
CONSENT

Bill No: SB 1391
Author: Wahab (D)
Introduced: 2/20/26
Vote: 21

SENATE BUS., PROF. & ECON. DEV. COMMITTEE: 9-0, 3/23/26
AYES: Wahab, Choi, Archuleta, Caballero, Grayson, Niello, Smallwood-Cuevas,
Strickland, Umberg
NO VOTE RECORDED: Arreguín, Menjivar

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

SUBJECT: Department of Consumer Affairs: retired category licenses

SOURCE: Author

DIGEST: This bill requires any entities within the Department of Consumer Affairs (DCA) with a retired category of licensure to disclose the availability of that category on its website.

ANALYSIS:

Existing law:

- 1) Establishes the Department of Consumer Affairs (DCA) within the Business, Consumer Services, and Housing Agency. (Business and Professions Code (BPC) §§ 100 et seq.)
- 2) Establishes various boards, bureaus, and other entities within the jurisdiction of the DCA. (BPC § 101)
- 3) Authorizes DCA programs to establish a system, through regulation, for a retired category of licensure for persons who are not actively engaged in the practice of their profession or vocation. Specifies that the regulation must

ensure the following:

- a) A retired license shall be issued to a person whose license was not placed on inactive status for disciplinary reasons.
 - b) The holder of a retired license is prohibited from engaging in any activity for which a license is required, unless the board, by regulation, specifies the criteria for a retired licensee to practice his or her profession or vocation.
 - c) The holder of a retired license shall not be required to renew that license.
 - d) A board must establish an appropriate application fee for a retired license to cover the reasonable regulatory cost of issuing a retired license. (BPC § 464)
- 4) Specifies that a holder of a retired license can restore their license to active status by paying the appropriate fee, certifying that they have not committed an act or crime constituting grounds for licensure denial, complying with fingerprint submission requirements, completing necessary continuing education required for renewal if applicable, and completing any other requirements for license renewal. (Id)
 - 5) Specifies that a board must investigate a retired license holder if it receives a complaint or determines the individual's actions warrant investigation. (Id)

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

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. Current law 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 DCA 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.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

SUPPORT: (Verified 4/13/26)

None received

OPPOSITION: (Verified 4/13/26)

None received

Prepared by: Elissa Silva / B., P. & E.D. / 916-651-4104
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