



California Regulatory Notice Register

REGISTER 2023, NUMBER 42-Z

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OCTOBER 20, 2023

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***Time-
Dated
Material***

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. OFFICE OF ENERGY INFRASTRUCTURE SAFETY

CONFLICT-OF-INTEREST CODE

NOTICE IS HEREBY GIVEN that the Office of Energy Infrastructure Safety (Energy Safety), pursuant to the authority vested in it by section 87300 of the Government Code, proposes its conflict-of-interest code. A comment period has been established commencing on October 20, 2023 and closing on December 4, 2023.

Energy Safety proposes to adopt its conflict-of-interest code to include employee positions that involve the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code. A written explanation of why each position was selected and the reasons for the disclosure categories is available.

Energy Safety was established to ensure electrical utilities are taking effective actions to reduce utility-related wildfire risk. Energy Safety assesses electrical corporations' Wildfire Mitigation Plans, safety culture assessments, safety certifications, and executive compensation structures. Additionally, our office conducts inspections, audits, and investigations to oversee utility compliance with approved Wildfire Mitigation Plans. Energy Safety expanded to include underground safety. The Underground Safety Board is responsible for developing safety standards, rules, and regulations for safe excavation around buried facilities. Copies of the proposed code are available and may be requested from the Contact Person set forth below.

Any interested person may submit written statements, arguments, or comments relating to the proposed code by submitting them in writing no later than December 4, 2023, or at the conclusion of the public hearing, if requested, whichever comes later, to the Contact Person set forth below.

At this time, no public hearing has been scheduled concerning the proposed amendments. If any interested person or the person's representative requests a public hearing, he or she must do so no later than

November 20, 2023, by contacting the Contact Person set forth below.

Energy Safety has determined that the proposed code:

1. Imposes no mandate on local agencies or school districts.
2. Imposes no costs or savings on any state agency.
3. Imposes no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small businesses.

All inquiries should be directed to:

Megan Nevin
 715 P Street, 20th Floor
 Sacramento, CA 95814
 209-429-7390
Megan.Nevin@energysafety.ca.gov

TITLE 10. HEALTH BENEFIT EXCHANGE

CONFLICT-OF-INTEREST CODE

NOTICE IS HEREBY GIVEN that the California Health Benefit Exchange ("Exchange"), pursuant to the authority vested in it by section 87306 of the Government Code, proposes amendment to its conflict-of-interest code. A comment period has been established commencing on October 20, 2023 and closing on December 4, 2023. All inquiries should be directed to the contact listed below.

The Exchange proposes to amend its conflict-of-interest code to include employee positions that involve the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code. The amendment carries out the purposes of the law and no other alternative would do so and be less burdensome to affected persons.

Changes to the conflict-of-interest code include organizational and position changes since the conflict-of-interest code was amended in 2020, including:

- Reorganization of existing positions within divisions,

- The addition of the Equity and Quality Transformation and Consumer Relations and Resolution divisions,
- Updated working titles for several existing positions,
- Elimination of abolished positions and divisions,
- The addition of certain endowments as a reportable source,
- Other technical changes.

The proposed amendment and explanation of the reasons can be obtained from the agency's contact.

Any interested person may submit written comments relating to the proposed amendment by submitting them no later than December 4, 2023, or at the conclusion of the public hearing, if requested, whichever comes later. At this time, no public hearing is scheduled. A person may request a hearing no later than November 19, 2023.

The Exchange has determined that the proposed amendments:

1. Impose no mandate on local agencies or school districts.
2. Impose no costs or savings on any state agency.
3. Impose no costs on any local agency or school district that are required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.
4. Will not result in any nondiscretionary costs or savings to local agencies.
5. Will not result in any costs or savings in federal funding to the state.
6. Will not have any potential cost impact on private persons, businesses or small businesses.

All inquiries concerning this proposed amendment and any communication required by this notice should be directed to:

Faviola Adams
Regulations Coordinator
California Health Benefit Exchange
(Covered California)
1601 Exposition Blvd.
Sacramento, CA 95815
Telephone: (916) 228-8668
Email: Faviola.RamirezAdams@covered.ca.gov

Comments may also be submitted by email to regulations@covered.ca.gov, or by facsimile (FAX) at 916-228-8321.

TITLE 15. DEPARTMENT OF CORRECTIONS AND REHABILITATION

INMATE MAIL

NOTICE IS HEREBY GIVEN that the Secretary of the California Department of Corrections and Rehabilitation (CDCR or department), proposes to amend Sections 3006, 3130-3146, 3190 and adopt section 3147 into Title 15, Division 3, Chapter 1, regarding Inmate Mail.

PUBLIC COMMENT PERIOD

The public comment period begins **October 20, 2023** and closes on **December 7, 2023**. Any person may submit written comments by mail addressed to the primary contact person listed below, or by email to rpm@cdcr.ca.gov, before the close of the comment period. For questions regarding the subject matter of the regulations, call the program contact person listed below.

CONTACT PERSONS

Primary Contact

Renee Rodriguez
Telephone: (916) 445-2220
Regulation and Policy
Management Branch
P.O. Box 942883
Sacramento, CA 94283-0001

Back-Up

Y. Sun
Telephone: (916) 445-2269
Regulation and Policy
Management Branch
P.O. Box 942883
Sacramento, CA 94283-0001

Program Contact

Matthew Freeland
Telephone: (916) 324-7001
Division of Adult Institutions
P.O. Box 942883-0001
Sacramento, CA 94283-0001

PUBLIC HEARING

Date and Time:

December 7, 2023 — 10:00 a.m. to 11:00 a.m.

Place:

Department of Corrections and Rehabilitation
Sequoia Conference Room 150 North
1515 S Street — North Building
Sacramento, CA 95811

AUTHORITY AND REFERENCE

Government Code Section 12838.5 provides that commencing July 1, 2005, CDCR succeeds to, and is vested with, all the powers, functions, duties, responsibilities, obligations, liabilities, and jurisdiction of abolished predecessor entities, such as Department of Corrections, Department of the Youth Authority, and Board of Corrections.

Penal Code (PC) Section 5000 provides that commencing July 1, 2005, any reference to Department of Corrections in this or any code, refers to the CDCR, Division of Adult Operations. **PC Section 5050** provides that commencing July 1, 2005, any reference to the Director of Corrections in this or any other code, refers to the Secretary of the CDCR. As of that date, the office of the Director of Corrections is abolished.

PC Section 5054 provides that commencing July 1, 2005, the supervision, management, and control of the State prisons, and the responsibility for the care, custody, treatment, training, discipline, and employment of persons confined therein are vested in the Secretary of the CDCR. **PC Section 5055** provides that commencing July 1, 2005, all powers and duties previously granted to and imposed upon the Department of Corrections shall be exercised by the Secretary of the CDCR. **PC Section 5058** authorizes the Director to prescribe and amend rules and regulations for the administration of prisons and for the administration of the parole of persons. **PC Section 5058.3** authorizes the Director to certify in a written statement filed with Office of Administrative Law that operational needs of the department require adoption, amendment, or repeal of regulation on an emergency basis.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The proposed revisions will update and help to clarify department regulations concerning inmate mail. Specifically, mail definitions have been updated to be consistent with United States Postal Services standards and incorporate allowable personal property items which can also be obtained through personal correspondence into the mail regulations to provide consistency and standardization in the interpretation for these types of allowable items. Definitions and processes for books and packages solely containing books have been incorporated into the regulations.

These processes include timeframes for the review, delivery, forwarding, and disapproval of all forms of mail items to provide clarity to staff and inmates on the expectations for handling mail related materials. The use of the CDCR Form 1819 (Rev. 02/23) is included throughout the regulations to provide reference to the official document that staff and inmates shall utilize when mail, packages, or publications are disapproved for any reason. This update ensures proper notification is provided to all impacted parties and provides the department with an official record of decisions that may be challenged through the grievance and appeals processes outlined within the regulations.

These amendments will update the definitions for obscene and sexually explicit images and text as they pertain to contraband items. These changes incorporate definitions previously identified within other areas of the regulations to provide an exhaustive list of contraband items which shall not be possessed by the inmate population. These changes provide clarity to staff and inmates for the purposes of making determinations on the disapproval of these types of items and the consequences of possessing such items.

The revisions provide updates to the inmate property regulations by specifically allowing inmates, who live in segregated housing, the ability to choose which publications they want to maintain in their assigned living quarters and those that shall be stored as excess personal property. Legal publications as referenced within the inmate property regulations have been updated to identify where these may be obtained from, which is consistent with all other forms of publications as detailed within the mail regulations. This provides consistency throughout and clarifies the types of publications that shall be allowed by the department.

This action will:

- Align agreements made within the 2007 *Prison Legal News v Newsom* Settlement Agreement (2007 PLN Settlement Agreement) regarding how publications, mail and inmate property are processed.
- Define sexually explicit images and specific text that shall be considered contraband.
- Update the mail definitions to be consistent with the United States Postal Service.
- Update timeframes for the review, delivery, forwarding, and disapproval of all forms of mail items.
- Expand the use of the CDCR Form 1819 (Rev. 02/23) as the official document for the disapproval of mail, packages, or publications.

DOCUMENTS INCORPORATED
BY REFERENCE

- The 2007 *Prison Legal News v Newsom* Settlement Agreement.
- *Mailing Standards of the United States Postal Service (USPS) Domestic Mail Manual*.

SPECIFIC BENEFITS ANTICIPATED BY
THE PROPOSED REGULATIONS

The proposed regulations benefit staff and inmates by aligning the regulations with agreements made within the 2007 PLN Settlement Agreement and provide clarity regarding how publications, mail, and inmate property are processed. These updates provide consistency in ensuring inmates have equal access to mail, publications, and packages, while also ensuring the department maintains accountability in providing proper notification and justification for the disapproval of these items. The department also recognizes the importance of the administrative remedies process in which inmates may challenge a decision regarding the disapproval of items. These changes are provided in an effort to reduce the amount of contraband sent into an institution from outside entities, give staff the resources needed to adequately review and make a determination for all inspected mail-related items, and to outline all applicable steps that must be taken in the delivery, forwarding, and disapproval of such items, along with any applicable penalties for non-serious and serious violations of the regulations.

EVALUATION OF INCONSISTENCY/
INCOMPATIBILITY WITH
EXISTING REGULATIONS

Pursuant to Government Code 11346.5(a)(3)(D), the department has determined the proposed regulations are not inconsistent or incompatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area, the department has concluded that these are the only regulations that concern inmate mail.

LOCAL MANDATES

This action imposes no mandates on local agencies or school districts, or a mandate which requires reimbursement of costs or savings pursuant to Government Code Sections 17500–17630.

FISCAL IMPACT STATEMENT

- Cost or savings to any state agency: *None*.

- Cost to any local agency or school district that is required to be reimbursed: *None*.
- Other nondiscretionary cost or savings imposed on local agencies: *None*.
- Cost or savings in federal funding to the state: *None*.

EFFECT ON HOUSING COSTS

The department has made an initial determination that the proposed action will have no significant effect on housing costs.

COST IMPACTS ON REPRESENTATIVE
PRIVATE PERSONS OR BUSINESSES

The department 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 ON BUSINESS

The department has made an initial determination that the proposed regulations will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, because the proposed regulations place no obligations or requirements on any business.

EFFECT ON SMALL BUSINESSES

The department has determined that the proposed regulations will not affect small businesses. This action has no significant adverse economic impact on small businesses because they place no obligations or requirements on any business.

RESULTS OF THE ECONOMIC
IMPACT ASSESSMENT

The department has determined that the proposed regulation will have no effect on the creation of new, or the elimination of existing, jobs or businesses within California, or effect the expansion of businesses currently doing business in California. The department has determined that the proposed regulation will have no effect on worker safety or the state's environment. These regulations may benefit the welfare of California residents by helping to make CDCR institutions safer for inmates, staff, and visitors. Additionally, safer institutions may provide an environment more conducive to rehabilitation, thereby reducing recidivism.

CONSIDERATION OF ALTERNATIVES

The department must determine that no reasonable alternative considered by the department or that has otherwise been identified and brought to the attention of the department 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 regulatory action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law. Interested persons are invited to present statements or arguments with respect to any alternatives to the changes proposed at the scheduled hearing or during the written comment period.

AVAILABILITY OF PROPOSED TEXT AND INITIAL STATEMENT OF REASONS

The department has prepared and will make available the text and the Initial Statement of Reasons (ISOR) of the proposed regulations. The rulemaking file for this regulatory action, which contains those items and all information on which the proposal is based (i.e., rulemaking file) is available to the public upon request directed to the department’s contact person. The proposed text, ISOR, and Notice of Proposed Regulations will also be made available on the department’s website: www.cdcr.ca.gov.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Following its preparation, a copy of the Final Statement of Reasons may be obtained from the department’s contact person.

AVAILABILITY OF CHANGES TO PROPOSED TEXT

After considering all timely and relevant comments received, the department may adopt the proposed regulations substantially as described in this Notice. If the department makes modifications which 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 the department adopts, amends or repeals the regulations as revised. Requests for copies of any modified regulation text should be directed to the contact person indicated in this Notice. The department will accept written comments on the modified regulations for at least 15 days after the date on which they are made available.

TITLE 15. DEPARTMENT OF CORRECTIONS AND REHABILITATION

OCCUPATIONAL MENTOR CERTIFICATION PROGRAM

NOTICE IS HEREBY GIVEN that the Secretary of the California Department of Corrections and Rehabilitation (CDCR or the department), proposes to amend Sections 3040, 3040.2, and 3043.5 in Title 15, Division 3, Chapter 1, regarding the Occupational Mentor Certification Program (OMCP).

PUBLIC COMMENT PERIOD

The public comment period begins **October 20, 2023** and closes on **December 4, 2023**. Any person may submit written comments by mail addressed to the primary contact person listed below, or by email to rpmb@cdcr.ca.gov, before the close of the comment period. For questions regarding the subject matter of the regulations, call the program contact person listed below.

CONTACT PERSONS

Primary Contact

A. Colavita
Telephone: (916) 322–8344
Regulation and Policy Management Branch
P.O. Box 942883
Sacramento, CA 94283–0001

Back-Up

Y. Sun
Telephone: (916) 445–2269
Regulation and Policy Management Branch
P.O. Box 942883
Sacramento, CA 94283–0001

Program Contacts

H. Bruglia
Telephone: (279) 300-5974
H. Baraich
Telephone: (279) 300–5975
Division of Rehabilitative Programs
P.O. Box 942883
Sacramento, CA 94283–0001

PUBLIC HEARING

Date and Time:

December 14, 2023 — 10:00 a.m. to 11:00 a.m.

Place:

Department of Corrections and Rehabilitation
Room 151N
1515 S Street — North Building
Sacramento, CA 95811

any adjudicated-guilty serious rules violations within two years of applying to the program, and having a reading level score of 9.0 or greater or a GED.

- Revise the name of the program from “Offender” to “Occupational” Mentor Certification Program.

AUTHORITY AND REFERENCE

Government Code Section 12838.5 provides that commencing July 1, 2005, CDCR succeeds to, and is vested with, all the powers, functions, duties, responsibilities, obligations, liabilities, and jurisdiction of abolished predecessor entities, such as Department of Corrections, Department of the Youth Authority, and Board of Corrections.

Penal Code (PC) Section 5000 provides that commencing July 1, 2005, any reference to Department of Corrections in this or any code, refers to the CDCR, Division of Adult Operations. **PC Section 5050** provides that commencing July 1, 2005, any reference to the Director of Corrections in this or any other code, refers to the Secretary of the CDCR. As of that date, the office of the Director of Corrections is abolished.

PC Section 5054 provides that commencing July 1, 2005, the supervision, management, and control of the State prisons, and the responsibility for the care, custody, treatment, training, discipline, and employment of persons confined therein are vested in the Secretary of the CDCR. **PC Section 5055** provides that commencing July 1, 2005, all powers and duties previously granted to and imposed upon the Department of Corrections shall be exercised by the Secretary of the CDCR. **PC Section 5058** authorizes the Director to prescribe and amend rules and regulations for the administration of prisons and for the administration of the parole of persons. **PC Section 5058.3** authorizes the Director to certify in a written statement filed with Office of Administrative Law that operational needs of the department require adoption, amendment, or repeal of regulation on an emergency basis.

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

The proposed regulations include the criteria for the Occupational Mentor Certification Program (OMCP), which provides select incarcerated individuals with the education and opportunity to earn a certification in Alcohol and Other Drug counseling from a certifying organization recognized by the California Department of Health Care Services.

This action will:

- Establish the criteria needed for incarcerated individuals to join the OMCP including, having five years left of their sentence to serve, absence of

DOCUMENTS INCORPORATED
BY REFERENCE

None.

SPECIFIC BENEFITS ANTICIPATED BY
THE PROPOSED REGULATIONS

The department anticipates these regulations will help better prepare incarcerated individuals to find employment upon release, maintain a clean and sober lifestyle, and reduce recidivism.

EVALUATION OF INCONSISTENCY/
INCOMPATIBILITY WITH
EXISTING REGULATIONS

Pursuant to Government Code 11346.5(a)(3)(D), the department has determined the proposed regulations are not inconsistent or incompatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area, the department has concluded that these are the only regulations that concern the OMCP.

LOCAL MANDATES

This action imposes no mandates on local agencies or school districts, or a mandate, which requires reimbursement of costs or savings pursuant to Government Code Sections 17500–17630.

FISCAL IMPACT STATEMENT

- Cost or savings to any state agency: *None*.
- Cost to any local agency or school district that is required to be reimbursed: *None*.
- Other nondiscretionary cost or savings imposed on local agencies: *None*.
- Cost or savings in federal funding to the state: *None*.

EFFECT ON HOUSING COSTS

The department has made an initial determination that the proposed action will have no significant effect on housing costs.

COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES

The department 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 ON BUSINESS

The department has determined the proposed regulations will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. The provision of OMCP to the incarcerated population does not have an adverse impact on businesses.

EFFECT ON SMALL BUSINESSES

The department has determined that the proposed regulations will not affect small businesses. This action has no significant adverse economic impact on small businesses because they place no obligations or requirements on any business.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The department has determined that the proposed regulation will have no effect on the creation of new, or the elimination of existing, jobs or businesses within California, or effect the expansion of businesses currently doing business in California. The department has determined that the proposed regulation will have no effect on worker safety or the state's environment. These regulations may benefit the welfare of California residents by helping to make CDCR better prepare incarcerated individuals to find employment upon release, maintain a clean and sober lifestyle, and reduce recidivism.

CONSIDERATION OF ALTERNATIVES

The department must determine that no reasonable alternative considered by the department or that has otherwise been identified and brought to the attention of the department 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 regulatory action, or would

be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law. Interested persons are invited to present statements or arguments with respect to any alternatives to the changes proposed at the scheduled hearing or during the written comment period.

AVAILABILITY OF PROPOSED TEXT AND INITIAL STATEMENT OF REASONS

The department has prepared and will make available the text and the Initial Statement of Reasons (ISOR) of the proposed regulations. The rulemaking file for this regulatory action, which contains those items and all information on which the proposal is based (i.e., rulemaking file) is available to the public upon request directed to the department's contact person. The proposed text, ISOR, and Notice of Proposed Regulations will also be made available on the department's website: www.cdcr.ca.gov.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Following its preparation, a copy of the Final Statement of Reasons may be obtained from the department's contact person.

AVAILABILITY OF CHANGES TO PROPOSED TEXT

After considering all timely and relevant comments received, the department may adopt the proposed regulations substantially as described in this Notice. If the department makes modifications which 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 the department adopts, amends or repeals the regulations as revised. Requests for copies of any modified regulation text should be directed to the contact person indicated in this Notice. The department 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
SOIL REMEDIATION PROJECT ON
TELEPHONE ROAD
2080-2023-016-05
SANTA BARBARA COUNTY

The California Department of Fish and Wildlife (CDFW) received a notice on October 4, 2023, that ConocoPhillips proposes to rely on a federal permit to carry out a project that may adversely affect a species protected by the California Endangered Species Act (CESA). The purpose of the proposed project is to remediate hydrocarbon impacted soil on the historical Coz 3-32 oil well sump and oilfield lease access road in Santa Barbara County. Proposed activities will include, but are not limited to, geophysical exploration(-seismic), development, extraction, storage, transport, remediation, and/or distribution of crude oil, natural gas, and/or other petroleum products and construction, maintenance, operation, repair and decommissioning of oil and gas pipelines and well field infrastructure. The proposed project Planning Area consists of Santa Maria Valley, San Antonio Creek, Lompoc Valley, Santa Ynez Valley, and a portion of the Santa Barbara coastline in Santa Barbara County.

Bill Borgh prepared a Habitat Conservation Plan (HCP) which considered the effects of the proposed project on the Santa Barbara County Distinct Population Segment of the state threatened and federally endangered species California tiger salamander (*Ambystoma californiense*). The U.S. Fish and Wildlife Service (Service) issued a federal incidental take permit (ITP) (Permit Number ESPER4671392) to ConocoPhillips on September 9, 2023.

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

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 Unemployment Insurance Appeals Board
File # 2023-1004-02
Conflict-of-Interest Code

This is a conflict-of-interest code that has been approved by the Fair Political Commission and is being submitted for filing with the Secretary of State and printing only. OAL filed this regulation with the Secretary of State and will publish the regulation in the California Code of Regulations.

Title 22
Amend: 5200
Filed 10/17/2023
Effective 10/17/2023
Agency Contact: Kim Hickox (916) 263-6806

San Francisco Bay Conservation and Development Commission
File # 2023-0920-01
Conflict-of-Interest Code — Biennial Update

This is a Conflict-of-Interest code that has been approved by the Fair Political Commission and is being submitted for filing with the Secretary of State and printing only.

Title 14
Amend: 11600
Filed 10/10/2023
Effective 11/09/2023
Agency Contact: Michael Ng (415) 352-3610

Occupational Safety and Health Standards Board
File # 2023-0829-02
Gaseous Hydrogen at Consumer Sites

This action revises an internal cross-reference to regulations concerning gaseous hydrogen systems at consumer sites to conform to federal standards as a change without regulatory effect.

Title 08
 Amend: 5465
 Filed 10/10/2023
 Agency Contact: Kelly Chau (916) 274–5794

California Architects Board
 File # 2023–0914–01
 Form of Examinations

In this regular rulemaking, the California Architects Board is revising the eligibility requirements to take the Landscape Architect Registration Examination.

Title 16
 Amend: 2615
 Filed 10/12/2023
 Effective 10/12/2023
 Agency Contact: Kourtney Fontes (916) 575–7233

California Architects Board
 File # 2023–1005–01
 Examination Transition Plan

This action amends section 2614(g)(2) of title 16 of the California Code of Regulations to enable landscape architecture license applicants, who pass sections of the Landscape Architect Registration Examination (LARE) during the October 2023 administration of the examination, to earn credit toward passage of the restructured LARE which will be administered beginning December 1, 2023.

Title 16
 Amend: 2614
 Filed 10/11/2023
 Effective 10/11/2023
 Agency Contact: Kourtney Fontes (916) 575–7233

California Energy Commission
 File # 2023–0828–01
 Repeal Field Verification and Diagnostic Testing

This action removes field verification and diagnostic testing regulations from Title 20.

Title 20
 Amend: 1670, 1671, 1672, 1673, 1674, 1675
 Filed 10/09/2023
 Effective 01/01/2024
 Agency Contact: Corrine Fishman (916) 805–7452

Department of Financial Protection and Innovation
 File # 2023–0823–02
 Student Loan Servicing

This action by the by the Department of Financial Protection and Innovation adopts three regulations and amends 11 existing regulations that implement the Student Loan Servicing Act, Division 12.5 (commencing with Section 28100) of the Financial Code, and the Student Loans: Borrower Rights Law, Title

1.6c.10 (commencing with Section 1788.100) of Part 4 of Division 3 of the Civil Code. The action, in part, further clarifies the types of student loans that are subject to the Student Loan Servicing Act and the related maintenance of student loan reports and records. The action also amends some existing regulations by removing regulatory provisions the Department of Financial Protection and Innovation have determined are unnecessary or burdensome to student loan servicers. Lastly, this action includes amendments to implement and make specific the Student Loans: Borrower Rights Law.

Title 10
 Adopt: 2033.75, 2042.65, 2042.75
 Amend: 2032, 2033.5, 2034.5, 2035, 2036.5, 2040, 2040.5, 2041, 2042, 2042.5, 2043
 Filed 10/04/2023
 Effective 01/01/2024
 Agency Contact: Mary D. Tome (916) 378–9522

Department of Justice
 File # 2023–0831–02
 Racial and Identity Profiling Act (RIPA) Regulations

This rulemaking by the California Department of Justice makes amendments to regulations implementing California’s Racial and Identity Profiling Act of 2015, relating to the collection and reporting of stop data pursuant to Government Code section 12525.5. This includes adding the new data element “Reason Given to the Stopped Person,” as required by Government Code section 12525.5, subdivision (b)(3), as amended by Assembly Bill 2733 (Stats. 2022, chapter 805), effective January 1, 2024.

Title 11
 Amend: 999.226, 999.227, 999.228
 Filed 10/11/2023
 Effective 10/11/2023
 Agency Contact: Marlon Martinez (213) 269–6437

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

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