

SB 1120 (Jones, R-El Cajon)
Engineering, land surveying, and geology.

Status/History: 4/20/2022 – From Senate Committee on Judiciary: Do pass and re-refer to Committee on Appropriations with recommendation to consent calendar. Re-referred to Committee on Appropriations; set for hearing on 5/2/2022.

Location: 4/22/2022 – Committee on Appropriations

Introduced: 2/16/2022

Amended: 3/15/2022

Board Position: Support, as amended 3/2/2022

Board Staff Analysis: 4/22/2022

Bill Summary: As amended March 2 and 15, 2022:

Existing law establishes the Board for Professional Engineers, Land Surveyors, and Geologists to license and regulate engineers under the Professional Engineers Act, to license and regulate land surveyors under the Professional Land Surveyors' Act, and to license and regulate geologists and geophysicists under the Geologist and Geophysicist Act. This bill would require an applicant for certification or licensure with a valid email address to report their email address to the Board at the time of application, require a license or certificate holder with a valid email address to report their email address at the time of renewal, and require applicants and licensees to notify the Board of any change to an email address, as specified. The bill would, in the interest of protecting the privacy of applicants and licensees, prohibit from disclosure all email addresses provided by applicants or licensees.

Existing law (the Professional Engineers Act) requires the Board, within 60 to 90 days before the expiration of a certificate of registration or certificate of authority, to mail notice of the pending expiration to a registrant or authority holder, as specified. This bill would repeal that provision.

Existing law also provides that the Professional Engineers Act and the Professional Land Surveyors' Act do not prevent an individual or business engaged in any line of endeavor other than the practice of civil, electrical, or mechanical engineering or land surveying, respectively, from employing or contracting with an appropriately licensed individual to perform the respective engineering or land surveying services incidental to the conduct of business. This bill would delete that provision and would make conforming changes.

Existing law (the Public Resources Code) prescribes requirements for the surveying and mapping of plane coordinates within the state, as described. Existing law establishes the system of plane coordinates that has been established by the National Geodetic Survey for defining and stating the positions or locations of points on the surface of the earth within the State of California, as described, known as the "California Coordinate System of 1983." This bill would provide that the California portion of the system of plane coordinates defined as the State Plane Coordinate System of 2022 shall be known as the "California Coordinate System of 2022," as provided, and make other conforming changes.

Affected Laws: An act to amend Sections 6738, 6787, 8729, and 8792 of, to add Sections 6767, 7856, and 8753 to, and to repeal Section 6795.1 of, the Business and Professions Code, and Sections 8801 and 8813.1 of the Public Resources Code, relating to engineering, land surveying, and geology.

Staff Comment: Senator Brian Jones agreed to carry the Board’s legislative proposals relating to requiring applicants and licensees to provide the Board with an email address (if they have one) and engineering and land surveying businesses.

The other language in this bill would update the Public Resources Code to include references to the “California Coordinate System of 2022.” This portion is sponsored by the California Land Surveyors Association (CLSA). These proposed changes do not impact the Board or its operations.

At its March 7, 2022, meeting, the Board took a position of “Support” on SB 1120, as amended March 2, 2022.

SB 1120 was amended on March 15, 2022, to remove a provision that would have authorized the Board to require applicants and licensees to confirm the filed email address was current, as the Board deemed necessary. It was determined that this provision was not necessary and could be viewed as requiring the Board to audit the email addresses, thus creating a potential workload issue.

This bill passed both the Senate Committee on Business, Professions and Economic Development and the Senate Judiciary Committee on consent. It has been referred to the Senate Appropriations Committee with the recommendation that it be considered on the consent calendar.

Staff Recommendation: Staff recommends the Board take a position of “Support” on SB 1120, as amended March 15, 2022.

AMENDED IN SENATE MARCH 15, 2022

AMENDED IN SENATE MARCH 2, 2022

SENATE BILL

No. 1120

Introduced by Senator Jones

February 16, 2022

An act to amend Sections 6738, 6787, 8729, and 8792 of, to add Sections 6767, 7856, and 8753 to, and to repeal Section 6795.1 of, the Business and Professions Code, and to amend Sections 8801 and 8813.1 of the Public Resources Code, relating to engineering, land surveying, and geology.

LEGISLATIVE COUNSEL'S DIGEST

SB 1120, as amended, Jones. Engineering, land surveying, and geology.

(1) Existing law establishes the Board for Professional Engineers, Land Surveyors, and Geologists, which is within the Department of Consumer Affairs, to license and regulate engineers under the Professional Engineers Act, to license and regulate land surveyors under the Professional Land Surveyors' Act, and to license and regulate geologists and geophysicists under the Geologist and Geophysicist Act. Existing law makes any violation of those acts a misdemeanor.

This bill would require an applicant for licensure as an engineer, land surveyor, ~~or geologist~~ *geologist*, or geophysicist, or an applicant for certification as an engineer-, land surveyor-, or geologist-in-training, with a valid email address to report their email address to the board at the time of application, require a license or certificate holder to report their email address at the time of renewal, and require applicants and ~~licensees~~ *certificate or license holders* to notify the board of any change to an email address, as specified. ~~The bill would authorize the board to~~

~~require applicants and licensees to confirm that the filed email address is current, as the board deems necessary. The bill would, bill, in the interest of protecting the privacy of applicants and licensees, certificate or license holders, would prohibit from the public disclosure all email addresses provided by applicants or licensees. of their email addresses pursuant to specified law, except as provided.~~

By expanding the application of a crime under the Professional Engineers Act, the Professional Land Surveyors' Act, and the Geologist and Geophysicist Act, the bill would impose a state-mandated local program.

(2) Existing law requires the board, within 60 to 90 days before the expiration of a certificate of registration or certificate of authority, to mail notice of the pending expiration to a registrant or authority holder, as specified.

This bill would repeal that provision.

(3) Existing law also provides that the Professional Engineers Act and the Professional Land Surveyors' Act do not prevent an individual or business engaged in any line of endeavor other than the practice of civil, electrical, or mechanical engineering or land surveying, respectively, from employing or contracting with an appropriately licensed individual to perform the respective engineering or land surveying services incidental to the conduct of business.

This bill would delete that provision and would make conforming changes.

(4) Existing law prescribes requirements for the surveying and mapping of plane coordinates within the state, as described. Existing law establishes the system of plane coordinates that has been established by the National Geodetic Survey for defining and stating the positions or locations of points on the surface of the earth within the State of California, as described, known as the "California Coordinate System of 1983."

This bill would provide that the California portion of the system of plane coordinates defined as the State Plane Coordinate System of 2022 shall be known as the "California Coordinate System of 2022," as provided.

(5) Existing law requires any survey that uses or establishes California Coordinate System of 1983 (CCS83) values to meet specified requirements, including that the survey be referenced to and have field-observed statistically independent connections to one or more horizontal reference stations, as specified.

This bill would, starting January 1, 2023, instead require any survey that establishes a CCS83 value to be referenced to and shall have field-observed statistically independent connections to two or more horizontal reference stations. The bill would make conforming and nonsubstantive changes.

(6) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

(7) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

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

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 150 of the Statutes of
3 2018, 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

1 as a professional engineer, a licensed land surveyor, a licensed
2 architect, or a geologist registered under the Geologist and
3 Geophysicist Act (Chapter 12.5 (commencing with Section 7800)).
4 Any offer, promotion, or advertisement by the business that
5 contains the name of any individual in the business, other than by
6 use of the name of an individual in the business name, shall clearly
7 and specifically designate the license or registration discipline of
8 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 engineering work
12 in the branch 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 any person not licensed in this state if that person is
16 appropriately registered or licensed in another state. Any offer,
17 promotion, or advertisement that contains the name of any
18 individual in the business, other than by use of the names of the
19 individuals in the business name, shall clearly and specifically
20 designate the license or registration discipline of each individual
21 named.

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

26 (d) A person not licensed under this chapter may also be a
27 partner or an officer of a civil, electrical, or mechanical engineering
28 business if the requirements of subdivision (a) are met. This section
29 does not permit a person who is not licensed under this chapter to
30 be the sole owner of a civil, electrical, or mechanical engineering
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 civil, electrical, or mechanical
34 engineering services, including the use by any lawful successor
35 or survivor, that lawfully was in existence on December 31, 1987.
36 However, the business is subject to paragraphs (1) and (2) of
37 subdivision (a).

38 (f) A business engaged in rendering civil, electrical, or
39 mechanical engineering services may use in its name the name of

1 a deceased or retired person provided all of the following
2 conditions are satisfied:

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

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

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

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

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

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

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

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

29 SEC. 2. Section 6738 of the Business and Professions Code,
30 as amended by Section 2 of Chapter 150 of the Statutes of 2018,
31 is amended to read:

32 6738. (a) This chapter does not prohibit one or more civil,
33 electrical, or mechanical engineers from practicing or offering to
34 practice within the scope of their license civil (including
35 geotechnical and structural), electrical, or mechanical engineering
36 as a sole proprietorship, partnership, firm, or corporation
37 (hereinafter called business), if all of the following requirements
38 are met:

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

4 (2) All civil, electrical, or mechanical engineering services are
5 performed by, or under the responsible charge of, a professional
6 engineer licensed in the appropriate branch of professional
7 engineering.

8 (3) If the business name of a California engineering business
9 contains the name of any person, then that person shall be licensed
10 as a professional engineer, a licensed land surveyor, a licensed
11 architect, or a geologist registered under the Geologist and
12 Geophysicist Act (Chapter 12.5 (commencing with Section 7800)).
13 Any offer, promotion, or advertisement by the business that
14 contains the name of any individual in the business, other than by
15 use of the name of an individual in the business name, shall clearly
16 and specifically designate the license or registration discipline of
17 each individual named.

18 (b) An out-of-state business with a branch office in this state
19 shall meet the requirements of subdivision (a) and shall have an
20 owner, partner, or officer who is in charge of the engineering work
21 in the branch in this state, who is licensed in this state, and who is
22 physically present at the branch office in this state on a regular
23 basis. However, the name of the business may contain the name
24 of any person not licensed in this state if that person is
25 appropriately registered or licensed in another state. Any offer,
26 promotion, or advertisement that contains the name of any
27 individual in the business, other than by use of the names of the
28 individuals in the business name, shall clearly and specifically
29 designate the license or registration discipline of each individual
30 named.

31 (c) The business name of a California engineering business may
32 be a fictitious name. However, if the fictitious name includes the
33 name of any person, the requirements of paragraph (3) of
34 subdivision (a) shall be met.

35 (d) A person not licensed under this chapter may also be a
36 partner or an officer of a civil, electrical, or mechanical engineering
37 business if the requirements of subdivision (a) are met. This section
38 does not permit a person who is not licensed under this chapter to
39 be the sole owner of a civil, electrical, or mechanical engineering
40 business, unless otherwise exempt under this chapter.

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

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

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

14 (2) The person shall have been an owner, partner, or officer of
15 the business, or an owner, partner, or officer of the predecessor in
16 interest of the business.

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

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

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

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

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

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

36 SEC. 3. Section 6767 is added to the Business and Professions
37 Code, to read:

38 6767. (a) Each applicant for licensure or certification who has
39 a valid email address shall report to the board that email address
40 at the time of application.

1 (b) Each certificate or license holder who has a valid email
2 address shall report that email address to the board at the time of
3 renewal.

4 (c) Each applicant or certificate or license holder shall notify
5 the board within 30 days of any change to their email address on
6 file with the board. ~~The board may periodically, as it determines~~
7 ~~necessary, require applicants and certificate or license holders to~~
8 ~~confirm that their email address on file with the board is current.~~

9 (d) In the interest of protecting the privacy of applicants and
10 certificate or license holders, the email address provided to the
11 board pursuant to this chapter shall not be considered a public
12 record and shall not be disclosed pursuant to Section 27 or pursuant
13 to a request under the California Public Records Act (Division 10
14 (commencing with Section 7920.000) of Title 1 of the Government
15 Code), unless required pursuant to a court order by a court of
16 competent jurisdiction.

17 SEC. 4. Section 6787 of the Business and Professions Code is
18 amended to read:

19 6787. A person who does any of the following is guilty of a
20 misdemeanor:

21 (a) Unless the person is exempt from licensure under this
22 chapter, practices or offers to practice civil, electrical, or
23 mechanical engineering in this state according to this chapter
24 without legal authorization.

25 (b) Presents or attempts to file as the person's own the certificate
26 of licensure of a licensed professional engineer unless they are the
27 person named on the certificate of licensure.

28 (c) Gives false evidence of any kind to the board, or to any board
29 member, in obtaining a certificate of licensure.

30 (d) Impersonates or uses the seal, signature, or license number
31 of a licensed professional engineer or uses a false license number.

32 (e) Uses an expired, suspended, surrendered, or revoked license.

33 (f) Represents themselves as, or uses the title of, a licensed or
34 registered civil, electrical, or mechanical engineer, or any other
35 title whereby that person could be considered as practicing or
36 offering to practice civil, electrical, or mechanical engineering in
37 any of its branches, unless they are correspondingly qualified by
38 licensure as a civil, electrical, or mechanical engineer under this
39 chapter.

1 (g) Unless appropriately licensed, manages, or conducts as
2 manager, proprietor, or agent, any place of business from which
3 civil, electrical, or mechanical engineering work is solicited,
4 performed, or practiced, except as authorized pursuant to Section
5 8726.1.

6 (h) Uses the title, or any combination of that title, of
7 “professional engineer,” “licensed engineer,” “registered engineer,”
8 or the branch titles specified in Section 6732, or the authority titles
9 specified in Sections 6736 and 6736.1, or “engineer-in-training,”
10 or makes use of any abbreviation of that title that might lead to
11 the belief that the person is a licensed engineer, is authorized to
12 use the titles specified in Section 6736 or 6736.1, or holds a
13 certificate as an engineer-in-training, without being licensed,
14 authorized, or certified as required by this chapter.

15 (i) Uses the title “consulting engineer” without being licensed
16 as required by this chapter or without being authorized to use that
17 title pursuant to legislation enacted at the 1963, 1965, or 1968
18 Regular Session.

19 (j) Violates any provision of this chapter.

20 SEC. 5. Section 6795.1 of the Business and Professions Code
21 is repealed.

22 SEC. 6. Section 7856 is added to the Business and Professions
23 Code, to read:

24 7856. (a) Each applicant for licensure or certification who has
25 a valid email address shall report to the board that email address
26 at the time of application.

27 (b) Each certificate or license holder who has a valid email
28 address shall report that email address to the board at the time of
29 renewal.

30 (c) Each applicant or certificate or license holder shall notify
31 the board within 30 days of any change to their email address on
32 file with the board. ~~The board may periodically, as it determines~~
33 ~~necessary, require applicants and certificate or license holders to~~
34 ~~confirm that their email address on file with the board is current.~~

35 (d) In the interest of protecting the privacy of applicants and
36 certificate or license holders, the email address provided to the
37 board pursuant to this chapter shall not be considered a public
38 record and shall not be disclosed pursuant to Section 27 or pursuant
39 to a request under the California Public Records Act (Division 10
40 (commencing with Section 7920.000) of Title 1 of the Government

1 Code), unless required pursuant to a court order by a court of
2 competent jurisdiction.

3 SEC. 7. Section 8729 of the Business and Professions Code,
4 as amended by Section 3 of Chapter 150 of the Statutes of 2018,
5 is amended to read:

6 8729. (a) This chapter does not prohibit one or more licensed
7 land surveyors or civil engineers licensed in this state before 1982
8 (hereinafter called civil engineers) from practicing or offering to
9 practice, within the scope of their licensure, land surveying as a
10 sole proprietorship, partnership, limited liability partnership, firm,
11 or corporation (hereinafter called business), if the following
12 conditions are satisfied:

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

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

18 (3) If the business name of a California land surveying business
19 contains the name of a person, then that person shall be licensed
20 by the board as a land surveyor or licensed by the board in any
21 year as a civil engineer. Any offer, promotion, or advertisement
22 by the business that contains the name of any individual in the
23 business, other than by use of the name of the individual in the
24 business name, shall clearly and specifically designate the license
25 discipline of each individual named.

26 (b) An out-of-state business with a branch office in this state
27 shall meet the requirements of subdivision (a) and shall have an
28 owner, partner, or officer who is in charge of the land surveying
29 work in this state, who is licensed in this state, and who is
30 physically present at the branch office in this state on a regular
31 basis. However, the name of the business may contain the name
32 of a person not licensed in this state, if that person is appropriately
33 licensed or registered in another state. Any offer, promotion, or
34 advertisement that contains the name of any individual in the
35 business, other than by use of the name of the individual in the
36 business name, shall clearly and specifically designate the license
37 or registration discipline of each individual named.

38 (c) The business name of a California land surveying business
39 may be a fictitious name. However, if the fictitious name includes

1 the names of any person, the requirements of paragraph (3) of
2 subdivision (a) shall be met.

3 (d) A person not licensed under this chapter or licensed as a
4 civil engineer in this state before 1982 may also be a partner or an
5 officer of a land surveying business if the conditions of subdivision
6 (a) are satisfied. This section does not permit a person who is not
7 licensed under this chapter or licensed as a civil engineer in this
8 state before 1982 to be the sole owner or office of a land surveying
9 business, unless otherwise exempt under this chapter.

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

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

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

21 (2) The person shall have been an owner, partner, or officer of
22 the business, or an owner, partner, or officer of the predecessor in
23 interest of the business.

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

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

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

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

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

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

3 SEC. 8. Section 8729 of the Business and Professions Code,
4 as amended by Section 4 of Chapter 150 of the Statutes of 2018,
5 is amended to read:

6 8729. (a) This chapter does not prohibit one or more licensed
7 land surveyors or civil engineers licensed in this state before 1982
8 (hereinafter called civil engineers) from practicing or offering to
9 practice within the scope of their licensure, land surveying as a
10 sole proprietorship, partnership, firm, or corporation (hereinafter
11 called business), if the following conditions are satisfied:

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

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

17 (3) If the business name of a California land surveying business
18 contains the name of a person, then that person shall be licensed
19 by the board as a land surveyor or licensed by the board in any
20 year as a civil engineer. Any offer, promotion, or advertisement
21 by the business that contains the name of any individual in the
22 business, other than by use of the name of the individual in the
23 business name, shall clearly and specifically designate the license
24 discipline of each individual named.

25 (b) An out-of-state business with a branch office in this state
26 shall meet the requirements of subdivision (a) and shall have an
27 owner, partner, or officer who is in charge of the land surveying
28 work in this state, who is licensed in this state, and who is
29 physically present at the branch office in this state on a regular
30 basis. However, the name of the business may contain the name
31 of a person not licensed in this state, if that person is appropriately
32 licensed or registered in another state. Any offer, promotion, or
33 advertisement that contains the name of any individual in the
34 business, other than by use of the name of the individual in the
35 business name, shall clearly and specifically designate the license
36 or registration discipline of each individual named.

37 (c) The business name of a California land surveying business
38 may be a fictitious name. However, if the fictitious name includes
39 the names of any person, the requirements of paragraph (3) of
40 subdivision (a) shall be met.

1 (d) A person not licensed under this chapter or licensed as a
2 civil engineer in this state before 1982 may also be a partner or an
3 officer of a land surveying business if the conditions of subdivision
4 (a) are satisfied. This section does not permit a person who is not
5 licensed under this chapter or licensed as a civil engineer in this
6 state before 1982 to be the sole owner or office of a land surveying
7 business, unless otherwise exempt under this chapter.

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

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

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

19 (2) The person shall have been an owner, partner, or officer of
20 the business, or an owner, partner, or officer of the predecessor in
21 interest of the business.

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

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

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

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

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

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

39 SEC. 9. Section 8753 is added to the Business and Professions
40 Code, to read:

1 8753. (a) Each applicant for licensure or certification who has
2 a valid email address shall report to the board that email address
3 at the time of application.

4 (b) Each certificate or license holder who has a valid email
5 address shall report that email address to the board at the time of
6 renewal.

7 (c) Each applicant or certificate or license holder shall notify
8 the board within 30 days of any change to their email address on
9 file with the board. ~~The board may periodically, as it determines~~
10 ~~necessary, require applicants and certificate or license holders to~~
11 ~~confirm that their email address on file with the board is current.~~

12 (d) In the interest of protecting the privacy of applicants and
13 certificate or license holders, the email address provided to the
14 board pursuant to this chapter shall not be considered a public
15 record and shall not be disclosed pursuant to Section 27 or pursuant
16 to a request under the California Public Records Act (Division 10
17 (commencing with Section 7920.000) of Title 1 of the Government
18 Code), unless required pursuant to a court order by a court of
19 competent jurisdiction.

20 SEC. 10. Section 8792 of the Business and Professions Code
21 is amended to read:

22 8792. A person who does any of the following is guilty of a
23 misdemeanor:

24 (a) Unless the person is exempt from licensure under this
25 chapter, practices, or offers to practice, land surveying in this state
26 without legal authorization.

27 (b) Presents as their own the license of a professional land
28 surveyor unless they are the person named on the license.

29 (c) Attempts to file as their own any record of survey under the
30 license of a professional land surveyor.

31 (d) Gives false evidence of any kind to the board, or to any
32 board member, in obtaining a license.

33 (e) Impersonates or uses the seal, signature, or license number
34 of a professional land surveyor or who uses a false license number.

35 (f) Uses an expired, suspended, surrendered, or revoked license.

36 (g) Represents themselves as, or uses the title of, professional
37 land surveyor, or any other title whereby that person could be
38 considered as practicing or offering to practice land surveying,
39 unless the person is correspondingly qualified by licensure as a
40 land surveyor under this chapter.

1 (h) Uses the title, or any combination of that title, of
2 “professional land surveyor,” “licensed land surveyor,” “land
3 surveyor,” or the titles specified in Sections 8751 and 8775, or
4 “land surveyor-in-training,” or who makes use of any abbreviation
5 of that title that might lead to the belief that the person is a licensed
6 land surveyor or holds a certificate as a land surveyor-in-training,
7 without being licensed or certified as required by this chapter.

8 (i) Unless appropriately licensed, manages, or conducts as
9 manager, proprietor, or agent, any place of business from which
10 land surveying work is solicited, performed, or practiced, except
11 as authorized pursuant to Section 6731.2.

12 (j) Violates any provision of this chapter.

13 SEC. 11. Section 8801 of the Public Resources Code is
14 amended to read:

15 8801. (a) The system of plane coordinates that has been
16 established by the United States Coast and Geodetic Survey for
17 defining and stating the positions or locations of points on the
18 surface of the earth within the State of California is based on the
19 North American Datum of 1927 and is identified as the “California
20 Coordinate System.” After January 1, 1987, this system shall be
21 known as the “California Coordinate System of 1927.”

22 (b) The system of plane coordinates that has been established
23 by the National Geodetic Survey for defining and stating the
24 positions or locations of points on the surface of the earth within
25 the State of California and that is based on the North American
26 Datum of 1983 shall be known as the “California Coordinate
27 System of 1983.”

28 (c) As used in this chapter, the following definitions apply:

29 (1) “NAD27” means the North American Datum of 1927.
30 (2) “CCS27” means the California Coordinate System of 1927.
31 (3) “NAD83” means the North American Datum of 1983.
32 (4) “CCS83” means the California Coordinate System of 1983.
33 (5) “USC&GS” means the United States Coast and Geodetic
34 Survey.

35 (6) “NGS” means the National Geodetic Survey or its successor.

36 (7) “FGCS” means the Federal Geodetic Control Subcommittee
37 or its successor.

38 (8) “CSRC” means the California Spatial Reference Center or
39 its successor.

1 (9) "CSRN" means the California Spatial Reference Network,
2 as described in Chapter 3 (commencing with Section 8850),
3 "Geodetic Datums and the California Spatial Reference Network."

4 (10) "GPS" means Global Positioning System and includes
5 other, similar space-based systems.

6 (11) "FGDC" means the Federal Geographic Data Committee
7 or its successor.

8 (d) The California portion of the system of plane coordinates
9 defined as the State Plane Coordinate System of 2022 (SPCS2002)
10 as established by NGS and maintained by either NGS or CSRC
11 shall be known as the "California Coordinate System of 2022."

12 (e) The use of the term "State Plane Coordinates" refers only
13 to CCS27 and CCS83 coordinates.

14 SEC. 12. Section 8813.1 of the Public Resources Code is
15 amended to read:

16 8813.1. On and after December 31, 2005, a survey that uses
17 or establishes a CCS83 value or values shall meet all of the
18 following requirements:

19 (a) (1) The survey shall be referenced to and shall have
20 field-observed statistically independent connections to one or more
21 horizontal reference stations, except as provided in paragraph (2),
22 that is or are one of the following:

23 (A) CSRN station.

24 (B) Geodetic control station located outside of the State of
25 California that meets all the requirements for inclusion in the CSRN
26 except that the station is outside California.

27 (C) Existing CCS83 station that is all of the following:

28 (i) Is shown on a map filed with the applicable county surveyor
29 by a public officer, subdivision map, corner record, or record of
30 survey.

31 (ii) Meets all the requirements for inclusion in the CSRN, except
32 that the station and its data are not published by NGS or CSRC.

33 (iii) Has an accuracy, conforming to the applicable CSRN
34 requirements, stated for the station's value.

35 (D) Existing CCS83 station that is all of the following:

36 (i) Is shown on a public map or document that is compiled and
37 maintained by the applicable county surveyor.

38 (ii) Meets all the requirements for inclusion in the CSRN, except
39 that the station and its data are not published by NGS or CSRC.

1 (iii) Has an accuracy, conforming to the applicable CSRN
2 requirements, stated for the station's value.

3 (2) On and after January 1, 2023, for purposes of a survey that
4 establishes a CCS83 value or values, the survey shall be referenced
5 to and shall have field-observed statistically independent
6 connections to two or more horizontal reference stations.

7 (b) If an accuracy is to be claimed for the CCS83 value or values
8 established, the claimed accuracy shall be an accuracy standard
9 published by FGDC or FGCS.

10 SEC. 13. No reimbursement is required by this act pursuant to
11 Section 6 of Article XIII B of the California Constitution because
12 the only costs that may be incurred by a local agency or school
13 district will be incurred because this act creates a new crime or
14 infraction, eliminates a crime or infraction, or changes the penalty
15 for a crime or infraction, within the meaning of Section 17556 of
16 the Government Code, or changes the definition of a crime within
17 the meaning of Section 6 of Article XIII B of the California
18 Constitution.

19 SEC. 14. The Legislature finds and declares that Sections 3,
20 6, and 9 of this act, which add Sections 6767, 7856, and 8753 to
21 the Business and Professions Code, impose a limitation on the
22 public's right of access to the meetings of public bodies or the
23 writings of public officials and agencies within the meaning of
24 Section 3 of Article I of the California Constitution. Pursuant to
25 that constitutional provision, the Legislature makes the following
26 findings to demonstrate the interest protected by this limitation
27 and the need for protecting that interest:

28 This act balances the public's right to access records of the Board
29 for Professional Engineers, Land Surveyors, and Geologists with
30 the need to protect the privacy of applicants and licensees.