

This bill requires a board that offers a retired category of licensure to disclose that information on its internet website.

FISCAL EFFECT: Unknown. This bill is keyed fiscal by Legislative Counsel.

COMMENTS:

1. **Purpose.** The Author is the Sponsor of this bill. According to the Author, a retired license category allows individuals who have a clean license at retirement, but wish to cease license renewal because they no longer practice, to maintain the recognition of licensure. Many licensees may benefit from awareness of this option offered by their licensing program.
2. **Background.** Regulatory programs within the jurisdiction of the DCA issue about 3.5 million licenses, certificates, and approvals to individuals and businesses in over 250 categories.

Within the DCA are 38 entities, including 26 boards, eight bureaus, two committees, one program, and one commission (hereafter “boards” unless otherwise noted). Collectively, these boards regulate more than 100 types of businesses and 200 different industries and professions. As regulators, these boards perform two primary functions:

Licensing—which entails ensuring only those who meet minimum standards are issued a license to practice, and

Enforcement—which entails investigation of alleged violations of laws and/or regulations and taking disciplinary action, when appropriate.

DCA boards are semiautonomous regulatory bodies with the authority to set their own priorities and policies and take disciplinary action on their licensees. DCA has direct control and authority over bureaus.

In 2016, the Legislature passed and the Governor signed, AB 2859 (Low, Chapter 473, Statutes of 2016) which permitted any of the boards within DCA to establish a retired category of licensure for persons not actively, engaged in their practice. Boards would need to do this through the regulatory process. Business and Professions Code Section 464 prohibits a retired license holder from practicing unless the board specifies, through regulation, the criteria for a retired license to practice.

Prior to the implementation of AB 2859, there were a number of regulatory entities within the Department of Consumer Affairs that had express statutory authority to issue a retired license and a number of additional boards have sought updates to their governing statutes to allow for this.

SUPPORT AND OPPOSITION:

Support:

None received

Opposition:

None received

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