

PROFESSIONAL FIDUCIARIES BUREAU

PROPOSED LANGUAGE  
16 CCR §§ 4428, 4568, 4575, 4580

**§ 4428. Duration of Initial License Period; First License Renewal Date; Proration of Initial License Fee; Continued Education Requirements for Initial License Period.**

**§ 4568. Reinstatement of Inactive License to Active Status; Duration of Initial License Period Post-Reinstatement; Reinstatement Fee; Continuing Education Requirements for Initial Period.**

**§ 4575. Reinstatement of Retired License to Active Status; Duration of Initial License Period Post-Reinstatement; Reinstatement Fee; Continuing Education Requirements for Initial Period.**

**§ 4580. Fees.**

**LEGEND**

Underlined Indicates proposed amendments or additions to the existing regulation.  
~~Strikeout~~ Indicates proposed deletions to the existing regulation.

**Amend Sections 4428, 4568, 4575, 4580 of Division 41 of Title 16 of the California Code of Regulations as follow:**

**~~§ 4428. Duration of Initial License Period; First License Renewal Date; Proration of Initial License Fee; Continued Education Requirements for Initial License Period.~~**

~~(a) To adjust the duration of the initial license period setting the renewal date for each licensee, a~~ A professional fiduciary's initial license shall expire twelve (12) months after the license was issued at twelve (12) midnight on the last day of the month in which the second birthday of the licensee occurs after the issuance of the license if not renewed. ~~No license shall be issued for less than twelve (12) or more than 24 months.~~

~~(b) The initial license fee shall be prorated as required in Section 4580.~~

NOTE: Authority cited: Sections 152.6 and 6517, Business and Professions Code.  
Reference: Sections 134, 152.6 and 6541, Business and Professions Code.

**§ 4568. Reinstatement of Inactive License to Active Status; ~~Duration of Initial License Period Post-Reinstatement; Reinstatement Fee; Continuing Education Requirements for Initial Period.~~**

(a) Except as provided in subdivision (d), on or before the date that is 10 years after the date on which a license was placed in an inactive status, a licensee may reinstate the inactive license to active status, if it is not expired under Section 4567, by following all of the procedures in subdivision (b). After that date, a licensee seeking to reinstate their inactive license shall be subject to the same requirements, including retaking the licensing examination, as an applicant for initial licensure.

(b) To reinstate an inactive license to active status, a licensee shall do all of the following:

(1) In the one-year period immediately before requesting reinstatement, earn a minimum of fifteen (15) hours of continuing education credit from approved education courses as provided in Section 4442, including at least 2 hours of continuing education credits in ethics for fiduciaries, as required in subdivision (b)(2) of that section.

(2) Submit to the Bureau an affidavit, signed under penalty of perjury, that the licensee has completed the continuing education courses required by paragraph (1). The licensee shall maintain and disclose evidence supporting this statement as provided in Section 4452.

(3) File with the Bureau an updated annual statement. The annual statement shall be filed with the Bureau in the same manner as the licensee would file an annual statement for renewal of an active license.

(4) Submit to the Bureau the reinstatement fee specified in subdivision (f) of Section 4580.

(c)(1) The initial license period after an inactive license is reinstated to active status shall be twelve (12) months ~~adjusted~~ as provided in Section 4428 in order to set the renewal date for each licensee.

(2) For the initial license period after reinstatement, each licensee shall comply with the continuing education requirements for an annual renewal period pursuant to Section 4442.

(d) Reinstatement of an inactive license under this section is subject to denial pursuant to Section 125.3 or 494.5 of the Business and Professions Code or as otherwise provided by law.

Note: Authority cited: Sections 462, 6517 and 6592, Business and Professions Code.  
Reference: Sections 125.3, 134, 152.6, 462, 494.5, 6538, 6561 and 6592, Business and Professions Code.

**§ 4575. Reinstatement of Retired License to Active Status; ~~Duration of Initial License Period Post-Reinstatement; Reinstatement Fee; Continuing Education Requirements for Initial Period.~~**

(a) Except as provided in subdivision (d), on or before the date that is 5 years after the date on which a license was placed in a retired status, a licensee may reinstate the retired license to an active status by following all of the procedures in subdivision (b). After that date, a licensee seeking to reinstate their retired license shall be subject to the same requirements, including retaking the licensing examination, as an applicant for initial licensure.

(b) To reinstate a retired license to active status, a licensee shall do all of the following:

(1) In the one-year period immediately before requesting reinstatement, complete the amount of approved continuing education courses required by Section 6538 of the Business and Professions Code, as determined under Section 4442, including at least 2 hours of continuing education credits in ethics for fiduciaries, as required in subdivision (b)(2) of that section.

(2) Submit to the Bureau a statement, signed under penalty of perjury, that the licensee has completed the continuing education courses required by paragraph (1). The licensee shall maintain and disclose evidence supporting this statement as provided in Section 4452.

(3) File with the Bureau an updated annual statement. The annual statement shall be filed with the Bureau in the same manner as the licensee would file an annual statement for renewal of an active license.

(4) Submit to the Bureau the reinstatement fee specified in subdivision (g) of Section 4580.

(c)(1) The initial license period after a retired license is reinstated to active status shall be twelve (12) months ~~adjusted~~ as provided in Section 4428 in order to set the renewal date for each licensee.

(2) For the initial license period after reinstatement, each licensee shall comply with the continuing education requirements for an annual renewal period pursuant to Section 4442.

(d) Reinstatement of a retired license under this section is subject to denial pursuant to Section 125.3 or 494.5 of the Business and Professions Code or as otherwise provided by law.

Note: Authority cited: Sections 494.5, 6517, 6542 and 6592, Business and Professions Code. Reference: Sections 125.3, 134, 152.6, 494.5, 6538, 6542, 6561 and 6592, Business and Professions Code.

**§ 4580. Fees.**

The following fees are established:

(a) The application fee for a professional fiduciary license shall be four hundred dollars (\$400). Commencing January 1, 2024, the application fee for a professional fiduciary license shall be six hundred dollars (\$600).

(b) For applicants who pass the examination described in section 4500 prior to January 1, 2024, the The initial license fee shall be six hundred dollars (\$600) for the first twelve (12) months plus a prorated amount of the renewal fee required in subdivision (c) to adjust the duration of the initial license period to set the renewal date for each licensee as provided in Section 4428. For applicants who pass the examination described in section 4500 on or after January 1, 2024, the initial license fee shall be one thousand three hundred (\$1300).

(c) For licenses which expire prior to March 31, 2024, the The renewal fee for a license, except for an inactive license, shall be seven hundred dollars (\$700). For licenses which expire on or after March 31, 2024, the renewal fee for a license, except for an inactive license, shall be one thousand three hundred dollars (\$1,300).

(d) The delinquency fee for a license shall be one hundred and fifty dollars (\$150). Delinquency fees shall not apply to a license placed in an inactive or retired status pursuant to Section 4564 or 4572 of this Division.

(e) The fee for a duplicate or replacement license shall be twenty-five dollars (\$25).

(f)(1) The fee for placement of a license in an inactive status shall be three hundred and fifty dollars (\$350).

(2) The renewal fee for an inactive license shall be three hundred and fifty dollars (\$350).

(3) The fee for reinstatement of an inactive license to active status shall be seven hundred dollars (\$700) ~~for the first twelve (12) months plus a prorated amount of the renewal fee required in subdivision (c) to adjust the duration of the initial license period after reinstatement to set the renewal date for each licensee as provided in subdivision~~

(c) of Section 4568. Commencing January 1, 2024, the fee for reinstatement of an inactive license to active status shall be one thousand three hundred dollars (\$1,300).

(g)(1) The fee for placement of a license in a retired status shall be three hundred and fifty dollars (\$350).

(2) The fee for reinstatement of a retired license to active status shall be seven hundred dollars (\$700) ~~for the first twelve (12) months plus a prorated amount of the renewal fee required in subdivision (c) to adjust the duration of the initial license period after reinstatement to set the renewal date for each licensee as provided in subdivision (c) of Section 4575.~~ Commencing January 1, 2024, the fee for reinstatement of a retired license to active status shall be one thousand three hundred dollars (\$1,300).

Note: Authority cited: Sections 462, 6517, 6542 and 6592, Business and Professions Code. Reference: Sections 121.5, 122, 134, 152.6, 163.5, 6533, 6541, 6542 and 6592, Business and Professions Code.