

Assembly Bill No. 1010

CHAPTER 176

An act to amend Section 5600.05 of the Business and Professions Code, relating to professions and vocations.

[Approved by Governor September 16, 2021. Filed with
Secretary of State September 16, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1010, Berman. Architects: continuing education.

Existing law, the Architects Practice Act, provides for the licensure and regulation of architects by the California Architects Board. Existing law requires a person licensed to practice architecture to complete, as a condition of license renewal, 5 hours of coursework regarding disability access requirements and provides that the coursework shall be presented by trainers or educators with knowledge and expertise in these requirements. Existing law further requires the board to promulgate regulations to establish qualifications for courses and course providers by January 1, 2023.

This bill would additionally require a person licensed to practice architecture to complete, as a condition of a license renewal occurring on or after January 1, 2023, 5 hours of coursework regarding zero net carbon design and would require the board to adopt regulations to establish qualifications for those courses and course providers by July 1, 2024.

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

SECTION 1. Section 5600.05 of the Business and Professions Code is amended to read:

5600.05. (a) (1) As a condition of license renewal, a licensee shall complete continuing education coursework pursuant to paragraph (2).

(2) (A) Five hours of coursework regarding disability access requirements. The coursework shall include information and practical guidance concerning requirements imposed by the federal Americans with Disabilities Act of 1990 (Public Law 101-336; 42 U.S.C. Sec. 12101 et seq.), state laws that govern access to public facilities, and federal and state regulations adopted pursuant to those laws. Coursework provided pursuant to this subparagraph shall be presented by trainers or educators with knowledge and expertise in these requirements. The board shall promulgate regulations to establish qualifications for courses and course providers by January 1, 2023.

(B) Five hours of coursework regarding zero net carbon design for all renewals occurring on or after January 1, 2023. The coursework shall be

presented by trainers or educators with knowledge and expertise in these design requirements. The board shall adopt regulations to establish qualifications for courses and course providers by July 1, 2024.

(b) The board may audit the records of a licensee to verify the completion of the coursework requirements of subdivision (a). A licensee shall maintain records of completion of the required coursework for two years from the date of license renewal, containing the following information: course title, subjects covered, name of provider and trainer or educator, date of completion, number of hours completed, and a statement about the trainer's or educator's knowledge and experience background. A licensee shall make those records available to the board for auditing upon request. A licensee who provides false or misleading information as it relates specifically to the requirements of this subdivision shall be subject to an administrative citation, which may include an administrative fine pursuant to Section 125.9, or to disciplinary action by the board.

(c) The board shall audit at least 3 percent of the license renewals received each year to verify the completion of the continuing education requirements of this section.

(d) A continuing education provider may submit evidence of coursework to the board directly.

Professional Qualifications Committee

March 26, 2021

Amending Continuing Education (CE) Requirements to Reflect the Evolving Practice

California Architects Board Professional Qualifications Committee

Summary Overview

PQC Strategic Plan Initiative – Amend Existing Law Regarding CE Requirements for License Renewal to Reflect the Evolving Practice of Architecture.

PQC consideration that postlicensure CE fosters knowledge and proficiency in the delivery of architectural services that safeguard the public's health, safety and welfare. This furthers other entities' ability to reach consumers with evolving:

- Construction technology, methods and materials,
- Building and energy code regulations,
- Evidence based design and innovation,
- Seismic preparedness and climate responsiveness
- Public access inclusiveness and diversity

All impacting the places where Californians live, work, learn and play – intuitively suggest a refresh of CE is warranted.

The PQC will continue to work with staff to assemble empirical data and information to support a legislative amendment of Business and Professions Code 5600.05 - licensure renewal mandatory CE requirements.

PQ Committee Summary Review – Where we have been and working forward

COMMITTEE FINDINGS

- Postlicensure lifelong learning benefits in maintaining the California architects' minimum levels of competency to fulfill the responsibility of protecting the consumer's health, safety, and welfare.
- The current licensure renewal CE requirements do not keep pace with evolving contemporary practice and position the California architect with credentials to best serve consumers.

COMMITTEE ASSESSMENT OF LICENSE RENEWAL REQUIREMENTS

(Number of CEU's)

1. Increase the number of CEU's from 5 to range of 10-15.
2. Require architects to maintain knowledge in a larger spectrum of health, safety, and welfare subject matter topics.
3. Consider a CE framework comparable to the AIA.
4. Expand the requirements for knowledge of the Americans with Disabilities Act (ADA) to include Universal Design for greater inclusivity.

COMMITTEE EXPANDED LICENSE RENEWAL CE SUBJECT MATTER CATEGORIES

(Subject Matter Categories)

1. General Health, Safety and Welfare
2. Sustainability and resiliency
3. Title 24 California Building Standards Code
4. Ethical and Professional Practice
5. Construction
6. Construction Documents
7. Communications

PQ COMMITTEE WORKING DRAFT

MANDATORY CALIFORNIA CE LICENCE RENEWAL FRAMEWORK

California License Renewal: 12 Mandatory HSW CE Requirement Framework

Learning Programs must address knowledge intended to protect the health, safety, and welfare of the occupants of the built environment as defined below:

- Health: Those aspects of professional practice that improve the physical, emotional, and social well-being of occupants, users, and any others affected by buildings and sites.
- Safety: Those aspects of professional practice that protect occupants, users, and any others affected by buildings or sites from harm.
- Welfare: Those aspects of professional practice that enable equitable access, elevate the human experience, encourage social interaction, and benefit the environment.

CE Required Learning Programs: 3 Learning Units per Category = Total 12 CE Units

Category 1

Practice/Project Management - Construction and Evaluation

Category Subject Matter Topics

- Practice Management: This category topic focuses on areas related to the management of architectural practice and the details of running a business.
General reference- AXP & ARE Guidelines: Practice Management
- Project Management: This category topic focuses on areas related to the management of architectural projects through execution.
General reference – AXP & ARE Guidelines: Project Management
- Construction and Evaluation: This category topic focuses on areas related to construction contract administration and post-occupancy evaluation of projects.
General reference – AXP & ARE Guidelines: Construction and Evaluation.

Category 2

Climate Change

Category Subject Matter Topics

- Sustainability: This category topic focuses on the avoidance of the depletion of natural resources to maintain an ecological balance. Understanding passive and active innovative design strategies to achieve maximum energy efficiencies, reduce fossil fuel energy consumption and generating on-site renewable energy. *Reference – Architecture 2030.*
- Resilience + Adaptation: This category topic focuses on the destructive forces from natural and human-caused hazards. Understanding a buildings risk profile and aligning building performance expectations with strategies for hazard mitigation, climate adaptation and community resilience as the antidote to risk. *Reference – AIA resilience and adaptation initiative/Cal-Adapt.org – Exploring California’s Climate Change Research*
- Carbon Free Building Design: This category topic focuses on Zero Net Carbon Design strategies and architectural practice tools. Understanding California codes towards carbon neutrality, long-term resilience, needed leadership and advocacy for accelerating statewide decarbonization in the face of a mounting climate crisis. *Reference – AIA California Net Zero Carbon Design, AIAC White Paper: The Business Case for Climate Action.*
- Climate Justice: This category topic focuses on the intersection of both social justice and the environment, and where the inequality of who is being impacted is also taken into consideration. Understanding that achieving sustainability and a low carbon economy will not only depend on technological innovation but will also require far-ranging social and political innovation to address poverty, climate change and a respect for human rights. *Reference – Human Rights and Climate Change.*

Category 3

Accessibility - Universal Design

Category Subject Matter Topics

- **Accessibility:** This category topic focuses on barrier free disability access requirements.

Reference California Business and Professions Code 5600.05.

- **Universal Design:** This category topic focuses on inclusive design closely related to accessibility, but rather than an outcome, it is a process for creating a design that can be used by a diverse group of people.

Reference – The 7 basic principles of Universal Design:

- Principle 1 – Equitable Use
- Principle 2 – Flexibility in Use
- Principle 3 – Simple and Intuitive Use
- Principle 4 – Perceptible Information
- Principle 5 – Tolerance for Error
- Principle 6 – Low Physical Effort
- Principle 7 – Size and Space for Approach and Use

Category 4

Project Development/Documentation - Programming and Analysis

Category Subject Matter Topics

- Project Development/Documentation: This category topic focuses on areas related to the integration and documentation of building systems, material selection, and material assemblies into a project.

Reference – AXP & ARE Guidelines: Project Development & Documentation.

- Programming and Analysis: This category topic focuses on areas related to the evaluation of project requirements, constraints, and opportunities.

Reference – AXP & ARE Guidelines: Programming & Analysis.

SUMMARY Draft CE Framework

Category 1

Practice/Project Management - Construction and Evaluation: 3 HSW LU

Category 2

Climate Change: 3 HSW LU

Category 3

Accessibility – Universal Design: 3 HSW LU

Category 4

Project Development/ Documentation – Programing Analysis: 3 HSW LU

Total Mandatory CE 12 HSW LU

Lifelong mandatory learning applicable to California’s 21,000 Architects engaged in industry careers serving diversified consumer stakeholders:

Healthcare	Ports/Harbors	Public Utilities	Aviation	Restaurant
Education	Aerospace	Interior Architecture	Entertainment	Government
Residential	Transportation	Theme Parks	Commercial/Retail	Historic Preservation
Housing	Construction	Gaming/ Hospitality	Construction/ Programming Management	