



REGULATORY AGENCY ACTION

direct individual supervision for each week of experience claimed. As introduced March 8, this bill would permit up to one-half of the hours of supervision to be by group supervision. This bill is pending in the Assembly Health Committee.

RECENT MEETINGS:

At its January 18 meeting, BBSE elected Karen Walton as Chair and Jack Fujimoto as Vice Chair.

FUTURE MEETINGS:

July 19 (location to be announced).

October 18 (location to be announced).

CEMETERY BOARD

Executive Officer: John Gill
(916) 920-6078

The Cemetery Board's enabling statute is the Cemetery Act, Business and Professions Code section 9600 *et seq.* The Board's regulations appear in Division 23, Title 16 of the California Code of Regulations (CCR).

In addition to cemeteries, the Cemetery Board licenses cemetery brokers, salespersons, and crematories. Religious cemeteries, public cemeteries, and private cemeteries established before 1939 which are less than ten acres in size are all exempt from Board regulation.

Because of these broad exemptions, the Cemetery Board licenses only about 185 cemeteries. It also licenses approximately 45 crematories, 200 brokers, and 1,200 salespersons. A license as a broker or salesperson is issued if the candidate passes an examination testing knowledge of the English language and elementary arithmetic, and demonstrates a fair understanding of the cemetery business.

MAJOR PROJECTS:

Regulatory Update. On February 5, the Office of Administrative Law (OAL) approved the Board's amendment to section 2318 and repeal of section 2317, Title 16 of the CCR. (See CRLR Vol. 11, No. 1 (Winter 1991) p. 52 for background information.) Section 2317 set the temporary cemetery salesperson's license fee; amendments to section 2318 increase the fee for a cemetery salesperson's original license.

At this writing, the Board is still awaiting approval from OAL regarding the proposed adoption of section 2376, Title 16 of the CCR, which would define the point at which an initial sale will be deemed complete and specify the time within which money collected must be deposited in an endowment care fund.

(See CRLR Vol. 11, No. 1 (Winter 1991) p. 52 for background information.)

LEGISLATION:

AB 1540 (Speier). Existing law provides for the regulation and licensure of funeral directors and embalmers by the Board of Funeral Directors and Embalmers and the regulation and the licensure of cemetery brokers and salespersons by the Cemetery Board. As introduced March 7, this bill would repeal those provisions and enact the Cemeteries, Funeral Directors and Embalmers Act, with unspecified contents. This bill is pending in the Assembly Committee on Consumer Protection, Governmental Efficiency and Economic Development.

LITIGATION:

In *Christensen, et al. v. Superior Court*, the California Supreme Court is reviewing the Second District Court of Appeal's June 1990 decision which substantially expanded the plaintiff class in this multimillion-dollar tort action against several Board licensees. (See CRLR Vol. 10, No. 4 (Fall 1990) pp. 61 and 75 for background information on this case, which is reported at 271 Cal. Rptr. 360.) The final reply briefs were filed on March 4; at this writing, the court has not yet scheduled oral arguments.

FUTURE MEETINGS:

To be announced.

BUREAU OF COLLECTION AND INVESTIGATIVE SERVICES

Chief: Alonzo Hall
(916) 739-3028

The Bureau of Collection and Investigative Services (BCIS) is one of 38 separate regulatory agencies within the Department of Consumer Affairs (DCA). The Chief of the Bureau is directly responsible to the DCA Director.

Pursuant to the Collection Agency Act, Business and Professions Code section 6850 *et seq.*, the Bureau regulates the practices of collection agencies in California. Collection agencies are businesses that collect debts owed to others. The responsibility of the Bureau in regulating collection agencies is twofold: (1) to protect the consumer/debtor from false, deceptive, and abusive practices and (2) to protect businesses which refer accounts for collection from financial loss. The Bureau also plays an important role in protecting collection agencies from unlawful competition by the detec-

tion and prohibition of unlicensed activity within the industry.

In addition, eight other industries are regulated by the Bureau, including private security services (security guards and private patrol operators), repossession, private investigators, alarm company operators, protection dog operators, medical provider consultants, security guard training facilities, and locksmiths.

Private Security Services. Regulated by the Bureau pursuant to Business and Professions Code section 7544 *et seq.*, private security services encompass those who provide protection for persons and/or property in accordance with a contractual agreement. The types of services provided include private street patrols, security guards, watchpeople, body guards, store detectives, and escort services. Any individual employed to provide these services is required to register with the Bureau as a security guard. Any security guard who carries a firearm and/or baton on the job must possess a firearm permit issued by the Bureau. The Bureau operates to protect consumers from guards who unlawfully detain, conduct illegal searches, exert undue force, and use their authority to intimidate and harass.

Repossession. Repossession agencies repossess personal property on behalf of a credit grantor when a consumer defaults on a conditional sales contract which contains a repossession clause. Any individual employed by these services is required to be registered with the Bureau. Pursuant to the Repossession Act, Business and Professions Code section 7500 *et seq.*, the Bureau functions to protect consumers from unethical methods of repossessing personal property, such as physical abuse resulting in bodily harm, threats of violence, illegal entry onto private property, and misrepresentation in order to obtain property or information about property.

Private Investigators. Private investigators conduct investigations for private individuals, businesses, attorneys, insurance companies, and public agencies. The scope of their job generally falls within the areas of civil, criminal, and domestic investigations. Any private investigator who carries a firearm on the job must possess a firearm permit issued by the Bureau. Pursuant to Business and Professions Code section 7512 *et seq.*, the Bureau oversees private investigators to protect consumers and clients against investigators who misrepresent, impersonate, or make threats in order to obtain desired information; perform inadequate or incompetent investigations; fail to substantiate charges or charge more than