



California Regulatory Notice Register

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

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PROPOSED ACTION ON REGULATIONS

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TITLE 1. OFFICE OF ADMINISTRATIVE LAW

ADOPT SECTION 45: “ADDENDUM TO INITIAL STATEMENT OF REASONS”

The Office of Administrative Law (OAL) proposes to adopt the regulation described below after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

OAL will hold a public hearing on December 9, 2026, beginning at 2:00 p.m.

Attendees may participate via Microsoft Teams online meeting platform or telephone conferencing. To participate via Microsoft Teams, please contact Nicole Carrillo at Nicole.Carrillo@oal.ca.gov or (916) 323–6808 by 4:30 p.m. on December 8, 2026, to request a link to the meeting. A link to the hearing will also be posted under the “Announcements” heading on the homepage of the OAL website at oal.ca.gov, no later than 12:30 p.m. the day of the hearing. To participate by telephone, call 1–916–245–8850 and enter Conference ID: 455 686 404#.

For those who wish to attend the hearing in person, including those who require reasonable accommodation, limited seating will be available in the OAL Training Room at 300 Capitol Mall, Suite 1210, Sacramento, California 95814. Please contact Nicole Carrillo at Nicole.Carrillo@oal.ca.gov or (916) 323–6808 by 4:30 p.m. on December 8, 2026, to request to attend the hearing in person or by 4:30 p.m. on November 23, 2026, if requesting reasonable accommodations.

Participants will be given instructions on how to provide oral comments once they have accessed the hearing. The hearing will proceed on the date noted above until all testimony is submitted or until 4:00 p.m., whichever is later. At the hearing, any person may present oral or written statements or arguments that are relevant to the proposed action. OAL requests, but does not require, that persons who make oral com-

ments at the hearing also submit a written copy of their testimony via email.

WRITTEN COMMENT PERIOD

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

Office of Administrative Law
Attention: Nicole Carrillo
300 Capitol Mall, Suite 1250
Sacramento, CA 95814

Comments may also be submitted by email to OALProposedRulemakings@oal.ca.gov or by facsimile (FAX) at (916) 445–9515. **The written comment period closes on December 9, 2026.** To ensure OAL will consider your comment, it must be received by 11:59 p.m. on December 9, 2026. When commenting, please indicate the proposed rulemaking action to which your comment refers, such as Adoption of Section 45 or Addendum to Initial Statement of Reasons.

AUTHORITY AND REFERENCE

Government Code sections 11342.4 and 11349.1 authorize OAL to adopt this proposed regulation, which further implements, interprets, and makes specific Government Code sections 11346.2, 11346.8, and 11347.1.

INFORMATIVE DIGEST

Summary of Existing Laws & Regulations Related Directly to the Proposed Action:

The Administrative Procedure Act (APA), Government Code section 11340 et seq., establishes rulemaking requirements for the adoption, amendment, or repeal of regulations by state agencies and for the review of those regulatory actions by OAL.

Under the APA, every state agency must provide a notice of its proposed action (NOPA) and make certain information available for public comment, including the text of the proposed regulations and an initial statement of reasons (ISR) for the adoption, amendment, or repeal of the regulation. (Gov. Code, § 11346.2.)

Government Code section 11346.2, subdivision (b), requires the ISR to include, but not be limited to, all of the following:

- A statement of (1) the problem the agency intends to address, (2) the specific purpose of each proposed regulatory provision, and (3) the rationale for the determination by the agency that each adoption, amendment, or repeal is reasonably necessary to carry out the purpose and address

the problem for which it is proposed. (Gov. Code, § 11346.2, subdivision (b)(1).)

- A statement enumerating the benefits anticipated from the regulatory action, including the benefits or goals provided in the authorizing statute. (*Id.*)
- An economic impact assessment or a standardized regulatory impact analysis required by Government Code section 11346.3, subdivisions (b) and (c), respectively. (Gov. Code, § 11346.2, subdivisions (b)(2)(A)–(B).)
- An identification of each technical, theoretical, and empirical study, report, or similar document, if any, upon which the agency relies in proposing the adoption, amendment, or repeal of a regulation. (Gov. Code, § 11346.2, subdivision (b)(3).)
- A description of reasonable alternatives to the regulation and the agency’s reasons for rejecting those alternatives, as specified. (Gov. Code, § 11346.2, subdivision (b)(4).)
- Facts, evidence, documents, testimony, or other evidence on which the agency relies to support an initial determination that the action will not have a significant adverse economic impact on business. (Gov. Code, § 11346.2, subdivision (b)(5).)
- Other findings, as specified, including a statement of the reasons why the agency believes mandates or prescriptive standards in the proposed regulation are required and a description of efforts to avoid unnecessary duplication with federal law, as specified. (Gov. Code, § 11346.2, subdivision (b).)

Government Code section 11346.8, subdivision (d), prohibits an agency from “add[ing] any material to the record of the rulemaking proceeding after the close of the public hearing or comment period, unless the agency complies with Section 11347.1[.]” but also states, “[t]his subdivision does not apply to material prepared pursuant to Section 11346.9.” (Gov. Code, § 11346.8, subdivision (d).)

Following public comment, Government Code section 11346.9 requires every agency to prepare and submit to OAL with the adopted regulation a *final* statement of reasons (FSR). Existing law requires the FSR to include, among other things, “[a]n update of the information contained in the [ISR].” (Gov. Code, § 11346.9, subdivision (a)(1).) If the update identifies any data or any technical, theoretical, or empirical study, report, or similar document on which the agency is relying in proposing the action that was *not* identified in the ISR, or which was otherwise not identified or made available for public review prior to the close of the public comment period, “the agency shall comply with Section 11347.1.” (Gov. Code, § 11346.9, subdivision (a)(1).)

Government Code section 11347.1 requires an additional 15–day public comment period for material that is added to the rulemaking record after publication of the notice of proposed action.

Effect of Proposed Action:

Proposed section 45 standardizes a document (the ISR addendum) and further specifies the process to correct substantial deficiencies in an agency’s original ISR. Pursuant to Government Code section 11346.2, every agency subject to the APA “shall prepare, submit to the office with the [NOPA] as described in Section 11346.5, and make available to the public upon request ... [a]n initial statement of reasons for proposing the adoption, amendment, or repeal of a regulation.” If it is determined after publication of a NOPA that the ISR is substantially deficient, an agency must cure that deficiency in some way that fully informs the public as to why the action is being taken and its proposed effects. Section 45 provides the process to correct or cure substantial deficiencies in an agency’s original ISR consistent with the 15–day public notice requirements of Government Code section 11347.1. Section 45 ensures that members of the public who are participating in the rulemaking proceeding have available to them and are able to comment on the information required by Government Code section 11346.2, subdivision (b).

Policy Statement Overview & Anticipated Benefits:

In *Grier v. Kizer* (1990) 219 Cal.App.3d 422 at 438, the court found that “the Legislature adopted the [APA] to give interested parties the opportunity to provide input on proposed regulatory action.” In *Tidewater Marine Western, Inc., et al. v. Bradshaw* (1996) 14 Cal.4th 557 at 568, the court found that “[o]ne purpose of the APA is to ensure that those persons or entities whom a regulation will affect have a voice in its creation (*Armistead v. State Personnel Board* (1978) 22 Cal.3d 198, 204–205), as well as notice of the law’s requirements so that they can conform their conduct accordingly (*Ligon v. State Personnel Bd.* (1981) 123 Cal.App.3d 583, 588). The Legislature wisely perceived that the party subject to regulation is often in the best position, and has the greatest incentive, to inform the agency about possible unintended consequences of a proposed regulation. Moreover, public participation in the regulatory process directs the attention of agency policymakers to the public they serve, thus providing some security against bureaucratic tyranny. (See *San Diego Nursery Co. v. Agricultural Labor Relations Bd.* (1979) 100 Cal.App.3d 128.)”

Aside from the text of the proposed regulation itself, an agency’s ISR is the document in any rulemaking action that provides the most information for the proposed action. The ISR describes the problem the agency is trying to address and the agency’s rationale

for why the language it is proposing for a newly adopted or amended regulation is necessary to address that problem, or why it is necessary to repeal an existing regulation. It discusses the benefits of the regulation, including nonmonetary benefits, and contains the agency's assessment of the economic impacts of the proposed regulatory action. The ISR discusses any alternatives to the action and the agency's reasons for having rejected those. The ISR also lists all technical, theoretical, and empirical studies, reports, and other documents, if any, on which the agency relied in proposing the action. (Gov. Code, § 11346.2, subdivision (b).) In short, the ISR is the most important document in the record to inform the public of the agency's need for the regulations proposed for adoption, amendment, or repeal.

The APA requires the ISR to include all the information described above and comply substantially with Government Code section 11346.2, subdivision (b), to fully inform the public of the reasons for, benefits of, alternatives to, empirical support for, and economic impacts of state regulatory actions so that the public can meaningfully and intelligently participate in the rulemaking process. Deficiencies in ISRs could substantially impair the rights and abilities of members of the public to participate in an informed way in regulation development. The process for addressing substantial deficiencies in the necessity for the original proposed language should be open, transparent, and provide for meaningful public participation pursuant to Government Code section 11347.1. The ISR must be prepared and available to the public beginning with publication of the notice. (Gov. Code, § 11346.5, subdivision (a)(16).) Any substantial change to or supplementation of the information contained in the ISR by way of a subsequent document must, therefore, be made available to the public.

EVALUATION OF INCONSISTENCY/ INCOMPATIBILITY OF THE PROPOSED REGULATION WITH EXISTING STATE REGULATIONS

Implementation of regulations concerning the rulemaking process under the APA was delegated to OAL. (Gov. Code, § 11342.4.) No other state agency promulgates regulations for this purpose. Nevertheless, OAL has conducted an exhaustive, section-by-section, as well as subdivision-by-subdivision, search of all titles of the California Code of Regulations and has found no section, subdivision, phrase, or clause with which any of the proposed sections conflict or is incompatible. Therefore, OAL has determined the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

IMPOSITION OF LOCAL MANDATE

The proposed regulations impose no mandate on local agencies or school districts.

FISCAL IMPACT ESTIMATES

Cost to any local agency or school district requiring reimbursement under Gov. Code section 17500 et seq.: None.

Cost or savings to any state agency: Section 45 may result in minimal additional costs or savings to state agencies, depending upon whether they have a hard-copy mailing list and whether they receive comments on any 15-day notice. This amount would seem absorbable for the vast majority of state agencies.

Other non-discretionary cost or savings imposed upon local agencies: None.

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

SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

This proposal 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.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

Creation of Jobs in California: None.

Elimination of Jobs in California: None.

Creation of New Businesses in California: None.

Elimination of Existing Businesses in California: None.

Expansion of Businesses Currently Doing Business within California: None.

Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment: The proposed regulation benefits the general welfare of California residents and businesses by promoting informed public participation in the APA rulemaking process. Section 45 is not anticipated to impact on worker safety or the state's environment.

EFFECT ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESS

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

BUSINESS REPORT

The proposed regulations do not apply to businesses, nor do they establish reporting requirements that apply to businesses.

HOUSING

There will be no effect on housing costs.

**DETERMINATION OF EFFECT ON
SMALL BUSINESS**

The proposed regulations do not directly affect small businesses. OAL has reached this determination because the proposed regulations apply to state agencies engaging in rulemaking pursuant to the APA. However, small businesses may derive an indirect benefit from the proposed change by being afforded the opportunity to comment on additional material added to the rulemaking record.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), OAL 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, 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 as effective in implementing the statutory policy or other provision of law.

CONTACT PERSON

Inquiries concerning this proposed rulemaking action may be directed to:

Nicole Carrillo
Office of Administrative Law
300 Capitol Mall, Suite 1250
Sacramento, CA 95814
(916) 323–6808
Nicole.carrillo@oal.ca.gov

The backup contact person for these inquiries is:

Kevin Hull
Office of Administrative Law
300 Capitol Mall, Suite 1250
Sacramento, CA 95814
(916) 323–8916
Kevin.hull@oal.ca.gov

**AVAILABILITY OF STATEMENT
OF REASONS, TEXT OF
PROPOSED REGULATIONS, AND
RULEMAKING RECORD**

OAL will make the entire rulemaking record available for inspection and copying throughout the rulemaking process at its office at the above address and posted on its website as documents are published. As of the date this notice is published in the Notice Register, the rulemaking record consists of the Notice of Proposed Action, the proposed text of the regulations, the Initial Statement of Reasons, and the STD. 399. Please direct requests to inspect or copy the rulemaking record to the contact person(s) listed above.

**AVAILABILITY OF CHANGED
OR MODIFIED TEXT**

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

**AVAILABILITY OF FINAL
STATEMENT OF REASONS**

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

**AVAILABILITY OF DOCUMENTS
ON THE INTERNET**

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, the proposed text of the regulations in underline/strikeout format, as well as other rulemaking documents as they are completed, may be accessed via OAL's website at www.oal.ca.gov/oal-rulemaking/.

TITLE 1. OFFICE OF ADMINISTRATIVE LAW

STANDARDS FOR FILE AND PRINT AND PRINT ONLY ACTIONS

The Office of Administrative Law (OAL) proposes to adopt and amend the regulations described below after considering all objections and recommendations regarding the proposed rulemaking action.

PUBLIC HEARING

OAL will hold a public hearing on December 9, 2026, beginning at 10:00 a.m.

Attendees may participate via Microsoft Teams online meeting platform or telephone conferencing. To participate via Microsoft Teams, please contact Lindsey McNeill at Lindsey.McNeill@oal.ca.gov or (916) 323–6820 by 4:30 p.m. on December 8, 2026, to request a link to the meeting. A link to the hearing will also be posted under the “Announcements” heading on the homepage of the OAL website at oal.ca.gov, no later than 8:30 a.m. the day of the hearing. To participate by telephone, call (916) 245–8850 and enter Conference ID: 563 678 718#.

For those who wish to attend the hearing in person, including those who require reasonable accommodations, limited seating will be available in the OAL Training Room, 300 Capitol Mall, Suite 1210, Sacramento, CA 95814. Please contact Lindsey McNeill at Lindsey.McNeill@oal.ca.gov or (916) 323–6820 by 4:30 p.m. on December 8, 2026, to request to attend the hearing in person or by 4:30 p.m. on November 23, 2026, if reasonable accommodations are necessary.

Participants will be given instructions on how to provide oral comments once they have accessed the hearing. The hearing will proceed on the date noted above until all testimony is submitted or until 12:00 p.m., whichever is later. At the hearing, any person may present oral or written statements or arguments that are relevant to the proposed rulemaking action. OAL requests, but does not require, that persons who make oral comments at the hearing also submit a written copy of their testimony via email.

WRITTEN COMMENT PERIOD

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

Office of Administrative Law
Attention: Mark Storm
300 Capitol Mall, Suite 1250
Sacramento, CA 95814

Comments may also be submitted by email to OALProposedRulemakings@oal.ca.gov or by facsimile (FAX) at (916) 445–9515. **The written comment period closes on December 9, 2026.** To ensure OAL will consider your comment, it must be received by 11:59 p.m. on December 9, 2026. When commenting, please indicate the proposed rulemaking action to which your comment refers.

AUTHORITY AND REFERENCE

Government Code section 11342.4 authorizes OAL to adopt proposed section 110 of title 1 of the California Code of Regulations (CCR) and amend sections 1, 6, and 14 of title 1 of the CCR. The proposed changes implement, interpret, and make specific Government Code section 11343.8.

INFORMATIVE DIGEST

Summary of Existing Laws and Regulations Related Directly to the Proposed Rulemaking Action:

The Administrative Procedure Act (APA), Government Code section 11340 et seq., establishes rulemaking requirements for the adoption, amendment, or repeal of regulations by state agencies and for the review of those rulemaking actions by OAL. The APA also charges OAL with the official compilation, printing, and publication of regulations in the CCR.

Some rulemaking actions are wholly or partially exempt from the rulemaking provisions of the APA. Generally applicable exemptions to the APA are specified in Government Code section 11340.9 (i.e., general exemptions) and exemptions specific to a particular state agency may be found in a state agency’s governing statutes (i.e., special exemptions). General exemptions exempt the rulemaking agency from compliance with the APA. Special exemptions may exempt the rulemaking agency from compliance with some or all of the APA. Special exemptions may also require compliance with the APA but may exempt an agency’s rulemaking action from review by OAL, from filing with the Secretary of State, and/or from publication in the CCR.

Government Code section 11343.8 provides that a state agency may request OAL file with the Secretary of State and publish in such manner as OAL believes proper, any regulation or order of repeal of a regulation not required to be filed with the Secretary of State.

With respect to these requests for OAL to file a wholly or partially exempt action with the Secretary of State and/or print the regulation or order of repeal of a regulation in the CCR, further clarification is needed to aid in OAL’s review of these filings. Although existing regulation (Cal. Code Regs., title 1, sec. 6) refers to “Print Only” and “File and Print” actions, further

clarification of these terms is necessary to ensure consistent processing of these actions by OAL.

Policy Statement Overview:

Rulemaking agencies sometimes submit actions to OAL that are wholly or partially exempt from the APA without documenting how the action is exempt or demonstrating that it would be proper for OAL to publish the proposed changes in the CCR pursuant to Government Code section 11343.8. This proposed rulemaking action seeks to implement, interpret, and make specific Government Code section 11343.8 in order to clarify when an action may be submitted to OAL as either a File and Print or Print Only action. This proposed rulemaking action is necessary to clarify the documents to be submitted in connection with File and Print and Print Only actions in order to facilitate OAL's timely review of these actions. Furthermore, this action clarifies the time period for OAL's review of the aforementioned actions, elaborates upon how OAL will evaluate these filings, and articulates the notification to be provided to the rulemaking agency.

Effect of Proposed Rulemaking Action:

Section 1. Chapter Definitions.

Government Code section 11343.8 provides that a rulemaking agency may request that OAL file with the Secretary of State and publish (i.e., “print”) in such manner as OAL believes proper, any regulation or order of repeal of a regulation not required to be filed with the Secretary of State. These filings are colloquially known as “File and Print” actions because the rulemaking agency is requesting that OAL “file” the regulation(s) with the Secretary of State and “print” the regulation(s) in the CCR.

There are other rulemaking actions required to be adopted pursuant to the APA, filed with the Secretary of State, and printed in the CCR, but that OAL is exempted by statute from reviewing. In this situation, a rulemaking agency will submit the rulemaking action to OAL for filing with the Secretary of State and printing in the CCR. These filings are also colloquially known as “File and Print” actions because the rulemaking agency is requesting that OAL “file” the regulation(s) with the Secretary of State and “print” the regulation(s) in the CCR.

There are also agency-specific statutes that specify the adoption of regulations is exempt from the APA, but that require the submittal of the action to OAL for filing with the Secretary of State and/or printing in the CCR. Again, these filings are also colloquially known as “File and Print” actions because the rulemaking agency is requesting that OAL “file” the regulation(s) with the Secretary of State and/or “print” the regulation(s) in the CCR.

Furthermore, there are agency-specific statutes that specify the adoption of regulations is exempt from the APA and either the regulation(s) are required to be printed in the CCR or the rulemaking agency desires to have the regulation(s) printed in the CCR. These filings are colloquially known as “Print Only” actions because the rulemaking agency files the action with the Secretary of State before submitting the action to OAL and thus, is only requesting that OAL “print” the regulation(s) in the CCR.

OAL proposes to amend section 1 of title 1 of the CCR to include definitions for “File and Print” and “Print Only” actions in order to clarify when an action may be submitted to OAL as either a File and Print or Print Only action. OAL also proposes to adopt a new definition for “CCR” and amend the existing definition for “Regular rulemaking.”

Section 6. Hard-copy Submission of Regulatory Actions.

OAL proposes to amend section 6 of title 1 of the CCR to remove the definition for “Print Only,” which is better suited for inclusion in OAL's general definitions section (Cal. Code Regs., title 1, sec. 1).

Section 14. “Authority” and “Reference.”

OAL proposes to amend section 14 of title 1 of the CCR to clarify that OAL's review of File and Print and Print Only actions includes review of authority and reference citations.

Section 110. Submission of File and Print and Print Only Actions.

OAL proposes to adopt section 110 to clarify the documents to be submitted in connection with File and Print and Print Only actions, which will help to facilitate OAL's review of these actions. Proposed section 110 also clarifies the time period for OAL's review, elaborates upon how OAL will evaluate these filings, and articulates the notification to be provided to the rulemaking agency.

Anticipated Benefits of the Proposed Rulemaking Action:

The changes proposed in this rulemaking action will help to facilitate efficient and timely OAL review of File and Print and Print Only actions. Pursuant to Government Code section 11346.5(a)(3)(C), OAL does not anticipate any benefits to the protection of public health and safety or the environment, the prevention of discrimination, or the promotion of fairness or social equity, as a result of this proposed rulemaking action.

**SUBSTANTIAL DIFFERENCE FROM
EXISTING, COMPARABLE FEDERAL
REGULATION OR STATUTE**

No comparable federal regulation exists.

EVALUATION OF INCONSISTENCY/ INCOMPATIBILITY OF THE PROPOSED REGULATIONS WITH EXISTING STATE REGULATIONS

The regulation of the rulemaking process under the APA was delegated to OAL. (Gov. Code, sec. 11342.4.) No other state agency promulgates regulations for this purpose. Nevertheless, OAL has conducted an exhaustive, section-by-section, as well as subsection-by-subsection, search of all titles of the California Code of Regulations and has found no section, subsection, phrase, or clause with which any of the proposed sections conflicts or is incompatible. Therefore, the proposed regulations are neither inconsistent nor incompatible with existing state regulations.

DOCUMENTS INCORPORATED BY REFERENCE

None.

IMPOSITION OF LOCAL MANDATE

The proposed regulations do not impose a mandate on local agencies or school districts.

FISCAL IMPACT ESTIMATES

Cost to any local agency or school district requiring reimbursement under Gov. Code section 17500 et seq.: None.

Cost or savings to any state agency: This proposed rulemaking action is estimated to result in minimal additional costs to rulemaking agencies that submit File and Print and Print Only actions to OAL. Proposed section 110 clarifies that rulemaking agencies must submit a written explanatory statement that includes a specific citation to each applicable APA exemption and an explanation of how each proposed change in the proposed action falls within the scope of the cited exemption. Although many rulemaking agencies already provide this documentation at the time of filing the action with OAL, some rulemaking agencies submit actions to OAL that are wholly or partially exempt from the APA without submitting any written documentation citing to the claimed exemption(s). As the state agency with oversight over and responsibility for publication of and integrity of the CCR, OAL has a duty to ascertain what the rulemaking agency claims as an applicable APA exemption and determine whether the proposed change(s) fall within the scope of the claimed exemption(s).

While the preparation of this explanatory statement, which typically averages one page in length, may require use of agency staff time and resources,

the amount of time and resources spent preparing the written explanatory statement in advance of submission to OAL is likely offset by the decrease in time the same agency staff would have otherwise spent discussing the scope and application of the claimed exemption(s) with the OAL reviewing attorney during OAL's review of the action.

No new positions are required and no positions will be eliminated as a result of compliance.

Additionally, OAL's regulations regarding the use of OAL's eSubmissions Portal took effect on April 1, 2026. This means rulemaking agencies may submit their File and Print and Print Only actions to OAL electronically, regardless of the size of the submission. As such, there are no anticipated costs of printing, paper, or ink with respect to submission of the aforementioned actions.

Other non-discretionary cost or savings imposed upon local agencies: None.

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

SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

This proposal will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. There are no obligations imposed on any private sector businesses in connection with this proposed rulemaking action. This proposed rulemaking action clarifies the process to be utilized by executive branch state agencies when submitting File and Print and Print Only actions to OAL.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

Creation of Jobs in California: None.

Elimination of Jobs in California: None.

Creation of New Businesses in California: None.

Elimination of Existing Businesses in California: None.

Expansion of Businesses Currently Doing Business within California: None.

Benefits of the Regulation to the Health and Welfare of California Residents, Worker Safety, and the State's Environment: This proposed rulemaking action benefits the general welfare of California residents and businesses by promoting openness and transparency in government and providing for greater efficiency of governmental operations. Pursuant to Government Code section 11346.5(a)(10), this proposed rulemaking action will not affect worker safety or the State's environment.

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

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

BUSINESS REPORT

The proposed rulemaking action does not require a report to be made by business.

HOUSING

There will be no effect on housing costs.

**DETERMINATION OF EFFECT
ON SMALL BUSINESS**

The proposed regulations will have no effect on small business. OAL has reached this determination because the proposed regulations apply to executive branch state agencies. Therefore, small businesses are not legally required to comply with or enforce the regulations, derive a benefit from the enforcement of the regulations, nor incur a detriment from the enforcement of the regulations. The only tangential benefit to small businesses derived from this rulemaking action is openness and transparency in government.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), OAL 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, 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 as effective in implementing the statutory policy or other provision of law.

CONTACT PERSON

Inquiries concerning this proposed rulemaking action may be directed to:

Mark Storm
Office of Administrative Law
300 Capitol Mall, Suite 1250
Sacramento, CA 95814
(916) 323–4217
Mark.Storm@oal.ca.gov

The backup contact person for these inquiries is:

Lindsey McNeill
Office of Administrative Law
300 Capitol Mall, Suite 1250
Sacramento, CA 95814
(916) 323–6820
Lindsey.McNeill@oal.ca.gov

**AVAILABILITY OF STATEMENT
OF REASONS, TEXT OF
PROPOSED REGULATIONS, AND
RULEMAKING RECORD**

OAL will make the entire rulemaking record available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date this notice is published in the Notice Register, the rulemaking record consists of the Notice of Proposed Action, the proposed text of the regulations, the Initial Statement of Reasons, and the STD. 399. Please direct requests to inspect or copy the rulemaking record to the contact person(s) listed above.

**AVAILABILITY OF CHANGED
OR MODIFIED TEXT**

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

**AVAILABILITY OF FINAL
STATEMENT OF REASONS**

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

**AVAILABILITY OF DOCUMENTS
ON THE INTERNET**

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, the proposed text of the regulations in underline/strikeout format, as well as other rulemaking documents as they are completed, may be accessed via OAL's website at www.oal.ca.gov.

TITLE 2. ENERGY COMMISSION

AMEND CONFLICT-OF-INTEREST CODE

NOTICE IS HEREBY GIVEN that the California Energy Commission, pursuant to the authority vested in it by section 87306 of the Government Code, proposes amendment to its conflict-of-interest code. A comment period has been established commencing on *October 9, 2026* and closing on *November 23, 2026*. All inquiries should be directed to the contact listed below.

The California Energy Commission proposes to amend its conflict-of-interest code to include employee positions that involve the making or participation in the making of decisions that may foreseeably have a material effect on any financial interest, as set forth in subdivision (a) of section 87302 of the Government Code. The amendment carries out the purposes of the law and no other alternative would do so and be less burdensome to affected persons.

Changes to the conflict-of-interest code include:

- Adding clarifying language in Disclosure Category 1 to align with the description of real property in Disclosure Category 6 to eliminate any discrepancies in wording.
- Re-ordering the language in Disclosure Category 6 for clarity.
- Adding Disclosure Category 11 to address the Energy Commission’s new and high-profile work on petroleum and other transportation fuels.
- Adding one new job classification in the Financial Management Branch (Accounting Administrator II); one new job classifications in the Human Resources and Support Services Branch (Analyst II/I — Business Services); one new job classification in the Chief Counsel’s Office (Attorney Supervisor); one new job classification in the Commissioners’ Offices (Analyst II — Chair’s Office). These new job classifications involve participating in making decisions that may foreseeably have a material effect on any financial interest.
- Expanding the job classifications in the Information Technology Services Branch (Information Technology Manager (All levels)); expanding the job classifications in the Media and Public Communications Office (Supervisor (All levels)). These expanded job classifications involve participating in making decisions that may foreseeably have a material effect on any financial interest.
- Removing certain positions or position titles either because the position no longer exists, the position does not participate in the making of a governmental decision, or due to combining with another position listing: “Staff Services Manager

III” and the “Associate Governmental Program Analyst Recruitment & Outreach” in the Human Resources and Support Services Branch; “Contracts, Grants, and Loans” from the listing of Staff Services Manager I and Staff Services Manager II (Supervisory) in the Financial Management Branch; “Hearing Adviser (All levels)” and “Chief Counsel” in the Chief Counsel’s Office; “Associate Energy Specialist” in Compliance and Enforcement; “Energy Resources Specialist III (Managerial)— Assistant Deputy Director” in the Efficiency Division; “Energy Resources Specialist III (Managerial),” “Civil Engineer (All levels),” and “Energy Generation System (All levels)” in Appliance Efficiency Branch and Load Flexibility Branch; “Energy Resources Specialist III (Managerial)” in the Existing Buildings Branch and Building Standards Branch; “Civil Engineer (All levels)” in the Standards Compliance Branch; “Energy Resources Specialist III (Managerial)— Assistant Deputy Director” and “Energy Resources Specialist III (Supervisory)” in All Other Energy Assessments Division Organizational Units; “Energy Commission Specialist III” and “Research Data Specialist II” in the Energy Data and Analytics Office; “Staff Management Auditor,” “Energy Commission Specialist I (IEPR),” “Energy Commission Specialist II (IEPR),” “Energy Commission Specialist III (IEPR),” and “Training Officer II” in the Executive Office; “Energy Resources Specialist III (Managerial)— Deputy Division Chief” and “Energy Resources Specialist III (Supervisory)” in the Fuels and Transportation Division; “Information Officer II (Supervisory),” “Information Officer (Specialist),” and “Supervisor II (Supervisory)” in the Media and Public Communications Office; “Information Officer II” and “Energy Resources Specialist III (Supervisory)” in the Office of the Public Advisor, Energy Equity and Tribal Affairs; “Energy Resources Specialist III (Managerial)— Assistant Deputy Director” in the Reliability, Renewable Energy, and Decarbonization Incentives Division; “Planner— Siting and Environmental Office (All levels)” and “Energy Resources Specialist III (Managerial)— Assistant Deputy Director” in the Siting, Transmission, and Environmental Protection Division.

- Updating position titles from “Staff Services Analyst,” “Associate Governmental Program Analyst,” and “Staff Services Manager” series to “Analyst” or “Supervisor/Manager,” respectively, to reflect their reclassification by CalHR.
- Updating, re-naming, re-categorizing, or removing branches in each Division based on current organizational charts.

- Updating and/or removing disclosure categories for existing positions based on the duty statement and work of the position.
- Eliminating positions that are no longer being used.

and also makes other technical changes.

Information on the code amendment is available on the agency’s intranet site and attached to this email.

Any interested person may submit written comments relating to the proposed amendment by submitting them no later than *November 23, 2026*, or at the conclusion of the public hearing, if requested, whichever comes later. At this time, no public hearing is scheduled. A person may request a hearing no later than *November 9, 2026*.

The California Energy Commission has determined that the proposed amendments:

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

All inquiries concerning this proposed amendment and any communication required by this notice should be directed to: Rachel Shuen, Attorney, (916) 637–8121, Rachel.Shuen@energy.ca.gov.

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: Red Bluff Joint Union High School District

A written comment period has been established commencing on October 9, 2026, and closing on November 23, 2026. Written comments should be direct-

ed 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 code 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 code will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced conflict-of-interest code, 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 code 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 code. Any written comments must be received no later than November 23, 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 sub-

mitted, 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 code 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

LEROY F. GREENE SCHOOL FACILITIES ACT OF 1998, SMALL SCHOOL DISTRICT PROGRAM

The state allocation board proposes to adopt article 13.5 for the small school district program, along with a new form, and amend eight existing regulation sections, along with two associated forms and the grant agreement [Proposition 2] master templates, title 2, California Code of Regulations, relating to the Leroy F. Greene School Facilities Act of 1998.

PROPOSED ADOPTION OF THE FOLLOWING REGULATION SECTIONS

- 1859.156, 1859.157, 1859.157.1, 1859.157.2, 1859.157.3, 1859.157.4, 1859.157.5, 1859.157.6, 1859.157.7, 1859.157.8 AND 1859.158.

PROPOSED ADOPTION OF THE FOLLOWING FORM

- Form SAB 50–12, *Application for Small School District Program Preliminary Apportionment*, (New 02/26), which is incorporated by reference and referenced in Regulation Section 1859.2.

PROPOSED AMENDMENTS TO THE FOLLOWING REGULATION SECTIONS

- 1859.2, 1859.18.1, 1859.51, 1859.74.1, 1859.90.2, 1859.90.3, 1859.106 AND 1859.107.

PROPOSED AMENDMENTS TO THE FOLLOWING FORMS

- Form SAB 50–04, *Application For Funding*, (Rev. 01/26 02/26), which is incorporated by reference and referenced in Regulation Section 1859.2.
- Form SAB 50–05, *Fund Release Authorization*, (Rev. 08/25 02/26), which is incorporated by reference and referenced in Regulation Section 1859.2.
- *Grant Agreement [Proposition 2]*, (New 03/25 Rev. 04/26), which is incorporated by reference and referenced in Regulation Section 1859.2.

NOTICE IS HEREBY GIVEN that the State Allocation Board (SAB) proposes to adopt and amend the above-referenced regulation sections, including the associated forms and the Grant Agreement [Proposition 2] master template, 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, 17072.13, 17075.15, 17075.20, 17078.64, 17078.72(l) and 17079.30 of the Education Code. The proposal interprets and make specific reference Sections 8974, 17009.5, 17017.6,

17017.7, 17021, 17047, 17050, 17051, 17052, 17070.15, 17070.35, 17070.41, 17070.50, 17070.51, 17070.51(a), 17070.54, 17070.59, 17070.63, 17070.71, 17070.75, 17070.77, 17070.965, 17070.99, 17071.10, 17071.25, 17071.30, 17071.33, 17071.35, 17071.40, 17071.75, 17071.76, 17072.10, 17072.12, 17072.13, 17072.14, 17072.18, 17072.20, 17072.30, 17072.33, 17072.35, 17073.10, 17073.16, 17073.25, 17074.10, 17074.15, 17074.16, 17074.25, 17074.30, 17074.56, 17075.10, 17075.15, 17075.20, 17076.10, 17077.30, 17077.35, 17077.40, 17077.42, 17077.45, 17078.24, 17078.35, 17078.36, 17078.37, 17078.38, 17078.52, 17078.56, 17078.72, 17078.72(k), 17078.73, 17079, 17079.10, 17079.20, 17079.30, 17251, 17280, 17375, 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 (OAL) and filed with the Secretary of State on October 8, 1999.

On November 5, 2024, a majority of California's voters approved the Kindergarten through Grade 12 Schools and Local Community College Public Education Facilities Modernization, Repair, and Safety Bond Act of 2024 (Proposition 2). In addition to providing \$8.5 billion in bond authority for public Transitional Kindergarten through grade 12 school facilities, there are many provisions contained in Proposition 2 that require interpretation and inclusion in the existing School Facility Program (SFP) Regulations. Voter approval of Proposition 2 made provisions of Assembly Bill (AB) 247 (Muratsuchi, Chapter 81, Statutes of 2024) operative.

Between February 2025 and January 2026, OPSC held six stakeholder meetings to inform the development of proposed regulations implementing Article 11.5, Assistance to Small School Districts, Education Code Sections 17078.35 through 17078.38. OPSC refers to this provision as the Small School District Program (SSDP). At its meeting on February 25, 2026, the SAB adopted proposed regulatory amendments, on an emergency basis, that implement this provision of Proposition 2. Under this Program, small school districts that have an enrollment of 2,501 or fewer pupils will submit preliminary applications for New Con-

struction or Modernization and must meet all applicable eligibility requirements for the SSDP. The proposed regulations were approved by OAL and filed with the Secretary of State on June 15, 2026 [OAL File #2026-0605-01E].

Attached to this Notice are the proposed regulations, along with three associated forms and the *Grant Agreement [Proposition 2]* master templates. The proposed regulations can also be reviewed on OPSC's website at: [Laws, Regulations for School Construction Projects](#). Copies of the proposed regulations, the three associated forms, and the *Grant Agreement [Proposition 2]* master templates 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

A series of stakeholder meetings were held between February 2025 through January 2026. Once stakeholders had the opportunity to provide input and feedback on the SSDP, OPSC presented proposed regulatory changes to the SAB for consideration as formal regulations and then those regulations were submitted to OAL and subsequently approved. There was one instance in which OPSC presented an additional board item to the SAB specifying factors for the SAB's consideration in cases where an applicant is requesting a single one-year extension of time for their Preliminary Small School District Program Apportionment. The SAB approved the clarifying language at its August 5, 2026 meeting.

The problem being resolved is specificity, consistency, and accountability mechanisms to implement the SSDP into the SFP. As noted above, Education Code Sections 17078.35 through 17078.38 set forth the authority for the SAB to provide 1) preliminary applications; 2) Preliminary Apportionments; 3) apportionment of site/design grants, project assistance grants, and Project Construction and Management Grants to qualifying financial hardship applicants as part of the Preliminary Apportionment; 4) substantial progress requirements on apportionments for site/design grants that mirror existing substantial progress regulations in the SFP; and 5) requirements for a Final Apportionment for the project in the manner substantially identical to the requirements for the Critical Overcrowded Schools program, which was a prior SAB-administered program (Education Code Section 17078.25). The accountability mechanisms also include fund release requirements, the *Grant Agreement [Proposition 2]*, and other reporting requirements to

facilitate compliance with statutory provisions under the SFP.

Small school districts are defined as those with an enrollment of fewer than 2,501 pupils, and they face additional challenges in navigating the school construction and facility funding processes. Small school districts may not have a dedicated facility staff person to take on the role of managing school construction projects. In many small school districts, facilities may be handled by the district superintendent, who may also be the principal of a school. The funding for the SSDP provides advance funding for design/site and provides small school districts with an opportunity to reserve eligible funds and extra time (up to four years with a possible one-year extension) to develop the project, including receiving the necessary approvals from the various agencies.

OPSC performed 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 consistent with and implement the SSDP provision enacted with the passage of AB 247 and Proposition 2. Proceeding with the implementation of the proposed regulations will provide a positive impact on the state's economy, as well as the creation of an unknown number of jobs in the school construction industry. Once small school districts request the release of state funds, manufacturing and construction-related industries such as architecture, engineering, trades and municipalities may expand based on the demand on these industries. The proposed regulations maintain equity, consistency, and the integrity of the SFP.

Anticipated Benefits of the Proposed Regulations

There are benefits associated with the proposed regulations in that there is statutory authority for the SAB to implement the SSDP. This program is strictly designed for small school districts to request Preliminary Apportionments for New Construction and/or Modernization funding. The SSDP helps to ensure small school districts have the time to design and construct the project over time without the risk of designing a project for which there is no bond authority available for construction.

In addition, the proposed regulations may have a positive impact on the state's economy, as well as the creation of an unknown number of jobs in the school construction industry, by facilitating funding for school construction. Once [small] school districts request the release of state funds, manufacturing and construction-related industries such as architecture, engineering, trades and municipalities may expand based on the demand on these industries.

Summary of the Proposed Regulations

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 amendments define additional terms and expand existing definitions that align with Education Code Sections 17078.35 through 17078.38. In addition, there are three associated forms; two are being revised which changes their revision dates and one is being introduced to align with carry out the requirements of the SSDP.

Existing Regulation Section 1859.18.1 establishes the required time frames by which school districts submit a complete master plan and applies to applications submitted to OPSC on and after October 31, 2024. The proposed amendments include the time frames by which small school districts must submit a local governing board resolution or a complete master plan in order to comply with Education Code Section 17070.54.

Existing Regulation Section 1859.51 outlines the criteria for adjusting a school district's new construction baseline eligibility. The proposed language of "a complete and valid" pertains to the submittal of information to OPSC. There are minor edits that are considered non-substantive changes but intended to clarify that the Form SAB 50-01 submitted must contain all required information to be able to process the form. Incomplete, blank, or form with false or inaccurate information is not acceptable.

Existing Regulation Section 1859.74.1 establishes the criteria for site appraisals that a school district must meet before an application for the funding of site acquisition costs can be approved. The proposed amendments include certification information on the Form SAB 50-12 in order for small school districts to request site acquisition funding authorized by Section 1859.74. This would be necessary in cases where small school districts already have the appraisal documents to substantiate the request for site acquisition funding at the Preliminary Apportionment stage. Also, there are minor edits that are considered non-substantive changes.

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. Projects under the Charter School Facilities Program may apply for an advance release of design funds from a Preliminary Charter School Apportionment. School districts and Charter Schools wishing to participate must provide a written statement signed by the authorized district representative within the 30-calendar day filing period that contains specific information and acknowledge that certain documents must be submitted to OPSC. The proposed amend-

ments add 1) a reference to “Preliminary Small School District Program Apportionment” in the introductory paragraph to delineate what type of Apportionments are included in the priority funding process for funding distribution; 2) a reference to “approved advance release of design, project assistance, the Project and Construction Management Grant, and/or any site acquisition funds from a Preliminary Small School District Program Apportionment” is added in subsection (a) for purposes of providing a priority funding request to be considered for an apportionment; 3) new subsection (c) is added to describe the requirements for participation in the priority funding process for school districts to request an apportionment or approved advance release of funds resulting from a Preliminary Small School District Program Apportionment; 4) the proposed language of “a complete and valid” pertains to the submittal of information to OPSC; and 5) minor edits that are considered non-substantive changes, including the renumbering of subsections due to new subsection (c) being added to this section.

Existing Regulation Section 1859.90.3 applies to new construction, modernization, facility hardship and rehabilitation pursuant to Section 1859.82.1. This Section provides for the rescission of an Apportionment and/or unfunded approval for SFP projects on the Unfunded List (Lack of AB 55 Loans) that twice choose not to participate in or not request State apportionments through the Priority Funding process. The proposed amendments specify that the advance release of design, project assistance, the Project and Construction Management Grant, and any site acquisition funds from a Preliminary Small School District Apportionment are excluded from occurrences related to non-participation in the priority funding process. There is a minor edit that is considered a non-substantive change.

Existing Regulation Section 1859.106 requires that expenditures for SFP program projects be made in accordance with certain Education Code sections and that an adjustment be made in the SFP grant for specific factors, including, but not limited to the difference in the value of the site, relocation costs, Department of Toxic Substances Control fees, and hazardous waste/materials removal costs that were used to determine the New Construction Adjusted Grant and the actual amount paid by the school district or insurance proceeds collected by a school district for displaced facilities, to name a few. This section allows for the adjustment in the SFP grant for insurance proceeds or other government disaster assistance collected by the school district for any project that received funding for interim housing assistance following a natural disaster or other assistance following a natural disaster. The proposed amendment adds new subsection (f) as another adjustment in the SFP grant if a school district

requests and receives the Project and Construction Management Grant but does not obtain project and/or construction management services pursuant to Education Code Section 17078.35, and does not expend funds on these services, the grant will be reduced for the Project and Construction Management Grant for the state’s share and the associated local matching share.

Existing Regulation Section 1859.107 provides for the withdrawal and re-submittal of applications in order to benefit from changes in the law or regulations. The proposed amendments add a new paragraph at the end of the section that delineates the process by which OPSC will use to address circumstances in which a school district submits to OPSC more than one application for the same scope of work under one or more SAB-administered programs. This is necessary to prevent duplicate funding for the same type of work and to ensure funding is not provided under more than one SAB-administered program as this would be considered a gift of public funds. There are minor edits that are considered non-substantive changes.

Proposed adoption of Regulation Section 1859.156 introduces the *Application For Small School District Program Preliminary Apportionment* (New 02/26) [Form SAB 50–12], which is incorporated by reference, and for which school districts wishing to participate in the SSDP must submit to OPSC. The applications will be processed in order of receipt of a complete and valid Form SAB 50–12. This section also sets forth the separate requirements for New Construction and Modernization eligibility: New Construction eligibility establishments and adjustments must be submitted with the Form SAB 50–12 using the current enrollment year; Modernization eligibility must be established prior to or concurrent with the submittal of the Form SAB 50–12. The Form SAB 50–12 must be submitted prior to the date of occupancy for any classroom in the project as specified in Regulation Section 1859.70(a). The Form SAB 50–12 submitted must contain all required information to be able to process the form. Incomplete, blank, or form with false or inaccurate information is not acceptable.

Proposed adoption of Regulation Section 1859.157 sets forth the dates by which applications will be submitted to OPSC; November 2, 2026 for Modernization applications and January 15, 2027 for New Construction applications. This section specifies that complete and valid applications will be processed and funded in date order received and, in the event that there are more applications submitted on the same date then can be funded with available SSDP authority, a lottery system will be used to select the project(s) to be funded. Further, this section also stipulates that once the SSDP set asides are exhausted, OPSC (on behalf of the SAB) will stop accepting the Form SAB 50–12

and return any Form SAB 50–12 submittals that were not approved due to insufficient funds for the SSDP. The Form SAB 50–12 submitted must contain all required information to be able to process the form. Incomplete, blank, or forms with false or inaccurate information are not acceptable.

Proposed adoption of Regulation Section 1859.157.1 sets forth the calculation for the Preliminary Apportionment for New Construction by delineating the additional grants that will be provided in addition to methodologies for determining site acquisition and site development value calculations at the time of the preliminary apportionment. This is in alignment with the Critically Overcrowded Schools regulatory framework (Education Code Section 17078.25). This section also sets forth the calculation for the inflator factor and specifies the Project and Construction Management Grant will be made after the inflator factor has been calculated for the Preliminary Apportionment.

Proposed adoption of Regulation Section 1859.157.2 sets forth the calculation for the Preliminary Apportionment for Modernization by delineating the additional grants that will be provided at the time of the Preliminary Apportionment. This section also sets forth the calculation for the inflator factor and specifies the Project and Construction Management Grant will be made after the inflator factor has been calculated for the Preliminary Apportionment.

Proposed adoption of Regulation Section 1859.157.3 sets forth the criteria for an applicant to receive an advance release of funds at the time of a Preliminary Apportionment and the amount of advance funds that may be released. Subsections (a) and (b) specify that applicants eligible for financial hardship assistance can receive an advance release of funds for design and/or site acquisition at the time of a Preliminary Apportionment. Subsection (c) provides that any applicant can receive an advance release of funds for environmental hardship site acquisition at the time of a Preliminary Apportionment. This section also specifies that applicants who are not eligible for financial hardship assistance nor for an advance release of funds for environmental hardship site acquisition at the time of a Preliminary Apportionment are not eligible to receive funds until the Preliminary Apportionment has converted to a Final SSDP Apportionment and the school district submits the Form SAB 50–05 and the Grant Agreement [Proposition 2] for fund release. The Form SAB 50–05 submitted must contain all required information to be able to process the form. Incomplete, blank, or forms with false or inaccurate information are not acceptable.

Proposed adoption of Regulation Section 1859.157.4 sets forth the parameters and criteria for requesting conversion of a Preliminary Apportionment to a Final SSDP Apportionment. Subsection (a) specifies that the

total number of pupil grants requested on the Form SAB 50–04 cannot exceed the number of pupil grants approved on the Preliminary Apportionment. The total number of pupil grants on the Form SAB 50–04 must be for at least 50 percent of the pupil grants approved by the SAB on the Preliminary Apportionment for New Construction funding, or for Modernization funding, the number of pupil grants on the Form SAB 50–04 must be for at least 60 percent of the pupil grants approved by the SAB on the Preliminary Apportionment. Subsection (b) provides that applicants seeking financial hardship assistance while requesting to convert to a final small school district program Apportionment must re-qualify using the Form SAB 50–04 at the time of conversion. Subsection (c) ensures that applicants who received a Preliminary Apportionment can convert to a Final SSDP Apportionment even if the applicant's current enrollment exceeds 2,500 students at the time the applicant submits the Form SAB 50–04. Subsection (d) allows for Modernization supplemental grants funding to be calculated using the enrollment within the Preliminary Apportionment for purposes of the Minimum Essential Facility and Transitional Kindergarten supplemental grants. The Form SAB 50–04 submitted must contain all required information to be able to process the form. Incomplete, blank, or forms with false or inaccurate information are not acceptable.

Proposed adoption of Regulation Section 1859.157.5 sets forth the criteria that allows conversion from a Preliminary Apportionment to a Final SSDP Apportionment plus one year. This section also specifies that if the Preliminary Apportionment does not convert within the four or five year time frame, the Preliminary Apportionment will be rescinded without further SAB action and the funds will be returned to the SSDP fund categories (New Construction or Modernization). This section further provides that if a school district received an advance release of funds then: 1) the Preliminary Apportionment will be rescinded without further SAB action and the funds not released to the applicant will be returned to the SSDP fund categories (New Construction or Modernization); 2) New Construction or Modernization eligibility shall be adjusted by the number of pupil grants not used, equal to the number requested on the Form SAB 50–12, less the pupil grants equivalent to the total amount of State funding retained by the applicant; and 3) funds released pursuant to Section 1859.157.3(a) or (b) shall be reduced to costs incurred and closed out pursuant to Section 1859.106, with a corresponding New Construction or Modernization baseline eligibility adjustment for the pupil grants assigned to the preliminary application. The funds shall be returned to the SSDP fund categories (New Construction or Modernization). The Form SAB 50–04 submitted must contain

all required information to be able to process the form. Incomplete, blank, or forms with false or inaccurate information are not acceptable.

Proposed adoption of Regulation Section 1859.157.6 instructs school districts on the process for requesting a one-year extension to the time limit as specified in Section 1859.157.5, provided the school district has met specific criteria. This section also stipulates that OPSC must receive the one-year extension request from the applicant on or prior to the lapsing deadline. OPSC presented an item to the SAB, at its August 5, 2026 meeting, that specified factors for the SAB’s consideration in cases where a small school district may need to request a single one-year extension of time for their Preliminary Apportionment. This would be necessary in cases where the small school district has encountered challenges and requires more time to convert the application.

Proposed adoption of Regulation Section 1859.157.7 specifies how the amount of the final grant is determined and the process for SAB approval of conversions from Preliminary Apportionments to Final SSDP Apportionments. Subsection (a) provides that if the Final SSDP Apportionment is equal to or less than the Preliminary Apportionment, the Final SSDP Apportionment shall be funded in its entirety, with any difference being returned to the SSDP fund category (New Construction or Modernization), noting that the Final SSDP Apportionment is full and final. Subsection (b) provides that if the Final SSDP Apportionment is greater than the Preliminary Apportionment, the SAB shall approve an increase using the remaining balance in the SSDP fund category (New Construction or Modernization), subject to certain criteria such as 1) the remaining balance shall be prioritized in date order that OPSC received a complete and valid Form SAB 50–04; and 2) in the event there are more applications submitted on the same date than can be funded with the remaining balance, a lottery system will be used to determine the funding order. The Form SAB 50–04 submitted must contain all required information to be able to process the form. Incomplete, blank, or forms with false or inaccurate information are not acceptable.

Proposed adoption of Regulation Section 1859.157.8 allows applicants to request a release of the remaining funds after conversion of the Preliminary Apportionment to a Final SSDP Apportionment pursuant to Sections 1859.90 (Fund Release process) or 1859.90.2 (Priority Funding process).

Proposed adoption of Regulation Section 1859.158 sets forth the substantial progress and expenditure reporting timelines for small school districts receiving funds through the SSDP. Subsection (a) through subsection (d)(2) are in alignment with the existing pro-

gram reporting requirements in SFP Regulation Section 1859.104.

Existing Form SAB 50–04, *Application for Funding*, (Rev. 01/26 02/26), (incorporated by reference) is submitted by school districts to apply for State funding for new construction and modernization projects. The proposed amendments provide specific instruction to applicants in determining the calculation for additional funding for the Minimum Essential Facilities and Transitional Kindergarten modernization supplemental grants. When converting Preliminary Apportionments to a Final SSDP Apportionment, the qualifying enrollment that was used to determine the Preliminary Apportionment shall be used in the calculation for these two modernization supplemental grants. This aligns with proposed Regulation Section 1859.157.4(d)(1) and (d)(2).

Existing Form SAB 50–05, *Fund Release Authorization*, (Rev. 08/25 02/26), (incorporated by reference), is used by school districts and Charter Schools to request the release of State funds that have been apportioned by the SAB, upon the school district’s and Charter School’s certification of compliance with specific legal and SFP requirements. The proposed amendments add a new Part III recognizing the SSDP Preliminary Apportionment and instructing applicants how to request the release of funds for a design and/or separate site apportionment. Because of the new Part III, there are renumbering edits throughout the form and the addition of the word “School” in front of the word “District.” There are also edits to the instructions of “Part X. Career Technical Education Facilities Projects” and “Part XI. Natural Disaster Assistance Projects” where “Part IX” should be “X” and “Part X” should be “XI,” respectively. These edits are considered non-substantive changes.

Proposed adoption of Form SAB 50–12, *Application for Small School District Program Preliminary Apportionment*, (New 02/26), (incorporated by reference), is used by small school districts to request funding for Preliminary Apportionments for either New Construction or Modernization of school facilities. The type of grants that can be reserved at the Preliminary Apportionment stage are pupil grants; 50 years or older pupil grants; 75 years or older facilities replacement funding; all New Construction and Modernization funding supplemental grants; the Project and Construction Management Grant; and excessive cost hardship grants. Most of this form mirrors the existing Form SAB 50–04, both in the form itself, instructions and certifications.

Existing *Grant Agreement [Proposition 2]*, (New 03/25 Rev. 04/26), (incorporated by reference), templates are used for projects submitted to OPSC on or after October 31, 2024 and incorporate the new provisions of Proposition 2. They are entered into for ev-

ery future funding application that is processed; therefore, each Grant Agreement will contain the relevant program’s sections. The Grant Agreements were developed to address the Office of Statewide Audits and Evaluation’s audit findings by improving program oversight and expenditure accountability. The Grant Agreements serve as binding documents and key resources that define the responsibilities of the state and school districts from the determination of the amount of eligible state funding to the reporting of all project funds, including any savings achieved. This ensures transparency and accountability for the program grants being awarded under the SFP. The proposed amendments align with the proposed regulations for the SSDP and include the clarifying language components relating to Common Eligible Project Expenditures and Common Ineligible Project Expenditures adopted by the SAB at its April 29, 2026 meeting.

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

Education Code Sections 17078.35 through 17078.38 set forth the authority for the SAB to provide 1) preliminary applications; 2) Preliminary Apportionments; 3) apportionment of site/design grants, project assistance grants, and Project Construction and Management Grants to qualifying financial hardship applicants as part of the Preliminary Apportionment; 4) substantial progress requirements on apportionments for site/design grants that mirror existing substantial progress regulations in the SFP; and 5) requirements for a Final Apportionment for the project in the manner substantially identical to the requirements for the Critical Overcrowded Schools program, which a prior SAB-administered program (Education Code Section 17078.25). The accountability mechanisms also in-

clude fund release requirements, the *Grant Agreement [Proposition 2]*, and other reporting requirements to facilitate compliance with statutory provisions under the SFP.

Small school districts are defined as those with an enrollment of fewer than 2,501 pupils and face additional challenges in navigating the school construction and facility funding processes. Small school districts may not have a dedicated facility staff person to take on the role of managing school construction projects. In many small school districts, facilities may be handled by the district superintendent, who may also be the principal of a school. The funding for the SSDP provides advance funding for design/site and provides small school districts with an opportunity to reserve eligible funds and extra time (up to four years, with a possible one-year extension) to develop the project, including receiving the necessary approvals from the various agencies. As construction costs continue to escalate, small school districts are presented with financial challenges; many of which may potentially qualify for financial hardship assistance which could cover up to 100 percent of the school district’s contribution for the project. OPSC has tracked over the last ten years that construction costs increase an average of 4.5 percent per year.

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 50–04*, (Rev. 01/26 02/26), referenced in Regulation Section 1859.2 and is incorporated by reference.
- *Form SAB 50–05*, (Rev. 08/25 02/26), referenced in Regulation Section 1859.2 and is incorporated by reference.
- *Form SAB 50–12*, (New 02/26), referenced in Regulation Section 1859.2 and is incorporated by reference.
- *Grant Agreement [Proposition 2]*, (New 03/25 Rev. 04/26), 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 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 because school districts and the school district community have been collaborating on the proposed regulations through a series of stakeholder meetings between February 2025 and January 2026. OPSC held six stakeholder meetings to inform the development of proposed regulations implementing Article 11.5, Assistance to Small School Districts, Education Code Sections 17078.35 through 17078.38. Small school districts are defined as those with an enrollment of fewer than 2,501 pupils. The SSDP is strictly designed for small school districts to request Preliminary Apportionments for New Construction and/or Modernization funding. The SSDP helps to ensure small school districts have the time to design and construct the

project over time without the risk of designing a project for which there is no bond authority available for construction.

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. Additionally, the proposed regulations expand the SFP while maintaining program integrity and equity amongst school district projects.

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

- The proposed regulations promote transparency because school districts and the school district community have been collaborating on the proposed regulations through a series of stakeholder meetings.
- There are continued benefits to the health and welfare of California residents and worker safety. School districts, charter schools, and local educational agencies utilize construction and trades employees to work on school construction projects and although this proposed regulation does 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. The proposed regulations only apply to small school districts for purposes of funding school facility projects. Manufacturing and construction–related industries such as architecture, engineering, trades and municipalities may expand based on the demand on these industries. This may include new [small] businesses, or the expansion of [small] businesses, which have a positive impact on the state's economy and may also create an unknown number of jobs.

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 23, 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 Ms. Lisa Jones at (279) 946–8459. 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 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 Web site at: [Laws, Regulations for School Construction Projects](#) then scroll down to School Facility Program, Pending Regulatory Changes, February 25, 2026 Non–Emergency Regulations, and click on the links entitled 45–day Public Notice, Initial Statement of Reasons, Proposed Regulation Text, Forms SAB 50–01 through 50–04 and Forms SAB 50–09 and 195.

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. The SAB is charged with ensuring that the provisions of Proposition 2 are implemented in the SFP in a timely manner.

**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 5. COMMISSION ON
TEACHER CREDENTIALING**

**ELIGIBILITY OF INSTITUTIONS
SEEKING TO OFFER EDUCATOR
PREPARATION PROGRAMS**

The Commission on Teacher Credentialing (Commission) proposes to take the regulatory action described below after considering all comments, objections, and recommendations regarding the proposed action. A copy of the proposed regulations is included with the new proposed text shown in underline.

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

**SUMMARY OF THE EFFECT
OF THE PROPOSED ACTION**

This proposal adds Section 80700 to Title 5 of the California Code of Regulations.

California Education Code section 44372(c) gives the Commission the authority to accredit institutions that seek to offer programs that lead to a credential to serve as an educator in California public schools. Among other responsibilities, Education Code section 44372(c) sets forth the Commission’s responsibility to rule on the eligibility of applicant institutions. The addition of Section 80700 to Title 5 will set forth the requirements for determining eligibility for institutions that have not previously been approved by the Commission on Teacher Credentialing to operate educator preparation licensure programs in California.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments by fax, through the mail, or by email relevant to the proposed action. The written comment period closes on November 23, 2026. Comments must be received by that time or may be submitted at the public hearing, should one be requested. Interested parties may fax

their response to (916) 327–3165; write to the Commission on Teacher Credentialing, Attention: Mika Laidler–Rubio, Commission on Teacher Credentialing, 651 Bannon Street, Suite 601, Sacramento, CA 95811; or submit an email to Regulations@ctc.ca.gov. Alternatively contact Christina Villanueva by email at Regulations@ctc.ca.gov. Any written comments received by the closing of the public comment period will be reproduced by the Commission’s staff for each member of the Commission as a courtesy to the person submitting the comments and will be included in the written agenda prepared for and presented to the full Commission.

Proposed Amendments to Title 5 of the California Code of Regulations Pertaining to Requirements to Determine Eligibility of Institutions Seeking to Offer Educator Preparation Programs

AUTHORITY

Education Code Section 44372(c) establishes authority for the Commission to rule on the eligibility of an applicant for accreditation when the applying institution has not previously prepared educators for state certification in California.

REFERENCE

The authority cited above is pursuant to subdivision (a) of Section 44227.

**INFORMATION DIGEST/POLICY
STATEMENT OVERVIEW**

Summary of Existing Laws and Effect of the Proposed Action

As stated above, these regulations are new and based on Education Code 44372(c) which states that one of the duties of the Commission shall be to “Rule on the eligibility of an applicant for accreditation when the applying institution has not previously prepared educators for state certification in California, pursuant to subdivision (a) of Section 44227.”

Anticipated Benefits of the Proposed Regulations

The proposed regulations provide clarity for education institutions seeking approval to offer new educator preparation program(s). The adoption of the proposed regulations will ensure that such institutions will have adhered to Commission eligibility requirements thus ensuring consistency and quality in the process of approving institutions to offer educator licensure programs in California.

Determination of Inconsistency/Incompatibility with Existing State Regulations

The Commission has determined that the proposed regulation amendments are not inconsistent or in-

compatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area, the Commission has concluded that these are the only regulations that concern institutional eligibility to offer educator preparation programs in California.

DISCLOSURES REGARDING THE PROPOSED ACTIONS/FISCAL IMPACT

The Commission has made the following initial determinations.

Mandate on local agencies or school districts:

These proposed regulations will not impose a mandate on local agencies or school districts that must be reimbursed in accordance with Part 7 (commencing with section 17500) of the Government Code. Local education agencies may choose to sponsor educator preparation programs utilizing the proposed regulations; however, no mandate exists requiring local agencies or school districts to have educator preparation programs and, therefore, no reimbursement in accordance with Part 7 (commencing with section 17500) of the Government Code is required.

Fiscal Impact

Costs to any local agency or school districts requiring reimbursement pursuant to Government Code section 17500 et seq.

These proposed regulations will not impose a cost to local agencies or school districts requiring reimbursement in accordance with Part 7 (commencing with section 17500) of the Government Code as sponsoring an educator preparation program which is aligned to the proposed regulations is not required by law.

5 CCR Section 80692 authorizes the Commission to charge a flat fee of \$2,000 to any institution seeking to be granted initial institutional approval of which includes the determination of eligibility. These fees would be unaffected by this regulatory package.

Additionally, potential educator candidates enter into approved credentialing programs of their own volition and incur the tuition assessed by the approved education institution of their choice.

Cost or savings to any state agency.

None. This will not create a cost or savings to any state agency. Fees are assessed on approved educator preparation institutions or institutions seeking approval to offer an educator preparation program.

Other non-discretionary costs or savings imposed upon local agencies.

None. Sponsoring an educator preparation program is not required by law.

Cost or savings in federal funding to the state.

None. Sponsoring an educator preparation program is not required by law and would not impact federal funding to the state.

Significant effect on housing costs

No effect on housing costs. These regulations only pertain to institutions seeking approval to offer an educator preparation program in California.

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

The Commission has concluded there is no significant adverse impact on business. The proposed amendments pertain to education institutions seeking eligibility to offer educator credentialing programs.

STATEMENT OF THE RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

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

Creation or Elimination of Jobs within California

These amendments will not create or eliminate jobs in California. The proposed amendments pertain to education institutions seeking to offer educator credentialing programs.

Creation of New Businesses within California

These amendments will not create new businesses in California. The proposed amendments pertain to education institutions seeking to offer educator credentialing programs.

Elimination of Existing Business within California

These amendments will not eliminate existing businesses in California. The proposed amendments pertain to education institutions seeking to offer educator credentialing programs.

Expansion of Businesses Currently Doing Business within the State of California

These amendments will not cause the expansion or elimination of existing businesses in California.

The proposed amendments pertain to education institutions seeking eligibility to offer educator credentialing programs.

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

The Commission anticipates that the proposed amendments will continue to benefit the health and welfare of California residents by providing clarity and consistency for education institutions seeking eligibility to offer educator preparation programs.

The Commission does not anticipate that these regulations will result in a direct benefit to worker safety or the state's environment.

COST IMPACTS ON A REPRESENTATIVE PRIVATE PERSON OR BUSINESS

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

SMALL BUSINESS DETERMINATION

The proposed regulations will not affect small business. The proposed regulations apply only to educational institutions electing to offer Commission-approved and accredited educator preparation programs. Educational institutions are California State Universities, Universities of California, private four-year colleges and universities, or local education agencies, none of which meet the definition for small business as defined in Government Code 11342.610. The vast majority of Commission approved program sponsors are nonprofit educational institutions. Very few institutions of higher education approved by the Commission are for-profit businesses. Because becoming an approved institution seeking to offer an educator preparation program is voluntary, any institution must evaluate whether they have sufficient resources to offer a high-quality preparation program in accordance with the state adopted standards, state statute, and regulations.

CONSIDERATION OF ALTERNATIVES

The Commission 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 Commission invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period or at the public hearing.

CONTACT PERSONS

Inquiries concerning the proposed action may be directed to:

Mika Laidler-Rubio
Commission on Teacher Credentialing

651 Bannon Street, Suite 600
Sacramento, CA 95811
Regulations@ctc.ca.gov

The backup for these inquiries is:

Christina Villanueva
Commission on Teacher Credentialing
651 Bannon Street, Suite 600
Sacramento, CA 95811
Regulations@ctc.ca.gov

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

The Commission will make the entire rulemaking file available for inspection and copying throughout the rulemaking process at the Commission office at the above address. As of the date this notice is published in the Notice of Register, the rulemaking file consists of the Notice of Proposed Action, the proposed text of regulations, the Initial Statement of Reasons, and an Economic and Fiscal Impact Statement STD 399. The rulemaking file for this regulatory action, which contains those items mentioned above, and all information on which the proposal is based (i.e. rulemaking file) is available to the public upon request directed to the department's contact person. Please direct requests to inspect or copy the rulemaking file to the contact person listed above.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

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

AVAILABILITY OF FINAL STATEMENT OF REASONS

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

AVAILABILITY OF DOCUMENTS ON THE INTERNET

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

TITLE 10. CALSAVERS RETIREMENT SAVINGS BOARD

TECHNICAL AMENDMENTS AND EXEMPTION

Notice is hereby given that the CalSavers Retirement Savings Board (Board) is proposing to adopt the regulations described below after considering all comments, objections, and recommendations regarding the proposed regulations.

PUBLIC PROCEEDINGS

The Board is conducting a 45–day written public proceeding during which time any interested person or such person’s duly authorized representative may present statements, arguments, or contentions (all of which are hereinafter referred to as comments) relevant to the action described in the Informative Digest/Policy Statement Overview section of this notice.

To request copies of the regulatory proposal in an alternate format, please write: 915 Capitol Mall, Suite 140, Sacramento, CA 95814, email Tristan.Woolacott@treasurer.ca.gov, or call (916) 653–1744.

WRITTEN COMMENT PERIOD

Written comments pertaining to this proposal, regardless of the method of transmittal, must be received by the Board by November 23, 2026, which is hereby designated as the close of the written comment period. Comments received after this date will not be considered timely.

Written comments must be submitted as follows:

By email

CalSavers@sto.ca.gov

It is requested that email transmission of comments, particularly those with attachments, contain “regulation” in the subject line; to facilitate timely identification and review of the comment.

By regular mail

CalSavers Retirement Savings Board
Re: Rulemaking for the CalSavers Retirement Savings Program
P.O. Box 942809
Sacramento, CA 95815

By courier delivery

CalSavers Retirement Savings Board
Re: Rulemaking for the CalSavers Retirement Savings Program
915 Capitol Mall, Suite 140
Sacramento, CA 95814

PUBLIC HEARING

A public hearing has not been scheduled for this rulemaking action. However, the Board will conduct a public hearing if a written request for a public hearing is received from any interested person, or their authorized representative, no later than 15 days prior to the close of the written comment period, pursuant to Government Code Section 11346.8.

AUTHORITY AND REFERENCE CITATIONS

Authority: Sections 100010 and 100048 of the Government Code (GOV Code) provide the Board with the authority to adopt regulations to implement Title 21 GOV Code.

Reference: Sections 100000, 100002, 100004, 100008, 100012, 100014, 100032, 100033, 100034, 100043, and 100046 of Title 21 GOV Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Summary of Proposal

The Board proposes adopting and amending its regulations to do the following:

- Clarify the Board’s regulations by making the terminology in the Board’s rules more consistent and easier to understand;
- Implement requirements for employers, employees, and individuals;
- Clarify the Board’s penalty enforcement and refund process; and,
- Introduce the process for employers to exempt themselves from the CalSavers Retirement Savings Program (Program).

Background

In 2012, the California Legislature enacted, and the Governor signed, Senate Bills (SB) 1234 and (Chapter

734, Statutes of 2012) and SB 923 (Chapter 737, Statutes of 2012) which established the California Secure Choice Retirement Savings Investment Board (subsequently changed to the “CalSavers Retirement Savings Board” through Assembly Bill (AB) 102 in 2020). The legislation among other things required the Board to determine, based on the market analysis, if conditions to implement the CalSavers Retirement Savings Program (Program) can be met and prohibited the implementation of the Program without subsequent legislation to authorize it.

In 2016, the California Legislature enacted, and the Governor signed SB 1234 (Chapter 804, Statutes of 2016) which, among other things, granted the Board the authority to take the steps necessary to implement the Program, including the adoption of regulations.

In 2020, the California Legislature enacted, and the Governor signed AB 102 (Chapter 21, Statutes of 2020) which among other things, created a penalty enforcement scheme administered by the CalSavers Retirement Savings Board and the Franchise Tax Board (FTB). The bill expressly vested the Board with the ability to levy penalties on employers for failing to allow its eligible employees to participate in the Program. The bill requires the Board to provide penalty notices to employers who fail to allow their employees to participate in the Program. If compliance is not satisfied after the Board’s notice is served on a non-compliant employer, the bill permits FTB to impose a penalty of \$250 for failure to allow employees to participate in the Program. If noncompliance persists after the initial penalty is imposed, FTB is authorized on behalf of the Board to issue additional penalties of \$500 for continued noncompliance. Lastly, the bill created an appeals process by which employers may dispute penalties authorized by the bill with FTB.

In April of 2020, the Board authorized Board staff to engage in rulemaking activities which among other things, created Section 10008 subsections (a) and (b) of Title 10 of the California Code of Regulations (CCR). By January 13, 2022, Board staff had completed the emergency rulemaking process and made permanent those regulations authorized by the Board. Title 10 of the California Code of Regulations (CCR) Section 10008 subsections (a) and (b) delegate penalty enforcement to Board staff and set forth requirements for Board staff to notify employers of pending enforcement activities.

At the November 13, 2023, meeting, the Board approved regulations amendments to clarify the assessment and collection of penalties from employers who fail to allow their employees to participate in the Program and provide the Board with the ability to refund penalties collected in error.

Lastly, at an August 20, 2026, meeting, the Board approved further regulations amendments to clarify

penalty enforcement and refunds, broadly clarify the Board’s regulations through standardization, implement requirements for the public, and create an employer exemption process. This filing is intended to enact the regulatory changes approved by the Board.

POLICY STATEMENT OVERVIEW

Objectives, Goals, & Problems Addressed by this Rulemaking

The objective of this rulemaking is to make the language and layout of the Board’s existing regulations consistent to ensure the regulated community can more easily understand the rules and requirements of the Program. Additionally, this rulemaking is intended to clarify exemptions from the Program and non-compliance enforcement.

The main problem this rulemaking is intended to solve is the lack of clarity around the Board’s requirements for individuals (employers and Program participants). By adding more detailed descriptions and step by step procedures for the public to accomplish tasks with the Program, the Board intends to improve compliance among the regulated community and reduce confusion about the Program’s rules.

Overall Anticipated Benefits of this Rulemaking

This rulemaking, if implemented, would bolster the Program by clarifying terms used by the Board in its regulations which among other things administer the Program. For employers and business owners, it would clarify what responsibilities they have in facilitating the Program and how to maintain compliance. For employees and individual participants, it would clarify how the Program works, their rights within the Program, and the requirements of the Program.

Additionally, these regulations will notify and communicate to employers when they are subject to penalties assessed by the Board and provide refunds for penalties in limited circumstances. This benefits employers by informing them of their responsibilities, so they are not penalized without the opportunity to comply by accessing publicly available information on what is required to establish and maintain compliance with the Program. It also establishes a refund process for those who believe they were penalized in error, allowing them to request a refund of those funds forfeited in the enforcement process.

This proposed rulemaking also ensures that participants’ account settings including investment elections, automatic escalation elections, and savings rates remain stable throughout their career by creating a rule that keeps their elections the same regardless of whether participants change jobs or obtains multiple jobs at other participating CalSavers employers. This simple rule aligns the Program’s design with the legislature’s intent for the Program and with how other

IRA programs, public or private operate throughout the country. It should be noted that the change preserves the right of participants to change their settings at any time which are also detailed in this rulemaking.

Other benefits include an improvement in the compliance rate, through the improved communication of administrative procedures, exemption eligibility, and other Board requirements, which will benefit the perception of the Program in the eyes of the public.

By improving the clarity of the Board's regulations, communicating a penalty schedule for noncompliance, and setting forth requirements for penalty refunds, the Board is providing non-monetary benefits to the regulated community. Additionally, the proposed regulatory action increases transparency in business and government by more clearly communicating employer responsibilities, the penalty schedule for noncompliance, and the requirements and procedures for penalty refunds.

Effect of the Proposed Regulations

Similar to the benefits of this rulemaking, the effects of the proposed regulations are as follows.

1. Improve the clarity of the Board's regulations through the standardization of its language and formatting, making it easier for employers and employees to understand and adhere to the regulations.
2. Communicate to the regulated community information about exempted parties and noncompliance penalties.
3. Implement the Program Administrator's and the Board's requirements for exemptions from the Program.
4. Improve compliance as it relates to exemptions and further clarify how to obtain penalty refunds.

Evaluation as to Whether the Proposed Regulations Are Inconsistent or Incompatible with Existing State and Federal Regulations

The Board evaluated whether there are any other regulations that may be adversely impacted by the adoption of these proposed regulations and found no such cases. Because these regulations are solely for the purpose of operating the Program, and no other regulations exist in the CCR and the Code of Federal Regulations that pertain to the operation of the Program, the proposed regulations are neither inconsistent nor incompatible with existing state and federal regulations.

Additionally, the Board found that there are no federal statutes with which the proposed regulations are inconsistent nor incompatible.

Consideration of Alternatives

The Board must determine that no reasonable alternative considered by the Board, 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 Board, in initiating this rulemaking, will consider alternatives proposed by the public during the public comment period or any public hearing the public requests as a result of this rulemaking. To that end, the Board welcomes and solicits feedback from the public.

Documents or Forms Incorporated by Reference

None for this rulemaking.

Mandate by Federal Law or Regulations

None.

Other Statutory Requirements

None.

Local Mandate

The Board has determined that this regulatory action would not impose a mandate on local agencies or school districts, nor are there any costs that require state reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.

FISCAL IMPACT STATEMENTS

Cost Estimate

The Program is funded through administrative fees assessed on the assets invested in the Program. As established under GOV Code Section 100050, startup costs for the Program are appropriated from the General Fund in the annual Budget Act in the form of a loan and are required to be repaid through the fees assessed on the Program fund, with interest calculated at the rate earned by the Pooled Money Investment Account.

The Board estimates direct costs as follows:

- Cost to any local agency or school district requiring reimbursement: no impact.
- Costs or savings to any state agency: no impact.
- Nondiscretionary cost or savings imposed on local agencies: no impact.
- Cost or savings in federal funding to the state: no impact.

Housing Costs

The Board has determined that these regulations will not affect housing costs.

Results of the Economic Impact Assessment

The operation of the Program as required under state law could have an indirect impact on the creation or elimination of jobs within the state through changes to consumption and new investment resulting from new

savings by participating employees. This rulemaking does not alter existing investment options and does not introduce new ones. As a result, the Board in this rulemaking has been unable to determine reasonable indirect impacts on the creation or elimination of jobs throughout the State.

These proposed regulation amendments do impose minor costs upon representative persons and business. For more information on the exact costs, refer to the “Cost Impacts on Representative Person or Business” below. In addition to analyzing the costs on persons and businesses the Board has made the following determinations:

- **Creation or elimination of jobs in California:** no impact.
- **Creation of new businesses or elimination or existing businesses in California:** no impact.
- **Expansion of businesses currently doing business in California:** no impact.
- **Benefits of the regulation to the health and welfare of California residents, worker safety, and the State’s environment:**

The proposed regulations stand to benefit California residents; primarily business owners and operators, as well as their employees. Additionally, the proposed regulations are anticipated to benefit the welfare of California residents as described below. The proposed regulatory changes do not concern health or medical matters and are not anticipated to result in benefits to health.

1. There are many proposed changes to improve clarity in both language and formatting making it easier for the regulated community to understand and adhere to the requirements of this program.
2. Exempt employers are more thoroughly defined making compliance among the business community easier to achieve.
3. The exemption process is enumerated in these proposed rules making the exemption process easier for employers to follow.
4. The retention of participant account settings may result in stable savings rates for participants throughout their career and potentially better savings outcomes for employees over time. This may increase participant welfare in retirement, as well as lessen dependence on social programs for those who save more over the course of their career.

Lastly, the Board does not anticipate that the proposed regulations will result in benefits to worker safety or the State’s environment.

Cost Impacts on Representative Person or Business

The Board is aware of minor costs (at a per employer level) associated with the Board’s proposed exemption regulations (Title 10 CCR Section 10010). The Board estimates the total cost of the first year of compliance with these regulations to be \$646,611.84 (\$14.21 per affected employer). That cost is expected to decrease as the Board’s exemptions should reduce on a year-by-year basis. For a detailed explanation about how these costs were calculated refer to the Board’s Economic and Fiscal Impact Statement (STD 399) Attachment.

Business Report

The proposed regulations do not require any reports to be made by any business or other entity.

Small Business

The proposed regulations will affect small businesses. The same rationale explained in the ‘Cost Impacts on Representative Person or Business’ section applies to small businesses, as the regulations apply equally to small, medium, and large businesses.

The regulations do not require small business to enforce them and as such do not provide any benefit nor detriment regarding enforcement by a small business.

Significant Statewide Adverse Economic Impact Directly Affecting Business, Including Ability to Compete

The Board has not identified any significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

Specific Technologies or Equipment

None.

Technical, Theoretical, and Empirical Study, Report, or Similar Document on Which the Agency Relied

None for this rulemaking.

CONTACT PERSON

Inquiries regarding the substance of the proposed regulations described in this notice may be directed to Tristan Woolacott of the Board, at Tristan.Woolacott@treasurer.ca.gov.

BACK-UP CONTACT PERSON

In the event the primary contact person listed above is unable to be contacted, inquiries regarding the proposed regulations described in this notice may be directed to Jacob Schafer, at Jacob.Schafer@treasurer.ca.gov.

AVAILABILITY STATEMENTS

The Board will have the rulemaking file available for inspection online at treasurer.ca.gov/calsavers/regulations/index.asp. To request a physical inspection of the rulemaking file, please contact the contact persons identified above in the “Contact Person” section and they will schedule a time and location for the inspection.

As of the date of this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, the economic and fiscal impact analysis, the initial statement of reasons, and all information upon which the proposed rulemaking is based. If the Board makes modifications which are sufficiently related to the originally proposed text, it will make the modified text, with the changes clearly indicated, available to the public for at least 15 days before the Board adopts the regulation as revised. Please send requests for copies of any modified text by contracting Tristan Woolcott at the email address or by calling the phone number listed above in the “Contact Person” section. The Board will accept written comments on the modified text for 15 days after the date on which it is made available.

Copies of this rulemaking action may be obtained by contacting Tristan Woolcott at the email address or by calling the phone number listed above in the “Contact Person” section.

FINAL STATEMENT OF REASONS

A copy of the final statement of reasons (when prepared) will be available upon written request by contracting the person identified above in the “Contact Person” section of this notice.

INTERNET ACCESS

Materials regarding the action described in this notice (including this public notice, the text of the proposed regulations, and the initial statement of reasons) that are available via the Internet may be accessed clicking on this link treasurer.ca.gov/calsavers/regulations/index.asp and locating the regulations under the header “Regular Rulemaking (posted October 9, 2026)”.

TITLE 10. DEPARTMENT OF INSURANCE

REVISIONS TO CALIFORNIA LOW COST AUTOMOBILE PLAN PLAN OF OPERATIONS

SUBJECT OF HEARING

California Insurance Commissioner Ricardo Lara (“Commissioner”) will hold a public hearing to consider an adjustment to rates for the California Low Cost Automobile (CLCA) Insurance program.

Insurance Code section 11629.72(c) provides that, annually, the California Automobile Assigned Risk Plan (“CAARP”) shall submit to the Commissioner a proposed Low Cost Automobile rate and surcharge schedule for approval. Accordingly, CAARP submitted its 2027 rate recommendation, proposing an overall average rate increase of 15.4%. The Commissioner will consider the current rates and CAARP’s rate proposal and hereby invites public input regarding CAARP’s proposal. Premium rates are specified in the program’s Plan of Operations, approved by the Commissioner. California Code of Regulations, Title 10, Chapter 5, Section 2498.6 references this plan.

AUTHORITY TO ADOPT RATES AND REFERENCES

The Commissioner will consider the proposed changes pursuant to the authority vested in him by Insurance Code sections 11620, 11624, 11629.7, 11629.72, and 11629.79. The Commissioners authority to adopt/revise premium rates are referenced in Section 27 and Exhibit E of the CLCA Plan of Operations. The proposed regulation implements, interprets and makes specific Insurance Code sections 11629.72 and 11629.79. Government Code section 11340.9(g) and Insurance Code section 11620(c) apply to this proceeding.

HEARING DATE AND LOCATION

Notice is hereby given that a public hearing will be held to permit all interested persons the opportunity to present statements or arguments, orally or in writing, with respect to the proposed changes at the following date, time, and place:

Date and Time: December 2, 2026 at 10:00 a.m. The hearing shall continue until all in attendance wishing to provide comments have commented, or 11:30 a.m. whichever is earlier.

Location:

**Department of Insurance Hearing Room
300 South Spring Street
Los Angeles, CA 90013**

ACCESS TO HEARING ROOM

The facilities to be used for the public hearing are accessible to persons with mobility impairments. Persons with sight or hearing impairments are requested to notify the contact person (listed below) for this hearing in order to make special arrangements, if necessary.

**WRITTEN AND/OR ORAL COMMENTS:
AGENCY CONTACT PERSON**

All persons are invited to submit written comments to the Insurance Commissioner on the application prior to the public comment deadline. Comments should be addressed to the contact person for this proceeding:

Contact Person:

Michael Riordan, Attorney
California Department of Insurance
Enforcement Bureau
1901 Harrison Street
Oakland, CA 94612
riordanm@insurance.ca.gov
Telephone: (415) 538–4226

Backup contact person:

Elsa Carre, Legal Analyst
California Department of Insurance
Rate Enforcement Bureau
1901 Harrison Street
Oakland, CA 94612
Elsa.Carre@insurance.ca.gov
Telephone: (510) 992–8016

All persons are invited to present oral and/or written testimony at the scheduled public hearing.

Please note that under the California Public Records Act (Government Code Section 6250, et seq.), any written and oral comments, and associated contact information included in such comments (e.g., electronic or physical address, phone number, etc.) become part of the public record and can be released to the public upon request.

DEADLINE FOR WRITTEN COMMENTS

All written materials, unless submitted at the hearing, must be **received** by the Insurance Commissioner at the address listed above by the end of the day on **December 2, 2026**. Any written materials received af-

ter that time will not be considered. Written comments may also be submitted to the contact person by email.

ADVOCACY OR WITNESS FEES

Persons or groups representing the interest of consumers may be entitled to reasonable advocacy fees, witness fees, and other reasonable expenses, in accordance with the provisions of California Code of Regulations, Title 10, sections 2662.1–2662.6 in connection with their participation in this matter. Interested persons must submit a Petition to Participate, as specified in California Code of Regulations, Title 10, Section 2661.4. The Petition to Participate must be submitted to the Commissioner at the Office of the Public Advisor at the following address:

California Department of Insurance
Office of the Public Advisor
1901 Harrison Street 6th Floor
Oakland, CA 94612
Telephone: (415) 538–4383

A copy of the Petition to Participate must also be submitted to the contact person for this hearing (listed above). For further information, please contact the Office of the Public Advisor.

**INFORMATIVE DIGEST/POLICY
STATEMENT OVERVIEW**

LC 26–04

California Insurance Code Sections 11629.7 through 11629.85 establish, within the California Automobile Assigned Risk Plan, established under Section 11620 of the Insurance Code, a statewide Low Cost Automobile Insurance Program.

Because the program is established and administered through the CAARP, CAARP procedures are applied where appropriate and consistent with the low cost automobile insurance statutes. Insurance Code Sections 11620 and 11624 require the Commissioner to hold a public hearing before amending assigned risk plan rates.

Section 11629.7 of the Insurance Code requires that, after a public hearing, the Commissioner shall approve or issue a reasonable plan for the equitable apportionment, among insurers, of eligible consumers. The plan also contains rules and rates. This plan, approved by the Commissioner, is referenced in Title 10, Section 2498.6 of the California Code of Regulations.

Under the program, the low-cost auto policy satisfies financial responsibility laws and provides coverage of \$10,000 for liability for bodily injury or death to one person, subject to a cumulative limit of \$20,000 for all persons in one accident, and \$3,000 for liability for damage to property. In addition to eligibility and

other requirements, the statute sets forth the annual premium rates. In certain cases, surcharges are added to the base rate. The statute also provides procedures for adjusting the rates.

Insurance Code Section 11629.72(c) provides that, annually, CAARP shall submit to the Commissioner a proposed rate and surcharge for approval. Accordingly, CAARP has submitted a proposal to increase the current rate 15.4% for the liability policy. Further details appear in the application on file with the Commissioner, which is available for review as set forth below.

COMPARABLE FEDERAL LAW

There are no comparable existing federal regulations or statutes.

LOCAL MANDATE DETERMINATION

The Insurance Commissioner has made an initial determination that the application will not result in any new program mandates on local agencies or school districts for which Part 7 (commencing with Section 17500) of Division 4 of the Government Code would require reimbursement, or in other nondiscretionary costs or savings to local agencies.

MANDATES ON LOCAL AGENCIES OR SCHOOL DISTRICTS OR COSTS WHICH MUST BE REIMBURSED PURSUANT TO GOVERNMENT CODE SECTIONS 17500 THROUGH 17630

The Insurance Commissioner has made an initial determination that the application will not result in any cost or significant savings to any local agency or school district for which Part 7 (commencing with Section 17500) of Division 4 of the Government Code would require reimbursement, or in other nondiscretionary costs or savings to local agencies.

COST OR SAVINGS TO ANY STATE AGENCY; FEDERAL FUNDING

The Commissioner has made an initial determination that the application will result in no cost or savings to any state agency and no cost or savings in federal funding to the state.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES AND THE ABILITY OF CALIFORNIA BUSINESSES TO COMPETE

The Commissioner has made an initial determination that the proposal 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. This proposal will have no effect on the creation or elimination of jobs in California, the creation of new businesses, the elimination of existing businesses in California, or the expansion of businesses in California.

COST IMPACTS ON PRIVATE PERSONS OR ENTITIES

The Insurance Commissioner has made an initial determination that the proposal will not affect private person or entities.

IMPACT ON HOUSING COSTS

The Insurance Commissioner has made an initial determination that the application will not affect housing costs.

IMPACT ON SMALL BUSINESS

The Commissioner has made an initial determination that the proposed rates will not have a significant adverse economic impact on businesses because the rates apply to private passenger automobile policies. The Commissioner invites interested parties to comment on whether the proposed rates will have a significant adverse economic impact on business.

SPECIFIC TECHNOLOGIES OR EQUIPMENT

The application would not mandate the use of specific technologies or equipment.

ALTERNATIVES

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

The Commissioner has not yet identified reasonable alternatives which would be as effective to carry out the statutory mandate and less burdensome to affected persons, including but not limited to affected small

businesses. The Commissioner will entertain public comments on whether a rate change different from that proposed by CAARP would in fact be a reasonable alternative.

PLAIN ENGLISH

The application describing the proposal is in plain English. However, the application itself is based on technical actuarial principles.

TEXT AND INITIAL STATEMENT OF REASONS

The Department has prepared an Initial Statement of Reasons addressing the proposed rate application in addition to the Informative Digest included in this notice. The Initial Statement of Reasons, Notice of Proposed Action and Regulation Text are available for inspection or copying, and will be provided at no charge upon request to the contact person listed above. Further details on CAARP's proposal are on file with the Commissioner and available for review as set forth below.

FINAL STATEMENT OF REASONS

A Final Statement of Reasons will be prepared at the conclusion of this proceeding. Upon written or email request to the contact person listed above, the Final Statement of Reasons will be made available for inspection and copying once it has been prepared. A copy of the Final Statement of Reasons will also be posted on the Department's web site.

ACCESS TO RULEMAKING FILE

Any interested person may inspect a copy of or direct questions about CAARP's application, the statement of reasons, and any supplemental information contained in the rulemaking file by contacting the contact person listed above. **By prior appointment**, the rulemaking file is available for inspection at 1901 Harrison Street, Oakland, CA 94612, between the hours of 9:00 a.m. and 4:30 p.m. Monday through Friday.

AUTOMATIC MAILING

A copy of this Notice, including the Informative Digest, which contains the general substance of the proposed adoption, will be sent to all persons who have previously filed a request with the Department to receive notice of proposed rulemakings.

AVAILABILITY OF DOCUMENTS ON THE INTERNET

The Initial Statement of Reasons, proposed text, and this Notice of Proposed Action will be published online and may be accessed through the Department's website at www.insurance.ca.gov.

AVAILABILITY OF MODIFIED TEXT OF REGULATIONS

If the Department amends the application with changes that are sufficiently related to the original application, the Department will make the full text of the amended rates, with the changes clearly indicated, available to the public for at least 15 days before the date the Department adopts the amended rates.

TITLE 14. DEPARTMENT OF FISH AND WILDLIFE

DECLARATION OF IMPORTATION OF DEAD FISH AND WILDLIFE FORM 2026 UPDATES

PURPOSE OF THIS NOTICE

The Department of Fish and Wildlife (Department or DFW) has published this Notice of Proposed Action to amend Section 712.5 to add two new forms incorporated by reference in Section 712.5: Declaration of Importation of Dead Fish and Wildlife for Individuals Form DFW 901a; and Declaration of Importation of Dead Fish and Wildlife for Commercial Passenger Fishing Vessel Form DFW 901b. New regulatory provisions will aid in understanding the purpose and content of the forms.

- The requirement, per Fish and Game Code Section 2353, for declaring the importation of fish and wildlife has been in place since 1957, and prior to 2021 was only available in paper form and returned by mail. In 2021 the Department introduced an online Form DFW 901 accessible by most electronic devices.
- Whether online or on paper, the forms must be completed, signed and a copy in possession (electronic device or paper) of the importer (a hunter, angler, or other person in possession of fish or wildlife take out of state) at the time of entry for immediate review by authorized law enforcement personnel.
- The Department makes the forms easily available online and 'promotes' the requirement in various publications and in regulation.

PUBLIC HEARING

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held virtually via webinar/teleconference:

Public Hearing:

Date: Tuesday, November 24, 2026,
11:00 a.m.–12:00 p.m.

Teleconference Details will be provided at least seven days in advance of the meeting at www.wildlife.ca.gov/Notices/Regulations/Import2026.

The new regulations described in the attached documents will be adopted after considering all comments, objections, and recommendations regarding the proposed action.

In accordance with the Administrative Procedure Act, the Department provided notice of this proposed regulatory action with the Office of Administrative Law.

WRITTEN COMMENT PERIOD

Written comments may be submitted at any time before or on November 24, 2026, by mail or email as follows:

California Department of Fish and Wildlife
Regulations Unit
P.O. Box 944209
Sacramento, CA 94244–2090
Email: Regulations@wildlife.ca.gov

AUTHORITY AND REFERENCE

Authority: Section 2353, Fish and Game Code.

Reference: Sections 80 and 2353, Fish and Game Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Section 712.5 of Title 14, CCR, is proposed to be amended incorporating by reference two new forms, Form DFW 901a Declaration of Importation of Dead Fish and Wildlife for Individuals, and Form DFW 901b Declaration of Importation of Dead Fish and Wildlife for Commercial Passenger Fishing Vessel (CPFV). The current Form DFW 901 will be deleted.

These forms allow the public to conveniently declare fish and wildlife from out-of-state upon entry into California either online or on paper. The information requested/provided in the form is necessary to establish the legality of the importation of fish and wildlife per the statutory requirements provided in Fish and Game Code Section 2353. The Department

maintains the forms to track the number and species imported into the state. If there are questions or concerns about the imported species, or licensing, the Department will follow up with individuals importing fish and wildlife.

The current form has an inadvertent error in the instructions which is contrary to the language of the regulation in Section 712.5, and is inconsistent with Fish and Game Code Section 2353. Correction of the error is needed and staff has identified other issues that need resolution.

Of particular concern is the difficulty of anglers fishing in out-of-state ocean waters (Mexico, and to a smaller extent Oregon) to complete the form when entering California at sea on a CPFV. The ocean fish taken outside of California waters fall into the same declaration requirement as any terrestrial animals.

REGULATORY PROPOSAL

Section 712.5, Title 14, California Code of Regulations (CCR), is proposed to be amended creating two (2) forms:

- Form DFW 901a is a new form updating the previous version of DFW 901. This form is required to be completed by each individual entering California by land or sea with fish or wildlife taken while hunting, fishing, or for other lawful purposes. This form will be available for completion and submittal online and, alternatively, in print to paper form to be completed by hand and submitted by mail to the Department. Form DFW 901a is required to be completed and submitted by any individual(s) fishing in ocean waters outside the state and returning with their catch.
- Form DFW 901b is a new form. This form may be completed by the Operator of a Commercial Passenger Fishing Vessel (CPFV, Section 190, Title 14, CCR) entering California waters with fish taken while fishing in ocean waters outside the boundary of California (e.g., Mexico and Oregon). CPFV fishing excursions out of California ports will often have many persons on board anticipating taking a number of fish. Form DFW 901b enables the Operator of the CPFV to track the catch for all passengers and crew, and submit a declaration for all imported catch entering California. The new form relieves the need for each passenger to complete their own Form DFW 901a. However, in the event that the CPFV Operator elects not to provide Form DFW 901b, completing Form DFW 901a will still be required for each individual on board the vessel.
- The form instructions are not incorporated by reference, as they are not regulatory.

BENEFITS OF THE PROPOSED REGULATIONS

The proposed amendments to Section 712.5 will prescribe the forms and contents for use by the public in satisfying the requirements of Fish and Game Code Section 2353. The public is required by statute to declare the legal take and possession of fish and wildlife taken by hunting, fishing, or other legal purposes out-of-state and imported into California. The Declaration of Importation of Dead Fish and Wildlife forms will allow the fishing and hunting public to conveniently declare their fish and wildlife imported into the state.

The forms will provide the specific benefit of providing a simple method for the public to declare their legal take, identifying the species, license/tags and out of state location of their hunting and fishing, that demonstrate compliance with other state hunting and fishing laws and that they may legally import such animals, and parts, and may possess them in California. The illegal take of animals and fish is detrimental to the environment; it is prohibited in California and enforced by the Department. The form provides the individual declarant a record for the purpose of demonstrating their legal take and possession of the listed items.

The regulation and forms do not have significant direct or indirect non-monetary benefits, including the protection of public health and safety, worker safety, the prevention of discrimination, the promotion of fairness or social equity, and the increase in transparency in business and government. The state's environment may have a slight benefit from prohibiting the importation of illegal take.

CONSISTENCY AND COMPATABILITY WITH EXISTING REGULATIONS

The Legislature has delegated authority to the Department to adopt regulations prescribing the form and manner of the required Declaration of Importation. The Department has reviewed existing regulations in Title 14, CCR, and finds that the proposed regulations are neither inconsistent nor incompatible with existing state regulations. Department staff conducted a search of the CCR and has found no other state regulations that set forth these requirements.

DOCUMENTS INCORPORATED BY REFERENCE:

- Declaration of Importation of Dead Fish and Wildlife for Individuals Form DFW 901a (New 1/1/2027).

- Declaration of Importation of Dead Fish and Wildlife for Commercial Passenger Fishing Vessel Form DFW 901b (New 1/1/2027).

DOCUMENTS RELIED UPON

None.

DISCLOSURES REGARDING THE PROPOSED ACTION:

Impact Of The Regulatory Action/ Results Of The Economic Impact Assessment

The potential for significant statewide adverse economic impacts that might result from the proposed regulation has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) 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 it is unlikely that any adverse economic impact will affect any business, the Declaration of Importation forms impose no fees or costs, and do not require any action by any business aside from the time it takes to complete the form. The Department estimates that it will take CPFV Operators approximately 5–10 minutes to fill out Form DFW 901b; however, this is approximately the same amount of time that it takes for them to fill out the summary data into their logbook, and that summary data is what will be transcribed into Form DFW 901b. Using California hourly wage estimates for First Line Supervisors of Farming, Fishing, and Forestry Workers from the U.S. Bureau of Labor Statistics (\$29.23/hour)¹ yields a reporting cost of approximately \$2.44 — \$4.87 for the 5–10 minutes it will take for a CPFV Operator to complete the form, averaging to \$3.66 per form. Applied to the approximately 200 distinct vessels identified by the logbooks submitted to the Department between 2019–2024 yields a range of total annual costs of \$488 — \$974 per year, assuming that 200 vessels make the trip from Mexico back to state waters each year, with an average of \$731 per year.

There are no other fees or costs associated with the proposed forms that would increase the costs for businesses, small businesses, or individuals.

- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California; Benefits of the Regulation to the Health and Welfare of

¹ [First-Line Supervisors of Farming, Fishing, and Forestry Workers](#), Bureau of Labor Statistics, accessed March 10, 2025

California Residents, Worker Safety, and the State’s Environment.

The Department concludes that it is unlikely that any economic impact will adversely affect or benefit any business. The regulation and forms do not have direct or indirect non-monetary benefits to the health and welfare of California residents or to worker safety. The state’s environment may have a slight benefit from prohibiting the importation of illegally imported dead wildlife.

(c) Cost Impacts on a Representative Private Individual or Business.

The Department is not aware of any cost impacts that a representative private individual or business would necessarily incur in reasonable compliance with the proposed action. The Declaration of Importation forms impose no fees or costs, other than the time needed for the preparation and completion online or paper of the forms, which can be done at any time prior to entry into the state.

(d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None.

(e) Nondiscretionary Costs/Savings to Local Agencies: None.

(f) Programs Mandated on Local Agencies or School Districts: None.

(g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4, Government Code: None.

(h) Effect on Housing Costs: None.

EFFECT ON SMALL BUSINESS

The Department concludes that it is unlikely that any adverse economic impact will affect small business because the regulation does not impose any new fees or require any action by any business that would impose any significant direct or indirect costs.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT

The Department concludes that the proposed regulation will not create additional job opportunities; result in the elimination of jobs or existing businesses, create new businesses, eliminate existing businesses, or expand businesses in the state.

(a) Effects of the Regulation on the Creation or Elimination of Jobs Within the State

The cumulative effects of the changes statewide are expected to be neutral with regard to the creation or elimination of jobs within the State because the proposed changes to the Declaration of Importation forms impose no fees or costs and do not require any action

by any business aside from the time it takes to complete the form, which would essentially be economically neutral and would not affect a business’s decision to create or eliminate jobs.

(b) Effects of the Regulation on the Creation of New Businesses or the Elimination of Existing Businesses Within the State

The proposed changes to the Declaration of Importation forms impose no fees or costs and do not require any action by any business aside from the time it takes to complete the form. As such, the cumulative effects of the changes statewide are expected to be neutral with regard to the creation or elimination of businesses within the State.

(c) Effects of the Regulation on the Expansion of Businesses Currently Doing Business Within the State

The cumulative effects of the changes statewide are expected to be neutral with regard to the expansion of businesses within the State as they impose no fees or costs that would materially affect whether a business expands its operations.

(d) Benefits of the Regulation to the Health and Welfare of California Residents

The cumulative effects of the proposed changes to the Declaration of Importation form are expected to be neutral with regard to the health and welfare of California residents.

(e) Benefits of the Regulation to Worker Safety

The cumulative effects of the changes statewide are expected to be neutral with regard to worker safety.

(f) Benefits of the Regulation to the State’s Environment

The cumulative effects of the changes statewide are expected to be neutral with regard to the state’s environment, however there may have a slight benefit from prohibiting the importation of illegal take.

CONSIDERATION OF ALTERNATIVES

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

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

AVAILABILITY OF RULEMAKING
DOCUMENTS AND CONTACT PERSONS

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulation in underline and strikeout format can be accessed through the Department website at <https://wildlife.ca.gov/notices/regulations/>.

The proposed text (the “express terms”) of the regulations, as well as all related documents upon which the proposal is based (rulemaking file), are on file and available for public review at 715 P Street, Sacramento, CA 95814 (17th floor). The rulemaking file will be available electronically upon request by contacting the Department at Regulations@wildlife.ca.gov. Inquiries concerning the regulatory process or requests for documents should be directed to:

California Department of Fish and Wildlife
Mike Randall, Regulations Unit
P.O. Box 944209
Sacramento, CA 94244–2090
Telephone: (916) 902–9
Email: regulations@wildlife.ca.gov

Inquiries concerning the subject matter or substance of the proposed action should be directed to:

Eric Kord, Assistant Chief
Marine Law Enforcement
California Department of Fish and Wildlife
P.O. Box 944209
Sacramento CA 94244–2090
Email: regulations@wildlife.ca.gov

As of the date this notice is published, the rulemaking file consists of:

- STD 400.
- Notice of Proposed Regulatory Action.
- Initial Statement of Reasons.
- Proposed Text of the Amendment of Section 712.5, Title 14, CCR.
- Declaration of Importation forms DFW 901a and 901b.
- Economic and Fiscal Impact Assessment (Form STD 399) and addendum.

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

The rulemaking file is available online at: <https://www.wildlife.ca.gov/Notices/Regulations/Import2026>.

AVAILABILITY OF CHANGED
OR MODIFIED TEXT

After considering all the timely and relevant comments received, the Department may adopt the proposed regulation 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 regulation as revised. Please send requests for copies of any modified regulation to the Regulations Unit at the address above. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

AVAILABILITY OF THE FINAL
STATEMENT OF REASONS

Upon its completion, copies of the Final Statement of Reasons may be obtained by checking the website at the link provided above, or the Regulations Unit at the address above.

**TITLE 16. CONTRACTORS STATE
LICENSE BOARD**

BATTERY ENERGY STORAGE
SYSTEMS (BESS)

NOTICE IS HEREBY GIVEN that the Contractors State License Board (Board or CSLB) is proposing to take the action described in the Informative Digest below, after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

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

WRITTEN COMMENT PERIOD

Written comments relevant to the action proposed, including those sent by mail, facsimile, or email to the addresses listed under “Contact Person” in this Notice, must be *received by the Board at its office no*

later than Monday, November 23, 2026, or must be received by the Board at the hearing, should one be scheduled.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by Business and Professions Code (BPC) sections 7008 and 7059, and to implement, interpret, or make specific BPC sections 7058 and 7059, the Board is considering amending section 832.46 in Division 8 of Title 16 of the California Code of Regulations (CCR).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

BPC section 7008 authorizes CSLB to adopt rules and regulations in accordance with the Administrative Procedure Act that are reasonably necessary to carry out the provisions of the Contractors State License Law (CSLL). Section 7058 establishes the specialty contractor license and defines “specialty contractor” as “a contractor whose operations involve the performance of construction work requiring special skill and whose principal contracting business involves the use of specialized building trades or crafts.” Section 7059 authorizes the Board to adopt rules and regulations that are reasonably necessary to put into effect the classification of contractors in a manner consistent with established usage and procedure found in the construction business.

Consistent with that authority, the Board has defined by regulation 43 specialty license subclassifications in section 832 of Article 3 of Division 8, Title 16 of the CCR. This proposed regulation affects one of those specialty license classifications: section 832.46, “Class C–46 Solar Contractor.”

Anticipated benefits of proposal

The Board has determined that this regulatory proposal will have the following anticipated benefits: the proposal preserves important distinctions between contractor license classifications by maintaining an 80 kWh rating limit for BESS installations, maintenance, and repair by a C–46 solar contractor. It also benefits the public by eliminating a temporal restriction on C–46 solar contractors performing BESS work on systems they install, but without sacrificing public safety. And it ensures that C–46 solar contractors can fulfill their contract and warranty obligations now, and in the future.

Evaluation of consistency and compatibility with existing state regulations

During the process of developing this regulatory proposal, CSLB has conducted a search of any similar regulations on this topic and has concluded that these

regulations are neither inconsistent nor incompatible with existing state regulations.

Incorporation by reference

There are no forms or documents incorporation by reference.

DISCLOSURES REGARDING THIS PROPOSED ACTION

FISCAL IMPACT ESTIMATES

Fiscal impact on public agencies including costs or savings to state agencies or costs/savings in federal funding to the state:

None. The proposed regulations do not result in a fiscal impact to the state.

The amendments are intended to clarify existing regulations by defining BESS and scope of practice guidance and are not anticipated to result in additional costs to the state.

The regulations do not result in costs or savings in federal funding to the state.

Nondiscretionary costs/savings to local agencies: None.

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

Mandate Imposed on Local Agencies or School Districts: None.

Significant Effect on Housing Costs: None.

Business Impact Estimates:

The Board has made the initial determination the proposed regulations would have no significant statewide adverse economic impact directly affecting businesses, including the inability of California businesses to compete with businesses in other states.

This initial determination is based on the following facts:

The Board has determined the only types of businesses that may be affected are licensed contractors who hold a C–46 solar contractor classification and no other license classification that authorizes the contractor to install BESS. This proposal is intended to better align the Board’s regulations with current law and existing business practice.

The regulations do not result in additional workload or costs for businesses to comply with this proposal.

Cost Impact on Representative Private Person or Business

The Board estimates that there will be no significant increased costs for people or businesses to comply with the proposed regulations. This initial determination is based on the fact that the regulations provide direction to electrical and solar contractors, as well as the general public, battery energy storage systems.

The regulations do not result in additional workload or costs for individuals or businesses to comply with this proposal.

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

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

IMPACT ON JOBS/BUSINESSES

The Board has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

This proposal is intended to better align the Board's regulations with current law and existing business practices. The regulations do not result in additional workload or costs for individuals or businesses to comply with this proposal.

Benefits of Regulation

The Board has determined this regulatory proposal will not affect the health and welfare of California residents because this proposal is intended to better align with the Board's regulations with current law and existing business practices.

The proposal preserves important distinctions between contractor license classifications by maintaining an 80 kWh rating limit for BESS installations, maintenance, and repair by a C-46 solar contractor.

The proposal will benefit worker safety because it ensures that only appropriately skilled workers install BESS.

This regulatory proposal does not affect the state's environment because it will not affect demand for photovoltaic solar energy systems or BESS.

Business Reporting Requirements

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

Effect on Small Business

The Board has determined that the proposed regulations will not affect small businesses. Although small businesses owned by licensees of the Board may be impacted, this proposal is intended to better align these provisions with current law and existing business practice.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), the Board must determine that no reasonable alternative it considered to the regulation or

that has otherwise been identified and brought to its attention would be more effective in carrying out the purpose for which the action is proposed; would be as effective and less burdensome to affected private persons than the proposal described in this Notice; or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may submit comments to the Board in writing relevant to the above determinations at 9821 Business Park Drive, Sacramento, CA 95827 during the written comment period, or at the hearing if one is scheduled or requested.

AVAILABILITY OF STATEMENT OF REASONS AND RULEMAKING FILE

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

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Board, at 9821 Business Park Drive, Sacramento, CA 95827.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

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

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

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

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

CONTACT PERSONS

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

Name: Tracy Brazil
Address: Contractors State License Board
9821 Business Park Drive
Sacramento, CA 95827
Telephone Number: (916) 255–4633
Fax Number: (916) 364–0130
Email Address: Tracy.Brazil@cslb.ca.gov

The backup contact person is:

Name: Rebecca May
Address: Contractors State License Board
9821 Business Park Drive
Sacramento, CA 95827
Telephone Number: (916) 255–4115
Fax Number: (916) 364–0130
Email Address: Rebecca.May@cslb.ca.gov

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations with modifications noted, as well as the Final Statement of Reasons when completed, and modified text, if any, can be accessed through the CSLB’s website at cslb.ca.gov.

TITLE 16. COURT REPORTERS BOARD

TRANSCRIPT REIMBURSEMENT FUND APPLICATION

NOTICE IS HEREBY GIVEN that the Court Reporters Board of California (CRB or Board) proposes to take the action described in the Informative Digest

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

PUBLIC HEARING

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

WRITTEN COMMENT PERIOD

Written comments relevant to the action proposed, including those sent by mail, facsimile, or email to the addresses listed under “Contact Persons” in this Notice, must be **received by the Board at its office no later than 5:00 p.m. on November 24, 2026**, or must be received by the Board at the hearing, should one be scheduled.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by section 8007 of the Business and Professions Code (BPC), and to implement, interpret, or make specific BPC sections 8030.2, 8030.4, 8030.6, and 8030.8, sections 1798.3 and 1798.24 of the Civil Code, and section 7920.000 of the Government Code (Gov. Code), the Board is considering adding section 2452 of Title 16, Division 24, of the California Code of Regulations (CCR).¹

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

There are no existing regulations relating to the Transcript Reimbursement Fund (TRF).

BPC section 8007 mandates that the Board shall “adopt, amend, or repeal rules and regulations which are reasonably necessary to carry out the provisions” of Chapter 13 of Division 3 of the BPC. BPC section 8030.2 establishes the TRF, including funding and transfers thereof that must maintain the Court Reporters’ Fund at an amount of no less than six months’ operating budget. BPC section 8030.4 defines relevant terms used in the chapter. BPC section 8030.6 sets forth provisions for TRF fund disbursements for transcripts and per diem under certain circumstances and establishes provisions under which reimbursement may be obtained. BPC section 8030.8 sets forth the

¹ Unless otherwise noted, all references to the CCR hereafter are to Title 16.

procedures and requirements for the application for TRF reimbursement and acceptable documentation to establish entitlement for reimbursement.

This rulemaking proposal will add CCR section 2452 to establish procedures and requirements for the application for TRF reimbursement. Subdivision (a) relates to applications from litigants who are representing themselves and subdivision (b) relates to pro bono applicants.

Add Section 2452, Transcript Reimbursement Fund Application and Applicant Privacy.

There are no existing regulations relating to the TRF.

This regulatory proposal will make the changes discussed below.

Add Regulatory Section Number and Title

Add the regulatory section number “2452” and add the regulatory title “Transcript Reimbursement Fund Application and Applicant Privacy.”

Add Introductory Paragraph

Add an introductory paragraph to establish the basis for the regulation, including the application, supporting documentation, and methods for submission.

Add Subdivision (a) Relating to TRF Applications From Litigants Representing Themselves

Add subdivision (a) relating to TRF applications from litigants who are representing themselves.

The proposal adds language requiring the following information be included to be considered a complete TRF application for litigants who are representing themselves:

- Applicant’s (litigant’s) full legal name (last name) (first name) (middle name);
- Applicant’s mailing address, city, state, and ZIP code;
- Applicant’s telephone number;
- Applicant’s fax number, if any;
- Applicant’s email address;
- Affirmation that applicant’s court–approved fee waiver is attached;
- Case name;
- County, court, and/or judicial district where filed;
- Court case file number;
- Whether an appeal is pending, and, if yes, the appeal number;
- Whether the applicant has submitted a TRF request in the case previously;
- Type of civil case;
- Certified Shorthand Reporter (CSR) number;
- CSR name;
- Date of court or deposition proceeding;
- Whether preparation was of original transcript, original and one copy, or copy only;

- Whether per diem was included;
- Whether the applicant has paid for the transcript and is seeking reimbursement and the cost as stated in an itemized invoice from the CSR, or the applicant has not paid and is seeking payment directly to the CSR and the cost as estimated by the CSR; and,
- A signed and dated statement by the applicant that all statements made in the application are true and correct.

Add Subdivision (b) Relating to TRF Applications From Pro Bono Applicants

Add subdivision (b) relating to TRF applications from pro bono applicants.

The proposal is seeking to add language that requires all of the information discussed above under subdivision (a) in addition to the following information be included to be considered a complete TRF application for pro bono applicants.

- Pro bono entity’s name;
- Pro bono entity’s mailing address, city, state, and ZIP code;
- Pro bono entity’s telephone number;
- Pro bono entity’s fax number;
- Pro bono entity’s email address;
- Name of attorney handling case;
- Attorney’s mailing address, city, state, and ZIP code;
- Attorney’s telephone number;
- Attorney’s fax number;
- Attorney’s email address;
- Whether the attorney is employed with, referred by, or has other relationship with the qualifying nonprofit entity;
- By which section of the BPC the applicant is claiming eligibility;
- Whether litigant is indigent as defined in BPC section 8030.4 (f);
- Whether litigant is plaintiff, defendant, or other;
- By which subparagraph(s) of BPC section 8030.4(e) the applicant is claiming the case is not fee–generating; and,
- Whether represented party entered into any contract that contains any type of contingency fee agreement or clause.

**ANTICIPATED BENEFITS
OF THE PROPOSAL**

The Board has determined that this regulatory proposal will affect the welfare of California residents as follows: This rulemaking proposal helps the Board fulfill its statutory mandate of administering the TRF

and clarifies the application process for TRF reimbursement for litigants who are representing themselves, pro bono applicants, and Board staff. By having clear and consistent standards regarding the TRF, this proposal is anticipated to benefit the public by promoting fairness and social equity of access to court reporting services by facilitating TRF reimbursement. This proposal also provides for openness and transparency in business and government by stating the TRF requirements.

This regulatory proposal does not affect public health, worker safety or the state’s environment as this proposal is not related to those issues.

Evaluation of Consistency and Compatibility with Existing State Regulations

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

Incorporation by Reference

This proposal does not incorporate any document by reference.

DISCLOSURES REGARDING THIS
PROPOSED ACTION

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None. The regulations do not result in a fiscal impact to the state.

This proposal establishes procedures and requirements for the application for TRF reimbursement and protects the privacy of indigent litigants who participate in the TRF program. Subdivision (a) relates to applications from litigants who are representing themselves, subdivision (b) relates to pro bono applicants, and subdivision (c) relates to information that shall be considered personal information pursuant to the Information Practices Act of 1977 and not subject to public disclosure under the California Public Records Act.

The Board does not anticipate additional workload or costs resulting from the proposed regulations. Any workload and costs of implementation are a result of current law. CRB has been licensing certified shorthand reporters since 1951 and has been administering the TRF since 1981 and will continue to do both. This proposal does not change the workload, so no additional costs or revenues are expected.

The regulations do not result in costs or savings in federal funding to the state.

Nondiscretionary Costs/Savings to Local Agencies: None.

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

Mandate Imposed on Local Agency or School Districts: None.

Significant Effect on Housing Costs: None.

BUSINESS IMPACT ESTIMATES

The Board has made the initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. This initial determination is based on the following facts/evidence/documents or testimony:

CRB has been licensing certified shorthand reporters since 1951 and has been administering the TRF since 1981 and will continue to do both. The Board currently regulates approximately 5,600 active licensed court reporters and 210 registered firms. The proposed regulatory action will not adversely affect any licensees because it does not impact licensees or businesses. The proposed regulatory action only impacts indigent litigants in civil cases who are applying for TRF reimbursement and pro bono TRF applicants.

Cost Impact on Representative Private Person or Business

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

CRB has been licensing certified shorthand reporters since 1951 and has been administering the TRF since 1981 and will continue to do both. The Board currently regulates approximately 5,600 active licensed court reporters and 210 registered firms. The proposed regulatory action will not adversely affect any licensees because it does not impact licensees or businesses. The proposed regulatory action only impacts indigent litigants in civil cases who are applying for TRF reimbursement and pro bono TRF applicants. The TRF is funded by annual license fees of certified shorthand reporters that are in excess of funds needed to support the Board’s operating budget.

RESULTS OF ECONOMIC IMPACT
ASSESSMENT/ANALYSIS

Impact on Jobs/Businesses:

The Board has determined this regulatory proposal will:

- Not create or eliminate jobs in California,
- Not create new businesses or eliminate existing businesses in California, and,

- Not expand businesses currently doing business in California.

The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California. This initial determination is because the proposed regulation only affects indigent litigants in civil cases who are applying for TRF reimbursement and pro bono TRF applicants. This proposal does not impact jobs or businesses.

The Board has determined that this regulatory proposal benefits the welfare of California residents because it will clarify the application process for TRF reimbursement for litigants who are representing themselves, pro bono applicants, and Board staff. The proposal will also facilitate TRF reimbursement.

The Board has determined that this regulatory proposal does not impact public health, worker safety or the state's environment as this proposal does not relate to or involve those issues.

Benefits of Regulation

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

Helps the Board fulfill its statutory mandate of administering the TRF and clarifies the application process for TRF reimbursement for litigants who are representing themselves, pro bono applicants, and Board staff. By having clear and consistent standards regarding the TRF, this proposal is anticipated to benefit the public by promoting fairness and social equity of access to court reporting services by facilitating TRF reimbursement. This proposal also provides for openness and transparency in business and government by stating the TRF requirements.

The Board has determined that this regulatory proposal does not affect public health, worker safety or the state's environment as this proposal does not relate to or involve those issues.

Business Reporting Requirements

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

Effect on Small Business

The Board has determined that the proposed regulation will not affect small businesses as it only affects indigent litigants in civil cases who are applying for TRF reimbursement and pro bono TRF applicants.

This regulatory proposal will not have any state-wide adverse economic impact directly affecting small businesses including the inability of California small businesses to compete with businesses in other states.

CONSIDERATION OF ALTERNATIVES

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

Any interested person may submit comments to the Board in writing relevant to the above determinations at 2535 Capitol Oaks Drive, Suite 230, Sacramento, CA 95833 or by email to the contact persons named in this Notice during the written comment period or at the hearing if one is scheduled or requested.

AVAILABILITY OF STATEMENT OF REASONS AND RULEMAKING FILE

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

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, any document incorporated by reference, the Initial Statement of Reasons, and all of the information upon which the proposal is based may be obtained upon request from the Board at 2535 Capitol Oaks Drive, Suite 230, Sacramento, CA 95833 or by email to the contact persons named in this Notice.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

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

who have requested notification of any changes to the proposal.

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

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

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

CONTACT PERSONS

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

Name: Yvonne Fenner

Address: Court Reporters Board of California

2535 Capitol Oaks Drive, Suite 230

Sacramento, CA 95833

Telephone Number: (916) 263–3660

Fax Number: (916) 263–3664

Email Address: Yvonne.Fenner@dca.ca.gov

The backup contact person is:

Name: Paula Bruning

Address: Court Reporters Board of California

2535 Capitol Oaks Drive, Suite 230

Sacramento, CA 95833

Telephone Number: (916) 263–3660

Fax Number: (916) 263–3664

Email Address: Paula.Bruning@dca.ca.gov

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations with modifications noted, as well as the Final Statement of Reasons when completed and modified text, if any, can be accessed through the Board's website at <https://www.courtreportersboard.ca.gov/lawsregs/index.shtml>.

TITLE 16. PHYSICIAN ASSISTANT BOARD

RETIRED STATUS UPDATES AND RETURNED FINGERPRINT REQUIREMENT

NOTICE IS HEREBY GIVEN that the Physician Assistant Board (Board) proposes to take the action described in the Informative Digest below after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

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

WRITTEN COMMENT PERIOD

Any interested person, or their authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. Comments may also be submitted by mail, facsimile (FAX), or email to the addresses listed under "Contact Persons" in this Notice. **The written comment period closes on Monday, November 23, 2026.** The Board will consider only comments received at the Board's office by that time, or comments received at the hearing if the Board holds a hearing.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by Business and Professions Code (BPC) sections 3510 and 3521.3 and to implement, interpret, or make specific BPC sections 144, 208, 464, 851, 3509, 3521.1, 3521.3 and 3526, the Board is seeking to amend Sections 1399.507 and 1399.515 of Article 1 of Division 13.8 of Title 16 of the California Code of Regulations (CCR).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Board licenses, regulates, and investigates complaints against licensed physician assistants (PAs) in California, totaling approximately 19,410 licensees. It is the Board's duty to enforce and administer the Physician Assistant Practice Act (Chapter 7.7 (commencing with section 3500) of Division 2 of the BPC) (Practice Act). The Board is authorized to establish

necessary rules and regulations for the enforcement of the Practice Act and the laws subject to its jurisdiction (Business and Professions Code (BPC) section 3510).

Business and Professions Code section 3521.3 authorizes the Board to establish, by regulation, a system for the placement of a license on a retired status and for restoration to active status from a retired status. On April 1, 2019, the Board adopted Title 16, California Code of Regulations (CCR) Section 1399.515 to implement a retired status including the form incorporated by reference entitled “Application for Retired Status (Form PAB–RET, 01/19),” and to establish requirements for restoring a license to active status from retired status. This rulemaking updates the Board’s regulations to ensure minimum standards for public protection are met for those licensees applying for retired status and for those seeking an active license after being in retired status.

Assembly Bill (AB) 2461 (Flora, Ch. 300, 2018) amended California Penal Code section 11105.2(d) so that the Board is required to notify the Department of Justice (DOJ) when the licensee can no longer renew or reinstate their license. The DOJ then stops reporting subsequent state or federal arrests or dispositions to the Board. Title 16, California Code of Regulations (CCR), section 1399.515 currently allows individuals with a retired status license to reactivate their license if they complete certain requirements but fingerprinting to allow receipt of criminal offender record information (CORI) from the DOJ’s database is not included. This proposal would address that issue by requiring an applicant, on written request of the Board, to furnish to the Department of Justice, a full set of fingerprints for the purpose of conducting criminal history record checks pursuant to BPC section 144. Submission of fingerprints would only be requested by the Board if an electronic record of the submission of the individual’s fingerprints does not exist in the Department of Justice’s criminal offender identification database.

BPC section 3521.3 requires the Board to establish minimum qualifications for the restoration of a license in a retired status to an active status but does mention a time frame for when restoration is not permissible. BPC section 3526 prohibits an applicant from reinstating or restoring a license to active status within 5 years after its expiration. To resolve the possible ambiguity between the two statutes, the Board proposes to change the restoration requirements by treating the retired licensee applicant whose original license expired more than 5 years prior to application for restoration as a new applicant according to the authority in BPC section 3526, including the requirement of taking and passing an examination. These amendments ensure continuing competency for the protection of the public and provide consistent treatment for all individuals

who held active licenses that have expired, regardless of the reason.

This proposal would therefore allow a licensee who has been in retired status and not renewed their active licenses for more than five years to obtain an active license by applying for a new license only in accordance with specified requirements. This would include applying for a new license by meeting the requirements in CCR section 1399.506 (which specifies the process for applying for a new license), with the exception of the requirement to show passage of the Physician Assistant National Certifying Examination (PANCE) written examination, as specified. Rather, the licensee in retired status would need to apply and meet new requirements for taking and passing a national recertifying examination and providing satisfactory “proof” of passage to the Board, as specified.

In addition to the foregoing, the Board proposes updating its current examination, retired status application and restoration to active status requirements, including the following proposed changes:

- (1) updating 16 CCR section 1399.507 to specify that the written examination for “initial” licensure as a physician assistant is that administered by the National Commission on Certification of Physician Assistant’s (NCCPA) Physician Assistant National Certifying Examination (PANCE) and that the passing score is established by the NCCPA,
- (2) adding a new cross-reference to CCR section 1399.515’s new examination requirements in CCR section 1399.507 for an individual seeking a new, active license from the Board after being in a retired status for more than five years, as specified,
- (3) updating the date of the Application for Retired Status form incorporated by reference (Form PAB–RET, 01/19 — “Form”) to reflect changes made to that Form,
- (4) adding language to include a limitation as to time when an individual can restore their license from retired status to active status without filing a filing a new application, which is within five years of being issued a retired license,
- (5) adding subparagraphs within CCR section 1399.515 to make the regulation easier to read,
- (6) striking obsolete grandfathering provisions in the regulatory language and Form that allowed licensees to apply for retired license status if they were delinquent (license was expired or cancelled) and applied within one year of the effective date of the Board’s regulations (originally effective April 1, 2019). Since that eligibility window passed April 1, 2020 and licensees now have to not be delinquent per BPC section 3521.3(d) to qualify for retired status, this language should be

repealed as no longer necessary and to avoid applicant confusion,

- (7) adding a new fingerprinting requirement for applicants applying to restore their license to active status that provides that on written request of the Board, the applicant shall furnish to the Department of Justice a full set of fingerprints for the purposes of conducting criminal history record checks pursuant to BPC section 144. Submission of fingerprints shall only be requested by the Board if an electronic record of the submission of the individual's fingerprints does not exist in the Department of Justice's criminal offender identification database,
- (8) specifying in CCR section 1399.515 that if a licensee who has been in retired status for more than five years seeks an active license, the individual may apply for a new license pursuant to new application and examination requirements, as specified,
- (9) removing the old Board logo, State seal and letterhead in the Form and replacing it with the Board's new letterhead and logo,
- (10) making non-substantive changes to: remove gendered language and add in gender-neutral terms, update the Board's address and website information and making grammatical changes to the Form;
- (11) adding a notice to the Form regarding consequences for failure to provide any requested information, as specified; and,
- (12) updating the declaration in the Form to require applicants to declare they are requesting Retired License Status "by signing below."

Anticipated Benefits of the Proposed Regulation:

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

This proposal would include a process for requiring fingerprinting to allow the Board to receive criminal offender record information (CORI) from the Department of Justice's (DOJ) database for an applicant if an electronic record of the submission of the individual's fingerprints does not exist in the DOJ's criminal offender identification database for the Board. This furthers the Board's consumer protection mandate by allowing a more effective background check to ensure no grounds for denial of the application to restore to active status exist and that an applicant is safe to return to active practice with the public.

Placing a 5-year limitation on how long an individual can restore their license from retired status to active status and requiring a recertifying examination for those seeking active status after more than 5 years in retired status ensures currency of knowledge for those

who re-enter practice after being retired for years. Updating the Board's requirements for obtaining a retired status or restoring a license to active status also helps alleviate confusion for licensees regarding the Board's requirements for acquiring both types of license statuses, thereby facilitating compliance and a simple process for retirement planning purposes.

This regulatory proposal does not affect worker safety or the State's environment as it is unrelated to either issue.

Evaluation of Inconsistency/Incompatibility with Existing State Regulations:

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

Incorporation By Reference

Application for Retired Status (Form PAB-RET, 04/4/925).

DISCLOSURES REGARDING THE
PROPOSED ACTION

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: The Board currently administers the retired license status, including providing a pathway for retired licensees to restore their license to active status. However, the proposed regulations will alter the current reactivation process and will require individuals maintaining a retired license for more than five years to reapply for initial licensure, as specified.

The Board does not have an estimate of the number of retired status licensees that may opt to reactivate their license in the future and therefore does not have a total fiscal impact estimate at this time. However, the Board anticipates the number of individuals will be minimal.

The Board has identified fiscal impacts to the state follows:

Workload Costs: The Board estimates current workload costs of approximately \$80 to process an application and \$515 to process an initial license application.

The Board will be updating the existing retired license application form and posting the revised form on the Board's website. However, the revisions are minor, and any workload costs are anticipated to be incurred within normal business operations.

Fee Revenues: Applicants will be required to submit and pay an application fee of \$60 and an initial license fee of \$250.

Other (state agency and federal government) Revenues: Applicants required to pass a criminal history background check and submit fingerprints will pay fingerprint fees of \$32 to the DOJ and \$17 to the Federal Bureau of Investigations (FBI).

Nondiscretionary costs or savings imposed on local agencies: None.

Cost to any local agency or school district for which Government Code sections 17500 through 17630 require reimbursement: None.

Mandate imposed on local agencies or school districts: None.

Significant effect on housing costs: None.

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

Business Impact Estimates:

The Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. This initial determination is based on the following facts:

- The Board does not currently charge a fee to process the application for retired status, and this proposal would not change that policy decision. However, applicants who have been in retired status for more than five years and who are seeking a new, active license would be required to pay the fees already required by Section 1399.506 to obtain a new license and to take and pass a new examination Physician Assistant National Recertifying Examination (PANRE) to re-establish minimum competency under this proposal.
- The proposed regulation requires the retired licensee applicant whose original license expired more than five years prior to application for restoration to apply as a new applicant according to the authority in BPC section 3526.
- This proposal would therefore allow a licensee who has been in retired status for more than five years to obtain an active license by applying for a new license in accordance with CCR section 1399.506.
- This proposal includes a process for requiring fingerprinting to allow the Board to receive criminal offender record information (CORI) from the DOJ's database for an applicant if an electronic record of the submission of the individual's fingerprints does not exist in the DOJ's criminal offender identification database for the Board.

Cost impacts on a representative private person or business: Individuals with retired license status for

more than five years opting to restore to active status will be required to pay PANRE, fingerprint background check, application, and initial license fees. Additionally, other applicants may need to submit and pay fingerprint background check fees upon request.

The Board does not have an estimate of the number of retired status licensees that may opt to reactivate their license or otherwise be required to pass a fingerprint background check in the future and therefore does not have a total cost impact estimate at this time. However, the Board anticipates the number of individuals will be minimal.

The Board has identified fee costs (individuals) and revenues (business) as follows:

- PANRE: \$350.
- Application: \$60.
- Initial license: \$250.
- Fingerprint Background Check: \$75.
 - DOJ (\$32), FBI (\$17); Vendor (\$26).

RESULTS OF ECONOMIC IMPACT ASSESSMENT/ANALYSIS

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

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

This proposal would not have any of the above-referenced impacts as explained in the Business Impact Estimates section of this Notice.

Benefits of Regulation

The Board also concludes that this proposal will have the following benefits to the health and welfare of California residents:

This proposal would include a process for requiring fingerprinting to allow the Board to receive criminal offender record information (CORI) from the DOJ's database for an applicant if an electronic record of the submission of the individual's fingerprints does not exist in the DOJ's criminal offender identification database for the Board. This furthers the Board's consumer protection mandate by allowing a more effective background check to ensure no grounds for denial of the application to restore to active status exist and that an applicant is safe to return to active practice with the public.

Placing a five-year limitation on how long an individual can restore their license from retired status to active status and requiring a recertifying examina-

tion for those seeking active status after more than five years in retired status ensures currency of knowledge for those who re-enter practice after being retired for years. Updating the Board's requirements for obtaining a retired status or restoring a license to active status also helps alleviate confusion for licensees regarding the Board's requirements for acquiring both types of license statuses, thereby facilitating compliance and a simple process for retirement planning purposes.

This regulatory proposal will not affect worker safety or the state's environment because the proposal does not involve worker safety or the state's environment.

Business Reporting Requirements

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

Effect on Small Business:

While the Board does not have nor does it maintain data to define if any of its licensees are a "small business" as defined in Government Code section 11342.610, the Board has made an initial determination that any adverse economic impact will not be significant for individual licensees who may own a small business for the reasons set forth in the "Business Impact Estimates" section of this Notice.

CONSIDERATION OF ALTERNATIVES

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

Any interested person may submit comments to the Board in writing, relevant to the above determinations at Physician Assistant Board, 2005 Evergreen Street, Suite 2250, Sacramento, CA 95815-3893 during the written comment period, or at the hearing if one is scheduled or requested.

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

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

tire rulemaking file available for inspection and copying throughout the rulemaking process at its office at Physician Assistant Board, 2005 Evergreen Street, Suite 2250, Sacramento, CA 95815-3893. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulation, the initial statement of reasons, and other information upon which the rulemaking is based.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

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

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

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

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

CONTACT PERSONS

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

Name: Jasmine Dhillon
Address: 2005 Evergreen Street, Suite 2250
Sacramento, CA 95815-3893
Telephone Number: (279) 666-2838
Fax Number: (916) 263-2671
Email Address: jasmine.dhillon@dca.ca.gov

The backup contact person is:

Name: Kristy Voong
Address: 2005 Evergreen Street, Suite 2250
Sacramento, CA 95815-3893

Telephone Number: (916) 561–8787
Fax Number: (916) 263–2671
Email Address: kristy.voong@dca.ca.gov

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations with modifications noted, as well as the Final Statement of Reasons when completed, and modified text, if any, can be accessed through the Board’s website at: <https://pab.ca.gov/lawsregs/regulations.shtml>.

TITLE 16. VETERINARY MEDICAL BOARD

LICENSING AND REGISTRATION EXAMINATIONS

NOTICE IS HEREBY GIVEN that the California Veterinary Medical Board (Board) is proposing to take the action described in the Informative Digest below, after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

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

WRITTEN COMMENT PERIOD

Written comments relevant to the action proposed, including those sent by mail, facsimile, or email to the addresses listed under “Contact Persons” in this Notice, must be **received by the Board at its office no later than November 23, 2026** or must be received by the Board at the hearing, should one be scheduled.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by section 4808 of the Business and Professions Code (BPC), and to implement, interpret, or make specific sections 135, 4841.1, and 4846 of said code, the Board is considering repealing sections 2014, 2015, and 2015.2 of article

2 of division 20 of title 16 of the California Code of Regulations (CCR¹).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

BPC section 4800.1 mandates that the protection of the public shall be the highest priority of the Board in exercising its licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount. BPC section 4808 authorizes the Board, in accordance with the Administrative Procedure Act (Government Code section 11400, et seq.), to adopt, amend, or repeal such rules and regulations as may be reasonably necessary to enable it to carry into effect the provisions of the Veterinary Medicine Practice Act (Practice Act) (BPC section 4800, et seq.).

BPC section 135 prohibits Department of Consumer Affairs agencies from imposing extra requirements for applicants retaking an examination solely because they failed previous attempts. The only exception is for multi-part examinations where conditional credit is given; in those cases, an agency may require retaking previously passed parts if all sections are not completed within a set timeframe. Applicants must still meet the standard fees and requirements that apply to all examination takers.

BPC section 4841.1 exempts students in California veterinary technology programs from Article 2.5 of the BPC when performing registered veterinary technician (RVT) duties for training, on or off campus, under a licensed veterinarian’s direct supervision. However, students may handle controlled substances or compound drugs only under the immediate supervision of an RVT or veterinarian, meaning the supervisor must be within both audible and visual range.

BPC section 4846 outlines the requirements for a California veterinary license. Applicants must graduate from an approved program or hold an Educational Commission for Foreign Veterinary Graduates or Program for the Assessment of Veterinary Education Equivalence certificate, submit a board-approved application, pay fees, pass state and federal background checks, and pass both the national examination and the California Veterinary Law Examination (VLE), with additional conditions for those who passed the national examination over five years ago. They must also disclose all current and past licenses for verification, and applications may be denied under specified statutory grounds.

This regulatory proposal would repeal three regulations for the following reasons:

¹ All CCR references are to title 16 unless otherwise noted

CCR section 2014 (previously CCR section 2014, subsection (b)): The Board does not administer national examinations and has no authority to set or influence passing scores. National examination vendors determine passing standards according to accepted psychometric and legal requirements across all jurisdictions they serve. Because passing scores fall outside of the Board’s authority, CCR section 2014, subsection (b) is not valid or enforced by the Board.

CCR section 2015: BPC section 4846 sufficiently ensures veterinarian license applicants have demonstrated they are competent to practice regardless of the period between the national examination and the VLE. Additionally, subsections (c), (d), and (e) are obsolete (due to the elimination of the California examinations; Assembly Bill 1535, Committee on Business and Professions, Chapter 631, Statutes of 2021 — effective January 1, 2022) and should have previously been repealed in a Section 100 rulemaking package, as there are no longer two examinations (national/California) to mark the beginning and end of the sixty-month period before applicants are required to retake and pass all examinations.

CCR section 2015.2: This regulation does not align with statute regarding the administration of the VLE (BPC section 4846, subdivision (a)(5)(B)). Effective January 1, 2019, the Board was given statutory authority to administer the VLE via “regular mail, email, or by other electronic means”. With the support of the Legislature, the Board has been administering the VLE via electronic means. Repealing CCR section 2015.2 would eliminate the unintended discrepancy between the statute and the regulation, which can potentially mislead the regulated community that the examination *must* be offered by regular mail when that is not the current practice of the Board.

ANTICIPATED BENEFITS OF PROPOSAL

The proposed regulations will benefit Veterinarians, Registered Veterinary Technicians, and other licensees of the Board in terms clarifying the requirements that must be followed, such as examination requirements, to maintain their active licensee status. The proposed repeal of these regulations will also bring the Board into alignment with statutes. The proposed regulations are not expected to benefit worker safety or the state’s environment.

Evaluation of Consistency and Compatibility with Existing State Regulations

After conducting a review for any related regulations, the Board has found that these are the only regulations relating to the VLE. Therefore, the proposed regulations are not inconsistent or incompatible with existing state regulations.

INCORPORATION BY REFERENCE

N/A.

DISCLOSURES REGARDING THIS PROPOSED ACTION

FISCAL IMPACT ESTIMATES

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

The proposed regulations do not result in a fiscal impact to the state. The Board does not anticipate any additional workload or costs resulting from the proposed regulations.

The regulations do not result in costs or savings in federal funding to the state.

Nondiscretionary Costs/Savings to Local Agencies: None.

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

Mandate Imposed on Local Agencies or School Districts: None.

Significant Effect on Housing Costs: None.

BUSINESS IMPACT ESTIMATES

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

This initial determination is based on the following facts:

The Board has determined that this regulatory proposal will not have any impact on the creation of jobs or new businesses, the elimination of jobs or existing businesses, or the expansion of businesses in the State of California.

The regulatory proposal is intended to better align the Board’s regulations with current law and existing practice. The regulations do not result in additional workload or costs to businesses in the state.

Cost Impact on Representative Private Person or Business

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

This proposal is intended to better align the Board’s regulations with current law and existing practice. The regulations do not result in additional workload or costs to individuals or businesses in the state.

RESULTS OF ECONOMIC IMPACT
ASSESSMENT/ANALYSIS

Impact on Jobs/Businesses:

The Board has determined that this regulatory proposal will not have any impact on the following: 1) the creation or elimination of jobs within the state; 2) the creation of new businesses or the elimination of existing businesses within the state; or, 3) the expansion of businesses currently doing business within the state.

This proposal would not have any of the above–referenced impacts, as explained in the “Business Impact Estimates” section of this notice.

Benefits of Regulation:

The proposed regulations will benefit the health and welfare of California residents, specifically, veterinarians, veterinarian technicians, and other licensees of the Board, by clarifying what is required of licensees to maintain their license status. The proposed regulations are not expected to benefit worker safety or the state’s environment.

Business Reporting Requirements:

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

Effect on Small Business:

The Board has determined that the proposed regulations will not affect small businesses. This proposal is intended to better align the Board’s regulations with current law and existing practice. The regulations do not result in additional workload or costs to small businesses in the state.

CONSIDERATION OF ALTERNATIVES

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

Any interested person may submit comments to the Board in writing relevant to the above determinations at 1747 North Market Boulevard, Suite 230, Sacramento, California 95834 during the written comment period, or at the hearing if one is scheduled or requested.

AVAILABILITY OF STATEMENT OF
REASONS AND RULEMAKING FILE

The Board has compiled a record for this regulatory action, which includes the Initial Statement of Rea-

sons (ISOR), proposed regulatory text, and all the information on which this proposal is based. This material is contained in the rulemaking file and is available for public inspection upon request to the contact persons named in this notice.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations, and any document incorporated by reference, and of ISOR, and all of the information upon which the proposal is based, may be obtained upon request from the Board at 1747 North Market Boulevard, Suite 230, Sacramento, California 95834.

AVAILABILITY OF CHANGED
OR MODIFIED TEXT

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

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

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

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

CONTACT PERSONS

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

Name: Justin Sotelo
Address: California Veterinary Medical Board
1747 North Market Boulevard, Suite 230
Sacramento, CA 95834
Telephone Number: (916) 905–5511
Fax Number: (916) 928–6849

Email Address: Justin.Sotelo@dca.ca.gov

The backup contact person is:

Name: Matt McKinney
Address: California Veterinary Medical Board
1747 North Market Boulevard, Suite 230
Sacramento, CA 95834
Telephone Number: (916) 282–3529
Fax Number: (916) 928–6849
Email Address: Matthew.McKinney@dca.ca.gov

AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Regulatory Action, ISOR, Proposed Regulatory Language of the regulations with modifications noted, as well as the Final Statement of Reasons when completed, and modified text, if any, can be accessed through the Board’s website at: https://www.vmb.ca.gov/laws_regs/proposed_regs.shtml.

PROPOSITION 65

OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT

SAFE DRINKING WATER AND TOXIC ENFORCEMENT ACT OF 1986 (PROPOSITION 65)

NOTICE OF INTENT TO LIST CHEMICALS BY THE LABOR CODE MECHANISM: ATRAZINE

The California Environmental Protection Agency’s Office of Environmental Health Hazard Assessment (OEHHA) intends to list atrazine as known to the state to cause cancer under the Safe Drinking Water and Toxic Enforcement Act of 1986, Health and Safety Code (HSC) sections 25249.5 et seq., otherwise known as Proposition 65.

This action is being proposed pursuant to the “Labor Code” listing mechanism described below. OEHHA has determined that atrazine meets the criteria for listing by this mechanism.

Background on listing by the Labor Code mechanism: Health and Safety Code section 25249.8(a) incorporates California Labor Code section 6382(b)(1) into Proposition 65. The law requires that certain substances identified by the International Agency for Research on Cancer (IARC) be listed as known to cause

cancer under Proposition 65. Labor Code section 6382(b)(1) refers to substances identified as human or animal carcinogens by IARC. OEHHA has adopted regulations concerning these listings in Title 27, California Code of Regulations (CCR), section 25904. As the lead agency for the implementation of Proposition 65, OEHHA evaluates whether a chemical’s listing is required.

OEHHA’s determination: *Atrazine* meets the requirements for listing as known to the state to cause cancer for purposes of Proposition 65 (27 CCR § 25904(b)(1)).

IARC published on its website a list entitled “Agents Classified by the IARC Monographs, Volumes 1 — 142” (IARC, 2026). IARC classified *atrazine* in Group 2A (“probably carcinogenic to humans”) based on the conclusions of “limited” evidence for cancer in humans with “sufficient” evidence for cancer in experimental animals and “strong” mechanistic evidence in experimental systems (Cattley et al. 2025).

Opportunity for comment: OEHHA is providing this opportunity to comment as to whether the chemical identified above meets the requirements for listing as causing cancer (HSC § 25249.8(a); 27, CCR, § 25904(b)). Since this is a ministerial listing, comments should be limited to whether IARC has sufficiently identified the specific chemical or substance as a human or animal carcinogen. Under this listing mechanism, OEHHA cannot consider scientific arguments concerning the weight or quality of the evidence considered by IARC when it identified this chemical and will not respond to such comments if they are submitted.

SUBMISSION OF COMMENTS

All written comments must be submitted to OEHHA by electronic submission, mail, or hand-delivery, by **Monday, November 9, 2026**. OEHHA strongly recommends that comments be submitted electronically through our website at <https://oehha.ca.gov/comments>, rather than in paper form. Alternatively, comments can be submitted in paper form, either by mail or delivered in person.

Mailed submission via the United States Postal Service:

Attention: Kiana Vaghefi
Office of Environmental Health Hazard
Assessment
P.O. Box 4010
Sacramento, California 95812–4010

In-person delivery submission:

Attention: Kiana Vaghefi
Office of Environmental Health Hazard
Assessment

1001 I Street
Sacramento, California 95814

OEHHA encourages all commenters to submit their comments in a format compliant with Section 508 of the federal Rehabilitation Act, Web Content Accessibility Guidelines (WCAG) 2.1 ([the World Wide Web Consortium \[W3C\] WCAG 2 Overview](#)) and California Government Code sections 7405 and 11135, so that they can be read using screen reader technology.

Comments received during the public comment period will be posted on the OEHHA website after the close of the comment period.

OEHHA is subject to the California Public Records Act and other laws that require the release of certain information upon request. If you provide comments, please be aware that your name, address, and email may be available to third parties.

If you have any questions, please contact Kiana Vaghefi at Kiana.Vaghefi@oehha.ca.gov or at (916) 322–1268.

REFERENCES

Cattley RC, De Roos AJ, Mandrioli D, Pearce N, Pronk A, Soshilov A, et al. (2025). “Carcinogenicity of atrazine, alachlor, and vinclozolin”. *The Lancet Oncology*. Volume 27, Issue 1, Pages 11–12. Available from: [https://doi.org/10.1016/S1470-2045\(25\)00702-8](https://doi.org/10.1016/S1470-2045(25)00702-8).

International Agency for Research on Cancer. (IARC 2026). World Health Organization. Agents Classified by the IARC Monographs, Volumes 1–142. Most recent list available from: <https://monographs.iarc.fr/list-of-classifications-volumes/>.

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH THE SECRETARY OF STATE

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

California Alternative Energy and Advanced
Transportation Financing Authority
File # 2026–0826–02
Commercial Energy Efficiency Financing Program

This certificate of compliance action by the California Alternative Energy and Advanced Transportation

Financing Authority (“Authority”) makes permanent, without modification, emergency amendments to the GoGreen Business Energy Financing Program regulations. The amendments primarily concern Multifamily Property projects, and include revising the definition of “Multifamily Property” to encompass properties with multiple buildings, extending the final funding deadline to 12 months for Multifamily Property projects, allowing Finance Provider Entities to take a security interest in real property, excluding Multifamily Property projects from cost maximums for non-lighting measures qualifying via the Eligible Energy Measures List, and streamlining the calculation for loss reserve contributions. The amendments also permit financing through the GoGreen Business Energy Financing Program for the reconstruction of an existing building that was destroyed in whole or in part by a natural disaster.

Title 04
Amend: 10092.1, 10092.2, 10092.5, 10092.7,
10092.8, 10092.9
Filed 09/29/2026
Effective 09/29/2026
Agency Contact:
Jonathan Verhoef (916) 809–4637

State Allocation Board

File # 2026–0814–01

Leroy F. Greene School Facilities Act of 1998; EE/
CTE Supplemental Grants

This State Allocation Board certificate of compliance, pursuant to Government Code section 11346.1, makes permanent emergency regulations in OAL Matter Number 2026–0205–02E. It adopts regulations regarding energy efficiency (EE) and career technical education (CTE) grants pursuant to the Kindergarten through Grade 12 Schools and Local Community College Public Education Facilities Modernization, Repair, and Safety Bond Act of 2024 (Proposition 2) and Assembly Bill (AB) 247 (Muratsuchi, Chapter 81, Statutes of 2024). The regulations provide for application processes, scoring criteria, and award amounts applicable to future grants.

Title 02
Adopt: 1859.78.10
Amend: 1859.2, 1859.71.3, 1859.77.1, 1859.78.5,
1859.79, 1859.83, 1859.163.1, 1859.163.5,
1859.164.2, 1859.167.1, 1859.168
Filed 09/28/2026
Effective 09/28/2026
Agency Contact: Lisa Jones (279) 946–8459

Board of Environmental Safety

File # 2026–0915–02

Fee Rates for FY 2026–27

This emergency action by the Board of Environmental Safety (BES) within the Department of Toxic Substances Control adjusts facility fee rates, generation and handling fee rates, environmental fee rates, and related fee rate limits for the 2026–2027 fiscal year (fy) for a facility or entity generating or processing hazardous waste. Pursuant to Health and Safety Code sections 25205.2.1, 25205.5.01, and 25205.6.1, this is a deemed emergency that remains in effect until repealed by BES.

Title 22

Amend: 66269.41, 66269.42, 66269.43, 66269.44, 66269.45, 66269.46

Filed 09/25/2026

Effective 10/01/2026

Agency Contact: Gregory Forest (279) 895–5154

Department of Resources Recycling and Recovery

File # 2026–0917–04

Covered Battery–Embedded Waste Recycling Fee

This deemed emergency rulemaking pursuant to Public Resources Codes section 42475.2 by the California Department of Resources Recycling and Recovery amends the Covered Electronic Waste Recycling Program’s covered battery–embedded waster recycling fee. The fee, which is imposed at the point of retail purchase of a covered battery–embedded product, is maintained at 1.5 percent of the retail sales price but reduces the maximum fee from \$15 to \$1, as of January 1, 2027.

Title 14

Amend: 18660.40

Filed 09/24/2026

Effective 01/01/2027

Agency Contact: Kris Chisholm (916) 322–2404

Fish and Game Commission

File # 2026–0915–03

Conditional Take of Western Spadefoot

This emergency action by the Fish and Game Commission (“Commission”) authorizes the incidental take of Western Spadefoot toad during the endangered species candidacy period in connection with eligible utility–scale solar photovoltaic projects and utility–scale combined solar photovoltaic and battery energy storage projects (“BESS”), subject avoidance and minimization, mitigation, ongoing research and monitoring, reporting, and other conditions.

Title 14

Adopt: 749.15

Filed 09/25/2026

Effective 09/25/2026

Agency Contact: David Haug (916) 902–9286

Department of Resources Recycling and Recovery

File # 2026–0917–03

SB 1113 Pilot Projects Program Emergency Regulations

This emergency readoption action by the Department of Resources Recycling and Recovery adopts a new supplemental application process to allow for the expansion of an approved pilot project area in the California Beverage Container Recycling Program (Program) codified in Public Resources Code section 14571.9. This action also amends existing Program requirements to align with recent statutory changes.

Title 14

Adopt: 2750, 2752, 2754, 2756, 2758, 2759, 2760, 2762, 2764, 2766, 2768, 2770, 2772, 2774, 2776, 2778

Filed 09/24/2026

Effective 09/24/2026

Agency Contact: Kris Chisholm (916) 322–2404

California Privacy Protection Agency

File # 2026–0819–01

Conflict–of–Interest Code Amendments

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 11

Amend: 7500

Filed 09/29/2026

Effective 10/29/2026

Agency Contact: Kevin Sabo (916) 701–3027

Fair Political Practices Commission

File # 2026–0824–04

Enforcement Penalties

This file and print action pursuant to Government Code section 11343.8, by the Fair Political Practices Commission, adopts and amends procedural requirements and eligibility criteria of the Streamline resolution program, the framework for resolving low–level violations of the Political Reform Act. This action is to be reviewed for compliance with the Administrative Procedure Act standards based on *Fair Political Practices Commission v. Office of Administrative Law, Linda Stockdale Brewer*, Sacramento Superior Court, Case Number 512795.

Title 02

Amend: 18360.1, 18360.2, 18360.3

Filed 09/23/2026

Effective 10/23/2026

Agency Contact:

Amanda Apostol (916) 322–5660

Bureau for Private Postsecondary and Vocational
Education

File # 2026–0817–01

Adding Business and Professions Code
Section 480.2 Provisions

In this section 100 action pursuant to California Code of Regulations, title 1, section 100, the Bureau for Private Postsecondary and Vocational Education amends its regulations to change cross-references to the Business and Professions Code.

Title 05Amend: 71130, 71400.5, 71475, 71720, 71730,
75060, 75070, 75100

Filed 09/29/2026

Agency Contact:

Parker Strohmeyer (279) 666–5844

State Water Resources Control Board

File # 2026–0827–01

Drinking Water — No Regulatory Effect

In this section 100 action pursuant to California Code of Regulations, title 1, section 100, the State Water Resources Control Board is amending regulations regarding drinking water.

Title 22

Amend: 64001, 64211, 64213, 64255, 64256,
64258, 64259, 64400, 64400.05, 64400.25,
64400.28, 64400.29, 64400.36, 64400.41,
64400.42, 64400.45, 64400.46, 64400.66,
64400.90, 64402.30, 64413.1, 64413.3, 64413.5,
64413.7, 64430, 64433.5, 64442, 64443, 64444,
64445.1, 64447.3, 64447.4, 64463.7, 64466, 64530,
64531, 64533, 64533.5, 64534, 64534.2, 64534.6,
64534.8, 64535, 64536.2, 64536.4, 64537.2,
64537.4, 64537.6, 64551.10, 64551.20, 64551.30,
64551.35, 64551.40, 64551.60, 64551.70, 64552,
64560.5, 64561, 64570, 64573, 64575, 64576,
64577, 64578, 64580, 64590, 64591, 64602,
64651.12, 64651.13, 64651.15, 64651.21, 64651.34,
64651.38, 64651.48, 64651.50, 64651.52, 64651.53,
64651.54, 64651.60, 64651.61, 64651.62, 64651.88,
64652, 64653, 64654, 64654.8, 64655, 64660,
64664, 64664.2

Filed 09/24/2026

Agency Contact: Melissa Hall (916) 591–0318

State Water Resources Control Board

File # 2026–0904–01

Los Angeles River Reach 6 Chloride Site-Specific
Objective

This action by the State Water Resources Control Board (SWRCB), conducted pursuant to Government Code section 11353, amends the Los Angeles Region Water Quality Control Plan. On November 16, 2023, the Regional Water Quality Control Board, Los Angeles Region adopted Resolution Number 23–006 to incorporate site-specific chloride objectives for Reach 6 of the Los Angeles River. The SWRCB approved the amendment under Resolution Number 2026–0001 on January 6, 2026.

Title 23

Adopt: 3939.62

Filed 09/28/2026

Effective 09/28/2026

Agency Contact:

Elisha Wakefield (213) 576–6785

Department of General Services

File # 2026–0813–02

Assembly Bill 2019/2974 Proposed SB/DVBE
Regulations

This rulemaking action by the Department of General Services updates the Small Business and Disabled Veteran Business Enterprise (SB/DVBE) Program regulations.

Title 02Amend: 1896.4, 1896.5, 1896.6, 1896.8, 1896.12,
1896.13, 1896.16, 1896.81, 1896.84

Filed 09/25/2026

Effective 01/01/2027

Agency Contact: Matt Victoriano (279) 799–4356

**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.