

Sy Accountancy Corporation

Member, American Institute of CPAs

704 Mira Monte Place, Pasadena, California 91101

Tel (626) 744-0200 • Fax (626) 744-0300 • vsy@victorsycpa.com • www.victorsycpa.com

NEW CALIFORNIA LAWS FOR 2009

By Victor Sy, CPA

Here's a list of some new state laws taking effect on 1/1/09. The list is alphabetical except for the first five items.

Text Messaging: New law prohibits the use of text-messaging devices (cellphones, BlackBerrys, laptops) while driving, even when not moving at a stoplight. Fines are \$20 for 1st offense and \$50 for subsequent citations.

Traffic Tickets: New law adds a \$35 assessment to traffic tickets. The fee to process a request for traffic school to keep the ticket off the driver's record increases from \$24 to \$49.

Toll roads: Allows local transit agencies to create carpool lanes that can be used by lone motorists willing to pay a toll on portions of Freeway 10 & 110 in Los Angeles County & Freeway 15 in Riverside County. Goodbye freeways, welcome toll ways.

Identity Theft: Makes it a misdemeanor to use radio waves to steal another person's identifying information by remote devices. The measure is in response to the practice of having personal identification information included on government-issued identification cards that can be read with radio-frequency identification devices.

Cancellation of Debt Relief: Allows taxpayers to exclude forgiven mortgage debt from their incomes for state income tax purposes.

Computer bullying: Allows school officials to suspend or expel pupils who engage in bullying over the internet or other by electronic means.

Carpool lanes: Makes it a crime to forge or counterfeit clean air stickers issued by the DMV to allow certain low-emission vehicles to use carpool lanes. A separate law permits drivers of fully enclosed three-wheel motor vehicles to use carpool lanes.

Drunk driving: Drivers on probation for DUI convictions face suspension of their license and towing of their vehicle if they drive on California highways with a blood or breath alcohol level of .01% or higher.

Emergency calls: Increases penalties for people who knowingly use 911 emergency lines for non-emergency calls. The penalty on the 1st offense is a mere written warning, \$50 on the second, \$100 on the third call.

Emergency Medical Technicians: Requires California's Emergency Medical Services Authority to establish a statewide registry of emergency medical technician licenses. Such technicians will be subjected to mandatory criminal background checks beginning July 1, 2010.

Fire prevention: Improves measures to prevent damage from wildfires, including a requirement that homeowners clear brush from a 100-foot perimeter around their houses.

Foreclosure consultants: Provides a registration and bonding process for foreclosure consultants and bars such consultants from entering into certain agreements with homeowners.

GPS devices: Allows a global positioning system device to be mounted at a specific location on the windshield of a vehicle.

Hospital workers who snoop: New law creates a new state office to investigate and impose new penalties on hospital workers who snoop in patient medical records. This was caused by reports of snooping into celebrity files.

Hospital infections: Requires hospitals to develop more comprehensive policies and procedures to ensure that patients are not infected in medical facilities.

Human trafficking: Voids any provision of a contract that purports to allow a deduction from a person's wages for

the cost of the person immigrating and being transported to the United States.

License plates: Creates a California Gold Star Family license plate for families who have lost loved ones in wars.

Meat safety: Makes it a misdemeanor to buy, sell or butcher sick & disabled animals for human consumption.

Medical care: Requires doctors treating terminally ill patients to give them comprehensive information about end-of-life options, such as hospice care at home and the right to refuse treatment.

Medical insurance: Requires insurers who cancel a policyholder's coverage to allow other members of the family to keep theirs. Another law prevents insurers from refusing to pay medical bills of customers injured while under the influence of alcohol or drugs. A third new law requires insurers to pay for HIV screening.

Mobile homes: Requires, at time of sale, all mobile homes and manufactured housing to have smoke detectors in all rooms designed for sleeping and to have seismic braces on gas-fired water heaters.

National Guard: Authorizes a state employee who is a member of the National Guard to receive government benefits for 4 additional years, if they were ordered to serve after Sept. 11, 2001, as a result of the war on terrorism.

Pets: Provides for enforcement of "pet trusts" to pay for continuing care of pets after their human owners die.

Phone cards: Requires refund within 60 days to any holder of a card if the provider's services fail to operate in a commercially reasonable manner. Requires phone-card firms to maintain a toll-free customer service telephone #.

Press freedom: Prohibits discipline of high school & college journalism advisors for contents of student newspaper.

Real estate: Allows the state Department of Real Estate to suspend or bar a person who has committed a violation of real estate laws.

Schools: Allows Los Angeles Unified School District and other districts to continue tapping state funds even as they withdraw from a program to fund multitrack, year-round schools.

Senior homes: Assisted-living homes are required to show potential customers their history of rate hikes, tell local prosecutors about suspected abuse and plan for emergencies such as blackouts.

Spousal abuse: Prohibits jailing of alleged victims of domestic violence for refusing to testify against their spouses.

Taxis: Allows local agencies to disconnect the telephone service of a taxicab operator that fails to obtain proper permits and insurance if other enforcement remedies have failed.

Teacher crimes: Includes "no contest" pleas in the definition of convictions when the Commission on Teacher Credentialing decides whether to suspend or revoke teaching credentials.

Used cars: Allows police officers to impound vehicles of a car dealer operating without a license.

Veterans: Requires the state Department of Veterans Affairs to develop plans to reach out to National Guard members or veterans returning to California from combat, and assist them in obtaining a screening for post-traumatic stress disorder and traumatic brain injury. Veterans can park free in metered spaces if their vehicles display special-recognition license plates.