

# CALIFORNIA ARCHITECTS BOARD

## INITIAL STATEMENT OF REASONS

Hearing Date: August 3, 2015

Subject Matter of Proposed Regulations: Application for Eligibility Evaluation (AEE)

Section Affected: Title 16, California Code of Regulations (CCR), Sections 109 and 111

### **Specific Purpose:**

#### **Section 109(b)(3) – Filing of Applications and Section 111(a) – Review of Applications**

1. Problem being addressed: Legislation was signed into law on September 27, 2014 creating Business and Professions Code (BPC) section 115.4, requiring the Board, on and after July 1, 2016, to expedite applications from an applicant who supplies satisfactory evidence that the applicant has served as an active duty member of the United States Armed Forces and was honorably discharged. The mandate of BPC 115.4 necessitates the Board to modify the AEE by adding an item allowing an individual to identify himself/herself as prescribed within the law and thereby eligible for the expeditious processing. Additionally, the application is being redesigned to meet current web accessibility standards for online forms.
2. Anticipated benefits from this regulatory action: The proposed amendment to the regulations will allow the Board to be in compliance with BPC 115.4 and meet current web accessibility standards for online forms. In addition, the proposed amendment will clarify the existing language and simplify the reference to the AEE under CCR 111(a) by referencing the version of the application identified in CCR 109(b)(3).

### **Factual Basis/Rationale**

BPC 115.4 specifies that the Board shall expedite the applications of those individuals who supply satisfactory evidence that they have served as an active duty member of the United States Armed Forces and were honorably discharged. BPC 5550 authorizes the Board to require an application be submitted for eligibility to take an examination. CCR sections 109 and 111 clarify BPC 5550 and prescribe the specific version of the AEE, 19-C1 (9/2006) be submitted.

The AEE is the initial application an individual submits to the Board requesting eligibility to take the Architect Registration Examination (ARE) and begin the licensure process for becoming a California architect. The application contains information the Board

requires to accurately identify and communicate with candidates.

The proposed amendment will update and clarify the initial ARE application; allow an individual to identify himself/herself as prescribed within BPC 115.4 and receive the required expeditious processing; standardizes language used on applications; restructures the layout in accordance with web accessibility standards for online forms; and clarifies Board processing time for the AEE.

### **Underlying Data**

Senate Bill 1226 (Correa, Chapter 657, Statutes of 2014)

### **Business Impact**

This regulation will not have a significant adverse economic impact directly affecting business, including the ability of California businesses to compete with business in other states, because it updates the initial application to take the ARE, which has no effect on business or bearing on competitiveness.

### **Economic Impact Assessment**

This regulatory proposal will have the following effects:

- It will not create or eliminate jobs within the State of California because it only affects the application form for applicants pursuing an architect license, and the effect is insufficient to create or eliminate jobs.
- It will not create new business or eliminate existing businesses within the State of California because it only affects the application form for applicants pursuing an architect license, and there is no indication that any businesses will be affected.
- It will not affect the expansion of businesses currently doing business within the State of California because it only affects the application form for applicants pursuing an architect license, and there is no indication that any businesses will be affected.
- This regulatory proposal does not affect the health and welfare of California residents because it only affects the application form for applicants pursuing an architect license.
- This regulatory proposal does not affect worker safety because it is not related to worker safety in any manner.
- This regulatory proposal does not affect the state's environment because it is not related to the environment in any manner.

### **Specific Technologies or Equipment**

This regulation does not mandate the use of specific technologies or equipment.

### **Consideration of Alternatives**

No reasonable alternative to the regulatory proposal would be either more effective in carrying out the purpose for which the action is proposed or would be as effective or less burdensome to affected private persons and equally effective in achieving the purposes of the regulation in a manner that ensures full compliance with the law being implemented or made specific.

One alternative is to keep the status quo, but if the Board does not adopt the proposed amendment, the Board would be unable to implement BPC 115.4 and would be out of compliance with web accessibility standards for online forms.