

**ADDENDUM TO MEETING MATERIALS
FOR THE JUNE 25, 2020, MEETING OF THE BOARD FOR
PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND
GEOLOGISTS**

VII. Legislation

- B. Discussion of Legislation for 2020 (Possible Action)
 - SB 878 Department of Consumer Affairs Licensing: applications: wait times.

SB 878 (Jones, R-El Cajon)
Department of Consumer Affairs Licensing: applications: wait times.

Status: 6/22/2020 – Senate Second Reading File.

Location: 6/22/2020 – Senate Floor.

Introduced: 1/22/2020

Amended: 6/18/2020

Board Position: Watch (as of 3/12/2020)

Board Staff Analysis: 6/22/2020

Bill Summary: This bill would add Section 139.5 to the Business and Professions Code. This new section would require boards within the Department of Consumer Affairs to do both of the following:

1. Prominently display the current timeframe for processing initial and renewal license applications on its internet website.
2. With respect to the information displayed on the website, specify the average timeframe for each license category.

Staff Comment: It is not clear what is meant by “current.” Does it mean the data must be updated whenever an application or renewal is processed? Or does it mean on a daily or weekly (or some other time period) basis? It is also not clear how the “average timeframe” referenced in the second provision is different from the “current timeframe” in the first provision. While the goal of providing information to the applicants, licensees, and the public regarding how long it takes to process applications and renewals is laudable, it would be difficult to meet the requirements of this bill without further clarification of the terms used.

Until such time as the Board’s new IT system is fully implemented, tracking and compiling this data would have to be done manually, which would create additional workload for staff.

At its March 12, 2020, meeting, the Board took a position of “Watch” on SB 878 to see if further clarification of the terms in the bill is provided when the bill is heard in Committee.

As is standard procedure with any legislation that could have a fiscal impact on the Board, we provided information indicating that there could a significant fiscal impact to the Board if we were required to produce the specified information more often than the current annual report because of the significant manual work involved at this time. Board staff has recently had discussions with both the Author’s staff and the consultant for the Senate Appropriations Committee regarding this determination and our other concerns with the bill. We explained that we have concerned with the terminology used in the bill, as well as with the fiscal and workload impacts to the Board because of the confusion that could be caused by the terminology and because of the manual work we would have to do to obtain the data since our current IT systems cannot be relied upon to provide accurate data. We also explained that obtaining the data will become much less burdensome once our new IT system is fully implemented for all types of applications and license renewals, which we anticipate will be sometime in 2021. Both the Author’s staff and the Committee consultant

were open to considering amendments to the bill to clarify the terminology used, which would help to alleviate some of the fiscal impact the Board could face in complying with these new requirements.

UPDATED JUNE 22, 2020:

SB 878 was amended on June 18, 2020. The amendments would delay implementation of the requirements for posting until July 1, 2021, and would require the information be posted on at least a quarterly basis. The amendments would require posting of either the current average timeframes for processing initial and renewal applications or the combined current average timeframe for processing both initial and renewal applications and would also require posting these timeframes either for each license type or combined for all license types; it would be at the discretion of the boards which posting option in each of the two categories they chose to post. For example, we would likely choose to post initial and renewal application timeframes separately since the processes are very different and to combine them would not provide an accurate picture of how long it takes for us to process initial applications and license renewals.

The amendments that have been made to SB 878 were based on the discussions Board staff had with the Author's staff and the Committee consultant. Board staff believes these amendments alleviate the Board's concerns with the terminology and with the fiscal and workload considerations. As such, Board staff recommends the Board take a position of "Support" on SB 878, as amended on June 18, 2020.

Staff Recommendation: Staff recommends the Board take a position of "Support" on SB 878, as amended on June 18, 2020.

Laws: An act to add Section 139.5 to the Business and Professions Code, relating to professions and vocations.

AMENDED IN SENATE JUNE 18, 2020

SENATE BILL

No. 878

Introduced by Senator Jones

January 22, 2020

An act to add Section 139.5 to the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

SB 878, as amended, Jones. Department of Consumer ~~Affairs~~ Licensing: applications: wait times. *Affairs: license: application: processing timeframes.*

Existing law provides for the licensure and regulation of various professions and vocations by boards within the Department of Consumer Affairs.

This ~~bill~~ *bill, beginning July 1, 2021,* would require each board within the department that issues ~~licenses~~ *licenses, on at least a quarterly basis,* to prominently display *on its internet website either the current timeframe average timeframes for processing initial and renewal license applications on its internet website, as provided, or the combined current average timeframe for processing both initial and renewal license applications. The bill would also require each board to prominently display on its internet website either the current average timeframes for processing each license type that the board administers or the combined current average timeframe for processing all license types that the board administers.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 139.5 is added to the Business and
2 Professions Code, to read:

3 139.5. ~~Each~~ *Beginning July 1, 2021, each* board, as defined in
4 ~~section~~ *Section 22*, within the department that issues a license shall
5 do both of the ~~following~~: *following on at least a quarterly basis:*

6 (a) Prominently display ~~the~~ *on its internet website one of the*
7 *following:*

8 (1) ~~The current timeframe~~ *average timeframes* for processing
9 initial and renewal license ~~applications on its internet website.~~
10 *applications.*

11 (2) *The combined current average timeframe for processing*
12 *both initial and renewal license applications.*

13 (b) ~~With respect to the information displayed on the website,~~
14 ~~specify the~~ *Prominently display on its internet website one of the*
15 *following:*

16 (1) ~~The current average timeframe~~ *timeframes* for processing
17 each license ~~category.~~ *type that the board administers.*

18 (2) *The combined current average timeframe for processing all*
19 *license types that the board administers.*