
**SENATE COMMITTEE ON
BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT**
Senator Angelique Ashby, Chair
2025 - 2026 Regular

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Author:	Solache		
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Subject: Professions and vocations: license examinations: interpreters

SUMMARY: Requires each board within the Department of Consumer Affairs (DCA), other than boards that license health care professionals, to allow an applicant to use an interpreter when taking the written and oral portions of a licenser examination if the applicant cannot read, speak, or write in English. Requires each board to notify applicants that they may use an interpreter on its website in English, Spanish, Farsi, Hindi, Chinese, Cantonese, Mandarin, Korean, Vietnamese, Tagalog, and Arabic. Requires annual review and reporting of the language preference of each board's applicant's language preferences.

Existing law:

- 1) Establishes the Department of Consumer Affairs (DCA) within the Business, Consumer Services, and Housing Agency with various regulatory boards, bureaus, committees, and commissions within the DCA umbrella. (Business and Professions Code (BPC) §§ 100, 101)
- 2) Identifies 36 regulatory boards, bureaus, committees, committees, and commissions that comprise the DCA. (BPC § 101)
- 3) Specifies that "board" as used in the BPC refers to the board in which the administration of the provision is vested, and unless otherwise expressly provided, includes "bureau," "commission," "committee," "department," "division," "examining committee," "program," and "agency." (BPC § 22)
- 4) Provides that all boards within the DCA are established for the purpose of ensuring that those private businesses and professions deemed to engage in activities which have potential impact upon the public health, safety, and requires all boards to establish minimum qualifications and levels of competency and license persons desiring to engage in the occupations they regulate upon determining that such persons possess the requisite skills and qualifications necessary to provide safe and effective services to the public. (BPC § 101.6)
- 5) Authorizes the Governor to remove from office a member of a board or other licensing entity in the department if it is shown that member has knowledge of specific questions to be asked on the licensing entity's next examination and directly or indirectly discloses any question or questions in advance of or during the examination to any applicant for that examination. Requires the proceedings for

removal to be conducted in accordance with laws governing administrative adjudication procedures (Government Code (GC § 11500 et seq.) and the Governor has all powers granted therein. (BPC § 106.5)

- 6) Authorizes the DCA director to initiate an investigation of any allegations of misconduct in the preparation, administration, or scoring of an examination which is administered by a board, or in the review of qualifications which are a part of the licensing process of any board. A request for investigation shall be made by the director to the Division of Investigation through the chief of the division or to any law enforcement agency in the jurisdiction where the alleged misconduct occurred. (BPC § 109)
- 7) Prohibits DCA from having the possession and control of examination questions prior to submission to applicants at scheduled examinations, except as authorized by a board. (BPC § 110)
- 8) Makes it a misdemeanor for any person to engage in any conduct which subverts or attempts to subvert any licensing examination or the administration of an examination, as defined. (BPC § 123)
- 9) Provides that in addition to any other penalties, a person found guilty of violating BPC 123 is liable for the actual damages sustained by the agency administering the examination not to exceed ten thousand dollars (\$10,000) and the costs of litigation. (BPC § 123)
- 10) Authorizes the DCA Director to investigate the work of the boards in the department and obtain a copy of all records and full and complete data in all official matters in possession of the boards and their members, officers, or employees, other than examination questions prior to submission to applicants at scheduled examinations. (BPC § 153)
- 11) Authorizes a board to deny, suspend, revoke, or otherwise restrict a license on the ground that an applicant or licensee has violated Section 123 pertaining to subversion of licensing examinations. (BPC § 496)
- 12) Allows up to 180 days to conduct an appeal hearing for applicants charged with examination or licensing fraud. (BPC § 487)
- 13) Establishes the Dymally-Alatorre Bilingual Services Act that defines “substantial number of non-English-speaking people” as members of a group who do not speak English or who are unable to effectively communicate in English because it is not their native language, and who comprise 5 percent or more of the people served by a state agency. (GOV §§ 7290 et seq.)
- 14) Requires each state agency to conduct a language survey and develop and update an implementation plan that complies with the requirements of the Dymally-Alatorre Bilingual Services Act. Requires the survey to determine and provide information, as specified, including: the number and percentage of non-English-speaking people served by each statewide office broken down by native language; a list of materials that have been translated and languages into which they have been translated; and

a detailed description of the agency's procedures for identifying written materials that are required to be translated. (GOV § 7299.4(b))

- 15) Requires the language survey results and any additional information requested to be reported no later than October 1 or every even-numbered year in the form required by the Department of Human Resources (CalHR). (GOV § 7299.4(c))

This bill:

- 1) Beginning July 1, 2026, requires every DCA board, other than boards that license health care professionals, to allow an applicant for licensure to use an interpreter, if the applicant cannot read, speak, or write in English, to interpret the English written and oral portions of a state-administered or contracted license examination to their preferred language, if the applicant meets all other requirements for licensure and the use of an interpreter is permitted by the terms of the contract for administration of the examination.
- 2) Specifies that an interpreter must be fluent in English and in the applicant's preferred language; must not have acted as an interpreter for the examination within the year preceding the examination date; is not licensed and has not been issued the license for which the applicant is taking the examination; is not a current or former student in an educational program for the license for which the applicant is taking the examination; is not a current or former student in an apprenticeship or training program for the license for which the applicant is taking the examination and; is not a current or former owner or employee of a school for the license for which the applicant is taking the examination.
- 3) Prohibits an interpreter from assisting the applicant with any examination for a license for which English language proficiency is required by law or regulation. Specifies that an interpreter shall not assist the applicant if an examination is offered in the applicant's preferred language.
- 4) Prohibits boards from charging an applicant a fee, penalty, or surcharge for the applicant's use of an interpreter.
- 5) Requires boards to post a notice on its website in English, Spanish, Farsi, Hindi, Chinese, Cantonese, Mandarin, Korean, Vietnamese, Tagalog, and Arabic that an applicant may use an interpreter to interpret a license examination if the applicant cannot read, speak, or write in English and the examination is not offered in their preferred language, provided the applicant meets all other competency requirements for licensure.
- 6) Requires boards to include an additional section in a license application that asks an applicant to identify their preferred written, spoken, and signed languages. Beginning July 1, 2027, requires boards to conduct an annual review of applicants' language preferences that are collected from license applications. Beginning January 1, 2029, requires each board to annually report to the Senate Business, Professions, and Economic Development and the Assembly Business and Professions Committees on language preference data collected from license applications.

FISCAL EFFECT: This bill is keyed fiscal by Legislative Counsel. According to the Assembly Committee on Appropriations, the Office of Information Services (OIS), within DCA, estimates a one-time General Fund IT cost of \$358,000 to update application questions and accommodate a new report.

COMMENTS:

1. **Purpose.** The California Immigrant Policy Center is the sponsor of this bill. The Author states, “For too long, thousands of Californians have had to compromise on their careers and professional goals due to language barriers. Obtaining a professional license is an important entry point for people to work across a wide spectrum of occupations, from health care providers to accountants and engineers to contractors. Professional licenses not only open the door to further professional development and career growth but also create greater access to higher earning potential and wages, helping individuals achieve economic stability. Efforts to expand access to professional licenses for individuals with limited English proficiency, who disproportionately experience difficult economic conditions, currently exist only in very limited and uneven circumstances.”

2. **Background.**

Department of Consumer Affairs. The DCA consists of 36 boards, bureaus, and other entities responsible for licensing, certifying, or otherwise regulating professionals in California. As of March 2023, there are over 3.4 million licensees overseen by programs under the DCA (including health professionals regulated by healing arts boards). Each licensing program has its own unique requirements, with the governing acts for each profession providing for various prerequisites within the application process, typically including specified education, training, and examination requirements.

This bill would require all non-healing arts boards within DCA to permit an applicant to use an interpreter at no cost to the applicant if the applicant cannot read, speak, or write in English, to interpret the English written and oral portions of a state-administered or contracted license examination to their preferred language when specified requirements are met.

Access to Occupational Licensure for Non English Speakers. The DCA includes 16 boards that license occupations that are not within the healing arts. A number of reports in recent years have called for reforms to California’s licensure scheme, criticizing the state’s regulation of occupations and professions as burdensome and complex. The Little Hoover Commission’s *Jobs for Californians: Strategies to Ease Occupational Licensing Barriers* advocated for the state to “review its licensing requirements and determine whether those requirements are overly broad or burdensome to labor market entry or labor mobility.” Barriers to entry, such as licensing fees, education requirements, examinations, conviction disqualifications, and other prerequisites have been subject to scrutiny to ensure they are appropriate to provide adequate consumer protection on a DCA-wide level and for individual boards and license types. These efforts have been made to increase access to these professions, particularly among underrepresented communities, such as

immigrants and minorities and those who provide services in underserved communities.

License Examination and Language Access. Efforts have been specifically made to increase access to a state licensing boards for non-English speakers by boards that have established demand for the services their licensees provide. The Board of Barbering and Cosmetology (BBC) complies with the Dymally-Alatorre Bilingual Services Act, which requires state agencies to provide information in languages utilized by the public who accesses information from that particular agency. The BBC translates all its informational materials into Korean, Spanish, and Vietnamese, and the BBC advised during its last sunset review that language access continues to be one of its top priorities. The BBC's licensing unit sends examination admission letters in the applicant's preferred language (English, Korean, Spanish, or Vietnamese). Written examinations are offered in English, Spanish, Vietnamese, and Korean.

The Contractors State License Board (CSLB) has offered applicants the ability to use translation services at no charge for some time. Due to the technical nature of the examinations, the ability of the test taker to pass largely depends on the skill of the translator they use. CSLB noticed examination failures belonging to candidates who requested translation services outpaced failures of applicants who did not request translation services in any given year.

To address this inequity, CSLB undertook translating its examinations as demand required. Eighty percent of the requests for translation services were for Spanish and not surprisingly, pass rates for the specialties with the highest number of translation requests were lower than the overall pass rate in any given year. The top ten examinations for which CSLB received requests to use Spanish translators were translated and released into production between August 1 and December 1, 2023. The examinations translated are Law and Business, B-(General Building, C-8 (Concrete), C-9 (Drywall), C-15 (Flooring and Floor Covering), C-27 (Landscaping), C-33 (Painting and Decorating), C-36 (Plumbing), C-39 (Roofing), and C-54 (Ceramic and Mosaic Tile). Additionally, CSLB translated all study guides into Spanish, even for examinations that are not yet translated.

This bill would seek to further expand access to licensure to non-English-speaking applicants by requiring boards under the DCA to allow applicants who cannot read, speak, or write in English to utilize an interpreter when taking required examinations free of charge. The interpreter would be required to be fluent in English and the applicant's preferred language. The translator would not be allowed to: 1) have acted as an interpreter for the examination within the preceding year, 2) be a present or former licensee; 3) be a current or former student in an educational program for the respective license; be a current or former participant in an apprenticeship program for the respective license; or be a current or former owner or employee of a school that prepares applicants to take the exam. In addition, this bill would require all boards to collect data on each applicant's preferred language, which would then be reported to the appropriate policy committees of the Legislature.

3. **Arguments in Support.** The California Immigrant Policy Center (sponsor) and the Economic Mobility for All Coalition write, “California is home to the largest and most diverse immigrant population in the country. Immigrants make up one in three workers in California, paying \$61.8 billion in state and local taxes annually, employing thousands as entrepreneurs, and driving economic growth across industries. However, despite their contributions, many immigrants and individuals with LEP face significant barriers to obtaining professional licenses—an essential step in securing employment in regulated fields such as barbering and cosmetology, accounting, contracting, and more. Currently, California has nearly 200 unique professional license examinations, one of the most important steps in obtaining a professional license. However, only about 20 of them are offered in non-English languages...California has made strides in expanding language access, but there is still much work to be done. As the state continues to welcome a diverse immigrant and refugee population, including many whose primary language is neither English nor Spanish, it is crucial that we create equitable pathways for career success. Expanding language access in professional licensing examinations is a necessary and overdue step in fostering economic inclusion, strengthening our workforce, and meeting the needs of our communities.”

The California Community Foundation writes, “By permitting applicants who are not proficient in English to utilize interpreters during state administered or contracted license examinations, AB 667 acknowledges the diverse linguistic landscape of our state. This initiative not only promotes inclusivity but is an important step toward addressing California’s significant shortage of professionals, particularly in health care, where individuals must sometimes drive for hours to find services or care, especially ones that are linguistic and culturally appropriate.”

The Roberts Enterprise Development Fund (Redf) writes in support, “People experience systematic barriers to employment often have untapped skills they have acquired from their background or life experience. Language barriers do not need to be one of the barriers that prevents someone from seeking gainful employment. Providing licensing exams in languages other than English is an obvious step to help fill needed roles in our job market and serve the roughly 44%¹ of California’s population that does not primarily speak English at home.”

4. **Arguments in Opposition.** The Board for Professional Engineers, Land Surveyors and Geologists write in opposition unless the bill is amended, “While the Board understands there may be certain occupations which may benefit from the inclusion of an interpreter during a certification or licensing process, it is the Board’s experience that the technical nature of the activities and terminology associated with the regulated practice typically being performed by our licensees lends itself to an English-based professional environment, whether that be inside of California, the nation, or much of the world... The Board contacted the providers of our national examinations, which is responsible for developing and administering approximately two-thirds of the Board’s required examinations, for information and impact this might have on their ability to conform to this proposal. The Board was essentially told that requests of this nature rarely, if ever, arise and if these requirements were to pass for our Board, the administering company does not currently have resources to accommodate use of interpreters, and the provider could not accommodate those services for California since this would not be a federally

mandated requirement... Based on the historical lack of need due to the technical nature of its regulated practices; the Board's inability to secure these services for the majority of its applicants as it relates to the national examinations; and an inability to accurately estimate the costs associated with providing an interpreter for its state administered examinations, the Board is respectfully requesting to be exempted from the language in AB 667."

5. Policy Questions and Comments.

This bill does not recognize many of the differences among DCA programs. Each program within DCA has different license requirements, ranging from simply submitting a form and fee to requiring the applicant to complete an apprenticeship, furnish a bond, proof of insurance, and person responsible for all activities under the license, undergo a criminal background check. Some license only individuals, like the Professional Fiduciary Bureau (PFB) while other programs license only businesses (CSLB) and others license both (BBC). There are programs with large staff and budget resources that allow them to meet demands of implementing DCA-wide legislation, such as the Bureau of Automotive Repair, which according to its most recent sunset report, has 610 staff and annual revenue greater than \$200,000,000. Others have fewer resources to implement legislation. For example, the PFB has an authorized staff count of three and \$635,000 in annual revenue. Regardless of whether a board submits a fiscal, this bill will have a workload impact on each board and depending on the program, may require regulations.

Even discounting the different license types and individual boards' resources, this bill does not allow for differences in the examinations. As stated above, CSLB data show those who requested a translator failed at higher rates than the overall rate, which is attributed to the examinations being so technical in nature. Even after examinations were translated, the pass rates did not improve. This point is echoed by the Board for Professional Engineers, Land Surveyors and Geologists – the technical nature of their examination lends itself to English, even in many countries around the world.

Other programs, such as the Bureau of Household Goods and Services (BHGS) offer an open book exam, which tests the household mover applicant's knowledge of the BHGS *Maximum Rates and Rules for the Transportation of Used Property* (Tariff), which sets the maximum rates that may be charged to consumers. The information in the Tariff includes rules and regulations, tables of rates by mile, charges that may be assessed by hour, and contract requirements, among other information. This exam is given as an open book to ensure the applicant knows where to find the information when preparing an estimate. It is difficult to imagine how a translator would be helpful in this situation or how they could be helpful without cheating. In this instance, translation may be a better solution; however, other than Spanish, the languages required by this bill do not include a large demographic of BHGS licensees.

Some boards require a national examination, such as the Bureau of Real Estate Appraisers (BREA), some require a California-specific examination (BHGS), and others require both (BPELSG). National examinations are not administered by the board and whether translation services are provided would be up to federal law.

Boards whose applicants are required to take a national examination would likely not be able to comply with this bill for factors outside their control. In fact, BPELSG specifically asked for an exemption from this bill for this reason.

Additionally, while the languages for this bill were based on demographics of BBC, the demographics of any given industry could be vastly different from board to board. For example, the BHGS regulated industries include a large Russian-speaking population, but that language is not required by this bill. Also, as stated by BPELSG, there may not even be demand for translators and consequently, its test administrator may not be able to provide the service or the service could come at a high cost. *Consideration should be given to the cost-benefit of requiring this bill to be implemented by all non-healing art boards without taking into account the size of the program (staff and revenue), its applicant demographics, the examination types (national or California-specific), examination jurisdiction, and how the examinations are offered and/or developed. Perhaps permissive authority to allow translators and/or translate an exam when the examination is developed by the board, if the board's analysis of the licensee population demonstrates a need, would result in more meaningful, evidence-based solutions to this issue.*

This bill does not allow an applicant to use an interpreter to take the English examination if they identify a preferred language other than English. This bill states, "An interpreter shall not assist the applicant if an examination is offered in the applicant's preferred language." (BPC § 41(b)(1)(B)). This provision limits the options available to the applicant, which is contrary to the intent of this bill. For example, if a CSLB applicant identifies Spanish as their preferred language, they would not be able to take the English test with an interpreter, which is an option currently available to them. If the applicant learned the industry in English, it may be beneficial to them to take the English examination with an interpreter so technical terms are in English. Early statistics show that when a CSLB applicant takes and fails a Spanish examination, they frequently retake the English version and pass. *The Committee understands the intent of not having an interpreter in an exam that is in the applicant's preferred language, but the author should consider clarifying this bill to allow the applicant to take the exam in their preferred language or in English with an interpreter.*

Data reporting provisions of this bill are simultaneously premature and redundant, while posting requirements may not adequately serve each board's populations. The provisions requiring the boards to allow translators are effective January 1, 2026. This bill also requires each board to conduct an annual review of applicants' language preferences that are collected from license applications, effective January 1, 2027, and requires each board to annually report to the Senate Business, Professions, and Economic Development and the Assembly Business and Professions Committees on language preference data collected from license applications, beginning January 1, 2029. While data is critical to guiding the Legislature in creating policy, this bill sets the policy *then* requires the data.

This bill also requires boards to post on the board's internet website that an applicant may use an interpreter to interpret a license examination if the applicant cannot read, speak, or write in English and the examination is not offered in their

preferred language, in English, Spanish, Farsi, Hindi, Chinese, Cantonese, Mandarin, Korean, Vietnamese, Tagalog, and Arabic.

The Dymally-Alatorre Bilingual Services Act already requires each state agency to conduct a language survey and develop and update an implementation plan to address language needs of the people it services. The survey is required every two years to determine and report information, such as: the number and percentage of non-English-speaking people served by each statewide office broken down by native language; a list of materials that have been translated and languages into which they have been translated; a detailed description of the agency's procedures for identifying written materials that are required to be translated; the percentage of non-English-speaking people served by each statewide and local office; among other data. During this survey, the board learns which languages are necessary to best meet the needs of its licensees and stakeholders. *Rather than requiring each program to meet the needs of one model program, consideration should be given to the actual languages spoken by the stakeholders of each board by allowing the boards to post information in the languages identified by its survey and in compliance with the Dymally-Alatorre Bilingual Services Act.*

This bill may jeopardize examination integrity. Examinations are very costly to develop and are an important step in assessing whether an applicant has the knowledge, skills, and competency to be authorized to perform the work of a licensee. Consequently, the DCA takes examination integrity very seriously, as demonstrated by the laws allowing the Director to investigate and enforce exam subversion, the Governor's ability to remove board members if they know examination questions prior to an examination being offered, and the punishment for examination subversion.

However, this bill would require all non-healing arts board to allow a translator to be present during an examination. Although this bill would "require" the translator to not have *specific* experience to ensure examination integrity, nothing in this bill requires or authorizes a board to determine whether the translator meets these criteria. Interpreters are not required to submit a form, sign under penalty of perjury, show an identification, or any other method of verifying who they are (or more importantly, are not). *While well intentioned, this bill could cause examinations to be subverted, which would result in significant costs to the programs for redeveloping an examination. For consumers, this could mean licensees who do not have the required knowledge to operate as a licensee are in the license population. Protection of the public is the highest priority of each and every board and this bill may have the unintended consequence of reducing programs' ability to meet that mandate.*

SUPPORT AND OPPOSITION:

Support:

California Immigrant Policy Center (sponsor)
Advanced Consulting, LLC
Alliance for a Better Community

Amigos De Guadalupe Center for Justice and Empowerment
APRIL Parker Foundation
Asian Pacific Islander Small Business Coalition
Asian Pacific Islander Small Business Collaborative
Bay Area Medical Academy
Ben Tzedek Legal Services
Bet Tzedek Legal Services
Binational of Central California
Buen Vecino
Building Skills Partnership
CA Healthy Nail Salon Collaborative
California Community Foundation
California Healthy Nail Salon Collaborative
Canal Alliance
Central Valley Immigrant Integration Collaborative
Central Valley Workers Center
Centro Community Hispanic Association (centro Cha Inc.)
Centro De Trabajadores Unidos
Children's Institute
Chinese for Affirmative Action
City Heights Community Development Corporation
Clean Carwash Worker Center
Democracy At Work Institute
East Bay Sanctuary Covenant
Education and Leadership Foundation
First Gen Empower
First Graduate
Foundation for California Community Colleges
Immigrants Rising
Inclusive Action for the City
Initiating Change in Our Neighborhoods
Initiating Change in Our Neighborhoods Community Development Corporation Icon
CDC
Inland Coalition for Immigrant Justice
Inland Empire Immigrant Youth Collective
Interfaith Refugee & Immigration Service (IRIS)
International Rescue Committee
LA Cocina
Language Access
Lisc San Diego
Los Angeles Economic Equity Accelerator and Fellowship (LEEAF)
Moreno Seeds Foundation
Multicultural Institute
National Immigration Law Center
New Mexico Immigrant Law Center
O Community Doulas
On the Move
Orale: Organizing Rooted in Abolition Liberation and Empowerment
Orale: Organizing Rooted in Abolition, Liberation, and Empowerment
Pars Equality Center

Pre-health Dreamers
Redf
Robinson HR & Benefits
Second Harvest of Silicon Valley
Slavic Refugee and Immigrant Services Organization
Small Business Majority
Somali Family Service of San Diego
South Asian Network
Southern California College Attainment Network
Survivors of Torture, International
Todec Legal Center
Trabajadores Unidos Workers United
Unite-la
United Taxi Workers of San Diego
Up Valley Family Centers of Napa County
Upvalley Family Centers of Napa County
Upwardly Global
Veggielution
Vision Y Compromiso

Opposition:

Board for Professional Engineers, Land Surveyors and Geologists

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