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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 5. EDUCATION AUDIT
APPEALS PANEL**

**AUDIT GUIDE FOR K–12
LOCAL EDUCATION AGENCIES —
FISCAL YEAR 2026–27**

The Education Audit Appeals Panel (EAAP) proposes to adopt an Audit Guide for Fiscal Year 2026–27 after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

A public hearing regarding this proposal is not currently scheduled. No later than 15 days prior to the close of the written comment period, any interested person, or their authorized representative, may make a written request for a public hearing pursuant to Government Code section 11346.8, and a public hearing will be held. Requests for a public hearing should be addressed to Martin Vazquez.

WRITTEN COMMENT PERIOD

Any interested person, or their authorized representative, may submit written comments relevant to the proposed regulatory action. The written comment period closes on midnight **June 2, 2026**. Written comments for consideration by EAAP should be directed to:

Martin Vazquez, Supervisor I
Education Audit Appeals Panel
770 L Street, Suite 1100
Sacramento, CA 95814
Email: martin.vazquez@eaap.ca.gov

AUTHORITY AND REFERENCE

Authority cited: Article XIII, Section 36 and Article XIII A, Section 1, California Constitution; and Education Code sections 14502.1, 14503, 41020, and 41024.

Reference: Article XIII B, Section 1.5, California Constitution; and Education Code sections

2574(b)(3)(C), 8152.5, 8482.3(f)(5), 8820(i), 14501, 14502.1, 14503, 15286, 41024, 41407, 41850.1(b), 42238.02(b)(3)(B), 41372(b), 46120, 46146.5(h), 46211, 47612, 47612.5, 47634.2(d), 48301(c), 51745.6(e), 51747(k), 51747.5(f), 51749.5(g), 51749.6(d), 52065.1, 48000, and 48000.1.

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

This rulemaking adopts the 2026–27 Audit Guide, as required by Education Code section 14502.1(b), through incorporation by reference in the revised California Code of Regulations, Title 5, section 19810, the document titled “2026–27 Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting” (July 1, 2026).

Education Code section 41020 requires the governing board of every local educational agency (LEA) that serves transitional kindergarten through grade 12 (TK–12) to provide for an annual audit of the LEA books and accounts. The purpose of the Audit Guide is to define terms and specify procedures to guide accountants in the conduct of statutorily required financial and compliance audits of TK–12 LEAs. Education Code section 41020(d) requires that the audit be developed and reported using a format established by the State Controller after consultation with the Superintendent of Public Instruction and Director of Finance. Education Code section 14502.1(a) requires the State Controller, in consultation with the Department of Finance, the State Department of Education, and representatives of specified organizations, to propose the content of an audit guide to promote accountability for public education funds.

The State Controller, pursuant to Education Code section 14502.1(a), has proposed changes from the prior year audit guide to be reflected in the 2026–27 Audit Guide to make clarifying revisions and address legislative changes in the conditions of apportionment. After review and possible amendment, EAAP will adopt the audit guide pursuant to the rulemaking procedures of the Administrative Procedure Act (APA) by July 1 of the fiscal year to be audited. EAAP is also authorized to adopt, before March 1 of the audit year, a supplemental audit guide to address legislative changes in the conditions of apportionment.

EAAP does not anticipate that these proposed regulations would create specific benefits to the protection of public health and safety, worker safety, or the environment, the prevention of discrimination, the promotion of fairness or social equity, nor the increase in openness and transparency in business and government. EAAP has determined that the proposed regulations will ultimately benefit the welfare of California residents by ensuring that local educational agencies

comply with regulatory requirements and by improving the quality and consistency of TK–12 audits. Upon evaluation, EAAP determined the proposed changes to regulations are not inconsistent or incompatible with existing regulations, state or federal.

A description of proposed changes to California Code of Regulations, Title 5, section 19810, and a discussion of revisions to the audit guide, follow.

Title 5, Division 1.5

Chapter 3. Audits of California K–12 Local Education Agencies

Article 1. General Provisions

§ 19810. Annual Audit Guides.

(a)(1) The “2023–24 Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting,” (March 1, 2024), adopted by the Education Audit Appeals Panel, is incorporated by reference for the required financial and compliance audits of the 2023–24 fiscal year.

(2) The “2024–25 Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting,” (March 1, 2025), adopted by the Education Audit Appeals Panel, is incorporated by reference for the required financial and compliance audits of the 2024–25 fiscal year.

(3) The “2025–26 Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting,” (March 1, 2026), adopted by the Education Audit Appeals Panel, is incorporated by reference for the required financial and compliance audits of the 2025–26 fiscal year.

(4) The “2026–27 Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting,” (July 1, 2026), adopted by the Education Audit Appeals Panel, is incorporated by reference for the required financial and compliance audits of the 2026–27 fiscal year.

(b) Each annual guide provides the audit steps, reporting requirements, and other guidance for the required annual financial and compliance audits, subject to auditor judgment where alternative or additional audit steps may be appropriate. Each annual guide is superseded by a supplemental audit guide, if needed, adopted before March 1 of each fiscal year. Each annual guide, including Appendices A, B and C and any applicable supplement, is available on www.eaap.ca.gov/audit-guide, with paper or electronic copies available on request.

Note: Authority cited: Article XIII, Section 36 and Article XIII A, Section 1, California Constitution; and Sections 14502.1 and 47612, Education Code. Refer-

ence: Article XIII B, Section 1.5, California Constitution; and Sections 2574, 14501, 14502.1, 14503, 37700, 41020, 41024, 41480, 42238.02, 43520, 43521, 43522, 44258.9, 45037, 46146, 46300, 47605, 47612, 47614, 48000, 48306, 48313, 51747, 51749, 52060, 53071, 56026, 56340 and 76004, Education Code.

Audit Guide Amendments

The proposed annual 2026–27 Audit Guide includes the following amendments from the existing 2025–26 Audit Guide:

H. Ratio of Administrative Employees to Teachers is amended in Procedure 3 to clarify that the penalty calculation should be presented as part of an audit finding.

Q. Apprenticeship: Related and Supplemental Instruction is amended to add a Compliance Requirements section and clarify Procedures 1, 2 and 3 to conform with the California Community Colleges Contracted District Audit Manual.

TT. Home to School Transportation Reimbursement is amended in Procedure 3 to clarify that transportation expenditures for the audit year will impact the subsequent year of funding, and in Procedure 4 to clarify how auditors are to determine transportation expenditures.

W. Unduplicated Local Control Funding Formula Pupil Counts is amended in Procedures 4 and 5 to clarify that the calculation of the potential fiscal impact to supplemental and concentration grant funding be displayed as part of an unduplicated pupil count audit finding and to include a link to the penalty calculator.

AZ. Educator Effectiveness is deleted from the audit guide because funds expire with the 2025–26 school year.

DZ. Expanded Learning Opportunities Program (ELO–P) is amended in Procedures 2, 3.a, 4, 5.a and 7 to add the Education Code citation to section 46120(g)(5), related to offering the program, and to add alternative documentation used to demonstrate access, pursuant to Education Code section 46120(g)(6).

EZ. Transitional Kindergarten is amended in procedures 2, 4, and 6 to include schedules of the penalty calculations in the audit findings, related to average class enrollment pursuant to Education Code section 48000.1(b)(1)(C), adult-to-pupil ratio pursuant to Education Code section 48000.1(b)(1)(A), and teacher credentialing pursuant to Education Code section 48000.1(b)(1)(B).

The proposed 2026–27 Audit Guide includes the following changes to Appendix B:

Appendix B, Index is amended to add reference to the fiscal year.

Appendix B, I. Initial Steps is amended in Procedure A.1.b)(1) to update the name of the report specified to review, and is amended in Procedure B.1. and

adds Procedure B.2. the specified Master Plan documents and annual narrative for insurance proceeds, respectively, for Documents Needed to Audit.

Appendix B, II. Non–Financial Hardship Projects, A — Closeout Audits is amended to add Procedures 3, 4, 5, and 6 that require the auditor to perform additional verification related to the Master Plan, insurance proceeds, Small School Program, and Project Labor Agreements.

Appendix B, III. Financial Hardship Projects, A — Closeout Audit is amended to add Procedures 3, 4, 5, and 6 that require the auditor to perform additional verification related to the Master Plan, insurance proceeds, Small School Program, and Project Labor Agreements, and adds to Procedure 10 related to verifying expenditure reporting prior to the Financial Hardship approval when submitting the Financial Hardship request.

Appendix B, IV. Career Technical Education, A — Closeout Audit is amended to add Procedure 3 that require the auditor to perform additional verification related to the Master Plan, pursuant to Education Code section 17070.54.

Appendix B, V. Charter School Facilities Program, A — Closeout Audit is amended to add Procedure 3 that require the auditor to perform additional verification related to the Master Plan, pursuant to Education Code section 17070.54.

DOCUMENT INCORPORATED
BY REFERENCE

The 2026–27 Guide for Annual Audits of K–12 Local Education Agencies and State Compliance Reporting (July 1, 2026) is incorporated by reference. Incorporation by reference simplifies the process of adopting annual audit guides and supplemental audit guides by putting the guide directly in usable format. Annual audit guides, supplemental audit guides, and the steps of the rulemaking process are readily available on the EAAP website: www.eaap.ca.gov.

FISCAL IMPACT ESTIMATES

1. Mandate on local agencies or school districts: None.
2. Cost to any local agency or school district requiring reimbursement: None.
3. Cost or savings to any state agency: None.
4. Other non–discretionary cost or savings imposed upon local agencies: None.
5. Cost or savings in federal funding to the state: None.
6. Significant effect on housing costs: None.

7. Significant, statewide adverse economic impact directly affecting business including the ability of California businesses to compete with businesses in other states: None.
8. Results of the Economic Impact Assessment:
 - a) Adoption of these regulations will not:
 - create or eliminate jobs within California;
 - create new businesses or eliminate existing businesses within California; or,
 - affect the expansion of businesses currently doing business within California.
 - b) Benefit of the proposed regulation to the health and welfare of California residents, worker safety, and the State’s environment: The proposed regulations will ultimately benefit the welfare of California residents by ensuring that local educational agencies comply with regulatory requirements and by improving the quality and consistency of TK–12 audits.
9. Cost impact on a representative private person or business: EAAP is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
10. Business report requirements: None.
11. Effect on small businesses: The proposed regulations will have no effect on small businesses because the audit guide changes do not materially alter the requirements for LEA audits performed by professional accounting firms.

CONSIDERATION OF ALTERNATIVES

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

CONTACT PERSONS

Inquiries concerning the substance of the proposed action, requests for a copy of the proposed text of the regulations, the Initial Statement of Reasons, the modified text of the regulations, if any, and other technical information upon which the rulemaking is based, and questions on the proposed administrative action may be directed to Martin Vazquez, Supervisor I, at (916)

505-6617 or by email at martin.vazquez@eaap.ca.gov, or Rebecca Lee, Executive Officer, at (279) 269-5775 or by email at rebecca.lee@eaap.ca.gov.

AVAILABILITY OF RULEMAKING FILE

The entire rulemaking file will be available for inspection and copying throughout the rulemaking process at the EAAP office at the above address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this Notice, the proposed text of the regulations, the Initial Statement of Reasons, and the Economic Impact Assessment. A copy may be obtained by contacting Martin Vazquez at the above address.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the comment period, a hearing, if requested, and consideration of all timely and relevant comments received, EAAP may adopt the proposed regulations substantially as described in this notice. If EAAP makes modifications that are sufficiently related to the originally proposed text, the modified text (with changes clearly indicated) will be available to the public for at least 15 days before EAAP adopts the regulations as revised. Requests for copies of any modified regulations should be sent to the attention of Martin Vazquez at the address stated above. EAAP will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Rulemaking, Initial Statement of Reasons, text of the regulations in underline and strikeout, any changed or modified text, and the Final Statement of Reasons will be accessible through the EAAP website: www.eaap.ca.gov.

TITLE 9. DEPARTMENT OF REHABILITATION

MAINTENANCE

The Department of Rehabilitation (hereinafter "Department" or "DOR") proposes to adopt the proposed regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The DOR will hold a virtual public hearing on this proposed action on Tuesday, June 9, 2026, from 9:20 to 10:30 a.m. via Zoom Meeting. At the meeting, any person may present statements or arguments, orally or in writing, relevant to the proposed action. The DOR respectfully requests that any person who makes oral comments also submit their comment in writing as well.

Join Zoom Meeting:

This is the meeting link (URL):

<https://dor-ca-gov.zoom.us/j/96847614510?pwd=-TcfnDInCCLfHG9RTKQ3ekAVSzSPstj.1>

Meeting ID: 968 4761 4510

Passcode: *7*z2S=Y

Join by Telephone:

For higher quality, dial a number based on your current location.

Dial:

+1 408 638 0968 US (San Jose)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 646 876 9923 US (New York)

Meeting ID: 968 4761 4510

Passcode: 14791911

Closed captioning will be available within the Zoom meeting application. The Department is providing American Sign Language interpreters for this event. The interpreters will be available within the Zoom meeting application.

As for reasonable accommodation, limited in-person seating may be available at the hearing in the Department's conference room, 721 Capitol Mall, Sacramento, California 95814. Please email Legal@dor.ca.gov or dial (916) 558-5825 by 2:00 p.m. on May 29, 2026, if an accommodation is necessary.

Participants will be given instructions on how to provide oral comments once they have accessed the hearing. The hearing will continue on the date noted above until all testimony is submitted, or until 10:30 a.m., whichever is later. At the hearing, any person may present statements or arguments orally or in writing relevant to the proposed action described in the Informative Digest. The Department requests, but does not require, that persons who make oral comments at the hearing also submit a written copy of their testimony via email to Legal@dor.ca.gov.

WRITTEN COMMENT PERIOD

Any interested person, or their authorized representative, may submit written comments relevant to the proposed regulatory action to:

Department of Rehabilitation
Office of Legal Affairs and Regulations
Attention: Michele Welz
721 Capitol Mall
Sacramento, California 95814

Comments may also be submitted electronically by email to Legal@dor.ca.gov. The written comment period closes at 5:00 p.m. on June 9, 2026. The Department will consider only comments received at the Department by that time. When commenting, please indicate the proposed rulemaking section number to which your comment refers, for example, “section 7019.”

AUTHORITY

Sections 19006 and 19016, Welfare and Institutions Code.

REFERENCE

29 USC 721, 723; 34 CFR Sections 361.5, 361.13, 361.42, 361.44, 361.48, 361.53, and 361.54; and Sections 19011, 19018 and 19150, Welfare and Institutions Code.

INFORMATIVE DIGEST

Summary of Existing Laws and Effect of the Proposed Action

Maintenance support currently covers and will continue to cover “additional expenses for items such as food, shelter, and clothing in excess of that individual’s normal expenses,” and must be tied to participation in vocational rehabilitation (VR) services. Cal. Code Regs. title 9, § 7019. Maintenance support also currently carries the additional provision that:

Nothing in this section shall be construed to mean that the Department will provide maintenance on a long-term or ongoing basis to support an individual’s everyday living expenses or take the place of, provide the services of, or become a payment program similar to, welfare and other social service agencies. Cal. Code Regs. title 9, § 7019(c).

While the core definition of maintenance will remain the same under the regulation, the Department seeks to eliminate the phrases, “long-term,” “ongoing basis,” and related phrases throughout its regulations. The purpose is to ensure there is no categorical distinction between “short-term,” and “long-term” maintenance support. These changes will redirect vocational rehabilitation counselors to assess consumer requests

for maintenance based on individual circumstances rather than looking at whether the request would be of a “long-term” or “ongoing” nature and automatically barred. Rather, assessment of maintenance requests will solely pivot on whether a consumer’s normal living expenses have changed because of their participation in vocational rehabilitation services.

Objective and Anticipated Benefits of the Proposed Regulation

In April 2024, the California Fourth District Court of Appeals issued a published, precedential decision that impacts the Department’s understanding and application of its maintenance regulations. The case, *Doe v. Dep’t of Rehab.*, involved a plaintiff who appealed their fair hearing decision denying their request for rent for an apartment while attending law school for three years. *Doe v. Dep’t of Rehab.*, 103 Cal. App. 5th 1327, 324 Cal. Rptr. 3d 150, 152 (2024). The Department argued that, per its regulations, maintenance support does not cover “long-term,” ongoing expenses such as three years of rent. However, the Court held that the Department could not deny rent support strictly because it is “long-term,” because this would constitute an impermissible categorical distinction. Rather, the Department must assess everyone’s circumstances, considering whether an individual must incur additional shelter costs to receive vocational rehabilitation services. This rulemaking package ensures the Department’s current maintenance regulations are consistent with the decision in this case. The Department’s counselors will be able to read the updated regulations and understand, based on the plain language, that maintenance is not barred by characterizing it as “long-term.” As such, counselors and consumers will both benefit by the additional clarity these regulatory updates will usher forth.

Evaluation of Inconsistency or Incompatibility with Existing State Regulations

After conducting a review of any related regulations, the Department has found that these are the only regulations concerning maintenance. Therefore, the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate to local agencies or school districts: None.

Cost or savings to any state agency: None.

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

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

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

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

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

Significant effect on housing costs: None.

Small Business Determination: The proposed regulations will not affect small businesses because the proposed regulations only make clarifying changes to maintenance support for individuals receiving VR services from the Department. Furthermore, the impact of these changes, if any, would stem from the appellate court decision that necessitates these changes — *Doe v. Department of Rehab.*, as referenced above. *Results of the Economic Impact Analysis and Assessment*

The Department concludes that it is unlikely that the proposal will (1) eliminate any jobs, (2) create any jobs, (3) create any new businesses, (4) eliminate any existing businesses, and (5) result in the expansion of businesses currently doing business within the state. The Department bases the assessment on the fact that the rulemaking is implementing a court decision and therefore, the court decision and not the rulemaking would have been the reason for impact, if any.

Benefits of the Proposed Action: The proposed regulations may benefit the health and welfare of California residents who apply for and are deemed eligible for VR services that may include maintenance.

The proposed regulations are not expected to affect worker safety or the state's environment.

CONSIDERATION OF ALTERNATIVES

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

The Department has determined there was no alternative because of the specific case law, *Doe v. Department of Rehab.*, states maintenance must be provided by state vocational rehabilitation departments on an individualized basis. However, the Department invites the interested public to present statements or

arguments with respect to alternatives to the proposed regulations during the written comment period.

CONTACT PERSONS

Inquiries concerning the proposed rulemaking action may be directed to:

Michele Welz
Department of Rehabilitation
Office of Legal Affairs and Regulations
721 Capitol Mall
Sacramento, California 95814
Telephone: (916) 558-5825
Email: Legal@dor.ca.gov

The backup contact person for these inquiries is:

Jennifer Umberg
Department of Rehabilitation
Office of Legal Affairs and Regulations
721 Capitol Mall
Sacramento, California 95814
Phone: (916) 558-5825
Email: Legal@dor.ca.gov

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

As the date this notice is published in the Notice Register, the rulemaking file consists of this Notice of Proposed Rulemaking, Proposed Text of the Regulations, and Initial Statement of Reasons. Please direct requests for copies to the contact person(s) listed above. Please contact Legal@dor.ca.gov or (916) 558-5825 if you wish to make an appointment to review the rulemaking file in person. The documents identified above in the rulemaking file are also on the Department's website at www.dor.ca.gov/Home/ProposedRulemakingandRegs. The Department will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address.

AVAILABILITY OF CHANGED OR MODIFIED 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 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 calendar days before the Department adopts the regulations as revised. Please send requests for copies of any modified regu-

lations for the attention of Michele Welz at the address or email indicated above. The Department will accept written comments on the modified regulations for 15 days after the date on which they were made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon completion, copies of the Final Statement of Reasons may be obtained by contacting Michele Welz at the address or email address above.

REASONABLE ACCOMMODATION STATEMENT

The Department shall provide, upon request, a narrative description of the proposed changes included in the proposed action, in the manner provided by Government Code section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law. Providing a description of proposed changes may require extending the period of public comment for the proposed action for the requesting party.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Rulemaking, Proposed Text of the Regulations, and the Initial Statement of Reasons are available on the Department's website at www.dor.ca.gov/Home/ProposedRulemakingandRegs.

TITLE 11. COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

VOLUNTARY SURRENDER

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

PUBLIC COMMENTS DUE BY JUNE 1, 2026

Notice is also given that any interested person, or authorized representative, may submit written comment(s) relevant to the proposed regulatory action by

fax at (916) 404-5619, by email to Stacy Townsend at stacy.townsend@post.ca.gov, or by letter to:

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

AUTHORITY AND REFERENCE

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

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

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

This rulemaking action clarifies and makes specific the acknowledgements and signatures required on the *Voluntary Surrender of Peace Officer Certification* form, POST 2-358, incorporated by reference in Commission Regulation 1210.

Currently, the *Voluntary Surrender of Peace Officer Certification* form, POST 2-358, incorporated by reference in Commission Regulation 1210, does not contain a statement for the surrendering peace officer to acknowledge that they have had the opportunity to consult with legal counsel and are voluntarily surrendering their certification of their own free will and volition. Additionally, currently on page 2 of the *Voluntary Surrender of Peace Officer Certification* form, POST 2-358, it states that that section is to be signed by an "officer" however, it is not clear which "officer" must sign.

The amendments proposed in this rulemaking action will add clarity to the acknowledgements and signatures required on the *Voluntary Surrender of Peace Officer Certification* form, POST 2-358, in addition to updating the revision date of the form.

Anticipated Benefits of the Proposed Amendments

The benefits anticipated by the proposed amendments to the regulation will provide clarity regarding the acknowledgements and signatures required on the *Voluntary Surrender of Peace Officer Certification* form, POST 2–358. This will increase the efficiency of the state of California in delivering services to stakeholders. Thus, the law enforcement standards are maintained and effective in preserving peace, protection of public health, safety, and welfare of California. The proposed amendments will have no impact on worker safety or the state’s environment.

Evaluation of Inconsistency/Incompatibility with Existing State Regulations

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

DOCUMENT(S)/FORM(S)
INCORPORATED BY REFERENCE

The proposed amendments primarily affect the *Voluntary Surrender of Peace Officer Certification* form, POST 2–358, (Revised 03/2026), which is incorporated by reference.

DISCLOSURES REGARDING THE
PROPOSED ACTION

POST has made the following initial determinations:

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: None.

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

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

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

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

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

Significant effect on housing costs: None.

Small Business Determination: POST has determined that the proposed regulations will not affect small businesses because the regulation only affects California peace officers who are voluntarily surrendering their certification. Additionally, the Commission’s main function to select and maintain training standards for law enforcement has no effect financially on small businesses.

RESULTS OF ECONOMIC IMPACT
ANALYSIS/ASSESSMENT

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

Benefits of the Proposed Action: As stated above under the Informative Digest/Policy Statement Overview, the benefits of the regulation will add clarity regarding the acknowledgements and signatures required on the *Voluntary Surrender of Peace Officer Certification Form, POST 2–358*. Thus, the law enforcement standards are maintained and effective in preserving peace, protection of public health, safety, and welfare in California. There would be no impact that would affect worker safety or the state’s environment.

CONSIDERATION OF ALTERNATIVES

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

CONTACT PERSONS

Questions regarding this proposed regulatory action may be directed to Stacy Townsend, Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605–1630, at (916) 970–4644. General questions regarding the regulatory process may be directed to Katie Strickland at (916) 227–2802.

TEXT OF PROPOSAL

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

ADOPTION OF PROPOSED REGULATIONS/AVAILABILITY OF CHANGED OR MODIFIED TEXT

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

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

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

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

TITLE 11. COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

APPOINTMENTS AND PROFESSIONAL CERTIFICATES FOR PUBLIC SAFETY DISPATCHERS AND RECORDS SUPERVISORS

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

PUBLIC COMMENTS DUE BY JUNE 1, 2026

Notice is also given that any interested person, or authorized representative, may submit written comment(s) relevant to the proposed regulatory action by fax at (916) 404–5619, by email to Stacy Townsend at stacy.townsend@post.ca.gov, or by letter to:

Commission on POST
 Attention: Stacy Townsend
 860 Stillwater Road, Suite 100
 West Sacramento, CA 95605–1630

AUTHORITY AND REFERENCE

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

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

This rulemaking action clarifies and makes specific information as it relates to the appointments and professional certificates of public safety dispatchers and records supervisors. Commission Regulation 1003 requires additional language to clarify who is required to have a completed *Attestation of Peace Officer Eligibility* form, POST 2–356 (05/2025) and an *Affidavit of Separation* form, POST 2–357 (03/2025). Commission Regulation 1011 requires additional language to clari-

fy who is responsible for submitting applications, acceptable documentation, and eligibility requirements.

This rulemaking action also adds clarifying language and makes grammatical corrections to align with current terminology or practice, as well as correcting references within the regulations.

Currently, Commission Regulation 1003 makes reference to Public Safety Dispatchers and Records Supervisors, but only provides specifics related to peace officer appointments, while Commission Regulation 1011 provides the requirements and terminology of the eligibility requirements for public safety dispatchers and records supervisors certificate applicants.

The amendments proposed in this rulemaking action will reduce confusion regarding who is required to have a completed *Attestation of Peace Officer Eligibility* form, POST 2-356 (05/2025) and an *Affidavit of Separation* form, POST 2-357 (03/2025), in addition to, who is responsible for submitting applications, acceptable documentation, and eligibility requirements for public safety dispatchers and records supervisors.

Anticipated Benefits of the Proposed Amendments

The benefits anticipated by the proposed amendments to the regulations will provide additional clarity regarding appointments and professional certificate requirements for public safety dispatchers and records supervisors. This will increase the efficiency of the state of California in delivering services to stakeholders. Thus, law enforcement standards are maintained and effective in preserving peace, protection of public health, safety, and welfare in the state. The proposed amendments will have no impact on worker safety or the state's environment.

Evaluation of Inconsistency/Incompatibility with Existing State Regulations

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

DOCUMENT(S)/FORM(S) INCORPORATED BY REFERENCE

- *Attestation of Peace Officer Eligibility* form, POST 2-356 (Revision Date 05/2025).
- *Affidavit of Separation* form, POST 2-357 (Revision Date 03/2025).

DISCLOSURES REGARDING THE PROPOSED ACTION

POST has made the following initial determinations:

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: None.

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

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

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

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

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

Significant effect on housing costs: None.

Small Business Determination: POST has determined that the proposed regulations will not affect small businesses because the regulation addresses requirements that are currently in place as they relate to public safety dispatchers and records supervisors and only affect law enforcement agencies. Additionally, the Commission's main function to establish and maintain training standards for law enforcement has no financial effect on small businesses.

RESULTS OF ECONOMIC IMPACT ANALYSIS/ASSESSMENT

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

Benefits of the Proposed Action: As stated above under the Informative Digest/Policy Statement Overview, the benefits of the regulation will increase the efficiency of the state of California in delivering services to stakeholders by providing additional clarity regarding appointments and professional certificate requirements for public safety dispatchers and records supervisors. Thus, the law enforcement standards are maintained and effective in preserving peace, protection of public health, safety, and welfare in California.

There would be no impact that would affect worker safety or the state's environment.

CONSIDERATION OF ALTERNATIVES

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

CONTACT PERSONS

Questions regarding this proposed regulatory action may be directed to Stacy Townsend, Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605-1630 at (916) 970-4644. General questions regarding the regulatory process may be directed to Katie Strickland at (916) 227-2802.

TEXT OF PROPOSAL

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

ADOPTION OF PROPOSED REGULATIONS/AVAILABILITY OF CHANGED OR MODIFIED TEXT

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

modified text for 15 days after the date that the revised text is made available.

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

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

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

TITLE 14. BOARD OF FORESTRY AND FIRE PROTECTION

FOREST LEGACY PROGRAM UPDATES, 2026

NATURE OF PROCEEDING

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.

WRITTEN COMMENT PERIOD

Any person, or authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. The written comments must be received by the Board via mail, facsimile, or hand delivery no later than June 2, 2026.

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

PublicComments@BOF.ca.gov

Written comments may be submitted via U.S. Mail to the following address:

Board of Forestry and Fire Protection
Attention: Jane Van Susteren
Regulations Coordinator
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
715 P Street
Sacramento, CA 95814

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days before the close of the written comment period. Any request should be made to the contact information provided above.

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

Authority cited: Section 12249, Public Resources Code (PRC).

Reference: Sections 700, 730, 4799 and 12200–12292, Public Resources Code; Section 1320, Fish and Game Code; 16 U.S.C. Section 2103 et seq.; and 14 CCR Sections 913.11, 933.11 and 953.11.

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

Pursuant to California Public Resources Code section 12249, the California Board of Forestry and Fire Protection (Board) is authorized to adopt regulations for the implementation of the California Forest Legacy Program (Program), established by Public Resources Code §§ 12200 et seq., including the standards, criteria, and requirements necessary for acquiring conservation easements.

The purpose of the Program is to protect environmentally important forest land threatened with conversion to non-forest uses. Protection of California's forests through the Program ensures they continue to provide such benefits as sustainable timber production, wildlife habitat, recreation opportunities, watershed protection, and open space. Intact forests also contribute significantly to the storage and sequestration of carbon. Pursuant to Public Resources Code section 12230, the California Department of Forestry and Fire Protection (CAL FIRE) purchases, accepts donations of, or provides grant funding to acquire conservation easements of productive forest lands to encourage their long-term conservation. The conservation easements protect forest values by concentrating on sustainable forest practices that provide economic value from the land and encourage long-term land stewardship.

The problems are as follows: First, the regulations contain outdated hyperlinks and definitions. Second,

the regulations currently provide that the perpetual protections of the Conservation Easement must prohibit landowners from severing egress or regress rights from their property unless the granting of such rights constitutes a contribution to the conservation values of the region. However, it is unclear when the granting of a right of way on a property would contribute to regional conservation values. Third, Ecosystem Service Markets have recently emerged as evolving market-based tools to secure a public good from private lands. Ecosystem Service Markets may be used to compliment or augment the Program by encouraging greater landowner participation in the Program, provided participation in an Ecosystem Service Market does not impair the conservation purpose for which a conservation easement is acquired through the Program. However, it is currently unclear whether landowner participation in Ecosystem Service Markets is authorized by the regulations. Fourth, 14 Cal. Code Regs. § 1575.1 provides that CAL FIRE shall send a "Preliminary Purchase Agreement" to each approved applicant to the Program. However, because Public Resources Code section 12244 provides conservation easements acquired pursuant to the Program may be held by federal, state, or local government entities or by nonprofit land trust organizations, there is not always a Preliminary Purchase Agreement between CAL FIRE and an approved applicant, causing confusion as to the applicability of § 1575.1. Finally, 14 Cal. Code Regs. § 1575.2 provides that a Program applicant whose project is fully funded must complete their project within two years of the state receiving grant funds for their project. However, completing a project is not always feasible within two years. Therefore, requiring an applicant to complete a project within two years may frustrate the purposes of the Program articulated by the Legislature in Public Resources Code sections 12210 and 12211.

The purpose of this proposed regulatory action is to: (1) update or remove outdated hyperlinks and definitions; (2) clarify that a right of way may be granted if it does not impair the conservation values of the property that is subject to the conservation easement (3) expressly allow a landowner whose property is subject to a Conservation Easement acquired through the Program to participate in Ecosystem Service Markets where such participation is consistent with the Program, and (4) provide clarification regarding the responsibilities of the California Department of Forestry and Fire Protection (CAL FIRE) in approving applications for the Program and the responsibilities of a Program applicant whose conservation easement project is funded by the Program.

The effect of the proposed regulatory action will be to clarify the standards that apply to the Program, encourage participation in the program by landown-

ers by providing prospective applicants with clarity in the restrictions that will apply to their property should they decide to participate in the Program, and ensure effective and efficient grant administration.

The benefit of the proposed regulatory action is that by providing CAL FIRE and Program applicants with clear and up-to-date regulations, CAL FIRE and Program applicants will be better able to realize the benefits of the Program articulated in Public Resources Code section 12211, including:

- a. Encouraging the long-term conservation of productive forest lands by providing an incentive to owners of private forest lands to prevent future conversions of forest land and forest resources.
- b. Protection of wildlife habitat, rare plants, and biodiversity.
- c. Maintenance of habitat connectivity and related values needed to ensure the viability of wildlife populations across landscapes and regions.
- d. Protection of riparian habitats, oak woodlands, ecological old growth forests, and other key forest types and seral stages that are poorly represented across landscapes and regions, and that play a key role in supporting biodiversity.
- e. Protection of water quality, fisheries, and water supplies.
- f. Maintenance and restoration of natural ecosystem functions.
- g. Encouraging improvements to enhance long-term sustainable forest uses while providing forest areas with increased protection against other land uses that conflict with forest uses.

There is no comparable Federal regulation or statute. Board staff conducted an evaluation on whether the proposed action is inconsistent or incompatible 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 the Forest Legacy Program 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.

Statute to which the proposed action was compared: Chapter 8, Part 2, Division 4, Public Resources Code.

Regulations to which the proposed action was compared: Article 4, Subchapters 1, 4, 5, 6, & 7 Chapter 4, Division 1.5, Title 14, California Code of Regulations.

**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 concerning conversion of timberland. 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 related to the conduct of timber operations 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)). These measures may benefit environmental quality throughout the state by encouraging the long-term conservation of productive forest lands by providing an incentive to owners of private forest lands to prevent future conversions of forest land and forest resources

and thus maintaining all of the ecosystem services that forests provide, including species habitat, protection of water quality and water supply, protection of essential habitats, and maintenance and restoration of natural ecosystem functions.

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

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. No adverse impacts are to be expected.

**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.

ALTERNATIVES INFORMATION

In accordance with **GOV § 11346.5(a)(13)**, the Board must determine that no reasonable alternative it considers, 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: Jane Van Susteren

Regulations Coordinator

P.O. Box 944246

Sacramento, CA 94244–2460

Telephone: (916) 653–8007

The designated backup person in the event Ms. Van Susteren is not available is Andrew Lawhorn, of the Board of Forestry and Fire Protection. Mr. Lawhorn 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 holding the hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications which are sufficiently related to the 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 testified at the hearings, submitted comments during the public comment period, including written and oral comments received at the public hearing, 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. BOARD OF FORESTRY AND
FIRE PROTECTION**

**URBAN AND COMMUNITY FORESTRY
PROGRAM PROCEDURES, 2026**

NATURE OF PROCEEDING

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.

WRITTEN COMMENT PERIOD

Any person, or authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. The written comments must be received by the Board via mail, facsimile, or hand delivery no later than June 2, 2026.

Written comments may be delivered via e-mail at the following address:

PublicComments@BOF.ca.gov

Written comments may be submitted via U.S. Mail to the following address:

Board of Forestry and Fire Protection
Attention: Jane Van Susteren
Regulations Coordinator
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
715 P Street
Sacramento, CA 95814

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 before the close of the written comment period. Any request should be made to the contact information provided above.

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

Authority cited: Section 4799.12, Public Resources Code (PRC).

Reference: Sections 700, 730, 4799 and 12200–12292, Public Resources Code (PRC); Section 1320, Fish and Game Code; 16 U.S.C. Section 2103 et seq.; and 14 CCR Sections 913.11, 933.11, 953.11 and 1550.

Reference: 700(b), (c), 730 and 4799.06–4799.12, Public Resources Code.

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

Pursuant to California Public Resources Code section 4799.12 (Section 4799.12), the California Board of Forestry and Fire Protection (Board) is authorized to adopt regulations for the implementation of the California Urban and Community Forestry Grant Program (Program).

The purpose of the Program is to increase the long-term benefits trees provide, improve the public’s understanding and appreciation of urban trees, and advance urban forest management and tree care, with special consideration given to urban forestry projects serving disadvantaged or low-income communities.

The problems are as follows: First, since Chapter 9.7, Division 1.5, of Title 14 of the California Code of Regulations was adopted in 1983, Public Resources Code Section 4799.12 has been amended three times — in 2008, 2009, and 2017. Specifically, in 2008, the legislature (1) amended the introductory paragraph of Section 4799.12 by adding that the “director may waive the cost share requirement for projects that are in disadvantaged and severely disadvantaged communities”; (2) amended the final sentence of the introductory paragraph to provide, “Authorized assistance may include, but is not limited to, any of the following needs” for “Authorized assistance shall include”; and (3) added a number of additional categories of authorized assistance. In 2009, the legislature amended the introductory paragraph of Section 4799.12 to allow the Director to waive the cost sharing requirement if the funding source for a grant prohibits cost sharing requirements. In 2017, the legislature amended Section 4799.12 to: (1) substitute “low-income communities” for “severely disadvantaged communities”, consistent with the Greenhouse Gas Reduction Fund

Investment Plan and Communities Revitalization Act; (2) authorize the director to make advance payments from a grant awarded to a nonprofit organization that is located in or providing service to disadvantaged or low-income communities, as provided; and (3) further expand the list of authorized assistance to include funding for improved urban forest maintenance, and projects that respond to events that impact urban forest health, as provided, and funding for planning and technical assistance for eligible applicants assisting disadvantaged communities.

Because the regulations in Chapter 9.7 were not updated at those times, amendments to the regulations are necessary to ensure clarity and consistency with PRC Section 4799.12. Second, to reduce legal risk related to grant projects, the California Department of Forestry and Fire Protection (CAL FIRE) does not make surplus equipment available to grantees. Third, several procedures in the regulations are overly prescriptive or ambiguous, leading to inefficient grant administration.

The purpose of this proposed regulatory action is to: (1) update or remove outdated language to ensure consistency with the 2008, 2009, and 2017 amendments to PRC Section 4799.12; (2) remove from the list of ineligible costs the purchase of mechanical equipment if similar surplus mechanical equipment can be made available and acquired by the Department; and (3) provide clarification regarding the responsibilities of CAL FIRE’s Director in soliciting, accepting, reviewing, and approving applications for the Program.

The effect of the proposed regulatory action will be to clarify the standards that apply to the Program and ensure effective and efficient grant administration.

The benefit of the proposed regulatory action is that by providing CAL FIRE and Program applicants with clear and up-to-date regulations, CAL FIRE and Program applicants will be better able to realize the benefits of the Program articulated in Public Resources Code section 4799.08, including:

1. Promoting the use of urban forest resources for purposes of increasing integrated projects with multiple benefits in urban communities, including, but not limited to, the following:
 - a. Expanded urban forest canopy.
 - b. Community greening.
 - c. Increased carbon sequestration.
 - d. Reduced energy consumption.
 - e. Reduction of impacts of the urban heat island effect.
 - f. Improved management of stormwater and dry weather runoff.
 - g. Improved local water capture and efficient use of water for urban forest maintenance.

- h. Climate adaptation, with an emphasis on disadvantaged communities.
- 2. Stopping the decline of our urban forest resources, facilitating the planting of trees in urban communities, and improving the quality of the environment in urban areas through the establishment and improved management of urban forest resources.
- 3. Optimizing the potential of tree and vegetative cover in reducing energy consumption and producing fuel and other products.
- 4. Encouraging the coordination of state and local agency activities in urban forestry and related programs and encouraging maximum community participation in their development and implementation.
- 5. Reducing or eliminating tree loss resulting from invasive pests and diseases.
- 6. Promoting policies and incentives for grantees that advance improved maintenance of urban forest canopy to optimize multiple benefits.

There is no comparable Federal regulation or statute.

Board staff conducted an evaluation on whether the proposed action is inconsistent or incompatible with existing State regulations pursuant to GOV § 11346.5(a)(3)(D). State regulations related to the proposed action were relied upon in the development of the proposed action to ensure the consistency and compatibility of the proposed action with existing State regulations. Board staff evaluated the balance of existing State regulations related to measures concerning the Urban and Community Forestry Program 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.

Statute to which the proposed action was compared: Chapter 8, Parts 2 and 2.5, Division 4, Public Resources Code.

Regulations to which the proposed action was compared: Division 1.5, Title 14, California Code of Regulations.

**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 concerning conversion of timberland. 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 related to the conduct of timber operations 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 forestry 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)). These measures may benefit environmental quality in urban landscapes throughout the state and human health by creating expanded urban forest canopy, thus improving air quality, health outcomes related to air quality, water infiltration, heat island effects, and community greening.

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

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. No adverse impacts are to be expected.

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.

ALTERNATIVES INFORMATION

In accordance with GOV § 11346.5(a)(13), the Board must determine that no reasonable alternative it considers, 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: Jane Van Susteren
Regulations Coordinator
P.O. Box 944246
Sacramento, CA 94244–2460
Telephone: (916) 653–8007

The designated backup person in the event Ms. Van Susteren is not available is Andrew Lawhorn, of the Board of Forestry and Fire Protection. Mr. Lawhorn 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 holding the hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications which are sufficiently related to the 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 testified at the hearings, submitted comments during the public comment period, including written and oral comments received at the public hearing, 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 22. EMPLOYMENT
DEVELOPMENT DEPARTMENT

FOSTER CHILD BONDING

The Employment Development Department (EDD or Department) proposes to amend California Code of Regulations (CCR), title 22, sections 2706–1, 2706–2, 2708(c)–1, and 3267–1.

The amendments would remove some of the requirements that claimants need to complete on EDD’s Family Temporary Disability Insurance (FTDI) claim form when taking time off to bond with a foster child. The current regulations require EDD to collect the foster child’s Personally Identifying Information (PII) in the FTDI claim, which may not align with the provisions of the California Welfare and Institutions Code (WIC) and federal law.

The amendments also will clarify the information a claimant must provide in the first or continued claim for disability insurance or FTDI benefits, as well as change outdated gender pronouns.

The Department will amend these regulations after considering all comments, objections, or recommendations regarding the proposed regulatory action.

INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW

This rulemaking action clarifies and makes specific the requirements to file FTDI and disability insurance claims.

Summary of Existing Laws and Effect of Proposed Action

EDD administers the State Disability Insurance (SDI) program. The SDI program provides partial wage replacement for eligible California workers who have loss of wages when they are unable to perform their regular or customary work due to their own illness, injury, or pregnancy. FTDI, also known as Paid Family Leave, provides benefits to California workers who need time off work to care for a seriously ill family member; to bond with a newborn child, adopted child, or foster child; or to participate in a qualifying exigency related to a military member.

When filing an FTDI claim to bond with a new child after birth, adoption, or foster care placement, the claimant is required to provide certain information, including but not limited to the new child’s legal name, date of birth, gender, and residence address. (CCR, title 22, § 2706–2, subdivision (e).) The claimant is also required to provide supporting documentation to establish the relationship between the claimant and the new child. (CCR, title 22, § 2708(c)–1.) The current requirements may not align with a number of

state and federal protections for foster youth, and this rulemaking action will make changes to the requirements for foster child bonding claims to eliminate these conflicts and better protect foster youth privacy.

Various state and federal laws protect the personal information of children in the foster care system; federal and state child welfare and juvenile court laws generally protect the confidentiality of child welfare files. Title IV–E of the Social Security Act requires states that receive federal child welfare funds to have a state plan, approved by the Secretary of Health and Human Services, that “provides safeguards which restrict the use of or disclosure of information concerning individuals assisted under the State plan...” (42 U.S.C. § 671(a)(8).) The Child Abuse Prevention and Treatment Act (CAPTA) requires states to include in their state plan assurances that their state program will preserve the confidentiality of reports and records made and maintained under CAPTA to protect the rights of children and their parents, and it specifies a limited list of individuals and agencies to which these records may be made available. (42 U.S.C. § 5106a(b)(2)(B)(viii).)

California WIC section 827 limits access to the “juvenile case file,” which courts have interpreted broadly. (*T.N.G. v. Superior Court* (1971) 4 Cal.3d 767, 780–781; *In re Elijah S.* (2005) 125 Cal. App.4th 1532. See 87 Ops.Cal.Atty.Gen. 72, 75 (2004).) WIC section 10850 protects the confidentiality of certain records kept by a public agency, including all applications and records kept in connection with the administration of child welfare that identifies the applicant or recipient by name or address. (WIC, § 10850(a).)

EDD is not among the list of agencies or persons who are entitled to receipt of a juvenile case file, per WIC section 827. As such, foster parents are limited from disclosing the foster child’s PII to the Department. This rulemaking action addresses the inconsistency between these provisions and existing Departmental regulations by implementing the following changes:

CCR, title 22, section 2706–2 outlines the information a claimant must complete on the bonding certification when applying for FTDI benefits to bond with a new child. Federal and state laws limit what information foster parents can provide to the Department to verify the foster child’s placement for purposes of a bonding claim. Therefore, the proposed regulations would separate the bonding certification requirements into two separate categories: non–foster bonding, where the child’s PII will continue to be collected, and includes “new child after birth, adoption, or legal guardianship placement;” and “a new child after foster care placement,” where the child’s PII will no longer be collected, including the child’s name, social

security number, date of birth, gender, and residence address.

CCR, title 22, section 2708(c)–1 outlines the supporting documents a claimant is required to provide to the Department when filing an FTDI claim to bond with a new child after birth, adoption, foster care placement, or legal guardianship placement. For foster child bonding claims, a claimant must provide information to verify foster care placement. The proposed regulation amendments would replace the outdated *Approval of Family Caregiver Home* form (SOC 815) with the new version of the California Department of Social Services form *Foster Parents Agreement* (SOC 156), which does not collect any of the foster child’s PII on the portion that is provided to EDD. Similarly, if a claimant provides a statement on letterhead rather than providing the SOC 156, the proposed amendments would remove the requirement to include foster child PII on that statement. Lastly, the amendments would add an email address to the signature block for the social worker, director or designate making the foster care placement.

CCR, title 22, sections 2706–1 and 2706–2 delineate the information a claimant must provide to EDD in the first or continued claim for Disability Insurance or FTDI benefits. The proposed regulations would clarify two of those requirements. One such clarification is to require a claimant to provide their social security number (SSN) “and/or” any other names and SSNs by which the claimant is or was known, consistent with existing law. Eligibility for benefits may be based on wages earned by an individual under the SSN under which they have worked, provided they submit sufficient information to prove they were paid those wages along with meeting all other eligibility requirements. The proposed regulations would also clarify that an individual may file a disability insurance claim if they have met the specified conditions for “at least” eight days, which is the minimum duration for a qualifying disability.

CCR, title 22, section 3267–1 relates to reporting requirements for employers who operate their own disability insurance plans, known as “voluntary plans,” instead of using the state SDI program. Employers wishing to set up voluntary plans must first apply and be approved by EDD. Once approved, the employers must meet reporting and other requirements. Amendments to this section add FTDI claims for a qualifying military exigency as defined in section 3302.2 of the California Unemployment Insurance Code (CUIC), which was added to the FTDI program in 2018.

The amendments in CCR, title 22, sections 2706–1, 2706–2, and 2708(c)–1 would align with modern legal standards, replacing “his or her” with “their” as the standard inclusive pronoun. This would be consistent with recent efforts to update gendered language to

gender neutral pronouns in California statutes, including amendments to the Vehicle Code to define gender categories as female, male, or nonbinary (Vehicle Code § 12800) and updates to multiple state laws to remove gendered language under Assembly Bill 378 (Chapter 50, Statutes of 2021).

Anticipated Benefits from the Proposed Regulation

The primary anticipated benefit of the proposed regulatory actions is to ensure better alignment with federal and state laws intended to safeguard the PII and privacy of foster children. The proposed amendments would also inherently reduce data risks, including unauthorized access and data breaches, since EDD will be collecting and storing less PII. The amendments would also mitigate the risk of potential fraudulent claims being filed in light of the requirement for third party verification from the placement worker or agency.

Determination of Inconsistency/Incompatibility with Existing State Regulations

The Department has determined that this proposed regulatory action is neither inconsistent nor incompatible with existing state regulations. The Department has concluded that these are the only regulations that concern foster child PII in the SDI claim process. As the Department amends or creates new regulations, it will continue to update gendered language to use gender neutral pronouns.

AUTHORITY AND REFERENCE

Sections 305 and 306, Unemployment Insurance Code.

Sections 2602, 2608, 2626, 2701.5, and 2706, Unemployment Insurance Code.

Sections 2701.5, 2706, and 3303.1, Unemployment Insurance Code.

Sections 2706, 2708, and 3303, Unemployment Insurance Code.

Sections 140.5, 2627, and 3267, Unemployment Insurance Code.

ECONOMIC AND FISCAL IMPACT

Anticipated costs or savings to any local agency or school district: None.

Anticipated costs or savings to any State Agency: The Department estimates a total one-time cost of \$898,000 to implement the proposed regulations, which falls within the Department’s normal business practices and will be absorbed with existing staffing. Most of this one-time cost is to remove foster child PII questions from the online application for FTDI benefits, which requires programming and testing, as well as to revise the paper application and other related forms. The one-time cost also includes developing

business requirements for the programming efforts, making updates to the EDD website, and communicating the changes to staff and stakeholders.

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

Anticipated costs or savings in federal funding to the State: None.

Anticipated impact on housing costs: The proposed regulations will have no effect on housing costs.

Significant statewide adverse economic impact: The Department does not anticipate this regulatory action will result in any costs to the federal government, local county governments, private individuals, or businesses and small businesses. The Department has made an initial determination that the proposed regulations will not have a significant statewide adverse economic impact directly affecting businesses, including the ability to compete with businesses in other states.

LOCAL MANDATE DETERMINATION

The Department has determined that the proposed regulations will not impose any new mandates on school districts or other local governmental agencies, or any new mandates which must be reimbursed by the State pursuant to Part 7 (commencing with section 17500), Division 4, of the Government Code.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT/ANALYSIS

EDD has determined that the proposed regulatory action will not have a significant impact on the creation or elimination of jobs, the creation of new businesses, the elimination of existing businesses, or the expansion of businesses in California. SDI contributions are paid by employees through payroll deductions, not by employers. Contributions will continue to be withheld and remitted to EDD for deposit into the SDI Fund, which finances program benefits and administrative costs. Accordingly, business operations and responsibilities will remain unchanged.

This regulatory action is not anticipated to impose significant costs on federal, state, or local governments, private individuals, or housing. Unlike Unemployment Insurance, which is administered under a federal-state partnership and funded by employer payroll taxes, SDI is administered under state law and solely funded by covered employees. Therefore, no substantial change in workload or responsibilities is expected.

The proposed amendments will provide significant benefits to the health and welfare of California residents by strengthening privacy protections for foster children and their caregivers. By reducing the collec-

tion and storage of PII, the amendments will inherently lower the risk of identity theft, fraud, unauthorized disclosure, and data breaches. Enhanced privacy safeguards will protect foster youth and support their access to financial and caregiving benefits, thereby promoting family stability and overall wellbeing.

The proposed regulations will not affect worker safety or the State’s environment.

The cost impact on representative 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.

SMALL BUSINESS IMPACT

The Department has determined that the proposed regulatory action will not impact small businesses as it does not impose any new mandates on small businesses. The proposed amendments do not require small businesses to take any specific action or to refrain from any activity when conducting business.

CONSIDERATION OF ALTERNATIVES

In accordance with section 11346.5(a)(13) of the Government Code, 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 regulations during the written comment period or at a public hearing (if one is requested).

WRITTEN COMMENT PERIOD

Any interested person, or their authorized representative, may submit written comments on the proposed action to Victor Lao via United States (U.S.) mail, email, or fax (see U.S. mail and email addresses and fax number indicated below). **Email comments should include true name and mailing address of the commenter. Written comments submitted via U.S. mail, email, or fax, must be received by the Department no later than June 6, 2026.**

Please submit any written comments before that time. The Department cannot accept written comments after the close of the public comment period.

CONTACT PERSONS

Inquiries or comments should be directed to:

Victor Lao, Attorney
Employment Development Department P.O. Box 826880
Legal Office, MIC 53
Sacramento, CA 94280–0001
Telephone Number: (916) 654–8410
Fax Number: (916) 654–9069
Email Address: ProposedRegulations@edd.ca.gov

Note: In the event Mr. Lao is unavailable, inquiries should be directed to the following backup contact person:

Name: Linda Saeturn–Rodriguez, Senior Legal Analyst
Telephone Number: (916) 654–8410

Questions regarding the substance of the proposed regulatory action should be directed at this time to:

Name: Victor Lao, Attorney
Telephone Number: (916) 654–8410

INTERNET WEBSITE ACCESS

The Department has posted materials related to the proposed regulatory action on its website at https://edd.ca.gov/en/about_edd/proposed_regulations.

PUBLIC HEARING

A public hearing is not scheduled. Any interested person or their duly authorized representative may request one no later than 15 days prior to the close of the written comment period in accordance with Government Code section 11346.8.

MODIFICATION OF PROPOSED ACTION

If the Department makes any changes based on public testimony, those changes (other than non-substantial or solely grammatical modifications) will be made available for public comment at least 15 days before adoption. Copies of any changes will be mailed to all persons whom: testified or submitted written comments at the public hearing (if one is scheduled), submitted comments to the agency during the public comment period, or requested notification from the agency of the availability of such changes.

FINAL STATEMENT OF REASONS

After the close of the 45–day public comment period, the Department will summarize and respond to all public comments in a written final statement of rea-

sons. To obtain a copy of the final statement of reasons, contact the persons noted above, or access the Department’s website at <https://edd.ca.gov>.

FURTHER INFORMATION

The Department has prepared, and has available for review upon request, the text of the proposed regulations discussed in this notice, written in plain English; the initial statement of reasons setting forth the purpose of the proposed regulations; and the information upon which the Department relied in proposing the regulations. (If you received this notice by mail, a copy of the text of the proposed regulations and the initial statement of reasons were enclosed.)

To obtain a copy, contact the persons noted above, or access the Department’s website at https://edd.ca.gov/en/about_edd/proposed_regulations.

All the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review. For inquiries regarding the rulemaking file or the regulations’ process, contact the persons noted above.

**TITLE 24. BUILDING STANDARDS
COMMISSION/CALIFORNIA
DEPARTMENT OF HOUSING AND
COMMUNITY DEVELOPMENT**

2025 CALIFORNIA BUILDING CODE,
2025 CALIFORNIA ELECTRICAL CODE,
2025 CALIFORNIA MECHANICAL CODE
AND 2025 CALIFORNIA PLUMBING CODE
CALIFORNIA CODE OF REGULATIONS,
TITLE 24 PARTS 2, 3, 4, & 5
(HCD 1–AC 01/25)

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the Department of Housing and Community Development (HCD) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Parts 2, 3, 4, and 5. HCD is proposing building standards related to the 2025 California Building Code (CBC), California Electrical Code (CEC), California Mechanical Code (CMC) and California Plumbing Code (CPC).

PUBLIC COMMENT PERIOD

Reference: Government Code Sections 11346.5(a)(1), 11346.5(a)(15) and 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **April 17, 2026**, until midnight on **June 1, 2026**.

Comments may be submitted to CBSC via:

Email: cbsc@dgs.ca.gov

US Mail postmarked no later than **June 1, 2026**:

California Building Standards Commission
Attention: Public Comments
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

All written comments received are considered part of the public record and will be made available for public inspection via [CBSC’s website](#). Public comments may include personally identifiable information (PII) such as name, email address or mailing address. Interested persons are not required to submit their PII to comment on this rulemaking. However, any PII submitted is subject to posting on the publicly accessible [CBSC website](#) without redaction. Also, only comments received in an accessible format will be viewable on CBSC’s website. Non-accessible comments will be listed on the website and made available upon request. Any interested person, or his or her duly authorized representative, may request no later than 15 days prior to the close of the written comment period that a public hearing be held.

The public will have an opportunity to provide written and oral comments regarding the proposed action on building standards at a public meeting to be conducted by CBSC to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

**POST-HEARING MODIFICATIONS TO THE
TEXT OF THE REGULATIONS**

Reference: Government Code Section 11346.5(a)(18).

Following the public comment period, CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

NOTE: To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

AUTHORITY AND REFERENCE

2025 California Building Code, Part 2

Reference: Government Code Section 11346.5(a)(2).

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.5. The purpose of these building standards is to implement, interpret, or make specific the provisions of Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, 18941, 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

HCD is proposing this regulatory action based on Health and Safety Code Sections 17040, 17920.9, 17921, 17922, 18300, 18620, 18630, 18640, 18670, 18865, 18871.3, 18873, 18873.1 through 18873.5, and 19990; and Government Code Sections 12955.1 and 12955.1.1.

2025 California Electrical Code, Part 3

Reference: Government Code Section 11346.5(a)(2).

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.5. The purpose of these building standards is to implement, interpret, or make specific the provisions of Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, 18941, 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

HCD is proposing this regulatory action based on Health and Safety Code Sections 17040, 17920.9, 17921, 17922, 18300, 18620, 18630, 18640, 18670, 18865, 18871.3, 18873, 18873.1 through 18873.5, and 19990; and Government Code Sections 12955.1 and 12955.1.1.

2025 California Mechanical Code, Part 4

Reference: Government Code Section 11346.5(a)(2).

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.5. The purpose of these building standards is to implement, interpret, or make specific the provisions of Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, 18941, and 19960 through 19997; and Government Code Sections 12955.1 and 12955.1.1.

HCD is proposing this regulatory action based on Health and Safety Code Sections 17040, 17920.9, 17921, 17922, 18300, 18620, 18630, 18640, 18670, 18865, 18871.3, 18873, 18873.1 through 18873.5, and 19990; and Government Code Sections 12955.1 and 12955.1.1.

2025 California Plumbing Code, Part 5

Reference: Government Code Section 11346.5(a)(2).

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.5. The purpose of these building standards is to implement, interpret, or make specific the provisions of Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, 18941, and 19960 through 19997; Government Code Sections 12955.1 and 12955.1.1.

HCD is proposing this regulatory action based on Health and Safety Code Sections 17040, 17920.9, 17921, 17922, 18300, 18620, 18630, 18640, 18670, 18865, 18871.3, 18873, 18873.1 through 18873.5, and 19990; and Government Code Sections 12955.1 and 12955.1.1.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

Health and Safety Code (HSC), section 17000 through 17062.5, also known as the Employee Housing Act (EHA), requires HCD to develop and propose adoption of building standards for employee housing and describes the general provisions, application and scope, rules and regulations, and enforcement provisions of the EHA that that are being implemented, interpreted, or made specific by those proposed building standards/amendments.

Health and Safety Code, section 17040 requires HCD to propose adoption of building standards for employee housing for “... the protection of the public health, safety, and general welfare of employees and the public, governing the erection, construction, enlargement, conversion, alteration, repair, occupancy, use, sanitation, ventilation, and maintenance of all employee housing”.

Health and Safety Code, section 17910 through 17995.5 requires HCD to develop and propose adoption of regulations for buildings used for human habitation and sets forth the requirements and authority pertaining to promulgation of rules and adoption of building standards pertaining to the regulation of buildings used for human habitation.

Health and Safety Code, section 17920.9 requires HCD to propose the adoption, amendment, or repeal by the CBSC of regulations necessary for the provision of minimum fire safety standards relating to the manufacture, composition, and use of foam building systems manufactured for use in mobilehomes or factory-built housing.

Health and Safety Code, section 17921 requires HCD to propose the adoption, amendment, or repeal of building standards to the CBSC.

Health and Safety Code, section 17922 states that the most recent editions of the international or uni-

form codes referred to in that section shall be considered to be adopted one year after the date of publication of the applicable international or uniform codes and requires building standards to impose substantially the same requirements as are contained in the most recent editions of the uniform industry codes. The CBSC is authorized to adopt these building standards under the authority granted by HSC, section 18949.5.

Health and Safety Code, section 18200 through 18700, also known as the Mobilehome Parks Act (MPA), requires HCD to develop and propose adoption of building standards for permanent buildings and structures within mobilehome parks and describes the general provisions, application and scope, rules and regulations, and enforcement provisions of the MPA that that are being implemented, interpreted, or made specific by those proposed building standards/amendments.

Health and Safety Code, section 18300, authorizes HCD to adopt building standards for mobilehome parks.

Health and Safety Code, section 18620 establishes HCD's authority to propose the adoption of building standards to the CBSC pursuant to Chapter 4 (commencing with section 18935) of Part 2.5 and to adopt regulations regarding the construction of buildings in mobilehome parks that it determines are reasonably necessary for the protection of life and property.

Health and Safety Code, section 18630 establishes HCD's authority to propose building standards regarding plumbing in mobilehome parks that are reasonably necessary for the protection of life and property.

Health and Safety Code, section 18640 authorizes HCD to propose adoption of building standards and to adopt regulations for toilet, shower, and laundry facilities in mobilehome parks.

Health and Safety Code, section 18670 authorizes HCD to propose adoption of building standards and to adopt regulations regarding electrical wiring, fixtures, and equipment installed in mobilehome parks that it determines are reasonably necessary for the protection of life and property.

Health and Safety Code, section 18860 through 18874, also known as the Special Occupancy Parks Act (SOPA), requires HCD to develop regulations in title 25 of the California Code of Regulations that reference building standards and propose adoption of building standards for special occupancy parks and describes the general provisions, application and scope, rules and regulations, and enforcement provisions of the SOPA that that are being implemented, interpreted, or made specific by those proposed building standards/amendments.

Health and Safety Code, section 18865 establishes HCD's authority to adopt regulations to interpret and make specific the Special Occupancy Parks Act.

Health and Safety Code, section 18871.3 establishes HCD's authority to propose the adoption of building standards to the CBSC and to adopt regulations regarding accessory buildings or structures located in a special occupancy park.

Health and Safety Code, section 18873 establishes HCD's authority to propose the adoption of building standards to the CBSC pursuant to Chapter 4 (commencing with Section 18935) of Part 2.5 and to adopt regulations regarding the construction of buildings in special occupancy parks that it determines are reasonably necessary for the protection of life and property.

Health and Safety Code, sections 18873.1 through 18873.5 establishes HCD's authority to propose the adoption of building standards to the CBSC and to adopt regulations regarding plumbing; toilet, shower, and laundry facilities; electrical wiring, fixtures, and equipment; fuel gas equipment and installations; and generally recognized fire protection standards, governing conditions relating to the prevention of fire or for the protection of life and property against fire in special occupancy parks.

Health and Safety Code, section 18941 requires building standards to be administered and enforced, and whenever practicable, written on a performance basis consistent with state and nationally recognized standards for building construction in view of the use and occupancy of each structure to preserve and protect the public health and safety.

Health and Safety Code, sections 19960 through 19997, also known as the Factory–Built Housing Law (FBHL), include the requirement that HCD propose adoption of building standards for factory–built housing and describes the general provisions, application and scope, rules and regulations, and enforcement provisions of the FBHL that that are being implemented, interpreted, or made specific by those proposed building standards/amendments.

Health and Safety Code, section 19990 authorizes HCD to propose the adoption of building standards to the CBSC pursuant to Chapter 4 (commencing with section 18935) of Part 2.5 of the HSC and to adopt regulations regarding requirements related to factory–built housing, including standards that include provisions imposing requirements reasonably consistent with recognized and accepted standards in the most recent editions of the international or uniform industry codes.

Government Code, section 12955.1 authorizes HCD to adopt regulations and to propose the adoption, amendment, or repeal of building standards necessary to implement, interpret, or make specific the provisions of this section related to the failure to design and construct a covered multifamily dwelling in a manner that allows access to, and use by, disabled persons for residential occupancies other than public housing.

Government Code, section 12955.1.1 provides clear definitions for “covered multifamily dwellings” and for “multistory dwelling unit” for the purposes of Government Code, section 12955.1.

Summary of Existing Regulations

The California Building Standards Code, Title 24, Part 2, 2025 CBC; Part 3, 2025 CEC; Part 4 2025 CMC; and Part 5, 2025 CPC, adopted by reference the 2024 International Building Code (IBC), 2023 National Electrical Code (NEC), 2024 Uniform Mechanical Code (UMC) and 2024 Uniform Plumbing Code (UPC) with California amendments is effective January 1, 2026. Existing CBC regulations specifically related to the proposed changes include section 1.8.2.1.2 which covers housing accessibility.

Summary of Effect

HCD proposes to repeal an existing California amendment that addresses the scope and application of Chapter 11A of the CBC to public housing, and to repeal an associated definition. This amendment will harmonize building standards with the existing provisions of CBC, Chapter 11A.

There is no intended change in regulatory effect. Assembly Bill 130 (Chapter 22, Statutes of 2025) places strict limitations on what the State can consider during this Intervening Code Adoption Cycle. HCD has determined that the proposed changes are permissible under HSC, section 18942(a)(2)(A).

Comparable Federal Statute or Regulations

There are no comparable federal statutes or regulations.

Policy Statement Overview

The proposed regulations, as part of the update to the 2025 CBC, CEC, CMC, and CPC, will amend existing building standards affecting residential occupancies and building or structures accessory thereto, as provided for by federal and state accessibility requirements.

The proposed amendments repeal an existing California reference related to CBC Chapter 11A and an associated definition to align with current CBC provisions. These changes are clarifications only and do not alter the substance, intent, or application of existing code requirements.

Evaluation of Consistency

HCD has determined that the proposals are not inconsistent or incompatible with existing state regulations.

OTHER MATTERS PRESCRIBED BY
STATUTE APPLICABLE TO THE AGENCY
OR TO ANY SPECIFIC REGULATION OR
CLASS OF REGULATIONS

Reference: Government Code Section 11346.5(a)(4).

None.

MANDATE ON LOCAL
AGENCIES OR SCHOOL DISTRICTS

Reference: Government Code Section 11346.5(a)(5).

HCD has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts. HCD’s proposal does not mandate state reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

ESTIMATE OF COST OR SAVINGS

Reference: Government Code Section 11346.5(a)(6).

An estimate, prepared in accordance with instructions adopted by Department of Finance, of cost or savings to any state agency, local agency, or school district.

- A. Cost or Savings to any state agency: **None.**
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **None.**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **None.**
- D. Other nondiscretionary cost or savings imposed on local agencies: **None.**
- E. Cost or savings in federal funding to the state: **None.**

HCD has determined that the amendment will have no fiscal effect since there is no intended change in regulatory effect and the proposed amendments do not materially alter the substance or intent of the existing code provisions.

INITIAL DETERMINATION OF NO
SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT ON BUSINESSES

Reference: Government Code Section 11346.5(a)(8).

If the agency makes an initial determination that the adoption/amendment/repeal of this regulation 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, it shall make a declaration to that effect.

HCD has made an initial determination that the amendment of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

Declaration of Evidence

Reference: Government Code Section 11346.5(a)(8).

In making the declaration, the agency shall provide in the record of facts, evidence, documents, testimony, or other evidence that the agency relied upon to support its initial determination of no effect.

The proposed amendments are limited to clarifying, conforming, and coordinating changes, or correcting an oversight, and do not materially alter the substance or intent of existing code provisions. Therefore, no additional facts, evidence, documents, testimony, or other supporting information are relied upon by HCD to make its initial determination of no significant adverse economic impact on business pursuant to Government Code Section 11346.2(b)(5)(A).

The public is invited to submit any relevant information, facts, or documents that either support this determination or provide evidence to the contrary.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

Reference: Government Code Section 11346.5(a)(9).

Describe all cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. If no cost impact, provide the following statement:

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

ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION

Reference: Government Code Section 11346.5(a)(10).

HCD has assessed whether and to what extent this proposal will affect the following:

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

These regulations will not affect the creation, or cause the elimination, of jobs within the State of California.

B. The creation of new businesses or the elimination of existing businesses within the State of California.

These regulations will not affect the creation of new businesses, or cause the elimination of existing businesses within the State of California.

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

These regulations will not affect the expansion of businesses currently doing business within the State of California.

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

These regulations benefit California residents by ensuring consistency in the code and eliminating possible confusion which leads to protection of public health and safety, worker safety, and the environment.

FINDING OF NECESSITY FOR THE PUBLIC’S HEALTH, SAFETY, OR WELFARE

Reference: Government Code Section 11346.5(a)(11).

Any regulation that requires a report shall not apply to businesses, unless the agency makes a finding that it is necessary for the health, safety, or welfare of the public that the regulations apply to businesses.

ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING

Reference: Government Code Section 11346.5(a)(12).

No increased cost of compliance for those regulations that make only technical and nonsubstantive changes.

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).

HCD has determined that no reasonable alternative considered by HCD or that has otherwise been identified and brought to the attention of HCD 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. In addition, no reasonable alternative considered by HCD or that has otherwise been identified and brought to the attention of HCD would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

AVAILABILITY OF RULEMAKING DOCUMENTS

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(19).

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the CBSC website: <https://www.dgs.ca.gov/en/BSC>.

Reference: Government Code Section 11346.5(a)(21).

HCD shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law. The statement shall note that providing the accessible description of proposed changes may require extending the period of public comment for the proposed action.

**CBSC CONTACT PERSON
FOR PROCEDURAL AND
ADMINISTRATIVE QUESTIONS**

Reference: Government Code Section 11346.5(a)(14).

General questions regarding procedural and administrative issues should be addressed to:

Kevin Day, Deputy Executive Director
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone: (916) 263–0916

**PROPOSING STATE AGENCY
CONTACT PERSON FOR
SUBSTANTIVE OR TECHNICAL
QUESTIONS ON THE PROPOSED
CHANGES TO BUILDING STANDARDS**

Specific questions regarding the substantive or technical aspects of the proposed changes to the building standards should be addressed to:

Primary Contact:

Veronica Turdean, Associate Construction Analyst
Department of Housing and Community
Development
Codes and Standards
(916) 841–7609
Veronica.Turdean@hcd.ca.gov

Back up Contact:

Mitchel Baker, Assistant Deputy Director
Department of Housing and Community
Development
Codes and Standards
(916) 214–4713
Mitchel.Baker@hcd.ca.gov

**TITLE 24. BUILDING STANDARDS
COMMISSION/DIVISION OF THE
STATE ARCHITECT**

**2025 CALIFORNIA BUILDING
CODE CALIFORNIA
CODE OF REGULATIONS, TITLE 24,
PART 2 (DSA–AC 01/25)**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of Division of the State Architect (DSA–AC) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 2. The DSA–AC is proposing building standards related to 2025 California Building Code.

PUBLIC COMMENT PERIOD

Reference: Government Code Sections 11346.5(a)(1), 11346.5(a)(15) and 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **April 17, 2026**, until midnight on **June 1, 2026**.

Comments may be submitted to CBSC via:

Email: cbcs@dgs.ca.gov
US Mail postmarked no later than **June 1, 2026**:
California Building Standards Commission
Attention: Public Comments
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

All written comments received are considered part of the public record and will be made available for public inspection via [CBSC's website](#). Public comments may include personally identifiable information (PII) such as name, email address or mailing address. Interested persons are not required to submit their PII to comment on this rulemaking. However, any PII submitted is subject to posting on the publicly accessible [CBSC website](#) without redaction. Also, only comments received in an accessible format will be viewable on CBSC's website. Non-accessible comments will be listed on the website and made available upon request. Any interested person, or his or her duly authorized representative, may request no later than 15 days prior to the close of the written comment period that a public hearing be held.

The public will have an opportunity to provide written and oral comments regarding the proposed action on building standards at a public meeting to be conducted by CBSC to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be

issued announcing the date, time and location of the public meeting.

POST-HEARING MODIFICATIONS
TO THE TEXT OF THE REGULATIONS

Reference: Government Code Section 11346.5(a)(18).

Following the public comment period, CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

NOTE: To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

AUTHORITY AND REFERENCE

Reference: Government Code Section 11346.5(a)(2).

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.1. The purpose of these building standards is to implement, interpret, or make specific the provisions of Government Code Section 4450 through 4452, 4456, 4457, 4459, and 12955.1, Health and Safety Code Sections 19955, 19956.5, 19957, 19958 and 19959.

The Division of the State Architect is proposing this regulatory action based on Government Code Section 4450 and 12955.1(c).

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

Government Code Section 4450 authorizes the State Architect to develop regulations for making buildings, structures, sidewalks, curbs, and related facilities accessible to and usable by persons with disabilities.

Government Code Section 4450.5 requires the regulations developed for accessible parking spaces to meet the requirements set forth in Vehicle Code Sections 22511.7 and 22511.8.

Government Code Section 4451 limits the application to buildings and facilities intended for use by the public, with reasonable availability to persons with disabilities, including educational facilities and including those buildings and facilities constructed with state, county, or municipal funds, including any politi-

cal subdivision thereof. Includes temporary and emergency construction.

Government Code Section 4452 states that it is the intent of the Legislature that the building standards relating to disabled access are intended to be used as minimum requirements to ensure that buildings and facilities are accessible to, and functional for, disabled persons.

Government Code Section 4456 establishes that buildings and facilities constructed prior to Nov. 13, 1968 must comply with accessibility provisions when undertaking an alteration, structural repair, or addition.

Government Code Section 4457 requires that portable school buildings be accessible, with some exceptions.

Government Code Section 4459 directs the State Architect to develop amendments to building regulations to meet, but not exceed, state regulations effective prior to 2001 and to meet minimum federal accessibility standards adopted by the Department of Justice.

Government Code Section 12955.1 requires that building standards for public housing must meet minimum federal standards and gives the Division of the State Architect authority to propose regulations as deemed appropriate and necessary to implement, interpret, or make specific the provisions contained therein.

Health and Safety Code (HSC) 18942(a)(2) limits amendments to building standards adopted during the intervening code cycles to clarifying, conforming, coordinating changes which do not materially alter existing regulations but also permits the adoption of emergency building standards, and building standards necessary to align with minimum federal accessibility laws, standards and regulations.

Health and Safety Code Section 18949.1 transfers responsibility to adopt regulations relating to building standards from the Division of the State Architect to the Building Standards Commission.

Health and Safety Code Section 19955 requires certain public accommodations and facilities be accessible to persons with disabilities.

Health and Safety Code Section 19956.5 requires that public walks and curbs be accessible.

Health and Safety Code Section 19957 provides exceptions from the literal building standards in the cases of unnecessary hardship or technical difficulty and sets enforcement and equivalent facilitation standards.

Health and Safety Code Section 19958 provides authority for enforcement of building regulations.

Health and Safety Code Section 19959 requires existing public accommodations to provide accessible

features when alterations, structural repairs, or additions are undertaken.

Summary of Existing Regulations

California Code of Regulations (CCR) Title 2, Division 3, Part 2.8, Chapter 4, Section 12926.1 provides protections in the area of disabilities independent from those in the federal Americans with Disabilities Act of 1990 (Public Law 100–336).

California Code of Regulations (CCR) Title 2, Division 4.1, Chapter 5, Subchapter 9, Article 12, Section 14020, 14340, 14342 requires that facilities that are constructed by, on behalf of, or for the use of a covered entity must be readily accessible to people with disabilities.

California Code of Regulations (CCR) Title 24, Part 2 contains existing regulations promulgated by DSA–AC. These regulations are applicable to:

1. Publicly funded buildings, structures, sidewalks, curbs and related facilities;
2. Privately funded public accommodations and commercial facilities;
3. Public housing and private housing available for public use;
4. Any portable buildings leased or owned by a school district; and,
5. Temporary and emergency buildings and facilities.

Summary of Effect

The proposed action would amend the CCR, Title 24, Part 2 by:

- Providing new definitions for Educational Entity in Receipt of Financial Assistance and Social Service Center Establishments that are used to clarify scoping and technical requirements for these facilities.
- Clarifying definitions of Place of Public Accommodation and Public Housing.
- Aligning the requirements for Public Housing with the Uniform Federal Accessibility Standards (UFAS), including employee work areas within public housing facilities, as adopted by HUD.
- Clarifying and removing duplicative sections for electrical receptacles at corner work surfaces.
- Clarifying that on–call rooms in medical facilities are not transient lodging.
- Removing the site impracticality exceptions for public housing.
- Clarifying that housing provided by public entities is public housing.
- Clarifying that the existing exception for vertical clearance at existing multistory parking facility parking spaces also applies to Electric Vehicle Charging Spaces.

- Clarifying the previously adopted referenced standards for ASME and BHMA to correct an error.

Comparable Federal Statute or Regulations

Comparable federal statutes and regulations include:

- Civil Rights Act of 1964 (CRA) provided the federal government the ability to prohibit entities from enacting discriminative practices, by limiting or withholding federal funds provided to those entities.
- Section 504 of the Rehabilitation Act of 1973 added persons with disabilities to the list of prior established protected classes of individuals.
- Civil Rights Restoration Act of 1987 (Public Law 100–259) clarified when any portion of an organization is in receipt of financial assistance, the entire organization is subject to the Civil Rights Act of 1964. Section 2 of the Civil Rights Restoration Act of 1987 determined legislative action was required to restore prior executive branch interpretation regarding past the administration of title IX (nine) of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and title VI (six) of the Civil Rights Act of 1964.
- Title IX (nine) of the Education Amendments of 1972 states no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.
- Age Discrimination Act of 1975 ensures individuals of all ages are not excluded from participation in, denied the benefits of, or subjected to discrimination under any program or activity that receives federal financial assistance.
- Regulations for Title II and Title III of the Americans with Disabilities Act of 1990, as adopted by the US Department of Justice. The regulations provide enforceable standards for accessible design, known as the 2010 Americans with Disabilities Act Standards (ADAS) for Accessible Design, in three parts.
 1. 2010 Standards for State and Local Government Facilities: Title II Regulations at 28 CFR Part 35.151;
 2. 2010 Standards for Public Accommodations and Commercial Facilities: Title III Regulations at 28 CFR Part 36, Subpart D; and,
 3. 2010 Standards for Title II and III Facilities: 2004 Americans with Disabilities Act Accessibility Guide (ADAAG).
- Fair Housing Amendments Act of 1988.

- The Department of Housing and Urban Development (HUD) Section 504 of the Rehabilitation Act of 1973.
- Uniform Federal Accessibility Standards (UFAS).

Policy Statement Overview

The proposed building standards are intended to align accessibility provisions for public housing with existing federal regulations and to clarify existing accessibility provisions contained in the 2025 California Building Code to ensure that publicly funded buildings, structures, sidewalks, curbs, and related facilities shall be accessible to and usable by persons with disabilities; privately funded public accommodations and commercial facilities shall be accessible to and usable by persons with disabilities; and public housing shall be accessible to and usable by persons with disabilities.

Evaluation of Consistency

There are no inconsistent or incompatible regulations proposed.

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

Reference: Government Code Section 11346.5(a)(4).

There are no other matters prescribed by statute applicable to DSA–AC, or to any specific regulation or class of regulations.

**MANDATE ON LOCAL AGENCIES OR
SCHOOL DISTRICTS**

Reference: Government Code Section 11346.5(a)(5).

DSA–AC has determined that the proposed regulatory action **WOULD NOT** impose a mandate on local agencies or school districts.

ESTIMATE OF COST OR SAVINGS

Reference: Government Code Section 11346.5(a)(6).

An estimate, prepared in accordance with instructions adopted by Department of Finance, of cost or savings to any state agency, local agency, or school district.

- A. Cost or Savings to any state agency: **No.**
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **No.**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **No.**
- D. Other nondiscretionary cost or savings imposed on local agencies: **No.**

- E. Cost or savings in federal funding to the state: **No.**

Estimate: \$0.

**INITIAL DETERMINATION OF NO
SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT ON BUSINESSES**

Reference: Government Code Section 11346.5(a)(8).

If the agency makes an initial determination that the adoption/amendment/repeal of this regulation 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, it shall make a declaration to that effect.

DSA–AC has made an initial determination that the adoption of these regulations will not create adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

Declaration of Evidence

Reference: Government Code Section 11346.5(a)(8).

In making the declaration, the agency shall provide in the record of facts, evidence, documents, testimony, or other evidence that the agency relied upon to support its initial determination of no effect.

No facts, evidence, documents, testimony or other evidence were relied upon nor received during pre-cycle outreach workshops indicating that there would be a significant statewide adverse economic impact to business. The public may submit any information, facts or documents either supporting DSA’s initial determination or finding to the contrary.

**COST IMPACT ON REPRESENTATIVE
PRIVATE PERSON OR BUSINESS**

Reference: Government Code Section 11346.5(a)(9).

Describe all cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. If no cost impact, provide the following statement:

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

**ASSESSMENT OF EFFECT
OF REGULATIONS UPON
JOBS AND BUSINESS EXPANSION,
ELIMINATION OR CREATION**

Reference: Government Code Section 11346.5(a)(10).

The DSA–AC has assessed whether and to what extent these proposals will affect the following:

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

The Division of the State Architect has determined that the proposed action has no effect.

B. The creation of new businesses or the elimination of existing businesses within the State of California.

The Division of the State Architect has determined that the proposed action has no effect.

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

The Division of the State Architect has determined that the proposed action has no effect.

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

The Division of the State Architect has determined that the proposal establishes the minimum requirements to safeguard the public health, safety and general welfare through access to persons with disabilities.

FINDING OF NECESSITY FOR
THE PUBLIC’S HEALTH,
SAFETY, OR WELFARE

Reference: Government Code Section 11346.5(a)(11).

Any regulation that requires a report shall not apply to businesses, unless the agency makes a finding that it is necessary for the health, safety, or welfare of the public that the regulations apply to businesses.

ESTIMATED COST OF
COMPLIANCE OF STANDARDS THAT
WOULD IMPACT HOUSING

Reference: Government Code Section 11346.5(a)(12).

DSA–AC has made an initial determination that these proposals would not have an effect on housing costs because the requirements exist in federal regulation and are already applicable to public housing projects in California.

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).

DSA–AC has determined that no reasonable alternative considered by DSA–AC, or that has otherwise been identified and brought to the attention of DSA–AC, 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. In addition, no reasonable alternative considered by DSA–AC, or that has otherwise been identified and brought to the attention of DSA–AC, would be more cost–effective to affected

private persons and equally effective in implementing the statutory policy or other provisions of law.

AVAILABILITY OF
RULEMAKING DOCUMENTS

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

All of the information upon which the proposed regulations are based on is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(19).

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the CBSC website: <https://www.dgs.ca.gov/en/BSC>.

Reference: Government Code Section 11346.5(a)(21).

DSA–AC shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law. The statement shall note that providing the accessible description of proposed changes may require extending the period of public comment for the proposed action.

CBSC CONTACT PERSON
FOR PROCEDURAL AND
ADMINISTRATIVE QUESTIONS

Reference: Government Code Section 11346.5(a)(14).

General questions regarding procedural and administrative issues should be addressed to:

Kevin Day, Deputy Executive Director
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone: (916) 263–0916

PROPOSING STATE AGENCY
CONTACT PERSON FOR
SUBSTANTIVE OR TECHNICAL
QUESTIONS ON THE PROPOSED
CHANGES TO BUILDING STANDARDS

Specific questions regarding the substantive or technical aspects of the proposed changes to the building standards should be addressed to:

Primary Contact:

Michelle Davis, Supervising Architect
 Division of the State Architect
 Headquarters, Architectural Codes and Policies/
 Accessibility Unit
 (279) 799–3835
Michelle.Davis@dgs.ca.gov

Back up Contact:

Eric Driever, Principal Architect
 Division of the State Architect
 Headquarters, Architectural Codes and Policies/
 Accessibility Unit
 (916) 443–9829
Eric.Driver@dgs.ca.gov

of Applicability (WDID Number 6A182603001) for coverage under the General 401 Order on 3/27/2026.

The Trust is requesting a determination that the project and associated documents are complete pursuant to Fish and Game Code section 1653 subdivision (d). If CDFW determines the project is complete, the Trust will not be required to obtain an incidental take permit under Fish and Game Code section 2081 subdivision (b) or a Lake or Streambed Alteration Agreement under Fish and Game Code section 1605 for the proposed project.

In accordance with Fish and Game Code section 1653 subdivision (e), if CDFW determines during the review, based on substantial evidence, that the request is not complete, the Trust will have the opportunity to submit under Fish and Game Code section 1652.

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND WILDLIFE

FISH AND GAME CODE SECTION 1653
 CONSISTENCY DETERMINATION
 REQUEST FOR STONEY CREEK STREAM
 RESTORATION PROJECT (TRACKING
 NUMBER: 1653–2026–183–001–R1)
 LASSEN COUNTY

California Department of Fish and Wildlife (CDFW) received a Request to Approve on April 7, 2026, that the Lassen Land and Trails Trust (Trust) proposes to carry out a habitat restoration or enhancement project pursuant to Fish and Game Code section 1653. The proposed project involves implementing up to 55 vegetation structures and up to 65 rock structures that will initiate restoration of natural stream processes. The proposed project will be carried out on Stony Creek, located off of Shinn Ranch Road, north of Susanville, Lassen County, California.

On March 6, 2026, the Lahontan Regional Water Quality Control Board (Regional Water Board) received a Notice of Intent (NOI) to comply with the terms of, and obtain coverage under, the General 401 Water Quality Certification Order for Small Habitat Restoration Projects (General 401 Order) for the Stony Creek Stream Restoration Project. The Regional Water Board determined that the Project, as described in the NOI, was categorically exempt from California Environmental Quality Act (CEQA) review (section 15333 — Small Habitat Restoration Projects) and met the eligibility requirements for coverage under the General 401 Order. The Regional Water Board issued a Notice

RULEMAKING PETITION DECISIONS

DEPARTMENT OF CORRECTIONS AND REHABILITATION

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

Petitioner

Porfirio Romo.

Department Contact Person

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

Availability of Petition

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

Authority

Penal Code Sections: 5054 and 5058.

Provisions of California Code of Regulations Affected:

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

Summary of Petition and Department Decision:

Subsection 3076(b)

Petitioner’s Request: The petitioner requests to amend 3076(b), “which removes the Secretary’s authority to recommend a sentence recall under Penal Code § 1172.1(a)(1), by allowing the Secretary, where

appropriate, to recommend recall of life without parole (LWOP) sentences.”

Reason for Request: Petitioner states that the reason for this request is based on the regulation violating equal rights and in “order to prevail in an equal rights claim, a person must establish: 1) they are similarly situated to other people afford the treatment, and 2) there is no rational basis for the disparate treatment.”

Department’s Decision: The request is denied as moot. CDCR is working to amend the cited regulation. If you are interested in receiving the Department’s Notice of Change to Regulations for all regulatory changes, please send your request to be added to the mailing list to: Regulation and Policy Management Branch, P.O. Box 942883, Sacramento, CA 94283-0001.

**DEPARTMENT OF
CORRECTIONS AND
REHABILITATION**

NOTICE OF DECISION ON PETITION TO
ADOPT REGULATIONS PURSUANT TO
GOVERNMENT CODE 11340.7

Petitioner

Anthony Osorio Linares, #AV7805.

Department Contact Person

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

Availability of Petition

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

Authority

Penal Code Sections: 5054 and 5058.

Provisions of California Code of Regulations Affected:

Title 15, Crime Prevention and Corrections.

Division 3, Adult Institutions, Programs and Parole. Summary of Petition and Department Decision:

Section 3043.3

Petitioner’s Request: Allow institution firefighters to receive two weeks of Milestone Completion Credit (MCC) for every three months of firehouse assignment.

Reason for Request: Institution firefighters are the only individuals left out of receiving MCC for firefighting, and they risk their lives and help save the lives and property of others.

Department’s Response: The Department accepts the Petitioner’s request to allow incarcerated institu-

tion firefighters to receive 2 weeks of MCC for every 3 months of institutional firefighting service. In addition, incarcerated persons assigned to the fire house performing the duties of support positions (non-fire suppression) will receive 1-week MCC for every 3 months of service. This is consistent with the most recent MCC approvals for CDCR fire camps performing the same or similar duties. The Department will move forward with promulgating a rulemaking action to adopt regulations to add this provision to the California Code of Regulations, section 3043.3. The Department will facilitate a public hearing once the rulemaking action is ready for public participation. A date, time and address will be included in the Department’s Notice of Change to Regulations (NCR). If you are interested in receiving NCRs to be notified of all regulation changes, please send your request to: Regulation and Policy Management Branch, P.O. Box 942883, Sacramento, CA 94283-0001 to be added to mailing list.

**SUSPENSION OF ACTION
REGARDING UNDERGROUND
REGULATIONS**

**DEPARTMENT OF FINANCIAL
PROTECTION AND INNOVATION**

OFFICE OF ADMINISTRATIVE LAW

SUSPENSION OF ACTION REGARDING
UNDERGROUND REGULATIONS

(PURSUANT TO TITLE 1,
SECTION 280, OF THE CALIFORNIA
CODE OF REGULATIONS)

On February 4, 2026, the Office of Administrative Law (OAL) received a petition challenging as an underground regulation a form, titled “Venture Capital Demographic Data Survey,” issued by the Department of Financial Protection and Innovation. The Venture Capital Demographic Data Survey form relates to the collection of demographic data about founding team members by covered entity venture capital companies pursuant to Corporations Code section 27501.

On March 30, 2026, the Department of Financial Protection and Innovation certified to OAL that they would not issue, use, enforce, or attempt to enforce the challenged rule. Therefore, pursuant to title 1, section

280 of the California Code of Regulations, OAL must suspend all action on this petition.

The attachment to the Department of Financial Protection and Innovation’s certification statement, a copy of the “Venture Capital Demographic Data Survey” form, is not being printed due to considerations of formatting practicality. If you would like to view that attachment, please contact Margaret Molina at (916) 324–6044 or Margaret.Molina@oal.ca.gov.

**OAL REGULATORY
DETERMINATION**

DEPARTMENT OF JUSTICE

OFFICE OF ADMINISTRATIVE LAW

DETERMINATION OF ALLEGED
UNDERGROUND REGULATIONS

(PURSUANT TO GOVERNMENT
CODE SECTION 11340.5 AND TITLE 1,
SECTIONS 270, OF THE CALIFORNIA
CODE OF REGULATIONS)

2026 OAL DETERMINATION NUMBER 3
(OAL MATTER NUMBER CTU2025–0912–01)

REQUESTED BY: Micah Stubbs.

CONCERNING: Memorandums regarding the California Firearms Application Reporting System (CFARS) Certificate of Eligibility (COE), titled “CFARS COE Cheat Sheet,” issued by the California Department of Justice, Bureau of Firearms (the Department).

DETERMINATION ISSUED PURSUANT TO
GOVERNMENT CODE SECTION 11340.5.

SCOPE OF REVIEW

A determination by the Office of Administrative Law (OAL) evaluates whether an action or enactment by a state agency complies with California administrative law governing how state agencies adopt regulations. OAL review is limited to the sole issue of whether the challenged rule meets the definition of “regulation” as defined in Government Code section 11342.600 and is subject to the Administrative Procedure Act (APA).

If a rule meets the definition of “regulation,” but was not adopted pursuant to the APA and should have been, it is an underground regulation as defined in California Code of Regulations (CCR), title 1, section 250.¹ Nothing in this analysis evaluates the advisability or wisdom of the underlying action or enactment.

CHALLENGED RULE

At issue is whether the memorandums regarding the California Firearms Application Reporting System (CFARS) Certificate of Eligibility (COE), titled “CFARS COE Cheat Sheet,” issued by the California Department of Justice, Bureau of Firearms (the Department) contain underground regulations.

Two versions of the “CFARS COE Cheat Sheet,” one undated and the other dated August 30, 2024, are specifically challenged and attached hereto as Exhibits A and B, respectively. The challenged memorandums will be referred to collectively as the “Cheat Sheets.”

The challenged portion of the undated Cheat Sheet (attached hereto as Exhibit A) reads:

***If they update application and only select business type “Collector”, send the below:**

Please provide your Federal Firearm License (FFL) Type 03 Collector of Curios and Relics FFL Number via email to the COE Unit at: COE@doj.ca.gov. If you do not have an FFL–03, please indicate the reason for wanting a COE in the email. Also be sure to include your first and last name and California Driver’s License/Identification Card number in your email response, thank you!

The challenged portion of the August 30, 2024, Cheat Sheet (attached hereto as Exhibit B) reads:

***If they update application and only select business type “Collector”, send the below:**

Pursuant to Penal Code section 27966, you must have a federal firearm license. If your FFL–03 is in progress with the ATF, *wait until you’ve received it to upload it, then re-submit the existing CFARS COE application.* The FFL–03 should be uploaded using any available file type. Do not email, fax or mail it to the COE Unit. [Italics added.]

DETERMINATION

OAL determines that the Cheat Sheets contain rules meeting the definition of “regulation” that the Department should have adopted pursuant to the APA but did

¹ “Underground regulation” means any guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule, including a rule governing a state agency procedure, that is a regulation as defined in Section 11342.600 of the Government Code, but has not been adopted as a regulation and filed with the Secretary of State pursuant to the APA and is not subject to an express statutory exemption from adoption pursuant to the APA. (Cal. Code Regs., title 1, § 250, subdivision (a)(1).)

not. The Cheat Sheets, therefore, contain underground regulations.

FACTUAL BACKGROUND

On September 12, 2025, OAL received a petition from Micah Stubbs (Petitioner) challenging the Cheat Sheets issued by the Department.

On November 12, 2025, OAL accepted the petition for consideration.

On November 28, 2025, OAL published a summary of the petition in the California Regulatory Notice Register and solicited comments from the public until December 29, 2025. OAL received one public comment on this petition on December 29, 2025.

On January 12, 2026, OAL received the Department’s response to the petition, which was due no later than January 12, 2026. The Department’s timely response indicated that the Department simultaneously provided a copy of the response to Petitioner.

On January 26, 2026, OAL received a rebuttal from Petitioner, which was due no later than January 27, 2026. The Petitioner’s timely reply indicated that the Petitioner simultaneously provided a copy of the reply to the Department.

THE DEPARTMENT’S RESPONSE TO THE PETITION

In its response, the Department does not dispute that the challenged portions of the Cheat Sheets are regulations but contends that those regulations are exempt from the APA as the only legally tenable interpretation of law.² The Department’s response did not identify any other potentially applicable exemptions from the APA.

UNDERGROUND REGULATIONS

Government Code section 11340.5, subdivision (a), provides:

No state agency shall issue, utilize, enforce, or attempt to enforce any guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule, which is a regulation as defined in [Government Code] Section 11342.600, unless the guideline, criterion, bulletin, manual, instruction, order, standard of general application, or other rule has been adopted as a regulation and filed with the Secretary of State pursuant to [the APA].

When an agency issues, utilizes, enforces, or attempts to enforce a rule in violation of Government Code section 11340.5 that is not exempt from the APA,

² Department Response to the Petition, page 4; Gov. Code, § 11340.9, subdivision (f).

it creates an underground regulation as defined in section 250 of title 1 of the CCR.

OAL may issue a determination as to whether an agency has issued, utilized, enforced, or attempted to enforce a rule that meets the definition of a “regulation” as defined in Government Code section 11342.600 and should have been adopted pursuant to the APA.³ An OAL determination is not enforceable against the agency through any formal administrative means, but it is entitled to due deference in any subsequent litigation of the issue.⁴

ANALYSIS

OAL’s authority to issue a determination extends only to the limited question of whether the challenged rule is a regulation subject to the APA. This analysis will determine (1) whether the challenged rule is a regulation within the meaning of Government Code section 11342.600, and (2) whether the challenged rule falls within any recognized exemption from APA requirements.

I. The Cheat Sheets Contain Regulations.

“Regulation” is defined in Government Code section 11342.600 as:

... every rule, regulation, order, or standard of general application or the amendment, supplement, or revision of any rule, regulation, order, or standard adopted by any state agency to implement, interpret, or make specific the law enforced or administered by it, or to govern its procedure.

In *Tidewater Marine Western, Inc. v. Victoria Bradshaw*, the California Supreme Court found that:

A regulation subject to the [APA] has two principal identifying characteristics. First, the agency must intend its rule to apply generally, rather than in a specific case. The rule need not, however, apply universally; a rule applies generally so long as it declares how a certain class of cases will be decided. Second, the rule must implement, interpret, or make specific the law enforced or administered by the agency, or govern the agency’s procedure.⁵

As stated in *Tidewater*, the first element used to identify a “regulation” is whether the rule applies generally. As *Tidewater* points out, a rule need not apply to all persons in the State of California. It is sufficient if the rule applies to a clearly defined class of persons or situations.⁶ Here, the Cheat Sheets are used by Department staff as a compilation of email templates

³ Gov. Code, § 11340.5, subdivision (b).

⁴ *Grier v. Kizer* (1990) 219 Cal.App.3d 422, 428.

⁵ *Tidewater Marine Western, Inc. v. Bradshaw* (1996) 14 Cal.4th 557, 571.

⁶ *Roth v. Department of Veterans Affairs* (1980) 110 Cal.App.3d 622, 630.

with fill in the blank areas for responding to different COE application issues. The Department responded to the Petitioner’s emails several times with the default response from the Cheat Sheet dated August 30, 2024.⁷ Accordingly, the Cheat Sheets’ rules apply generally to Department staff and to all members of the public applying for a curio and relic COE.

The second element of a regulation under *Tidewater* is that the rule must implement, interpret, or make specific the law enforced or administered by the agency, or govern the agency’s procedure.

The challenged rules contained in the Cheat Sheets implement, interpret, and make specific the Penal Code sections enforced or administered by the Department and govern the Department’s procedure in at least the following ways:

1. The challenged rules implement, interpret, and make specific section 26710 of the Penal Code to carry out the Department’s duty to regulate the Certificate of Eligibility program. Section 26710(d) provides, “The department shall adopt regulations to administer the certificate of eligibility program and shall recover the full costs of administering the program by imposing fees assessed to applicants who apply for those certificates.” As discussed *infra*, the Department implements this requirement in title 11, sections 4035 and 4037 of the CCR. However, the requirement that curio and relic COE applicants submit their federal collectors license (FFL–03) as part of the COE application process is not contained in the Department’s duly adopted regulations.
2. The challenged rules implement, interpret, and make specific sections 26585, 26970(a), 27535(b)(10), 27670, 27966, 31700(a)(6), and 33700(g)(5) of the Penal Code by outlining the requirements a licensed and certified collector must meet to use the exemptions allotted to them by statute. Generally, these statutes provide exemptions from the usual gun transfer laws for sale of curio or relic firearms to individuals who are both a federally licensed collector and possess a curio and relic COE from the Department. The statutes require that the buyer must have both a federal license and Department issued COE to use the exemption, but do not state that a federal license must be provided to the Department at the time of application or prior to the Department issuing the COE.

The rules contained in the Cheat Sheets also further implement, interpret, and make specific CCR sections enforced or administered by the Department and gov-

ern the Department’s procedure in at least the following ways:

1. The challenged rules implement, interpret, and make specific title 11, section 4035 of the CCR by expanding the list of application requirements for issuance of a new COE. Section 4035, subparagraph (b)(1), provides a list of information that must be provided by the applicant to complete the COE application. That list includes items like the applicant’s driver license number, address, and applicant transaction identifier. But it does not include a copy of the applicant’s federal collector license.
2. The challenged rules implement, interpret, and make specific title 11, section 4037 of the CCR by expanding the list of application requirements for renewal of an existing COE. Similarly to section 4035 above, section 4037, subparagraph (b)(1), provides a list of information that must be provided by an applicant to renew their COE. That list includes the applicant’s driver license number, address, and date of birth. But it again does not include a copy of the applicant’s federal collector license.

As these examples illustrate, the Cheat Sheets further implement, interpret, and make specific the Penal Code and title 11 of the CCR and therefore meet the definition of a “regulation” under *Tidewater*.⁸

II. The Cheat Sheets are Not APA Exempt as the Only Legally Tenable Interpretation of Law.

The final issue to examine is whether an express statutory exemption applies to the challenged rule. Exemptions from the APA can be general exemptions that apply to all state rulemaking agencies. Exemptions may also be specific to a particular rulemaking agency or a specific program. In any event, the rulemaking requirements of the APA apply “to the exercise of any quasi–legislative power conferred by any statute heretofore or hereafter enacted” and “shall not be superseded or modified by any subsequent legislation except to the extent that the legislation shall do so expressly.”⁹

Generally, a rule is excepted from the APA if it is the only legally tenable interpretation of a provision of law.

The exception for the lone ‘legally tenable’ reading of the law applies only in situations where the law ‘can reasonably be read only one way’ [citation], such that the agency’s actions or decisions in applying the law are essentially rote, ministerial, or otherwise pa-

⁷ Petition, page 18, 20, and 23; Ex. A.

⁸ Moreover, the Department does not contest that the challenged rule is regulatory. (Department Response to the Petition, page 4.)

⁹ Gov. Code, § 11346.

tently compelled by, or repetitive of, the statute’s plain language.¹⁰

But to the extent any of the contents of the [statement of policy or procedure] depart from, or embellish upon, express statutory authorization, the [agency] will need to promulgate regulations.¹¹

[Agencies must show] that their interpretation follows directly and inescapably from the pertinent provisions of law.¹²

Here, the Department argues it “requires applicants seeking to obtain a firearms COE as a collector to provide evidence of an FFL–03 (Challenged Requirement) because that is the only legally tenable interpretation of the law.”¹³ In support of this contention, the Department explains that: first, a COE is not required for individuals to purchase firearms or ammunition in California and that a COE is only needed where required by law; second, that COEs are generally only needed for “professional/employment/commercial licensing purposes”¹⁴; and third, that the only other reason for issuance of a COE is for collectors of curios and relics and that both a federal license and collectors COE are required to engage in curio and relic exempt transactions.¹⁵ The Department goes on to conclude that because the Penal Code sections granting exemptions to the usual rules for gun ownership transfer for curio and relic firearms all require the purchaser to *have* a federal curio and relic license and a collector COE issued by the Department to engage in these exemptions, that it is the only legally tenable interpretation of the law that the Department *must obtain* a copy of the federal license from the applicant when they apply for a COE with the Department.¹⁶

The Department has not established that their interpretation follows “directly and inescapably”¹⁷ from the pertinent provisions of the law for two reasons. First, the statutes permitting exemptions to the usual gun ownership transfer rules for curio and relic firearms can reasonably and logically be interpreted to allow different ways for the Department to ensure compliance with the requirement to have a federal collectors

license when engaging in covered transactions other than requiring an applicant to provide the federal license at the time of application. Second, the Department’s own regulations contemplate alternative application requirements thus demonstrating that the applicable statutes can reasonably be read more than one way.

a. The Penal Code Does Not Require Applicants to Provide a Federal Collectors License to the Department at the Time of Application.

Although the Department contends that the Penal Code can only be interpreted to require that the Department obtain a copy of an applicant’s federal license prior to granting them a COE, nothing in the Penal Code explicitly requires the Department to obtain the federal collectors license at this stage in the process. Moreover, the statutes on which the Department relies for its only legally tenable interpretation argument expressly contemplate alternative methods and timelines for gathering this information.

Penal Code section 27966 permits individuals to avoid the usual requirement to transfer firearms through a licensed firearms dealer if the firearm is not a handgun, the firearm is a curio or relic, the person receiving the firearm has a Department issued COE, and the person receiving the firearm is federally licensed as a collector.¹⁸ If a collector wishes to use this exemption, then within 30 days of receiving the firearm the collector must “submit to the Department of Justice, run up in a form and manner prescribed by the department, a report that includes information concerning the individual taking possession of the firearm.”¹⁹ While Section 27966 requires a federal license by the person receiving the curio or relic, it does not state if, how, or when the Department must verify that the individual engaging in the covered transaction has a federal curio and relic license, let alone require that the applicant wait to apply for a COE until the federal license has been obtained. Indeed, while the Department could adopt a regulation requiring applicants to provide the federal license at the time of application, the Department could ensure compliance with the federal licensure requirement in different ways. For example, the Department could adopt regulations making any COE approval contingent upon an applicant receiving their federal license. Section 27966 also contemplates that the Department promulgate a form via regulation to require the seller to provide information on the buyer to the Department. When promulgating regulations to implement the statutorily mandated form, the Department could require the collector to include a copy of their federal collector license in the report sent to the Department.

¹⁰ *Doe v. Becerra* (2018) 20 Cal.App.5th 330, 337 (internal citations omitted) (citing *Morning Star Co. v. State Board of Equalization* (2006) 38 Cal.4th 324, 336–337).

¹¹ *Engelmann v. State Board of Education* (1991) 2 Cal.App.4th 47, 62.

¹² *Doe v. Becerra* (2018) 20 Cal.App.5th 330, 339 (internal citations omitted) (citing *Morning Star Co. v. State Board of Equalization* (2006) 38 Cal.4th 324, 336–337).

¹³ Department Response to the Petition, page 2.

¹⁴ Department Response to the Petition, page 5.

¹⁵ Department Response to the Petition, page 6.

¹⁶ Department Response to the Petition, page 8.

¹⁷ *Doe v. Becerra* (2018) 20 Cal.App.5th 330, 339 (internal citations omitted) (citing *Morning Star Co. v. State Board of Equalization* (2006) 38 Cal.4th 324, 336–337).

¹⁸ Pen. Code, § 27966, subdivisions (a–d).

¹⁹ Pen. Code, § 27966, subdivision (e).

Other statutes containing exemptions for collectors also contemplate that the Department could collect this information at times other than just the initial COE application. Penal Code sections 26970 and 27670 both allow collectors to avoid firearm transfer waiting periods if the seller of the firearm is a licensed dealer, the buyer is a federally licensed collector, and the buyer has a Department issued collector COE.²⁰ If a transaction is made under these exemptions, the dealer must report the transaction to the Department and include in that report “any applicable waiting period exemption information.”²¹ Instead of requiring that the Department collect this information prior to issuance of a COE, these statutes permit an interpretation where dealers self-report information about their buyer’s federal collector license status to the Department.

The statutory requirement to have both the federal collector license and the Department issued COE to take advantage of certain exemptions, combined with the statutory requirement to report information to the Department, does not necessitate the interpretation that the Department must require submission of a copy of the federal collector license prior to issuance of a COE, let alone at the time of application. The statutes as drafted allow for an interpretation where the buyers/sellers self-report this information to the Department after sales occur. Therefore, it is not the only legally tenable interpretation of those statutes that the Department must require submission of the federal collector license as part of the application process for a curio and relic COE.

b. The Department’s Prior Adoption of Regulations Governing the COE Program Demonstrates that the Department Has Discretion as to How the COE Application Process is Implemented.

Penal Code section 26710 authorizes the Department to implement a Certificate of Eligibility program and provides:

- (a) A person may request a certificate of eligibility from the Department of Justice.
- (b) The Department of Justice shall examine its records and records available to the department in the National Instant Criminal Background Check System in order to determine if the applicant is prohibited by state or federal law from possessing, receiving, owning, or purchasing a firearm.
- (c) The department shall issue a certificate to an applicant if the department’s records indicate that the applicant is not a person who is prohibited by state or federal law from possessing firearms.

²⁰ Pen. Code, §§ 26970, subdivisions (a)(1–4), and 27670, subdivisions (a)(1–4).

²¹ Pen. Code, §§ 26970, subdivision (b), and 27670, subdivision (b); citing Pen. Code, § 28160, subdivision (a)(4).

- (d) **The department shall adopt regulations to administer the certificate of eligibility program** and shall recover the full costs of administering the program by imposing fees assessed to applicants who apply for those certificates.²²

The Department has promulgated regulations pursuant to this section. CCR, title 11, division 5, chapter 3, “Certificates of Eligibility” regulates the Department’s COE program. The existing regulations include definitions applicable to the chapter, qualifications for COE applicants, fingerprinting requirements, applicant online account requirements, service of notices, required applicant information, renewal of existing COEs, terms, fees, cancellation of a COE, denial of a COE, and revocation of a COE.²³

The Department’s existing regulations set forth the qualifications to apply for a COE²⁴, the application information required for issuance of a new COE²⁵, and the application information required for renewal of an existing COE.²⁶ To qualify for a COE, an applicant must not be barred from possessing firearms pursuant to statutes and federal regulations.²⁷ If qualified, 11 CCR section 4035, subparagraph (b)(1), requires the applicant to present the following information in their initial application:

Applicant’s full name; driver license type and number or California identification number; date of birth; residence street address; phone number; gender; applicant transaction identifier (ATI) number; business type(s); United States citizenship; if not a United States citizen, the country of citizenship and the federal Citizenship and Immigration Services (USCIS) Number or federal I–94 number. The application shall also require additional information requesting responses to questions asking if the applicant: 1) is a current COE holder; and 2) has submitted COE fingerprint impressions through a live scan provider, as required by section 4032.5.²⁸

Several of the listed application requirements further implement the Penal Code. Those include driver license type and number, ATI, and United States citizenship and USCIS number. Accordingly, the Department has demonstrated that it has discretion when determining what information must be provided at the application stage. Clearly, the Department has authority to interpret the statutory framework to require a

²² Pen. Code, § 26710 (emphasis added).

²³ Cal. Code Regs., title 11, §§ 4030 *et seq.*

²⁴ Cal. Code Regs., title 11, § 4032.

²⁵ Cal. Code Regs., title 11, § 4035.

²⁶ Cal. Code Regs., title 11, § 4037.

²⁷ Pen. Code, §§ 18205, 29800, 29805, 29815–29825, 29900; Welf. & Inst. Code, § 8100 or 8103; 18 U.S.C. §§ 921–922; 27 C.F.R. § 478.32.

²⁸ Cal. Code Regs., title 11, § 4035, subdivision (b) (1).

copy of the federal license upon application for a California COE, but has not exercised that discretion via a duly adopted regulation. Thus, the rules challenged in the Cheat Sheets are not exempt from the APA as the only legally tenable interpretation of the law pursuant to subdivision (f) of Government Code section 11340.9.

CONCLUSION

In accordance with the above analysis, OAL determines that the rules challenged in the Cheats Sheets meet the definition of a “regulation” that the Department should have adopted pursuant to the APA and are not otherwise exempt from the APA. Thus, the Cheat Sheets contain underground regulations.

Date: March 30, 2026

/s/

Samuel Micon

Senior Attorney

For: Kenneth J. Pogue

Director

Copy: Rob Bonta, Attorney General

Thuy Le, Deputy Attorney General

**SUMMARY OF
REGULATORY ACTIONS**

**REGULATIONS FILED WITH THE
SECRETARY OF STATE**

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

California Alternative Energy and Advanced
Transportation Financing Authority
File # 2026-0325-01
Sales and Use Tax Exclusion Program

This emergency rulemaking by the California Alternative Energy and Advanced Transportation Financing Authority amends the Sales and Use Tax Exclusion Program to revise definitions, application requirements, eligibility requirements, regulatory agreement and compliance requirements, and program fees.

Title 04
Amend: 10031, 10032, 10033, 10035, 10036
Filed 04/06/2026
Effective 04/06/2026
Agency Contact: Xee Moua (916) 653-3303

California Alternative Energy and Advanced
Transportation Financing Authority
File # 2026-0324-02
GoGreen Home Energy Financing Program

In this emergency readoption action pursuant to Government Code section 11346.1(h), the California Alternative Energy and Advanced Transportation Financing Authority amends the GoGreen Home Energy Financing Program to allow for financing to cover reconstruction of residential buildings destroyed by natural disasters and to require lenders to submit loans for enrollment within 180 days of completing projects. This is a deemed emergency pursuant to Public Resources Code section 26009.

Title 04
Amend: 10091.5, 10091.9
Filed 04/03/2026
Effective 04/21/2026
Agency Contact: Davey Ly (916) 653-3032

Division of Workers’ Compensation
File # 2026-0227-01
Medical Treatment Utilization Schedule (MTUS)

This request for filing and printing by the Division of Workers’ Compensation of the Department of Industrial Relations (the Division) makes evidence-based updates to the medical treatment utilization schedule (the MTUS) pursuant to Labor Code section 5307.27.

Title 08
Amend: 9792.23.8
Filed 04/03/2026
Effective 04/01/2026
Agency Contact: Daniel Biedler (510) 286-0563

Board of Registered Nursing
File # 2026-0217-02
Application for Approval plus Changes to an
Approved Program

This section 100 action, by the Board of Registered Nursing, pursuant to California Code of Regulations, title 1, section 100 amends the Incorporated by Reference document “Instructions for Institutions Seeking Approval of a New Prelicensure Registered Nursing Program or Addition of a New Campus or Location for a Currently Approved Nursing Program” to remove its outdated header.

Title 16
 Amend: 1421, 1432
 Filed 04/01/2026
 Agency Contact: Marissa Clark

California Horse Racing Board
 File # 2026–0225–04
 Transfer After Sale of Horse and Application of a
 Simulcast Facility

In this section 100 action pursuant to California Code of Regulations, title 1, section 100, the California Horse Racing Board (CHRB) makes nonsubstantive amendments to CHRB Form–101 and updates the version date. CHRB also corrects the version dates for CHRB–25 and CHRB–25A.

Title 04
 Amend: 1596, 2057
 Filed 04/07/2026
 Agency Contact:
 Brooke Tuchman (916) 869–3221

Division of Workers’ Compensation
 File # 2026–0219–01
 Utilization Review Standards

In this section 100 action pursuant to California Code of Regulations, title 1, section 100, the Division of Workers’ Compensation, Department of Industrial Relations seeks to amend Form IMR and Form UR–01.

Title 08
 Amend: 9792.7.1, 9792.10.2
 Filed 04/01/2026
 Agency Contact: River J Sung (510) 286–0637

Bureau of Automotive Repair
 File # 2026–0218–04
 Biometric Device Updates

In this rulemaking action, the Bureau of Automotive Repair allows Smog Check and Vehicle Safety Systems Inspections stations to use new models of the Fujitsu FAT13FPS01 palm vein scanner sensor.

Title 16
 Amend: 3311.1, 3340.45
 Filed 04/02/2026
 Effective 07/01/2026
 Agency Contact: Holly Helsing (916) 403–8600

Department of Corrections and Rehabilitation
 File # 2026–0219–03
 Incarcerated Person Calls and Property Rule
 Violation

In this rulemaking action, the Department of Corrections and Rehabilitation amends its regulations to allow the special issuance of authorized wireless com-

munication devices, set forth a user agreement, and establish disciplinary actions for violating terms of the user agreement. It further discusses an approved attorney’s confidential calls with the incarcerated person they represent.

Title 15
 Amend: 3006, 3044, 3090, 3178, 3190, 3282, 3314, 3315, 3323
 Filed 04/03/2026
 Effective 04/03/2026
 Agency Contact: Alison Colavita (279) 223–2314

Department of Food and Agriculture
 File # 2026–0224–01
 Japanese Beetle Eradication Area

Through this action, the Department of Food and Agriculture amends regulations regarding the Japanese Beetle to expand the eradication area to include all of California.

Title 03
 Amend: 3589
 Filed 04/07/2026
 Effective 07/01/2026
 Agency Contact: Rachel Avila (916) 698–2947

Department of Justice
 File # 2026–0219–02
 Gun Show Inspections

This action by the Department of Justice adopts regulations that further implement, interpret, and make specific Penal Code section 27200 et seq. governing “gun shows or events” to establish how to apply for a “gun show” producer license, specify producer and vendor requirements, prescribe related reporting requirements, and adopt forms incorporated by reference.

Title 11
 Adopt: 4500, 4510, 4511, 4512, 4520, 4521, 4522
 Filed 04/03/2026
 Effective 04/03/2026
 Agency Contact:
 Marlon Martinez (213) 269–6437

Department of Social Services
 File # 2026–0220–01
 2025 Updates to Semi–Annual Reporting

The Department of Social Services (DSS) rulemaking action amends the Manual of Policies and Procedures (MPP) to align with CalWORKS changes in AB 79 (2020) and AB 120 (2023) regarding semi–annual reporting requirements. This action also makes non-substantive changes.

Title MPP
Amend: 40-103, 40-107, 40-181, 44-316
Filed 04/06/2026
Effective 07/01/2026
Agency Contact:
Kenneth Jennings (916) 216-5845

Governor's Office of Land Use and Climate
Innovation
File # 2026-0225-01
Applicant Fees for Infrastructure Project
Applications

In this rulemaking action, the Office of Land Use and Climate Innovation adopts regulations establishing a fee for applicants seeking certification for streamlined judicial review of Infrastructure Projects under the California Environmental Quality Act.

Title 14
Adopt: 16200, 16201
Filed 04/08/2026
Effective 07/01/2026
Agency Contact: Douglas Bojack (916) 322-2318

Governor's Office of Land Use and Climate
Innovation
File # 2026-0225-02
CEQA Streamlining Certification Application Fee

This rulemaking action, by the Office of Land Use and Climate Innovation, amends a regulation to increase the application fee associated with filing for streamlined judicial review under the California Environmental Quality Act.

Title 14
Amend: 16100
Filed 04/08/2026
Effective 07/01/2026
Agency Contact: Douglas Bojack (916) 322-2318

Department of Justice
File # 2026-0224-02
CalVECHS

This rulemaking action by the Department of Justice ("Department" or "DOJ") adopts regulations that establish the California Volunteer and Employee Criminal History Services ("CalVECHS") Program, which enables qualified non-governmental agencies that serve children, the elderly, or individuals with disabilities to receive fingerprint-based state and federal criminal offender record information ("CORI") for current and prospective employees, volunteers, owners, and operators.

Title 11
Adopt: 401, 402, 403, 404, 405, 406
Filed 04/03/2026
Effective 07/01/2026
Agency Contact:
Marlon Martinez (213) 269-6437

**PRIOR REGULATORY
DECISIONS AND CCR
CHANGES FILED WITH THE
SECRETARY OF STATE**

A quarterly index of regulatory decisions by the Office of Administrative Law (OAL) is provided in the California Regulatory Notice Register in the volume published by the second Friday in January, April, July, and October following the end of the preceding quarter. For additional information on actions taken by OAL, please visit oal.ca.gov.