

SENATE BILL REPORT

SHB 1574

As Reported By Senate Committee On:
Labor, Commerce, Research & Development, March 15, 2007

Title: An act relating to the uniform regulation of business and professions.

Brief Description: Modifying provisions concerning the uniform regulation of business and professions.

Sponsors: House Committee on Commerce & Labor (originally sponsored by Representatives Wood, Conway, Hudgins, Condotta, Moeller and Kenney; by request of Department of Licensing).

Brief History: Passed House: 2/28/07, 97-0.

Committee Activity: Labor, Commerce, Research & Development: 3/15/07 [DP].

SENATE COMMITTEE ON LABOR, COMMERCE, RESEARCH & DEVELOPMENT

Majority Report: Do pass.

Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Clements, Ranking Minority Member; Franklin and Holmquist.

Staff: Sherry McNamara (786-7402)

Background: The Department of Licensing (DOL) regulates certain businesses and professions. Each regulated business and profession has a separate set of laws regarding disciplinary actions, investigating violations of the law, and imposing sanctions for violations. Each business and profession is under either the disciplinary authority of the Director of DOL, a board, or a commission charged with regulating the particular profession.

The Uniform Regulation of Business and Professions Act (URBPA) was passed in 2002, consolidating disciplinary procedures for the licensed businesses and professions regulated by DOL. In some cases, the enactment of the URBPA resulted in inconsistencies with the various business and profession's statutes.

Summary of Substitute Bill: Language clarifications and technical changes are made in the URBPA and in various professional licensing statutes to resolve inconsistencies and conflicts.

For businesses and professions, clarification is provided between the Director's authority and the board's authority.

The list of actions constituting unprofessional conduct is expanded to include negligence or incompetence in performing an appraisal practice for real estate appraisers.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Bail bond recovery agents are added to the list of professions covered under the URBPA.

"Unlicensed practice" is defined to include representations to a "person" rather than a "consumer."

Cease and desist orders may be issued to any person who the authority has reason to believe is engaged in or about to engage in a violation of the URBPA or the provisions of the specific business or profession.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This version contains a couple of additional corrections that provide further clarification and consistency in the URBPA.

Persons Testifying: PRO: Ralph Osgood, DOL.