


## MEMORANDUM

<b>DATE</b>	May 4, 2017
<b>TO</b>	Policy and Advocacy Committee
<b>FROM</b>	 Jason Glasspiegel Central Services Coordinator
<b>SUBJECT</b>	Agenda Item #6(c)(26) – AB 835 (Dababneh) Consumer Affairs: Licenses: Prohibited Acts

**Background:**

This bill would make it a misdemeanor for any person to sell a fraudulent, forged, fictitious, or counterfeit license.

**Location:** Assembly Committee on Business and Professions

**Status:** 03/28/2017 Re-referred to Assembly Committee on Business and Professions

**Action Requested:**

No action is required at this time. Staff will continue to watch AB 835 (Dababneh) due to its potential impact on the Board's enforcement practices.

Attachment A: AB 835 (Dababneh) Text



**AB-835 Consumer affairs: licenses: prohibited acts.** (2017-2018)

**SECTION 1.** Section 119 of the Business and Professions Code is amended to read:

**119.** Any person who does any of the following ~~is~~ *shall be* guilty of a misdemeanor:

(a) Displays or causes or permits to be displayed or has in his or her possession either of the following:

(1) A canceled, revoked, suspended, or fraudulently altered license.

(2) A fictitious license or any document simulating a license or purporting to be or have been issued as a license.

(b) Lends his or her license to any other person or knowingly permits the use thereof by another.

(c) Displays or represents any license not issued to him or her as being his or her license.

(d) Fails or refuses to surrender to the issuing authority upon its lawful written demand any license, registration, permit, or certificate ~~which~~ *that* has been suspended, revoked, or canceled.

(e) Knowingly permits any unlawful use of a license issued to him or her.

(f) Photographs, photostats, duplicates, manufactures, or in any way reproduces any license or facsimile thereof in a manner that it could be mistaken for a valid license, or displays or has in his or her possession any such photograph, photostat, duplicate, reproduction, or facsimile unless authorized by this code.

(g) Buys or receives a fraudulent, forged, or counterfeited license knowing that it is fraudulent, forged, or counterfeited. For purposes of this subdivision, "fraudulent" means containing any misrepresentation of fact.

*(h) Sells any fraudulent, forged, fictitious, or counterfeited license.*

*(i) As used in this section, "license" includes "certificate," "permit," "authority," and "registration" or any other indicia giving authorization to engage in a business or profession regulated by this code or referred to in Section 1000 or 3600.*

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