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PROPOSED ACTION ON REGULATIONS

TITLE 2. COLLABORATIVE FOR EDUCATION EXCELLENCE
Conflict-of-Interest Code Amendment — Notice File Number Z2025-0204-07 183

TITLE 2. VICTIM COMPENSATION BOARD
Victim Compensation — Notice File Number Z2025-0203-01 183

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION
2025 Filing Date Extension — Notice File Number Z2025-0205-02 187

TITLE 5. BUREAU FOR PRIVATE POSTSECONDARY EDUCATION
Expired Approvals — Z2025-0204-06 188

TITLE 5. BUREAU FOR PRIVATE POSTSECONDARY EDUCATION
Minimum Operating Standards: Refund Policies — Notice File Number Z2025-0203-02 192

TITLE 10. DEPARTMENT OF INSURANCE
California Automobile Assigned Risk (CAARP) Plan of Operations — Notice File Number Z2025-0127-03 196

TITLE 10. DEPARTMENT OF INSURANCE
Low-Cost Automobile (LCA) Plan of Operations — Notice File Number Z2025-0127-02 199

TITLE 11. COMMISSION ON PEACE OFFICE STANDARDS AND TRAINING
Amend Commission Regulation 1005 — Minimum Standards for Training — Notice File Number Z2025-0131-01 201

TITLE 11. DEPARTMENT OF JUSTICE
Blackjack Games — Notice File Number Z2025-0204-08 204

TITLE 11. DEPARTMENT OF JUSTICE
Rotation of Player-Dealer Games — Notice File Number Z2025-0204-09 209

(Continued on next page)

Time-Dated Material

TITLE 13. DEPARTMENT OF MOTOR VEHICLES
Requesting Information from the Department — Notice File Number Z2025-0204-01 216

TITLE 16. BOARD OF OCCUPATIONAL THERAPY
Applications — Notice File Number Z2025-0204-05 219

TITLE 16. BUREAU OF SECURITY AND INVESTIGATIVE SERVICES
Fees — Notice File Number Z2025-0204-02 222

TITLE 16. BOARD OF CHIROPRACTIC EXAMINERS
Filing of Addresses and Contact Information — Notice File Number Z2025-0204-10 227

TITLE 17. DEPARTMENT OF PUBLIC HEALTH
Shellfish Sanitation Standards — Notice File Number Z2025-0204-04 230

TITLE 22. EMERGENCY MEDICAL SERVICES AUTHORITY
*Critical and Specialty Care Programs (Update of Chapter 6 of Division 9 of Title 22) —
Notice File Number Z2025-0205-03* 234

RULEMAKING PETITIONS DECISION

FISH AND GAME COMMISSION

*Regarding Petition from Los Osos Equestrian Community Regarding Allowing Horses in the
Bayview Unit of Morro Dunes Ecological Reserve* 236

*Regarding Petition from Steve L. Rebeck Concerning Reopening the Abalone Fishery on
San Miguel Island* 236

*Regarding Petition from Ben Mitchell Concerning Authorizing Use of Harpoons with Gaff or
Net as a Legal Aid to Assist in Landing Finfish in Recreational Fisheries* 237

*Regarding Petition from Keith Rootsart, Founder, Giant Giant Kelp Restoration Project
Regarding Use of a Hookah and Air Lift System to Collect Sea Urchins* 237

*Regarding Petition from Keith Rootsart, Founder, Giant Giant Kelp Restoration Project
Regarding Allowing Unlimited Recreational Take of Purple and Red Sea Urchin in Ten California
Counties* 238

(Continued on next page)

AVAILABILITY OF INDEX OF PRECEDENTIAL DECISIONS

DEPARTMENT OF SOCIAL SERVICES

Precedential Decisions Index Availability Notice 238

SUMMARY OF REGULATORY ACTIONS

Regulations filed with Secretary of State 238

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. COLLABORATIVE FOR EDUCATIONAL EXCELLENCE

NOTICE OF INTENTION TO AMEND THE CONFLICT-OF-INTEREST CODE

NOTICE IS HEREBY GIVEN that the California Collaborative for Educational Excellence (“CCEE”), pursuant to the authority vested in it by section 87306 of the Government Code, proposes amendment to its conflict-of-interest code. A comment period has been established commencing on February 14, 2025, and closing on March 31, 2025. All inquiries should be directed to the contact listed below.

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

Changes to the conflict-of-interest code include: (1) addition of two new positions — Executive Advisor and Senior Advisor positions each of which has disclosure categories 1, 2, 3, 4, (2) removal of the three Director positions which no longer exist, along with their disclosure categories — Director, Systems Improvement and Innovation; Director, Systems Improvement and Leadership Development; and Director, Continuous Improvement, and (3) revising the language defining “Administrative Agent” to be consistent with the relevant statute and requirements for selection and approval of the Administrative Agent.

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

Any interested person may submit written comments relating to the proposed amendment by submitting them no later than March 31, 2025, or at the conclusion of the public hearing, if requested, whichever comes later. At this time, no public hearing is scheduled. A person may request a hearing no later than March 16, 2025.

The CCEE has determined that the proposed amendments:

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

All inquiries concerning this proposed amendment and any communication required by this notice should be directed to: Leighann Nguyen, Executive Assistant, (916) 619-7488, lnguyen@ccee-ca.org.

TITLE 2. VICTIM COMPENSATION BOARD

GENERAL HEARING PROCEDURES
SECTIONS 615.2, 617.1, 617.4, 617.5, 617.6, 617.7, 617.8, 617.9, 619.4 & 619.5

HEARINGS FOR INDEMNIFICATION OF CITIZENS BENEFITTING THE PUBLIC AND INDEMNIFICATION OF VICTIMS OF CRIMES
SECTIONS 647.3, 647.4, 647.20, 647.20.1, 647.21, 647.22, 647.25, 647.26, 647.30 & 647.31

INDEMNIFICATION OF VICTIMS OF CRIME
SECTIONS 649, 649.8, 649.32, 649.33, 649.41 & 649.48

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

PUBLIC HEARING

The Board has not scheduled a public hearing on this proposed action; however, the Board will schedule and 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 individual, or their authorized representative, may submit written comments relevant to the proposed regulatory action. To be considered, written comments must be received by *April 1, 2025*. The Board will consider only comments received at its office by this deadline. Written comments may be mailed to:

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

Written comments may also be submitted by facsimile (FAX) at (916) 491–6441 or by email to: regulations@victims.ca.gov.

AUTHORITY AND REFERENCE

Government Code sections 13920 and 13974 and Penal Code section 4906 authorize the Board to adopt these proposed regulations. The proposed regulations are intended to implement, interpret, and make specific Government Code sections 13950 through 13965 and 13970 through 13974.1, and Penal Code sections 4900 through 4903.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

CalVCB was the first victim compensation program established in the nation and remains one of the largest. To be eligible for victim compensation, a victim or derivative victim must have suffered a pecuniary loss as a direct result of a qualifying crime. (Gov. Code, §§ 13955, 13957.) “Crime” is defined as a crime or public offense that would constitute a misdemeanor or felony offense. (Gov. Code, § 13951, subdivision (b).) A crime is considered to be a “qualifying crime” for purposes of victim compensation from CalVCB if the victim is deceased or sustained physical injury or threat of physical injury as a direct result of the crime. (Gov. Code, § 13955, subdivision (f)(1) & (2).) The Board may also find the existence of a qualifying crime based on an emotional injury alone when the crime is among a list of offenses enumerated in Government Code section 13955, subdivision (f)(3).

If CalVCB staff determine that a qualifying crime occurred and there are no bars to eligibility, CalVCB can pay certain expenses, as authorized by the Legislature, that are a direct result of the crime on which the application was based. (Gov. Code, §13957.) Eli-

gible expenses include medical and dental care, mental health services, income and support loss, funeral and burial expenses, relocation, and residential security, among others enumerated in statute. (Gov. Code, § 13957.) However, CalVCB is a payor of last resort, meaning that CalVCB provides compensation for costs that are not covered by other reimbursement sources, including, but not limited to, private insurance, State Disability Insurance (SDI), Social Security Disability Insurance (SSDI), and civil lawsuits. (Gov. Code, §§ 13951, 13954.)

Conversely, the Board must deny an application for compensation or request for reimbursement of expenses if the applicant fails to demonstrate eligibility for either the application or the request for reimbursement of expenses. When CalVCB staff recommends that an application or a request for reimbursement be denied, applicants have a right to appeal the staff’s recommendation. (Cal. Code Regs., title 2, § 647.20.) If an applicant appeals, CalVCB must provide the applicant with a hearing. (Gov. Code, § 13959.)

As the program has grown, the need for clarification of existing statutes has become evident. Additionally, in August 2024, a superior court ruled that California Code of Regulations, title 2, section 647.20.1, which provided a means by which the hearing officer could elect to conduct an informal hearing based on documentary evidence alone, is invalid. The court ordered that the regulation be removed from the regulatory scheme. The ruling necessitated a rewriting of the regulations governing hearing procedures.

A. Hearing Regulations

While reviewing the hearing regulations following the court’s order, the Board determined that it is necessary to clarify the distinction between the general procedures that apply to all hearings conducted by CalVCB (which includes hearings on victim compensation claims, Good Samaritan claims, and Penal Code section 4900 claims), and those that do not apply to all three types of hearings.

For these reasons, staff propose that the following regulations be revised to clarify that they are general hearing provisions that govern all hearings conducted by CalVCB:

Cal. Code Regs., title 2, § 615.2 Definitions

Cal. Code Regs., title 2, § 617.4 Hearing by Electronic Means

Cal. Code Regs., title 2, § 617.7 Presentation of Oral Evidence

Cal. Code Regs., title 2, § 617.8 Official Notice

Cal. Code Regs., title 2, § 617.9 Failure to Appear or Proceed

Cal. Code Regs., title 2, § 619.5 Action on Proposed

Decision by Board

Further, staff propose that the following regulations be revised to clarify that they apply to hearings conducted pursuant to Government Code sections 13950–13966 or 13970–13974.1 only.

Cal. Code Regs., title 2, § 647.20 Right to Hearing

Cal. Code Regs., title 2, § 647.21 Notice of Hearing

Cal. Code Regs., title 2, § 647.26 Request for Continuance

Cal. Code Regs., title 2, § 647.30 Conduct of Hearing

Cal. Code Regs., title 2, § 647.31 Evidence

Additionally, staff propose that the following regulations be revised to clarify that they apply to hearings conducted pursuant to Penal Code section 4900 only.

Cal. Code Regs., title 2, § 617.1 Public Hearing

Cal. Code Regs., title 2, § 619.4 Notice and Public Comment on Proposed Decision

Finally, staff propose that the following regulations be deleted, either pursuant to the court order or to reduce duplication in the regulations:

Cal. Code Regs., title 2, § 617.5 Informal Hearing

Cal. Code Regs., title 2, § 617.6 Presentation Limited to Written Materials

Cal. Code Regs., title 2, § 647.3 Definitions

Cal. Code Regs., title 2, § 647.4 Consideration of Applications and Supplemental Claims

Cal. Code Regs., title 2, § 647.20.1 Hearing on the Written Record for Failure to State Basis to Grant Relief

Cal. Code Regs., title 2, § 647.22 Information about Hearing Procedures

Cal. Code Regs., title 2, § 647.25 Hearing by Electronic Means

B. Proposed Changes that Apply to Applications Filed Pursuant to Government Code sections 13950–13966 or 13970–13974.1

As society has continued to modernize, the need for clarification of the governing statutes has become evident due to the recurring issues that have arisen in implementing the program based on the existing regulations. Following extensive review and consideration, staff propose that the following regulations be revised to account for the changes in the labor market, to make it easier for applicants demonstrate eligibility for income and support loss, to provide clarity and transparency, and to enable the efficient and consistent administration of the program:

Cal. Code Regs., title 2, § 649 Definitions

Cal. Code Regs., title 2, § 649.8 Emergency Awards

Cal. Code Regs., title 2, § 649.32 Verification of Income or Support Loss

Cal. Code Regs., title 2, § 649.33 Derivative Victims Eligible for Support Loss

Cal. Code Regs., title 2, § 649.41 Acts Constituting One Qualifying Crime

Cal. Code Regs., title 2, § 649.48 Human Trafficking

These regulations make program requirements clear. Section 649 provides definitions of terms used by the Board. Section 649.8 clarifies the circumstances under which an emergency award may be granted. Section 649.32 revises the income and support loss regulation to significantly expand the availability of benefits by defining new categories of workers and liberalizing the evidence which may be used to demonstrate income or support loss. Section 649.33 expands program eligibility by enlarging the definition of “legal dependent.” Section 649.41 clarifies that an applicant may only file one application per crime or series of related acts. Section 649.48 makes specific the types of visas that CalVCB will consider as evidence of human trafficking.

Each proposed revision is reasonably necessary to carry out the authority conferred by the statutes. Each proposed revision addresses an administrative requirement, condition, or circumstance that arises in connection with an application for compensation. The Board has determined that administration of the program in the manner proposed is consistent with, and promotes, the objectives underlying the statutes that guide the program.

Anticipated Benefits of the Proposed Regulations:

The proposed regulations comply with the current statutes governing victim compensation claims, Good Samaritan claims, and Erroneously Convicted Felon claims interpret and implement general aspects of the law to ensure their consistent application, and provide the public with the transparency and specificity needed for applicants to successfully obtain compensation. By doing so, they will provide clear guidance to the public and enable the Board to decide these claims in a more uniform and efficient manner.

Evaluation of Inconsistency/Incompatibility with Existing State Regulations:

During the process of developing the proposed regulatory action, the Board conducted a search for any regulations on the topic of hearing procedures. The Board considered the informal hearing procedures of the Administrative Procedures Act codified at Government Code sections 11445.10 through 11445.60 and CalVCB’s existing hearing procedures which are located in the California Code of Regulations, title 2, at

sections 615.1 through 619.7 (general hearing provisions), 647.1 through 647.38 (hearing procedures for victims of crime), and 640 through 646 (hearing procedures for claims of persons erroneously convicted of felonies). The Board conducted an evaluation of these related regulations and concluded that the proposed regulations are neither inconsistent nor incompatible with existing regulations.

Additionally, after conducting an evaluation for any regulations related to CalVCB's indemnification of victims of crime regulations, the Board has found that the proposed regulations are the only regulations concerning definitions, emergency awards, verification of income and support loss, derivative victims eligibility of support loss, acts constituting one qualifying crime and human trafficking. Therefore, the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Board has made the following initial determinations:

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: None.

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

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

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

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

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

Significant effect on housing costs: None.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS/ASSESSMENT

The purpose of the proposed regulations is to interpret and implement the current statutes governing victim compensation. When an application for compensation is approved, victims can submit bills for reimbursement of the pecuniary losses they sustained as a direct result of a qualifying crime. Compensation is then paid on an allowed application after staff have verified the bill or expense. In fiscal year 2021–2022, CalVCB received 39,015 applications and pro-

vided \$40.35 million in compensation to victims; in fiscal year 2020–2021, CalVCB received 40,640 applications and provided \$52.74 million in compensation to victims; in fiscal year 2019–2020, CalVCB received 50,699 applications and provided \$58.69 million in compensation to victims; in fiscal year 2018–2019, CalVCB received 52,973 applications and provided \$61.88 million in compensation to victims. The amount paid in compensation has remained relatively stable over the past four years and CalVCB does not anticipate a significant change in future payouts. Accordingly, the proposed regulations will not directly impact jobs or the wider economy.

CalVCB has determined that the proposed regulations will not affect:

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

The proposed regulations do not impact jobs because they apply to a limited group of individuals seeking compensation as a result of being victimized during a crime.

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

The proposed regulations do not impact the creation of new businesses or elimination of existing businesses in California because they apply to a limited group of individuals seeking compensation as a result of being victimized during a crime.

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

The proposed regulations do not impact the expansion of businesses currently doing business within the State of California because they apply to a limited group of individuals seeking compensation as a result of being victimized during a crime.

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

The Board has determined that the proposed regulations would benefit the health and welfare of California residents by reimbursing crime victims for pecuniary losses they sustained as a direct result of a qualifying crime. The Board has determined that the proposed regulations are not expected to impact worker safety or the state's environment.

SMALL BUSINESS DETERMINATION

The Board has determined that the proposed regulations do not affect small businesses because they apply to a limited group of individuals seeking compensation as a result of being victimized during a crime.

CONSIDERATION OF ALTERNATIVES

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

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

CONTACT PERSON

Inquiries concerning the proposed regulatory revisions may be directed to:

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

The backup contact person for inquiries concerning the proposed regulatory revisions is:

Kim Gauthier
California Victim Compensation Board
P.O. Box 48
Sacramento, CA 95812-0048
Telephone: (916) 491-3605

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

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

The Board will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at 400 R Street Sacramento, CA 95811 and on the website <https://victims.ca.gov>. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations and the Initial Statement of Reasons. Copies may be obtained by contacting Neil Ennes at the P.O. Box or phone number provided above.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

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

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

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

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Rulemaking, the Initial Statement of Reasons and the proposed text of the regulations in underline and strike-out can be accessed through the CalVCB's website at <https://victims.ca.gov>.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

2025 FILING DATE EXTENSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission (the Commission), under the authority vested in it under the Political Reform Act (the Act)¹ by Section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Commission will consider the proposed regulation at a public hearing on or after **MARCH 20, 2025**, at the offices of the Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, California, commencing at approximately **10:00 a.m.** Writ-

¹ The Political Reform Act is contained in Government Code Sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in Sections 18110 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

ten comments should be received at the Commission offices no later than **5:00 p.m.** on **MARCH 18, 2025**.

BACKGROUND/OVERVIEW

Section 87203 of the Political Reform Act (“the Act”) requires designated public officials to file an annual Statement of Economic Interests (Form 700) disclosing the official’s investments, interests in real property, and income. The annual filing deadline is specified by Commission Regulations 18723 and 18730, and typically falls on either March 1 or April 1 each year, depending on the office held by the filer.

Commission staff has identified an ongoing need for greater flexibility to timely extend the annual filing deadline in response to emergency situations such as the recent wildfires in Los Angeles and Ventura Counties. Currently, the filing deadline can only be extended by amending existing regulation through the normal notice process or via adoption of emergency regulation pursuant to Code of Regulations, title 2, section 18312(c)(3). The Commission previously made use of this emergency authority to extend the Form 700 filing deadline in response to the COVID–19 pandemic of 2020, when it adopted the previous Regulation 18720 (repealed 2020). The purpose of the current proposed Regulation 18720 is to provide the Commission with ongoing, streamlined authority to extend the annual filing deadline in response to emergency situations or, in the alternative, to provide a one–time extension to the 2024 Annual Statement of Economic Interests filing deadline currently set for April 1, 2025, for designated officials impacted by the Los Angeles and Ventura County wildfires.

REGULATORY ACTION

Adopt 2 Cal. Code Regs. Section 18720

The Commission may consider adopting Regulation 18720, which states that Chair of the Fair Political Practices Commission may, at their discretion and in response to an emergency situation, extend the deadline for any public official who is required to file an annual Statement of Economic Interests under Regulation 18723 or 18730 for a period of up to 180 days past the deadline specified in those regulations.

The proposed draft Regulation 18720 language provides that an “emergency situation” means a condition or degree of emergency as defined in section 8558 of the Government Code (California Emergency Services Act).

Further, the proposed Regulation 18720 language states that notice of any such extension shall be placed on a regular or special meeting agenda of the Commission and shall take effect upon publication of that agenda.

SCOPE

The Commission may adopt the language noticed herein, or it may choose new language to implement its decisions concerning the issue identified above or any related issue.

FISCAL IMPACT STATEMENT

Fiscal Impact on Local Government. None.
Fiscal Impact on State Government. None.
Fiscal Impact on Federal Funding of State Programs. None.

AUTHORITY

Section 83112, Government Code provides that the Fair Political Practices Commission may adopt, amend, and rescind rules and regulations to carry out the purposes and provisions of the Act.

REFERENCE

The purpose of this regulation is to implement, interpret, and make specific Government Code Section 87203.

CONTACT

Any inquiries should be made to:

Simon Russell
Fair Political Practices Commission
1102 Q Street, Suite 3050
Sacramento, CA 95811
Email: sirussell@fppc.ca.gov
Telephone (279) 237–5989

The proposed regulatory language can be accessed at <http://www.fppc.ca.gov/the-law/fppc-regulations/proposed-regulations-and-notices.html>.

TITLE 5. BUREAU FOR PRIVATE POSTSECONDARY EDUCATION

EXPIRED APPROVALS

NOTICE IS HEREBY GIVEN that the Bureau for Private Postsecondary Education (hereinafter “Bureau”), Department of Consumer Affairs, is proposing to take the action described in the Informative Digest after considering all relevant comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Bureau has not scheduled a public hearing on this proposed action. However, the Bureau 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 prior to the close of the written comment period. A hearing may be requested by making such request in writing addressed to the individuals listed under “Contact Person” in this Notice.

WRITTEN COMMENT PERIOD

Written comments relevant to the action proposed, including those sent by mail, facsimile, or email to the addresses listed under *Contact Person* in this Notice, must be **received by the Bureau at its office no later than April 1, 2025**, or must be received by the Bureau at the hearing should one be held.

AUTHORITY AND REFERENCE

Authority cited: Sections 94803, 94890, and 94891 of the Education Code.

References cited: Sections 94802, 94889, 94890, and 94930.5 of the Education Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Bureau for Private Postsecondary Education (Bureau) protects students and consumers through the regulatory oversight of California’s private postsecondary educational institutions (“institutions”) pursuant to the California Private Postsecondary Education Act of 2009 (“Act” — Ed. Code, §§ 94800–94950), including conducting qualitative reviews of educational programs and operating standards.

Existing law at CCR sections 71475 and 71480 outlines the renewal process for non-accredited and accredited institutions to follow when their Approval to Operate is about to expire¹. The current regulatory language states that an institution may renew an Approval to Operate within 6 months after expiration by filing a renewal application with the Bureau and paying a fee, and after an approval to operate has expired for more than 6 months, the approval is automatically canceled. However, the regulations *do not* explicitly provide for approval to continue to operate after the date of expiration of an Approval to Operate.

Existing regulatory language is confusing for institutions and gives them the mistaken impression that it is acceptable to continue to operate and file a renew-

¹ Unless otherwise noted, all references to the CCR hereafter are to Title 5.

al for up to 6 months after the expiration of their Approval to Operate, which is not the intent of the regulation. In fact, approximately one-third of renewal applications in 2022 were received after the institution’s approval had expired. Thirteen applications were received more than 30 days after the date of expired approval. All institutions approved by the Bureau must hold an active approval to operate. However, institutions may be confused by the existing regulations because of the 6-month window in which a renewal application may be filed with the Bureau.

To address the problems stated above, the Bureau has drafted the following proposed regulatory changes:

Amending Section 71475 of the CCR to:

- Delete existing text in subdivisions (hh) and (ii) and re-letter subsequent sections accordingly.
- Re-letter existing subdivision (jj) as the new (hh) and replace existing text with proposed regulatory text specifying the consequences a non-accredited institution shall incur if it does not apply within the designated time period.
- Remove the statutory reference to Section 94931 from the references in CCR 71475.

Amending Section 71480 of the CCR to:

- Delete existing text in subdivisions (f) and (g) and re-letter subsequent sections accordingly.
- Re-letter existing subdivision (h) as the new (f) and replace existing text with proposed regulatory text specifying the consequences an accredited institution shall incur if it does not apply within the designated time period.
- Remove the statutory reference to Section 94931 from the references in CCR 71480.

The proposed regulations are intended to improve the Bureau’s approval process by clarifying existing language regarding expired approvals. Due to this updated language, the Bureau believes that institutions are more likely to submit a complete renewal application, by the required deadline of no later than 30 calendar days after the date an approval expires. Of the institutions in 2022 that applied for renewal more than 30 days after expiration, but prior to 6 months after expiration, the Bureau believes that the proposed regulations will accomplish the goal of having the vast majority, if not all, institutions submit their renewal applications by the specified deadline.

ANTICIPATED BENEFITS OF PROPOSAL

This regulatory proposal benefits the welfare of California consumers because it clarifies the procedures of institution approval renewal, helping ensure that institutions are aware whether they have properly renewed their approval to operate. Some institutions

have not submitted their renewal application until well after their Approval to Operate has expired, possibly under the mistaken impression that the six-month window after expiration in which the renewal can be submitted is to be taken as a de facto extension of their Approval to Operate.

This regulation will allow the Bureau to enforce provisions of the Act and further the Bureau's mission of consumer protection for students seeking educational services from postsecondary institutions by helping to ensure that the institutions they are attending are approved institutions and comply with all legal requirements for operating an approved institution in California. Institutions will not have to pay late fees for applications received more than 30-days beyond the date of expired approvals, because then they will simply need to seek a new approval to operate as an applicant. Institutions benefit from having clearer regulatory language for Bureau standards surrounding requirements for renewals for approvals to operate.

This regulatory proposal does not affect the health of California residents, worker safety, or the state's environment.

CONSISTENCY AND COMPATIBILITY WITH EXISTING STATE REGULATIONS

During the process of developing this regulatory proposal, the Bureau has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

INCORPORATION BY REFERENCE:

The proposed regulation does not incorporate any forms by reference.

DISCLOSURES REGARDING THIS PROPOSED ACTION

Mandate Imposed on Local Agencies or School Districts: None.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

According to Bureau data, an average of 13 institutions submit renewal applications beyond 30 days each year and are required to pay approximately \$7,350 in late penalty fees.

The proposed regulations do not allow for late fees for a renewal application. As a result, the Bureau projects lost penalty fee revenues of \$7,350 per year.

The Bureau notes, it does not anticipate any additional workload or costs related to the proposed regulations.

The regulations do not result in costs or savings in federal funding to the state.

Nondiscretionary Costs/Savings to Local Agencies: None.

Cost to Any Local Agency or School District for Which section 17561 –17630 Require Reimbursement: None.

Significant Effect on Housing Costs: None.

BUSINESS IMPACT ESTIMATES

The Bureau has made the initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

This initial determination is based on the fact that the proposed regulation would not require institutions to make any substantive alternation to the method by which they apply for a renewal of their Approval to Operate.

According to Bureau data, an average of 13 institutions submit renewal applications beyond 30 days each year and are required to pay approximately \$7,350 in late penalty fees.

The proposed regulations do not allow for late fees for a renewal application. As a result, schools will no longer pay late penalty fees.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

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

According to Bureau data, an average of 13 institutions submit renewal applications beyond 30 days each year and are required to pay approximately \$7,350 in late penalty fees.

The proposed regulations do not allow for late fees for a renewal application. As a result, schools will no longer pay late penalty fees.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

IMPACT ON JOBS/NEW BUSINESS

The Bureau has determined that this regulatory proposal will have not have any impact on the creation of jobs or new businesses or the elimination of jobs or ex-

isting businesses or the expansion of businesses in the State of California.

BENEFITS OF REGULATION

This regulatory proposal benefits the welfare of California consumers by clarifying the procedures of institution approval renewal, helping ensure that institutions are aware whether they have properly renewed their approval to operate. Some institutions have not submitted their renewal application until well after their Approval to Operate has expired.

This regulatory proposal does not affect the health of California residents, worker safety or the state's environment.

BUSINESS REPORTING REQUIREMENTS

The regulatory action does not require businesses to file a report with the Bureau.

EFFECT ON SMALL BUSINESS

The Bureau has determined that the proposed regulations may affect small businesses, as some schools the Bureau approves may qualify as a small business and may be impacted.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Bureau must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would either 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 proposal described in this Notice, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

Any interested person may submit comments to the Bureau in writing relevant to the above determinations at Bureau for Private Postsecondary Education, P.O. Box 980818, West Sacramento, CA 95798-0818 during the written comment period, or at the hearing if one is scheduled or requested.

AVAILABILITY OF STATEMENT OF REASONS AND RULEMAKING FILE

The Bureau has compiled a record for this regulatory action, which includes the Initial Statement of Reasons (ISOR), proposed regulatory text, and all the information on which this proposal is based. This material is contained in the rulemaking file and is available

for public inspection upon request to the contact persons named in this notice.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and the initial statement of reasons, and all the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Bureau for Private Postsecondary Education, P.O. Box 980818, West Sacramento, CA 95798-0818.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments, the Bureau, upon its own motion or at the request of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal, with the modifications clearly indicated, will be available for review and written comment for 15 days prior to its adoption from the person designated in this Notice as the Contact Person and will be mailed to those persons who submit written comments or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You can obtain a copy of the Final Statement of Reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

CONTACT PERSONS

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Parker Strohmeier
Address: Bureau for Private Postsecondary
Education
P.O. Box 980818
West Sacramento, CA 95798-0818
Telephone Number: (279) 666-5844

E-Mail Address: Parker.Strohmeyer@dca.ca.gov

The backup contact person is:

Name: Manila Vongmany
Address: Bureau for Private Postsecondary
Education
P.O. Box 980818
West Sacramento, CA 95798-0818
Telephone Number: (279) 345-9636
E-Mail Address: Manila.Vongmany@dca.ca.gov

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 noted, as well as the Final Statement of Reasons when completed, and modified text, if any, can be accessed through the Bureau's website at <https://bppe.ca.gov/lawsregs/index.shtml>.

TITLE 5. BUREAU FOR PRIVATE POSTSECONDARY EDUCATION

MINIMUM OPERATING STANDARDS: REFUND POLICIES

NOTICE IS HEREBY GIVEN that the Bureau for Private Postsecondary Education (hereafter referred to as "Bureau") is proposing to take the action described in the Informative Digest below, after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Bureau has not scheduled a public hearing on this proposed action. However, the Bureau will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days prior to the close of the written comment period. A hearing may be requested by making such request in writing addressed to the individuals listed under "Contact Person" in this notice.

WRITTEN COMMENT PERIOD

Written comments relevant to the action proposed, including those sent by mail, facsimile, or email to the addresses listed under "Contact Person" in this Notice, must be **received by the Bureau at its office no later than April 1, 2025**, or must be received by the Bureau at the hearing, should one be scheduled.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by section(s) 94877 and 94885, 94885.5, and 94927 of the California Education Code (CEC), and to implement, interpret, or make specific CEC section(s) 94885, 94899.5, 94909, 94919, 94920, and 94924 the Bureau is considering amending section(s) 70000 and 71750, and adding section(s) 71746 and 71751, of title 5 of Division 7.5 of the California Code of Regulations (CCR)¹.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing law found in Education Code (CEC or "Code") section 94885 requires the Bureau to adopt by regulation, minimum operating standards for institutions under the Bureau's authority, including requiring institutions to maintain cancellation and withdrawal policies and provide refunds. CEC sections 94919 and 94920 establish cancellation, withdrawal, and refund policies that institutions must follow when a student is withdrawn from their program or cancels their enrollment agreement within the cancellation period. CEC Section 94909 establishes the catalog requirements for institutions, which includes cancellation, withdrawal, and refund policies at section 94909(a)(8)(B). CEC Section 94927 lists requirements for institutions to follow due to the cancellation of an educational program or institutional closure, resulting in the default of an enrollment agreement, and lists applicable refund policies for institutions that Section applies to. Throughout the Code, there are clear distinctions between cancellations and withdrawals, and the refunds associated with them.

CCR 71750 establishes the Bureau's current standards for student withdrawal from an educational program and associated refunds but does not differentiate clearly between cancellations (generally, where the student decides not to participate in the educational program prior to the cancellation deadline) and withdrawals (generally, where the student decides not to participate in the educational program after the cancellation deadline has passed). This has resulted in problems for the Bureau in determining whether the proper refund policy has been followed.

Additionally, Bureau regulations require institutions to keep a document of the total amount of money received from or on behalf of a student and the date or dates the money was received but does not require institutions to provide receipts to students either when students are issued a refund for a payment, or when the institution issues a refund for a payment received

¹ Unless otherwise noted, all references to the CCR hereafter are to Title 5.

on behalf of a student. Consequently, students are often confused about any refund they may be entitled to when they cancel or withdraw from their program. Finally, the current method of calculating pro-rata refunds is written in a confusing manner that results in instances in which non-refundable charges can have a disproportionate effect on an institution's refund made to a student. Therefore, the Bureau has revised the pro-rata formula to appropriately factor in non-refundable charges by clarifying language to better align with existing statute.

At the February 7, 2024, meeting of the Bureau's Advisory Committee, Bureau staff outlined existing regulatory issues and solicited input on whether the proposed changes to cancellations and withdrawals warranted such changes, while ensuring that institutions follow the correct cancellation or withdrawal policy.

This regulatory proposal will:

- 1) Amend existing section 70000 to define "Cancellation," "Cancellation Period," "Pro-Rata Refund," "Refund," and "Withdrawal."
- 2) Add to the CCR Section 71746: Collection of Tuition and Payment From Students:
 - Add that institutions shall not charge or collect from, or on behalf of, students an amount for total charges that exceeds the amount listed in the institution's catalog and the student's enrollment agreement regardless of the payment source, and if it collects an amount in excess of a student's total charges, it shall issue a refund for the account balance within 45 days after the completion of the educational program.
 - Add a requirement that institutions shall issue a receipt to students, either in hard copy or electronically, for all payments received on behalf of the student from all sources, and to maintain a copy of the receipt in the student records required to be kept under CCR Section 71920.
- 3) Amend existing Section 71750 to:
 - Rename the section by deleting the current name "Withdrawals and Refunds" and replace it with "Cancellations."
 - Delete references in 71750 to the refund process after a withdrawal and move those provisions to the new Section 71751.
 - Specify that after a student's cancellation of their enrollment in an educational program an institution shall not enforce a refund policy not specified in their catalog, and that the student's notice of cancellation be submitted in writing, which are required by the Code.
- 4) Add Section 71751: Withdrawals.
 - Establish that the amount to be refunded after a student cancellation shall be 100 percent of the amount paid, less a reasonable application fee not to exceed \$250, so long as cancellation is made during the "cancellation period."
 - Specify that after the cancellation of an educational program or closure resulting in the default of an enrollment agreement, an institution shall follow the applicable refund requirements of CEC Section 94927.
 - Adds that an institution shall provide a refund within 45 days of a student's cancellation, and requirements regarding refunds for funds collected for transmittal to a third-party.
 - Add that an institution shall maintain a log with required student-level information, kept current on a monthly basis, either electronically or in hard copy, of all student cancellations.
 - Updates the Authority of the section to include CEC Section 94927.
 - Adds that the policies and procedures for determining the amount of a refund after a withdrawal are to be stated in the institution's catalog pursuant to section 94909(a)(8)(B) of the Code.
 - Adds that refund policies and procedures where the student initiates the withdrawal shall include that the notice from the student be in writing; the acceptable method of delivery of the notice; the person to whom the notice shall be delivered; and the date the notice shall be considered effective, which is to be no later than the date it is received by the institution.
 - Adds that refund policies and procedures where the institution initiates the withdrawal shall include a statement that withdrawal may be effectuated by the institution for reason concerning the student's conduct, including but not limited to lack of attendance; the conditions for which the institution may be withdraw the student; the maximum number of consecutive class days a student may miss before being deemed withdrawn by the institution; and the date that a notice of withdrawal effectuated by an institution shall be considered effective.
 - Adds the process for calculating the refund amount which shall be the total charges less any non-refundable charges times a pro rata

amount of the unattended classes and aligns the regulatory language with statute.

- Adds that an institution shall provide a refund within 45 days of a student’s withdrawal, and requirements regarding refunds for funds collected for transmittal to a third–party.
- Add that an institution shall maintain a log with required student–level information, kept current on a monthly basis, either electronically or in hard copy, of all student withdrawals.

These regulations aim to help the Bureau in its mission of consumer protection in overseeing institutions by clarifying processes surrounding operating standards.

ANTICIPATED BENEFITS OF PROPOSAL

The proposed regulatory language will clarify the Bureau’s existing regulations by clearly establishing the different processes for students and institutions to follow for a cancellation or a withdrawal. Students attending California private postsecondary educational institutions will benefit from being better protected by clear regulations establishing the proper refund policies institutions must implement when a student cancels, withdraws, or is withdrawn from their educational program.

The proposed regulatory language further benefits students by requiring they be provided with a receipt for payments made by them or received by the institution on the student’s behalf, allowing students to have documentation which can help students filing either complaints or Student Tuition Recovery Fund (STRF) claims with the Bureau. The proposed regulatory language benefits institutions by clarifying the information that should be included in an institution’s withdrawal policy in their catalog.

Finally, the proposed regulatory language will also benefit the Bureau more effectively implementing the statutory language of Education Code sections 94919 and 94920, ensuring that the will of the legislature is implemented.

This regulatory proposal does not affect the health and welfare of California residents, worker safety, or the state’s environment.

EVALUATION OF CONSISTENCY AND COMPATIBILITY WITH EXISTING STATE REGULATIONS

During the process of developing this regulatory proposal, the Bureau has conducted a search of any similar regulations on these topics and has concluded

that these regulations are neither inconsistent nor incompatible with existing state regulations.

INCORPORATION BY REFERENCE

The proposed regulation does not incorporate any forms by reference.

DISCLOSURES REGARDING THIS PROPOSED ACTION

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

The regulations do not result in a fiscal impact to the state.

This proposal better aligns the Bureau’s provisions with current law and does not result in a fiscal impact to the state. The Bureau does not anticipate additional workload or costs resulting from the proposed regulations and any workload and costs of implementation are a result of current law.

The regulations do not result in costs or savings in federal funds to the state.

Nondiscretionary Costs/Savings to Local Agencies: None.

Cost to any Local Agency or School District for which Government Code Sections 17500–17630 Require Reimbursement: None.

Mandate Imposed on Local Agencies or School Districts: None.

Significant Effect on Housing Costs (and, if applicable, including any estimated costs of compliance or potential benefits of a building standard): None.

BUSINESS IMPACT ESTIMATES

The Bureau has made the initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

This initial determination is based on the fact that this proposal is intended to better align the Bureau’s regulations with standard operations and current law.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

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

RESULTS OF ECONOMIC IMPACT
ASSESSMENT/ANALYSIS

Impact on Jobs/Businesses

The Bureau has determined that this regulatory proposal will not have any impact on the following:

- 1) the creation or elimination of jobs within the state,
- 2) the creation of new businesses or the elimination of existing businesses within the state, or,
- 3) the expansion of businesses currently doing business within the state.

This proposal would not have any of the above-referenced impacts because this proposal better aligns the Bureau's student refund regulations with current law and standard practice.

BENEFITS OF REGULATION

This regulatory proposal promotes the welfare of California residents who are attending a private post-secondary educational institution approved under the Act and may wish to cancel or withdraw from their program. In the instance that an institution takes steps to withdraw a student, students benefit from clear regulations with exact standards regarding a student's withdrawal from an institution.

Students further benefit from improved regulations regarding the provision of receipts for payments made to an institution, allowing students to have better documentation for the amounts paid to the institution.

This regulatory proposal does not affect the health of California residents, worker safety, or the state's environment as this proposal is not related to any of those issues.

BUSINESS REPORTING REQUIREMENTS

The regulatory action does not require businesses to file a report with the Bureau.

EFFECT ON SMALL BUSINESS

The Bureau has determined that the proposed regulations may affect small businesses. If an institution is a small business, and was previously incorrectly applying the refund policies, it would be required to comply with the updated refund policies.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Bureau must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention would be more effective in car-

rying out the purpose for which the action is proposed; would be as effective and less burdensome to affected private persons than the proposal described in this Notice; or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may submit comments to the Bureau in writing relevant to the above determinations at 1747 North Market Boulevard, Suite 225, Sacramento, CA 95834 during the written comment period, or at the hearing if one is scheduled or requested.

AVAILABILITY OF STATEMENT OF
REASONS AND RULEMAKING FILE

The Bureau has compiled a record for this regulatory action, which includes the Initial Statement of Reasons (ISOR), proposed regulatory text, and all the information on which this proposal is based. This material is contained in the rulemaking file and is available for public inspection upon request to the contact persons named in this notice.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Bureau, at 1747 North Market Boulevard, Suite 225, Sacramento, CA 95834.

AVAILABILITY OF CHANGED OR
MODIFIED TEXT

After considering all timely and relevant comments, the Bureau, upon its own motion or at the request of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal, with the modifications clearly indicated, will be available for review and written comment for 15 days prior to its adoption from the persons designated in this Notice as the Contact Persons and will be mailed to those persons who submit written comments or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AVAILABILITY AND LOCATION OF THE
FINAL STATEMENT OF REASONS AND
RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the Final Statement of Reasons once it has been prepared by making a written request to the Contact Persons named below or by accessing the website listed below.

CONTACT PERSONS

Inquiries or comments concerning the proposed rulemaking action may be sent to:

Name:

Parker Strohmeyer

Address:

Bureau for Private Postsecondary Education

1747 North Market Boulevard, Suite 225

Sacramento, CA 95834

Telephone Number: (279) 666-5844

E-Mail Address:

Parker.Strohmeyer@dca.ca.gov

The backup contact person is:

Name: Manila Vongmany

Address:

Bureau for Private Postsecondary Education

1747 North Market Boulevard, Suite 225

Sacramento, CA 95834

Telephone Number: (279) 345-9636

E-Mail Address:

Manila.Vongmany@dca.ca.gov

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 noted, as well as the Final Statement of Reasons when completed, and modified text, if any, can be accessed through the Bureau's website at <https://www.bppe.ca.gov/lawsregs/index.shtml>.

**TITLE 10. DEPARTMENT OF
INSURANCE**

REG-2025-00002

REVISIONS TO CALIFORNIA
AUTOMOBILE ASSIGNED RISK PLAN
PLAN OF OPERATIONS

SUBJECT OF HEARING

California Insurance Commissioner Ricardo Lara ("Commissioner") will hold a public hearing to address the proposed amendments to the California Automobile Assigned Risk Plan ("CAARP" or "Plan") of Operations. California Code of Regulations, Title 10, Chapter 5, section 2498.4.9 references this plan.

AUTHORITY TO ADOPT
RATES AND REFERENCES

The Commissioner will consider the proposed changes pursuant to the authority vested in him by section 11620 of the California Insurance Code. The Commissioner's decision on the proposed changes will implement, interpret and makes specific the requirements of Insurance Code section 11624(e). Insurance Code section 11620(c) applies to this proceeding.

HEARING DATE AND LOCATION

Notice is hereby given that a public hearing will be held to permit all interested persons the opportunity to present statements or arguments, orally or in writing, with respect to the proposed changes at the following date, time, and place:

Date and Time: April 9, 2025

1:00 p.m.

**Location: Department of Insurance Hearing
Room**

**1901 Harrison Street 3rd Floor
Oakland, CA 94612**

ACCESS TO HEARING ROOM

The facilities to be used for the public hearing are accessible to persons with mobility impairments. Persons with sight or hearing impairments are requested to notify the contact person (listed below) for this hearing in order to make special arrangements, if necessary.

WRITTEN AND/OR ORAL COMMENTS:
AGENCY CONTACT PERSON

All persons are invited to submit written comments to the Insurance Commissioner on the application prior to the public comment deadline. Comments should be addressed to the contact person for this proceeding:
Contact Person:

Michael Riordan, Attorney
California Department of Insurance Enforcement
Bureau
1901 Harrison Street
Oakland, CA 94612
riordanm@insurance.ca.gov
Telephone: (415) 538-4226
Facsimile: (510) 238-7830

The *backup* agency contact person for this proceeding will be:

Elsa Carre, Legal Analyst
California Department of Insurance Rate
Enforcement Bureau
1901 Harrison Street
Oakland, CA 94612
Elsa.Carre@insurance.ca.gov
Telephone: (415) 538-4461

All persons are invited to present oral and/or written testimony at the scheduled public hearing.

DEADLINE FOR WRITTEN COMMENTS

All written materials, unless submitted at the hearing, must be **received** by the Insurance Commissioner at the address listed above **no later than 5:00 p.m. on April 9, 2025**. Any written materials received after that time will not be considered. Written comments may also be submitted to the contact person by email or facsimile transmission. Please select only one method to submit written comments.

ADVOCACY OR WITNESS FEES

Persons or groups representing the interest of consumers may be entitled to reasonable advocacy fees, witness fees, and other reasonable expenses, in accordance with the provisions of California Code of Regulations, Title 10, sections 2662.1-2662.6 in connection with their participation in this matter. Interested persons must submit a Petition to Participate, as specified in California Code of Regulations, Title 10, section 2661.4. The Petition to Participate must be submitted to the Commissioner at the Office of the Public Advisor at the following address:

California Department of Insurance
Office of the Public Advisor

300 Spring Street 12th Floor
Los Angeles, CA 90013
Telephone: (213) 346-6635

A copy of the Petition to Participate must also be submitted to the contact person for this hearing (listed above). For further information, please contact the Office of the Public Advisor.

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

CA 25-02

Currently, insurers writing CAARP Private Passenger Pool (PPP) risks are required to meet specific performance standards or comply with any statute or regulation governing CAARP business in the underwriting and servicing of all insurance policies written through the Program. Specific service standards defining performance expectations for Limited Assignment Distribution Procedure (LAD) servicing companies and the PPP service provider are not included.

CAARP proposes introducing service standards defining the timelines and quality of services provided for the LAD servicing companies and the PPP service provider to abide by in addition to the performance standards included in the CAARP Plan of Operations.

COMPARABLE FEDERAL LAW

There are no comparable existing federal regulations or statutes.

LOCAL MANDATE DETERMINATION

The Insurance Commissioner has initially determined that the application will not result in any new program mandates on local agencies or school districts.

MANDATES ON LOCAL AGENCIES OR
SCHOOL DISTRICTS OR COSTS WHICH
MUST BE REIMBURSED PURSUANT TO
GOVERNMENT CODE SECTIONS
17500 THROUGH 17630

The Insurance Commissioner has initially determined that the application will not result in any cost or significant savings to any local agency or school district for which Part 7 (commencing with section 17500) of Division 4 of the Government Code would require reimbursement, or in other nondiscretionary costs or savings to local agencies.

**COST OR SAVINGS TO ANY STATE
AGENCY; FEDERAL FUNDING**

The Commissioner has determined that the application will result in no cost or savings to any state agency and no cost or savings in federal funding to the state.

**SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT ON BUSINESSES
AND THE ABILITY OF CALIFORNIA
BUSINESSES TO COMPETE**

The Commissioner has initially determined that the proposal 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. This proposal will have no effect on the creation or elimination of jobs in California, the creation of new businesses, the elimination of existing businesses in California, or the expansion of businesses in California.

**COST IMPACTS ON PRIVATE
PERSONS OR ENTITIES**

The Insurance Commissioner has initially determined that the proposal will not affect private person or entities.

IMPACT ON HOUSING COSTS

The Insurance Commissioner has initially determined that the application will not affect housing costs.

IMPACT ON SMALL BUSINESS

The proposed rate changes could affect small businesses.

**SPECIFIC TECHNOLOGIES
OR EQUIPMENT**

The application would not mandate the use of specific technologies or equipment.

ALTERNATIVES

The Insurance Commissioner must determine that no reasonable alternative considered by the agency, or that has otherwise been identified and brought to the attention of the agency, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

PLAIN ENGLISH

The application describing the proposal is in plain English. However, the application itself is based on technical actuarial principles.

**TEXT AND INITIAL
STATEMENT OF REASONS**

The Department has prepared an Initial Statement of Reasons addressing the proposed rate application in addition to the Informative Digest included in this notice. The Initial Statement of Reasons, Notice of Proposed Action and Regulation Text are available for inspection or copying, and will be provided at no charge upon request to the contact person listed above. Further details on CAARP's proposal are on file with the Commissioner and available for review as set forth below.

FINAL STATEMENT OF REASONS

A Final Statement of Reasons will be prepared at the conclusion of this proceeding. Upon written or email request to the contact person listed above, the Final Statement of Reasons will be made available for inspection and copying once it has been prepared. A copy of the Final Statement of Reasons will also be posted on the Department's web site.

ACCESS TO RULEMAKING FILE

Any interested person may inspect a copy of or direct questions about CAARP's application, the statement of reasons, and any supplemental information contained in the rulemaking file by contacting the contact person listed above. **By prior appointment**, the rulemaking file is available for inspection at 1901 Harrison Street, Oakland, CA 94612, between the hours of 9:00 a.m. and 4:30 p.m. Monday through Friday.

AUTOMATIC MAILING

A copy of this Notice, including the Informative Digest is being sent to all persons on the Insurance Commissioner's mailing list.

**AVAILABILITY OF DOCUMENTS
ON THE INTERNET**

The Initial Statement of Reasons, proposed text, and this Notice of Proposed Action will be published online and may be accessed through the Department's website at www.insurance.ca.gov.

AVAILABILITY OF MODIFIED
TEXT OF REGULATIONS

If the Department amends the application with changes that are sufficiently related to the original application, the Department will make the full text of the amended rates, with the changes clearly indicated, available to the public for at least 15 days before the date the Department adopts the amended rates.

**TITLE 10. DEPARTMENT OF
INSURANCE**

NOTICE OF REVISIONS TO CALIFORNIA
LOW COST AUTOMOBILE PLAN
OF OPERATIONS

SUBJECT OF HEARING

California Insurance Commissioner Ricardo Lara (“Commissioner”) will hold a public hearing to address the proposed amendments to the proposed amendments to the California Low Cost Automobile (“CLCA”) Plan of Operations. California Code of Regulations, Title 10, Chapter 5, section 2498.6 references this plan.

AUTHORITY TO ADOPT
RATES AND REFERENCES

The Commissioner will consider the proposed changes pursuant to the authority vested in him by section 11620 of the California Insurance Code. The Commissioner’s decision on the proposed changes will implement, interpret and makes specific the requirements of Insurance Code section 11624(e). Insurance Code section 11620(c) applies to this proceeding.

HEARING DATE AND LOCATION

Notice is hereby given that a public hearing will be held to permit all interested persons the opportunity to present statements or arguments, orally or in writing, with respect to the proposed changes at the following date, time, and place:

**Date and Time: April 9, 2025
1:00 p.m.
Location: Department of Insurance Hearing
Room
1901 Harrison Street 3rd Floor
Oakland, CA 94612**

ACCESS TO HEARING ROOM

The facilities to be used for the public hearing are accessible to persons with mobility impairments. Persons with sight or hearing impairments are requested to notify the contact person (listed below) for this hearing in order to make special arrangements, if necessary.

WRITTEN AND/OR ORAL COMMENTS:
AGENCY CONTACT PERSON

All persons are invited to submit written comments to the Insurance Commissioner on the application prior to the public comment deadline. Comments should be addressed to the contact person for this proceeding:
Contact Person:

Michael Riordan, Attorney
California Department of Insurance Enforcement
Bureau
1901 Harrison Street
Oakland, CA 94612
riordanm@insurance.ca.gov
Telephone: (415) 538–4226
Facsimile: (510) 238–7830

The *backup* agency contact person for this proceeding will be:

Elsa Carre, Legal Analyst
California Department of Insurance Rate
Enforcement Bureau
1901 Harrison Street
Oakland, CA 94612
Elsa.Carre@insurance.ca.gov
Telephone: (415) 538–4461

All persons are invited to present oral and/or written testimony at the scheduled public hearing.

DEADLINE FOR WRITTEN COMMENTS

All written materials, unless submitted at the hearing, must be **received** by the Insurance Commissioner at the address listed above **no later than 5:00 p.m. on April 9, 2025**. Any written materials received after that time will not be considered. Written comments may also be submitted to the contact person by email or facsimile transmission. Please select only one method to submit written comments.

ADVOCACY OR WITNESS FEE

Persons or groups representing the interest of consumers may be entitled to reasonable advocacy fees, witness fees, and other reasonable expenses, in accordance with the provisions of California Code of Reg-

ulations, Title 10, sections 2662.1–2662.6 in connection with their participation in this matter. Interested persons must submit a Petition to Participate, as specified in California Code of Regulations, Title 10, section 2661.4. The Petition to Participate must be submitted to the Commissioner at the Office of the Public Advisor at the following address:

California Department of Insurance
Office of the Public Advisor
300 Spring Street 12th Floor
Los Angeles, CA 90013
Telephone: (213) 346–6635

A copy of the Petition to Participate must also be submitted to the contact person for this hearing (listed above). For further information, please contact the Office of the Public Advisor.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

LC 25–01

Currently, insurers writing California Low Cost Automobile Insurance Program risks are required to meet specific performance standards or comply with any statute or regulation governing California Low Cost Automobile Insurance Program business in the underwriting and servicing of all insurance policies written through the Program. Specific service standards defining performance expectations for Limited Assignment Distribution Procedure (LAD) servicing companies and the Private Passenger Pool (PPP) service provider are not included in Low Cost.

CAARP proposes introducing service standards defining the timelines and quality of services provided for the LAD servicing companies and the PPP service provider to abide by in addition to the performance standards included in the California Low Cost Automobile Insurance Program Plan of Operations.

COMPARABLE FEDERAL LAW

There are no comparable existing federal regulations or statutes.

LOCAL MANDATE DETERMINATION

The Insurance Commissioner has initially determined that the application will not result in any new program mandates on local agencies or school districts.

MANDATES ON LOCAL AGENCIES OR SCHOOL DISTRICTS OR COSTS WHICH MUST BE REIMBURSED PURSUANT TO GOVERNMENT CODE SECTIONS 17500 THROUGH 17630

The Insurance Commissioner has initially determined that the application will not result in any cost or significant savings to any local agency or school district for which Part 7 (commencing with section 17500) of Division 4 of the Government Code would require reimbursement, or in other nondiscretionary costs or savings to local agencies.

COST OR SAVINGS TO ANY STATE AGENCY; FEDERAL FUNDING

The Commissioner has determined that the application will result in no cost or savings to any state agency and no cost or savings in federal funding to the state.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES AND THE ABILITY OF CALIFORNIA BUSINESSES TO COMPETE

The Commissioner has initially determined that the proposal 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. This proposal will have no effect on the creation or elimination of jobs in California, the creation of new businesses, the elimination of existing businesses in California, or the expansion of businesses in California.

COST IMPACTS ON PRIVATE PERSONS OR ENTITIES

The Insurance Commissioner has initially determined that the proposal will not affect private person or entities.

IMPACT ON HOUSING COSTS

The Insurance Commissioner has initially determined that the application will not affect housing costs.

IMPACT ON SMALL BUSINESS

The proposed rate changes could affect small businesses.

SPECIFIC TECHNOLOGIES
OR EQUIPMENT

The application would not mandate the use of specific technologies or equipment.

ALTERNATIVES

The Insurance Commissioner must determine that no reasonable alternative considered by the agency, or that has otherwise been identified and brought to the attention of the agency, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

PLAIN ENGLISH

The application describing the proposal is in plain English. However, the application itself is based on technical actuarial principles.

TEXT AND INITIAL
STATEMENT OF REASONS

The Department has prepared an Initial Statement of Reasons addressing the proposed rate application in addition to the Informative Digest included in this notice. The Initial Statement of Reasons, Notice of Proposed Action and Regulation Text are available for inspection or copying, and will be provided at no charge upon request to the contact person listed above. Further details on CAARP's proposal are on file with the Commissioner and available for review as set forth below.

FINAL STATEMENT OF REASONS

A Final Statement of Reasons will be prepared at the conclusion of this proceeding. Upon written or email request to the contact person listed above, the Final Statement of Reasons will be made available for inspection and copying once it has been prepared. A copy of the Final Statement of Reasons will also be posted on the Department's web site.

ACCESS TO RULEMAKING FILE

Any interested person may inspect a copy of or direct questions about CAARP's application, the statement of reasons, and any supplemental information contained in the rulemaking file by contacting the contact person listed above. **By prior appointment**, the rulemaking file is available for inspection at 1901 Harrison Street, Oakland, CA 94612, between the hours of 9:00 a.m. and 4:30 p.m. Monday through Friday.

AUTOMATIC MAILING

A copy of this Notice, including the Informative Digest is being sent to all persons on the Insurance Commissioner's mailing list.

AVAILABILITY OF DOCUMENTS
ON THE INTERNET

The Initial Statement of Reasons, proposed text, and this Notice of Proposed Action will be published online and may be accessed through the Department's website at www.insurance.ca.gov.

AVAILABILITY OF MODIFIED
TEXT OF REGULATIONS

If the Department amends the application with changes that are sufficiently related to the original application, the Department will make the full text of the amended rates, with the changes clearly indicated, available to the public for at least 15 days before the date the Department adopts the amended rates.

**TITLE 11. COMMISSION ON PEACE
OFFICE STANDARDS AND TRAINING**

AMEND SECTION 1005

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST) proposes to amend regulations in Division 2 of Title 11 of the California Code of Regulations as described below in the Informative Digest. A public hearing is not scheduled. Pursuant to Government Code (GC) section 11346.8, any interested person, or their duly authorized representative, may request a public hearing. POST must receive the written request no later than 15 days prior to the close of the public comment period.

Public Comments Due by April 1, 2025.

Notice is also given that any interested person, or authorized representative, may submit written comment(s) relevant to the proposed regulatory action by fax at (916) 404-5619, by email to Katelynn Poulos, katelynn.poulos@post.ca.gov or by letter to:

Commission on POST
Attention: Katelynn Poulos
860 Stillwater Road, Suite 100
West Sacramento, CA 95605-1630

AUTHORITY AND REFERENCE

This proposal is made pursuant to the authority vested by Penal Code (PC) section 13503 (authority

of POST), PC § 13506 (POST authority to adopt regulations). This proposal is intended to interpret, implement, and make specific PC § 13503(e), which authorizes POST to develop and implement programs to increase the effectiveness of law enforcement, including programs involving training and education courses.

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

On September 30, 2021, Governor Newsom signed Senate Bill 2 (SB 2) (2021), which made significant changes to existing Government and Penal Codes, respectively. These changes provide for additional peace officer eligibility requirements and grants POST the authority to certify all peace officers in California, and subsequently take action against those certifications, should POST determine serious misconduct occurred. While the peace officer eligibility requirements went into effect on January 1, 2022, the remaining changes to Government and Penal Codes went into effect on January 1, 2023. POST continues to review and update processes and regulatory actions in response to the implementation of SB 2 (2021).

This rulemaking action would clarify the minimum training requirements for peace officers (jail deputies) appointed under PC § 830.1(c) and specify that completion of PC 832 Arrest and/or PC 832 Firearms Course(s) must occur prior to being appointed to a classification that includes the exercise of peace officer powers and that the required Board of State and Community Corrections (BSCC) training shall be completed as prescribed by PC §§ 832.3(e) and 6035. This ensures only individuals who have completed the required training are allowed to exercise peace officer powers to maintain law enforcement standards and preserve the peace, protection of public health, safety, and welfare of California.

This rulemaking action would also distinguish that there are course options for meeting the minimum training requirements for peace officers appointed under PC § 830.1(c) in that the requirement can be met by completing the PC 832 Arrest and Firearms Course as a combined course or the PC 832 Arrest Course and the PC 832 Firearms Course as separate courses. Additionally, if an agency employing peace officers appointed under PC § 830.1(c) does not require such officers to carry firearms, or allow them to carry firearms off duty, they are not required to complete the PC 832 Firearms Course.

This rulemaking action also removes reference to a specified amount of time for completion of the training required by BSCC and instead would add a general reference to the appropriate Penal Code sections and BSCC regulations that govern the minimum training required for jail deputies. While the Penal Code

currently specifies the training must be completed within 120 days of appointment, the legislature could amend this requirement at any time. By adding the Penal Code reference rather than specifying the current 120-day requirement, it ensures there will be no inconsistencies between POST regulations and Penal Code requirements.

**ANTICIPATED BENEFITS OF THE
PROPOSED AMENDMENTS**

The benefits anticipated by the proposed amendments to the regulation will provide clarity on the minimum training requirements for peace officers appointed as jail deputies under PC § 830.1(c), which will increase the efficiency of the state of California in delivering services to stakeholders. Thus, the law enforcement standards are maintained and effective in preserving peace, protection of public health, safety, and welfare of California. The proposed amendments will have no impact on worker safety or the state's environment.

**EVALUATION OF INCONSISTENCY/
INCOMPATIBILITY WITH EXISTING
STATE REGULATIONS**

POST has determined that these proposed amendments are not inconsistent nor incompatible with existing regulations. After conducting a review of any regulations that would relate to or affect this area, POST has concluded that these are the only regulations that concern processes and procedures for peace officer eligibility in the state.

**FORMS/DOCUMENTS INCORPORATED
BY REFERENCE**

There are no forms or documents incorporated by reference in this proposed action.

**DISCLOSURES REGARDING THE
PROPOSED ACTION**

POST has made the following initial determinations:

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: None.

Costs to any local agency or school district which must be reimbursed in accordance with GC §§ 17500 through 17630: None.

Other non-discretionary costs or savings imposed on local agencies: None.

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

Cost impacts on a representative private person or business: POST is not aware of any cost impacts that

a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Significant, statewide adverse economic impact directly affecting California businesses: POST has determined that the proposed regulations will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

Significant effect on housing costs: None.

Small Business Determination: POST has determined that the proposed regulations will not affect small businesses because the regulation addresses providing clarity on the minimum training requirements for peace officers appointed as jail deputies under PC § 830.1(c). Additionally, the Commission's main function to establish and maintain training standards for law enforcement has no financial effect on small businesses.

RESULTS OF ECONOMIC IMPACT ANALYSIS/ASSESSMENT

POST concludes that it is (1) unlikely the proposal will create nor eliminate jobs in the state of California, (2) unlikely that the proposal will create nor eliminate any businesses, and (3) unlikely that the proposed regulations will result in the expansion of businesses currently doing business within the state.

Benefits of the Proposed Action: As stated above under the Informative Digest/Policy Statement Overview, the benefits of the regulation will increase the efficiency of the state of California in delivering services to stakeholders. Thus, the law enforcement standards are maintained and effective in preserving peace, protection of public health, safety, and welfare in California. There would be no impact that would affect worker safety or the state's environment.

CONSIDERATION OF ALTERNATIVES

In accordance with GC § 11346.5, subdivision (a)(13), POST must determine that no reasonable alternative it considered, or that has otherwise identified and brought to its attention, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective as 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 than the proposed action.

CONTACT PERSONS

Questions regarding this proposed regulatory action may be directed to Katelynn Poulos, Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1630, at (916) 227-4894. General questions regarding the regulatory process may be directed to Ashley Anderson at (916) 970-4635.

TEXT OF PROPOSAL

Individuals may request copies of the proposed text (the "express terms") of the regulations, the initial statement of reasons, the modified text of the regulations, if any, or other information upon which the rulemaking is based to, the Commission on POST at 860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1630. These documents are also located on the POST Website at <https://post.ca.gov/Regulatory-Actions>.

ADOPTION OF PROPOSED REGULATIONS/ AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the public comment period, the Commission may adopt the proposal substantially as set forth without further notice, or the Commission may modify the proposal if such modifications remain sufficiently related to the text as described in the Informative Digest. If the Commission makes changes to the language before the date of adoption, the text of any modified language, clearly indicated, will be made available at least 15 days before adoption to all persons whose comments were received by POST during the public comment period and to all persons who request notification from POST of the availability of such changes. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date that the revised text is made available.

AVAILABILITY AND LOCATION OF THE RULEMAKING FILE AND THE FINAL STATEMENT OF REASONS

The rulemaking file contains all information upon which POST is basing this proposal and is available for public inspection by contacting the person(s) named above. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations and the initial statement of reasons.

To request a copy of the Final Statement of Reasons once it has been approved, submit a written request to the contact person(s) named above.

Email: BGC_Regulations@doj.ca.gov

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

TITLE 11. DEPARTMENT OF JUSTICE

PLAY AND APPROVAL OF BLACKJACK–STYLE GAMES

The Department of Justice (Department) proposes to amend section 2010, and to adopt sections 2073, 2074, and 2075 of Title 11, Division 3, Chapter 1, Article 7 of the California Code of Regulations concerning the play and approval of blackjack–style games.

PUBLIC HEARING

The Department, by and through the Bureau of Gambling Control (Bureau), will hold a virtual public hearing to provide all interested persons with an opportunity to present statements or comments, either orally or in writing, with respect to the proposed regulation as follows:

Date: April 4, 2025

Time: 9:00 a.m.

To join by videoconference:

ZoomGov Link: <https://doj-ca.zoomgov.com/j/1619066288>

Meeting ID: 161 906 6288

To join by teleconference:

Dial: (669) 254-5252

Meeting ID: 161 906 6288

The Department requests, but does not require, that persons who make oral comments at a hearing also submit a written copy of their testimony made at the hearing to BGC_Regulations@doj.ca.gov.

WRITTEN COMMENT PERIOD

Any interested party, or their authorized representative may submit written comments relevant to the proposed regulatory action. The written comment period closes on April 2, 2025, at 5:00 p.m. The Department will only consider comments received by that time. Please submit written comments to:

Andreia McMillen
Regulations Coordinator
California Department of Justice
Bureau of Gambling Control
2450 Del Paso Road, Suite 100
Sacramento, CA 95834
Telephone: (916) 261–4256

AUTHORITY AND REFERENCE

Authority: Business and Professions Code section 19826.

Reference: Business and Professions Code sections 19801, 19826, 19866; Penal Code section 330; *People v. Gosset* (1892) 93 Cal. 641.

INFORMATIVE DIGEST AND POLICY STATEMENT OVERVIEW

Summary of Existing Laws:

The Gambling Control Act

The California Department of Justice (Department), is charged with the investigation and enforcement of controlled gambling activities in California as set forth in the Gambling Control Act (Act), codified at Business and Professions Code section 19800, et seq. (Gov. Code, § 15001.1.) The Department’s Bureau of Gambling Control (Bureau) carries out those investigative and enforcement activities. (See Gov. Code, § 15002.5.) In enacting this measure, the Legislature declared that “[u]nregulated gambling enterprises are inimical to the public health, safety, welfare, and good order.” (Bus. & Prof. Code, § 19801, subdivisions(a), (d).) The purpose of the Act is not to expand opportunities for gambling, or to create any right to operate a gambling enterprise, or to have a financial interest in any gambling enterprise, but rather to regulate businesses that offer otherwise lawful forms of gambling games. (*Id.*, § 19801, subdivision (f).)

The Act also provides that public trust requires comprehensive measures be enacted to ensure that permissible gambling will not endanger public health, safety or welfare, it is free from criminal and corruptive elements, and it is conducted honestly and competitively. (Bus. & Prof. Code, § 19801, subdivision (g).) The Legislature also declared that “[p]ublic trust and confidence can only be maintained by strict and comprehensive regulation of all persons, locations, practices, associations, and activities related to the operation of lawful gambling establishments” (*Id.*, § 19801, subdivision (h).) The Act “is an exercise of the police power of the state for the protection of the health, safety, and welfare of the people of the State of California, and shall be liberally construed to effectuate those purposes.” (*Id.*, § 19971.)

Under the Act, the Department has the exclusive authority and responsibility to “[a]pprove the play

of any controlled game,¹ including placing restrictions and limitations on how a controlled game may be played.” (Bus. & Prof. Code, §§ 19826, subdivision (g), 19943.5.) The Department is directed to “adopt regulations reasonably related to its functions and duties as specified in [the Act].” (*Id.*, § 19826, subdivision (f).)

Blackjack is a Game of Twenty–One, and is Prohibited

The California Constitution² and Penal Code section 330 prohibit the play of specifically enumerated games, among them “any game of ...twenty–one ...” (Emphasis added.)

Twenty–one is, and historically has been, known by a variety of names. At the time that twenty–one was added to the list of games prohibited by Penal Code section 330, a number of variations of twenty–one had been recognized. (Scarne, *Scarne’s New Complete Guide to Gambling* (Simon & Schuster (1974), page 350, hereafter “Scarne.”). Additionally, the game of “blackjack” has been referred to interchangeably with the game of “twenty–one” for decades in general parlance, in other jurisdictions, numerous California and federal judicial decisions, and under the federal Indian Gaming Regulatory Act.

Game Rules are Reviewed and Approved by the Bureau

A controlled game may not be offered for play unless the Bureau has approved the game rules. (*Ibid*; Cal. Code Regs., title 11, § 2038; see also Pen. Code, § 337j, subdivision (e)(1).) To obtain approval, applicants must submit an Application for Game Review (BGC–APP.026 (Rev. 09/2017)) to the Bureau, along with the payment of an application fee and a deposit. (Cal. Code Regs., title 11, §§ 2037, subdivision (a)(1)(K), 2038.)

There are currently no regulations governing the approval of blackjack–style games and permissible variations. Accordingly, the Department submits these proposed regulations to provide clarity and guidance to the public and the regulated industry regarding permissible game rules in blackjack–style games.

¹ A “controlled game” is defined as “any poker or Pai Gow game, and any other game played with cards or tiles, or both, and approved by the Department of Justice, and any game of chance, including any gambling device, played for currency, check, credit, or any other thing of value that is not prohibited and made unlawful by statute or local ordinance.” (Pen. Code, § 337j, subdivision (e)(1).)

² California Constitution, article IV, section 19, subdivision (e) requires the state to prohibit casinos that are the type currently operating in Nevada and New Jersey. This provision “was intended, in part, to constitutionalize Penal Code section 330.” (*Hotel Employees and Restaurant Employees Inter. Union v. Davis* (1999) 21 Cal.4th 585, 609 fn. 5.)

EFFECT OF PROPOSED RULEMAKING

The proposed regulations would clarify and make specific the limitations imposed upon a blackjack–style game. These proposed regulations provide specific guidance regarding: (1) Blackjack game rules that are prohibited, including specified variations that do not sufficiently differentiate a game from the prohibited form of Blackjack; (2) the specified rule variations that must be included in a blackjack–style game such that the game may be approved by the Bureau; and (3) the procedure for the Bureau to review a previously–approved blackjack–style game for compliance with the new restrictions, including the procedure for the Bureau to disapprove a game that does not comply with the regulations. The proposed amendments to section 2010 would add definitions that are used in proposed sections 2073 and 2074.

Rules of the Prohibited Form of Blackjack

The proposed regulation would establish the rules that comprise the prohibited form of Blackjack, including impermissible non–substantive variations that are intended to give the appearance of differentiating a game from the prohibited form. The proposed regulation would set forth: (1) the manner of placing wagers; (2) a description of the card deck or decks used, and the points assigned to each card; (3) the actions a player may take when it is their turn to act; and (4) the manner of determining whether a player will win, lose, or tie against the player–dealer. The proposed regulation would also specify what modifications to the above–described rules will not differentiate a game from the prohibited form of Blackjack. These include (1) changes to a standard deck by the addition or removal of cards, or marking specified cards with words, symbols, or other alterations that operate to change the point value of the card only on the initial deal, (2) assigning a point value to specified cards marked with words, symbols, or other alterations that is operative only on the initial deal, (3) a rule permitting a player who loses by exceeding the target point count to still have an opportunity to win or tie if the player–dealer also exceeds the target point count, (4) a rule that establishes a target point count that is a number other than 21, but that is effectively operative only on the initial deal and that is impossible to obtain thereafter, (5) changes to the number of cards dealt on the initial deal, and (6) changes to the actions that a player may take when it is their turn. The proposed regulation would specify that a game will be considered a prohibited form of Blackjack if the game includes any variation of the number “21” or the word “blackjack” in its name.

Permissible Blackjack Variations

The proposed regulations would provide for rules required to be included in a blackjack–style game, re-

ferred to as “permissible blackjack variations.” This proposed regulation would apply to a game that includes the rules specified in proposed section 2073, and any modification to the rules as described in proposed section 2073. A game with permissible blackjack variations may be approved by the Bureau if they include the following rules: (1) whether a player wins, loses, or ties will be determined by whether the player is closer to the target point count than the player-dealer; (2) the target point count shall not be 21, or any number greater than 20 or less than 22, (3) the target point count shall be the same on the initial deal as it is throughout the play of the game; and (4) when a player ties with the player-dealer, the player shall win. Eligible games may not have a “bust” rule, as described in section 2073, and shall not provide that a hand consisting of an ace and a 10-point card automatically wins.

Review of Blackjack Games

The proposed regulations would establish a procedure for reviewing currently approved or pending blackjack-style games for compliance with the proposed regulations. Within 60 days of the effective date of the regulations, a gambling enterprise may submit a request for review of a currently approved game, or seek modification of a currently approved game, to ensure that the game is compliant with these regulations. The Bureau thereafter shall have 90 days to approve or disapprove a game or modification of a game. Pending games shall be modified to comply with the regulations if the game is not compliant when these regulations become effective. Previously approved games with names that contain “21” or “blackjack” shall be modified no later than one year after the effective date of the regulations. If no request for review of a blackjack game is received within 60 days of the effective date of the regulations, and the game is not compliant with these regulations, the game will be disapproved. The disapproval may be appealed as specified.

The proposed regulations would waive the fees normally required for the modification of a game for purposes of complying with these regulations. This fee waiver shall only apply to requests to modify a game that is filed with the Bureau within 60 days of the effective date of the regulations.

ANTICIPATED BENEFITS OF THE PROPOSED REGULATIONS

The California Legislature, in its legislative findings, declared that the purpose of the Act is to regulate businesses that offer otherwise lawful forms of gambling games, to enact comprehensive measures to ensure that gambling is free from criminal and corruptive elements, and to provide for the strict and comprehensive regulation of all activities related to the opera-

tion of lawful gambling establishments. (Bus. & Prof. Code, § 19801, subdivisions (f), (g), (h).)

Penal Code section 330 prohibits the play of *any* game of twenty-one; blackjack, as discussed above, is a game of twenty-one. The Act furthers this prohibition by allowing only the play of lawful gambling games in California gambling establishments. The Act further enables the Department to prevent the play of prohibited games in gambling establishments through the game approval process by placing restrictions and limitations on how a controlled game may be played.

The proposed regulations would further the policies set forth in the Act, as well as the Legislature’s determination that any game of twenty-one is illegal, by providing the public and the regulated industries with (1) clear guidance on the rules of twenty-one or blackjack, as prohibited, (2) clear guidance on what game rules will be required in order for a game to be deemed a permissible blackjack variation, and thus a game that may be approved by the Department, and (3) a procedure by which the regulated industry may seek to modify a previously approved game or pending game in order to conform the game rules to the requirements of these proposed regulations. These regulations would thus ensure that controlled games are not played in a manner that contravene state law.

The regulations will benefit the health, safety and welfare of the public and the regulated industries because they will ensure that the public does not engage in, and the regulated industries do not offer, gambling games that are prohibited by Penal Code section 330 and the State Constitution. The regulations will also benefit the regulated industry by providing clear guidance and transparency on the rules that must be included in a blackjack-style game with permissible variations for that game to be approved. The proposed regulations will also provide some cost savings to the regulated industry in the form of a fee waiver to assist in their compliance with the proposed regulations. The proposed regulations will establish an appeal procedure for disapproved games, lending transparency to the process. These regulations will also benefit the Department in its review of games by describing specific rule requirements that will be easily verifiable by Department staff.

COMPARABLE FEDERAL REGULATIONS

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

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.

FORMS INCORPORATED BY REFERENCE

None.

OTHER STATUTORY REQUIREMENTS

None.

DISCLOSURES REGARDING THE
PROPOSED ACTION

The Department has made the following Initial Determinations:

Mandate on local agencies and school districts: The proposed regulations do not impose a mandate on local agencies or school districts.

Cost or savings to any state agency: The proposed regulations may result in a loss of revenue to the Department arising from new parameters governing blackjack-style games with permissible variations.

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: The proposed regulations may result in a loss of tax revenue to local governments that benefit from cardroom gaming activity. Local tax revenues from gaming may be disproportionately important to communities hosting cardroom activities. Cardrooms tend to be concentrated in major metropolitan jurisdictions. But gaming revenue and the attendant local tax revenue are of special significance in many lower income counties too.

Cost or Savings in Federal Funding to the State: None.

Significant Effect on Housing Costs: None.

Significant, statewide adverse economic impact directly affecting businesses:

These regulations may have a significant, statewide adverse economic impact directly affecting businesses.

All cardrooms (or card clubs) in California would be subject to the new restrictions on blackjack-style games and may experience a loss in revenue. Currently 86 licensed cardrooms are located throughout the state. All third-party businesses supporting gaming in card clubs in the state (known as third-party pro-

viders of proposition player services or TPPPS) will also be impacted by the regulations and experience a loss in revenue. Currently 36 TPPPS are licensed to operate in the state.

Moreover, the new restrictions may indirectly affect a variety of associated attractions or appurtenant services including restaurants, bar, and hotels.

The new restrictions are likely to benefit 76 tribal casinos located in California. This proposal would likely divert some blackjack revenue from cardrooms to tribal casinos.

Cost impacts on representative person or business:

The Department estimates that: (1) the compliance costs associated with the regulations could lead to the elimination of all blackjack revenue from cardrooms; (2) 50 percent of lost revenue may be replaced with revenue from new games; and (3) 25 percent of customers may switch patronage from cardrooms to tribal casinos to play traditional Blackjack. This could represent a \$68 million loss of revenues to cardrooms and a \$34 million increase in revenues to tribal casinos.

RESULTS OF THE STANDARDIZED
REGULATORY IMPACT ANALYSIS (SRIA)

Cardrooms would be directly affected by the proposed regulations. In 2023, existing Blackjack games in California cardrooms produced an estimated \$136 million in revenue. The Department estimates that cardrooms would lose \$68 million in revenue under the proposed regulation, while tribal casinos will gain \$34 million.

Creation or Elimination of Jobs in California

The Department estimates the proposed regulations will result in 53 fewer jobs within the cardroom industry per year over the period of 2026–2035.

Creation or Elimination of Businesses in California

The Department has determined that this regulatory proposal will likely not have a significant impact on existing businesses or the expansion of businesses in California.

Competitive Advantages or Disadvantages for Existing Businesses in California, including the ability of California businesses to compete with businesses in other states

The Department does not have reliable estimates regarding the individual competitiveness of cardrooms in light of the proposed regulations. However, a cardroom's compliance costs associated with the proposed regulations likely puts them at some competitive disadvantage relative to tribal casinos.

With respect to out-of-state competition, the Department does not have reliable estimates regarding a gambling migration as a result of the proposed regulation. The new restrictions will likely impact card-

rooms individual competitiveness against out-of-state competitors that offer traditional Blackjack, diverting some gaming revenue across California's border to Nevada or other neighboring jurisdictions. Higher costs for patrons to reach more remote Blackjack opportunities, however, may slightly diminish sector competitiveness.

Increase or Decrease in Investment in California

The Department estimates that the impact on state investment is relatively small. However, cardroom gaming restrictions will have more direct impacts on investment by the regulated sector. Lower revenue and compliance requirements may discourage investment by some cardroom investors. For other cardroom investors, the new restrictions may generate incentives to innovate new games or blackjack variations to retain patrons. Therefore, it is reasonable to expect incumbent firms to invest in new games and product differentiation to offset any loss of business arising from the proposed regulations.

BENEFITS OF THE REGULATIONS

The regulations will benefit the health, safety and welfare of the public and the regulated industries because they will provide a clear set of rules for blackjack-style games in California cardrooms. This will ensure that the public does not engage in, and the regulated industries do not offer, gambling games that are prohibited by Penal Code section 330. The regulations will also benefit the regulated industry by providing clear guidance and transparency on the rules that must be included in a blackjack-style game with permissible variations for that game to be approved. The proposed regulations will also provide cost savings to the regulated industry in the form of fee waivers to assist in their compliance with the proposed regulations. The proposed regulations will establish an appeal procedure for disapproved games, lending transparency to the process. These regulations will also benefit the Department in its review of games by describing specific game rule requirements that will be easily verifiable by Department staff.

SUMMARY OF DEPARTMENT OF
FINANCE'S COMMENTS ON
SRIA AND RESPONSE

The Department of Finance (DOF) generally concurs with the methodology applied in the SRIA, but raised three main points of disagreement that: (1) the SRIA should clearly identify the regulatory baseline used to analyze the change in behavior as a result of the proposed regulations in order to augment the analysis of the impacts to local governments; (2) the proposed regulatory alternatives should then be compared

to the defined baseline and include quantified cost impacts; and (3) the SRIA must provide the rationale for any underlying assumptions that are material to the analysis. In response to these comments, the Department revised the SRIA to include an updated analysis of the regulatory baseline to augment the impact on local governments and outline the direct costs of alternative regulatory scenarios. Additionally, the Department noted the lack of data on industry adjustments to gaming rules changes, which limits the ability to support underlying assumptions that are material to the analysis. In the absence of such data, the Department assumptions are intended to be indicative of change in behavior as a result of the proposed regulations. The revised SRIA is included in the regulatory package as Appendix D to the Initial Statement of Reasons.

Small Business Determination: The Department has determined that the proposed action affects small businesses.

CONSIDERATION OF ALTERNATIVES

Government Code section 11346.5, subdivision (a)(13) requires the Department to 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 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 action is the most effective way to enforce the prohibition against traditional Blackjack games and the regulation of permissible blackjack-style games in California.

The Department considered two alternatives to address the proliferation of cardroom games that too closely resemble the prohibited form of Blackjack and determined that they would be less effective in carrying out the purposes for which the regulations are proposed.

More stringent regulatory requirement: A more stringent regulatory alternative is to prohibit all categories of cardroom games. By 2035, cessation of cardroom gambling would reduce Gross State Product by over \$1.3 billion dollars and jobs by more than 1,000. The Department rejected this alternative because it would be particularly unreasonable and relatively extreme. California is one of five states with legal cardrooms, and they contribute substantially to their local and state economic development.

Less stringent regulatory requirement: A less stringent regulatory alternative is to allow a three-year extension for full compliance with the regulations once

they become effective. This alternative would defer direct costs and benefits until 2027 and would assume cardroom compliance will progress in incremental steps. The three-year delay would also provide an opportunity for more innovation and adaptation. The Department rejected this alternative because there is no reliable data showing that the three-year extension would leverage additional annual savings for investment to reduce adjustment costs.

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Andreia McMillen
Regulations Coordinator
California Department of Justice
Bureau of Gambling Control
2450 Del Paso Road, Suite 100
Sacramento, CA 95834
Telephone: (916) 261–4256
Email: BGC_Regulations@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:

Larissa Terry
Crime Analyst II
California Department of Justice
Bureau of Gambling Control
2450 Del Paso Road, Suite 100
Sacramento, CA 95834
Telephone: (916) 830–9051
Email: BGC_Regulations@doj.ca.gov

AVAILABILITY OF INITIAL STATEMENT OF REASONS, PROPOSED TEXT, RELATED FORMS, AND RULEMAKING FILE

The Department will make the entire rulemaking file available for inspection and copying throughout the rulemaking process upon request to the contact person above. As of the date this Notice of Proposed Rulemaking is published in the California Regulatory Notice Register, the rulemaking file consists of this notice, the text of proposed regulations, the initial statement of reasons, the economic and fiscal impact statement (STD 399) and addendum, and any information upon which the proposed rulemaking is based, which are available on the Department's website at www.oag.ca.gov/gambling/regulations. 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, the Department will either adopt these regulations substantially as described in this notice or make modification based on the comments. 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 the Department adopts the proposed regulations as revised. 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, a copy of the final statement of reasons will be available on the Department's website at www.oag.ca.gov/gambling/regulations. Please refer to the contact information included above to obtain a 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 will be posted and available for downloading on the Department's website at: www.oag.ca.gov/gambling/regulations.

TITLE 11. DEPARTMENT OF JUSTICE

PLAYER–DEALER POSITION IN CONTROLLED GAMES

The Department of Justice (Department) proposes to adopt sections 2076 and 2077 of Title 11, Division 3, Chapter 1 of the California Code of Regulations concerning rotation of the player–dealer position in specified controlled games.

PUBLIC HEARING

The Department, by and through the Bureau of Gambling Control (Bureau), will hold a [virtual] public hearing to provide all interested persons with an opportunity to present statements or comments, either

orally or in writing, with respect to the proposed regulation as follows:

Date: April 2, 2025

Time: 9:00 a.m.

To join by videoconference:

ZoomGov Link: <https://doj-ca.zoomgov.com/j/1603976077>

Meeting ID: 160 397 6077

To join by teleconference:

Dial: (669) 254-5252

Meeting ID: 160 397 6077

The Department requests, but does not require, that persons who make oral statements or comments at a hearing also submit a written copy of their testimony at the hearing to BGC_Regulations@doj.ca.gov.

WRITTEN COMMENT PERIOD

Any interested party, or their authorized representative, may submit written comments relevant to the proposed regulatory action. The written comment period closes on April 2, 2025, at 5:00 p.m. Only written comments received by that time will be considered. Please submit written comments to:

Andreia McMillen
Regulations Coordinator
Bureau of Gambling Control
2450 Del Paso Road, Suite 100
Sacramento, CA 95834
Email: BGC_Regulations@doj.ca.gov
Telephone: (916) 261–4256

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

AUTHORITY AND REFERENCE

Authority: Section 19826, Business and Professions Code.

Reference: Sections 19805 and 19826, Business and Professions Code.

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

Summary of Existing Laws and Regulations:

The Gambling Control Act

The Department is charged with the investigation and enforcement of controlled gambling activities in California as set forth in the Gambling Control Act (Act), codified at Business and Professions Code sec-

tion 19800, et seq. (Gov. Code, § 15001.1.) The Department’s Bureau of Gambling Control (Bureau) carries out those investigative and enforcement activities. (See Gov. Code, § 15002.5.) The Act was enacted in 1997, and it became effective January 1, 1998. (Stats. 1997, ch. 867.) In enacting this measure, the Legislature declared that “Unregulated gambling enterprises are inimical to the public health, safety, welfare, and good order.” (Bus. & Prof. Code, § 19801, subdivisions (a), (d).) The purpose of the Act is not to expand opportunities for gambling, or to create any right to operate a gambling enterprise, or to have a financial interest in any gambling enterprise, but rather to regulate businesses that offer otherwise lawful forms of gambling games. (*Id.*, § 19801, subdivision (f).)

The Act also provides that public trust requires comprehensive measures be enacted to ensure that permissible gambling will not endanger public health, safety, or welfare, is free from criminal and corruptive elements, and is conducted honestly and competitively. (Bus. & Prof. Code, § 19801, subdivision (g).) The Legislature also declared that “[p]ublic trust and confidence can only be maintained by strict and comprehensive regulation of all persons, locations, practices, associations, and activities related to the operation of lawful gambling establishments ...” (*Id.*, § 19801, subdivision (h).) The Act “is an exercise of the police power of the state for the protection of the health, safety, and welfare of the people of the State of California, and shall be liberally construed to effectuate those purposes.” (*Id.*, § 19971.)

Under the Act, the Department has the exclusive authority and responsibility to “[a]pprove the play of any controlled game¹, including placing restrictions and limitations on how a controlled game may be played.” (Bus. & Prof. Code, §§ 19826, subdivision (g) and 19943.5. The Department is directed to “adopt regulations reasonably related to its functions and duties as specified in [the Act].”² (*Id.*, § 19826 subdivision (f).)

¹ A “controlled game” is defined as “any poker or Pai Gow game, and any other game played with cards or tiles, or both, and approved by the Department of Justice, and any game of chance, including any gambling device, played for currency, check, credit, or any other thing of value that is not prohibited and made unlawful by statute or local ordinance.” (Pen. Code, § 337j, subdivision (e)(1).)

² The Act also provides that the California Gambling Control commission, to the extent that it adopts regulations, shall provide that the Department has the authority to approve game rules “to ensure fairness to the public and *compliance with state laws*.” (Bus. & Prof. Code, § 19841, subdivision (b), italics added.)

Banking Games are Prohibited

The California Constitution³ and Penal Code section 330 prohibits the play of any banking game. Prior to the enactment of the definition of “banking game” in Business and Professions Code section 19805, subdivision (c), “banking game” had generally been described as a game in which the house,⁴ acting as the bank, “is a participant in the game, taking on all comers, paying all winners, and collecting from all losers.” (*Sullivan v. Fox* (1987) 189 Cal.App.3d 673, 678; *Huntington Park Club Corp. v. County of Los Angeles* (1988) 206 Cal.App.3d 241, 250.) This judicial construction of the term “banking game” or “banked game” generally required that the house, i.e., the owner(s) of the gambling establishment, be involved in the play of the game.

In *Oliver v. County of L.A.* (1998) 66 Cal.App.4th 1397 (*Oliver*), however, the court expanded upon the definition of a banking game, and held that a banking game includes a game where *any* person or entity maintains or operates a bank. *Oliver* held that “a game will be determined to be a banking game if under the rules of that game, it is *possible* that the house, *another entity, a player, or an observer* can maintain a bank or operate as a bank during the play of the game.” (*Id.* at page 1408, italics added). Thus, the *potential* that under the game’s rules a player may act as a bank determines whether the game is a banking game, not the current mode of play. (*Ibid.*) Accordingly, a game will be found to be an illegal banked game, no matter who is acting as the bank, if the game’s rules allow the *possibility* that a person, entity, or an observer may maintain or operate a bank. (*Kelly v. First Astri Corp.* (1999) 72 Cal.App.4th 462, 492.) This definition of a banking game was adopted by the California Supreme Court in *Hotel Employees & Restaurant Employees Internat. Union v. Davis* (1999) 21 Cal.4th 585, 605.

The Act was then amended to add the definition of a “banking game” or “banked game,” to require the player–dealer position to be continuously and systematically rotated among each player if a cardroom game features a player–dealer position:

³ California Constitution, article IV, section 19, subdivision (e) requires the state to prohibit casinos that are the type currently operating in Nevada and New Jersey. This provision “was intended, in part, to constitutionalize Penal Code section 330.” (*Hotel Employees and Restaurant Employees Inter. Union v. Davis* (1999) 21 Cal.4th 585, 609 footnote 5.)

⁴ “House” means the gambling enterprise, and any owner, shareholder, partner, key employee, or landlord thereof. (Bus. & Prof. Code, § 19805, subdivision (t).) “Gambling enterprise” means a natural person or an entity, whether individual, corporate, or otherwise, that conducts a gambling operation and that by virtue is required to hold a state gambling license under the Act. (*Id.*, § 19805, subdivision (m).) “Gambling operation” means exposing for play one or more controlled games that are dealt, operated, carried on, conducted, or maintained for commercial gain. (*Id.*, § 19805, subdivision (q).)

“Banking game” or “banked game” does not include a controlled game if the published rules of the game feature a player–dealer position and provide that this position must be continuously and systematically rotated amongst each of the participants during the play of the game, ensure that the player–dealer is able to win or lose only a fixed and limited wager during the play of the game, and preclude the house, another entity, a player, or an observer from maintaining or operating as a bank during the course of the game. For purposes of this section, it is not the intent of the Legislature to mandate acceptance of the deal by every player if the department finds that the rules of the game render the maintenance of or operation of a bank impossible by other means. The house shall not occupy the player–dealer position.

(Bus. & Prof. Code, § 19805, subdivision (c).)⁵

Games and Game Rules are Reviewed and Approved by the Bureau

A controlled game may not be offered for play unless the Bureau has approved the game rules. (Bus. & Prof. Code, § 19826, subdivision (g); see also Pen. Code, § 337j, subdivision (e)(1).) To obtain approval, applicants must submit an Application for Game Review (BGC–APP.026 (Rev. 09/2017)) to the Bureau, along with the payment of an application fee and a deposit. (Cal. Code Regs., title 11, §§ 2037, subdivision (a)(1)(K), 2038.)

No regulations currently govern the approval of games featuring a rotating player–dealer position. Accordingly, the Department submits these proposed regulations to describe (1) how rotation of the player–dealer position shall be maintained, (2) prohibited betting arrangements, and (3) the limitations on use of a Third–Party Provider of Proposition Player Services (TPPPS) in games featuring a rotating player–dealer position. These regulations would ensure that controlled games are not played in a manner that would allow the maintenance or operation of a bank in contravention of California law.

⁵ Business and Professions Code section 19805, subdivision (c) mirrors Penal Code section 330.11, creating a limited exception to the banked game prohibition in Penal Code section 330. The two statutes specify a pivotal role for the Bureau to ensure a game is not banked through the game approval process. The Bureau has authority to investigate violations of Chapters 9 and 10 of the Penal Code, including section 330. (Bus. & Prof. Code, § 19826, subdivision (c).)

EFFECT OF THE
PROPOSED RULEMAKING

These proposed regulations provide specific guidance regarding: (1) who may hold the player–dealer position, and that game rules specify how to select a player–dealer; (2) the required notice to players as to when they may act as player–dealer, limitations on how much the player–dealer may win or lose, and how wagers will be settled; (3) the requirement that the player–dealer position be offered to all seated participants prior to start of every hand; (4) minimum standards of rotation of the player–dealer position, and consequences for failing to adhere to the minimum standards (5) specific prohibitions, including a provision prohibiting any person from placing a wager against the TPPPS when they are not the player–dealer; and a provision precluding a TPPPS from settling any wagers if they are not the player–dealer (6) the minimum number of TPPPS that may provide services at a table offering a player–dealer game; and, (7) the procedure the Bureau must follow when performing another review of previously–approved games featuring a player–dealer position.

The Player–Dealer Position

The proposed regulation would specify that only seated player participants may act as the player–dealer. This specification is required based upon the definition of a player–dealer under Business and Professions Code section 19805, subdivision (ag). The proposed regulation would require that the player–dealer position be offered to other seated players prior to the play of every hand. This specification is required to ensure that the player–dealer position is rotated on a continuous basis, so as to prevent the game from falling within the definition of a banking game or banked game under Business and Professions Code section 19805, subdivision (c).

Consequences for Failing to Rotate the Player–Dealer Position

The proposed regulation would specify that if the player–dealer position is not rotated as specified within a 40–minute period, play of the game shall cease, and no further play shall be allowed unless and until another person accepts the player–dealer position. The proposed regulation would provide that if the 40–minute mark is reached during a round of play, the round of play may be completed before the game will be stopped.

Limitations on Specified Wagering Methods and Settling of Wagers

The proposed regulation would prevent the maintenance or operation of a bank by any person through other means by placing restrictions on the manner of placing wagers, and limiting who may settle wagers.

The proposed regulation would prohibit any person from placing a wager directly against a TPPPS who is not occupying the player–dealer position. The proposed regulation would prohibit a TPPPS from settling any wagers if they are not occupying the player–dealer position.

Specialized Rule Regarding TPPPS

In order to prevent or minimize circumventing the mandated rotation of the player–dealer position among the seated players at a table, the proposed regulation would limit the number of TPPPS that may provide proposition player services. The proposed regulation would provide that only one TPPPS may provide services at a table offering a controlled game featuring a rotating player–dealer position.

Review of Previously Approved Games

The proposed regulations would establish a procedure for reviewing currently approved or pending games featuring a player–dealer position for compliance with the proposed regulations (section 2077). Within 60 days of the effective date of the regulations, a gambling enterprise must submit a request for review of a currently approved game, or seek modification of a currently approved game, to ensure that the game is compliant with these regulations. The Bureau thereafter shall have 120 days to approve or disapprove a game or modification of a game. Pending games shall be modified to comply with the regulations if the games are not compliant when these regulations become effective. If no request for review of a game featuring a player–dealer position is received within 60 days of the effective date of the regulations, and the game is not compliant with these regulations, the game will be disapproved. The disapproval may be appealed as specified. The proposed regulations would waive the fees normally required for the modification of a game for purposes of complying with these regulations. This fee waiver shall apply only to requests to modify a game that is filed with the Bureau within 60 days of the effective date of the regulations, and only for purposes of compliance with the proposed regulations.

ANTICIPATED BENEFITS OF THE
PROPOSED REGULATIONS

The California Legislature, in its legislative findings, declared that the purpose of the Act is to regulate businesses that offer otherwise lawful forms of gambling games, to enact comprehensive measures to ensure that gambling is free from criminal and corruptive elements, and to provide for the strict and comprehensive regulation of all activities related to the operation of lawful gambling establishments. (Bus. & Prof. Code, § 19801, subdivisions (a), (f), (g), (h).)

Banking games have long been prohibited in California under Penal Code section 330 and the State Constitution. The Act furthers this prohibition by allowing only the play of lawful gambling games in California gambling establishments. The Act further enables the Department to prevent and prohibit the play of banking games in gambling establishments through the game approval process.

The proposed regulations would further the Act’s policies, as well as the Legislature’s determination to prohibit banking games, by requiring that: (1) the player–dealer position must rotate to two players, other than the TPPPS, within a 40–minute period and then, if no rotation occurs, the game must end; (2) if the game ends, game play shall stop, no cards shall be dealt and no wagers shall be made until another person accepts the player–dealer position. Thus, the TPPPS would no longer be allowed to serve as player–dealer during every round of play.

The regulations will benefit the public’s health, safety and welfare and the regulated industries because they will ensure that the public does not engage in, and the regulated industry does not offer, any form of gambling prohibited by Penal Code section 330 and the State Constitution. The notice requirement proposed by the regulations will benefit the public by informing players at each table who may act as the player–dealer at any time during the game and what the limitations are on amounts that may be won or lost while acting as the player–dealer. The proposed requirement that the player–dealer position be offered after every hand, and rotate in a specified manner, will also provide the benefit of stronger enforcement of gambling laws. This will benefit the Department in its enforcement responsibilities, because the proposed regulations provide for specific minimum rotation requirements that will be easily verifiable by Department staff.

COMPARABLE FEDERAL REGULATIONS

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

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.

FORMS INCORPORATED BY REFERENCE

None.

OTHER STATUTORY REQUIREMENTS

None.

DISCLOSURES REGARDING THE
PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies or school districts: None.

Cost or Savings to any state agency: The proposed regulations may result in a loss of revenue to the Department arising from the new parameters governing the player–dealer position rotation.

Cost to any local agency or School District which for which reimbursed in accordance with Government Code sections 17500 through 17630: None.

Other non–discretionary costs or savings imposed on local agencies: The proposed regulations may result in a loss of tax revenue to local governments that benefit from cardroom gaming activity. Local tax revenues from gaming may be disproportionately important to communities hosting cardroom activities. Cardrooms tend to be concentrated in major metropolitan jurisdictions. But gaming revenue and the attendant local tax revenue are of special significance in many lower income counties too.

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

Cost impacts on representative person or business: The Department estimates that: (1) the compliance costs associated with the regulations over the period of 2026 to 2035 will result in a 50 percent decrease in TPPPS revenues from cardrooms and 25 percent of customers would shift their patronage to tribal casinos to avoid new player–dealer rotation requirements. Total net direct costs to the gaming sector would thus be \$198 million, while cardrooms would lose \$396 million. As a result, tribal casinos would gain \$198 million, and the combined costs and benefits (falling on different stakeholders) is \$594 million.

Significant effect on housing costs: None.

Significant Statewide Adverse Economic Impact Directly Affecting Businesses:

These regulations may have a significant, statewide adverse economic impact directly affecting businesses.

All cardrooms (or card clubs) in California would be subject to the new restrictions on TPPPS and may experience a loss in revenue. Currently 86 licensed cardrooms are located throughout the state. In addition to the cardrooms themselves, all third–party businesses that provide gaming support services (known as third–party providers of proposition player services or TPPPS) would be affected. There are currently 36 active TPPPS in the state. Moreover, impacts are not expected to be limited to the gaming–related operations but to indirectly affect a variety of associated attrac-

tions or appurtenant services including restaurants, bar, and hotels.

In addition, the new restrictions are likely to benefit 76 tribal gaming casinos located in California. This proposal would likely divert TPPPS revenue from cardrooms to tribal casinos.

RESULTS OF THE STANDARDIZED REGULATORY IMPACT ANALYSIS (SRIA)

Cardrooms and TPPPS businesses would be directly affected by the proposed regulations. Most notably, the proposal will likely reduce the number of cardrooms customers, TPPPS employees and TPPPS patronage, thereby impacting a significant revenue stream.

The Department estimates that TPPPS revenues from cardrooms would decline significantly (50%), and 25 percent of customers would shift their patronage to tribal casinos to avoid the player–dealer rotation requirement. Total net direct costs to the gaming sector would thus be \$198 million, while cardrooms would lose \$396 million. As a result, tribal casinos would gain \$198 million, and the combined costs and benefits (falling on different stakeholders) is \$594 million.

Creation or Elimination of Jobs in California

The Department estimates that the proposed regulation (compared to baseline scenario) would result in 311 fewer jobs per year over the period of 2026–2035, with the employment impact consisting of gaming related operations and service sector jobs within the cardroom industry. Comparable to the majority of service sectors, the cardroom industry exhibits an average level of skill intensity. Job losses in the cardroom sector are more easily absorbed compared to those in highly skilled sectors. The loss would have a negligible effect on continued annual growth of employment across the state over the first decade of implementation.

Creation or Elimination of Businesses in California

The Department has determined that this regulatory proposal will not have a significant impact on existing businesses or the expansion of businesses in California.

Competitive Advantages or Disadvantages for Existing Businesses in California, including the ability of California businesses to compete with businesses in other states

The Department does not have reliable estimates regarding the individual competitiveness of TPPPS businesses and cardrooms in light of the proposed regulations. However, it is likely that compliance costs associated with cardroom and TPPPS businesses operating within California may put them at some competitive disadvantage relative to tribal casinos.

With respect to out-of-state competition, the Department does not have reliable estimates regarding a gambling migration as a result of the proposed regulation.

Increase or Decrease in Investment in California

The Department estimates that the impact on state investment is relatively small. However, cardroom gaming restrictions will have a direct impact on investment by the regulated sector. Lower revenue and compliance requirements may discourage investment by some cardroom investors. Other investors may respond by making more innovative investments in alternatives. It is difficult to quantify the increase or decrease in investment due to the lack of currently available data to predict the innovation or productivity impacts.⁶ But it is reasonable to expect existing businesses to invest in new games to offset any loss of business arising from the new parameters governing the player–dealer position rotation.

BENEFITS OF THE REGULATIONS

The regulations will benefit the health, safety and welfare of the public because they will provide clear standards for controlled games featuring a player–dealer position. And, in order to ensure that “permissible gambling will not endanger public health, safety, or welfare” (Bus. & Prof. Code, § 19801, subdivision (g)), the regulated industry and the public will, via the proposed regulations, be more fully informed as to what games are allowed to be played in California gambling establishments. This will ensure the public does not engage in unlawful gambling activities.

SUMMARY OF DEPARTMENT OF FINANCE’S COMMENTS ON SRIA AND RESPONSE

The Department of Finance (DOF) stated that it generally concurs with the methodology applied in the SRIA, but raised three main points of disagreement that: (1) the SRIA should clearly identify the regulatory baseline used to analyze the change in behavior as a result of the proposed regulations in order to augment the analysis of the impacts to local governments; (2) the proposed regulatory alternatives should then be compared to the defined baseline and include quantified cost impacts; and (3) the SRIA must provide the rationale for any underlying assumptions that are material to the analysis. In response to these comments, the Department revised the SRIA to include an updated analysis of the regulatory baseline to augment

⁶ The Department does not have reliable estimates on the increase or decrease in investment in California as a result of the proposed regulations.

the impact on local governments and outline the direct costs of alternative regulatory scenarios.

Additionally, the Department noted the lack of data on industry adjustments to gaming rules changes, which limits the ability to support underlying assumptions that are material to the analysis. In the absence of such data, the Department assumptions are intended to be indicative of change in behavior as a result of the proposed regulations. The revised SRIA is included in the regulatory package as Appendix B to the Initial Statement of Reasons.

Small Business Determination: The overwhelming majority of cardroom operations exceed the small business revenue threshold in California. Furthermore, impacts are not expected to be limited to the gaming-related operations but would also indirectly affect a variety of associated attractions or appurtenant services including restaurants, bar, and hotels. Many appurtenant providers of goods and services to these operations may be small, but the fractional nature of impacts on their host enterprises (cardrooms) will probably limit adversity. Because these are part of the indirect and induced effects estimated in the SRIA, they will share the costs and benefits of the regulated entities.

CONSIDERATION OF ALTERNATIVES

Government Code section 11346.5, subdivision (a)(13) requires the Department to 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 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 action is the most effective way to enforce the prohibition against banked games in California.

The Department considered two alternatives in drafting the proposed regulations and determined that they would be less effective in carrying out the purposes for which the regulations are proposed.

More stringent regulatory requirement: A more stringent regulatory alternative is to prohibit all categories of cardroom games. By 2035, cessation of cardroom gambling would reduce Gross State Product by over \$1.3 billion dollars and jobs by more than 1,000. The Department rejected this alternative because it would be particularly unreasonable and relatively extreme. California is one of five states with legal cardrooms, and they contribute substantially to their local and state economic development.

Less stringent regulatory requirement: A less stringent regulatory alternative is to allow a three-year extension for full compliance with regulations once they become effective. This alternative would defer direct costs and benefits until 2027 and would assume cardroom compliance will progress in incremental steps. The three-year delay would also provide an opportunity for more innovation and adaptation. The Department rejected this alternative because there is no reliable data showing that the three-year extension would leverage additional annual savings for investment to reduce adjustment costs.

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Andreia McMillen
 Regulations Coordinator
 California Department of Justice
 Bureau of Gambling Control
 2450 Del Paso Road, Suite 100
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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:

Larissa Terry
 Crime Analyst II
 California Department of Justice
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 2450 Del Paso Road, Suite 100
 Sacramento, CA 95834
 Telephone: (916) 830-9051
 Email: BGC_Regulations@doj.ca.gov

AVAILABILITY OF INITIAL STATEMENT OF REASONS, PROPOSED TEXT, RELATED FORMS, AND RULEMAKING FILE

The Department will have the entire rulemaking file available for inspection and copying throughout 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/gambling/regulations. 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, the Department will either adopt these regulations substantially as described in this notice or make modification based on the comments. 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 the Department adopts the proposed regulations as revised. 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, a copy of the final statement of reasons will be available on the Department's website at www.oag.ca.gov/gambling/regulations. Please refer to the contact information included above to obtain a 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 will be posted and available for downloading on the Department's website at: www.oag.ca.gov/gambling/regulations.

TITLE 13. DEPARTMENT OF MOTOR VEHICLES

REQUESTING INFORMATION FROM THE DEPARTMENT

The Department of Motor Vehicles (department) proposes to amend Sections 350.02, 350.04, 350.10, 350.12, 350.16, 350.18, 350.20, 35.22, 350.24, 350.28, 350.34, 350.36, 350.44, 35.48, 350.50, 350.53, and to repeal Sections 350.52, 350.54 in Article 5.0, Chapter 1, Division 1, Title 13 of the California Code of Regulations, related to Government Requester Accounts.

PUBLIC HEARING

A public hearing regarding this proposed regulatory action is not scheduled. However, a public hearing will be held if any interested person or his or her duly authorized representative requests a public hearing to be held relevant to the proposed action by submitting a written request to the contact person identified in this notice no later than fifteen (15) days prior to the close of the written comment period.

DEADLINE FOR WRITTEN COMMENTS

Any interested party or his or her duly authorized representative may submit written comments relevant to the proposed regulations to the contact person identified in this notice. All written comments must be received at the department no later than **March 31, 2025**, the final day of the written comment period, for them to be considered by the department before it adopts the proposed regulation.

AUTHORITY AND REFERENCE

The department proposes to adopt/amend/repeal these regulations under the authority granted by Vehicle Code section 1651, to implement, interpret, or make specific Vehicle Code sections 1808.1, 1808.21, 1808.47, 1810, 1810.2, 1810.5, 1810.7 and 1811; and Civil Code section 1798.26.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Vehicle Code section 1810 authorizes the department to permit inspection of information from its records concerning the registration of a vehicle or information from the files of driver's licenses. Vehicle Code section 1810 also allows the department to adopt regulations establishing the process by which a requester provides information to the department that identifies the requester and requires an indication of the reason for which the information is requested. The department issues requester codes for commercial purposes, such as auto auctions, dealers, financial institutions, and process servers. The department also issues governmental requester codes to entities such as the federal, state, city, and county government, including attorneys general, district attorneys, and public defenders. As part of the application process, the requester is also required to implement procedures to ensure the privacy of the information contained in the department's records. Upon verification of the information provided during the application process, the department issues either a commercial requester code or a government requester code.

Current regulations require applicants for a requester code to complete several documents as part of the overall application process. The department is moving many forms to its internet portal to make the application process more efficient and convenient for applicants.

The current regulation requires commercial requesters to complete a Commercial Requester Account Application, form INF 1106, when applying for a requester code, renewing an account, or when making changes to an existing requester account. The department is moving the application process to its internet portal environment. When these regulations are effective, applicants will log on to their department internet account and will be prompted with each application question. The questions presented in the portal are largely consistent with the information solicited on the form INF 1106, however, since the department will no longer make the INF 1106 available, the department has determined it necessary to move into regulation the information an applicant will be required to provide when completing the online application process.

In addition to the application process, the department is proposing amendments to the following sections:

§ 350.02. Definitions.

Several non-substantive amendments are made to Section 350.02 and include updating the word “online” to “online” and “data base” to “database.” These words will also be updated throughout Article 5.0. Additional non-substantive amendments are made throughout the proposed regulations to remove references to “nongovernmental requester” and replace with “commercial requester.”

§ 350.16. Information Required on a Commercial Requester Application for a Requester Code.

Section 350.16 is amended to make clear the application process for a commercial requester will be completed through the department’s online portal and updates the information an applicant will be required to provide during the application process.

§ 350.18. Additional Requirements for a Commercial Requester Application for a Requester Code.

Section 350.18 is updated to require the Commercial Requester Account Agreement to be submitted through the department’s internet portal.

§ 350.20. Certifications Required with Commercial Requester Applications for Access to Residence Address Information.

Section 350.20 is updated to require the Information Services Certification of Agency to be submitted through the department’s internet portal.

§ 350.34. Additional Security Requirements for On-Line Online Access.

Section 350.34 is being amended to update the revision date of the Employee Security Statement, form INF 1128.

§ 350.44. Cost of Information.

Section 350.44 is updated to specify that invoices will be paid through an electronic payment method. The fees identified in Section 350.44 are unchanged.

§ 350.47. Requester Code Holder — Electronic Access.

Section 350.47 is the proposed adoption that will require employers within the pull notice program, governmental requesters, and commercial requesters to apply for a requester code or pull notice activation online and requires the electronic exchange of information and payment.

The department is also repealing Section 350.52, related to Refusal, Suspension, or Revocation of Requester Codes, and Section 350.54, related to Temporary Suspension of a Requester Code. These sections were nonoperative in 2000, however, those sections have never been removed from Article 5.0.

**BENEFITS OF THE
PROPOSED REGULATION**

The department anticipates this action will benefit the residents of California by ensuring governmental and commercial entities applying for a requester account have robust procedures in place to ensure the information accessed will be maintained in a secure manner and only by those employees who are authorized to access and review the information.

**CONSISTENCY AND COMPATIBILITY
WITH STATE REGULATIONS**

The department has conducted a review of other state regulations and has determined there are no other regulations related to government requester accounts for departmental records, therefore, this proposed action is neither inconsistent nor incompatible with other state regulations.

**COMPARABLE FEDERAL
STATUTES OR REGULATIONS**

The department has conducted a search of federal statutes and regulations related to the entities who request access to and information from the department’s records and has found there are no existing federal statutes or regulations that govern governmental entities accessing departmental records.

DOCUMENTS INCORPORATED
BY REFERENCE

The following document is incorporated by reference:

- Employee Security Statement, Form INF 1128 (Rev. 9/2006)

This form will not be published in the California Code of Regulations because it would be impractical and cumbersome to do so; however, the form is readily available to interested parties by contacting the department representative identified below.

ECONOMIC AND FISCAL
IMPACT DETERMINATIONS

The department has made the following initial determinations concerning the proposed regulatory action:

- *Cost or Savings to Any State Agency:* None.
- *Other Non-Discretionary Cost or Savings to Local Agencies:* None.
- *Costs or Savings in Federal Funding to the State:* None.
- *Effects on Housing Costs:* None.
- *Cost to any local agency or school district requiring reimbursement pursuant to Gov. Code section 17500 et seq.:* None.
- *Cost Impact 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. This proposed action does not have any costs associated with private persons.
- *Small Business Impact:* This proposed action may impact small businesses. Any impact would be minimal as the amendments only change the method by which information is exchanged in the requester program.
- *Local Agency/School District Mandate:* The proposed regulatory action will not impose a mandate on local agencies or school districts, or a mandate that requires reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.
- *Significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states:* The department does not anticipate this action will have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

The amendments only change the method by which information is exchanged in the requester program.

RESULTS OF THE ECONOMIC
IMPACT STATEMENT

The department has made the following determinations when assessing the economic impact associated with this proposed regulation:

The department has made the initial determination that this action will not impact, 1) the creation or elimination of jobs within the State of California, 2) the creation or elimination of existing businesses within the State of California, 3) the expansion of businesses currently doing business within the State of California, or 4) the health of California residents, worker safety, or the state's environment.

This action streamlines the process by which a requester code account is applied for or renewed. This proposed action is unlikely to impact worker safety, the state's environment, or the health of California residents, however, this action may benefit the welfare of California residents by ensuring the department's records are accessed by entities who have been approved by the department.

PUBLIC DISCUSSIONS OF
PROPOSED REGULATIONS

A pre-notice workshop, pursuant to Government Code section 11346.45, is not required because the issues addressed in the proposal are not so complex or large in number that they cannot easily be reviewed during the comment period.

ALTERNATIVES CONSIDERED

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 effective as 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 provisions of law.

CONTACT PERSON

Any inquiries or comments concerning the proposed rulemaking action may be addressed to:

Randi Calkins, Regulations Specialist
Department of Motor Vehicles
Legal Affairs Division

P.O. Box 932382, MS C–244
Sacramento, CA 94232–3820

Any inquiries or comments concerning the proposed rulemaking action requiring more immediate response may use:

Telephone: (916) 282–7294
Facsimile: (916) 657–6243
E–Mail: LADRegulations@dmv.ca.gov

In the event the contact person is unavailable, inquiries should be directed to the following back-up person:

Peggy Gibson, Attorney IV
Department of Motor Vehicles
Telephone: (916) 657–6469

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The department has prepared an Initial Statement of Reasons for the proposed regulatory action and has available all the information upon which the proposal is based. The contact person identified in this notice shall make available to the public upon request the Express Terms of the proposed regulatory action using underline or italics to indicate additions to, and strike-out to indicate deletions from the California Code of Regulations.

The contact person identified in this notice shall also make available to the public, upon request, the Final Statement of Reasons, and the location of public records, including reports, documentation and other materials related to the proposed action. In addition, the above-cited materials (the Notice of Proposed Regulatory Action, the Initial Statement of Reasons, and Express Terms) may be accessed at <https://www.dmv.ca.gov/portal/about-the-california-department-of-motor-vehicles/california-dmv-rulemaking-actions/>.

AVAILABILITY OF MODIFIED TEXT

Following the written comment period, and the hearing if one is held, the department may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the fully modified text, with changes clearly indicated, shall be made available to the public for at least 15 days prior to the date on which the department adopts the resulting regulations. Requests for copies of any modified regulations should be addressed to the department contact person identified in this notice. The department will accept written comments on the modified regulations

for 15 days after the date on which they are first made available to the public.

TITLE 16. BOARD OF OCCUPATIONAL THERAPY

APPLICATIONS

NOTICE IS HEREBY GIVEN that the California Board of Occupational Therapy (hereafter Board) is proposing to take the action described in the Informative Digest below, after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days prior to the close of the written comment period. A hearing may be requested by making such request in writing addressed to the individuals listed under “Contact Person” in this notice.

WRITTEN COMMENT PERIOD

Written comments relevant to the action proposed, including those sent by mail, facsimile, or email to the addresses listed under “Contact Person” in this Notice, must be **received by the Board at its office no later than by Tuesday, April 1, 2025**, or must be received by the Board at the hearing, should one be scheduled.

The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. Except for technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as *Contact Person* and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by sections 2570.3 and 2570.20 of the Business and Professions Code (BPC), and to implement, interpret or make specific sections 30, 114.5, 115.5, 144, 850, 851, 2570.5, 2570.6, 2570.7, 2570.8, 2570.9, 2570.14, 2570.15, and 2570.16, the Board is considering amending sections 4110, 4111, 4112, and 4114 of Title 16 of the California Code of Regulations (CCR).

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

The California Board of Occupational Therapy (Board) licenses, regulates, and investigates complaints against occupational therapy practitioners in California. The licensing categories, totaling more than 25,400 licensees and limited permit holders include: occupational therapist license, occupational therapy assistant license, occupational therapist limited permit, and occupational therapy assistant limited permit. It is the Board’s duty to enforce and administer the Occupational Therapy Practice Act, Chapter 5.6 sections 2570–2572 of Division 2, of the Business and Professions Code (BPC). Specifically, BPC 2570.20 requires the Board to adopt rules... for persons holding a license to practice occupational therapy or to assist in the practice of occupational therapy in this state.”

Existing law sets the education, experience, and examination requirements as a means of determining entry level competency for occupational therapy practitioners. Prior to the inception of the BreZE system, applicants could not submit their applications online. As of October 2016, applicants have an option to submit their applications in person or online, thus eliminating the necessity of the phrase “if available.”

The proposed language will specify that the application can be accepted via online submission and will clarify the definition of “received” as it pertains to the application submission process. The proposed language will remove use of the phrase “accepted for filing” and replace it with the word “received” which is more consistent with the Board’s current business process, since staff does not notify the applicant of acceptance, but rather approval of their applications.

Existing regulation defines that an application for an occupational therapist license or an occupational therapy assistant license be deemed abandoned if the applicant does not complete the application within two years after it is originally received by the Board and also allows an applicant a period of 60 days to submit the initial license fee after their application has been approved by the Board.

The proposed language will also decrease the time the Board must hold on to an application for licensure that has been abandoned but will increase the number of days an approved applicant has to pay for their initial license. This is necessary as applicants who are not yet working may need more time to produce the required funds. Due to the online capability of the BreZE system, applicants can submit all of their documents electronically. Thus, the Board decided to reduce abandonment time for applications not completed within one year instead of two years. The Board also approved to extend the time for applicants to sub-

mit their initial license and limited permit fees from 60 days to 90 days to give new graduates extra time to secure employment.

Existing regulation defines that an application for a limited permit be deemed abandoned and the application fee forfeited if the applicant fails to complete the application or submit the required fee within sixty (60) days after it is originally received by the board. The regulation also allows an applicant a period of 60 days to submit the initial license fee after their application has been approved by the Board.

The proposed language will clarify that the limited permit application abandonment process by separating the acts of applying for the limited permit and paying the fee to receive the limited permit number. The language will clarify the imposed timeframe for each aforementioned action. The National exam can now be taken online which drastically reduces the processing time. Additionally, the visa process for foreign applicants has become more efficient and can be completed in one year. The language will notify the limited permit applicant that their application fee will be forfeited if the application is abandoned because board staff completed the review process despite the applicant not completing the application.

The proposed language was considered and approved by the Board at its August 24–25, 2023, Board Meeting.

ANTICIPATED BENEFITS OF PROPOSAL

This regulatory action proposes minor amendments to the application that are designed to help applicants with providing the correct fees for the application and fingerprint cards. The new language will provide clarity and transparency to the occupational therapy applicants who are applying for their initial license and/or limited permit. This action will also define certain terms related to the submission and review process of applications.

This regulatory proposal does not affect the health and welfare of California residents, worker safety, or the state’s environment.

**EVALUATION OF CONSISTENCY AND
COMPATIBILITY WITH EXISTING
STATE REGULATIONS**

During the process of developing this regulatory proposal, the Board has conducted a review of any related regulations and has determined that these regulations deal with the qualifications of occupational therapists and occupational therapy assistants. Therefore, this regulatory proposal is consistent and compatible with existing state regulations.

INCORPORATION BY REFERENCE

None.

DISCLOSURES REGARDING THIS
PROPOSED ACTION

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

The Board estimates up to 16 individuals per year currently have to re-apply for licensure after their first application is deemed abandoned due to failing to complete their application or submit their initial license fee timely. Under this proposal these individuals will be required to pay \$50 for licensure, which would result additional license fee revenues of \$800 per year and up to \$8,000 over ten-year period.

The Board notes, no additional workload and costs will be incurred under this proposal because the Board is currently processing these applications.

The regulations do not result in costs or savings in federal funding to the state.

Nondiscretionary Costs/Savings to Local Agencies: None.

Cost to any Local Agency or School District for which Government Code Sections 17500–17630 Require Reimbursement: None.

Mandate Imposed on Local Agencies or School Districts: None.

Significant Effect on Housing Costs: None.

BUSINESS IMPACT ESTIMATES

The Board has made an initial determination that the proposed regulatory action would not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The rulemaking file includes the facts, evidence, documents, testimony, and/or other evidence which supports this determination.

Cost Impact on Representative Private Person or Business

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

RESULTS OF ECONOMIC IMPACT
ASSESSMENT/ANALYSIS

IMPACT ON JOBS/BUSINESSES

The Board has determined that this regulatory proposal will not have any impact on the following:

- 1) the creation or elimination of jobs within the state,
- 2) the creation of new businesses or the elimination of existing businesses within the state, or,
- 3) the expansion of businesses currently doing business within the state.

This proposal would not have any of the above-referenced impacts as explained in the “Business Impact Estimates” section of this notice.

BENEFITS OF REGULATION

This regulatory proposal does not affect the health and welfare of California residents, worker safety, or the state’s environment as this proposal is not related to any of those issues.

BUSINESS REPORTING REQUIREMENTS

The regulatory action does not require businesses to file a report with the Board

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulations will not affect small businesses. Although small businesses owned by licensees of the Board may be impacted the Board does not maintain data relating to the number or percentage of licensees who own a small business; therefore, the number or percentage of small businesses that may be impacted cannot be predicted.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative it considered to the regulation 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 proposal described in this Notice; or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may submit comments to the Board in writing relevant to the above determinations at 1610 Arden Way, Suite 121, Sacramento, California

95815 during the written comment period, or at the hearing if one is scheduled or requested.

AVAILABILITY OF STATEMENT OF REASONS AND RULEMAKING FILE

The Board has compiled a record for this regulatory action, which includes the Initial Statement of Reasons (ISOR), proposed regulatory text, and all the information on which this proposal is based. This material is contained in the rulemaking file and is available for public inspection upon request to the contact persons named in this notice.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Board, at 1610 Arden Way, Suite 121, Sacramento, California 95815.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments, the Board, upon its own motion or at the request of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal, with the modifications clearly indicated, will be available for review and written comment for 15 days prior to its adoption from the persons designated in this Notice as the Contact Persons and will be mailed to those persons who submit written comments or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the Final Statement of Reasons once it has been prepared by making a written request to the Contact Persons named below or by accessing the website listed below.

CONTACT PERSONS

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Ranjila Sandhu
California Board of Occupational Therapy
1610 Arden Way, Suite 121
Sacramento, CA 95815
Tel: (916) 263-2294
Email: cbot@dca.ca.gov

The backup contact person is:

Jody Quesada
[Same contact information as 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 noted, as well as the Final Statement of Reasons when completed, and modified text, if any, can be accessed through the Board website at https://www.bot.ca.gov/board_activity/laws_regs/prop_regulations.shtml.

TITLE 16. BUREAU OF SECURITY AND INVESTIGATIVE SERVICES

NOTICE OF PROPOSED REGULATORY ACTION CONCERNING: FEES

NOTICE IS HEREBY GIVEN that the Bureau of Security and Investigative Services is proposing to take the action described in the Informative Digest below, after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Bureau has not scheduled a public hearing on this proposed action. However, the Bureau will hold a hearing if it receives a written request for a public hearing from any interested person, or the interested person's authorized representative, no later than 15 days prior to the close of the written comment period. A hearing may be requested by making such request, in writing, addressed to the individuals listed under "Contact Person" in this Notice.

WRITTEN COMMENT PERIOD

Written comments relevant to the action proposed, including those sent by mail or email to the addresses listed under "Contact Person" in this Notice, must

be *received* by the Bureau at its office no later than 5:00 p.m. by Tuesday, April 1, 2025, or must be received by the Bureau at the hearing, should one be scheduled.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by sections 6980.7, 6980.79, 7501.6, 7511, 7515, 7570, 7574.11, 7574.13, 7574.36, 7581, 7588, 7591.6 and 7599.70 of the Business and Professions Code (BPC), the Bureau is considering amending sections 638, 639, 640, 641, 642, & 642.5 of Title 16 of the California Code of Regulations (CCR).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Bureau of Security and Investigative Services is a licensing bureau within the Department of Consumer Affairs. The Bureau regulates licensed locksmiths, private investigators, private security services, alarm company operators and agents, repossessioners, and proprietary private security. The protection of the public shall be the highest priority for the Bureau in exercising its licensing, regulatory, and disciplinary functions.

BPC sections 6980.7, 6980.79, 7501.6, 7511, 7515, 7570, 7574.11, 7574.13, 7574.36, 7581, 7588, 7591.6 and 7599.70 authorize the Bureau to set fees by regulation and sets forth the minimum and maximum fee ranges for application, examination, reexamination, original license and renewal, initial registration, employee initial registration, branch certificates, processing for assignment, firearms permit and renewal, qualified manager certificate and renewal, initial baton permit and renewal, and delinquency and reinstatement for all licensees regulated by the Bureau.

Existing regulations at §§ 638 through 642.5 of Article 8 of Division 7 of the CCR set fees for locksmiths, private investigators, private security services, alarm company operators and agents, collateral recovery, and proprietary private security officers.

The Bureau is seeking to amend the fees charged for locksmiths, private investigators, private security services, alarm company operators and agents, collateral recovery, and proprietary private security officers related to application, examination, reexamination, original license and renewal, initial registration, employee initial registration, branch certificates, processing for assignment, firearms permit and renewal, qualified manager certificate and renewal, initial baton permit and renewal, and delinquency and reinstatement.

This proposal is necessary to help ensure the Bureau has additional resources to maintain the highest

priority of consumer safety and protection and to help to recover costs for administration and enforcement.

The Bureau has a structural imbalance identified in 2022. The imbalance is primarily due to increased costs related to Bureau operations and an increase in licensing and enforcement–related costs including, Attorney General and Office of Administrative Hearing costs related to disciplinary actions.

The Bureau is projected to become insolvent if no action is taken and the Bureau fully expends its appropriation. In 2017, the Bureau conducted an audit and received authority to increase existing fees by 40%. The Bureau determined to increase fees by 30% and reserve the remaining 10% for a later date. Given the increase in labor, complexity of applications, and applicants, the Bureau deemed it necessary to impose the additional 10% fee increase.

The Bureau’s Advisory Committee began discussing the process of increasing fees in 2023.

The fee increases are necessary to alleviate the structural imbalance the Bureau currently faces and help ensure the Bureau can meet its consumer protection goals by having the funding to administer and enforce the Bureau’s practice Acts and related regulations.

ANTICIPATED BENEFITS OF PROPOSAL

The Bureau has determined that this regulatory proposal will have the following benefits to the welfare and public safety of California residents:

This action benefits California consumers because setting new fee amounts will help the Bureau to recover administrative costs, reduce the Bureau’s structural imbalance, ensure the Bureau has sufficient funds to carry out its consumer protection mandate of overseeing licensees in the security industry, and continue the Bureau’s daily functions, enforcement, and licensing operations without interruption to help ensure public safety and protection.

If this regulatory proposal is not adopted, the Bureau may need to restrict its core operations, including slowing its ability to process applications, restricting investigations, and limiting the Bureau’s ability to adjudicate alleged violations of the law by locksmiths, private investigators, private security services, alarm company operators and agents, and repossessioners in an expedient manner. These restrictions to the operations and functions of the Bureau could result in licensing backlogs and compromise the Bureau’s ability to achieve its mission and statutory mandate of consumer protection.

This regulatory proposal does not affect the health of California residents, worker safety, or the environment.

**EVALUATION OF CONSISTENCY AND
COMPATIBILITY WITH EXISTING
STATE REGULATIONS**

During the process of developing this regulatory proposal, the Bureau conducted a search of any similar regulations on these topics and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

INCORPORATION BY REFERENCE

This rulemaking does not incorporate forms or documents by reference.

**DISCLOSURES REGARDING THIS
PROPOSED ACTION**

The Bureau has made the following initial determinations:

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:

The Bureau estimates the proposed regulations will increase revenues by approximately \$1.8 million and help to reduce the structural imbalance.

Because the Bureau currently charges the fees in this proposal and/or performs workload associated with these programs and fees, no additional workload and costs are anticipated.

The Bureau estimates one-time information technology (IT) costs of \$27,000 to update cashing and accounting software. Any IT costs will be absorbed within existing resources.

The regulations do not result in costs or savings in federal funding to the state.

Nondiscretionary Costs/Savings to Local Agencies: None.

Cost to any Local Agency or School District for which Government Code Sections 17500–17630 Require Reimbursement: None.

Mandate Imposed on Local Agencies or School Districts: None.

Significant Effect on Housing Costs: None.

BUSINESS IMPACT ESTIMATES

The Bureau has made the initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Cost Impact on Representative Private Person or Business

The proposed regulations increase fees in CCR 638 as follows:

Locksmith Company Operator:

- Initial Application: Current \$250; Proposed \$275.
- Original License: Current \$250; Proposed \$275.
- Renewal License: Current \$500; Proposed \$550.

Locksmith Company Branch:

- Initial Registration: Current \$250; Proposed \$275.
- Renewal Registration: Current \$150; Proposed \$165.

Locksmith Employee:

- Initial Registration: Current \$55; Proposed \$60.
- Renewal Registration: Current \$40; Proposed \$44.

The proposed regulations increase fees in CCR 639 as follows:

Private Investigator:

- Initial Application and Exam: Current \$340; Proposed \$374.
- Original License: Current \$385; Proposed \$424.
- Assignment: Current \$400; Proposed \$440.
- Renewal License: Current \$265; Proposed \$292.
- Re-Examination: Current \$60; Proposed \$66.

Private Investigator Branch Office:

- Original Branch Certificate: Current \$90; Proposed \$99.
- Renewal Branch Certificate: Current \$65; Proposed \$72.

Private Investigator Qualified Manager:

- Initial License: Current \$350; Proposed \$385.
- Renewal License: Current \$225; Proposed \$248.
- Re-Examination: Current \$60; Proposed \$66.

Firearms Permit:

- Initial Permit: Current \$100; Proposed \$110.
- Renewal Permit: Current \$80; Proposed \$88.

The proposed regulations increase fees in CCR 640 as follows:

Private Patrol Operator:

- Initial Application and Exam: Current \$550; Proposed \$605.
- Original License: Current \$770; Proposed \$847.
- Renewal License: Current \$900; Proposed \$990.

Private Patrol Operator Qualified Manager:

- Initial License: Current \$350; Proposed \$385.
- Re-Examination: Current \$60; Proposed \$66.
- Renewal License: Current \$225; Proposed \$248.

Security Guard:

- Initial Registration: Current \$55; Proposed \$60.
- Renewal Registration: Current \$40; Proposed \$44.

Private Patrol Operator Branch Office:

- Original Certificate: Current \$250; Proposed \$275.
- Renewal Certificate: Current \$150; Proposed \$165.

Baton Training Facility:

- Initial Certificate: Current \$700; Proposed \$770.
- Renewal Certificate: Current \$550; Proposed \$605.

Firearms Training Facility:

- Initial Certificate: Current \$800; Proposed \$880.
- Renewal Certificate: Current \$750; Proposed \$825.

Baton Training Instructor:

- Initial Certificate: Current \$350; Proposed \$385.
- Renewal Certificate: Current \$275; Proposed \$303.

Firearms Training Instructor:

- Initial Certificate: Current \$350; Proposed \$385.
- Renewal Certificate: Current \$300; Proposed \$330.

Baton Permit:

- Initial Permit: Current \$60; Proposed \$66.
- Renewal Permit: Current \$40; Proposed \$44.

Firearm Permit:

- Initial Permit: Current \$100; Proposed \$110.
- Renewal Permit: Current \$80; Proposed \$88.

The proposed regulations increase fees in CCR 641 as follows:

Alarm Company Operator:

- Initial Application: Current \$370; Proposed \$407.
- Original License: Current \$600; Proposed \$660.
- Assignment: Current \$400; Proposed \$440.
- Renewal License: Current \$750; Proposed \$825.

Alarm Company Branch:

- Original License: Current \$250; Proposed \$275.
- Renewal Certificate: Current \$150; Proposed \$165.

Alarm Company Employee:

- Initial Registration: Current \$55; Proposed \$60.
- Renewal Registration: Current \$40; Proposed \$44.

Alarm Company Qualified Manager:

- Initial Certificate and Exam: Current \$350; Proposed \$385.
- Re–Examination: Current \$60; Proposed \$66.

- Renewal Certificate: Current \$225; Proposed \$248.

Firearm Permit:

- Initial Permit: Current \$100; Proposed \$110.
- Renewal Permit: Current \$80; Proposed \$88.

The proposed regulations increase fees in CCR 642 as follows:

Repossession Agency:

- Initial Application: Current \$970; Proposed \$1,067.
- Renewal License: Current \$750; Proposed \$825.

Repossession Agency Employee:

- Initial Application: Current \$75; Proposed \$82.
- Renewal Application: Current \$40; Proposed \$44.

Repossession Agency Qualified Manager:

- Original Certificate: Current \$350; Proposed \$385.
- Renewal Certificate: Current \$225; Proposed \$248.
- Re–Examination: Current \$60; Proposed \$66.

The proposed regulations increase fees in CCR 642.5 as follows:

Proprietary Private Security Employer:

- Initial Registration: Current \$350; Proposed \$385.
- Renewal Registration: Current \$350; Proposed \$385.

Proprietary Private Patrol Security Officer:

- Initial Registration: Current \$55; Proposed \$60.
- Renewal Registration: Current \$40; Proposed \$44.

**RESULTS OF ECONOMIC IMPACT
ASSESSMENT/ANALYSIS**

The Bureau has made the initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

IMPACT ON JOBS/BUSINESSES

The Bureau has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California because the proposed fees are anticipated to have minimal impact on businesses because the incremental fee increase is negligible compared to the average salary of licensees.

BENEFITS OF REGULATION

This regulatory proposal will benefit the welfare and safety of California consumers because the proposal will increase the Bureau's revenue and funding available to continue the Bureau's enforcement, investigative, licensing, examination, and public outreach operations. However, the proposal is unrelated to the health of California residents, worker safety or the state's environment and is not intended to benefit those issues.

BUSINESS REPORTING REQUIREMENTS

The regulatory action does not require businesses to file a report with the Bureau.

EFFECT ON SMALL BUSINESS

The Bureau has determined that the proposed regulations may affect small businesses because this proposal will increase fees for individual licenses.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Bureau must determine that no reasonable alternative it considered to the regulation 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 proposal described in this Notice; or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may submit comments to the Bureau in writing relevant to the above determinations at 2420 Del Paso Road, Suite 270, Sacramento, CA 95834 during the written comment period, or at the hearing if one is scheduled or requested.

AVAILABILITY OF STATEMENT OF REASONS AND RULEMAKING FILE

The Bureau has compiled a record for this regulatory action, which includes the Initial Statement of Reasons (ISOR), proposed regulatory text, and all the information on which this proposal is based. This material is contained in the rulemaking file and is available for public inspection upon request to the contact persons named in this notice.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, and any document incorporated by reference,

and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Bureau, at 2420 Del Paso Road, Suite 270, Sacramento, CA 95834.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments, the Bureau upon its own motion or at the request of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal, with the modifications clearly indicated, will be available for review and written comment for 15 days prior to its adoption from the person designated in this Notice as the Contact Person and will be mailed to those persons who submit written comments or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the Final Statement of Reasons once it has been prepared by making a written request to the Contact Person named below or by accessing the website listed below.

CONTACT PERSONS

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Briana Goularte
Address: Bureau of Security and Investigative Services
2420 Del Paso Road, Suite 270
Sacramento, CA 95834
Telephone Number: 279-895-1250
E-Mail Address: BSISRegs@dca.ca.gov

The backup contact person is:

Name: Valerie Peterson
Address: Bureau of Security and Investigative Services
2420 Del Paso Road, Suite 270,
Sacramento, CA 95834
Telephone Number: 916-623-1049

E-Mail Address: BSISRegs@dca.ca.gov

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 noted, as well as the Final Statement of Reasons when completed, and modified text, if any, can be accessed through the Bureau's website at https://www.bsis.ca.gov/about_us/laws/prop_regs.shtml

**TITLE 16. BOARD OF CHIROPRACTIC
EXAMINERS**

FILING OF ADDRESSES AND
CONTACT INFORMATION

NOTICE IS HEREBY GIVEN that the Board of Chiropractic Examiners (hereafter Board) is proposing to take the action described in the Informative Digest below, after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or their authorized representative, no later than 15 days prior to the close of the written comment period. A hearing may be requested by making such request in writing addressed to the individuals listed under "Contact Person" in this notice.

WRITTEN COMMENT PERIOD

Written comments relevant to the action proposed, including those sent by mail, facsimile, or email to the addresses listed under "Contact Person" in this Notice, must be **received by the Board at its office no later than Tuesday, April 1, 2025**, or must be received by the Board at the hearing, should one be scheduled.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by section 1001 of the Business and Professions Code (BPC) and sections 4(b) and 4(e) of the Chiropractic Initiative Act of California (Act), Stats. 1923, page lxxxviii, and to implement, interpret, or make specific BPC sections 12.5, 27, 136, and 1001 and section 10(a) of the Act, the Board is considering amending section 303 of Ti-

tle 16, Division 4, Article 1 of the California Code of Regulations (CCR).

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

Existing law, BPC section 1001, requires the Board to annually compile a complete directory of all licensed doctors of chiropractic within the state that contains the following information for each licensee: 1) their name and address; 2) the names and symbols indicating their title; 3) the school they attended which qualified them for examination or admission to practice; and 4) the date of issuance of their certificate.

Senate Bill (SB) 1434 (Roth, Chapter 623, Statutes of 2022) amended BPC section 1001 to require the Board to include the telephone number and email address of each licensee in this directory, to authorize the Board to require licensees to furnish such information as the Board may deem necessary to enable it to compile the directory, and to require licensees to immediately report a change in residence or contact information to the Board.

Existing law, BPC section 27, requires the Board to disclose each licensee's "address of record" on the internet and to allow a licensee to provide a post office box number or other alternate address as the address of record. This law permits the Board to require a licensee who has provided a post office box or other alternative mailing address as their address of record to also provide a physical business address or residence address only for the Board's internal administrative use. Further, BPC section 136 requires each licensee to notify the Board of any change in their mailing address within 30 days after the change, unless the Board has specified by regulations a shorter time period.

This regulatory proposal will update the requirements for licensees to file their address and contact information with the Board. Specifically, this proposal will: 1) implement SB 1434 by mandating the collection of licensees' telephone numbers and email addresses for inclusion in the Board's directory; 2) clarify the requirements for filing a public "address of record" and alternate physical address, if applicable, with the Board in conformance with BPC section 27; 3) define the Board's "internal administrative use" of a licensee's non-public address or contact information; 4) require licensees to notify the Board in writing within 15 days of any changes to their address, telephone number, or email address; and 5) specify that a licensee's failure to comply with these filing requirements constitutes unprofessional conduct.

ANTICIPATED BENEFITS OF PROPOSAL

The Board has determined that this regulatory proposal will benefit the health and welfare of California residents by ensuring the Board has oversight and the ability to locate and communicate with licensed doctors of chiropractic by telephone, email, or mail. Members of the public will benefit as the Board's ability to protect the public and consumers from harm will be enhanced through quick and effective communication with licensees by telephone or email. The public will also benefit through the inclusion of additional licensee contact information in the Board's directory.

This regulatory proposal does not affect worker safety or the state's environment.

EVALUATION OF CONSISTENCY AND COMPATIBILITY WITH EXISTING STATE REGULATIONS

During the process of developing this regulatory proposal, the Board has conducted a search of any similar regulations on these topics and has concluded that this proposal is neither inconsistent nor incompatible with existing state regulations.

DISCLOSURES REGARDING THIS PROPOSED ACTION

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None. The regulations do not result in a fiscal impact to the state.

This proposal updates the requirements for licensees to file their mailing address, telephone number, and email address with the Board. The Board does not anticipate additional workload or costs resulting from the proposed regulations.

The regulations do not result in costs or savings in federal funding to the state.

Nondiscretionary Costs/Savings to Local Agencies: None.

Cost to any Local Agency or School District for which Government Code Sections 17500–17630 Require Reimbursement: None.

Mandate Imposed on Local Agencies or School Districts: None.

Significant Effect on Housing Costs: None.

BUSINESS IMPACT ESTIMATES

The Board has made the initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly af-

fecting business, including the ability of California businesses to compete with businesses in other states.

The rulemaking file includes the facts, documents, testimony, and/or other evidence that supports this determination.

Cost Impact on Representative Private Person or Business

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

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

IMPACT ON JOBS/BUSINESSES

The Board has determined that this regulatory proposal will not have any impact on the following:

- 1) creation or elimination of jobs within California,
- 2) creation of new businesses or elimination of existing businesses within California, &
- 3) expansion of businesses currently doing business with the state.

BENEFITS OF REGULATION

The Board has determined that this regulatory proposal will benefit the health and welfare of California residents by ensuring the Board has oversight and the ability to locate and communicate with licensed doctors of chiropractic by telephone, email, or mail. Members of the public will benefit as the Board's ability to protect the public and consumers from harm will be enhanced through quick and effective communication with licensees by telephone or email. The public will also benefit through the inclusion of additional licensee contact information in the Board's directory.

This regulatory proposal does not affect worker safety or the state's environment as this proposal is not related to any of those issues.

BUSINESS REPORTING REQUIREMENTS

The regulatory action does not require businesses to file a report with the Board.

EFFECT ON SMALL BUSINESS

The Board has determined that the proposed regulations may affect small businesses. Although small businesses owned by licensees of the Board may be impacted, the Board does not maintain data relating to the number or percentage of licensees who own a small business; therefore, the number or percentage

of small businesses that may be impacted cannot be predicted.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative it considered to the regulation 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 proposal described in this Notice; or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may submit written comments relevant to the above determinations to the Board's office at 1625 North Market Boulevard, Suite N-327, Sacramento, CA 95834 during the written comment period, or at the hearing if one is scheduled or requested.

AVAILABILITY OF STATEMENT OF REASONS AND RULEMAKING FILE

The Board has compiled a record for this regulatory action, which includes the Initial Statement of Reasons, proposed regulatory text, and all the information on which this proposal is based. This material is contained in the rulemaking file and is available for public inspection upon request to the contact persons named in this notice.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Board at 1625 North Market Boulevard, Suite N-327, Sacramento, CA 95834.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments, the Board, upon its own motion or at the request of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal, with the modifications clearly indicated, will be available for review and written comment for 15 days prior to its adoption from the person desig-

nated in this Notice as the Contact Person and will be mailed to those persons who submit written comments or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the Final Statement of Reasons once it has been prepared by making a written request to the Contact Person named below or by accessing the website listed below.

CONTACT PERSONS

Inquiries/comments concerning the proposed rulemaking action may be addressed to:

Name: Tammi Pitto

Address: Board of Chiropractic Examiners
1625 North Market Boulevard, Suite N-327
Sacramento, CA 95834

Telephone Number: (916) 574-8983

Fax Number: (916) 327-0039

Email Address: tammi.pitto@dca.ca.gov

The backup contact person is:

Name: Kristin Walker

Address: Board of Chiropractic Examiners
1625 North Market Boulevard, Suite N-327
Sacramento, CA 95834

Telephone Number: (916) 574-7784

Fax Number: (916) 327-0039

Email Address: kristin.walker@dca.ca.gov

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 noted, as well as the Final Statement of Reasons when completed, and modified text, if any, can be accessed through the Board's website at https://www.chiro.ca.gov/laws_regs/prop_regs.shtml.

**TITLE 17. DEPARTMENT OF
PUBLIC HEALTH**

**SHELLFISH SANITATION STANDARDS
(DPH-18-020)**

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: David Martin, Office of Regulations, 1415 L Street Suite 500, Sacramento, CA 95814, at (279) 217-0888, email to David.Martin@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 David Martin at (279) 217-0888 or (California Relay at 711 or 1-800-735-2929), or email 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 Office of Regulations on April 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. It is requested that email transmission of comments, particularly those with attachments, contain the regulation package identifier "DPH-18-020 Shellfish Sanitation Standards" in the subject line to facilitate timely identification and review of the comment.
2. By fax transmission to: (916) 636-6220.
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-18-020 Shellfish Sanitation Standards, 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 is proposing to adopt, amend, or repeal Title 17, CCR, sections 7700 to 7762 under the authority provided in sections 100275, 110065, 110105, 112165, 112235 and 131200 of the Health and Safety Code (. This proposal implements, interprets, and makes specific sections 112155, 112160, 112165, 112170, 112175, 112180, 112185, 112190, 112195, 112200, 112205, 112210, 112215, 112220, 112225, and 112230 of the HSC.

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

Summary of Proposal

The proposed regulations will update the existing shellfish regulations and adopt the National Shellfish Sanitation Program (NSSP Guide) national standards for shellfish sanitation. The proposed regulations ensure consistency with the NSSP Guide, including provisions for shellfish sanitation standards, safety of shellfish, health of employees, recordkeeping requirements, standards for shellfish growing areas, plants, and operations. Shellfish is regulated in California pursuant to Part 6, chapter 5, sections 112150 through

112280 of the Health and Safety Code (HSC), and the Sherman, Food, Drug and Cosmetic Law in Part 5.

Background

California allows shellfish dealers to transport shellfish into interstate commerce. As such, the California Department of Public Health (Department), which is the State Shellfish Control Authority (Authority) for the State of California, is required by the U.S. Food and Drug Administration (FDA) to enforce standards in the NSSP Guide for the Control of Molluscan Shellfish: 2023 Revision (NSSP Guide). The NSSP Guide applies to bivalve molluscan shellfish (oysters, clams, mussels, and scallops) that are raw or that are subjected to post-harvest processing. The NSSP Guide does not apply to crab, lobster, or shrimp. For simplicity, the NSSP Guide refers to bivalve molluscan shellfish as “shellfish,” and the Department similarly uses the same convention.

The NSSP Guide is the standard for shellfish harvesting and handling industry practices. As the authority for the State of California, the Department is responsible for all NSSP Guide program elements: plant sanitation, growing area classification, patrol enforcement, vibrio control, and laboratory services. These program elements set standards for sanitary quality of growing waters, issuing certificates, harvesting, shellfish handling activities that include wet storage, depuration, tagging, labeling, and assuring compliance with the NSSP Guide for dealers on the Interstate Certified Shellfish Shippers List. For companies that want to participate in interstate commerce, the Department ensures these companies comply with requirements in the NSSP Guide.

This regulatory action will clarify that the Department adopts the 2023 NSSP Guide, which is the most recent revision. Additionally, this regulatory action will add definitions for clarity and will modernize related sections to reflect current industry practice. Updating the regulations will allow the Department to conform to the most up-to-date national standards and to continue fulfilling its responsibility to regulate commercial shellfish to protect public health.

Existing Laws and Regulations: Currently, the Department regulates commercial shellfish through sections 112150 through 112280 of the HSC and through section 7706 through 7762 of Title 17 of the California Code of Regulations (CCR).

Problem Statement

The Department requires regulations to clarify its processes related to shellfish sanitation. Existing law does not include the most updated national standards protective of public health, which creates uncertainty in the industry as to what is required in California. In 2023, the National Shellfish Sanitation Program (NSSP) updated its NSSP Guide, which the Department wishes to incorporate by reference into reg-

ulations. The Department also proposes to add definitions for clarity and to modernize some sections to reflect current industry practices.

Objectives (Goals) of the Regulation

- Effectuate the Department’s mandate to promote the sanitation of shellfish moving in interstate commerce.
- Protect the health and safety of the public.
- Codify the current nationally recognized public health standards as set forth in the NSSP Guide.
- Improve clarity regarding specific definitions.
- Maximize efficiency in processing applications.

Anticipated Benefits

Anticipated benefits from this proposed regulatory action are:

- Consistency with national standards for shellfish grown, harvested, and handled in California.
- Improved clarity and reduced confusion for the shellfish industry regarding required standards.
- More efficient processes for the Department’s reviewing of applications.
- Shellfish continue to be safe for consumption.

Evaluation as to Whether the Proposed Regulations Are Inconsistent or Incompatible with Existing State and Federal Regulations

The Department evaluated whether the proposed regulations are inconsistent or incompatible with existing state regulations. This evaluation included a review of the Department’s laws, general regulations, and regulations that are specific to the implementation of California shellfish law.

No known statute or regulation conflicts with this proposed regulatory update. The Department determined that the proposed regulations are not inconsistent or incompatible with other state regulations. Therefore, the proposed regulations, if adopted, would not be inconsistent or incompatible with existing state regulations.

Substantial Difference from Federal Regulation or Statute

The Department has determined these regulations are not substantially different from either a federal regulation or statute.

INCORPORATION BY REFERENCE

The Department is proposing to incorporate by reference the National Shellfish Sanitation Program Guide for the Control of Molluscan Shellfish 2023 Revision.

**MANDATED BY FEDERAL
LAW OR REGULATIONS**

The Department determined these regulations are not identical to previously adopted or amended federal regulations.

OTHER STATUTORY REQUIREMENTS

The Department has determined there are no other statutory requirements.

LOCAL MANDATE

The Department has determined this regulatory action 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.

FISCAL IMPACT ESTIMATES

Cost to any local agencies or school districts that must be reimbursed pursuant to Section 17561 of Government Code:

The Department has determined that these regulations would not impose a mandate on any local agencies or school districts.

The cost or savings to any state agency

The Department does not anticipate an increase in enforcement costs, staff, or budget as a result of the proposed regulations.

Other Nondiscretionary Cost or Savings Imposed on Local Agencies:

The Department does not anticipate any other nondiscretionary cost or savings imposed on local agencies.

Cost or Savings in Federal Funding to the State:

The Department has determined that the regulations will not affect federal funding.

HOUSING COSTS

The Department has determined that the regulations will not affect housing costs.

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

The Department has determined that the proposed regulatory action would have no significant adverse economic impact on California business enterprises and individuals, including the ability of California businesses to compete with businesses in other states.

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

The Department has determined that the regulations affect the following as described:

A. The creation or elimination of jobs within the State of California.

The proposal will not impact the creation or elimination of jobs to the commercial shellfish industry because a large portion of the industry already complies with the requirements of the NSSP Guide.

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 jobs because this is a national shellfish standard that is enforced for all interstate commerce of shellfish.

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

The proposal will not impact the expansion of businesses because this is a national shellfish standard that already is applicable for all interstate commerce of shellfish for human consumption. Additionally, the majority of intrastate dealers already do adhere to the national standard for interstate dealers.

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

The proposed regulations increase and strengthen the public health of California residents by conforming California to the most national guidelines for shellfish standards.

**COST IMPACTS ON REPRESENTATIVE
PERSON OR BUSINESS**

The proposed regulations will establish annual certification fees. This will be a new cost to certificate holders and will provide the Department the resources to implement the amended regulations and recuperate a portion of their program costs. This regulation will impose a new fee for:

- New and renewal Shellfish Handling and Marketing Certificate applications.
- The additional time and resources to ensure the compliance of a new wet storage system, including but not limited to, the installation of new equipment, review, and approval of written operation manuals, oversee validation study, and ongoing testing requirements set forth in the NSSP Guide.

BUSINESS REPORTING REQUIREMENTS

The proposed regulation does not change existing reporting requirements. Certificate holders are already familiar with Seafood Hazard Analysis Critical Control Point (HACCP) record requirements. Each harvester/dealer also reports their harvest quantities by species to the Authority. It is necessary for the health, safety, or welfare of the people of the state that the regulation which requires a report apply to businesses.

EFFECT ON SMALL BUSINESS

The Department does not anticipate any negative effect on small businesses. Shellfish businesses are already familiar and compliant with the majority of the national standards. The proposed regulatory changes unify California's existing shellfish regulations with the national shellfish standards established in the NSSP Guide.

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 or 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. The Department invites interested persons to submit alternatives with respect to the proposed regulation during the comment period.

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

The following were used by the Department in development of these regulations:

- National Shellfish Sanitation Program, Guide for the Control of Molluscan Shellfish, 2023 Revision
- Fish and Fishery Products Hazards and Control Guidance, Fourth Edition — June 2022
- Current Good Manufacturing Practice, Hazard Analysis, And Risk-Based Preventive Controls for Human Food, 21 Code of Federal Regulations (CFR) Part 117, Subparts A and B
- Fish and Fishery Products, 21 CFR Part 123

CONTACT PERSON

Inquiries regarding the substance of the proposed regulations described in this notice may be directed

to Christina Grant, Shellfish Program Specialist, at FDBComments@cdph.ca.gov.

All other inquiries concerning the action described in this notice may be directed to David Martin, Office of Regulations, at (279) 217-0888.

In any inquiries or written comments, please identify the action by using the Department regulation package identifier, DPH-18-020 Shellfish Sanitation Standards.

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).

In order to request that a copy of this public notice, the regulation text, and the initial statement of reasons or alternate formats for these documents be mailed to you, please call David Martin 279-217-0867, (or the California Relay Service at 711), send an email to regulations@cdph.ca.gov, or write to the Office of Regulations at the address previously noted. Upon specific request, these documents will be made available in Braille, large print, audio format, or computer disk.

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 by clicking on these links, in the following order: I am Looking For: Administrative, Proposed Regulations, Current Regulatory Proposals.

TITLE 22. EMERGENCY MEDICAL SERVICES AUTHORITY

CRITICAL AND SPECIALTY CARE PROGRAMS

NOTICE IS HEREBY GIVEN that the Emergency Medical Services Authority (EMSA) is proposing to take the action described in the Informative Digest. Written comments, including those sent by mail, facsimile, or email to addresses listed under Craig Branson in this Notice, must be received by EMSA at its office by April 3rd, 2025. The Board has not scheduled a public hearing on this proposed action. However, EMSA will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days before the close of the written comment period. EMSA may thereafter adopt the proposal substantially as described below or may modify the proposal if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as the contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: The Health and Safety Code Section 1797.107 authorizes EMSA to adopt the proposed regulations, which would implement, interpret, clarify, or make specific Section 1797.112 of the Health and Safety Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act (Health and Safety Code Division 2.5) created EMSA and outlined its authorities, duties, and responsibilities. Included in the act are the authority and procedures for promulgating regulation (Health and Safety Code section 1797.107), Health and Safety Code section 1797.112 creates the EMS personnel fund (Fund) along with requirement of the fund, which is maintained by EMSA. EMSA is part of a two-tier system overseeing Emergency Medical Services. EMSA serves as the agency that sets statewide EMS system operation, data collection, communications, manpower, and training standards and a Local Emergency Medical Service Agency (LEMSA) provides EMS system oversight at the local level. Today, there are 34 LEMSAs in California. Most LEMSAs serve a single

county, but other LEMSAs serve multiple counties. Over the course of 30 years, Title 22 of the California has been continuously amended to reflect new technologies, policy priorities and budgetary items. Emergency Medical Services Authority has been diligent in updating regulations that impact how patients, professionals and other participants in the emergency medical system interact with each other.

The current regulations in Chapter 6, Critical and specialty Care Programs, govern trauma, ST–elevation myocardial Infarction (STEMI), stroke and EMS for Children (EMSC) systems, are established under Health and Safety Code Division 2.5. These regulations were previously distributed across multiple chapters and articles but have since been consolidated into Chapter 6 to streamline oversight and improve regulatory clarity for critical and specialty care programs.

These regulations have not been updated in more than seven years, during which time significant advancements in clinical practices, hospital operations, and prehospital care have transformed the field of critical and specialty care. As a result, the current regulations no longer fully reflect the latest standards, creating potential gaps in care quality, operational inefficiencies, and inconsistencies across the state. To address these challenges and ensure California’s specialty care system remains aligned with current evidence–based practices, and update to the chapter is necessary.

The proposed revisions were developed in collaboration with the California State technical advisory committees from Trauma, STEMI, Stroke, and EMSC. These committees, which include critical and specialty care physicians, hospital program coordinators, local EMS administrators and medical directors, provided expert input to ensure the updated regulations address the evolving needs of patients, healthcare providers, and the broader EMS system.

The anticipated benefits of these updates are substantial. They include improved patient outcomes through faster and more accurate care, increased system efficiency by standardizing operations and reducing administrative burdens and enhanced public safety by ensuring that all Californians have access to a consistently high standard of emergency and specialty care. These updates will also provide clearer guidance for LEMSAs and healthcare providers, fostering a more cohesive and effective statewide EMS system. EMSA does not anticipate direct impact to worker’s safety or the State’s environment.

Consistency and Compatibility with existing State regulations. During the process of developing these regulations and amendments, EMSA has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

DOCUMENTS INCORPORATED
BY REFERENCE

Resources for Optimal Care of the Injured Patient (2022 Standards, Revised 12/2023)–

- <https://www.facs.org/quality-programs/trauma/quality/verification-review-and-consultation-program/standards/>

National Trauma Data Bank–

- <https://www.facs.org/quality-programs/trauma/quality/national-trauma-data-bank/>

DISCLOSURES REGARDING THE
PROPOSED ACTION

Cost or savings to any state agency: None.

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

Local mandate: None.

Nondiscretionary costs or savings to local agencies: None.

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

Business Report Requirement: None.

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

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

Significant effect on housing costs: None.

Effect on small businesses: The proposed regulations will not affect small business because the proposed regulations update existing specialty care program regulations to meet current standards. Although there are some new data elements for quality insurance reporting, this already occurs by the affected hospitals. Additionally, none of the affected hospitals are considered small businesses.

RESULTS OF ECONOMIC IMPACT
ANALYSIS/ASSESSMENT

Economic Impact Assessment:

EMSA concludes that it is: (1) unlikely that the proposal will eliminate any jobs; (2) unlikely the proposal will create any new jobs; (3) unlikely the proposal will create new businesses; (4) unlikely the proposal will eliminate any existing businesses; and (5) unlikely the regulations will result in the expansion of businesses currently doing business within the state. As described above in more detail, the proposed reg-

ulations will benefit the overall health and welfare of California residents because these regulations are essential to address operation and clinical gaps, ensuring California’s EMS system aligns with national care standards and meets the evolving needs of healthcare. It is not anticipated to directly benefit worker safety or the state’s environment.

CONSIDERATION OF ALTERNATIVES

EMSA must determine that no reasonable alternative to the regulation or has otherwise been identified and brought to its attention would either 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 proposal described in this Notice, or would be more cost-effective to affected private persons and equally effective in implementing statutory policy or other provision of law.

Any interested person may present statements or arguments with respect to alternatives to the proposed regulations during the written comment period or at the scheduled hearing.

INITIAL STATEMENT OF REASONS, TEXT
OF THE PROPOSAL, FINAL STATEMENT
OF REASONS, AND RULEMAKING FILE

Copies of the proposed text, any document incorporated by reference, and the initial statement of reasons are available by contacting the person named below.

All information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

A copy of the final statement of reasons can be obtained once it has been completed, by making a request to the contact person named below or by accessing the website listed below.

AVAILABILITY OF DOCUMENTS
ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the proposed text are available on the EMSA website at https://emsa.ca.gov/public_comment/

CONTACT PERSON

Inquiries or comments concerning the proposed rulemaking action may be addressed to:

Name: Craig Branson
Emergency Medical Services Authority
Address: 11120 International Drive, Suite 200
Rancho Cordova, CA 95670

Cellphone: (916) 537–6866
E–Mail: craig.branson@emsa.ca.gov

The backup contact person is:

Name: Ashley Williams
Emergency Medical Services Authority
Address: 11120 International Drive, Suite 200
Rancho Cordova, CA 95670
Cell: (916) 591–3266
E–Mail: ashley.williams@emsa.ca.gov

**RULEMAKING PETITIONS
DECISION**

FISH AND GAME COMMISSION

**NOTICE OF REGULATION CHANGE
PETITION DECISIONS,
JULY–DECEMBER 2024**

December 30, 2024
Los Osos Equestrian Community
2450 Pecho Valley Road
Los Osos, CA 93402

Sent via email to
losososequestriancommunity@gmail.com

**Re: Petition for regulation change (Tracking
Number 2023–17)**

Dear Los Osos Equestrian Community:

This letter is to confirm that the California Fish and Game Commission (Commission) took action related to the petition for regulation change you submitted to the Commission (Tracking Number 2023–17) regarding allowing horses in the Bayview Unit of Morro Dunes Ecological Reserve. Your petition proposed that Section 360 of Title 14 be amended, and you cited the Commission’s authority to take the requested action as Section 1580 of the California Fish and Game Code.

At its October 9–10, 2024 meeting, the Commission denied your petition for reasons outlined in a California Department of Fish and Wildlife memorandum, including: (1) the purpose of the land’s designation as an ecological reserve, (2) the absence of any prescriptive rights, (3) the need for resource protection (such as protecting rare, threatened, and endangered plants and wildlife), and (4) the creation of unauthorized trails (albeit by others in addition to equestrian users). A more detailed explanation may be found in the Department’s memorandum in the October meeting materials.

Your original petition, as well as written materials in support of the Commission’s decision, may be found in the materials for the Commission’s October 2024 meeting at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=225831&inline>. You may also find a link to video and audio recordings of the October 2024 meeting at <https://fgc.ca.gov/Meetings/2024>. Any interested person has a right to obtain a copy of the petition, which can be found in the regulations petition index at <https://fgc.ca.gov/Regulations/Petition-for-Regulation-Change>. If you are unable to find a copy of the petition via the website, you may request a copy by contacting Commission staff via the letterhead phone number or email address.

If you have any questions about your petition, please feel free to contact me at fgc@fgc.ca.gov or (916) 653–4899.

Sincerely,
/s/

Melissa Miller–Henson
Executive Director

July 10, 2024

Steve L. Rebuck

**Re: Petition for regulation change (Tracking
Number 2024–02)**

Dear Mr. Rebuck,

The California Fish and Game Commission recently took action related to the petition for regulation change (Tracking Number 2024–02) you submitted to the Commission concerning re–opening the abalone fishery on San Miguel Island. Your petition requested that sections 200, 205, 260, 265, 399, 5520, 5521 and 7149.8 of Title 14, California Code of Regulations, be affected. You cited the Commission’s authority to take the requested action as sections 200, 203, 205, 206, 209, 210, 211, 215, 218, 219, 220, 265, and 3990 of the California Fish and Game Code.

As you are aware, at its June 19–20, 2024 meeting in Mammoth Lakes, the Commission denied your petition. While you provided and presented a video, no new density surveys have been conducted since the 2006–2009 San Miguel Island red abalone fishery consideration process. Appendix H of the Abalone Recovery and Management Plan is a stakeholder–proposed approach that the Commission included in the plan; however, no new information is available to support the proposed approach.

Your petition also includes a companion proposal for an experimental fishing permit (EFP) to collect biological data in the abalone fishery. As a reminder, the California Department of Fish and Wildlife’s EFP website (Experimental Fishing Permit Program <https://wildlife.ca.gov/Conservation/Marine/EFP>) provides steps for prospective EFP applicants to take

in the application process. If you haven't done so already, please contact the Department's EFP coordinator at EFP@wildlife.ca.gov to complete and submit an EFP application.

Your original petition, as well as written materials in support of the Commission's decision, including the Department memo, may be found in the materials for the June 2024 meeting at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=223787&inline>. You may also find a link to video and audio recordings of the June 2024 meeting on the Commission website at <https://fgc.ca.gov/Meetings/2024>. Any interested person has a right to obtain a copy of the petition, which can be found in the regulations petition index at <https://fgc.ca.gov/Regulations/Petition-for-Regulation-Change>. If you are unable to find a copy of the petition via the website, you may request a copy by contacting Commission staff via the letterhead phone number or email address.

If you have any questions about your petition, please feel free to contact me or Commission Marine Advisor Susan Ashcraft at (916) 653–4899 or fgc@fgc.ca.gov.

Sincerely,
/s/

Melissa Miller–Henson
Executive Director

January 9, 2025

Ben Mitchell

Re: Petition for regulation change (Tracking Number 2024–04)

Dear Mr. Mitchell:

The California Fish and Game Commission recently took action related to the petition for regulation change you submitted to the Commission (Tracking Number 2024–04) to authorize use of harpoons with gaff or net as a legal aid to assist in landing finfish (especially highly migratory species) in recreational fisheries.

Your petition requested that subsections 1.195(e)(1), 27.90(d), and 28.65(d) be amended. You cited the Commission's authority to take the requested action as sections 200, 205, 265 and 275, California Fish and Game Code.

At its December 11–12, 2024 meeting, the Commission granted your petition in part, for use of harpoons to help land otherwise–legally–caught tuna species only. In making its decision, the Commission considered the recommendation and rationale provided by the California Department of Fish and Wildlife in its memo (Exhibit A.5 of Agenda Item 9 for the December meeting).

Your original petition, as well as written materials in support of the Commission's decision, including the Department memo, may be found in the materials for the December 2024 meeting at <https://nrm.dfg.ca.gov/>

[FileHandler.ashx?DocumentID=227693&inline](https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=227693&inline). You may also find a link to video and audio recordings of the December 2024 meeting on the Commission website at <https://fgc.ca.gov/Meetings/2024>. Any interested person has a right to obtain a copy of the petition, which can be found in the regulations petition index at <https://fgc.ca.gov/Regulations/Petition-for-Regulation-Change>. If you are unable to find a copy of the petition via the website, you may request a copy by contacting Commission staff via the letterhead phone number or email address.

If you have any questions about your petition, please feel free to contact Commission Marine Advisor Susan Ashcraft at (916) 653–4899 or fgc@fgc.ca.gov.

Sincerely,
/s/

Melissa Miller–Henson
Executive Director

December 27, 2024

Keith Rootsart, Founder

Giant Giant Kelp Restoration Project

Re: Petition for regulation change (Tracking Number 2024–10)

Dear Keith:

As you are aware, the California Fish and Game Commission (Commission) recently took action related to the petition for regulation change you submitted to the Commission (Tracking Number 2024–10) regarding use of a hookah and air lift system to collect sea urchins in the recreational fishery and to amend Petition 2023–23MPA to use this method as well.

Your petition requested that Section 29.06 of Title 14, California Code of Regulations, be amended. You cited the Commission's authority to take the requested action as sections 200 and 205 of the California Fish and Game Code.

At its December 11–12, 2024 meeting, the Commission denied your petition based on the type of gear proposed, sufficiency of existing fishing methods, bycatch potential, and a kelp restoration and management plan under development.

Your original petition, as well as written materials in support of the Commission's decision, may be found in the materials for the Commission's December 2024 meeting at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=227693&inline>. You may also find a link to video and audio recordings of the December 2024 meeting on our webpage at <https://fgc.ca.gov/Meetings/2024>. Any interested person has a right to obtain a copy of the petition, which can be found in the regulations petition index found at <https://fgc.ca.gov/Regulations/Petition-for-Regulation-Change>. If you are unable to find a copy of the petition via the web-

site, you may request a copy by contacting Commission staff via the letterhead phone number or email address.

If you have any questions about your petition, please feel free to contact Commission Marine Advisor Susan Ashcraft at (916) 653-4899 or fgc@fgc.ca.gov.

Sincerely,

/s/

Melissa Miller-Henson
Executive Director

January 9, 2025

Keith Rootsart, Founder

Giant Giant Kelp Restoration Project

Re: Petition for regulation change (Tracking Number 2024-12)

Dear Keith:

The California Fish and Game Commission (Commission) recently took action related to the petition for regulation change you submitted to the Commission (Tracking Number 2024-12) regarding allowing unlimited recreational take of purple and red sea urchin in ten California counties. Your petition requested that Section 29.06 of Title 14, California Code of Regulations, be amended. You cited the Commission's authority to take the requested action as sections 200 and 205 of the California Fish and Game Code.

At its December 11-12, 2024 meeting, the Commission denied your petition based on:

- In 2021, unlimited recreational take of purple sea urchin was authorized and tested for kelp restoration purposes in Caspar Cove and at Tanker Reef, with results pending;
- kelp restoration is being addressed through a kelp restoration and management plan; and
- authorizing unlimited recreational harvest of red sea urchin anywhere is incompatible with and inconsistent with sustainable management goals for a limited entry commercial fishery — with federal fishery disaster requests still ongoing for the commercial fishery and another one likely in the future — and will create conflict between user groups.

Your original petition, as well as written materials in support of the Commission's decision, may be found in the materials for the Commission's December 2024 meeting at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=227693&inline>. You may also find a link to video and audio recordings of the December 2024 meeting on the Commission webpage at <https://fgc.ca.gov/Meetings/2024>. Any interested person has a right to obtain a copy of the petition, which can be found in the regulations petition index at <https://fgc.ca.gov/Regulations/Petition-for->

[Regulation-Change](#). If you are unable to find a copy of the petition via the website, you may request a copy by contacting Commission staff via the letterhead phone number or email address.

If you have any questions about your petition, please feel free to contact Marine Advisor Susan Ashcraft at (916) 653-4899 or fgc@fgc.ca.gov.

Sincerely,

/s/

Melissa Miller-Henson
Executive Director

AVAILABILITY OF INDEX OF PRECEDENTIAL DECISIONS

DEPARTMENT OF SOCIAL SERVICES

NOTICE OF AVAILABILITY OF PRECEDENTIAL DECISIONS INDEX

Notice is hereby given that the California Department of Social Services (CDSS) maintains an index of cases CDSS has designated as precedential decisions. The index is available on the Internet at <http://www.cdss.ca.gov/inforesources/Community-Care-Licensing/Decisions-Relied-Upon-as-Precedent>.

This notice is published pursuant to California Government Code section 11425.60, subdivision (c).

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.

Board of Pharmacy
File # 2024-1231-02
Independent HIV Preexposure Prophylaxis

In this rulemaking action, the Board of Pharmacy certifies and makes permanent its emergency regulations which amended its HIV preexposure prophylaxis regulations to require that documentation of preexposure prophylaxis furnished and services provided shall

be maintained in patient records, in the record system maintained by the pharmacy, for a minimum of three years from the date when the preexposure prophylaxis was furnished.

Title 16
 Amend: 1747
 Filed 01/31/2025
 Effective 01/31/2025
 Agency Contact: Lori Martinez (916) 244–6648

Department of Food and Agriculture
 File # 2025–0107–01
 Caribbean Fruit Fly Eradication Area and Interior Quarantine

In this rulemaking action, the California Department of Food and Agriculture expands its Caribbean Fruit Fly Eradication Area to include Orange County, creates an interior quarantine against the spread of the Caribbean Fruit Fly, and amends the fly’s host list.

Title 03
 Adopt: 3422
 Amend: 3591.11
 Filed 02/04/2025
 Effective 02/04/2025
 Agency Contact: Rachel Avila (916) 698–2947

Department of Food and Agriculture
 File # 2025–0108–02
 Mediterranean Fruit Fly Eradication Area

In this rulemaking action, the California Department of Food and Agriculture expands its Mediterranean Fruit Fly Eradication Area to include Alameda County.

Title 03
 Amend: 3591.5
 Filed 02/04/2025
 Effective 02/04/2025
 Agency Contact: Sara Khalid (916) 403–6625

Occupational Safety and Health Standards Board
 File # 2024–1220–01
 Occupational Exposures to Respirable Crystalline Silica

This certificate of compliance rulemaking action by the California Occupational Safety and Health Standards Board makes permanent, with amendments, changes to regulations relating to occupational exposure to respirable crystalline silica as originally enacted by emergency rulemaking matter Number 2023–1219–05E and readopted in matters nos. 2024–0517–02EE and 2024–0819–02EE.

Title 08
 Amend: 5204, Appendix B
 Filed 02/05/2025
 Effective 02/05/2025
 Agency Contact: Ruth Ibarra (916) 274–5721

California Alternative Energy and Advanced Transportation Financing Authority
 File # 2025–0127–01
 Commercial Energy Efficiency Financing Program

This emergency rulemaking action by the California Alternative Energy and Advanced Transportation Financing Authority readopts for a second time the regulatory amendments to the Commercial Energy Efficiency Financing Program (also known as the GoGreen Business Program) which expands program eligibility, streamlines processes, and facilitates energy upgrades.

Title 04
 Adopt: 10092.16, 10092.17
 Amend: 10092.1, 10092.2, 10092.4, 10092.5, 10092.6, 10092.7, 10092.8, 10092.9, 10092.10, 10092.13, 10092.14, 10092.15
 Filed 02/05/2025
 Effective 02/11/2025
 Agency Contact: Kevin Nakano (916) 653–0015

Fish and Game Commission
 File # 2025–0123–01
 White Sturgeon Sport Fishing During CESA Candidacy

In this emergency readoption action, the Fish and Game Commission will allow catch and release fishing for white sturgeon during its California Endangered Species Act (CESA) status review.

Title 14
 Adopt: 5.78, 27.93
 Amend: 5.79, 5.80, 27.90, 27.92
 Filed 02/03/2025
 Effective 03/06/2025
 Agency Contact: Jennifer Bacon (916) 653–4899

California Debt Limit Allocation Committee
 File # 2024–1219–01
 CDLAC Regulations Implementing Federal and State Bond Allocation Laws

This request from the California Debt Limit Allocation Committee (“CDLAC”) that the Office of Administrative Law (“OAL”) file with the Secretary of State and print in the California Code of Regulations (“CCR”) amends and repeals regulations that administer the state bond volume ceiling. Pursuant to Government Code section 8869.94(a), these regulations are exempt from the rulemaking requirements of the

Administrative Procedure Act (“APA”), provided that CPCFA has complied with Government Code section 8869.94(b). CDLAC has certified to OAL that it has complied with Government Code section 8869.94(b) in the adoption and repeal of these regulations.

Title 04

Amend: 5000, 5010, 5020, 5031, 5035, 5036, 5052, 5054, 5101, 5120, 5146, 5170, 5220, 5230, 5231, 5232, 5233

Repeal: 5030, 5037, 5038

Filed 02/04/2025

Effective 12/11/2024

Agency Contact: DC Navarrette (916) 813–1947

California Tax Credit Allocation Committee

File # 2024–1218–01

CTCAC Regulations Implementing Federal and State LIHTC Laws

The California Tax Credit Allocation Committee’s (CTCAC) request that the Office of Administrative Law (OAL) file with the Secretary of State and print in the California Code of Regulations amendments to the Low–Income Housing Tax Credit (LIHTC) Program. Pursuant to Health and Safety Code section 50199.17(a), these amendments are exempt from the rulemaking requirements of the Administrative Procedure Act so long as the CTCAC has complied with Health and Safety Code section 50199.17(b). CTCAC has certified to OAL that it complied with Health and Safety Code section 50199.17(b) in adopting these amendments.

Title 04

Adopt: 10336

Amend: 10302, 10315, 10317, 10320, 10322, 10325, 10326, 10327, 10328, 10330, 10337

Filed 02/03/2025

Effective 12/11/2024

Agency Contact: Anthony Zeto (916) 654–9854

Veterinary Medical Board

File # 2024–1230–03

Location of Offices and Wellness Evaluation Committee

In this filing for a change without regulatory effect pursuant to section 100 of Title 1 of the California Code of Regulations, the Veterinary Medical Board repeals section 2085.4 and amend various sections to update the Board’s address and revise references from “diversion” to “wellness” to reflect changes from Assembly Bill 1535 (Chapter 631, Statutes of 2021).

Title 16

Amend: 2000, 2070, 2075, 2076, 2077, 2079, 2080, 2081, 2082

Repeal: 2085.4

Filed 02/05/2025

Agency Contact: Justin Sotelo (916) 515–5238

Board of Education

File # 2024–1216–01

School Nutrition Programs

This action amends and adopts school nutrition requirements to align state regulations with current state and federal law on topics such as general nutrition standards, fluid milk substitutes, reimbursement protocols, revised definitions, and eliminating obsolete language.

Title 05

Adopt: 15560

Amend: 4610, 15510, 15551, 15556, 15562, 15564, 15565, 15575, 15576, 15577, 15578

Repeal: 15530, 15531, 15532, 15533, 15534, 15535, 15563

Filed 01/30/2025

Effective 04/01/2025

Agency Contact: Lori Adame (916) 319–0860

Board of Pharmacy

File # 2024–1220–02

Pharmacy Technician Certification Programs

Through this regulatory action, the Board of Pharmacy (Board) seeks to extend the current sunset date for Pharmacy Technician Certification Programs as specified in California Code of Regulations 1793.65, from December 31, 2024, to June 30, 2026 (18 months).

Title 16

Amend: 1793.65

Filed 02/04/2025

Effective 02/04/2025

Agency Contact: Lori Martinez (916) 244–6648

Bureau of Automotive Repair

File # 2024–1230–05

Omnibus Clean Up of Related Regulations

This regular rulemaking action by the Bureau of Automotive Repair amends sections within title 16 of the California Code of Regulations. These regulatory changes reinstate definitions for terms that became inoperative six months following the implementation of the Vehicle Safety Systems Inspection program regulations and update associated cross–references. This action also introduces the defined term “Responsible Managing Employee (RME)” and removes references to now–obsolete Health and Safety Code sections.

Title 16
Amend: 3303, 3312.1, 3340.10, 3351, 3351.1, 3395.8
Filed 02/05/2025
Effective 04/01/2025
Agency Contact: Kayla Shelton (916) 403–0307

Bureau of Household Goods and Services
File # 2024–1217–01
Household Movers Enforcement Regulations

This action by the Bureau of Household Goods and Services adopts regulations to establish minimum enforcement standards for household movers. This action also renames Division 27 of Title 16 of the California Code of Regulations and reorganizes existing sections.

Title 16
Adopt: 2800, 2940, 2941, 2942, 2943, 2970, 2971, 2972
Filed 01/30/2025
Effective 04/01/2025
Agency Contact: Eileen Yap (916) 224–0692

Department of Health Care Access and Information
File # 2025–0116–01
Hospital Community Benefits Plan Report

In this rulemaking action, the Department adopts regulations to establish requirements for hospitals' community benefits plan reporting. The regulations define various terms. They also specify the information required to be in community benefits plans and community benefits reports, the deadlines for submitting the required reports, and the method of submis-

sion. They further set forth fines for late submissions and an appeals process to challenge the fines assessed.

Title 22
Adopt: 95100, 95101, 95102, 95103, 95104, 95105, 95106, 95107, 95108, 95109, 95110, 95111, 95112, 95113, 95114, 95115
Filed 01/31/2025
Effective 01/31/2025
Agency Contact: Alma Lopez (916) 326–3908

**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.