



# 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**

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**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:**

Sacramento Municipal Utility  
District Financing Authority  
Northern California Gas  
Authority 1  
Northern CA Energy Authority  
West Turlock Subbasin  
Groundwater Sustainability  
Agency

**STATE AGENCY:**

California Arts Council

**ADOPTION**

**MULTI-COUNTY:**

Eel-Russian Project Authority

A written comment period has been established commencing on January 24, 2025, and closing on March 10, 2025. Written comments should be directed to the Fair Political Practices Commission, Attention Belen Cisneros, 1102 Q Street, Suite 3050, Sacramento, California 95811.

At the end of the 45-day comment period, the proposed conflict-of-interest codes will be submitted to the Commission's Executive Director for their review, unless any interested person or their 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 codes will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced conflict-of-interest codes, 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 their own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed codes 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 codes. Any written comments must be received no later than March 10, 2025. 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 codes should be made to Belen Cisneros, Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, California 95811, or email [bcisneros@fppc.ca.gov](mailto:bcisneros@fppc.ca.gov).

## 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 Belen Cisneros, Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, California 95811, or email [bcisneros@fppc.ca.gov](mailto:bcisneros@fppc.ca.gov).

## TITLE 2. STATE PERSONNEL BOARD

**Notice is hereby given** that the State Personnel Board (Board) proposes to amend Sections 53.1 and 53.2 to correct appeals processes that are erroneously missing from California Code of Regulations. (Cal. Code Regs., title 2, §§ 53.1 and 53.2)

## PUBLIC HEARING

A public hearing regarding the proposed regulatory action will be held on March 11, 2025, at 10:00 a.m. via WebEx. In order to participate in the public hearing, please see the following options:

- Via Video (Online)

You may click, or copy and paste into your web browser, the following link:

<https://spb-meetings.webex.com/spb-meetings/j.php?MTID=mb3317025a0b6fa33ffbcd69fef3e4538>

Then enter the following information to gain access to the hearing:

Meeting Number: 2555 056 0475

Meeting password: pbHqFrN3r53

- Via Telephone

You may also participate by dialing the phone number first and then the participant code listed below:

Phone Number: +1-408-418-9388

Participant Code: 25550560475##

Join by phone

The telephonic conference to be used for the public hearing is accessible to persons with mobility impairment. Persons with sight or hearing impairments are requested to notify the contact person for these hearings (listed below) to make specific arrangements, if necessary.

## WRITTEN COMMENT PERIOD

Any interested party, or their duly authorized representative, may submit written comments relevant to the proposed regulatory action to the contact person listed below.

Michelle La Grandeur, Chief

Policy Division

State Personnel Board

801 Capitol Mall

Sacramento, CA 95814

Email: [michelle.lagrandeur@spb.ca.gov](mailto:michelle.lagrandeur@spb.ca.gov)

The written comment period closes on March 10, 2025. Only written comments received by that time shall be reviewed and considered by the Board before it adopts, amends, or repeals a regulation.

## AUTHORITY AND REFERENCE

The Board proposes to amend sections 53.1 and 53.2 of Title 2, Chapter 1 of the California Code of Regulations pursuant to the authority vested in it by the California Constitution, article VII, section 3, and Government Code (Gov. Code) sections 18502 and 18701. The proposed regulations will implement, interpret, and make specific the provisions of the California Constitution, article 7, section 3, and Government Code sections 18935 and 19050.

## INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Board is a constitutional body responsible for enforcing California's civil service statutes. (Cal. Const., article VII, §§ 1, subdivision (b), and 3; Gov. Code, § 18660.) In addition, the Board, by majority vote of all its members, prescribes probationary periods and classifications, adopts other rules authorized by statute, and reviews disciplinary actions imposed against state employees. (*Ibid.*)

Regulations adopted by the Board are exempt from the Administrative Procedure Act, except as expressly specified. (Gov. Code, §§ 18211, 18215, and 18216.)

The amendments will ensure that California Code of Regulations related to appeals are consistent with existing practices.

In reviewing other state regulations, the Board found that the instant regulatory proposal is consistent and compatible with existing state regulations.

## FISCAL IMPACT ON PUBLIC AGENCIES

- Mandate on local agencies and school districts: None.

- Cost to any local agency or school district that must be reimbursed in accordance with Government Code sections 17500 through 17630: None.
- Cost or savings to any State agency: None.
- Other nondiscretionary cost or savings imposed on local agencies: None.
- Cost or savings in federal funding to the State: None.

#### SIGNIFICANT EFFECT ON HOUSING COSTS

None.

#### ECONOMIC IMPACT ON BUSINESS:

- Significant, statewide adverse economic impact directly affecting businesses including the ability of California businesses to compete with businesses in other states: None.
- Effect on small business: None. The proposed regulations only set standards related to the appeals process. Accordingly, it has been determined that the adoption of the proposed regulations would not affect small businesses in any way.

#### COST IMPACT ON A REPRESENTATIVE PRIVATE PERSON OR BUSINESS

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action since the regulatory change only impacts the appeals within state civil service.

#### RESULTS OF ECONOMIC IMPACT ASSESSMENT

Adoption of these regulations will not:

1. Create or eliminate jobs within California.
2. Create new businesses or eliminate existing businesses within California.
3. Affect the expansion of businesses currently doing business within California.
4. Affect worker safety or the state's environment.

The adoption of these regulations, however, will have a positive impact on the general health and welfare of California residents in that the benefits of this regulatory action create a fair, equitable, and consistent process for the civil service selection process.

#### CONSIDERATION OF ALTERNATIVES

The Board must determine that no reasonable alternatives it has considered or that have been otherwise

identified and brought to the attention of the Board would be more effective in carrying out the purposes for which the instant 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.

#### CONTACT PERSONS

Inquiries concerning the proposed regulatory action, including questions regarding procedure, comments, or the substance of the proposal, may be directed to:

Michelle La Grandeur, Chief  
Policy Division  
State Personnel Board  
801 Capitol Mall  
Sacramento, CA 95814  
Phone: (916) 651-0924  
Email: [michelle.lagrandeur@spb.ca.gov](mailto:michelle.lagrandeur@spb.ca.gov)

The backup contact person for these inquiries is:

Carlos Gomez, Analyst  
Policy Division  
State Personnel Board  
801 Capitol Mall  
Sacramento, CA 95814  
Phone: (916) 651-8350  
Email: [carlos.gomez@spb.ca.gov](mailto:carlos.gomez@spb.ca.gov)

Please direct requests for copies of the proposed text of the regulations, the initial statement of reasons, or other information upon which the rulemaking is based to Compliance Review Division Chief, Michelle La Grandeur, at the above address.

#### AVAILABILITY OF RULEMAKING FILE

The Board is maintaining a rulemaking file for the proposed regulatory action, which as of the date of this notice contains the following:

1. A copy of the text of the regulations for which the adoption is proposed in ~~strikeout~~ and underline;
2. A copy of this notice and initial statement of reasons for the proposed adoption; and
3. Any factual information upon which the proposed rulemaking is based.

If written comments, data or other factual information, studies or reports are received, they will be added to the rulemaking file. The file is available for public inspection during normal working hours at the State Personnel Board, 801 Capitol Mall, Sacramento, CA 95814. Items 1 through 3 are also available on the Board's website at [www.spb.ca.gov](http://www.spb.ca.gov) under "What's

New?” Copies may be obtained by contacting the person via the address, email, or phone number listed above.

#### **AVAILABILITY OF CHANGED OR MODIFIED TEXT**

After 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 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 the Board adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of the person at the address indicated above. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available to the public.

#### **AVAILABILITY OF THE FINAL STATEMENT OF REASONS**

It is anticipated that the proposed regulations will be filed with the Office of Administrative Law and shall include a Final Statement of Reasons. Copies of the Final Statement of Reasons may be obtained from the contact person when it becomes available.

#### **AVAILABILITY OF DOCUMENTS ON THE INTERNET**

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout can be accessed on the Board’s website at [www.spb.ca.gov](http://www.spb.ca.gov) under “What’s New?”

### **TITLE 5. COMMISSION ON TEACHER CREDENTIALING**

#### **CHILDHOOD EDUCATION SPECIALIST INSTRUCTION TEACHING PERFORMANCE EXPECTATIONS**

The Commission on Teacher Credentialing (Commission) proposes to take the regulatory action described below after considering all comments, objections, and recommendations regarding the proposed action. A copy of the proposed regulations is included with the added text underlined and the deleted text lined out.

The Commission has not scheduled a public hearing on this proposed action. However, the Commission

will hold a hearing if it receives a written request for a public hearing from any interested person, or their authorized representative, no later than 15 days before the close of the comment period.

#### **WRITTEN COMMENT PERIOD**

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed action by fax, through the mail, or by email. The written comment period closes on March 10, 2025. Comments must be received by that time or may be submitted at the public hearing, should one be requested. Interested parties may fax their response to (916) 327–3165; write to the Commission on Teacher Credentialing, Attention: Mika Laidler–Rubio, Commission on Teacher Credentialing, 651 Bannon Street, suite 601, Sacramento, CA 95811; or submit an email to [Mika.Laidler-Rubio@ctc.ca.gov](mailto:Mika.Laidler-Rubio@ctc.ca.gov). Alternatively, contact [Christina.Villanueva@ctc.ca.gov](mailto:Christina.Villanueva@ctc.ca.gov)

Any written comments received by the closing of the public comment period will be reproduced by the Commission’s staff for each member of the Commission as a courtesy to the person submitting the comments and will be included in the written agenda prepared for and presented to the full Commission at the hearing.

#### **AUTHORITY**

Education Code section 44225(h) and 44225(q) authorizes the Commission to adopt the proposed regulations and amendments.

#### **REFERENCE**

Education Code sections 44225(b), 44225(e), 44256(c), 44265, 44279.1 and 44370.

#### **INFORMATION DIGEST/POLICY STATEMENT OVERVIEW**

##### *Summary of Existing Laws and Effect of the Proposed Action*

According to current regulations, one of the minimum requirements for applicants seeking to obtain the preliminary PK–3 Early Childhood Education (ECE) Specialist Instruction credential is passage of a Commission–approved teaching performance assessment for multiple subject credentials in a PK–3 setting, or passage of a teaching performance assessment for early childhood education. When these regulations were adopted, the Commission had not yet developed a teaching performance assessment specific to the preliminary PK–3 Early Childhood Education Specialist Instruction credential, so the Commission approved



the use of the existing teaching performance assessment for multiple subject credentials.

The regulation proposed in this rulemaking action would eliminate the option for PK–3 ECE candidates enrolled on or after July 1, 2025 to continue use of the multiple subject version of the teaching performance assessment and instead require that candidates first enrolled in a PK–3 Early Childhood Education Specialist program on or after July 1, 2025, pass a commission approved teaching performance assessment for the PK–3 Early Childhood Education Specialist Instruction. The new PK–3 version is modeled on the current multiple subject version but is aligned to the PK–3 Teaching Performance Expectations and program standards.

*Anticipated Benefits of the Proposed Regulations*

The broad objectives of this regulation are to ensure integrity, relevance, and high quality in the preparation and certification of the educators who serve all of California’s diverse students. The specific benefits anticipated from the regulation are the promotion of fairness and social equity for students and teachers in California school’s grades preschool through 3.

*Determination of Inconsistency/Incompatibility with Existing State Regulations*

The Commission has determined that the proposed regulation amendments are not inconsistent or incompatible with existing regulations. After conducting a review of any regulations that would relate to or affect this area, the Commission has concluded that these are the only regulations that concern the minimum requirements for the preliminary PK–3 Early Childhood Education Specialist Instruction Credential.

DISCLOSURES REGARDING THE  
PROPOSED ACTIONS/FISCAL IMPACT

The Commission has made the following initial determinations.

*Mandate on local agencies or school districts:*

None.

*Fiscal Impact*

*Costs to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630:*

None.

*Cost or savings to any state agency:*

None.

*Other non–discretionary costs or savings imposed upon local agencies:*

None.

*Cost or savings in federal funding to the state:*

None.

*Significant effect on housing costs:*

None.

*Significant Statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states:*

None.

*Cost Impacts on a Representative Private Person or Business:*

None.

STATEMENT OF THE RESULTS OF THE  
ECONOMIC IMPACT ASSESSMENT

In accordance with Government Code section 11346.3(b), the Commission has made the following assessments regarding the proposed regulations:

The Commission concludes that it is unlikely that the proposal will (1) create or eliminate any jobs, (2) create any new businesses, (3) eliminate any existing businesses (4) expand any businesses currently doing business within the state of California. The proposed amendments pertain to applicants enrolled in a PK–3 Early Childhood Education Specialist program on or after July 1, 2025, in California.

***Benefits of the regulation to the health and welfare of California residents, worker safety, and the state’s environment***

The Commission anticipates that the proposed amendments will help improve services to students in grades PK–3 by better preparing California educators to serve in early childhood education settings.

The Commission does not anticipate that the proposed regulations will result in an increase in the protection of public health and welfare of California residents, worker safety, or the environment, or an increase in openness and transparency in business.

*Small Business Determination*

The proposed regulations will not affect small businesses. These regulations establish requirements that only applicants enrolled in a PK–3 Early Childhood Education Specialist program on or after July 1, 2025, must adhere to.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Commission must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its 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.

The Commission invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period.

#### CONTACT PERSONS

Inquiries concerning the proposed rulemaking action may be directed to:

Mika Laidler–Rubio  
Commission on Teacher Credentialing  
651 Bannon Street, Suite 601,  
Sacramento, CA 95811  
Phone: (916) 327–8697  
Email: [Mika.Laidler-Rubio@ctc.ca.gov](mailto:Mika.Laidler-Rubio@ctc.ca.gov)

The backup contact person for these inquiries is:

Christina Villanueva  
Commission on Teacher Credentialing  
651 Bannon Street, Suite 601,  
Sacramento, CA 95811  
Phone: (916) 327–2967  
Email: [Christina.Villanueva@ctc.ca.gov](mailto:Christina.Villanueva@ctc.ca.gov)

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

The Commission will make the entire rulemaking file available for inspection and copying throughout the rulemaking process at the Commission office at the above address. As of the date this notice is published in the Notice of Register, the rulemaking file consists of the Notice of Proposed Action, the proposed text of regulations, the Initial Statement of Reasons, and the STD. 399. The rulemaking file for this regulatory action, which contains those items mentioned above, 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. Please direct requests to inspect or copy the rulemaking file to the backup contact person listed above, Christina Villanueva.

#### AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments received, the Commission may adopt the proposed regulations substantially as described in this notice. If the Commission 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 adopting the regulations as revised. Please direct

requests for copies of any modified regulations to the contact person(s) listed above. If substantive modifications are made, the Commission will accept written comments on the modified regulations for the duration of the period of public availability.

#### AVAILABILITY OF FINAL STATEMENT OF REASONS

Upon its completion, the Commission will make copies of the Final Statement of Reasons available. Please direct requests for copies to the contact person(s) listed above.

#### AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations with modifications highlighted, as well as the Final Statement of Reasons, when completed, and modified text and notices thereof, if any, may be accessed via the Commission’s website at <http://www.ctc.ca.gov/notices/rulemaking.html>.

### **TITLE 11. DEPARTMENT OF JUSTICE**

#### ENFORCEMENT ACCOUNTABILITY REFORM ACT

The Department of Justice (Department) proposes to adopt sections 941–954 of Title 11, Division 1, Chapter 11, of the California Code of Regulations concerning the California Law Enforcement Accountability Reform Act, Assembly Bill 655 (2022), codified at Penal Code sections 13680–13683 (“AB 655”), which took effect on January 1, 2023, and was amended effective January 1, 2024.

#### PUBLIC HEARING

The Department will hold two public hearings to provide all interested persons with an opportunity to present statements or comments, either orally or in writing, with respect to the proposed regulations, as follows:

**Wednesday, March 12, 2025, 3:00–5:00 p.m.**

Junipero Serra Building, Carmel Room  
320 West 4th Street  
Los Angeles, CA 90013

Remote participation: <https://doj-ca.zoomgov.com/j/1619080203>

Phone participation: (669) 254 5252, access code  
161 908 0203



**Friday, March 14, 2025, 3:00–5:00 p.m.**

Elihu M. Harris Building, Auditorium

1515 Clay Street

Oakland, CA 94612

Remote participation: <https://doj-ca.zoomgov.com/j/1616685630>

Phone participation: (669) 254 5252, access code 161 668 5630

The locations of these hearings will be wheelchair accessible. At the hearing, any person may present statements or comments orally or in writing relevant to the proposed action described in the Informative Digest. The Department requests but does not require that persons who make oral statements or comments at the hearing also submit a written copy of the comment made at the hearing.

#### WRITTEN COMMENT PERIOD

Any interested party, or their authorized representative, may submit written comments relevant to the proposed regulatory action to the contact persons listed below. Comments may also be submitted by facsimile (FAX) at (213) 897–7605 or by email to [CLEARACT@doj.ca.gov](mailto:CLEARACT@doj.ca.gov). The written comment period closes at **5:00 p.m. on March 14, 2025**. The Department will consider only comments received by that time. Please address comments to:

Department of Justice

Civil Rights Enforcement Section

Attention: M. Newman, Senior Assistant Attorney General

P.O. Box 160608

Sacramento, CA 95816–0608

(213) 269–6766

[CLEARACT@doj.ca.gov](mailto:CLEARACT@doj.ca.gov)

NOTE: Written and oral comments, attachments, and associated contact information (e.g., address, phone, email, etc.) become part of the public record and can be released to the public upon request.

#### AUTHORITY AND REFERENCE

Authority: Section 13682, Penal Code (Pen. Code).

Reference: Section 3304, Government Code; Sections 13510.8, 13510.9, 13680, 13682, Penal Code; Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, Penal Code; Title 15, Section 3417, California Code of Regulations.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

##### Summary of Existing Laws and Regulations:

Effective January 1, 2023, the California Law Enforcement Accountability Reform Act, Assembly Bill 655 (2022), codified at Penal Code sections 13680–13683 (“AB 655”), identifies three categories of misconduct by peace officers that, if sustained after an investigation and adjudication of complaints regarding this misconduct, will result in their termination: membership in a hate group, participation in hate group activity, and public expressions of hate (together, “Covered Misconduct”). (Pen. Code, § 13682; see also, *id.*, § 13680, subdivisions (d), (e), (g).) The categories of misconduct are defined in AB 655 and are narrow in scope. For example, a “hate group” is an organization that supports, advocates for, threatens or practices genocide or the commission of “hate crimes,” a term that is defined in another California statute, Penal Code section 422.55. Likewise, a “public expression of hate” is also defined in the statute and refers to a statement made to another, including in an online forum, that explicitly advocates, threatens, or supports the commission of a hate crime or genocide or explicitly advocates for or supports a hate group.

Public agencies are required to determine whether any candidate for a peace officer position has engaged in such Covered Misconduct during the previous seven years and since 18 years of age, and to deny employment if so. (Pen. Code, § 13681, subdivisions (a), (b).) Likewise, if a public agency receives a complaint that one of its peace officers has engaged in Covered Misconduct, the agency must investigate, or cause to be investigated by an appropriate oversight agency, the complaint and, where a sustained finding of misconduct is reached, must terminate the peace officer’s appointment as a peace officer. (Pen. Code, § 13682, subdivisions (a), (b).) Records of investigations pursuant to the statute that result in a sustained finding of misconduct are exempted from certain existing confidentiality protections. (Pen. Code, § 13683.)

The Department is directed to “promulgate guidelines for the investigation and adjudication of a complaint” that “alleges, with sufficient particularity to investigate the matter, that a peace officer” has engaged in Covered Misconduct, whether such complaint is internal or received from the public. (Pen. Code, § 13682, subdivisions (a), (c).)

In fulfilling its obligation to promulgate such regulations, the Department must ensure that affected agencies are provided with clear rules to facilitate the acceptance of complaints in all forms, the effective and efficient investigation of such complaints, and their fair adjudication. In so doing, the Department must balance the statute’s interest in promoting effective, ef-

ficient, and timely investigation and resolution of covered misconduct with the need to protect due process interests and avoid undue burden on affected agencies.

**Effect of the Proposed Rulemaking:**

The proposed regulations establish rules for the investigation and adjudication of complaints involving the specific conduct addressed by AB 655 — namely, membership in hate groups, participation in hate group activity, and public expressions of hate, as those concepts are defined in the statute.

With respect to investigations, the proposed regulations establish uniform standards for the receipt of both public and internal complaints, the initial evaluation of complaints to determine whether they are governed by the statute, and the conduct of investigations. These rules will ensure that investigations are conducted effectively and are able to address the unique needs of the cases governed by AB 655. With respect to adjudications, the proposed regulations establish uniform standards for evaluation of evidence, with the aims of ensuring that investigation subjects receive due process and that agencies fully consider evidence collected during investigations.

**Anticipated Benefits of the Proposed Regulations:**

AB 655 requires the Department to promulgate rules governing the investigation and adjudication of complaints of Covered Misconduct. The overarching benefits of the proposed regulatory action are anticipated to give effect to the expressed purpose of the statute, namely, “[t]o increase public trust in law enforcement” and to “root out those who would jeopardize public safety with their extremist and violent behavior.”<sup>1</sup> Broadly speaking, such efforts should also be expected to reduce incidences of bias in law enforcement activity, to reduce the number and severity of use-of-force incidents, and to promote efficiency in law enforcement agencies by removing from service peace officers who may be prone to more frequent or more severe misconduct. As a result, the implementation of AB 655 through the proposed regulations will benefit public health and welfare and promote worker safety among personnel of law enforcement agencies.

Within these broad aims, the proposed regulations are specifically anticipated to promote the quality of law enforcement internal investigation and adjudication processes. The proposed regulations clarify terms and concepts presented in the statute in order to avoid inconsistency, arbitrariness, and confusion in investigations and adjudications conducted pursuant to AB 655. The regulations also clarify the relationship between Covered Misconduct and “serious misconduct” that must be reported to the Commission on Peace Of-

ficer Standards and Training at certain stages following receipt of a complaint. (See Pen. Code, §§ 13510.8, 13510.9.) These clarifications will help to establish law enforcement agency reporting obligations and avoid uncertainty or duplicative processes.

The author of the bill identified its purpose as follows:

“Over the past fifteen years, the FBI has identified organizations committed to ‘domestic terrorism’ that include militia extremists and white supremacist extremists with active links to law enforcement. Without any coordinated federal response to this prevalent issue, state action is long overdue. Sheriff’s departments across our state have been plagued by texting, email, and social media scandals where officers exchanged racist and homophobic messages. Continued failure to address extremism, racism, and bias among peace officers enables this behavior to continue and contributes to the erosion of public confidence in law enforcement.

To increase public trust in law enforcement AB 655 will help root out those who would jeopardize public safety with their extremist and violent behavior.”<sup>2</sup>

**Comparable Federal Regulations:**

There are no existing federal regulations or statutes comparable to these proposed regulations.

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

The Department has determined these proposed regulations are not inconsistent or incompatible with any existing state regulations, because there are no existing regulations that address the specific subject matter of the proposed regulations, namely, the requirement that agencies that employ peace officers (as defined) are required to investigate and adjudicate complaints regarding certain misconduct and terminate officers if findings regarding that misconduct are sustained.

There are existing state regulations that address civilian complaints, but none specifically regarding complaints about Covered Misconduct. Moreover, the statute explicitly provides that its scope overrides any existing and potentially conflicting laws, other than two provisions of the Peace Officer Bill of Rights concerning appeals of disciplinary actions (see Pen. Code, § 13680, subdivision (h)). (See Pen. Code, § 13682, subdivision (a) [overriding Government Code section 19635 “or any other law” regarding the investigation of complaints of Covered Misconduct]; Pen. Code, § 13683, subdivision (a) [overriding Penal Code section 832.7, Government Code section 6254, “or any other law” regarding the non-confidentiality of records regarding investigations in which a finding of

<sup>1</sup> August 25, 2022, Assembly Floor Analysis, available at [https://leginfo.ca.gov/faces/billAnalysisClient.xhtml?bill\\_id=202120220AB655](https://leginfo.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202120220AB655).

<sup>2</sup> August 25, 2022, Assembly Floor Analysis, available at [https://leginfo.ca.gov/faces/billAnalysisClient.xhtml?bill\\_id=202120220AB655](https://leginfo.ca.gov/faces/billAnalysisClient.xhtml?bill_id=202120220AB655).

misconduct is sustained].) Accordingly, the proposed regulations comport with the statute’s mandate that the statute overrides any existing laws or regulations regarding the investigation and confidentiality of records related to the investigations where findings are sustained.

Regarding civilian complaints about peace officer misconduct generally, and about certain categories of peace officers, there are state laws and regulations that provide for different timelines than what is permitted by the statute (the regulations simply restate these timelines, namely, that a complaint can be investigated for conduct that occurred up to seven years prior, and that termination can be based on this misconduct).

Below are examples of state laws, regulations, and potential policies that broadly address the intake of civilian complaints and investigation of police officer misconduct which may vary from the statute and proposed regulations implementing the statute:

- Gov. Code, § 3303, subdivisions (b), (c) (notice to subject in advance of interview)
- Gov. Code, § 3303, subdivision (b) (limit of two interrogators)
- Gov. Code, § 3303, subdivision (g) (subject access to evidence during investigation)
- Gov. Code, § 3303, subdivision (i) (absolute right to counsel during interview)
- Gov. Code, § 3304, subdivision (d) (no disciplinary action if investigation not completed within one year)
- Gov. Code, § 19635 (notice of adverse action against state employee must be served within three years after the cause for discipline — which is the basis for the action — first arose, except that action based on fraud, embezzlement, or the falsification of records must be brought within three years after the discovery of such)
- Pen. Code, § 148.6, subdivision (a)(2) (requiring advisory to complainants that false complaints may be prosecuted)
- Pen. Code, § 832.7 (regarding confidentiality of records relating to civilian complaints)
- Cal. Code Regs., title 15, § 3417 (setting forth procedure for non–inmate civilians to submit complaints against correctional officers, stating that “[c]itizen’s complaints alleging misconduct of a departmental peace officer shall be filed within twelve months of the alleged misconduct.”)
- Any policy or collective bargaining agreement requiring, in all circumstances, that administrative investigations be postponed pending resolution of any related criminal investigation
- Any policy or collective bargaining agreement preventing an investigative or adjudicative au-

thority from drawing an adverse inference from a subject’s refusal to answer questions or provide evidence in the context of an administrative investigation

**Forms Incorporated by Reference:**

None.

**Other Statutory Requirements:**

None.

DISCLOSURES REGARDING THE  
PROPOSED ACTION

**The Department’s Initial Determinations:**

*Mandate on local agencies or school districts:* None/de minimis.

*Cost or savings to any state agency:* None/de minimis.

*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 costs or savings imposed on local agencies:* None/de minimis.

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

*Cost impacts on representative person or business:* 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 effect on housing costs:* None.

*Significant, statewide adverse economic impact directly affecting businesses, including ability to compete:* The Department has made an initial determination that the proposed action 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.

**Results of the Economic Impact Assessment (EIA):**

The Department concludes that the proposed regulations are unlikely (1) to create or eliminate jobs within the state, (2) to create new businesses or eliminate existing businesses within the state, or (3) to result in the expansion of businesses currently doing business within the state.

The statutory provisions implemented by the proposed regulations directly affect only state and local government agencies,<sup>3</sup> which will be required to accept complaints of certain forms of misconduct, to provide variable levels of investigation and review of those complaints, and to adjudicate substantiated complaints. It is impossible to predict even a very approximate cost to affected agencies, because, given the co-

<sup>3</sup> While the regulations contemplate the possibility that a federal agency may fill the role of Appropriate Oversight Agency — for example, if a local agency is under federal monitoring or receivership — a federal agency would not be bound by these regulations.

vert nature of the misconduct at issue and the novelty of the statute itself, there are no reliable estimates of the extent of misconduct at issue or of the likelihood that such misconduct will ultimately be reported.

In any event, the proposed regulations do not impose any material costs beyond those imposed by the statute itself. As much as possible, the proposed regulations permit affected agencies to integrate the statute’s requirements into existing policies. Particularly given that all affected agencies are already required to accept and investigate complaints of misconduct (*see, e.g.,* Pen. Code, § 832.5), to the extent that the regulations themselves impose any burden in terms of required labor, that burden is both *de minimis* and the minimum necessary to give effect to the aims of the statute.

The implementation of the regulations will not require substantial hiring of new personnel, purchase of information technology, or entry into contracts for labor or equipment.

*Benefits of the proposed action:*

The Department concludes that:

- (1) The proposal would benefit the health and welfare of California residents by removing peace officers who, through their engagement in the misconduct identified by the statute, undermine the public’s trust in law enforcement and have demonstrated a significant likelihood of engaging in acts of unlawful discrimination, unlawful use of force, and other abuses of constitutional rights under color of law. All Californians stand to benefit from the removal from office of perpetrators of the misconduct identified in the statute.
- (2) The proposal would benefit worker safety by removing from employment law enforcement personnel who have been found to have engaged in misconduct representing bias, engagement in hate crimes, or other characteristics that pose an imminent danger to other personnel.
- (3) The proposal would not benefit the state’s environment.

*Business report requirement:* None. Any reporting requirements imposed by the proposed action apply to government agencies, not businesses.

*Small business determination:* The Department has determined that this proposed action does not affect small businesses because its direct application is only to government agencies; moreover, there is no reasonably foreseeable increase or decrease in demand for small business goods or services as a result of compliance with the proposed action.

## CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), 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, 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.

The Department has determined that the proposed regulations are the most effective way to comply with its statutory obligation to create rules for the investigation and adjudication of complaints involving membership in hate groups, participation in hate group activity, or public expressions of hate.

## CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Department of Justice  
Civil Rights Enforcement Section  
Attention: M. Newman, Senior Assistant Attorney General  
P.O. Box 160608  
Sacramento, CA 95816–0608  
(213) 269–6766  
[CLEARACT@doj.ca.gov](mailto:CLEARACT@doj.ca.gov)

Questions regarding procedure, comments, or the substance of the proposed action should be addressed to the above contact person. In the event the contact person is unavailable, inquiries regarding the proposed action may be directed to the following backup contact person:

Department of Justice  
Civil Rights Enforcement Section  
Attention: C. Chuang, Supervising Deputy Attorney General  
P.O. Box 160608  
Sacramento, CA 95816–0608  
(213) 269–6766  
[CLEARACT@doj.ca.gov](mailto:CLEARACT@doj.ca.gov)

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

The Department will have the entire rulemaking file available for inspection and copying through-



out the rulemaking process upon request to the contact person above. As of the date this Notice of Proposed Rulemaking (Notice) is published in the Notice Register, the rulemaking file consists of this Notice, the Text of Proposed Regulations (the “express terms” of the regulations), the Initial Statement of Reasons, and any information upon which the proposed rulemaking is based. The text of this Notice, the express terms, the Initial Statement of Reasons, and any information upon which the proposed rulemaking is based are available on the Department’s website at [www.oag.ca.gov/AB655](http://www.oag.ca.gov/AB655). Please refer to the contact information listed above to obtain copies of these documents.

#### AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments received during the 45–day public comment period, the Department may adopt the proposed regulations substantially as described in this notice. If the Department 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 it adopts the proposed regulations as revised. Copies of any modified text will be available on the Department of Justice’s website at [www.oag.ca.gov/AB655](http://www.oag.ca.gov/AB655). Please send requests for copies of any modified regulations to the attention of the name and address indicated above. The Department 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 will be available on the Department’s website at [www.oag.ca.gov/AB655](http://www.oag.ca.gov/AB655). Please refer to the contact information included above to obtain a written copy of the Final Statement of Reasons.

#### AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of this notice, the initial statement of reasons, the text of the proposed regulations, and any information upon which the proposed rulemaking is based are available on the Department’s website at [www.oag.ca.gov/AB655](http://www.oag.ca.gov/AB655).

## TITLE 11. DEPARTMENT OF JUSTICE

### REPORT OF CHILD ABUSE

The Department of Justice (DOJ) proposes to amend sections 900, 901, 902, 903, 904, 905, and 906 of title 11, division 1, chapter 9 of the California Code of Regulations (CCR) concerning the administration of the Child Abuse Central Index.

### PUBLIC HEARING

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

### WRITTEN COMMENT PERIOD

Any interested person or their authorized representative may submit written comments relevant to the proposed regulatory action. The written comment period closes on **March 11, 2025 at 5:00 p.m.** Only written comments received by that time will be considered. Please submit written comments to:

Department of Justice  
California Justice Information Services Division  
Attention: Shelley Klinefelter  
P.O. Box 903387  
Sacramento, CA 94203–3870  
(916) 210–2195  
[shelley.klinefelter@doj.ca.gov](mailto:shelley.klinefelter@doj.ca.gov)

NOTE: Written and oral comments, attachments, and associated contact information (e.g., address, phone, email, etc.) become part of the public record and can be released to the public upon request.

### AUTHORITY AND REFERENCE

Authority: Sections 11167, 11167.5, 11169, 11170 and 11170.5, Penal Code

Reference: Sections 11165.12, 11167, 11167.5, 11169, 11170 and 11170.5, Penal Code; and Sections 1798.25, 1798.32, 1798.33, 1798.34 and 1798.35, Civil Code.

### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

#### Summary of Existing Laws and Regulations:

Existing law, Penal Code section 11170, subdivision (a)(1) of the Child Abuse and Neglect Reporting Act (CANRA), requires DOJ to maintain an index of all local agency reports of child abuse and severe neglect

submitted pursuant to Penal Code section 11169. DOJ currently maintains the Child Abuse Central Index (CACI) to carry out the statute. DOJ may adopt rules governing recordkeeping and reporting of child abuse.

The Department of Justice (DOJ) proposes to amend sections 900, 901, 902, 903, 904, 905, and 906 of title 11, division 1, chapter 9 of the California Code of Regulations (CCR), to adhere to changes to the Child Abuse Neglect and Reporting Act (CANRA). Any change to the CANRA directly impacts DOJ’s administration of the Child Abuse Central Index (CACI).

Effective January 1, 2012, Assembly Bill (AB) 717, Chapter 468, Statutes of 2011, amended the CANRA by limiting agencies authorized to submit CACI reports to county child welfare and probation departments. The chaptered legislation also limited the abuse determination maintained in the CACI to substantiated reports and required the removal of any person listed in the CACI who has reached 100 years of age.

Effective January 1, 2013, AB 1707, Chapter 848, Statutes of 2012, further amended the CANRA to require, ten years from the incident date resulting in the CACI listing, the removal of any person who was listed in the CACI prior to reaching 18 years of age, if the person is listed only once with no subsequent listings.

The applicable sections of the CCR have not yet been updated to reflect these statutory changes. The proposed rulemaking serves to formally codify the requirements that DOJ already implements as required by CANRA.

Additionally, the Department of Social Services has asked DOJ to provide guidance to the reporting agencies regarding the fields that must be filled out in order to deem a Child Abuse or Severe Neglect Indexing Form, BCIA 8583 (Rev. 01/2024), complete.

**Effect of the Proposed Rulemaking:**

The proposed rulemaking will accomplish the following functions:

- Update existing regulations to conform to current statutory requirements.
- Clarify the types of reports that are included in the CACI.
- Clarify the correct process for reporting cases to be included in the CACI.
- Clarify the procedure for requesting and releasing CACI information.
- Adopt a \$15 fee for certain out-of-state requests for CACI information.

**Anticipated Benefits of the Proposed Regulations:**

The proposed rulemaking action helps protect children by clarifying the procedures and requirements for the reports and information contained within the CACI in light of statutory changes since the regulations were last amended, thus providing the public a general understanding of the statutorily required roles

and responsibilities of those agencies involved in investigating allegations of child abuse or severe neglect, submitting reports to the CACI, and disclosing CACI information. The proposed rulemaking serves to formally codify the requirements that DOJ has already been implementing.

**Comparable Federal Regulations:**

There are no existing federal regulations or statutes comparable to these proposed regulations.

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

The proposed amendments to the regulation are consistent and compatible with existing state regulations. After conducting a review for any regulations that would relate to or affect this area, DOJ has concluded that these are the only regulations that concern the CACI.

**Forms Incorporated by Reference:**

1. Child Abuse or Severe Neglect Indexing Form, BCIA 8583, Rev. 01/2024, (see section 900) — ADOPT
2. Child Abuse or Severe Neglect Indexing Form, BCIA 8583, Rev. 3/08, (see section 900)—REPEAL
3. Request for Child Abuse Central Index (CACI) Search, BCIA 4084, Rev. 01/2024, (see subdivision (a) of section 905) — ADOPT
4. Facsimile Inquiry for Child Abuse Central Index (CACI) Check, BCIA 4084, Rev. 3/09, (see section 905) — REPEAL
5. Child Abuse Central Index (CACI) Inquiry Request for Out-Of-State Foster Care and Adoption Agencies, BCIA 4057, Rev. 01/2024, (see subdivision (b) of section 905) — ADOPT
6. Child Abuse Central Index (CACI) Self Inquiry Request, BCIA 4056, Rev. 01/2024, (see subdivision (a) of section 906) — ADOPT
7. Child Abuse Central Index Self Inquiry Request, BCIA 4056, Rev. 09/09, (see subdivision (a) of section 906) — REPEAL

**Other Statutory Requirements:**

None.

**DISCLOSURES REGARDING THE PROPOSED ACTION**

**DOJ’s Initial Determinations:**

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

*Cost or savings to any state agency:* DOJ anticipates revenue of approximately \$97,500 annually from a \$15 fee charged for out-of-state agency requests for CACI checks. DOJ’s *plans to absorb the estimated* annual costs of approximately \$184,753 for processing and responding to these requests.



*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 costs or savings imposed on local agencies:* None.

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

*Cost impacts on representative person or business:* DOJ is not aware of any cost impacts that a representative private person Or business in California would necessarily incur in reasonable compliance with the proposed action. Out–of–state entities requesting CACI information will be subject to a \$15 fee per request to reimburse DOJ for costs of producing the information.

*Significant effect on housing costs:* None.

*Significant, statewide adverse economic impact directly affecting businesses, including ability to compete:* DOJ has made an initial determination that the proposed action 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.

#### **Results of the Economic Impact Assessment:**

DOJ concludes that it is (1) unlikely that the proposal will create or eliminate jobs within the state, (2) unlikely that the proposal will create new businesses or eliminate existing businesses within the state, (3) unlikely that the proposal will result in the expansion of businesses currently doing business within the state.

DOJ also concludes that:

- (1) The proposal will benefit the health and welfare of California residents by improving the reliability of CACI background checks. When submitting agencies follow the proposal and fill out the BCIA 8583 accurately and completely, these reports can then be entered in the CACI and, used in CACI background check responses to ensure that individuals who were suspected of child abuse and severe neglect are not placed in positions to serve vulnerable populations. Additionally, the proposal will benefit the health and welfare of California residents whose information is required to be purged from the CACI.
- (2) The proposal will not benefit worker safety.
- (3) The proposal will not benefit the state’s environment.

*Business report requirement:* None.

*Small business determination:* DOJ has determined that this proposed action does not affect small businesses because the proposed amendments affect only those individuals listed in the CACI as a result of the reporting requirements in Penal Code section 11169.

#### **CONSIDERATION OF ALTERNATIVES**

In accordance with Government Code section 11346.5, subdivision (a)(13), DOJ must determine that no reasonable alternative considered by DOJ or that has otherwise been identified and brought to the attention of DOJ 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 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.

DOJ has determined that the proposed regulations are the most effective way to conform the procedures and requirements for the reports and information contained within the CACI to statutory changes since the regulation were last amended, thus providing the public a general understanding of the statutorily required roles and responsibilities of those agencies involved in investigating allegations of child abuse or severe neglect, submitting reports to the CACI, and disclosing CACI information.

#### **CONTACT PERSONS**

Inquiries concerning the proposed administrative action may be directed to:

Department of Justice  
California Justice Information Services Division  
Attention: Shelley Klinefelter  
P.O. Box 903387  
Sacramento, CA 94203–3870  
(916) 210–2195  
[shelley.klinefelter@doj.ca.gov](mailto:shelley.klinefelter@doj.ca.gov)

Questions regarding procedure, comments, or the substance of the proposed action should be addressed to the above contact person. In the event the contact person is unavailable, inquiries regarding the proposed action may be directed to the following backup contact person:

Department of Justice  
California Justice Information Services Division  
Attention: Gavino Valdez  
P.O. Box 903387  
Sacramento, CA 94203–3870  
(916) 210–2823  
[gavino.valdez@doj.ca.gov](mailto:gavino.valdez@doj.ca.gov)

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

DOJ will have the entire rulemaking file available for inspection and copying throughout the rulemaking process upon request to the contact person above. Interested parties are advised to call DOJ for an appointment. As of the date this Notice of Proposed Rulemaking (Notice) is published in the Notice Register, the rulemaking file consists of this Notice, the Text of Proposed Regulations (the “express terms” of the regulations), the Initial Statement of Reasons, and any information upon which the proposed rulemaking is based. The text of this Notice, the express terms, the Initial Statement of Reasons, and any information upon which the proposed rulemaking is based are available on DOJ’s website at <https://oag.ca.gov/bcia/regulations>. Please refer to the contact information listed above to obtain copies of these documents.

**AVAILABILITY OF CHANGED OR  
MODIFIED TEXT**

After DOJ analyzes all timely and relevant comments received during the 45–day public comment period, DOJ will either adopt these regulations substantially as described in this notice or make modifications based on the comments. If DOJ 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 DOJ adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of the name and address indicated above. DOJ 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, a copy of the Final Statement of Reasons will be available on DOJ’s website at <https://oag.ca.gov/regulations>. Please refer to the contact information included above to obtain a written copy of the Final Statement of Reasons.

**AVAILABILITY OF DOCUMENTS  
ON THE INTERNET**

Copies of the Notice of Proposed Rulemaking, the express terms, the Initial Statement of Reasons, and any information upon which the proposed

rulemaking is based are available on DOJ’s website at <https://oag.ca.gov/regulations>.

**TITLE 15. DEPARTMENT  
OF CORRECTIONS AND  
REHABILITATION**

**RELEASE ALLOWANCE**

NOTICE IS HEREBY GIVEN that the Secretary of the California Department of Corrections and Rehabilitation (CDCR or the department), proposes to amend 3075.2 of the California Code of Regulations (CCR), Title 15, Crime Prevention and Corrections, Division 3, Chapter 1, regarding Release Allowance.

**PUBLIC HEARING**

Date and Time: **March 13, 2025 — 10:00 a.m. to 11:00 a.m.**

Place: Department of Corrections and  
Rehabilitation

Room 332

9272 Laguna Springs Drive — Building G–2

Elk Grove, CA 95758

Purpose: To receive comments about this action.

**PUBLIC COMMENT PERIOD**

The public comment period begins **January 24, 2025** and closes on **March 12, 2025**. Any person may submit written comments by mail addressed to the primary contact person listed below, or by email to [rpmb@cdcr.ca.gov](mailto: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*

Dmitriy Kostyuk

Telephone: (279) 223–2313

Regulation and Policy

Management Branch

P.O. Box 942883

Sacramento, CA 94283–0001

*Back–Up*

Y. Sun

Telephone: (916) 203–9779

Regulation and Policy

Management Branch

P.O. Box 942883

Sacramento, CA 94283–0001

*Program Contact*

Veeky Prasad

Telephone: (279) 300–5614

Accounting Services Branch

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.

INFORMATIVE DIGEST/POLICY  
STATEMENT OVERVIEW

The proposed regulations amend provisions governing the calculation of release allowances and distribution of release allowances to eligible incarcerated persons. The proposed revisions are necessary in order to clarify and resolve departmental concerns arising from the revisions that became effective on December 20, 2022, which brought the department into compliance with 12 Code of Federal Regulations (CFR) Section 1005.10(e)(2). Additionally, the proposed regulations will remove the language regarding deductions from release allowances for clothing and transportation which will align department regulations with AB 157.

**This action will:**

- Amend provisions governing the calculation of release allowances and distribution of release allowances to eligible incarcerated persons.
- Remove the language regarding deductions from release allowances for clothing and transportation to align department regulations with AB 157.
- Revise CDCR Form 102 Release Statement (Rev. 08/24).

SPECIFIC BENEFITS ANTICIPATED BY  
THE PROPOSED REGULATIONS

The proposed regulation changes wherein incarcerated persons shall receive release allowances via check as opposed to debit card, in certain specified circumstances, will allow incarcerated persons to have faster access to their release funds in those circumstances than they would have had if, under the current regulations, they had opted to receive their release funds via debit cards. In such circumstances, incarcerated persons will not be burdened with an inability to readily access their release funds and staff will not have the increased workload that comes with addressing the complications of incarcerated persons' inability to readily access their release funds. Also, with the proposed regulation changes providing for the department's discretion to issue trust account balances via debit card or check, incarcerated persons will be able to more readily access their trust account balances. Finally, clothing and transportation costs will not be deducted from the release allowance amount. This will ensure those funds are available for the incarcerated individuals upon release.

DOCUMENTS INCORPORATED  
BY REFERENCE

- CDCR Form 102 Release Statement (Rev. 08/24)

EVALUATION OF INCONSISTENCY/  
INCOMPATIBILITY WITH EXISTING  
LAWS AND 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 Release Allowance.

LOCAL MANDATES

This action imposes no mandates on local agencies or school districts, or a mandate which requires reim-

bursement 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 business because they place no obligations or requirements on any business.

#### RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The department has determined that the proposed regulations will have no effect on the creation or elimination jobs within California, creation of new businesses or elimination of existing business within California, and expansion of businesses currently doing business in California.

#### BENEFITS OF THE PROPOSED REGULATION

The proposed regulatory changes will allow incarcerated individuals to receive their release allowances via check instead of a debit card under certain circumstances. This will enable quicker access to their funds upon release, reducing barriers they face. Staff will also benefit from a lighter workload, as they won't need to resolve issues with inaccessible funds. The department can choose to issue trust account balances as either debit cards or checks, making it easier for individuals to access their accounts. Additionally, release allowances will not have deductions for clothing and transportation costs, ensuring that all funds are available to individuals upon release.

The department has determined that the proposed regulation will have no effect on the state's environment or worker safety, or to the health and welfare of California residents.

#### 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](http://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 17. DEPARTMENT OF PUBLIC HEALTH

### COMPATIBILITY MAINTENANCE WITH NRC REGULATIONS (DPH–24–001)

Notice is hereby given that the California Department of Public Health (Department) is proposing the regulation described below. This notice of proposed rulemaking commences a rulemaking to make the regulations permanent after considering all comments, objections, and recommendations regarding the regulation.

## PUBLIC PROCEEDINGS

The Department is conducting a 45–day written public proceeding during which time any interested person or such person's duly authorized representative may present statements, arguments, or contentions (all of which are hereinafter referred to as comments) relevant to the action described in the Informative Digest/Policy Statement Overview section of this notice.

To request copies of the regulatory proposal in an alternate format, please write or call: Jasmine Fullwood, Office of Regulations, 1415 L Street Suite 500, Sacramento, CA 95814, at (916) 558–1710, email [Regulations@CDPH.ca.gov](mailto:Regulations@CDPH.ca.gov) or use the California Relay Service by dialing 711.

## PUBLIC HEARING

A public hearing has not been scheduled for this rulemaking. However, the Department will conduct a public hearing if a written request for a public hearing is received from any interested person, or his or her authorized representative, no later than 15 days prior to the close of the written comment period, pursuant to Government Code Section 11346.8.

## ASSISTIVE SERVICES

For individuals with disabilities, the Department will provide assistive services such as conversion of written materials into Braille, large print, audio format, and computer disk. For public hearings, assistive services can include sign–language interpretation, real–time captioning, note takers, reading, or writing assistance. To request these assistive services, please call (916) 558–1710 or (California Relay at 711 or 1–800–735–2929), email [Regulations@cdph.ca.gov](mailto:Regulations@cdph.ca.gov) or write to the Office of Regulations at the address noted above. Note: The range of assistive services available may be limited if requests are received less than 10 business days prior to public hearing.

## WRITTEN COMMENT PERIOD

Written comments pertaining to this proposal, regardless of the method of transmittal, must be received by the Office of Regulations on March 10, 2025, which is hereby designated as the close of the written comment period. Comments received after this date will not be considered timely.

Written Comments must be submitted as follows:

1. By email to: [regulations@cdph.ca.gov](mailto:regulations@cdph.ca.gov). It is requested that email transmission of comments, particularly those with attachments, contain the regulation package identifier “DPH–24–001 Compatibility Maintenance with NRC Regulations” in the subject line to facilitate timely identification and review of the comment.
2. By fax transmission to: (916) 440–5747.
3. By postal service or hand delivered to: California Department of Public Health, Office of Regulations, 1415 L Street, Suite 500, Sacramento, CA 95814.

All comments, including email or fax transmissions, should include the regulation package identifier, “DPH–24–001 Compatibility Maintenance with NRC Regulations”, along with your name and your mailing address or email address in order for the Department to provide copies of any notices for proposed changes to the regulation text on which additional comments may be solicited.



## AUTHORITY AND REFERENCE

The Department proposes to adopt, amend, or repeal, as applicable, sections 30100, 30180.1, 30181, 30195.2, 30196, 30295, 30345.1, 30345.3, 30346.4, 30346.5, 30346.7, 30346.8, 30346.9, 30346.10, 30348.2, 30348.4, 30348.5, 30350.1, and 30350.2 of title 17 of the California Code of Regulations (17 CCR), under the authority provided in sections 114975, 115000, 115091 and 131200 of the Health and Safety Code (HSC). This proposal implements, interprets, and makes specific sections 114965, 114970, 114985, 115000, 115060, 115091, 115092, 115105, 115110, 115165, 115230, 115235, 131050, 131051 and 131052 of the HSC.

## INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

### *Summary of Proposal*

The California Department of Public Health (Department) proposes to amend, adopt, or repeal provisions of 17 CCR relating to radioactive material (RAM) to ensure compatibility with the United States Nuclear Regulatory Commission (NRC) by adding an equivalent provision to title 10, Code of Federal Regulations Part 70.50(c)(1)(iii)(D) (10 CFR Part 70.50(c)(1)(iii)(D)), correcting typographical errors, adding the definition of source material and clarifying its use for consistency with NRC, and making non-substantial changes.

### *Background*

Radioactive Material (RAM) is widely used in many industries, including: the healing arts, for diagnostic and therapeutic purposes; industrial radiography, for nondestructive testing of objects to ensure structural integrity; well logging, for the purpose of obtaining information about the well or adjacent formations that may be used in oil, gas, mineral, groundwater, or geological exploration; and, manufacturing and distribution, for designing, building, and supplying radioactive sources for use in medicine and by other industries. The Department issues licenses authorizing such uses and conducts inspections of users to ensure compliance with applicable laws and regulations.

The Radiation Control Law (RCL) (HSC §§ 114960 through 115273) requires that the Department develop programs for licensing and regulating radioactive materials. (HSC § 115000(b).) The Department is the successor of the California Department of Health Services and as such has the authority to license and regulate radioactive material under the California Public Health Act of 2006. (Chapter 241, Statutes of 2006; SB 162, Ortiz.)

In 1962, the State of California ratified and approved an agreement with the United States Atomic Energy

Commission, the predecessor of the United States Nuclear Regulatory Commission (NRC), by which the federal agency discontinued its regulatory authority over certain radioactive materials. (HSC § 115230.) By such action, California became an “Agreement State.”

California, as an Agreement State, has regulatory authority over the possession and use of RAM by any person subject to state jurisdiction. A person, as defined in HSC § 114985(c), is “any individual, corporation, partnership, limited liability company, firm, association, trust, estate, public or private institution, group, agency, political subdivision of this state, any other state or political subdivision or agency thereof, and any legal successor, representative, agent, or agency of the foregoing, other than the United States Nuclear Regulatory Commission, the United States Department of Energy, or any successor thereto, and other than federal government agencies licensed by the United States Nuclear Regulatory Commission, under prime contract to the United States Department of Energy, or any successor thereto.”

A provision of the agreement between California and the NRC requires that the State “use its best efforts to maintain continuing compatibility between its program and the program of the [United States Atomic Energy] Commission for the regulation of like materials.” (HSC § 115235, article V.) The NRC’s stated policy is “to evaluate Agreement State programs established pursuant to Section 274 of the Atomic Energy Act (AEA) of 1954, as amended, to ensure they are adequate to protect public health and safety and compatible with NRC’s regulatory program.”<sup>1</sup>

To determine a state’s compatibility, the NRC uses Management Directive 5.9, *Adequacy and Compatibility of Agreement State Programs*, Handbook 5.9. (Reference 1.) This handbook describes the specific criteria and process that are used to determine which NRC program elements should be adopted and implemented by an Agreement State for purposes of maintaining compatibility, and which NRC program elements have a particular health and safety significance. The NRC rates the elements according to the degree of compatibility required. The NRC requires that some elements be adopted by the States in a form identical to the NRC’s. Other elements need not be adopted in identical form but are still required to meet the “essential objective” of the program element. The NRC’s overall determination of the adequacy and compatibility of an Agreement State’s program is made pursuant to Management Directive 5.6, *The Integrated Ma-*

<sup>1</sup> *Adequacy and Compatibility of Agreement State Programs, Management Directive 5.9.* The document is available at the Nuclear Regulatory Commission, Office of State and Tribal Programs website: <https://www.nrc.gov/docs/ML1808/ML18081A070.pdf> (Reference 1.)



*terials Performance Evaluation Program (IMPEP).*<sup>2</sup> The NRC evaluates Agreement States' programs every four years to determine if a state's radiation safety program meets the adequacy and compatibility criteria. If California fails to meet those criteria, the NRC may revoke California's status as an Agreement State and assume direct regulation and control of byproduct, source, and special nuclear material within the State.

In conjunction with the NRC's IMPEP review every four years, the NRC procedures (SA–200<sup>3</sup>) require that Agreement States, when adopting regulations required for meeting the adequacy and compatibility determinations, submit proposed regulations to the NRC for review. The NRC then reviews the proposal to ensure that the proposed regulations meet the applicable NRC compatibility category, defined as follows:

***NRC Compatibility Categories<sup>4</sup> (underlined words are defined below)***

**Category A:** Basic radiation protection standard, or related definitions, signs, labels, or terms that is necessary for a common understanding of radiation protection principles. The State program element should be *essentially identical* to that of NRC.

**Category B:** Program element with significant direct transboundary implications. The State program element should be essentially identical to that of NRC.

**Category C:** Program element, the essential objectives of which should be adopted by the State to avoid conflicts, duplications, or gaps. The manner in which the essential objectives are addressed need not be the same as NRC provided the essential objectives are met.

**Category D:** Not required for purposes of compatibility.

**Category NRC:** Not required for purposes of compatibility. These are NRC program elements that address areas of regulation that cannot be relinquished to Agreement States pursuant to the AEA or provisions of Title 10 of the Code of Federal Regulations. The State should not adopt these program elements.

**Category Health and Safety (H&S):** Program elements identified as H&S are not required for purposes of compatibility; however, they do have particular health and safety significance. The State should adopt

the essential objectives of such program elements in order to maintain an adequate program.

[ ] = A bracket around a category (e.g., [B]) means that the Section may have been adopted elsewhere and it is not necessary to adopt it again.

#### Definitions<sup>5</sup>

**Conflict** means that the essential objectives of regulations or program elements are different, and an undesirable consequence is likely to result in another jurisdiction or in the regulation of agreement material on a nationwide basis.

**Duplication** means that identical regulations or program elements apply to the same material at the same time. Note: this definition applies primarily to review of Agreement State regulations.

**Essential objective** of a regulation or program element means the action that is to be achieved, modified, or prevented by implementing and following the regulation or program element. In some instances, the essential objective may be a numerical value (e.g., restriction of exposures to a maximum value) or it may be a more general goal (e.g., access control to a restricted area).

**Essentially Identical** means the interpretation of the text must be the same, regardless of the version (NRC or Agreement State) that is read.

**Gap** means that the essential objectives of NRC regulations or program elements are absent from the Agreement State program, and an undesirable consequence is likely to result in another jurisdiction or in the regulation of agreement materials on a nationwide basis.

To ensure compliance with the NRC agreement and to maintain compatibility of State regulations, this proposal amends existing regulations relating to radioactive material and addresses NRC's comment regarding reporting requirements, specifically an equivalent provision to 10 CFR 70.50(c)(1)(iii)(D) to meet compatibility category C. It also addresses changes made by the NRC, as noted in the November 21, 2023, publication of volume 88, commencing at page 80947, of the Federal Register ((88 FR 80947 (November 21, 2023)).

The authority and reference citations of sections being amended, resulting in no regulatory effect pursuant to title 1 of the California Code of Regulations § 100, reflect the:

- Numbering system implemented by the 1995 recodification of the HSC, and
- Reorganization of the Department of Health Services into the Department of Health Care Services and the Department of Public Health, pursuant to SB 162. (Stats. 2006, ch. 241.)

<sup>2</sup> *Integrated Materials Performance Evaluation Program (IMPEP), Management Directive 5.6.* The document is available at the Nuclear Regulatory Commission, Office of State, and Tribal Programs website: <https://www.nrc.gov/docs/ML1921/ML19213A024.pdf> (Reference 2).

<sup>3</sup> SA–200 is available at <https://www.nrc.gov/docs/ML2018/ML20183A325.pdf> (Reference 3).

<sup>4</sup> *Adequacy and Compatibility of Agreement State Programs, Management Directive 5.9.* The document is available at the Nuclear Regulatory Commission, Office of State and Tribal Programs website: <https://www.nrc.gov/docs/ML1808/ML18081A070.pdf> (Reference 1.)

<sup>5</sup> *Ibid*, page 14–15.

*Problem Statement:* Existing Department regulations that address radioactive material do not address recent NRC regulatory changes, contain provisions that are out-of-date, and contain incorrect addresses, inconsistencies, and grammatical and capitalization errors.

*Objectives:* The broad objectives of this proposed regulatory action are to:

- Ensure that the Department’s regulations are compatible with those of the NRC.
- Update and clarify existing regulations.

*Benefits:* Anticipated benefits from this proposed regulatory action are:

- Continued protection of the public health and safety, worker safety, and the environment, as provided for by the Legislature in the following provisions:
  - HSC sections (§§) 114705, 114740, 114755, 114965, 114970, 115000, 115230, and 115235.
- Continued compatibility with the standards and regulatory programs of the NRC, as specified in HSC §§ 114965(a), 115000(b), and 115235 (article V)
- Consistency with the regulatory programs of other States, as specified in HSC section (§) 114965(c).
- Continued maintenance of an orderly regulatory pattern within the State, among the States, and between the federal government and the State, as specified in HSC § 114965(b).
- Clarification of existing regulations.

#### EVALUATION AS TO WHETHER THE PROPOSED REGULATIONS ARE INCONSISTENT OR INCOMPATIBLE WITH EXISTING STATE REGULATIONS

The Department evaluated this proposal to determine whether the proposed regulations are inconsistent or incompatible with existing State regulations. This evaluation included a review of both the Department’s existing general regulations and those regulations specific to the regulatory control of radioactive material. Some inconsistencies in those specific regulations were found and are addressed in this proposal. An Internet search of other state agency regulations was also performed. It was determined that no other state regulation addressed the same subject matter, and that this proposal was not inconsistent or incompatible with other state regulations. Therefore, the Department has determined that this proposal, if adopted, would not be inconsistent or incompatible with existing State regulations.

#### LOCAL MANDATE DETERMINATION

The Department has determined that the regulation would not impose a mandate on local agencies or school districts, nor are there any costs for which reimbursement is required by part 7 (commencing with Section 17500) of division 4 of the Government Code.

#### DISCLOSURES REGARDING THE PROPOSED ACTION

##### FISCAL IMPACT ESTIMATES

- A. FISCAL IMPACT ON LOCAL GOVERNMENT: As described in Item D.
- B. FISCAL IMPACT ON STATE GOVERNMENT: For entities subject to the Radiation Control Law, as described in Item D. For the CDPH, absorbable and averted costs.
- C. FISCAL IMPACTS ON FEDERAL FUNDING OF STATE PROGRAMS: None.
- D. FISCAL IMPACT ON PRIVATE PERSONS OR BUSINESSES DIRECTLY AFFECTED: The proposal results in the following estimated cost: Potentially \$18.65 in a 10–year period for 26 licensees authorized to possess special nuclear materials.
- E. MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS: None.
- F. OTHER NONDISCRETIONARY COSTS: None

##### HOUSING COSTS

The Department has determined that the regulations will not have an impact on housing costs.

#### SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS, INCLUDING ABILITY TO COMPETE

There is no impact because the proposal only addresses compatibility with the NRC through updating existing regulations, making a number of nonsubstantial changes, and that State licensees already comply with the proposal.

#### STATEMENT OF THE RESULTS OF THE ECONOMIC IMPACT ASSESSMENT (EIA)

The Department analyzed whether and to what extent this proposal affects the following:

- A. **The creation or elimination of jobs within the State of California.** The proposal will not impact the creation or elimination of jobs because it only

addresses compatibility with the NRC through updating existing regulations and making a number of nonsubstantial changes.

- B. The creation of new businesses or the elimination of existing businesses within the State of California.** The proposal will not impact the creation or elimination of businesses because it only addresses compatibility with the NRC through updating existing regulations and making a number of nonsubstantial changes.
- C. The expansion of businesses currently doing business within the State of California.** The proposal will not impact the expansion of businesses because it only addresses compatibility with the NRC through updating existing regulations and making a number of nonsubstantial changes.
- D. The benefits of the regulation to the health and welfare of California residents, worker safety, and the state’s environment.** The proposal increases and strengthens the health and welfare of California residents, worker safety, and protection of the State’s environment, because it addresses compatibility with the NRC through updating existing regulations, as intended by the Legislature, as follows:
  - Continues protection of the public health and safety, worker safety, and the environment, as established by the Legislature in the following provisions:
    - HSC §§ 114705, 114740, 114755, 114965, 114970, 115000, 115230, and 115235.
  - Maintains compatibility with the standards and regulatory programs of the NRC, as specified in HSC §§ 114965(a), 115000(b), and 115235 (article V).
  - Maintains consistency with the regulatory programs of other states, as specified in HSC §114965(c).
  - Maintains an orderly regulatory pattern within the State, among the States, and between the federal government and the State, as specified in HSC § 114965(b).
  - Initiates and administers programs of surveillance and control of those activities that could lead to the introduction of radioactive materials into the environment, as specified in HSC § 114705.
  - Updates and clarifies existing regulations.

## COST IMPACTS ON REPRESENTATIVE PERSON OR BUSINESS

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

## BUSINESS REPORTING REQUIREMENTS

The Department has determined that this proposed regulation would require businesses to add an additional item to the existing reporting requirements and is necessary to maintain compatibility with NRC provisions and that the existing report continues to be necessary for the health, safety, and welfare of the people of this state.

## EFFECT ON SMALL BUSINESS

There would be an effect on small business because they will be legally required to comply with the regulation and may incur a detriment from the enforcement of the regulation.

## CONSIDERATION OF ALTERNATIVES

The Department must determine that no reasonable alternative it considered 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 action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

## TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDIES, REPORTS OR DOCUMENTS RELIED UPON

### Reference 1.

*Adequacy and Compatibility of Agreement State Programs, Management Directive 5.9* as published in Volume 5: Governmental Relations and Public Affairs. <https://www.nrc.gov/docs/ML1808/ML18081A070.pdf> Date Approved: April 26, 2018. Accessed on January 8, 2025.

### Reference 2.

*Integrated Materials Performance Evaluation Program (IMPEP), Management Directive 5.6* as published in Volume 5: Governmental Relations and Public Affairs. <https://www.nrc.gov/docs/ML1921/ML19213A024.pdf> Date Approved: July 24, 2019. Accessed on January 8, 2025.

**Reference 3.**

NRC Procedure SA–200, *Compatibility Categories and Health and Safety Identification for NRC Regulations and Other Program Elements — SA — 200*. <https://www.nrc.gov/docs/ML2018/ML20183A325.pdf> Issue Date August 27, 2020. Accessed on January 8, 2025.

**Reference 3a.**

NRC Procedure SA–201, *Review of State Regulatory Requirements — SA — 201*. <https://www.nrc.gov/docs/ML2018/ML20183A323.pdf> Issue Date August 27, 2020. Accessed on January 8, 2025.

**Reference 4.**

*NRC letter dated July 11, 2022*. Accessed on January 8, 2025.

CONTACT PERSON

All inquiries concerning the action described in this notice may be directed to Jasmine Fullwood, Office of Regulations, at [Regulations@cdph.ca.gov](mailto:Regulations@cdph.ca.gov), or to the designated backup contact person, Michael Boutros at [Regulations@cdph.ca.gov](mailto:Regulations@cdph.ca.gov).

**In any inquiries or written comments, please identify the action by using the Department regulation package identifier, DPH–24–001.**

AVAILABILITY STATEMENTS

The Department has prepared and has available for public review an initial statement of reasons for the proposed regulations, all the information upon which the proposed regulations are based, and the text of the proposed regulations. The Office of Regulations, 1415 L Street, Suite 500, Sacramento, CA 95814, will be the custodian of public records, including reports, documentation, and other material related to the proposed regulations (rulemaking file).

The full text of any regulation which is changed or modified from the express terms of the proposed action will be made available by the Department's Office of Regulations at least 15 days prior to the date on which the Department adopts, amends, or repeals the resulting regulation.

**FINAL STATEMENT OF REASONS** A copy of the final statement of reasons (when prepared) will be available upon request from the Office of Regulations.

INTERNET ACCESS

Materials regarding the action described in this notice (including this public notice, the text of the proposed regulations, and the initial statement of reasons) that are available via the Internet may be accessed at [www.cdph.ca.gov](http://www.cdph.ca.gov) by clicking on these links, in the following order: I am looking for, Proposed Regula-

tions, Decisions Pending & Opportunities for Public Participation, Proposed Regulations.

**GENERAL PUBLIC INTEREST**

**DEPARTMENT OF  
FISH AND WILDLIFE**

**PROPOSED RESEARCH ON FULLY  
PROTECTED SPECIES**

**RESEARCH ON CALIFORNIA RIDGWAY'S  
RAIL AND CALIFORNIA BLACK RAIL**

The Department of Fish and Wildlife (Department) received a proposal from Ross Wilming, requesting authorization to take California Ridgway's rail (*Rallus obsoletus obsoletus*), formerly known as California clapper rail, and California black rail (*Laterallus jamaicensis coturniculus*) ('rails'), Fully Protected birds, for scientific research purposes consistent with conservation and recovery of the species. The California Ridgway's rail is listed as Endangered under the California Endangered Species Act and Endangered under the federal Endangered Species Act, and the California black rail is listed as Threatened under the California Endangered Species Act.

Ross Wilming is planning to conduct surveys throughout the range of the rails in the Bay Area, in accordance with a standard protocol approved by the Department and the U.S. Fish and Wildlife Service (Service). The proposed research activities consist of searching for vocalizing individuals of the rails and employing broadcasts of recorded, species-specific vocalizations to determine distribution and status of local populations. Ross Wilming and other qualified researchers would collect data by interpreting calls received from marsh birds that respond to broadcast vocalizations and by observing individual rails. There would be no attempt to capture individual rails or to approach nests of the rails, unless specifically approved by the Department. If any rails are found dead, they will be salvaged and donated to a scientific institution open to the public, as designated by the Department and the Service. No adverse effects on individual rails or rail populations are expected.

The Department intends to issue a Memorandum of Understanding to Ross Wilming that would authorize qualified professional wildlife researchers, under specified conditions, to carry out the proposed activities. The applicants are also required to have a valid federal recovery permit for the Ridgway's rail.



Pursuant to California Fish and Game Code (FGC) Section 3511(a)(1), the Department may authorize take of Fully Protected bird species after a 30-day notice period has been provided to affected and interested parties through publication of this notice. If the Department determines that the proposed research is consistent with the requirements of FGC Section 3511 for take of Fully Protected birds, it will issue the authorization on or after February 24, 2025, for an initial and renewable term of up to, but not to exceed five years. Contact: Justin Garcia, [Justin.Garcia@wildlife.ca.gov](mailto:Justin.Garcia@wildlife.ca.gov), (916) 207–4957.

## DEPARTMENT OF FISH AND WILDLIFE

### PROPOSED RESEARCH ON FULLY PROTECTED SPECIES

#### RESEARCH ON CALIFORNIA RIDGWAY’S RAIL AND CALIFORNIA BLACK RAIL

The Department of Fish and Wildlife (Department) received a proposal from Rachel Gardiner, requesting authorization to take California Ridgway’s rail (*Rallus obsoletus obsoletus*), formerly known as California clapper rail, and California black rail (*Laterallus jamaicensis coturniculus*) (‘rails’), Fully Protected birds, for scientific research purposes consistent with conservation and recovery of the species. The California Ridgway’s rail is listed as Endangered under the California Endangered Species Act and Endangered under the federal Endangered Species Act, and the California black rail is listed as Threatened under the California Endangered Species Act.

Rachel Gardiner is planning to conduct surveys throughout the range of the rails in the Bay Area, in accordance with a standard protocol approved by the Department and the U.S. Fish and Wildlife Service (Service). The proposed research activities consist of searching for vocalizing individuals of the rails and employing broadcasts of recorded, species-specific vocalizations to determine distribution and status of local populations. Rachel Gardiner and other qualified researchers would collect data by interpreting calls received from marsh birds that respond to broadcast vocalizations and by observing individual rails. There would be no attempt to capture individual rails or to approach nests of the rails, unless specifically approved by the Department. If any rails are found dead, they will be salvaged and donated to a scientific institution open to the public, as designated by the Department and the Service. No adverse effects on individual rails or rail populations are expected.

The Department intends to issue a Memorandum of Understanding to Rachel Gardiner that would authorize qualified professional wildlife researchers, under specified conditions, to carry out the proposed activities. The applicants are also required to have a valid federal recovery permit for the Ridgway’s rail.

Pursuant to California Fish and Game Code (FGC) Section 3511(a)(1), the Department may authorize take of Fully Protected bird species after a 30-day notice period has been provided to affected and interested parties through publication of this notice. If the Department determines that the proposed research is consistent with the requirements of FGC Section 3511 for take of Fully Protected birds, it will issue the authorization on or after February 24, 2025, for an initial and renewable term of up to, but not to exceed five years. Contact: Justin Garcia, [Justin.Garcia@wildlife.ca.gov](mailto:Justin.Garcia@wildlife.ca.gov), (916) 207–4957.

## DEPARTMENT OF FISH AND WILDLIFE

### PROPOSED RESEARCH ON FULLY PROTECTED SPECIES

#### RESEARCH ON CALIFORNIA RIDGWAY’S RAIL AND CALIFORNIA BLACK RAIL

The Department of Fish and Wildlife (Department) received a proposal from Jason Yakich, requesting authorization to take California Ridgway’s rail (*Rallus obsoletus obsoletus*), formerly known as California clapper rail, and California black rail (*Laterallus jamaicensis coturniculus*) (‘rails’), Fully Protected birds, for scientific research purposes consistent with conservation and recovery of the species. The California Ridgway’s rail is listed as Endangered under the California Endangered Species Act and Endangered under the federal Endangered Species Act, and the California black rail is listed as Threatened under the California Endangered Species Act.

Jason Yakich is planning to conduct surveys throughout the range of the rails in the Bay Area, in accordance with a standard protocol approved by the Department and the U.S. Fish and Wildlife Service (Service). The proposed research activities consist of searching for vocalizing individuals of the rails and employing broadcasts of recorded, species-specific vocalizations to determine distribution and status of local populations. Jason Yakich and other qualified researchers would collect data by interpreting calls received from marsh birds that respond to broadcast vocalizations and by observing individual rails. There would be no attempt to capture individual

rails or to approach nests of the rails, unless specifically approved by the Department. If any rails are found dead, they will be salvaged and donated to a scientific institution open to the public, as designated by the Department and the Service. No adverse effects on individual rails or rail populations are expected.

The Department intends to issue a Memorandum of Understanding to Jason Yakich that would authorize qualified professional wildlife researchers, under specified conditions, to carry out the proposed activities. The applicants are also required to have a valid federal recovery permit for the Ridgway's rail.

Pursuant to California Fish and Game Code (FGC) Section 3511(a)(1), the Department may authorize take of Fully Protected bird species after a 30-day notice period has been provided to affected and interested parties through publication of this notice. If the Department determines that the proposed research is consistent with the requirements of FGC Section 3511 for take of Fully Protected birds, it will issue the authorization on or after February 24, 2025, for an initial and renewable term of up to, but not to exceed five years. Contact: Justin Garcia, [Justin.Garcia@wildlife.ca.gov](mailto:Justin.Garcia@wildlife.ca.gov), (916) 207-4957.

## **FISH AND GAME COMMISSION**

### **NOTICE OF RECEIPT OF PETITION**

NOTICE IS HEREBY GIVEN pursuant to the provisions of California Fish and Game Code Section 2073.3, that on December 18, 2024 the California Fish and Game Commission (Commission) received a petition from the Center for Biological Diversity and the Endangered Habitats League, to list quino checkerspot butterfly (*Euphydryas editha quino*) as an endangered species under the California Endangered Species Act.

The quino checkerspot butterfly is found in grasslands, open chaparral, and coastal shrublands with sparse vegetation surrounded by bare patches up to 5,000 feet in elevation. Habitat is best defined by presence of larval host plants, nectar resources, microtopography, cryptobiotic crust, and presence of episodic disturbances. The U.S. Fish and Wildlife Service defined primary constituent elements of quino habitat as: (1) Grassland and open-canopy woody plant communities, such as coastal sage scrub, open red shank chaparral, and open juniper woodland, with host plants or nectar plants; (2) undeveloped areas containing grassland or open-canopy woody plant communities, within and between habitat patches, utilized for quino checkerspot butterfly mating, basking, and movement; or (3) prominent topographic features, such as hills and/or ridges, with an open woody or herbaceous

canopy at the top determined relative to other local topographic features.

On December 30, 2024, pursuant to Section 2073 of California Fish and Game Code, the Commission transmitted the petition to the California Department of Fish and Wildlife (Department) for review pursuant to Section 2073.5. The Commission will publicly receive the petition at its February 12–13, 2025 meeting. Unless an extension is requested, the Department's evaluation and recommendation relating to the petition is expected to be received by the Commission at its April 16–17, 2025 meeting.

For information about the petition or to submit information to the Department relating to the petitioned species, interested parties may contact Pete Figura, Wildlife Diversity Program Manager, Wildlife Branch, California Department of Fish and Wildlife, P.O. Box 944209, Sacramento, California 94244–2090, or by email at [wildlifemgt@wildlife.ca.gov](mailto:wildlifemgt@wildlife.ca.gov).

## **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 Department of Tax and Fee  
Administration

File # 2024-1121-01

Cannabis Excise Tax Regulations

This timely Certificate of Compliance action makes permanent, with minor amendments, emergency regulations that (1) prescribe procedures for return, remittance, and collection of excess cannabis tax, (2) clarify when and how a cannabis retailer may file a claim for a cannabis excise tax credit, and (3) establish requirements and procedures regarding retention of a portion of cannabis excise taxes as vendor compensation. In addition, this action adopts regulations that further specify recordkeeping requirements for cannabis retailers, clarify applicability, and establish provisions regarding responsible person liability.



Title 18  
 Adopt: 3800, 3820  
 Amend: 3501, 3700, 3703, 3800 [renumbered to 3801], 3805, 381  
 Filed 01/08/2025  
 Effective 01/08/2025  
 Agency Contact: Kim DeArte (916) 309–5227

Department of Corrections and Rehabilitation  
 File # 2024–1125–03  
 Milestone Completion Credit Schedule

This Certificate of Compliance action makes permanent the emergency regulatory changes adopted in OAL File Number 2024–0808–02EON, which amended section 3043.3 to revise the Milestone Completion Credit Schedule (MCCS), which is incorporated by reference in subsection 3043.3(d), and to update the references to the form within 3043.3.

Title 15  
 Amend: 3043.3  
 Filed 01/08/2025  
 Effective 01/08/2025  
 Agency Contact: Sarah Pollock (279) 223–2308

Board of Forestry and Fire Protection  
 File # 2025–0106–01  
 Forest Resilience Exemption and Oak Woodland Exemption

The Z’berg–Nejedly Forest Practices Act of 1973 (the “Act”) prohibits a person from conducting timber operations, as defined, unless a timber harvesting plan prepared by a registered professional forester has been submitted to, and approved by, the Department of Forestry and Fire Protection. The Act authorizes the Board of Forestry and Fire Protection (the “Board”) to exempt from some or all of those provisions of the Act a person engaging in specified forest management activities, as prescribed, including: (1) for a period of five years following the adoption of emergency regulations, the cutting or removal of trees on the person’s property that eliminates the vertical continuity of vegetative fuels and the horizontal continuity of tree crowns for the purpose of reducing flammable materials and maintaining a fuel break, known as the Small Timberland Owner Exemption; (2) until January 1, 2026, the harvesting of those trees that eliminates the vertical continuity of vegetative fuels and the horizontal continuity of tree crowns for specified purposes, known as the Forest Fire Prevention Exemption; (3) until January 1, 2026, the cutting or removal of trees on the person’s property in compliance with specified defensible space requirements, as provided; and (4) the cutting or removal of trees to restore and conserve California black or Oregon white oak woodlands and associated grasslands.

Assembly Bill 2276 (2023–2024 Reg. Sess.) (1) repealed the Small Timberland Owner Exemption; (2) renamed the Forest Fire Prevention Exemption the Forest Resilience Exemption, revised standards and criteria for qualifying for that exemption, and extended that exemption until January 1, 2031; and (3) extended until January 1, 2031 the other exemption described above. A.B. 2276 also revised requirements governing compliance with the cutting or removal of trees to restore and conserve California black or Oregon white oak woodlands and associated grasslands.

In this emergency rulemaking, the Board is amending regulations necessary to implement and ensure compliance with these requirements and with the Forest Resilience Exemption requirements, as required by the statutory changes made by A.B. 2276.

Title 14  
 Amend: 1038, 1038.3, 1038.4  
 Filed 01/15/2025  
 Effective 01/15/2025  
 Agency Contact: Daniel Craig (916) 653–6631

Department of Corrections and Rehabilitation  
 File # 2024–1224–02  
 Health Care Allegations of Staff Misconduct

This action by the Department of Corrections and Rehabilitation was submitted to OAL as an emergency based on operational necessity pursuant to Penal Code section 5058.3. This action adopts procedures regarding reporting and reviewing allegations of health care staff misconduct.

Title 15  
 Adopt: 3999.239  
 Amend: 3999.231  
 Filed 01/13/2025  
 Effective 01/13/2025  
 Agency Contact: Robin Hart (916) 896–6780

California Student Aid Commission  
 File # 2024–1212–01  
 Golden State Teacher Grant Regulations

In this request for filing and printing pursuant to Government Code section 11343.8, the California Student Aid Commission is amending regulations pertaining to the Golden State Teacher Grant Program. This action is exempt from the Administrative Procedure Act pursuant to Education Code section 69617(h)(3).

Title 05  
 Amend: 30521, 30522, 30524, 30526, 30527, 30528  
 Filed 01/09/2025  
 Effective 01/09/2025  
 Agency Contact:  
 Synequeen Alasa—as (916) 464–6411

Department of Insurance  
File # 2024–1227–01  
Net Cost of Reinsurance and Ratemaking

Title 10  
Adopt: 2644.25.1, 2644.25.2, 2644.25.3  
Amend: 2642.7, 2644.16, 2644.25, 2644.27  
Filed 01/13/2025  
Effective 01/13/2025  
Agency Contact: George Teekell (415) 538–4390

Department of Food and Agriculture  
File # 2024–1216–02  
Section 100: NCWM — Formal Name Change

In this change without regulatory effect to California Code of Regulations (CCR) Title 4, Division 9, Section 4085, the Department of Food and Agriculture amends the title of an organization referenced therein, to correlate with the organization’s formal name change which was effective July 2024.

Title 04  
Amend: 4085  
Filed 01/14/2025  
Agency Contact: Samuel Ferris (916) 229–3000

Department of Justice  
File # 2024–1127–02  
Custodian of Records

This action without regulatory effect by the Department of Justice (“Department”) amends form BCIA 8016CUS, “Request for Live Scan Service (Custodian of Records),” that is incorporated by reference in Section 999.601 of Title 11 of the California Code of Regulations.

Specifically, the amendments add a third gender option on the form that applicants can select, “Nonbinary/Unspecified,” in addition to the two gender options currently available to choose from, “Male” and “Female.”

Title 11  
Amend: 999.601  
Filed 01/08/2025  
Agency Contact: Marlon Martinez (213) 269–6437

Department of Justice  
File # 2024–1127–04  
Check Cashier Permit Program

In this non-substantive action, the Department of Justice (DOJ) amends its Check Cashier Permit Program regulations to allow individuals requesting live scan service to label their gender as “Nonbinary” on the request form. This increases the available options from just “Male” and “Female”.

Title 11  
Amend: 991.2  
Filed 01/09/2025  
Agency Contact: Marlon Martinez (213) 269–6437

Osteopathic Medical Board of California  
File # 2024–1224–03  
AB 1757 and Technical Clean Up Changes

This action without regulatory effect by the Osteopathic Medical Board of California amends several sections. First, it renumbers section 1606 to 1601. Second, it removes from section 1603 an outdated reference to registration of professional corporations associated with repealed Business and Professions Code section 2454. Third, it adds the word “postgraduate” to the name of the training license referenced in section 1690, subsection (c), to conform with the name of the license as it appears in Business and Professions Code sections 2064.5 and 2065.

Fourth, it changes the name of the “biennial tax and registration fee” to “biennial renewal fee,” to conform to the name of the fee as it appears in Business and Professions Code section 2455. Fifth, in several sections it replaces gendered pronouns with gender-neutral pronouns. Sixth, for several sections it adds Business and Professions Code section 2018 as an additional authority citation. Finally, in several sections it makes minor corrections to grammar and capitalization for internal consistency.

Title 16  
Amend: 1603, 1604, 1606 [renumbered to 1601], 1608, 1611, 1630, 1635, 1636, 1650, 1651, 1657, 1659.30, 1659.32, 1660, 1660.2, 1661, 1661.4, 1675, 1685, and 1690  
Filed 01/15/2025  
Agency Contact: Rebecca Marco (916) 928–8390

Commission on Peace Officer Standards and Training  
File # 2024–1125–01  
Amend Commission Regulation 1005, 1007, 1008 — Learning Domain 1

This action (1) adds a learning activity for students to view a Commission on Peace Officer Standards and Training–provided video, which gives an overview of the peace officer certification and decertification requirements and processes; and (2) adds a learning objective to discuss the components of Penal Code section 13510.8, which includes peace officer certification, decertification, and serious misconduct.

Title 11  
Amend: 1005, 1007, 1008  
Filed 01/09/2025  
Effective 04/01/2025  
Agency Contact: Carrie Hollar (916) 227–2802

Commission on Peace Officer Standards and Training  
File # 2024–1125–02

Amend Commission Regulation 1005, 1007, 1008,  
1059/WSTB

This rulemaking action by the Commission on Peace Officer Standards and Training amends Work Sample Test Battery (WSTB) Proctor Manual and the Post Basic Courses Test Management and Security Protocols documents, which are incorporated by reference. This action also makes corresponding amendments to regulations to reflect the new revision dates of these documents.

Title 11  
Amend: 1005, 1007, 1008, 1059  
Filed 01/08/2025  
Effective 04/01/2025  
Agency Contact: Anita Finner (916) 227–3901

Commission on Peace Officer Standards and Training  
File # 2024–1127–05

Minimum Standards for Training — CPT Mitigation

In this rulemaking action, the Commission on Peace Officer Standards and Training (POST) requires participating departments to report applicable mitigating factors for their employees' Continuing Professional Training (CPT) certification (if any) for each cycle starting after January 01, 2025. POST also defines what qualifies as a mitigating factor.

Title 11  
Amend: 1005  
Filed 01/14/2025  
Effective 04/01/2025  
Agency Contact:  
Kristoffer Gerolaga (916) 227–2802

Department of Corrections and Rehabilitation

File # 2024–1202–02

Incarcerated Persons Access to Showers

In this rulemaking action, the Department amends its regulations to change some conditions of detention and restricted housing. The frequency of showering and shaving permitted is changed from three times a week to every other day, pursuant to Penal Code section 2084.3.

Title 15  
Amend: 3331, 3348  
Filed 01/14/2025  
Effective 04/01/2025  
Agency Contact: Josh Jugum (279) 223–2317

Department of Corrections and Rehabilitation

File # 2024–1122–05

Computer Voice Stress Analyzer Examinations

This regular rulemaking action by the California Department of Corrections and Rehabilitation amends section 3000 and 3293 of the California Code of Regulations by repealing provisions regarding the use of Computer Voice Stress Analyzers.

Title 15  
Amend: 3000, 3293  
Filed 01/08/2025  
Effective 04/01/2025  
Agency Contact: Estevan Garcia (279) 223–2318

State Water Resources Control Board

File # 2024–1202–01

Lahontan RWQCB Basin Plan Amendment

This action under Government Code section 11353 amends the Lahontan Basin Plan. On June 28, 2023, the Lahontan Regional Water Quality Control Board (RWQCB) adopted Resolution Number R6T–2023–0025 updating the Basin Plan. The State Water Resources Control Board approved the amendment under Resolution Number 2024–0003 on January 17, 2024. The action (1) removes region wide bacteria water quality objectives; and (2) inserts Bacteria Provisions and Variance Policy (REC–1 Bacteria Provisions).

Title 23  
Adopt: 3959.12  
Filed 01/14/2025  
Effective 01/14/2025  
Agency Contact: Daniel Sussman (530) 542–5466

Department of Parks and Recreation

File # 2024–1224–01

Grants and Cooperative Agreements Program:

Environmental Review Data Sheet; Habitat  
Management Program and Soil Conservation Plan

This rulemaking action by the Department of Parks and Recreation (Department) amends regulations governing the Off–Highway Motor Vehicle Recreation (OHMVR) Grants and Cooperative Agreements Program that are administered by the Department's OHMVR Division.

Title 14  
Amend: 4970.01, 4970.03, 4970.05.1, 4970.06.1,  
4970.06.2, 4970.06.3  
Filed 01/09/2025  
Effective 01/09/2025  
Agency Contact: Scott Soares (916) 247–1610

Department of Parks and Recreation

File # 2024–1227–02

Grants and Cooperative Agreements Program: Eligible Costs and Agreements Addendum

This rulemaking action by the Department of Parks and Recreation (Department) amends regulations governing the Off-Highway Motor Vehicle Recreation (OHMVR) Grants and Cooperative Agreements Program that are administered by the Department's OHMVR Division.

Title 14

Adopt: 4970.19.2.1, 4970.19.2.2

Amend: 4970.01, 4970.03, 4970.05.1, 4970.05.2, 4970.06.1, 4970.07.2, 4970.08, 4970.08.1, 4970.08.2, 4970.09, 4970.10, 4970.10.1, 4970.10.2, 4970.10.3, 4970.10.4, 4970.11, 4970.14.1, 4970.14.3, 4970.17.1, 4970.19, 4970.19.2, 4970.20, 4970.23.1, 4970.23.2, 4970.24.1, 4970.25.1, 4970.25.2

Filed 01/10/2025

Effective 01/10/2025

Agency Contact:

Madeline Adams (916) 272–4166

Secretary of State

File # 2024–1126–01

Address Confidentiality Program Regulations and Procedure

Reproductive health care service providers, employees, volunteers, and patients are authorized to complete an application to be approved by the Secretary of State (the “SOS”) for the purposes of enabling state and local agencies to respond to requests for public records without disclosing a program participant’s residence address contained in any public record and otherwise provide for confidentiality of identity for that person, subject to specified conditions (“Safe at Home”). Senate Bill 1131 (2022–2023 Reg. Sess.), among other things, expanded the Safe at Home program to include other individuals who face threats of violence or harassment from the public because of their work for a public entity. In this regular rulemaking, the SOS is implementing, interpreting, and making specific these and other statutory changes made by S.B. 1131.

Title 02

Amend: 22100, 22100.1, 22100.2, 22100.3, 22100.4, 22100.5, 22100.6, 22100.7, 22100.8, 22100.9, 22101, 22101.1, 22101.2, 22101.3, 22101.4, 22101.5

Filed 01/09/2025

Effective 04/01/2025

Agency Contact: Liz Hall (916) 695–1179

**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 [oal.ca.gov](https://oal.ca.gov).