

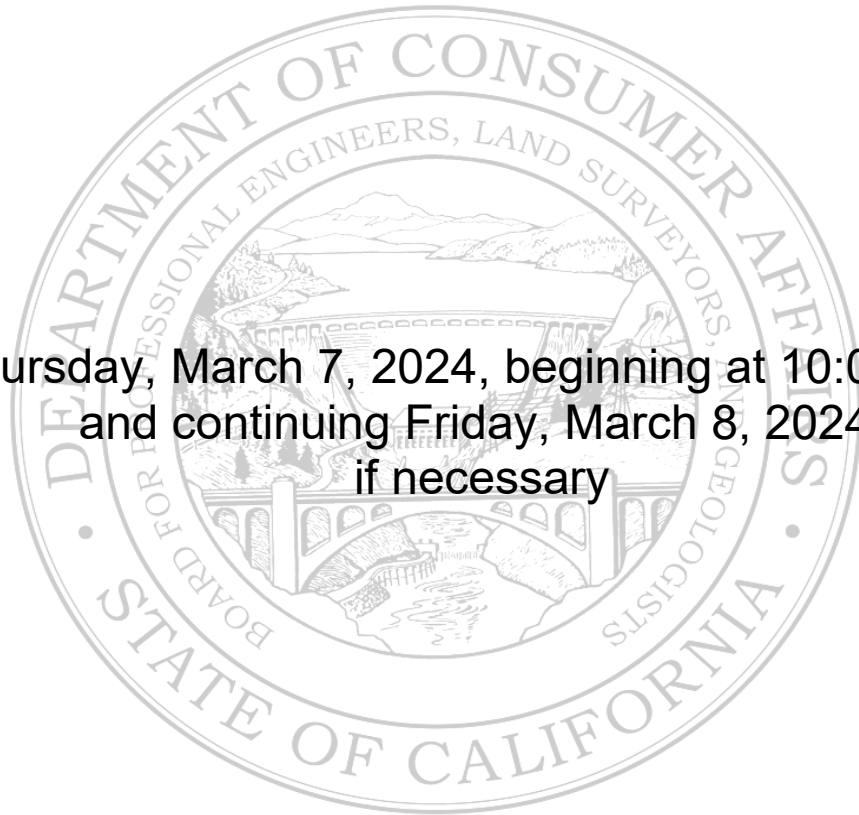


Gavin Newsom, Governor

## Meeting of the Board for Professional Engineers, Land Surveyors, and Geologists

Board for Professional Engineers,  
Land Surveyors, and Geologists

Thursday, March 7, 2024, beginning at 10:00 a.m.,  
and continuing Friday, March 8, 2024,  
if necessary



Department of Consumer Affairs  
1625 North Market Boulevard  
Hearing Room South #102  
Sacramento, CA 95834



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BOARD MEETING

MARCH 7-8, 2024

Department of Consumer Affairs  
1625 North Market Boulevard, Hearing Room, #102  
Sacramento, CA 95834

### BOARD MEMBERS

President Michael Hartley; Vice-President Christina Wong; Fel Amistad; Alireza Asgari; Rossana D'Antonio; Cristina Garcia; Coby King; Guillermo Martinez; Betsy Mathieson; Frank Ruffino; Wilfredo Sanchez; and Fermin Villegas

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A. Deliberate on a Decision(s) to be Reached in a Proceeding(s) Required to be Conducted Pursuant to Chapter 5 (commencing with Section 11500), as Authorized by Government Code Section 11126(c)(3).	
B. Confer with, or Receive Advice from, Its Legal Counsel Regarding Pending Litigation Pursuant to Government Code Section 11126(e)(1) and (2)(A), on the following matters:	
1. <u>Ryan Crownholm, et al. vs. Richard B. Moore, et al.</u> , United States District Court, Eastern District of California, Case No. 2:22-cv-01720-DAD-CKD	
2. <u>Roy Allen Olsen, et al. v. California Board of Professional Engineers, Land Surveyors and Geologists, et al.</u> , Sacramento County Superior Court. Case No. 34-2022-00328379	
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## I. Roll Call to Establish a Quorum

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## II. Pledge of Allegiance

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### **III. Public Comment for Items Not on the Agenda**

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**NOTE:** The Board cannot discuss or take action on any matter raised during this public comment section, except to decide whether to place the matter on the agenda of a future meeting. (Government Code sections 11125, 11125.7(a).) The Board will also allow for public comment during the discussion of each item on the agenda and will allow time for public comment for items not on the agenda at the beginning of both days of the meeting. Please see the last page of this Official Notice and Agenda for additional information regarding public comment.



## **IV. Administration**

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### A. Fiscal Year 2023/24 Budget Report



GUIDE TO READING THE REVENUE REPORT AND EXPENDITURE REPORT

Revenues

Fee increase effective January 1, 2021 has had a positive impact on revenues. Total revenue up \$1,276,880 (25%) over prior period.

**Current Year Projections**  
Identifies the revenue amount that BPELSG projects for FY 21-22.

Revenue Category	PRIOR YEAR FY 2020-21 FM 4	CURRENT YEAR FY 2021-22 FM 4	CURRENT YEAR Projections
Delinquent Fees	\$38,696	↑ \$51,464	\$150,076
Other Regulatory Fees	\$32,130	↑ \$39,578	\$102,138
Other Regulatory Licenses & Permits	\$297,960	↑ \$645,747	\$1,743,588
Other Revenue	\$20,822	↓ \$10,486	\$51,328
Renewal Fees	\$3,415,953	↑ \$4,335,166	\$10,269,519
<b>Total</b>	<b>\$3,805,560</b>	<b>↑ \$5,082,440</b>	<b>\$12,316,649</b>

**Revenue Category**  
Provides the name of the line item where our revenues occur.

**Prior Year**  
Revenue collected up to FM 4 in October of 2020.

**Arrows**  
These indicate a change in the current year over prior year. Up/green arrows indicate an increase and down/red arrows indicate a decrease over the prior period.

**Current Year**  
Revenue collected up to FM 4 in October of 2021.

Department of Consumer Affairs  
Expenditure Projection Report

Fiscal Month: 4  
Fiscal Year: 2021 - 2022  
Run Date: 12/09/2021

**Fiscal Month**  
Identifies the expenditures up to October 2021

**Fiscal Year**  
Identifies the current year

**Run Date**  
Identifies the date this report was pulled from QBIRT

**CY 21-22 YTD + Encumbrance**  
Provides a FM 4 total of YTD Actual and Encumbrance.

**Governor's Budget**  
Publication that the Governor presents which identifies the current year authorized expenditures.

PERSONAL SERVICES

Notes	Fiscal Code	PY 20-21 FM 4 YTD + Encumbrance	CY 21-22 FM 4 YTD + Encumbrance	Governor's Budget	Percent of Governor's Budget Spent	Projections to Year End
1	5100 PERMANENT POSITIONS	\$955,435	\$1,077,755	\$3,425,000	31%	\$3,389,367
	5100 TEMPORARY POSITIONS	\$35,155	\$45,403	\$232,000	20%	\$130,000
	5105-5108 PER DIEM, OVERTIME, & LUMP SUM	\$600	\$38,876	\$36,000	108%	\$48,476
	5150 STAFF BENEFITS	\$559,421	\$618,030	\$1,703,000	36%	\$1,812,693
	<b>PERSONAL SERVICES</b>	<b>\$1,550,611</b>	<b>\$1,780,065</b>	<b>\$5,396,000</b>	<b>33%</b>	<b>\$5,380,536</b>

OPERATING EXPENSES & EQUIPMENT

2	5301 GENERAL EXPENSE	\$23,898	\$22,392	\$32,000	70%	\$71,871
3	5302 PRINTING	\$24,766	\$69,808	\$26,000	268%	\$33,966
	5304 COMMUNICATIONS	\$4,452	\$3,384	\$15,000	23%	\$20,777

**Object Description**  
Provides the name of the line item where our expenditures occur.

**PY 20-21 YTD + Encumbrance**  
Provides a FM 4 total of YTD Actual and Encumbrance.

**Percent of Governor's Budget spent**  
Identifies the percentage spent at CY 21-22 FM 4 according to the Governor's Budget.

**Projections to Year End**  
Identifies the expenditure amount that BPELSG projects for FY 21-22.

	<b>OPERATING EXPENSES &amp; EQUIPMENT</b>	<b>\$3,239,095</b>	<b>\$2,474,539</b>	<b>\$6,831,000</b>	<b>36%</b>	<b>\$5,308,996</b>
	<b>OVERALL TOTALS</b>	<b>\$4,789,706</b>	<b>\$4,254,604</b>	<b>\$12,227,000</b>	<b>35%</b>	<b>\$10,689,532</b>

\*Does not include additional Architecture Revolving Fund Expenses TBD

**SURPLUS/(DEFICIT): 13%**

**Surplus/(Deficit)**  
Identifies if we have higher revenue and lower expenses (Surplus) or higher expenses and lower revenue (Deficit). This percentage is calculated using (Governor's Budget-Projections to Year End)/ Governor's Budget.

# FINANCIAL REPORT

## FISCAL YEAR 2023-24 FISCAL MONTH 6 FINANCIAL STATEMENT

### Revenues

Total revenue is up \$8,804 over prior year 2021-22. Current Fiscal Year 2023-24 is a high volume year for renewals therefore we are comparing it to Prior Year 2021-22 due to it also being a high volume year for renewals.

Revenue Category	PRIOR YEAR FY 2021-22 FM 6	PRIOR YEAR FY 2022-23 FM 6	CURRENT YEAR FY 2023-24 FM 6	CURRENT YEAR FY 2023-24 PROJECTION
Delinquent Fees	\$78,041	\$91,147	\$65,100	\$138,602
Other Regulatory Fees	\$59,558	\$53,450	\$42,410	\$106,139
Other Regulatory Licenses & Permits	\$1,036,361	\$946,849	\$1,083,473	\$2,213,341
Other Revenue	\$15,172	\$32,800	\$60,304	\$16,950
Renewal Fees	\$7,672,688	\$6,849,890	\$7,619,137	\$10,066,124
Total	\$8,861,819	\$7,974,135	\$8,870,423	\$12,541,156

Reimbursements as of FM6 totaled \$67,555 including \$29,596 in Background Checks, \$175 in Reimbursements-Private Sectors, and \$37,784 in Cost Recovery. Background check expenses are included in the General Expense category.

Department of Consumer Affairs  
Expenditure Projection Report

Fiscal Month: 6

Fiscal Year: 2023 - 2024

Run Date: 1/23/2024

PERSONAL SERVICES

Notes	Fiscal Code	PY 22-23 FM 6 YTD + Encumbrance	CY 23-24 FM 6 YTD + Encumbrance	Governor's Budget	Percent of Governor's Budget Spent	Projections to Year End
1	5100 PERMANENT POSITIONS	\$1,686,207	\$1,789,756	\$3,809,000	47%	\$3,553,373
	5100 TEMPORARY POSITIONS	\$68,068	\$1,191	\$232,000	1%	\$2,000
	5105-5108 PER DIEM, OVERTIME, & LUMP SUM	\$16,369	\$78,847	\$36,000	219%	\$129,725
	5150 STAFF BENEFITS	\$1,024,461	\$1,065,269	\$2,031,000	52%	\$2,132,024
	<b>PERSONAL SERVICES</b>	<b>\$2,795,105</b>	<b>\$2,935,064</b>	<b>\$6,108,000</b>	<b>48%</b>	<b>\$5,817,122</b>

6 OPERATING EXPENSES & EQUIPMENT

2	5301 GENERAL EXPENSE	\$56,905	\$30,730	\$32,000	96%	\$80,000
	5302 PRINTING	\$51,987	\$165,603	\$26,000	637%	\$186,503
	5304 COMMUNICATIONS	\$6,023	\$5,823	\$15,000	39%	\$18,600
	5306 POSTAGE	\$2,343	\$32,850	\$36,000	91%	\$34,000
	5308 INSURANCE	\$0	\$0	\$0	0%	\$65
	53202-204 IN STATE TRAVEL	\$9,700	\$18,302	\$22,000	83%	\$38,850
	53206-208 OUT OF STATE TRAVEL	\$0	\$2,443	\$0	0%	\$4,500
	5322 TRAINING	\$0	\$0	\$15,000	0%	\$0
3	5324 FACILITIES*	\$448,016	\$452,105	\$377,000	120%	\$497,880
4	53402-53403 C/P SERVICES (INTERNAL)	\$294,087	\$328,013	\$1,127,000	29%	\$739,500
5	53404-53405 C/P SERVICES (EXTERNAL)	\$1,747,406	\$2,478,273	\$3,639,000	68%	\$3,746,220
6	5342 DEPARTMENT PRORATA	\$1,417,500	\$1,500,750	\$2,078,000	72%	\$2,078,000
7	5342 DEPARTMENTAL SERVICES	\$6,663	\$6,891	\$27,000	26%	\$27,000
	5344 CONSOLIDATED DATA CENTERS	\$49	\$48	\$22,000	0%	\$22,000
	5346 INFORMATION TECHNOLOGY	\$34,477	\$32,086	\$94,000	34%	\$57,499
	5362-5368 EQUIPMENT	\$14,588	\$19,316	\$0	0%	\$59,826
	5390 OTHER ITEMS OF EXPENSE	\$12	\$0	\$3,000	0%	\$20
	54 SPECIAL ITEMS OF EXPENSE	\$0	\$898	\$0	0%	\$2,000
	<b>OPERATING EXPENSES &amp; EQUIPMENT</b>	<b>\$4,089,757</b>	<b>\$5,074,130</b>	<b>\$7,513,000</b>	<b>68%</b>	<b>\$7,587,963</b>
	<b>TOTALS</b>	<b>\$6,884,862</b>	<b>\$8,009,193</b>	<b>\$13,621,000</b>	<b>59%</b>	<b>\$13,405,085</b>
8	4840-4850 REIMBURSEMENTS					\$108,000
	<b>OVERALL TOTALS &amp; REIMBURSEMENTS</b>					<b>\$13,297,085</b>

## Expenditure Report Notes

- 1 Salary & Wages (Staff)** - The projected expenditures for salaries and wages is due to the Board being almost fully staffed, and includes merit salary adjustments and the bargaining unit agreements effective July 1, 2023.
- 2 General Expenses** - Includes Membership and Subscription Fees, Freight and Drayage, Office Equipment - Maintenance, Office Supplies, and DOJ and FBI fees for background checks which are reimbursed. Scheduled background check reimbursements through FM 6 are at \$29,596.
- 3 Facilities Operations** - Includes facilities maintenance, facilities operations, janitorial Services, rent and leases, exam rental sites, and security.
- 4 C&P Services Interdepartmental** - Includes all contract services with other state agencies for examination services (Dept. of Conservation and Water Resources). This line item also now includes enforcement expenses for the Attorney General and the Office of Administrative Hearings.
- 5 C&P Services External** - Includes all external contracts (examination development, expert consultant agreements, and credit card processing). This includes a preliminary estimate of \$749k in costs associated with the business modernization project.
- 6 DCA Pro Rata** - Includes distributed costs of programmatic and administrative services from DCA.
- 7 Departmental Services (Interagency Services)** - Includes pay-per-services billed through the Department of General Services.
- 8 Reimbursements** - Includes Reimbursements-Private Sectors (contracted with Guam to provide California Civil Seismic Principles Exams on the same dates the exam is administered in California by the Guam Registration Board at the rate of \$175 per examination that are administered to applicants), Fingerprint Reports, Cost Recovery, and US DOI Civil Case.



# 0770 - Professional Engineer's, Land Surveyor's and Geologist's Fund

## Analysis of Fund Condition

Prepared 2/09/2024

(Dollars in Thousands)

PY 22-23 Actuals & CY 23-24 FM 6	Actual 2022-23	CY 2023-24	BY 2024-25	BY+1 2025-26
<b>BEGINNING BALANCE</b>	\$ 3,405	\$ 2,481	\$ 1,131	\$ -1,259
Prior Year Adjustment	\$ 285	\$ -	\$ -	\$ -
Adjusted Beginning Balance	\$ 3,690	\$ 2,481	\$ 1,131	\$ -1,259
<b>REVENUES, TRANSFERS AND OTHER ADJUSTMENTS</b>				
Revenues:				
4121200 Delinquent fees	\$ 169	\$ 139	\$ 141	\$ 139
4127400 Renewal fees	\$ 9,047	\$ 10,066	\$ 9,303	\$ 10,066
4129200 Other regulatory fees	\$ 81	\$ 106	\$ 94	\$ 106
4129400 Other regulatory licenses and permits	\$ 1,940	\$ 2,213	\$ 2,170	\$ 2,213
4163000 Income from surplus money investments	\$ 139	\$ 197	\$ 193	\$ 187
4171400 Escheat of unclaimed checks and warrants	\$ 18	\$ 17	\$ 17	\$ 17
4172500 Miscellaneous revenues	\$ 0	\$ 0	\$ 0	\$ 0
Totals, Revenues	\$ 11,394	\$ 12,738	\$ 11,918	\$ 12,729
Operating Transfers to General Fund per EO E 21/22 - 276 Revised (AB 84)	\$ -	\$ -	\$ -	\$ -
Totals, Transfers and Other Adjustments	\$ 11,394	\$ 12,738	\$ 11,918	\$ 12,729
Totals, Revenues, Transfers and Other Adjustments	\$ 15,084	\$ 15,219	\$ 13,049	\$ 11,470
<b>EXPENDITURES</b>				
Disbursements:				
1111 Department of Consumer Affairs (State Operations)	\$ 11,545	\$ 13,297	\$ 13,672	\$ 14,082
9892 Supplemental Pension Payments (State Operations)	\$ 209	\$ 209	\$ 157	\$ 157
9900 Statewide General Administrative Expenditures (Pro Rata) (State Operations)	\$ 849	\$ 582	\$ 479	\$ 479
Less funding provided by General Fund (State Operations)	\$ -	\$ -	\$ -	\$ -
Total Disbursements	\$ 12,603	\$ 14,088	\$ 14,308	\$ 14,718
<b>FUND BALANCE</b>				
Reserve for economic uncertainties	\$ 2,481	\$ 1,131	\$ -1,259	\$ -3,248
<b>Months in Reserve</b>	2.1	0.9	-1.0	-2.6

### NOTES:

A. ASSUMES WORKLOAD AND REVENUE PROJECTIONS ARE REALIZED IN BY AND ON-GOING.

B. ASSUMES APPROPRIATION GROWTH OF 3% PER YEAR BEGINNING IN BY AND BY+1



## **V. Enforcement**

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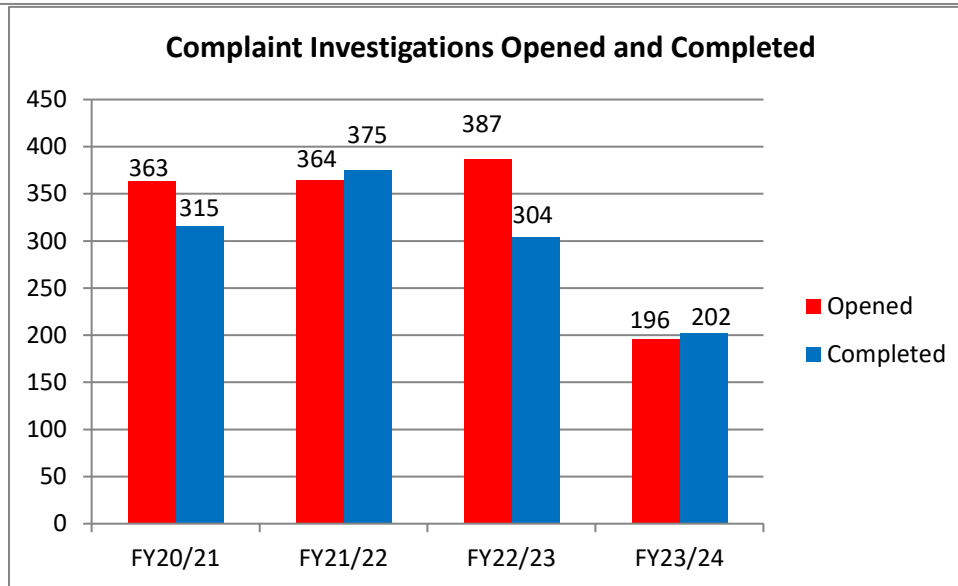
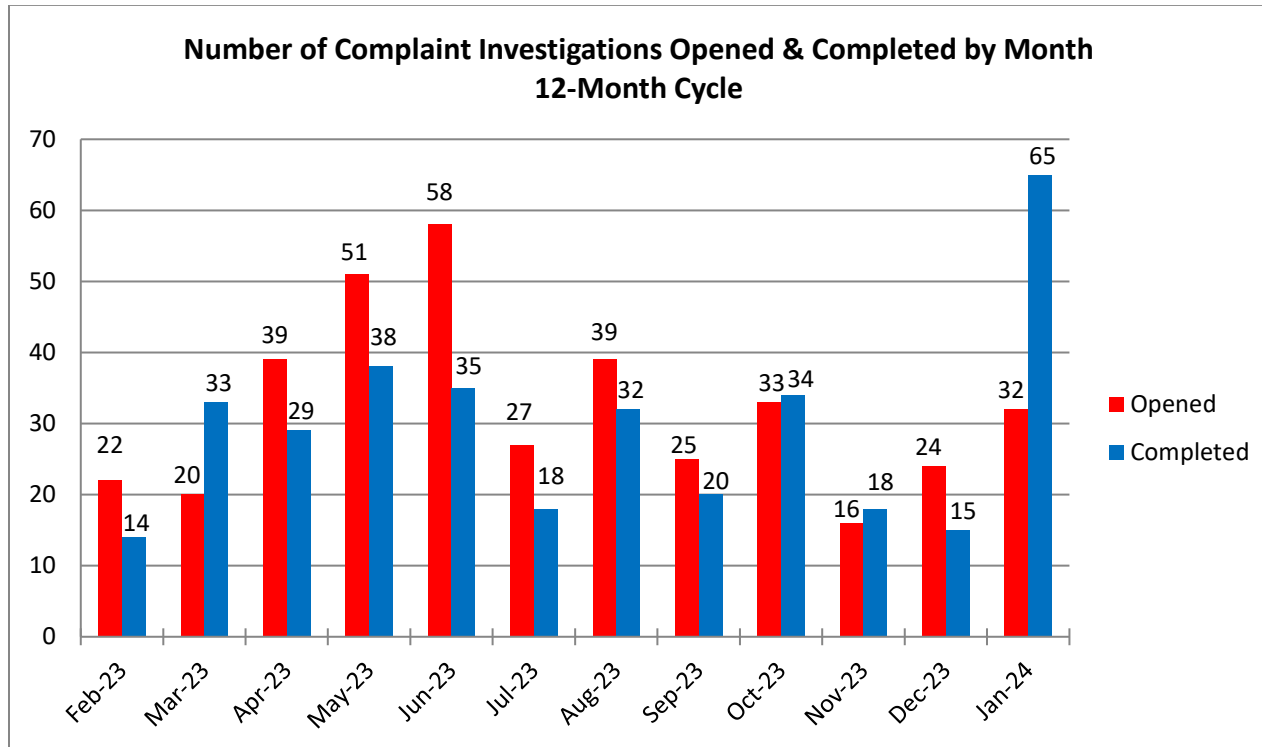
### A. Enforcement Statistical Reports

#### 1. Fiscal Year 2023/24 Update

### B. Overview of Enforcement Complaint Process

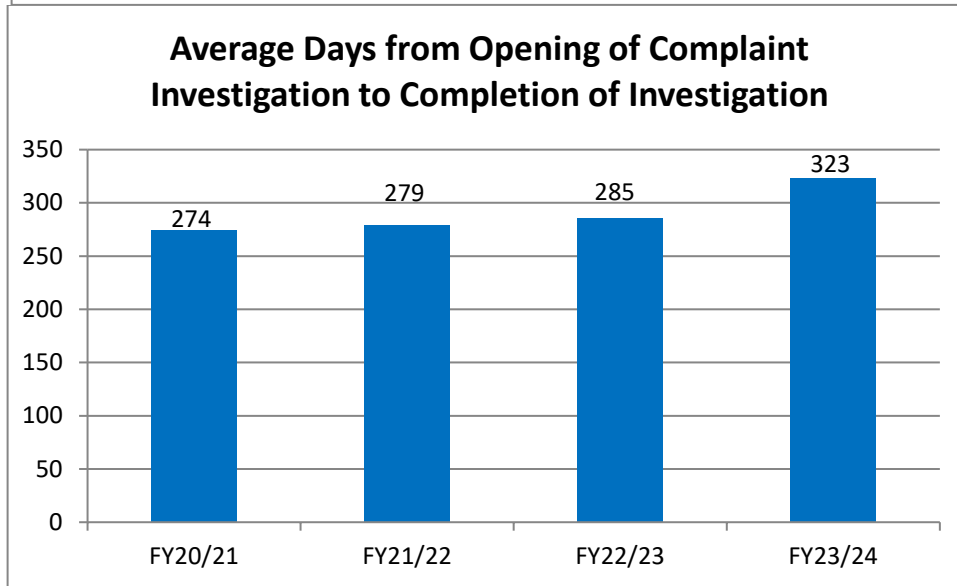
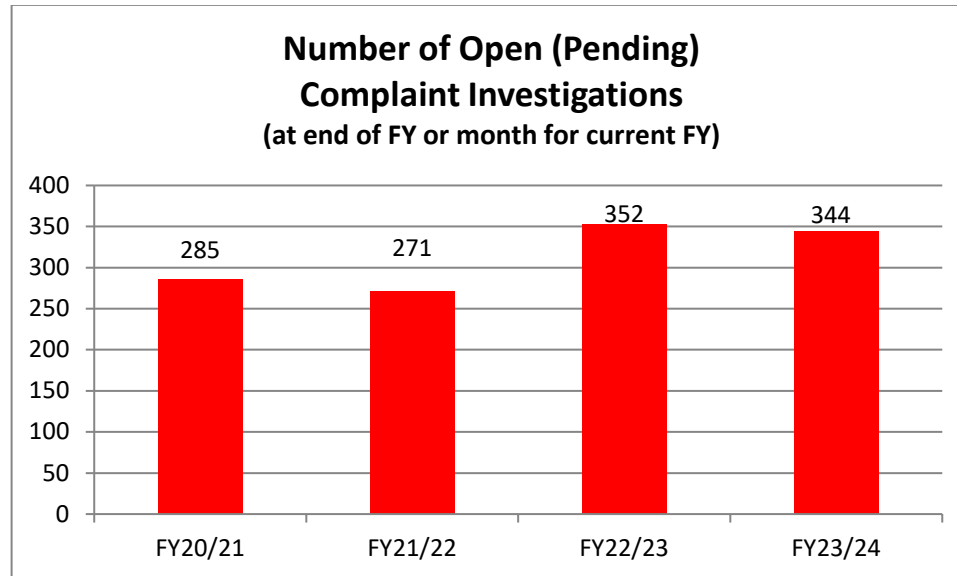


# Complaint Investigation Phase



NOTE: FY23/24 statistics are through January 31, 2024

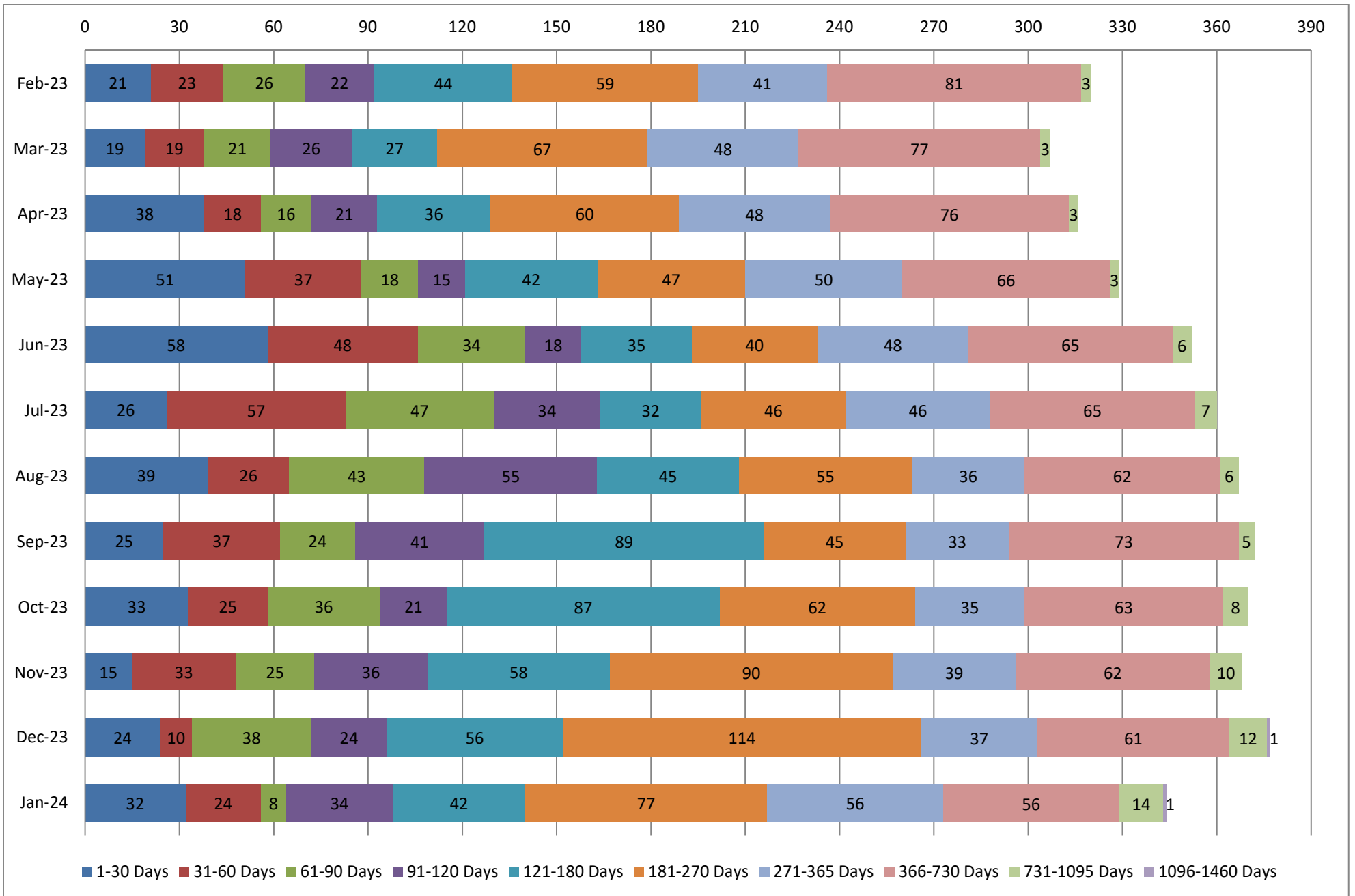
# Complaint Investigation Phase



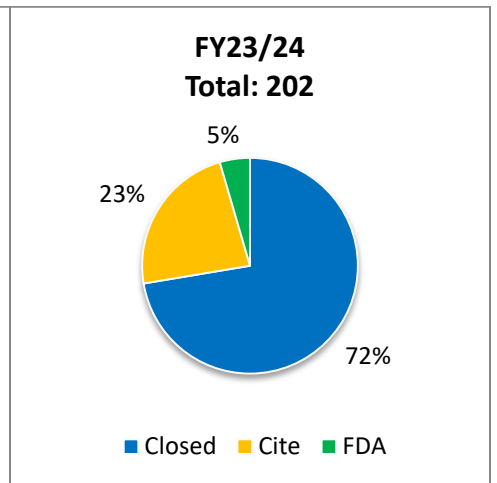
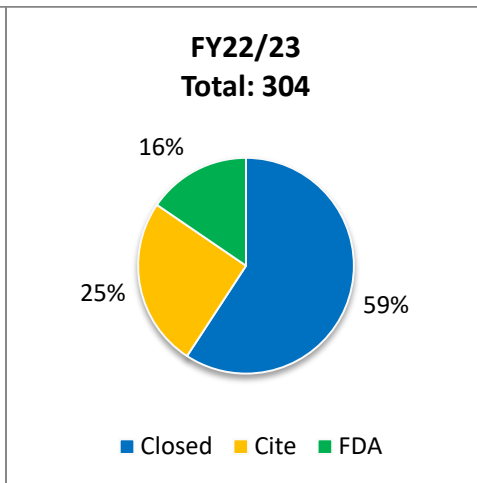
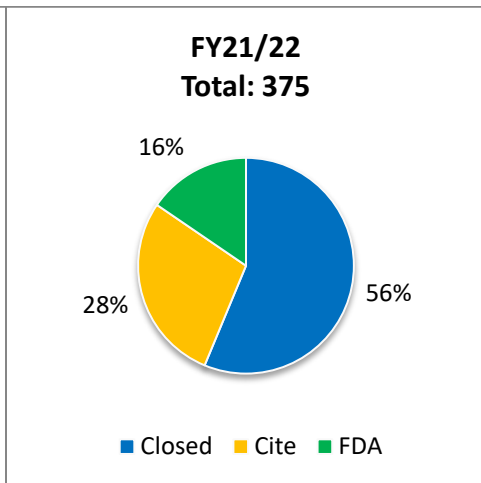
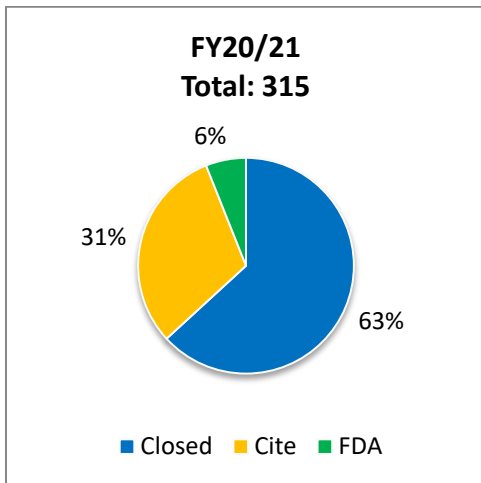
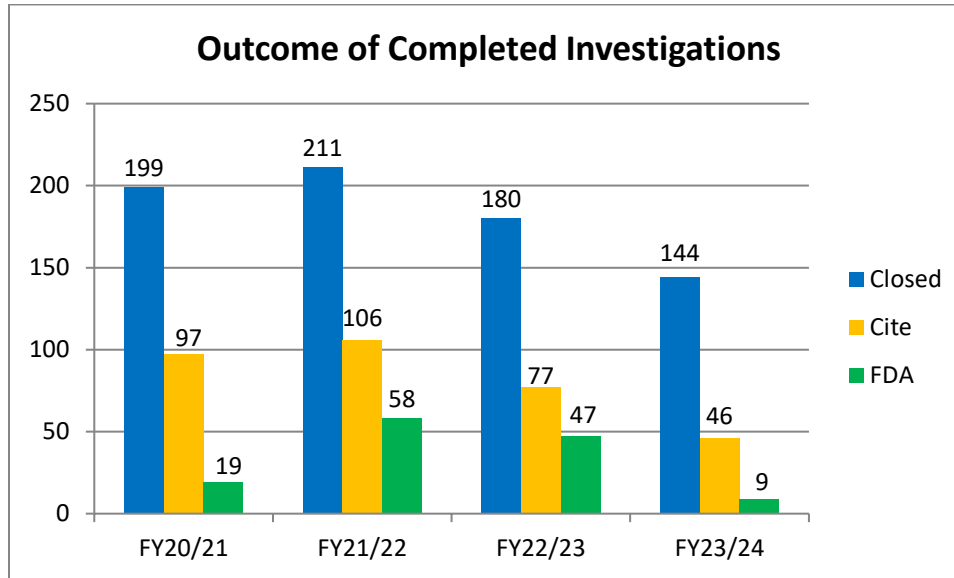
NOTE: FY23/24 statistics are through January 31, 2024

# Complaint Investigation Phase

## Aging of Open (Pending) Complaint Investigation Cases – 12-Month Cycle



# Complaint Investigation Phase Outcome of Completed Investigations



**NOTE: FY23/24 statistics are through January 31, 2024**

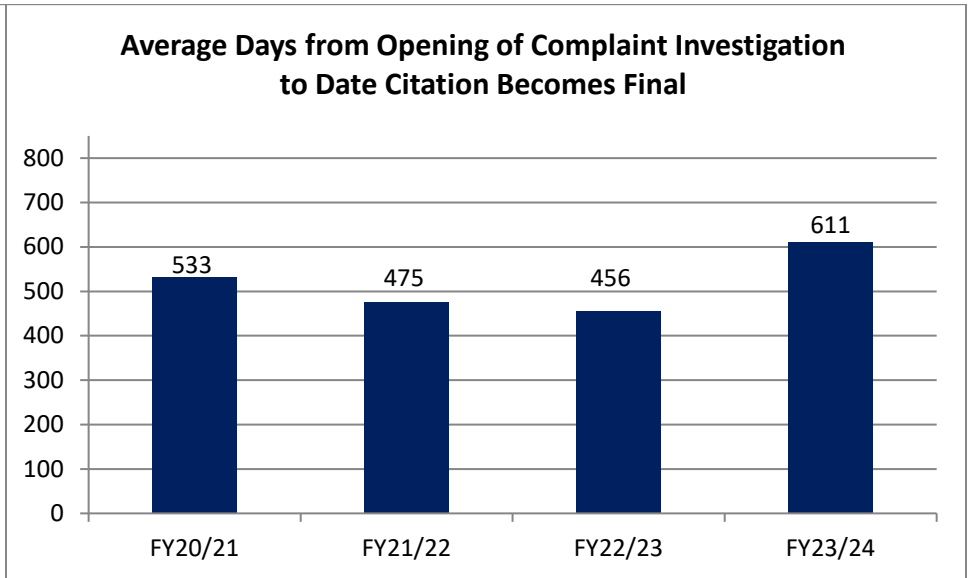
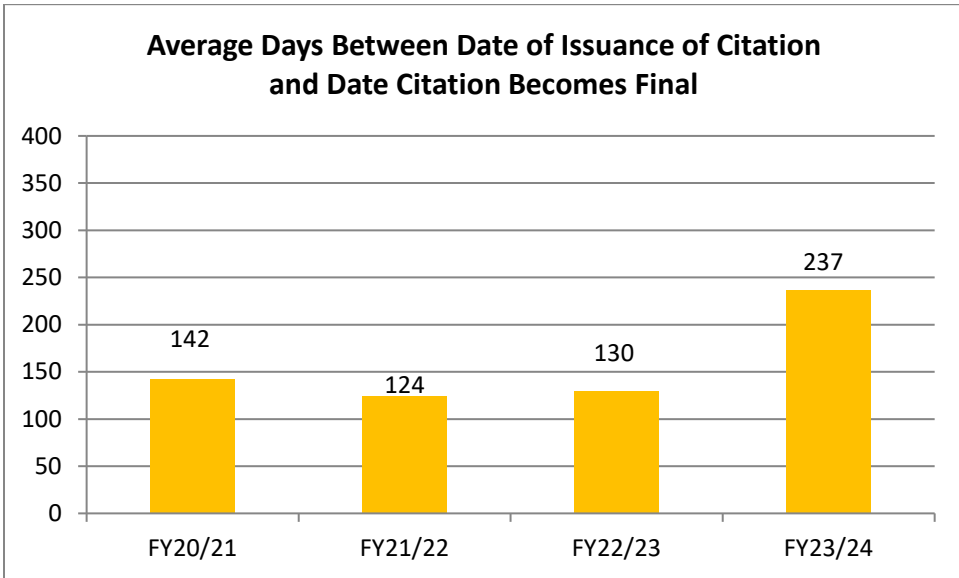
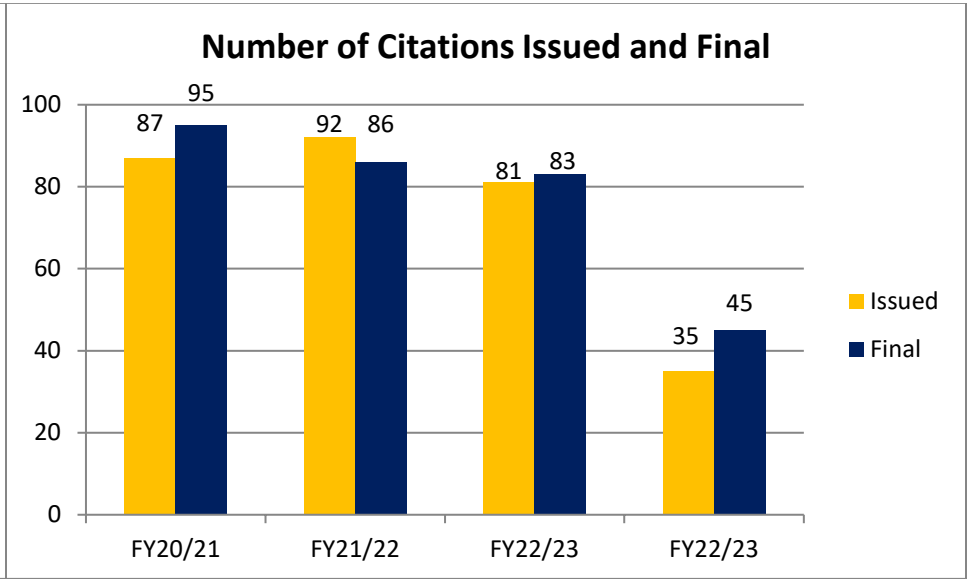
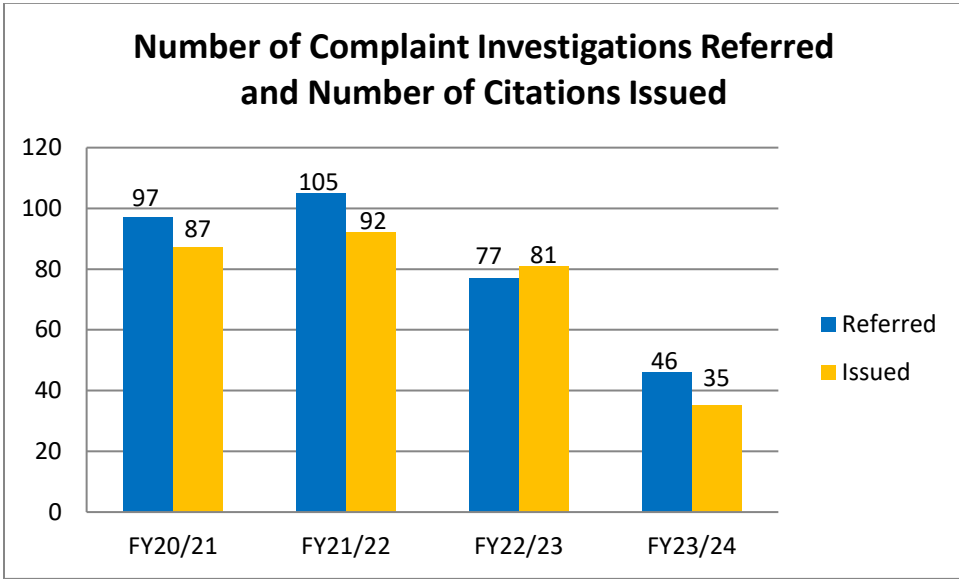
Closed with No Action Taken, includes No Violation/Insufficient Evidence; Compliance Obtained; Warning Letter; Other Reason for Closing Without Action (e.g., subject deceased); Resolved After Initial Notification; Referred to District Attorney with Request to File Criminal Charges; and Mediated.

Cite = Referred for Issuance of Citation

FDA = Referred for Formal Disciplinary Action

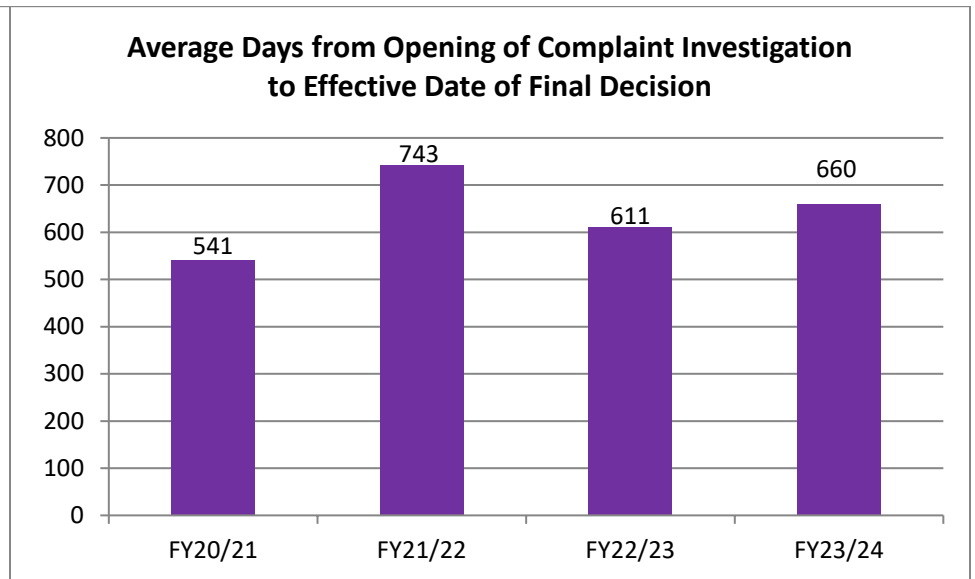
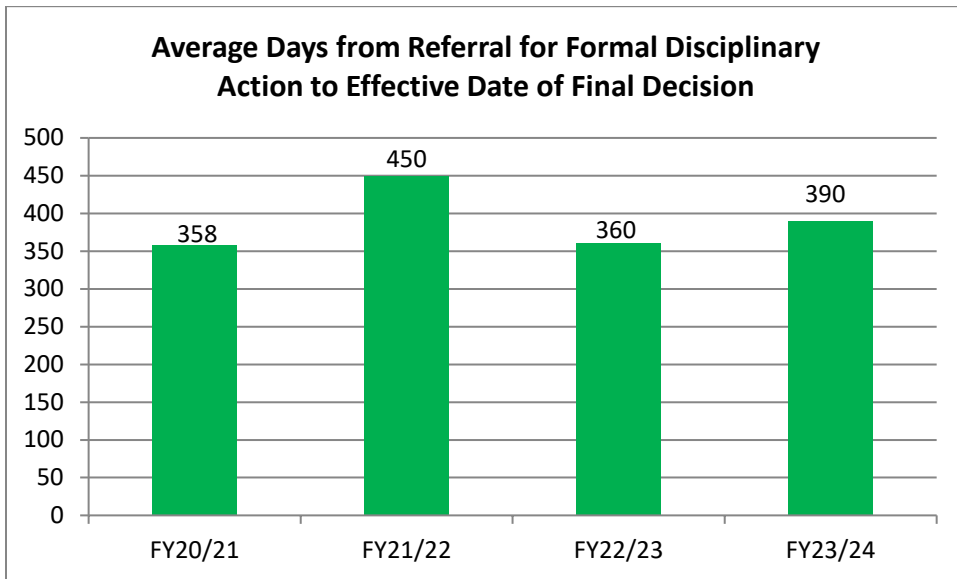
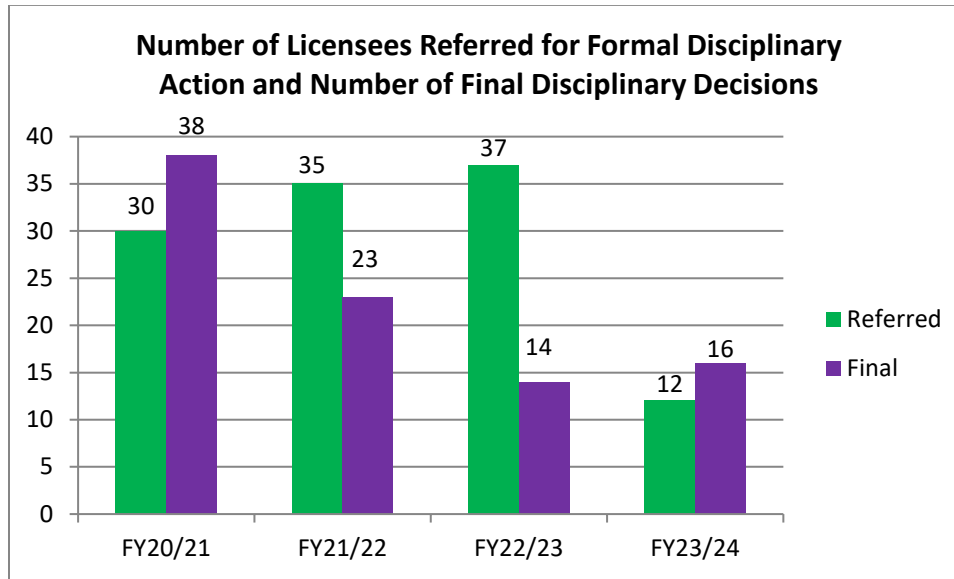


# Citations (Informal Enforcement Actions)



NOTE: FY23/24 statistics are through January 31, 2024

# Formal Disciplinary Actions Against Licensees



NOTE: FY23/24 statistics are through January 31, 2024

## Complaint Investigation Phase

### Number of Complaint Investigations Opened & Completed by Month 12-Month Cycle

Month	Complaint Investigations Opened	Complaint Investigations Completed
February 2023	22	14
March 2023	20	33
April 2023	39	29
May 2023	51	38
June 2023	58	35
July 2023	27	18
August 2023	39	32
September 2023	25	20
October 2023	33	34
November 2023	16	18
December 2023	24	15
January 2024	32	65

### Complaint Investigations Opened and Completed Total by Fiscal Year

Fiscal Year	Complaint Investigations Opened	Complaint Investigations Completed
2020/21	363	315
2021/22	336	350
2022/23	387	304
2023/24	196	202

Current Fiscal Year through January 31, 2024

### Number of Open (Pending) Complaint Investigations (at end of FY or month for current FY)

Fiscal Year	Number of Open (Pending) Complaint Investigations
2020/21	285
2021/22	268
2022/23	352
2023/24	344

Current Fiscal Year through January 31, 2024

## Complaint Investigation Phase

### Average Days from Opening of Complaint Investigation to Completion of Investigation (at end of FY or month for current FY)

Fiscal Year	Average Days
2020/21	274
2021/22	278
2022/23	285
2023/24	323

Current Fiscal Year through January 31, 2024

### Outcome of Completed Investigations

Fiscal Year	# Closed	% Closed	# Cite	% Cite	# FDA	% FDA
2020/21	199	63%	97	31%	19	6%
2021/22	191	55%	102	29%	57	16%
2022/23	180	59%	77	25%	47	16%
2023/24	144	72%	46	23%	9	5%

Current Fiscal Year through January 31, 2024

Closed = Closed with No Action Taken, includes No Violation/Insufficient Evidence; Compliance Obtained; Warning Letter; Other Reason for Closing Without Action (e.g., subject deceased); Resolved After Initial Notification; Referred to District Attorney with Request to File Criminal Charges; and Mediated.

Cite = Referred for Issuance of Citation

FDA = Referred for Formal Disciplinary Action

## Complaint Investigation Phase

### Aging of Open (Pending) Complaint Investigation Cases 12-Month Cycle

Month	0-30 Days	31-60 Days	61-90 Days	91-12 Days	121-180 Days	181-270 Days	271-365 Days	1-2 Years	2-3 Years	3-4 Years
February 2023	21	23	26	22	44	59	41	81	3	0
March 2023	19	19	21	26	27	67	48	77	3	0
April 2023	38	18	16	21	36	60	48	76	3	0
May 2023	51	37	18	15	42	47	50	66	3	0
June 2023	58	48	34	18	35	45	48	65	6	0
July 2023	26	57	47	34	32	46	46	65	7	0
August 2023	39	26	43	55	45	55	36	62	7	0
September 2023	25	37	24	41	89	45	33	73	5	0
October 2023	33	25	36	21	87	62	55	63	8	0
November 2023	15	33	25	36	58	90	39	62	10	0
December 2023	24	10	38	24	26	114	37	61	12	1
January 2024	32	24	8	34	42	77	56	56	14	1

## Citations (Informal Enforcement Actions)

### Number of Complaint Investigations Referred and Number of Citations Issued

Fiscal Year	Complaint Investigations Referred for Issuance of Citation	Citations Issued
2020/21	97	87
2021/22	105	87
2022/23	77	81
2023/24	46	35

Current Fiscal Year through January 31, 2024

### Number of Citations Issued and Final

Fiscal Year	Issued	Final
2020/21	87	95
2021/22	87	85
2022/23	81	83
2023/24	35	45

Current Fiscal Year through January 31, 2024

### Average Days Between Date of Issuance of Citation and Date Citation Becomes Final

Fiscal Year	Number of Days
2020/21	142
2021/22	125
2022/23	130
2023/24	237

Current Fiscal Year through January 31, 2024

### Average Days from Opening of Complaint Investigation to Date Citation Becomes Final

Fiscal Year	Number of Days
2020/21	533
2021/22	475
2022/23	456
2023/24	611

Current Fiscal Year through January 31, 2024

## Formal Disciplinary Actions Against Licensees

### Number of Licensees Referred for Formal Disciplinary Action and Number of Final Disciplinary Decisions

Fiscal Year	Number of Licensees Referred for Formal Disciplinary Action	Number of Final Disciplinary Decisions
2020/21	30	38
2021/22	32	19
2022/23	37	14
2023/24	12	16

Current Fiscal Year through January 31, 2024

### Average Days from Referral for Formal Disciplinary Action to Effective Date of Final Decision

Fiscal Year	Number of Days
2020/21	358
2021/22	419
2022/23	360
2023/24	390

Current Fiscal Year through January 31, 2024

### Average Days from Opening of Complaint Investigation to Effective Date of Final Decision

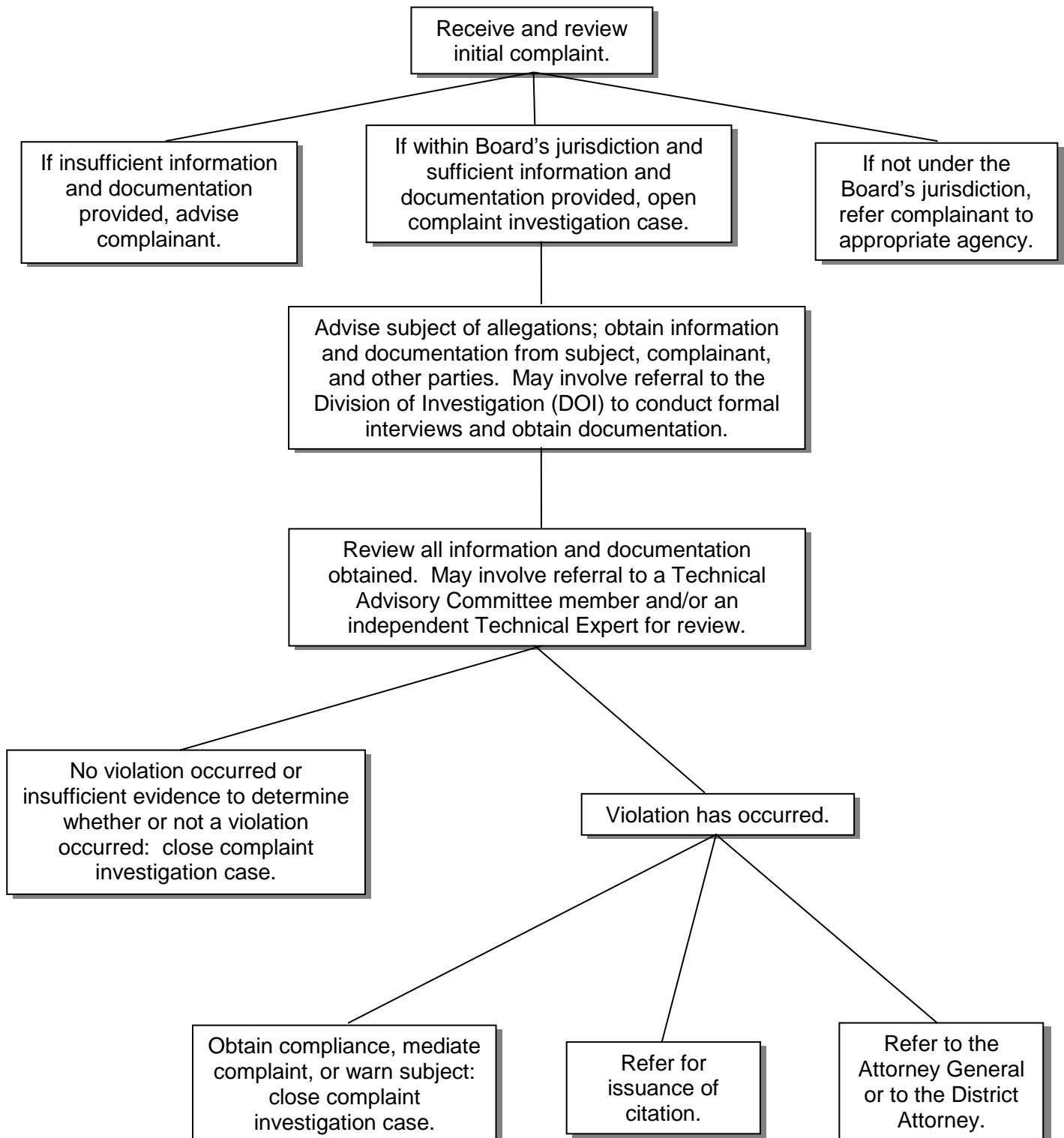
Fiscal Year	Number of Days
2020/21	541
2021/22	747
2022/23	611
2023/24	660

Current Fiscal Year through January 31, 2024

# BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS

## GENERAL OVERVIEW OF THE COMPLAINT INVESTIGATION PROCESS

This flow chart provides a general overview of the complaint investigation process. However, each complaint investigation case is handled on an individual basis and may not go through all of the steps or may not go through the steps in the order shown.





## **VI. Exams/Licensing**

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- A. Examination/Licensing Updates
- B. 2023 Examination Results
- C. Adoption of Test Plan Specifications
  - 1. California Professional Land Surveyor Examination (Possible Action)
  - 2. Professional Geologist - California Specific Examination (Possible Action)



# 2023 Exam Results Statistics

## 2023-California State Specific Civil Engineer Examination Results

First Quarter 2023			
<b>Civil Engineer - Seismic Principles</b>			
	Total Number of Candidates	Number Passed	Pass %
January	129	92	71%
February	151	88	58%
March	299	133	44%
<b>Total</b>	<b>579</b>	<b>313</b>	<b>54%</b>
<b>Civil Engineer - Engineering Surveying</b>			
	Total Number of Candidates	Number Passed	Pass %
January	150	97	65%
February	149	88	59%
March	289	140	48%
<b>Total</b>	<b>588</b>	<b>325</b>	<b>55%</b>
Second Quarter 2023			
<b>Civil Engineer - Seismic Principles</b>			
	Total Number of Candidates	Number Passed	Pass %
April	206	131	64%
May	198	91	46%
June	288	120	42%
<b>Total</b>	<b>692</b>	<b>342</b>	<b>49%</b>
<b>Civil Engineer - Engineering Surveying</b>			
	Total Number of Candidates	Number Passed	Pass %
April	196	108	55%
May	176	104	59%
June	279	140	50%
<b>Total</b>	<b>651</b>	<b>352</b>	<b>54%</b>
Third Quarter 2023			
<b>Civil Engineer - Seismic Principles</b>			
	Total Number of Candidates	Number Passed	Pass %
July	139	75	54%
August	170	84	49%
September	191	86	45%
<b>Total</b>	<b>500</b>	<b>245</b>	<b>49%</b>
<b>Civil Engineer - Engineering Surveying</b>			
	Total Number of Candidates	Number Passed	Pass %
July	152	78	51%
August	142	83	58%
September	182	84	46%
<b>Total</b>	<b>476</b>	<b>245</b>	<b>51%</b>
Fourth Quarter 2023			
<b>Civil Engineer - Seismic Principles</b>			
	Total Number of Candidates	Number Passed	Pass %
October	188	106	56%
November	194	107	55%
December	348	143	41%
<b>Total</b>	<b>730</b>	<b>356</b>	<b>49%</b>
<b>Civil Engineer - Engineering Surveying</b>			
	Total Number of Candidates	Number Passed	Pass %
October	206	125	61%
November	195	99	51%
December	262	101	39%
<b>Total</b>	<b>663</b>	<b>325</b>	<b>49%</b>
2023 Totals			
<b>Civil Engineer - Seismic Principles</b>			
	Total Number of Candidates	Number Passed	Pass %
<b>2023 Total</b>	<b>2501</b>	<b>1256</b>	<b>50%</b>
<b>Civil Engineer - Engineering Surveying</b>			
	Total Number of Candidates	Number Passed	Pass %
<b>2023 Total</b>	<b>2378</b>	<b>1247</b>	<b>52%</b>

# 2023 Exam Results Statistics

## 2023-California State Specific Exams

California Land Surveyor			
	Total Number of Candidates	Number Passed	Pass %
Spring	144	68	47%
Fall	113	33	29%
<b>Total</b>	<b>257</b>	<b>101</b>	<b>39%</b>

Traffic Engineer			
	Total Number of Candidates	Number Passed	Pass %
Spring	N/A	N/A	N/A
Fall	100	62	62%
<b>Total</b>	<b>100</b>	<b>62</b>	<b>62%</b>

Geotechnical Engineer			
	Total Number of Candidates	Number Passed	Pass %
Spring	N/A	N/A	N/A
Fall	106	33	31%
<b>Total</b>	<b>106</b>	<b>33</b>	<b>31%</b>

Professional Geologist California Specific Exam			
	Total Number of Candidates	Number Passed	Pass %
Spring	129	50	39%
Fall	148	70	47%
<b>Total</b>	<b>277</b>	<b>120</b>	<b>43%</b>

Certified Engineering Geologist			
	Total Number of Candidates	Number Passed	Pass %
Spring	N/A	N/A	N/A
Fall	39	13	33%
<b>Total</b>	<b>39</b>	<b>13</b>	<b>33%</b>

Certified Hydrogeologist			
	Total Number of Candidates	Number Passed	Pass %
Spring	N/A	N/A	N/A
Fall	17	8	47%
<b>Total</b>	<b>17</b>	<b>8</b>	<b>47%</b>

Professional Geophysicist			
	Total Number of Candidates	Number Passed	Pass %
Spring	N/A	N/A	N/A
Fall	4	4	100%
<b>Total</b>	<b>4</b>	<b>4</b>	<b>100%</b>

## 2023-Geology ASBOG Exams

Fundamentals of Geology			
	Total Number of Candidates	Number Passed	Pass %
Spring	142	82	58%
Fall	165	107	65%
<b>Total</b>	<b>307</b>	<b>189</b>	<b>62%</b>

Practice of Geology			
	Total Number of Candidates	Number Passed	Pass %
Spring	74	57	77%
Fall	71	60	85%
<b>Total</b>	<b>145</b>	<b>117</b>	<b>81%</b>

# 2023 Exam Results Statistics

## 2023 - NCEES Engineering and Land Surveying National Exams California Statistics

### Paper and Pencil Exams Spring 2023

	Total Number of Candidates	Number Passed	Pass %
Structural Engineer (Lateral)	133	47	35
Structural Engineer (Vertical)	134	34	25

### Paper and Pencil Exams Fall 2023

	Total Number of Candidates	Number Passed	Pass %
Structural Engineer (Lateral)	133	48	36
Structural Engineer (Vertical)	121	24	20

### Computer-Based Exams (CBT) January - June 2023

	Total Number of Candidates	Number Passed	Pass %
Agricultural Engineer	n/a	n/a	n/a
Chemical Engineer	38	21	55
Civil Engineer	1,213	624	51
Control Systems Engineer	n/a	n/a	n/a
Electrical Engineer	204	73	36
Fire Protection Engineer	n/a	n/a	n/a
Fundamentals of Engineering	2,748	1,342	49
Fundamentals of Surveying	204	77	38
Industrial Engineer	n/a	n/a	n/a
Mechanical Engineer	209	126	60
Metallurgical Engineer	n/a	n/a	n/a
Nuclear Engineer	0	0	0
Petroleum Engineer	n/a	n/a	n/a
Practice of Surveying	136	67	49

### Computer-Based Exams (CBT) July - December 2023

	Total Number of Candidates	Number Passed	Pass %
Agricultural Engineer	3	2	67
Chemical Engineer	43	18	42
Civil Engineer	1,543	750	49
Control Systems Engineer	34	14	41
Electrical Engineer	346	164	47
Fire Protection Engineer	59	52	88
Fundamentals of Engineering	3,505	1,684	48
Fundamentals of Surveying	222	103	46
Industrial Engineer	11	7	64
Mechanical Engineer	265	167	63
Metallurgical Engineer	14	8	57
Nuclear Engineer	n/a	n/a	n/a
Petroleum Engineer	12	7	58
Practice of Surveying	135	55	41

# Examination Statistics

(State Specific and ASBOG Examinations)

NCEES examination statistics are available on the NCEES website at: <https://ncees.org/>

## Civil Seismic Principles

Exam Cycle	Tested	Passed	Pass %
Q1 2018	No exams administered		
Q2 2018	1341	556	41
Q3 2018	513	225	44
Q4 2018	802	347	43
<b>Total 2018</b>	<b>2656</b>	<b>1128</b>	<b>42</b>
Q1 2019	593	283	48
Q2 2019	801	405	51
Q3 2019	715	341	48
Q4 2019	818	398	49
<b>Total 2019</b>	<b>2927</b>	<b>1427</b>	<b>49</b>
Q1 2020	319	177	55
Q2 2020	No exams administered		
Q3 2020	715	476	67
Q4 2020	713	369	52
<b>Total 2020</b>	<b>1747</b>	<b>1022</b>	<b>59</b>
Q1 2021	238	166	70
Q2 2021	941	482	51
Q3 2021	511	255	50
Q4 2021	625	283	45
<b>Total 2021</b>	<b>2315</b>	<b>1186</b>	<b>51</b>
Q1 2022	427	215	50
Q2 2022	628	322	51
Q3 2022	559	274	49
Q4 2022	610	321	53
<b>Total 2022</b>	<b>2224</b>	<b>1132</b>	<b>51</b>
Q1 2023	579	313	54
Q2 2023	692	342	49
Q3 2023	500	245	49
Q4 2023	730	356	49
<b>Total 2023</b>	<b>2501</b>	<b>1256</b>	<b>50</b>

## Civil Engineering Surveying

Exam Cycle	Tested	Passed	Pass %
Q1 2018	No exams administered		
Q2 2018	1254	485	39
Q3 2018	513	224	44
Q4 2018	839	383	46
<b>Total 2018</b>	<b>2606</b>	<b>1092</b>	<b>42</b>
Q1 2019	553	251	45
Q2 2019	823	385	47
Q3 2019	695	304	44
Q4 2019	814	386	47
<b>Total 2019</b>	<b>2885</b>	<b>1326</b>	<b>46</b>
Q1 2020	420	232	55
Q2 2020	No exams administered		
Q3 2020	747	438	59
Q4 2020	713	332	47
<b>Total 2020</b>	<b>1880</b>	<b>1002</b>	<b>53</b>
Q1 2021	303	207	68
Q2 2021	1004	468	47
Q3 2021	522	274	52
Q4 2021	665	327	49
<b>Total 2021</b>	<b>2494</b>	<b>1276</b>	<b>51</b>
Q1 2022	421	224	53
Q2 2022	615	290	47
Q3 2022	526	267	51
Q4 2022	565	306	54
<b>Total 2022</b>	<b>2127</b>	<b>1087</b>	<b>51</b>
Q1 2023	588	325	55
Q2 2023	651	352	54
Q3 2023	476	245	51
Q4 2023	663	325	49
<b>Total 2023</b>	<b>2378</b>	<b>1247</b>	<b>52</b>

## CA Professional Land Surveyor

Exam Cycle	Tested	Passed	Pass %
Spring 2018	129	30	23
Fall 2018	93	25	27
<b>Total 2018</b>	<b>222</b>	<b>55</b>	<b>25</b>
Spring 2019	112	40	36
Fall 2019	81	33	41
<b>Total 2019</b>	<b>193</b>	<b>73</b>	<b>38</b>
Spring 2020	No exams administered		
Fall 2020	116	38	33
<b>Total 2020</b>	<b>116</b>	<b>38</b>	<b>33</b>
Spring 2021	85	30	35
Fall 2021	88	27	31
<b>Total 2021</b>	<b>173</b>	<b>57</b>	<b>33</b>
Spring 2022	107	48	45
Fall 2022	148	40	27
<b>Total 2022</b>	<b>255</b>	<b>88</b>	<b>35</b>
Spring 2023	144	68	47
Fall 2023	113	33	29
<b>Total 2023</b>	<b>257</b>	<b>101</b>	<b>39</b>

## Traffic Engineer

Exam Cycle	Tested	Passed	Pass %
Spring 2018	N/A	N/A	N/A
Fall 2018	77	39	51
<b>Total 2018</b>	<b>77</b>	<b>39</b>	<b>51</b>
Spring 2019	N/A	N/A	N/A
Fall 2019	69	36	52
<b>Total 2019</b>	<b>69</b>	<b>36</b>	<b>52</b>
Spring 2020	N/A	N/A	N/A
Fall 2020	49	31	63
<b>Total 2020</b>	<b>49</b>	<b>31</b>	<b>63</b>
Spring 2021	N/A	N/A	N/A
Fall 2021	60	28	47
<b>Total 2021</b>	<b>60</b>	<b>28</b>	<b>47</b>
Spring 2022	N/A	N/A	N/A
Fall 2022	71	33	46
<b>Total 2022</b>	<b>71</b>	<b>33</b>	<b>46</b>
Spring 2023	N/A	N/A	N/A
Fall 2023	100	62	62
<b>Total 2023</b>	<b>100</b>	<b>62</b>	<b>62</b>

## Geotechnical Engineer

Exam Cycle	Tested	Passed	Pass %
Spring 2018	39	13	33
Fall 2018	35	7	20
<b>Total 2018</b>	<b>74</b>	<b>20</b>	<b>27</b>
Spring 2019	N/A	N/A	N/A
Fall 2019	78	30	38
<b>Total 2019</b>	<b>78</b>	<b>30</b>	<b>38</b>
Spring 2020	N/A	N/A	N/A
Fall 2020	60	21	35
<b>Total 2020</b>	<b>60</b>	<b>21</b>	<b>35</b>
Spring 2021	N/A	N/A	N/A
Fall 2021	74	26	35
<b>Total 2021</b>	<b>74</b>	<b>26</b>	<b>35</b>
Spring 2022	N/A	N/A	N/A
Fall 2022	81	22	27
<b>Total 2022</b>	<b>81</b>	<b>22</b>	<b>27</b>
Spring 2023	N/A	N/A	N/A
Fall 2023	106	33	31
<b>Total 2023</b>	<b>106</b>	<b>33</b>	<b>31</b>

## ASBOG Fundamentals of Geology

Exam Cycle	Tested	Passed	Pass %
Spring 2018	105	75	71
Fall 2018	216	149	69
<b>Total 2018</b>	<b>321</b>	<b>224</b>	<b>70</b>
Spring 2019	153	108	71
Fall 2019	209	136	65
<b>Total 2019</b>	<b>362</b>	<b>244</b>	<b>67</b>
Spring 2020	No exams administered		
Fall 2020	145	112	77
<b>Total 2020</b>	<b>145</b>	<b>112</b>	<b>77</b>
Spring 2021	161	105	65
Fall 2021	132	95	72
<b>Total 2021</b>	<b>293</b>	<b>200</b>	<b>68</b>
Spring 2022	120	88	73
Fall 2022	116	63	54
<b>Total 2022</b>	<b>236</b>	<b>151</b>	<b>64</b>
Spring 2023	142	82	58
Fall 2023	165	107	65
<b>Total 2023</b>	<b>307</b>	<b>189</b>	<b>62</b>

## ASBOG Practice of Geology

Exam Cycle	Tested	Passed	Pass %
Spring 2018	61	45	74
Fall 2018	105	73	70
<b>Total 2018</b>	<b>166</b>	<b>118</b>	<b>71</b>
Spring 2019	80	61	76
Fall 2019	89	70	79
<b>Total 2019</b>	<b>169</b>	<b>131</b>	<b>78</b>
Spring 2020	No exams administered		
Fall 2020	75	61	81
<b>Total 2020</b>	<b>75</b>	<b>61</b>	<b>81</b>
Spring 2021	95	69	73
Fall 2021	91	74	81
<b>Total 2021</b>	<b>186</b>	<b>143</b>	<b>77</b>
Spring 2022	90	74	82
Fall 2022	82	62	76
<b>Total 2022</b>	<b>172</b>	<b>136</b>	<b>79</b>
Spring 2023	74	57	77
Fall 2023	71	60	85
<b>Total 2023</b>	<b>145</b>	<b>117</b>	<b>81</b>

## Geologist California Specific

Exam Cycle	Tested	Passed	Pass %
Spring 2018	102	47	46
Fall 2018	137	69	50
<b>Total 2018</b>	<b>239</b>	<b>116</b>	<b>49</b>
Spring 2019	116	56	48
Fall 2019	139	44	32
<b>Total 2019</b>	<b>255</b>	<b>100</b>	<b>39</b>
Spring 2020	150	74	49
Fall 2020	79	40	51
<b>Total 2020</b>	<b>229</b>	<b>114</b>	<b>50</b>
Spring 2021	106	47	44
Fall 2021	133	60	45
<b>Total 2021</b>	<b>239</b>	<b>107</b>	<b>45</b>
Spring 2022	128	58	45
Fall 2022	145	67	46
<b>Total 2022</b>	<b>273</b>	<b>125</b>	<b>46</b>
Spring 2023	129	50	39
Fall 2023	148	70	47
<b>Total 2023</b>	<b>277</b>	<b>120</b>	<b>43</b>

## Certified Engineering Geologist

Exam Cycle	Tested	Passed	Pass %
Spring 2018	N/A	N/A	N/A
Fall 2018	45	24	53
<b>Total 2018</b>	<b>45</b>	<b>24</b>	<b>53</b>
Spring 2019	N/A	N/A	N/A
Fall 2019	40	29	73
<b>Total 2019</b>	<b>40</b>	<b>29</b>	<b>73</b>
Spring 2020	N/A	N/A	N/A
Fall 2020	17	11	65
<b>Total 2020</b>	<b>17</b>	<b>11</b>	<b>65</b>
Spring 2021	N/A	N/A	N/A
Fall 2021	39	20	51
<b>Total 2021</b>	<b>39</b>	<b>20</b>	<b>51</b>
Spring 2022	N/A	N/A	N/A
Fall 2022	31	13	42
<b>Total 2022</b>	<b>31</b>	<b>13</b>	<b>42</b>
Spring 2023	N/A	N/A	N/A
Fall 2023	39	13	33
<b>Total 2023</b>	<b>39</b>	<b>13</b>	<b>33</b>

## Certified Hydrogeologist

Exam Cycle	Tested	Passed	Pass %
Spring 2018	N/A	N/A	N/A
Fall 2018	33	22	67
<b>Total 2018</b>	<b>33</b>	<b>22</b>	<b>67</b>
Spring 2019	N/A	N/A	N/A
Fall 2019	18	11	61
<b>Total 2019</b>	<b>18</b>	<b>11</b>	<b>61</b>
Spring 2020	N/A	N/A	N/A
Fall 2020	14	9	64
<b>Total 2020</b>	<b>14</b>	<b>9</b>	<b>64</b>
Spring 2021	N/A	N/A	N/A
Fall 2021	18	10	56
<b>Total 2021</b>	<b>18</b>	<b>10</b>	<b>56</b>
Spring 2022	N/A	N/A	N/A
Fall 2022	24	10	42
<b>Total 2022</b>	<b>24</b>	<b>10</b>	<b>42</b>
Spring 2023	N/A	N/A	N/A
Fall 2023	17	8	47
<b>Total 2023</b>	<b>17</b>	<b>8</b>	<b>47</b>

## Professional Geophysicist

Exam Cycle	Tested	Passed	Pass %
Spring 2018	N/A	N/A	N/A
Fall 2018	4	1	25
<b>Total 2018</b>	<b>4</b>	<b>1</b>	<b>25</b>
Spring 2019	N/A	N/A	N/A
Fall 2019	3	1	33
<b>Total 2019</b>	<b>3</b>	<b>1</b>	<b>33</b>
Spring 2020	N/A	N/A	N/A
Fall 2020	5	2	40
<b>Total 2020</b>	<b>5</b>	<b>2</b>	<b>40</b>
Spring 2021	N/A	N/A	N/A
Fall 2021	9	4	44
<b>Total 2021</b>	<b>9</b>	<b>4</b>	<b>44</b>
Spring 2022	N/A	N/A	N/A
Fall 2022	3	3	100
<b>Total 2022</b>	<b>3</b>	<b>3</b>	<b>100</b>
Spring 2023	N/A	N/A	N/A
Fall 2023	4	4	100
<b>Total 2023</b>	<b>4</b>	<b>4</b>	<b>100</b>

Past examination statistics are available on the Board's website at: [https://www.bpelsg.ca.gov/applicants/exam\\_statistics.shtml](https://www.bpelsg.ca.gov/applicants/exam_statistics.shtml)

<b>BPELSG Professional Land Surveyor Examination Test Plan 2024</b>	<b>Percentage of Questions on the Exam</b>
<p><b>I. Business Practices and Project Management</b></p> <p><b>Professional Activities:</b></p> <ol style="list-style-type: none"> <li>1. Explain the practice and importance of land surveying to the public</li> <li>2. Prepare proposals and contracts (e.g., scope, schedule, budget, client needs, regulatory requirements)</li> <li>3. Offer or procure land surveying and incidental services</li> <li>4. Direct personnel for office and field tasks</li> <li>5. Coordinate projects with third parties (e.g., agencies, consultants, contractors)</li> <li>6. Identify project standards (e.g., mapping, accuracy requirements, legal requirements, methodology, quality assurance, agency standards, project specifications)</li> <li>7. Develop plan for project execution (e.g., mapping, accuracy requirements, methodology, quality assurance, client needs)</li> <li>8. Preserve survey monuments in accordance with State law</li> <li>9. Manage a land surveying business, organization or department (e.g., compliance with DIR and/or Project Labor Agreement (PLA) regulations, Organizational Record)</li> <li>10. Apply the Subdivision Map Act and other related laws and regulations</li> <li>11. Apply the Professional Land Surveyors Act</li> <li>12. Identify and disclose potential conflicts of interest (e.g., risk, liability, protection)</li> </ol> <p><b>Test questions on these professional activities may include one or more of the following:</b></p> <ol style="list-style-type: none"> <li>A. Professional Land Surveyors' (PLS) Act</li> <li>B. Project requirements</li> <li>C. Impact of local ordinances</li> <li>D. Subdivision Map Act (SMA)</li> <li>E. Survey-relevant sections of State laws (e.g., Public Resources Code, Civil Code, Evidence Code, Department of Industrial Relations (DIR) requirements)</li> <li>F. Impact of federal laws (e.g., FEMA, US Army Corps of Engineers, BLM)</li> <li>G. Laws and ordinances pertaining to setting of monuments (e.g., PLS Act § 8771-8772, SMA § 66495-66498, local ordinances)</li> <li>H. Right of entry laws</li> <li>I. Capabilities and limitations of equipment and technologies (e.g., GPS, laser scanning, levels, total stations, UAV)</li> <li>J. Interpretation of elements in construction plans and specifications pertaining to staking</li> <li>K. Procedures for preparation for aerial mapping (e.g. photogrammetric, LiDAR, UAV, flight plans, ground control)</li> <li>L. Procedures for preparation for terrestrial mapping (e.g., total station, GPS, LiDAR, cameras)</li> <li>M. When records of survey are required</li> <li>N. When corner records are required</li> <li>O. When tentative, parcel and final maps are required</li> <li>P. Map waivers (e.g., SMA § 66428)</li> <li>Q. Exceptions to Subdivision Map Act (e.g., SMA § 66412)</li> <li>R. State and local agency requirements for maps and related documents (e.g., submittal, review, filing)</li> <li>S. Project-specific mapping requirements and criteria</li> <li>T. Contractual agreements (e.g., cost estimates, scope of services, limitations)</li> </ol>	<p>10%</p>

<p>U. Appropriate communication methods (e.g., statutory, regulatory)</p> <p>V. Scope management (e.g. managing scope-creep, change order processes)</p>	
<p><b>II. Research, Project Planning and Preparation</b></p> <p><b>Professional Activities:</b></p> <ol style="list-style-type: none"> <li>1. Determine proper control datums, realizations and epochs</li> <li>2. Analyze project data (e.g., recorded maps, deeds, title data, control data, land planning requirements)</li> <li>3. Identify conflicts within documents, maps and drawings</li> <li>4. Conduct project research</li> <li>5. Prepare and review construction calculations (e.g., staking plats, layout, exhibits)</li> <li>6. Perform surveying calculations (e.g., boundary, control, topographic)</li> <li>7. Plan control networks</li> <li>8. Plan field safety operations</li> </ol> <p><b>Test questions on these professional activities may include one or more of the following:</b></p> <ol style="list-style-type: none"> <li>A. Interpretation of elements in construction plans and specifications pertaining to staking</li> <li>B. Procedures and requirements for aerial mapping (e.g., photogrammetric, LiDAR, UAV, control, flight plan)</li> <li>C. Procedures for preparation for terrestrial mapping (e.g., total station, GPS, LiDAR, photogrammetry)</li> <li>D. When records of survey are required</li> <li>E. When corner records are required</li> <li>F. Public Land Survey System (PLSS)</li> <li>G. Sequential conveyances (e.g., senior junior rights)</li> <li>H. Simultaneous conveyances (e.g., lot and block)</li> <li>I. Water boundaries</li> <li>J. Relationship of land grants between private, state and federal (e.g., ranchos, townsites)</li> <li>K. Methods of establishing boundaries</li> <li>L. Types and components of title documents (e.g., title report, chain of title, lot and block report)</li> <li>M. Monument recovery procedures (e.g., field package preparation, search points, magnetic vs. non-ferrous, historic depth)</li> <li>N. Easements, rights-of-way, leases and other encumbrances</li> <li>O. Methods and procedures for retracement and re-establishment of railroad rights-of-way</li> <li>P. Controlling elements of legal descriptions</li> <li>Q. Strengths and weaknesses of various legal description types</li> <li>R. Horizontal and vertical control</li> <li>S. Projections, datums, epoch dates, and transformations</li> <li>T. Geoid, ellipsoid and orthometric heights</li> <li>U. Error sources (e.g., multipath, data input, instrument calibration)</li> <li>V. Methods and procedures to produce control networks within accuracy standards (e.g., Public Resources Code, Federal and State standards)</li> <li>W. Sources of research data (e.g., public, quasi-public, private)</li> <li>X. Source, type and accuracy of digital data (e.g., metadata, GIS)</li> <li>Y. Earth movements (e.g., landslides, subsidence, plate tectonics)</li> <li>Z. Safety and hazard evaluations (e.g., CalOSHA, Manual on Uniform Traffic Control Devices)</li> </ol>	<p>16%</p>
<p><b>III. Field Operations and Investigations</b></p> <p><b>Professional Activities:</b></p> <ol style="list-style-type: none"> <li>1. Perform topographic and/or as-built surveys</li> <li>2. Perform control surveys</li> </ol>	<p>20%</p>



<ol style="list-style-type: none"> <li>3. Perform boundary survey</li> <li>4. Retrace PLSS surveys</li> <li>5. Perform monitoring surveys</li> <li>6. Perform construction staking</li> <li>7. Perform hydrographic surveys (e.g., bathymetric, tidal datum)</li> <li>8. Communicate with clients, contractors and general public while in the field</li> <li>9. Notify right of entry</li> <li>10. Execute safety protocols and procedures</li> <li>11. Perform diligent monument search (e.g., monument preservation, boundary survey, legal requirements)</li> <li>12. Identify limitations of technologies for use in survey practice</li> </ol> <p><b>Test questions on these professional activities may include one or more of the following:</b></p> <ol style="list-style-type: none"> <li>A. Right of entry laws</li> <li>B. Capabilities and limitations of equipment and technologies (e.g., GPS, laser scanning, levels, total stations, UAS)</li> <li>C. Interpretation of elements in construction plans and specifications pertaining to staking</li> <li>D. Public Land Survey System (PLSS)</li> <li>E. Monument recovery (e.g., boundary, control and/or topographic surveys)</li> <li>F. Monument re-establishment procedures (e.g., PLS Act 8771 and 8773)</li> <li>G. Correct monument identification</li> <li>H. Monument pedigree</li> <li>I. Horizontal and vertical control</li> <li>J. Error sources (e.g., multipath, data input, instrument calibration)</li> <li>K. California Coordinate Systems</li> <li>L. Real-time-networks (e.g., processes, redundancy, accessibility, accuracy)</li> <li>M. Field notes and staking reports</li> <li>N. Basis of control values and their relation to maps and construction plans (e.g., basis of bearings, benchmark)</li> <li>O. Methods and requirements for performing topographic, aerial, as-built, and/or bathymetric surveys,</li> <li>P. Field practices and procedures for construction staking</li> <li>Q. Geoid models, ellipsoid heights and orthometric heights</li> <li>R. Safety and hazard evaluations (e.g., CalOSHA, Manual on Uniform Traffic Control Devices)</li> <li>S. Physical evidence that may indicate unwritten rights (e.g., adverse possession, prescriptive rights)</li> <li>T. Physical evidence of water boundaries</li> </ol>	
<p><b>IV. Analysis and Evaluation</b></p> <p><b>Professional Activities:</b></p> <ol style="list-style-type: none"> <li>1. Analyze field evidence together with recorded and unrecorded documentation to retrace boundaries, easements, and possible encroachments (e.g., monuments, occupation, oaths/parol evidence, project documents)</li> <li>2. Evaluate accuracies and precisions of historic documents and maps versus measured survey data</li> <li>3. Evaluate relevance and spatial relationships of maps and measured survey data (e.g., GIS data, field data, metadata)</li> <li>4. Assess boundary location conflicts</li> <li>5. Assess title conflicts</li> <li>6. Analyze results of survey adjustments (e.g., least squares, error analysis)</li> <li>7. Perform quality assurance and quality control</li> </ol>	26%

<p>8. Reconcile deed descriptions with field evidence</p> <p>9. Identify limitations of technologies for use in survey practice</p> <p><b>Test questions on these professional activities may include one or more of the following:</b></p> <ul style="list-style-type: none"> <li>A. When records of survey are required</li> <li>B. When corner records are required</li> <li>C. Public Land Survey System (PLSS)</li> <li>D. Water boundaries (e.g., tidal datums, navigable vs non-navigable)</li> <li>E. Hierarchy of evidence (e.g., Code of Civil Procedure 2077)</li> <li>F. Boundary resolution of simultaneous conveyances</li> <li>G. Boundary resolution of sequential conveyances</li> <li>H. Boundary resolution of junior senior rights</li> <li>I. Boundary resolution of deed descriptions</li> <li>J. Evaluation of field evidence</li> <li>K. Types of conveyances and their effects of ownership on property (e.g., fee vs. easement, grant deed, quitclaim deed, intent)</li> <li>L. Cloud on title</li> <li>M. Effect of earth movement on boundaries (e.g., earthquakes, landslide, subsidence, continental drift)</li> <li>N. Easements, rights-of-way, leases and other encumbrances</li> <li>O. Criteria for acceptance or rejection of monuments</li> <li>P. Physical evidence that may indicate unwritten rights (e.g., adverse possession, prescriptive rights)</li> <li>Q. Controlling elements of legal descriptions</li> <li>R. Types of legal descriptions (e.g., strip, metes and bounds, lot and block, aliquot)</li> <li>S. Exceptions and reservations of legal descriptions</li> <li>T. Horizontal and vertical control</li> <li>U. Projections, datums, realizations and epoch dates</li> <li>V. Geoid, ellipsoid and orthometric heights</li> <li>W. Conversion between grid and ground distances</li> <li>X. Errors - Analysis and quantification (e.g., data bias, error ellipses, residuals)</li> <li>Y. Digital terrain models</li> <li>Z. Point clouds (e.g., As-Built, reduction, management, analysis, extraction, terrain classification systems)</li> <li>AA. Applications of relevant case law (e.g., boundary issues, liability)</li> <li>BB. Methods to obtain bearings or azimuths related to geodetic, magnetic, grid or astronomic north</li> <li>CC. Parol evidence</li> <li>DD. Use and interpretation of significant figures for maps, plats or reports</li> <li>EE. Survey-relevant sections of state laws (e.g., Public Resources Code, Civil Code, Evidence Code)</li> <li>FF. Historical accuracies vs. current precision (e.g., measuring by chaining, EDM, GPS)</li> </ul>	
<p><b>V. Mapping and Document Preparation</b></p> <p><b>Professional Activities:</b></p> <ol style="list-style-type: none"> <li>1. Prepare legal descriptions (e.g., easements, lot line adjustments, other interests in real property)</li> <li>2. Ensure survey documents comply with State laws, project requirements, and contractual obligations</li> <li>3. Prepare and analyze 3D Models (e.g., BIM, DTM, point clouds)</li> <li>4. Prepare topographic maps from various sources (e.g., photogrammetry, field survey, LiDAR, GIS, UAS, hydrographic)</li> <li>5. Prepare control maps or reports (e.g., local, geodetic, monitoring)</li> </ol>	<p>16%</p>

6. Prepare maps, plats and exhibits (e.g., court, easement, ALTA/NSPS, boundary)
7. Prepare State regulated maps, plats, exhibits (e.g., records of survey, corner records, lot line adjustments, subdivision maps, condominium plans, LAFCO)
8. Prepare construction reports (e.g., cut-sheets, plots, verification reports, quality assurance, ADA reports, form/pad certifications)

**Test questions on these professional activities may include one or more of the following:**

- A. Professional Land Surveyors' (PLS) Act
- B. Subdivision Map Act (SMA)
- C. ALTA/NSPS Land Title Survey related to State law
- D. Basis of control elements and their relation to maps (e.g., basis of bearings, benchmark)
- E. Strip legal descriptions
- F. Metes and bounds legal descriptions
- G. Aliquot part legal descriptions
- H. Portions and parts legal descriptions
- I. Exceptions and reservations in legal descriptions
- J. Projections, datums and epoch dates
- K. California Coordinate System
- L. Surveyor notes (e.g., boundary narrative)
- M. Surveyor reports (e.g., volume, staking)
- N. Digital terrain models
- O. Parol evidence (e.g., use, methods to document, and effects)
- P. Code of Regulations (Board Rules)
- Q. Public Resource Code (PRC)
- R. Signing and sealing requirements
- S. Components of a legal description (e.g., preamble, body)
- T. Methods and procedures for preparing topographic maps (e.g., photogrammetric, planimetric)
- U. Elements of corner records (legal content required)
- V. Elements of records of survey (legal content required)
- W. Elements of tentative maps (legal content required)
- X. Elements of parcel maps (legal content required)
- Y. Elements of final maps (legal content required)
- Z. Elements of certificates of compliance (legal content required)
- AA. Certificates of correction and amended maps
- BB. Depiction of physical evidence that may indicate unwritten rights
- CC. Easements, rights-of-way, leases and other encumbrances

**VI. Professional Consulting**

**Professional Activities:**

1. Communicate accuracies of maps or survey data (e.g., professionals, clients, staff)
2. Provide expert witness testimony (e.g., depositions, arbitration, trials, litigation support)
3. Provide land planning services (e.g., tentative maps, Department of Real Estate exhibits)
4. Provide recommendations in accordance with State Laws (e.g., Subdivision Map Act, Professional Land Surveyors Act, Public Resources Code)
5. Conduct independent peer review
6. Provide conflict resolution
7. Apply code of professional conduct
8. Recognize risk awareness and general liability

**Test questions on these professional activities may include one or more of the following:**

12%

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|--|--|
| <ul style="list-style-type: none"><li>A. Professional Land Surveyors' (PLS) Act</li><li>B. Subdivision Map Act (SMA)</li><li>C. Impact of local ordinances (e.g., zoning, setbacks)</li><li>D. State and local agency processing requirements for maps and related documents (e.g., submittal, review, filing)</li><li>E. Appropriate communication methods (e.g., verbal and written)</li><li>F. Effects of unwritten rights on boundaries</li><li>G. Effects of riparian and littoral rights on boundaries</li><li>H. Cloud on title</li><li>I. Effects of earth movement on boundaries (e.g., earthquakes, subsidence, slides)</li><li>J. Impacts of encumbrances (e.g., deeds of trust, tax liens, easements, leases)</li><li>K. Evidence that may indicate unwritten rights (e.g., adverse possession, prescriptive rights)</li><li>L. Effects of relevant case law (e.g., boundary issues, liability)</li><li>M. Notice of potential encroachments</li><li>N. Survey-relevant sections of state laws (e.g., Public Resources Code, Civil Code, Evidence Code, CEQA, Categorical Exemption, Negative Declaration)</li><li>O. Surveyor's role in title and boundary conflicts (e.g., analysis, mediation, litigation support)</li><li>P. Code of professional conduct (BR 476)</li><li>Q. Mediation techniques</li></ul> |  |
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<b>BPELSG California Specific Exam (CSE) 2024 Test Plan 2024</b>	
<b>Test Specifications</b>	<b>% of Questions</b>
<p><b>I. Hydrogeology</b></p> <p><b>Professional Activities:</b></p> <ol style="list-style-type: none"> <li>1. Plan and conduct hydrogeologic investigations</li> <li>2. Analyze results of hydrogeologic investigations</li> <li>3. Evaluate groundwater resources (e.g., aquifer characteristics, sustainability, water quality) to aid in their protection and preservation</li> <li>4. Characterize surface water features and their geologic controls</li> <li>5. Interpret geology to support the design, installation, development, and decommissioning of production water wells</li> </ol> <p><b>Test questions on these professional activities may include one or more of the following:</b></p> <ol style="list-style-type: none"> <li>A. Methods and procedures for well design, construction, and destruction</li> <li>B. Hydrogeologic considerations for selecting well locations</li> <li>C. Procedures and techniques for performing and evaluating aquifer testing</li> <li>D. Potential adverse impacts of groundwater extraction</li> <li>E. Hydrogeologic conceptual models for assessing water quality and aquifer characteristics</li> <li>F. Surface water features and their impacts to beneficial use (e.g., stormwater control plans, stream channel profiles, sea water interaction)</li> <li>H. California open data portal and other publicly available data resources (e.g., groundwater elevation data, well completion reports)</li> <li>I. California laws, regulations, and guidance documents related to well design, sustainability plans, and conceptual site models</li> </ol>	21%
<p><b>II. Environmental Geology</b></p> <p><b>Professional Activities:</b></p> <ol style="list-style-type: none"> <li>1. Plan and implement sampling and monitoring programs to characterize geologic media (e.g., soil, sediment, water, soil gas) and assess potential impacts</li> <li>2. Analyze and interpret results of environmental geologic investigations</li> <li>3. Plan and implement contaminant mitigation and remediation of impacts to geologic media</li> <li>4. Interpret geology to support the design, installation, development, and decommissioning of groundwater monitoring and remediation wells</li> </ol> <p><b>Test questions on these professional activities may include one or more of the following:</b></p> <ol style="list-style-type: none"> <li>A. Geologic factors involved in environmental evaluations of land use planning (e.g., school properties, on-site waste treatment systems, waste disposal facilities)</li> <li>B. Geologic factors involved in developing a conceptual site model</li> <li>C. Geologic conditions and land use practices affecting groundwater and surface water quality</li> <li>D. Methods and procedures for planning an environmental investigation</li> <li>E. Methods and procedures for preventing cross-contamination</li> <li>F. Methods and procedures for collection and analysis of sub-surface data, remote data, in-situ data, and samples (e.g., soil, sediment, water, soil gas)</li> <li>G. Contaminants-of-concern affecting California groundwater and land resources</li> <li>H. Fate and transport of chemicals in geologic media</li> <li>I. Methods and procedures related to remediation and mitigation of soil, water, and soil gas impacts</li> <li>J. California laws, regulations, and guidance documents related to environmental investigation, remediation, mitigation, and water quality</li> <li>K. California laws, regulations, and guidance documents related to waste disposal facilities</li> </ol>	25%
<p><b>III. Engineering Geology</b></p> <p><b>Professional Activities:</b></p> <ol style="list-style-type: none"> <li>1. Plan and conduct engineering geologic investigations</li> <li>2. Analyze results of engineering geologic investigations</li> <li>3. Evaluate the geologic factors and processes affecting planning, design, construction, maintenance, and vulnerability of civil engineering works</li> <li>4. Characterize, evaluate, and provide recommendations regarding geologic and seismic hazards</li> </ol> <p><b>Test questions on these professional activities may include one or more of the following:</b></p> <ol style="list-style-type: none"> <li>A. Engineering geology and seismology data collection and analytical requirements for the development of California schools, hospitals, and essential services buildings</li> <li>B. Geologic factors applicable to the design and construction of flood control systems and water resources infrastructure (e.g., dams, levees)</li> <li>C. Geologic features related to active faulting</li> <li>D. Geologic hazards related to coastal processes (e.g., bluff retreat, erosion, tsunamis)</li> <li>E. Identification, characterization, and mitigation of mass wasting</li> <li>F. Investigation methods and analyses for seismically induced ground deformation (e.g., liquefaction) and slope instability</li> <li>G. California laws, regulations, and guidance documents related to soil and foundation investigations for structures and grading</li> <li>H. Procedures, methods, and geologic / seismic considerations related to soil and foundation investigations for structures and grading</li> <li>I. California laws, regulations, and guidance documents related to investigation and evaluation of surface fault rupture hazards</li> <li>J. Procedures and methods related to investigation and evaluation of surface fault rupture hazards</li> <li>K. California laws, regulations, and guidance documents related to engineering geologic aspects of waste disposal facility development, operations, and closure</li> </ol>	28%
<p><b>IV. Energy Resources &amp; Mining Geology</b></p> <p><b>Professional Activities:</b></p> <ol style="list-style-type: none"> <li>1. Identify, map, and characterize economic geologic resources</li> <li>2. Interpret geology to support energy and mining development operations</li> <li>3. Provide geologic support for the reclamation and closure of energy and mining operations</li> </ol> <p><b>Test questions on these professional activities may include one or more of the following:</b></p> <ol style="list-style-type: none"> <li>A. Identification and characterization of energy and mineral resources and associated hazards</li> </ol>	10%

B. Geologic considerations related to sustainable energy resource generation and storage	
<b>V. Geomorphic Processes &amp; General Geology</b>	16%
<b>Professional Activities:</b>	
<ol style="list-style-type: none"> <li>1. Interpret geology to support land and watershed protection and restoration</li> <li>2. Identify, map, and evaluate geomorphic features, surface processes, geologic units, and geologic structures</li> <li>3. Characterize and differentiate the geological aspects of California geomorphic provinces/regions</li> <li>4. Identify the types of soil and rock units or formations with potential for paleontologic resources</li> </ol>	
<b>Test questions on these professional activities may include one or more of the following:</b>	
<ol style="list-style-type: none"> <li>A. California mineralogy and associated hazards</li> <li>B. California geomorphic provinces/regions and their associated geological processes, resources, and hazards</li> <li>C. Major California faults, tectonic structures, features, and formations of regional importance</li> <li>D. Remote sensing and field methods used to identify and interpret geomorphic features and processes (e.g., lidar, remote imagery, geologic mapping, age-dating)</li> <li>E. Geologic factors and California laws, regulations, and guidance documents related to paleontologic resources, wetlands, and preserves</li> </ol>	

## VII. Legislation

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- A. 2024 Legislative Calendar
- B. Discussion of Legislation for 2024 (**Possible Action**)
  - 1. Assembly Bill (AB) 1862 - Engineering, land surveying, and architecture: limited liability partnerships.
  - 2. AB 2269 - Board membership qualifications: public members.
  - 3. AB 3176 - Professional land surveyors: surveying practices: monuments and corner accessories.
  - 4. AB 3253 - Board for Professional Engineers, Land Surveyors, and Geologists: appointments: removal.





**DEADLINES**

JANUARY						
S	M	T	W	TH	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

- Jan. 1** Statutes take effect (Art. IV, Sec. 8(c)).
- Jan. 3** **Legislature Reconvenes** (J.R. 51(a)(4)).
- Jan. 10** Budget must be submitted by Governor (Art. IV, Sec. 12(a)).
- Jan. 12** Last day for **policy committees** to hear and report to **fiscal committees** fiscal bills introduced in their house in the **odd-numbered year** (J.R. 61(b)(1)).
- Jan. 15** Martin Luther King, Jr. Day.
- Jan. 19** Last day for any committee to hear and report to the **floor** bills introduced in that house in the odd-numbered year (J.R. 61(b)(2)).  
  
Last day to **submit bill requests** to the Office of Legislative Counsel.
- Jan. 31** Last day for each house to **pass bills introduced** in that house in the odd-numbered year (J.R. 61(b)(3), (Art. IV, Sec. 10(c)).

FEBRUARY						
S	M	T	W	TH	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29		

- Feb. 16** Last day for bills to be **introduced** (J.R. 61(b)(4), (J.R. 54(a)).
- Feb. 19** Presidents' Day.

MARCH						
S	M	T	W	TH	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

- Mar. 21** **Spring Recess** begins upon adjournment of this day's session (J.R. 51(b)(1)).
- Mar. 29** Cesar Chavez Day observed.

APRIL						
S	M	T	W	TH	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

- Apr. 1** Legislature Reconvenes from **Spring Recess** (J.R. 51(b)(1)).
- Apr. 26** Last day for **policy committees** to hear and report to **fiscal committees** fiscal bills introduced in their house (J.R. 61(b)(5)).

MAY						
S	M	T	W	TH	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

- May 3** Last day for **policy committees** to hear and report to the floor **non-fiscal** bills introduced in their house (J.R. 61(b)(6)).
- May 10** Last day for **policy committees** to meet prior to May 28 (J.R. 61(b)(7)).
- May 17** Last day for **fiscal committees** to hear and report to the floor bills introduced in their house (J.R. 61(b)(8)).  
  
Last day for **fiscal committees** to meet prior to May 28 (J.R. 61(b)(9)).
- May 20- 24 Floor Session only.** No committees, other than conference or Rules committees, may meet for any purpose (J.R. 61 (b)(10)).
- May 24** Last day for each house to pass bills introduced in that house (J.R. 61(b)(11)).
- May 27** Memorial Day.
- May 28** Committee meetings may resume (J.R. 61(b)(12)).

\*Holiday schedule subject to Senate Rules committee approval

JUNE						
S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	<u>15</u>
16	17	18	19	20	21	22
23	24	25	26	<b>27</b>	28	29
30						

**June 15** Budget Bill must be passed by **midnight** (Art. IV, Sec. 12(c)(3)).

**June 27** Last day for a legislative measure to qualify for the Nov. 5 General Election ballot (Elections Code Sec. 9040).

JULY						
S	M	T	W	TH	F	S
	1	2	<b>3</b>	<b>4</b>	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

**July 3** Last day for **policy committees** to meet and report bills (J.R. 61(b)(13)).

**Summer Recess** begins upon adjournment provided Budget Bill has been passed (J.R. 51(b)(2)).

**July 4** Independence Day.

AUGUST						
S	M	T	W	TH	F	S
				1	2	3
4	<b>5</b>	6	7	8	9	10
11	12	13	14	15	<u>16</u>	17
18	<u>19</u>	20	21	22	<u>23</u>	24
25	26	27	28	29	30	<u>31</u>

**Aug. 5** Legislature Reconvenes from **Summer Recess** (J.R. 51(b)(2)).

**Aug. 16** Last day for **fiscal committees** to meet and report bills (J.R. 61(b)(14)).

**Aug. 19-31 Floor Session only.** No committees, other than conference and Rules committees, may meet for any purpose (J.R. 61(b)(15)).

**Aug. 23** Last day to **amend** on the floor (J.R. 61(b)(16)).

**Aug. 31** Last day for **each house to pass bills.** (Art. IV, Sec. 10(c), (J.R. 61(b)(17)).

**Final Recess** begins upon adjournment (J.R. 51(b)(3)).

\*Holiday schedule subject to Senate Rules committee approval

## IMPORTANT DATES OCCURRING DURING FINAL STUDY RECESS

### 2024

Sept. 30 Last day for Governor to sign or veto bills passed by the Legislature before Sept. 1 and in the Governor's possession on or after Sept. 1 (Art. IV, Sec. 10(b)(2)).

Nov. 5 General Election

Nov. 30 Adjournment *Sine Die* at midnight (Art. IV, Sec. 3(a)).

Dec. 2 12 Noon convening of the 2025-26 Regular Session (Art. IV, Sec. 3(a)).

### 2025

Jan. 1 Statutes take effect (Art. IV, Sec. 8(c)).

**AB 1862 (Vince Fong, D-Kern, and Chen, D-Orange)**  
**Engineering, land surveying, and architecture: limited liability partnerships.**

**Status/History:** 1/29/2024 – Referred to Assembly Business & Professions Committee.

**Location:** 1/29/2024 – Assembly Business and Professions Committee

**Introduced:** 1/18/2024

**Board Position:** Pending

**Board Staff Analysis:** 2/28/2024

**Bill Summary:** Existing law (Business and Professions Code sections 6738 and 8729) authorizes engineers and land surveyors to offer their services through certain types of business entities, if specific requirements are met. Currently, a Limited Liability Partnership (LLP) is one of the business entities allowed; however, the laws include a sunset date of January 1, 2026, for LLPs. This bill would eliminate the sunset date.

**Affected Laws:** An act to amend and repeal Sections 6738 and 8729 of the Business and Professions Code, to amend Sections 8, 174.5, 5063.5, 12242.5, and 16403 of, and to amend and repeal Sections 16101, 16956, and 16959 of, the Corporations Code, relating to limited liability partnerships.

**Staff Comment:** Assembly Bill (AB) 1682 will indefinitely extend the authority for engineers and land surveyors to operate within their scope of licensure while conducting business as a limited liability partnership and to be designated as a registered limited liability partnership, something that they have been authorized to do since 2010.

This bill is sponsored by American Council of Engineering Companies – California (ACEC-CA). They sponsored the original bill and subsequent bills that extended the sunset date. In 2018, ACEC-CA sponsored legislation (Senate Bill [SB] 920) that would have eliminated the sunset date. However, the sunset date was added back in (and extended) when the bill was heard by the Senate Judiciary Committee. The Board had a position of “Support” on SB 920.

The Board’s Enforcement Unit has not received any complaints from consumers relating to engineers or land surveyors offering their services through an LLP. As such, Board staff recommends the Board take a position of “Support” on AB 1682.

**Staff Recommendation:** Staff recommends the Board take a position of “Support” on AB 1862, as introduced January 18, 2024.

**ASSEMBLY BILL**

**No. 1862**

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**Introduced by Assembly Members Vince Fong and Chen**

January 18, 2024

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An act to amend and repeal Sections 6738 and 8729 of the Business and Professions Code, to amend Sections 8, 174.5, 5063.5, 12242.5, and 16403 of, and to amend and repeal Sections 16101, 16956, and 16959 of, the Corporations Code, relating to limited liability partnerships.

LEGISLATIVE COUNSEL'S DIGEST

AB 1862, as introduced, Vince Fong. Engineering, land surveying, and architecture: limited liability partnerships.

Existing law, the Professional Engineers Act and the Professional Land Surveyors' Act, provide for the licensure and regulation of engineers and land surveyors by the Board for Professional Engineers, Land Surveyors, and Geologists. Existing law, the Architects Practice Act, provides for the licensure and regulation of architects by the California Architects Board. Existing law, the Uniform Partnership Act of 1994, authorizes the formation of registered limited liability partnerships and foreign limited liability partnerships, as specified.

Existing law authorizes persons licensed to engage in the practice of engineering, land surveying, or architecture to form registered limited liability partnerships and foreign limited liability partnerships if specified conditions are met. Existing law requires a registered limited liability partnership or foreign limited liability partnership providing architectural, engineering, or land surveying services to comply with requirements, as specified, for claims based upon acts, errors, or

omissions arising out of those services. Existing law repeals these provisions on January 1, 2026.

This bill would delete the January 1, 2026, repeal dates of the provisions described above, thereby indefinitely extending the authorization for persons licensed to engage in the practice of engineering, land surveying, or architecture to form limited liability partnerships, as specified, and make conforming changes.

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 6738 of the Business and Professions  
2 Code, as amended by Section 1 of Chapter 302 of the Statutes of  
3 2022, is amended to read:

4 6738. (a) This chapter does not prohibit one or more civil,  
5 electrical, or mechanical engineers from practicing or offering to  
6 practice, within the scope of their license, civil (including  
7 geotechnical and structural), electrical, or mechanical engineering  
8 as a sole proprietorship, partnership, limited liability partnership,  
9 firm, or corporation (hereinafter called business), if all of the  
10 following requirements are met:

11 (1) A civil, electrical, or mechanical engineer currently licensed  
12 in this state is an owner, partner, or officer in charge of the  
13 engineering practice of the business.

14 (2) All civil, electrical, or mechanical engineering services are  
15 performed by, or under the responsible charge of, a professional  
16 engineer licensed in the appropriate branch of professional  
17 engineering.

18 (3) If the business name of a California engineering business  
19 contains the name of any person, then that person shall be licensed  
20 as a professional engineer, a licensed land surveyor, a licensed  
21 architect, or a geologist registered under the Geologist and  
22 Geophysicist Act (Chapter 12.5 (commencing with Section 7800)).  
23 Any offer, promotion, or advertisement by the business that  
24 contains the name of any individual in the business, other than by  
25 use of the name of an individual in the business name, shall clearly  
26 and specifically designate the license or registration discipline of  
27 each individual named.

1 (b) An out-of-state business with a branch office in this state  
2 shall meet the requirements of subdivision (a) and shall have an  
3 owner, partner, or officer who is in charge of the engineering work  
4 in the branch in this state, who is licensed in this state, and who is  
5 physically present at the branch office in this state on a regular  
6 basis. However, the name of the business may contain the name  
7 of any person not licensed in this state if that person is  
8 appropriately registered or licensed in another state. Any offer,  
9 promotion, or advertisement that contains the name of any  
10 individual in the business, other than by use of the names of the  
11 individuals in the business name, shall clearly and specifically  
12 designate the license or registration discipline of each individual  
13 named.

14 (c) The business name of a California engineering business may  
15 be a fictitious name. However, if the fictitious name includes the  
16 name of any person, the requirements of paragraph (3) of  
17 subdivision (a) shall be met.

18 (d) A person not licensed under this chapter may also be a  
19 partner or an officer of a civil, electrical, or mechanical engineering  
20 business if the requirements of subdivision (a) are met. This section  
21 does not permit a person who is not licensed under this chapter to  
22 be the sole owner of a civil, electrical, or mechanical engineering  
23 business, unless otherwise exempt under this chapter.

24 (e) This section shall not prevent the use of the name of any  
25 business engaged in rendering civil, electrical, or mechanical  
26 engineering services, including the use by any lawful successor  
27 or survivor, that lawfully was in existence on December 31, 1987.  
28 However, the business is subject to paragraphs (1) and (2) of  
29 subdivision (a).

30 (f) A business engaged in rendering civil, electrical, or  
31 mechanical engineering services may use in its name the name of  
32 a deceased or retired person provided all of the following  
33 conditions are satisfied:

34 (1) The person's name had been used in the name of the  
35 business, or a predecessor in interest of the business, before and  
36 after the death or retirement of the person.

37 (2) The person shall have been an owner, partner, or officer of  
38 the business, or an owner, partner, or officer of the predecessor in  
39 interest of the business.

1 (3) The person shall have been licensed as a professional  
2 engineer, or a land surveyor, or an architect, or a geologist, (A) by  
3 the appropriate licensing board if that person is operating a place  
4 of business or practice in this state, or (B) by the applicable state  
5 board if no place of business existed in this state.

6 (4) The person, if retired, has consented to the use of the name  
7 and does not permit the use of the name in the title of another  
8 professional engineering business in this state during the period  
9 of the consent. However, the retired person may use their name as  
10 the name of a new or purchased business if it is not identical in  
11 every respect to that person's name as used in the former business.

12 (5) The business shall be subject to the provisions of paragraphs  
13 (1) and (2) of subdivision (a).

14 (g) This section does not affect the provisions of Sections 6731.2  
15 and 8726.1.

16 (h) A current organization record form shall be filed with the  
17 board for all businesses engaged in rendering civil, electrical, or  
18 mechanical engineering services.

19 ~~(i) This section shall remain in effect only until January 1, 2026,~~  
20 ~~and as of that date is repealed.~~

21 SEC. 2. Section 6738 of the Business and Professions Code,  
22 as amended by Section 2 of Chapter 302 of the Statutes of 2022,  
23 is repealed.

24 ~~6738.—(a) This chapter does not prohibit one or more civil,~~  
25 ~~electrical, or mechanical engineers from practicing or offering to~~  
26 ~~practice within the scope of their license civil (including~~  
27 ~~geotechnical and structural), electrical, or mechanical engineering~~  
28 ~~as a sole proprietorship, partnership, firm, or corporation~~  
29 ~~(hereinafter called business), if all of the following requirements~~  
30 ~~are met:~~

31 ~~(1) A civil, electrical, or mechanical engineer currently licensed~~  
32 ~~in this state is an owner, partner, or officer in charge of the~~  
33 ~~engineering practice of the business.~~

34 ~~(2) All civil, electrical, or mechanical engineering services are~~  
35 ~~performed by, or under the responsible charge of, a professional~~  
36 ~~engineer licensed in the appropriate branch of professional~~  
37 ~~engineering.~~

38 ~~(3) If the business name of a California engineering business~~  
39 ~~contains the name of any person, then that person shall be licensed~~  
40 ~~as a professional engineer, a licensed land surveyor, a licensed~~

1 architect, or a geologist registered under the Geologist and  
2 Geophysicist Act (Chapter 12.5 (commencing with Section 7800)).  
3 Any offer, promotion, or advertisement by the business that  
4 contains the name of any individual in the business, other than by  
5 use of the name of an individual in the business name, shall clearly  
6 and specifically designate the license or registration discipline of  
7 each individual named.

8 (b) An out-of-state business with a branch office in this state  
9 shall meet the requirements of subdivision (a) and shall have an  
10 owner, partner, or officer who is in charge of the engineering work  
11 in the branch in this state, who is licensed in this state, and who is  
12 physically present at the branch office in this state on a regular  
13 basis. However, the name of the business may contain the name  
14 of any person not licensed in this state if that person is  
15 appropriately registered or licensed in another state. Any offer,  
16 promotion, or advertisement that contains the name of any  
17 individual in the business, other than by use of the names of the  
18 individuals in the business name, shall clearly and specifically  
19 designate the license or registration discipline of each individual  
20 named.

21 (c) The business name of a California engineering business may  
22 be a fictitious name. However, if the fictitious name includes the  
23 name of any person, the requirements of paragraph (3) of  
24 subdivision (a) shall be met.

25 (d) A person not licensed under this chapter may also be a  
26 partner or an officer of a civil, electrical, or mechanical engineering  
27 business if the requirements of subdivision (a) are met. This section  
28 does not permit a person who is not licensed under this chapter to  
29 be the sole owner of a civil, electrical, or mechanical engineering  
30 business, unless otherwise exempt under this chapter.

31 (e) This section shall not prevent the use of the name of any  
32 business engaged in rendering civil, electrical, or mechanical  
33 engineering services, including the use by any lawful successor  
34 or survivor, that lawfully was in existence on December 31, 1987.  
35 However, the business is subject to paragraphs (1) and (2) of  
36 subdivision (a).

37 (f) A business engaged in rendering civil, electrical, or  
38 mechanical engineering services may use in its name the name of  
39 a deceased or retired person provided all of the following  
40 conditions are satisfied:



1 ~~(1) The person's name had been used in the name of the~~  
2 ~~business, or a predecessor in interest of the business, before and~~  
3 ~~after the death or retirement of the person.~~

4 ~~(2) The person shall have been an owner, partner, or officer of~~  
5 ~~the business, or an owner, partner, or officer of the predecessor in~~  
6 ~~interest of the business.~~

7 ~~(3) The person shall have been licensed as a professional~~  
8 ~~engineer, or a land surveyor, or an architect, or a geologist, (A) by~~  
9 ~~the appropriate licensing board if that person is operating a place~~  
10 ~~of business or practice in this state, or (B) by the applicable state~~  
11 ~~board if no place of business existed in this state.~~

12 ~~(4) The person, if retired, has consented to the use of the name~~  
13 ~~and does not permit the use of the name in the title of another~~  
14 ~~professional engineering business in this state during the period~~  
15 ~~of the consent. However, the retired person may use their name as~~  
16 ~~the name of a new or purchased business if it is not identical in~~  
17 ~~every respect to that person's name as used in the former business.~~

18 ~~(5) The business shall be subject to the provisions of paragraphs~~  
19 ~~(1) and (2) of subdivision (a).~~

20 ~~(g) This section does not affect the provisions of Sections 6731.2~~  
21 ~~and 8726.1.~~

22 ~~(h) A current organization record form shall be filed with the~~  
23 ~~board for all businesses engaged in rendering civil, electrical, or~~  
24 ~~mechanical engineering services.~~

25 ~~(i) This section shall become operative on January 1, 2026.~~

26 SEC. 3. Section 8729 of the Business and Professions Code,  
27 as amended by Section 7 of Chapter 302 of the Statutes of 2022,  
28 is amended to read:

29 8729. (a) This chapter does not prohibit one or more licensed  
30 land surveyors or civil engineers licensed in this state before 1982  
31 (hereinafter called civil engineers) from practicing or offering to  
32 practice, within the scope of their licensure, land surveying as a  
33 sole proprietorship, partnership, limited liability partnership, firm,  
34 or corporation (hereinafter called business), if the following  
35 conditions are satisfied:

36 (1) A land surveyor or civil engineer currently licensed in the  
37 state is an owner, partner, or officer in charge of the land surveying  
38 practice of the business.

39 (2) All land surveying services are performed by or under the  
40 responsible charge of a land surveyor or civil engineer.

1 (3) If the business name of a California land surveying business  
2 contains the name of a person, then that person shall be licensed  
3 by the board as a land surveyor or licensed by the board in any  
4 year as a civil engineer. Any offer, promotion, or advertisement  
5 by the business that contains the name of any individual in the  
6 business, other than by use of the name of the individual in the  
7 business name, shall clearly and specifically designate the license  
8 discipline of each individual named.

9 (b) An out-of-state business with a branch office in this state  
10 shall meet the requirements of subdivision (a) and shall have an  
11 owner, partner, or officer who is in charge of the land surveying  
12 work in this state, who is licensed in this state, and who is  
13 physically present at the branch office in this state on a regular  
14 basis. However, the name of the business may contain the name  
15 of a person not licensed in this state, if that person is appropriately  
16 licensed or registered in another state. Any offer, promotion, or  
17 advertisement that contains the name of any individual in the  
18 business, other than by use of the name of the individual in the  
19 business name, shall clearly and specifically designate the license  
20 or registration discipline of each individual named.

21 (c) The business name of a California land surveying business  
22 may be a fictitious name. However, if the fictitious name includes  
23 the names of any person, the requirements of paragraph (3) of  
24 subdivision (a) shall be met.

25 (d) A person not licensed under this chapter or licensed as a  
26 civil engineer in this state before 1982 may also be a partner or an  
27 officer of a land surveying business if the conditions of subdivision  
28 (a) are satisfied. This section does not permit a person who is not  
29 licensed under this chapter or licensed as a civil engineer in this  
30 state before 1982 to be the sole owner or office of a land surveying  
31 business, unless otherwise exempt under this chapter.

32 (e) This section shall not prevent the use of the name of any  
33 business engaged in rendering land surveying services, including  
34 the use by any lawful successor or survivor, that lawfully was in  
35 existence on June 1, 1941. However, the business is subject to the  
36 provisions of paragraphs (1) and (2) of subdivision (a).

37 (f) A business engaged in rendering land surveying services  
38 may use in its name the name of a deceased or retired person if  
39 the following conditions are satisfied:

1 (1) The person's name had been used in the name of the  
2 business, or a predecessor in interest of the business, before the  
3 death or retirement of the person.

4 (2) The person shall have been an owner, partner, or officer of  
5 the business, or an owner, partner, or officer of the predecessor in  
6 interest of the business.

7 (3) The person shall have been licensed as a land surveyor or a  
8 civil engineer by the board, if operating a place of business or  
9 practice in this state, or by an applicable state board in the event  
10 no place of business existed in this state.

11 (4) The person, if retired, has consented to the use of the name  
12 and does not permit the use of the name in the title of another land  
13 surveying business in this state during the period of that consent,  
14 except that a retired person may use their name as the name of a  
15 new or purchased business, if that business is not identical in every  
16 respect to that person's name as used in the former business.

17 (5) The business shall be subject to paragraphs (1) and (2) of  
18 subdivision (a).

19 (g) This section does not affect Sections 6731.2 and 8726.1.

20 (h) A current organization record form shall be filed with the  
21 board for all businesses engaged in rendering professional land  
22 surveying services.

23 ~~(i) This section shall remain in effect only until January 1, 2026,~~  
24 ~~and as of that date is repealed.~~

25 SEC. 4. Section 8729 of the Business and Professions Code,  
26 as amended by Section 8 of Chapter 302 of the Statutes of 2022,  
27 is repealed.

28 ~~8729. (a) This chapter does not prohibit one or more licensed~~  
29 ~~land surveyors or civil engineers licensed in this state before 1982~~  
30 ~~(hereinafter called civil engineers) from practicing or offering to~~  
31 ~~practice within the scope of their licensure, land surveying as a~~  
32 ~~sole proprietorship, partnership, firm, or corporation (hereinafter~~  
33 ~~called business), if the following conditions are satisfied:~~

34 ~~(1) A land surveyor or civil engineer currently licensed in the~~  
35 ~~state is an owner, partner, or officer in charge of the land surveying~~  
36 ~~practice of the business.~~

37 ~~(2) All land surveying services are performed by or under the~~  
38 ~~responsible charge of a land surveyor or civil engineer.~~

39 ~~(3) If the business name of a California land surveying business~~  
40 ~~contains the name of a person, then that person shall be licensed~~

1 by the board as a land surveyor or licensed by the board in any  
2 year as a civil engineer. Any offer, promotion, or advertisement  
3 by the business that contains the name of any individual in the  
4 business, other than by use of the name of the individual in the  
5 business name, shall clearly and specifically designate the license  
6 discipline of each individual named.

7 (b) ~~An out-of-state business with a branch office in this state  
8 shall meet the requirements of subdivision (a) and shall have an  
9 owner, partner, or officer who is in charge of the land surveying  
10 work in this state, who is licensed in this state, and who is  
11 physically present at the branch office in this state on a regular  
12 basis. However, the name of the business may contain the name  
13 of a person not licensed in this state, if that person is appropriately  
14 licensed or registered in another state. Any offer, promotion, or  
15 advertisement that contains the name of any individual in the  
16 business, other than by use of the name of the individual in the  
17 business name, shall clearly and specifically designate the license  
18 or registration discipline of each individual named.~~

19 (c) ~~The business name of a California land surveying business  
20 may be a fictitious name. However, if the fictitious name includes  
21 the names of any person, the requirements of paragraph (3) of  
22 subdivision (a) shall be met.~~

23 (d) ~~A person not licensed under this chapter or licensed as a  
24 civil engineer in this state before 1982 may also be a partner or an  
25 officer of a land surveying business if the conditions of subdivision  
26 (a) are satisfied. This section does not permit a person who is not  
27 licensed under this chapter or licensed as a civil engineer in this  
28 state before 1982 to be the sole owner or office of a land surveying  
29 business, unless otherwise exempt under this chapter.~~

30 (e) ~~This section shall not prevent the use of the name of any  
31 business engaged in rendering land surveying services, including  
32 the use by any lawful successor or survivor, that lawfully was in  
33 existence on June 1, 1941. However, the business is subject to the  
34 provisions of paragraphs (1) and (2) of subdivision (a).~~

35 (f) ~~A business engaged in rendering land surveying services  
36 may use in its name the name of a deceased or retired person if  
37 the following conditions are satisfied:~~

38 (1) ~~The person's name had been used in the name of the  
39 business, or a predecessor in interest of the business, before the  
40 death or retirement of the person.~~

1 ~~(2) The person shall have been an owner, partner, or officer of~~  
2 ~~the business, or an owner, partner, or officer of the predecessor in~~  
3 ~~interest of the business.~~

4 ~~(3) The person shall have been licensed as a land surveyor or a~~  
5 ~~civil engineer by the board, if operating a place of business or~~  
6 ~~practice in this state, or by an applicable state board in the event~~  
7 ~~no place of business existed in this state.~~

8 ~~(4) The person, if retired, has consented to the use of the name~~  
9 ~~and does not permit the use of the name in the title of another land~~  
10 ~~surveying business in this state during the period of that consent,~~  
11 ~~except that a retired person may use their name as the name of a~~  
12 ~~new or purchased business, if that business is not identical in every~~  
13 ~~respect to that person's name as used in the former business.~~

14 ~~(5) The business shall be subject to paragraphs (1) and (2) of~~  
15 ~~subdivision (a).~~

16 ~~(g) This section does not affect Sections 6731.2 and 8726.1.~~

17 ~~(h) A current organization record form shall be filed with the~~  
18 ~~board for all businesses engaged in rendering professional land~~  
19 ~~surveying services.~~

20 ~~(i) This section shall become operative on January 1, 2026.~~

21 SEC. 5. Section 8 of the Corporations Code is amended to read:

22 8. Writing includes any form of recorded message capable of  
23 comprehension by ordinary visual means; and when used to  
24 describe communications between a corporation, partnership, or  
25 limited liability company and its shareholders, members, partners,  
26 directors, or managers, writing shall include electronic  
27 transmissions by and to a corporation (Sections 20 and 21),  
28 electronic transmissions by and to a partnership (~~subdivisions (4)~~  
29 ~~and (5) of Section 16101~~), (*Section 16101*), and electronic  
30 transmissions by and to a limited liability company (paragraphs  
31 (1) and (2) of subdivision (o) of Section 17001). Whenever any  
32 notice, report, statement, or record is required or authorized by  
33 this code, it shall be made in writing in the English language.

34 Wherever any notice or other communication is required by this  
35 code to be mailed by registered mail by or to any person or  
36 corporation, the mailing of such notice or other communication  
37 by certified mail shall be deemed to be a sufficient compliance  
38 with the requirements of law.

39 SEC. 6. Section 174.5 of the Corporations Code is amended  
40 to read:

1 174.5. "Other business entity" means a domestic or foreign  
2 limited liability company, limited partnership, general partnership,  
3 business trust, real estate investment trust, unincorporated  
4 association (other than a nonprofit association), or a domestic  
5 reciprocal insurer organized after 1974 to provide medical  
6 malpractice insurance as set forth in Article 16 (commencing with  
7 Section 1550) of Chapter 3 of Part 2 of Division 1 of the Insurance  
8 Code. As used herein, "general partnership" means a "partnership"  
9 as defined in ~~subdivision (7)~~ of Section 16101; "business trust"  
10 means a business organization formed as a trust; "real estate  
11 investment trust" means a "real estate investment trust" as defined  
12 in subsection (a) of Section 856 of the Internal Revenue Code of  
13 1986, as amended; and "unincorporated association" has the  
14 meaning set forth in Section 18035.

15 SEC. 7. Section 5063.5 of the Corporations Code is amended  
16 to read:

17 5063.5. "Other business entity" means a domestic or foreign  
18 limited liability company, limited partnership, general partnership,  
19 business trust, real estate investment trust, unincorporated  
20 association, or a domestic reciprocal insurer organized after 1974  
21 to provide medical malpractice insurance as set forth in Article 16  
22 (commencing with Section 1550) of Chapter 3 of Part 2 of Division  
23 1 of the Insurance Code. As used herein, "general partnership"  
24 means a "partnership" as defined in ~~subdivision (9)~~ of Section  
25 16101; "business trust" means a business organization formed as  
26 a trust; "real estate investment trust" means a "real estate  
27 investment trust" as defined in subsection (a) of Section 856 of  
28 the Internal Revenue Code of 1986, as amended; and  
29 "unincorporated association" has the meaning set forth in Section  
30 18035.

31 SEC. 8. Section 12242.5 of the Corporations Code is amended  
32 to read:

33 12242.5. "Other business entity" means a domestic or foreign  
34 limited liability company, limited partnership, general partnership,  
35 business trust, real estate investment trust, unincorporated  
36 association, or a domestic reciprocal insurer organized after 1974  
37 to provide medical malpractice insurance as set forth in Article 16  
38 (commencing with Section 1550) of Chapter 3 of Part 2 of Division  
39 1 of the Insurance Code. As used herein, "general partnership"  
40 means a "partnership" as defined in ~~subdivision (9)~~ of Section

1 16101; “business trust” means a business organization formed as  
2 a trust; “real estate investment trust” means a “real estate  
3 investment trust” as defined in subsection (a) of Section 856 of  
4 the Internal Revenue Code of 1986, as amended; and  
5 “unincorporated association” has the meaning set forth in Section  
6 18035.

7 SEC. 9. Section 16101 of the Corporations Code, as amended  
8 by Section 33 of Chapter 497 of the Statutes of 2019, is amended  
9 to read:

10 16101. ~~(a)~~—As used in this chapter, the following terms and  
11 phrases have the following meanings:

12 ~~(1)~~

13 (a) “Business” includes every trade, occupation, and profession.

14 ~~(2)~~

15 (b) “Debtor in bankruptcy” means a person who is the subject  
16 of either of the following:

17 ~~(A)~~

18 (1) An order for relief under Title 11 of the United States Code  
19 or a comparable order under a successor statute of general  
20 application.

21 ~~(B)~~

22 (2) A comparable order under federal, state, or foreign law  
23 governing insolvency.

24 ~~(3)~~

25 (c) “Distribution” means a transfer of money or other property  
26 from a partnership to a partner in the partner’s capacity as a partner  
27 or to the partner’s transferee.

28 ~~(4)~~

29 (d) “Electronic transmission by the partnership” means a  
30 communication (a) delivered by (1) facsimile telecommunication  
31 or electronic mail when directed to the facsimile number or  
32 electronic mail address, respectively, for that recipient on record  
33 with the partnership, (2) posting on an electronic message board  
34 or network that the partnership has designated for those  
35 communications, together with a separate notice to the recipient  
36 of the posting, which transmission shall be validly delivered upon  
37 the later of the posting or delivery of the separate notice thereof,  
38 or (3) other means of electronic communication, (b) to a recipient  
39 who has provided an unrevoked consent to the use of those means  
40 of transmission, and (c) that creates a record that is capable of

1 retention, retrieval, and review, and that may thereafter be rendered  
2 into clearly legible tangible form. However, an electronic  
3 transmission by a partnership to an individual partner is not  
4 authorized unless, in addition to satisfying the requirements of this  
5 section, the transmission satisfies the requirements applicable to  
6 consumer consent to electronic records as set forth in the Electronic  
7 Signatures in Global and National Commerce Act (15 U.S.C. Sec.  
8 7001(c)(1)).

9 ~~(5)~~

10 (e) “Electronic transmission to the partnership” means a  
11 communication (a) delivered by (1) facsimile telecommunication  
12 or electronic mail when directed to the facsimile number or  
13 electronic mail address, respectively, which the partnership has  
14 provided from time to time to partners for sending communications  
15 to the partnership, (2) posting on an electronic message board or  
16 network that the partnership has designated for those  
17 communications, and which transmission shall be validly delivered  
18 upon the posting, or (3) other means of electronic communication,  
19 (b) as to which the partnership has placed in effect reasonable  
20 measures to verify that the sender is the partner, in person or by  
21 proxy, purporting to send the transmission, and (c) that creates a  
22 record that is capable of retention, retrieval, and review, and that  
23 may thereafter be rendered into clearly legible tangible form.

24 ~~(6) (A)~~

25 (f) (I) “Foreign limited liability partnership” means a  
26 partnership, other than a limited partnership, formed pursuant to  
27 an agreement governed by the laws of another jurisdiction and  
28 denominated or registered as a limited liability partnership or  
29 registered limited liability partnership under the laws of that  
30 jurisdiction (i) in which each partner is a licensed person or a  
31 person licensed or authorized to provide professional limited  
32 liability partnership services in a jurisdiction or jurisdictions other  
33 than this state, (ii) which is licensed under the laws of the state to  
34 engage in the practice of architecture, the practice of public  
35 accountancy, the practice of engineering, the practice of land  
36 surveying, or the practice of law, or (iii) which (I) is related to a  
37 registered limited liability partnership that practices public  
38 accountancy or, to the extent permitted by the State Bar of  
39 California, practices law or is related to a foreign limited liability  
40 partnership and (II) provides services related or complementary



1 to the professional limited liability partnership services provided  
2 by, or provides services or facilities to, that registered limited  
3 liability partnership or foreign limited liability partnership.

4 ~~(B)~~

5 (2) For the purposes of clause (iii) of subparagraph (A), a  
6 partnership is related to a registered limited liability partnership  
7 or foreign limited liability partnership if (i) at least a majority of  
8 the partners in one partnership are also partners in the other  
9 partnership, or (ii) at least a majority in interest in each partnership  
10 hold interests in or are members of another person, except an  
11 individual, and each partnership renders services pursuant to an  
12 agreement with that other person, or (iii) one partnership, directly  
13 or indirectly through one or more intermediaries, controls, is  
14 controlled by, or is under common control with, the other  
15 partnership.

16 ~~(7)~~

17 (g) “Licensed person” means any person who is duly licensed,  
18 authorized, or registered under the provisions of the Business and  
19 Professions Code to provide professional limited liability  
20 partnership services or who is lawfully able to render professional  
21 limited liability partnership services in this state.

22 ~~(8)(A)~~

23 (h) (I) “Registered limited liability partnership” means a  
24 partnership, other than a limited partnership, formed pursuant to  
25 an agreement governed by Article 10 (commencing with Section  
26 16951), that is registered under Section 16953 and (i) each of the  
27 partners of which is a licensed person or a person licensed or  
28 authorized to provide professional limited liability partnership  
29 services in a jurisdiction or jurisdictions other than this state, (ii)  
30 is licensed under the laws of the state to engage in the practice of  
31 architecture, the practice of public accountancy, the practice of  
32 engineering, the practice of land surveying, or the practice of law,  
33 or (iii)(I) is related to a registered limited liability partnership that  
34 practices public accountancy or, to the extent permitted by the  
35 State Bar of California, practices law or is related to a foreign  
36 limited liability partnership and (II) provides services related or  
37 complementary to the professional limited liability partnership  
38 services provided by, or provides services or facilities to, that  
39 registered limited liability partnership or foreign limited liability  
40 partnership.

1     ~~(B)~~—  
2     (2) For the purposes of clause (iii) of subparagraph (A), a  
3     partnership is related to a registered limited liability partnership  
4     or foreign limited liability partnership if (i) at least a majority of  
5     the partners in one partnership are also partners in the other  
6     partnership, or (ii) at least a majority in interest in each partnership  
7     hold interests in or are members of another person, other than an  
8     individual, and each partnership renders services pursuant to an  
9     agreement with that other person, or (iii) one partnership, directly  
10    or indirectly through one or more intermediaries, controls, is  
11    controlled by, or is under common control with, the other  
12    partnership.

13    ~~(9)~~  
14    (i) “Partnership” means an association of two or more persons  
15    to carry on as coowners a business for profit formed under Section  
16    16202, predecessor law, or comparable law of another jurisdiction,  
17    and includes, for all purposes of the laws of this state, a registered  
18    limited liability partnership, and excludes any partnership formed  
19    under Chapter 4.5 (commencing with Section 15900).

20    ~~(10)~~  
21    (j) “Partnership agreement” means the agreement, whether  
22    written, oral, or implied, among the partners concerning the  
23    partnership, including amendments to the partnership agreement.

24    ~~(11)~~  
25    (k) “Partnership at will” means a partnership in which the  
26    partners have not agreed to remain partners until the expiration of  
27    a definite term or the completion of a particular undertaking.

28    ~~(12)~~  
29    (l) “Partnership interest” or “partner’s interest in the partnership”  
30    means all of a partner’s interests in the partnership, including the  
31    partner’s transferable interest and all management and other rights.

32    ~~(13)~~  
33    (m) “Person” means an individual, corporation, business trust,  
34    estate, trust, partnership, limited partnership, limited liability  
35    partnership, limited liability company, association, joint venture,  
36    government, governmental subdivision, agency, or instrumentality,  
37    or any other legal or commercial entity.

38    ~~(14)~~  
39    (n) “Professional limited liability partnership services” means  
40    the practice of architecture, the practice of public accountancy,

1 the practice of engineering, the practice of land surveying, or the  
2 practice of law.

3 ~~(15)~~

4 (o) "Property" means all property, real, personal, or mixed,  
5 tangible or intangible, or any interest therein.

6 ~~(16)~~

7 (p) "State" means a state of the United States, the District of  
8 Columbia, the Commonwealth of Puerto Rico, or any territory or  
9 insular possession subject to the jurisdiction of the United States.

10 ~~(17)~~

11 (q) "Statement" means a statement of partnership authority  
12 under Section 16303, a statement of denial under Section 16304,  
13 a statement of dissociation under Section 16704, a statement of  
14 dissolution under Section 16805, a statement of conversion or a  
15 certificate of conversion under Section 16906, a statement of  
16 merger under Section 16915, or an amendment or cancellation of  
17 any of the foregoing.

18 ~~(18)~~

19 (r) "Transfer" includes an assignment, conveyance, lease,  
20 mortgage, deed, and encumbrance.

21 ~~(b) The inclusion of the practice of architecture as a professional  
22 limited liability partnership service permitted by this section shall  
23 extend only until January 1, 2026.~~

24 ~~(e) This section shall remain in effect only until January 1, 2026,  
25 and as of that date is repealed.~~

26 SEC. 10. Section 16101 of the Corporations Code, as amended  
27 by Section 34 of Chapter 497 of the Statutes of 2019, is repealed.

28 16101. (a) As used in this chapter, the following terms and  
29 phrases have the following meanings:

30 (1) "Business" includes every trade, occupation, and profession.

31 (2) "Debtor in bankruptcy" means a person who is the subject  
32 of either of the following:

33 (A) An order for relief under Title 11 of the United States Code  
34 or a comparable order under a successor statute of general  
35 application.

36 (B) A comparable order under federal, state, or foreign law  
37 governing insolvency.

38 (3) "Distribution" means a transfer of money or other property  
39 from a partnership to a partner in the partner's capacity as a partner  
40 or to the partner's transferee.

1     ~~(4) “Electronic transmission by the partnership” means a~~  
2     ~~communication (a) delivered by (1) facsimile telecommunication~~  
3     ~~or electronic mail when directed to the facsimile number or~~  
4     ~~electronic mail address, respectively, for that recipient on record~~  
5     ~~with the partnership, (2) posting on an electronic message board~~  
6     ~~or network that the partnership has designated for those~~  
7     ~~communications, together with a separate notice to the recipient~~  
8     ~~of the posting, which transmission shall be validly delivered upon~~  
9     ~~the later of the posting or delivery of the separate notice thereof,~~  
10    ~~or (3) other means of electronic communication, (b) to a recipient~~  
11    ~~who has provided an unrevoked consent to the use of those means~~  
12    ~~of transmission, and (c) that creates a record that is capable of~~  
13    ~~retention, retrieval, and review, and that may thereafter be rendered~~  
14    ~~into clearly legible tangible form. However, an electronic~~  
15    ~~transmission by a partnership to an individual partner is not~~  
16    ~~authorized unless, in addition to satisfying the requirements of this~~  
17    ~~section, the transmission satisfies the requirements applicable to~~  
18    ~~consumer consent to electronic records as set forth in the Electronic~~  
19    ~~Signatures in Global and National Commerce Act (15 U.S.C. Sec.~~  
20    ~~7001(e)(1)).~~

21    ~~(5) “Electronic transmission to the partnership” means a~~  
22    ~~communication (a) delivered by (1) facsimile telecommunication~~  
23    ~~or electronic mail when directed to the facsimile number or~~  
24    ~~electronic mail address, respectively, which the partnership has~~  
25    ~~provided from time to time to partners for sending communications~~  
26    ~~to the partnership, (2) posting on an electronic message board or~~  
27    ~~network that the partnership has designated for those~~  
28    ~~communications, and which transmission shall be validly delivered~~  
29    ~~upon the posting, or (3) other means of electronic communication,~~  
30    ~~(b) as to which the partnership has placed in effect reasonable~~  
31    ~~measures to verify that the sender is the partner, in person or by~~  
32    ~~proxy, purporting to send the transmission, and (c) that creates a~~  
33    ~~record that is capable of retention, retrieval, and review, and that~~  
34    ~~may thereafter be rendered into clearly legible tangible form.~~

35    ~~(6) (A) “Foreign limited liability partnership” means a~~  
36    ~~partnership, other than a limited partnership, formed pursuant to~~  
37    ~~an agreement governed by the laws of another jurisdiction and~~  
38    ~~denominated or registered as a limited liability partnership or~~  
39    ~~registered limited liability partnership under the laws of that~~  
40    ~~jurisdiction (i) in which each partner is a licensed person or a~~

1 ~~person licensed or authorized to provide professional limited~~  
2 ~~liability partnership services in a jurisdiction or jurisdictions other~~  
3 ~~than this state, (ii) which is licensed under the laws of the state to~~  
4 ~~engage in the practice of public accountancy or the practice of law,~~  
5 ~~or (iii) which (I) is related to a registered limited liability~~  
6 ~~partnership that practices public accountancy or, to the extent~~  
7 ~~permitted by the State Bar of California, practices law or is related~~  
8 ~~to a foreign limited liability partnership and (II) provides services~~  
9 ~~related or complementary to the professional limited liability~~  
10 ~~partnership services provided by, or provides services or facilities~~  
11 ~~to, that registered limited liability partnership or foreign limited~~  
12 ~~liability partnership.~~

13 ~~(B) For the purposes of clause (iii) of subparagraph (A), a~~  
14 ~~partnership is related to a registered limited liability partnership~~  
15 ~~or foreign limited liability partnership if (i) at least a majority of~~  
16 ~~the partners in one partnership are also partners in the other~~  
17 ~~partnership, or (ii) at least a majority in interest in each partnership~~  
18 ~~hold interests in or are members of another person, except an~~  
19 ~~individual, and each partnership renders services pursuant to an~~  
20 ~~agreement with that other person, or (iii) one partnership, directly~~  
21 ~~or indirectly through one or more intermediaries, controls, is~~  
22 ~~controlled by, or is under common control with, the other~~  
23 ~~partnership.~~

24 ~~(7) “Licensed person” means any person who is duly licensed,~~  
25 ~~authorized, or registered under the provisions of the Business and~~  
26 ~~Professions Code to provide professional limited liability~~  
27 ~~partnership services or who is lawfully able to render professional~~  
28 ~~limited liability partnership services in this state.~~

29 ~~(8) (A) “Registered limited liability partnership” means a~~  
30 ~~partnership, other than a limited partnership, formed pursuant to~~  
31 ~~an agreement governed by Article 10 (commencing with Section~~  
32 ~~16951), that is registered under Section 16953 and (i) each of the~~  
33 ~~partners of which is a licensed person or a person licensed or~~  
34 ~~authorized to provide professional limited liability partnership~~  
35 ~~services in a jurisdiction or jurisdictions other than this state, (ii)~~  
36 ~~is licensed under the laws of the state to engage in the practice of~~  
37 ~~public accountancy or the practice of law, or (iii)(I) is related to a~~  
38 ~~registered limited liability partnership that practices public~~  
39 ~~accountancy or, to the extent permitted by the State Bar of~~  
40 ~~California, practices law or is related to a foreign limited liability~~

1 partnership and (H) provides services related or complementary  
2 to the professional limited liability partnership services provided  
3 by, or provides services or facilities to, that registered limited  
4 liability partnership or foreign limited liability partnership.

5 (B) For the purposes of clause (iii) of subparagraph (A), a  
6 partnership is related to a registered limited liability partnership  
7 or foreign limited liability partnership if (i) at least a majority of  
8 the partners in one partnership are also partners in the other  
9 partnership, or (ii) at least a majority in interest in each partnership  
10 hold interests in or are members of another person, other than an  
11 individual, and each partnership renders services pursuant to an  
12 agreement with that other person, or (iii) one partnership, directly  
13 or indirectly through one or more intermediaries, controls, is  
14 controlled by, or is under common control with, the other  
15 partnership.

16 (9) "Partnership" means an association of two or more persons  
17 to carry on as coowners a business for profit formed under Section  
18 16202, predecessor law, or comparable law of another jurisdiction,  
19 and includes, for all purposes of the laws of this state, a registered  
20 limited liability partnership, and excludes any partnership formed  
21 under Chapter 4.5 (commencing with Section 15900).

22 (10) "Partnership agreement" means the agreement, whether  
23 written, oral, or implied, among the partners concerning the  
24 partnership, including amendments to the partnership agreement.

25 (11) "Partnership at will" means a partnership in which the  
26 partners have not agreed to remain partners until the expiration of  
27 a definite term or the completion of a particular undertaking.

28 (12) "Partnership interest" or "partner's interest in the  
29 partnership" means all of a partner's interests in the partnership,  
30 including the partner's transferable interest and all management  
31 and other rights.

32 (13) "Person" means an individual, corporation, business trust,  
33 estate, trust, partnership, limited partnership, limited liability  
34 partnership, limited liability company, association, joint venture,  
35 government, governmental subdivision, agency, or instrumentality,  
36 or any other legal or commercial entity.

37 (14) "Professional limited liability partnership services" means  
38 the practice of public accountancy or the practice of law.

39 (15) "Property" means all property, real, personal, or mixed,  
40 tangible or intangible, or any interest therein.

1 (16) “State” means a state of the United States, the District of  
2 Columbia, the Commonwealth of Puerto Rico, or any territory or  
3 insular possession subject to the jurisdiction of the United States.

4 (17) “Statement” means a statement of partnership authority  
5 under Section 16303, a statement of denial under Section 16304,  
6 a statement of dissociation under Section 16704, a statement of  
7 dissolution under Section 16805, a statement of conversion or a  
8 certificate of conversion under Section 16906, a statement of  
9 merger under Section 16915, or an amendment or cancellation of  
10 any of the foregoing.

11 (18) “Transfer” includes an assignment, conveyance, lease,  
12 mortgage, deed, and encumbrance.

13 (b) This section shall become operative on January 1, 2026.

14 SEC. 11. Section 16403 of the Corporations Code is amended  
15 to read:

16 16403. (a) A partnership shall keep its books and records, if  
17 any, in writing or in any other form capable of being converted  
18 into clearly legible tangible form, at its principal office.

19 (b) A partnership shall provide partners and their agents and  
20 attorneys access to its books and records. It shall provide former  
21 partners and their agents and attorneys access to books and records  
22 pertaining to the period during which they were partners. The right  
23 of access provides the opportunity to inspect and copy books and  
24 records during ordinary business hours. A partnership may impose  
25 a reasonable charge, covering the costs of labor and material, for  
26 copies of documents furnished.

27 (c) Each partner and the partnership shall furnish to a partner,  
28 and to the legal representative of a deceased partner or partner  
29 under legal disability, both of the following, which may be  
30 transmitted by electronic transmission by the partnership pursuant  
31 to ~~paragraph (4)~~ of Section 16101:

32 (1) Without demand, any information concerning the  
33 partnership’s business and affairs reasonably required for the proper  
34 exercise of the partner’s rights and duties under the partnership  
35 agreement or this chapter; and

36 (2) On demand, any other information concerning the  
37 partnership’s business and affairs, except to the extent the demand  
38 or the information demanded is unreasonable or otherwise improper  
39 under the circumstances.

1 SEC. 12. Section 16956 of the Corporations Code, as amended  
2 by Section 7 of Chapter 150 of the Statutes of 2018, is amended  
3 to read:

4 16956. (a) At the time of registration pursuant to Section  
5 16953, in the case of a registered limited liability partnership, and  
6 Section 16959, in the case of a foreign limited liability partnership,  
7 and at all times during which those partnerships shall transact  
8 intrastate business, every registered limited liability partnership  
9 and foreign limited liability partnership, as the case may be, shall  
10 be required to provide security for claims against it as follows:

11 (1) For claims based upon acts, errors, or omissions arising out  
12 of the practice of public accountancy, a registered limited liability  
13 partnership or foreign limited liability partnership providing  
14 accountancy services shall comply with one, or pursuant to  
15 subdivision (b) some combination, of the following:

16 (A) Maintaining a policy or policies of insurance against liability  
17 imposed on or against it by law for damages arising out of claims;  
18 however, the total aggregate limit of liability under the policy or  
19 policies of insurance for partnerships with five or fewer licensed  
20 persons shall not be less than one million dollars (\$1,000,000),  
21 and for partnerships with more than five licensees rendering  
22 professional services on behalf of the partnership, an additional  
23 one hundred thousand dollars (\$100,000) of insurance shall be  
24 obtained for each additional licensee; however, the maximum  
25 amount of insurance is not required to exceed five million dollars  
26 (\$5,000,000) in any one designated period, less amounts paid in  
27 defending, settling, or discharging claims as set forth in this  
28 subparagraph. The policy or policies may be issued on a  
29 claims-made or occurrence basis, and shall cover: (i) in the case  
30 of a claims-made policy, claims initially asserted in the designated  
31 period, and (ii) in the case of an occurrence policy, occurrences  
32 during the designated period. For purposes of this subparagraph,  
33 "designated period" means a policy year or any other period  
34 designated in the policy that is not greater than 12 months. The  
35 impairment or exhaustion of the aggregate limit of liability by  
36 amounts paid under the policy in connection with the settlement,  
37 discharge, or defense of claims applicable to a designated period  
38 shall not require the partnership to acquire additional insurance  
39 coverage for that designated period. The policy or policies of  
40 insurance may be in a form reasonably available in the commercial



1 insurance market and may be subject to those terms, conditions,  
2 exclusions, and endorsements that are typically contained in those  
3 policies. A policy or policies of insurance maintained pursuant to  
4 this subparagraph may be subject to a deductible or self-insured  
5 retention.

6 Upon the dissolution and winding up of the partnership, the  
7 partnership shall, with respect to any insurance policy or policies  
8 then maintained pursuant to this subparagraph, maintain or obtain  
9 an extended reporting period endorsement or equivalent provision  
10 in the maximum total aggregate limit of liability required to comply  
11 with this subparagraph for a minimum of three years if reasonably  
12 available from the insurer.

13 (B) Maintaining in trust or bank escrow, cash, bank certificates  
14 of deposit, United States Treasury obligations, bank letters of  
15 credit, or bonds of insurance or surety companies as security for  
16 payment of liabilities imposed by law for damages arising out of  
17 all claims; however, the maximum amount of security for  
18 partnerships with five or fewer licensed persons shall not be less  
19 than one million dollars (\$1,000,000), and for partnerships with  
20 more than five licensees rendering professional services on behalf  
21 of the partnership, an additional one hundred thousand dollars  
22 (\$100,000) of security shall be obtained for each additional  
23 licensee; however, the maximum amount of security is not required  
24 to exceed five million dollars (\$5,000,000). The partnership  
25 remains in compliance with this section during a calendar year  
26 notwithstanding amounts paid during that calendar year from the  
27 accounts, funds, Treasury obligations, letters of credit, or bonds  
28 in defending, settling, or discharging claims of the type described  
29 in this paragraph, provided that the amount of those accounts,  
30 funds, Treasury obligations, letters of credit, or bonds was at least  
31 the amount specified in the preceding sentence as of the first  
32 business day of that calendar year. Notwithstanding the pendency  
33 of other claims against the partnership, a registered limited liability  
34 partnership or foreign limited liability partnership shall be deemed  
35 to be in compliance with this subparagraph as to a claim if within  
36 30 days after the time that a claim is initially asserted through  
37 service of a summons, complaint, or comparable pleading in a  
38 judicial or administrative proceeding, the partnership has provided  
39 the required amount of security by designating and segregating  
40 funds in compliance with the requirements of this subparagraph.

1 (C) Unless the partnership has satisfied subparagraph (D), each  
2 partner of a registered limited liability partnership or foreign  
3 limited liability partnership providing accountancy services, by  
4 virtue of that person's status as a partner, thereby automatically  
5 guarantees payment of the difference between the maximum  
6 amount of security required for the partnership by this paragraph  
7 and the security otherwise provided in accordance with  
8 subparagraphs (A) and (B), provided that the aggregate amount  
9 paid by all partners under these guarantees shall not exceed the  
10 difference. Neither withdrawal by a partner nor the dissolution and  
11 winding up of the partnership shall affect the rights or obligations  
12 of a partner arising prior to withdrawal or dissolution and winding  
13 up, and the guarantee provided for in this subparagraph shall apply  
14 only to conduct that occurred prior to the withdrawal or dissolution  
15 and winding up. Nothing contained in this subparagraph shall  
16 affect or impair the rights or obligations of the partners among  
17 themselves, or the partnership, including, but not limited to, rights  
18 of contribution, subrogation, or indemnification.

19 (D) Confirming, pursuant to the procedure in subdivision (c),  
20 that, as of the most recently completed fiscal year of the  
21 partnership, it had a net worth equal to or exceeding ten million  
22 dollars (\$10,000,000).

23 (2) For claims based upon acts, errors, or omissions arising out  
24 of the practice of law, a registered limited liability partnership or  
25 foreign limited liability partnership providing legal services shall  
26 comply with one, or pursuant to subdivision (b) some combination,  
27 of the following:

28 (A) Each registered limited liability partnership or foreign  
29 limited liability partnership providing legal services shall maintain  
30 a policy or policies of insurance against liability imposed on or  
31 against it by law for damages arising out of claims; however, the  
32 total aggregate limit of liability under the policy or policies of  
33 insurance for partnerships with five or fewer licensed persons shall  
34 not be less than one million dollars (\$1,000,000), and for  
35 partnerships with more than five licensees rendering professional  
36 services on behalf of the partnership, an additional one hundred  
37 thousand dollars (\$100,000) of insurance shall be obtained for  
38 each additional licensee; however, the maximum amount of  
39 insurance is not required to exceed seven million five hundred  
40 thousand dollars (\$7,500,000) in any one designated period, less

1 amounts paid in defending, settling, or discharging claims as set  
2 forth in this subparagraph. The policy or policies may be issued  
3 on a claims-made or occurrence basis, and shall cover (i) in the  
4 case of a claims-made policy, claims initially asserted in the  
5 designated period, and (ii) in the case of an occurrence policy,  
6 occurrences during the designated period. For purposes of this  
7 subparagraph, “designated period” means a policy year or any  
8 other period designated in the policy that is not greater than 12  
9 months. The impairment or exhaustion of the aggregate limit of  
10 liability by amounts paid under the policy in connection with the  
11 settlement, discharge, or defense of claims applicable to a  
12 designated period shall not require the partnership to acquire  
13 additional insurance coverage for that designated period. The policy  
14 or policies of insurance may be in a form reasonably available in  
15 the commercial insurance market and may be subject to those  
16 terms, conditions, exclusions, and endorsements that are typically  
17 contained in those policies. A policy or policies of insurance  
18 maintained pursuant to this subparagraph may be subject to a  
19 deductible or self-insured retention.

20 Upon the dissolution and winding up of the partnership, the  
21 partnership shall, with respect to any insurance policy or policies  
22 then maintained pursuant to this subparagraph, maintain or obtain  
23 an extended reporting period endorsement or equivalent provision  
24 in the maximum total aggregate limit of liability required to comply  
25 with this subparagraph for a minimum of three years if reasonably  
26 available from the insurer.

27 (B) Each registered limited liability partnership or foreign  
28 limited liability partnership providing legal services shall maintain  
29 in trust or bank escrow, cash, bank certificates of deposit, United  
30 States Treasury obligations, bank letters of credit, or bonds of  
31 insurance or surety companies as security for payment of liabilities  
32 imposed by law for damages arising out of all claims; however,  
33 the maximum amount of security for partnerships with five or  
34 fewer licensed persons shall not be less than one million dollars  
35 (\$1,000,000), and for partnerships with more than five licensees  
36 rendering professional services on behalf of the partnership, an  
37 additional one hundred thousand dollars (\$100,000) of security  
38 shall be obtained for each additional licensee; however, the  
39 maximum amount of security is not required to exceed seven  
40 million five hundred thousand dollars (\$7,500,000). The partnership

1 remains in compliance with this section during a calendar year  
2 notwithstanding amounts paid during that calendar year from the  
3 accounts, funds, Treasury obligations, letters of credit, or bonds  
4 in defending, settling, or discharging claims of the type described  
5 in this paragraph, provided that the amount of those accounts,  
6 funds, Treasury obligations, letters of credit, or bonds was at least  
7 the amount specified in the preceding sentence as of the first  
8 business day of that calendar year. Notwithstanding the pendency  
9 of other claims against the partnership, a registered limited liability  
10 partnership or foreign limited liability partnership shall be deemed  
11 to be in compliance with this subparagraph as to a claim if within  
12 30 days after the time that a claim is initially asserted through  
13 service of a summons, complaint, or comparable pleading in a  
14 judicial or administrative proceeding, the partnership has provided  
15 the required amount of security by designating and segregating  
16 funds in compliance with the requirement of this subparagraph.

17 (C) Unless the partnership has satisfied the requirements of  
18 subparagraph (D), each partner of a registered limited liability  
19 partnership or foreign limited liability partnership providing legal  
20 services, by virtue of that person's status as a partner, thereby  
21 automatically guarantees payment of the difference between the  
22 maximum amount of security required for the partnership by this  
23 paragraph and the security otherwise provided in accordance with  
24 the provisions of subparagraphs (A) and (B), provided that the  
25 aggregate amount paid by all partners under these guarantees shall  
26 not exceed the difference. Neither withdrawal by a partner nor the  
27 dissolution and winding up of the partnership shall affect the rights  
28 or obligations of a partner arising prior to withdrawal or dissolution  
29 and winding up, and the guarantee provided for in this  
30 subparagraph shall apply only to conduct that occurred prior to  
31 the withdrawal or dissolution and winding up. Nothing contained  
32 in this subparagraph shall affect or impair the rights or obligations  
33 of the partners among themselves, or the partnership, including,  
34 but not limited to, rights of contribution, subrogation, or  
35 indemnification.

36 (D) Confirming, pursuant to the procedure in subdivision (c),  
37 that, as of the most recently completed fiscal year of the  
38 partnership, it had a net worth equal to or exceeding fifteen million  
39 dollars (\$15,000,000).

1 (3) For claims based upon acts, errors, or omissions arising out  
2 of the practice of architecture, a registered limited liability  
3 partnership or foreign limited liability partnership providing  
4 architectural services shall comply with one, or pursuant to  
5 subdivision (b) some combination, of the following:

6 (A) Maintaining a policy or policies of insurance against liability  
7 imposed on or against it by law for damages arising out of claims;  
8 however, the total aggregate limit of liability under the policy or  
9 policies of insurance for partnerships with five or fewer licensees  
10 rendering professional services on behalf of the partnership shall  
11 not be less than one million dollars (\$1,000,000), and for  
12 partnerships with more than five licensees rendering professional  
13 services on behalf of the partnership, an additional one hundred  
14 thousand dollars (\$100,000) of liability coverage shall be obtained  
15 for each additional licensee; however, the total aggregate limit of  
16 liability under the policy or policies of insurance is not required  
17 to exceed five million dollars (\$5,000,000). The policy or policies  
18 may be issued on a claims-made or occurrence basis, and shall  
19 cover: (i) in the case of a claims-made policy, claims initially  
20 asserted in the designated period, and (ii) in the case of an  
21 occurrence policy, occurrences during the designated period. For  
22 purposes of this subparagraph, "designated period" means a policy  
23 year or any other period designated in the policy that is not greater  
24 than 12 months. The impairment or exhaustion of the aggregate  
25 limit of liability by amounts paid under the policy in connection  
26 with the settlement, discharge, or defense of claims applicable to  
27 a designated period shall not require the partnership to acquire  
28 additional insurance coverage for that designated period. The policy  
29 or policies of insurance may be in a form reasonably available in  
30 the commercial insurance market and may be subject to those  
31 terms, conditions, exclusions, and endorsements that are typically  
32 contained in those policies. A policy or policies of insurance  
33 maintained pursuant to this subparagraph may be subject to a  
34 deductible or self-insured retention.

35 Upon the dissolution and winding up of the partnership, the  
36 partnership shall, with respect to any insurance policy or policies  
37 then maintained pursuant to this subparagraph, maintain or obtain  
38 an extended reporting period endorsement or equivalent provision  
39 in the maximum total aggregate limit of liability required to comply

1 with this subparagraph for a minimum of three years if reasonably  
2 available from the insurer.

3 (B) Maintaining in trust or bank escrow, cash, bank certificates  
4 of deposit, United States Treasury obligations, bank letters of  
5 credit, or bonds of insurance or surety companies as security for  
6 payment of liabilities imposed by law for damages arising out of  
7 all claims; however, the maximum amount of security for  
8 partnerships with five or fewer licensees rendering professional  
9 services on behalf of the partnership shall not be less than one  
10 million dollars (\$1,000,000), and for partnerships with more than  
11 five licensees rendering professional services on behalf of the  
12 partnership, an additional one hundred thousand dollars (\$100,000)  
13 of security shall be obtained for each additional licensee; however,  
14 the maximum amount of security is not required to exceed five  
15 million dollars (\$5,000,000). The partnership remains in  
16 compliance with this section during a calendar year notwithstanding  
17 amounts paid during that calendar year from the accounts, funds,  
18 Treasury obligations, letters of credit, or bonds in defending,  
19 settling, or discharging claims of the type described in this  
20 paragraph, provided that the amount of those accounts, funds,  
21 Treasury obligations, letters of credit, or bonds was at least the  
22 amount specified in the preceding sentence as of the first business  
23 day of that calendar year. Notwithstanding the pendency of other  
24 claims against the partnership, a registered limited liability  
25 partnership or foreign limited liability partnership shall be deemed  
26 to be in compliance with this subparagraph as to a claim if within  
27 30 days after the time that a claim is initially asserted through  
28 service of a summons, complaint, or comparable pleading in a  
29 judicial or administrative proceeding, the partnership has provided  
30 the required amount of security by designating and segregating  
31 funds in compliance with the requirements of this subparagraph.

32 (C) Unless the partnership has satisfied subparagraph (D), each  
33 partner of a registered limited liability partnership or foreign  
34 limited liability partnership providing architectural services, by  
35 virtue of that person's status as a partner, thereby automatically  
36 guarantees payment of the difference between the maximum  
37 amount of security required for the partnership by this paragraph  
38 and the security otherwise provided in accordance with  
39 subparagraphs (A) and (B), provided that the aggregate amount  
40 paid by all partners under these guarantees shall not exceed the

1 difference. Neither withdrawal by a partner nor the dissolution and  
2 winding up of the partnership shall affect the rights or obligations  
3 of a partner arising prior to withdrawal or dissolution and winding  
4 up, and the guarantee provided for in this subparagraph shall apply  
5 only to conduct that occurred prior to the withdrawal or dissolution  
6 and winding up. Nothing contained in this subparagraph shall  
7 affect or impair the rights or obligations of the partners among  
8 themselves, or the partnership, including, but not limited to, rights  
9 of contribution, subrogation, or indemnification.

10 (D) Confirming, pursuant to the procedure in subdivision (c),  
11 that, as of the most recently completed fiscal year of the  
12 partnership, it had a net worth equal to or exceeding ten million  
13 dollars (\$10,000,000).

14 (4) For claims based upon acts, errors, or omissions arising out  
15 of the practice of engineering or the practice of land surveying, a  
16 registered limited liability partnership or foreign limited liability  
17 partnership providing engineering or land surveying services shall  
18 comply with one, or pursuant to subdivision (b) some combination,  
19 of the following:

20 (A) Maintaining a policy or policies of insurance against liability  
21 imposed on or against it by law for damages arising out of claims;  
22 however, the total aggregate limit of liability under the policy or  
23 policies of insurance for partnerships with five or fewer licensees  
24 rendering professional services on behalf of the partnership shall  
25 not be less than two million dollars (\$2,000,000), and for  
26 partnerships with more than five licensees rendering professional  
27 services on behalf of the partnership, an additional one hundred  
28 thousand dollars (\$100,000) of liability coverage shall be obtained  
29 for each additional licensee; however, the total aggregate limit of  
30 liability under the policy or policies of insurance is not required  
31 to exceed five million dollars (\$5,000,000). The policy or policies  
32 may be issued on a claims-made or occurrence basis, and shall  
33 cover: (i) in the case of a claims-made policy, claims initially  
34 asserted in the designated period, and (ii) in the case of an  
35 occurrence policy, occurrences during the designated period. For  
36 purposes of this subparagraph, "designated period" means a policy  
37 year or any other period designated in the policy that is not greater  
38 than 12 months. The impairment or exhaustion of the aggregate  
39 limit of liability by amounts paid under the policy in connection  
40 with the settlement, discharge, or defense of claims applicable to

1 a designated period shall not require the partnership to acquire  
2 additional insurance coverage for that designated period. The policy  
3 or policies of insurance may be in a form reasonably available in  
4 the commercial insurance market and may be subject to those  
5 terms, conditions, exclusions, and endorsements that are typically  
6 contained in those policies. A policy or policies of insurance  
7 maintained pursuant to this subparagraph may be subject to a  
8 deductible or self-insured retention.

9 Upon the dissolution and winding up of the partnership, the  
10 partnership shall, with respect to any insurance policy or policies  
11 then maintained pursuant to this subparagraph, maintain or obtain  
12 an extended reporting period endorsement or equivalent provision  
13 in the maximum total aggregate limit of liability required to comply  
14 with this subparagraph for a minimum of three years if reasonably  
15 available from the insurer.

16 (B) Maintaining in trust or bank escrow, cash, bank certificates  
17 of deposit, United States Treasury obligations, bank letters of  
18 credit, or bonds of insurance or surety companies as security for  
19 payment of liabilities imposed by law for damages arising out of  
20 all claims; however, the maximum amount of security for  
21 partnerships with five or fewer licensees rendering professional  
22 services on behalf of the partnership shall not be less than two  
23 million dollars (\$2,000,000), and for partnerships with more than  
24 five licensees rendering professional services on behalf of the  
25 partnership, an additional one hundred thousand dollars (\$100,000)  
26 of security shall be obtained for each additional licensee; however,  
27 the maximum amount of security is not required to exceed five  
28 million dollars (\$5,000,000). The partnership remains in  
29 compliance with this section during a calendar year,  
30 notwithstanding amounts paid during that calendar year from the  
31 accounts, funds, Treasury obligations, letters of credit, or bonds  
32 in defending, settling, or discharging claims of the type described  
33 in this paragraph, provided that the amount of those accounts,  
34 funds, Treasury obligations, letters of credit, or bonds was at least  
35 the amount specified in the preceding sentence as of the first  
36 business day of that calendar year. Notwithstanding the pendency  
37 of other claims against the partnership, a registered limited liability  
38 partnership or foreign limited liability partnership shall be deemed  
39 to be in compliance with this subparagraph as to a claim if, within  
40 30 days after the time that a claim is initially asserted through



1 service of a summons, complaint, or comparable pleading in a  
2 judicial or administrative proceeding, the partnership has provided  
3 the required amount of security by designating and segregating  
4 funds in compliance with the requirements of this subparagraph.

5 (C) Unless the partnership has satisfied subparagraph (D), each  
6 partner of a registered limited liability partnership or foreign  
7 limited liability partnership providing engineering services or land  
8 surveying services, by virtue of that person's status as a partner,  
9 thereby automatically guarantees payment of the difference  
10 between the maximum amount of security required for the  
11 partnership by this paragraph and the security otherwise provided  
12 in accordance with subparagraphs (A) and (B), provided that the  
13 aggregate amount paid by all partners under these guarantees shall  
14 not exceed the difference. Neither withdrawal by a partner nor the  
15 dissolution and winding up of the partnership shall affect the rights  
16 or obligations of a partner arising prior to withdrawal or dissolution  
17 and winding up, and the guarantee provided for in this  
18 subparagraph shall apply only to conduct that occurred prior to  
19 the withdrawal or dissolution and winding up. Nothing contained  
20 in this subparagraph shall affect or impair the rights or obligations  
21 of the partners among themselves, or the partnership, including,  
22 but not limited to, rights of contribution, subrogation, or  
23 indemnification.

24 (D) Confirming, pursuant to the procedure in subdivision (c),  
25 that, as of the most recently completed fiscal year of the  
26 partnership, it had a net worth equal to or exceeding ten million  
27 dollars (\$10,000,000).

28 (b) For purposes of satisfying the security requirements of this  
29 section, a registered limited liability partnership or foreign limited  
30 liability partnership may aggregate the security provided by it  
31 pursuant to subparagraphs (A), (B), (C), and (D) of paragraph (1)  
32 of subdivision (a), subparagraphs (A), (B), (C), and (D) of  
33 paragraph (2) of subdivision (a), subparagraphs (A), (B), (C), and  
34 (D) of paragraph (3) of subdivision (a), or subparagraphs (A), (B),  
35 (C), and (D) of paragraph (4) of subdivision (a), as the case may  
36 be. Any registered limited liability partnership or foreign limited  
37 liability partnership intending to comply with the alternative  
38 security provisions set forth in subparagraph (D) of paragraph (1)  
39 of subdivision (a), subparagraph (D) of paragraph (2) of subdivision  
40 (a), subparagraph (D) of paragraph (3) of subdivision (a), or

1 subparagraph (D) of paragraph (4) of subdivision (a), shall furnish  
2 the following information to the Secretary of State's office, in the  
3 manner prescribed in, and accompanied by all information required  
4 by, the applicable section:

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TRANSMITTAL FORM FOR EVIDENCING COMPLIANCE  
WITH SECTION 16956(a)(1)(D), SECTION 16956(a)(2)(D),  
SECTION 16956(a)(3)(D), OR SECTION 16956(a)(4)(D) OF THE  
CALIFORNIA CORPORATIONS CODE

The undersigned hereby confirms the following:

1. \_\_\_\_\_  
Name of registered or foreign limited liability partnership
2. \_\_\_\_\_  
Jurisdiction where partnership is organized
3. \_\_\_\_\_  
Address of principal office
4. The registered or foreign limited liability partnership chooses  
to satisfy the requirements of Section 16956 by confirming,  
pursuant to Section 16956(a)(1)(D), 16956(a)(2)(D),  
16956(a)(3)(D), or 16956(a)(4)(D) and pursuant to Section 16956(c),  
that, as of the most recently completed fiscal year, the partnership had  
a net worth equal to or exceeding ten million dollars  
(\$10,000,000), in the case of a partnership providing  
accountancy services, fifteen million dollars (\$15,000,000)  
in the case of a partnership providing legal services, or  
ten million dollars (\$10,000,000), in the case of a partnership  
providing architectural services, engineering services, or land surveying  
services.
5. \_\_\_\_\_  
Title of authorized person executing this form
6. \_\_\_\_\_  
Signature of authorized person executing this form

(c) Pursuant to subparagraph (D) of paragraph (1) of subdivision  
(a), subparagraph (D) of paragraph (2) of subdivision (a),  
subparagraph (D) of paragraph (3) of subdivision (a), or  
subparagraph (D) of paragraph (4) of subdivision (a), a registered  
limited liability partnership or foreign limited liability partnership  
may satisfy the requirements of this section by confirming that, as

1 of the last day of its most recently completed fiscal year, it had a  
2 net worth equal to or exceeding the amount required. In order to  
3 comply with this alternative method of meeting the requirements  
4 established in this section, a registered limited liability partnership  
5 or foreign limited liability partnership shall file an annual  
6 confirmation with the Secretary of State's office, signed by an  
7 authorized member of the registered limited liability partnership  
8 or foreign limited liability partnership, accompanied by a  
9 transmittal form as prescribed by subdivision (b). In order to be  
10 current in a given year, the partnership form for confirming  
11 compliance with the optional security requirement shall be on file  
12 within four months of the completion of the fiscal year and, upon  
13 being filed, shall constitute full compliance with the financial  
14 security requirements for purposes of this section as of the  
15 beginning of the fiscal year. A confirmation filed during any  
16 particular fiscal year shall continue to be effective for the first four  
17 months of the next succeeding fiscal year.

18 (d) Neither the existence of the requirements of subdivision (a)  
19 nor the extent of the registered limited liability partnership's or  
20 foreign limited liability partnership's compliance with the  
21 alternative requirements in this section shall be admissible in court  
22 or in any way be made known to a jury or other trier of fact in  
23 determining an issue of liability for, or to the extent of, the damages  
24 in question.

25 (e) Notwithstanding any other provision of this section, if a  
26 registered limited liability partnership or foreign limited liability  
27 partnership is otherwise in compliance with the terms of this section  
28 at the time that a bankruptcy or other insolvency proceeding is  
29 commenced with respect to the registered limited liability  
30 partnership or foreign limited liability partnership, it shall be  
31 deemed to be in compliance with this section during the pendency  
32 of the proceeding. A registered limited liability partnership that  
33 has been the subject of a proceeding and that conducts business  
34 after the proceeding ends shall thereafter comply with paragraph  
35 (1), (2), (3), or (4) of subdivision (a), in order to obtain the  
36 limitations on liability afforded by subdivision (c) of Section  
37 16306.

38 ~~(f) This section shall remain in effect only until January 1, 2026,~~  
39 ~~and as of that date is repealed.~~

1 SEC. 13. Section 16956 of the Corporations Code, as amended  
2 by Section 8 of Chapter 150 of the Statutes of 2018, is repealed.

3 ~~16956. (a) At the time of registration pursuant to Section  
4 16953, in the case of a registered limited liability partnership, and  
5 Section 16959, in the case of a foreign limited liability partnership,  
6 and at all times during which those partnerships shall transact  
7 intrastate business, every registered limited liability partnership  
8 and foreign limited liability partnership, as the case may be, shall  
9 be required to provide security for claims against it as follows:~~

10 ~~(1) For claims based upon acts, errors, or omissions arising out  
11 of the practice of public accountancy, a registered limited liability  
12 partnership or foreign limited liability partnership providing  
13 accountancy services shall comply with one, or pursuant to  
14 subdivision (b) some combination, of the following:~~

15 ~~(A) Maintaining a policy or policies of insurance against liability  
16 imposed on or against it by law for damages arising out of claims;  
17 however, the total aggregate limit of liability under the policy or  
18 policies of insurance for partnerships with five or fewer licensed  
19 persons shall not be less than one million dollars (\$1,000,000);  
20 and for partnerships with more than five licensees rendering  
21 professional services on behalf of the partnership, an additional  
22 one hundred thousand dollars (\$100,000) of insurance shall be  
23 obtained for each additional licensee; however, the maximum  
24 amount of insurance is not required to exceed five million dollars  
25 (\$5,000,000) in any one designated period, less amounts paid in  
26 defending, settling, or discharging claims as set forth in this  
27 subparagraph. The policy or policies may be issued on a  
28 claims-made or occurrence basis, and shall cover: (i) in the case  
29 of a claims-made policy, claims initially asserted in the designated  
30 period, and (ii) in the case of an occurrence policy, occurrences  
31 during the designated period. For purposes of this subparagraph,  
32 "designated period" means a policy year or any other period  
33 designated in the policy that is not greater than 12 months. The  
34 impairment or exhaustion of the aggregate limit of liability by  
35 amounts paid under the policy in connection with the settlement,  
36 discharge, or defense of claims applicable to a designated period  
37 shall not require the partnership to acquire additional insurance  
38 coverage for that designated period. The policy or policies of  
39 insurance may be in a form reasonably available in the commercial  
40 insurance market and may be subject to those terms, conditions,~~

1 exclusions, and endorsements that are typically contained in those  
2 policies. A policy or policies of insurance maintained pursuant to  
3 this subparagraph may be subject to a deductible or self-insured  
4 retention.

5 Upon the dissolution and winding up of the partnership, the  
6 partnership shall, with respect to any insurance policy or policies  
7 then maintained pursuant to this subparagraph, maintain or obtain  
8 an extended reporting period endorsement or equivalent provision  
9 in the maximum total aggregate limit of liability required to comply  
10 with this subparagraph for a minimum of three years if reasonably  
11 available from the insurer.

12 ~~(B) Maintaining in trust or bank escrow, cash, bank certificates~~  
13 ~~of deposit, United States Treasury obligations, bank letters of~~  
14 ~~credit, or bonds of insurance or surety companies as security for~~  
15 ~~payment of liabilities imposed by law for damages arising out of~~  
16 ~~all claims; however, the maximum amount of security for~~  
17 ~~partnerships with five or fewer licensed persons shall not be less~~  
18 ~~than one million dollars (\$1,000,000), and for partnerships with~~  
19 ~~more than five licensees rendering professional services on behalf~~  
20 ~~of the partnership, an additional one hundred thousand dollars~~  
21 ~~(\$100,000) of security shall be obtained for each additional~~  
22 ~~licensee; however, the maximum amount of security is not required~~  
23 ~~to exceed five million dollars (\$5,000,000). The partnership~~  
24 ~~remains in compliance with this section during a calendar year~~  
25 ~~notwithstanding amounts paid during that calendar year from the~~  
26 ~~accounts, funds, Treasury obligations, letters of credit, or bonds~~  
27 ~~in defending, settling, or discharging claims of the type described~~  
28 ~~in this paragraph, provided that the amount of those accounts,~~  
29 ~~funds, Treasury obligations, letters of credit, or bonds was at least~~  
30 ~~the amount specified in the preceding sentence as of the first~~  
31 ~~business day of that calendar year. Notwithstanding the pendency~~  
32 ~~of other claims against the partnership, a registered limited liability~~  
33 ~~partnership or foreign limited liability partnership shall be deemed~~  
34 ~~to be in compliance with this subparagraph as to a claim if within~~  
35 ~~30 days after the time that a claim is initially asserted through~~  
36 ~~service of a summons, complaint, or comparable pleading in a~~  
37 ~~judicial or administrative proceeding, the partnership has provided~~  
38 ~~the required amount of security by designating and segregating~~  
39 ~~funds in compliance with the requirements of this subparagraph.~~

1     ~~(C) Unless the partnership has satisfied subparagraph (D), each~~  
2 ~~partner of a registered limited liability partnership or foreign~~  
3 ~~limited liability partnership providing accountancy services, by~~  
4 ~~virtue of that person's status as a partner, thereby automatically~~  
5 ~~guarantees payment of the difference between the maximum~~  
6 ~~amount of security required for the partnership by this paragraph~~  
7 ~~and the security otherwise provided in accordance with~~  
8 ~~subparagraphs (A) and (B), provided that the aggregate amount~~  
9 ~~paid by all partners under these guarantees shall not exceed the~~  
10 ~~difference. Neither withdrawal by a partner nor the dissolution and~~  
11 ~~winding up of the partnership shall affect the rights or obligations~~  
12 ~~of a partner arising prior to withdrawal or dissolution and winding~~  
13 ~~up, and the guarantee provided for in this subparagraph shall apply~~  
14 ~~only to conduct that occurred prior to the withdrawal or dissolution~~  
15 ~~and winding up. Nothing contained in this subparagraph shall~~  
16 ~~affect or impair the rights or obligations of the partners among~~  
17 ~~themselves, or the partnership, including, but not limited to, rights~~  
18 ~~of contribution, subrogation, or indemnification.~~

19     ~~(D) Confirming, pursuant to the procedure in subdivision (c);~~  
20 ~~that, as of the most recently completed fiscal year of the~~  
21 ~~partnership, it had a net worth equal to or exceeding ten million~~  
22 ~~dollars (\$10,000,000):~~

23     ~~(2) For claims based upon acts, errors, or omissions arising out~~  
24 ~~of the practice of law, a registered limited liability partnership or~~  
25 ~~foreign limited liability partnership providing legal services shall~~  
26 ~~comply with one, or pursuant to subdivision (b) some combination,~~  
27 ~~of the following:~~

28     ~~(A) Each registered limited liability partnership or foreign~~  
29 ~~limited liability partnership providing legal services shall maintain~~  
30 ~~a policy or policies of insurance against liability imposed on or~~  
31 ~~against it by law for damages arising out of claims; however, the~~  
32 ~~total aggregate limit of liability under the policy or policies of~~  
33 ~~insurance for partnerships with five or fewer licensed persons shall~~  
34 ~~not be less than one million dollars (\$1,000,000), and for~~  
35 ~~partnerships with more than five licensees rendering professional~~  
36 ~~services on behalf of the partnership, an additional one hundred~~  
37 ~~thousand dollars (\$100,000) of insurance shall be obtained for~~  
38 ~~each additional licensee; however, the maximum amount of~~  
39 ~~insurance is not required to exceed seven million five hundred~~  
40 ~~thousand dollars (\$7,500,000) in any one designated period, less~~

1 amounts paid in defending, settling, or discharging claims as set  
2 forth in this subparagraph. The policy or policies may be issued  
3 on a claims-made or occurrence basis, and shall cover (i) in the  
4 case of a claims-made policy, claims initially asserted in the  
5 designated period, and (ii) in the case of an occurrence policy,  
6 occurrences during the designated period. For purposes of this  
7 subparagraph, “designated period” means a policy year or any  
8 other period designated in the policy that is not greater than 12  
9 months. The impairment or exhaustion of the aggregate limit of  
10 liability by amounts paid under the policy in connection with the  
11 settlement, discharge, or defense of claims applicable to a  
12 designated period shall not require the partnership to acquire  
13 additional insurance coverage for that designated period. The policy  
14 or policies of insurance may be in a form reasonably available in  
15 the commercial insurance market and may be subject to those  
16 terms, conditions, exclusions, and endorsements that are typically  
17 contained in those policies. A policy or policies of insurance  
18 maintained pursuant to this subparagraph may be subject to a  
19 deductible or self-insured retention.

20 Upon the dissolution and winding up of the partnership, the  
21 partnership shall, with respect to any insurance policy or policies  
22 then maintained pursuant to this subparagraph, maintain or obtain  
23 an extended reporting period endorsement or equivalent provision  
24 in the maximum total aggregate limit of liability required to comply  
25 with this subparagraph for a minimum of three years if reasonably  
26 available from the insurer.

27 (B) Each registered limited liability partnership or foreign  
28 limited liability partnership providing legal services shall maintain  
29 in trust or bank escrow, cash, bank certificates of deposit, United  
30 States Treasury obligations, bank letters of credit, or bonds of  
31 insurance or surety companies as security for payment of liabilities  
32 imposed by law for damages arising out of all claims; however,  
33 the maximum amount of security for partnerships with five or  
34 fewer licensed persons shall not be less than one million dollars  
35 (\$1,000,000), and for partnerships with more than five licensees  
36 rendering professional services on behalf of the partnership, an  
37 additional one hundred thousand dollars (\$100,000) of security  
38 shall be obtained for each additional licensee; however, the  
39 maximum amount of security is not required to exceed seven  
40 million five hundred thousand dollars (\$7,500,000). The partnership

1 remains in compliance with this section during a calendar year  
2 notwithstanding amounts paid during that calendar year from the  
3 accounts, funds, Treasury obligations, letters of credit, or bonds  
4 in defending, settling, or discharging claims of the type described  
5 in this paragraph, provided that the amount of those accounts,  
6 funds, Treasury obligations, letters of credit, or bonds was at least  
7 the amount specified in the preceding sentence as of the first  
8 business day of that calendar year. Notwithstanding the pendency  
9 of other claims against the partnership, a registered limited liability  
10 partnership or foreign limited liability partnership shall be deemed  
11 to be in compliance with this subparagraph as to a claim if within  
12 30 days after the time that a claim is initially asserted through  
13 service of a summons, complaint, or comparable pleading in a  
14 judicial or administrative proceeding, the partnership has provided  
15 the required amount of security by designating and segregating  
16 funds in compliance with the requirement of this subparagraph.

17 (C) Unless the partnership has satisfied the requirements of  
18 subparagraph (D), each partner of a registered limited liability  
19 partnership or foreign limited liability partnership providing legal  
20 services, by virtue of that person's status as a partner, thereby  
21 automatically guarantees payment of the difference between the  
22 maximum amount of security required for the partnership by this  
23 paragraph and the security otherwise provided in accordance with  
24 the provisions of subparagraphs (A) and (B), provided that the  
25 aggregate amount paid by all partners under these guarantees shall  
26 not exceed the difference. Neither withdrawal by a partner nor the  
27 dissolution and winding up of the partnership shall affect the rights  
28 or obligations of a partner arising prior to withdrawal or dissolution  
29 and winding up, and the guarantee provided for in this  
30 subparagraph shall apply only to conduct that occurred prior to  
31 the withdrawal or dissolution and winding up. Nothing contained  
32 in this subparagraph shall affect or impair the rights or obligations  
33 of the partners among themselves, or the partnership, including,  
34 but not limited to, rights of contribution, subrogation, or  
35 indemnification.

36 (D) Confirming, pursuant to the procedure in subdivision (e),  
37 that, as of the most recently completed fiscal year of the  
38 partnership, it had a net worth equal to or exceeding fifteen million  
39 dollars (\$15,000,000):



1 (b) For purposes of satisfying the security requirements of this  
 2 section, a registered limited liability partnership or foreign limited  
 3 liability partnership may aggregate the security provided by it  
 4 pursuant to subparagraphs (A), (B), (C), and (D) of paragraph (1)  
 5 of subdivision (a) or subparagraphs (A), (B), (C), and (D) of  
 6 paragraph (2) of subdivision (a) as the case may be. Any registered  
 7 limited liability partnership or foreign limited liability partnership  
 8 intending to comply with the alternative security provisions set  
 9 forth in subparagraph (D) of paragraph (1) of subdivision (a) or  
 10 subparagraph (D) of paragraph (2) of subdivision (a) shall furnish  
 11 the following information to the Secretary of State's office, in the  
 12 manner prescribed in, and accompanied by all information required  
 13 by, the applicable section:

14  
 15 TRANSMITTAL FORM FOR EVIDENCING COMPLIANCE  
 16 WITH SECTION 16956(a)(1)(D) or SECTION 16956(a)(2)(D) OF THE  
 17 CALIFORNIA  
 18 CORPORATIONS CODE  
 19

20 The undersigned hereby confirms the following:

- 21 1. \_\_\_\_\_ -  
 22 Name of registered or foreign limited liability partnership
- 23 2. \_\_\_\_\_ -  
 24 Jurisdiction where partnership is organized
- 25 3. \_\_\_\_\_ -  
 26 Address of principal office
- 27 4. The registered or foreign limited liability partnership chooses  
 28 to satisfy the requirements of Section 16956 by confirming,  
 29 pursuant to Section 16956(a)(1)(D) or 16956(a)(2)(D) and pursuant to  
 30 Section 16956(e), that, as of  
 31 the most recently completed fiscal year, the partnership had  
 32 a net worth equal to or exceeding ten million dollars  
 33 (\$10,000,000), in the case of a partnership providing  
 34 accountancy services or fifteen million dollars (\$15,000,000)  
 35 in the case of a partnership providing legal services.
- 36 5. \_\_\_\_\_ -  
 37 Title of authorized person executing this form
- 38 6. \_\_\_\_\_ -  
 39 Signature of authorized person executing this form

1 ~~(e) Pursuant to subparagraph (D) of paragraph (1) of subdivision~~  
2 ~~(a) or subparagraph (D) of paragraph (2) of subdivision (a), a~~  
3 ~~registered limited liability partnership or foreign limited liability~~  
4 ~~partnership may satisfy the requirements of this section by~~  
5 ~~confirming that, as of the last day of its most recently completed~~  
6 ~~fiscal year, it had a net worth equal to or exceeding the amount~~  
7 ~~required. In order to comply with this alternative method of~~  
8 ~~meeting the requirements established in this section, a registered~~  
9 ~~limited liability partnership or foreign limited liability partnership~~  
10 ~~shall file an annual confirmation with the Secretary of State's~~  
11 ~~office, signed by an authorized member of the registered limited~~  
12 ~~liability partnership or foreign limited liability partnership,~~  
13 ~~accompanied by a transmittal form as prescribed by subdivision~~  
14 ~~(b). In order to be current in a given year, the partnership form for~~  
15 ~~confirming compliance with the optional security requirement~~  
16 ~~shall be on file within four months of the completion of the fiscal~~  
17 ~~year and, upon being filed, shall constitute full compliance with~~  
18 ~~the financial security requirements for purposes of this section as~~  
19 ~~of the beginning of the fiscal year. A confirmation filed during~~  
20 ~~any particular fiscal year shall continue to be effective for the first~~  
21 ~~four months of the next succeeding fiscal year.~~

22 ~~(d) Neither the existence of the requirements of subdivision (a)~~  
23 ~~nor the extent of the registered limited liability partnership's or~~  
24 ~~foreign limited liability partnership's compliance with the~~  
25 ~~alternative requirements in this section shall be admissible in court~~  
26 ~~or in any way be made known to a jury or other trier of fact in~~  
27 ~~determining an issue of liability for, or to the extent of, the damages~~  
28 ~~in question.~~

29 ~~(e) Notwithstanding any other provision of this section, if a~~  
30 ~~registered limited liability partnership or foreign limited liability~~  
31 ~~partnership is otherwise in compliance with the terms of this section~~  
32 ~~at the time that a bankruptcy or other insolvency proceeding is~~  
33 ~~commenced with respect to the registered limited liability~~  
34 ~~partnership or foreign limited liability partnership, it shall be~~  
35 ~~deemed to be in compliance with this section during the pendency~~  
36 ~~of the proceeding. A registered limited liability partnership that~~  
37 ~~has been the subject of a proceeding and that conducts business~~  
38 ~~after the proceeding ends shall thereafter comply with paragraph~~  
39 ~~(1) or (2) of subdivision (a), in order to obtain the limitations on~~  
40 ~~liability afforded by subdivision (e) of Section 16306.~~

1 ~~(f) This section shall become operative on January 1, 2026.~~

2 SEC. 14. Section 16959 of the Corporations Code, as amended  
3 by Section 113 of Chapter 617 of the Statutes of 2022, is amended  
4 to read:

5 16959. (a) (1) Before transacting intrastate business in this  
6 state, a foreign limited liability partnership shall comply with all  
7 statutory and administrative registration or filing requirements of  
8 the state board, commission, or agency that prescribes the rules  
9 and regulations governing a particular profession in which the  
10 partnership proposes to be engaged, pursuant to the applicable  
11 provisions of the Business and Professions Code relating to the  
12 profession or applicable rules adopted by the governing board. A  
13 foreign limited liability partnership that transacts intrastate business  
14 in this state shall within 30 days after the effective date of the act  
15 enacting this section or the date on which the foreign limited  
16 liability partnership first transacts intrastate business in this state,  
17 whichever is later, register with the Secretary of State by submitting  
18 to the Secretary of State an application for registration as a foreign  
19 limited liability partnership, signed by a person with authority to  
20 do so under the laws of the jurisdiction of formation of the foreign  
21 limited liability partnership, stating the name of the partnership,  
22 the street address of its principal office, the mailing address of the  
23 principal office if different from the street address, the name and  
24 street address of its agent for service of process in this state in  
25 accordance with subdivision (a) of Section 16309, a brief statement  
26 of the business in which the partnership engages, and any other  
27 matters that the partnership determines to include.

28 (2) Annexed to the application for registration shall be a  
29 certificate from an authorized public official of the foreign limited  
30 liability partnership's jurisdiction of organization to the effect that  
31 the foreign limited liability partnership is in good standing in that  
32 jurisdiction, if the laws of that jurisdiction permit the issuance of  
33 those certificates, or, in the alternative, a statement by the foreign  
34 limited liability partnership that the laws of its jurisdiction of  
35 organization do not permit the issuance of those certificates.

36 (b) The registration shall be accompanied by a fee as set forth  
37 in subdivision (b) of Section 12189 of the Government Code.

38 (c) If the Secretary of State finds that an application for  
39 registration conforms to law and all requisite fees have been paid,

1 the Secretary of State shall issue a certificate of registration to  
2 transact intrastate business in this state.

3 (d) The Secretary of State may cancel the filing of the  
4 registration if a check or other remittance accepted in payment of  
5 the filing fee is not paid upon presentation. Within 90 days of  
6 receiving written notification that the item presented for payment  
7 has not been honored for payment, the Secretary of State shall give  
8 a first written notice of the applicability of this section to the agent  
9 for service of process or to the person submitting the instrument.  
10 Thereafter, if the amount has not been paid by cashier's check or  
11 equivalent, the Secretary of State shall give a second written notice  
12 of cancellation and the cancellation shall thereupon be effective.  
13 The second notice shall be given 20 days or more after the first  
14 notice.

15 (e) A partnership becomes registered as a foreign limited liability  
16 partnership at the time of the filing of the initial registration with  
17 the Secretary of State or at any later date or time specified in the  
18 registration and the payment of the fee required by subdivision  
19 (b). A partnership continues to be registered as a foreign limited  
20 liability partnership until a notice that it is no longer so registered  
21 as a foreign limited liability partnership has been filed pursuant to  
22 Section 16960 or, if applicable, once it has been dissolved and  
23 finally wound up. The status of a partnership registered as a foreign  
24 limited liability partnership and the liability of a partner of that  
25 foreign limited liability partnership shall not be adversely affected  
26 by errors or subsequent changes in the information stated in an  
27 application for registration under subdivision (a) or an amended  
28 registration or notice under Section 16960.

29 (f) The fact that a registration or amended registration pursuant  
30 to Section 16960 is on file with the Secretary of State is notice that  
31 the partnership is a foreign limited liability partnership and of those  
32 other facts contained therein that are required to be set forth in the  
33 registration or amended registration.

34 (g) The Secretary of State shall provide a form for a registration  
35 under subdivision (a), which shall include the form for confirming  
36 compliance with the optional security requirement pursuant to  
37 subdivision (c) of Section 16956. The Secretary of State shall  
38 include with instructional materials, provided in conjunction with  
39 the form for registration under subdivision (a), a notice that filing  
40 the registration will obligate the limited liability partnership to pay

1 an annual tax for that taxable year to the Franchise Tax Board  
2 pursuant to Section 17948 of the Revenue and Taxation Code.  
3 That notice shall be updated annually to specify the dollar amount  
4 of this tax.

5 (h) A foreign limited liability partnership transacting intrastate  
6 business in this state shall not maintain any action, suit, or  
7 proceeding in any court of this state until it has registered in this  
8 state pursuant to this section.

9 (i) Any foreign limited liability partnership that transacts  
10 intrastate business in this state without registration is subject to a  
11 penalty of twenty dollars (\$20) for each day that unauthorized  
12 intrastate business is transacted, up to a maximum of ten thousand  
13 dollars (\$10,000).

14 (j) A partner of a foreign limited liability partnership is not liable  
15 for the debts or obligations of the foreign limited liability  
16 partnership solely by reason of its having transacted business in  
17 this state without registration.

18 (k) A foreign limited liability partnership, transacting business  
19 in this state without registration, appoints the Secretary of State  
20 as its agent for service of process with respect to causes of action  
21 arising out of the transaction of business in this state.

22 (l) "Transact intrastate business" as used in this section means  
23 to repeatedly and successively provide professional limited liability  
24 partnership services in this state, other than in interstate or foreign  
25 commerce.

26 (m) Without excluding other activities that may not be  
27 considered to be transacting intrastate business, a foreign limited  
28 liability partnership shall not be considered to be transacting  
29 intrastate business merely because its subsidiary or affiliate  
30 transacts intrastate business, or merely because of its status as any  
31 one or more of the following:

32 (1) A shareholder of a domestic corporation.

33 (2) A shareholder of a foreign corporation transacting intrastate  
34 business.

35 (3) A limited partner of a foreign limited partnership transacting  
36 intrastate business.

37 (4) A limited partner of a domestic limited partnership.

38 (5) A member or manager of a foreign limited liability company  
39 transacting intrastate business.

1 (6) A member or manager of a domestic limited liability  
2 company.

3 (n) Without excluding other activities that may not be considered  
4 to be transacting intrastate business, a foreign limited liability  
5 partnership shall not be considered to be transacting intrastate  
6 business within the meaning of this subdivision solely by reason  
7 of carrying on in this state any one or more of the following  
8 activities:

9 (1) Maintaining or defending any action or suit or any  
10 administrative or arbitration proceeding, or effecting the settlement  
11 thereof or the settlement of claims or disputes.

12 (2) Holding meetings of its partners or carrying on any other  
13 activities concerning its internal affairs.

14 (3) Maintaining bank accounts.

15 (4) Maintaining offices or agencies for the transfer, exchange,  
16 and registration of the foreign limited liability partnership's  
17 securities or maintaining trustees or depositories with respect to  
18 those securities.

19 (5) Effecting sales through independent contractors.

20 (6) Soliciting or procuring orders, whether by mail or through  
21 employees or agents or otherwise, where those orders require  
22 acceptance without this state before becoming binding contracts.

23 (7) Creating or acquiring evidences of debt or mortgages, liens,  
24 or security interest in real or personal property.

25 (8) Securing or collecting debts or enforcing mortgages and  
26 security interests in property securing the debts.

27 (9) Conducting an isolated transaction that is completed within  
28 180 days and not in the course of a number of repeated transactions  
29 of a like nature.

30 (o) A person shall not be deemed to be transacting intrastate  
31 business in this state merely because of its status as a partner of a  
32 registered limited liability partnership or a foreign limited liability  
33 company whether or not registered to transact intrastate business  
34 in this state.

35 (p) The Attorney General may bring an action to restrain a  
36 foreign limited liability partnership from transacting intrastate  
37 business in this state in violation of this chapter.

38 (q) Nothing in this section is intended to, or shall, augment,  
39 diminish, or otherwise alter existing provisions of law, statutes,  
40 or court rules relating to services by a California architect,

1 California public accountant, California engineer, California land  
2 surveyor, or California attorney in another jurisdiction, or services  
3 by an out-of-state architect, out-of-state public accountant,  
4 out-of-state engineer, out-of-state land surveyor, or out-of-state  
5 attorney in California.

6 (r) An agent designated for service of process may deliver to  
7 the Secretary of State, on a form prescribed by the Secretary of  
8 State for filing, a signed and acknowledged written statement of  
9 resignation as an agent for service of process containing the name  
10 of the foreign limited liability partnership and Secretary of State's  
11 file number of the foreign limited liability partnership, the name  
12 of the resigning agent for service of process, and a statement that  
13 the agent is resigning. On filing of the statement of resignation,  
14 the authority of the agent to act in that capacity shall cease and the  
15 Secretary of State shall mail or otherwise provide written notice  
16 of the filing of the statement of resignation to the foreign limited  
17 liability partnership at its principal office.

18 (s) The resignation of an agent may be effective if, on a form  
19 prescribed by the Secretary of State containing the name of the  
20 foreign limited liability partnership and Secretary of State's file  
21 number for the foreign limited liability partnership and the name  
22 of the agent for service of process, the agent disclaims having been  
23 properly appointed as the agent.

24 (t) If an individual who has been designated agent for service  
25 of process dies or resigns or no longer resides in the state, or if the  
26 corporate agent for that purpose resigns, dissolves, withdraws from  
27 the state, forfeits its right to transact intrastate business, has its  
28 corporate rights, powers, and privileges suspended, or ceases to  
29 exist, the foreign limited liability partnership shall promptly file  
30 an amended application for registration as a foreign limited liability  
31 partnership designating a new agent.

32 (u) The Secretary of State may destroy or otherwise dispose of  
33 any resignation filed pursuant to this section after a new application  
34 for registration as a foreign limited liability partnership is filed  
35 pursuant to this section replacing the agent for service of process  
36 that has resigned.

37 ~~(v) This section shall remain in effect only until January 1, 2026,~~  
38 ~~and as of that date is repealed.~~

39 SEC. 15. Section 16959 of the Corporations Code, as amended  
40 by Section 114 of Chapter 617 of the Statutes of 2022, is repealed.

1 16959. ~~(a) (1) Before transacting intrastate business in this~~  
2 ~~state, a foreign limited liability partnership shall comply with all~~  
3 ~~statutory and administrative registration or filing requirements of~~  
4 ~~the state board, commission, or agency that prescribes the rules~~  
5 ~~and regulations governing a particular profession in which the~~  
6 ~~partnership proposes to be engaged, pursuant to the applicable~~  
7 ~~provisions of the Business and Professions Code relating to the~~  
8 ~~profession or applicable rules adopted by the governing board. A~~  
9 ~~foreign limited liability partnership that transacts intrastate business~~  
10 ~~in this state shall within 30 days after the effective date of the act~~  
11 ~~enacting this section or the date on which the foreign limited~~  
12 ~~liability partnership first transacts intrastate business in this state,~~  
13 ~~whichever is later, register with the Secretary of State by submitting~~  
14 ~~to the Secretary of State an application for registration as a foreign~~  
15 ~~limited liability partnership, signed by a person with authority to~~  
16 ~~do so under the laws of the jurisdiction of formation of the foreign~~  
17 ~~limited liability partnership, stating the name of the partnership,~~  
18 ~~the street address of its principal office, the mailing address of the~~  
19 ~~principal office if different from the street address, the name and~~  
20 ~~street address of its agent for service of process in this state in~~  
21 ~~accordance with subdivision (a) of Section 16309, a brief statement~~  
22 ~~of the business in which the partnership engages, and any other~~  
23 ~~matters that the partnership determines to include.~~

24 ~~(2) Annexed to the application for registration shall be a~~  
25 ~~certificate from an authorized public official of the foreign limited~~  
26 ~~liability partnership's jurisdiction of organization to the effect that~~  
27 ~~the foreign limited liability partnership is in good standing in that~~  
28 ~~jurisdiction, if the laws of that jurisdiction permit the issuance of~~  
29 ~~those certificates, or, in the alternative, a statement by the foreign~~  
30 ~~limited liability partnership that the laws of its jurisdiction of~~  
31 ~~organization do not permit the issuance of those certificates.~~

32 ~~(b) The registration shall be accompanied by a fee as set forth~~  
33 ~~in subdivision (b) of Section 12189 of the Government Code.~~

34 ~~(c) If the Secretary of State finds that an application for~~  
35 ~~registration conforms to law and all requisite fees have been paid,~~  
36 ~~the Secretary of State shall issue a certificate of registration to~~  
37 ~~transact intrastate business in this state.~~

38 ~~(d) The Secretary of State may cancel the filing of the~~  
39 ~~registration if a check or other remittance accepted in payment of~~  
40 ~~the filing fee is not paid upon presentation. Within 90 days of~~



1 receiving written notification that the item presented for payment  
2 has not been honored for payment, the Secretary of State shall give  
3 a first written notice of the applicability of this section to the agent  
4 for service of process or to the person submitting the instrument.  
5 Thereafter, if the amount has not been paid by cashier's check or  
6 equivalent, the Secretary of State shall give a second written notice  
7 of cancellation and the cancellation shall thereupon be effective.  
8 The second notice shall be given 20 days or more after the first  
9 notice.

10 (e) A partnership becomes registered as a foreign limited liability  
11 partnership at the time of the filing of the initial registration with  
12 the Secretary of State or at any later date or time specified in the  
13 registration and the payment of the fee required by subdivision  
14 (b). A partnership continues to be registered as a foreign limited  
15 liability partnership until a notice that it is no longer so registered  
16 as a foreign limited liability partnership has been filed pursuant to  
17 Section 16960 or, if applicable, once it has been dissolved and  
18 finally wound up. The status of a partnership registered as a foreign  
19 limited liability partnership and the liability of a partner of that  
20 foreign limited liability partnership shall not be adversely affected  
21 by errors or subsequent changes in the information stated in an  
22 application for registration under subdivision (a) or an amended  
23 registration or notice under Section 16960.

24 (f) The fact that a registration or amended registration pursuant  
25 to Section 16960 is on file with the Secretary of State is notice that  
26 the partnership is a foreign limited liability partnership and of those  
27 other facts contained therein that are required to be set forth in the  
28 registration or amended registration.

29 (g) The Secretary of State shall provide a form for a registration  
30 under subdivision (a), which shall include the form for confirming  
31 compliance with the optional security requirement pursuant to  
32 subdivision (c) of Section 16956. The Secretary of State shall  
33 include with instructional materials, provided in conjunction with  
34 the form for registration under subdivision (a), a notice that filing  
35 the registration will obligate the limited liability partnership to pay  
36 an annual tax for that taxable year to the Franchise Tax Board  
37 pursuant to Section 17948 of the Revenue and Taxation Code.  
38 That notice shall be updated annually to specify the dollar amount  
39 of this tax.

1 ~~(h) A foreign limited liability partnership transacting intrastate~~  
2 ~~business in this state shall not maintain any action, suit, or~~  
3 ~~proceeding in any court of this state until it has registered in this~~  
4 ~~state pursuant to this section.~~  
5 ~~(i) Any foreign limited liability partnership that transacts~~  
6 ~~intrastate business in this state without registration is subject to a~~  
7 ~~penalty of twenty dollars (\$20) for each day that unauthorized~~  
8 ~~intrastate business is transacted, up to a maximum of ten thousand~~  
9 ~~dollars (\$10,000).~~  
10 ~~(j) A partner of a foreign limited liability partnership is not liable~~  
11 ~~for the debts or obligations of the foreign limited liability~~  
12 ~~partnership solely by reason of its having transacted business in~~  
13 ~~this state without registration.~~  
14 ~~(k) A foreign limited liability partnership, transacting business~~  
15 ~~in this state without registration, appoints the Secretary of State~~  
16 ~~as its agent for service of process with respect to causes of action~~  
17 ~~arising out of the transaction of business in this state.~~  
18 ~~(l) "Transact intrastate business" as used in this section means~~  
19 ~~to repeatedly and successively provide professional limited liability~~  
20 ~~partnership services in this state, other than in interstate or foreign~~  
21 ~~commerce.~~  
22 ~~(m) Without excluding other activities that may not be~~  
23 ~~considered to be transacting intrastate business, a foreign limited~~  
24 ~~liability partnership shall not be considered to be transacting~~  
25 ~~intrastate business merely because its subsidiary or affiliate~~  
26 ~~transacts intrastate business, or merely because of its status as any~~  
27 ~~one or more of the following:~~  
28 ~~(1) A shareholder of a domestic corporation.~~  
29 ~~(2) A shareholder of a foreign corporation transacting intrastate~~  
30 ~~business.~~  
31 ~~(3) A limited partner of a foreign limited partnership transacting~~  
32 ~~intrastate business.~~  
33 ~~(4) A limited partner of a domestic limited partnership.~~  
34 ~~(5) A member or manager of a foreign limited liability company~~  
35 ~~transacting intrastate business.~~  
36 ~~(6) A member or manager of a domestic limited liability~~  
37 ~~company.~~  
38 ~~(n) Without excluding other activities that may not be considered~~  
39 ~~to be transacting intrastate business, a foreign limited liability~~  
40 ~~partnership shall not be considered to be transacting intrastate~~

1 business within the meaning of this subdivision solely by reason  
2 of carrying on in this state any one or more of the following  
3 activities:

4 (1) Maintaining or defending any action or suit or any  
5 administrative or arbitration proceeding, or effecting the settlement  
6 thereof or the settlement of claims or disputes.

7 (2) Holding meetings of its partners or carrying on any other  
8 activities concerning its internal affairs.

9 (3) Maintaining bank accounts.

10 (4) Maintaining offices or agencies for the transfer, exchange,  
11 and registration of the foreign limited liability partnership's  
12 securities or maintaining trustees or depositories with respect to  
13 those securities.

14 (5) Effecting sales through independent contractors.

15 (6) Soliciting or procuring orders, whether by mail or through  
16 employees or agents or otherwise, where those orders require  
17 acceptance without this state before becoming binding contracts.

18 (7) Creating or acquiring evidences of debt or mortgages, liens,  
19 or security interest in real or personal property.

20 (8) Securing or collecting debts or enforcing mortgages and  
21 security interests in property securing the debts.

22 (9) Conducting an isolated transaction that is completed within  
23 180 days and not in the course of a number of repeated transactions  
24 of a like nature.

25 (o) A person shall not be deemed to be transacting intrastate  
26 business in this state merely because of its status as a partner of a  
27 registered limited liability partnership or a foreign limited liability  
28 company whether or not registered to transact intrastate business  
29 in this state.

30 (p) The Attorney General may bring an action to restrain a  
31 foreign limited liability partnership from transacting intrastate  
32 business in this state in violation of this chapter.

33 (q) Nothing in this section is intended to, or shall, augment,  
34 diminish, or otherwise alter existing provisions of law, statutes,  
35 or court rules relating to services by a California public accountant  
36 or California attorney in another jurisdiction, or services by an  
37 out-of-state public accountant or out-of-state attorney in California.

38 (r) An agent designated for service of process may deliver to  
39 the Secretary of State, on a form prescribed by the Secretary of  
40 State for filing, a signed and acknowledged written statement of

1 resignation as an agent for service of process containing the name  
2 of the foreign limited liability partnership and Secretary of State's  
3 file number of the foreign limited liability partnership, the name  
4 of the resigning agent for service of process, and a statement that  
5 the agent is resigning. On filing of the statement of resignation,  
6 the authority of the agent to act in that capacity shall cease and the  
7 Secretary of State shall mail or otherwise provide written notice  
8 of the filing of the statement of resignation to the foreign limited  
9 liability partnership at its principal office.

10 (s) ~~The resignation of an agent may be effective if, on a form~~  
11 ~~prescribed by the Secretary of State containing the name and~~  
12 ~~Secretary of State's file number for the foreign limited liability~~  
13 ~~partnership and the name of the agent for service of process, the~~  
14 ~~agent disclaims having been properly appointed as the agent.~~

15 (t) ~~If an individual who has been designated agent for service~~  
16 ~~of process dies or resigns or no longer resides in the state, or if the~~  
17 ~~corporate agent for that purpose resigns, dissolves, withdraws from~~  
18 ~~the state, forfeits its right to transact intrastate business, has its~~  
19 ~~corporate rights, powers, and privileges suspended, or ceases to~~  
20 ~~exist, the foreign limited liability partnership shall promptly file~~  
21 ~~an amended application for registration as a foreign limited liability~~  
22 ~~partnership designating a new agent.~~

23 (u) ~~The Secretary of State may destroy or otherwise dispose of~~  
24 ~~any resignation filed pursuant to this section after a new application~~  
25 ~~for registration as a foreign limited liability partnership is filed~~  
26 ~~pursuant to this section replacing the agent for service of process~~  
27 ~~that has resigned.~~

28 (v) ~~This section shall become operative on January 1, 2026.~~

O

**AB 2269 (Flora, R-San Joaquin)**  
**Board membership qualifications: public members.**

**Status/History:** 2/26/2024 – Referred to Assembly Business and Professions Committee.

**Location:** 2/26/2024 – Assembly Business and Professions Committee

**Introduced:** 2/8/2024

**Board Position:** Pending

**Board Staff Analysis:** 2/28/2024

**Bill Summary:** Existing law (specifically, Business and Professions Code section 450) prohibits a public member or a lay member appointed to a board, as defined, from, among other things, having a specified relationship with a licensee of that board within five years of the public member's or lay member's appointment. This bill would prohibit a public member or a lay member of any board from having a specified relationship with a licensee of that board, for services provided pursuant to that license, within three years of the public member's or lay member's appointment. The bill would provide that these requirements apply to a public member or a lay member of a board upon appointment or reappointment on or after January 1, 2025.

**Affected Laws:** An act to amend Section 450 of the Business and Professions Code, relating to professions and vocations.

**Staff Comment:** Assembly Bill (AB) 2269 is presented to the Board for information only. The Board is not involved with the selection of public members appointed to the Board. The appointments, and verifying the qualifications of the appointees, is up to the appointment authority (the Governor, the Speaker of the Assembly, and the Senate Rules Committee).

**Staff Recommendation:** No action needed. This bill is presented for information only.

**ASSEMBLY BILL**

**No. 2269**

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**Introduced by Assembly Member Flora**

February 8, 2024

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An act to amend Section 450 of the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

AB 2269, as introduced, Flora. Board membership qualifications: public members.

Existing law establishes specified boards, bureaus, and commissions in the Department of Consumer Affairs for the purpose of licensing and regulating various professions and vocations. Existing law prohibits a public member or a lay member appointed to a board, as defined, from, among other things, having a specified relationship with a licensee of that board within 5 years of the public member's or lay member's appointment.

This bill would prohibit a public member or a lay member of any board from having a specified relationship with a licensee of that board, for services provided pursuant to that license, within 3 years of the public member's or lay member's appointment. The bill would provide that these requirements apply to a public member or a lay member of a board upon appointment or reappointment on or after January 1, 2025.

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 450 of the Business and Professions Code  
2 is amended to read:

3 450. In addition to the qualifications provided in the respective  
4 chapters of this code, a public member or a lay member of any  
5 board shall not be, nor shall they have been within the period of  
6 ~~five~~ *three* years immediately preceding their appointment, any of  
7 the following:

8 (a) An employer, or an officer, director, or substantially full-time  
9 representative of an employer or group of employers, of any  
10 licensee of a board, ~~except that this subdivision shall not preclude~~  
11 ~~the appointment of a person who maintains infrequent employer~~  
12 ~~status with a licensee, or maintains a client, patient, or customer~~  
13 ~~relationship with a licensee that does not constitute more than 2~~  
14 ~~percent of the practice or business of the licensee.~~ *for services*  
15 *provided pursuant to that license.*

16 (b) A person maintaining a contractual relationship with a  
17 licensee of a board ~~that would constitute more than 2 percent of~~  
18 ~~the practice or business of the licensee, or an officer, director, or~~  
19 ~~substantially full-time representative of that person or group of~~  
20 ~~persons.~~ *for services provided pursuant to that license.*

21 (c) An employee of a licensee of a board, or a representative of  
22 the employee, ~~except that this subdivision shall not preclude the~~  
23 ~~appointment of a person who maintains an infrequent employee~~  
24 ~~relationship or renders professional or related services to a licensee~~  
25 ~~if the employment or service does not constitute more than 2~~  
26 ~~percent of the employment or practice of the member of the board.~~  
27 *for services provided pursuant to that license.*

28 (d) *The requirements in this section amended by the act adding*  
29 *this subdivision shall apply to a public member or a lay member*  
30 *of a board upon appointment or reappointment on or after January*  
31 *1, 2025.*

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**AB 3176 (Hoover, R-Sacramento)**

**Professional land surveyors: surveying practices: monuments and corner accessories.**

**Status/History:** 2/17/2024 – From printer. May be heard in committee March 18.

**Location:** 2/17/2024 – Assembly; awaiting assignment to Committee

**Introduced:** 2/16/2024

**Board Position:** Pending

**Board Staff Analysis:** 2/28/2024

**Bill Summary:** Existing law (Business and Professions Code section 8773.3) requires a land surveyor or legally-authorized civil engineer, when filing a corner record with the county surveyor or engineer of the county where the corner is situated, to ensure a corner accessory or monument is reconstructed or rehabilitated so that it remains permanently fixed, as specified. This bill would amend this section to require a land surveyor or legally-authorized civil engineer, when using a monument or corner accessory with a physical condition that is less than permanent and durable as control in any survey, to reconstruct or rehabilitate the monument or corner accessory to a permanent condition, as specified.

**Affected Laws:** An act to amend section 8773.3 of the Business and Professions Code, relating to land surveying.

**Staff Comment:** Assembly Bill (AB) 3176 is sponsored by the California Land Surveyors Association (CLSA). According to the author's office, CLSA has indicated that Section 8773.3 relates to the obligation of licensed land surveyors and civil engineers to "reconstruct and rehabilitate" monuments found to be in poor condition when surveyors are creating "corner records" intended for filing with counties. The purpose of this law is for surveyors to preserve monuments located while creating maps, so they can be found by later surveyors while performing services. This preservation is essential in creating exact boundaries for the location of properties. CLSA believes present law limits the rehabilitation requirement to circumstances where a corner record is created for filing with counties and does not extend to the creation of other maps, including records of survey and subdivision maps. The law is too narrow as it excludes important mapping performed by surveyors which are not "corner records." AB 3176 removes the limitation to "corner records intended for filing" on the types of monuments which must be preserved; thus, covering every situation where a monument is necessary. This bill will broaden the requirement for licensed land surveyors and registered civil engineers to rehabilitate monuments found to be in ill-repair. Preserving monuments will enhance the ability of future professionals to locate and incorporate the monuments in their mapping services.

Board staff generally agrees with the stated reasons for these proposed amendments. However, there are concerns with the language as proposed. The term "permanent" can lead to issues between surveyors over whether one believes the monument is permanent and another who believes it is not, and sometimes these issues come to the Board in the form of complaints. Board staff believes a better term to use would be "durable." The would provide for permanently preserving the location of the monument by ensuring that a durable monument exists or is caused to exist in that permanent location as is reasonably possible. As such, Board staff recommends the



Board take a position of “Oppose Unless Amended” on AB 3176 and direct staff to work with the sponsor and author on the language.

**Staff Recommendation:** Staff recommends the Board take a position of “Opposed Unless Amended” on AB 3176, as introduced February 16, 2024.

**ASSEMBLY BILL**

**No. 3176**

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**Introduced by Assembly Member Hoover**

February 16, 2024

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An act to amend section 8773.3 of the Business and Professions Code, relating to land surveying.

LEGISLATIVE COUNSEL'S DIGEST

AB 3176, as introduced, Hoover. Professional land surveyors: surveying practices: monuments and corner accessories.

The Professional Land Surveyors' Act provides for the licensure and regulation of land surveyors by the Board for Professional Engineers, Land Surveyors, and Geologists, which is within the Department of Consumer Affairs, and requires any person practicing, or offering to practice, land surveying in the state to submit evidence that they are qualified to practice and to be licensed under the act. Among other things, the act requires a land surveyor, when filing a corner record with the county surveyor or engineer of the county where the corner is situated, to ensure a corner accessory or monument is reconstructed or rehabilitated so that it remains permanently fixed, as specified.

This bill would instead require a land surveyor, when using a monument or corner accessory with a physical condition that is less than permanent and durable as control in any survey, to reconstruct or rehabilitate the monument or corner accessory to a permanent condition, as specified.

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

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

1 SECTION 1. Section 8773.3 of the Business and Professions  
2 Code is amended to read:  
3 8773.3. In every case where a *monument or corner record is*  
4 ~~filed pursuant to Section 8773, accessory is found with a physical~~  
5 *condition that is less than permanent and durable*, the licensed  
6 land surveyor or registered civil engineer *using that monument or*  
7 *corner accessory as control in any survey* shall reconstruct or  
8 rehabilitate the monument ~~of such corner, and accessories to such~~  
9 *or corner*, so that the same shall be left by ~~him~~ *them* in such  
10 physical condition that it remains as permanent a monument *or*  
11 *corner accessory* as is reasonably possible and so that the same  
12 may be reasonably expected to be located with facility at all times  
13 in the future.

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**AB 3253 (Assembly Committee on Business and Professions)  
Board for Professional Engineers, Land Surveyors, and Geologists: appointments:  
removal.**

**Status/History:** 2/17/2024 – From printer. May be heard in committee March 18.

**Location:** 2/17/2024 – Assembly; awaiting assignment to Committee

**Introduced:** 2/16/2024

**Board Position:** Pending

**Board Staff Analysis:** 2/28/2024

**Bill Summary:** Existing law establishes the Board for Professional Engineers, Land Surveyors, and Geologists within the Department of Consumer Affairs for the licensure and regulation of those professions. Under existing law, the Board consists of 15 members, including eight public members and seven professional members appointed by the Governor, one public member appointed by the Senate Committee on Rules, and one public member appointed by the Speaker of the Assembly, as prescribed. Existing law (specifically, Business and Professions Code section 6713) authorizes the Governor to remove any member of the Board for misconduct, incompetency, or neglect of duty. This bill would amend that section to instead refer to Business and Professions Code section 106, which provides that the appointing authority has power to remove from office at any time any member of any board appointed by the appointing authority for continued neglect of duties required by law, or for incompetence, or unprofessional or dishonorable conduct.

**Affected Laws:** An act to amend Section 6713 of the Business and Professions Code, relating to professions and vocations.

**Staff Comment:** Assembly Bill (AB) 3253 makes a minor change to the Professional Engineers Act regarding the removal of Board members for certain specific reasons. The proposed amendments would delete the specific reasons and instead refer to Section 106, which is a general provision of the Business and Professions Code that address removal of Board members for certain specific reasons.

At this time, staff recommends the Board take a position of “Watch” on AB 3253.

**Staff Recommendation:** Staff recommends the Board take a position of “Watch” on AB 3253, as introduced February 16, 2024.

**ASSEMBLY BILL**

**No. 3253**

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**Introduced by Committee on Business and Professions**

February 16, 2024

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An act to amend Section 6713 of the Business and Professions Code, relating to professions and vocations.

LEGISLATIVE COUNSEL'S DIGEST

AB 3253, as introduced, Committee on Business and Professions. Board for Professional Engineers, Land Surveyors, and Geologists: appointments: removal.

Existing law establishes the Board for Professional Engineers, Land Surveyors, and Geologists within the Department of Consumer Affairs for the licensure and regulation of those professions. Under existing law, the board consists of 15 members, including 6 public members and 7 professional members appointed by the Governor, one public member appointed by the Senate Committee on Rules, and one public member appointed by the Speaker of the Assembly, as prescribed. Existing law authorizes the Governor to remove any member of the board for misconduct, incompetency, or neglect of duty.

This bill would delete that provision, and would instead authorize each appointing authority to remove from office at any time any member of the board appointed by that appointing authority for continued neglect of duties required by law, or for incompetence, or unprofessional or dishonorable conduct.

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 6713 of the Business and Professions  
2 Code is amended to read:

3 6713. ~~The Governor may remove any member of the board for~~  
4 ~~misconduct, incompetency or neglect of duty.~~ *Each appointing*  
5 *authority shall have the power to remove from office at any time*  
6 *any member of the board appointed by that authority pursuant to*  
7 *Section 106.*

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### **VIII. 2023-24 Sunset Review of the Board (Possible Action)**

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- A. Background Paper Prepared by the Assembly Business and Professions Committee and the Senate Business, Professions and Economic Development Committee
- B. Sunset Review Hearing
- C. Sunset Review Legislation





## **IX. Executive Officer's Report**

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- A. Rulemaking Status Report
- B. Update on Board's Business Modernization Project
- C. Personnel
- D. ABET
- E. Association of State Boards of Geology (ASBOG)
- F. National Council of Examiners for Engineering and Surveying (NCEES)
  - 1. May 16-18, 2024 Western Zone Interim Meeting, Bozeman, MT – Funded Delegates
  - 2. Update on Elections at Western Zone Interim Meeting (Possible Action)
  - 3. Engineering Council of UK – Update on Mutual Recognition Agreement (MRA) (Possible Action)
- G. Update on Outreach Efforts



## Rulemaking Status Report

### **1. Applications, References, Computation of Qualifying Experience, and Schedule of Examinations (16 CCR sections 420, 427.10, 427.30, 3021, 3022.2, 3023, and 3032)**

- Staff working with Legal to prepare language for Board review.
  - Staff working on final text for submittal to DCA Legal in September 2022.
  - Staff working with DCA Legal to finalize proposal for notice (April 2022).
  - Submitted for initial (pre-notice) review by DCA Legal on December 6, 2021.
  - Board directed staff to pursue rulemaking proposal on November 8, 2021.

### **2. Definition of Traffic Engineering (16 CCR 404)**

- Board staff will work with DCA Legal to prepare documents for initial notice.
  - Submitted for initial (pre-notice) review by DCA Legal on September 3, 2020.
  - Board directed staff to pursue rulemaking proposal on March 8, 2018.

### **3. Definitions of Negligence and Incompetence and Responsible Charge Criteria for Professional Geologists and Professional Geophysicists (16 CCR sections 3003 and 3003.1)**

- Board staff will work on the pre-notice documents.
  - Board directed staff to pursue rulemaking proposal on September 6, 2018.

**Note:** Documents related to any rulemaking file listed as noticed for public comment can be obtained from the Board's website at: [http://www.bpelsq.ca.gov/about\\_us/rulemaking.shtml](http://www.bpelsq.ca.gov/about_us/rulemaking.shtml).

## PROJECT STATUS REPORT

<b>Reporting period:</b>	1/21/2020 – 2/26/2024	<b>Project title:</b>	Business Modernization Cohort 1
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### EXECUTIVE SUMMARY

<b>Narrative Summary of Status</b>	<b>Schedule:</b>	<b>GREEN</b>	<b>Budget:</b>	<b>GREEN</b>	<b>Issues:</b>	<b>GREEN</b>
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The Maintenance & Operations (M&O) phase of project began July 2022 and expected to continue through 2024. Current development is underway for structural engineer application first, to align with the planned change in NCEES exam administration, followed shortly by the traffic engineer and the geotechnical engineer application, all now slated for M&O Feb/April 2024 Release.

### PROJECT MILESTONE STATUS REVIEW

<b>Project Milestones</b>	<b>Status</b>	<b>Completion Date</b>	<b>Issues Exist (Yes/No)</b>
Project Planning Complete – Project Start	Complete	1/13/2020	No
Go Live – Most Viable Product (MVP1)	Complete	9/16/2020	No
Go Live - Product Increment 2 (PI2)	Complete	1/20/2021	No
Go Live - Product Increment 3 (PI3)	Complete	6/16/2021	No
Go Live - Product Increment 3.5 (PI3.5)	Complete	11/10/2021	No
Go Live - Product Increment 4 (PI4)	Complete	4/29/2022	No
Go Live – M&O Increment 1 (PI5/M&O1)	Complete	10/12/2022	No

Go Live – M&O Increment 2 (PI6/M&O2)	Complete	2/28/2023	No
Go Live – M&O Increment 3 (PI7/M&O3)	Complete	4/18/2023	No
Go Live – M&O Fall Release	Complete	9/14/2023	No
Go Live – M&O February Release (SE App)	In Progress	2/29/2024	No
Go Live – M&O April Release (GE/TE Apps)	In Progress	4/02/2024	No



## PROFILE

I am honored to declare my candidacy for the role of Assistant Vice President of the NCEES Western Zone. The recent delegation of US Engineering State Board Members to the United Kingdom, in which I had the honor to participate, underscored the significance of NCEES and reaffirmed its mission. With a deep-rooted commitment to the advancement of the engineering and surveying profession and a proven record of leadership, I am eager to contribute my skills and vision to uphold the NCEES mission. In a rapidly evolving landscape, I believe in the power of collaboration, advocacy, and fostering professional development to safeguard the health, safety, and welfare of the public. Join me on this journey as we work together to shape the future of the Western Zone.

## CONTACT

PHONE: 928-715-8277  
EMAIL: ScoSay@gmail.com

WEBSITE:  
<https://www.linkedin.com/in/scottsayles/>

## HOBBIES

- Disc Golf (strategic thinking/precision)
- Hiking (adventure/lifestyle)
- Technology and Gaming (problem-solving and innovation)
- Volunteering:
  - ACEC-AZ (Industry Advocacy)
  - Future Cities (Youth & STEM)
  - Sayles Advancement in Education Foundation (Youth Development)
  - UofA Alumni Engineering Council (Academic Excellence)
  - UofA Alumni Civil Industrial Council (Promoting Engineering)
  - Scout Troop 474 Committee (Leadership & Community)

# SCOTT J. SAYLES, PE\*

## Candidate for NCEES Western Zone Assistant Vice President

### MY VISION

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To embody NCEES mission advancing licensure for engineers and surveyors to safeguard the health, safety, and welfare of the public.

### QUALIFICATIONS

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- **Cross Discipline:** Although not a surveyor, I have spent almost 2 cumulative years in the field with a survey crew. I started with my grandfather (surveyor) and joined him and my father before joining a company during summers. I can understand some of the concerns of surveyors. In addition, I bring an understanding of other national boards such as ACEC, ASCE, ASHE and NCARB.
- **Knowledge:** I have listened to the issues, challenges, and opportunities facing the engineering and surveying profession and ready to assist the Western Zone Vice President and all the Western Zone members.
- **Volunteering:** Currently on the NCEES Education Committee and other groups to advance higher learning. (Please see bottom left)
- **Commitment:** I have discussed internally with my family and office, and I will have adequate time availability.

### KEY FOCUS AREAS

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- **Advocacy:** Committed to advocating for the interests of engineers & surveyors in the Western Zone, ensuring everyone's voice is acted on.
- **Collaboration:** Foster collaboration and communication among NCEES members to address challenges and drive positive change.
- **Professional Development:** Promote programs that enhance the professional development of engineers, keeping them informed about industry trends.

### WHY VOTE FOR SCOTT?

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- **Proven leadership skills:** I have managed 100+ projects, collaborated with communities on outreach, and received numerous projects partnering awards. Also, recently unanimously voted in as the Vice Chair of the AZ Board of Technical Registration board.
- **A record of successful collaboration:** I have and continue to chair a 50+ person ACEC-AZ conference committee (1,600+ conference attendees) that requires working with different personalities and finding win/win solutions and ideas yearly.
- **Enthusiastic about advancing the engineering profession:** I have volunteered with the future city competition for years, Vice President in a foundation that provides scholarships to engineers, and donate time and resources to local ACEC, ASCE, ASCE-BTR, and University of Arizona (UofA) events for scholarships. Recently awarded the UofA Bear Down Award from the College of Engineering for performing noteworthy or meritorious service on behalf of the university.

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\*Licensed in Arizona, Nevada, New Mexico & Utah



I am excited and honored to announce that the Oregon Board has nominated me for the position of NCEES Western Zone Assistant Vice President. I have spent much of my career in service to the profession of engineering and engineering education and welcome the opportunity to serve in this capacity as well.

I have been a professor in the Civil Engineering Department at Oregon Tech for nearly twenty years. For ten of those years, I was chair of that department. During my chairmanship, the department received the prestigious ASCE Walter LeFevre award for promoting licensure, ethics, and professionalism.

I became a registered professional engineer in Oregon in 2007 and shortly afterward began my service to NCEES. I joined the FE Exam Development Committee in January 2010 and since that time have written and reviewed hundreds of FE questions that have been attempted by tens of thousands of examinees. I have also written and edited portions of the supplied FE Reference Handbook, served on the FE Civil PAKS Committee, and served twice on the FE Civil Cut Score Committee.

I was appointed to the Oregon State Board of Examiners for Engineering and Land Surveying in 2017 and was president of the Board from 2022 to 2024. Being on the Board has allowed me to serve on other NCEES Committees as well: the Committee on Education (2017-2021), EPP (2021-2023), and EPE (2023-present).

My professional society is the American Society for Engineering Education in which I have served in numerous roles including Section Chair, Division Chair, Zone Chair, and Program Chair as well as serving on the national board of directors for two years. I have been recognized with various awards from this society including the Pacific Northwest Outstanding Teacher Award, the national Best Zone Paper Award, and the Wadlin Distinguished Service Award.

I am passionate about serving and promoting the engineering profession and I look forward to working with the Western Zone and NCEES to advance testing and licensure.

Sean St. Clair, PE, PhD

**NOTE: The following is an updated version of the introduction of this topic from the Board's December 14, 2023 meeting agenda.**

As reported and discussed at the Board's December 14, 2023 meeting, it was announced that the Engineering Council of UK (ECUK), through representatives from the British Consulate, were engaging in discussions with NCEES on the development of a Mutual Recognition Agreement (MRA) expressly related to the establishment of professional engineer licensure reciprocity between the UK and jurisdictional states within the US. This effort originated from recent trade discussions between U.S. President Biden and U.K. Prime Minister Rishi Sunak which resulted in the signing of the Atlantic Declaration for a Twenty-First Century U.S.-UK Economic Partnership (<https://www.whitehouse.gov/briefing-room/statements-releases/2023/06/08/the-atlantic-declaration-a-framework-for-a-twenty-first-century-u-s-uk-economic-partnership/>) which includes efforts to improve mutual recognition in areas that include engineering.

Preliminary information related to the current MRA draft indicates that if a person is licensed in the UK as a Chartered Engineer (CEng) or in a US jurisdiction as a Professional Engineer (PE) **and** that person is on that country's IPEA international registry, the person is qualified to apply for licensure through this completed agreement based on the fact that NCEES and ECUK are both members of the International Engineering Alliance (IEA) and signatories to the International Professional Engineers Agreement (IPEA).

**ECUK** – Engineering Council UK, operating under a Royal Charter since 1964 and incorporated by Royal Charter in 1981 to regulate the engineering professions in the UK. Sets and maintains standards of professional competence, and for degree qualifications and apprenticeships demonstrating underpinning knowledge, understanding and skills.

**IEA** – global organization comprised of members from 41 jurisdictions within 29 countries to govern the recognition of engineering educational qualifications and professional competence.

**IPEA** – multi-national agreement between engineering organizations in the member jurisdictions which creates a framework for the establishment of an international standard of competence for professional engineering, and empowers each member organization to establish a section of the International Professional Engineers Register.

**Participating Authority** – means a UK Professional Engineering Institution (**PEI**) licensed by the ECUK to assess their members for professional registration, accredit educational programs, maintain professional standards, etc. towards awarding the CEng license.

**ECUK** currently licenses 39 institutions known as **PEIs** which are generally distinguished by their specialty branch or discipline of engineering.

**Participating Member Board** – means a US Licensing Authority that has opted into the MRA.



**IntPE (awarded by ECUK)** – a currently registered Chartered Engineer (CEng) in good standing after obtaining an accredited engineering degree (Washington Accord or equivalent), a minimum of seven years post-graduate engineering experience with at least two of those years demonstrating responsible charge for significant engineering work and maintains continuing professional development.

**IRPE** – a US licensed Professional Engineer (PE) in good standing, who is a citizen or permanent resident in a US state or territory, currently licensed in a participating US jurisdiction, obtained an ABET accredited engineering degree or Washington Accord equivalent, a minimum of seven years of qualifying post-graduate engineering experience, including at least two years in responsible charge of significant engineering work, passed both the FE and PE exams, and maintains applicable continuing professional competency requirements of the US jurisdiction(s) where licensed.

NCEES has stated that the MRA language was approved by the NCEES Board of Directors at their February 23-24, 2024 meeting. ECUK has stated that they believe their entire council will approve the MRA at a March 28, 2024 meeting. Staff is anticipating that a copy of the executed MRA will be available for distribution to the Board sometime in April along with a letter from CEO David Cox, which will be prior to the May 9-10, 2024 Board meeting and the NCEES Western Zone Interim Meeting.

Based on preliminary information contained within the draft agreement provided by NCEES, it is expected that the agreement will include, among other provisions:

- The Board would be known as a “Participating Member Board” which means a US licensing authority that has opted into this agreement.
- Establish a streamlined and consistent application pathway towards attaining a license in either jurisdiction.
- Require the use of an NCEES Record when a **IntPE** (UK Chartered Engineer) applies to a US Jurisdiction seeking a PE license in that jurisdiction or when a **IRPE** (US jurisdiction-licensed PE) is seeking a CEng license in the UK.
- Respect local jurisdictional practice and discipline-specific licensing requirements.

### **Staff Report from UK Delegation Visit**

The Board, represented by Rossana D’Antonio, Civil Engineer Board Member and Ric Moore, Executive Officer, participated in a UK-delegated visit to the UK on February 4-8, 2024 which was designed for US engineering boards to see first-hand the opportunities that an MRA would open for cooperation between both countries. Delegates on this visit learned about the UK’s engineering sector and licensure process, including meetings with UK Government officials, the ECUK, and site visits highlighting innovative capabilities of the UK engineering profession.

### **Following this report is an introduction of the UK licensing process as provided by ECUK.**

Staff is of the opinion that current California licensing requirements for professional engineers are already more open to cross-jurisdictional licensing for applicants located

outside of the state (and country) than many other engineering licensing boards in the US. Generally speaking, in California the only difference between an in-state applicant and a comity applicant is whether the person has previously passed the NCEES examinations. However, California does have several unique situations which would need to be considered by this Board prior to choosing to opt into this agreement:

- California is a discipline-specific (meaning engineering branch) licensing state.
- California laws require two separate state-specific engineering examinations; Seismic Principles and Engineering Surveying, which civil engineering applicants are required to successfully pass.
- The Board has already established a Board Rule which allows for a waiver of the first division exam (NCEES Fundamentals of Engineering – FE exam) under specified criteria (Board Rule 438).
- The Board has not exercised its statutory authority to establish a similar rule for waiver of the second division examination(s) (NCEES PE exams or California Civil exams).

In addition to understanding that:

- Chartered Engineers in UK likely will have not passed either or both of the NCEES examinations because ECUK does not require examinations to determine competency for Chartered Engineers.
- US jurisdiction-licensed Professional Engineers seeking IPEA registration must have passed the NCEES FE and PE exams and have an NCEES Record.

Ultimately, the Board can choose:

- To do nothing and let individuals holding a CEng license apply under the current California requirements.
- Or choose to participate as a Participating Member Board in this MRA between NCEES and ECUK with the understanding that in the future, the Board will have to formalize a process by revising current California requirements through the appropriate statutes/regulations processes.

At this point in the process, staff is asking the Board to:

- Determine whether the Board should commit to being a Participating Member Board under this agreement by accepting the MRA as a future additional pathway to PE licensure.

**NOTE:** Should the Board commit to participation, Board staff and legal counsel will evaluate the current statutes and regulations to determine the best course of action for implementation and present those recommendations to the Board at future meetings for possible action. These recommendations will likely focus on second division examination waivers, statute revisions, and rulemaking to establish the appropriate regulations to support the pathway.

# Engineering Council Introduction

Dr Dave Clark – International  
Affairs Manager, EngC

7 February 2023

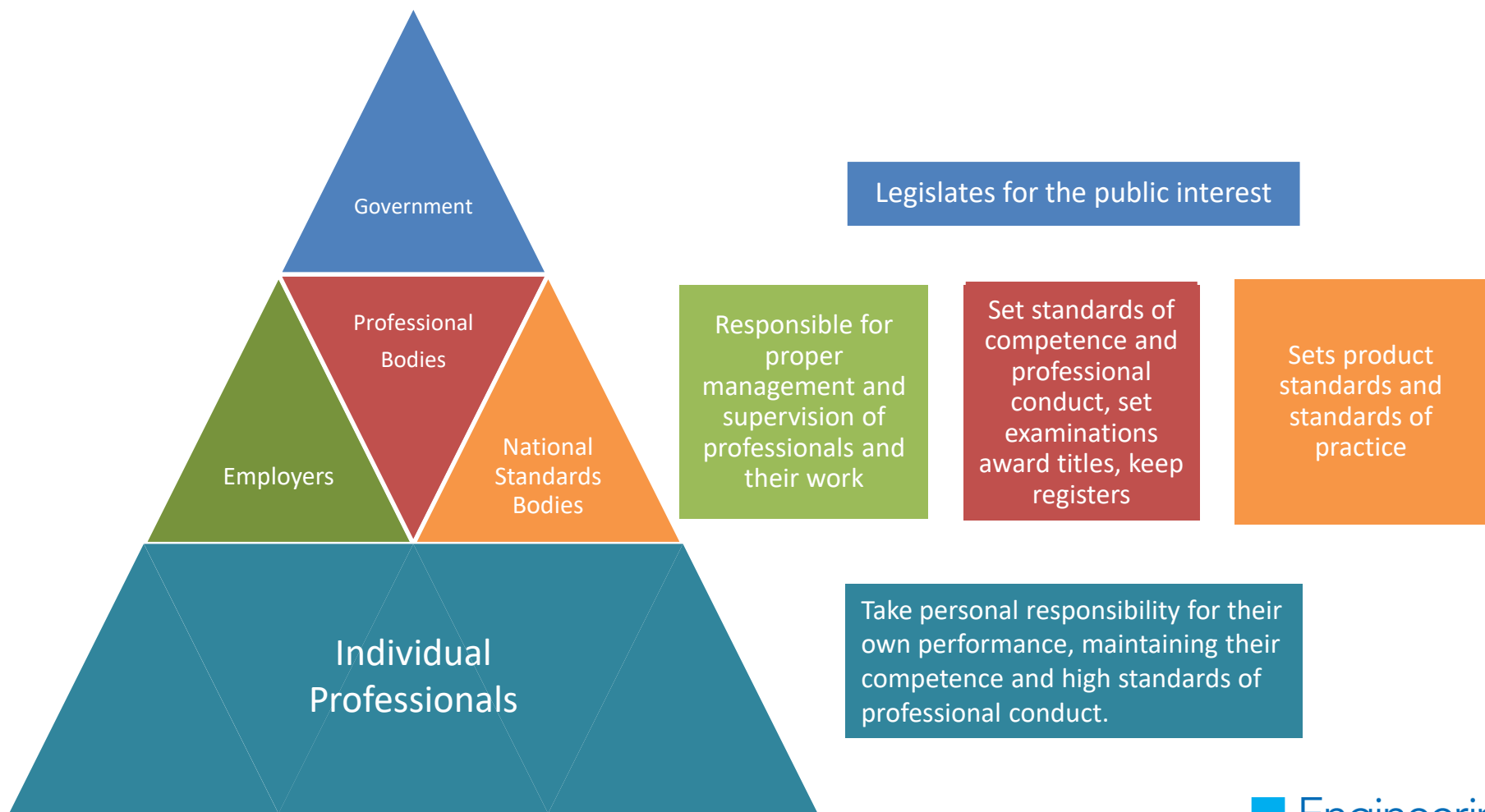
# About the Engineering Council

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- UK regulatory body for the engineering profession, operating under a Royal Charter since 1964
- Self-regulation via a formal agreement with the Government via the Privy Council, for the benefit of society
- Sets and maintains standards of professional competence, and for degree qualifications and apprenticeships demonstrating underpinning knowledge, understanding and skills.
- Holds the UK register of professional engineers (legally protected titles):
  - [Chartered Engineers](#) (CEng)
  - [Incorporated Engineers](#) (IEng)
  - [Engineering Technicians](#) (EngTech)
- Licenses 39 Professional Engineering Institutions
- Associated with 18 Professional Affiliates
- Over 230,000 registrants worldwide
  - 19.6% professionally registered engineers are overseas

# Context: the UK Regulatory framework

**Professional Regulation exists to protect consumers and society at large.  
In the UK it is part of a spectrum of regulatory mechanisms.**

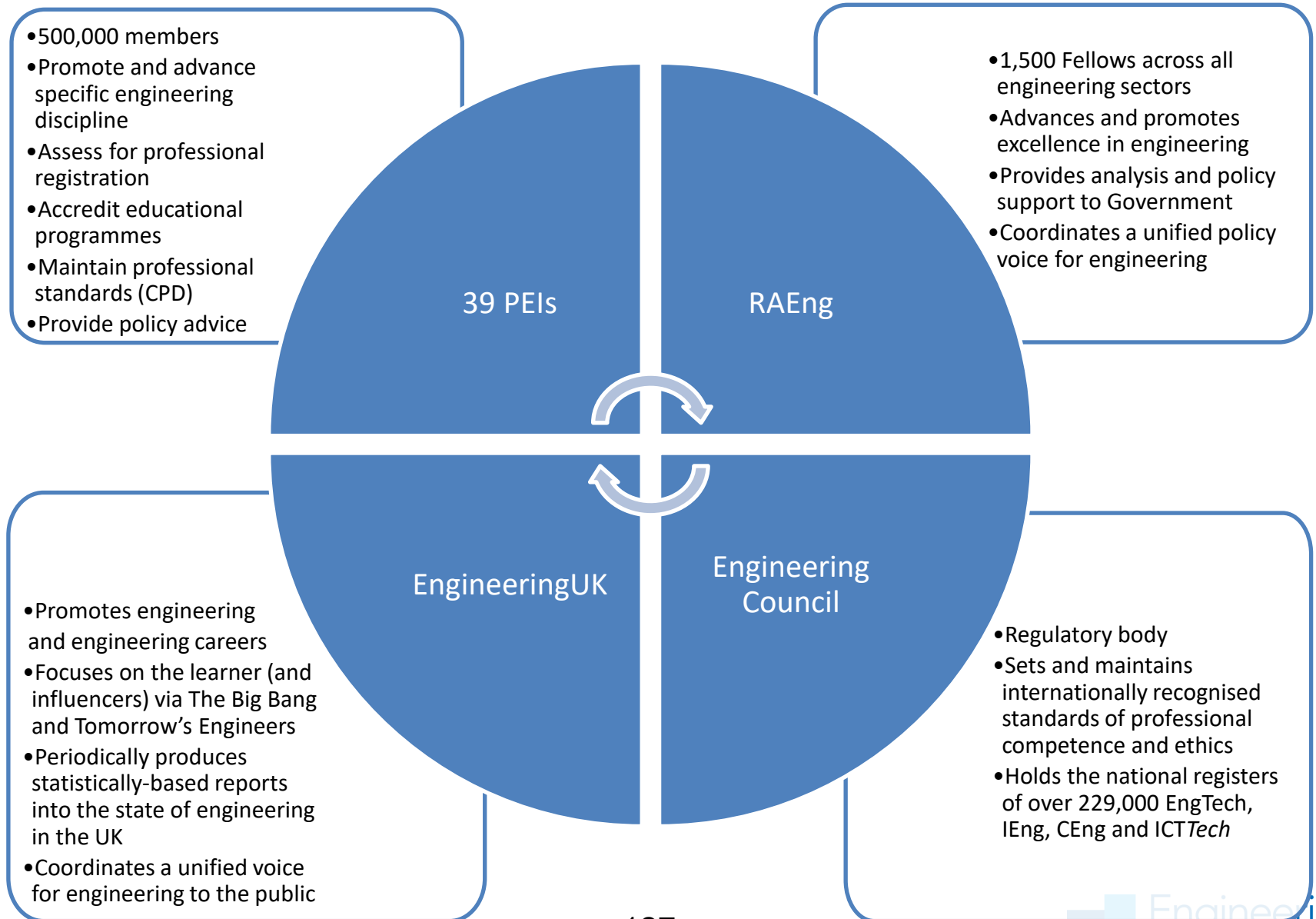


# Reserved areas of work

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- Reserved areas of work – by statute, regulation or industry standards to licensed or otherwise approved persons
  - Aircraft Maintenance (**EASA Part 66, Annex III to European Commission Regulation 2042/2003**)
  - Electrical Safety in Buildings (**Building Regulations Part P**)
  - Gas Fitting (**Gas Safety (Installation & Use) Regulations 1998, Gas Safe Register**)
  - Non-destructive Testing (**ISO 9712: 2012 Non-destructive testing – Qualification and certification of NDT; Personnel Certification in Non-destructive testing PCN**)
  - Pressure Vessel Design (**The Simple Pressure Vessel (Safety) Regulations 1991**)
  - Quarry Management (**The Quarries Regulations 1999, Health & Safety Executive**)
  - Railway Signalling (**IRSE Licensing Scheme**)
  - Reservoir Design and Inspection (**Reservoirs Act 1975, Environment Agency**)
  - Ships Officers (**The Fishing Vessels (Certification of Deck Officers and Engineer Officers) (Amendment) Regulations 1998, Maritime and Coastguard Agency**)
  - Vehicle Maintenance (**DVSA Authorised Examiner**)
  - Inspection and Maintenance of Highways Structures (**The Highways Agency Design Manual for Roads and Bridges Volume 3 Highway Structures: Inspection and Maintenance**)
  - Structural Engineers Register Scotland (**The Building (Scotland) Act 2003 Structural Engineers Register**)
  - **Care of Cathedrals Measure 2011**
  - **Road Tunnel Safety Regulations 2007**
  - **Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015**
  - Higher-Risk Buildings (**Building Safety Act 2022**)

# Our partners at the heart of the engineering profession







# International accords and agreements

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- Founding signatory of the IEA Washington, Sydney and Dublin Accords
- Founding member of the International Professional Engineers Agreement (IPEA), International Engineering Technologists Agreement (IETA) and Agreement for International Engineering Technicians (AIET)
- UK National Member of FEANI (over 16,000 EUR ING)
- Member of ENAEE – awarding EUR-ACE recognition
- Member of ENGINET
- Bilateral Mutual Recognition Agreements – OE (Portugal), Engineers Ireland, Engineering New Zealand, Idaho Board, Kuwait Society of Engineers, AIPE and AQPE (Spain), KIVI (Netherlands)

# Governance

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**The Engineering Council is required to satisfy the objects stated in its Charter, as further defined by its Bye-laws and Regulations. The Board sets a three-five year strategy and maintains the associated vision and mission in order to achieve this.**

## **Our Mission**

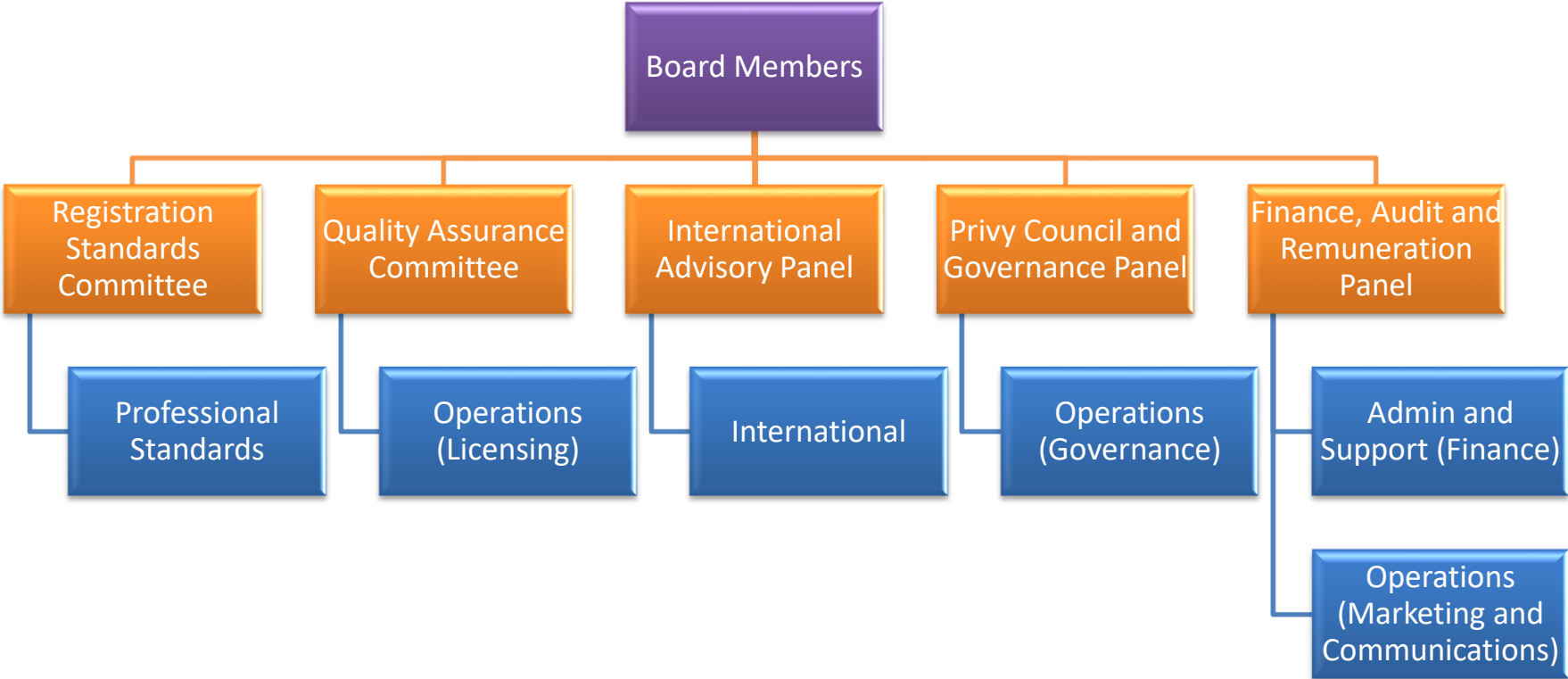
To maintain internationally recognised standards of competence and commitment for the engineering profession, and to license competent institutions to champion the standards.

## **Our Vision**

That society continues to have confidence and trust in the engineering profession.



# Governance



# Quality assurance

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Engineering Council Regulations - *“The Board delegates to the QAC its powers appertaining to licensing.”*

## **QAC Terms of Reference**

*“To admit as Licensees, and award appropriate licences to, engineering institutions which are considered competent to:*

- assess applicants for entry to the Register,*
- accredit or approve programmes of education or professional development that support admission to the Registers”*

*“To monitor the performance of engineering institutions in their role as Licensees and in respect of functions for which they may be licensed as defined by the Byelaws and Regulations.”*

# Quality assurance

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## Standards

- [UK-SPEC](#) (UK Standard for Professional Engineering Competence)
- [AHEP](#) (Accreditation of Higher Education Programmes)
- [AAQA](#) (Approvals and Accreditation of Qualifications and Apprenticeships)
- [RfR](#) (Regulations for Registration)

## [Policy Statements and Guidance for Institutions](#)

# How does the licensing process work?

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- A new licence is awarded for up to two years.
- Existing licences can be renewed for up to 5 years.
- During the licensed period, an annual risk assessment is undertaken for each Licensee to:
  - review licensed activities of the past 12 months
  - identify the key areas of risk
  - determine how those risks are monitored for the following year

# How does the licensing process work?

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## Categories of assessment

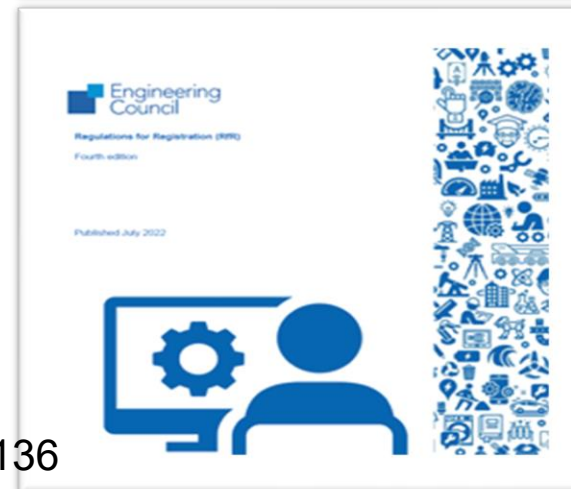
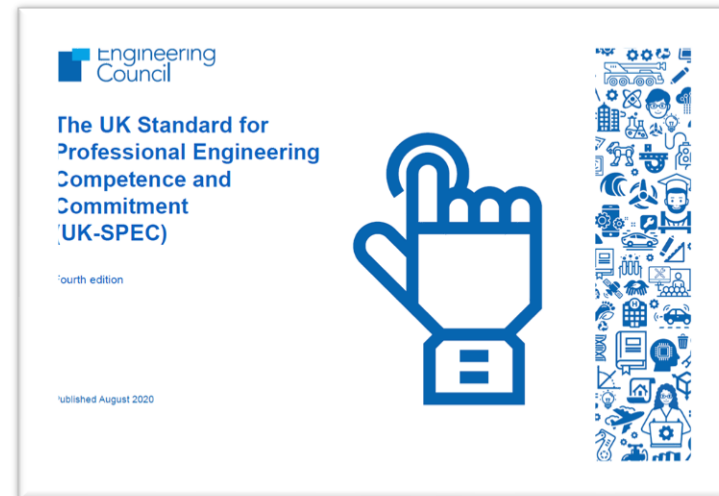
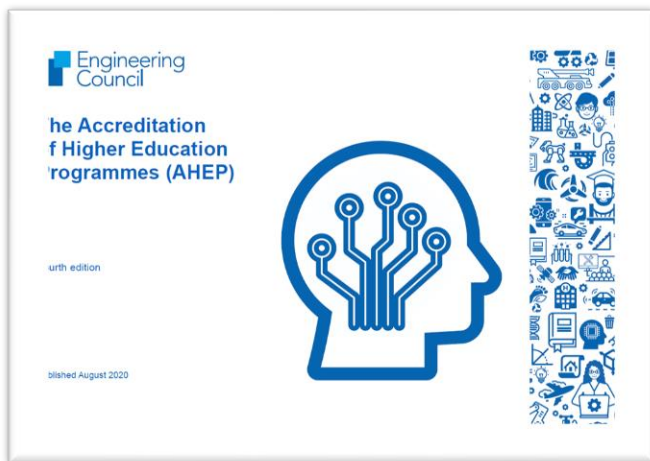
To obtain a licence, institutions must provide evidence, a 'submission' of documentation, across the categories of assessment:

- Governance
- Management
- Registration
- Accreditation of Academic Programmes
- Accreditation / Approval of Professional Development Schemes
- Accreditation / Approval of Qualifications and Apprenticeships
- Continuing Professional Development (CPD)
- International
- Promotion of Registration

# Engineering Council Standards

The Accreditation of Higher Education Programmes (AHEP) and Approval of Qualifications and Apprenticeships (AAQA) set out learning outcomes that accredited and approved programmes must deliver.

These learning outcomes are based upon the competence statements in the UK Standard for Professional Engineering Competence (UK-SPEC).



The standards are underpinned by the Regulations for Registration



## The Engineering Council sets and maintains the UK Standard for Professional Engineering Competence and Commitment

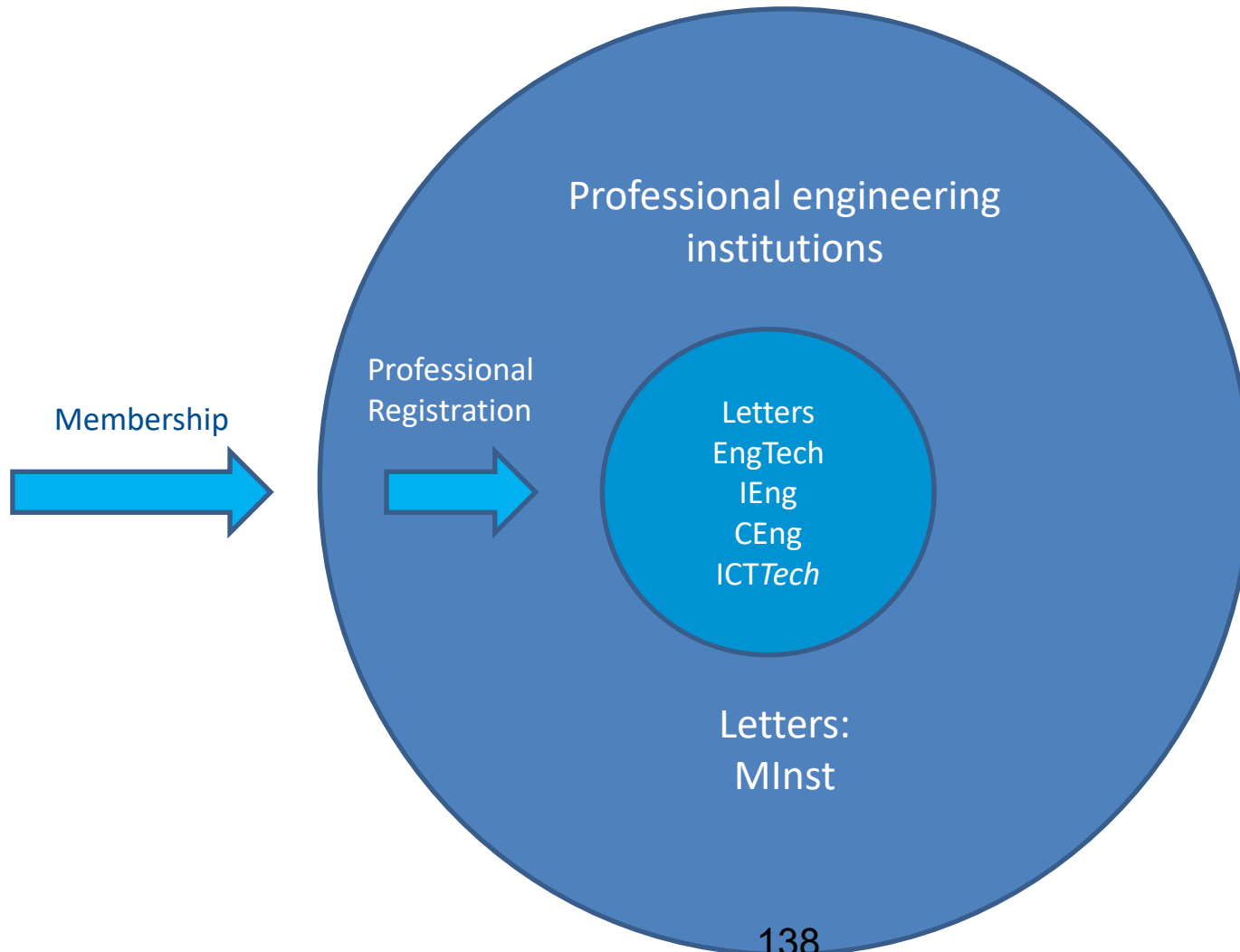
- A – Knowledge and understanding
- B – Design and development of processes, systems, services and products
- C – Responsibility, management or leadership
- D – Communication and interpersonal skills
- E – Professional commitment
- 17 sub-competences



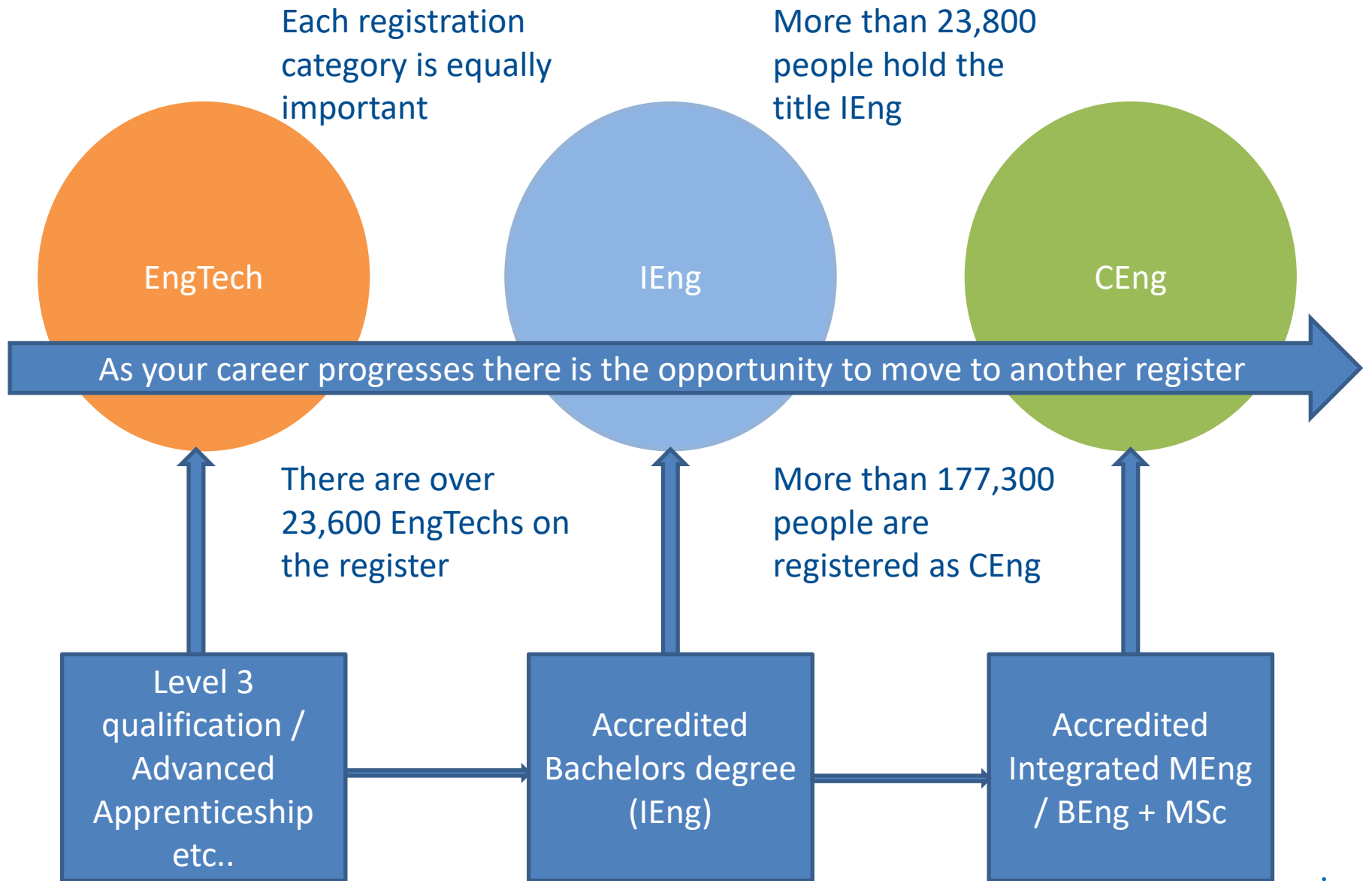
# Professional registration and PEI membership

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**A registrant must be a member of a PEI**



# Professional registration and PEI membership



# Competence-based Assessment

Dr Dave Clark – International  
Affairs Manager, EngC

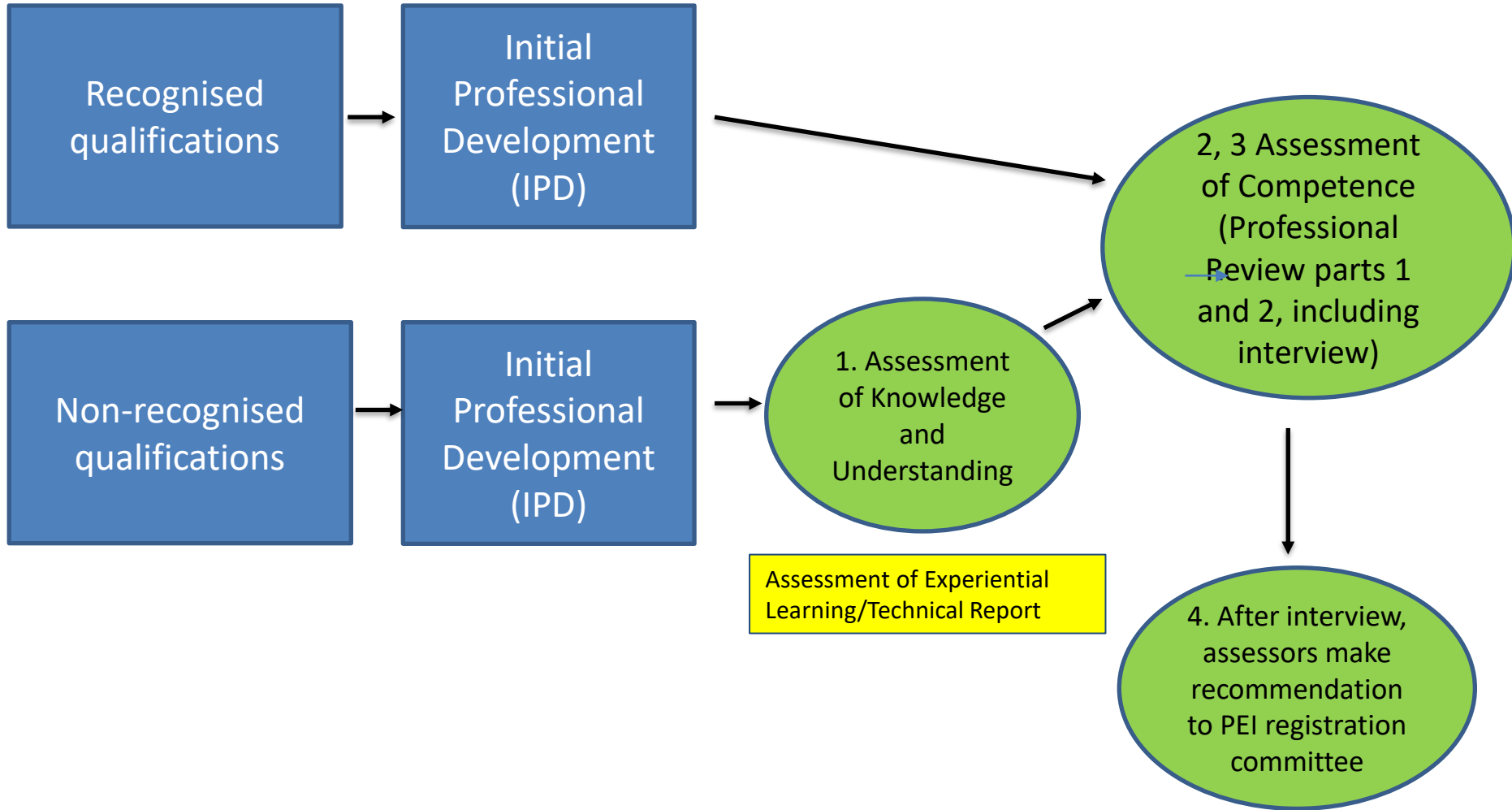
7 February 2023

# Assessment stages

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- Assessment of knowledge and understanding
  - In-depth for non-recognised qualifications
  
- Professional Review Part 1
  - Holistic assessment of competence
  
- Professional Review Part 2
  - Interview, including presentation
  - Recommendation
  
- Registration Committee
  - Final decision to award registration

# Routes to registration



# (1) Underpinning knowledge and understanding

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- Initial assessment based on
  - Career history
  - Education and training record
  - Evidence of experiential (work-based) learning
- Underpinning Knowledge and Understanding demonstrated by:
  - Completing a recognised programme of learning
  - Completing other programmes of learning
  - Evidence of experiential learning
  - Submission of a technical report
  
  - Any combination of the above
  
  - Must be relevant to practice area

## (2) Professional Review Part 1

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- Assessment of detailed documentary evidence that competences have been met
- Mapped against the UK-SPEC competences, or competences derived from UK-SPEC by the licensee
- Identification of areas to be probed at interview
- Two trained assessors, one with appropriate and relevant engineering experience
- Conflict of interest must be avoided
- Decision to proceed to interview, whether further information is required, or further advice needed
- Approximately 60% of applicants proceed to interview without needing to provide further information/clarification



## (3) Professional Review Part 2

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- Interview to ascertain that all competences have been met
- Presentation
- Mapped against the UK-SPEC competences, or competences derived from UK-SPEC by the licensee
- Two trained assessors, one with appropriate and relevant engineering experience
- Conflict of interest must be avoided
- Reports from professional review parts 1 and 2 are submitted to the licensed member's professional registration committee (approximately 80%)

## (4) Licensed member's registration committee

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- Reports from professional review parts 1 and 2 are submitted to the licensed member's professional registration committee.
- Decision whether to confirm the recommendation.
- The committee's decisions including recommendations, justifications, feedback and moderation must be documented, transparent and auditable
- Applicant advised of outcome.
- Appeals process in place

# Continuing Professional Development

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- At Professional Review, all applicants for registration shall demonstrate how they intend to maintain and enhance their professional competence
  
- Licensed members
  - Must establish and keep under review a CPD policy
  - Promoted the benefits and importance of CPD to registrants and employers
  - Offer a system for planning, recording and sharing CPD
  - Undertake an annual sample of registrants CPD records
  
- Failure to respond to or engage with requests to provide a CPD record can result in removal from the register

# Professional Standards

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- Registrants also demonstrate commitment to maintain professional standards and behaviour:
  - to abide by the code of professional conduct,
  - to behave ethically,
  - to maintain competence,
  - to work within legal, regulatory, professional and technical codes. Information on professional ethics
- Guidance is available on sustainability, risk, ethical principles, whistleblowing, security
- <https://www.engc.org.uk/guidance>

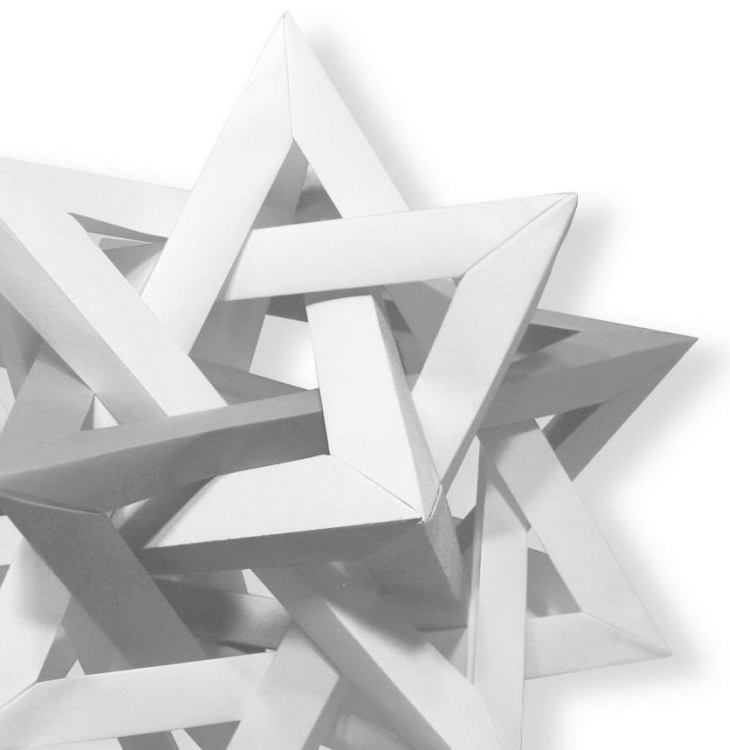
# International registration

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- IntPE and IntET
  - CEng or IEng registration
  - An accredited degree recognised under the Washington or Sydney Accord, or equivalent academic qualification
  - The competence for independent practise as a professional engineer or engineering technologist as exemplified by the IEA competency profiles
  - At least seven years post-graduate experience
  - At least two years responsibility for significant engineering work
  - Maintaining continuing professional development.
- Applications reviewed by the International Registration Committee (IRC), reporting to the International Advisory Panel (IAP)
- Overseas IntPE and IntET seeking registration in the UK have a streamlined application process, where possible

# Thank you


[EURING@engc.org.uk](mailto:EURING@engc.org.uk)




# QUARTERLY OUTREACH REPORT (Q2)

SOCIAL MEDIA: October, November, and December 2023

 TOP FACEBOOK POSTS	DATE	VEWS
Board Traffic Practices Survey	11/17	285
NCEES Electrical Survey	11/28	264
Board Meeting Materials Nov 16	11/08	203
Board Traffic Practices Survey (repeat)	12/26	162
Board Meeting Notice and Agenda Nov 16	11/03	152

 TOP TWEETS	DATE	VEWS
Board Civil Exam Assistance Requested	11/20	370
Board Geology Exam Assistance Requested	11/01	259
Board Geology Exam Assistance Requested	10/13	216
Notice and Agenda for Nov 16 Board Meeting Posted	11/03	159
Board Civil Exam Assistance Requested	10/27	134

 WEB PAGE VIEWS	VEWS
License Lookup	312,275
Board Home Page	177,325
Applicants Information	102,191
License Renewal Information	83,217
PE Application	77,145

# OCTOBER, NOVEMBER, and DECEMBER OUTREACH EVENTS

All "In Person" Unless noted as "Virtual"

KEY:

ASCE - American Society of Civil Engineers

CLSA - California Land Surveyors Association

OCTOBER 2023
OCT 11 - DEPT. OF WATER RESOURCES (DWR) - "LUNCH & LEARN" (VIRTUAL). M. DONELSON, PE, J. GOODWIN PG, CEG, N. KING, PE, D. SWEENEY, PLS
OCT 11 - EAST BAY CLSA (VIRTUAL). D. SWEENEY, PLS
OCTOBER 17 - UC RIVERSIDE – GIT REQUIREMENTS AND PATH TO PG LICENSURE. J. GOODWIN, PG, CEG
OCTOBER 18 - CSU FULLERTON – GIT REQUIREMENTS AND PATH TO PG LICENSURE. J. GOODWIN, PG, CEG
OCTOBER 23 - CSU SACRAMENTO ASCE STUDENT CHAPTER - "FE/PE EXAMS". M. DONELSON, PE
OCTOBER 24 - CAL TRANS DIVISION OF ENGINEERING SERVICES, BRIDGE DESIGN – "PE LICENSE APPLICATION PROCESS". M. DONELSON, PE, AND R. MOORE, PLS
NOVEMBER 2023
NOV 2 - SACRAMENTO CLSA CHAPTER. D. SWEENEY, PLS & R. MOORE, PLS
NOV 3 – UNIV. SAN FRANCISCO ENGR 100 BECOMING AN ENGINEER - "PE LICENSE PROCESS" (VIRTUAL). N. KING, PE
NOVEMBER 8 – DIVISION OF MINE RECLAMATION (DMR) INTRODUCTION TO STATE LICENSING REQUIREMENTS FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS AT DMR'S SURFACE MINING INSPECTION WORKSHOP. J. GOODWIN, PG, CEG
NOV 14 - SJSU ASCE STUDENT CHAPTER - "FE/PE EXAMS". N. KING, PE
NOVEMBER 15 – SANTA BARBARA CITY COLLEGE: GIT REQUIREMENTS AND PATH TO PG LICENSURE. J. GOODWIN, PG, CEG
NOVEMBER 15 – UC SANTA BARBARA: GIT REQUIREMENTS AND PATH TO PG LICENSURE. J. GOODWIN, PG, CEG
NOVEMBER 28 – SACRAMENTO STATE: GIT REQUIREMENTS AND PATH TO PG LICENSURE. J. GOODWIN, PG, CEG
NOVEMBER 29 – SONOMA STATE: GIT REQUIREMENTS AND PATH TO PG LICENSURE. J. GOODWIN, PG, CEG
DECEMBER 2023
DEC 5 - CAL POLY SLO M. DONELSON, PE <ul style="list-style-type: none"> <li>• 8:10 AM - ME SENIOR DESIGN (70 STUDENTS)</li> <li>• 11:00 AM - EE (25 STUDENTS)</li> <li>• 12:10 PM - ME SENIOR DESIGN (95 STUDENTS)</li> <li>• 3:10 PM - ME SENIOR DESIGN (24 STUDENTS)</li> </ul>
DEC 7 - SAN DIEGO CLSA LAND SURVEYOR REVIEW (VIRTUAL). D. SWEENEY, PLS
DEC 8 - CAL POLY SLO SENIOR DESIGN/PROFESSIONAL PRACTICES - "PROFESSIONAL LICENSURE IN CA" N. KING, PE



In February 2024, NCEES, ECUK, and represented US engineering licensing Boards met to discuss a proposed Mutual Recognition Agreement (MRA) in London.



(L to R): Ric Moore, PLS (Executive Officer BPELSG), Paul Bailey (ECUK Chief Executive Officer), Dr. David Clark (ECUK International Affairs Manager), John Chudley (ECUK Board Chair), Rossana D'Antonio, PE, GE (Civil Engineer Board Member BPELSG)



Delegates from NCEES, ECUK, and represented US engineering licensing Boards discussing details of the proposed Mutual Recognition Agreement (MRA) at the Foreign, Commonwealth and Development government offices in London.



## **X. President's Report/Board Member Activities**

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**XI. Approval of Meeting Minutes (Possible Action)**

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A. Approval of January 11, 2024, Board Meeting Minutes



**DRAFT**

**MINUTES OF THE BOARD FOR PROFESSIONAL ENGINEERS, LAND SURVEYORS, AND GEOLOGISTS**

2535 Capitol Oaks Drive  
Third Floor Conference Room  
Sacramento, CA 95833

Thursday, January 11, 2024, beginning at 9:00 a.m.

**Thursday, January 11, 2024**

<b>Board Members Present:</b>	President Michael Hartley; Vice-President Christina Wong; Fel Amistad; Alireza Asgari; Rossana D’Antonio; Cristina Garcia; Guillermo Martinez; Betsy Mathieson; Wilfredo Sanchez; and Fermin Villegas
<b>Board Members Absent:</b>	Coby King and Frank Ruffino
<b>Board Staff Present:</b>	Ric Moore (Executive Officer); Tiffany Criswell (Enforcement Manager); Celina Calderone (Board Liaison); Joshua Goodwin (Senior Registrar Geologist); Dallas Sweeney (Senior Registrar Land Surveyor); and Christopher Pirrone (Legal Counsel).

**I. Roll Call to Establish a Quorum**

President Hartley called the meeting to order at 9:00 a.m., and a quorum was established.

**II. Pledge of Allegiance**

Mr. Martinez led everyone in the recitation of the Pledge of Allegiance.

**III. Public Comment for Items Not on the Agenda**

During Public Comment, Jeanne Marie Tokunaga, Executive Director of the National Society of Professional Engineers (NSPE) -- California, introduced herself and noted that NSPE is happy to assist the Board in sharing the various surveys that the Board posts to its website.

**IV. Legislation**

**A. 2024 Legislative Calendar**

Mr. Moore reviewed the legislative calendar and reported that the Legislature is in the second year of the two-year cycle. Currently, there are no bills that affect the Board, but staff anticipates items for the March meeting.

**V. Administration**

**A. Fiscal Year 2023/24 Budget Report**

Mr. Moore reported that the renewal fee revenue is positive in comparison to last year. Applications are being processed at a more efficient rate, and he anticipates an increase in the amount of state exam fees collected. Ms. Mathieson inquired why the renewal revenue is not reflected in the fund condition if it is moving in a positive direction. Mr. Moore explained that there have been some staff expenses that arose in addition to an increase in pro-rata statewide which has had a trickle-down effect. He reminded the Board that this is the total encumbered amount and explained that much of the Board's expenses are expended at the earlier part of the Fiscal Year versus the latter.

During Public Comment, Rob McMillan representing the California Land Surveyors Association (CLSA), asked Mr. Moore if he anticipates an exam fee increase. Mr. Moore indicated that there is no discussion of an increase at this time.

Bob DeWitt, representing the American Council of Engineering Companies, California (ACEC-CA), recalled that there was a deficit in the state budget at one time which resulted in loans from Board funds. Mr. Moore reported that as a result of the release of the Governor's budget, a meeting with DCA boards and bureaus took place, and we were advised that there is to be no unnecessary spending, expenditures must be considered mission critical, and justifications for any travel, including to Board meetings, must be submitted. Despite the Board not being funded by the General Fund, it is expected that spending is restricted. Mr. Moore added that at this time, he is not anticipating a general fund loan from the Board's fund.

President Hartley inquired if virtual meetings as a cost savings were discussed. Mr. Moore explained that there was some discussion; however, boards were advised to follow the Bagley-Keene Act and current guidelines, and there was no discussions at higher levels about returning to the all-virtual meeting option that was available prior to January 1, 2024.

## **VI. Enforcement**

### **A. Enforcement Statistical Reports**

#### **1. Fiscal Year 2023/24 Update**

Ms. Criswell reviewed the Enforcement Statistics. Vice-President Wong inquired about the average days from opening of complaint investigation to completion of investigation is 337, which is the highest the average over the last four years. Ms. Criswell said that while it is concerning, the Enforcement Unit has been working with reduced staff. As of Monday, the Enforcement Unit is now fully staffed with its newest member still in training. She reported that they are still dealing with a new business process with Connect, which affects not only the volume but the quality of the intake of cases. They are taking about a month and a half longer to process; however, she is optimistic that the numbers will improve by the end of the Fiscal Year. While it appears to be consistent over the last few years, she noted that they are pre-Connect cases. Any time you make accessibility easier, you tend to lose quality and



integrity in the documentation initially submitted. Ms. Garcia suggested a job aid that walks consumers through the process to help address deficiencies. Mr. Moore suggested bringing Ms. Garcia in to discuss remedies. Ms. Criswell noted there were over 500 cases in 2023. Mr. Moore reported that normally there were approximately 350-375 cases prior to Connect.

9:18 a.m. Mr. Villegas arrived.

## **VII. Exams/Licensing**

Mr. Moore provided a brief report and noted that Mr. Kereszt will provide more information at the March meeting about the examination results for the latter part of the year and is anticipated to have at least one new test plan specification to approve based on the occupational analysis.

## **VIII. 2023-2024 Sunset Review Report of the Board (Possible Action)**

Mr. Moore reported that the Sunset Review report was submitted January 3, 2024. The hearing will take place late February or early March. A Board member, most likely the Board President, and the Vice-President as an alternate, will be in attendance to testify. Mr. Moore explained the hearing process. Questions will be received prior to the hearing, and the Board will be given approximately 30 days after the hearing to submit written responses.

## **IX. Executive Officer's Report**

### **A. Rulemaking Status Report**

Mr. Moore reviewed the report and explained that there is final cleanup of Applications, References, Computation of Qualifying Experience, and Schedule of Examinations (16 CCR sections 420, 427.10, 427.30, 3021, 3022.2, 3023, and 3032) that staff is working on.

Staff continues to work on the Definition of Traffic Engineering (16 CCR 404). Ms. Eissler is working with DCA Legal on the proposal.

In reference to the Definitions of Negligence and Incompetence and Responsible Charge Criteria for Professional Geologists and Professional Geophysicists (16 CCR sections 3003 and 3003.1), staff is working to standardize the language between the regulations for geologists and geophysicists and those for professional engineers and land surveyors.

### **B. Update on Board's Business Modernization Project**

Mr. Moore reported that, currently, the Board is in the maintenance and operations phase. He was hoping to have the Structural Engineer application released with the latest cycle, but that did not happen. However, there were a long list of improvements within the cycle that took place overnight to aid applicants and complainants. The next release will take place in February which will include the Structural, Traffic, and Geotechnical Engineer applications. The testing for Structural Engineer application may happen as soon as late January.

Staff is currently testing the Traffic Engineer application and will develop the Geotechnical Engineer application by the third week in February.

In addition, Mr. Moore confirmed that anything currently identified for BMC I and BMC II has already been approved and, therefore, is not impacted by the budget deficit and will continue to move forward.

C. Personnel

Mr. Moore reported that the Board currently has three vacancies. Michael Donelson, Senior Registrar Mechanical, retired at the end of 2023. Staff is processing the necessary paperwork in preparation to advertise to fill his vacancy.

D. ABET

No report given.

E. Association of State Boards of Geology (ASBOG)

Mr. Moore reported that there is a Council of Examiners meeting that the Board was approved to attend. However, due to the budget discussion Mr. Moore had with DCA, it may be necessary to submit documentation to have it reapproved.

F. National Council of Examiners for Engineering and Surveying (NCEES)

1. May 16-18, 2024 Western Zone Interim Meeting, Bozeman, MT – Funded Delegates (Possible Action)

Mr. Moore requested three funded delegates to attend the 2024 Western Zone meeting, which is at no cost to the Board. However, there is a possibility that travel to the meeting will not be approved despite it being fully funded. There are a few elections that will impact the Board along with discussions regarding the Mutual Recognition Agreement (MRA). The three delegates chosen by the Board are Christina Wong, Frank Ruffino, and one staff member.

2. Update on Elections at Western Zone Interim Meeting

Mr. Moore announced that Elizabeth Johnston, PE, FPE, is a candidate for NCEES President-Elect. The Board previously nominated former Board member Dr. Mohammad Qureshi for the position and will maintain their nomination.

3. Engineering Council of UK – Update on Mutual Recognition Agreement (MRA)

Mr. Moore reported that the Board travel, funded by Engineering Council of the UK, was approved. He is aware that Texas, Ohio, Florida, Nevada, and Virginia are also involved and agreed to evaluate and pursue this type of reciprocity. He expects a meeting to discuss topics such as exams, experience, and education. Board member Rossana D'Antonio and he should have a follow up report at the March meeting.

**X. President’s Report/Board Member Activities**

Ms. Mathieson reported that she completed the Sexual Harassment Prevention Training (SHPT) as required by DCA.

**XI. Approval of Meeting Minutes (Possible Action)**

- A. Approval of November 16-17, 2023, Board Meeting Minutes
- B. Approval of December 14, 2023, Board Meeting Minutes

<b>MOTION:</b>	Dr. Amistad and Ms. Mathieson moved to approve the November and December 2023 Board meeting minutes.
<b>VOTE:</b>	10-0, Motion Carried

Member Name	Yes	No	Abstain	Absent	Recusal
President Hartley	X				
Vice-President Wong	X				
Fel Amistad	X				
Alireza Asgari	X				
Rossana D’Antonio	X				
Cristina Garcia	X				
Coby King				X	
Guillermo Martinez	X				
Betsy Mathieson	X				
Frank Ruffino				X	
Wilfredo Sanchez	X				
Fermin Villegas	X				

**XII. Closed Session – The Board met in Closed Session to discuss, as needed:**

- A. Deliberate on a Decision(s) to be Reached in a Proceeding(s) Required to be Conducted Pursuant to Chapter 5 (commencing with Section 11500), as Authorized by Government Code Section 11126(c)(3).
- B. Confer with, or Receive Advice from, Its Legal Counsel Regarding Pending Litigation Pursuant to Government Code Section 11126(e)(1) and (2)(A), on the following matters:
  - 1. Ryan Crownholm, et al. vs. Richard B. Moore, et al., United States District Court, Eastern District of California, Case No. 2:22-cv-01720-DAD-CKD

**III. Public Comment for Items Not on the Agenda (Cont.)**

During Public Comment, Alan Escarda, representing the Professional Engineers in California Government (PECG), presented and reviewed PECG’s mission, vision, and goals.

**XIII. Adjourn**

The meeting adjourned at 11:23 a.m.

**PUBLIC PRESENT**

Carl Josephson, SEAOC

Jeanne Marie Tokunaga NSPE – CA

Mark Sheahan, Caltrans

Rob McMillan, CLSA

Bob DeWitt, ACEC – CA

Judie Bucciarelli, DCA, Executive Office BBR

Alan Escarda, PECG

**XII. Closed Session – The Board will meet in Closed Session to discuss, as needed:**

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- A. Deliberate on a Decision(s) to be Reached in a Proceeding(s) Required to be Conducted Pursuant to Chapter 5 (commencing with Section 11500), as Authorized by Government Code Section 11126(c)(3).
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  2. Roy Allen Olsen, et al. v. California Board of Professional Engineers, Land Surveyors and Geologists, et al., Sacramento County Superior Court. Case No. 34-2022-00328379
  3. Victor Rodriguez-Fernandez vs. California Board for Professional Engineers, Land Surveyors, and Geologists, San Diego County Superior Court, Case No. 37-2023-00053465-CU-WM-CTL



### **XIII. Adjourn**

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