, the Landscape Architects Technical Committee (LATC) participated in a session to update its Strategic Plan for three years (2022-2024). The session was facilitated by the Department of Consumer Affairs' SOLID team. The LATC developed objectives for four goal areas: Regulation and Enforcement, Professional Qualifications, Public and Professional Outreach, and Organizational Effectiveness.

SOLID updated the Strategic Plan based on the LATC's session.

Action Requested

At today's meeting, the Committee is asked to review and approve the draft 2022-2024 Strategic Plan.

Attachment

LATC Strategic Plan 2022-2024 (Draft)



DEPARTMENT OF CONSUMER AFFAIRS

CALIFORNIA ARCHITECTS BOARD

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

Public Protection through Examination, Licensure, and Regulation

Strategic Plan 2022 – 2024

Prepared By: Solid Planning Solutions



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DRAFT

Landscape Architects Technical Committee Members

Jon Wreschinsky, Chair, Licensee
Pamela Brief, Vice Chair, Licensee
Andrew Bowden, Licensee
Susan Landry, Licensee
Patricia Trauth, Licensee

DRAFT

Gavin Newsom, Governor
Lourdes M. Castro Ramírez, Secretary, Business, Consumer Services and Housing Agency
Kimberly Kirchmeyer, Director, Department of Consumer Affairs
Laura Zuniga, Executive Officer
Trish Rodriguez, Program Manager

Message from the Committee Chair

Regulation of the profession of landscape architecture has one primary goal, to protect the public's health, safety, and welfare. This remains important considering the increased threats, both human-made and natural, that require thoughtful, informed action to help ensure that protection. It is also increasingly important to have landscape architects who are educated, knowledgeable, and experienced in addressing issues such as water use, public safety and accessibility, climate resiliency, stormwater management, and the design of livable communities amongst others.

A part of this important effort is to help ensure that the practice of landscape architecture reflects the increased expertise necessary to protect the interests and values of California consumers. The Landscape Architects Technical Committee's (LATC) mission is to ensure that all landscape architects practicing in the State of California are duly qualified to provide services to the public in a professional and ethical manner.

The Committee is working diligently to expand the pathways to professional licensure. We recognize the importance of bringing a plethora of well-educated and qualified practitioners into the profession that reflect the breadth and experience of California society. In the past year, we have worked to implement an experience-only pathway and expanded the acceptable education credits to help meet the growing demand for licensed professionals. We also continue to support the University of California Extension Certificate Program, which provides additional licensure candidates who cannot attend a full-time studio program.

We will continue to seek input from the industry, allied partners, and most importantly, the public while we strive for transparency and collaboration. This Strategic Plan will guide our work for the next three years as we continue to work on our mandate, which is to protect consumers.

About the Landscape Architects Technical Committee

The Landscape Architects Technical Committee (LATC) was created pursuant to Assembly Bill 1546 which became effective January 1, 1998. The committee was statutorily established under the jurisdiction of the California Architects Board (Board). Its purpose is to act in an advisory capacity to the Board on examinations and other matters pertaining to the regulation of the practice of landscape architecture in California.

The five-member committee consists of technical experts who are licensed to practice landscape architecture in California. Under the provisions of AB 1546, the governor appoints three members; the Senate Rules Committee appoints one member, and the speaker of the Assembly appoints one member.

The activities of the LATC benefit consumers in two important ways. First, regulation protects the public at large. Second, regulation protects the consumer of services rendered by landscape architects. It is imperative to ensure those who hire landscape architects are protected from incompetent or dishonest landscape architects.

The LATC is one of 38 licensing and regulatory entities within the Department of Consumer Affairs (DCA) and is part of the Business, Consumer Services and Housing Agency. DCA is responsible for consumer protection through the regulation of licensees. While DCA provides administrative oversight and support services, the LATC further sets its own regulations, policies, and procedures.

Mission, Vision, and Values

Mission

LATC regulates the practice of landscape architecture through the enforcement of the Landscape Architects Practice Act to protect consumers, and the public health, safety, and welfare while safeguarding the environment.

Vision

Champion for consumer protection, and a safer, healthier environment for the people of California.

Values

- Consumer Protection
- Integrity
- Education
- Communication
- Leadership
- Innovation

Goal 1: Regulation and Enforcement

Protect consumers through effective regulation and enforcement of laws, codes, and standards affecting the practice of landscape architecture.

- 1.1 Enhance the complaint process to increase accessibility for the public and streamline the filing and tracking of complaints.
- 1.2 Expand and improve communications regarding regulations and enforcement to promote public understanding of what constitutes a violation.
- 1.3 Improve communication of enforcement cases with complainants and consumers to increase public awareness of LATC's enforcement activities.
- 1.4 Update the LATC website to clarify LATC's roles and responsibilities and explain the difference between regulated and unregulated professions listed on various online platforms and educate consumers on requirements and permitted practice of licensed and unlicensed professionals.
- 1.5 Work with the American Society of Landscape Architects (ASLA) and other license advocates to address concerns regarding licensed versus unlicensed professionals to educate and protect consumers.

Goal 2: Professional Qualifications

Ensure the professional qualifications of those practicing landscape architecture by setting and maintaining requirements for education, experience, and examinations.

- 2.1 Continue to monitor practice issues and determine the need for additional education/knowledge in the Americans with Disabilities Act, water management, fire management, climate change, and other relevant subjects to protect the health, safety, and welfare of the people of California.
- 2.2 Conduct a review of the Landscape Architect Registration Examination (LARE) and linkage study to determine areas not covered in the LARE that need to be covered in the California Supplemental Exam (CSE) to ensure the CSE reflects the content that is unique to California.
- 2.3 Identify and analyze the causes of low pass rates amongst California exam candidates in comparison to national pass rates to determine areas of concern and develop a plan of action to decrease deficiencies.

Goal 3: Public and Professional Outreach

Increase public and professional awareness of LATC's mission, vision, values, and services.

- 3.1 Continue promoting the value of the profession and professional licensure using social media, specifically Twitter, and work to establish a LinkedIn and Instagram presence to reach a greater audience.
- 3.2 Pursue reciprocal sharing of social media posts with other programs/associations to increase the impact of posts and build a greater following.
- 3.3 Identify and track the number of followers on social media platforms to measure the impact of social media posts and seek ways to increase audience.
- 3.4 Explore the etiquette of social media and then develop a messaging plan, such as celebrating new licensees, to reach out to the public and practitioners.
- 3.5 Explore linking LATC's website directly to other jurisdictions' and licensing boards' websites for increased licensee awareness of what other states are doing and to promote dialogue.

Goal 4: Organizational Effectiveness

Provide accessible and responsive quality services to consumers and licensees.

- 4.1 Research the economic and consumer protection impact of re-establishing the Landscape Architects Board or establishing a merged Board with the California Architects Board to provide better representation, strengthen the distinction between the two entities, and increase efficiency.
- 4.2 Collaborate with other jurisdictions to address concerns regarding the Council of Landscape Architectural Registration Boards (CLARB) national licensing framework to increase the member boards' voice and promote greater transparency of CLARB's discussions, actions, and information sharing.
- 4.3 Implement a new enforcement and licensing business modernization computer platform to improve services to candidates, licensees, and consumers.
- 4.4 Prepare for the sunset review hearing and responses to the background paper to comply with LATC's mandate.

Strategic Planning Process

To understand the environment in which LATC operates as well as identify factors that could impact LATC's success in carrying out its regulatory duties, the Department of Consumer Affairs' SOLID Planning Unit conducted an environmental scan of LATC's internal and external environments by collecting information through the following methods:

- Interviews were conducted with all LATC members and liaisons, as well as management and staff, during the months of November and December 2021, to assess the challenges and opportunities the LATC is currently facing or may face in the upcoming years.
- An online survey was sent to external stakeholders on December 1, 2021, closing on December 28, 2021. In the survey, external stakeholders provided anonymous input regarding the challenges and opportunities the LATC is currently facing or may face in the upcoming years. A total of 420 external stakeholders participated in the survey.

LATC members and staff were provided with the results of the environmental scan, along with an objectives worksheet, four months before the strategic planning session on Friday, April 8, 2022. The environmental scan results were carefully considered in the creation of the 2022 – 2024 strategic plan objectives.

Landscape Architects Technical Committee
2420 Del Paso Road, Suite 105
Sacramento, CA 95834-9673
Phone: (916) 575-7230
www.latc.ca.gov

Strategic plan adopted on [REDACTED].
This strategic plan is based on stakeholder information and discussions facilitated by SOLID for the Landscape Architects Technical Committee on April 8, 2022. Subsequent amendments may have been made after the adoption of this plan.



Prepared by:
SOLID Planning Solutions
1747 N. Market Blvd., Ste. 270
Sacramento, CA 95834

AGENDA ITEM K: DISCUSS AND POSSIBLE ACTION ON DRAFT 2022-2024 STRATEGIC PLAN OBJECTIVE TO CONTINUE PROMOTING THE VALUE OF THE PROFESSION USING SOCIAL MEDIA, SPECIFICALLY TWITTER, AND WORK TO ESTABLISH A LINKEDIN AND INSTAGRAM PRESENCE TO REACH A GREATER AUDIENCE

Summary

The Landscape Architects Technical Committee's (LATC) Draft 2022-2024 Strategic Plan contains an objective to continue promoting the value of the profession using social media, specifically Twitter, and work to establish a LinkedIn and Instagram presence to reach a greater audience. On April 26, 2022, staff established public LATC profiles on both LinkedIn and Instagram. Posts on the new profiles have covered Board/Committee meeting notices and regulatory updates.

In July, staff worked with the Department of Consumer Affairs Office of Publications, Design & Editing to develop social media graphics with the following message categories. The graphics are sized for each social media platform and will be shared on LATC's Twitter, Instagram and LinkedIn.

Social Media Graphic Messages:

Candidate Alert

Consumer Alert

Important Announcement

Information And Resources

LATC Meeting

Legislation And Regulatory Updates

Licensee Alert

News

WebEx Meeting

Action Requested

None

Attachment

LATC Social Media Graphics



DEPARTMENT OF CONSUMER AFFAIRS

CALIFORNIA ARCHITECTS BOARD

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

Public Protection through Examination, Licensure, and Regulation

LATC MEETING

DRAFT



DEPARTMENT OF CONSUMER AFFAIRS

CALIFORNIA ARCHITECTS BOARD

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LIVE WEBCAST

DRAFT



DEPARTMENT OF CONSUMER AFFAIRS

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Public Protection through Examination, Licensure, and Regulation

WEBEX MEETING

DRAFT



DEPARTMENT OF CONSUMER AFFAIRS

CALIFORNIA ARCHITECTS BOARD

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LEGISLATION AND REGULATORY UPDATES



DRAFT

NEWS

DRAFT

INFORMATION AND RESOURCES

DRAFT



DEPARTMENT OF CONSUMER AFFAIRS

CALIFORNIA ARCHITECTS BOARD

LANDSCAPE ARCHITECTS TECHNICAL COMMITTEE

Public Protection through Examination, Licensure, and Regulation

LICENSEE ALERT

DRAFT



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CONSUMER ALERT



DRAFT



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CANDIDATE ALERT

DRAFT



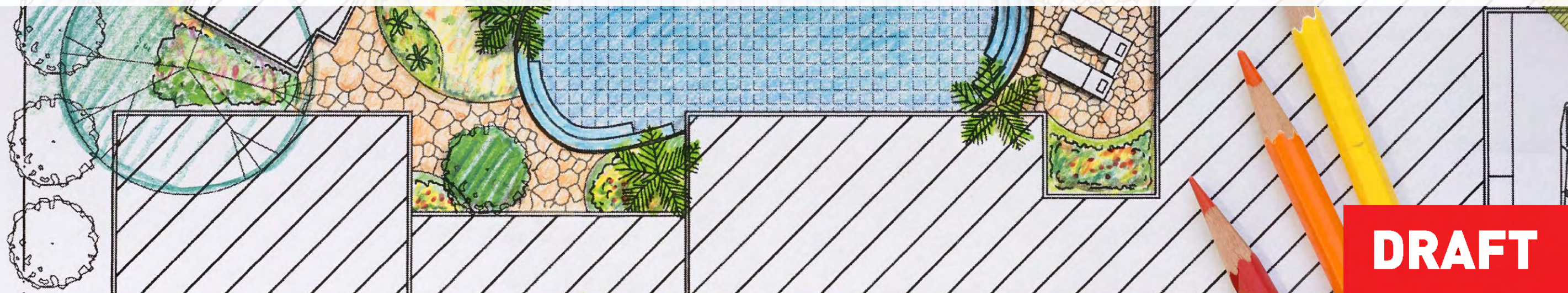
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Public Protection through Examination, Licensure, and Regulation

IMPORTANT ANNOUNCEMENT



AGENDA ITEM L: COUNCIL OF LANDSCAPE ARCHITECTURAL REGISTRATION BOARDS (CLARB)

Summary

During the virtual CLARB Mid-Year Update on April 20, 2022, Member Boards voted to approve the CLARB Uniform Licensure Standard for Landscape Architecture and revisions to the CLARB Model Law.

On April 7, 2022, LATC discussed that adoption of the Uniform Standard would result in a more restrictive process of applying for licensure in California, because the standards do not allow for the alternative pathways currently outlined in California law and would require an additional 2 years of experience, beyond what California currently requires, thus increasing barriers to licensure. While LATC members expressed appreciation for CLARB's efforts in creating uniform standards to protect licensure, the Model Law and Regulations do not serve California's best interests and are not enforceable by CLARB. California will continue to accept its current licensure requirements as outlined in its statutes and regulations.

CLARB President, Chuck Smith and CEO, Matt Miller invited a representative from the LATC to participate in a 2023 work group to evaluate the outcomes of the 2022 Job Task Analysis and determine how they might influence refinements to experience required for licensure. The LATC voted to appoint Jon Wreschinsky to participate in the CLARB workgroup.

Action Requested

None

Attachment

None

AGENDA ITEM L.1: REVIEW CLARB SEPTEMBER 21-23, 2022, ANNUAL MEETING AGENDA

Summary

The 2022 Council of Landscape Architectural Registration Boards (CLARB) Annual Meeting will be held on September 21-23, 2022, in Omaha, Nebraska. During the meeting, Member Boards will elect new CLARB leadership, meet with regional representatives, and hear updates on CLARB activities.

Action Requested

None

Attachment

CLARB 2022 Annual Meeting Agenda



THINK PLAN ACT

CLARB Annual Meeting Agenda Omaha, Nebraska - September 21-23

Welcome to CLARB's 2022 Annual Meeting!

Each day's sessions will focus on the theme for that day: Think, Plan, Act.

Glossary of Acronyms

| | |
|--------------------|---|
| CLARB | Council of Landscape Architectural Registration Boards |
| ASLA | American Society of Landscape Architects |
| CSLA | Canadian Society of Landscape Architects |
| IFLA | International Federation of Landscape Architects |
| FARB | Federation of Associations of Regulatory Boards |
| CE | Continuing Education |
| CELA | Council of Educators in Landscape Architecture |
| CFN | CLARB's Foresight Network |
| LAAB | Landscape Architecture Accreditation Board (U.S.) |
| LAAC | Landscape Architecture Accreditation Council (Canada) |
| LACES | Landscape Architecture Continuing Education System |
| LAF | Landscape Architecture Foundation |
| Presidents Council | CLARB + ASLA + CSLA + CELA + LAAB + LAF |
| NCARB | National Council of Architectural Registration Boards |
| NCEES | National Council of Examiners for Engineering and Surveying |
| CIDQ | Council for Interior Design Qualification |
| ICOR | CLARB + NCARB + NCEES + CIDQ |
| MBE | Member Board Executive (an executive with a board/agency) |
| MBM | Member Board Member (a board member on a board/agency) |

All sessions are listed in Central Time and are open to registered attendees only.

Tuesday, September 20

6:30 p.m. – 8:00 p.m.
In-person only

Pre-Meeting Welcome Reception

This optional pre-Annual Meeting event will bring in-person attendees together for a chance to unwind from traveling before our three days of sessions kick off. Come and say hello to your fellow attendees, CLARB's Board of Directors, and staff!



THINK PLAN ACT

CLARB Annual Meeting Agenda

Omaha, Nebraska - September 21-23

All sessions are listed in Central Time and are open to registered attendees only.

Sessions noted as "in-person, recorded" will be available for viewing in the platform by virtual attendees 1-2 weeks following the meeting. Sessions noted as "in-person only" will not be recorded.

Wednesday, September 21

9:30 a.m. – 10:00 a.m.

In-person only

Daily Briefing

Kicking off each day's work with context and thoughts on desired outcomes.

10:00 a.m. – 10:15 a.m.

Opening Session: Think Plan Act

Energizing session with CLARB's CEO and President to set the stage for the Annual Meeting and share desired outcomes.

10:15 a.m. – 11:15 a.m.

Keynote Address – Understanding the Diversity of Landscape Architecture Practice Globally and the Impacts on Regulation

The landscape architecture profession is growing and becoming more mature around the globe. What does this mean for how we regulate the profession now and into the future?

11:15 a.m. – 12:15 p.m.

Future of Licensure Board Work

Demonstrating the need and opportunity for boards to think differently about their role as regulators and what changes you can make to add new value for the future.

12:15 p.m. – 1:15 p.m.

Lunch

1:15 p.m. – 2:15 p.m.

Increasing Diversity on Boards

Brainstorm with your colleagues and other boards to evaluate how we might enhance the requirements to serve to make board service more accessible and share creative ways to appropriately influence the appointment process.

2:15 p.m. – 3:15 p.m.

Rethinking Enforcement and Discipline

With a more digital world, emergence of tele-practice and a more global society, how do regulators evolve their enforcement and discipline processes and procedures to be fair, balanced, and legally defensible?

3:15 p.m. – 3:30 p.m.

Break

3:30 p.m. – 5:00 p.m.

In-person, recorded

Expanding CLARB's Practice of Foresight: A Conversation about the CLARB Foresight Network (CFN)

As it continues to deepen its foresight work, the CLARB Board of Directors is collaborating with the CFN, a group of diverse global contributors from within and beyond the landscape architecture regulatory community to explore relevant drivers within society, regulation, and landscape architecture to expand and accelerate its learning with the future. In this session, you will learn more about the CFN and how it is supporting CLARB's commitment to strengthen its foresight capacity to inform long-term planning and decision-making.



THINK PLAN ACT

CLARB Annual Meeting Agenda Omaha, Nebraska - September 21-23

All sessions are listed in Central Time and are open to registered attendees only.

Sessions noted as "in-person, recorded" will be available for viewing in the platform by virtual attendees 1-2 weeks following the meeting. Sessions noted as "in-person only" will not be recorded.

Thursday, September 22

9:30 a.m. – 10:00 a.m.

In-person only

Daily Briefing

Kicking off each day's work with context and thoughts on desired outcomes.

10:00 a.m. – 12:00 p.m.

In-person only

Member Board Executive Session: The next priority in Standard Setting: Uniform Continuing Education (CE) Standards

Identify models for increased access and flexibility in CE requirements. Explore the big issues and possible solutions: justification for CE, opportunities to reduce burdens on boards, making CE more valuable, and balancing necessary rigor with ease.

10:00 a.m. – 12:00 p.m.

In-person only

Member Board Member Session: Increasing Board Member Impact and Effectiveness

Empowering board members to increase their value in their role, this workshop will build out plans for board work of the future, including: shifting from operations to strategy, improving education to current and future licensees, and engaging in appropriate outreach to policy makers and the public.

12:00 p.m. – 1:00 p.m.

Lunch

1:00 p.m. – 2:00 p.m.

Regulation of Practice Overlap: Challenges and Opportunities

No matter the name—incidental practice, overlapping practice, scope of practice—this concept has posed challenges for all design disciplines. A new effort, led by ICOR, has launched to develop a shared definition, guidelines, and/or best practices that professional licensing authorities can use to regulate incidental practice of related design disciplines more effectively.

2:00 p.m. – 2:30 p.m.

Member Showcase: Increasing Diversity in the Licensure Pipeline

Representatives from the North Carolina and Oklahoma boards will share how they are successfully working to increase diversity and access to licensure in their jurisdictions.

2:30 p.m. – 3:00 p.m.

Break

3:00 p.m. – 4:30 p.m.

In-person, recorded

Uniform Standard Implementation

Workshop with your fellow board members, and other similarly aligned boards, to begin to think through implementation planning.

4:30 p.m. – 5:00 p.m.

In-person, recorded

Ready for CLARB Leadership?

Learn what serving in CLARB leadership is all about and what opportunities there are to serve. Better understand how you can best prepare if you are interested in serving.

5:00 p.m. – 6:30 p.m.

In-person only

Volunteer Recognition Reception (optional)

Join us to thank our outgoing volunteers and leaders for all their hard work and contributions to CLARB during their service!



THINK PLAN ACT

CLARB Annual Meeting Agenda Omaha, Nebraska - September 21-23

All sessions are listed in Central Time and are open to registered attendees only.

Sessions noted as "in-person, recorded" will be available for viewing in the platform by virtual attendees 1-2 weeks following the meeting. Sessions noted as "in-person only" will not be recorded.

Friday, September 23

9:30 a.m. – 10:00 a.m.

In-person only

Daily Briefing

Kicking off each day's work with context and thoughts on desired outcomes.

10:00 a.m. – 11:00 a.m.

Results of the 2022 Job/Task Analysis

The 2022 JTA is complete! Hear about the process used, response rates and demographics of respondents, and review the new L.A.R.E. blueprint and transition plan.

11:00 a.m. – 12:00 p.m.

Business Session

12:00 p.m. – 1:00 p.m.

Lunch

1:00 p.m. – 2:00 p.m.

CLARB 2.0

The CLARB Board has been hard at work over the past two years re-imagining the organization for the future. Learn about our refined strategic priorities and how the organization will achieve its vision of the world's people, places, and environment are protected by landscape architecture.

2:00 p.m. – 2:30 p.m.

Launching a Global Analysis of Practice

CLARB and IFLA have partnered to better understand the similarities and differences of landscape architecture practice around the world. Learn about the process for development of this first official global job task analysis and the excitement within the IFLA and global landscape architecture community.

2:30 p.m. – 3:00 p.m.

Break

3:00 p.m. – 4:30 p.m.

In-person, recorded

Building a Defensible Licensure Exam

Hear from the experts about how the L.A.R.E. is developed, how items are generated, and how items are administered and scored. Attendees will gain a better understanding of the life cycle of an exam item from draft to final state and ultimately retirement.

4:30 p.m. – 5:00 p.m.

In-person, recorded

Partnering for Collective Action

Volunteer leaders from CLARB and partner organizations will share how we are collaborating to have a more significant impact and creating new value for our members, licensees, and candidates.

AGENDA ITEM L.2: REVIEW AND POSSIBLE ACTION ON 2022 CLARB BOARD OF DIRECTORS AND LEADERSHIP ADVISORY COUNCIL ELECTIONS BALLOT

Summary

On June 21, 2022, CLARB released the final slate of candidates for the 2022 Board of Directors, and Leadership Advisory Council elections. Attached for the Committee's reference are the final slate of candidates and each candidate's respective biography (Attachment L.2.1). Also attached is the CLARB memorandum regarding Letter of Delegate Credentials for 2022 CLARB Annual Meeting along with the template credentials letter, which provides voting representatives (Attachment L.2.2), and the 2022 Elections Ballot (Attachment L.2.3) which staff will complete and submit to CLARB.

With regard to the Board of Directors and Leadership Advisory Council elections, the Landscape Architects Technical Committee's (LATC) completed ballot and credentials letter must be submitted to CLARB by September 15, 2022. Elections results will be announced during the business session at the 2022 Annual Meeting on September 23, 2022.

Action Requested

The Committee is asked to review the final slate of candidates for the 2022 Board of Directors and Leadership Advisory Council and take possible action in determining how the LATC will vote in the elections.

Attachments

1. CLARB 2022 Board of Directors and Leadership Advisory Council Final Slate Candidate Biographies
2. CLARB 2022 Memo and Template Letter of Delegate Credentials
3. CLARB 2022 Election Ballot



2022 Candidate Interest Form

Lea Ann Macknally—President-Elect Candidate

[Watch video interview](#)

Jurisdiction: Alabama

Company: Macknally Land Design, PC

Job Title: President

Education: Bachelor of Landscape Architecture - Mississippi State University

Licenses: Alabama, Florida

Service Information

Board Service

- Alabama State Board of Examiners of Landscape Architects - Chair
- ACE Mentor Program of Alabama - Past President
- Cahaba River Society - Past President

CLARB Service

- CLARB Board of Directors - Current, position ends 2023

Other Services, Awards, or Experience

- Alabama Urban & Community Forestry Advisory Council - Member
- City of Birmingham Design Review Committee - member
- Design Alabama - Design Place Facilitator
- Design Alabama - Mayor's summit Facilitator
- Leadership Birmingham - Class of 2013
- Mississippi State University- College of Agriculture & Life Sciences Advisory Board
Member Landscape Architecture representative

2022 Candidate Interest Form

CLARB

Nicole Crutchfield—Director-at-Large Appointment [Watch video interview](#)

Jurisdiction: North Dakota

Company: City of Fargo

Job Title: Planning Director

Education: BLA, Kansas State University,
MSc, Natural Resources Management, North Dakota State University

Licenses: Kansas | North Dakota

Service Information

Board Service

- Past president, Treasurer and Board member of Fargo Theatre (approx. 2008-2014)
- Currently staff 13 citizen advisory boards and commissions for the City of Fargo
- State of North Dakota, landscape architecture technical advisory (approx. 2007-2010)
- Prairie Gateway ASLA Chapter President/Past President (approx. 1995-1999)

CLARB Service

- Currently serve as Director-at-Large, Board of Directors
- Previously - Exam writing committee Section 2 and Section 1
- Exam grading committee Section 3
- Master Grader Section 3
- Governance work group
- Nominations Committee

Other Services, Awards, or Experience

- Previous grant award recipient from Kresge Foundation
- National Endowment for the Arts Creative Placemaking Grant Award
- Art Place America in support of The Fargo Project: World Garden Commons
- National advisory public art committees for creative placemaking cohorts
- International City Management Association advancing creative placemaking

2022 Candidate Interest Form

CLARB

Edward Kinney—Director-at-Large Appointment

[Watch video interview](#)

Jurisdiction: South Carolina

Company: City of Greenville, South Carolina

Job Title: Principal Landscape Architect

Education: MLA

Licenses: South Carolina

Service Information

Board Service

- Board Member, SC Landscape Architectural Examiners, Vice Chair
- Board Member, Conestee Nature Preserve

CLARB Service

- Leadership Advisory Council

Other Services, Awards, or Experience

- Clemson University, LA Professional Advisory Committee
- Clemson University, Architecture Mentorship Program
- University of Colorado, LA Advisory Board
- Awards Committee, Virginia Chapter 2007, NY Chapter 2019
- SCASLA Awards Recipient for SC Port Royal
- SCASLA Awards Recipient for Reynolds Lake Club
- SCASLA Awards Recipient for Pedricks Garden / Falls Park
- AmeriCorp Community Service Award

2022 Candidate Interest Form

Ramon Murray—Director-at-Large Appointment[Watch video interview](#)

Jurisdiction: Florida

Company: Murray Design Group, Inc.

Job Title: Principal Landscape Architect

Education: MLA, University of Michigan
BLA, University of Florida

Licenses: Florida

Service Information**Board Service**

- Landscape Architectural Accreditation Board - (secretary)
- Leu Gardens Board of Trustees - City of Orlando (past chair)
- University of Texas Arlington Advisory Board (current)
- Florida A & M University Advisory Board (past)

CLARB Service

- NA

Other Services, Awards, or Experience

- LAAB ROVE member
- University of Florida Service Award
- Florida Chapter ASLA Service Award
- Hannibal Square Land Trust Appreciation Award
- Central Florida YMCA Black Achievers Award
- University of Michigan LA Alumni Award

Todd Reade—Director-at-Large Appointment

[Watch video interview](#)

Jurisdiction: Alberta

Company: Alberta Association of Landscape Architects

Job Title: Executive Director

Education: BA, Recreation and Leisure Studies
Masters Business Administration (MBA)
Graduate Certificates in Research and Business Admin

Licenses: N/A

Service Information

Board Service

- Lifesaving Society of Canada - Commissioner for Sport
- Royal Lifesaving Society - International Sport Development Committee Secretariat
- Recreation for Life Foundation - Chairperson

CLARB Service

- MBE Committee Member (2 years); Chair 2nd year
- Board of Directors, Director-at-Large

Other Services, Awards, or Experience

- CEO, Canadian Fence Industry Association
- International Lifesaving Sport Steering Committee - Member
- Alberta Recreation and Parks Association - Parliamentarian, Connecting Through Research Committee Member

2022 Candidate Interest Form**Brian Verardo—Director-at-Large Appointment**[Watch video interview](#)

Jurisdiction: New Mexico

Company: Morrow Reardon Wilkinson Miller, Ltd. Landscape Architects

Job Title: Vice President

Education: BSLA Colorado State University

Licenses: Arkansas | Iowa | Kansas | Kentucky | Missouri | Nevada | New Mexico
| South Carolina | Utah

Service Information**Board Service**

- Morrow Reardon Wilkinson Miller, Ltd. Board (Vice President and Treasurer, 2010—present)
- New Mexico International School (Vice-President, Secretary, and Treasurer, 2015—2018)

CLARB Service

- CLARB Board of Directors (2020—present)
- Exam Committee Member for Section 4 (2010—2016)
- LARE Grader, Section E (July 2010)

Other Services, Awards, or Experience

- Adjunct Faculty, University of New Mexico Department of Landscape Architecture (2008—2020)
- UNM MLA Student Mentorship Program Participant (2017—2019)
- NMASLA Outstanding Professional Service Award (2017)
- Member NMASLA Committee on Licensure Defense (2017)
- NMASLA Chapter President (2002)
- Lobbied State Legislators to support licensure renewal (2002)
- NMASLA Chapter Secretary (2000)

2022 Candidate Interest Form

CLARB

Ryan Collins—Leadership Advisory Council Candidate [Watch video interview](#)

Jurisdiction: Alabama

Company: Dix.Hite + Partners

Job Title: Principal

Education: BLA

Licenses: Alabama | Colorado | Iowa | Kentucky | Louisiana | Mississippi | North Carolina | Ohio | Pennsylvania | South Carolina | Tennessee

Service Information

Board Service

- Conservation Alabama Foundation: President
- ASLA Alabama Chapter: Trustee and President
- ASLA National: Chair of Professional Practice, Finance, and Audit Committees
- ACE Mentors of Alabama: Chair

CLARB Service

- Exam Writing Committee, Section 4: Chair

Other Services, Awards, or Experience

- Auburn University, Dean's Advisory Council
- Birmingham Sunrise Rotary Club Member
- Hoover Soccer Club: Volunteer Coach

2022 Candidate Interest Form

[Watch video interview](#)

Joseph Steffes—Leadership Advisory Council Candidate

Jurisdiction: Texas**Company:** MESA Design Group**Job Title:** Associate Principal**Education:** Graduate Certificate of Business Administration, Kansas State University
Bachelor of Landscape Architecture, Kansas State University
Natural Resources and Environmental Sciences (NRES), Kansas State University**Licenses:** Kansas | Texas

Service Information

Board Service

- ASLA, Prairie Gateway Chapter | Executive Committee Member (Wichita, KS Member-At-Large) 2006 - 2007, 2010 - 2011, 2011 - 2012

CLARB Service

- Exam Writing Committee - Section 4, 2013 - 2017
- Reclassification Committee Meeting - Section 4, Oct. 2016
- Exam Writing Committee - Section 4 (Substitute), 2021
- 2022 Job Task Analysis (Group 2), Dec. 2021

Other Services, Awards, or ExperienceAwards:

- Project recognition from multiple professional organizations including National ASLA, Texas ASLA, Prairie Gateway ASLA, Texas Recreation & Park Society, Preservation Dallas, Environments for Aging, and others.

Certifications:

- U.S. Green Building Council, LEED AP, 2006 / LEED AP BD+C, 2009
- Construction Specifications Institute (CSI), Certified Document Technologist (CDT)
- Green Roof Professional, Green Roofs for Healthy Cities

Other Service:

- Scouts BSA - Cub Scout Pack 528 | Cubmaster (2020 - Present)

2022 Candidate Interest Form

CLARB

Mark Taylor—Leadership Advisory Council Candidate [Watch video interview](#)

Jurisdiction: Colorado

Company: The Architerra Group

Job Title: Landscape Architect/Principal

Education: BSLA, University of Kentucky

Licenses: Wyoming and Colorado

Service Information

Board Service

- ASLA Colorado Chapter Board (various positions), 2002-2007
- University of Kentucky Landscape Architecture Program Advisory Board 2022-2024
- Chatfield High School Cross Country Booster Club, president, 2020/2021

CLARB Service

- Job Task Analysis Committee, 2021
- LARE Section 4 Exam Writing Committee, 2016-2021
- LARE Cut Score Committee, 2012
- LARE Grader, 2007-2008

Other Services, Awards, or Experience

- Landscape Architectural Accreditation Board ROVE Member
- Student mentor program (Colorado State University)
- Student mentor program (University of Colorado at Denver)
- Speaker at numerous conferences
- Numerous design awards through ASLA Colorado



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TO: Member Board Executives

FROM: Andrea Elkin
PMO Manager

RE: Letter of Delegate Credentials for Elections

With regard to board delegation and voting rights, Article VI, Section 3 of CLARB's Bylaws state:

"Each member board is entitled to be represented at CLARB meetings. As many delegates as are able to attend may represent a member board, but only one (1) vote may be cast on each motion for each member board by its credentialed delegate. A letter of credential from the delegate's board shall identify the voting delegate attending the annual meeting or any special meeting of CLARB. The credentialed delegate must be a member or staff of the member board."

The credentials letter should be filled out by a Member Board Executive or officer of the Member Board. The credentials letter should designate the Member Board Member, Member Board Executive, or Member Board Staff Member who is/are eligible to cast your Board's ballot. Only one ballot per Member Board may be cast.

Please submit your board's ballot and credentials letter together as one voting package.

You may choose any of the following options to submit your voting package to CLARB:

- Email -- As an attachment (Word or PDF) to Andrea Elkin by Thursday, September 15
- In-person -- At CLARB's Annual Meeting registration area by noon on Thursday, September 22

If you have any questions about any of these procedures, please let me know.

DATE: _____

TO: CLARB Board of Directors

FROM: _____

(Member Board)

RE: Letter of Delegate Credentials for 2022 CLARB Annual Meeting

In accordance with Article VI, Section 3 of the Bylaws of the Council of Landscape Architectural Registration Boards, the CLARB Member Board indicated above has designated the following member(s) as its delegate(s) to the CLARB Annual Meeting September 21-23, 2022.

We understand that delegates are eligible to vote on behalf of the Member Board on all business matters and that only one ballot per Board may be cast regardless of the number of delegates present.

NAME

POSITION

| | |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

In addition, the following representatives will be in attendance:

| |
|-------|
| _____ |
| _____ |
| _____ |

Signed by: _____

Name

Title

2022 Board of Directors & Leadership Advisory Council Elections Ballot

MEMBER BOARD: _____

COMPLETED BY:

Please note- Ballots may only be completed by a member or staff from the member board who has been authorized on the credentials letter to represent the member board's vote. The same person may not sign the ballot and the credentials letter.

Please check the boxes to cast your vote:

President-Elect (select 1)

☐

Lea Ann Macknally

Leadership Advisory Council (select 2)

☐

Ryan Collins

☐

Joe Steffes

☐

Mark Taylor

Please submit your board's ballot and credentials letter together as one voting package.

You may choose any of the following options to submit your voting package to CLARB:

- Email -- As an attachment (Word or PDF) to [Andrea Elkin](#) by **Thursday, September 15**
- In-person -- At CLARB's Annual Meeting registration area by noon on **Thursday, September 22**

AGENDA ITEM M: REVIEW OF FUTURE COMMITTEE MEETING DATES

A schedule of planned meetings and events for the remainder of 2022 are provided to the Committee.

| <u>Date</u> | <u>Event</u> | <u>Location</u> |
|-----------------|--|-----------------|
| September 16 | Board Meeting | TBD |
| September 21-23 | CLARB 2022 Annual Meeting | Omaha, NE |
| November 1 | LATC Meeting | TBD |
| November 11-14 | ASLA 2022 Conference on Landscape Architecture | San Francisco |
| December 9 | Board Meeting | TBD |