



CONSUMER NEWS

SAN DIEGO CITY ATTORNEY'S OFFICE

2014 - New Laws

February 2014

NEW YEAR, NEW LAWS!

2014 is kicking off with new laws affecting consumers and business owners. This newsletter highlights some of the new laws affecting consumers, drivers, businesses, professionals, and employers. This informational summary is provided to you in our effort to serve consumers and protect commerce. The information here does not constitute legal advice. Additional information can be found online at <http://leginfo.legislature.ca.gov/faces/codes.xhtml>. These laws were effective January 1, 2014, unless otherwise stated.

NEW LAWS SERVING CONSUMERS

Ticket Scalpers: AB 329

Current law regulates the purchasing of electronic tickets online. However, when tech savvy scalpers found a glitch in the electronic purchasing system, they took advantage of it.

AB 329 amends the law to prohibit the use of Bot Software for bulk ticket purchasing. Bot software enables a ticket purchaser to hack into the electronic box office before

tickets are sold to the public. The hacker then unfairly profits from scalping the tickets. The amended law makes this type of technological circumvention a misdemeanor crime.

“Made In California”: SB 12

Current law makes it illegal for businesses to unfairly or deceptively sell goods. Legislators saw the need to regulate those businesses which were profiting off of “Made in California” goods, untruthfully.

This new law requires that any products labeled “Made in California” must comply with new quality and accuracy assurance rules, including *actually* being made and manufactured within California.

Veteran Solicitations: SB 272

Current law prohibits solicitation of money or information by written materials that falsely imply association with a government entity or endorsement.

This new law revises the current law to add military veteran entities and service organizations.

Dealing With Debt Collectors: SB 233

Current law regulates the collection of debts that are wiped out in bankruptcy. Someone that files bankruptcy may not be legally obligated to pay on a debt, however some collection companies may still attempt collection.

SB 233 acts as a referee, requiring that third party debt collectors, trying to collect in writing, must give clear notice to consumers of their authority to collect. Debt collectors must give certain information to the consumer, including debt amount and their name and address.

To assist consumers in confronting debt collectors, the Consumer Financial Protection Bureau has released five new template letters for Consumers:

<http://www.consumerfinance.gov/blog/debtcollection/>

Car Pool Lane: AB 266

AB 266 allows drivers with special fuel friendly decals issued from the DMV to continue using car pool lanes while driving solo. These zero-emission certified vehicles will have guaranteed continued

access to car pool lanes through as late as 2019.

Parking At A Broken-Meter: AB 61

Old law allowed local entities to regulate the ticketing of vehicles parked in broken-metered parking spots.

Now, a car cannot be ticketed for using these parking spots and local governments are not allowed to make laws restricting their use.

Vehicle Repossession: AB 791

Existing law regulates the repossession of vehicles.

AB 791 prohibits on-the-spot demand for payment in lieu of repossession. Additionally, repossession agencies must wear a badge with their licensing number and the word "Reposessor" on it before taking action.

D.I.Y. Gun Conversion Kits: AB 48

Current law makes it a crime to manufacture, keep for sale, or sell any large capacity ammunition gun (holding more than ten rounds), unless otherwise regulated.

This new law prohibits the conversion of firearms to large capacity ammunition guns.

NEW LAWS PROTECTING COMMERCE

Wage Increase: AB 10

Minimum wage is currently set at \$8.00 per hour.

Starting July 1, 2014, minimum wage will increase to \$9.00 per hour.

"Domestic Worker Bill Of Rights": AB 241

Currently the Industrial Welfare Commission independently regulates and enforces the wages, hours, and working conditions of domestic care employees.

This new Bill of Rights will provide overtime compensation for certain domestic care employees. The bill will define domestic care work in detail and will be in place through January 1, 2017.

Immigration Lawyers & Consultants: AB 1159

AB 1159 regulates conduct of attorneys advising in and retained for reform act services. AB 1159 places new, narrower laws on translation, the collection of upfront fees, and bond amounts.

An attorney may not collect upfront fees prior to the enactment of reform act services. A violation would impose up to a \$1,000 penalty per day.

Military Spouses & Professional Licensing: AB 186

Current law requires expedited processing of professional licenses to persons married to, or in a domestic partnership with, active duty military.

AB 186 provides spouses with a temporary licensing process for persons holding certain professional licenses in other states. The temporary license expires after twelve months or at the time the expedited license is granted or denied.

Growler Refills & Packaging: AB 647

The old law defined a beer manufacturer as *any* person who makes beer, except for personal or family use.

The Alcoholic Beverage Control Act now regulates only those that are engaged in commercial manufacturing and have beer manufacturing machinery.

Additionally, the Act makes it a misdemeanor crime to not label any containers of beer sold to consumers that do not disclose the true names and addresses of the beer's maker and bottler.

Labeling requirements extend to growler refills sold by the manufacturer. Any container supplied by a consumer must contain a new affixed label indicating the new and accurate information about the beer sold.

Limousines: SB 109

The San Francisco limousine fire that killed a bride-to-be and four friends prompted legislators to enact SB 109. This new law regulates the vehicle specifications of a limousine, requiring a minimum amount of emergency exits that are operable by passengers.

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The information provided in this newsletter is intended to convey general information and is not intended to be relied upon as legal advice.

To report violations of consumer protection laws, call the City Attorney's Hotline at
(619) 533-5600.