



# California Regulatory Notice Register

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

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**PROPOSED ACTION ON REGULATIONS**

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**TITLE 2. DEPARTMENT OF JUSTICE**

**THE CONFLICT-OF-INTEREST CODE OF THE FAIR POLITICAL PRACTICES COMMISSION**

NOTICE IS HEREBY GIVEN that the Office of the Attorney General (the “Office”), pursuant to Government Code sections 82011, 87303, and 87304 of the Political Reform Act (Gov. Code, § 81000 et seq.) will review proposed amendments to the conflict-of-interest code of the Fair Political Practices Commission (the “Commission”). The purpose of the amendments is to implement Government Code sections 87300 through 87302, and 87306.

Government Code sections 87300 and 87302 require each government agency to adopt a conflict-of-interest code designating the agency personnel who must file annual Form 700 Statement of Economic Interests, disclosing certain economic interests. Designated personnel are those who make or participate in making governmental decisions that may foreseeably have a material financial effect on an economic interest. (Gov. Code, § 87302, subdivision (a).)

Pursuant to Government Code section 87306 and California Code of Regulations, title 2, section 18750, the Commission proposes to amend its conflict-of-interest code due to changed circumstances, including the creation of new positions and changes to duties assigned to existing positions. The Office is the code reviewing body for the Commission. (Gov. Code, §§ 82011, 87303, and 87304.)

Any interested person may submit written statements, arguments, or comments related to the proposed amendments by submitting them no later than **5:00 p.m. on October 28, 2025**, or at the conclusion of the public hearing, if one is requested, whichever comes later, to the agency contact set forth below. The Office has not scheduled a public hearing on the proposed amendments. However, it will hold a hearing if it receives a written request for a hearing from any interested person, or his or her representative, 15 days before the close of the written comment period.

The Office has prepared a written explanation (Statement of Reasons) for the proposed amendments and has available information on which the proposed amendments are based. Copies of the proposed amendments and the information on which the amendments are based may be obtained by contacting the persons set forth below.

The Office has determined that the proposed amendments will not impose a cost or savings on any state agency, or school district that is required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of the Government Code; will not result in any nondiscretionary cost or savings to local agencies; will not result in any cost or savings in federal funding to the state; will not impose a mandate on local agencies or school districts; and will not have any potential cost impact on private persons or businesses including small businesses.

The Office has determined that no alternative considered by the Office would be more effective in carrying out the purpose for which the amendments are proposed or would be as effective and less burdensome to affected private persons than the proposed amendments.

All inquiries concerning this proposal should be directed to: Marlon Martinez, at 300 South Spring Street, Los Angeles, California 90013, or (213) 269-6437, or [Marlon.Martinez@doj.ca.gov](mailto:Marlon.Martinez@doj.ca.gov). Requests for copies of the proposed conflict-of-interest code amendments may also be obtained from Lindsay Rice, Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, California 95811, or (916) 322-5660, or <http://www.fppc.ca.gov/the-law/fppc-regulations/proposed-regulations-and-notices.html>.

**TITLE 2. FAIR POLITICAL PRACTICES COMMISSION**

**TERMINATION AND REOPENING OF COMMITTEES**

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission (the Commission), under the authority vested in it under the Political Reform Act (the Act)<sup>1</sup> Section 83112 of the Government Code, proposes to adopt, amend, or repeal regulations in Title 2, Division 6 of the California Code of Regulations. The Commission will consider the proposed regulation

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

at a public hearing on or after **October 16th, 2025**, at the offices of the Fair Political Practices Commission, 1102 Q Street, Suite 3000, Sacramento, California, commencing at approximately **10:00 a.m.** Written comments should be received at the Commission offices no later than **5:00 p.m.** on **October 14th, 2025**.

**BACKGROUND/OVERVIEW**

The Commission has the authority to adopt regulations so that candidates and committees may terminate their filing obligations and to ensure that they will have no activity that must be disclosed under the Act after termination. Current Regulations 18404 and 18404.1 provide these procedures for Section 82013 committees and for candidates.<sup>2</sup>

**Regulation 18404: Termination of Candidate and Committee Filing Requirements.** This regulation addresses the termination of filing requirements for Section 82013(a), (b), and (c) committees and for candidates with and candidates without controlled committees. It also provides the procedure for recipient committees to terminate when four factors are met, as verified by the committee’s treasurer.

**Regulation 18404.1: Termination and Reopening of Committees.** This regulation addresses the mandatory termination procedures for candidate controlled committees subject to the state contribution limits (those for state elective office, and those for city and county elective office, subject to state contribution limits [AB 571 candidate committees]). These committees must terminate within 24 months of the committee having no net debts and the candidate’s status for the office for which the committee was formed has ended due to the candidate’s defeat, withdrawal from the election or the end of the office’s term. The committee must also close its bank account and provide notice to its creditors prior to termination.

Local candidate controlled committees held by a candidate elected to state office or a local office subject to state contribution limits must also be terminated within 24 months under the requirements in Regulation 18404.

This regulation also provides reopening procedures for the committees. A committee may make a request to the Commission’s Executive Director to reopen with a showing of good cause. Reconsideration of a denied request rests with the Chair. Under the regulation, if the terminated committee receives a refund from a government entity or from a vendor totaling no more than \$10,000, the regulation permits the committee to accept the refund and report any related transactions

<sup>2</sup> Note that there are specific rules that apply to Section 84222(c)(5) multipurpose organization committees that have a calendar year termination (Regulation 18422(b)(3)) and to Target Officer Committees in a recall election (Regulation 18531.5(d)).

(receipt, expenditure/transfer) without the need to reopen the committee and its bank account.

Staff identified the following issues to be addressed:

- The above regulations need updates in language to remove references to statements and forms in keeping with the Secretary of State’s office (“SOS”) online campaign filing system (CARS), which will not use these terms.
- Clarifications are necessary to provide guidance to the SOS in building the CARS system to reflect Commission advice and policies. For example, the Commission has advised that committees not subject to Regulation 18404.1 need only seek to reopen with the SOS, and the SOS requests that this be stated in a regulation.
- The procedure for reconsidering reopening requests needs updating to reflect current Commission practices for transparency and consideration by the Commission at the Chair’s discretion.
- Recent legislation allows campaign funds to be used for security expenses with a return/reimbursement requirement on particular timelines, which should be addressed in the termination procedures.

**REGULATORY ACTION**

Amend 2 Cal. Code Regs. Section 18404; repeal and adopt Section 18404.1, and adopt Section 18404.3.

Commission staff proposes amending Regulation 18404 to consolidate language, remove references to forms and statements in line with CARS, move the committee termination procedures to Regulation 18404.1, and clarify that candidates must close any controlled committee opened by them in order for their filing obligations to terminate.

Staff proposes a repeal of current Regulation 18404.1 and adoption of a revised Regulation 18404.1 to provide the termination procedures for recipient committees that voluntarily terminate and those that must terminate due to the campaign finance limitations applicable to the committee. The proposed regulation will address the need to resolve security returns or reimbursements prior to termination unless there is an ongoing security threat. The allowance for a committee to receive refunds without having to reopen will be extended to include security reimbursements or returns that are no more than \$10,000 received where there has been an ongoing security threat. The reopening procedures for committees subject to state contribution limits and mandatory termination are proposed to be moved to the new proposed Regulation 18404.3.

Staff proposes the adoption of Regulation 18404.3 with the reopening procedures for recipient committees that address situations where there has been an

ongoing security threat and the return/reimbursement is higher than \$10,000 and updates to the reconsideration process reflecting current Commission reconsideration procedures.

**SCOPE**

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

**FISCAL IMPACT STATEMENT**

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

**AUTHORITY**

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

**REFERENCE**

Sections 81004, 82007, 82013, 84103, 84214, 84215, 85300, 85301, 85306, 85702.5, 89510 through 89519, Government Code.

**CONTACT**

Any inquiries should be made to L. Karen Harrison, Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, CA 95811; email: [KHarrison@FPPC.CA.Gov](mailto:KHarrison@FPPC.CA.Gov); telephone (916) 322–5660 or 1–866–ASK–FPPC. Proposed regulatory language can be accessed at <http://www.fppc.ca.gov/the-law/fppc-regulations/proposed-regulations-and-notice.html>.

**TITLE 2. HIGH–SPEED RAIL  
 AUTHORITY OFFICE OF THE  
 INSPECTOR GENERAL**

**ADOPT THE  
 CONFLICT–OF–INTEREST CODE**

NOTICE IS HEREBY GIVEN that the Office of the Inspector General, California High–Speed Rail (OIG–HSR), pursuant to the authority vested in it by section 87300 of the Government Code, proposes adopting a conflict–of–interest code. A comment period has been established commencing on September

12, 2025 and closing on October 27, 2025. All inquiries should be directed to the contact listed below.

The OIG–HSR proposes to adopt a 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 adoption of the proposed code carries out the purposes of the law and no other alternative would do so and be less burdensome to affected persons.

This is the OIG–HSR’s first conflict–of–interest code. Consistent with the requirements in the Political Reform Act (Government Code section 81000 et seq.) the proposed code designates OIG–HSR positions that involve the making or participation in making of decisions that may foreseeably have a material effect on any financial interest. The proposed code also establishes disclosure categories describing the types of financial interests staff in designated positions must disclose in their annual Statement of Economic Interests (Form 700).

Information on the proposed code is attached to this email.

Any interested person may submit written comments relating to the proposed code by submitting them no later than October 27, 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 October 12, 2025.

The OIG–HSR has determined that the proposed code:

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

All inquiries concerning this proposed amendment and any communication required by this notice should be directed to: Amanda Millen, Deputy Inspector General, (916) 281–8763, [amanda.millen@oig.hsr.ca.gov](mailto:amanda.millen@oig.hsr.ca.gov).

**TITLE 3. DEPARTMENT OF  
FOOD AND AGRICULTURE**

REFERENCE

PEACH FRUIT FLY ERADICATION AREA

The California Department of Food and Agriculture (Department) proposes to make permanent the emergency amendment to Title 3, California Code of Regulations (CCR) Section 3591.12 Peach Fruit Fly (PFF) Eradication Area, which adds Placer County to the list of eradication areas.

The Department proposes this action to implement, interpret and make specific Sections 5761, 5762, 5763, and 5764 of the FAC.

PUBLIC HEARING

A public hearing is not scheduled. However, a public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Department no later than 15 days prior to the close of the written comment period.

INFORMATIVE DIGEST/POLICY  
STATEMENT OVERVIEW

This amendment of Title 3 CCR Section 3591.12, will add Placer County to the area.

WRITTEN COMMENT PERIOD

Any interested person or their authorized representative may submit written comments relevant to the proposed regulations to the Department. Comments may be submitted by USPS, FAX or email. The written comment period closes on October 27, 2025. The Department will consider only comments received at the Department offices by that date or postmarked no later than October 27, Month Day, 2025. Submit comments to:

Existing law, FAC Section 407, provides that the Secretary may adopt such regulations as are reasonably necessary to carry out the provisions of this code that the Secretary is directed or authorized to administer or enforce.

Existing law, FAC Section 5322, provides that the Secretary may establish, maintain, and enforce quarantine, eradication, and such other regulations as are in their opinion necessary to circumscribe and exterminate or prevent the spread of any pest that is described in FAC Section 5321.

Existing law, FAC Section 5761, provides that the Secretary may proclaim any portion of the state to be an eradication area with respect to the pest, prescribe the boundaries of such area, and name the pest and the hosts of the pest which are known to exist within the area, together with the means or methods which are to be used in the eradication or control of such pest.

Existing law, FAC Section 5762, provides that the Secretary may proclaim any pest with respect to which an eradication area has been proclaimed, and any stages of the pest, its hosts and carriers, and any premises, plants, and things infested or infected or exposed to infestation or infection with such pest or its hosts or carriers, within such area, are public nuisances, which are subject to all laws and remedies which relate to the prevention and abatement of public nuisances.

Existing law, FAC Section 5763, provides that the Secretary, or the commissioner acting under the supervision and direction of the director, in a summary manner, may disinfect or take such other action, including removal or destruction, with reference to any such public nuisance, which he thinks is necessary.

Existing law, FAC Section 5764, provides that if an eradication area has been proclaimed with respect to a species of fruit flies and the removal of host plants of such species is involved, the director may enter into an agreement with the owner of such host plants to remove and replace them with suitable nursery stock in lieu of treatment.

AUTHORITY

The Department proposes to amend Section 3591.12 pursuant to the authority vested by Sections 407 and 5322 of the Food and Agricultural Code (FAC).

ANTICIPATED BENEFITS OF THE  
PROPOSED AMENDMENT

This regulatory action will allow the Department to add Placer County to the eradication area. Making this change will help prevent the spread of PFF, which will benefit:

- the general public.
- homeowners and community gardens.
- agricultural industry.
- the State’s general fund.
- California’s natural environment.
- health and welfare of California residents.

There are no existing, comparable federal regulations or statutes.

EVALUATION OF INCONSISTENCY/  
INCOMPATIBILITY WITH EXISTING  
STATE REGULATIONS

As required by Government Code Section 11346.5(a)(3)(D), the Department has conducted an evaluation of Section 3591.12 and has determined that they are not inconsistent or incompatible with existing state regulations.

CALIFORNIA ENVIRONMENTAL  
QUALITY ACT (CEQA)

Prior to conducting any action authorized by this regulation, the Department shall comply with the California Environmental Quality Act of 1970 (Public Resources Code Section 21000 et seq. as amended) and the State CEQA Guidelines (Title 14 California Code of Regulations Section 15000 et seq.).

DISCLOSURES REGARDING THE  
PROPOSED ACTION

*The Department has made the following initial determinations:*

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: None.

Cost to any local agency or school district requiring reimbursement pursuant to Gov. Code section 17500 et seq.(Gov. Code sec. 11346.5(a)(6).): None.

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

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

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

Significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states: The cost impacts are expected to be none and minimal/non-consequential. The Department makes the initial determination that the proposed action will not have a significant, statewide adverse economic impact.

Significant effect on housing costs: None.

Small business determination: The proposed action will not affect small business because this action only provides authority for state quarantine activities and does not require reporting, recordkeeping, or compliance by businesses.

RESULTS OF THE ECONOMIC  
IMPACT ANALYSIS/ASSESSMENT

The amendment is designed to prevent or minimize the spread of PFF by amending Section 3591.12. The Department has made an assessment that the amendment to this regulation would: (1) not create or eliminate jobs within California, (2) not create new business or eliminate existing businesses within California,(3) not affect the expansion of businesses currently doing business within California, (4) is expected to benefit the health and welfare of California residents, (5) is expected to benefit the state’s environment, and is (6) not expected to benefit workers’ safety.

Health and welfare: The proposed action will benefit the health and welfare of California residents by making it more likely that PFF would be detected before an infestation can happen, and, if there is an infestation, the Department can react quickly and effectively. Speed of response is key to eradicating an incipient pest infestation. Programmatic delays potentially can lead to pest quarantines, as well as increased production costs and potential job loss.

The state’s environment: The proposed action will benefit the state’s environment by increasing the chance that PFF would be detected before an infestation can happen. If the Department neglects to regulate hosts, this pest could spread into the local environment via the surrounding non-agricultural ecosystems. This could adversely impact private and commercial landscape plantings, local, regional, state and national parks, other recreational sites, open habitats, and wild lands. Affected plants could become less vigorous and may produce fewer seeds. Plants/trees with low propagule output can result in major changes to plant community structure.

CONSIDERATION OF ALTERNATIVES

The Department must determine that no reasonable alternative it considered or that has otherwise been

identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The Department invites interested persons to present alternatives during the written comment period.

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

The Department has prepared an initial statement of reasons for the proposed action and has made available all the information upon which its proposal is based and the express terms of the proposed action. The Department has posted the information regarding this proposed regulatory action on its Internet website ([www.cdffa.ca.gov/plant/Regulations.html](http://www.cdffa.ca.gov/plant/Regulations.html)). A copy of the initial statement of reasons and the proposed regulations in underline and strikeout form may be obtained upon request. The location of the information on which the proposal is based may also be obtained upon request. In addition, the final statement of reasons will be available upon request. Requests should be directed to the contact named herein.

#### AVAILABILITY OF CHANGED OR MODIFIED TEXT

After the comment period and considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this notice. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency officer named herein. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

#### AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting the agency officer named herein.

### TITLE 3. DEPARTMENT OF PESTICIDE REGULATION

#### HEAT ILLNESS AND PERSONAL PROTECTIVE EQUIPMENT — CHEMICAL-RESISTANT SUITS

The Department of Pesticide Regulation (DPR) proposes to amend Title 3, California Code of Regulations (3 CCR) section 6738.1. The pesticide regulatory program activities affected by the proposal are those pertaining to pesticide worker safety. In summary, the proposed action will update and clarify chemical-resistant suit requirements and remove a duplicative and obsolete heat illness prevention requirement for employees who are required to wear chemical-resistant suits.

#### SUBMITTAL OF COMMENTS

Any interested person may present comments in writing about the proposed action to the agency contact person named below. Written comments must be received no later than October 27, 2025. Comments regarding this proposed action may also be transmitted via SmartComment online comment portal at <https://cdpr.commentinput.com/?id=SJ8Ucdjbr> or by facsimile at 916-324-1491.

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.<sup>1</sup>

#### EFFECT ON SMALL BUSINESS

DPR has determined that the proposed regulatory action does not affect small business. The proposed action will clarify chemical-resistant suit requirements and will eliminate the purchasing of chemical-resistant headwear when it is not required or necessary. The proposed action will also remove a duplicative and obsolete heat illness prevention requirement for employees who are required to wear chemical-resistant suits. These amendments are for clarification and will not affect small business.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

DPR's mission is to protect human health and the environment by fostering sustainable pest management and regulating pesticides. Food and Agricul-

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<sup>1</sup> 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.

tural Code (FAC) section 12980 requires that DPR work jointly with the Office of Environmental Health Hazard Assessment (OEHHA) to develop regulations to ensure safe working conditions for persons handling pesticides and working in and around pesticide-treated areas. FAC section 12981 requires DPR to adopt regulations to accomplish the Legislature's intent relative to ensuring pesticide safety in the workplace. DPR's current regulatory requirements for personal protective equipment (PPE), including regulations addressing increased thermal load resulting from wearing non breathable chemical-resistant clothing, are designed to reduce the risk of pesticide exposure and injuries among pesticide handlers and workers.

Existing section 6738.1 describes requirements for PPE when PPE is required by pesticide product labeling, regulations, or restricted material permit conditions. Existing subsection 6738.1(g) requires employers to ensure that employees wear a full-body chemical-resistant suit that covers the torso, head, arms, and legs when a full-body chemical-resistant suit is required. Additionally, when the ambient temperature exceeds 80°F during daylight hours or 85°F during nighttime hours (sunset to sunrise), existing subsection 6738.1(g)(1) requires an employer to ensure that an employee who is required to wear a chemical-resistant suit does not handle the pesticide unless the pesticide is handled pursuant to subsections 6738.4(c) or (e); or that the employee uses a cooled chemical-resistant suit, or engineering controls, to reduce temperatures to an effective working environment of 80°F during daylight hours or 85°F during nighttime hours (sunset to sunrise).

The proposed action will remove the duplicative requirement that a chemical-resistant suit must cover the head when a chemical-resistant suit is required. It will also remove the duplicative and obsolete heat illness prevention requirement in section 6738.1(g)(1) for employees who are required to wear chemical-resistant suits.

The FAC requires that DPR adopt regulations that provide for safe working conditions for persons handling pesticides and working in and about pesticide-treated areas, including regulations regarding PPE and other protective devices. The broad objective of the proposed regulations is to clarify and reduce the ambiguity of current PPE requirements, ensuring that pesticide users correctly comply with PPE requirements that benefit worker safety. Further, thermal load on the user is decreased by not requiring the head to be covered by a chemical-resistant suit when chemical resistant headgear is not otherwise required by label or permit conditions. By decreasing the net thermal load, the overall risk for developing heat illness is decreased, as are the severity of symp-

toms if they were to develop. Further, the proposed change to eliminate section 6738.1(g)(1) may also increase handler compliance with regulations by providing clarification and avoiding confusion and/or potential conflicts with the Department of Industrial Relations, Division of Occupational Safety and Health's (Cal/OSHA's) regulations pertaining to heat illness prevention, should Cal/OSHA's regulations be revised.

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. Although DPR and Cal/OSHA both have regulatory mandates to protect workers from health and safety hazards in workplaces, DPR enforces pesticide laws in workplaces where pesticides are used.

**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 COSTS 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 regulation action.

**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**

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

**RESULTS OF 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 because the proposed regulations are clarifying and designed to reduce the ambiguity of current PPE requirements. There are no potential increased costs for compliance by pesticide users and the regulatory amendment should not significantly affect business operations or have a significant adverse economic impact on the sector.

The Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment: The FAC requires that DPR adopt regulations that provide for safe working conditions for persons handling pesticides and working in and about pesticide-treated areas, including regulations regarding PPE and other protective devices. The regulations clarify and reduce the ambiguity of current PPE requirements, ensuring that pesticide users correctly comply with PPE requirements that benefit worker safety. Further, thermal load on the user is decreased by not requiring the use of chemical-resistant headwear when it is not otherwise required by label or regulation. However, the proposed regulations will not improve the health and welfare of residents or environmental conditions, as the proposed changes are not related to these issues.

**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 12981.

**REFERENCE**

This regulatory action is to implement, interpret, or make specific FAC sections 12980 and 12981.

**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 regulation 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 regulation permanent if it remains 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 regulation; 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:

Michel Oriel, Environmental Program Manager I  
 Worker Health and Safety Branch  
 916-324-8845

This Notice of Proposed Action, the Initial Statement of Reasons, and the proposed text of the regulation 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**

**MULTI-OWNER TYPE LICENSES  
 CGCC-GCA-2025-03-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 **October 27, 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 October 27, 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. Except for technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as the 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, 19823, 19824, 19840, 19841, 19850, 19851, 19853, 19855 and 19984 of the Business and Professions Code; and to implement, interpret or make specific sections 19801, 19811, 19823, 19824, 19841, 19850, 19851, 19852, 19853, 19855, 19864, 19865, 19866, 19867, 19868, 19880(d), 19883, 19890(e), 19893 and 19984 of the Business and Professions Code, the Commission is proposing to adopt the following changes to

Chapters 1 and 2 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 proposing regulations that would implement Assembly Bill (AB) 1271 (Gipson, Chapter 302, Statutes of 2023), which provides that the Commission must adopt regulations to implement a new owner type license that allows for a person or entity to be endorsed on the license certificate of multiple gambling enterprises (cardrooms). Additionally, AB 1271 allows the Commission to adopt regulations to provide for the waiver of any application requirements, including the collection of supplemental forms and any required background investigations by the Department of Justice (DOJ), Bureau of Gambling Control (Bureau), should the applicant possess a state gambling license in good standing. The Commission's proposed action will define "good standing" and modify existing licensing processes to create a "multi-owner type license" that would allow owners of cardrooms or third-party providers of proposition player services (TPPPS) to bundle multiple endorsements across businesses (but not across industries) which will have the effect of reducing the administrative processes and costs associated with the maintenance of their licenses.

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 Gambling Control Act (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 19851 provides that the Commission may waive applicant requirements to applicants who possess a state gambling license in good standing and

shall adopt regulations to implement a new owner license type that allows a person or entity to be endorsed on the license certificate of multiple gambling establishments.

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 establishes a multi-owner type license for owners of cardrooms and TPPPS businesses to consolidate their various endorsements into a single license process. Additionally, the proposed action provides that endorsees in good standing will have specified application requirements waived.

ANTICIPATED BENEFITS OF  
PROPOSED REGULATION:

These proposed regulations are anticipated to reduce workload and create cost savings for applicants, the Commission, and the Bureau by eliminating the requirement to review an applicant's background repeatedly over a two-year period. This is expected to result in reduced fees and costs associated with initial and renewal applications for applicants in good standing who either apply for additional initial licenses or who convert their existing licenses to a multi-owner type license.

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.***

This section provides general definitions for overall use in Division 18. As part of this proposal new definitions are proposed. Additional changes have been proposed to other definitions including renumbering to reflect the new definitions.

- Subsection (n) is added to provide a definition for "cardroom multi-owner license." This definition means a cardroom specific license whose two-year approval period will determine the approval period of all other cardroom endorsee licenses held by a specific licensee.
- Subsection (ac) is added to provide a definition for "good standing." This definition provides a status for endorsee licenses (cardroom endorsee license and TPPPS endorsee license) that allows

access to specific licensing processes, discussed in detail below.

- Subsection (ae) provides the definition for “initial license.” This definition differentiates between different types of initial licenses and is amended to include references to “initial cardroom multi-owner license,” “initial TPPPS multi-owner license,” and “initial multi-owner type license.”
- Subsection (al) is added to provide a definition for “multi-owner type license.” This definition provides a term to refer to both cardroom and TPPPS multi-owner licenses.
- Subsection (an) is added to provide a definition for “pending accusation.” This definition allows for the Commission’s disciplinary process to be referenced in its entirety.
- Subsection (ao) is added to provide a definition for “pending evidentiary hearing.” This definition allows for the Commission’s evidentiary hearing to be referenced in its entirety.
- Subsection (ar) provides the definition for “renewal license.” This definition differentiates between different types of renewal licenses and is amended to include references to “renewal cardroom multi-owner license,” “renewal TPPPS multi-owner license,” and “renewal multi-owner type license.”
- Subsection (bb) is added to provide a definition for “TPPPS multi-owner license.” This definition means a TPPPS specific license whose two-year approval period will determine the approval period of all other TPPPS endorsee licenses held by a specific licensee.

*Article 2. Procedures for Hearings and Meetings on Applications.*

***Amend Section 12054. Consideration at a Commission Meeting.***

Section 12054 provides a limited list of the possible actions that could be taken by the Commission at a Commission meeting.

- Paragraph (4) provides that one of the actions the Commission could take on an application is to elect to hold or retract it from an evidentiary hearing. The provision is amended to clarify that when the Commission elects to hold an evidentiary hearing on an endorsee’s license, the applicant is prevented from being considered in “good standing” unless the Commission directs otherwise.

*Article 3. Designated Agent.*

***Amend Section 12080. Requirements.***

Section 12080 provides regulations for the appointment of designated agents. A designated agent is a per-

son who is authorized to assist an applicant or licensee on a specified set of issues and may appear before the Commission on behalf of an applicant or licensee, if so designated.

- Subsection (a) provides that an applicant or licensee may designate an individual to serve as their designated agent and provides a form for this process. Reflecting the amendment of the form, the form date in this provision is amended.

*Appointment of Designated Agent, CGCC-CH1-04*

- Section 3 applies to the Designated Agent, not the applicant or licensee completing the form. The question pertaining to licenses held by the designated agent has been amended to clarify that any relevant license numbers must be provided and not just a single license number if multiple licenses are held.
- Subsection (c) provides the information a designated agent must provide, if applicable. This provision currently requires that license numbers from the California State Bar and California Board of Accountancy be provided. Currently the provision requires that only license numbers in “good standing” be provided, but this is amended to instead require “valid license number(s).” Subsection (c) has been further amended to require any valid license number(s) issued by the Commission to be provided. Additionally, the form, CGCC-CH1-04, currently indicates that a license number issued by the Commission must be provided, so this amendment also makes the provision consistent with the form.
- Subsection (d) provides that if the designated agent provides a license number from either the California State Bar or the California Board of Accountancy, then they must update the Bureau should their standing change or if there is any disciplinary action against them.

*Article 4. Fees.*

***Amend Section 12090. Schedule of Fees Required for Applications, Approvals, and Registrations.***

This section provides a repository of fees associated with the Commission’s various forms.

- The Commission’s Application for Owner Category License, CGCC-CH2-05, is the application submitted by cardroom endorsees and TPPPS endorsees when applying for either an initial or renewal license. The new multi-owner type license, while representing a reduction in total applications by licensees who hold more than one license, either with a single business or with more than one business, also represents an increase in workload by both Commission and Bureau staff. To cover these costs an additional

multi-owner type license application fee of \$657 is added for individuals applying for a multi-owner type license.

*Chapter 2. Licenses and Work Permits.*

*Article 1. Definitions and General Provisions.*

**Amend Section 12102. General Provisions.**

This section provides general provisions related to each license.

- Subsection (a) provides that an initial or renewal license or Commission work permit shall be valid for two years. This provision is amended to add new paragraph (2). This new paragraph provides that multi-owner type licenses are also valid for a two-year period and that any associated initial and renewal licenses will be valid not for their own two-year period but for the multi-owner type license’s two-year period.

*Article 2. Initial License Applications; Required Forms.*

**Amend Section 12112. Initial License Applications; Required Forms.**

Section 12112 provides what must be submitted to the Bureau for an initial application to be considered complete. This section includes the application forms Application for Employee Category License, CGCC-CH2-04 and Application for Owner Category License, CGCC-CH2-05, along with any relevant supplemental or additional forms that must be provided.

- Subsection (a) provides that an applicant must submit either an employee or owner application form along with the applicable background investigation deposit required in Bureau regulations. In reflecting the amendment of the Application for Owner Category License form, the form date in this provision is amended.

*Application for Employee Category License, CGCC-CH2-04*

- Section 3 of the form provides a series of questions for renewal applications. In the Commission’s licensing process, initial applications include supplemental forms, which ask many background-related questions and provides information to the Commission and Bureau to use during the application process and the determination of suitability. A new question pertaining to a change in contact information has been added to the form.

*Application for Owner Category License, CGCC-CH2-05*

- The form instructions provide guidance on how the form must be completed. The instructions are amended to reference “owner category license” instead of “licensee.”

- The place to provide the name of the “Associated Owner Category Licensee” is removed from page 1.
- Section 1 of the form provides a place for the applicant to indicate the type of application they are applying for.
  1. The title of part A is amended to clarify that the application can be used to apply for one type of license (cardroom business license, TPPPS business license, cardroom endorsee license, or TPPPS endorsee license).
  2. The individual descriptions of what each license type means in part A have been amended to provide better examples and directly reference Business and Professions Code sections 19851 and 19984.
  3. The title of part B has been amended to request the specifics of the applicant, and to allow for more than one box to be selected.
    - a. All existing text in this part has been repealed and replaced with similar questions in a new format. The question related to badges has been moved to Section 6.
    - b. A section for identifying the type of application (initial or renewal) is added.
    - c. A question for temporary license (initial only) is added.
    - d. A question related to late submittals is added (for cardroom renewals only).
    - e. A question is added about good standing.
    - f. A question is added about applying for a multi-owner type license.
    - g. A question is added about whether the application is for an existing multi-owner type license. This is a new process adopted as part of this rulemaking action.
- Section 2 of the form provides a series of questions for renewal applications. In the Commission’s licensing process, initial applications include supplemental forms, which ask many background-related questions and provides information to the Commission and Bureau to use during the application process and the determination of suitability.
  - a. The title and instructions for this section have been amended to include applications in good standing. Business and Professions Code section 19851(c) allows the Commission to waive the submittal of supplemental forms and the requirement for an investi-

- gation by the Bureau on applications when good standing exists.
    - b. A new question pertaining to other sources of income has been added to the list of questions.
    - c. A new question pertaining to a change in contact information has been added to the form.
  - Section 3 of the form provides a place for a cardroom business licensee to report gaming hours, number of tables, and proposed games. This section contains non–substantive changes to the instructions and a clarifying note that the application is not an application for game approval.
  - Section 4 of the form provides a place for a business licensee (cardroom or TPPPS) to provide a breakdown of the people (natural and non–natural) that make up its ownership, and how any compensation is provided to those persons. This section includes non–substantive changes to the instructions consistent with the Act. Additionally, a row has been added to indicate the name of the business licensee.
  - Section 5 of the form is proposed to provide two certifications related to an application requesting a multi–owner type license.
    - a. The first certification requires the applicant to acknowledge that they understand that the result of their request will be a consolidation of their endorsements with a single multi–owner type license and that going forward they will have a single renewal cycle.
    - b. The second certification requires the applicant to acknowledge that by holding a multi–owner type license, it means that when an action is taken against the multi–owner type license, it may affect some or all the licensee’s other licenses.
  - Section 6 of the form is proposed to provide a place for an applicant for an endorsee license (cardroom or TPPPS) to indicate what their endorsements are for.
    - a. With the expansion to multi–owner type licenses, there is a need for an applicant to indicate multiple endorsements on a single application. To properly and separately identify each endorsement the applicant must provide the type of endorsement, any immediate non–natural person the endorsement is associated with, and the actual business licensee (cardroom or TPPPS).
    - b. The instructions to this section include a provision prohibiting the multiple submit-
  - tals of endorsements for licensees who do not hold or are not requesting a multi–owner license. If a licensee elects to maintain their licenses separately, they are not eligible for the multi–license process and must submit individual applications, application fees, background deposits (if applicable), and supplemental forms (if applicable).
    - c. The place for cardroom endorsee licensees to request a badge is moved from Section 1 to this Section.
  - Section 7, renumbered from Section 4, provides additional documentation that is required of the applicant. The instructions for this section require that documents must be signed and dated. This is amended to indicate that the signing and dating is only required if applicable to the form being submitted.
- Individual Owner/Principal: Supplemental Information, CGCC–CH2–07*
- The place to submit the name, title, associations, and application type are removed from page 1.
  - Section 1 of the form collects the applicant’s personal identification information. Part B of the form collects the endorsement type(s) with a space to indicate multiple endorsements on a single application. To properly and separately identify each endorsement the applicant must identify the type of endorsement, identify any immediate non–natural person the endorsement is associated with, and report the actual business licensee (cardroom or TPPPS).
  - Section 6 of the form collects experience and employment history. Item #3 in the work history is amended to request “Name of Prior Employer” instead of “Current Employer.” This is a non–substantive change to correct an error that currently exists on the form as item #1 already requires the application to provide their “Current Employer” and the remaining spaces are reserved for indicating the applicant’s prior employment history. In addition, space for the conclusion of the work period is added for consistency with other required information.
  - Section 8 of the form collects gaming related business interests. One of the questions collects current and historical business interests. This question is amended to identify “page two” instead of “page one,” consistent with the other changes on the forms related to multi–owner type licenses. Additionally, more examples of possible relationships have been added.
  - Section 9 of the form collects non–gaming related business interests. This question is amended to

provide more examples of possible relationships that should be provided.

- Section 11 of the form provides instructions to the applicant regarding other required forms and documents to be submitted with the application.

The instructions for this section require that documents must be signed and dated. This is amended to indicate that the signing and dating is only required if applicable to the form being submitted.

A new requirement for sole proprietors is added. Most cardrooms and TPPPS ownership structures involve both natural and non-natural persons. Sole Proprietors are an exception where the natural person acts as the business. As such, business information not reflected in the supplemental form for natural persons is needed for the Bureau to effectively conduct its background investigation. This information is reflected in Sections 5, 7, 8, and 9 of the business entity supplemental (with Section 11 being the signature for the completed sections).

- Subsection (d) provides for the criminal record check forms. If an applicant is a resident of California, then the standard Live Scan service is available. Out of State residents must submit an Applicant Fingerprint Card, FD-258.
  1. Paragraph (1) provides that a resident of California must submit a completed Request for Live Scan Service and is amended to clarify that the form must have an application transaction identifier (ATI number) that is unique from any previously submitted to the Bureau.
  2. Paragraph (2) provides that an applicant who is not a California resident must submit an Applicant Fingerprint Card. Specifically, the provision requires two “copies” of the form. This provision is amended to be consistent with Section 12114 and no longer requires “copies.”
- New subsection (g) is proposed to provide that when an application is for a cardroom endorsee license or TPPPS endorsee license in good standing, then the applicant does not need to include the otherwise required supplemental information forms required in subsection (b), or the applicable background deposits required by Bureau regulations.

***Amend Section 12114. Renewal License Applications; Required Forms.***

Section 12114 provides what must be submitted to the Bureau for a renewal application to be considered complete and the timelines under which it must be submitted.

- Subsection (c) provides the criteria for a complete renewal application. Renumbered subparagraph

(2)(A) provides that an investigation deposit must be submitted, as required by Bureau regulations. New subparagraph (B) provides that if the applicant holds a license in good standing the applicant does not need to submit a background deposit.

Additionally, subparagraph (4)(A) provides that a resident of California submits a completed Request for Live Scan Service with a renewal application. To match the amendment to Section 12112(d)(1), this provision is amended to clarify that the form must have an application transaction identifier (ATI number) that is unique from any previously submitted to the Bureau.

- Subsection (d) requires that all endorsed licensees must provide renewal applications and is proposed to be repealed.

***Amend Section 12116. Processing Timelines for Applications.***

Section 12116 provides for the timelines for application review.

- Subsection (a) provides the following processing timelines and application requirements:
  1. Paragraph (1) provides that the Bureau must review an application within 10 business days after the receipt of an application. A non-substantive change from “ten” to “10” has been made.
  2. Paragraph (2) provides that the Bureau will review an applicant’s supplemental information forms and notify them of any deficiencies. This provision also provides that even should the application be deemed complete, the Bureau may, pursuant to its authority under Business and Professions Code section 19866, require the applicant to submit additional information. This provision is amended to add a reference to Business and Professions Code section 19867, which provides the Bureau’s authority to require the deposit of additional sums of money needed to complete the investigation.

**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:**

The Commission has determined that there will be no impact on any public agency regarding federal funding. The determination of annual fees and transfer of required documents due to the sale of a business do not pertain to federal funding or any federal program.

*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 determined that this regulatory proposal will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The basis for this determination is that this proposed action provides a way for owners of cardrooms and TPPPS to streamline their bi-annual renewal process, which is unlikely to result in additional or reduced industry participation or performance.

**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 determined 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 provides own-

ers of cardroom and TPPPS in good standing to apply for multi-owner type licenses and/or reduced requirements for their license applications.

**Benefits Of Proposed Regulation:**

The proposed regulations are anticipated to streamline and reduce requirements for the licensure processes for existing and future owners of cardrooms and TPPPS businesses.

**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 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](mailto: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](mailto:ahunter@cgcc.ca.gov)

#### WEBSITE ACCESS

Materials regarding this proposed action are also available on the Commission's website at [www.cgcc.ca.gov](http://www.cgcc.ca.gov).

## TITLE 14. BOARD OF FORESTRY AND FIRE PROTECTION

### FOREST RESILIENCE AND OAK WOODLAND EXEMPTION

Notice is hereby given that the California State Board of Forestry and Fire Protection (Board) is proposing to take the action described in the Informative Digest.

#### PUBLIC HEARING

The Board will hold a public hearing on November 4, 2025 at 10:00 a.m. at the joint Forest Practice and Management Committee meetings, in the Natural Resources Building, 715 P Street, Sacramento, CA. At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action. The Board requests, but does not require, that persons who make oral comments at the hearing also submit a written summary of their statements. Additionally, pursuant to Government Code (GOV) § 11125.1(b), writings that are public records pursuant to GOV § 11125.1(a) and that are distributed to members of the state body prior to or during a meeting, pertaining to any item to be considered during the meeting, shall be made available for public inspection at the meeting if prepared by the state body or a member of the state body, or after the meeting if prepared by some other person.

Attendees may also participate via the online meeting platform or telephone conferencing. To participate via the online meeting platform please email [PublicComments@bof.ca.gov](mailto:PublicComments@bof.ca.gov) by 4:30 p.m. on November 3, 2025 to request a link to the meeting. A link to the meeting will also be posted under the "Webinar Information" heading on the front page of the Board website, no later than 8:00 a.m. the morning of the hearing.

#### WRITTEN COMMENT PERIOD

Any person, or authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. All written comments must be received by the Board office via mail, facsimile, email, or hand delivery no later than the end of the day **October 27, 2025**

The Board will consider only written comments received at the Board office by that time and those written comments received at the public hearing, including written comments submitted in connection with oral testimony at the public hearing. The Board requests, but does not require, that persons who submit written comments to the Board reference the title of the rulemaking proposal in their comments to facilitate review.

Written comments shall be submitted to the following address:

Board of Forestry and Fire Protection  
 Attention: Daniel Craig  
 Regulations Program Manager  
 P.O. Box 944246  
 Sacramento, CA 94244–2460

Written comments can also be hand delivered to the contact person listed in this notice at the following address:

Board of Forestry and Fire Protection  
 Attention: Daniel Craig  
 715 P Street  
 Sacramento, CA 95814

Written comments may also be delivered via email at the following address:

[PublicComments@BOF.ca.gov](mailto:PublicComments@BOF.ca.gov)

**AUTHORITY AND REFERENCE  
 (PURSUANT TO GOV § 11346.5(A)(2) AND  
 1 CCR § 14) 14 CCR § 1122)**

Authority cited: Sections 4551, 4551.5, 4552, 4553, 4584, 4584.1, 4561, 4561.5, 4562, 4562.5, 4562.7, 4591.1, 4592 and 21082, Public Resources Code.

Reference: Sections 4290, 4291, 4511, 4512, 4512.5, 4513, 4516, 4521.3, 4523, 4524, 4525, 4525.3, 4525.5, 4525.7, 4526, 4526.5, 4527, 4527.5, 4528, 4551, 4551.5, 4552, 4554, 4555, 4561, 4562, 4562.5, 4562.7, 4582, 4583.2, 4584, 4584.1, 4584.2, 4591.1, 4592, 4597, 4597.1, 4750, 4750.3, 4750.4, 21001(f), 21080(b)(4), 21080.5, 21083.2 and 21084.1, Public Resources Code; CEQA Guidelines Appendix K (printed following Section 15387 of Title 14 Cal. Code of Regulations), *Laupheimer v. State* (1988) 200 Cal.App.3d 440; 246 Cal. Rptr. 82; and *Joy Road Area Forest and Watershed Association v. California Department of Forestry & Fire Protection*, Sonoma County Superior Court Number SCV 229850 and *EPIC v. California Department of Forestry and Fire Protection and Board of Forestry* (1996) 43 Cal.App.4th 1011.

**INFORMATIVE DIGEST/POLICY  
 STATEMENT OVERVIEW (PURSUANT  
 TO GOV 11346.5(A)(3)(A)–(D))**

On September 22, 2024 Governor Newsom signed Assembly Bill 2276 (Stats. 2024, chapter 388) which became effective January 1, 2025. Assembly Bill 2276 amended sections of the Public Resources Code, including sections of the Z’Berg–Nejedly Forest Practice Act of 1973 (Act). The sections amended by AB 2276 include sections 4584 and 4584.1, which describe exemptions to the Act which may be adopted by regulation by the Board. The bill addresses matters related to forest health within the Act, including changes which the Legislature deemed to be emergencies: renaming the Forest Fire Prevention Exemption to the Forest Resilience Exemption, making other adjustments to that exemption, and revising certain aspects of the Oak Woodland Exemption. The amended changes to PRC 4584 and 4584.1 developed new statutory language for these exemptions and gave the Board of Forestry and Fire Protection authority to consider regulatory language addressing the Diameter Breast Height (dbh) to determine Basal Area (BA) and the percent canopy cover/closure needed to meet forest resilience goals.

The Forest Fire Prevention, now Forest Resilience Exemption, has been a successful tool for landowners to reduce their vulnerability to wildfires, and the preservation and management of oak woodlands and forests is vital for ecological and cultural reasons. As such the Legislature saw fit to authorize the Board to adopt these rules via emergency rulemaking to shorten the gap during which the Forest Resilience Exemption would be unavailable to landowners, and changes to the Oak Woodland Exemption would not be reflected in the regulatory text. On January 15, 2025, the Board adopted emergency regulations for these exemptions and renewed it for 90 days on July 14, 2025.

Catastrophic wildfire in California is a significant threat to life, public health, infrastructure, private property, and natural resources. This threat has grown in recent years and is likely to continue due to factors such as widespread and unprecedented tree mortality, extensive loading of fuels within the wildland, continued population growth, changing land use patterns, drought, and shifts in climatic conditions. Limiting the impacts of wildfires via reducing high fuel loads and dead and downed fuels in Timberland has become an important focus of the management of Timberland (Agee and Skinner 2005).

The rule plead as presented changes the name of the Forest Fire Prevention Exemption to the Forest Resilience Exemption and provides regulatory language based on the statutory language in the bill and makes adjustments to the exemption regulatory language for clarity and enforceable standards.

The problems are as follows: First, as the effects of a century of fire suppression and warming climate make large wildfires more common in California, additional measures are necessary to replicate the effects of low-intensity wildfire; the control of small trees and other species that are not fire-resilient, the limitation of fuel loads, and the maintenance of an open forest with limited canopy closure. Streamlined permitting for these management measures was previously authorized by the Legislature under the Forest Fire Prevention Exemption, and regulations related to this permitting pathway. January 1st, 2025, the Forest Fire Prevention exemption was modified per AB 2276 and renamed as the Forest Resilience Exemption. Additionally, AB 2276 streamlined the permitting requirements for the management of oak woodlands and associated grasslands, as authorized by the Legislature under the Oak Woodland Exemption. This Oak Woodland Exemption was limited in its use based on maximum size for encroaching conifers to be removed from the grove, means of measuring tree diameter, and permissions for use to specific forest districts. These requirements limited the efficacy of the exemption and prohibited its use in the southern part of the state.

The purpose of this rule plead is to finalize permit rule language adopted in AB 2276 and provide clarification to the rule text addressing canopy cover and diameter breast height requirements for the use of the exemption's notices. This language provides clear regulatory standards which provides Professional Foresters the understanding on when the exemptions may be utilized within a forested landscape and provides environmental protection for the natural resources within areas of operations. Additionally, the rule plead provides clear enforceable standards for the enforcing agency assuring the protection of natural resources.

The effect of the rule plead will be access to two tools to promote streamlined management of California's forests: the Oak Woodland Exemption, which allows for the removal of conifers from stands historically dominated by oaks; and the Forest Resilience Exemption, which allows for management to eliminate the vertical continuity of vegetative fuels and the horizontal continuity of tree crowns for the purpose of reducing the rate of fire spread, duration and intensity, fuel ignitability, or ignition of tree crowns.

The benefit of the rule plead is the preservation of oak woodlands which are being converted to conifer stands by a lack of the historic periodic fire and cultural management of those ecosystems and the promotion of forests that are more resilient to catastrophic wildfire due to management so that the fuels within the forests are not connected in a way that promotes the spread of landscape-level wildfires.

Board staff conducted an evaluation on whether the proposed action is inconsistent or incompati-

ble with existing State regulations pursuant to **GOV § 11346.5(a)(3)(D)**. State regulations related to the proposed action were, in fact, relied upon in the development of the proposed action to ensure the consistency and compatibility of the proposed action with existing State regulations.

Otherwise, Board staff evaluated the balance of existing State regulations related to measures concerning conversion of timberland within State regulations that met the same purpose as the proposed action. Based on this evaluation and effort, the Board has determined that the proposed regulations are neither inconsistent nor incompatible with existing State regulations. The proposed regulation is entirely consistent and compatible with existing Board rules.

**MANDATED BY FEDERAL LAW OR REGULATIONS**

The proposed action is not mandated by Federal law or regulations.

The proposed action neither conflicts with, nor duplicates, Federal regulations.

There are no comparable Federal regulations related to regulating the management of forest for forest resilience or the restoration of oak woodlands. No existing Federal regulations meeting the same purpose as the proposed action were identified.

**OTHER STATUTORY REQUIREMENTS (PURSUANT TO GOV § 11346.5(A)(4))**

There are no other matters as are prescribed by statute applicable to the specific State agency or to any specific regulation or class of regulations.

**LOCAL MANDATE (PURSUANT TO GOV § 11346.5(A)(5))**

The proposed action does not impose a mandate on local agencies or school districts.

**FISCAL IMPACT (PURSUANT TO GOV § 11346.5(A)(6))**

There is no cost to any local agency or school district that is required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

A local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by the act, within the meaning of Section 17556 of the Government Code.

The proposed action will not result in the imposition of other non–discretionary costs or savings to local agencies.

The proposed action will not result in costs or savings in Federal funding to the State.

The proposed action will not result in costs to any State agency. The proposed action represents a continuation of existing forest practice regulations and will not result in any direct or indirect costs or savings to any state agency.

HOUSING COSTS (PURSUANT TO GOV § 11346.5(A)(12))

The proposed action will not significantly affect housing costs.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS, INCLUDING ABILITY TO COMPETE (PURSUANT TO GOV §§ 11346.3(A), 11346.5(A)(7) AND 11346.5(A)(8))

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states (by making it costlier to produce goods or services in California).

FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE RELIED UPON TO SUPPORT INITIAL DETERMINATION IN THE NOTICE THAT THE PROPOSED ACTION WILL NOT HAVE A SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS (PURSUANT TO GOV § 11346.2(B)(5) AND GOV § 11346.5(A)(8))

Contemplation by the Board of the economic impact of the provisions of the proposed action through the lens of the decades of contemplating forest practice in California that the Board brings to bear on regulatory development.

STATEMENTS OF THE RESULTS OF THE ECONOMIC IMPACT ASSESSMENT (EIA)

The results of the economic impact assessment are provided below pursuant to **GOV § 11346.5(a)(10)** and prepared pursuant to **GOV § 11346.3(b)(1)(A)–(D)**. The proposed action:

- Will not create jobs within California (GOV § 11346.3(b)(1)(A));

- Will not eliminate jobs within California (GOV § 11346.3(b)(1)(A));
- Will not create new businesses (GOV § 11346.3(b)(1)(B));
- Will not eliminate existing businesses within California (GOV § 11346.3(b)(1)(B));
- Will not affect the expansion or contraction of businesses currently doing business within California (GOV § 11346.3(b)(1)(C));
- Will yield nonmonetary benefits (GOV § 11346.3(b)(1)(D)). The proposed action will affect the health and welfare of California residents by providing additional options for fuel treatment; aiding the management of oak woodlands and forests; and creating forest more resilient to wildfire. Greater forest resilience across the landscape will reduce fire intensity slowing the spread of fire through California forests. By reducing the fire intensity in treated zones, it will provide for firefighter safety and protection to communities, improving worker and public safety. This adoption will provide clarity and enforceability, resulting in improved environmental outcomes, yielding non–monetary benefits in accordance with GOV § 11346.3(b)(1)(D).

COST IMPACTS ON REPRESENTATIVE PERSON OR BUSINESS (PURSUANT TO GOV § 11346.5(A)(9))

Persons wishing to manage the horizontal and vertical continuity of forest fuel loads for the purpose of fire resilience and wish to restore oak woodlands within their forested landscapes will be provided with a cost–effective alternative by allowing the use of a notice of exemption compared to the cost of the preparation of a Timber Harvest Plan.

BUSINESS REPORT (PURSUANT TO GOV §§ 11346.5(A)(11) AND 11346.3(D))

The proposed action does not impose a business reporting requirement.

SMALL BUSINESS (DEFINED IN GOV 11342.610)

The proposed regulation may affect small business, though small businesses, within the meaning of GOV § 11342.610, are not expected to be significantly affected by the proposed action.

Small business, pursuant to 1 CCR § 4(a):

- (1) Is legally required to comply with the regulation;
- (2) Is not legally required to enforce the regulation;

- (3) Does not derive a benefit from the enforcement of the regulation;
- (4) May incur a detriment from the enforcement of the regulation if they do not comply with the regulation.

#### CONSIDERATION OF ALTERNATIVES

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

#### CONTACT PERSON

Requests for copies of the proposed text of the regulations, the Initial Statement of Reasons, modified text of the regulations and any questions regarding the substance of the proposed action may be directed to:

Board of Forestry and Fire Protection  
Attention: Daniel Craig  
Regulations Program Manager  
P.O. Box 944246  
Sacramento, CA 94244-2460  
Telephone: (916) 653-8007

The designated backup person in the event Mr. Craig is not available is Jane Van Susteren Regulations Coordinator for the Board of Forestry and Fire Protection. Mrs. Van Susteren may be contacted at the above address or phone.

#### AVAILABILITY STATEMENTS (PURSUANT TO GOV § 11346.5(A) (16), (18))

All of the following are available from the contact person:

1. Express terms of the proposed action using UNDERLINE to indicate an addition to the California Code of Regulations and ~~STRIKETHROUGH~~ to indicate a deletion.
2. Initial Statement of Reasons, which includes a statement of the specific purpose of each adoption, amendment, or repeal, the problem the Board is addressing, and the rationale for the determination by the Board that each adoption, amendment, or repeal is reasonably necessary to carry out the purpose and address the problem for which it is proposed.

3. The information upon which the proposed action is based (pursuant to **GOV § 11346.5(b)**).
4. Changed or modified text. After considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications which are sufficiently related to the originally proposed text, it will make the modified text — with the changes clearly indicated — available to the public for at least 15 days before the Board adopts the regulations as revised. Notice of the comment period on changed regulations, and the full text as modified, will be sent to any person who submitted comments during the public comment period, or requested notification of the availability of such changes from the Board of Forestry and Fire Protection. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

#### FINAL STATEMENT OF REASONS

When the Final Statement of Reasons (FSOR) has been prepared, the FSOR will be available from the contact person on request.

#### INTERNET ACCESS

All of the material referenced in the Availability Statements is also available on the Board web site at: <https://bof.fire.ca.gov/regulations-and-policies/proposed-rule-packages>.

### TITLE 14. DEPARTMENT OF PARKS AND RECREATION

#### OHMVR GRANTS AND COOPERATIVE AGREEMENTS PROGRAM REGULATIONS

#### EXPLANATORY STATEMENT

**Subject Matter of Proposed Action:** Off-Highway Motor Vehicle Recreation (OHMVR) Division Grants and Cooperative Agreements Program (Program).

**Sections Affected:** Amend the California Code of Regulations, Title 14, Division 3, Chapter 15 (CCR) Section 4970.01 and 4970.06.2 and Grants and Cooperative Agreements Program — Appendix (Appendix).

BACKGROUND AND  
PROBLEM STATEMENT

Public Resources Code Section 5090.01 et seq., also known as the Off–Highway Motor Vehicle Recreation Act of 2003, as amended, governs Off–Highway Vehicle (OHV) Grants and Cooperative Agreements with cities, counties, Districts, U.S. Forest Service, U.S. Bureau of Land Management, other Federal Agencies, State and Federally Recognized Native American Tribes, Nonprofit organizations, Educational Institutions, Certified Community Conservation Corps, and State agencies.

The Grants and Cooperative Agreements Program (Program) is administered by the OHMVR Division (Division) within the California Department of Parks and Recreation (Department). The Program allows the State to assist eligible agencies and organizations to develop, maintain, expand and manage high–quality OHV recreation areas, roads, trails, and other facilities, while responsibly maintaining the wildlife, soils, and habitat in a manner that will sustain long–term OHV recreation. Assistance is provided in the form of project–specific grant funding.

With the exception of law enforcement projects, grants are awarded through a competitive process where applicants and their proposed projects are evaluated using objective criteria (law enforcement grants are awarded on a “need” based system). Grantees awarded grants and/or cooperative agreements submit reimbursement requests to the Division for funding throughout the term of the Grantee’s project and once completed, all projects are reviewed for compliance with Program regulations. Grants and cooperative agreements are further subject to audit by the Department Audit Office and in some cases grant funds are returned to the State when they are found not in compliance with Program regulations.

The purpose of the proposed action is to make improvements to the existing Program through amendments to Program regulations and documents incorporated by reference. The proposed regulation revisions will address specific issues, as outlined below, based on the Division’s ongoing experience administering grants and/or cooperative agreements, thereby ensuring public funds are being spent judiciously and within the State’s best interest. Additionally, the proposed regulation revisions will allow for a clearer understanding of the regulations by both Grantees and Division staff, as well as address outstanding programmatic issues related to the review and award of grants and/or cooperative agreements.

SPECIFIC PURPOSE, ANTICIPATED  
BENEFIT, AND NECESSITY

**Non–Substantive Changes**

The purpose of the proposed non–substantive changes to the regulations and appendix include updating document revision dates and grammatical changes such as capitalization, spacing, punctuation, and revision dates. The Division has determined these changes do not materially alter any requirement, right, responsibility, condition, prescription, or other regulatory element of any California Code of Regulations provision.

Specific updates to the regulation and appendix are outlined below:

**Amend 4970.01(tt)**

*Specific Purpose:* The specific purpose of this amendment is to amend the word “life” to “lift”.

*Benefit/Necessity:* The proposed amendment is necessary to correct a typo from the previous G25 regulatory package. By making this amendment, readers will understand that the definition refers to hydraulic lifts.

**Amend 4970.06.2(a):**

*Specific Purpose:* The specific purpose of this amendment is to amend the reference to “Habitat Management Program (HMP)” definition section as it was input incorrectly.

*Benefit/Necessity:* The proposed amendment is necessary to provide accurate reference to the definition “Habitat Management Plan (HMP)”.

**Amend Appendix — Project Agreement General Provisions (U.S. Forest Service Only)**

*Specific Purpose:* The specific purpose of this amendment is to correct reference to the United States (U.S.) Forest Service Cooperative Funds Act.

*Benefit/Necessity:* The proposed amendment is necessary as the cited Federal provision is inconsistent and not accurately referencing the U.S. Forest Services’ Code of Federal Regulations (CFR). Existing citation is not relevant in defining “Forest Service”; the new citation accurately references Federal code when defining “Forest Service: as used in these Provisions definitions.

The amendments do not alter any requirements, meaning, or intent of the provisions as these changes allow the U.S. Forest Service to continue receiving grant funding from the OHMVR Division.

**Amend Appendix — General Criteria**

*Specific Purpose:* The specific purpose of this amendment is to amend the title of the Soil Standard document to read as the most current version.

*Benefit/Necessity:* The proposed amendment is necessary as the referenced 2008 Soil Standard document is inconsistent with the updated 2020 Soils Standard

incorporated by reference in the California Code of Regulations. Failure to make this change may result in the intended audience referencing an out-of-date document, which can result in loss of points when completing the General Evaluation Criteria section.

The amendment does not alter any requirements, meaning, or intent of the provisions, as the 2020 Soil Guidelines are accurately referenced throughout these Regulations and appendix.

## TITLE 15. DEPARTMENT OF CORRECTIONS AND REHABILITATION

### MILESTONE COMPLETION CREDIT SCHEDULE

**NOTICE IS HEREBY GIVEN** that the Secretary of the California Department of Corrections and Rehabilitation (CDCR or the department), proposes to amend section 3043.3, of Title 15, Division 3, Chapter 1, regarding the Milestone Completion Credit Schedule.

#### PUBLIC HEARING

Date and Time:

**October 30, 2025 — 10:00 a.m. to 11:00 a.m.**

Place:

Department of Corrections and Rehabilitation  
8260 Longleaf Dr. — Building C-1 — Room 101  
Elk Grove, CA 95758

Purpose: To receive comments about this action.

#### PUBLIC COMMENT PERIOD

The public comment period begins **September 12, 2025**, and closes on **October 30, 2025**. Any person may submit written comments by mail addressed to the primary contact person listed below, or by email to [rpmb@cdcr.ca.gov](mailto:rpmb@cdcr.ca.gov), before the close of the comment period. For questions regarding the subject matter of the regulations, call the contact person listed below.

#### CONTACT PERSONS

##### *Primary Contact*

S. Pollock  
Telephone: (279) 223-2308  
Regulation and Policy Management Branch  
P.O. Box 942883  
Sacramento, CA 94283-0001

##### *Back-Up*

Y. Sun  
Telephone: (916) 203-9779  
Regulation and Policy Management Branch  
P.O. Box 942883  
Sacramento, CA 94283-0001

##### *Program Contact*

Fred Money  
(279) 223-3598  
Division of Adult Institutions  
P.O. Box 942883  
Sacramento, CA 94283-0001

### AUTHORITY AND REFERENCE

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

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

**PC Section 5054** provides that commencing July 1, 2005, the supervision, management, and control of the State prisons, and the responsibility for the care, custody, treatment, training, discipline, and employment of persons confined therein are vested in the Secretary of the CDCR. **PC Section 5055** provides that commencing July 1, 2005, all powers and duties previously granted to and imposed upon the Department of Corrections shall be exercised by the Secretary of the CDCR. **PC Section 5058** authorizes the Director to prescribe and amend rules and regulations for the administration of prisons and for the administration of the parole of persons.

### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Currently, Milestone Completion Credits (MCC) are awarded to incarcerated individuals that participate in Conservation (Fire) Camp Firefighter programs within the department, but do not provide MCC to incarcerated individuals that provide Fire Camp Special Skills support to the fire camps. The proposed regulations will add a new program to the Milestone

Completion Credit Schedule (MCCS) for Fire Camp Special Skills, which will enable Special Skills workers to receive MCC for participation in the Fire Camp Special Skills program. This will benefit both the individuals that participate in this program by giving them skills that will enable them to find employment post-parole, and the department/CAL FIRE by recruiting individuals for these needed positions which are crucial to firefighting efforts.

In addition, currently incarcerated individuals do not receive MCC for participation in the programs “Essential Skills for the Workforce,” “Certified Health Care Environmental Services Technician (CHEST),” or newly added Welding courses. By adding these programs/courses to the MCCS, incarcerated individuals who participate in these programs/courses will be able to receive credit for these programs/courses.

**This action will:**

- Amend the MCCS to add a new Fire Camp Special Skills Program to Schedule 2 (Division of Adult Institutions) of the MCCS, allowing participants to receive one week of MCC for each consecutive three months of camp assignment completed.
- Amend the MCCS to add the programs: Essential Skills for the Workforce, and Certified Health Care Environmental Services Technician (CHEST) to Schedule 3 (California Prison Industry Authority (CALPIA)) of the MCCS, allowing participants to receive MCC for these programs.
- Amend the MCCS to add additional Welding courses to Schedule 3 (CALPIA) of the MCCS, allowing participants to receive MCC for these courses.
- Remove the Printing program from Schedule 3 of the MCCS (CALPIA), as it is no longer available.

**SPECIFIC BENEFITS ANTICIPATED BY THE PROPOSED REGULATIONS**

The proposed regulations will allow for non-grade Special Skills workers to receive one week of MCC for every 90 days that they are housed in fire camps. The department and CAL FIRE will benefit by recruiting Special Skills workers needed for the fire camps. The Fire Camp Special Skills program will pave the way for job opportunities and will benefit incarcerated individuals after their release, as Special Skills workers who possess a skill set in these trades can be hired by CAL FIRE for a career post-parole. Additionally, the proposed regulations will allow CALPIA participants to receive MCC for the Essential Skills for the Workforce, and Certified Health Care Environmental Services Technician (CHEST) programs, as well as for newly added courses to the CALPIA Weld-

ing program. These proposed regulations will have a long-term beneficial effect by incentivizing individuals to accept and retain jobs during their incarceration. Participants in MCC courses will enhance their technical and social skills, instilling them with accountability and responsibility, and preparing them for careers after incarceration, which will assist with reducing recidivism and increasing public safety.

**DOCUMENTS INCORPORATED BY REFERENCE**

Milestone Completion Credit Schedule (REV. 05/25)

**EVALUATION OF INCONSISTENCY/ INCOMPATIBILITY WITH EXISTING LAWS AND REGULATIONS**

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

**LOCAL MANDATES**

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

**FISCAL IMPACT STATEMENT**

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

**EFFECT ON HOUSING COSTS**

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

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

The department is not aware of any cost impacts that a representative private person or business would

necessarily incur in reasonable compliance with the proposed action.

**SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESS**

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

**EFFECT ON SMALL BUSINESSES**

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

**RESULTS OF THE ECONOMIC IMPACT ASSESSMENT**

The department has determined that the proposed regulation will not have an effect on the elimination of jobs within California, but may potentially create new jobs, as incarcerated individuals are provided with job skills that will assist them in securing jobs once they are released from prison. The department has determined the proposed regulation will have no effect on the creation of new businesses or the elimination of existing businesses within California or affect the expansion of businesses currently doing business in California. The department has determined that the proposed regulation will benefit the health and welfare of California residents by increasing public safety due to better reintegration and reduced recidivism of incarcerated individuals upon their release into their communities. The State's environment will benefit by CDCR securing Special Skills workers for the crucial and necessary functions related to firefighting. The proposed regulations will have no effect on worker safety other than those related to specific job functions within the MCC courses.

**CONSIDERATION OF ALTERNATIVES**

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

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

**AVAILABILITY OF PROPOSED TEXT AND INITIAL STATEMENT OF REASONS**

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

**AVAILABILITY OF THE FINAL STATEMENT OF REASONS**

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

**AVAILABILITY OF CHANGES TO PROPOSED TEXT**

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

**TITLE 16. ACUPUNCTURE BOARD**

**APPLICATION FOR RETIRED STATUS;  
RETIRED STATUS; RESTORATION**

**NOTICE IS HEREBY GIVEN** that the Acupuncture Board (hereafter Board) is proposing to take the action described in the Informative Digest below, after

considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

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

WRITTEN COMMENT PERIOD

Written comments relevant to the action proposed, including those sent by mail, facsimile, or email to the addresses listed under “Contact Person” in this Notice, must be **received by the Board at its office no later than October 27, 2025**, or must be received by the Board at the hearing, should one be scheduled.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by section(s) 464, 4928, and 4933 of the Business and Professions Code (BPC), and to implement, interpret, or make specific BPC section(s) 118, 144, 464, 4938, 4955, 4967 and 4970 the Board is considering amending sections 1399.419.3 and 1399.460 of Articles 2 and 6 of Division 13.7 of Title 16 of the California Code of Regulations (CCR).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Board regulates the practice of acupuncture in California and is the sole issuer of acupuncture licenses in the state. The Board regulates over thirteen thousand licensed acupuncturists. The Board establishes and maintains standards of conduct within the acupuncture profession, primarily through its authority to license and enforce minimum standards for the protection of the public. (Acupuncture Licensure Act (Chapter 12 (commencing with section 11.5) of Division 2 of the Business and Professions Code (BPC)) (Act).) BPC section 4928.2 states that protection of the public shall be the highest priority for the Board in exercising its licensing, regulatory, and disciplinary functions. The Board is authorized to establish necessary regulations for the enforcement of the Act and the laws subject to its jurisdiction. (BPC § 4933.)

BPC section 464 authorizes any board within the Department of Consumer Affairs (DCA) to establish, by regulation, a system for a retired category of licen-

sure for individuals who are not actively engaged in the practice of their profession.

Currently, the Board does not have a regulation to implement a retirement process to obtain a retired license designation. The Board has two options for licensees to “retire” in practice or discontinue compliance with renewal requirements: 1) Apply for inactive license status under BPC section 701 and Title 16 CCR section 1399.489.1 and 2) Let the license lapse and permanently cancel by not renewing the license under BPC section 4967.

The first option of an inactive license signals to the public that the licensee cannot practice acupuncture and, therefore, doesn’t require continuing education; however, the licensee is still required to pay biennial renewal fees. The second option of a cancelled license signals to the public that the license was cancelled by the Board due to non-payment of renewal fees and could be misinterpreted to be a punitive result. Both options do not satisfactorily represent to the public that the licensee retired and elected to place their license in a retired status, which is a common culmination of a person’s career.

The Board has drafted the following proposal that would specify all of the following requirements in regulation:

- Defines the meaning of “disciplinary reasons” within the regulation.
- Authorize an acupuncturist to apply for and be issued a license in retired status.
- Exempt a holder of a retired license from continuing education and renewal requirements.
- Establish qualifications of the licensee to be eligible for a retired license.
- Establish an application process for a retired license.
- Prohibit a holder of a retired license from engaging in any activity for which an active license is required.
- Set professional title requirements for a holder of a retired license.
- Establish qualifications and requirements to be eligible to restore a retired license to active status.
- Establish an application process to restore a retired license to active status within three years of being issued a retired license.
- Establish an option to apply for a new license in accordance with BPC section 4967 to restore to active status if retired for more than three years.
- Establish a retired license application fee.

**Anticipated Benefits of Proposal**

The Board has determined that this regulatory proposal will have the following benefits to the health and welfare of California residents:

This proposal will establish a consistent and simple process for obtaining retired license status and will eliminate barriers for those who wish to place their license in a retired status. This will alleviate the public's confusion regarding the status of a licensee chooses to retire rather than abandon their license.

Currently, licensees who no longer wish to practice must either use the inactive status pursuant to CCR 1399.489.1 and pay the biennial renewal fee of \$500 or choose not to renew in inactive status, let their license expire into delinquent status, and cancel after three years. This process relieves the financial burden of having to remain in active status and provides easy access to return to active status if desired.

This regulatory proposal will not affect worker safety or the state's environment because this proposed regulation does not involve worker safety or environmental issues.

**Evaluation of Consistency and Compatibility with Existing State Regulations**

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

**DISCLOSURES REGARDING THIS PROPOSED ACTION**

**FISCAL IMPACT ESTIMATES**

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

The Board anticipates demand for the new retired status license type to be greatest in the first two years of implementation as inactive and active licensees opt to retire and apply for the new status with lower demand annually thereafter. The Board anticipates approximately 88 licensees apply for the retired license in the first two years of implementation and 15 licensees per year thereafter.

The Board estimates workload costs of \$85 per application, resulting in costs ranging from \$1,275 to \$3,740 per year and up to \$17,680 over a ten-year period.

The Board estimates retired license fee revenues of approximately \$3,740 per year in the first two years of implementation, \$1,275 per year thereafter, and up to \$17,4680 over a ten-year period.

The Board does not have an estimate of the number of retired licensees that may opt to reactivate their license in the future, and therefore does not have a fiscal impact estimate at this time. The Board notes, while this proposal provides pathways for retired licensees

to reactivate their license to active status, it does not anticipate this occurring often.

However, in the event an individual with a retired license opts to reactivate their license, the Board would incur workload costs and receive license fee revenues as follows:

- Less than three years — License Renewal (\$500).
- Three or more years — Application (\$250), Exam (\$800), Initial License\* (\$500).

**\*Prorated per CCR 1399.460 (d).**

Additionally, for any applicants requiring a fingerprint background check \$32 is passed onto the California Department of Justice and \$17 to the federal government.

This regulatory proposal does not impact any costs or savings in federal funding to the state.

**Nondiscretionary Costs/Savings to Local Agencies:** None.

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

**Mandate Imposed on Local Agencies or School Districts:** None.

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

**BUSINESS IMPACT ESTIMATES**

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

This initial determination is based on the following facts/evidence/documents or testimony:

This proposed regulatory action establishes placement of a license in a retired status for a licensee who is not actively engaged in the practice of acupuncture or any activity that requires them to be licensed by the Board. Since licensees can currently choose to go inactive, or allow their licenses to lapse or cancel when they retire, there will be no effect on businesses when a licensee changes to retired status.

**Cost Impact on Representative Private Person or Business**

The cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action and that are known to the Board are: licensees will have the option to apply for a retired license for a one-time fee of \$85.

The Board anticipates approximately 88 licensees (44 per year) apply for the retired license status in the first two years of implementation and 15 licensees per year thereafter, which results in an economic impact

of \$3,740 per year in the first two years of implementation, \$1,275 per year thereafter, and up to \$17,680 over a ten-year period.

The Board does not have an estimate of the number of retired licensees that may opt to reactivate their license in the future, and therefore does not have an economic impact estimate at this time. The Board notes, while this proposal provides pathways for retired licensees to reactivate their license to active status, it does not anticipate this occurring often.

However, in the event an individual with a retired license opts to reactivate their license, the Board would incur workload costs and receive license fee revenues as follows:

- Less than three years — Licensee Renewal (\$500), CE (\$500–\$1000).
- Three or more years — Application (\$250), Exam (\$800), Initial License\* (\$500).

**\*Prorated per CCR 1399.460 (d).**

Additionally, applicants may need to pass a fingerprint background check with estimated costs of \$75.

#### RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

##### **Impact on Jobs/Businesses**

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

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

This proposed regulatory action establishes placement of a license in a retired status for a licensee who is not actively engaged in the practice of acupuncture or any activity that requires them to be licensed by the Board. Since licensees can currently choose to go inactive, or allow their licenses to lapse or cancel when they retire, there will be no effect on businesses when a licensee changes to retired status.

##### **Benefits of Regulation**

The Board has determined that this regulatory proposal will have the following benefits to the health and welfare of California residents:

This proposal will establish a consistent and simple process for obtaining retired license status and will eliminate barriers for those who wish to place their license in a retired status. This will alleviate the public’s confusion regarding the status of a licensee chooses to retire rather than abandon their license.

Currently, licensees who no longer wish to practice must either use the inactive status pursuant to CCR

1399.489.1 and pay the biennial renewal fee of \$500 or choose not to renew in inactive status, let their license expire into delinquent status, and cancel after three years. This process relieves the financial burden of having to remain in active status and provides easy access to return to active status if desired.

This regulatory proposal will not affect worker safety or the state’s environment because the proposal does not involve worker safety or environmental issues. The regulatory proposal establishes the placement of a license into a retired status when the licensee is no longer actively engaged in the practice of acupuncture and allows for a return to practice if desired.

##### **Business Reporting Requirements**

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

##### **Effect on Small Business**

The Board has determined that the proposed regulations will not affect small businesses. The proposal would only affect those licensees who move into retired status unless the small business is owned by the retiring licensee, but since licensees can currently choose to go inactive, or allow their licenses to lapse or cancel when they retire, there would be no effect on businesses when an individual opts to change their license title to “retired.”

#### CONSIDERATION OF ALTERNATIVES

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

Any interested person may submit comments to the Board in writing relevant to the above determinations at 1625 North Market Boulevard, Suite 219, Sacramento, CA 95834 during the written comment period, or at the hearing if one is scheduled or requested.

#### AVAILABILITY OF STATEMENT OF REASONS AND RULEMAKING FILE

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

**TEXT OF PROPOSAL**

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Board at 1625 N. Market Boulevard, Suite 219, Sacramento, CA 95834.

**AVAILABILITY OF CHANGED  
OR MODIFIED TEXT**

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

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

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

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

**CONTACT PERSONS**

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

Name: Kristine Brothers, Policy Coordinator  
Address: Acupuncture Board  
1625 North Market Boulevard, Suite 219,  
Sacramento, CA 95834  
Telephone Number: (916) 515-5200  
Fax Number: (916) 928-2204  
Email Address: [AcuPolicy@dca.ca.gov](mailto:AcuPolicy@dca.ca.gov)

The backup contact person is:

Name: Marisa Ochoa, Central Services Manager  
Address: Acupuncture Board  
1625 North Market Boulevard, Suite 219,  
Sacramento, CA 95834  
Telephone Number: (916) 515-5200  
Fax Number: (916) 928-2204  
Email Address: [AcuPolicy@dca.ca.gov](mailto:AcuPolicy@dca.ca.gov)

**AVAILABILITY OF DOCUMENTS  
ON THE INTERNET**

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations with modifications noted, as well as the Final Statement of Reasons when completed, and modified text, if any, can be accessed through the Board's website at [https://www.acupuncture.ca.gov/about\\_us/relevant.shtml](https://www.acupuncture.ca.gov/about_us/relevant.shtml)

**TITLE 22. DEPARTMENT OF HEALTH  
CARE ACCESS AND INFORMATION**

**HEALTH CARE PAYMENTS  
DATA PROGRAM  
DATA COLLECTION REGULATIONS**

The Department of Health Care Access and Information (HCAI or Department) proposes to adopt regulations to update its data collection regulations for the Health Care Payments Data Program (HPD) after considering all comments, objections, and recommendations regarding the proposed action.

**I. PUBLIC HEARING**

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

**II. WRITTEN PUBLIC COMMENT PERIOD  
AND CONTACT PERSON**

Any interested person, or their authorized representative, may submit written comments relevant to the proposed regulatory action. All comments must be received by the Department by October 30, 2025. Inquiries and written comments regarding the proposed action should be addressed to the primary contact person named below. Comments delivered by email are

suggested. Comments may also be hand delivered or mailed.

Sherry Mung, Health Program Specialist II  
 Office of Information Services  
 Department of Health Care Access and Information  
 Telephone: (916) 326–3939  
 Email: [sherry.mung@hcai.ca.gov](mailto:sherry.mung@hcai.ca.gov)  
 Mailing address: 2020 West El Camino Avenue,  
 Suite 1100  
 Sacramento, CA 95833–1880

Inquiries and comments may also be directed to the backup contact person at the same mailing address:

Suzanne Hermreck, Health Program Specialist II  
 Office of Information Services  
 Department of Health Care Access and Information  
 Telephone: (916) 326–3841  
 Email: [suzanne.hermreck@hcai.ca.gov](mailto:suzanne.hermreck@hcai.ca.gov)

### III. AUTHORITY AND REFERENCE

California Health and Safety Code (HSC) section 127673(f) authorizes the Department to adopt these proposed regulations. The specific code sections that are being implemented, interpreted, or made specific are HSC sections 127671, 127671.1, 127673, 127673.1, and 127673.4.

### IV. INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

#### *a. Summary of Existing Laws and Effect of the Proposed Regulations*

Existing law<sup>1</sup> required the Department to establish the HPD. The purpose of the HPD is to collect health care data from health care plans, health insurers, government agencies, and others, and to use this data to provide greater transparency regarding health care costs, utilization, quality, and equity to improve health care in California.

The Department initially promulgated regulations for the collection of HPD data on December 20, 2021, and data collection began in 2022 for the collection of core claims data files including member eligibility, medical claims, pharmacy claims, and provider data. The Department has updated these regulations twice since then. Most recently, in 2025, the Department added the collection of non-claims payment (NCP) data to these regulations.

This proposed rulemaking is to update and clarify the HPD data collection regulations. Primarily, the

Department seeks to adopt the most up-to-date version of the national standard used for HPD data collection—the APCD–CDL™ Version 4.0.1. This proposed rulemaking also seeks to update and clarify specific regulation sections to correct inaccuracies and to add new requirements for data submission.

The proposed regulations will make HPD data collection easier and more efficient while correcting inconsistencies between regulation and actual practice. The additional requirements will also ensure that the highly confidential medical data being transmitted to HPD is well protected while allowing submitters and HCAI to send/process data files more efficiently.

The proposed regulatory changes include:

- Incorporating by reference the new version of the APCD–CDL™ Version 4.0.1 and new HPD Data Submission Guide Version 4.0 (Sections 97300(a) and (c));
- Transition period from the old to new versions of the APCD–CDL™ and Data Submission Guide (Sections 97300(a) and (c) and Section 97341(a));
- Removal and transition period to remove the NCP Data Layout™ which has been incorporated into the APCD–CDL™ Version 4.0.1 (Section 97300(m));
- Updating definition of “data portal” (Section 97300(b));
- Adding data portal requirements (Section 97332(a)(1) and Section 97340(b));
- Clarifying and adding data submission requirements, including additional registration requirements, encryption and data submission methods (Section 97340);
- Adding reason to reject data files if files have non-California resident data (new Data Submission Guide Version 4.0);
- Altering historical data submission requirements to account for required data that does not exist (Section 97351); and,
- Adopting an updated version of the HPD Data Submission Guide Version 4.0 with changes, including adding and clarifying data portal requirements, noted in the change log.

#### *b. Policy Statement Overview*

As stated in HSC section 127671(b), the HPD was created because health care data is reported and collected through many disparate systems which makes it difficult to study California’s health care system. This creates substantial hurdles to improve health care in California. To address this problem, the HPD’s purpose is to collect and centralize health care data from various sources and process the data in a way that it can be used by the state and the public to learn and

<sup>1</sup>HSC sections 127671 to 127674.1.

seek improvements in health care in California, while protecting patient privacy.

Regarding the objectives and benefits of this rulemaking, this rulemaking will allow HPD to more efficiently and safely collect health care data. This will also clarify HPD data collection requirements to submitters, making data submissions more efficient and easier for them.

*c. Existing Comparable Federal Regulation or Statute*

The Department is not aware of any comparable federal statute or regulation to the proposed regulations.

*d. Evaluation of Inconsistency/Incompatibility with Existing State Regulations*

The Department evaluated the language contained in the proposed regulations and determined that these proposed regulations are not inconsistent with or incompatible with existing state regulations. These regulations are necessary to enhance the clarity and efficacy of a statutorily mandated program.

*e. Documents Incorporated by Reference*

The Department intends to incorporate by reference the following documents for the proposed regulations:

- The Health Care Payments Data Program: Data Submission Guide, Version 4.0, dated August 11, 2025.
- The APCD-CDL™ (APCD Common Data Layout), Version 4.0.1, released February 2025.

**V. MANDATE ON LOCAL AGENCY OR SCHOOL DISTRICT**

HCAI determined that these regulations do not impose a mandate on local agencies or school districts because it does not mandate a new program or a higher level of service of an existing program pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. These regulations are applicable to public and private entities and are not unique to local government.

**VI. FISCAL IMPACT ESTIMATES**

The Department has made the following fiscal impact estimates:

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

**VII. HOUSING COSTS**

The Department determined that the proposed regulations will not impact housing costs.

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

HCAI has made its initial determination that this regulatory proposal will not have a significant statewide adverse economic impact directly affecting business, including their ability to compete. HCAI believes this because this regulatory proposal makes minor changes to existing requirements for the approximately 40 health/dental plans and insurers who currently submit data to the HPD.

This is further supported by the survey HCAI conducted on May 7, 2025, with all current mandatory submitters to better understand the one-time cost, and ongoing system costs to comply with the new requirements in this proposed rulemaking. These results are discussed in detail in the next section and revealed that business subject to the proposed regulations would not be significantly impacted.

**IX. COST IMPACTS ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS**

As stated above, to understand what cost impacts there may be to HPD data submitters, HCAI administered a survey to all current HPD submitters on May 7, 2025. The survey assessed the one-time and ongoing costs for complying with these regulations, whether jobs would be created or eliminated, and the types of jobs needed to comply with the regulation requirements. A total of three organizations representing one dental plan and 10 registered health plan submitters responded to the survey.

The total covered lives served by data submitters (health/dental plans and insurers) range from approximately 12,000 to 8 million and these data submitters total revenue range from hundreds of thousands of dollars to billions of dollars.

The two health plan submitters who responded to the survey are two of the HPD Program's largest health plan submitters. One of these submitters indicated that the estimated one-time cost for complying with the regulations would be between \$25,001 and \$75,000 and estimated ongoing annual costs would be between \$37,501 and \$50,000. The other submitter indicated that the estimated one-time cost for complying with the regulations would be between \$55,556 and \$111,111 and estimated ongoing annual costs would be between \$11,111 and \$72,222. The one dental plan

that responded indicated an estimated one-time cost of complying with the regulations would be \$25,000 or less and estimated ongoing annual costs would be \$12,500 or less.

Based on the results of the survey, HCAI estimates the total one-time cost for all 40 mandatory submitters implementing the requirements of these regulations to be approximately \$1,060,612 or, on average, \$26,515.29 per submitter. HCAI also estimates the total ongoing annual costs for all submitters implementing the requirements of these regulations to be approximately \$666,680 or on average, \$16,666.80 per submitter. The total statewide cost to comply with this regulatory action for initial start-up costs and the first year of annual costs will be approximately \$1,727,280 or on average, \$43,182.09 per submitter.

#### X. STATEMENT OF THE RESULTS OF THE ECONOMIC IMPACT ANALYSIS (EIA)

As discussed above, the Department surveyed entities currently submitting data to the HPD on May 7, 2025. The survey respondents stated that no job would be eliminated and just one respondent stated one to three jobs may be needed. The University of California Berkeley Labor Center reported that approximately 2.65 million Californians were employed in a range of health care sectors in 2023.<sup>2</sup> HCAI believes the creation of approximately one to three jobs will likely not have a significant impact on the state when comparing this number to the approximately 2.65 Californians employed in the health care sector. From this, the Department concludes that this regulatory action will:

- a. Likely not create jobs within the state;
- b. Likely not eliminate jobs within the state;
- c. Not create new businesses within the state;
- d. Not eliminate existing businesses within the state;
- e. Not affect the expansion of businesses currently doing business in the state; and,
- f. Not have any anticipated benefits to worker safety or the state’s environment.
- g. This regulatory action would benefit the health and welfare of California residents.

This regulatory action is to update and clarify existing HPD regulations regarding data collection. HCAI believes this will make data collection easier and more efficient for itself and the submitters while collecting better data.

<sup>2</sup> “California Health Care Employment by District and County 2023,” University of California Berkeley Labor Center, <https://laborcenter.berkeley.edu/california-health-care-employment-by-district-and-county-2023/>. Accessed July 1, 2025.

#### XI. BUSINESS REPORT

The proposed regulations have new registration requirements for HPD mandatory data submitters who wish to submit data through Secure File Transfer Protocol (see new Data Submission Guide Version 4.0). Also, the proposed regulations require mandatory submitters who do not have historical data to submit to submit a report about the missing data (see proposed Section 97351). To the extent these are considered “reports,” the Department finds that these are necessary for the health, safety, and welfare of the public that such apply to businesses.

#### XII. EFFECT ON SMALL BUSINESS

The Department has determined that the proposed regulations do not affect small businesses. Government Code section 11342.610 defines “small business” for this purpose and excludes insurance companies, nonprofit institutions, or service businesses with “annual gross receipts exceed[ing]” two million dollars.

The health/dental plans and insurers who are mandated to report data to the HPD Program are not part of the small business community and include insurance companies and nonprofit organizations. Furthermore, HCAI believes the smallest mandatory submitters for the HPD Program have total annual revenues well over \$2 million. A substantial number of mandatory submitters to HPD have more than \$100 million dollars in annual revenues.<sup>3</sup>

#### XIII. REASONABLE ALTERNATIVE INFORMATION

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

The Department invites interested persons to present statements or arguments with respect to alternatives to the proposed rulemaking action during the written comment period.

<sup>3</sup> Based on a review of information on the California Department of Managed Health Care’s health plan dashboard, at <https://wps0.dmhc.ca.gov/Dashboard/Marketplace.aspx>. Accessed July 1, 2025.

XIV. AVAILABILITY OF EXPRESS TERMS,  
INITIAL STATEMENT OF REASONS, AND  
INFORMATION UPON WHICH PROPOSED  
RULEMAKING IS BASED

The Department will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the address given for the contact persons.

As of the date this notice is published, the rulemaking file consists of this notice, the text of the proposed regulations, all documents incorporated by reference as identified in this notice, the initial statement of reasons, an economic impact analysis, and all information upon which this proposed rulemaking is based.

Copies may be obtained by contacting the listed contact persons using the contact information above and parts of the rulemaking file are available at <https://hcai.ca.gov/about/laws-regulations/>.

XV. AVAILABILITY OF SUBSTANTIAL  
CHANGES TO ORIGINAL PROPOSAL

After considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this notice. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text, with the changes clearly indicated, available to the public for at least 15 days before the Department adopts the regulations as revised.

Please send requests for copies of the modified text to the listed contact person. The modified text will also be available on the website at <https://hcai.ca.gov/about/laws-regulations/>. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

XVI. AVAILABILITY OF FINAL  
STATEMENT OF REASONS

The Final Statement of Reasons, including all of the comments and responses, will be available, after its completion, through the Department's website at <https://hcai.ca.gov/about/laws-regulations/>. The Final Statement of Reasons will also be available from the above contact person(s).

XVII. AVAILABILITY OF DOCUMENTS  
ON THE INTERNET

Copies of this notice, the initial statement of reasons, the text of the proposed regulations, and other documents can be accessed through the Department's website at <https://hcai.ca.gov/about/laws-regulations/>.

**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.

Fish and Game Commission

File # 2025-0822-02

Recreational Take of Rockfish, Cabezon, Greenling  
and Lingcod

This emergency action amends regulations regarding the recreational take of rockfish, cabezon, greenling, and lingcod in California. These amendments include repealing applicable fishing depth restrictions, implementing a recreational canary rockfish sub-bag limit of two fish, and adding sunset rockfish (*Sebastes crocotulus*) to the federal groundfish and rockfish, cabezon, and greening complex.

Title 14

Amend: 1.91, 27.25, 27.30, 27.35, 27.40, 28.55

Filed 08/28/2025

Effective 08/28/2025

Agency Contact:

Sherrie Fonbuena

(916) 902-9284

Department of Corrections and Rehabilitation

File # 2025-0822-01

Staff Misconduct, Employee Discipline, and  
Administrative Remedies

This action by the California Department of Corrections and Rehabilitation (CDCR) is submitted to OAL as a second re-adoption of emergency regulations. This action revises the existing procedures by which CDCR receives and reviews grievances and requests for reasonable accommodation. This action also revises the existing procedures regarding requests to inspect and to amend CDCR records containing personal information.

Title 15  
 Adopt: 3481, 3482, 3483, 3485  
 Amend: 3392, 3392.1, 3392.3, 3392.5, 3392.8,  
 3392.9, 3450, 3480, 3484, 3486, 3486.1, 3486.2,  
 3486.3  
 Repeal: 3481, 3482, 3483, 3485  
 Filed 09/02/2025  
 Effective 09/10/2025  
 Agency Contact: Josh Jugum (279) 223–2317

Department of State Hospitals

File # 2025–0818–02

Contraband Disposition

This emergency rulemaking action readopts OAL Matter Nos. 2024–1202–03ER and 2025–0527–02EE which address the disposing of contraband. Specifically defining terms and prescribing the methods to dispose of contraband seized on hospital grounds based on the characteristics of the item seized. This action is deemed an emergency pursuant to Welfare and Institutions Code section 7295(k).

Title 09  
 Adopt: 4354, 4354.1  
 Filed 08/28/2025  
 Effective 09/08/2025  
 Agency Contact: Anna Libonati (916) 654–2478

Department of Insurance

File # 2025–0723–01

Workers’ Compensation Classification/Rating Rules

This file and print action amends the California Workers’ Compensation Uniform Statistical Reporting Plan — 1995 and the California Workers’ Compensation Experience Rating Plan — 1995. The publications are incorporated by reference in sections 2318.6, 2353.1, and 2354 respectively, in title 10 of the California Code of Regulations. The full text of each publication is available at the Insurance Commissioner’s offices and is published by the Workers’ Compensation Insurance Rating Bureau of California. These amendments are exempt from the Administrative Procedure Act under the rates exemption of Government Code section 11340.9(g) and are effective September 1, 2025.

Title 10  
 Amend: 2318.6, 2353.1, 2354  
 Filed 09/02/2025  
 Effective 09/01/2025  
 Agency Contact:  
 Yvonne Hauscarriague (415) 258–4417

Department of Justice  
 File # 2025–0721–01  
 Microstamping Performance Standards

This action by the Department of Justice adopts processes and standards to demonstrate that a representative sample of microstamping components produce legible microstamps with reasonable reliability, including after repeated firing. This action is exempt from the Administrative Procedure Act pursuant to Penal Code section 27532(g).

Title 11  
 Adopt: 4600, 4601  
 Filed 08/29/2025  
 Effective 08/29/2025  
 Agency Contact: Marlon Martinez (213) 269–6437

State Historical Building Safety Board

File # 2025–0807–01

Conflict–of–Interest Code

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

Title 02  
 Amend: 59920  
 Filed 09/02/2025  
 Effective 10/02/2025  
 Agency Contact: Jazmin Mendoza (916) 323–9626

Board of Equalization

File # 2025–0718–04

Change in Ownership — Base Year Value Transfers

This nonsubstantive action revises cross–references for the statutorily defined terms “Accessory Dwelling Unit” and “Junior Accessory Dwelling Unit” to align with the relocation of these definitions in statute by way of Senate Bill Number 477 (Chapter 7, Statutes 2024).

Title 18  
 Amend: 462.540  
 Filed 08/27/2025  
 Agency Contact: Max Connor (916) 274–3320

Franchise Tax Board

File # 2025–0725–02

Market–Based Rules

This regular rulemaking amends existing regulations for the assignment of sales under Revenue Tax Code § 25136 which assigns sales, other than sales of tangible personal property, for purposes of apportioning business income.

Title 18  
Amend: 25136-2  
Filed 08/27/2025  
Effective 10/01/2025  
Agency Contact: Hanna Cho (916) 845-7298

**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](http://oal.ca.gov).