GAVIN NEWSOM, GOVERNOR

OFFICE OF ADMINISTRATIVE LAW

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PROPOSED ACTION ON REGULATIONS

(Continued on next page)

***Time-
Dated
Material***

GENERAL PUBLIC INTEREST

DECISION NOT TO PROCEED

SUMMARY OF REGULATORY ACTIONS

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:
- Capitol Valley Regional Service Authority for Freeways and Expressways
- Central Region School Insurance Group
- Knights Landing Ridge Drainage District
- Northern California Cities Self Insurance Fund
- Public Risk Innovation, Solutions, and Management (PRISM)
- Reclamation District 108
- Riverside–Corona Resource Conservation District
- Sacramento Area Council of Governments
- Sacramento River West Side Levee District
- San Luis/Westlands Finance Authority

A written comment period has been established commencing on September 25, 2026, and closing on November 9, 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 November 9, 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 2. STATE ALLOCATION BOARD

MANDATORY USE OF OFFICE OF PUBLIC SCHOOL CONSTRUCTION

PROPOSED AMENDMENTS TO THE FOLLOWING REGULATION SECTIONS

- 1859.2, 1859.20, 1859.21 AND 1859.90.2.

PROPOSED AMENDMENTS TO THE FOLLOWING FORMS

- Form SAB 50–01, *Enrollment Certification/ Projection* (Rev. ~~05/09~~ *12/25*), which is incorporated by reference and referenced in Regulation Section 1859.2.
- Form SAB 50–02, *Existing School Building Capacity* (Rev. ~~12/10~~ *12/25*), which is incorporated by reference and referenced in Regulation Section 1859.2.
- Form SAB 50–03, *Eligibility Determination* (Rev. ~~03/25~~ *12/25*), which is incorporated by reference and referenced in Regulation Section 1859.2.
- Form SAB 50–04, *Application For Funding* (Rev. ~~02/26~~ *11/26*), which is incorporated by reference and referenced in Regulation Section 1859.2.
- Form SAB 50–05, *Fund Release Authorization* (Rev. ~~02/26~~ *11/26*), which is incorporated by reference and referenced in Regulation Section 1859.2.
- Form SAB 50–06, *Expenditure Report* (Rev. ~~10/22~~ *12/25*), which is incorporated by reference and referenced in Regulation Section 1859.2.
- Form SAB 50–09, *Application for Charter School Preliminary Apportionment* (Rev. ~~01/26~~ *11/26*), which is incorporated by reference and referenced in Regulation Section 1859.2.
- Form SAB 50–10, *Application for Career Technical Education Facilities Funding* (Rev. ~~01/26~~ *11/26*), which is incorporated by reference and referenced in Regulation Section 1859.2.

PROPOSED ADOPTION OF THE FOLLOWING REGULATION SECTION:

- 1859.19.

NOTICE IS HEREBY GIVEN that the State Allocation Board (SAB) proposes to adopt a regulation section and amend the above–referenced regulation sections, including eight associated forms, contained in Title 2, California Code of Regulations (CCR). A public hearing is not scheduled. 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 Office of Public School Construction (OPSC) no later than 15 days prior to the close of the written comment period. Following the public hearing, if one is requested, or following the written comment period if no public hearing is requested, OPSC, at its own motion or at the instance of any interested person, may adopt the proposals substantially as set forth above without further notice.

AUTHORITY AND REFERENCE CITATIONS

The SAB is proposing to amend the above–referenced regulation sections under the authority provided by Sections 17070.35, 17075.20, and 17078.64 of the Education Code. The proposal interprets and make specific reference Sections 8974, 17009.5, 17017.6, 17017.7, 17021, 17047, 17050, 17051, 17070.15, 17070.35, 17070.41, 17070.50, 17070.51(a), 17070.54, 17070.59, 17070.63, 17070.71, 17070.77, 17070.80, 17071.10, 17071.25, 17071.30, 17071.33, 17071.35, 17071.40, 17071.75, 17071.76, 17072.10, 17072.12, 17072.18, 17072.30, 17072.33, 17073.10, 17073.16, 17073.25, 17074.10, 17074.15, 17074.16, 17074.30, 17075.10, 17075.15, 17076.10, 17077.30, 17077.35, 17077.40, 17077.42, 17077.45, 17078.35, 17078.36, 17078.37, 17078.38 17078.52, 17078.56, 17078.72(k), 17079, 17079.10, 17280, 56026, and 101012(a)(8), Education Code; Section 53311, Government Code; and Sections 1771.3 in effect on January 1, 2012 through June 19, 2014 and 1771.5, Labor Code.

INFORMATIVE DIGEST/POLICY OVERVIEW STATEMENT

The Leroy F. Greene School Facilities Act of 1998 established, through Senate Bill 50, Chapter 407, Statutes of 1998, the School Facility Program (SFP). The SFP provides a per–pupil grant amount to qualifying school districts for purposes of constructing school facilities and modernizing existing school facilities. The SAB adopted regulations to implement the Leroy F. Greene School Facilities Act of 1998, which were approved by the Office of Administrative Law and filed with the Secretary of State on October 8, 1999.

Between July and October 2025, OPSC held two stakeholder meetings to inform the development of proposed regulations implementing the mandatory use of OPSC Online. At its meeting on December 3, 2025, the SAB adopted proposed regulatory amendments that implement additional provisions.

Attached to this Notice are the proposed regulations and eight associated forms. The proposed regulations can also be reviewed on OPSC's website at: Laws, Regulations for School Construction Projects . Copies of the proposed regulations and the eight associated forms will be mailed to any person requesting this information by using OPSC's contact information set forth below in this Notice. The proposed regulations amend the SFP Regulations under the California Code of Regulations, Title 2, Chapter 3, Subchapter 4, Group 1, State Allocation Board, Subgroup 5.5, Regulations relating to the Leroy F. Greene School Facilities Act of 1998.

Background and Problem Being Resolved

OPSC created the OPSC Online web–based application portal over eight years ago. OPSC Online allows school districts and applicants to electronically submit requests for funding, and associated project documentation, for all SFP projects. The online platform allows applicants to draft, review, and submit required forms at any time, resulting in a completely paperless process. OPSC Online includes the New Construction, Modernization, Facility Hardship/Seismic Mitigation Programs, Charter School Facilities Programs, Career Technical Education Facilities Program, and the Small School District Program. OPSC has tested and programmed numerous expansions and improvements, particularly when legislation impacts the SFP and program modifications must be implemented.

The problem being resolved is reducing the carbon footprint of OPSC and participating school districts by transitioning to a paperless, web–based application portal. This change aims to promote environmental sustainability and minimize the environmental impact of administrative operations. By implementing digital processes and reducing paper usage, the online application not only lowers emissions associated with traditional paperwork but also encourages energy–efficient practices for all SAB–administered programs. The requirement will also significantly reduce OPSC's administrative staff time spent keying in submitted paper applications as well as emailed applications.

OPSC conducted a search on whether the proposed regulatory amendments were consistent and compatible with existing State laws and regulations and did not identify any inconsistent or incompatible existing State laws or regulations. Proceeding with the implementation of the proposed regulations will provide a sustainable and positive impact on the environment as well as reduce the carbon footprint on OPSC. The proposed regulations will continue to ensure the integrity of the SFP through a web–based means.

Anticipated Benefits of the Proposed Regulations

The benefits associated with the proposed regulations include less paper usage, which reduces environmental impact, faster turnaround times, allowing for more efficient processing; and a lower chance of human error, leading to greater accuracy. The requirement will significantly reduce OPSC's administrative staff time spent keying in submitted paper application as well as emailed applications.

The proposed regulations promote transparency, fairness and social equity because school districts participating in SAB–administered programs will have the same access to OPSC Online at any time to submit applications and associated documentation in order to support their projects. The information in OPSC Online is in real–time so school districts can follow their project(s) in real–time as the project(s) progress through the review/approval processes.

The proposed regulations will not have an impact to various business, manufacturing and construction–related industries such as architecture, engineering, trades and municipalities. In addition, the proposed regulations will not impact the creation of jobs, the creation of new businesses, and the expansion of business in California. It is not anticipated that the proposed regulations will result in the elimination of existing businesses or jobs within California.

Summary of the Proposed Regulations

A summary of the proposed regulations, including the eight associated forms, are as follows:

Existing Regulation Section 1859.2 represents a set of defined words and terms used exclusively for these regulations. The proposed amendments define the new term "OPSC Online". The proposed amendments also make clear that the eight associated forms (SAB 50–01, SAB 50–02, SAB 50–03, SAB 50–04, SAB 50–05, SAB 50–06, SAB 50–09, SAB 50–10) must be submitted via OPSC Online. The revision dates are notated on pages 1 and 5 of this document.

Proposed adoption of Regulation Section 1859.19 requires the submittal of SFP forms and supporting documentation through OPSC Online beginning January 1, 2027. This section provides guidance for which application documents and formal correspondence are subject to this requirement, as well as the process for technical challenges if OPSC Online is inaccessible.

Existing Regulation Section 1859.20 establishes and identifies the forms to be used by a school district to file either a modernization or new construction application for an SAB determination of a school district's eligibility. The proposed amendments instruct school districts to file the necessary forms electronically through the OPSC Online application.

Existing Regulation Section 1859.21 sets forth a general requirement that school districts must meet when seeking funding for a new construction or modernization project. The proposed amendments incorporate the new term OPSC Online and instruct school districts to file the Form SAB 50–04, *Application For Funding,* electronically through the Online application.

Existing Regulation Section 1859.90.2 authorizes the SAB to establish 30–calendar day application filing periods for school districts and charter schools to apply for apportionments of available State school bond funds. The proposed amendments at the bottom of the introductory paragraph eliminate an existing reference to requests being "physically received" by OPSC and add that priority funding requests must be submitted to OPSC through OPSC Online. Although the SAB adopted additional amendments in this Section, the proposed amendments are no longer a part of this rulemaking as the Office of Administrative Law (OAL) approved the amendments through an intervening regulation that became effective on June 15, 2026 [OAL File #2026–0605–01E].

Existing Form SAB 50–01, *Enrollment Certification/Projection* (Rev. ~~05/09~~ *12/25*) (incorporated by reference), is submitted by school districts to determine a district's initial eligibility for new construction funding under the SFP. On page 1, under "General Information," 1st paragraph: the proposed amendments align with the requirements in new Regulation Section 1859.19, where the school district must submit all SAB–required forms and supporting documentation to be a valid and complete application using OPSC Online.

Existing Form SAB 50–02, *Existing School Building Capacity* (Rev. ~~12/10~~ *12/25*) (incorporated by reference), is used for a determination of a school district's existing school building capacity. On page 1, under "General Information," 1st paragraph: the proposed amendments align with the requirements in new Regulation Section 1859.19, where the school district must submit all SAB–required forms and supporting documentation to be a valid and complete application using OPSC Online.

Existing Form SAB 50–03, *Eligibility Determination* (Rev. ~~03/25~~ *12/25*) (incorporated by reference), is used to calculate a school district's eligibility for new construction and modernization funding under the SFP. On page 1, under "General Information," 1st paragraph: the proposed amendments align with the requirements in new Regulation Section 1859.19, where the school district must submit all SAB–required forms and supporting documentation to be a valid and complete application using OPSC Online. Additionally, under "General Information," 2nd paragraph: OPSC is replacing outdated references for correspondence.

Existing Form SAB 50–04, *Application for Funding* (Rev. 0~~2/26~~ *11/26*) (incorporated by reference), is submitted by school districts to apply for State funding for new construction and modernization projects. On page 1, under "General Information," 1st paragraph: the proposed amendments align with the requirements in new Regulation Section 1859.19, where the school district must submit all SAB–required forms and supporting documentation to be a valid and complete application using OPSC Online. Additionally, OPSC is updating instructions for submitting project plans and specifications. Under the "Specific Instructions," 1st paragraph: the reference to the Project Tracking Number Generator needed to be updated because access is now through OPSC Online.

Existing Form SAB 50–05, *Fund Release Authorization* (Rev. ~~02/26~~ *11/26*) (incorporated by reference), is used to request the release of funds after a project has received an apportionment by the SAB. On page 1, under "General Information," 1st paragraph: the proposed amendments align with the requirements in new Regulation Section 1859.19, where the school district must submit all SAB–required forms and supporting documentation using OPSC Online.

Existing Form SAB 50–06, *Expenditure Report* (Rev. ~~10/22~~ *12/25*) (incorporated by reference), is used to record the total amount of funding spent on the project, including State and district shares. On page 1, under "Instructions," 1st paragraph: the proposed amendments align with the requirements in new Regulation Section 1859.19, where the school district must submit all SAB–required forms and supporting documentation using OPSC Online. Additionally, on page 1, 2nd column: OPSC is removing outdated references to where physical correspondence was sent.

Existing Form SAB 50–09, *Application for Charter School Preliminary Apportionment* (Rev. ~~01/26~~ *11/26* (incorporated by reference), is the form for charter school entities to apply for preliminary apportionments for qualifying projects. On page 1, under "General Instructions," 1st paragraph: the proposed amendments align with the requirements in new Regulation Section 1859.19, where a school district must submit all SAB–required forms and supporting documentation to be a valid and complete application using OPSC Online. Additionally in the 3rd paragraph, OPSC directs school districts to obtain the Project Tracking Number through OPSC Online and is removing references where obtaining the Project Tracking Number Generator was once the practice.

Existing Form SAB 50–10, *Application for Career Technical Education Facilities Funding* (Rev. ~~01/26~~ *11/26*) (incorporated by reference), is used to request State funding for the Career Technical Education Facilities Program. On page 1, under "General Information," 1st paragraph: the proposed amendments align with the requirements in new Regulation Section 1859.19, where a school district must submit all SAB–required forms and supporting documentation to be a valid and complete application using OPSC Online. Additionally, OPSC is updating instructions for submitting project plans and specifications. Under "Specific Instructions," 2nd column, 1st paragraph: the reference to the Project Tracking Number Generator needed to be updated because access to it is now through OPSC Online.

Statutory Authority and Implementation

Education Code Section 17070.35(a) In addition to all other powers and duties as are granted to the board by this chapter, other statutes, or the California Constitution, the board shall do all of the following: (1) Adopt rules and regulations, pursuant to the rulemaking provisions of the Administrative Procedure Act, Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, for the administration of this chapter.

Government Code Section 15503. Whenever the board is required to make allocations or apportionments under this part, it shall prescribe rules and regulations for the administration of, and not inconsistent with, the act making the appropriation of funds to be allocated or apportioned. The board shall require the procedure, forms, and the submission of any information it may deem necessary or appropriate. Unless otherwise provided in the appropriation act, the board may require that applications for allocations or apportionments be submitted to it for approval.

Determination of Inconsistency or Incompatibility with Existing State Regulations

OPSC created the OPSC Online web–based application portal eight years ago. OPSC Online allows school districts and applicants to electronically submit requests for funding, and associated project documentation, for all SFP projects. The online platform allows applicants to draft, review, and submit required forms at any time, resulting in a completely paperless process. OPSC Online includes the New Construction, Modernization, Facility Hardship/Seismic Mitigation Programs, Charter School Facilities Programs, Career Technical Education Facilities Program, and the Small School District Program. OPSC has tested and programmed numerous expansions and improvements, particularly when legislation impacts the SFP and program modifications must be implemented.

Recognizing that technical challenges may occasionally happen, the proposed regulations provide an extension to deadlines if the submittal of information in OPSC Online is precluded due to circumstances beyond the control of a school district. Specifically, the proposed regulations allow school districts to submit outstanding items by the next business day following restoration of access to OPSC Online.

After conducting a review, the SAB has concluded that these are the only regulations on this subject, and therefore, the proposed regulations are neither inconsistent nor incompatible with existing State laws and regulations. The proposed regulations are within the SAB's authority to enact regulations for the SFP under Education Code Section 17070.35 and Government Code Section 15503.

Documents Incorporated by Reference

- *Form SAB 50–01* (Rev. ~~05/09~~ *12/25*), referenced in Regulation Section 1859.2 and is incorporated by reference.
- *Form SAB 50–02* (Rev. ~~12/10~~ *12/25*), referenced in Regulation Section 1859.2 and is incorporated by reference.
- *Form SAB 50–03* (Rev. ~~03/25~~ *12/25*), referenced in Regulation Section 1859.2 and is incorporated by reference.
- *Form SAB 50–04* (Rev. ~~02/26~~ *11/26*), referenced in Regulation Section 1859.2 and is incorporated by reference.
- *Form SAB 50–05* (Rev. ~~02/26~~ *11/26*), referenced in Regulation Section 1859.2 and is incorporated by reference.
- *Form SAB 50–06* (Rev. ~~10/22~~ *12/25*), referenced in Regulation Section 1859.2 and is incorporated by reference.
- *Form SAB 50–09* (Rev. ~~01/26~~ *11/26*), referenced in Regulation Section 1859.2 and is incorporated by reference.

- *Form SAB 50–10* (Rev. ~~01/26~~ *11/26*), referenced in Regulation Section 1859.2 and is incorporated by reference.

IMPACT ON LOCAL AGENCIES OR SCHOOL DISTRICTS

The Executive Officer of the SAB has determined that the proposed regulations do not impose a mandate or a mandate requiring reimbursement by the State pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. It will not require local agencies, school districts or charter schools to incur additional costs in order to comply with the proposed regulations.

DISCLOSURES REGARDING THE PROPOSED REGULATORY ACTION

The Executive Officer of the SAB has made the following initial determinations relative to the required statutory categories:

- The SAB has made an initial determination that there will be no significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.
- The SAB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- There will be no non–discretionary costs or savings to local agencies.
- The proposed regulations create no costs to any local agency or school district requiring reimbursement pursuant to Section 17500 et seq., or beyond those required by law, except for the required district contribution toward each project as stipulated in statute.
- There will be no costs or savings in federal funding to the State.
- The proposed regulations create no costs or savings to any State agency beyond those required by law.
- The SAB has made an initial determination that there will be no impact on housing costs.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

Impact to Businesses and Jobs in California

The proposed regulations promote transparency, fairness and social equity because school districts participating in SAB–administered programs will have the same access to OPSC Online at any time to submit applications and associated documentation in order to support their projects. The information in OPSC Online is in real–time so school districts can follow their project(s) in real–time as the project(s) progress through the review/approval processes.

In addition, the proposed regulations will not have an impact to various business, manufacturing and construction–related industries such as architecture, engineering, trades and municipalities. In addition, the proposed regulations will not impact the creation of jobs, the creation of new businesses, and the expansion of business in California. It is not anticipated that the proposed regulations will result in the elimination of existing businesses or jobs within California.

Benefits to Public Health and Welfare, Worker's Safety, and the State's Environment

- The proposed regulations promote transparency because OPSC and the school district community collaborated on the proposed regulations through a series of stakeholder meetings.
- The proposed regulations promote fairness and social equity because school districts participating in SAB–administered programs will have the same access to OPSC Online at any time to submit applications and associated documentation in order to support their projects. The information in OPSC Online is in real–time so school districts can follow their project(s) in real–time as the project(s) progress through the review/approval processes.
- The State of California benefits from the proposed amendments by reducing the carbon footprint of OPSC and school districts participating in SAB–administered programs by transitioning to a paperless, web–based application portal.
- There is a positive impact to the State's environment from the proposed regulations by promoting environmental sustainability and minimizing the environmental impact of administrative operations. With the implementation of digital processes and reducing paper usage, the Online application not only lowers emissions associated with traditional paperwork but also encourages energy–efficient practices for all SAB–administered programs.

The SAB finds the proposed regulations fully consistent with the stated purposes and benefits.

EFFECT ON SMALL BUSINESSES

It has been determined that the proposed regulations will not have a negative impact on small businesses in the ways identified in subsections (a)(1)–(4) of Section 4, Title 1, CCR. The proposed regulations allow school districts and applicants to electronically submit through OPSC Online requests for funding, and associated project documentation, for all SAB–administered programs. The proposed regulations and the eight associated forms will not have a negative impact to various business, manufacturing, and construction–related industries such as architecture, engineering, trades and municipalities. In addition, the proposed regulations will not impact the creation of jobs, the creation of new businesses, and the expansion of businesses in California. It is not anticipated that the proposed regulations will result in the elimination of existing businesses or jobs within California.

SUBMISSION OF COMMENTS, DOCUMENTS AND ADDITIONAL INFORMATION

Any interested person may present statements, arguments or contentions, in writing, submitted via U.S. mail, email or fax, relevant to the proposed regulatory action. Written comments submitted via U.S. mail, email or fax must be received at OPSC no later than November 9, 2026 end of day. The express terms of the proposed regulations as well as the Initial Statement of Reasons are available to the public.

Written comments, submitted via U.S. mail, email or fax, regarding the proposed regulatory action, requests for a copy of the proposed regulatory action or the Initial Statement of Reasons, and questions concerning the substance of the proposed regulatory action should be addressed to:

Ryan Malloy, Regulations Coordinator
Mailing Address: Office of Public School Construction
707 Third Street, 3rd Floor
West Sacramento, CA 95605
Email Address: ryan.malloy@dgs.ca.gov
Fax Number: (916) 375–6721

AGENCY CONTACT PERSONS

General or substantive questions regarding this Notice of Proposed Regulatory Action may be directed to Mr. Ryan Malloy at (279) 946–8472. If Mr. Malloy is unavailable, these questions may be directed to the backup contact person, Ms. Lisa Jones, Administrative Services Manager, at (279) 946–8459.

ADOPTION OF REGULATIONS

Please note that, following the public comment period, the SAB may adopt the regulation substantially as proposed in this notice or with modifications, which are sufficiently related to the originally proposed text and notice of proposed regulatory activity. If modifications are made, the modified text with the changes clearly indicated will be made available to the public for at least 15 days prior to the date on which the SAB adopts the regulations.

The modified regulation(s) will be made available and provided to: all persons who testified at and who submitted written comments at the public hearing, all persons who submitted written comments during the public comment period, and all persons who requested notification from the agency of the availability of such changes. Requests for copies of any modified regulations should be addressed to the agency's regulation coordinator identified above. The SAB will accept written comments on the modified regulations during the 15–day period.

SUBSTANTIAL CHANGES WILL REQUIRE A NEW NOTICE

If, after receiving comments, the SAB intends to adopt the regulation with modifications not sufficiently related to the original text, the modified text will not be adopted without complying anew with the notice requirements of the Administrative Procedure Act.

RULEMAKING FILE

Pursuant to Government Code Section 11347.3, the SAB is maintaining a rulemaking file for the proposed regulatory action. The file currently contains:

1. A copy of the text of the regulations for which the adoption is proposed in strikeout/underline.
2. A copy of this Notice.
3. A copy of the Initial Statement of Reasons for the proposed adoption.
4. The factual information upon which the SAB is relying in proposing the adoption.

As data and other factual information, studies, reports or written comments are received they will be added to the rulemaking file. The file is available for public inspection at OPSC during normal working hours. Items 1 through 3 are also available on OPSC's Internet Website at: *Laws, Regulations for School Construction Projects* then scroll down to School Facility Program, Pending Regulatory Changes, December 3, 2025, Non–Emergency Regulations (OPSC Online Regulation), and click on the links for the 45–day Public Notice, Initial Statement of Reasons, Proposed Regulation Text, Forms SAB 50–01 through SAB 50–06, SAB 50–09 and SAB 50–10.

ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the SAB 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. There were no alternatives considered. By implementing digital processes and reducing paper usage, the online application not only lowers emissions associated with traditional paperwork but also encourages energy–efficient practices for all SAB–administered programs.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, the Final Statement of Reasons will be available, and copies may be requested from the agency's regulation coordinator named in this notice or may be accessed on the website listed above.

TITLE 2. STATE ALLOCATION BOARD

FACILITY HARDSHIP PROGAM AND SEISMIC MITIGATION PROGRAM

PROPOSED AMENDMENTS TO THE FOLLOWING REGULATION SECTIONS

- 1859.2, 1859.61, 1859.82, 1859.82.1, 1859.82.2, AND 1859.82.3.

PROPOSED AMENDMENTS TO THE FOLLOWING TWO ASSOCIATED FORMS

- *Application For Funding*, Form SAB 50–04 (Revised ~~02/26~~ *12/26*), referenced in Regulation Section 1859.2 and incorporated by reference.
- *Facility Hardship Cost Estimate* (Revised ~~05/20~~ *10/25*), referenced in Regulation Section 1859.2 and incorporated by reference.

NOTICE IS HEREBY GIVEN that the State Allocation Board (SAB) proposes to amend the above–referenced regulation sections and two associated forms, contained in Title 2, California Code of Regulations (CCR). A public hearing is not scheduled. 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 Office of Public School Construction (OPSC) no later than 15 days prior to the close of the written comment period. Following the public hearing, if one is requested, or following the written comment period if no public hearing is requested, OPSC, at its own motion or at the instance of any interested person, may adopt the proposals substantially as set forth above without further notice.

AUTHORITY AND REFERENCE CITATIONS

The SAB is proposing to amend the above–referenced regulation sections under the authority provided by Sections 17070.35, 17075.10, 17075.20 and 17078.64 of the Education Code. The proposals interpret and make specific reference Sections 8974, 17009.5, 17017.6, 17017.7, 17021, 17047, 17050, 17051, 17070.15, 17070.51, 17070.51(a), 17070.54, 17070.59, 17070.71, 17070.77, 17071.10, 17071.25, 17071.30, 17071.33, 17071.35, 17071.40, 17071.75, 17071.76, 17072.10, 17072.12, 17072.15, 17072.18, 17072.20, 17072.30, 17072.33, 17073.15, 17073.16, 17073.25, 17074.10, 17074.16, 17074.30, 17075.10, 17075.15, 17077.30, 17077.35, 17077.40, 17077.42, 17077.45, 17078.52, 17078.56, 17078.72(k), 17079, 17079.10, 17079.30, 17280, 56026, 100420, 100620, 100820, 101012, 101012(a)(1), 101012(a)(8) and 101122 of the Education Code; Section 53311, Government Code; and Sections 1771.3 in effect on January 1, 2012 through June 19, 2014 and 1771.5, Labor Code.

INFORMATIVE DIGEST/POLICY OVERVIEW STATEMENT

The Leroy F. Greene School Facilities Act of 1998 established, through Senate Bill 50, Chapter 407, Statutes of 1998, the School Facility Program (SFP). The SFP provides a per–pupil grant amount to qualifying school districts for purposes of constructing school facilities and modernizing existing school facilities. The SAB adopted regulations to implement the Leroy F. Greene School Facilities Act of 1998, which were approved by the Office of Administrative Law and filed with the Secretary of State on October 8, 1999.

At its October 22, 2025 meeting, the SAB adopted proposed amendments to both the Facility Hardship Program (FHP) and Seismic Mitigation Program (SMP) regulations. The successful passage of Proposition 2 made numerous statutory changes to the SFP, specifically to applications received on or after October 31, 2024. Proposition 2 repealed then added back an amended version of the Education Code relating to Hardship Applications, by amending the statutory basis for the existing FHP and the SMP. The proposed regulatory amendments provide further clarification and standardization of language for both programs and align the regulations with the statutory provisions of Proposition 2, all of which improve user readability of the regulations governing the two programs. In addition, the proposed regulatory amendments may limit funding opportunities by providing stricter accountability for State bond funds.

Bond Funds Impacted

- Class Size Reduction Kindergarten–University Public Education Facilities Bond Act of 1998 (Proposition 1A).
- Kindergarten–University Public Education Facilities Bond Act of 2002 (Proposition 47).
- Kindergarten–University Public Education Facilities Bond Act of 2004 (Proposition 55).
- Kindergarten–University Public Education Facilities Bond Act of 2006 (Proposition 1D).
- Kindergarten through Community College Public Education Facilities Bond Act of 2016 (Proposition 51).
- Kindergarten Through Grade 12 Schools and Local Community College Public Education Facilities Modernization, Repair, and Safety Bond Act of 2024 (Proposition 2).

Attached to this Notice is the specific regulatory language of the proposed regulatory action and amendments to two associated forms. The proposed regulatory amendments and forms can be reviewed on OPSC's website at: *Laws, Regulations for School Construction Projects*. Copies of the proposed regulatory amendments and forms will be mailed to any person requesting this information by using OPSC's contact information set forth below in this Notice. The proposed regulations amend SFP Regulation sections under the California Code of Regulations, Title 2, Chapter 3, Subchapter 4, Group 1, State Allocation Board, Subgroup 5.5, Regulations relating to the Leroy F. Greene School Facilities Act of 1998.

Background and Problem Being Resolved

OPSC held two stakeholder meetings regarding the proposed regulations; one in June 2024 and one in March 2025. The June 2024 stakeholder meeting addressed amendments to regulation sections that included clarification, standardization, and improved user readability governing both the FHP and SMP. The Form SAB 58–01 was amended to align with calculations for contractor burden (currently labeled soft costs), with the applicable Sierra West publishing guide and industry standards. The March 2025 stakeholder meeting addressed changes based on Proposition 2 for FHP and SMP applications received on or after October 31, 2024, and the addition of Education Code Sections 17070.59 and 17075.10.

The proposed regulations are a result of that collaboration with stakeholders and other interested parties.

Under the FHP, projects can be repaired or replaced with new classrooms and related facilities and, under the SMP, it is work to address deficiencies in buildings of the Most Vulnerable Category 2 Buildings (which is defined in SFP Regulation Section 1859.2) that may not perform well in the event of an earthquake. Both programs provide funding calculated based on the minimum work necessary to mitigate health and safety issues.

The problem being resolved is clarifying, standardizing, and improving user readability of the FHP and SMP regulations, as well as to align them with statutory changes brought about by the provisions of Proposition 2. To qualify for Hardship funding, a school district must demonstrate 1) that there is a threat to the health and safety of pupils; 2) that health and safety projects include the replacement of the most vulnerable school facilities that are identified as Category 2 buildings by the report completed pursuant to Education Code Section 17317; and 3) that a cost–benefit analysis must be prepared by the school district to determine if the cost to remain in the facility and mitigate the problem is at least 50 percent of the replacement cost (if the cost is at least 50 percent, the school district qualifies for replacement facilities; if the cost is less than 50 percent, the school district qualifies for modernization funding).

Proposition 2 added new Education Code Section 17070.59, which establishes a points–based determination and sliding scale for the required state and local match for SFP projects. Education Code Section 17072.30 was also amended to outline the sliding scale and point allocation as it relates to New Construction projects, including FHP and SMP replacement funding. Further, Education Code Section 17074.16 added similar language for modernization projects, including FHP and SMP rehabilitation funding. When Education Code Section 17075.10 was added back into the Education Code, it reorganized the concepts for the two programs and created a single funding determination that applies to both FHP and SMP projects. Funding will be provided for both FHP and SMP replacement facilities on a 50 percent state and 50 percent local matching share basis as a new construction grant, subject to adjustment by the sliding scale (Education Code Section 17070.59). However, funding for facilities that qualify for either FHP or SMP rehabilitation funding will now be provided on a 60 percent state share and 40 percent local matching share basis as a modernization grant, subject to adjustment by the sliding scale (Education Code Section 17070.59).

OPSC performed a search on whether the proposed regulations were consistent and compatible with existing State laws and regulations. After performing the search, OPSC, on behalf of the SAB, determined that there are no other regulations addressing K–12 health and safety issues of school facilities and that the SFP is the primary funding program at the State level. Therefore, the proposed regulations are determined to be consistent and compatible with existing State laws and regulations and provide greater transparency to school districts. Proceeding with the implementation of the proposed regulations, along with the two associated forms, maintains a specific and consistent process for school districts to request state funding for critical needs of health and safety projects. Additionally, the proposed regulations maintain equity, consistency, the integrity of the SFP funding process, and ensures a prudent use of bond funds.

Anticipated Benefits of the Proposed Regulations

The proposed regulations promote a stricter accountability of State bond funds for health and safety projects, while streamlining processes that increase efficiencies for the programs. The proposed regulations also promote the State's general welfare, including protection of public health and safety, by increasing the State's infrastructure investment of school facilities. In addition, there are benefits to health, safety, and welfare of California residents (school children and school faculty) because school facilities will be built stronger and safer. School districts utilize construction and trades employees to work on school construction projects and although the proposed regulations do not directly impact worker's safety, existing law provides for the availability of a skilled labor force. Further, public health and safety is enhanced because a properly paid and trained workforce will build school construction projects that are higher quality, structurally code–compliant and safer for use by pupils, staff, and other occupants on the site.

The proposed regulatory amendments are therefore determined to be consistent and compatible with existing State laws and regulations. Proceeding with the implementation of these proposed regulations will have a positive impact on public health and safety at public K–12 schools by providing school districts with the opportunity to continue to submit applications in order to address health and safety issues. These proposed regulatory amendments result in a positive impact to the State's economy and has the potential of creating an unknown number of jobs.

Summary of the Proposed Regulatory Amendments

A summary of the proposed regulations is as follows:

Existing Regulation Section 1859.2 represents a set of defined words and terms used exclusively for these regulations. The proposed regulatory amendments 1) correct Regulation Section 1859.82.1(c)(3)(C) to 1859.82.1(c)(3)(D) to align with rehabilitation costs; 2) expands the definition of "Seismic Rehabilitation Grant" for Approved Applications received by OPSC on or before October 30, 2024, and for Approved Applications received by OPSC on or after October 31, 2024; 3) revises the *Application For Funding,* Form SAB 50–04 (Rev. ~~02/26~~ *12/26*), which is incorporated by reference, to align with the proposed regulation changes; and 4) revises the *Facility Hardship Cost Estimate,* Form SAB 58–01 (Rev. ~~05/20~~ *10/25*) which is incorporated by reference, to ensure consistency with the Sierra West Publishing construction cost publications and by providing clear instructions for each item in the Form when calculating funding for projects.

Existing Regulation Section 1859.61 provides adjustment factors that increase or decrease a school district's baseline eligibility for modernization. The proposed regulatory amendments clarify the conditions for adjusting modernization eligibility for sites where school buildings and/or classrooms have received funding for replacement, have been demolished, or have been permanently removed from classroom use. School districts are only required to submit a school board resolution acknowledging the removal of school buildings from classroom use when the qualifying buildings remain on the site; a school board resolution is not required when qualifying buildings have been demolished. Subsection (m) has been restructured and renumbered for improved readability. There are minor edits that are considered non–substantive in nature.

Existing Regulation Section 1859.82 establishes that the FHP and SMP only provides funding in cases of extraordinary circumstances that have caused an imminent health and safety threat. The proposed amendments delineate between Approved Applications received by OPSC on or before October 30, 2024 and how Education Code Section 17075.10 will be applied to projects as it read on January 1, 2024, and how Education Code Section 17075.10 as it read on November 6, 2024 will be applied to Approved Applications received by OPSC on or after October 31, 2024. The dates are consistent with Education Code Section 17070.87.

Existing Regulation Section 1859.82.1, introductory paragraph, informs school districts what a "School Building" means for purposes of the FHP. The proposed amendments include defining two terms specific to this Section ("grade category" and "facility type") to ensure the consistent meaning for purposes of this Section. The proposed amendments to the second opening paragraph clarify the meaning of "related required components" eligible for FHP funding. This paragraph also states that mitigation of asbestos that becomes friable during the course of school building maintenance, repairs or modernization do not meet the qualifying criteria under the FHP. There is a difference between encapsulated asbestos becoming friable in damaged buildings as a result of an earthquake, which would be considered an extraordinary circumstance, and asbestos that is exposed or disturbed and becomes friable during routine modernization, repair or maintenance work for fire or access compliance upgrades, or flooring replacement, which would be an eligible use of Modernization grants. Subsection (b)(1)(A) was added and (b)(1)(B) was amended to set forth the required documentation for Approved Applications for replacement funding received on or after October 31, 2024, or for Approved Applications received on or before October 30, 2024 for school buildings that were lost or damaged and are unable to be repaired as a result of a natural disaster that the SAB determined meet the requirements in Education Code Section 17075.20, or due to circumstances that are not the result of a natural disaster that the SAB determined meet the requirements of Education Code Section 17075.20. Subsections (c)(3)(A) was added and (c)(3)(B), (C), and (D)3 were amended to set forth the required documentation for Approved Applications received on or after October 31, 2024, or for Approved Applications received on and before October 30, 2024, for school buildings or components that were damaged as a result of a natural disaster that the SAB determined meet the requirements in Education Code Section 17075.20. Subsection (d)(1)(B) was amended to address the 50 percent reduction of any insurance proceeds collected by the school district for the replacement project for Approved Applications received by OPSC on and before October 30, 2024. For Approved Applications received by OPSC on or after October 31, 2024, a 50 percent reduction of any insurance proceeds collected for the replacement project, or a commensurate amount adjusted for the matching share. Subsection (d)(1)(C) was amended to address the 50 percent reduction of net proceeds available from the disposition of the property and/or facilities in the project for Approved Applications received by OPSC on and before October 30, 2024. For Approved Applications received by OPSC on or after October 31, 2024, a 50 percent reduction of net proceeds available from the disposition of the property and/or facilities in the project or a commensurate amount adjusted for the matching share. Subsection (d)(2)(A) was amended to address the 60 percent reduction of any insurance proceeds collected by the school district for the rehabilitation project for Approved Applications received by OPSC on and before October 30, 2024. For Approved Applications received by OPSC on or after October 31, 2024, a 60 percent reduction of any insurance proceeds collected for the rehabilitation project, or a commensurate amount adjusted for the matching share. Subsection (d)(2)(B) was amended to address the 60 percent reduction of net proceeds available from the disposition of the property and/or facilities in the project for Approved Applications received by OPSC on and before October 30, 2024. For Approved Applications received by OPSC on or after October 31, 2024, a 60 percent reduction of net proceeds available from the disposition of the property and/or facilities in the project, or a commensurate amount adjusted for the matching share. Subsection (f) was added to allow school districts to apply for Environmental Hardship site funding if the site has met specific criteria in Section 1859.75.1. Throughout this Section, there are minor edits that are considered non–substantive in nature.

Existing Regulation Section 1859.82.2, introductory paragraph, informs school districts what a "School Building" means for purposes of the Seismic Mitigation Program. The proposed amendments include defining two terms specific to this Section ("grade category" and "facility type") to ensure the consistent meaning for purposes of this Section. The proposed amendments to the third paragraph set forth the funding calculation for the replacement of school buildings (50 percent) and for the rehabilitation of school buildings (60 percent) for Approved Applications received by OPSC on or after October 31, 2024. Subsection (b)(2)(G) was added to inform school districts that an inventory of all school buildings on the affected site along with detailed information about the buildings would need to be submitted with their application in order to qualify for replacement funding. Subsection (b)(2)(H)5 was added to inform school districts when requesting site development funding that a detailed cost estimate including eligible site development costs contained in Regulation Section 1859.76 and any other justification documents that support the work are required to be submitted to be considered a complete Approved Application. Subsection (b)(4)(B)2 (includes a. through f.) was amended to clarify how the total eligible replacement square footage would be determined for qualifying school buildings and/or classrooms based on the facility type in the chart. Subsection (b)(4)(B)3.j. was added to ensure that qualifying SMP replacement applications may receive funding to properly account for added costs presented by urban construction that these new construction–type projects may face and that are not part of the base funding for SMP replacement funding. Subsection (c)(3)(A) was amended to set forth specificity in the licensed design professional's report in order to fund the minimum work necessary to allow the continued use of unenclosed roofed structures (lunch shelters, shade structures, and covered walkways) or the minimum work to replace such structure(s) to obtain plan approval. Subsection (c)(3)(D)5 was added to allow flexibility funding for additional costs for replacement of what was existing but may include required safety upgrades for unenclosed roofed structure(s), including lunch shelters and covered walkways. Subsection (c)(4)(A) was amended to address SMP rehabilitation funding for Approved Applications received by OPSC on or before October 30, 2024, which will be funded at 50 percent of the eligible costs in the Form SAB 58–01. Subsection (c)(4)(B) was added to address SMP rehabilitation funding for Approved Applications received by OPSC on or after October 31, 2024, which will be funded at 60 percent of the eligible costs in the Form SAB 58–01. Subsection (c)(4)(D)3 was removed from the list of supplemental grants that qualifying SMP rehabilitation applications may request as it is duplicative. Such costs required by the Division of the State Architect are already eligible to be included in the cost estimate. Subsection (d)(1)(B) was amended to address the 50 percent reduction of any insurance proceeds collected by the school district for the replacement project for Approved Applications received by OPSC on or before October 30, 2024. For Approved Applications received by OPSC on or after October 31, 2024, a 50 percent reduction of any insurance proceeds collected for the replacement project, or a commensurate amount adjusted for the matching share. Subsection (d)(1)(C) was amended to address the 50 percent reduction of net proceeds available from the disposition of the property and/or facilities in the project for Approved Applications received by OPSC on or before October 30, 2024. Subsection (d)(1)(D) was added to address the 50 percent reduction of net proceeds available from the disposition of the property and/or facilities in the project or a commensurate amount adjusted for the matching share for Approved Applications received by OPSC on or after October 31, 2024. Subsection (d)(2)(A) was amended to address the 50 percent reduction of any insurance proceeds collected by the school district for the rehabilitation project for Approved Applications received by OPSC on or before October 30, 2024. Subsection (d)(2)(B) was added to address the 60 percent reduction of any insurance proceeds collected by the school district for the rehabilitation project, or a commensurate amount adjusted for the matching share for Approved Applications received by OPSC on or after October 31, 2024. Subsection (d)(2)(C) was amended to address the reduction of 50 percent of the net proceeds available from the disposition of any displaced facilities in the project for Approved Applications received by OPSC on or before October 30, 2024. Subsection (d)(2)(D) was added to address the 60 percent reduction of the net proceeds available from the disposition of any displaced facilities in the project for Approved Applications received by OPSC on or after October 31, 2024. Subsection (f) was added to allow school districts to apply for Environmental Hardship site funding if the site has met specific criteria in Section 1859.75.1. Throughout this Section, there are minor edits that are considered non–substantive in nature.

Existing Regulation Section 1859.82.3 allows for FHP and SMP conceptual approvals and specifies that school districts may request SAB approval to determine FHP or SMP eligibility in advance of project funding. In addition, this section specifies the conceptual application submission requirements for potential FHP and SMP replacement or rehabilitation projects. The proposed amendments also make edits that are non–substantive in nature.

Existing Form SAB 50–04 *Application for Funding* (Rev. ~~02/26~~ *12/26*) and incorporated by reference, is submitted by school districts to apply for State funding for new construction and modernization projects, as well as FHP and SMP projects. The proposed regulatory amendments: 1) under Specific Instructions, page 3, left column, #2a: corrected a reference to the proper regulation sections for the FHP and the SMP; 2) page 4, left column, #5j: was added as an update to request this additional grant even though FHP and SMP projects are already eligible for this grant; 3) page 7, under #1, Type of Application, Facility Hardship and Seismic Mitigation: added 60 percent because rehabilitation costs can only be entered at 60 percent; 4) page 7, under #1, Separate Apportionment, lines 4–7: added Site Only and Site Only (District owned) for the FHP and SMP to facilitate the processing of the funding requests; and 5) page 8, left column, #5j: was added to conform with page 4 under Specific Instructions with lines added for the entry of Toilet square footage and Other square footage. In addition to these amendments, the revision date for this Form has been changed from 02/26 to 12/26 and includes the latest Office of Administrative Law (OAL) approval for emergency regulations, specifically OAL File #2026–0605–01E, that became effective June 15, 2026. The revision date of 12/26 is a projected date as this Form has been revised frequently through many regulatory actions in calendar years 2025 and 2026. As these regulations proceed through the Administrative Procedures Act, the final revision date will be the month/year OAL approves them.

Existing Form SAB 58–01, *Facility Hardship Cost Estimate* (~~New 05/20~~ *Rev. 10/25*) and incorporated by reference, provides instructions to school districts on the use of this Form. It is the standardized form for the submission of rehabilitation cost estimates for the FHP and the SMP. This Form formalizes the calculation of grants provided for soft costs that a school district is eligible to request and will provide a consistent structure required by the two programs. The proposed amendments to this Form align the calculations for contractor burden (currently labeled soft costs), with the applicable Sierra West publishing guide and industry standards. OPSC reviewed these changes with the publisher on several occasions to ensure accuracy. The proposed amendments also clarify that costs for General Conditions, which are provided using a sliding scale based on the total project costs to account for economies of scale, will be calculated based on the total project cost reported to the Division of the State Architect (DSA) for the DSA–approved plan set, which may contain work beyond the minimum work required for the mitigation. This approach takes into account the economies of scale attributable to the total project and then applies it to the fundable portion of the project. In addition, the changes are consistent with an Excel version of the form that has been used by school districts to calculate the various allowances in Parts II and III of the Form.

Statutory Authority and Implementation

Education Code Section 17070.35(a) In addition to all other powers and duties as are granted to the board by this chapter, other statutes, or the California Constitution, the board shall do all of the following: (1) Adopt rules and regulations, pursuant to the rulemaking provisions of the Administrative Procedure Act, Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, for the administration of this chapter.

Government Code Section 15503. Whenever the board is required to make allocations or apportionments under this part, it shall prescribe rules and regulations for the administration of, and not inconsistent with, the act making the appropriation of funds to be allocated or apportioned. The board shall require the procedure, forms, and the submission of any information it may deem necessary or appropriate. Unless otherwise provided in the appropriation act, the board may require that applications for allocations or apportionments be submitted to it for approval.

Determination of Inconsistency or Incompatibility with Existing State Regulations

As noted on page 3 above, the proposed regulations clarify, standardize, and improve user readability of the FHP and SMP regulations, as well as align them with statutory changes brought about by the provisions of Proposition 2. To qualify for Hardship funding, a school district must demonstrate 1) that there is a threat to the health and safety of pupils; 2) that health and safety projects include the replacement of the most vulnerable school facilities that are identified as Category 2 buildings by the report completed pursuant to Education Code Section 17317; and 3) that a cost–benefit analysis must be prepared by the school district to determine if the cost to remain in the facility and mitigate the problem is at least 50 percent of the replacement cost (if the cost is at least 50 percent, the school district qualifies for replacement facilities; if the cost is less than 50 percent, the school district qualifies for modernization funding).

Under the FHP, projects can be repaired or replaced with new classrooms and related facilities and, under the SMP, it is work to address deficiencies in buildings of the Most Vulnerable Category 2 Buildings (which is defined in SFP Regulation Section 1859.2) that may not perform well in the event of an earthquake. Both programs provide funding calculated based on the minimum work necessary to mitigate health and safety issues.

After conducting a review, the SAB has concluded that these are the only regulations on this subject area, and therefore, the proposed regulations are neither inconsistent nor incompatible with existing State laws and regulations. The proposed regulations are within the SAB's authority to enact regulations for the SFP under Education Code Section 17070.35 and Government Code Section 15503.

Documents Incorporated by Reference

- *Application For Funding*, Form SAB 50–04 (Revised ~~02/26~~ *12/26*), referenced in Regulation Section 1859.2 and is incorporated by reference.
- *Facility Hardship Cost Estimate*, Form SAB 58–01 (~~New 05/20~~ *Rev. 10/25*), referenced in Regulation Section 1859.2 and is incorporated by reference.

IMPACT ON LOCAL AGENCIES OR SCHOOL DISTRICTS

The Executive Officer of the SAB has determined that the proposed regulations do not impose a mandate or a mandate requiring reimbursement by the State pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. It will not require local agencies or school districts to incur additional costs in order to comply with the proposed regulations.

DISCLOSURES REGARDING THE PROPOSED REGULATORY ACTION

The Executive Officer of the SAB has made the following initial determinations relative to the required statutory categories:

- The SAB has made an initial determination that there will be no significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.
- The SAB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- There will be no non–discretionary costs or savings to local agencies.
- The proposed regulations create no costs to any local agency or school district requiring reimbursement pursuant to Section 17500 et seq., or beyond those required by law, except for the re-

quired district contribution toward each project as stipulated in statute.

- There will be no costs or savings in federal funding to the State.
- The proposed regulations create no costs or savings to any State agency beyond those required by law.
- The SAB has made an initial determination that there will be no impact on housing costs.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

Impact to Businesses and Jobs in California

The SFP is a $54.5 billion school facilities construction program. Under the SFP, the FHP and the SMP exist. Under the FHP, projects can be repaired or replaced with new classrooms and related facilities and, under the SMP, it is work to address deficiencies in buildings of the Most Vulnerable Category 2 Buildings (which is defined in SFP Regulation Section 1859.2) that may not perform well in the event of an earthquake. Both programs provide funding calculated based on the minimum work necessary to mitigate health and safety issues.

Manufacturing and construction–related industries may be competing for construction jobs because of the demand on these industries. This is because the SFP consists of the New Construction and Modernization programs, which are the primary programs of the SFP, in addition to the FHP and SMP, for which applications are processed on a continuous basis for health and safety projects. Funds are released once the school districts submit the fund release form and associated grant agreement. It is anticipated that there will be a positive impact to the State's economy and the potential for job creation.

Therefore, the proposed regulations will likely have a positive effect on the State's economy, creation of jobs, creation of new businesses, expansion of businesses, and will not eliminate jobs or eliminate existing businesses within California.

Benefits to Public Health and Welfare, Worker's Safety, and the State's Environment

- The proposed regulations promote the State's general welfare, including protection of public health and safety, by increasing the State's infrastructure investment of school facilities. In addition, the proposed regulations promote fairness by aligning calculations for contractor burden with the applicable Sierra West publishing guide and industry standards, while promoting transparency by standardizing language to make both the FHP and SMP equivalent where appropriate, and improving user readability of the regulations governing these programs.
- There are benefits to health, safety, and welfare of California residents (school children and school faculty) because school facilities will be built stronger and safer.
- There are continued benefits to the health and welfare of California residents and worker safety. School districts utilize construction and trades employees to work on school construction projects and although these proposed regulations do not directly impact worker's safety, existing law provides for the availability of a skilled labor force and encourages improved health and safety of construction and trades employees through proper apprenticeship and training. Further, public health and safety is enhanced because a properly paid and trained workforce will build school construction projects that are higher quality, structurally code–compliant and safer for use by pupils, staff, and other occupants on the site.
- There is no impact to the State's environment from the proposed regulations.

The SAB finds the proposed regulations fully consistent with the stated purposes and benefits.

EFFECT ON SMALL BUSINESSES

It has been determined that the proposed regulations will not have a negative impact on small businesses in the ways identified in subsections (a)(1)–(4) of Section 4, Title 1, CCR. Although the proposed regulations only apply to school districts for purposes of funding school facility projects, the demand on the manufacturing and construction–related industries could potentially stimulate the creation of small businesses in these areas.

SUBMISSION OF COMMENTS, DOCUMENTS AND ADDITIONAL INFORMATION

Any interested person may present statements, arguments or contentions, in writing, submitted via U.S. mail, email or fax, relevant to the proposed regulatory action. Written comments submitted via U.S. mail, email or fax must be received at OPSC no later than October 19, 2026, end of day. The express terms of the proposed regulations as well as the Initial Statement of Reasons are available to the public.

Written comments, submitted via U.S. mail, email or fax, regarding the proposed regulatory action, requests for a copy of the proposed regulatory action or the Initial Statement of Reasons, and questions concerning the substance of the proposed regulatory action should be addressed to:

Lisa Jones, Regulations Coordinator
Mailing Address: Office of Public School Construction
707 Third Street, 3rd Floor
West Sacramento, CA 95605
Email Address: lisa.jones@dgs.ca.gov
Fax Number: (916) 375–6721

AGENCY CONTACT PERSONS

General or substantive questions regarding this Notice of Proposed Regulatory Action may be directed to Lisa Jones at (916) 376–1753. If Ms. Jones is unavailable, these questions may be directed to the backup contact person, Mr. Michael Watanabe, Deputy Executive Officer, at (279) 946–8463.

ADOPTION OF REGULATIONS

Please note that, following the public comment period, the SAB may adopt the regulations substantially as proposed in this notice or with modifications, which are sufficiently related to the originally proposed text and notice of proposed regulatory activity. If modifications are made, the modified text with the changes clearly indicated will be made available to the public for at least 15 days prior to the date on which the SAB adopts the regulations.

The modified regulation(s) will be made available and provided to: all persons who testified at and who submitted written comments at the public hearing, all persons who submitted written comments during the public comment period, and all persons who requested notification from the agency of the availability of such changes. Requests for copies of any modified regulations should be addressed to the agency's regulation coordinator identified above. The SAB will accept written comments on the modified regulations during the 15–day period.

SUBSTANTIAL CHANGES WILL REQUIRE A NEW NOTICE

If, after receiving comments, the SAB intends to adopt the regulations with modifications not sufficiently related to the original text, the modified text will not be adopted without complying anew with the notice requirements of the Administrative Procedure Act.

RULEMAKING FILE

Pursuant to Government Code Section 11347.3, the SAB is maintaining a rulemaking file for the proposed regulatory action. The file currently contains:

1. A copy of the text of the regulations for which the adoption is proposed in strikeout/underline.

2. A copy of this Notice.

3. A copy of the Initial Statement of Reasons for the proposed adoption.

4. The factual information upon which the SAB is relying in proposing the adoption.

As data and other factual information, studies, reports or written comments are received they will be added to the rulemaking file. The file is available for public inspection at OPSC during normal working hours. Items 1 through 3 are also available on OPSC's Internet Website at: *Laws, Regulations for School Construction Projects*, then scroll down to School Facility Program, Pending Regulatory Changes, October 22, 2025 Non–Emergency Regulations, and click on the links for the 45–Day Public Notice, Initial Statement of Reasons, Proposed Regulation Text, Form SAB 50–04, and Form SAB 58–01.

ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the SAB 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 proposed regulations clarify, standardize, and improve user readability of the FHP and SMP regulations, as well as align them with statutory changes brought about by the provisions of Proposition 2.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, the Final Statement of Reasons will be available and copies may be requested from the agency's regulation coordinator named in this notice or may be accessed on the website listed above.

TITLE 2. STATE ALLOCATION BOARD

PRESCHOOL, TRANSITIONAL KINDERGARTEN AND FULL–DAY KINDERGARTEN FACILITIES GRANT PROGRAM

PROPOSED AMENDMENTS TO THE FOLLOWING REGULATION SECTIONS

- 1860.2 AND 1860.3.

PROPOSED AMENDMENTS TO THE FOLLOWING FORMS

- Form SAB 70–01, *Application for Funding* (Rev. ~~09/23~~ *12/25*), which is incorporated by reference and referenced in Regulation Section 1860.2.
- Form SAB 70–02, *Fund Release Authorization* (Rev. ~~09/23~~ *12/25*), which is incorporated by reference and referenced in Regulation Section 1860.2.
- Form SAB 70–03, *Expenditure Report* (Rev. ~~09/23~~ *12/25*), which is incorporated by reference and referenced in Regulation Section 1860.2.

PROPOSED ADOPTION OF THE FOLLOWING REGULATION SECTION

- 1860.3.1.

NOTICE IS HEREBY GIVEN that the State Allocation Board (SAB) proposes to adopt a regulation section and amend the above–referenced regulation sections, including two associated forms, contained in Title 2, California Code of Regulations (CCR). A public hearing is not scheduled. 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 Office of Public School Construction (OPSC) no later than 15 days prior to the close of the written comment period. Following the public hearing, if one is requested, or following the written comment period if no public hearing is requested, OPSC, at its own motion or at the instance of any interested person, may adopt the proposals substantially as set forth above without further notice.

AUTHORITY AND REFERENCE CITATIONS

The SAB is proposing to amend the above–referenced regulation sections under the authority provided by Sections 17280, 17375, 17375(g) and 17375(h) of the Education Code. The proposal interprets and make specific reference Sections 17280, 17375, 17375(g) and 17375(h), Education Code; and Section 1771.5, Labor Code.

INFORMATIVE DIGEST/POLICY OVERVIEW STATEMENT

Between July and October 2025, OPSC held two stakeholder meetings to inform the development of proposed regulations implementing the mandatory use of OPSC Online. At its meeting on December 3, 2025, the SAB adopted proposed regulatory amendments that implement additional provisions.

Funds Impacted

- General Fund dollars in the amount of approximately $34 million remaining from the 2021/2022 and 2022/2023 fiscal years.

Attached to this Notice is the specific regulatory language of the proposed regulations and the three associated forms. The proposed regulations and the three associated forms will be accessible and can be viewed on OPSC's website at: Laws, Regulations for School Construction Projects, scroll down to "California Preschool, Transitional Kindergarten and Full–Day Kindergarten Facilities Grant Program, Pending Regulatory Changes." Copies of the proposed regulations and the three associated forms will be mailed to any person requesting this information by using OPSC's contact information set forth below in this Notice. The proposed regulations implement the Program's Regulations under the California Code of Regulations, Title 2, Chapter 3, Subchapter 4, Group 1, State Allocation Board, Subgroup 5.8, Regulations relating to the California Preschool, Transitional Kindergarten and Full–Day Kindergarten Facilities Grant Program.

Background and Problem Being Resolved

OPSC created the OPSC Online web–based application portal eight years ago and, since that time, has completed testing and programming of numerous expansions and improvements. OPSC Online allows for the paperless administration of the School Facility Program, the California Preschool, Transitional Kindergarten and Full–Day Kindergarten Facilities Grant Program, and the Unused Sites Program, with the availability of all program functionality in the online application. OPSC has held a series of virtual workshops in 2021 to provide an overview of the capabilities of OPSC Online to external stakeholders.

OPSC Online allows school districts and applicants to electronically submit requests for funding, and associated project documentation, for all SAB–administered programs. The online platform allows applicants to draft, review, and submit required forms at any time. OPSC has also developed an OPSC Online User Guide, which is available on OPSC's website here [Online Application Links for School Construction Projects](). This document is a live document and as improvements and/or program expansions happen, it will be updated and re–posted to the website to keep stakeholders and users informed. In addition to updating the User Guide, release dates and scheduled system maintenance are posted to OPSC's website so users and stakeholders know the status of the OPSC Online application.

The problem being resolved is reducing the carbon footprint of OPSC and school districts participating in SAB–administered programs by transitioning to a paperless, web–based application portal. This change promotes environmental sustainability and minimizes the environmental impact of administrative operations. By implementing digital processes and reducing paper usage, the Online application not only lowers emissions associated with traditional paperwork but also encourages energy–efficient practices for all SAB–administered programs. The proposed regulations also recognize that technical challenges may occasionally happen in which case an extension to deadlines will be granted if the submittal of information in OPSC Online is precluded due to circumstances beyond the control of a school district. Specifically, the proposed regulations allow school districts to submit outstanding items by the next business day following restoration of access to OPSC Online. The proposed regulations will also significantly reduce OPSC's administrative staff time spent keying in submitted paper applications, as well as emailed applications.

OPSC conducted a search on whether the proposed regulatory amendments were consistent and compatible with existing State laws and regulations and did not identify any inconsistent or incompatible existing State laws or regulations. The proposed regulatory amendments are determined to be consistent and compatible with existing State laws and regulations. Therefore, proceeding with the implementation of the proposed regulatory amendments and the three associated forms promote transparency, fairness and social equity because school districts participating in SAB–administered programs will have the same access to OPSC Online at any time to submit applications and associated documentation in order to support their projects. The information in OPSC Online is in real–time so school districts can follow their project(s) in real–time as the project(s) progress through the review/approval processes.

Anticipated Benefits of the Proposed Regulations

There are benefits associated with the proposed amendments. Some of the benefits include less paper usage, which reduces impacts on the environment; faster turnaround times for school district submittals as well as reducing time for the usual back–and–forth between staff and school districts, consultants, and stakeholders; allows for more efficient processing; and a lower chance of human error, leading to greater accuracy. The proposed regulations will also significantly reduce OPSC's administrative staff time spent keying in submitted paper applications, as well as emailed applications.

The proposed regulations promote transparency, fairness and social equity because school districts participating in SAB–administered programs will have the same access to OPSC Online at any time to submit applications and associated documentation in order to support their projects. The information in OPSC Online is in real–time so school districts can follow their project(s) in real–time as the project(s) progress through the review/approval processes.

The proposed regulations and the three associated forms will not have an impact to various business, manufacturing, and construction–related industries such as architecture, engineering, trades and municipalities. In addition, the proposed regulations will not impact the creation of jobs, the creation of new businesses, and the expansion of businesses in California. It is not anticipated that the proposed regulations will result in the elimination of existing businesses or jobs within California.

Summary of the Proposed Regulatory Amendments

A summary of the proposed regulatory amendments, including the three associated forms, are as follows:

Existing Regulation Section 1860.2 represents a set of defined words and terms used exclusively for these regulations. The proposed amendments define the new term "OPSC Online" and make clear that the three associated forms (SAB 70–01, SAB 70–02 and SAB 70–03) must be submitted via OPSC Online. Because of the proposed amendments on the three forms, the revision dates change from Rev. ~~09/23~~ to *12/25* on all three forms.

Existing Regulation Section 1860.3 sets forth general requirements that all school districts seeking program funding must meet. Specifically, participating school districts are required to complete and file with OPSC the Form SAB 70–01, *Application for Funding* (which is incorporated by reference), and all required documents as identified in the Specific Instructions section of the Form SAB 70–01. The proposed amendments incorporate the new term OPSC Online which is in alignment with this regulatory action. There is also grammatical changes that are considered non–substantive in nature.

Proposed adoption of Regulation Section 1860.3.1 requires the submittal of forms and supporting documentation through OPSC Online beginning January 1, 2027. This section also provides guidance for which application documents and formal correspondence are subject to this requirement, as well as submittal processes if OPSC Online cannot be accessed due to circumstances beyond the control of the school district.

Existing Form SAB 70–01, *Application for Funding* (which is incorporated by reference), is used by school districts to apply for program funding. The form also serves as a certification from the school district regarding compliance with requirements of the law and Program Regulations. School districts must submit this form during the funding rounds described in Regulation Section 1860.6. OPSC will use this form in order to collect the information necessary to calculate the amount of grants applicable to the project and to determine project funding order. On page 1, under "General Instructions," 1st paragraph: the proposed amendments align with the requirements in new Regulation Section 1860.3.1, and under "Specific Instructions," end of 1st paragraph: the proposed amendments instruct school districts where to obtain a PTN in OPSC Online.

Existing Form SAB 70–02, *Fund Release Authorization* (which is incorporated by reference), is used by school districts to request the release of funds when projects have received an apportionment by the SAB. The applicant will certify on this form that it has already submitted the signed grant agreement, or the signed grant agreement is accompanying the Form SAB 70–02. On page 1, under "General Instructions," introductory paragraph: the proposed amendments align with the requirements in new Regulation Section 1860.3.1 and the 3rd paragraph: this language was added to align with the proposed regulations for consistency purposes.

Existing Form SAB 70–03, *Expenditure Report* (which is incorporated by reference), is used by school districts to report their project savings and unexpended funds. Expenditure reports must be submitted within one year of final fund release or at the completion of the Program project. A final savings report must be submitted within one year of the completion of the project. Financial hardship projects must submit their unexpended funds at the completion of their project. OPSC will use the information provided on this form to ensure that expenditures made by the school districts for Program projects comply with statute and other applicable State requirements pertaining to construction. On page 1, directly under "Instructions," the proposed amendments align with the requirements in new Regulation Section 1860.3.1; the clarification of deeming a project complete in #1 and #2: the addition of the words "have elapsed" completed the sentence in #2; and the "Submit completed form to:" this information is no longer applicable as it contradicts the mandatory use of OPSC Online.

Statutory Authority and Implementation

Education Code Section 17375(h). The State Allocation Board may adopt regulations to implement this section. Any regulations adopted pursuant to this section may be adopted as emergency regulations in accordance with the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of the Title 2 of the Government Code). The adoption of these regulations shall be deemed to be an emergency and necessary for the immediate preservation of the public peace, health and safety, or general welfare.

Government Code Section 15503**.** Whenever the board is required to make allocations or apportionments under this part, it shall prescribe rules and regulations for the administration of, and not inconsistent with, the act making the appropriation of funds to be allocated or apportioned. The board shall require the procedure, forms, and the submission of any information it may deem necessary or appropriate. Unless otherwise provided in the appropriation act, the board may require that applications for allocations or apportionments be submitted to it for approval.

Determination of Inconsistency or Incompatibility with Existing State Regulations

OPSC created the OPSC Online web–based application portal over eight years ago and, since that time, has completed testing and programming of numerous expansions and improvements. OPSC Online allows for the paperless administration of the School Facility Program, the California Preschool, Transitional Kindergarten and Full–Day Kindergarten Facilities Grant Program, and the Unused Sites Program, with the availability of all program functionality in the online application. OPSC held a series of virtual workshops in 2021 to provide an overview of the capabilities of OPSC Online to external stakeholders.

OPSC Online allows school districts and applicants to electronically submit requests for funding, and associated project documentation, for all SAB–administered programs. The online platform allows applicants to draft, review, and submit required forms at any time. OPSC has also developed an OPSC Online User Guide, which is available on OPSC's website here *Online Application Links for School Construction Projects*. This document is a live document and as improvements and/or program expansions happen, it will be updated and re–posted to the website to keep stakeholders and users informed. In addition to updating the User Guide, release dates and scheduled system maintenance are posted to OPSC's website so users and stakeholders know the status of the OPSC Online application.

The proposed amendments reduce the carbon footprint of OPSC and school districts participating in SAB–administered programs by transitioning to a paperless, web–based application portal. This change promotes environmental sustainability and minimizes the environmental impact of administrative operations. By implementing digital processes and reducing paper usage, the Online application not only lowers emissions associated with traditional paperwork but also encourages energy–efficient practices for all SAB–administered programs. The proposed regulations also recognize that technical challenges may occasionally happen in which case an extension to deadlines will be granted if the submittal of information in OPSC Online is precluded due to circumstances beyond the control of a school district. Specifically, the proposed regulations allow school districts to submit outstanding items by the next business day following restoration of access to OPSC Online. Further, the proposed regulations will significantly reduce OPSC's administrative staff time spent keying in submitted paper applications, as well as emailed applications.

After conducting a review, the SAB has concluded that these are the only regulations on this subject, and therefore, the proposed regulations are neither inconsistent nor incompatible with existing State laws and regulations. The proposed regulations are within the SAB's authority to enact regulations for the SFP under Education Code Section 17070.35 and Government Code Section 15503.

Forms Incorporated by Reference

- Form SAB 70–01, *Application for Funding* (Rev. ~~09/23~~ *12/25*), which is incorporated by reference and referenced in Regulation Section 1860.2.

- Form SAB 70–02, *Fund Release Authorization* (Rev. ~~09/23~~ *12/25*), which is incorporated by reference and referenced in Regulation Section 1860.2.

- Form SAB 70–03, *Expenditure Report* (Rev. ~~09/23~~ *12/25*), which is incorporated by reference and referenced in Regulation Section 1860.2.

IMPACT ON LOCAL AGENCIES OR SCHOOL DISTRICTS

The Executive Officer of the SAB has determined that the proposed regulations, along with three associated forms, do not impose a mandate or a mandate requiring reimbursement by the State pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. It will not require local agencies or school districts to incur additional costs in order to comply with the proposed regulations.

DISCLOSURES REGARDING THE PROPOSED REGULATORY ACTION

The Executive Officer of the SAB has made the following initial determinations relative to the required statutory categories:

- The SAB has made an initial determination that there will be no significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.
- The SAB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- There will be no non–discretionary costs or savings to local agencies.
- The proposed regulations create no costs to any local agency or school district requiring reimbursement pursuant to Section 17500 et seq., or beyond those required by law, except for the required district contribution toward each project as stipulated in statute.
- There will be no costs or savings in federal funding to the State.
- The proposed regulations create no costs or savings to any State agency beyond those required by law.
- The SAB has made an initial determination that there will be no impact on housing costs.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS

Impact to Businesses and Jobs in California

The proposed regulations promote transparency, fairness and social equity because school districts participating in SAB–administered programs will have the same access to OPSC Online at any time to submit applications and associated documentation in order to support their projects. The information in OPSC Online is in real–time so school districts can follow their project(s) in real–time as the project(s) progress through the review/approval processes.

The proposed regulations and the three associated forms will not have an impact to various business, manufacturing, and construction–related industries such as architecture, engineering, trades and municipalities. In addition, the proposed regulations will not negatively impact the creation of jobs, the creation of new businesses, and the expansion of businesses in California. It is not anticipated that the proposed regulations will result in the elimination of existing businesses or jobs within California.

Benefits to Public Health and Welfare, Worker's Safety, and the State's Environment

- The proposed regulations promote transparency as OPSC held two stakeholder meetings between July and October of 2025 to inform the development of these proposed regulations.
- The proposed regulations promote fairness and social equity because school districts participating in SAB–administered programs will have the same access to OPSC Online at any time to submit applications and associated documentation in order to support their projects. The information in OPSC Online is in real–time so school districts can follow their project(s) in real–time as the project(s) progress through the review/approval processes.
- The State of California benefits from the proposed amendments by reducing the carbon footprint of OPSC and school districts participating in SAB–administered programs by transitioning to a paperless, web–based application portal.
- There is a positive impact to the State's environment from the proposed regulations by promoting environmental sustainability and minimizing the environmental impact of administrative operations. With the implementation of digital processes and reducing paper usage, the Online application not only lowers emissions associated with traditional paperwork but also encourages energy–efficient practices for all SAB–administered programs.

The SAB finds the proposed regulations fully consistent with the stated purposes and benefits.

EFFECT ON SMALL BUSINESSES

It has been determined that the proposed regulations will not have a negative impact on small businesses in the ways identified in subsections (a)(1)–(4) of Section 4, Title 1, CCR. The proposed regulations allows school districts and applicants to electronically submit through OPSC Online requests for funding, and associated project documentation, for all SAB–administered programs. The proposed regulations and the three associated forms will not have an impact to various business, manufacturing, and construction–related industries such as architecture, engineering, trades and municipalities. In addition, the proposed regulations will not impact the creation of jobs, the creation of new businesses, and the expansion of businesses in California. It is not anticipated that the proposed regulations will result in the elimination of existing businesses or jobs within California.

SUBMISSION OF COMMENTS, DOCUMENTS AND ADDITIONAL INFORMATION

Any interested person may present statements, arguments or contentions, in writing, submitted via U.S. mail, email or fax, relevant to the proposed regulatory action. Written comments submitted via U.S. mail, email or fax must be received at OPSC no later than November 9, 2026. The express terms of the proposed regulations as well as the Initial Statement of Reasons are available to the public.

Written comments, submitted via U.S. mail, email or fax, regarding the proposed regulatory action, requests for a copy of the proposed regulatory action or the Initial Statement of Reasons, and questions concerning the substance of the proposed regulatory action should be addressed to:

Ryan Malloy, Regulations Coordinator
Mailing Address: Office of Public School Construction
707 Third Street, 3rd Floor
West Sacramento, CA 95605
Email Address: Ryan.Malloy@dgs.ca.gov

AGENCY CONTACT PERSONS

General or substantive questions regarding this Notice of Proposed Regulatory Action may be directed to Ryan Malloy at (279) 946–8472. If Mr. Malloy is unavailable, these questions may be directed to the backup contact person, Ms. Lisa Jones, Administrative Services Operations Manager, at (279) 946–8459.

ADOPTION OF REGULATIONS

Please note that, following the public comment period, the SAB may adopt the regulations substantially as proposed in this notice or with modifications, which are sufficiently related to the originally proposed text and notice of proposed regulatory activity. If modifications are made, the modified text with the changes clearly indicated will be made available to the public for at least 15 days prior to the date on which the SAB adopts the regulations.

The modified regulation(s) will be made available and provided to: all persons who testified at and who submitted written comments at the public hearing, all persons who submitted written comments during the public comment period, and all persons who requested notification from the agency of the availability of such changes. Requests for copies of any modified regulations should be addressed to the agency's regulation coordinator identified above. The SAB will accept written comments on the modified regulations during the 15–day period.

SUBSTANTIAL CHANGES WILL REQUIRE A NEW NOTICE

If, after receiving comments, the SAB intends to adopt the regulations with modifications not sufficiently related to the original text, the modified text will not be adopted without complying anew with the notice requirements of the Administrative Procedure Act.

RULEMAKING FILE

Pursuant to Government Code Section 11347.3, the SAB is maintaining a rulemaking file for the proposed regulatory action. The file currently contains:

1. A copy of the text of the regulations for which the adoption is proposed in strikeout/underline.
2. A copy of this Notice.
3. A copy of the Initial Statement of Reasons for the proposed adoption.
4. The factual information upon which the SAB is relying in proposing the adoption.

As data and other factual information, studies, reports or written comments are received they will be added to the rulemaking file. The file is available for public inspection at OPSC during normal working hours. Items 1 through 3 are also available on OPSC's Internet Website at: *Laws, Regulations for School Construction Projects*, scroll down to "California Preschool, Transitional Kindergarten and Full–Day Kindergarten Facilities Grant Program, then "California Preschool, Transitional Kindergarten and FDK Pending Regulatory Changes" and click on the linked documents for the 45–day Public Notice, the Initial Statement of Reasons, the proposed regulatory text, and the three associated forms.

ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the SAB 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. No alternatives were considered. School districts participating in SAB–administered programs will have the same access to OPSC Online at any time to submit applications and associated documentation and monitor their projects in real–time.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, the Final Statement of Reasons will be made available and copies may be requested from the agency's regulation coordinator named in this notice or may be accessed on the website listed above.

TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE

NURSERY STOCK NEMATODE CERTIFICATION TESTING FEE

The Department of Food and Agriculture (Department) proposes to amend Title 3 of the California Code of Regulations (CCR) Section 3055.6 to update the Nursery Stock Nematode Certification Testing Fee. This amends the nursery stock nematode certification program testing fee in subsection (c)(1)(C) from $40 to $55.

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 their authorized representative may submit written comments relevant to the proposed regulations to the Department. Comments may be submitted by USPS, FAX or email. The written comment period closes on November 9, 2026. The Department will consider only comments received at the Department offices, by that date or postmarked no later than November 9, 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.

AUTHORITY

The Department proposes to amend Section 3055.6 pursuant to the authority vested by Sections 407 and 5823 of the Food and Agricultural Code (FAC).

REFERENCE

The Department proposes this action to implement, interpret and make specific Section 5822 of the FAC.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

This regulation amendment is intended to address the following obligations. The specific purpose of amending Sections 3055.6 is to update the fees so they cover the cost of the nursery stock nematode certification program. The nursery stock nematode certification program is industry funded and provides that California grown nursery stock may be certified to nematode cleanliness. Currently the fee for testing is $40, which does not cover the cost of testing as is required by FAC 5822. Participation in the nursery stock nematode certification program is voluntary, and nurseries that participate in the program will be impacted by increased fees.

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 that the Secretary is directed or authorized to administer or enforce.

Existing law, FAC Section 5822, provides that the Secretary may (a) certify as to the pest freedom of plants which may have been inspected or registered or may certify as to the true pest condition of the plants. (b) Issue tags, labels, or certificates in evidence of inspection or registry. (c) Supervise or conduct any special treatments which may be necessary to insure the pest freedom of plants for propagation or planting purposes. (d) Fix uniform fees to be charged for inspections, registrations, certifications, and special treatments. The fees shall be based upon the approximate cost of the service which is rendered.

Existing law, FAC Section 5823, provides that the Secretary may also establish and enforce regulations which are necessary to carry out the purposes of this article.

ANTICIPATED BENEFITS OF THE PROPOSED AMENDMENT

This amendment allows the Department to meet the nursery stock nematode certification program regulatory requirement of fees being based upon the approximate cost of the service which is rendered. Nursery stock nematode certification program also provides for the certification of California grown nursery stock certified to nematode cleanliness, thus protecting the state's agriculture and environment by preventing the introduction and spread of injurious pests. The nursery stock nematode certification program benefits California businesses by allowing nurseries to fulfill contract obligations and regulatory mandates for export of nursery stock.

There are no existing, comparable federal regulations or statutes.

There are no known specific benefits to worker safety or 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 3055.6 and has determined that it is not inconsistent or incompatible with existing state regulations.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

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

DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: The current fee structure has been resulting in an expenditure vs. revenue deficit of $3030. The fee changes will remove this deficit.

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

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

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

Cost impacts on a representative private person or business: This regulation may increase operational expenses for nursery stock producers by $15 for voluntary participants in the Nursery Stock Nematode Certification Testing Program but will have no direct impact on job creation or elimination for agricultural staff.

Significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states: The Department concludes that the proposed action will not have a significant statewide adverse economic impact. Voluntary participants in the Nursery Stock Nematode Certification Testing Program will face a $15 increase.

Significant effect on housing costs: None.

Small business determination: The proposed action will affect small businesses that voluntarily participate in the Nursery Stock Nematode Certification Testing Program by raising fees.

RESULTS OF THE ECONOMIC IMPACT ANALYSIS/ASSESSMENT

The proposed amendment of Section 3055.6 would amend the nursery stock nematode certification program testing fee in subsection (c)(1)(C) to $55. The Department has made an assessment that the amendment to this regulation would: (1) not create or eliminate jobs within California, (2) not create new business or eliminate existing businesses within California, (3) not affect the expansion of businesses currently doing business within California, and (4) is not expected to benefit the health and welfare of California residents, (5) is expected to benefit the state's environment, and (6) is not expected to benefit workers' safety.

The state's environment: The proposed action will benefit the state's environment as nursery stock nematode certification program provides for the certification of nursery stock as free of pests of interest, thus protecting the state's environment by preventing the introduction and spread of injurious pests.

The proposed amendment of Section 3055.6 would amend the nursery stock nematode certification program testing fee in subsection (c)(1)(C) to $55. There are no existing comparable federal regulations or statutes.

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 11. COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

REQUIREMENTS FOR COURSE BUDGET

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

PUBLIC COMMENTS DUE BY NOVEMBER 9, 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 Thomas Cavallero at oal@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

Commission Regulation 1054 provides the costs allowances for instructional positions, coordination positions, and clerical support which are line items in the budget required for most POST–certified training courses. These costs have remained unchanged since 1999, while the costs of providing training have continued to increase. POST–certified presenters are not being adequately reimbursed for POST course costs due to the outdated reimbursement rates currently outlined in the regulation.

This rulemaking action clarifies, and makes specific changes to, the cost allowances for certain positions under the budget requirements for most POST–certified training courses.

Currently, Commission Regulation does not adequately reimburse POST–certified presenters for the cost of providing training and the reimbursement rates should be increased. The regulation proposed in this rulemaking action will bring reimbursement rates for POST–certified presenters in line with current costs of course presentation.

Anticipated Benefits of the Proposed Amendments:

The benefits anticipated by the proposed amendments to the regulation will ensure POST–certified presenters are reimbursed using contemporary reimbursement rates thereby allowing them to continue presenting POST–certified courses to California peace officers. Regular, high–quality training directly influences a law enforcement officer's ability to preserve the peace effectively and provide for the protection of public health, safety, and welfare. 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 reimbursement for peace officer training in the state.

DOCUMENTS/FORMS 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 person 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 the reimbursement rates of POST–certified presenters. Additionally, the Commission's main function to set and maintain training standards for law enforcement has no effect financially on small businesses.

RESULTS OF ECONOMIC IMPACT ANALYSIS/ASSESSMENT

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

Benefits of the Proposed Action: As stated above under the Informative Digest/Policy Statement Overview, the benefits of the regulation include increasing reimbursement rates for POST–certified presenters to be more in line with current costs of POST–certified course presentation. Thus, the law enforcement standards are maintained and effective in preserving peace, protection of public health, safety, and welfare in California. There would be no impact that would affect worker safety or the state's environment.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code § 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 Thomas Cavallero, Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605–1630, at (916) 227–4567. General questions regarding the regulatory process may be directed to Alondra Gutierrez Castellanos 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 https://post.ca.gov/Regulatory–Actions.

ADOPTION OF PROPOSED REGULATIONS/AVAILABILITY OF CHANGED OR MODIFIED TEXT

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

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

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

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

TITLE 22. EMERGENCY MEDICAL SERVICES AUTHORITY

DELIVERING EQUITABLE AND PERSON–CENTERED CARE

NOTICE IS HEREBY GIVEN that the Emergency Medical Services Authority (EMSA) proposes to take the rulemaking action described in the Informative Digest below.

PROPOSED REGULATORY ACTION

EMSA will hold a public hearing regarding the proposed regulatory action on December 11, 2026, beginning at 10:00 A.M. and ending at 2:00 P.M., at 609 Sutter Street, San Francisco, CA, 94102. The hearing will be held to receive public comments on the proposed regulations. At the hearing, any interested person, or their authorized representative, may present oral or written statements, arguments, or comments relevant to the proposed action. EMSA may impose reasonable limitations on oral presentations.

Written comments, including comments submitted by mail or email, must be received by EMSA no later than 5:00 P.M. on December 11,2026. Written comments must be directed to Ashley Williams using the contact information provided in the "Contact Person" section of this Notice.

After considering all timely and relevant comments received during the written comment period and at the public hearing, EMSA may adopt the proposed regulations substantially as described in this Notice or may make modifications that are sufficiently related to the originally proposed text. If EMSA makes sufficiently related modifications, the full text of the modified regulations, with the changes clearly indicated, will be made available to the public for at least 15 days before adoption. EMSA will accept written comments regarding the modifications during that period.

AUTHORITY AND REFERENCE

Health and Safety Code sections 1797.1, 1797.172, 1797.185, 1797.9, 1797.54, 1797.102, 1797.107, 1797.120, 1797.120.5, 1797.122, 1797.125.5, 1797.156, 1797.171, 1797.176, 1797.200, 1797.204, 1798.150, 1798.161, 1830, and 1831 authorize EMSA to adopt the proposed regulations.

The proposed regulations would implement, interpret, or make specific Health and Safety Code sections 1797.1, 1797.2, 1797.6, 1797.8, 1797.9, 1797.52, 1797.53, 1797.56, 1797.58, 1797.59, 1797.60, 1797.62, 1797.64, 1797.67, 1797.70, 1797.72, 1797.74, 1797.76, 1797.78, 1797.80, 1797.82, 1797.84, 1797.85, 1797.88, 1797.90, 1797.92, 1797.94, 1797.98e, 1797.100, 1797.102, 1797.103, 1797.104, 1797.105, 1797.106, 1797.114, 1797.117, 1797.120, 1797.120.5, 1797.120.6, 1797.120.7, 1797.121, 1797.122, 1797.123, 1797.125, 1797.125.5, 1797.125.09, 1797.150, 1797.151, 1797.152, 1797.153, 1797.160, 1797.165, 1797.170, 1797.171, 1797.172, 1797.173, 1797.174, 1797.175, 1797.176, 1797.178, 1797.182, 1797.183, 1797.184, 1797.185, 1797.194, 1797.195, 1797.198, 1797.199, 1797.200, 1797.201, 1797.202, 1797.204, 1797.206, 1797.208, 1797.210, 1797.211, 1797.217, 1797.218, 1797.220, 1797.221, 1797.222, 1797.223, 1797.224, 1797.225, 1797.227, 1797.228, 1797.229, 1797.231, 1797.250, 1797.252, 1797.254, 1797.257, 1797.258, 1797.259, 1798, 1798.2, 1798.3, 1798.6, 1798.8, 1798.100, 1798.101, 1798.102, 1798.105, 1798.150, 1798.160, 1798.161, 1798.162, 1798.163, 1798.165, 1798.166, 1798.170, 1798.172, 1798.175, 1798.200, 1798.201, 1798.202, 1798.209, 1798.250, 1799.2, 1799.53, 1799.55, 1799.204, 1799.205, 1799.207, 1814, 1815, 1818, 1819, 1825, 1830, 1831, 1841, 1842, 1843, 124840, and 130290, and Government Code section 8562.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Existing Law and Regulatory Background

The Emergency Medical Services System and the Prehospital Emergency Medical Care Personnel Act (Act), commencing with section 1797 of the Health and Safety Code, establishes the statutory framework for California's statewide emergency medical services (EMS) system. The Act establishes the Emergency Medical Services Authority (EMSA) and assigns EMSA responsibility for coordinating statewide EMS activities, establishing statewide minimum standards, reviewing local EMS plans, maintaining statewide EMS data systems, and overseeing the development and performance of the EMS system.

California's EMS system is administered through coordinated state and local responsibilities. Counties may establish EMS programs and designate local emergency medical services agencies (LEMSAs). LEMSAs are responsible for planning, implementing, administering, and evaluating local EMS systems in accordance with applicable statutes, regulations, statewide minimum standards, and local medical control. Local EMS systems include public and private EMS provider agencies, emergency medical dispatch centers, first–response agencies, ambulance providers, hospitals, specialty care programs, and other participating entities.

Existing regulations in Title 22, Division 9 of the California Code of Regulations address specific components of the EMS system. However, those regulations were adopted and amended incrementally over time and do not provide a single, integrated regulatory chapter that addresses together current EMS system governance, EMS plan requirements, provider authorization, EMS areas and subareas, exclusive operating areas, recognition of entities under Health and Safety Code section 1797.201, statewide EMS data reporting, quality assurance, disaster medical and health planning, ambulance patient offload time, and dispute resolution.

Other aspects of the EMS system have been administered through statutes, local policies, EMSA guidance, forms, plan–review practices, and administrative procedures. This fragmented framework has resulted in uncertainty regarding the respective responsibilities of EMSA, LEMSAs, LEMSA medical directors, LEMSA administrators, EMS providers, cities and fire districts operating under Health and Safety Code section 1797.201, hospitals, and other EMS system participants. Comprehensive modernization is necessary to clarify these responsibilities and establish consistent statewide procedures.

Effect of the Proposed Regulatory Action

EMSA proposes to repeal existing section 100000.01 and adopt a comprehensive Chapter 1.1, titled "Delivering Equitable and Person–Centered Care," consisting of sections 100000.01 through 100008.01. The proposal would also amend and renumber existing ambulance patient offload time requirements and consolidate those requirements within Subchapter 5 of Chapter 1.1.

The proposed action would also amend section 100097.01 by repealing subdivision (h), which currently requires a LEMSA to submit electronic health record data to EMSA within 72 hours after completion of the patient encounter or at longer intervals established by written agreement. Repealing subdivision (h) is necessary to eliminate a conflict with the uniform 24–hour CEMSIS data–submission requirement established by proposed section 100002.04(b)(6)(B)(i).

The proposed regulations would:

1. General provisions and definitions. Establish the purpose, applicability, severability, conformity requirements, documents incorporated by reference, and definitions necessary for consistent implementation of the chapter.
2. State and local EMS system governance. Clarify the respective responsibilities of EMSA, the Commission on Emergency Medical Services, LEMSAs, LEMSA administrators, LEMSA medical directors, county health officers, EMS provider agencies, and other EMS system participants. The regulations would also clarify the application of statewide minimum standards and local medical control.
3. EMS plans. Establish uniform requirements for the content, development, submission, review, amendment, and annual update of local EMS plans. The proposal would establish procedures for EMSA determinations, corrective actions, appeals, optional direct Commission on EMS review, and administrative hearings concerning EMS plans.
4. EMS areas, provider authorization, and exclusive operating areas. Establish standards and procedures governing EMS areas and subareas, authorization of EMS providers, changes to service–area boundaries, competitive processes, and the administration of exclusive operating areas, including existing or grandfathered exclusive operating areas recognized by statute.
5. Health and Safety Code section 1797.201 entities. Establish a standardized process through which an eligible city or fire district may assert recognition under Health and Safety Code section 1797.201. The proposal would identify required documentation, establish LEMSA and EMSA review procedures, clarify the responsibilities of recognized entities, and address changes in jurisdictional boundaries and the transfer or loss of service responsibilities.
6. EMS data, quality improvement, and system performance. Establish consistent statewide EMS data–reporting requirements, technical specifications, performance measures, and quality–assurance processes. These requirements would support the evaluation of EMS system performance, improve data quality, and enable EMSA and LEMSAs to identify opportunities for system improvement.
7. Disaster medical and health planning. Establish standardized requirements for operational–area medical and health disaster planning and coordination. These requirements would clarify the responsibilities of EMS system participants during emergencies and support consistency in disaster preparedness, response, and recovery.
8. Ambulance patient offload time. Consolidate and update requirements concerning ambulance patient offload time, including data verification, reporting, reduction protocols, coordination among LEMSAs, general acute care hospitals, EMS providers, and EMSA, technical assistance, and the administration of available grant funding.
9. Voluntary alternative dispute resolution. Establish a voluntary process through which a LEMSA and an EMS provider agency may seek assistance in resolving certain disputes. The process would be advisory and would not replace statutory or regulatory determinations, appeals, or hearing procedures. Disputes concerning recognition under Health and Safety Code section 1797.201

would not be subject to the voluntary alternative dispute resolution process.

The proposed regulations would not create authority beyond that provided by the Act. Instead, they would implement, interpret, clarify, and make specific the responsibilities, standards, and procedures established under Division 2.5 of the Health and Safety Code.

Policy Statement Overview and Anticipated Benefits

The purpose of the proposed regulations is to modernize and consolidate California's foundational EMS system regulations and establish a clear, consistent, transparent, and reviewable framework for administering local and statewide EMS systems. The proposal is intended to reduce ambiguity concerning legal and administrative responsibilities, improve consistency among local EMS systems, and ensure that EMS system planning and oversight reflect current statutes, operational practices, data–reporting capabilities, and patient–care needs.

The proposed regulations are anticipated to benefit the health and welfare of California residents by promoting a coordinated, medically appropriate, equitable, and person–centered EMS system. Clearer governance and planning requirements will improve clarity regarding assigned responsibilities and coordination among EMSA, LEMSAs, provider agencies, hospitals, cities, fire districts, and other EMS system participants. Standardized data and quality–assurance requirements will provide information necessary for evidence–based decision–making, enable meaningful evaluation of system performance, and identify opportunities to improve patient care.

The proposed regulations are also anticipated to improve transparency and predictability in EMS plan review, provider authorization, exclusive operating area administration, and recognition of entities under Health and Safety Code section 1797.201. Updated disaster–planning and ambulance patient offload time requirements will strengthen emergency preparedness, interagency coordination, hospital coordination, and the availability of ambulance resources for emergency response.

EMSA does not anticipate that the proposed regulations will directly affect worker safety or the state's environment.

Comparable Federal Regulations

EMSA has determined that there are no directly comparable federal statutes or regulations governing the organization, administration, and oversight of California's state and local EMS systems.

The proposed EMS data–reporting requirements use or reference applicable National Emergency Medical Services Information System standards. These national standards provide a framework for EMS data collection and reporting but do not constitute a federal regulatory system comparable to the proposed regulations. The proposed regulations are intended to remain compatible with applicable national EMS data standards.

Consistency and Compatibility with Existing State Regulations

During the development of the proposed regulations, EMSA reviewed existing state regulations concerning EMS personnel, EMS providers, specialty care systems, emergency medical services aircraft, community paramedicine, triage to alternate destinations, disaster medical and health operations, hospitals, and other components of the EMS system.

The proposed regulations are intended to operate together with the other chapters of Title 22, Division 9 and other applicable state regulations. They provide the foundational governance, planning, oversight, and administrative framework for those more specific regulatory programs. EMSA has determined that the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

DOCUMENTS INCORPORATED BY REFERENCE

The proposed regulations incorporate by reference the following documents:

1. CEMSIS Technical Specifications for Chapter 1, Version 2026, effective July 1, 2026.
2. 201 Entity Recognition Form, Rev. 01/2026.
3. Operational Area Medical and Health Disaster Plan, Rev. 01/2026.
4. Ambulance Patient Offload Time (APOT) Reduction Protocol Checklist for General Acute Care Hospitals (GACHs) with an Emergency Department, Rev. 03/2026.
5. Form EMSA–TA–Request–1, Rev. 03/2026.
6. Form EMSA–APOT–Grant–1, Rev. 03/2026.
7. Form EMSA–Grant–Report–1, Rev. 03/2026.

These documents establish standardized technical specifications, formats, and required elements for EMS plan submission, entity–recognition requests, disaster medical and health planning, EMS data and performance reporting, APOT reduction protocols, technical–assistance requests, grant applications, and post–award reporting. Incorporation by reference is necessary to ensure uniform statewide reporting, consistent evaluation criteria, and administrative efficiency. Embedding these materials directly into the regulatory text would be impractical due to their length, technical detail, and formatting structure.

The incorporated documents are provided with the proposed regulatory text and will be made available on the Emergency Medical Services Authority's website throughout the applicable public comment period.

The documents are publicly available without cost. Copies of the incorporated versions are also included in the rulemaking file, are available for public inspection at EMSA, and may be obtained from EMSA upon request.

Each incorporated document is identified by its title and specific revision or effective date to ensure clarity and prevent ambiguity regarding the applicable requirements. No subsequent revision to an incorporated document will become operative under this chapter unless adopted through a separate rulemaking action.

DISCLOSURES REGARDING THE PROPOSED ACTION

Cost or savings to any state agency: EMSA anticipates additional expenditures of approximately $62,965.44 in the first fiscal year and $1,640.79 annually thereafter. EMSA expects to absorb these costs within its existing budget and resources.

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

Local mandate: The proposed regulations impose requirements on local agencies. EMSA has determined that the associated costs do not constitute a reimbursable state mandate.

Nondiscretionary costs or savings to local agencies: Local agencies are estimated to incur approximately $1,759,813.40 statewide in the current fiscal year, $397,463.39 in the first subsequent fiscal year, and $389,768.87 in the second subsequent fiscal year. No local–agency savings are anticipated.

The current–year estimate includes approximately $1,241,364.38 for implementation, review, reporting, and procurement activities by 34 LEMSAs and counties, averaging approximately $36,510.72 per LEMSA/county.

It also includes approximately $518,449.02 for 299 public EMS provider agencies, including costs associated with Health and Safety Code section 1797.201 recognition, reporting, and medical–control agreements, averaging approximately $1,733.94 per public provider agency.

Actual costs will vary by LEMSA, county, and public EMS provider agency depending on the activities applicable to each entity, including the number and complexity of Health and Safety Code section 1797.201 recognition packets and medical–control agreements and whether the jurisdiction conducts a competitive exclusive operating area procurement.

Cost to any local agency or school district which must be reimbursed in accordance with Government Code Section 17500 through17630: None.

Business Report Requirement: The proposed regulations require certain EMS provider agencies, general acute care hospitals with emergency departments, and other private EMS system participants to submit data, reports, forms, plans, or other information applicable to their roles within the EMS system. EMSA finds that it is necessary for the health, safety, and welfare of the people of the state that these reporting requirements apply to businesses. The required information is necessary to support EMS system planning, medical oversight, provider authorization, data quality, quality assurance and improvement, ambulance patient offload time monitoring, technical assistance, grant reporting and oversight, and evaluation of EMS system performance.

Cost impact on a representative private person or business: A representative private EMS provider agency may incur an estimated one–time cost of $630.52. This estimate allocates the total statewide private–sector cost of $188,526.92 across 299 privately owned EMS provider agencies and reflects administrative time to review and implement the 24–hour data–submission requirement and complete required provider–disclosure and verification activities. No ongoing annual cost is anticipated after implementation. No cost to individuals is anticipated. Actual costs may vary depending on the provider's existing practices and system configuration.

Significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states: EMSA 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. This determination is based on the existing statutory and regulatory responsibilities of affected entities, the role–dependent application of the proposed requirements, the use of standardized forms and electronic submission processes, and the anticipated incremental nature of the compliance activities.

Significant effect on housing costs: None.

Effect on small businesses:

The proposed regulations may affect privately owned EMS provider agencies that qualify as small businesses under Government Code section 11342.610. A representative affected small business may incur the same estimated one–time cost of $630.52 described above. No ongoing annual cost is anticipated after implementation. Actual costs may vary depending on the provider's existing practices and system configuration.

The proposed regulations minimize impacts on small businesses by limiting each entity's obligations to requirements applicable to its role, permitting continued use of existing administrative and data infrastructure, allowing operational flexibility where statewide uniformity is not required, and not requiring the purchase of products or services from a specified commercial vendor.

EMSA considered whether qualifying small businesses could be exempted from some or all the proposed requirements. EMSA rejected a categorical exemption because requirements concerning patient care, medical control, data accuracy, provider oversight and compliance, and EMS system coordination must apply consistently to entities performing those functions, regardless of business size. EMSA has not identified a reasonable alternative that would lessen an adverse impact on small businesses while achieving the purposes of the proposed regulations with equal effectiveness.

RESULTS OF ECONOMIC IMPACT ANALYSIS/ASSESSMENT

Economic Impact Assessment

EMSA concludes that the proposed regulations are unlikely to: (1) eliminate jobs within California; (2) create new jobs within California; (3) create new businesses within California; (4) eliminate existing businesses within California; or (5) directly result in the expansion of businesses currently doing business within California.

The proposed regulations are anticipated to benefit the health and welfare of California residents by establishing clearer and more consistent statewide requirements for EMS planning, patient–care coordination, medical oversight, provider recognition and selection, data reporting, quality assurance and improvement, emergency medical dispatch, transfer of care, ambulance patient offload time, and EMS system evaluation. The regulations are also anticipated to improve the completeness and comparability of statewide EMS data, promote continuity of EMS services, reduce uncertainty concerning state and local responsibilities, and establish transparent procedures for identifying and addressing EMS system deficiencies and disputes.

The proposed regulations may provide indirect worker–safety benefits through clearer clinical, operational, dispatch, transfer–of–care, and system–coordination requirements. EMSA does not anticipate that the proposed regulations will have a direct material effect on the state's environment.

CONSIDERATION OF ALTERNATIVES

Before adopting the proposed regulations, EMSA must determine that no reasonable alternative considered by EMSA, or otherwise identified and brought to its attention, would be more effective in carrying out the purpose for which the regulatory 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.

EMSA invites interested persons to present statements or arguments concerning alternatives to the proposed regulations, including alternatives that would lessen any adverse impact on small businesses, during the written comment period or at the scheduled public hearing.

INITIAL STATEMENT OF REASONS, TEXT OF THE PROPOSAL, FINAL STATEMENT OF REASONS, AND RULEMAKING FILE

Copies of the proposed regulatory text, the documents incorporated by reference, and the Initial Statement of Reasons are available by contacting the person identified below.

The rulemaking file contains the information upon which EMSA is relying in proposing this regulatory action. The rulemaking file is available for public inspection by contacting the person identified below.

Once completed, a copy of the Final Statement of Reasons may be obtained by contacting the person identified below or by accessing the EMSA website listed below.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, Initial Statement of Reasons, proposed regulatory text, and documents incorporated by reference are available on the EMSA website at:

https://emsa.ca.gov/public_comment/

The Final Statement of Reasons will also be made available on the EMSA website once it has been completed.

CONTACT PERSON

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

Name: Ashley Williams
Emergency Medical Services Authority
Address: 11120 International Drive, Suite 200
Rancho Cordova, CA 95670
Phone Number: (916) 591–3266
Email: ashley.williams@emsa.ca.gov

The backup contact person is:

Name: Elizabeth Basnett
Emergency Medical Services Authority
Address: 11120 International Drive, Suite 200
Rancho Cordova, CA 95670

Phone Number: (916) 322–4336
Email: Director@emsa.ca.gov

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND WILDLIFE

PROPOSED RESEARCH ON FULLY PROTECTED SPECIES RESEARCH ON CALIFORNIA RIDGWAY'S RAIL AND CALIFORNIA BLACK RAIL

The Department of Fish and Wildlife (Department) received a proposal from Mason Holmes, senior biologist with the Santa Clara Valley Water District, requesting authorization to take California Ridgway's rail (*Rallus obsoletus obsoletus*), formerly known as California clapper rail, and California black rail (*Laterallus jamaicensis coturniculus*) ('rails'), Fully Protected birds, for scientific research purposes consistent with conservation and recovery of the species. The California Ridgway's rail is listed as Endangered under the California Endangered Species Act and Endangered under the federal Endangered Species Act, and the California black rail is listed as Threatened under the California Endangered Species Act.

Mason Holmes is planning to conduct surveys throughout the range of the rails in the Bay Area, in accordance with a standard protocol approved by the Department and the U.S. Fish and Wildlife Service (Service). The proposed research activities consist of searching for vocalizing individuals of the rails and employing broadcasts of recorded, species–specific vocalizations to determine distribution and status of local populations. Mason Holmes and other qualified researchers would collect data by interpreting calls received from marsh birds that respond to broadcast vocalizations and by observing individual rails. There would be no attempt to capture individual rails or to approach nests of the rails, unless specifically approved by the Department. If any rails are found dead, they will be salvaged and donated to a scientific institution open to the public, as designated by the Department and the Service. No adverse effects on individual rails or rail populations are expected.

The Department intends to issue a Memorandum of Understanding to the Santa Clara Valley Water District that would authorize Mason Holmes and other qualified professional wildlife researchers, under specified conditions, to carry out the proposed activities. The applicants are also required to have a valid federal recovery permit for the Ridgway's rail.

Pursuant to California Fish and Game Code (FGC) Section 3511(a)(1), the Department may authorize take of Fully Protected bird 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 3511 for take of Fully Protected birds, it will issue the authorization on or after October 26, 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.

FISH AND GAME COMMISSION

NOTICE OF FINDINGS OF CANDIDACY WESTERN SPADEFOOT (*SPEA HAMMONDII*)

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 2074.2 of the California Fish and Game Code (Fish and Game Code), the California Fish and Game Commission (Commission), at its August 12–13, 2026 meeting, accepted for consideration the petition submitted to list the northern population of western spadefoot (*Spea hammondii*) as a threatened species and the southern population as an endangered species under the California Endangered Species Act.

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

Based on its determination and acceptance of the petition, the Commission is also providing notice that the northern and southern populations of western spadefoot are candidate species as defined by Section 2068 of the Fish and Game Code.

Within one year of the date of publication of this notice of findings, the Department shall submit a written report, pursuant to Section 2074.6 of the Fish and Game Code, indicating whether the petitioned actions are warranted. Copies of the petition and minutes of the August 12–13, 2026 Commission meeting are on file and available for public review on the Commission's website at fgc.ca.gov. If you would prefer to view the documents at the Commission's office, please make an appointment by phone at (916) 653–4899 or by sending an email to fgc@fgc.ca.gov.

Written comments or data related to the petitioned actions should be directed to the California

Department of Fish and Wildlife, Wildlife Diversity Program, Attn: CESA and Scientific Collecting Permit Supervisor, Neil Clipperton, via email at wildlifemgt@wildlife.ca.gov with "Western Spadefoot" in the subject line. Alternatively, comments or data may be submitted by mail to P.O. Box 944209, Sacramento, CA 94244–2090. Submitting information via email is preferred.

FISH AND GAME COMMISSION

NOTICE OF CORRECTION FOR OAL NOTICE NUMBER Z2026-0908-01 REGARDING USE OF NATIVE RATTLESNAKES

On September 18, 2026, the Fish and Game Commission (Commission) provided notice of its intent to add Section 42.1 and amend sections 43 and 703, Title 14, California Code of Regulations (CCR), relating to the use of native rattlesnakes.

In the notice, under the deadline for written comment submission, the date provided was December 11, 2027. The date in the notice was a mistake and has since been corrected. The deadline for written comments for this rulemaking is **December 11, 2026**.

The corrected notice, initial statement of reasons, and proposed regulatory language are posted on the Commission's website at https://fgc.ca.gov/Regulations/2026-New-and-Proposed under "Other: Use of Native Rattlesnakes".

DECISION NOT TO PROCEED

DEPARTMENT OF GENERAL SERVICES

NOTICE OF PROPOSED RULEMAKING CONCERNING ELECTRONIC SIGNATURES FOR FORMS MANAGEMENT

Pursuant to Government Code section 11347, the Department of General Services (Department) hereby gives notice that it has decided not to proceed with the rulemaking action published in the California Regulatory Notice Register on February 13, 2026, Register 2026, Number 7–Z. The proposed rulemaking concerned electronic signatures for forms management (OAL Notice Z–2026–0202–02). The decision is based on the need to address procedural issues with the original action. As such, the Department intends to submit a new Notice with updated actions promptly.

Any interested person with questions concerning this rulemaking should contact the Department at FormsManagement@dgs.ca.gov.

The Department will also post this Notice of Decision Not to Proceed on its website at https://www.dgs.ca.gov/Resources/Statewide–Forms.

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.

Department of Motor Vehicles

File # 2026–0902–02

Commercial Drivers: English language proficiency assessments

This emergency action pursuant to Government Code section 11346.1, by the Department of Motor Vehicles, establishes an English language proficiency assessment process for both commercial driver's license applicants and existing commercial driver's license holders.

Title 13
Adopt: 26.04, 26.06
Filed 09/14/2026
Effective 09/14/2026
Agency Contact: Randi Calkins (916) 282–7294

California School Finance Authority

File # 2026–0909–05

Charter School Revolving Loan Fund

In this emergency readoption action pursuant to Government Code section 11346.1(h), the California School Finance Authority is amending regulations regarding the Charter School Loan Fund Program. The primary purpose of this emergency readoption action is to implement, interpret, and make specific statutory changes resulting from the enactment of Senate Bill 631 (Chapter 776, Stats. 2025). Lastly, this is a deemed emergency pursuant to Education Code section 41365(b).

Title 04
Amend: 10170.17, 10170.18, 10170.19, 10170.20, 10170.21, 10170.22, 10170.23
Filed 09/16/2026
Effective 09/30/2026
Agency Contact: Will Jarrell (916) 651–7711

California Health and Human Services Agency
File # 2026–0813–03
Conflict–of–Interest Code

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

Title 22
Amend: 10100
Filed 09/09/2026
Effective 10/09/2026
Agency Contact: Deepa Menon (916) 263–0324

State Personnel Board
File # 2026–0731–02
Petitions to Participate in Examinations

This State Personnel Board file and print action, which is exempt from the Administrative Procedure Act pursuant to Government Code sections 18211 and 18213, amends regulations pertaining to civil service examinations to establish a two–year waiting period before a dismissed employee may submit a petition to participate in an examination.

Title 02
Amend: 211, 211.2
Filed 09/14/2026
Effective 09/14/2026
Agency Contact:
Joseph Ruggiero (916) 653–0920

Board for Professional Engineers, Land Surveyors and Geologists
File # 2026–0805–01
Professional Geologist Educational and Experience Requirements

In this non–substantive action, the Board for Professional Engineers, Land Surveyors and Geologists updates statutory citations to align with 2022 amendments to the Business and Professions Code. The Board also makes gendered language neutral.

Title 16
Amend: 3022
Filed 09/15/2026
Agency Contact: Angela Yu (916) 999–3610

Franchise Tax Board
File # 2026–0804–04
Changes due to SB 132 (Stats. 2025, Chapter 17 — Allocation of Income)

In this section 100 action, the Franchise Tax Board defines "qualified business activity" pursuant to changes to Revenue and Taxation Code section 25128 as amended by Statutes 2025, chapter 17, section 22 (SB 132).

Title 18
Amend: 25128
Filed 09/16/2026
Agency Contact: L. Red Gobuty (916) 845–7855

Air Resources Board
File # 2026–0729–02
Amendments to the ACF and LCFS

This action by the California Air Resources Board amends the Advanced Clean Fleets (ACF) regulations within title 13 of the California Code of Regulations (CCR) to (1) repeal provisions governing drayage trucks, high–priority fleets, and federal fleets and (2) amend state and local government requirements to further implement Assembly Bill 1594 (Stats. 2023, chapter 585) and to make additional modifications. This action also amends the Low Carbon Fuel Standard (LCFS) regulation within title 17 of the CCR to modify the derating factors for light– and medium–duty hydrogen refueling infrastructure crediting.

Title 13, 17
Adopt: 2013.5, 2013.6, 2049
Amend: 2013, 2013.1, 2013.2, 2013.3, 2013.4, 95486.3
Repeal: 2014, 2014.1, 2014.2, 2014.3, 2015, 2015.1, 2015.2, 2015.3, 2015.4, 2015.5, 2015.6
Filed 09/10/2026
Effective 09/10/2026
Agency Contact:
Roberta "Bobbi" Ruch (279) 208–7881

California Victim Compensation Board
File # 2026–0730–01
Victim Compensation

This rulemaking action by the California Victim Compensation Board adopts requirements for the reimbursement of a claimant's mental health services expenses under the program for the indemnification of crime victims.

Title 02
Adopt: 649.29.1, 649.29.2
Amend: 649.26
Filed 09/10/2026
Effective 01/01/2027
Agency Contact: Neil Ennes (916) 491–3728

Department of Food and Agriculture
File # 2026–0803–02
Guava Root–Knot Nematode Eradication Area

This regular rulemaking action by the California Department of Food and Agriculture ("Department") establishes a statewide eradication area for the guava root–knot nematode.

Title 03
Adopt: 3591.34
Filed 09/09/2026
Effective 01/01/2027
Agency Contact: Rachel Avila (916) 698–2947

Department of Food and Agriculture
File # 2026–0804–02
Lethal Yellowing and Lethal Decline of Palm

This rulemaking action by the Department of Food and Agriculture amends the list of host plants that are susceptible to the pathogen that causes lethal yellowing of palm to include *Bismarckia nobilis* (Bismarck palm), *Roystonea regia* (Royal palm), and *Wodyetia bifurcata* (Foxtail palm), to relocate *Neodypsis decaryi* (Triangle palm) for correct alphabetical ordering, and to update the reference to *Myndus crudus* to include reference to *Haplaxius crudus*, which is an alternate name for the same species.

Title 03
Amend: 3282
Filed 09/10/2026
Effective 01/01/2027
Agency Contact: Rachel Avila (916) 698–2947

Department of Food and Agriculture
File # 2026–0818–01
Fruit and Vegetable Standardization — Standard Containers (Citrus)

In this rulemaking action the California Department of Food and Agriculture amends regulations to add grapefruit as an authorized commodity for container number 60 and adds container number 60 to the existing grapefruit count and average diameter tables.

Title 03
Amend: 1380.19, 1430.26, 1430.27
Filed 09/16/2026
Effective 09/16/2026
Agency Contact: Sarah Cardoni (916) 597–6894

Public Utilities Commission
File # 2026–0804–01
Rules of Practice and Procedure

This action amends regulations regarding the rules of practice and procedure for the California Public Utilities Commission (Commission). Among other things, the action updates filing fees to be consistent with applicable Commission orders, provides conditions for a substitute for a Proponent's Environmental Assessment, if applicable, permits comments on ordering paragraphs, and allows the use of a statement of confidentiality when authorized by the Commission.

Title 20
Amend: 1.7, 1.10, 1.13, 1.15, 1.16, 2.2, 2.4, 3.7, 4.1, 5.1, 6.2, 6.3, 8.1, 8.2, 9.2, 9.3, 9.4, 9.5, 11.4, 13.7, 13.8, 14.3, 14.5, 14.6, 15.5, 16.1, 16.4, 17.3, 18.1
Filed 09/16/2026
Effective 01/01/2027
Agency Contact:
Sarah R. Thomas (415) 703–2782

California Gambling Control Commission

File # 2026–0803–01

Multi–Owner Type Licenses

In this resubmitted rulemaking action, the Gambling Control Commission (Commission) amends its regulations to establish a multi–owner type license for owners of cardrooms and third–party providers of proposition player services (TPPPS) businesses to consolidate their various endorsements into a single license process. This action also provides that endorsees in good standing will have specified application requirements waived.

Title 04
Adopt: 12115
Amend: 12002, 12054, 12080, 12090, 12102, 12112, 12114, 12116
Filed 09/15/2026
Effective 07/01/2027
Agency Contact:
Alexander Hunter (916) 263–1301

ScholarShare Investment Board

File # 2026–0804–03

CalKIDS Program

In this rulemaking action, the ScholarShare Investment Board advises institutions how to distribute funds for the CalKIDS Program and adopts an appeals form for beneficiaries to use funds after turning 26.

Title 05
Amend: 31010, 31016, 31018
Filed 09/09/2026
Effective 01/01/2027
Agency Contact: Noah Lightman (916) 201–6382

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.