



New requirements affecting PFB applicants, licensees starting January 1, 2023

Starting January 1, 2023, new statutory requirements take effect, specifically Business and Professions Code (BPC) Sections [6538](#), [6563](#), and [6580](#). These changes **directly impact the Bureau's licensees and applicants** and it's important to become familiar with these new requirements.

Effective January 1, 2023, [AB 465](#) (Chapter 167, Statutes of 2021) requires professional fiduciary licensees, beginning January 1, 2023, as part of their renewal or restoration of a license, to complete at least two hours of instruction in ethics, two hours in cultural competency, or two hours in both ethics and cultural competency, every year. In addition, applicants must complete at least one hour of instruction in cultural competency as part of their initial 30 hours of education required for licensure. ([BPC 6538](#))

Also effective January 1, 2023, [AB 1194](#) (Chapter 417, Statutes of 2021) requires by January 1, 2023, professional fiduciaries to provide a fee schedule, including hourly fees. Professional fiduciaries with a website shall post the fee schedule to their website. Professional fiduciaries without a website shall provide a fee schedule before contracting for services, upon request, or to interested persons identified in Probate Code section 1822 (b) interested persons. ([BPC 6563](#))

In addition, AB 1194 also specifies that a licensed professional fiduciary be liable for a civil penalty up to \$10,000 if the court finds the professional fiduciary abused a conservatee and prohibits a guardian, trustee, or employee of the guardian or conservator to hire or refer business to an entity where they have a financial interest. Additionally, AB 1194 requires the Bureau to investigate specified allegations and impose sanctions or revoke an individual's license, as appropriate. Please note: AB 1194 also requires the Judicial Council, by January 1, 2024, to report to the Legislature its findings measuring court effectiveness in conservatorship cases. ([BPC 6580](#))

Additional information about these bills, including full text and policy committee analyses, can be found at www.leginfo.legislature.ca.gov.