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California Regulatory Notice Register

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

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PROPOSED ACTION ON REGULATIONS

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TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

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

CONFLICT–OF–INTEREST CODES

AMENDMENT

MULTI–COUNTY: Dublin San Ramon Services District

STATE AGENCY: State Energy Resources Conservation and Development Commission

Department of Food and Agriculture

A written comment period has been established commencing on August 7, 2026, and closing on September 21, 2026. Written comments should be directed to the Fair Political Practices Commission, Attention: Maia Kocinsky–Kirkham, 1102 Q Street, Suite 3050, Sacramento, California 95811.

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

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

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

Any interested person may present statements, arguments, or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict–of–interest codes. Any written comments must be received no later than September 21, 2026. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

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

EFFECT ON HOUSING COSTS AND BUSINESSES

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

AUTHORITY

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

REFERENCE

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

CONTACT

Any inquiries concerning the proposed conflict–of–interest codes should be made to Maia Kocinsky–Kirkham, Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, California 95811, or email mkocinsky–kirkham@fppc.ca.gov.

AVAILABILITY OF PROPOSED CONFLICT–OF–INTEREST CODES

Copies of the proposed conflict–of–interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Maia Kocinsky–Kirkham, Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, California 95811, or email mkocinsky–kirkham@fppc.ca.gov.

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

GUAVA ROOT–KNOT NEMATODE EXTERIOR QUARANTINE

The California Department of Food and Agriculture (Department) proposes to amend Title 3, California Code of Regulations (CCR) Section 3289 Guava Root–Knot Nematode Exterior Quarantine, which will allow the Department to add Puerto Rico to the guava root–knot nematode exterior quarantine which will help prevent the spread of guava root–knot nematode (*Meloidogyne enterolobii*) to California.

PUBLIC HEARING

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

WRITTEN COMMENT PERIOD

Any interested person or his or her authorized representative may submit written comments relevant to the proposed regulations to the Department. Comments may be submitted by USPS, FAX or email. The written comment period closes September 21, 2026. The Department will consider only comments received at the Department offices by that date or postmarked no later than September 21, 2026. Submit comments to:

Erin Lovig, Senior Environmental Scientist Supervisor
California Department of Food and Agriculture Plant Health and Pest Prevention Services
1220 N Street
Sacramento, CA 95814
(916) 403–6650
Permits@cdfa.ca.gov

Questions regarding the substance of the proposed regulation should be directed to Erin Lovig. In her absence, you may contact Rachel Avila at (916) 698–2947 or rachel.avila@cdfa.ca.gov.

Unless there are substantial changes to the proposed regulations prior to adoption, the Department of Food and Agriculture may adopt the proposal as set forth in this notice without further notice to the public. Following the public hearing, if one is requested, or following the written comment period if none is requested, the Department, at its own motion, or at the instance of any interested person, may adopt the proposal substantially as set forth without further notice.

AUTHORITY

The Department proposes to amend Section 3289 pursuant to the authority vested by Sections 407, 5301, and 5302 of the Food and Agricultural Code (FAC).

REFERENCE

The Department proposes this action to implement, interpret and make specific Sections 5301 and 5302 of the FAC.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The specific purpose of amending the Guava Root–Knot Nematode Exterior Quarantine is to provide authority to the State to establish Puerto Rico as an area under the guava root–knot nematode, *Meloidogyne enterolobii*, also known as *M. mayaguensis*, exterior quarantine. This amendment will provide authority for the State to perform specific detection and exclusion activities against the guava root–knot nematode if found within host material coming from Puerto Rico. This authority includes restricting entry and requiring certifications.

EXISTING LAWS AND REGULATIONS

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

Existing law, FAC Section 5301, provides that the Secretary may establish, maintain, and enforce such quarantine regulations as they deem necessary to protect the agricultural industry of this state from pests. The regulations may establish a quarantine at the boundaries of this state or elsewhere within the state.

Existing law, FAC Section 5302, provides that the Secretary may make and enforce such regulations as they deem necessary to prevent any plant or thing which is, or is liable to be, infested or infected by, or which might act as a carrier of, any pest, from passing over any quarantine line which is established and proclaimed pursuant to this division.

ANTICIPATED BENEFITS OF THE PROPOSED AMENDMENT

The implementation of these regulations prevent the introduction of guava root–knot nematode from interstate travel and shipping. Following these regulations will help prevent the spread of pests within California, which will prevent:

- direct damage to the agricultural industry growing host material.
- indirect damage to the agricultural industry growing host due to the implementation of quarantines by other countries and loss of export markets.
- increased production costs to the affected agricultural industries.
- increased pesticide use by the affected agricultural industries.
- increased costs to the consumers of host fruits.
- increased pesticide use by homeowners and others.
- the need to implement a state interior quarantine.
- the need to implement a federal domestic quarantine.

This amendment is necessary to prevent any future spread of guava root–knot nematode to un–infested areas of the State. The regulation benefits the environment, and the overall California economy by preventing the spread of guava root–knot nematode.

There are economic benefits to the State's general fund from these regulations. Guava root–knot nematode, *Meloidogyne enterolobii*, is considered one of the most important pathogenic nematode species because of its ability to overcome the plant genes that provide resistance to the many other *Meloidogyne* spp. in important crops, thereby causing much greater damage and a substantial reduction in crop yields.

If guava root–knot nematode were allowed to be introduced into California, many agricultural industries would be severely impacted due to decreased yields. There would be rising costs associated with crop rotations, and increased pesticide use. Also, if this pest were introduced, there would be a possible loss of markets if other states or counties established quarantines against California agricultural products due to this pest. Several ornamental and perennial shrub plants are known or probable hosts of the nematode species. Infestations of *M. enterolobii* may lower biodiversity, disrupt natural plant communities, and endanger critical habitats. Home gardening and ornamental plantings may also be impacted. Therefore, it is necessary to amend Section 3289 to prevent any spread of guava root–knot nematode should it be detected within the State.

By adding Puerto Rico to the eradication area we will reduce the chances of future incursions and help maintain the economic baseline.

There are no known specific benefits to worker safety.

There are specific benefits to the health of California residents.

EVALUATION OF INCONSISTENCY/ INCOMPATIBILITY WITH EXISTING STATE REGULATIONS

As required by Government Code Section 11346.5(a)(3)(D), the Department has conducted an evaluation of Section 3289 and has determined that they are not inconsistent or incompatible with existing state regulations. After conducting a review for any regulations that would relate to or affect this area, the Department has concluded that these are the only regulations that concern spongy moth eradication areas in California.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

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

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies or school districts: None.

Cost to any local agency or school district requiring reimbursement pursuant to 17500 et seq.: None.

Cost or savings to any state agency: None.

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

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

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

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

Significant effect on housing costs: None.

Small business determination: The proposed action will not affect small business because compliance activities are currently being performed by existing staff throughout quarantine areas within the State without any impact on small business.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS/ASSESSMENT

The Department has made an assessment that the amendment to this regulation would: (1) not create or eliminate jobs in the state of California, (2) not create new businesses or eliminate existing businesses in the state of California,(3) not affect the expansion of businesses currently doing business in the state of California, (4) benefit the health and welfare of California residents, (5) benefit the state's environment, and (6) not expected to benefit workers' safety.

The health and welfare of California residents: The proposed action will benefit the health and welfare of California residents by preventing the establishment of a pest that could spread into the local environment via the surrounding non–agricultural ecosystems. Infestations lead to increased costs to the consumers of host materials and increased pesticide usage.

The state's environment: The proposed action will benefit the environment as preventing the establishment of a pest lowers the risk that the pests could spread into the local environment via the surrounding non–agricultural ecosystems.

CONSIDERATION OF ALTERNATIVES

The Department must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost–effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

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

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

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

AVAILABILITY OF CHANGED OR MODIFIED TEXT

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

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

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

TITLE 4. SCHOOL FINANCE AUTHORITY

STATE CHARTER SCHOOL FACILITIES INCENTIVE GRANTS PROGRAM

NOTICE IS HEREBY GIVEN that the California School Finance Authority (Authority), organized pursuant to Sections 17170 through 17199.6 of the Education Code, proposes to amend the regulations described below after considering all comments, objections, and recommendations regarding the proposed action. Any person interested may present written statements or arguments relevant to the proposed action to the attention of the Contact Person as listed in this Notice before September 22, 2026. The Authority Board, upon its own motion or at the request of any interested party, may thereafter adopt the proposal substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person(s) designated in this Notice as the Contact Person and will be mailed to those persons who submit statements related to this proposal or who have requested notification of any changes to the proposal.

PROPOSED REGULATORY ACTION

The Authority proposes to amend Sections 10175, 10176, 10177, 10178, 10179, 10180, 10181, 10182, 10183, 10184, 10185, 10187, and 10188 of Title 4 of the California Code of Regulations (Regulations) as permanent regulations. The amended Regulations implement the Authority's responsibilities related to the Charter School Facilities Incentive Grants Program (Program).

AUTHORITY AND REFERENCE

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

Reference: Education Code, Section 17180(d) of the Education Code; and Section 47600, et seq., of the Education Code. These Regulations implement the Program and include a number of the requirements of that Program contained in the reference code provisions and their implementing Regulations. They also rely on a number of provisions in the Charter Schools Act of 1992, commencing with Section 47600 of the Education Section. Section 17180(d) provides the Authority with the ability to receive grants from the federal government.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

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

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

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

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

ANTICIPATED BENEFITS

The proposed regulations are expected to ensure federal and state compliance, timely disbursements, and the ability to properly and effectively administer the Program. The amendments are intended to promote consistent and fair administration of the program, increase transparency by providing clearer regulatory guidance to applicants and participating entities, and support the effective and efficient administration of grant funding. The proposed regulations are also expected to benefit eligible charter schools and the communities they serve by improving the implementation and administration of the grant program.

SUMMARY OF PROPOSED REGULATIONS

A summary of the revisions from each section within the proposed regulations is highlighted below:

1. **Section 10175. Purpose.**
   - "ALN" replaces "CFDA" as "ALN" is the new program acronym used by USDOE and stands for Assistance Listing Number.
2. **Section 10176. Definitions.**
   - (a): change "educational management organization" "charter management organization."
   - (b): "ALN" replaces "CFDA."
   - Remove original (c) ADA definition.
   - New (c): added Build American, Buy America Act definition.
   - (d): added CDE definition.
   - (e) & (f): removed CALPADS definition.
   - (g): removed "or the State board of Education."
   - (l): removed "Enrollment" definition.
   - (m): removed "FRPM" definition.
   - (k): updated definition of "Locale Code."
   - (p): removed "Low Income" definition.
   - (q): removed "NCES" definition.
   - (r): removed "New Construction Eligibility" definition.
   - (m): "ALN" replaces "CFDA."
   - (m): added "as administered by the US Department of Education."
   - (v): removed "Smarter Balanced Assessment System" definition.
3. **Section 10177. Eligible Applicant.**
   - (a): added "petition" to "approved charter petition" for clarity.
   - (b): changes to good standing to Authorizer Certification including addition of subsections and subparagraphs. Introduces Charter Authorizer Certification — Form CSFA 05–26 (Attached as 8C).
   - (c): removed "CDS Code" from requirement.
   - (f): removed the 80% of instructional time is classroom based and changed to "provides "Classroom Based Instruction" as per definitions.
   - (j): replaced "educational management organization" with "charter management organization" and "EMO" with "CMO."
4. **Section 10178. Eligible Costs.**
   - (a)(1): replace "base rent" with "rent or lease costs" for clarity.
   - (a)(1)(A): deleted due to new subsection (b).
   - (a)(2): added "within grant period." for clarity.
   - (a)(2)(A): deleted due to new subsection (b).
   - New (b): added new language regarding not being eligible if using 740 funds for same school site or address to better prevent duplicated reimbursements.
5. **Section 10179. Maximum Grant.**
   - (a)(1): replace "base rent" with "rent or lease costs" for clarity.
   - (a)(1) & (b)(1): changed language on enrollment to "most recent" and certified by CDE for clarity.
   - (c): removed "at its sole discretion" regarding the reduction in grant awards to reflect changes in subgrantee circumstances.
6. **Section 10180. Application Submission.**
   - (a): removed hard copy requirement for application as there is only an online application.
   - (b): added not to exceed time (14 days) and added the words "for grant funds" for clarity.
   - (c): changed date for application period to be announced by May 31st of each year, changed earliest deadline to first week of September, and changed time frame for grant award determinations from August 31st to "upon approval of the CSFA Board."
7. **Section 10181. Content of Application.**
   - (a): Updated to add certification form and title Application Agreement and Certification.
   - (f): Updated to include LSQ form number.
   - (h): Added "calendar" for day type reference.
8. **Section 10182 Evaluation Criteria.** Edited for clarity.
   - (a)–(d): Edited for clarity.

- (e): Amended to update the measure to remove the scale and make the measure a "pass/fail" criterion and edited for clarity.
- (f): Added Disaster section

9. **Section 10183 Award Methodology.**
   - (a): Amended to diversify the awarding process and allow an awardee in all locale codes.
   - (b): Amended to clarify and update the tie–breaking process.
10. **Section 10184 Approval of Grant and Notification of Subgrantee.**
    - Change to notification timeline after board approval to better align with funding timelines.
11. **Section 10185 Obligation and Expenditure of Grant Funds.**
    - (a): Added calendar for day type reference.
    - (f): Change timeline for subgrantee response and level of action for outstanding issues to better align with funding timelines.
    - (g): removed to eliminate ability to increase awards beyond approved amounts.
12. **Section 10187. Grant Agreements.**
    - (g): Removed as it is located in 10188.
    - (h): Added calendar for day type reference.
    - (i): Removed as enrollment is from CDE and should be taken on by the Authority to ensure accuracy.
    - (h): Added timeframe and calendar for day type reference to better align with funding timelines.
13. **Section 10188. Release of Funds.**
    - (b): New section made of requirements provided in the subsections of original (b), new (c).
    - (c): Subsections making up new (b) were removed.
    - (c)(3) and (c)(3)(A)(1): Added more specific requirements for schools purchasing a facility(s) or land with grant funds.

CITATIONS FOR PROPOSED REGULATIONS MANDATED BY FEDERAL LAWS OR REGULATIONS

Program applicants are expected to comply with federal regulations related to conflicts of interest. These regulations are stated in proposed regulations Section 10198. Specifically, applicants must comply with the following federal regulatory code as required by the United States Department of Education as well as general conflict–of–interest compliance for federal grants.:

34 CFR 75.525(a) which prohibit a person from participating in an administrative decision regarding a project if (a) the decision is likely to benefit that person or their immediate family members; and (b) the person is a public official or has a family or business relationship with the Awardee.

34 CFR 75.525(b) which provides further that an Awardee may not permit any person participating in a project to use their position for a purpose that is — or gives the appearance of being — motivated by a desire for a private or financial gain for that person or for others.

2 CFR 200.318 through 2 CFR 200.327. These standards require federal grant Awardees to develop written procurement procedures and to conduct all procurement transactions in a manner that provides, to the maximum extent possible, open, and free competition. No employee, officer, or agent of the Awardee may participate in the selection, award, or administration of any contract supported by federal funds if a real or apparent conflict–of–interest exists.

The full text of the federal regulations referenced above are found in the Code of Federal Regulations, which is available online at https://www.ecfr.gov/.

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

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

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

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

EVALUATION OF INCONSISTENCY AND INCOMPATIBILITY

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

FISCAL IMPACT

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

INITIAL DETERMINATION REGARDING ANY SIGNIFICANT, STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS

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

EFFECT ON SMALL BUSINESSES

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

RESULTS OF ECONOMIC IMPACT ANALYSIS

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

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

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

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

Assessment of Health Benefits

The Authority does not anticipate any direct benefits to the health of California residents as a result of the proposed regulations.

COST IMPACT ON HOUSING

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

REASONABLE ALTERNATIVES

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

AGENCY CONTACT PERSON(S)

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

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

or

915 Capitol Mall, Suite 220
Sacramento, CA, 95814
(916) 651–7710

or

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or

csfa@treasurer.ca.gov

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

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

or

rstorey@treasurer.ca.gov

WRITTEN COMMENT PERIOD

Any interested person, or their authorized representative, may submit written comments relevant to the proposed regulations to the Authority. The written comment period on the regulations will be open from August 7, 2026 through and including September 21, 2026. All comments to be considered by the Authority must be submitted in writing to the Agency Contact Person identified in this Notice by that time.

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

The Authority has established a rulemaking file for this regulatory action, which contains those items required by law. The file is available for inspection at the Authority's office at 915 Capitol Mall, Suite 220, Sacramento, California, 95814 during normal business hours. As of the date this Notice is published in the Notice Register, the rulemaking file consists of this Notice, the Initial Statement of Reasons, and the proposed text of the Regulations. Copies of these items are available upon request, from the Agency Contact Person designated in this Notice. The Sacramento address will also be the location for inspection of the rulemaking file and any other public records, including reports, documentation and other materials related to this proposed regulatory action. In addition, the rulemaking file, including the Initial Statement of Reasons and the proposed text, may be viewed on the Authority's Web site at www.treasurer.ca.gov/csfa.

PUBLIC HEARING

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

15–DAY AVAILABILITY OF CHANGED OR MODIFIED TEXT

After the written comment period ends and following a public hearing, if any is requested, the Authority may adopt the proposed regulations substantially as described in this Notice, without further notice. In the event that changes are made to the proposed regulations during the written comment period, the Authority will also accept additional written comments limited to any changed or modified regulations for 15 calendar days after the date on which such regulations, as changed or modified, are made available to the public pursuant to Title 1, Chapter 1, Section 44 of the California Code of Regulations. Such additional written comments should be addressed to the Agency Contact Person identified in this Notice.

AVAILABILITY OF FINAL STATEMENT OF REASONS

The Authority is required to prepare a Final Statement of Reasons pursuant to Government Code section 11346.9. Once the Authority has prepared a Final Statement of Reasons, a copy will be made available to anyone who requests a copy and will be available on the Authority's website described above. Written requests for copies should be addressed to the Agency Contact Person identified in this Notice.

TITLE 5. COMMISSION ON TEACHER CREDENTIALING

EDUCATOR ASSIGNMENT AND MONITORING

The Commission on Teacher Credentialing (Commission) proposes to take the regulatory action described below after considering all comments, objections, and recommendations regarding the proposed action. A copy of the proposed regulations is included with the added text underlined and the deleted text lined out.

The Commission has not scheduled a public hearing on this proposed action. However, the Commission 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 comment period.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed action by fax, through the mail, or by email. The written comment period closes on September 21, 2026. Comments must be received by that time or may be submitted at the public hearing, should one be requested. Interested parties may fax their response to (916) 327–3165; write to the Commission on Teacher Credentialing, Attention: Christina Villanueva, 651 Bannon Street, Suite 601, Sacramento, CA 95811; by phone at (916) 327–2967 or submit an email to Regulations@ctc.ca.gov. Alternatively contact Ann Harris at (916) 323–5145 or by email at Regulations@ctc.ca.gov.

Any written comments received by the closing of the public comment period will be reproduced by the Commission's staff for each member of the Commission as a courtesy to the person submitting the comments and will be included in the written agenda prepared for and presented to the full Commission.

AUTHORITY

Education Code sections 44225(q) and 44258.9 authorize the Commission to adopt the proposed regulations and amendments.

REFERENCE

Education Code sections 33126, 35035, and 44830

INFORMATION DIGEST/POLICY STATEMENT OVERVIEW

Summary of Existing Laws and Effect of the Proposed Action

Education Code §44258.9 provides the requirements related to annual monitoring of certificated educator assignments within the California Statewide Assignment Accountability System (CalSAAS), defines the data sharing agreement between the Commission on Teacher Credentialing and the California Department of Education (CDE), and specifies how the resulting data is used and reported. CalSAAS is a partially automated system which compares educator assignment data reported by Local Educational Agencies (LEAs) to CDE via the California Pupil Achievement Data System (CALPADS) with the educator credential data held by the Commission. Assignment monitoring in CalSAAS is the annual process by which Monitoring Authorities review the certificated educator assignments for the LEAs within their purview to determine the legality of the reported assignments. Educators that are not legally authorized for their assignment via a Commission issued certification, and are not legally authorized via flexibility in statute or regulations, are identified as "misassigned." Outcomes of annual assignment monitoring are published in a series of data dashboards on the Commission's website providing the public with data on misassignments, assignment flexibilities, and educator preparation levels statewide.

In 2024, the California State Auditor conducted an audit of Highlands Community Charter and Technical Schools (Highlands) and Twin Rivers Unified School District. The Auditor's *2024–106 Highlands Community Charter and Technical Schools* report included a recommendation that directed the Commission to promulgate regulations to impose sanctions on schools that consistently misassign educators. At the December 2025 Commission Meeting, in item *3A: Certificated Education Assignment Monitoring Sanctions*, Commission staff presented a broad outline of a plan to satisfy the Auditor's recommendation.

Imposing sanctions on schools based on the outcomes of assignment monitoring necessitates clarifying assignment monitoring related law in regulations. Therefore, at the April 2026 Commission meeting, in item *5B: Assignment Monitoring Sanction Program Decision Points*, Commission staff proposed details related to implementation of the approved plan and proposed the creation of a new regulatory article to encompass assignment monitoring definitions, explanations for related procedures, and requirements for the new sanctions program.

While Education Code Section 44258.9 provides the statutory requirements regarding assignment monitoring and related data, the finer details of assignment monitoring are not currently clarified in the Commission's sections of Title 5, California Code of Regulations. The laws that govern the monitoring of certificated educator assignments are complex and are housed in various areas of statute. The addition of *Article 6* to the existing *Chapter 1: Credentials Issued Under Teacher Preparation and Licensing Law of 1970* will clarify terms that are commonly used within the context of educator assignments, provide definitions, and outline practices that are authorized in statute but require some explanation for implementation.

To align agency regulations with current statute and California's framework focusing on support and assistance, it is also necessary to repeal several irrelevant sections of regulations. Sections 80339, 80339.1, 80339.2, 80339.3, 80339.4, 80339.5, and 80339.6 reflect outdated statutory references and processes, as Education Code section 44258.9 provides that the data resulting from assignment monitoring shall be executed *"...in a manner consistent with the statewide system of support and the school accountability system."* The proposed regulatory language within Article 6 reflects this supportive intervention approach, and provides clarity related to the Commission's current statutory authority.

At its June 2026 Meeting, the Commission approved the proposed addition of *Article 6 Educator Assignments and Monitoring*, including the proposed regulatory language in *Item 2C: Approval of the June 2026 Consent Calendar*, as well as *3A: Assignment Monitoring Sanctions: System of Identification, Support, and Improvement* and *Item 3A Insert* to satisfy the State Auditor's recommendation, and directed staff to begin the regulatory process with the Office of Administrative Law.

Anticipated Benefits of the Proposed Regulations

Housing all assignment–related regulatory sections within a single article is concise and intuitive for the public and educational partners statewide. The proposed regulations define terms that are most often used in assignment monitoring and provide scaffolding by linking statutory definitions and concepts to practical implementation. For instance, "Local Assignment Options," a term widely used in assignment monitoring, refers to local level flexibilities that authorize an individual to legally serve in a certificated assignment. The related flexibilities are authorized in statute; however, the term is not yet codified. To provide clarity to the public, Section 80130 includes a succinct definition for this and other key assignment terms.

The proposed language in Section 80131 focuses on various aspects of instruction and services in the public school system that impact whether an individual must hold a credential to serve in a particular position. This section organizes various requirements found in several areas of statute into a single regulatory section and provides credential analysts and those responsible for appropriately assigning educators in certificated assignments with necessary guidance to support their success.

Education Code Section 44258.9 provides definitions related to teacher shortage data that are further clarified in the proposed regulatory language of 80132 to provide transparency to the public. The regulatory language explains the factors used to determine the severity of the teacher shortage including the specific names of credential or permit types that are not reflected in the statutory language.

Likewise, Education Code Section 44225.7 specifies that a local educational agency must recruit educators according to its hiring hierarchy to ensure attempts are made to first recruit fully prepared educators prior to hiring an educator with less preparation, for example, a holder of an emergency permit. The proposed regulatory language in Section 80133 clarifies the statutory hierarchical order by including descriptions of the certifications to clearly identify the order in which a local educational agency must recruit for certificated educator assignments.

In addition, the proposed language provides a clear reporting structure for educators and the public to report complaints or concerns related to the potential misassignment of educators. Currently Education Code Section 44258.9 provides a structure for an educator to report instances in which they are placed in an assignment for which they are not legally authorized. Section 80134 uses this same hierarchical structure for reporting misassignment complaints and expands to clarify that a complaint of a possible misassignment of an educator can be reported by any individual, including parents and student advocacy groups.

Finally, to align agency regulations with current statute and California's framework focusing on support and assistance, the proposed regulatory language within Article 6 reflects this supportive intervention approach, and provides clarity related to the Commission's current statutory authority.

Determination of Inconsistency/Incompatibility with Existing State Regulations

The Commission has determined that the proposed regulatory language is inconsistent or incompatible with existing regulations. After conducting a review of any regulations that would relate to or affect this area, the Commission has concluded that sections 80339, 80339.1, 80339.2, 80339.3, 80339.4, 80339.5, and 80339.6 reflect outdated statutory references and processes, as Education Code Section 44258.9 provides that the data resulting from assignment monitoring shall be executed *"...in a manner consistent with the statewide system of support and the school accountability system."* Therefore, the Commission has determined that the outdated regulations should be repealed, and the proposed regulatory Article and regulatory sections be added to Title 5 of the California Code of Regulations.

DISCLOSURES REGARDING THE PROPOSED ACTIONS/FISCAL IMPACT

The Commission has made the following initial determinations.

Mandate on local agencies or school districts:

None.

Fiscal Impact

Costs to any local agency or school district which must be reimbursed in accordance with Government Code sections 17500 through 17630:

None.

Cost or savings to any state agency:

None.

Other non–discretionary costs or savings imposed upon local agencies:

None.

Cost or savings in federal funding to the state:

None.

Significant effect on housing costs:

None.

Significant Statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states:

The Commission is not aware of any Statewide adverse economic impact that directly affects businesses, including the ability of California businesses to compete with businesses in other states.

Cost Impacts on a Representative Private Person or Business:

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

STATEMENT OF THE RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

In accordance with Government Code section 11346.3(b), the Commission has made the following assessments regarding the proposed regulations:

The Commission concludes that it is unlikely that the proposal will (1) create or eliminate any jobs, (2) create any new businesses, or (3) eliminate any existing businesses or result in the expansion of businesses currently doing business within the state. The proposed amendments to Title 5 of the California Code of Regulations are consistent with the statewide system of support and the school accountability system.

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

The proposed regulations are expected to continue to benefit the health and welfare of California residents by improving the clarity, consistency, and transparency of educator assignment monitoring and compliance with credentialing requirements. The proposed regulations are not expected to have a direct effect on worker safety or the state's environment. Housing all assignment–related regulatory sections within a single article is concise and intuitive for the public and educational partners statewide. The proposed regulations define terms that are most often used in assignment monitoring and provide scaffolding by linking statutory definitions and concepts to practical implementation.

Small Business Determination

The proposed regulations will not affect small businesses. The proposed regulations establish regulations to clarify terms that are commonly used within the context of educator assignments, provide definitions, and outline practices that are authorized in statute.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Commission must determine that no reasonable alternative it considered or that has otherwise been identified and brought to its attention would be as 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 as cost–effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The Commission invites interested persons 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:

Christina Villanueva
Commission on Teacher Credentialing
651 Bannon Street, Suite 601,
Sacramento, CA 95811
(916) 327–2967
Email: Regulations@ctc.ca.gov

The backup for these inquiries is:

Ann Harris
Commission on Teacher Credentialing
651 Bannon Street, Suite 601
Sacramento, CA 95811
(916) 323–5145
Email: Regulations@ctc.ca.gov

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

The Commission will make the entire rulemaking file available for inspection and copying throughout the rulemaking process at the Commission office at the above address. As of the date this notice is published in the Notice of Register, the rulemaking file consists of the Notice of Proposed Action, the proposed text of regulations, the Initial Statement of Reasons, Agenda items from Commission Meetings, and the Economic and Fiscal Impact Statement STD. 399. Please direct requests to inspect or copy the rulemaking file to the contact person listed above, Christina Villanueva.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments received, the Commission may adopt the proposed regulations substantially as described in this notice. If the Commission makes modifications that are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before adopting the regulations as revised. Please direct requests for copies of any modified regulations to the contact person(s) listed above. If substantive modifications are made, the Commission will accept written comments on the modified regulations for the duration of the period of public availability.

AVAILABILITY OF FINAL STATEMENT OF REASONS

Upon its completion, the Commission will make copies of the Final Statement of Reasons available. Please direct requests for copies to the contact person(s) listed above.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, the text of the regulations with modifications highlighted, as well as the Final Statement of Reasons, when completed, and modified text and notices thereof, if any, may be accessed via the Commission's website at https://www.ctc.ca.gov/commission/notices/rulemaking/.

TITLE 11. COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

MODULAR FORMAT PREREQUISITES

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 SEPTEMBER 21, 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 Jennifer Hardesty at jennifer.hardesty@post.ca.gov, or by letter to:

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

AUTHORITY AND REFERENCE

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

In 2008, Commission Procedure D–1–3 was modified to update the prerequisite requirements for entry into the Module II and Module I courses. The modification required individuals to have passed the comprehensive test for the prior module within the preceding 12 months before entering the next training module. This requirement impacted individuals who delayed entry into the next training module for more than 12 months, but less than three years.

At the time this requirement was implemented, no information or policies/procedures were included to outline what happens when someone fails the test; whether they would be able to retest if they failed the initial test and what happens if they fail the retest. The lack of policies/procedures for handling a test failure has resulted in situations where an individual could repeatedly retake this test until they pass, thus overexposing the tests and diluting the data collected.

The proposed changes not only remove the prerequisite testing requirement for entry into a Module II or Module I course but will eliminate the test overexposure and the dilution of data being collected.

Anticipated Benefits of the Proposed Amendments:

The benefits anticipated by the proposed amendments to the regulation will ensure data collected on

POST–developed tests remain accurate, valid and defensible. Thus, the law enforcement standards are maintained and effective in preserving peace, protection of public health, safety, and welfare of California by ensuring those who wish to attend a subsequent training module have properly prepared to do so. The proposed amendments will have no impact on worker safety or the state's environment.

Evaluation of Inconsistency/Incompatibility with Existing State Regulations:

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

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

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

DISCLOSURES REGARDING THE PROPOSED ACTION

POST has made the following initial determinations:

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: None.

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

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

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

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

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

Significant effect on housing costs: None.

Small Business Determination: POST has determined that the proposed regulations will not affect small businesses because the regulations only affect POST–certified modular presenters. 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 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 ensure data collected on POST–developed tests remain accurate, valid and defensible. Thus, the law enforcement standards are maintained and effective in preserving peace, protection of public health, safety, and welfare in California by ensuring those who wish to attend a subsequent training module have properly prepared to do so. 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 Jennifer Hardesty, Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605–1630, at (916) 227–3917. General questions regarding the regulatory process may be directed to Alondra Castellanos Gutierrez at (916) 266–2331.

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 www.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. DEPARTMENT OF JUSTICE

FIREARM PRECURSOR PARTS AND FIREARM BARRELS

The Department of Justice (Department) proposes to adopt sections 4304–4310 of title 11, division 5, chapter 11 of the California Code of Regulations concerning instructions for licensed firearms dealers to initiate firearm barrel eligibility checks required by the statute and to fulfill purchases or transfers for people who pass the eligibility checks.

PUBLIC HEARING

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

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 **September 22, 2026** at **5:00 p.m.** Only written comments received by that time will be considered. Submit written comments to:

L. Baladjay–Fretland
Department of Justice
P.O. Box 160487
Sacramento, CA 95816–0487
(916) 210–2621
BOFregulations@doj.ca.gov

Please note that written and oral comments, attachments, and associated contact information (e.g., address, phone, email, etc.) become part of the public record and can be released to the public upon request.

AUTHORITY AND REFERENCE

Authority: Penal Code section 33700.

Reference: Penal Code sections 11106, 16300, 16525, 26700–26915, 28180, 28220, 28235, 30000; Civil Code, section 3273.51; Section 478.11, Title 27, of the Code of Federal Regulations.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Summary of Existing Laws and Regulations:

The Legislature has enacted several laws designed to address the proliferation of unlawfully manufactured ghost guns, which are unserialized firearms produced by individuals who do not have a valid license to manufacture firearms. Ghost guns are typically produced using products sold without eligibility checks or sale records, including machines such as three–dimensional printers and/or firearm build kits, accessories, and components. One such component is a firearm barrel, defined by Penal Code section 16525(a) as "the tube, usually metal and cylindrical, through which a projectile or shot charge is fired." Because the remaining parts of a firearm may be more easily produced by consumer–level three–dimensional printers, the unregulated sale of firearm barrels without eligibility checks allowed minors and prohibited individuals to illegally manufacture firearms without undergoing the background check that is normally required for firearm purchasers in California.

In 2025, the Legislature passed SB 704, codified at Penal Code section 33700, which places conditions and requirements on the purchase, sale, or transfer of firearm barrels. Penal Code section 33700, subdivision (e) and (h) authorize the Department to adopt regulations to implement the statute. Penal Code section 33700, subdivision (a)(1) provides that a firearm barrel shall not be sold or transferred unless that transaction is completed in person by a licensed firearms dealer. Starting July 1, 2027, a firearm barrel "shall not be sold or transferred unless . . . the licensed firearms dealer has conducted an eligibility check . . . in a manner prescribed by the Department of Justice" to determine whether the person attempting to purchase the firearm barrel is authorized to do so. (Pen. Code, § 33700, subdivision (a)(2).) The statute exempts a number of sales or transfers, including those to federal, state, and local law enforcement agencies, and those to federal firearms licensees, from this process. (Pen. Code, § 33700, subdivision (g).)

The purpose of these regulations is to provide instructions for licensed firearms dealers to initiate the firearm barrel eligibility checks required by the statute and to fulfill purchases or transfers for people who pass the eligibility checks.

Effect of the Proposed Rulemaking:

To implement the reporting requirements of Pen. Code, § 33700, subdivision (a)(2), the proposed regulation creates a procedure for licensed firearm dealers to conduct the eligibility checks required to determine whether prospective purchasers may purchase or otherwise acquire a firearm barrel.

Anticipated Benefits of the Proposed Regulations:

These regulations will codify standards for licensed firearms dealers to conduct the background checks required to determine whether prospective purchasers are eligible to purchase or otherwise acquire a firearm barrel. This will assist the regulated industry and the public to avoid engaging in unlawful purchases or transfers of firearm barrels.

The regulations will benefit public safety by preventing the sale of firearm barrels to persons who are not authorized to purchase them, including people convicted of felonies and certain misdemeanors, people who are prohibited due to a mental health–based event, and people who are subject to certain court protection or restraining orders, among others. The regulations will implement the statute's goals of preventing people who are otherwise not authorized to possess firearms from obtaining firearm barrels, which they could use to manufacture firearms.

Comparable Federal Regulations:

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

Determination of Inconsistency/Incompatibility with Existing State Regulations:

The Department has determined that the proposed regulations are not inconsistent or incompatible with existing state regulations. After conducting a review for any regulations that would relate to or affect this area, the Department has concluded that these are the only regulations that concern standards for licensed firearms dealers to conduct the background checks required to determine whether prospective purchasers are eligible to purchase or otherwise acquire firearm barrels.

Forms Incorporated by Reference:

None.

Other Statutory Requirements:

None.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: The Department will be expected to spend $1,182,000 in fiscal year 2026–2027 and $259,000 in fiscal year 2027–2028 and ongoing. This funding was provided by the Legislature pursuant to Budget Change Proposal 0820–038–BCP–2026–GB.

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

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

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

Cost impacts on representative 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 effect on housing costs: None.

Significant, statewide adverse economic impact directly affecting businesses, including ability to compete: The Department has made an initial determination that the proposed action 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. The regulations themselves simply set forth the process by which licensed firearms dealers must conduct the background checks statutorily required to determine whether prospective purchasers are eligible to purchase or otherwise acquire firearm barrels.

Results of the Economic Impact Assessment (EIA):

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

The Department also concludes that:

(1) The proposal would benefit the health and welfare of California residents because they help ensure an individual prohibited by either state or federal law to possess a firearm will also be unable to purchase or transfer firearm barrels. Additionally, these regulations will reduce the ability for individuals to circumvent California's ghost gun laws by purchasing commercially manufactured firearm barrels to attach to 3D–printed precursor parts and ensure firearm barrels are commercially available only to people who are authorized to possess or purchase a firearm.

(2) The proposal would not benefit worker safety because it does not regulate worker safety standards.

(3) The proposal would not benefit the state's environment because it does not change any applicable environmental standards.

Business Report Requirements:

Penal Code section 33700 requires firearms dealers to legibly record the date of the sale or transfer; the purchaser's or transferee's driver's license or other identification number and the state in which it was issued; the make, model, and caliber of the firearm that the firearm barrel is designed for or used in; the purchaser's or transferee's full name; the name of the salesperson who processed the sale or transfer; the purchaser's or transferee's full residential address and telephone number; and the purchaser's or transferee's date of birth. A licensed firearm dealer shall electronically submit to the department the information required by subdivision (c) of Penal Code section 33700 for all sales and transfers of ownership of a firearm barrel. The Department finds it is necessary for the health, safety, or welfare of the people of this State that proposed sections 4307, 4308, and 4309, which implement the statute's reporting requirements, apply to businesses.

Small Business Determination:

The Department has determined that the proposed action affects small businesses. Firearms dealers will now be required to conduct eligibility checks for non–exempt individuals who are attempting to purchase or transfer a firearm barrel.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Department must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed 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.

The Department finds that no alternatives were presented to, or considered by, the Department that would be more effective in carrying out the purpose of the proposed regulation or would be as effective and less burdensome to affected private persons than the proposed regulation.

Requiring the dealer to notify the Department electronically via the Dealer Record of Sale Entry System (DES) is the least burdensome way to make sure they provide all required information. Dealers are already familiar with using the DES to report transactions to the Department.

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

L. Baladjay–Fretland
Department of Justice
P.O. Box 160487
Sacramento, CA 95816–0487
(916) 210–2621
BOFregulations@doj.ca.gov

Questions regarding procedure, comments, or the substance of the proposed action should be addressed to the above contact person. In the event the contact person is unavailable, inquiries regarding the proposed action may be directed to the following backup contact person:

J. Walker
Department of Justice
P.O. Box 160487
Sacramento, CA 95816–0487
(916) 210–2366
BOFregulations@doj.ca.gov

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

The Department will have the entire rulemaking file available for inspection and copying throughout the rulemaking process upon request to the contact person above. As of the date this notice is published in the Notice Register, the rulemaking file consists of this Notice, the text of the proposed regulations (the "express terms" of the regulations), the Initial Statement of Reasons, the economic and fiscal impact statement (STD 399) and addendum, and any information upon which the proposed rulemaking is based, which are available at the Department's website at https://oag.ca.gov/firearms/regs. Please refer to the contact information listed above to obtain copies of these documents.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After the Department analyzes all timely and relevant comments received during the 45–day public comment period, the Department will either adopt the regulations substantially as described in this notice or make modifications based on the comments. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of the name and address indicated above. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, a copy of the Final Statement of Reasons will be available on the Department's website at: https://oag.ca.gov/firearms/regs. Please refer to the contact information listed above to obtain a written copy of the Final Statement of Reasons.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Rulemaking, the Initial Statement of Reasons, and the text of the regulations in underline and strikeout are available on the Department's website at https://oag.ca.gov/firearms/regs.

TITLE 14. BOARD OF FORESTRY AND FIRE PROTECTION

EXAM FEE AMENDMENTS, 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 September 22, 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: Sections 759 and 768 Public Resources Code.

Reference: Sections 767, 769, and 782, Public Resources Code.

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

Professional Foresters Law (Public Resources Code [PRC] § 750, et seq.), declares the existence of a public interest in the management and treatment of the forest resources and timberlands of this state and to provide for the regulation of persons who practice the profession of forestry and whose activities have an impact upon the ecology of forested landscapes and the quality of the forest environment, and through that regulation to enhance the control of air and water pollution, the preservation of scenic beauty, the protection of watersheds by flood and soil erosion control, the production and increased yield of natural resources, including timber, forage, wildlife, and water, and outdoor recreation, to meet the needs of the people.

Pursuant to PRC § 759, the Board is authorized to adopt rules and regulations to affect the provisions of the article (the Professional Foresters Law), including the regulation of persons who practice the profession of forestry and whose activities have an impact upon the ecology of forested landscapes and the quality of the forest environment (PRC § 751).

Additionally, within the Professional Foresters Law, PRC § 763 directs the Board to "establish an examining committee," which shall "Examine all applicants for registration as professional foresters and for specialty certificates," and "Recommend to the board applicants for the license of professional forester and applicants for specialty certificates who fulfill the requirements of this article." This requirement is fulfilled by the Professional Foresters Exam Committee (PFEC). Under PRC § 767, "An applicant for a license pursuant to this article shall apply to the board. Such application shall be accompanied by the payment of a fee in an amount fixed by the provisions of this article." Under PRC § 769, applicants shall "Furnish evidence of having completed seven years of experience in forestry work" with the additional requirements that "At least three of the seven years of experience shall include having charge of forestry work, or forestry work under the supervision of a person registered, or qualified for, but exempt from, registration under the provision of this article." Applicants must also have "successfully completed such examination or examinations as are prescribed by the board."

PRC § 780 directs that the fees raised by licensing and administering the professional foresters exam shall be deposited in the Professional Forester Registration Fund in the State Treasury. Current analysis by the Department of Finance indicates that this fund will be insolvent by 2027. A highlighted area of concern is the application fee for registration; at present, this application fee does not cover the costs of developing and administering the Registered Professoinal Forester (RPF) exam. The estimated cost, per applicant, of exam development, administration, and grading is $468. The current fee is $200, which was the statutory maximum until 2026. The Board increased the fee to this level in 1992. Cost–cutting measures have been applied including seeking test–administering facilities within state government to minimize cost of renting exam space, use of department staff as proctors, and use of surplus computers over handwritten exams to streamline grading efforts.

In 2025, SB 124 amended PRC § 782 to increase the permitted range for the application fee for registration or for each certificate of specialization from $50–$200 to $50–$600 to address budget shortfalls in the cost of administering the exam.

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

To address this threat, California's Wildfire and Forest Resilience Action Plan calls for Utility Related Wildfire Mitigation. As such, forestry within California has expanded to address management of "danger trees" pursuant to 14 CCR § 895, trees along utility corridors that are dead or dying and are at increased risk of triggering wildfire ignitions. Historically, experience as an arborist has not qualified toward requirements necessary to apply to be a Professional Forester but given the expansion of arborist work to include wide–scale assessment of forest tree health and determining which trees must be safely removed, the PFEC decided to allow two years of arboriculture in forested landscapes for public safety as qualifying work experience.

The ***problems*** are as follows:

1) The application fee for registration for the professional foresters exam does not cover the costs of developing and administering the exam. As a result, the Professional Foresters Registration Fund is slowly losing funds and will be insolvent by 2027.

2) Under the current wildfire regime, as well as other factors, the practice of forestry has changed. The current professional foresters regulations' list of qualifying forestry experiences does not

reflect all of the pathways by which people currently gain forestry experience.

The purpose of the proposed action is twofold:

1) The application fee for registration is increased, pursuant to changes to PRC § 782 by SB 124, to better reflect the actual cost of administering the exam.
2) Qualifying forestry experience under Professional Foresters Law is expanded to include additional wildfire protection measures, as well as to provide additional information documenting circumstances where the supervising forester is not employed by the same entity as the applicant.

The effect of the proposed action is that the Professional Foresters Registration Fund is projected to remain solvent after 2027, and that additional applicants will qualify for the Professional Foresters Licensing Exam.

The benefit of the proposed action is an appropriately funded program, with fees reflecting the cost of licensing exam administration, that can continue to license foresters and maintain a licensing program that ensures protection of California's forest resources. It will also allow a more inclusive group of applicants, which reflect California forestry as it responds to an ongoing wildfire crisis.

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 Professional Foresters Exam 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 1, Public Resources Code.

Regulations to which the proposed action was compared: Articles 1 and 2, Chapter 10, 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)). The proposed action would maintain funding for the Professional Forester Registration Fund, thereby maintaining a licensed workforce to manage the health of California's forests, improving environmental outcomes. The proposed action will not affect the health and welfare of California residents or worker safety.

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 ~~STRIKE-THROUGH~~ 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 20. ENERGY COMMISSION

ELECTRIC VEHICLE CHARGER
RELIABILITY STANDARDS

INTRODUCTION

The California Energy Commission (CEC) proposes amendments to the EV charger data and reliability standards in the Title 20, California Code of Regulations, Division 2, Chapter 12, Article 2 to exempt Megawatt Charging System (MCS) EV chargers from certain requirements of this Article and provide minor refinements within.

PUBLIC HEARING

The CEC will hold a public hearing for the proposed regulations at the date and time listed below. Interested persons, or their authorized representative, may present statements, arguments, or contentions relevant to the proposed regulations at the public hearing. The record for this hearing will be kept open until every person present at the conclusion of staff's presentation has had an opportunity to provide comment.

Wednesday, September 24, 2026
10:00 a.m. (Pacific Time)

ATTENDANCE INSTRUCTIONS

Remote Attendance: The public hearing may be accessed by clicking the Zoom link below or visiting Zoom at https://join.zoom.us and entering the ID and password below. If you experience difficulties joining, you may contact Zoom at (888) 799-9666 ext. 2, or the Office of the Public Advisor, Energy Equity and Tribal Affairs at publicadvisor@energy.ca.gov or by phone at (916) 957-7910.

URL: https://energy.zoom.us/j/89612841296
pwd=lm8I1Tb1cmaINyvHWmAtLqIwKqGbPI.1
Webinar ID: 896 1284 1296

Passcode: 590851

To participate by telephone, dial (669) 219-2599 or (213) 338-8477 (toll free). When prompted, enter the webinar ID and password listed above. For Zoom technical support dial (888) 799-9666 ext. 2 or contact the CEC's Public Advisor for help at publicadvisor@energy.ca.gov and (916) 957-7910. To comment or ask a question over the telephone, dial *9 to "raise your hand" and *6 to mute/unmute your phone line.

Zoom Closed Captioning Service: At the bottom of the screen, click the Live Transcript CC icon and choose "Show Subtitle" or "View Full Transcript" from the pop-up menu. To stop closed captioning, close the "Live Transcript" or select "Hide Subtitle" from the pop-up menu. If joining by phone, closed captioning is automatic and cannot be turned off. While closed captioning is available in real-time, it can include errors. An accurate transcript of the workshop will be docketed and posted as soon as possible after the meeting concludes.

PUBLIC ADVISOR

The CEC's Office of the Public Advisor, Energy Equity, and Tribal Affairs assists the public with participation in CEC proceedings. To request assistance, interpreting services, or reasonable modifications and accommodations, reach out via email at publicadvisor@energy.ca.gov or by phone at (916) 957-7910 as soon as possible, but at least five days in advance. The CEC will work diligently to meet all requests based on availability.

MEDIA INQUIRIES

Direct media inquiries to the Media and Public Communications Office at (916) 654-4989, or by email at mediaoffice@energy.ca.gov.

PUBLIC COMMENT PERIOD

Interested persons or their authorized representatives may submit written comments during the written public comment period for the proposed regulation that will be held from August 7, 2026 through 5:00 p.m. on September 22, 2026. The CEC will consider all comments received by 5:00 p.m. on September 22, 2026. The CEC appreciates receiving written comments at the earliest possible date. Comments submitted outside this comment period are considered untimely.

All information submitted will become part of the public record of this proceeding with access available via any internet search engine.

The CEC encourages use of its electronic commenting system. Visit the e-commenting page on the CEC website at Docket 22-EVI-04, https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-EVI-04, which links to the comment page for this docket. Enter your contact information and a comment title describing the subject of your comment(s). Comments may be included in the "Comment Text" box or attached as a downloadable, searchable document consistent with Title 20, California Code of Regulations, Section 1208.1. The maximum file size allowed is 10 MB.

A paper copy may be mailed to:

California Energy Commission
Docket Unit
Docket No. 22-EVI-04
715 P Street, MS-4
Sacramento, CA 95814

To ensure you receive notice of any changes to the proposed regulations in this proceeding, please follow the instructions provided at the end of this notice to join the proceeding contact list.

STATUTORY AUTHORITY AND REFERENCE

Public Resources Code Sections 25210, 25213, 25216.5, 25218(e), 25231.5, 25301, 25302, 25303, 25304, 25305, 25400, 25401, 25601, 25602, 25618 authorize the CEC to adopt rules or regulations, as necessary, to implement, interpret, and make specific Public Resources Code Sections 25210, 25216.5, 25229, 25231.5, 25300, 25301, 25302, 25303, 25304, 25305, 25324, 25400, 25401, 25601, 25602, and 25618.

INFORMATIVE DIGEST AND POLICY STATEMENT OVERVIEW

Summary of existing laws and regulations:

Effective January 1, 2023, Public Resources Code (PRC) Section 25231.5 directed the CEC to develop charging port uptime recordkeeping standards and deliver infrastructure reliability assessments (AB 2061, Ting, Chapter 345, Statutes of 2022), and provided the CEC authority to require uptime recordkeeping and reporting on EV charging ports that are publicly or ratepayer funded. PRC Section 25231.5(b)(3) allows these standards to vary by technology type.

Effective October 7, 2023, PRC Section 25231.5(d)(1) (AB 126, Reyes, Chapter 319, Statutes of 2023) directed the CEC to adopt tools to increase charging station uptime, including requirements for uptime, and operation and maintenance.

Effect of the proposed regulation:

The amendments in Article 2 would:

- Exempt publicly funded public chargers with MCS connectors from the reliability requirements.
- Provide additional time for Open Charge Point Protocol (OCPP) certification of charging network providers (CNPs).
- Ensure CNPs are notified of their reporting obligations.
- Clarify the recordkeeping and recording (R&R) agent designation.
- Add minor updates to the data dictionaries.

Difference from existing comparable federal regulation or statute:

The reliability and reporting requirements for publicly or ratepayer funded charging ports is similar to the federal National EV Infrastructure (NEVI) Formula Program (23 Code of Federal Regulations, Section 680.104). The CEC has determined that the proposed regulation does not duplicate or conflict with any other federal regulations or statute.

Broad objectives of the regulations and the specific benefits anticipated by the proposed amendments:

The broad objectives of the regulations are to:

- Support the nascent MCS charging segment by exempting these chargers from existing state reliability and reporting requirements.
- Implement minor refinements to the existing state reliability and reporting requirements.

Consistency or compatibility with existing state regulations:

The CEC has conducted an evaluation for any other regulations under this topic and has concluded that this is the only regulation concerning electric vehicle charging reliability standards. Therefore, the CEC has determined that the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

DOCUMENTS INCORPORATED BY REFERENCE

The CEC proposes to incorporate by reference the following documents:

- California Energy Commission, Hourly Charging Data Reporting Specification (April 22, 2026).
- California Energy Commission, Semiannual Charging Data Reporting Specification (April 22, 2026).
- Society of Automotive Engineers, Megawatt Charging System For Electric Vehicles (March 4, 2025). https://www.sae.org/standards/j3271_202503-sae-megawatt-charging-system-electric-vehicles.

The above documents are reasonably available to the affected public in conformance with California Code of Regulations, Title 1, Section 20(c). All documents are available for review during business hours, Monday through Friday, 8:00 a.m. to 5:00 p.m., at the CEC located at 715 P Street, Sacramento, CA 95814, and on the CEC website at Docket 22-EVI-04, https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-EVI-04.

MANDATED BY FEDERAL LAW OR REGULATIONS

The proposed regulation is not mandated by federal law or regulations.

OTHER STATUTORY REQUIREMENTS

The CEC is not aware of any other statutory requirements that are relevant to the proposed regulations.

LOCAL MANDATE DETERMINATION

The proposed regulation does not impose a mandate on local agencies or school districts that requires state reimbursement pursuant to Government Code Sections 17500 et seq.

FISCAL IMPACTS

The CEC has made the following initial determinations:

- Cost or savings to any state agency: None.
- Cost to any local agency or school district that is required to be reimbursed pursuant to Government Code Sections 17500 et seq.: None.
- Other nondiscretionary cost or savings imposed on local agencies: None.
- Cost or savings in federal funding to the state: None.

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

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

COST IMPACTS ON REPRESENTATIVE PERSON OR BUSINESS

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

STATEMENT OF THE RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

Based on its analysis, the CEC has concluded that the proposed regulations: (1) will not create jobs within California, (2) will not eliminate jobs within California, (3) will not create new businesses in California, (4) will not eliminate existing businesses within California, and (5) will not result in the expansion of businesses currently doing business within the state.

The proposed regulations will benefit consumers, the health and welfare of California residents, and the state's environment by supporting the nascent MCS industry.

BUSINESS REPORTING REQUIREMENTS

The separate disclosure requirement in section 3132(a)(2) is an essential administrative mechanism designed to bridge a gap that can exist when a funding recipient is not the entity managing the EV charger software. In these instances, this disclosure ensures that the charging network provider — the party actually possessing the actual data — is formally notified of its specific reporting obligations under sections 3123 and 3125, thereby preventing a breakdown in accountability for publicly- or ratepayer-funded charging infrastructure. This reporting requirement is vital for the health, safety, and welfare of Californians because it enables the state to accurately monitor charger uptime and reliability in support of the state's transition to zero-emission vehicles. Therefore, it is necessary for the health, safety, and general welfare of the people of the state that this regulation which requires a report apply to businesses.

EFFECT ON SMALL BUSINESS

CEC staff estimates that no small businesses will be impacted. This conclusion is based on the definition of "small business" contained in Government Code section 11346.3, subdivision (b)(4)(B), which defines a small business as one that is independently owned and operated, not dominant in its field of operation, and has fewer than 100 employees. The CEC is not aware of any cost that a small business would incur in reasonably complying with the proposed regulations.

SIGNIFICANT EFFECT ON HOUSING COSTS

None.

ALTERNATIVES STATEMENT

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

No reasonable alternatives to the proposed regulation have been proposed that would lessen any adverse impact on small business or that would be less burdensome and equally effective in achieving the purposes of the regulation in a manner that achieves the purposes of the statute being implemented.

CEC staff considered the following alternative:

Alternative 1

Staff considered retaining Article 2 with no proposed amendments. This would require MCS EV chargers to meet the reliability requirements immediately.

Alternative 1 was not chosen primarily because it imposed reporting requirements on the nascent MCS charging segment which would have increased burden on industry.

CONTACT PERSONS

Questions should be addressed to:

Ross Daley, Rulemaking Coordinator
Executive Office
Ross.Daley@energy.ca.gov
+1 916 980 7949

OR

Jessica Keating, Energy Analyst
Jessica.Keating@energy.ca.gov
+1 279-226-1071

COPIES OF THE INITIAL STATEMENT OF REASONS, THE EXPRESS TERMS, AND RULEMAKING FILE

The CEC will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at 715 P Street, Sacramento, CA 95814. As of the date this notice is published in the Notice Register, the rulemaking file consists of this Notice, the Express Terms, the Initial Statement of Reasons (ISOR) and any documents relied upon or incorporated by reference. Copies may be obtained by contacting the contact persons listed above or by visiting the CEC website at Docket 22-EVI-04, https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-EVI-04.

AVAILABILITY OF CHANGES TO ORIGINAL PROPOSAL FOR AT LEAST 15 DAYS PRIOR TO AGENCY ADOPTION/REPEAL/AMENDMENT OF RESULTING REGULATIONS

Participants should be aware that any of the proposed regulations could be changed because of public comment, staff recommendation, or recommendations from Commissioners. Moreover, changes to the proposed regulations not indicated in the Express Terms could be considered if they improve the clarity or effectiveness of the regulations. If the CEC considers changes to the proposed regulations pursuant to Government Code Section 11346.8, a full copy of the text will be available for review at least 15 days prior to the date on which the CEC adopts or amends the resulting regulations.

COPY OF THE FINAL STATEMENT OF REASONS

At the conclusion of the rulemaking, persons may obtain a copy of the Final Statement of Reasons once it has been prepared by visiting the CEC website at Docket 22-EVI-04, https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-EVI-04.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

The CEC maintains a website to facilitate public access to documents prepared and considered as part of this rulemaking proceeding. Documents prepared by the CEC for this rulemaking have been posted on the CEC website at Docket 22-EVI-04, https://efiling.energy.ca.gov/Lists/DocketLog.aspx?docketnumber=22-EVI-04.

INSTRUCTIONS FOR RECEIVING NOTICES AND DOCUMENTS IN THIS PROCEEDING

To stay informed about this proceeding and receive documents and notices of upcoming workshops and hearings as they are filed, please subscribe for automatic email updates for this rulemaking, by using the subscribe box here: Electric Vehicle Charging Infrastructure Reliability Reporting and Performance Standards, then following any prompts. Members of the public can subscribe to this topic at the link above. The subscription sends out email notifications and direct links when documents and notices are filed in the proceeding docket. If you are unable or do not wish to sign up for automatic email updates but still would like to receive documents and notices, please contact the contact person listed in this notice.

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND WILDLIFE

PROPOSED RESEARCH ON FULLY PROTECTED SPECIES RESEARCH ON MORRO BAY KANGAROO RAT

The Department of Fish and Wildlife (Department) received a proposal from Cameron A. Reid, requesting authorization to take the Morro Bay kangaroo rat (*Dipodomys heermanni morrensis*; kangaroo rat), a Fully Protected mammal, for scientific research purposes consistent with conservation and recovery of the species. The kangaroo rat is listed as Endangered under the California Endangered Species Act and Endangered under the federal Endangered Species Act.

Cameron Reid is planning to conduct surveys throughout the historical range of the kangaroo rat in California, specifically in San Luis Obispo County, California, in accordance with a standard protocol approved by the Department and the U.S. Fish and Wildlife Service (Service). The proposed research activities include capturing or attempting to capture the kangaroo rat using live traps to determine the distribution and status of local populations. If any kangaroo rats are found dead, they will be salvaged (including any parts thereof) and donated to a scientific institution open to the public, as designated by the Department and the Service. No adverse effects on individual kangaroo rats or kangaroo rat populations are expected.

The Department intends to issue a Memorandum of Understanding (MOU) to Cameron Reid that would authorize qualified professional wildlife researchers, under specified conditions, to carry out the proposed activities. The applicant is also required to have a valid federal recovery permit for the kangaroo rat and a Scientific Collecting Permit (SCP) to incidentally take other mammal species in California.

Pursuant to California Fish and Game Code (FGC) Section 4700(a)(1), the Department may authorize take of Fully Protected mammal species after a 30–day notice period has been provided to affected and interested parties through publication of this notice. If the Department determines that the proposed research is consistent with the requirements of FGC

Section 4700 for take of Fully Protected mammals, it will issue the authorization on or after September 7, 2026, for an initial and renewable term of up to, but not to exceed five years. Contact: Justin Garcia, Justin.Garcia@wildlife.ca.gov, (916) 539–7491.

OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

NOTICE OF PUBLIC
MEETING AND BUSINESS MEETING
OF THE OCCUPATIONAL SAFETY AND
HEALTH STANDARDS BOARD

Pursuant to Government Code section 11346.4 and the provisions of Labor Code Sections 142.1, 142.2, 142.3, 142.4, and 144.6, the Occupational Safety and Health Standards Board ("Board") of the State of California has set the time and place for a Public Meeting and Business Meeting:

QR Code for Access:

On **August 20, 2026**, at 10:00 a.m.
City Clerk's Office Alameda
Council Chambers
2263 Santa Clara Avenue, Room 380
Alameda, California 94501

as well as via the following:

- Videoconference at https://tkoworks.zoom.us/j/87501250331.
- Teleconference at (669) 444–9171 (Webinar ID 875 0125 0331).
- Live video stream and audio stream (English and Spanish) at: https://videobookcase.com/california/oshsb/.

At the Public Meeting, the Board will make time available to receive comments or proposals from interested persons on any item concerning occupational safety and health.

At the Business Meeting, the Board will conduct its monthly business.

DISABILITY ACCOMMODATION NOTICE: Disability accommodation is available upon request. Any person with a disability requiring an accommodation, auxiliary aid or service, or a modification of policies or procedures to ensure effective communication and access to the public hearings/meetings of the Board should contact the Disability Accommodation Coordinator at (916) 274–5721 or the state–wide Disability Accommodation Coordinator at 1 (866) 326–1616 (toll free). The state–wide Coordinator can also be reached through the California Relay Service, by dialing 711 or 1 (800) 735–2929 (TTY) or 1 (800) 855–3000 (TTY–Spanish).

Accommodations can include modifications of policies or procedures or provision of auxiliary aids or services. Accommodations include, but are not limited to, an Assistive Listening System (ALS), a Computer–Aided Transcription System or Communication Access Realtime Translation (CART), a sign–language interpreter, documents in Braille, large print or on computer disk, and audio cassette recording. Accommodation requests should be made as soon as possible. Requests for an ALS or CART should be made no later than five (5) days before the hearing.

OFFICE OF ADMINISTRATIVE LAW

PUBLIC INFORMATION SESSION
SCHEDULED: OCTOBER 2026

The Office of Administrative Law (OAL) has scheduled a public information session for Tuesday, October 13th, from 11:00 a.m. to 1:00 p.m.

This two–hour public information session covers the basic principles of the Administrative Procedure Act (APA). Taught by OAL attorneys, students will learn about OAL, how to participate in the rulemaking process, when an agency needs to adopt regulations, how regulations are adopted, and the underground regulation petition process. This special information session is specifically focused on assisting the public in understanding the APA and only members of the public are invited.

Registration information is available on OAL's website at the following link: https://oal.ca.gov/training/.

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.

Emergency Medical Services Authority
File # 2026–0611–01
Implementation of AB 40 —APOT

This Certificate of Compliance rulemaking action by the Emergency Medical Services Authority ("Authority") makes permanent, with modifications, regulations implementing the requirements of Assembly Bill 40 (Stats. 2023, chapter 793), including definitions, an electronic signature system to document ambulance patient offload times ("APOT"), APOT statewide standards, audit tool methodology to improve the data accuracy of transfer of care with validation from hospitals and local emergency medical services agencies ("LEMSA(s)"), and a technical assistance program and funding support for small rural hospitals and volunteer emergency medical services providers to assist in the carrying out these regulations.

Title 22
Adopt: 100001.01, 100002.01, 100002.02, 100002.03, 100002.04, 100002.05, 100002.06, 100002.07, 100002.08, 100002.09, 100002.10, 100002.11, 100002.12, 100002.13, 100002.14, 100002.15, 100002.16, 100002.17, 100002.18, 100002.19, 100003.01, 100004.01, 100005.01, 100006.01, 100007.01, 100007.02, 100007.03, 100007.04, 100007.05
Filed 07/23/2026
Effective 07/23/2026
Agency Contact:
Ashley Williams (916) 591–3266

State Lands Commission
File # 2026–0615–05
Article 4.7 Amendments

In this certificate of compliance pursuant to Government Code section 11346.1(e), the State Lands Commission amends regulations to require vessels arriving at ports in the San Francisco Bay Area, Stockton and Sacramento to conduct a ballast water exchange in near–coastal waters that results in a salinity discharged ballast water equal to or greater than 30 parts per thousand, in addition to complying with existing performance standards.

Title 02
Amend: 2292, 2293
Filed 07/27/2026
Effective 07/27/2026
Agency Contact:
Nina Tantraphol (916) 574–0452

Commission on Peace Officer Standards and Training
File # 2026–0617–03
Section 100 Amendments to Commission Regulation 1005

In this section 100 action, the Commission on Peace Officer Standards and Training non–substantively amends the minimum number of training hours required to be eligible for a Regular Basic Course Waiver from 664 to 680 to reflect recent changes made in OAL action 2025–1022–02S.

Title 11
Amend: 1005
Filed 07/28/2026
Agency Contact: Sarah Wilhelm (916) 227–4254

Department of Alcoholic Beverage Control
File # 2026–0616–04
Applicant Licensee Verification of Eligibility

In this section 100 action, pursuant to California Code of Regulations (CCR), title 1, section 100, the Department of Alcoholic Beverage Control repeals a regulation (4 CCR § 55.1) for consistency with the California Values Act.

Title 04
Repeal: 55.1
Filed 07/28/2026
Agency Contact:
Robert de Ruyter (916) 419–8958

Commission on Peace Officer Standards and Training
File # 2026–0617–02
Appointments and Certificates for Public Safety and Records Supervisors

This rulemaking by the Commission on Peace Officer Standards and Training makes technical revisions to employment status notification requirements for peace officers and professional certificate requirements for public safety dispatchers and records supervisors.

Title 11
Amend: 1003, 1011
Filed 07/27/2026
Effective 07/27/2026
Agency Contact:
Stacy Townsend (916) 970–4644

Department of Cannabis Control
File # 2026–0615–02
Pesticide Testing

This Department of Cannabis Control rulemaking action, with respect to regulated cannabis, amends existing action levels for currently tested pesticides and establishes new action levels for additional pesticides, all of which are set according to new guidance provided by the Department of Pesticide Regulation.

Title 04
Amend: 15719, 15731
Filed 07/27/2026
Effective 10/01/2026
Agency Contact:
Melissa Brokken (916) 465–9025

Department of Health Care Access and Information
File # 2026–0615–03
Hospital Equity Measures Reporting Program

In this regular rulemaking action, the Department of Health Care Access and Information amends its Hospital Equity Measures Reporting Program regulations to clarify reporting requirements and correct technical errors.

Title 22
Adopt: 95308.1
Amend: 95300, 95301, 95303, 95304, 95308
Filed 07/27/2026
Effective 07/27/2026
Agency Contact:
Elizabeth Ballart (916) 326–3748

State Lands Commission
File # 2026–0623–01
Marine Invasive Species Control Fund Fee

In this rulemaking action, the State Lands Commission increases vessel voyage fees and makes other updates to the Marine Invasive Species Control Fund Fee regulations.

Title 02
Amend: 2270, 2271
Filed 07/29/2026
Effective 08/01/2026
Agency Contact:
Nina Tantraphol (916) 574–0452

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.