

## CALIFORNIA STATE BOARD OF BEHAVIORAL SCIENCES BILL ANALYSIS

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**BILL NUMBER:** AB 1026                      **VERSION:** INTRODUCED FEBRUARY 18, 2021

**AUTHOR:** SMITH                              **SPONSOR:** AUTHOR

**RECOMMENDED POSITION:** OPPOSE UNLESS AMENDED

**SUBJECT:** BUSINESS LICENSES: VETERANS

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### **Summary**

This bill would require licensing boards within the Department of Consumer Affairs (DCA) to grant a 50-percent fee reduction of the initial license fee to an applicant who has served as an active duty member of the U.S. Armed Forces or California National Guard and was honorably discharged.

### **Existing Law:**

- 1) Allows a licensee or registrant of any board, commission, or bureau within DCA to reinstate their license without examination or penalty if the license expired while they were on active duty with the California National Guard or the United States Armed Forces, if certain conditions are met. (Business and Professions Code (BPC §114)
- 2) Requires boards under DCA to waive continuing education requirements and renewal fees for a licensee or registrant while they are called to active duty as a military member if they held a current and valid license or registration upon being called to active duty and substantiate the active duty service. (Business and Professions Code (BPC) §114.3)
- 3) Requires every board under DCA to ask on all licensure applications if the individual serves, or has previously served, in the military. (BPC §114.5)
- 4) Requires Boards under DCA to expedite the licensure process for applicants who are honorably discharged from the military, or who are spouses of active military members and who are already licensed in the same profession in another state. (BPC §§115.4, 115.5)

### **This Bill:**

- 1) Requires licensing boards within DCA to grant a 50-percent fee reduction of the initial license fee to an applicant who provides satisfactory evidence that they have

served as an active duty member of the U.S. Armed Forces or California National Guard and were honorably discharged. (BPC §115.4(b))

- 2) Defines “satisfactory evidence” as a copy of a current and valid driver’s license or I.D. card with the word “Veteran” printed on its face. (BPC §115.4(c))

**Comments:**

- 1) **Author’s Intent.** The author’s office is seeking to ease the financial burden for veterans who are transitioning from active duty to the civilian workforce. In their factsheet, the author states the following: *“Veterans often gain valuable job skills during military service which can be used upon entering the civilian workforce. Easing this financial barrier will bring skilled labor into California and help chip away at the growing issue of veteran homelessness in the state.”*
- 2) **Fee Reduction.** This bill requires a 50% fee reduction of the initial license fee for these veteran applicants. BBS applicants also typically have to pay a registration application fee, registration renewal fees, and an application for licensure fee (which determines eligibility to take the clinical exam). However, these fees do not appear to be waived under this bill.
- 3) **Fiscal Impact.** This bill waives the Board’s initial license fee for honorably discharged veterans.

The fee that the Board charges for initial license issuance is \$200, regardless of license type.

The past yearly breakdown of the number of honorably discharged veterans who met the criteria for their license to be expedited is shown below:

2016 - 313  
2017 - 332  
2018 - 418  
2019 - 384  
2020 - 238

Assuming that all of these ultimately met the Board’s licensure requirements and went on to become licensed, this is an average of approximately 337 discharged veterans per year qualifying for a 50-percent reduction in their initial license fee.

Therefore, the annual cost to the Board is estimated to be: \$100 initial license fee reduction (50% of total fee) x 337 qualifying veterans per year = \$33,700 per year.

- 4) **Policy and Advocacy Committee Recommendation.** At its April 16, 2021 meeting, the Policy and Advocacy Committee (Committee) recommended that the Board consider taking an “oppose unless amended” position on this bill. The Committee noted it would like to see a funding mechanism included with the bill proposal to fund the fee waivers and would also like the bill to address equity concerns with regards to fee waivers for other underserved populations in need. Per

the Committee's request, staff has reached out to both DCA and the author's office to relay these concerns.

- 5) Previous Legislation.** AB 3045 (Gray, 2020) would have required certain DCA boards to issue a license to an honorably discharged military member or the spouse of an active duty military member if they meet specified requirements. The Board took an "oppose unless amended" position on AB 3045, due to concerns that it would undermine careful work it had just completed with the passage SB 649, which had crafted a fair process to reduce barriers for all out-of-state applicants for licensure while balancing with the need to ensure practitioners are prepared to practice therapy in California's unique environment. AB 3045 died in the Senate.

AB 703 (Flora, 2017) would have required licensing boards to grant fee waivers for the application for and issuance of an initial license to a person who holds a current license in the same profession in another state and is married to or in a domestic partnership with an active duty member of the U.S. military. The Board did not take a position on this bill. AB 703 died in the Assembly Business and Professions Committee.

SB 27 (Morrell, 2017) would have required licensing boards to grant fee waivers for the application for and issuance of a license to persons who are honorably discharged veterans. The Board had a "support" position on this bill. SB 27 died in the Senate Appropriations Committee.

SB 1155 (Morrell, 2016) would have required licensing boards to grant fee waivers for the application for and issuance of a license to persons who are honorably discharged veterans. The Board had decided not to take a position on this bill. SB 1155 died in the Assembly Appropriations Committee.

AB 1057 (Medina, Chapter 693, Statutes of 2013), requires each board to inquire in every application for licensure if the individual applying for licensure is serving in, or has previously served in, the military. The Board had a "support" position on this bill.

- 6) Related Legislation.** The following related bills are being proposed this year:

AB 107 (Salas) would require all boards within DCA to issue a temporary license to a military spouse if they meet specified requirements.

AB 1386 (Cunningham) would require licensing boards within DCA to grant fee waivers for the initial or original license fee for a person who holds a current license in the same profession in another state and is married to or in a domestic partnership with an active duty member of the U.S. Armed Forces who is assigned to duty in California.

SB 607 (Roth) would require licensing boards within DCA to waive the application and initial license fees for military spouses who qualify for an expedited license.

## 7) **Support and Opposition.**

### **Support:**

- American Legion – Department of California
- Amvets – Department of California
- California State Commanders Veterans Council
- California Board of Accountancy

### **Opposition:**

- None at this time.

## 8) **History**

### **2021**

04/20/21 From committee: Do pass and re-refer to Com. on APPR. (Ayes 19. Noes 0.) (April 20). Re-referred to Com. on APPR.

03/04/21 Referred to Com. on B. & P.

02/19/21 From printer. May be heard in committee March 21.

02/18/21 Read first time. To print.

**Introduced by Assembly Member Smith**

February 18, 2021

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An act to amend Section 115.4 of the Business and Professions Code, relating to business licenses.

**legislative counsel's digest**

AB 1026, as introduced, Smith. Business licenses: veterans.

Existing law establishes the Department of Consumer Affairs under the direction of the Director of Consumer Affairs and sets forth its powers and duties relating to the administration of the various boards under its jurisdiction that license and regulate various professions and vocations.

Existing law requires an applicant seeking a license from a board to meet specified requirements and to pay certain licensing fees. Existing law requires a board to expedite, and authorizes a board to assist, in the initial licensure process for an applicant who supplies satisfactory evidence to the board that the applicant has served as an active duty member of the Armed Forces of the United States and was honorably discharged. Existing law authorizes a board to adopt regulations necessary to administer those provisions.

This bill would require the department and any board within the department to grant a 50% fee reduction for an initial license to an applicant who provides satisfactory evidence, as defined, the applicant has served as an active duty member of the United States Armed Forces or the California National Guard and was honorably discharged. This bill would authorize a board to adopt regulations necessary to administer these provisions.

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 115.4 of the Business and Professions  
2 Code is amended to read:  
3 115.4. (a) Notwithstanding any other law, on and after July 1,  
4 2016, a board within the department shall expedite, and may assist,  
5 the initial licensure process for an applicant who supplies  
6 satisfactory evidence to the board that the applicant has served as  
7 an active duty member of the Armed Forces of the United States  
8 and was honorably discharged.  
9 (b) *The department and any board within the department shall*  
10 *grant a 50-percent fee reduction for an initial license to an*  
11 *applicant who provides satisfactory evidence the applicant has*  
12 *served as an active duty member of the United States Armed Forces*  
13 *or the California National Guard and was honorably discharged.*  
14 (c) *Satisfactory evidence, as referenced in this section, shall be*  
15 *a copy of a current and valid driver’s license or identification card*  
16 *with the word “Veteran” printed on its face.*  
17 ~~(b)~~  
18 (d) A board may adopt regulations necessary to administer this  
19 section.

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