



# California Regulatory Notice Register

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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code §11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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**PROPOSED ACTION ON  
REGULATIONS**

*Information contained in this document is published as received from agencies and is not edited by Thomson Reuters.*

**TITLE 2. FAIR POLITICAL  
PRACTICES COMMISSION**

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by Sections 82011, 87303, and 87304 of the Government Code to review proposed conflict-of-interest codes, will review the proposed/amended conflict-of-interest codes of the following:

CONFLICT-OF-INTEREST CODES

AMENDMENT

MULTI-COUNTY: Tres Hermanos Conservation Authority

A written comment period has been established commencing on April 1, 2022, and closing on May 16, 2022. Written comments should be directed to the Fair Political Practices Commission, Attention Daniel Vo, 1102 Q Street, Suite 3000, Sacramento, California 95811.

At the end of the 45-day comment period, the proposed conflict-of-interest code(s) will be submitted to the Commission's Executive Director for his review, unless any interested person or his or her duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code(s) will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced conflict-of-interest code(s), proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director of the Commission, upon his or its own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code(s) to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments or comments, in writing to the Executive

Director of the Commission, relative to review of the proposed conflict-of-interest code(s). Any written comments must be received no later than May 16, 2022. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not "costs mandated by the state" as defined in Government Code Section 17514.

EFFECT ON HOUSING  
COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses or small businesses.

AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code reviewing body for the above conflict-of-interest codes shall approve codes as submitted, revise the proposed code and approve it as revised, or return the proposed code for revision and re-submission.

REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict-of-interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

CONTACT

Any inquiries concerning the proposed conflict-of-interest code(s) should be made to Daniel Vo, Fair Political Practices Commission, 1102 Q Street, Suite 3000, Sacramento, California 95811, telephone (916) 322-5660.

AVAILABILITY OF PROPOSED  
CONFLICT-OF-INTEREST CODES

Copies of the proposed conflict-of-interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Daniel Vo, Fair Political Practices Commission, 1102 Q Street, Suite

3000, Sacramento, California 95811, telephone (916) 322-5660.

INFORMATIVE DIGEST/POLICY  
STATEMENT OVERVIEW

## **TITLE 2. CALIFORNIA VICTIM COMPENSATION BOARD**

### **ARTICLE 5. CLAIMS OF PERSONS ERRONEOUSLY CONVICTED OF FELONIES**

Title 2, §§ 640 – 646

The California Victim Compensation Board (CalVCB) proposes to adopt the regulations described below after considering all comments, objections and recommendations regarding the proposed action.

#### **PUBLIC HEARING**

CalVCB has not scheduled a public hearing on this proposed action; however, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days before the close of the written comment period.

#### **WRITTEN COMMENT PERIOD**

Any interested individual, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to CalVCB. The written comment period closes on May 16, 2022. CalVCB will consider only comments received at its office by that date. Submit written comments to:

Neil Ennes, Legislative Coordinator  
California Victim Compensation Board  
P.O. Box 48  
Sacramento, CA 95812-0048

Comments may also be submitted by facsimile (FAX) at (916) 491-6441 or by e-mail to [regulations@victims.ca.gov](mailto:regulations@victims.ca.gov).

#### **AUTHORITY AND REFERENCE**

Penal Code section 4906 authorizes CalVCB to adopt these proposed regulations, as does Government Code section 13920. The proposed regulatory action is intended to implement, interpret, and make specific Penal Code sections 4900 through 4904, which in turn cross-reference Penal Code sections 861.865, 1485.5 and 1485.55.

CalVCB processes claims from persons seeking compensation as an erroneously convicted felon pursuant to California Penal Code sections 4900 through 4906. A successful claim results in a recommendation by CalVCB to the Legislature to make an appropriation for the claimant's sustained injury in the amount of \$140 per day of the claimant's wrongful imprisonment. (Pen. Code, § 4904.) To be eligible for consideration, the claimant must have been convicted of a felony under California law, for which a prison sentence was imposed, and the claimant must no longer be imprisoned for that offense. In addition, the claimant must timely submit a verified Erroneous Conviction Claim Form, with supporting documentation, within ten years after release from custody, dismissal of charges, judgment of acquittal, or pardon granted, whichever is later. (Pen. Code, § 4901.)

Generally, the claimant must prove, by a preponderance of the evidence, that (1) they did not commit the crime that resulted in their incarceration and (2) they sustained injury as a result of their erroneous conviction. (Pen. Code, § 4900, subd. (a).) The claimant is entitled to a hearing to prove both of these elements, at which the Attorney General may appear to oppose the claim. (Pen. Code, § 4903, subd. (a).) The Attorney General, as well as CalVCB, are bound by any express factual findings rendered by a court during a habeas proceeding or motion to vacate, including a finding of factual innocence under any standard in that proceeding. (Pen. Code, §§ 851.865, 1485.5, 1485.55, 4903, subd. (c).) If a court has found the claimant to be factually innocent of the challenged conviction, then both innocence and injury are presumed and CalVCB's recommendation for compensation is automatically mandated, within 30 days and without a hearing. (Pen. Code, §§ 851.865, 1485.55, subds. (a) & (c), 4902, subd. (a).) No adverse presumption exists for a claimant's failure to obtain a court finding of factual innocence. (Pen. Code, § 1485.55, subd. (d).)

Alternatively, if the conviction was vacated by a grant of habeas relief or pursuant to Penal Code section 1473.6 or 1473.7, subd. (a)(2), a recommendation for compensation is required unless the Attorney General timely objects with clear and convicting proof that the claimant is not entitled to compensation. (Pen. Code, §§ 4900, subd. (b), 4902, subd. (d).) At a hearing on the claim, the Attorney General bears the burden to prove by clear and convincing evidence that the claimant committed the acts constituting the offense. (Pen. Code, §§ 4900, subd. (b), 4902, subd. (d), 4903, subd. (b).) The Attorney General may not rely solely upon the trial court record to establish that the claimant

is not entitled to compensation. (Pen. Code, § 4903, subd. (d).)

This statutory scheme for processing claims under Penal Code section 4900 has been revised several times over the past decade. In 2021, SB 446 (Glazer, Chapter 490, Statutes of 2021), reassigned and increased the burden of proof for deciding claims in which the underlying conviction was vacated by a grant of habeas corpus or motion under Penal Code section 1473.6 or 1473.7, subd. (a)(2), while also limiting the type of evidence that may satisfy that burden. (Pen. Code, §§ 4900, subd. (b), 4902, subd. (d), 4903, subds. (b) & (d), 4904.) SB 446 further expanded the definition for a finding of factual innocence, as well as the circumstances under which such a finding may be rendered. (Pen. Code, §§ 1485.5, subd. (c), 1485.55, subd. (a).)

In 2019, SB 269 (Bradford, Chapter 473, Statutes of 2019) extended the deadline for filing a claim with CalVCB from two years to ten years after acquittal, pardon, dismissal of charges, or release from custody. (Pen. Code, § 4901.) In 2016, SB 1134 (Leno, Chapter 785, Statutes of 2016) mandated an automatic recommendation for claimants who received a court finding of factual innocence for all convictions underlying their incarceration. In 2015, SB 635 (Nielsen, Chapter 422, Statutes of 2015) revised the definition of injury to no longer require a showing of pecuniary harm, increased the rate of compensation from \$100 to \$140 per day, and added pre-conviction custodial time to that calculation. In 2013, SB 618 (Leno, Chapter 800, Statutes of 2013), rendered court findings binding upon CalVCB and barred any presumption for failing to obtain a finding of factual innocence.

Despite these significant changes, CalVCB's regulations governing Penal Code section 4900 claims have not been revised since 2012. As a result, many provisions are outdated, incomplete, or contrary to current law. The proposed regulatory action is intended to resolve all of these issues.

*Anticipated Benefits of the Proposed Regulation:*

The proposed regulations will comply with the current law governing Penal Code section 4900 claims in accordance with SB 446, as well as SB 269, SB 1134, SB 635, and SB 618. The regulations will also interpret and implement general aspects of the law as applicable to specific circumstances. By doing so, it will provide clear guidance to the parties and enable the Board to decide these claims in a consistent and efficient manner.

*Evaluation of Inconsistency/Incompatibility with Existing State Regulations:*

The proposed regulations are not inconsistent or incompatible with existing state regulations.

DISCLOSURES REGARDING THE PROPOSED ACTION

*The Board has made the following initial determinations:*

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: None.

Cost to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630: None.

Other nondiscretionary cost or savings imposed on local agencies: None.

Cost or savings in federal funding to the state: None.

Cost impacts on a representative private individual or business: The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None.

Significant effect on housing costs: None.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS/ASSESSMENT

The purpose of the proposed regulations is to revise, interpret, and implement the current law governing Penal Code section 4900 claims. When a claim is approved, it solely results in a recommendation for the Legislature to appropriate funds to compensate the claimant for the injury sustained by their erroneous conviction. Even then, compensation is awarded to a limited group of individuals, historically less than 10 per year on average, although that figure is expected to increase under SB 446. Accordingly, the proposed regulations will not directly impact jobs or the wider economy.

*The Board has determined that the selected alternative will not affect:*

(A) The creation or elimination of jobs within the State of California,

The proposed regulations do not impact jobs as they apply to a limited group of individuals seeking a recommendation for compensation as a result of an erroneous felony conviction for which they were wrongfully incarcerated.

(B) The creation of new businesses or the elimination of existing businesses within the State of California, and

The proposed regulations do not impact the creation of new businesses or elimination of existing businesses in California because they apply to a limited group

of individuals seeking a recommendation for compensation as a result of an erroneous felony conviction for which they were wrongfully incarcerated.

(C) The expansion of businesses currently doing business within the State of California.

The proposed regulations do not impact the expansion of businesses currently doing business within the State of California because they apply to a limited group of individuals seeking a recommendation for compensation as a result of an erroneous felony conviction for which they were wrongfully incarcerated.

*The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment:*

The Board has determined that the proposed regulations do not impact worker safety or the state's environment because they apply to a limited group of individuals seeking a recommendation for compensation as a result of an erroneous felony conviction for which they were wrongfully incarcerated.

#### SMALL BUSINESS DETERMINATION

The Board has determined that the proposed regulations do not affect small businesses because they apply to a limited group of individuals seeking a recommendation for compensation as a result of an erroneous felony conviction for which they were wrongfully incarcerated.

#### CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the agency would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private individuals than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The Board invites interested individuals to present statements or arguments with respect to alternatives to the proposed regulation during the written comment period.

#### CONTACT PERSON

Inquiries concerning the proposed administrative action may be directed to:

Neil Ennes  
California Victim Compensation Board  
P.O. Box 48  
Sacramento, CA 95812-0048  
Telephone: (916) 491-3728

The backup contact person concerning the proposed administrative action may be directed to:

Kim Gauthier  
California Victim Compensation Board  
P.O. Box 48  
Sacramento, CA 95812-0048  
Telephone: (916) 491-3754

Please direct requests for copies of the proposed text of the regulations, the Initial Statement of Reasons, the modified text of the regulations, if any, or other information upon which the rulemaking is based to Neil Ennes at the above address.

#### AVAILABILITY OF STATEMENT OF REASONS, TEXT OF PROPOSED REGULATIONS AND RULEMAKING FILE

The Board will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulation and the Initial Statement of Reasons. Copies may be obtained by contacting Neil Ennes at the P.O. Box or the phone number listed above.

#### AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearing, if requested, and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications which are sufficiently related to the original proposed text, it will make the modified text available to the public at least 15 days before the Board adopts the regulation as revised. Please send requests for copies of the modified regulation to the attention of Neil Ennes at the P.O. Box indicated above. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

#### AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Neil Ennes at the above P.O. Box address.

AVAILABILITY OF DOCUMENTS  
ON THE INTERNET

Copies of the Notice of Proposed Rulemaking, the Initial Statement of Reasons and the proposed text of the regulations in underline and strikeout can be accessed through our website at [www.victims.ca.gov](http://www.victims.ca.gov).

**TITLE 5. EDUCATION AUDIT  
APPEALS PANEL**

*Supplement to Audits of K–12 Local  
Education Agencies*  
Fiscal Year 2021–22 as of March 1, 2022

The Education Audit Appeals Panel (EAAP) proposes to adopt an Audit Guide for Fiscal Year 2021–22, Supplemented as of March 1, 2022, as well as the Guide’s incorporating regulation, as described below, after considering all comments, objections, and recommendations regarding the proposed action. The Supplemented Audit Guide will be derived from and incorporated in Section 19810.

PUBLIC HEARING

A public hearing regarding this proposal is not currently scheduled. Not later than 15 days prior to the close of the written comment period, any interested person, or his or her authorized representative, may make a written request for a public hearing pursuant to Government Code section 11346.8, and a public hearing will be held. Requests for a public hearing should be addressed to Mary Kelly.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action. The written comment period closes on **Monday, May 16, 2022**. EAAP will consider only written comments received by that time. Written comments for EAAP’s consideration should be directed to:

Mary Kelly, Executive Officer  
Education Audit Appeals Panel  
770 L Street, Suite 1100  
Sacramento, CA 95814

Fax: (916) 445–7626  
e–mail: [mkelly@eaap.ca.gov](mailto:mkelly@eaap.ca.gov)

AUTHORITY AND REFERENCE

Authority cited: Section 14502.1, Education Code.

Reference: Sections 14502.1, 14503, 42010, and 41024 of the Education Code.

INFORMATIVE DIGEST/POLICY  
STATEMENT OVERVIEW

This rulemaking amends title 5, California Code of Regulations, section 19810 to clarify the incorporation by reference language and make reference to the audit guide. It also adopts the Audit Guide for 2021–22, supplemented as of March 1, 2022, with any technical and clarifying revisions and legislative changes that will affect audits and possibly the conditions for apportionment of school funding. This supplemental filing ensures that audits include subjects pertinent to and/or required by legislation through January 1, 2022.

This rulemaking meets the requirements of Education Code section 14502.1, which mandates that an annual audit guide be adopted by EAAP, and the additional laws and Constitutional provisions listed under “Authority cited” below the proposed amended text of Section 19810, as shown below. The purpose of the audit guide is to define terms and specify procedures to guide accountants in the conduct of statutorily required financial and compliance audits of K–12 local education agencies. The Controller, in a letter dated January 31, 2022, pursuant to Education Code section 14502.1, proposed supplemental changes to be reflected in the 2021–22 audit guide. The proposed changes derive from the Controller’s proposals and contain changes designed to clarify audit steps.

EAAP does not anticipate that these proposed amendments would create specific benefits for the protection of public health and safety, worker safety, or the environment, the prevention of discrimination, the promotion of fairness or social equity, nor the increase in openness and transparency in business and government. The regulations direct accountants to perform the steps necessary for the annual audits required by Education Code Section 41020. EAAP has determined that the proposed amendments will ultimately benefit the welfare of California residents by ensuring that local education agencies are complying with regulatory requirements, and that educational funds are being properly utilized, which would ultimately affect the quality of students’ educational experiences. In developing the rulemaking, EAAP evaluated the proposed changes to regulations and determined that they are not inconsistent or incompatible with existing regulations, state or federal.

A description of proposed changes to section 19810, and a discussion of revisions to the audit guide, follow.

**Title 5, Division 1.5**  
**Chapter 3. Audits of California K – 12 Local**  
**Education Agencies**  
**Article 1 General Provisions**

**§ 19810. Annual Audit Guides.**

The “2021–22 Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting,” (March 1, 2022), adopted by the Education Audit Appeals Panel, is incorporated by reference. The guide provides the audit steps, reporting requirements, and other guidance for the required annual financial and compliance audits, subject to auditor judgment where alternative or additional audit steps may be appropriate. The annual guide is superseded by a supplemental audit guide, if needed, adopted before March 1 of each fiscal year. Each annual guide, including Appendices A, B and C and any applicable supplement, is available on [www.eaap.ca.gov/audit-guide](http://www.eaap.ca.gov/audit-guide), with paper or electronic copies available on request.

Note: Authority cited: Article XIII, Section 36 and Article XIII A, Section 1, California Constitution; and Sections 14502.1 and 47612, Education Code. Reference: Article XIII B, Section 1.5, California Constitution; and Sections 2574, 14501, 14502.1, 14503, 37700, 41020, 41480, 42238.02, 43500, 43501, 43502, 43504, 43505, 43509, 43520, 43521, 43522, 44258.9, 45037, 46146, 46300, 47605, 47612, 47614, 47634, 48000, 48206, 48306, 48313, 51747, 51749, 52060, 53071, 56026, 56340 and 76004, Education Code.

AUDIT GUIDE AMENDMENTS

The proposed supplemental 2021–22 Audit Guide includes the following changes:

- *Section B, Teacher Certification and Misassignments*, implements Executive Order N–3–22 dated January 11, 2022, by adding Procedure 1.a, to incorporate temporary flexibilities regarding administrative process and other requirements. Such flexibilities, including the hiring of staff without valid certification documents, allow the LEA to maintain in–person services for students despite staffing shortages caused by the rise in Covid–19 cases with the appearance of the Omicron Variant of the virus.
- *Section D, Independent Study*, implements new provisions in Education Code section 51747. Changes update the independent study pupil to teacher ratio calculation to exclude short–term and intermittent independent study. The amendments and new subdivision (g) amend the audit procedures regarding adoption and implementation of independent study policies regarding

satisfactory educational progress, educational content, tiered reengagement strategies for pupils with gaps in attendance, communication with a pupil’s parent or guardian regarding a pupil’s academic progress, ensuring access to sufficient connectivity and devices, detailing supports to be provided for pupils not performing at grade level or otherwise in need of support (including mental health support), verification of live interaction and synchronous instruction, computer based evidence of engagement, and notification of the option for in–person instruction. Also requires verification that the LEA offered a pupil–parent–educator conference before execution of the agreement.

- *Section G, Gann Limit Calculations*, amends procedure 1.a for LEAs with excess Gann limit in the 2020–21 fiscal year, due to statutory changes required by Assembly Bill 130.
- *Section W, Unduplicated Local Control Funding Formula Pupil Counts*: amended to add note regarding Executive Order N–18–21, clarifying that for some LEAs impacted by wildfire, additional students identified as EL in the 2021–22 CALPADS UPC Source File (K–12) were not included in CALPADS snapshot report 1.18.
- *Section X, Local Control and Accountability Plans* makes technical amendments to Procedure 3 due to Local Control and Accountability Plan template amendments.
- *Section Y, Independent Study, Course–Based*: amendments implement new provisions of Education Code section 51749.5(d) including verification of adequate connectivity and devices, support for pupils not performing at grade level, English learner and special needs pupils in need of other support. Amendments to the provisions of the independent study agreement and confirmation that the LEA has a plan for live interaction and synchronous instruction consistent with Education Code section 51749.5. Amendments include the verification of the offer of a pupil–parent–educator conference before execution of the agreement. Finally, a CDE website is identified for purposes of correctly calculating the independent study ratio.
- *Section BB, Mode of Instruction*, adds Procedure 1.a.(1) to incorporate temporary flexibilities regarding administrative processes, staffing, and other requirements, as allowed by Executive Order N–3–22.
- *Section CC, Nonclassroom–Based Instruction/Independent Study* adds technical clarifications and additional details to Procedures 1, 2, and 4.

- *Section AZ, Educator Effectiveness Funds Grant* add this new audit guide section to include procedures for verifying LEAs’ compliance with requirements of Education Code section 41480, applicable to the Educator Effectiveness Block Grant funds.
- *Section BZ, Expanded Learning Opportunities Grant* adds this new audit guide section to include procedures for verifying LEAs’ compliance with the requirements of the Expanded Learning Opportunity Grant funding.
- *Section CZ, Career Technical Educator Incentive Grant* adds this new audit guide section to include procedures for verifying LEAs’ compliance with matching requirements of the Career Technical Educator Incentive Grant funding.
- *Section DZ, In–Person Instruction Grant* adds this new audit guide section to include procedures for verifying LEAs’ compliance with requirements of the In–Person Instruction Grant Funding.

The proposed supplemental 2021–22 Audit Guide includes the following changes to Appendices B and C:

- Appendixes B and C: adds Procedure I.B.2, which requires auditors to present the required schedules in the format established by the Office of Public School Construction (OPSC).
- Appendix B Procedure II.A.11 and Appendix C Procedure II.A.11: updates terminology used in the procedures and the required table of hard construction costs to more accurately describe the calculation of costs that is to be presented in the auditor’s report.
- Appendix B Procedure II.A.13 and Appendix C Procedures II.A.14 and II.B.17: updates procedures to add the following sentence to the end of the procedure:

Prepare the table to report the percent established for Restricted Maintenance Account and display the table in the audit report. The first year required to be audited and displayed is the fiscal year in which the funding was received. All subsequent fiscal years up to the year of the audit will be included in the audit and displayed in the table.

Also, adds a table and note to the table to ensure compliance with California Education Code section 17075.75.

- Appendix B Procedure II.A.13, and Appendix C Procedures II.A.14 and II.B.17: adds an Information box with examples.
- Appendix B Procedure II.A.17, and Appendix C Procedures II.A.18 and II.B.9: updates procedures

to add the following sentence to the end of the information boxes:

Obtain a copy of the required site clearance letter from DTSC. You can obtain a copy of the site clearance letter from the DTSC online EnviroStor. <https://www.envirostor.dtsc.ca.gov/public/>.

- Appendix B Procedures II.A.21 and II.A.22, and Appendix C Procedures II.A.21, II.A.23, and II.B.18: adds the word “Required” before “District Contribution” in the Information box.

NOTE: The changes described above are already in effect on an emergency basis.

#### DISCLOSURES REGARDING THE PROPOSED ACTION

1. Mandate on local agencies and school districts: None.
2. Cost to any local agency or school district which must be reimbursed: None.
3. Cost or savings to any state agency: None.
4. Other non–discretionary cost or savings imposed upon local agencies: None.
5. Cost or savings in federal funding to the state: None.
6. Significant effect on housing costs: None.
7. Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None.
8. The Economic Impact Assessment found that adoption of these regulations will not:
  - create or eliminate jobs within California;
  - create new businesses or eliminate existing businesses within California;
  - affect the expansion of businesses currently doing business within California; or
  - benefit or harm worker safety or the state’s environment.

As stated in the Informative Digest/Policy Statement Overview above, EAAP has determined that the proposed amendments will ultimately benefit the welfare of California residents by ensuring that local education agencies follow regulatory requirements, and that educational funds are being properly utilized, which would ultimately affect the quality of pupils and students’ educational experiences.

9. Cost impact on a representative private person or business: EAAP is not aware of any cost impacts that a representative private person or business



would necessarily incur in reasonable compliance with the proposed action.

10. Business report requirements: None.
11. Effect on small businesses: The proposed regulations will have no effect on small businesses because they do not materially alter the requirements for LEA audits.

**TECHNICAL, THEORETICAL, OR  
EMPIRICAL STUDIES, REPORTS,  
OR DOCUMENTS**

EAAP relied upon the Controller’s Office letter of January 31, 2022, which proposed changes to the 2021–22 Audit Guide.

**CONSIDERATION OF ALTERNATIVES**

In accordance with Government Code Section 11346.5(a)(13), EAAP must determine that no reasonable alternative it has considered or that has otherwise been identified and brought to the EAAP’s attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

**AVAILABILITY OF RULEMAKING FILE**

The entire rulemaking file will be available for inspection and copying throughout the rulemaking process at EAAP’s office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, the initial statement of reasons, and the Economic Impact Assessment. A copy may be obtained by contacting Timothy Morgan at the above address. The bill analyses are also available online at <http://leginfo.legislature.ca.gov/faces/billSearchClient.xhtml>.

**AVAILABILITY OF CHANGED OR  
MODIFIED TEXT**

Following the comment period, a hearing, if requested, and consideration of all timely and relevant comments received, EAAP may adopt the proposed regulations substantially as described in this notice. If EAAP makes modifications that are sufficiently related to the originally proposed text, the modified text (with changes clearly indicated) will be available to the public for at least 15 days before EAAP adopts the regulations as revised. Requests for copies of any

modified regulations should be sent to the attention of Timothy Morgan at the address stated above. EAAP will accept written comments on the modified regulations for 15 days after the date on which they are made available.

**AVAILABILITY OF DOCUMENTS  
ON THE INTERNET**

Copies of the Notice of Proposed Rulemaking, Initial Statement of Reasons, text of the regulations in underline and strikeout, any changed or modified text, and the Final Statement of Reasons will be accessible through the EAAP website: [www.eaap.ca.gov](http://www.eaap.ca.gov)

**CONTACT PERSONS**

Direct any inquiries concerning the proposed administrative action, or requests for the proposed text, the Initial Statement of Reasons, any modified text of the regulations, or technical information supporting the rulemaking may be directed to Timothy Morgan, Staff Attorney, at (916) 445–7745 or by e-mail: [tmorgan@eaap.ca.gov](mailto:tmorgan@eaap.ca.gov), or Mary C. Kelly, Executive Officer, at (916) 445–7745.

**TITLE 19. CALIFORNIA GOVERNOR’S  
OFFICE OF EMERGENCY SERVICES**

**Proposed Amendments to Community Isolation  
Outage Regulations  
Title 19, Division 2, Chapter 1.5**

**NOTICE OF PROPOSED RULEMAKING**

The California Governor’s Office of Emergency Services (hereafter “Cal OES”) proposes to amend sections 2480.2 and 2480.3 in Title 19 of the California Code of Regulations (CCR) after considering all comments, objections, and recommendations regarding the proposed action. If adopted, these proposed amendments would modify the current reporting threshold percentage and add one provision to the Community Isolation Outage regulations in compliance with Senate Bill (SB) 341.

**PUBLIC HEARING**

Cal OES has not scheduled a public hearing on this proposed action. However, Cal OES will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days before the close of the written comment period. Written requests for

a hearing should be submitted to the contact person identified in this notice.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to Cal OES. The written comment period closes on **May 16, 2022**.

Due to possible delays caused by the COVID-19 emergency, Cal OES strongly recommends that written comments be submitted electronically, rather than in paper form, to the email listed below.

Written comments can be mailed to:

Beth Abdallah  
 Governor’s Office of Emergency Services  
 CA 911 Emergency Communications Branch  
 601 Sequoia Pacific Blvd.  
 Sacramento, CA 95811  
 (916) 952-9449

The backup contact person for these inquiries is:

Michael Elder, Next Generation 911- Manager  
 Governor’s Office of Emergency Services  
 CA 911 Emergency Communications Branch  
 601 Sequoia Pacific Blvd.  
 Sacramento, CA 95811  
 (916) 894-5037

Written comments may also be submitted by e-mail to: [regulations@caloes.ca.gov](mailto:regulations@caloes.ca.gov).

AUTHORITY/REFERENCE

Government Code sections 8585 and 53122 authorize Cal OES to adopt the Proposed the Community Isolation Outage regulations. The proposed regulations implement, interpret, and make specific Government Code section 53122(b)(1)(B).

INFORMATIVE DIGEST/ POLICY STATEMENT OVERVIEW

This rulemaking action modifies the threshold which telecommunications service must report community isolation outages to Cal OES. Currently, an outage that lasts at least 30 minutes and affects at least 50 percent of a carrier’s coverage area in a single zip code must be reported to Cal OES. However, after the 2021 fire season, Cal OES determined that this threshold was too high because significant outages within the state were not being reported to Cal OES by carriers during the fires, particularly during the Caldor Fire, especially for zip codes with large populations or large geographic areas. The carriers stated that this was because the 50 percent threshold had not

been met, which would have triggered state reporting. Thus, Cal OES proposed amending that threshold to 25 percent instead of 50 percent so that Cal OES can more appropriately capture relevant outage information that impacts resident’s ability to call 911 and the emergency response within the state.

Government Code section 53122(b)(1)(B) requires Cal OES to adopt requirements for the public outage maps maintained by telecommunications service providers pursuant to subdivision (f). Those requirements include the outage map format, update requirements, and the level of detail to be included in the public outage maps derived from community isolation outages and must be consistent with the requirements of Public Utilities Commission Decision 20-07-011 (July 16, 2020), Decision Adopting Wireless Provider Resiliency Strategies, and Decision 21-02-029 (February 11, 2021), Decision Adopting Wireline Provider Resiliency Strategies.

Government Code section 53122(f) states:

“Upon the adoption of regulations pursuant to subparagraph (B) of paragraph (1) of subdivision (b), each provider of telecommunications service that provides access to 911 service shall maintain on its internet website a public outage map showing that provider’s outages.”

The addition of 19 CCR 2480.3(e) in this rulemaking action would specify requirements for the public outage maps maintained by telecommunications service on its website. Subsection (e) provides the format (a map), the requirements for updating (with 60 minutes of the discovery of the outage, and every 6 hours from the most recent notification) which align with their reporting requirements to the state under Government Code Section 53122(c) and 19 CCR 2480.3(c) and the level of detail (zip codes of the impacted area and type of outage: Wireline, VoIP or Mobile Telephony).

NO INCONSISTENCY OR INCOMPATIBILITY WITH EXISTING REGULATIONS

Cal OES has determined that the proposed amendments are not inconsistent or incompatible with existing regulations.

DISCLOSURES REGARDING THE PROPOSED ACTION

*Cal OES has made the following initial determinations:*

**Mandate on local agencies and school districts:** None.

**Cost or savings to any state agency:** No additional costs or savings beyond those imposed by existing law.

**Cost to any local agency or school district, which must be reimbursed in accordance with**

**Government Code sections 17500 through 17630:** None.

**Other non-discretionary cost or savings imposed on local agencies:** No additional costs or savings beyond those imposed by existing law.

**Cost or savings in federal funding to the state:** None.

**Cost impacts on a representative private person or businesses:** No additional costs or savings beyond those imposed by existing law. Therefore, Cal OES is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

**Statewide adverse economic impact directly affecting businesses and individuals:**

Cal OES has made an initial determination that the proposed action *will not* have a significant statewide adverse economic impact directly affecting businesses or individuals.

**Significant effect on housing costs:** None.

**Small Business Determination:** Cal OES anticipates that the regulations will not create additional costs or savings beyond those imposed by existing law. Similarly, Cal OES has determined that there is no impact on small businesses as a result of this proposed action because these regulations primarily serve to modify an existing threshold for reporting and comply with statute. The maps themselves are already required to be posted on the service provider's internet website under Government Code Section 53122(f). These amendments to the regulations simply provide more information about details to be included in the maps and how regularly they should be updated.

#### RESULTS OF ECONOMIC IMPACT ASSESSMENT

Cal OES anticipates that the adoption of these amended regulations will not impact the creation or elimination of jobs or businesses within the state or the expansion of businesses currently doing business within the state. Because the proposed amendments will provide transparency regarding telecommunication outages, they benefit the health and welfare of all California residents. There are no anticipated impacts to worker safety or the state's environment.

#### CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), Cal OES must determine that no reasonable alternative it considered or that has otherwise been identified and brought to Cal OES's attention would be more effective in carrying out the purpose for which this action is proposed, or would be as effective and less burdensome to affected private

persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Cal OES has thus far not become aware of a better alternative and invites interested persons to present alternatives to the proposed regulations during the written comment period.

#### CONTACT PERSON

Inquiries concerning the proposed administrative action may be directed to:

Beth Abdallah  
Governor's Office of Emergency Services  
CA 911 Emergency Communications Branch  
601 Sequoia Pacific Blvd.  
Sacramento, CA 95811  
(916) 952-9449  
[Regulations@CalOES.ca.gov](mailto:Regulations@CalOES.ca.gov)

The backup contact person for these inquiries is:

Michael Elder, Next Generation 911- Manager  
Governor's Office of Emergency Services  
CA 911 Emergency Communications Branch  
601 Sequoia Pacific Blvd.  
Sacramento, CA 95811  
(916) 894-5037  
[Regulations@CalOES.ca.gov](mailto:Regulations@CalOES.ca.gov)

Please direct requests for copies of the proposed text (express terms) of the regulations, the initial statement of reasons, the modified text of the regulations, a copy of the final statement of reasons once it has been prepared, or other information upon which the rulemaking is based, should other sources be used in the future, to Beth Abdallah or Michael Elder at the above address.

#### ONLINE AVAILABILITY OF STATEMENT OF REASONS, TEXT OF PROPOSED REGULATIONS, AND RULEMAKING FILE

This notice, along with the initial statement of reasons, and the full text of the proposed regulations, is available online at: <https://www.caloes.ca.gov/cal-oes-divisions/legal-affairs/rulemaking>.

#### AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments received, Cal OES may adopt the proposed regulations substantially as described in this notice. If Cal OES makes modifications that are sufficiently related to the originally proposed text, it will make the modified text

(with the changes clearly indicated) available to the public for at least 15 days before Cal OES adopts the regulations as revised. Cal OES will accept written comments on the modified regulations for at least 15 days after the date on which they are made available.

**GENERAL PUBLIC INTEREST**

**DEPARTMENT OF  
FISH AND WILDLIFE**

**CESA CONSISTENCY DETERMINATION  
REQUEST FOR**

Brouillard Winery Project  
2080-2022-006-05  
Santa Barbara County

The California Department of Fish and Wildlife (CDFW) received a notice on March 21, 2022, that the Brouillard Winery Project proposes to rely on a consultation with a federal agency to carry out a project that may adversely affect a species protected by the California Endangered Species Act (CESA). The proposed project involves cultivation activities at 1052 Drum Canyon Road, Lompoc, Santa Barbara County, California.

The U.S. Fish and Wildlife Service (Service) issued a federal incidental take permit (Permit Number: TEE66011D) (ITP) under the General Conservation Plan (GCP) for Cultivation Activities in Santa Barbara County to the Brouillard Winery Project on December 21, 2021, which considered the effects of the proposed project on state threatened and federally endangered Santa Barbara County distinct population segment of California tiger salamander (*Ambystoma californiense*).

Pursuant to California Fish and Game Code section 2080.1, the Brouillard Winery Project is requesting a determination that the ITP under the associated GCP is consistent with CESA for purposes of the proposed project. If CDFW determines the ITP under the associated GCP is consistent with CESA for the proposed project, the Brouillard Winery Project will not be required to obtain an incidental take permit under Fish and Game Code section 2081 subdivision (b) for the proposed project.

**OCCUPATIONAL SAFETY AND  
HEALTH STANDARDS BOARD**

**NOTICE OF PUBLIC MEETING AND  
BUSINESS MEETING**

Pursuant to Government Code Section 11346.4 and the provisions of Labor Code Sections 142.1, 142.2, 142.3, 142.4, and 144.6, the Occupational Safety and Health Standards Board of the State of California has set the time and place for a Public Meeting and Business Meeting:

**PUBLIC MEETING**

On **May 19, 2022**, at 10:00 a.m. in the Council Chambers of the Rancho Cordova City Hall

2729 Prospect Park Drive  
Rancho Cordova, California

as well as via the following:

- Video-conference at [www.webex.com](http://www.webex.com) (meeting ID 268 984 996)
- Teleconference at (844) 992-4726 (Access code 268 984 996)
- Live video stream and audio stream (English and Spanish) at <https://videobookcase.com/california/oshsb/>

At the Public Meeting, the Board will make time available to receive comments or proposals from interested persons on any item concerning occupational safety and health.

**BUSINESS MEETING**

On **May 19, 2022**, at 10:00 a.m. in the Council Chambers of the Rancho Cordova City Hall

2729 Prospect Park Drive  
Rancho Cordova, California

as well as via the following:

- Video-conference at [www.webex.com](http://www.webex.com) (meeting ID 268 984 996)
- Teleconference at (844) 992-4726 (Access code 268 984 996)
- Live video stream and audio stream (English and Spanish) at <https://videobookcase.com/california/oshsb/>

At the Business Meeting, the Board will conduct its monthly business.

**DISABILITY ACCOMMODATION NOTICE:** Disability accommodation is available upon request. Any person with a disability requiring an accommodation, auxiliary aid or service, or a modification of policies or procedures to ensure effective communication

and access to the public hearings/meetings of the Occupational Safety and Health Standards Board should contact the Disability Accommodation Coordinator at (916) 274-5721 or the state-wide Disability Accommodation Coordinator at 1-866-326-1616 (toll free). The state-wide Coordinator can also be reached through the California Relay Service, by dialing 711 or 1-800-735-2929 (TTY) or 1-800-855-3000 (TTY-Spanish).

Accommodations can include modifications of policies or procedures or provision of auxiliary aids or services. Accommodations include, but are not limited to, an Assistive Listening System (ALS), a Computer-Aided Transcription System or Communication Access Realtime Translation (CART), a sign-language interpreter, documents in Braille, large print or on computer disk, and audio cassette recording. Accommodation requests should be made as soon as possible. Requests for an ALS or CART should be made no later than five (5) days before the hearing.

**SUMMARY OF  
REGULATORY ACTIONS**

**REGULATIONS FILED WITH THE  
SECRETARY OF STATE**

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

California School Finance Authority  
File # 2022-0310-04  
Charter Access to Bank Loan Enhancement Program

The California School Finance Authority in this emergency action is establishing a program to utilize a grant award under the U.S. Department of Education's Credit Enhancement for Charter Schools Facilities Program for the financing of acquisition, renovation, or construction of charter school facilities, or the re-financing of existing charter school facility debt. This action establishes relevant definitions, eligibility criteria, award allocation and eligible use of the funds as well as an application and fee.

Title 04  
Adopt: 10200.8, 10200.9, 10200.10, 10200.11,  
10200.12, 10200.13, 10200.14, 10200.15  
Filed 03/21/2022  
Effective 03/21/2022  
Agency Contact: Ryan Storey (213) 620-6360

CalSavers Retirement Savings Board  
File # 2022-0308-03  
CalSavers Retirement Savings Program Amendments

This emergency rulemaking action by the CalSavers Retirement Savings Board amends regulations relating to determining employer eligibility and deadlines for registration and enrollment in the CalSavers Retirement Savings Program.

Title 10  
Amend: 10000, 10001, 10002, 10004  
Filed 03/18/2022  
Effective 03/18/2022  
Agency Contact: Eric Lawyer (916) 653-1744

Office of Energy Infrastructure and Safety  
File # 2022-0307-02  
Hearing Process Regulation

This resubmittal of an emergency action establishes a written appeal process by which regulated entities and the public may present additional information to the office regarding a notice of defect or violation. This emergency is deemed pursuant to Government Code sections 15473(c)(2)(E) and 15475(a).

Title 14  
Adopt: 29104  
Filed 03/17/2022  
Effective 03/17/2022  
Agency Contact: Jeff Brooks (916) 926-1672

State Allocation Board  
File # 2022-0311-01  
CA Preschool, TK and Full-Day Kindergarten  
Facilities Grant Program

This emergency action by the State Allocation Board amends regulations, associated forms, and Grant Agreement templates to address statutory changes to a grant program for school districts that lack the facilities to provide full-day preschool, full-day transitional kindergarten, and/or full-day kindergarten programs to apply for one-time grants to construct new school facilities and retrofit existing school facilities for full-day preschool, transitional kindergarten, and kindergarten programs.

Title 02  
Adopt: 1860.5.1, 1860.5.2  
Amend: 1860, 1860.2, 1860.3, 1860.4, 1860.5,  
1860.6, 1860.7, 1860.8, 1860.9, 1860.10, 1860.10.1,  
1860.10.2, 1860.10.3, 1860.11, 1860.12, 1860.13,  
1860.15, 1860.16, 1860.18, 1860.19, 1860.20,  
1860.21  
Filed 03/21/2022  
Effective 03/21/2022  
Agency Contact: Lisa Jones (279) 946-8459

Board of Forestry and Fire Protection  
 File # 2022-0311-02  
 Santa Cruz and San Mateo Weekend Emergency  
 (1st Readoption)

This emergency rulemaking action readopts regulations which extend the allowed days of operation of chainsaws and other power-driven equipment within, and the hauling of forest products from, Timberland affected by the CZU Lighting Complex Fire of 2020 in Santa Cruz and San Mateo Counties to include Saturdays and Sundays.

Title 14  
 Amend: 926.9, 926.10, 928.5, 928.6  
 Filed 03/21/2022  
 Effective 03/23/2022  
 Agency Contact: Eric Hedge (916) 917-3170

California Alternative Energy and Advanced  
 Transportation Financing Authority  
 File # 2022-0307-01  
 GoGreen Home Energy Financing

This emergency rulemaking action by the California Alternative Energy and Advanced Transportation Financing Authority readopts regulations regarding the GoGreen Home Energy Financing program.

Title 04  
 Adopt: 10091.4, 10091.16  
 Amend: 10091.1, 10091.2, 10091.3, 10091.4  
 [renumbered as 10091.5], 10091.5 [renumbered  
 as 10091.6], 10091.6 [renumbered as 10091.7],  
 10091.8, 10091.9, 10091.10, 10091.11, 10091.12,  
 10091.13, 10091.14, 10091.15  
 Repeal: 10091.7  
 Filed 03/17/2022  
 Effective 03/23/2022  
 Agency Contact: Kelly Delaney (916) 651-5581

Fish and Game Commission  
 File # 2022-0308-04  
 Recreational Clam, Sand Crab, and Shrimp Gear  
 Emergency

This action by the Fish and Game Commission readopts emergency regulations that prohibit the use of hydraulic pumps for the recreational harvest of clams, sand crabs, and shrimp.

Title 14  
 Amend: 29.20, 29.80  
 Filed 03/16/2022  
 Effective 04/11/2022  
 Agency Contact: David Haug (916) 902-9286

California School Finance Authority  
 File # 2022-0310-02  
 Project Acceleration Notes and Credit Enhancement  
 Alternatives Program

This emergency rulemaking action by the California School Finance Authority updates the Project Acceleration Notes and Credit Enhancement Alternatives (PANACEA) Program to adopt a definition for the term "Financing", increases the maximum award amount, and limits awards to a per-Financing basis.

Title 04  
 Amend: 10200.1, 10200.3  
 Filed 03/17/2022  
 Effective 03/17/2022  
 Agency Contact: Ryan Storey (213) 620-6360

California School Finance Authority  
 File # 2022-0310-03  
 Charter School Facilities Credit Enhancement Grant  
 Program

This emergency rulemaking action by the California School Finance Authority updates the Charter School Facilities Credit Enhancement Grant Program to adopt a definition for the term "Financing", increase the maximum award amount, and limit awards to a per-Financing basis.

Title 04  
 Amend: 10193, 10195  
 Filed 03/17/2022  
 Effective 03/17/2022  
 Agency Contact: Ryan Storey (213) 620-6360

California State University  
 File # 2022-0301-02  
 Proposed Name Change for Humboldt

This action by the Board of Trustees of the California State University, submitted to OAL for courtesy filing with the Secretary of State and for printing in the California Code of Regulations, adds California State Polytechnic University, Humboldt, to the list of universities that are authorized to emphasize certain applied fields, as specified. This action is exempt from the Administrative Procedure Act and takes effect upon filing with the Secretary of State under Education Code sections 89030 and 89030.1, respectively.

Title 05  
 Amend: 40051  
 Filed 03/23/2022  
 Effective 03/23/2022  
 Agency Contact: Jason Taylor (562) 951-4500

Department of Insurance  
File # 2022-0302-03  
Low Cost Auto Plan of Operations

This request for filing and printing, pursuant to Government Code section 11343.8, amends the California Automobile Insurance Low Cost Program Plan of Operations. This action is exempt from the Administrative Procedure Act pursuant to California Insurance Code section 11620(c).

Title 10  
Amend: 2498.6  
Filed 03/22/2022  
Effective 03/22/2022  
Agency Contact: Michael Riordan (415) 538-4226

Department of Managed Health Care  
File # 2022-0215-01  
Timely Access to Non-Emergency Health Care Services

Health plans are required to report to the Department, on an annual basis, compliance with timely access to care standards and the adequacy of the health plan's provider network. In this request for filing and printing, the Department is delaying the implementation of standardized reporting methodologies for the health plans' annual timely access reporting and annual network reporting adopted in OAL Matter No. 2021-0802-01S. This action is exempt from the APA pursuant to subdivision (f)(3) of Health and Safety Code section 1367.03.

Title 28  
Adopt: 1300.67.2.3  
Amend: 1300.67.2.2  
Filed 03/16/2022  
Effective 04/01/2022  
Agency Contact: Jennifer Willis (916) 324-9014

Cemetery and Funeral Bureau  
File # 2022-0202-01  
Revision of Unitrust Conversion Application form, Compliance with AB 830

This action without regulatory effect amends the form used for a cemetery authority to apply to the Cemetery and Funeral Bureau for approval to convert from the net-income-distribution method of endowment care trust fund administration to the unitrust-distribution method.

Title 16  
Amend: 2334  
Filed 03/17/2022  
Agency Contact:  
Carolina Sammons (916) 574-7876

Air Resources Board  
File # 2021-1006-02  
Amendments to EICG Report for the Air Toxics "Hot Spots" Program

This rulemaking action by the Air Resources Board updates the criteria and guidelines for preparing emission inventory plans and reports to develop site-specific inventories of air emissions of toxic substances.

Title 17  
Amend: 93300.5  
Filed 03/21/2022  
Effective 03/21/2022  
Agency Contact: Chris Hopkins (916) 445-9564

Board of Parole Hearings  
File # 2021-1005-01  
Regulations to Comply with Penal Code 3041.5

This action amends regulations (1) concerning the period for scheduling an inmate's subsequent parole consideration hearing following a denial of parole to align with changes to Penal Code section 3041.5; and (2) to allow the Board of Parole Hearings to conduct parole hearings using two-person panels and to schedule subsequent hearings without requiring a panel member from the previous hearing.

Title 15  
Amend: 2268, 2270  
Filed 03/21/2022  
Effective 07/01/2022  
Agency Contact: George Bakerjian(916) 322-6729

California Highway Patrol  
File # 2022-0207-02  
Inhalation Hazards Safe Stops

This action corrects the mapping of the In-Ko-Pah Brake Check and Truck Rest Area and updates safe stopping places with one removed, one added, and one renamed.

Title 13  
Amend: 1157.18, 1157.21  
Filed 03/22/2022  
Effective 07/01/2022  
Agency Contact: Tian-Ting Shih (916) 843-3400

Department of Corrections and Rehabilitation  
File # 2021-1004-01  
News and Non-News Media

This action amends regulations regarding news and non-news media.

Title 15  
Adopt: 3261.6  
Amend: 3261.2, 3261.3, 3261.5, 3261.7  
Repeal: 3261.6  
Filed 03/21/2022  
Effective 07/01/2022  
Agency Contact: Shelley Alarid (916) 445-2287

State Athletic Commission  
File # 2021-1027-04  
Examination of Boxer Applicants

This action by the State Athletic Commission amends requirements regarding examination of boxer applicants.

Title 04  
Amend: 280  
Filed 03/16/2022  
Effective 07/01/2022  
Agency Contact: Sophia Cornejo (916) 662-4622

**PRIOR REGULATORY  
DECISIONS AND CCR  
CHANGES FILED WITH THE  
SECRETARY OF STATE**

A quarterly index of regulatory decisions by the Office of Administrative Law (OAL) is provided in the California Regulatory Notice Register in the volume published by the second Friday in January, April, July, and October following the end of the preceding quarter. For additional information on actions taken by OAL, please visit [www.oal.ca.gov](http://www.oal.ca.gov).