


MEMORANDUM

DATE	May 3, 2017
TO	Policy and Advocacy Committee
FROM	 Jason Glasspiegel Central Services Coordinator
SUBJECT	Agenda Item #6 (a)(1) – AB 1005 (Calderon) Professions and Vocations: Fines: Relief

Background:

Prior to amendments made on May 2nd, this bill would authorize boards, bureaus, commissions, committees, and similarly constituted agencies that license and regulate professions and vocations, when granted the authority to issue a citation, to instead issue a fix-it ticket in lieu of a fine. The bill would have specified that any person who is issued a fix-it ticket in lieu of a citation would have 30 days in which to correct the violation before being issued the fine.

As of the May 2nd amendments, this bill no longer applies to healing arts board's licensees and therefore no longer impacts the Board of Psychology. The current version of this bill would now require a citation containing an order to pay an administrative fine to contain an order of abatement fixing a period of no less than 30 days for abatement of the violation before the administrative fine becomes effective.

Location: Assembly Committee on Appropriations

Status: 05/02/2017 Read second time and amended

Votes: 04/25/2017 Assembly Committee on Business and Professions (16-0-0)

Action Requested:

As the language no longer affects the Board of Psychology, no action is needed at this time. Staff will continue to watch AB 1005 (Calderon).



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(c) The system may contain the following provisions:

(1) A citation may be issued without the assessment of an administrative fine.

(2) Assessment of administrative fines may be limited to only particular violations of the applicable licensing act.

(d) Notwithstanding any other ~~provision of~~ law, if a fine is paid to satisfy an assessment based on the finding of a violation, payment of the fine shall be represented as satisfactory resolution of the matter for purposes of public disclosure.

(e) Administrative fines collected pursuant to this section shall be deposited in the special fund of the particular board, bureau, or commission.