

**STATE OF CALIFORNIA  
OFFICE OF ADMINISTRATIVE LAW**

**TITLE 1, CALIFORNIA CODE OF REGULATIONS  
AMENDING SECS. 84 & 86; ADOPTING SECS. 85, 87, & 88**

**UPDATED INFORMATIVE DIGEST**

After the 45-day comment period and public hearing on January 22, 2025, OAL proposed the following modifications to the proposed regulations:

- Section 84 was revised to add subsection lettering to better organize the proposed language and allow for improved readability. There were no other changes to the section.
- Section 85, subsection (a)(2), was amended to change the phrase “with a particular rulemaking action” to “with any rulemaking action undertaken by the agency” and add the terms “previously or.” These changes make clear that whenever an interested party submits a written comment via electronic communication to an agency in connection with *any* rulemaking action of the agency—generally and not only with respect to any one *particular* rulemaking—that this person is deemed as consenting to receive notices electronically from that agency, unless the person has previously or otherwise requested to receive notices by mail or other non-electronic means.
- Section 85, subsections (a)(1) and (2), were edited to improve grammar.
- Section 88, subsection (a), was amended to more closely align with the underlying statute, Government Code section 11340.85, by removing the term “exclusively” and rewording the text to indicate an agency’s ability to provide notice via electronic communication to a *person*, individually, on its distribution list. Subsections (a)(1) and (2) were added to indicate the conditions that must be met in order for an agency to provide notice via electronic communication: (1) that the recipient is deemed as consenting to receive the notice per section 85, subsection (a), and (2) that the agency complies with the method of delivery requirements of section 85, subsection (b).

There were no other changes in the laws related to the proposed action or to the effect of the proposed regulation from the laws and effects described in the Notice of Proposed Regulatory Action.