



California Regulatory Notice Register

REGISTER 2025, NUMBER 20-Z

PUBLISHED WEEKLY BY THE OFFICE OF ADMINISTRATIVE LAW

MAY 16, 2025

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

CALIFORNIA REGULATORY NOTICE REGISTER is published weekly by the Office of Administrative Law, 300 Capitol Mall, Suite 1250, Sacramento, CA 95814-4339. The Register is printed by Barclays, a subsidiary of West, a Thomson Reuters Business, and is offered by subscription for \$409.00 (annual price). To order or make changes to current subscriptions, please call (800) 328-4880. The Register can also be accessed at <https://oal.ca.gov>.

PROPOSED ACTION ON REGULATIONS

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TITLE 2. DEPARTMENT OF GENERAL SERVICES

CONFLICT-OF-INTEREST CODE

NOTICE IS HEREBY GIVEN that the *Department of General Services*, 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 May 23, 2025, and closing on July 7, 2025. All inquiries should be directed to the contact listed below.

The *Department of General Services* 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 the following modifications to designated positions required to file a Statement of Economic Interests (Form 700):

- Removed positions for the following offices:
 - Administration Division: Enterprise Technology Solutions
 - Administration Division: Office of Business and Acquisition Services
 - Executive Office: Office of Legal Services
 - Real Estate Services Division: Construction Services Inspection and Management Branch
- Addition of positions for the following offices:
 - Administration Division: Enterprise Technology Solutions
 - Administration Division: Office of Fiscal Services
 - Administration Division: Office of Human Resources
 - Administration Division: Office of Training and Administrative Standards

- Administration Division: Office of Risk and Insurance Management
- Executive Office: Office of Enterprise Planning and Inclusiveness
- Executive Office: Office of Legal Services
- Executive Office: Office of Public Affairs
- Interagency Support Division
- Interagency Support Division: Office of Fleet and Asset Management
- Interagency Support Division: Office of Public School Construction
- Interagency Support Division: Office of State Publishing
- Procurement Division: Procurement Operations Branch
- Procurement Division: Acquisitions Branch
- Procurement Division: Office of Small Business and Disabled Veteran Business Enterprise (DVBE) Services
- Procurement Division: Engineering Branch
- Procurement Division: Policy, Training and Customer Services Branch
- Real Estate Services Division: Asset Management Branch
- Real Estate Services Division: Project Management and Development Branch
- Division of the State Architect
- Facilities Management Division: Administrative Section
- Facilities Management Division: Facilities Services Branch
- Office of Administrative Hearings
- Removed the following offices that are no longer part of the department or have been reorganized into another office:
 - Administration Division: Administration Section
 - Administration Division: Business Services Section
 - Administration Division: Office of Strategic Planning, Policy, and Research
 - Procurement Division: Technology Acquisitions Branch
 - Real Estate Services Division: Project Management and Development Branch — Special Programs Section
 - Real Estate Services Division: Construction Services Branch
- Added the following offices to align with current organizational structure:
 - Executive Office: Office of Sustainability

- Facilities Management Division: Administrative Section
- Facilities Management Division: Operations Branch
- Facilities Management Division: Facilities Services Branch
- Revision and deletion of designated positions to align with current organizational structure.
- Revision of assigned disclosure categories for multiple positions.
- Added new Disclosure Category 4. and also makes other technical changes.

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

Any interested person may submit written comments relating to the proposed amendment by submitting them no later than *July 7, 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 *June 20, 2025*.

The *Department of General Services* 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: Candice Christopherson, Staff Services Manager I (Specialist), 279-799-4568, Form700@dgs.ca.gov.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

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

CONFLICT-OF-INTEREST CODES

AMENDMENT

MULTI-COUNTY: San Joaquin Valley Unified Air Pollution Control District
Nevada Irrigation District
Tulare County Office of Education

A written comment period has been established commencing on May 16, 2025, and closing on June 30, 2025. Written comments should be directed to the Fair Political Practices Commission, Attention: Andrea Spiller Hernandez, 1102 Q Street, Suite 3050, Sacramento, California 95811.

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

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

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

Any interested person may present statements, arguments, or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest codes. Any written comments must be received no later than June 30, 2025. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

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

EFFECT ON HOUSING
COSTS AND BUSINESSES

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

AUTHORITY

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

REFERENCE

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

CONTACT

Any inquiries concerning the proposed conflict-of-interest codes should be made to Andrea Spiller Hernandez, Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, California 95811, or email aspiller-hernandez@fppc.ca.gov.

AVAILABILITY OF PROPOSED
CONFLICT-OF-INTEREST CODES

Copies of the proposed conflict-of-interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Andrea Spiller Hernandez, Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, California 95811, or email aspiller-hernandez@fppc.ca.gov.

**TITLE 3. DEPARTMENT OF
PESTICIDE REGULATION**

**GROUNDWATER PROTECTION LIST
DPR REGULATION NUMBER 25–002**

The Department of Pesticide Regulation (DPR) proposes to adopt Title 3, California Code of Regulations (3 CCR) section 6805, amend sections 6622, 6624, and 6800, and repeal section 6804. The pesticide regulatory program activities that will be affected by the proposal are those pertaining to groundwater protection

and pesticide use reporting. In summary, the proposed action update the list of pesticides that have the potential to pollute groundwater; remove pesticides unlikely to pollute groundwater; replace the specific numerical values for determining what pesticides have the potential to pollute groundwater with a new multivariate method; specify which pesticides have had a hearing as described in Food and Agricultural Code (FAC) section 13150(b); and make aligning changes to operator identification number and pesticide use reporting requirements.

SUBMITTAL OF COMMENTS

Any interested person may present comments in writing about the proposed action to the agency contact person named below. DPR will accept written comments that are submitted via U.S. mail and post-marked no later than June 30, 2025. Comments regarding this proposed action that are transmitted via SmartComment online public comment portal at <https://cdpr.commentinput.com?id=eSGhWfV8b> or by facsimile at 916–324–1491 must be received no later than June 30, 2025.

A public hearing is not scheduled. However, one will be scheduled if any interested person submits a written request to DPR no later than 15 days prior to the close of the written comment period.¹

EFFECT ON SMALL BUSINESS

DPR has determined that the proposed regulatory action does affect small businesses.

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

The Pesticide Contamination Prevention Act (Act) (Statutes of 1985, Chapter 1298, section 1) added FAC sections 13141 through 13152 and was created to prevent pesticide pollution of California's groundwater aquifers that may be used for drinking water supplies. Pursuant to the Act, specifically FAC section 13145(d), DPR adopted 3 CCR section 6800 establishing the Groundwater Protection List (GWPL), which consists of active ingredients that, when applied, have the potential to pollute groundwater. Pesticides listed on the GWPL are subject to additional requirements that are intended to prevent environmental impacts, such as monitoring by DPR to determine whether listed pesticides have migrated to groundwater. Pesticide use must also be reported to the Director pursuant to

¹ If you have special accommodation or language needs, please include this in your request for a public hearing. TTY/TDD speech-to-speech users may dial 7–1–1 for the California Relay Service.

FAC section 12979. In addition, the use of preemergent herbicides, including those on this list, is prohibited within 100 feet of an unprotected well (3 CCR section 6609).

The Act also required DPR to establish specific numerical values (SNVs) for physicochemical and environmental fate characteristics, and ensure the SNVs are as stringent as values established the United States Environmental Protection Agency. These SNVs determine what pesticides have the potential to pollute groundwater and were set by comparing pesticides that had been sampled and found in groundwater due to agricultural use (“leachers”) to pesticides that had been sampled and not found in groundwater due to agricultural use (“nonleachers”). Exceedance of these SNVs, coupled with qualifying label language, would warrant the addition of the active ingredient to the GWPL. The SNVs also determine what new pesticide registration packages are routed to DPR’s Groundwater Protection Program for further review. SNVs were established by DPR in 1991 and have not been updated since that time.

In 2015, Senate Bill 1117 (SB 1117) (Stats. 2014, Chapter 626) amended FAC section 13145, providing DPR with the flexibility to revise the method used to identify potential groundwater pollutants. Prior to the enactment of SB 1117, FAC section 13145 required DPR to list chemicals in agricultural use pesticides that met the SNV criteria in section 6800(b), provided they were labeled for use under certain conditions. As a result of the amendments in SB 1117 and as directed by FAC section 13145(e), the GWPL shall now be updated via a new peer reviewed method, using SNVs as stringent as the values being used by U.S. EPA. However, U.S. EPA does not currently use SNVs or threshold values in their pesticide risk assessments. Since there are no federally established values, DPR developed the peer reviewed method as a practical, comprehensible model that would perform significantly better at identifying potential groundwater pollutants when compared to the current SNV approach. Additionally, SB 1117 amended the Act concerning pesticide degradates in two distinct ways. First, degradates could now be considered for inclusion on the GWPL; previously, the Act only considered the pesticide active ingredient. Second, detections in groundwater of degradates from legal agricultural use can trigger an investigation and determination pursuant to FAC section 13149(b). Previously, degradates only triggered that section, and the subsequent hearing in FAC section 13150(b), if they posed a threat to public health. This change holds the detections of active ingredients and degradates to the same standard for purposes of triggering FAC section 13149(b).

The proposed action will replace the use of SNVs and qualifying label language as a method to deter-

mine whether an active ingredient should be added to the GWPL with a new, more accurate peer reviewed method (MLV procedure) to identify pesticide active ingredients and degradates that have the potential to pollute groundwater. Additionally, the proposed regulation updates the chemicals listed on the GWPL by amending language to be inclusive of active ingredients and their degradation products, including their salts and esters; reorganizing the GWPL into three sections so it is more easily identifiable by members of the public which active ingredients have been through the Pesticide Contamination Prevention Act (PCPA) hearing process and require continued monitoring but did not require mitigation or cancellation; and updating the list to remove redundancies, remove chemicals that are unlikely to pollute groundwater, and add pesticides that have been found to have the potential to pollute groundwater. Additionally, as a result of the reorganization to the GWPL, the proposed action will amend cross-references to section 6800 in sections 6622 and 6624, relating to operator identification number and pesticide use reporting requirements, respectively.

The broad objective of the proposed action is to prevent pesticide pollution of California’s groundwater aquifers that may be used for drinking water supplies in residences or places of employment. By updating the GWPL with new pesticides, and removing pesticides that are no longer registered or are not considered a threat to groundwater, ensures that DPR’s groundwater monitoring program is focused on registered pesticides that have the greatest potential to pollute groundwater and allows DPR to focus sampling resources on pesticides that are the greatest threats to groundwater, which will provide a benefit to the health and welfare of California residents and the environment.

During the process of developing these proposed regulations, DPR conducted a search of any similar regulations on this topic and has concluded that these proposed regulations are neither inconsistent nor incompatible with existing state regulations. DPR is the only agency that has the authority to regulate the use of pesticides.

IMPACT ON LOCAL AGENCIES OR SCHOOL DISTRICTS

DPR determined that the proposed regulatory action does not impose a mandate on local agencies or school districts. DPR also determined that there are no costs to any local agency or school district requiring reimbursement pursuant to Government Code section 17500 et seq.

**OTHER NONDISCRETIONARY
COST OR SAVINGS IMPOSED
UPON LOCAL AGENCIES**

There are no other nondiscretionary costs or savings imposed upon local agencies that are expected to result from the proposed regulatory action. However, DPR has determined that some nondiscretionary costs or savings imposed upon school districts may result from the proposed regulatory action. Since 2015, public school staff are required to report applications of most pesticides directly to DPR as required by the Healthy Schools Act of 2000. School districts are also required to report applications, including applications of pesticides currently listed in 3 CCR section 6800(b), monthly to their local county agricultural commissioner. Although some school districts rely exclusively on licensed pest control businesses for all pesticide applications, many rely on their staff to report their pesticide use and those school districts may be affected by the proposed action. DPR estimates that an affected school district may incur initial and annual costs of \$50 to \$87.50. For the current year and two subsequent fiscal years, the total costs may range from \$72,330 to \$126,578.

COSTS OR SAVINGS TO STATE AGENCIES

DPR determined that no savings or increased costs to any state agency will result from the proposed regulatory action.

**EFFECT ON FEDERAL FUNDING
TO THE STATE**

DPR determined that no costs or savings in federal funding to the state will result from the proposed action.

EFFECT ON HOUSING COSTS

DPR made an initial determination that the proposed action will have no effect on housing costs.

**SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT DIRECTLY
AFFECTING BUSINESSES**

DPR made an initial determination that adoption of this regulation 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.

**COST IMPACTS ON REPRESENTATIVE
PRIVATE PERSONS OR BUSINESSES**

FAC section 13145(g) requires use reporting by persons who apply pesticides included in the GWPL but who do not otherwise report their applications. This requirement is clarified by 3 CCR sections 6624(a)(5) and 6627 to require recordkeeping and reporting by persons who use pesticides currently included in subsection (b) of the GWPL for any outdoor institution or outdoor industrial use. In reasonable compliance with the proposed action, business or individuals who use outdoor industrial or outdoor institutional pesticides and who are not otherwise required to report their pesticide use are anticipated to incur costs. DPR estimates an affected business or individual may incur initial and annual costs ranging from \$80 to \$140. Over a 5-year lifetime, the total costs are estimated to range from \$159,800 to \$279,650.

BUSINESS REPORTING REQUIREMENT

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.

**RESULTS OF THE ECONOMIC
IMPACT ANALYSIS**

Impact on the Creation, Elimination, or Expansion of Jobs/Businesses: DPR determined it is not likely the proposed regulatory action will impact the creation or elimination of jobs, the creation of new businesses or the elimination of existing businesses, or the expansion of businesses currently doing business with the State of California due to additional reporting requirements.

The Pesticide Contamination Prevention Act is intended to prevent pesticide pollution of California's groundwater aquifers that may be used for drinking water supplies in residences or places of employment. Updating the Groundwater Protection List (GWPL) to add new pesticides ensures that DPR's groundwater monitoring program is focused on those registered pesticides that have the greatest potential to pollute groundwater. Removing pesticides from this list that are no longer registered or are not considered a threat groundwater allows DPR to focus sampling resources on pesticides that are the greatest threats to groundwater. As stated above, the updated GWPL will provide a benefit to the health and welfare of California residents and the environment.

CONSIDERATION OF ALTERNATIVES

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

AUTHORITY

This regulatory action is taken pursuant to the authority vested by FAC sections 11456 and 13145.

REFERENCE

This regulatory action is to implement, interpret, or make specific FAC sections 13144, 13145, 13149, and 13150.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

DPR prepared an Initial Statement of Reasons and is making available the express terms of the proposed action, all of the information upon which the proposal is based, and a rulemaking file. A copy of the Initial Statement of Reasons and the proposed text of the regulations may be obtained from the agency contact person named in this notice. The information upon which DPR relied in preparing this proposal and the rulemaking file are available for review at the address specified below.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After the close of the comment period, DPR may make the regulations permanent if they remain substantially the same as described in the Informative Digest. If DPR does make substantial changes to the regulation, the modified text will be made available for at least 15 days prior to adoption. Requests for the modified text should be addressed to the agency contact person named in this notice. DPR will accept written comments on any changes for 15 days after the modified text is made available.

AGENCY CONTACT

Written comments about the proposed regulatory action; requests for a copy of the Initial Statement of Reasons, and the proposed text of the regulations; and inquiries regarding the rulemaking file may be directed to:

Lauren Otani, Regulations Coordinator
Department of Pesticide Regulation
1001 I Street, P.O. Box 4015
Sacramento, California 95812-4015
916-445-5781

Note: In the event the contact person is unavailable, questions on the substance of the proposed regulatory action may be directed to the following back-up person at the same address as noted below:

Rick Bergin, Senior Environmental Scientist
Environmental Monitoring Branch
916-324-0827

This Notice of Proposed Action, the Initial Statement of Reasons, and the proposed text of the regulations are also available on DPR's Internet Home Page <<http://www.cdpr.ca.gov>>. Upon request, the documents can be made available in another language, or an alternate form as a disability-related accommodation.

AVAILABILITY OF FINAL STATEMENT OF REASONS

Following its preparation, a copy of the Final Statement of Reasons mandated by Government Code section 11346.9(a) may be obtained from the contact person named above. In addition, the Final Statement of Reasons will be posted on DPR's Internet Home Page and accessed at <<http://www.cdpr.ca.gov>>.

TITLE 4. GAMBLING CONTROL COMMISSION

ANNUAL FEE: PHASE II
CGCC-GCA-2025-01-R

NOTICE IS HEREBY GIVEN that the California Gambling Control Commission (Commission) is proposing to take the action described in the Informative Digest after consideration of all relevant public comments, objections, and recommendations received concerning the proposed action. Comments, objections, and recommendations may be submitted as follows:

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Commission at any time during the 45-day public comment period, which closes on **June 30, 2025**. Written comments relevant to the proposed regulatory action may be sent by mail, facsimile, or email, directed to one of the individuals designated in this notice as a contact person.

To be eligible for the Commission’s consideration, all written comments must be **received at its office no later than June 30, 2025. Comments sent to persons and/or addresses other than those specified under Contact Persons, or received after the date specified above, will be included in the record of this proposed regulatory action, but will not be summarized or responded to regardless of the manner of transmission.**

PUBLIC HEARING

The Commission has not scheduled a public hearing on this matter. Any interested person, or their authorized representative, may request a hearing pursuant to Government Code section 11346.8. A request for a hearing should be directed to the person(s) listed under Contact Persons no later than 15 days prior to the close of the written comment period.

ADOPTION OF PROPOSED ACTION

After the close of the public comment period, the Commission, upon its own motion or at the instance of any interested party, may thereafter formally 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 will be available for 15 days prior to its adoption from the person designated in this Notice as primary contact person and will be mailed to those persons who submit oral or written 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 19811(b), 19823, 19824, 19826, 19840, 19841, 19876(a), 19951, 19954, 19955 and 19984 of the Business and Professions Code; and to implement, interpret or make specific sections 19826, 19841, 19951, and 19984 of the Business and Professions Code, the Commission is proposing to adopt the following changes to Chapters 3 and 7 of Division 18 of Title 4 of the California Code of Regulations:

**INFORMATIVE DIGEST AND
POLICY STATEMENT**

Introduction:

The California Gambling Control Commission (Commission) is the state agency charged with the administration and implementation of the Gambling

Control Act (Act).¹ The Commission is authorized to adopt regulations as necessary to implement the Act.

In 2022 and 2023, the Commission adopted annual fee amounts for Third-Party Proposition Player Services (TPPPS) business licensees² and cardroom business licensees.³ Those annual fee amounts were based on a cost and fee analysis that utilized point-in-time workload data and fiscal information from the Commission and the Department of Justice (DOJ), and information collected from the industry. During the implementation of the annual fee, there was some confusion on how the annual fee calculations were applied to cardroom business licensees and TPPPS business licensees after the transfer or sale of the business licensee or its entire gaming operation or TPPPS operation.

The Commission is proposing regulations to clarify that when there is a total change in ownership or sale of the entire gaming or TPPPS operation, the new owner’s annual fees will be determined using historical revenue data for that operation. Additionally, in the case of a total change in ownership or transfer or sale of the entire gaming or TPPPS operation, certain record keeping requirements applicable to that operation must be transferred to and adhered to by the new business licensee.

Existing Law:

Business and Professions Code (BPC) section 19824 provides that the Commission shall have all powers necessary and proper to enable it fully and effectually to carry out the policies and purposes of the Act.

BPC section 19826 provides the responsibilities of the DOJ, including to receive and process applications for any license, permit, or other approval, and to collect all related fees.

BPC section 19840 provides that the Commission may adopt regulations for the administration and enforcement of the Act. Additionally, the Commission’s regulations, to the extent appropriate, shall take into consideration the operational differences of large and small businesses.

BPC section 19841 provides a list of regulations that the Commission must adopt, including regulations prescribing the manner and method of collection and payment of fees and implementing the provisions of the Act relating to licensing and other approvals.

BPC section 19951 provides that the Commission may collect fees sufficient to fund the reasonable regulatory expenditures of the DOJ and Commission to fully carry out their duties and responsibilities under the Act.

¹ Business and Professions Code, Division 8, Chapter 5, section 19800 et seq.

² OAL Matter Number 2022–1021–06.

³ OAL Matter Number 2023–0306–03.

BPC section 19955 provides that if an owner licensee fails to make timely payments under BPC section 19951(b)(2), the Commission may order the temporary closure of the gambling establishment and if the fees remain unpaid after 90 days, the Commission may deem the license surrendered.

BPC section 19984 provides that the Commission shall establish regulations related to TPPPS, including the establishment of reasonable fees and deposits as necessary to defray the costs of providing regulation and oversight.

Effect of Regulatory Action:

This proposed action provides clarification on what requirements must be maintained and how annual fees are calculated by the new owner when a cardroom business licensee or TPPPS business licensee are sold.

Anticipated Benefits of Proposed Regulation:

The proposed regulations are anticipated to provide clarity on how the annual fee process works in conjunction with the sale, assignment, transfer, pledge, hypothecation, or other disposition of a cardroom business licensee or TPPPS business licensee and ensure that required records are maintained and necessary fees collected.

Specific Proposal:

This proposed action will make changes within the California Code of Regulations, Title 4, Division 18 as follows:

CHAPTER 1. GENERAL PROVISIONS.

ARTICLE 1. DEFINITIONS AND GENERAL PROVISIONS

Amend Section 12002. General Definitions.

Section 12002 provides general definitions for over-all use in this division. The Commission is proposing six new definitions to this section. These definitions are combined from existing definitions currently in Sections 12250 and 12360. Additionally, one new definition is proposed and all other definitions renumbered as appropriate.

Subsection (a) provides the definition of “Active Licensee” to mean a cardroom business licensee or TPPPS business licensee who has generated revenue for at least the last year as reported pursuant to Section 12313.

Subsection (e) provides the definition of “Annual Fee” to mean the amount that a licensee is required to pay to cover Non–Application Costs, pursuant to Section 12094.

Subsection (f) provides the definition of “Application Cost” to mean all costs, including the deposit, related to the processing of an application.

Subsection (am) provides the definition of “Non–Application Costs” to all costs other than Application Costs borne by the Commission, Department of Justice, and all other State operations expenditures for the administration and enforcement of the

Act. One non–substantive amendment has been made, to make the definition plural but adding an ‘s’ at the end of ‘cost’.

Subsection (an) provides the definition of “Non–Operational Licensee” to mean a cardroom business licensee or TPPPS business licensee that maintains a valid cardroom business license or TPPPS business license and has not generated revenue in the past year as reported pursuant to Section 12313. The definition has been amended to include language that provides clarification that in the event of a sale, assignment, transfer, pledge, hypothecation, or other disposition of a cardroom business licensee or its entire gambling operation, or TPPPS business licensee or its entire operation, the consideration of the past year’s revenue data will be based on the transferor and the transferee’s combined consecutive gross revenue.

Subsection (at) provides the definition of “Surrendered or Revoked Licensee” to mean a former cardroom business licensee or TPPPS business licensee who stopped operating and ceased to maintain a TPPPS business license prior to August 31 of the year the invoices are created. No amendment has been made except to have the new definition reference both cardroom business licensees and TPPPS business licensees.

Subsection (bc) is added to provide a definition for “TPPPS operation” to mean the totality of TPPPS conducted by a single TPPPS business licensee with one or more cardroom business licensees.

Subsection (ax), renumbered to (be), provides the definition for “TPPPS supervisor license” to mean a license issued to a natural person employed in a supervisory capacity by a TPPPS business licensee. The phrase “TPPPS operations” is modified to “TPPPS activities.”

Subsection (ay), renumbered to (bf), provides the definition for “TPPPS worker license” to mean a license issued to a natural person employed in a non–supervisory capacity by a TPPPS business licensee. The phrase “TPPPS operations” is modified to “TPPPS activities.”

Amend Section 12003. General Requirements.

Section 12003 provides general requirements for the Commission’s regulations, including a requirement that records be maintained for a specified period, most often a minimum of five years.

Proposed paragraph (2) of subsection (b) would add the requirement that during the transaction for the sale, assignment, transfer, pledge, hypothecation, or other disposition of a cardroom business licensee or the entirety of its gambling operation or a TPPPS business licensee or the entirety of its TPPPS operation, that the parties to the transaction must ensure that the required maintenance of records is continued through and after the transaction.

ARTICLE 4. FEES.

Adopt Section 12091. Annual Fees in Transactions.

Section 12091 provides that during the transaction for the sale, assignment, transfer, pledge, hypothecation, or other disposition of a cardroom business licensee or the entirety of its gambling operation or a TPPPS business licensee or the entirety of its TPPPS operation, the transaction must provide for and ensure the payment of all required annual fees.

Adopt Section 12092. Annual Fee.

Section 12092 provides the process and timelines for a cardroom business licensee or TPPPS business licensee to submit their annual fee. The current provision mirrors former Sections 12252 and 12368, except as described below.

Subsection (a) provides that no later than October 5 of each year an invoice in an amount determined by the Commission pursuant to Section 12094 will be sent by the Bureau to each cardroom business licensee and TPPPS business licensee.

Subsection (b) provides that the annual fee may be paid in installments if the cardroom business licensee or TPPPS business licensee submits a written request to the Bureau within 30 calendar days from the date the invoice was mailed.

Subsection (c) provides that a request for installment payments is to be considered approved unless, within 14 calendar days of receiving the request, the Bureau determines and notifies the cardroom business licensee or TPPPS business licensee that it has been disapproved. If not disapproved, cardroom business licensee or TPPPS business licensee will provide its payments January 5, April 5, and June 30 of the payment year. If disapproved, or if not requested, the entire amount will be considered delinquent if not paid by January 5.

Subsection (d) provides that the cardroom business license or TPPPS business license certificate will not be issued until the Bureau has received the annual fees, or has approved the business licensee for installment payments.

Subsection (e) provides that any renewal application for a cardroom business licensee or TPPPS business licensee not be approved if the cardroom business licensee or TPPPS business licensee has any outstanding annual fees.

Subsection (f) provides that no application for a contract may be approved by the Bureau for a TPPPS to operate in this cardroom until any delinquent annual fees have been paid in full.

Subsection (g) provides the invoice amounts for cardroom business licensees and TPPPS business licenses when they first receive their licenses.

- Paragraph (1) is amended to refer to the issuance of “an initial license or first temporary license” instead of the “first issuance of a license.”
- Paragraph (1) provides that upon the issuance of an initial license or a first temporary license to a cardroom business licensee or TPPPS business licensee, an annual fee amount will be charged. This provision is amended to charge the annual fee based on the remaining calendar days of the year following the issuance of the license.
- A new paragraph (3) is added. This paragraph provides that subsection (g) does not apply if there has been a transaction for the sale, assignment, transfer, pledge, hypothecation, or other disposition of a cardroom business licensee or the entirety of its gambling operation or a TPPPS business licensee or the entirety of its TPPPS operation.

Subsection (h) provides that if three years of gross revenue data is unavailable for an active cardroom business licensee or TPPPS business licensee, the Commission will utilize the available gross revenue data to determine the annual fee.

- Paragraphs (1) and (2) are amended to replace “as” with “in place of.”
- A new paragraph (3) is added. This paragraph provides that when there is a transaction for the sale, assignment, transfer, pledge, hypothecation, or other disposition of a cardroom business licensee or the entirety of its gambling operation or a TPPPS business licensee or the entirety of its TPPPS operation, the three-year gross gaming revenue will be based on both the transferor and transferee’s combined consecutive operations.

Adopt Section 12094. Annual Fee Amounts.

Section 12094 provides the annual fee amounts for cardroom business licensees and TPPPS business licensees.

A new Daily Rate amount is included in the table. The numbers for this rate is calculated by dividing the Active Licensee — 3-Year Average Gross Revenue Under \$1.5 million by 365.

CHAPTER 3. CONDITIONS OF OPERATION FOR TPPPS BUSINESSES.

ARTICLE 1. GENERAL PROVISIONS.

Amend Section 12250. Chapter Definitions.

Section 12250 provides the definitions for Chapter 3. Paragraphs (1), (2), (3), (12), (13), and (19) of subsection (b) have been repealed from this section and moved to Section 12002 and combined with similar definitions in Section 12360. Other paragraphs in subsection (b) have been renumbered accordingly.

Repeal Section 12252. TPPPS Business License Annual Fee.

Section 12252 provides the process and timelines for a TPPPS business licensee to submit their annual fee. This provision has been moved to Section 12092 and combined with 12368, which provides the process and timelines for annual fees for cardroom business licensees.

Repeal Section 12252.2. TPPPS Business License Annual Fee Amounts.

Section 12252.2 provides the annual fee amounts required of cardroom business licensees. This provision has been moved to Section 12094 and combined with 12368.2, which provides the annual fees for cardroom business licensees. The annual fee amounts for TPPPS business licensees has not been amended in this proposed action.

CHAPTER 5. ACCOUNTING AND TRANSACTION APPROVALS.

ARTICLE 1. ACCOUNTING AND FINANCIAL REPORTING.

Amend Section 12312. Record Retention and Maintenance; General Provisions.

Section 12312 provides for record retention requirements for accounting and financial documents.

Subsection (a) provides that records required by this article must be maintained for a minimum of seven years. New paragraph (2) will provide that if there is a transaction for the sale, assignment, transfer, pledge, hypothecation, or other disposition of a cardroom business licensee or the entirety of its gambling operation or a TPPPS business licensee or the entirety of its TPPPS operation, the transaction document must provide that the transferee must receive and maintain the transferor's records following the transaction.

CHAPTER 7. CONDITIONS OF OPERATION FOR GAMBLING ESTABLISHMENTS.

ARTICLE 1. GENERAL PROVISIONS.

Amend Section 12360. Chapter Definitions.

Section 12360 provides the definitions for Chapter 7. Paragraphs (1), (2), (3), (10), (11), and (13) of subsection (b) have been repealed from this section and moved to Section 12002 and combined with similar definitions in Section 12250. Other paragraphs in subsection (b) have been renumbered accordingly.

Repeal Section 12368. Cardroom Business License Annual Fee.

Section 12368 provides the process and timelines for a cardroom business licensee to submit their annual fee. This provision has been moved to Section 12092 and combined with 12252, which provides the process and timelines for annual fees for TPPPS business licensees.

Repeal Section 12368.2. Cardroom Business License Annual Fee Amounts.

Section 12368.2 provides the annual fee amounts required of cardroom business licensees. This provision has been moved to Section 12094 and combined with 12252.2, which provides the annual fees for TPPPS business licensees. The annual fee amounts for cardroom business licensees has not been amended in this proposed action.

ARTICLE 3. MINIMUM INTERNAL CONTROL STANDARDS (MICS) FOR CARDROOM BUSINESS LICENSEES.

Amend Section 12396. Surveillance.

Section 12396 provides requirements for cardroom business licensees to maintain a surveillance system to specified levels, depending on the Tier of the cardroom.

Paragraph (a)(7) provides for the period all recordings must be maintained and specifically provides that the Bureau or other law enforcement agency can extend the retention date when they have been determined to be of evidentiary value. New subparagraph (B) will provide that if there is a transaction for the sale, assignment, transfer, pledge, hypothecation, or other disposition of a cardroom business licensee or the entirety of its gambling operation or a TPPPS business licensee or the entirety of its TPPPS operation, the transaction document must provide that the transferee must receive and maintain the transferor's recordings following the transaction.

CONSISTENCY OR COMPATIBILITY WITH EXISTING STATE REGULATIONS:

The Commission has evaluated this regulatory action and determined that the proposed regulations are neither inconsistent nor incompatible with any other existing state regulations.

COMPARABLE FEDERAL LAW

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

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.

NON-DISCRETIONARY COST OR SAVINGS IMPOSED UPON LOCAL AGENCIES: None.

MANDATE IMPOSED ON ANY LOCAL AGENCY OR SCHOOL DISTRICT FOR WHICH PART 7 (COMMENCING WITH SECTION 17500) OF DIVISION 4 OF THE GOVERNMENT CODE REQUIRES REIMBURSEMENT: None.

COST TO ANY LOCAL AGENCY OR SCHOOL DISTRICT FOR WHICH PART 7 (COMMENCING WITH SECTION 17500) OF DIVISION 4 OF THE GOVERNMENT CODE REQUIRES REIMBURSEMENT: None.

EFFECT ON HOUSING COSTS: None.

IMPACT ON BUSINESS:

The Commission has made a 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 determination is based on the following facts or evidence/documents/testimony:

While the proposal includes a change to the annual fee for licensees who are issued an initial license or a first temporary license has changed from a monthly proration to a daily proration, the change to costs are not significant.

For example, in calendar year 2023, the Commission issued one applicable TPPPS business license. This licensee paid \$1,017.25 in annual fees and under the proposed method would instead have paid \$1,125.94, a difference of only \$108.69. In calendar year 2024, the Commission issued one applicable cardroom business license, who paid \$0 in annual fees, because their license was issued in December, but under the proposed method would instead pay \$888.13. Also in 2024, the Commission issued three applicable TPPPS business licenses, who combined paid \$1,205.75 in annual fees and under the proposed method would have paid \$1,770.64, or an average increase of \$188.30 per TPPPS business licensee.

Based on this history, the Commission anticipates the impact of the proposal to result in an annual increase in annual fees of \$444.07 (average of one application every two years) for a cardroom business licensee and \$296.99 (average of \$108.69 and \$148.49, with two average licenses issued per year) for a TPPPS business licensee when issued an initial license or a first temporary license.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS:

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

EFFECT ON SMALL BUSINESS:

The Commission has made a determination that the proposed regulatory action would not affect small businesses as the proposed action only modifies existing subpoena requirements.

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ ANALYSIS IMPACT ON JOBS/NEW BUSINESSES:

The Commission has determined that this regulatory proposal will not have a significant impact on the

creation or elimination of jobs within California, creation of new businesses or the elimination of existing businesses, or the expansion of businesses currently doing business within the State.

The basis for this determination is that this proposed action does not impose a new fee or other requirement on new or existing businesses but only requires new owners to pay a slightly higher initial annual fee and maintain other requirements for the existing operating business they have become new owners of.

BENEFITS OF PROPOSED REGULATION:

The proposed regulations are anticipated to provide clarity on how the annual fee process works in conjunction with the sale of a cardroom business licensee or TPPPS business licensee and ensure that required records are maintained and necessary fees collected.

HEALTH AND WELFARE OF CALIFORNIA RESIDENTS:

It has been determined that the proposed action will protect the health, safety, and general welfare of California residents by aiding and preserving the integrity of controlled gambling.

WORKER SAFETY:

It has been determined that the proposed action will not affect worker safety because it does not pertain to working conditions or worker safety issues.

STATE'S ENVIRONMENT:

It has been determined that the proposed action will not affect the state's environment because it does not pertain to environmental issues.

CONSIDERATION OF ALTERNATIVES

The Commission must determine that no reasonable alternative considered by the Commission or that has otherwise been identified and brought to the attention of the Commission 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.

INITIAL STATEMENT OF REASONS, INFORMATION AND TEXT OF PROPOSAL

The Commission has prepared an Initial Statement of Reasons and the exact language for the proposed action and has available all the information upon which the proposal is based. Copies of the language and of the Initial Statement of Reasons, and all of the information upon which the proposal is based, may be obtained upon request to the Commission at 2399 Gateway Oaks Drive, Suite 220, Sacramento, CA 95833-4231.

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

All the information upon which the proposed action is based is contained in the Rulemaking File that will be available for public inspection and copying at the Commission's office throughout the rulemaking process. Arrangements for inspection and/or copying may be made by contacting the primary contact 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 one of the contact persons named below or by accessing the Commission's website also listed below.

CONTACT PERSONS

All comments and inquiries concerning the substance of the proposed action should be directed to the following *primary* contact person:

Joshua Rosenstein, Legislative and Regulatory
Specialist
Legislative and Regulatory Affairs Division
California Gambling Control Commission
2399 Gateway Oaks Drive, Suite 220
Sacramento, CA 95833–4231
Telephone: (916) 274–5823
Fax: (916) 263–0499
Email: jrosenstein@cgcc.ca.gov

Requests for a copy of the Initial Statement of Reasons, proposed text of the regulation, modified text of the regulation, if any, or other technical information upon which the proposed action is based should be directed to the following *backup* contact person:

Alex Hunter, Legislative and Regulatory
Specialist
Legislative and Regulatory Affairs Division
California Gambling Control Commission
2399 Gateway Oaks Drive, Suite 220
Sacramento, CA 95833–4231
Telephone: (916) 263–1301
Fax: (916) 263–0499
Email: ahunter@cgcc.ca.gov

WEBSITE ACCESS

Materials regarding this proposed action are also available on the Commission's website at www.cgcc.ca.gov.

**TITLE 4. SCHOOL
FINANCE AUTHORITY**

STATE CHARTER SCHOOL FACILITIES
INCENTIVE GRANTS PROGRAM

NOTICE IS HEREBY GIVEN that the California School Finance Authority (Authority), organized pursuant to Sections 17170 through 17199.6 of the Education Code, proposes to amend the regulations described below after considering all comments, objections, and recommendations regarding the proposed action. Any person interested may present written statements or arguments relevant to the proposed action to the attention of the Contact Person as listed in this Notice before Saturday, July 1, 2025. The Authority Board, upon its own motion or at the request of any interested party, may thereafter adopt the proposal 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 will be available for 15 days prior to its adoption from the person(s) designated in this Notice as the Contact Person and will be mailed to those persons who submit statements related to this proposal or who have requested notification of any changes to the proposal.

PROPOSED REGULATORY ACTION

The Authority proposes revisions to Sections 10176, 10181, and 10190 of Title 4 of the California Code of Regulations (Regulations) as permanent regulations. The Regulations implement the Authority's responsibilities related to the State Charter School Facilities Incentive Grants Program (Program).

AUTHORITY AND REFERENCE

Authority: Section 17179 and 17180 of the Education Code. Section 17179 provides the Authority with the ability to do all things reasonably necessary to carry out its responsibilities. Section 101780(a) provides the Authority the ability to adopt bylaws for the regulation of its affairs and the conduct of its business. Subdivision (d) authorizes the Authority to receive and accept grants from the federal government. Subdivision (o) allows the Authority the right to adopt guidelines for grants.

Reference: Education Code, Section 17180(d) of the Education Code; and Section 47600, et seq., of the Education Code. These Regulations implement the Program and include a number of the requirements of that Program contained in the reference code provisions and their implementing Regulations. They also rely on

a number of provisions in the Charter Schools Act of 1992, commencing with Section 47600 of the Education Section. Section 17180(d) provides the Authority with the ability to receive grants from the federal government.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Authority was created in 1985 to assist school districts and community college districts in financing school construction projects (Education Code section 17170, et seq.). The Authority is authorized to adopt bylaws for the regulation and conduct of its business, and the Authority is vested with all powers reasonably necessary to carry out its powers and responsibilities (Education Code sections 17179 and 17180).

In 2004, 2009, and 2014, the United States Department of Education approved grant awards to the Authority pursuant to the State Charter School Incentive Grant (Grant), authorized under Title V, Part B, Subpart 1 of the Elementary and Secondary Education Act, as amended by the No Child Left Behind Act of 2001. The Grant provided for \$49,250,000 in 2004, \$46,132,749 in 2009, and \$50,000,000 in 2014, to be awarded over five-year periods for the purposes of funding per-pupil facilities aid programs for California charter schools. The Authority was recently awarded a \$30 million grant award in Fall 2024. Per the Authority’s application to the Department of Education, the Authority is proposing three more funding rounds of the Program starting for the 2025–26 school year. The Authority is bringing regulation changes related to changes and updates to the application and selection process as well as updates to federal law. Grant funds are applied toward a charter school’s annual costs of rent, lease, mortgage, debt service, or Proposition 39 pro-rata payments for facilities, or towards the costs of purchase, design, construction, and/or renovation of a new or existing facility.

Pursuant to the federal rules governing the Grant, an annual portion of funds must be allocated during each of five consecutive federal fiscal years. The first funding round began on June 28, 2005, when an emergency rulemaking file was approved by the Office of Administrative Law. The Authority adopted regular regulations through the Office of Administrative Law’s (OAL) Rulemaking process, and the regulations were approved by OAL on March 24, 2006 (OAL Regulatory Action # 05–0907–02). A number of rulemakings have amended the regulations in the years since. The Authority is proposing permanent regulations through OAL’s permanent rulemaking process and a Certificate of Compliance to make additional amendments to Program regulations.

The allocation of these grant funds to eligible charter schools is based on preference points assigned for certain factors including the low income population served by the school as reported by the percentage of students eligible to receive free and reduced price meals, Other Equity Demographics, whether a school is located in an Nearby Every Student Succeeds Act Assistance School Site, the school’s academic performance and its academic performance in comparison to nearby schools as measured by its Smarter Balanced Assessment data as reported by the California Department of Education (CDE).

SUMMARY OF PROPOSED REGULATIONS

The Authority’s last funding round opened in 2019; therefore some regulation references rely on out-of-date references and statutory citations. The Authority is requesting approval of these revisions to ensure federal and state compliance, clarity, and the ability to properly and effectively administer the Program. Timely approval of the regulation changes is necessary to implement the first funding round for the 2025–26 federal fiscal year. A summary of the revisions from each section within the proposed regulations is highlighted below:

1. **Section 10176. Definitions.** (d) Added BABAA as well as statutory references.
2. **Section 10176. Definitions.** (d–w) Subsequently assigned new letters due to addition of new subsection (d).
3. **Section 10176. Definitions.** (k) — Added McNamara–O’Hara Service Contract Act and statutory reference.
4. **Section 10181. Content of Application.** (h) — Replace “title report” with report “a grant deed coupled with a copy of the most recent title insurance policy.” Removed the word “contingent” and updated for clarity.
5. **Section 10181. Content of Application.** (i) — Changed to “all necessary permits” from “applicable discretionary use”; update and replace agency listing to include any applicable government agencies”; and added “construction and development” scope to agency scope.
6. **Section 10181. Content of Application.** (j)(1) — Changed from “architect” to “architectural.”
7. **Section 10181. Content of Application.** (j)(2) — Added BABAA compliance requirement.
8. **Section 10181. Content of Application.** (j)(5) — Updated for clarity on evidence of completion.
9. **Section 10190. Audits and Conflicts of Interest.** (d) — Added BABAA compliance requirement.

**OTHER MATTERS PRESCRIBED BY
STATUTES APPLICABLE TO THE
SPECIFIC STATE AGENCY OR TO
ANY SPECIFIC REGULATION OR
CLASS OF REGULATIONS**

No other matters prescribed by statute are applicable to the Authority or to any specific regulation or class of regulations pursuant to Section 11346.5(a)(4) of the California Government Code pertaining to the proposed Regulations or the Authority.

**MANDATE ON LOCAL AGENCIES OR
SCHOOL DISTRICTS**

The Authority has determined the proposed regulations do not impose a mandate on local agencies or school districts.

**EVALUATION OF
INCONSISTENCY AND INCOMPATIBILITY**

The Authority performed a search in the California Code of Regulations and the proposed regulations are neither inconsistent nor incompatible with existing regulation.

FISCAL IMPACT

As related to Fiscal Impact, the Authority is not aware of any cost to local agency or school districts requiring reimbursement pursuant to Gov. Code sec. 17500 et seq.; nor any cost or savings to any state agency beyond the Authority; nor other Non–discretionary costs or savings imposed on local agencies; nor any costs or savings in federal funding to the state; and nor any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

**Initial Determination Regarding any Significant,
Statewide Adverse Economic Impact Directly
Affecting Business**

The Authority has made an initial determination that the proposed regulations will not have any significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

Effect on Small Businesses

The Authority has determined that the adoption of the proposed regulations will not affect small business. The Program is a voluntary grant program available to charter schools to assist in the costs of charter school facilities.

Results of Economic Impact Analysis

Assessment of Effect on Jobs and Business Expansion, Elimination or Creation

Adoption of these regulations will not create or eliminate jobs within California, nor create new businesses or eliminate existing businesses within California. The proposed regulations could likely impact the expansion of businesses currently doing business within the State of California. This program will provide additional grant funding for charter school facilities. These facilities are a need for charters schools of the associated charter school organizations to serve more students.

Assessment of Effect to the Health and Welfare of California Residents, Worker Safety, and the State’s Environment

The purpose of the program and proposed regulations is to set forth administrative criteria and requirements for administering this grant program. The Authority do not expect any anticipated benefits to worker safety or the State’s environment. However, while each grant is different, funding for facilities may allow schools to free up assets potentially allowing actions resulting in improved worker safety. Additionally, there may be a positive effect on the welfare of some California residents. As the intent of the program is to provide grant funding related to charter school facilities, the Program and its proposed regulations have the potential to directly benefit the welfare of students and their related communities.

Cost Impact on Housing

The proposed regulations will not have any effect on housing costs.

REASONABLE ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), the Authority must determine that no reasonable alternative to the regulations considered by the Authority or that has otherwise been identified and brought to the attention of the Authority, would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective and less burdensome to affected private persons than the regulations, or would be more cost–effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The Authority invites interested persons to present statements with respect to alternatives to the proposed regulations during the written comment period.

AGENCY CONTACT PERSONS

Written comments, inquiries, and any questions regarding the substance of the proposed regulations shall be submitted or directed to:

Katrina Johantgen, Executive Director,
California School Finance Authority at:
300 South Spring Street, Suite 8500
Los Angeles, CA 90013
(213) 620–4608

or

901 P Street, Third Floor, Suite B
Sacramento, CA 95814
(916) 651–7710

or

kjohantgen@treasurer.ca.gov

or

csfa@treasurer.ca.gov

The following person is designated as a backup Contact Person for inquiries only regarding the proposed regulations:

Ryan Storey
300 South Spring Street, Suite 8500
Los Angeles, CA 90013
(213) 620–6360

or

rstorey@treasurer.ca.gov

WRITTEN COMMENT PERIOD

Any interested person, or their authorized representative, may submit written comments relevant to the proposed regulations to the Authority. The written comment period on the regulations will end on Friday, June 30, 2025. All comments to be considered by the Authority must be submitted in writing to the Agency Contact Person identified in this Notice by that time. In the event that changes are made to the proposed regulations during the written comment period, the Authority will also accept additional written comments limited to any changed or modified regulations for 15 calendar days after the date on which such regulations, as changed or modified, are made available to the public pursuant to Title 1, Chapter 1, Section 44 of the California Code of Regulations. Such additional written comments should be addressed to the Agency Contact Person identified in this Notice.

AVAILABILITY OF INITIAL STATEMENT OF REASONS, RULEMAKING FILE AND EXPRESS TERMS OF PROPOSED REGULATIONS

The Authority has established a rulemaking file for this regulatory action, which contains those items required by law. The file is available for inspection at the

Authority’s office at 901 P Street, Third Floor, Suite B, Sacramento, California, during normal business hours. As of the date this Notice is published in the Notice Register, the rulemaking file consists of this Notice, the Initial Statement of Reasons, and the proposed text of the Regulations. Copies of these items are available upon request, from the Agency Contact Person designated in this Notice. The Sacramento address will also be the location for inspection of the rulemaking file and any other public records, including reports, documentation and other materials related to this proposed regulatory action. In addition, the rulemaking file, including the Initial Statement of Reasons and the proposed text, may be viewed on the Authority’s Web site at www.treasurer.ca.gov/csfa.

PUBLIC HEARING

No public hearing regarding the proposed regulations has been scheduled. Anyone wishing a public hearing must submit a request in writing, pursuant to Section 11346.8 of the Government Code, to the Authority at least 15 days before the end of the written comment period. Such request should be addressed to the Agency Contact Person identified in this Notice and should specify the regulations for which the hearing is being requested.

15–DAY AVAILABILITY OF CHANGED OR MODIFIED TEXT

After the written comment period ends and following a public hearing, if any is requested, the Authority may adopt the proposed regulations substantially as described in this Notice, without further notice. If the Authority 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 (including through the Authority’s website described above) for at least fifteen (15) calendar days before the Authority adopts the proposed regulations, as modified. Inquiries about and requests for written copies of any changed or modified regulations should be addressed to the Agency Contact Person identified in this Notice.

AVAILABILITY OF FINAL STATEMENT OF REASONS

The Authority is required to prepare a Final Statement of Reasons pursuant to Government Code section 11346.9. Once the Authority has prepared a Final Statement of Reasons, a copy will be made available to anyone who requests a copy and will be available on the Authority’s website described above. Written

requests for copies should be addressed to the Agency Contact Person identified in this Notice.

TITLE 8. PUBLIC EMPLOYMENT RELATIONS BOARD

The Public Employment Relations Board (PERB or Board) proposes to adopt or amend the regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The Board proposes to adopt new section 32161 and amend sections 32150 and 32635.

Proposed section 32161 would establish rules governing the identification of participants and observers in PERB proceedings, as well as the recording, photographing, and broadcasting of PERB proceedings.

Section 32150, subdivision (f), governs production schedules for records subpoenas. The proposed amendment would correct a scrivener's error that incorrectly cites to a subdivision relating to motions to revoke or limit testimonial subpoenas.

Section 32635 governs the appeal of dismissals of unfair practice charges and responses to such appeals. The proposed amendments provide guidance as to the formatting of an appeal and a response to an appeal; provide guidance as to the content of a response to an appeal; establish word limits for appeals and responses; establish a procedure for requesting to file longer appeals or responses; establish a procedure for requesting to file a reply to a response; and include minor edits for readability and consistency.

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 before the close of the written comment period.

WRITTEN COMMENT PERIOD

Any interested person, or their authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. Comments may also be submitted by facsimile (FAX) at (818) 551-2820 or by email at sara.kang@perb.ca.gov. The written comment period closes on July 2, 2025, which is 47 days after the publication of this notice. The Board will only consider comments received at

the Board offices by that time. Submit written comments to:

Sara Rhee, Senior Regional Attorney
Public Employment Relations Board
425 West Broadway, Suite 400
Glendale, CA 91204

AUTHORITY AND REFERENCE

Pursuant to Government Code section 3541.3(g), the Board is authorized to adopt, amend, and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Educational Employment Relations Act (EERA; Government Code section 3540 et seq.). Pursuant to Government Code sections 3509(a) and 3541.3(g), the Board is authorized to adopt, amend, and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Meyers–Milius–Brown Act (MMBA; Government Code section 3500 et seq.). Pursuant to Government Code sections 3513(h) and 3541.3(g), the Board is authorized to adopt, amend, and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Ralph C. Dills Act (Dills Act; Government Code section 3512 et seq.). Pursuant to Government Code section 3563(f), the Board is authorized to adopt, amend, and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Higher Education Employer–Employee Relations Act (HEERA; Government Code section 3560 et seq.). Pursuant to Public Utilities Code section 99561(f), the Board is authorized to adopt, amend, and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Los Angeles County Metropolitan Transportation Authority Transit Employer–Employee Relations Act (TEERA; Public Utilities Code section 99560 et seq.). Pursuant to Government Code sections 3541.3(g) and 71639.1(b), the Board is authorized to adopt, amend, and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Trial Court Employment Protection and Governance Act (Trial Court Act; Government Code section 71600 et seq.). Pursuant to Government Code sections 3541.3(g) and 71825(b), the Board is authorized to adopt, amend, and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Trial Court Interpreter Employment and Labor Relations Act (Court Interpreter Act; Government Code section 71800 et seq.). Pursuant to Government Code sections 3524.52(a) and 3541.3(g), the Board is authorized to adopt, amend, and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Judicial Council

Employer–Employee Relations Act (JCEERA; Government Code section 3524.50 et seq.). Pursuant to Government Code sections 3541.3(g) and 3555.5(c), the Board is authorized to adopt, amend, and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Public Employee Communication Chapter (PECC; Government Code section 3555 et seq.). Pursuant to Government Code sections 3541.3(g) and 3551 (a), the Board is authorized to adopt, amend, and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Prohibition on Public Employers Deterring or Discouraging Union Membership Chapter (PEDD; Government Code section 3550 et seq.). Pursuant to Welfare and Institutions Code section 10421(e), the Board is authorized to adopt, amend, and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Building a Better Early Care and Education System Act (Childcare Provider Act; Welfare and Institutions Code section 10420 et seq.). Pursuant to Public Utilities Code section 40122.1(a) and Government Code section 3541.3(g), the Board is authorized to adopt, amend, and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Orange County Transit District Act (OCTDA; Public Utilities Code section 40120 et seq.). Pursuant to Public Utilities Code section 28849(b) and Government Code section 3541.3(g), the Board is authorized to adopt, amend, and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the San Francisco Bay Area Rapid Transit District Act (BART Act; Public Utilities Code section 28848 et seq.). Pursuant to Public Utilities Code section 102399(b) and Government Code section 3541.3(g), the Board is authorized to adopt, amend, and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Sacramento Regional Transit District Act (SacRTD Act; Public Utilities Code section 102398 et seq.). Pursuant to Public Utilities Code section 98160.5 and Government Code section 3541.3(g), the Board is authorized to adopt, amend, and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Santa Cruz Metropolitan Transit District Act (SC Metro Act; Public Utilities Code section 98160 et seq.). Pursuant to Public Utilities Code section 100309(b), the Board is authorized to adopt, amend, and repeal rules and regulations to carry out the provisions and effectuate the purposes and policies of the Santa Clara Valley Transportation Authority Act (VTA; Public Utilities Code section 100300 et seq.).

General reference for **section 32161** of the Board’s regulations: sections 3541.3(h), 3541.3(n), 3541.5, 3509(a), 3513(h), 3514.5, 3524.52(a), 3524.55, 3551(a),

3555.5(c), 3563(g), 3563(m), 3563.2, 71639.1(b), and 71825(b), Government Code; sections 28849(b), 40122.1(a), 98160.5(b), 99561(g), 99561(m), 99561.2, 100309(b), and 102399(b), Public Utilities Code; and sections 10421(e) and 10428.5(b), Welfare and Institutions Code. General reference for **section 32150** of the Board’s regulations: sections 3541.3(h), 3541.3(n), 3541.5, 3509(a), 3513(h), 3514.5, 3524.52(a), 3524.55, 3551(a), 3555.5(c), 3563(g), 3563(m), 3563.2, 71639.1(b), and 71825(b), Government Code; sections 28849(b), 40122.1(a), 98160.5(b), 99561(g), 99561(m), 99561.2, 100309(b), and 102399(b), Public Utilities Code; and sections 10421(e) and 10428.5(b), Welfare and Institutions Code. General reference for **section 32635** of the Board’s regulations: sections 3541.3(k), 3541.3(n), 3541.5, 3509(a), 3513(h), 3514.5, 3524.52(a), 3524.55, 3551(a), 3555.5(c), 3563(j), 3563(m), 3563.2, 71639.1(b), and 71825(b), Government Code; sections 28849(b), 40122.1(a), 98160.5(b), 99561(j), 99561(m), 99561.2, 100309(b), and 102399(b), Public Utilities Code; and sections 10421(e) and 10428.5(b), Welfare and Institutions Code.

POLICY STATEMENT OVERVIEW

PERB is a quasi–judicial agency which oversees public sector collective bargaining in California. PERB presently administers sixteen collective bargaining statutes, ensures their consistent implementation and application, and adjudicates disputes between the parties subject to them. The statutes administered by PERB are: the Meyers–Milius–Brown Act (MMBA) of 1968, establishing collective bargaining for California’s city, county, and local special district employers and employees; the Educational Employment Relations Act (EERA) of 1976, establishing collective bargaining in California’s public schools (K–12) and community colleges; the State Employer–Employee Relations Act of 1978, known as the Ralph C. Dills Act (Dills Act), establishing collective bargaining for state government employees; the Higher Education Employer–Employee Relations Act (HEERA) of 1979, extending the same coverage to the California State University System, the University of California System, and Hastings College of Law; the Los Angeles County Metropolitan Transportation Authority Transit Employer–Employee Relations Act (TEERA) of 2003, establishing collective bargaining rights for supervisory employees of the Los Angeles County Metropolitan Transportation Authority; the Trial Court Employment Protection and Governance Act (Trial Court Act) of 2000 and the Trial Court Interpreter Employment and Labor Relations Act (Court Interpreter Act) of 2002, together establishing collective bargaining rights for most trial court employees; the Public Employee Communication Chapter (PECC)

of 2017, granting PERB jurisdiction over violations of the PECC; the Prohibition on Public Employers Detering or Discouraging Union Membership (PEDD) of 2018, granting PERB jurisdiction over violations of the PEDD; and the Building a Better Early Care and Education System Act of 2019, known as the Child-care Provider Act (CCPA), establishing collective bargaining for family childcare providers who participate in a state-funded early care and education program.

In 2019, the Legislature amended the Orange County Transit District Act (OCTDA), granting PERB jurisdiction over unfair practice charges at the Orange County Transportation Authority. In 2020, the Legislature amended the San Francisco Bay Area Rapid Transit District Act (BART Act), granting PERB jurisdiction over disputes relating to employer–employee relations at the Bay Area Rapid Transit District. In 2021, the Legislature granted PERB jurisdiction over disputes relating to employer–employee relations at the Sacramento Regional Transit District (SacRTD) for those exclusive representatives that have elected to move one or more of its bargaining units to PERB’s jurisdiction for unfair practice charges. In 2022, the Legislature amended the Santa Cruz Metropolitan Transit District Act (SC Metro Act), granting PERB jurisdiction over unfair practice charges at the Santa Cruz Metropolitan Transit District. In 2022, the Legislature granted PERB jurisdiction over disputes relating to employer–employee relations at the Santa Clara Valley Transportation Authority (VTA) for those exclusive representatives that have elected to move one or more of its bargaining units to PERB’s jurisdiction for unfair practice charges.

Over time, the Legislature has continued to place additional public employers under PERB’s jurisdiction. In response, PERB has continued to evaluate changes to make case processing more efficient and streamlined. On April 13, 2017, the Board approved a Case Processing Efficiency Initiative to generate ideas for the improvement and streamlining of case processing. The Board solicited feedback from staff and constituents on the updates needed to make its proceedings efficient and user–friendly, keeping in mind that many constituents are non–attorneys or self–represented individuals (pro per litigants) unfamiliar with legal procedures in an administrative law setting. PERB’s case adjudication processes differ from other judicial forums in that non–attorney parties may not only self–represent but may be represented by non–attorney representatives. It is therefore not uncommon for non–attorneys to appear on behalf of individuals or organizations and navigate their way through PERB’s case adjudication processes and corresponding regulations.

As revealed through the stakeholder meetings that were part of the Case Processing Efficiency Initiative,

PERB’s case processing regulations are often unnecessarily complicated, incomplete, obsolete, or ambiguous. These problems often cause litigants to commit errors or missteps, which delay case adjudication. Aside from delays, these errors create additional work for PERB’s attorneys and judges. For this reason, the Board determined it was necessary to amend the regulations to make them user–friendly, detailed, and understandable.

The proposed regulation and amendments to existing regulations further these goals by establishing rules governing participation in PERB proceedings and the recording, photographing, and broadcasting of PERB proceedings; providing clarity regarding the production schedule for records subpoenas; and updating rules regarding the filing of appeals of dismissals and responses to such appeals. These changes are intended to fill gaps, correct errors, and streamline the Board’s procedures and processes for case adjudication in a way that makes the regulations more understandable for attorneys and non–attorneys alike.

INFORMATIVE DIGEST

A. Adoption of New Sections

Proposed section 32161 establishes rules governing the identification of participants or observers in PERB proceedings, as well as the recording, photographing, and broadcasting of PERB proceedings.

Proposed subdivision (a) defines the terms “PERB proceedings,” “participant,” and “observer,” for the purposes of the new section only, and clarifies that Board agents are neither participants nor observers.

Proposed subdivision (b) requires participants in PERB proceedings to identify their full names upon inquiry from a Board agent. The subdivision further provides that observers are not required to identify themselves except under certain specified circumstances.

Proposed subdivision (c) prohibits participants and observers from recording, photographing, or otherwise capturing PERB proceedings, except when granted written permission from a Board agent if certain specified requirements are met. Proposed subdivision (d) states that any recordings by participants or observers will not be part of the official record or cited as evidence. Proposed subdivision (e) prohibits live broadcasting of PERB proceedings.

B. Amendment to Text of Existing Sections

Section 32150 governs production schedules for records subpoenas. The proposed amendment to subdivision (f) corrects a scrivener’s error that incorrectly cites to a subdivision relating to motions to revoke or limit testimonial subpoenas.

Section 32635 governs the appeal of dismissals of unfair practice charges and responses to such appeals.

The proposed amendment generally includes minor revisions to the text for readability and clarity.

The proposed amendment to subdivision (a) adds the word “and” to clarify that an appeal must satisfy each requirement of subdivision (a)(1) through subdivision (a)(3). The proposed amendment to subdivision (c) specifies that a response to an appeal must explain why the appeal should not be granted.

Proposed subdivision (d) limits an appeal or response to an appeal to 7,000 words absent advance permission to file a longer appeal or response. The proposed subdivision also provides guidance as to the format of an appeal or response.

Proposed subdivision (e) provides guidelines for requesting permission to file an appeal exceeding 7,000 words or a response to an appeal exceeding 7,000 words, including that such requests must be filed no later than five days before the appeal or response is due and must establish good cause. The proposed subdivision further prohibits a party requesting to exceed the word limit from filing an appeal or response until the Board itself rules on the request.

Proposed subdivision (f) prohibits the filing of a reply to a response to an appeal absent advance permission from the Board itself. The proposed subdivision further provides that a request for permission to file a reply must be made within 10 days after service of the response, after which the responding party has five days to respond to the request.

CONSISTENT AND COMPATIBLE WITH EXISTING STATE REGULATIONS

The Board has determined that the proposed regulation and amendments to existing regulations are not inconsistent or incompatible with existing regulations. After conducting a review of all regulations that would relate to or affect this area of California law, the Board has determined that, due to PERB’s exclusive jurisdiction to implement and enforce the labor relations acts within its jurisdiction, the proposed regulations are the only regulations concerning the implementation and enforcement of these laws. Therefore, the Board has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

ANTICIPATED BENEFITS OF THE PROPOSED REGULATION

As part of PERB’s Case Processing Efficiency Initiative, the Board seeks to make the agency’s procedures for case processing easier to understand and therefore more accessible to non-attorney parties and representatives. In this, PERB determined that it needed to amend many of its regulations to eliminate am-

biguities, fill gaps, and consolidate or remove redundancies. By making such changes, the proposed regulation and amendments will reduce case processing errors, which, in turn, will improve case processing times. In addition, the proposed new regulation and amendments to existing regulations will make case adjudication more consistent and efficient.

As one example, PERB’s regulations provide that a charging party may file an appeal of a dismissal and the respondent may file a response to the appeal. Current regulations, however, do not address whether a charging party may file a reply brief after the respondent files a response to an appeal. One of the proposed amendments specifies that reply briefs may only be filed with advance permission from the Board itself, thereby discouraging additional briefing that is unnecessary to the resolution of the appeal and may cause unnecessary delay in the processing of the case.

The proposed amendments also set word limits and provide guidance as to form and content for appeals and responses to appeals. This addition serves to encourage succinct appeals and responses and makes such filings consistent with other types of PERB filings that have word limits. Although the word limit for appeals of dismissals is lower than the limit for other types of appeals, this decision reflects that dismissals are issued prior to a full evidentiary hearing and therefore do not involve voluminous records, exhibits, or transcripts, as may be the case with other types of appeals. Moreover, the proposed amendments provide the Board discretion to authorize lengthier filings where a party establishes good cause. Overall, the proposed changes regarding appeals of dismissals and responses to such appeals will assist the Board by providing for full briefing in a concise and detailed manner.

Another proposed change relates to the recording, photographing, and broadcasting of PERB proceedings. Currently, there are no regulations governing this issue, leading to a lack of clarity as to whether recording, photographing, or broadcasting by participants or observers is permissible and how any such recordings or photographs may be used. The lack of clarity compromises PERB’s ability to ensure the integrity of PERB proceedings and the confidentiality of sensitive information. The need for such regulations is compounded by the increased use of virtual meeting technology across PERB’s divisions, which increases the possibility of a participant or observer recording, photographing, or broadcasting a PERB proceeding without a Board agent’s knowledge.

The proposed regulation prohibits a participant or observer from recording or otherwise electronically capturing PERB proceedings (other than a public meeting of the Board itself) except with written permission from a Board agent, and clarifies that any re-

cordings or photographs by participants or observers will not be part of the official record or cited as evidence in PERB proceedings. This allows PERB to ensure the integrity of its proceedings and the confidentiality of sensitive information. In addition, the proposed regulation specifies that live broadcasting of PERB proceedings is prohibited, which deters the unauthorized dissemination of potentially confidential or sensitive information revealed during PERB proceedings.

Interrelated with the unauthorized recording of PERB proceedings are issues involving anonymous observers. The proposed regulation ensures the integrity and safety of PERB proceedings by requiring participants to identify their full names upon inquiry and setting forth the specific reasons an observer might be required to identify their full name, such as to protect sensitive information or to ensure the confidentiality of an informal conference or sensitive information in a formal hearing.

The proposed changes also include the correction of a scrivener's error in PERB's regulations governing production schedules for records subpoenas. Currently, the regulation incorrectly cites to a subdivision relating to motions to revoke or limit testimonial subpoenas when it should cite to a subdivision relating to motions to revoke or limit records subpoenas. This correction will prevent confusion caused by the incorrect reference.

Essentially, the proposed regulations continue the Board's efforts to update its case processing regulations so as to provide constituents with easy to understand yet comprehensive rules on case processing.

NO EXISTING AND COMPARABLE FEDERAL REGULATION OR STATUTE

During the process of developing these proposed regulatory adoptions and amendments, the Board has conducted a search for any similar federal regulations and statutes on this topic and has determined that there are no existing, comparable federal regulations or statutes or Board precedent, as these proposed regulatory changes apply solely to public employers and employee organizations under the jurisdiction of the California public sector labor relations statutes set forth above. Therefore, the Board has concluded that these regulations are neither inconsistent nor incompatible with existing Federal regulations or statutes.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Board has made the following initial determinations:

Mandate on local agencies and school districts: The proposed action would not impose any new mandate.

Cost to any local agency or school district which must be reimbursed in accordance with Government Code section 17500 et seq.: The proposed action would not impose any new costs which must be reimbursed.

Other non-discretionary cost or savings imposed upon local agencies: The proposed action would not result in any new costs which must be reimbursed, or savings imposed upon local agencies.

Cost or savings to state agency: The proposed action would not result in any new costs or savings.

Cost or savings in federal funding to the state: The proposed action would not result in any new costs or savings.

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

Significant adverse economic impact on business including the ability of California businesses to compete with businesses in other states: The proposed action will have no impact.

Significant effect on housing costs: There will be no effect on housing costs.

Business Reporting Requirement: The proposed action will not require a report to be made.

The Board has determined that the proposed regulations will not affect small business because the proposed regulations will only affect public employers, public employees, and public employee organizations.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The Board concludes that the adoption of the proposed regulations and amendments to existing regulations will neither create nor eliminate jobs in the State of California, nor result in the elimination of existing businesses, or create or expand businesses in the State of California.

BENEFIT ANALYSIS

By updating the case processing and adjudication regulations, and through the efficiencies realized by more user-friendly, comprehensive, and consolidated rules, PERB will improve public sector labor relations by providing necessary guidelines and clarity to constituents about PERB's standards and processes. The proposed regulatory action will not adversely affect the health and welfare of California residents, worker safety, or the State's environment. The proposed regulatory action will further the policies underlying prompt resolution of labor disputes by providing a pro-

cess to expediently resolve alleged violations of California’s labor relations laws, which will in turn promote full communication between public employers and their employees in resolving disputes over wages, hours, and other terms and conditions of employment. The general welfare of California residents will be benefited by stable collective bargaining and dispute resolution, which translates to continuous delivery of the essential services that California’s public agencies and employees provide to California’s communities.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), a rulemaking agency 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, 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 Board invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

CONTACT PERSONS

Any questions or suggestions regarding the proposed action should be directed to:

Sara Rhee, Senior Regional Attorney
 Public Employment Relations Board
 425 West Broadway, Suite 400
 Glendale, CA 91204
 (818) 696–6346
 Email: sara.kang@perb.ca.gov

The backup person for these inquiries is:

Gabriel Orea, Regional Attorney
 Public Employment Relations Board
 425 West Broadway, Suite 400
 Glendale, CA 91204
 (818) 696–6350
 Email: gabriel.orea@perb.ca.gov

Please direct requests for 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 Sara Rhee at the above address.

PRELIMINARY ACTIVITIES

A. Participation in PERB Proceedings; Recording, Photographing, and Broadcasting of PERB Proceedings

On October 12, 2023, the Board held a public meeting, wherein the public was given the opportunity to provide comments regarding the implementation of regulations on the recording of PERB proceedings. No public participants chose to comment, and the Board authorized the preparation of a rulemaking package governing the recording of PERB proceedings.

On December 14, 2023, the Board held a public meeting, wherein the public was given the opportunity to provide comments regarding the proposed expansion of the scope of the rulemaking package to include regulations governing the participation in and observation of PERB proceedings. No member of the public chose to comment, and the Board approved the proposed expansion in scope.

On April 11, 2024, the Board held a public meeting wherein the public was given the opportunity to provide comments regarding the proposed rulemaking package governing participants and observers at PERB proceedings and the recording of PERB proceedings. No members of the public chose to comment, and the Board approved the submission of the proposed regulations to the Office of Administrative Law (OAL) and the commencement of the formal rulemaking process.

B. Production Schedule for Records Subpoenas

On April 11, 2024, the Board held a public meeting wherein the public was given the opportunity to provide comments regarding the proposed rulemaking package related to production schedules for records subpoenas. No members of the public chose to comment, and the Board approved the submission of the proposed rulemaking package to OAL and the commencement of the formal rulemaking process.

C. Appeal of Dismissals

On October 12, 2023, the Board held a public meeting wherein the public was given the opportunity to provide comments regarding the implementation of regulations on word limits for appeals of dismissals. No members of the public chose to comment, and the Board authorized the preparation of a rulemaking package governing word limits for appeals of dismissals.

On December 12, 2024, the Board held a public meeting wherein the public provided comments regarding the proposed rulemaking package regarding appeals of dismissals. The Board considered the comments and ultimately approved the submission of the proposed rulemaking package to OAL without changes as well as the commencement of the formal rulemaking process.

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

The Board will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date this notice is published in the California Regulatory Notice Register, the rulemaking file consists of this notice, the express terms of the proposed regulation and amended regulations, the initial statement of reasons, and documents relied on promulgating the rulemaking package. The regulations as well as all related documents upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative listed above. Copies of these documents may be obtained by contacting Sara Rhee at the above address, and are also available on the Board's website at www.perb.ca.gov/laws-and-regulations/rulemaking.

**AVAILABILITY OF CHANGED OR
MODIFIED TEXT**

After holding a hearing, if one is requested, and considering all timely and relevant comments, the Board may adopt the proposed regulation and amended regulations substantially as described in this notice. If the Board makes modifications that are sufficiently related to the originally proposed text, the 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 Board adopts the regulation and amendments to existing regulations as revised. Requests for copies of any modified regulations and/or the final statement of reasons should be sent to the attention of Sara Rhee at the above address. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

**AVAILABILITY OF FINAL
STATEMENT OF REASONS**

Upon its completion, copies of the final statement of reasons may be obtained by contacting Sara Rhee at the above address.

**AVAILABILITY OF DOCUMENTS
ON THE INTERNET**

Copies of this notice of proposed action, the initial statement of reasons, and the text of the proposed regulation and amendments to existing regulations in underline and strikeout can be accessed through PERB's website located at www.perb.ca.gov/laws-and-regulations/rulemaking throughout the

rulemaking process. Written comments received during the written comment period will also be posted on PERB's website. The final statement of reasons or, if applicable, notice of a decision not to proceed will be posted on PERB's website following the Board's action.

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

**INSTRUCTOR'S GUIDE TO
LEARNING ACTIVITIES**

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 June 30, 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 Anita Finner, anita.finner@post.ca.gov, or by letter to:

Commission on POST
Attention: Rulemaking
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**

POST Basic Training Bureau staff identified the need to update the *Instructor's Guide to Learning Activities for Leadership, Ethics, and Community Policing* December 2005 publication referenced under required learning activities in the Training and Testing Specifications for Peace Officer Basic Courses to meet

current regulatory and legislative mandates. This proposal is intended to interpret, implement, and make specific PC § 13510(a)(2), which authorizes POST to adopt, and from time to time amend, rules establishing minimum standards for training.

The proposed changes to this regulatory action will update content to satisfy emerging training needs, comply with regulatory mandates, reflect current Commission members and POST Executive Director, and replace subject matter experts with current members.

ANTICIPATED BENEFITS OF THE PROPOSED AMENDMENTS

The benefits anticipated by the proposed amendments to the regulation will provide an updated publication to include more current and relevant resources for basic course instructors, 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 for 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

Instructor’s Guide to Learning Activities December 2005 publication (repealed).

Instructor’s Guide to Learning Activities October 1, 2025 publication (adopted).

Training and Testing Specification for Peace Officer Basic Courses October 1, 2025.

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 persons 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 regulations only affect state agencies that are adopting, amending or repealing regulations. Additionally, the Commission’s main function to select and maintain training standards for law enforcement has no effect financially on small businesses.

RESULTS OF ECONOMIC IMPACT ANALYSIS/ASSESSMENT

POST concludes that it is (1) unlikely the proposal will create or eliminate jobs in the state of California, (2) unlikely that the proposal will create new business or eliminate any existing 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 by providing current and relevant resources for basic course instructors. 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 Anita Finner, Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605–1630, at (916) 227–3901. 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.

TITLE 11. COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

COMMISSION REGULATIONS 1005, 1007, 1008, AND 1059 — TRAINING AND TESTING SPECIFICATIONS FOR PEACE OFFICER BASIC COURSES — LEARNING DOMAIN 32 — LIFETIME FITNESS

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 closing of the public comment period.

Public Comments Due by June 30, 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 [Anita Finner, anita.finner@post.ca.gov](mailto:anita.finner@post.ca.gov), or by letter to:

Commission on POST
Attention: Rulemaking
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 in-

crease the effectiveness of law enforcement, including programs involving training and education courses.

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

POST Basic Training Bureau staff were directed by the Commission to remove the body composition measurement required learning activity from section VI. G. 5 of the existing Training and Testing Specifications for Peace Officer Basic Courses — Learning Domain 32 — Lifetime Fitness as a statewide standard.

The proposed changes will ensure that body composition will be conducted in private with the individual student’s physician.

ANTICIPATED BENEFITS OF THE
PROPOSED AMENDMENTS

The benefits anticipated by the proposed amendments to the regulation will permit an individual to complete the body composition measurement with their primary physician rather than in a public setting, 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 for 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

Training and Testing Specifications for Peace Officer Basic Courses — Learning Domain 32 — Lifetime Fitness, adopted effective October 1, 2025

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 persons 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 regulations only affect state agencies that are adopting, amending or repealing regulations. Additionally, the Commission’s main function to select and maintain training standards for law enforcement has no effect financially on small businesses.

RESULTS OF ECONOMIC IMPACT
ANALYSIS/ASSESSMENT

POST concludes that it is (1) unlikely the proposal will create or eliminate jobs in the state of California, (2) unlikely that the proposal will create new businesses or eliminate any existing 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 permitting an individual to complete the body composition measurement with their primary physician rather than in a public setting. 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 al-

ternative 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 Anita Finner, Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605–1630, at (916) 227–3901. 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.

TITLE 22. DEPARTMENT OF TOXIC SUBSTANCES CONTROL

INDUSTRIAL ETHYL ALCOHOL EXEMPTION DEPARTMENT OF TOXIC SUBSTANCES CONTROL REFERENCE NUMBER: R–2025–05R

NOTICE IS HEREBY GIVEN that the Department of Toxic Substances Control (DTSC) proposes to amend California Code of Regulations, title 22, division 4.5, section 66261.6.

WRITTEN COMMENT PERIOD

A public comment period for the rulemaking has been established commencing on May 16, 2025, and closing on June 30, 2025.

Statements, arguments, or contentions regarding the rulemaking and/or supporting documents must be submitted in writing during the public comment period (electronically or in hard copy), or presented orally or in writing at a public hearing, if a hearing is requested, for them to be considered by DTSC before it adopts this regulation. Only comments received at the DTSC office or postmarked on or before that date will be considered.

Written comments may be submitted electronically through the DTSC regulations email address at regs@dtsc.ca.gov. Please direct hard-copy written comments to the Office of Legislation and Regulatory Review, as specified below.

Office of Legislation and Regulatory Review
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812–0806
regs@dtsc.ca.gov

DTSC has not scheduled a public hearing for this proposed rulemaking. To request a public hearing, any interested person or his or her duly authorized

representative may contact the Office of Legislation and Regulatory Review, as specified above, no later than 15 days prior to the close of the written comment period.

Notice Pertaining to Accessibility and Reasonable Accommodation

All documents related to these regulations can be made available in an alternate format (i.e., braille, large print, etc.) or in another language, as requested, in accordance with state and federal law. Further, to ensure the public has equal access to all available services and information, DTSC will provide reasonable disability-related accommodations and/or translator/interpreter needs, upon request. For assistance, please contact the Office of Legislation and Regulatory Review. Note: the range of assistive series available may be limited if requests are made less than 10 business days prior to a public hearing.

AUTHORITY AND REFERENCE

These regulations are being adopted under the following authorities: Health and Safety Code sections 25150 and 25159. These regulations implement, interpret, or make specific the following statutes: Health and Safety Code sections 25150 and 25159, and 40 Code of Federal Regulations sections 260.43 and 261.6.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

This rulemaking action is necessary to ensure the safe and effective management of industrial ethyl alcohol, including expired hand sanitizer that was purchased and stockpiled as a result of the Coronavirus Disease 2019 (COVID–19) pandemic. Many of these stockpiles remain today due to a backlog for incinerator capacity caused by labor shortages, the effects of winter storm Uri, and the shuttering of a widely used incinerator, among other factors. The proposed Industrial Ethyl Alcohol (IEA) Exemption will aid in the reduction of these hand sanitizer surpluses by adding a viable, cost-saving pathway for the safe and proper management of IEA.

This exemption, which adopts the language in 40 Code of Federal Regulations section 261.6(a)(3)(i), was promulgated by U.S. EPA in 1985 in order to eliminate regulatory redundancies for “spent” IEA between U.S. EPA and the Bureau of Alcohol, Tobacco and Firearms (now the Alcohol and Tobacco Tax and Trade Bureau or TTB). However, in a May 5, 2023, response letter, U.S. EPA reinterpreted the recycling exemption as applying to both spent and unused IEA. In light of U.S. EPA’s reinterpreted application, DTSC is proposing to adopt the federal exemption for IEA to address the remaining stockpiles of unused and expired hand

sanitizer in California. This exemption is contingent upon generators engaging in the legitimate recycling of ethyl alcohol, per the criteria of 40 Code of Federal Regulations section 260.43, and ensuring that the ethanol recycler they are utilizing has the appropriate permit(s) to conduct industrial distillation activities by the TTB.

Background and Effect of the Proposed Regulatory Action

Early in the COVID–19 pandemic, a heightened demand for alcohol-based hand sanitizers led to the increased production and distribution of these products. Beginning in March of 2020, the U.S. Food and Drug Administration (FDA) issued temporary guidance that allowed companies that were not registered drug manufacturers to produce alcohol-based hand sanitizer in order to meet the significant demand for the antiseptic during the COVID–19 pandemic. On December 31, 2021, FDA withdrew its temporary guidance and prohibited these hand sanitizers from being sold or distributed by manufacturers after March 31, 2022. In addition, over 600 hand sanitizers have since been placed on the FDA’s “do-not-use-list” due to dangerous levels of methanol and other impurities, while many others have expired. These events, in addition to excessive purchasing, are presumed to have created the surpluses of hand sanitizer that are currently being stored inside warehouses, within storage yards, and onsite by generators across California. These stockpiles persist because ignitable hazardous wastes, including alcohol-based hand sanitizers, are typically disposed of via incineration and, in addition to their high cost to manage, there is a backlog for disposal capacity for many commercial hazardous waste incinerators.

Alcohol-based hand sanitizer stockpiles are a risk to public health, public safety, the public’s welfare, and the environment because these products contain a minimum concentration of 60% ethyl or isopropyl alcohol by volume and have a flash point at room temperature. This means that between approximately 66– and 77–degrees Fahrenheit, these products emit flammable vapors that can be set alight with an ignition source, such as an open flame or spark. This characteristic of alcohol-based hand sanitizers has resulted in at least ten stockpile fires in southern California. In addition, DTSC responded to a report of alcohol-based hand sanitizer illegally abandoned in Lucerne Valley, Los Angeles County officials have contended with 19 such incidents within their jurisdiction (Chief Deputy Health Officer, Los Angeles County Fire Department, personal communication, December 1, 2023), and Kern County Public Health staff have reported four (California Accidental Release Prevention Program Supervisor, Kern County Public Health, personal communication, May 31, 2024).

The IEA Exemption seeks to remedy these issues by providing a viable recycling pathway for surplus ethyl alcohol-based hand sanitizers. This proposed rulemaking would adopt the language of 40 Code of Federal Regulations section 261.6(a)(3)(i) into California Code of Regulations, subsection 66261.6(a)(3)(D). It would exempt domestic IEA waste from management as a hazardous waste when it is legitimately recycled yet retain existing requirements for the import and export of spent and unused IEA. This exemption serves to provide economic relief to generators, thereby encouraging the proper management of IEA waste throughout California.

Benefits of the Proposed Regulatory Action

Adoption of the IEA Exemption will provide a viable management pathway for IEA waste, including ethyl alcohol-based hand sanitizer, to be safely managed in California. The IEA Exemption opens a legitimate and cost-effective pathway that diverts hazardous waste away from disposal and encourages recycling at industrial distilleries with the proper permitting oversight from TTB. DTSC anticipates a resulting decrease in stockpiling, illegal dumping, and fires through the adoption of this federal exemption which would, in turn, improve public safety and environmental protection. In addition, by retaining import and export requirements, DTSC will ensure that the regulations applicable to the transboundary movement of IEA still apply.

Existing Laws and Regulations

Health and Safety Code, division 20, chapter 6.5 sets out a basic framework and requirements for hazardous waste management in California. Specifically, Health and Safety Code section 25150 grants DTSC authority to adopt standards and regulations related to the management of hazardous waste and governs all aspects of the generation, management, treatment, storage, and disposal of hazardous waste in California. California Code of Regulations, title 22, division 4.5, chapter 11 governs the classification of hazardous wastes, including certain recycling exclusions. Ethyl alcohol is identified as a hazardous waste under the Resource Conservation and Recovery Act (RCRA) as it exhibits the characteristic of ignitability per the criteria of 40 Code of Federal Regulation section 261.21, and California Code of Regulations, title 22, section 66261.21.

Related State Laws and Regulations

DTSC has evaluated whether the proposed regulations are inconsistent or incompatible with existing state laws and regulations. In its evaluation, DTSC has determined that the proposed regulation is not inconsistent or incompatible with related state laws and regulations. DTSC is the only state agency that regulates and governs hazardous waste management in California. In addition, the language of the proposed emer-

gency rulemaking mirrors that of the federal exemption while incorporating analogous cross references, U.S. EPA-approved language additions, and appropriate formatting for the California Code of Regulations.

Comparable Federal Regulation or Statute

This proposed rulemaking is adopting a federal regulation, which was originally promulgated by U.S. EPA on January 4, 1985 (50 Fed. Reg. 614). 40 Code of Federal Regulations section 261.6(a)(3)(i) exempts both spent and unused IEA waste from parts 262 through 268, 270 or 124 of Chapter I, as well as the notification requirements of section 3010 of RCRA when it is legitimately recycled. As such, these regulations do not apply to generators, storage facilities, or transporters of IEA waste when they are engaging in legitimate recycling activities, nor do they apply to ethanol recycling facilities appropriately permitted by the TTB. In addition, this section states that the transboundary regulations for hazardous waste established in 40 Code of Federal Regulations part 262, subpart H are still applicable to IEA waste, while sections 261.6(a)(3)(i)(A) and 261.6(a)(3)(i)(B) further confirm consent requirements for exporters and export transporters. The proposed regulations do not differ substantially from the existing, comparable federal regulations, nor are these regulations in conflict with any federal regulations.

OTHER APPLICABLE REQUIREMENTS PRESCRIBED BY STATUTE

California Environmental Quality Act (CEQA)

DTSC has determined that this rulemaking would not result in a change in significance of any of the physical conditions within the environmental factors that are analyzed under CEQA. DTSC intends to prepare a Notice of Exemption as the appropriate CEQA document for the adoption of a rule or regulation pursuant to the CEQA Guidelines (Cal. Code Regs., title 14, § 15164(b)) because none of the conditions described in the CEQA Guidelines (Cal. Code Regs., title 14, § 15162) apply.

Peer Review

Under the provisions of Health and Safety Code section 57004, peer review is not required because the proposed exemption does not establish a regulatory level, standard, or other requirement subject to scientific peer review.

DISCLOSURES REGARDING THE PROPOSED ACTION/ECONOMIC AND FISCAL IMPACT ASSESSMENT

Businesses and individuals are not expected to experience significant adverse economic impacts from this regulation over its lifetime as the IEA Exemption

is simply an available option for waste management, and generators are not required to utilize it. Businesses that are already incurring costs from generating, transporting, storing, or disposing of IEA waste will experience cost savings under this exemption.

DTSC estimates indicate that the proposed exemption will not result in a total economic impact of more than \$10 million to the state’s businesses in one or more years of implementation. Therefore, this proposal is not a major regulation as defined by Health and Safety Code section 57005. Generators that recycle all their IEA waste pursuant to the IEA Exemption may experience an estimated cost savings of approximately \$2,480,326 from a reduction in hazardous waste regulatory requirements, and \$4,246,496 from a reduction in hazardous waste subject to Generation and Handling (G&H) Fee assessments. Cost savings for generators under the IEA Exemption are estimated to total approximately \$6,726,822 over the next five years. It should be noted that estimated costs are based on several assumptions that can cause them to be higher than actual materialized outcomes.

State Agencies

DTSC assumes that state government agencies will choose to manage their stockpiles of ethyl alcohol-based hand sanitizer and other IEA waste by sending it to a recycling facility instead of a hazardous waste incinerator. For calendar years 2024 through 2026, DTSC’s Generation and Handling Fee revenue losses are estimated to be approximately \$3,215,137 as a result of the IEA Exemption. Other state government generators may experience cost savings of approximately \$59,930 during this time period due to a reduced amount of hazardous waste subject to G&H Fee assessment, (assuming all ethanol waste is recycled over the course of these three years).

Local Agencies

DTSC assumes that the adoption of this rulemaking will result in cost savings for local governments. It is anticipated that local governments will choose to manage their IEA waste by sending it to a recycling facility instead of a hazardous waste incinerator currently experiencing a backlog. This has the benefit of reducing stockpile retention time and, in turn, reducing the chances of an onsite fire occurring. A decrease in fires would necessitate fewer resources from local fire departments and, therefore, require less expenditures. However, it is impossible to predict whether future fires will occur, and the cost of fire response will vary depending upon the size and scope of the incident. Local governments may also experience cost savings due to the IEA Exemption’s impact on reducing the amount of hazardous waste subject to G&H Fee assessment (assuming all ethanol waste is recycled). As such, the proposed exemption could result in

a total cost savings of \$24,560 for local governments between calendar years 2024 and 2026.

School Districts

DTSC has determined that the adoption of this emergency rulemaking may result in savings for school districts (costs are required to be reimbursed pursuant to Part 7 of Division 4, commencing with section 17500 of the Government Code). DTSC anticipates that school districts will choose to manage their stockpiles of ethyl alcohol-based hand sanitizer by sending them to a recycling facility instead of a hazardous waste incinerator that may not be available within the allotted accumulation period. In so doing, school districts may see a reduction in the costs associated with their management of hand sanitizer as a hazardous waste because recycling pathways are anticipated to be less costly. However, there is a lack of information regarding the quantities of ethyl alcohol-based hand sanitizer waiting for proper disposal, so the potential cost savings for school districts are currently unknown.

Federal Funding to the State

None.

Local Mandate

None.

Other Nondiscretionary Costs or Savings Imposed on Local Agencies

None.

Types of Businesses Affected

The proposed exemption applies to businesses that generate, transport, treat, store, and recycle IEA waste, including ethyl alcohol-based hand sanitizer. Multiple types of industries, such as chemical manufacturers, hospitals, and scientific and technical businesses are expected to be eligible for the IEA Exemption.

Projected Reporting, Recordkeeping, or other Compliance Requirements

The adoption of the proposed exemption may significantly reduce the reporting, recordkeeping, and other hazardous waste compliance requirements for participating generators of IEA.

Results of the Economic Impact Assessment

DTSC does not expect that the proposed exemption will result in the creation or elimination of jobs, creation or elimination of businesses, or affect the expansion of existing businesses. Adoption of the IEA Exemption will incentivize the proper management and recycling of IEA, including ethyl alcohol-based hand sanitizers. Through proper and timely management, the likelihood of hand sanitizer stockpiles igniting will decrease and, in turn, prevent significant harm to communities, residents, and workers. It will also avert environmental impacts as alcohol-based hand sanitizer stockpile fires harbor the potential to pollute the air with carbon monoxide, nitrogen oxides, and particulate matter, as well as contaminate nearby

waterbodies with toxic runoff. The IEA Exemption will also serve to disincentivize illegal dumping which poses a threat to wildlife through exposure and ingestion.

Cost Impacts on Representative Private Persons or Businesses

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

Housing Costs

None.

Small Businesses

DTSC has determined that the IEA Exemption may affect small businesses. The proposed exemption is an option for waste management that offers significant savings to small businesses by reducing costs related to compliance with hazardous waste requirements and fees.

Significant, Statewide Adverse Impacts Directly Affecting Business, Including the Ability of California Businesses to Compete with Businesses in Other States

Businesses and individuals are not expected to incur any costs to comply with this regulation as the IEA Exemption is simply an available option for waste management, and generators are not required to utilize it. Rather, businesses that are already incurring costs from the generation, transportation, storage, or disposal of ethanol waste may experience cost savings under this exemption

CONSIDERATION OF ALTERNATIVES

DTSC must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of DTSC 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. A detailed discussion of the proposed regulations, including the Consideration of Alternatives, is presented in the Initial Statement of Reasons document for these regulations.

DOCUMENTS INCORPORATED BY REFERENCE

This regulation proposal incorporates by reference the following documents which, because of their length and complexity, would be impractical to duplicate in the regulatory text:

Legitimate recycling of hazardous secondary materials, 40 C.F.R., § 260.43 (2023).

AVAILABILITY OF TEXT OF PROPOSED REGULATIONS, INITIAL STATEMENT OF REASONS, AND OTHER RULEMAKING DOCUMENTS

Copies of the Notice of Proposed Action, Initial Statement of Reasons, all the information upon which this proposal is based, and the express terms of the proposed amendment (also known as the proposed regulatory text) are posted to DTSC’s website at <https://dtsc.ca.gov/dtsc-proposed-regulations/> and will be made available for viewing at the Office of Legislation and Regulatory Review, as specified below.

Office of Legislation and Regulatory Review
Department of Toxic Substances Control
1001 I Street
Sacramento, California 95814–2828

The text of the proposed amendment contains the following formatting features:

- The symbol “***” means that intervening text not proposed for amendment is not shown.
- Proposed additions are indicated in single underlining to show where the new text is being added.
- Proposed deletions (repeals) are indicated as a ~~strikethrough~~ to show where the existing text is being removed.

After the close of the comment period, DTSC may adopt the proposed amendment. If substantial, sufficiently related changes are made to the regulatory text, the modified full text (with the changes clearly indicated) will be made available for comment for at least 15 days prior to adoption. Only persons who request to be notified of any modifications to the proposed text, submit written or oral comments (comments submitted at a hearing, if one is held, or comments submitted to DTSC), will be sent a copy of the modified text, if substantial, sufficiently related changes are made.

Once DTSC finalizes the regulatory text, DTSC will prepare a Final Statement of Reasons that updates the Initial Statement of Reasons, summarizes how DTSC addressed comments, and includes other materials. A copy of the Final Statement of Reasons will also be posted on DTSC’s website at <https://dtsc.ca.gov/dtsc-proposed-regulations/>, along with the date the approved regulation is filed with the Secretary of State, and the effective date of the regulation.

CONTACT PERSONS

Inquiries regarding technical aspects of the proposed regulation may be directed to Brian Ogg at (916) 302–0184 or Ricardo Rivera at (916) 327–4061 or, if un-

available, the Office of Legislation and Regulatory Review, as specified above, or call (279) 895–5179; TTY/TDD/Speech-to-Speech users may dial 7–1–1 for the California Relay Service. However, such oral inquiries are not part of the rulemaking record. Statements, arguments, or contentions regarding the rulemaking and/or supporting documents must be submitted in writing for them to be considered by DTSC before it adopts, amends, or repeals these regulations.

ALL OTHER QUESTIONS/COMMENTS/
INQUIRIES/UPDATES

Please direct all written comments, procedural inquiries, and requests for documents by mail or email to the Office of Legislation and Regulatory Review, as specified above. To be included in this regulation package’s mailing list and to receive updates for this rulemaking, please e-mail your request to regs@dtsc.ca.gov.

GENERAL PUBLIC INTEREST

FISH AND GAME COMMISSION

NOTICE OF FINDINGS OF CANDIDACY

MORRO MANZANITA
(*ARCTOSTAPHYLOS MORROENSIS*)

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 2074.2 of the California Fish and Game Code (Fish and Game Code), the California Fish and Game Commission (Commission), at its April 16–17, 2025 meeting, accepted for consideration the petition submitted to list morro manzanita (*Arctostaphylos morroensis*) as an endangered species under the California Endangered Species Act.

Pursuant to subdivision (e)(2) of Section 2074.2 of the Fish and Game Code, the Commission determined that the amount of information contained in the petition, when considered in light of the California Department of Fish and Wildlife (Department) written evaluation report, the comments received, and the remainder of the administrative record, would lead a reasonable person to conclude there is a substantial possibility the requested listing could occur.

Based on its determination and acceptance of the petition, the Commission is also providing notice that morro manzanita is a candidate species as defined by Section 2068 of the Fish and Game Code.

Within one year of the date of publication of this notice of findings, the Department shall submit a writ-

ten report, pursuant to Section 2074.6 of the Fish and Game Code, indicating whether the petitioned action is warranted. Copies of the petition and minutes of the April 16–17, 2025 Commission meeting are on file and available for public review on the Commission’s website at fgc.ca.gov. If you would prefer to view the documents at the Commission’s office, please make an appointment by phone at (916) 653–4899 or by sending an email to fgc@fgc.ca.gov.

Written comments or data related to the petitioned action should be directed to the California Department of Fish and Wildlife, Wildlife Diversity Program, Attention : Native Plant Program Specialist, Kristi Lazar via email at nativeplants@wildlife.ca.gov with “morro manzanita” in the subject line. Alternatively, comments or data may be submitted by mail to P.O. Box 944209, Sacramento, CA 94244–2090. Submitting information via email is preferred.

FISH AND GAME COMMISSION

NOTICE OF RECEIPT OF PETITION

NOTICE IS HEREBY GIVEN pursuant to the provisions of California Fish and Game Code Section 2073.3, that on March 25, 2025 the California Fish and Game Commission (Commission) received a petition from the Center for Biological Diversity to list Pacific pocket mouse (*Perognathus longimembris pacificus*) as a threatened or endangered species under the California Endangered Species Act (CESA).

Pacific pocket mouse is a small rodent that is historically endemic along the coast of southern California, from Marina del Rey and El Segundo in Los Angeles County, south to the vicinity of the Mexican border in San Diego County. The mouse lives on fine-grain, sandy substrates in open coastal sage scrub, coastal strand, coastal dune, and river alluvium habitats.

On April 4, 2025, pursuant to Section 2073 of California Fish and Game Code, the Commission transmitted the petition to the California Department of Fish and Wildlife (Department) for review pursuant to Section 2073.5. The Commission publicly received the petition at its April 16–17, 2025 meeting. Unless an extension is approved, the Department’s evaluation and recommendation relating to the petition is expected to be received by the Commission at its August 13–14, 2025 meeting and considered at its October 8–9, 2025 meeting.

For information about the petition or to submit information to the Department relating to the petitioned species, interested parties may contact Austin Roy, CESA Recovery Coordinator, California Department of Fish and Wildlife, Wildlife Branch, P.O. Box

944209, Sacramento, California 94244-2090, or at wildlifemgt@wildlife.ca.gov.

**RULEMAKING PETITION
DECISION**

**DEPARTMENT OF CORRECTIONS AND
REHABILITATION**

**NOTICE OF DECISION ON PETITION TO
AMEND REGULATIONS PURSUANT TO
GOVERNMENT CODE 11340.7**

Petitioner

Frederick Everts

Department Contact Person

Please direct any inquiries regarding this action to Ying Sun, Associate Director, Regulation and Policy Management Branch, Department of Corrections and Rehabilitation, P.O. Box 942883, Sacramento, CA 94283-0001.

Availability of Petition

The petition to amend regulations is available upon request directed to the Department’s contact person.

Authority

Penal Code Sections 5054 and 5058

Provisions of California Code Of Regulations Affected

Title 15, Crime Prevention and Corrections; Division 3, Adult Institutions, Programs and Parole

Granting this petition may require the adoption of a new section.

Summary of Petition and Department Decision

Petitioner’s Request: The petition requests the department provide records to incarcerated persons electronically on their network-capable tablets, when such records have been requested pursuant to the Public Records Act.

Department’s Response: The Department denies the petitioner’s request in its entirety. The petitioner is correct that there is currently no policy which allows incarcerated persons to access the online Public Records Act (PRA) Portal, or method for institutional PRA coordinators to provide documents electronically. Incarcerated persons must submit a written request on a CDCR Form 1432, Request to Inspect Public Records. The incarcerated person then has two options: view the records for free (sitting with the PRA coordinator) or pay \$.12 cents per page for copies.

Developing a new system similar to the PRA Portal, or granting incarcerated persons access to the existing system, utilizing their wireless communication devices

would likely cause a significant fiscal impact to the department.

Several years ago the department developed the PRA Portal for persons with internet access to submit their PRA requests electronically. All communication and viewing of documents are done via the PRA Portal. Since the portal has been in use, the department had to develop and staff a PRA Unit and later a PRA Oversight Unit that solely reviews and approves all PRA responses before they go out. A similar system for use by incarcerated persons would likely require significant start-up costs to build the technology platform, plus the hiring of additional staff to maintain the platform and quality-check the responses provided to requestors.

As technology changes, the department may revisit this issue in the future.

**SUMMARY OF
REGULATORY ACTIONS**

**REGULATIONS FILED WITH THE
SECRETARY OF STATE**

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

California Pollution Control Financing Authority
File # 2025-0325-01

California Capital Access Program for Small
Businesses

This Certificate of Compliance rulemaking action by the California Pollution Control Financing Authority seeks to formally adopt section 8078.36 within title 4 of the California Code of Regulations which was first adopted in the original emergency action OAL Matter Number 2024-0920-01E. This section provides the methods and means in which to receive and deploy alternative funding sources through various financing mechanisms specifically designated for small business growth and expansion.

Title 04
Adopt: 8078.36
Filed 04/30/2025
Effective 04/30/2025
Agency Contact: Kamika McGill (916) 653-0289

Air Resources Board
File # 2025-0403-02
Title 13 and 17 PRA Citations

This action without regulatory effect by the California Air Resources Board (CARB) updates the citations to various provisions of the California Public Records Act appearing in CARB's title 13 and 17 regulations to account for the reorganization and renumbering of the California Public Records Act by Assembly Bill 473 (Stats. 2021, chapter 614).

Title 13, 17
Amend: 1962.7, 1968.5, 1971.5, 2293.2, 2293.5, 2360.4, 60007, 60055.9, 60065.9, 60075.7, 91000, 91001, 91010, 91011, 91022, 93300.5, 93406, 95106, 95378
Filed 05/05/2025
Agency Contact:
Bradley Bechtold (279) 208-7266

Board of Pharmacy
File # 2025-0326-01
Digital Signatures

In this regular rulemaking, the Board of Pharmacy is adopting regulations permitting the use of digital signatures in any written communication, application, or other document in which a signature is required or used.

Title 16
Adopt: 1700
Filed 05/05/2025
Effective 07/01/2025
Agency Contact: Anne Sodergren (916) 518-3110

Department of Conservation
File # 2025-0319-01
SB 463 Chemical Inventory and Root Cause Analysis Regulations

This action amends and adopts regulations to implement the requirements of SB 463 regarding underground gas storage (UGS) and addresses (1) the development, submittal, and updating of chemical inventory contents and data; (2) regulatory responses to the Blade Report findings regarding the 2015 leak at the Aliso Canyon natural gas storage facility; and (3) promotion of public safety and welfare with respect to well plans, emergency response plans, and investi-

gation tracking, and reporting of leaks and other off-normal occurrences.

Title 14
Adopt: 1726.3.2, 1726.4.3
Amend: 1726.1, 1726.3, 1726.3.1, 1726.3.4 (renumbered 1726.4.4), 1726.6.1
Filed 05/01/2025
Effective 07/01/2025
Agency Contact: Christine Hansen (916) 694-7577

Department of Justice

File # 2025-0324-01

Prohibited Persons Transfers

This action specifies the information that a firearm dealer or ammunition vendor must report when they accept a temporarily prohibited person's firearm, ammunition feeding device, or ammunition for storage. This information is to be submitted electronically via the Dealer's Record of Sale (DROS) Entry System (DES).

Title 11
Adopt: 4028
Filed 05/06/2025
Effective 07/01/2025
Agency Contact: Marlon Martinez (213) 269-6437

**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.