

Date of Hearing: May 5, 2021

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Lorena Gonzalez, Chair

AB 830 (Flora) – As Amended April 19, 2021

Policy Committee: Business and Professions

Vote: 19 - 0

Urgency: No

State Mandated Local Program: Yes

Reimbursable: No

**SUMMARY:**

This bill makes various technical changes and noncontroversial reforms to laws governing professions regulated by boards and bureaus under the Department of Consumer Affairs (DCA). Specifically, this bill:

- 1) Requires the Director of Consumer Affairs to notify the appropriate policy committees of the Legislature within 60 days after the position of chief or executive officer of any bureau or board within the department becomes vacant.
- 2) Amends the definition of “alarm agent” to specify that the person is employed to physically conduct activities within the state.
- 3) Excludes from the definition of “alarm system” a fire protection system.
- 4) Requires that all applications for licensure under the Alarm Company Act be submitted electronically beginning July 1, 2022.
- 5) Removes the requirement that applicants for licensure under the Alarm Company Act submit photographs on the personal identification form.
- 6) Prohibits an applicant for a firearms permit who is a BSIS-certified firearms training instructor from self-certifying their own completion of training requirements or from self-certifying the requalification requirements on the range for a firearms qualification card.
- 7) Makes the failure of any licensee under the Alarm Company Act who is also licensed to do business as a corporation or limited liability company in California to be registered and in good standing with the Secretary of State and the Franchise Tax Board after notice from the bureau result in the automatic suspension of the licensee by operation of law.
- 8) Authorizes a real estate licensee who is a natural person and who legally changes the surname in which their license was originally issued to continue to use their former surname for business associated with their license so long as both names are filed with the department.

**FISCAL EFFECT:**

Minor and absorbable costs.

**COMMENTS:**

- 1) **Purpose.** This bill is an omnibus vehicle intended to enact minor, technical, or noncontroversial proposals relating to licensed professions and businesses within the Business and Professions Committee's jurisdiction.
- 2) **DCA Director Reporting Requirements.** Existing law authorizes executive officers and bureau chiefs to be appointed to oversee boards and bureaus under the DCA. Committees of the Legislature frequently engage with these employees when discussing proposed changes to their respective acts. These positions may become vacant without notice being provided to the Legislature. This bill would require the Director of Consumer Affairs to notify the appropriate legislative committees when a position becomes vacant.
- 3) **Alarm Company Act.** This bill makes various changes to the Alarm Company Act intended to modernize and update its statutes. The bill would clarify that "alarm agents" refers only to those conducting work physically in the state of California, which will resolve persistent confusion within the industry regarding who must register with the Bureau of Security and Investigative Services (BSIS). Additional technical changes clarify alarm agents may work on "ancillary" devices connected to and controlled by an alarm system, such as wireless video cameras, connected locks, carbon monoxide detectors and supplementary smoke detectors. Additional updates to the definition of "alarm system" reflect that not all hazards detected require police response, such as carbon monoxide detection, smoke detection, doors left open and leak detection.

This bill requires alarm companies and their employees to use the online BreEZe system to submit applications. Online applications have a lower percentage of applications returned for errors, are quicker to process and facilitate contactless licensure. Currently, applications can be submitted online, or using paper applications. This bill would require all applications to be submitted online by July 1, 2022.

The BSIS licenses firearms training instructors for the alarm industry. These instructors are required to take a training course also approved by BSIS, but existing law doesn't prohibit and instructor from administering this training course to themselves, or simply self-certifying they have completed this training satisfactorily. This bill would require firearms training instructors to become certified by another training instructor.

- 4) **Real Estate Solicitations.** Existing law requires realtors disclose their name, among other information, on all solicitation materials to consumers and on real property purchase agreements. In some cases, a real estate licensee changes their name legally (often upon marriage or partnership), but wishes to continue to use their prior surname professionally. This bill would allow this, as long as the DRE is made aware of both names.