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**BUSINESS AND PROFESSIONS CODE - BPC**

**DIVISION 3. PROFESSIONS AND VOCATIONS GENERALLY [5000 - 9998.11]** ( *Heading of Division 3 added by Stats. 1939, Ch. 30.*  )

**CHAPTER 6. Professional Fiduciaries [6500 - 6592]** ( *Chapter 6 added by Stats. 2006, Ch. 491, Sec. 3.*  )

**ARTICLE 4. Practice Provisions [6560 - 6563]** ( *Article 4 added by Stats. 2006, Ch. 491, Sec. 3.*  )

**6560.** A licensee shall keep complete and accurate client records, and shall make those records available for audit or review by the bureau upon request.

(Amended by Stats. 2022, Ch. 511, Sec. 36. (SB 1495) Effective January 1, 2023.)

**6561.** (a) A licensee shall initially, and annually thereafter, file with the bureau a statement under penalty of perjury containing the following:

- (1) The licensee's business address, telephone number, and facsimile number.
- (2) Whether or not the licensee has been removed for cause as a conservator, guardian, trustee, personal representative of a decedent's estate, agent under a durable power of attorney for health care, agent under a durable power of attorney for finances, or a position arising from appointment as a professional fiduciary practice administrator. The licensee may file an additional statement of the issues and facts pertaining to the case.
- (3) The names of the licensee's current conservatees, wards, principals under a durable power of attorney for health care, or principals under a durable power of attorney for finances, and the names of trusts and decedent's estates currently administered by the licensee, whether the cases are court supervised or non-court supervised, and including court names, court locations, and case numbers where applicable.
- (4) The case names, court locations, and case numbers of all conservatorship, guardianship, trust and other estate administration cases that are closed for which the licensee served as the conservator, guardian, trustee, agent under a durable power of attorney for finance or health care, and personal representative of a decedent's estate, whether the case is court supervised or non-court supervised.
- (5) Whether the licensee has been found by a court to have breached a fiduciary duty.
- (6) Whether the licensee has resigned or settled a matter in which a complaint against the licensee has been filed with the court, along with the case number and a statement of the issues and facts pertaining to the allegations.
- (7) Any licenses or professional certificates held by the licensee.
- (8) Any ownership or beneficial interests in businesses or other enterprises held by the licensee or by a family member that receives or has received payments from a client of the licensee.
- (9) Whether the licensee has filed for bankruptcy or held a controlling financial interest in a business that filed for bankruptcy in the last ten years.
- (10) The name of any persons or entities that have an interest in the licensee's professional fiduciary business.
- (11) Whether the licensee has been convicted of a crime.

(b) The statement by the licensee required by this section may be filed electronically with the bureau, in a form approved by the bureau. However, any additional statement filed under paragraph (2) of subdivision (a) shall be filed in writing.

*(Amended by Stats. 2022, Ch. 612, Sec. 3.5. (SB 1024) Effective January 1, 2023.)*

**6561.5.** (a) A licensee shall respond to any written inquiry relating to the investigation of a complaint against a licensee by the bureau within 30 calendar days. The failure of, or refusal by, a licensee to respond to the written inquiry shall constitute a cause for disciplinary action.

(b) A licensee shall provide true and accurate information and responses to questions, subpoenas, interrogatories or other requests for information or documents and not take any action to obstruct any bureau inquiry, investigation, hearing, or proceeding. Any failure to comply with this subdivision shall constitute a cause for disciplinary action.

*(Added by Stats. 2023, Ch. 680, Sec. 10. (AB 1262) Effective January 1, 2024.)*

**6562.** The annual statement shall be filed with the bureau 60 days prior to the expiration of the license as provided in subdivision (a) of Section 6541.

*(Added by Stats. 2006, Ch. 491, Sec. 3. Effective January 1, 2007.)*

**6562.5.** (a) A licensee shall notify the bureau in writing of their intent not to renew their license and submit a final annual statement in accordance with Section 6561 and Section 4542 of Title 16 of the California Code of Regulations, as it read on January 1, 2023, demonstrating they are no longer subject to licensure under this chapter.

(b) The written notice of nonpractice and final annual statement shall be submitted to the bureau 60 days before closing their business, ceasing practice as a professional fiduciary, or the expiration of their professional fiduciary license, whichever comes first.

(c) The bureau shall provide the licensee with any discrepancies between the final annual statement and the bureau's records and the licensee shall comply with the bureau to address and resolve any outstanding matters.

*(Added by Stats. 2023, Ch. 680, Sec. 11. (AB 1262) Effective January 1, 2024.)*

**6563.** (a) On or before January 1, 2023, a licensee with an internet website shall post on that internet website a schedule or range of the licensee's fees, including, but not limited to, hourly fees, for services offered.

(b) On or after January 1, 2023, a licensee who does not have an internet website shall do all of the following:

(1) Provide a prospective client, before the execution of a contract for services, a schedule or range of the licensee's fees, including, but not limited to, hourly fees, for services offered.

(2) Upon receipt of a request, provide a client with a schedule or range of the licensee's fees, including, but not limited to, hourly fees, for services offered.

(3) If the prospective or current client is a proposed or current conservatee, provide all interested persons, as defined in paragraph (2) of subdivision (b) of Section 1822 of the Probate Code, with a schedule or range of the licensee's fees, including, but not limited to, hourly fees, for services offered.

*(Added by Stats. 2021, Ch. 417, Sec. 1. (AB 1194) Effective January 1, 2022.)*