



# 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

*Information contained in this document is published as received from agencies and is not edited by Thomson Reuters.*

### TITLE 2. CIVIL RIGHTS DEPARTMENT

#### CONTRACTOR NONDISCRIMINATION AND COMPLIANCE REGULATIONS

The Civil Rights Council (Council) proposes to modify regulations implementing Government Code section 12990 of the Fair Employment and Housing Act (FEHA), which imposes anti-discrimination obligations on state contractors and subcontractors. The proposed modifications also implement the employment provisions of FEHA as well as the provisions of Article 9.5 of Chapter 1 of Division 3 of Title 2 of the Government Code (Government Code § 11135, et seq.). Specifically, the Council proposes to modify California Code of Regulations, Title 2, Division 4.1, Chapter 5, Subchapters 1, 5, and 9. The Council will consider all comments, objections, and recommendations regarding the proposed action.

#### PUBLIC HEARING

The Council will hold a public hearing beginning at 11:00 a.m. on Friday, June 6, 2025, at the following virtual and physical locations:

Civil Rights Department, Los Angeles Office  
Junipero Serra State Office Building  
320 West Fourth Street, Suite 1000, 10th Floor  
Los Angeles, CA 90013

**Members of the public may also join the hearing remotely using the following information:**

<https://us02web.zoom.us/j/81335415035>

and/or

Phone: (669) 900-6833 and Webinar ID: 813 3541 5035

At the hearing, any person may present statements or arguments orally or in writing relevant to the proposed regulatory action. The Council requests but does not require that persons who make oral comments at

the hearing also submit a written copy of their testimony at or before the hearing.

The hearing is open to the public and is accessible to individuals with disabilities. If you require a disability-related accommodation or modification of policies or procedures to participate in the meeting, make a request as soon as possible or at least five business days before the meeting by contacting Mimi de Ville, the Civil Rights Department's (CRD's) Americans with Disabilities Act (ADA) Coordinator by email: [accommodations@calcivilrights.ca.gov](mailto:accommodations@calcivilrights.ca.gov) or by telephone: (844) 541-2877 (voice); (800) 700-2320 (TTY); or California's Relay Service at 711.

#### WRITTEN COMMENT PERIOD

Any interested person, or their authorized representative, may submit written comments relevant to the proposed regulatory action to the Council. The written comment period ends on **June 6, 2025, at 5 p.m.** The Council will consider only comments received by the end of that day. Written comments can be emailed to:

[Council@calcivilrights.ca.gov](mailto:Council@calcivilrights.ca.gov)

or mailed to:

Civil Rights Council  
c/o Suge Lee, Senior Legislative and Regulatory Counsel  
Civil Rights Department  
555 12<sup>th</sup> Street — Suite 2050  
Oakland, CA 94607  
Telephone: (916) 477-5795

*Although not required, comment submission via email is strongly preferred.*

#### AUTHORITY AND REFERENCE

Government Code section 12935(a) authorizes the Council to adopt these proposed regulations. The proposed regulations implement, interpret, and make specific section 12900 et seq. and Article 9.5 (section 11135 et seq.) of the Government Code.

#### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

This rulemaking action clarifies, makes specific, and supplements existing state regulations implementing Government Code section 12900 of the Fair Employment and Housing Act (FEHA) and Article 9.5 of Chapter 1 of Division 3 of Title 2 of the Government Code ("Article 9.5"). As it relates to employment, FEHA prohibits harassment and discrimination because of the race, religious creed, color, national or-

igin, ancestry, physical disability, mental disability, reproductive health decision-making, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation, or veteran or military status of any person. (Government Code § 12940.) Additionally, under FEHA, an “employer who is, or wishes to become, a contractor with the state for public works or for goods and services” is subject to the requirements of FEHA and “[e]very state contract or subcontract...shall contain a nondiscrimination clause prohibiting discrimination” in violation of FEHA. (Government Code § 12990(a), (c).) Article 9.5 addresses discrimination in state-funded and state-administered programs and activities because of sex, race, color, religion, ancestry, national origin, ethnic group identification, age, mental disability, physical disability, medical condition, genetic information, marital status, or sexual orientation. (Government Code § 11135.)

In compliance with the Administrative Procedure Act, the Council proposes to adopt these rules as duly noticed, vetted, and authorized regulations. The overall objective of the proposed regulations is to further implement, interpret, and/or make specific FEHA and Article 9.5 and clarify the applications of those statutes to state contractors, subcontractors, and recipients (as defined by Cal. Code Regs., title 2, § 14020(pp)). This action also has the specific benefits of ensuring the regulations’ consistency with current state (and, where applicable, federal) caselaw, statutes, and regulations; and decreasing the number of FEHA and Article 9.5 violations through providing comprehensive guidance to state contractors, subcontractors, and recipients.

The Council has determined that the proposed amendments are not inconsistent or incompatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area, the Council has concluded that these are the only regulations that concern the antidiscrimination state contractor provisions in FEHA and Article 9.5.

#### DISCLOSURES REGARDING THE PROPOSED ACTION

*The Council has made the following initial determinations:*

**Mandate on local agencies and school districts:** No additional mandate beyond that imposed by existing law.

**Cost or savings to any state agency:** No additional costs or savings beyond those imposed by existing law.

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

**Other nondiscretionary cost or savings imposed on local agencies:** No additional costs or savings beyond those imposed by existing law.

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

**Cost impacts on a representative private person or businesses:** No additional costs or savings beyond those imposed by existing law. Therefore, 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 the economic impact assessment/analysis:** The Council anticipates that the adoption of the regulations will not impact the creation or elimination of jobs within the state, the creation of new businesses or the elimination of existing businesses within the state, or the expansion of businesses currently doing business within the state. To the contrary, adoption of the proposed amendments is anticipated to benefit the health and welfare of California residents as well as state-funded and state-administered programs and activities by clarifying and streamlining the operation of the law, making it easier to understand respective rights and obligations, and reducing litigation costs. These regulations would not affect worker safety or the environment.

**Statewide adverse economic impact directly affecting businesses and individuals:** The Council has made an initial determination that the proposed action will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

**Significant effect on housing costs:** None.

**Small Business Determination:** The Council anticipates that the regulations will not create additional costs or savings beyond those imposed by existing regulations. Similarly, the Council has determined that there is no impact on small businesses as a result of this proposed action because these regulations primarily serve to clarify existing law.

**Business Report:** The Council has determined that the proposed regulations do not require a report to be made.

#### CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5(a)(13), the Council must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the Council’s attention would be more effective in carrying out the purpose for which this action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally

effective in implementing the statutory policy or other provision of law.

The Council has thus far not become aware of a better alternative and invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

#### CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Suge Lee, Senior Legislative and Regulatory Counsel  
Civil Rights Department  
555 12<sup>th</sup> Street — Suite 2050  
Oakland, CA 94607  
Telephone: (916) 477-5795  
Email: [suge.lee@calcivilrights.ca.gov](mailto:suge.lee@calcivilrights.ca.gov)

The backup contact person for these inquiries is:

Rachael Langston, Assistant Chief Counsel  
Civil Rights Department  
555 12<sup>th</sup> Street — Suite 2050  
Oakland, CA 94607  
Telephone: (916) 478-7251  
Email: [rachael.langston@calcivilrights.ca.gov](mailto:rachael.langston@calcivilrights.ca.gov)

Please direct requests for copies of the proposed text (express terms) of the regulations, the Initial Statement of Reasons, any modified text of the proposed regulations, or other information upon which the rulemaking is based, should other sources be used in the future, to Suge Lee at the above address.

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

The Council will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above Oakland address. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, and the Initial Statement of Reasons. Copies may be obtained by contacting Suge Lee at the address, email, or phone number listed above.

#### AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearing and considering all timely and relevant comments received, the Council may adopt the proposed regulations substantially as described in this notice. If the Council makes modifi-

cations 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 the Council adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Suge Lee at the address indicated above. The Council 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, the Final Statement of Reasons will be available on the Council's webpage: <https://calcivilrights.ca.gov/civilrightscouncil/>.

Copies also may be obtained by contacting Suge Lee at the above address.

#### AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, the text of the regulations, any modified texts, and the Final Statement of Reasons can be accessed through the Council's webpage at <https://calcivilrights.ca.gov/civilrightscouncil/>.

### 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: John Adams Academies, Inc.  
Las Virgenes Unified School District  
Redwoods Community College District  
Monterey Bay Air Resources District  
Public Entity Risk Management Authority

STATE: California Travel and Tourism Commission

A written comment period has been established commencing on April 11, 2025, and closing on May 27, 2025. Written comments should be directed to the

Fair Political Practices Commission, Attention: Andrea Spiller Hernandez, 1102 Q Street, Suite 3050, Sacramento, California 95811.

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

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

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

Any interested person may present statements, arguments, or comments, in writing to the Executive Director of the Commission, relative to review of the proposed conflict-of-interest codes. Any written comments must be received no later than May 27, 2025. 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 codes should be made to Andrea Spiller Hernandez, Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, California 95811, or email [aspiller-hernandez@fppc.ca.gov](mailto:aspiller-hernandez@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 Andrea Spiller Hernandez, Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, California 95811, or email [aspiller-hernandez@fppc.ca.gov](mailto:aspiller-hernandez@fppc.ca.gov).

### **TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE**

#### **DIVISION 4. PLANT INDUSTRY CHAPTER 2. FIELD CROPS SUBCHAPTER 2. COMMERCIAL FEED**

NOTICE IS HEREBY GIVEN that the Department of Food and Agriculture (Department) proposes to adopt and amend regulations as described below within the California Code of Regulations Title 3 (3 CCR), Division 4, Chapter 2, Subchapter 2, Articles 1, 2, 3, 4, 5, 9, 11, 12, and 14, Sections 2675, 2675.1, 2676, 2680, 2683, 2688, 2691, 2694, 2695, 2696, 2697, 2702, 2704, 2705, 2706, 2707, 2709, 2734, 2735, 2750, 2751, 2760, 2770, 2771, 2773, 2773.1, 2773.5, 2774, 2774.5, 2775, 2776, 2777, 2778, 2781, 2782, 2783, 2783.5, 2785, 2787, 2788, 2789, 2790, 2790.5, 2790.7, 2791, 2792, 2793, 2794, 2795, 2795.5, 2796, 2796.5, 2797, 2798, 2798.5, 2799, 2800, 2801, 2802, 2803, 2804, 2805, 2806, 2807, 2808, 2809, 2810, and 2811.

## PUBLIC HEARING

A public hearing is not scheduled. However, any interested person or his or her duly authorized representative may request a public hearing on this proposed action by submitting a written request no later than 15 days before the close of the written comment period noted below.

## WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Department by mail or email. The written comment period will close on **May 27, 2025**. The Department will only consider comments received by that date. Submit written comments to:

Erika Lewis, Research Data Specialist II  
California Department of Food and Agriculture  
Feed, Fertilizer, and Livestock Drugs Regulatory  
Services Branch  
1220 N Street  
Sacramento, CA 95814  
Email: [feed\\_lvstk@cdfa.ca.gov](mailto:feed_lvstk@cdfa.ca.gov)

Following the written comment period or public hearing, if one is requested, and after considering all comments, objections, and recommendations regarding the proposed actions, the Department, at its own motion or at the request of any interested person, may adopt the proposal substantially as set forth without further notice.

## AUTHORITY AND REFERENCE

The Department is proposing to adopt changes to 3 CCR, Division 4, Chapter 2, Subchapter 2 pursuant to the authority vested by Sections 407, 14902, 14903, and 14992 of the Food and Agricultural Code (FAC) to adopt, implement, and enforce these regulations. The proposed regulations will implement, interpret, or make specific FAC Sections 14902, 14902.1, 14903, 14925, 14930, 14938, 14991, 14992, 14993, 14994, 15011, 15021, 15041, 15042, 15051, 15053, 15061, 15062, 15071, 15071.5, 15072, and 15073 of the Food and Agricultural Code.

## INFORMATIVE DIGEST/POLICY STATEMENT

The Department's Commercial Feed Regulatory Program (CFRP) is responsible for the enforcement of California state law and regulations pertaining to the manufacturing, distribution and labeling of commercial feed while preventing adulterated feed from being consumed by livestock. Inspectors and investigators

located throughout the state conduct routine feed sampling and inspections, quality assurance inspections of feed manufacturing facilities, respond to consumer complaints, and enforce the laws and regulations that govern the manufacturing, distribution, and labeling of commercial feed. The work of the CFRP helps to ensure a clean and wholesome supply of milk and meat, as well as providing assurance that the product received by the consumer is the quality and quantity purported by the manufacturer.

CFRP is proposing the adoptions and revisions to 3 CCR, Division 4, Chapter 2, Subchapter 2 described below. These proposed regulations govern various aspects of commercial feed, including specifying recognized official names of commercial feed ingredients and their acceptable uses, definitions, labeling requirements, production and manufacturing, and enforcement activities.

## ARTICLE 1. DEFINITIONS AND GENERAL PROVISIONS

**Sections 2675 and 2675.1** are being amended to update terminology, correct outline structure, fix typographical issues, adopt definitions for complete feed, low nutrition ingredients, premix, and common foods, define terms used in FAC Section 15021, and define terms used in FAC Section 14902.1.

## ARTICLE 2. COMMERCIAL FEED CONTAINING DRUGS, FOOD ADDITIVES, OR HARMFUL SUBSTANCES

**Sections 2676 and 2680** are being amended to repeal outdated/duplicative provisions, correct outline structure, and update specified tolerances.

## ARTICLE 3. CUSTOM FORMULA FEED.

**Section 2683** is being amended to correct typographical issues and outline structure and update terminology.

## ARTICLE 4. LABELING AND USE REQUIREMENTS

**Sections 2688, 2691, 2694, 2695, 2696, and 2697** are being amended to update terminology, correct outline structure, repeal outdated/duplicative provisions, and update labeling requirements for consistency with national standards.

## ARTICLE 5. COMMERCIAL FEEDS CONTAINING DRUGS AND SPECIAL PROVISIONS

**Sections 2702, 2704, 2705, 2706, 2707, and 2709** are being amended to update terminology, correct typographical issues, update guarantee requirements for consistency with national standards, repeal outdated/duplicative provisions, correct outline structure, and create a section for labeling and use of feeds containing added selenium.

## ARTICLE 9. MISBRANDING ADULTERATION

Sections 2734 and 2735 are being amended to correct outline structure, correct typographical issues, update section references, and update terminology.

## ARTICLE 11. INSPECTION TAX AND PLANT LICENSES

Sections 2750 and 2751 are being amended to update terminology, define eligible human food by-products, and update section references.

## ARTICLE 12. DAMAGED FEED

Section 2760 is being amended to correct typographical issues.

## ARTICLE 14. DEFINITIONS AND STANDARDS

The title of Article 14 is being amended to "Recognized Official Names."

Sections 2770–2804 are being repealed.

Sections 2770–2811 are being adopted to define recognized official names and standards for ingredients that are acceptable for use in commercial feed in California, including Alfalfa Products, Almond Hull Products, Amino Acids and Related Products, Animal Products, Barley Products, Brewers Products, Citrus Products, Collective Terms, Corn Products, Cottonseed Products, Distillers Products, Enzymes, Fats and Oils, Fermentation Products, Grain Sorghums, Human Food By-Products, Lespedeza Products, Marine Products, Milk Products, Mineral Products, Miscellaneous Products, Molasses and Molasses Products, Non-Protein Nitrogen, Oat Products, Other Oilseed Products, Preservatives, Processed Animal Waste Products, Rice Products, Rye Products, Screenings, Sesame Products, Soybean Products, Special Purpose Products, Technical Additives, Vitamins, Wheat Products, Whole Grains, Yeast, Code of Federal Regulations (CFR) Listed Feed Ingredients, and Generally Recognized as Safe (GRAS) Notified Substances Intended for Animal Food.

## DOCUMENTS INCORPORATED BY REFERENCE

Official Methods of Analysis of the Association of Official Analytical Chemists, 13th edition (1980)  
Food Chemicals Codex, third edition (1981)

## ANTICIPATED BENEFITS OF THE PROPOSED REGULATIONS

Anticipated benefits of the proposed regulations include increased consistency with national standards. This will ensure the Department remains consistent with Food and Drug Administration (FDA) requirements and result in increased clarity for the regulated industry. This will also ensure there are no disruptions to interstate commerce resulting from the expiration of MOU 225–07–7001, as well as reducing the

burden on industry resulting from inconsistent labeling requirements among states. In addition, specifying all ingredient names in regulation will give the Department additional oversight to ensure that any feed safety or consumer protection concerns are addressed through the inclusion of additional requirements for ingredients, as well as the exclusion of ingredients determined to be unacceptable for use in California.

## INCONSISTENCY/INCOMPATIBILITY WITH EXISTING REGULATIONS

The Department evaluated the proposed regulations and made several determinations required by Government Code Section 11346.5(a)(3)(A) to 11346.5(a)(3)(D). The Department determined that there are no existing state laws or regulations related directly to the proposed action and the effect of the proposed action; the proposed regulations are not inconsistent or incompatible with existing state regulations.

## PLAIN ENGLISH REQUIREMENT

The Department prepared the proposed regulations pursuant to the standard of clarity provided in Government Code Section 11349 and the plain English requirements of Government Code Sections 11342.580 and 11346.2, subdivision (a)(1). The proposed regulations are written to be easily understood by the individuals that will use them.

## DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

Mandate on local agencies and school districts: None.

Cost or savings to any state agency: None.

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

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

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

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

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

Significant effect on housing costs: None.

## RESULTS OF THE ECONOMIC IMPACT ASSESSMENT/ANALYSIS

California Government Code Section 11346.3 requires state agencies to assess the potential economic impacts on California businesses and individuals when proposing to adopt or amend any administrative regulation. The Department has initially determined that the proposed regulatory action will not have an economic impact on any business. The proposed regulatory actions are technical in nature and will provide clarity to the regulated industry. These clarifying changes will not have an economic or fiscal impact on the commercial feed industry, related businesses, or the general public.

The Department concludes that these regulations:

- (1) Will not require any additional ongoing expenses for compliant individuals or businesses.
- (2) Will not create or eliminate jobs within the state.
- (3) Will not create new businesses or eliminate existing businesses within the State of California.
- (4) Will not affect the expansion of businesses currently operating within the State of California.
- (5) Will benefit the health and welfare of California residents utilizing feed for their livestock by increasing consistency with national standards, increasing clarity for the regulated industry, avoiding disruptions to interstate commerce, and enhancing feed safety and consumer protection.
- (6) Will not affect worker safety, or the state's environment.

## SMALL BUSINESS DETERMINATION

The Department has determined that the proposed regulations will affect small businesses but will not have an economic impact on those businesses. The proposed actions do not involve any area that would increase fees or result in any increased costs to these businesses.

## CONSIDERATION OF ALTERNATIVES

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

to the proposed regulations at the scheduled hearing or during the written comment period.

## CONTACT PERSONS

Written comments and inquiries concerning the substance of the proposed regulation, initial statement of reasons, proposed actions, location of the rulemaking file, or a request for a public hearing should be directed to:

Erika Lewis, Research Data Specialist II  
California Department of Food and Agriculture  
Feed, Fertilizer, and Livestock Drugs Regulatory  
Services Branch  
1220 N Street  
Sacramento, CA 95814  
Email: [feed\\_lvstk@cdfa.ca.gov](mailto:feed_lvstk@cdfa.ca.gov)  
Phone: (916) 900-5022

The backup contact person for these inquiries is:

Ashley James, Research Data Analyst II  
California Department of Food and Agriculture  
Feed, Fertilizer, and Livestock Drugs Regulatory  
Services Branch  
1220 N Street  
Sacramento, CA 95814  
Email: [feed\\_lvstk@cdfa.ca.gov](mailto:feed_lvstk@cdfa.ca.gov)  
Phone: (916) 900-5022

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

The Department will have the entire rulemaking file available for inspection and copying throughout the rulemaking process. A copy of this notice, the proposed regulation text, and the initial statement of reasons may be obtained by contacting Erika Lewis at the address provided in the "Contact Persons" section.

## AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of the notice of proposed action, the initial statement of reasons, and the proposed regulation text in underline and strikethrough can be accessed through the Department's website: [https://www.cdfa.ca.gov/is/regulations/ffldrs\\_regulations.html](https://www.cdfa.ca.gov/is/regulations/ffldrs_regulations.html).

## AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments received during the written comment period, the De-

partment may adopt the proposed regulations substantially as described in this notice. If the Department makes modifications which differ, but 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 prior to amendment. Please send requests for copies of any modified regulations to the attention of Erika Lewis at the address provided in the “Contact Persons” section. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

#### **AVAILABILITY OF THE FINAL STATEMENT OF REASONS**

Upon its completion, copies of the final statement of reasons may be obtained by contacting Erika Lewis at the address provided in the “Contact Persons” section.

### **TITLE 3. DEPARTMENT OF FOOD AND AGRICULTURE**

#### **SECTION 3867, LABELING OF SEED CONTAINERS.**

The Department of Food and Agriculture (Department) proposes to amend Title 3 of the California Code of Regulations (CCR) Section 3867, Labeling of Seed Containers.

#### **PUBLIC HEARING**

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

#### **WRITTEN COMMENT PERIOD**

Any interested person or their authorized representative may submit written comments relevant to the proposed regulations to the Department. Comments may be submitted by the United States Postal Service (USPS), fax or email. The written comment period closes on May, 27, 2025. The Department will consider only comments received at the Department offices,

by that date or postmarked no later than May, 27, 2025. Submit comments to:

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

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

#### **AUTHORITY**

The Department proposes to amend Section 3867 pursuant to the authority vested by Sections 407, 52331 and 52332 of the Food and Agricultural Code (FAC).

#### **REFERENCE**

The Department proposes this action to implement, interpret and make specific Sections 52332, 52451, 52452, 52453, 52454, 52455, 52456, and 52484 of the FAC.

#### **INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW**

The specific purpose of Section 3867 is to outline the correct procedures for labeling seed containers. Providing the number of noxious weed seeds on the label is important to maintain truth in labeling and to protect growers as well as public land. Harmonizing with the Federal Seed Act allows seeds to move more easily within commerce and helps maintain the integrity of California seed law. The Department also corrects a FAC reference, it was listed as FAC 55424 instead of the correct 52454.

#### **EXISTING LAWS & REGULATIONS**

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

Existing law, FAC Section 52331, provides that the, by regulations, shall do all of the following:

- (a) Adopt germination standards for vegetable seed.
- (b) Adopt tolerances to be applied in all enforcement procedure required by this chapter.

- (c) Prescribe methods of procedure in the examination of lots of any agricultural or vegetable seed, and in securing samples of such lots.
- (d) Establish a reasonable schedule of fees for tests, examinations, and services except those which are required for quarantine or other purposes, not directly related to the enforcement of this chapter. The schedule shall be based upon the approximate cost of the service rendered. The director may, however, provide for the examination of seeds for identification purposes without charge.
- (e) Adopt such other regulations as will assist in carrying out the purposes of this chapter.

Every standard or tolerance which is adopted pursuant to this chapter shall be as nearly as practicable to that which is established under the Federal Seed Act.

Existing law, FAC Section 52332, provides that:

- (a) A list of the plants and crops that the secretary finds are or may be grown in this state.
- (b) A list of the plants and crops that the secretary finds are detrimental to agriculture if they occur incidentally in other crops, and which, therefore, are classed as weed seed except if sold alone or as a specific constituent of a definite seed mixture.
- (c) A list of noxious weed seed that the secretary finds are prohibited noxious weed seed, as defined in this chapter.
- (d) A list of those noxious weed seed that are not classified as prohibited noxious weed seed and are classified by this chapter as restricted noxious weed seed.
- (e) A list of substances that are likely to be used for treating grain or other crop seed that the secretary finds and determines are toxic to human beings or animals if used, and an appropriate warning or caution statement for each substance.

Also, in subsection (g) it requires that additional labeling requirements for coated, pelleted, encapsulated, mat, tape, or any other germination medium or device used on seed in order that the purchaser or consumer will be informed as to the actual amount of seed purchased.

Existing law, FAC Section 52451, provides that this article does not apply to any of the following:

- (a) Seed or grain that is not intended for sowing purposes.
- (b) Seed that is in storage in, or consigned to, a seed cleaning or conditioning establishment for cleaning or conditioning.
- (c) Seed or grain that is transported without transfer of title for sowing on land that is owned by the person by whom the seed or grain was produced.
- (d) Seed that is weighed and packaged in the presence of the purchaser from a bulk container, if the

container is properly and conspicuously labeled as provided by this chapter.

- (e) Seed or grain that is transported from one warehouse to another without transfer of title or in storage in a warehouse, if each container is plainly marked or identified with a lot number or other lot identification and the label information that is required by this article is available at the request of an enforcing officer.
- (f) Seed distributed or received by noncommercial seed sharing activity.

Existing law, FAC Section 52452, provides that:

- (a) Except as otherwise provided in Section 52454, each container of agricultural seed that is for sale or sold within this state for sowing purposes shall bear upon it or have attached to it in a conspicuous place a plainly written or printed label or tag the information listed within this FAC.

Existing law, FAC Section 52453, provides that except as otherwise provided in Section 52454, each container of vegetable seed that is for sale or sold within this state for sowing purposes shall bear upon it, or have attached to it, in a conspicuous place, a plainly written or printed label or tag in the English language, that gives all of the information listed within this FAC.

Existing law, FAC Section 55454, provides that any lot of more than one container of seed which is transported to a dealer for resale, or any lot of more than five containers of seed which is sold to a consumer, is exempt from the requirements which are prescribed by Section 52452 or 52453 if both of the following requirements are complied with:

- (a) Each container is plainly marked or identified with a lot number or other lot identification.
- (b) The invoice and one or more of the containers bears the tag or label which is required by such sections.

Existing law, FAC Section 52455, provides that in addition to the labeling requirements of this article, all seed at the time of sale by a retail merchant for non-farm usage, shall conspicuously bear upon the labeling of the seed a viability assurance statement information listed within this FAC.

Existing law, FAC Section 52456, provides that in addition to the labeling requirements of this article, all seed, except seed at the time of sale by a retail merchant for nonfarm use, shall conspicuously bear upon the label adequate notice of the requirement to follow the conciliation, mediation, or arbitration procedures governing disputes between labelers and any person, as authorized by this chapter, and the consequences of failing to follow those procedures.

Existing law, FAC Section 52484, provides that:

- (a) Except as otherwise provided in Section 52486, it is unlawful for any person to ship, deliver,

transport, or sell agricultural or vegetable seed that is treated after harvest with any substance that is likely to be poisonous or toxic to human beings or animals unless there is conspicuously shown on the analysis tag or label, on a separate tag or label attached to each container, or on each container all of the following information within this FAC.

#### **ANTICIPATED BENEFITS OF THE PROPOSED AMENDMENT**

This amendment brings the existing seed labeling regulation into harmony with state and federal requirements. This is important for the seed industry to allow clear and comprehensive requirements as seed moves across state borders and provides for the testing of noxious weed seeds in vegetables which is important for growers and the environment to prevent the introduction of noxious weed seed.

There are no existing, comparable federal regulations or statutes.

There are no known specific benefits to worker safety or the health of California residents.

#### **EVALUATION OF INCONSISTENCY/INCOMPATIBILITY WITH EXISTING STATE REGULATIONS**

As required by Government Code Section 11346.5(a)(3)(D), the Department has conducted an evaluation of Section 3867 and has determined that they are not inconsistent or incompatible with existing state regulations.

#### **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

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

#### **DISCLOSURES REGARDING THE PROPOSED ACTION**

*The Department has made the following initial determinations:*

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: None.

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

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

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

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

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

Significant effect on housing costs: None.

Small business determination: The proposed action will not affect small business because this action only provides authority for state quarantine activities and does not require reporting, recordkeeping, or compliance by businesses.

#### **RESULTS OF THE ECONOMIC IMPACT ANALYSIS/ASSESSMENT**

The amendment of Section 3867 is designed to bring seed labeling into compliance with state and federal regulations. The Department has made an assessment that the amendment to this regulation would: (1) not create or eliminate jobs within California, (2) not create new business or eliminate existing businesses within California, (3) not affect the expansion of businesses currently doing business within California, and (4) is not expected to benefit the health and welfare of California residents, (5) is expected to benefit the state's environment, and (6) is not expected to benefit workers' safety.

By preventing the introduction of noxious weed seeds to there will be a positive impact to the environment, which will benefit from reduced competition between native plants and introduced weeds.

#### **CONSIDERATION OF ALTERNATIVES**

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

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

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

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

## AVAILABILITY OF CHANGED OR MODIFIED TEXT

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

## AVAILABILITY OF THE FINAL STATEMENT OF REASONS

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

## TITLE 11. DEPARTMENT OF JUSTICE

### DIVISION 3. GAMBLING CONTROL CHAPTER 1. THE BUREAU OF GAMBLING CONTROL

The Department of Justice (Department) proposes to amend section 2010, and to adopt sections 2073, 2074, and 2075 of Title 11, Division 3, Chapter 1, Article 7 of the California Code of Regulations concerning the play and approval of blackjack-style games.

The Department originally published this notice (OAL Notice File Number Z-2025-0204-08) on February 14, 2025, and subsequently received several requests to extend the public comment period. The Department agreed to extend the public comment period by withdrawing the earlier notice and restarting the rulemaking proceeding. This action is virtually identical to the previous action. See new information below regarding the public hearing.

## PUBLIC HEARING

The Department, by and through the Bureau of Gambling Control (Bureau), will hold a virtual public hearing to provide all interested persons an opportunity to present statements or arguments, either orally or in writing, with respect to the proposed regulation as follows:

**Date:** May 29, 2025  
**Time:** 9:00 a.m. Pacific Time

### To join by videoconference:

ZoomGov Link:  
<https://doj-ca.zoomgov.com/j/1619066288>  
Meeting ID: 161 906 6288

### To join by teleconference:

Dial: (669) 254-5252  
Meeting ID: 161 906 6288

NEW! Members of the public who wish to speak at the hearing are requested to RSVP in advance on the Bureau's website at <https://oag.ca.gov/gambling/regulations>. Speakers will be called in the order of the RSVP. The information provided will help the Bureau plan hearing logistics and accommodate participants.

The Department requests, but does not require, that persons who make oral comments at a hearing also submit a written copy of their testimony made at the hearing to [BGC\\_Regulations@doj.ca.gov](mailto:BGC_Regulations@doj.ca.gov).

## WRITTEN COMMENT PERIOD

Any interested party, or their authorized representative may submit written comments relevant to the proposed regulatory action. The written comment period closes on **May 29, 2025, at 5:00 p.m.** The Department will only consider comments received by that time, including any public comments received in the previous rulemaking (OAL Notice File Number Z-2025-

0204–08) from February 14, 2025 to March 27, 2025. Please submit written comments to:

A. McMillen, Regulations Coordinator  
California Department of Justice, Bureau of  
Gambling Control  
2450 Del Paso Road, Suite 100, Sacramento, CA  
95834  
Telephone: (916) 261–4256  
Email: [BGC\\_Regulations@doj.ca.gov](mailto:BGC_Regulations@doj.ca.gov)

NOTE: Written and oral comments, attachments, and associated contact information (e.g., address, phone, email, etc.) become part of the rulemaking record and can be released to the public upon request.

## AUTHORITY AND REFERENCE

Authority: Business and Professions Code section 19826.

Reference: Business and Professions Code sections 19801, 19826, 19866; Penal Code section 330; People v. Gosset (1892) 93 Cal. 641.

## INFORMATIVE DIGEST AND POLICY STATEMENT OVERVIEW

### Summary of Existing Laws:

#### *The Gambling Control Act*

The California Department of Justice (Department), is charged with the investigation and enforcement of controlled gambling activities in California as set forth in the Gambling Control Act (Act), codified at Business and Professions Code section 19800, et seq. (Government Code, § 15001.1.) The Department's Bureau of Gambling Control (Bureau) carries out those investigative and enforcement activities. (See Government Code, § 15002.5.) In enacting this measure, the Legislature declared that “[u]nregulated gambling enterprises are inimical to the public health, safety, welfare, and good order.” (Business and Professions Code, § 19801, subdivisions(a), (d).) The purpose of the Act is not to expand opportunities for gambling, or to create any right to operate a gambling enterprise, or to have a financial interest in any gambling enterprise, but rather to regulate businesses that offer otherwise lawful forms of gambling games. (*Id.*, § 19801, subdivision (f).)

The Act also provides that public trust requires comprehensive measures be enacted to ensure that permissible gambling will not endanger public health, safety or welfare, it is free from criminal and corruptive elements, and it is conducted honestly and competitively. (Business and Professions Code, § 19801, subdivision (g).) The Legislature also declared that “[p]ublic trust and confidence can only be maintained by strict and comprehensive regulation of all persons, loca-

tions, practices, associations, and activities related to the operation of lawful gambling establishments ...” (*Id.*, § 19801, subdivision (h).) The Act “is an exercise of the police power of the state for the protection of the health, safety, and welfare of the people of the State of California, and shall be liberally construed to effectuate those purposes.” (*Id.*, § 19971.)

Under the Act, the Department has the exclusive authority and responsibility to “[a]pprove the play of any controlled game,<sup>1</sup> including placing restrictions and limitations on how a controlled game may be played.” (Business and Professions Code, §§ 19826, subdivision (g), 19943.5.) The Department is directed to “adopt regulations reasonably related to its functions and duties as specified in [the Act].” (*Id.*, § 19826, subdivision (f).)

#### *Blackjack is a Game of Twenty–One, and is Prohibited*

The California Constitution<sup>2</sup> and Penal Code section 330 prohibit the play of specifically enumerated games, among them “any game of ... twenty–one ...” (Emphasis added.)

Twenty–one is, and historically has been, known by a variety of names. At the time that twenty–one was added to the list of games prohibited by Penal Code section 330, a number of variations of twenty–one had been recognized. (Scarne, Scarne’s New Complete Guide to Gambling (Simon & Schuster (1974), p. 350, hereafter “Scarne.”). Additionally, the game of “blackjack” has been referred to interchangeably with the game of “twenty–one” for decades in general parlance, in other jurisdictions, numerous California and federal judicial decisions, and under the federal Indian Gaming Regulatory Act.

#### *Game Rules are Reviewed and Approved by the Bureau*

A controlled game may not be offered for play unless the Bureau has approved the game rules. (*Ibid.*; Cal. Code Regs., title 11, § 2038; see also Penal Code, § 337j, subdivision (e)(1).) To obtain approval, applicants must submit an Application for Game Review (BGC–APP.026 (Rev. 09/2017)) to the Bureau, along with the payment of an application fee and a deposit. (Cal. Code Regs., title 11, §§ 2037, subdivision (a)(1)(K), 2038.)

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<sup>1</sup> A “controlled game” is defined as “any poker or Pai Gow game, and any other game played with cards or tiles, or both, and approved by the Department of Justice, and any game of chance, including any gambling device, played for currency, check, credit, or any other thing of value that is not prohibited and made unlawful by statute or local ordinance.” (Penal Code, § 337j, subdivision (e)(1).)

<sup>2</sup> California Constitution, article IV, section 19, subdivision (e) requires the state to prohibit casinos that are the type currently operating in Nevada and New Jersey. This provision “was intended, in part, to constitutionalize Penal Code section 330.” (*Hotel Employees and Restaurant Employees Inter. Union v. Davis* (1999) 21 Cal.4th 585, 609 fn. 5.)

There are currently no regulations governing the approval of blackjack-style games and permissible variations. Accordingly, the Department submits these proposed regulations to provide clarity and guidance to the public and the regulated industry regarding permissible game rules in blackjack-style games.

#### **Effect of Proposed Rulemaking:**

The proposed regulations would clarify and make specific the limitations imposed upon a blackjack-style game. These proposed regulations provide specific guidance regarding: (1) Blackjack game rules that are prohibited, including specified variations that do not sufficiently differentiate a game from the prohibited form of Blackjack; (2) the specified rule variations that must be included in a blackjack-style game such that the game may be approved by the Bureau; and (3) the procedure for the Bureau to review a previously-approved blackjack-style game for compliance with the new restrictions, including the procedure for the Bureau to disapprove a game that does not comply with the regulations. The proposed amendments to section 2010 would add definitions that are used in proposed sections 2073 and 2074.

#### *Rules of the Prohibited Form of Blackjack*

The proposed regulation would establish the rules that comprise the prohibited form of Blackjack, including impermissible non-substantive variations that are intended to give the appearance of differentiating a game from the prohibited form. The proposed regulation would set forth: (1) the manner of placing wagers; (2) a description of the card deck or decks used, and the points assigned to each card; (3) the actions a player may take when it is their turn to act; and (4) the manner or determining whether a player will win, lose, or tie against the player-dealer. The proposed regulation would also specify what modifications to the above-described rules will not differentiate a game from the prohibited form of Blackjack. These include (1) changes to a standard deck by the addition or removal of cards, or marking specified cards with words, symbols, or other alterations that operate to change the point value of the card only on the initial deal, (2) assigning a point value to specified cards marked with words, symbols, or other alterations that is operative only on the initial deal, (3) a rule permitting a player who loses by exceeding the target point count to still have an opportunity to win or tie if the player-dealer also exceeds the target point count, (4) a rule that establishes a target point count that is a number other than 21, but that is effectively operative only on the initial deal and that is impossible to obtain thereafter, (5) changes to the number of cards dealt on the initial deal, and (6) changes to the actions that a player may take when it is their turn. The proposed regulation would specify that a game will be considered a prohibited form of Blackjack if the game in-

cludes any variation of the number “21” or the word “blackjack” in its name.

#### *Permissible Blackjack Variations*

The proposed regulations would provide for rules required to be included in a blackjack-style game, referred to as “permissible blackjack variations.” This proposed regulation would apply to a game that includes the rules specified in proposed section 2073, and any modification to the rules as described in proposed section 2073. A game with permissible blackjack variations may be approved by the Bureau if they include the following rules: (1) whether a player wins, loses, or ties will be determined by whether the player is closer to the target point count than the player-dealer; (2) the target point count shall not be 21, or any number greater than 20 or less than 22, (3) the target point count shall be the same on the initial deal as it is throughout the play of the game; and (4) when a player ties with the player-dealer, the player shall win. Eligible games may not have a “bust” rule, as described in section 2073, and shall not provide that a hand consisting of an ace and a 10-point card automatically wins.

#### *Review of Blackjack Games*

The proposed regulations would establish a procedure for reviewing currently approved or pending blackjack-style games for compliance with the proposed regulations. Within 60 days of the effective date of the regulations, a gambling enterprise may submit a request for review of a currently approved game, or seek modification of a currently approved game, to ensure that the game is compliant with these regulations. The Bureau thereafter shall have 90 days to approve or disapprove a game or modification of a game. Pending games shall be modified to comply with the regulations if the game is not compliant when these regulations become effective. Previously approved games with names that contain “21” or “blackjack” shall be modified no later than one year after the effective date of the regulations. If no request for review of a blackjack game is received within 60 days of the effective date of the regulations, and the game is not compliant with these regulations, the game will be disapproved. The disapproval may be appealed as specified.

The proposed regulations would waive the fees normally required for the modification of a game for purposes of complying with these regulations. This fee waiver shall only apply to requests to modify a game that is filed with the Bureau within 60 days of the effective date of the regulations.

#### **Anticipated Benefits of the Proposed Regulations:**

The California Legislature, in its legislative findings, declared that the purpose of the Act is to regulate businesses that offer otherwise lawful forms of gambling games, to enact comprehensive measures to en-

sure that gambling is free from criminal and corruptive elements, and to provide for the strict and comprehensive regulation of all activities related to the operation of lawful gambling establishments. (Business and Professions Code, § 19801, subdivisions (f), (g), (h).)

Penal Code section 330 prohibits the play of *any* game of twenty-one; blackjack, as discussed above, is a game of twenty-one. The Act furthers this prohibition by allowing only the play of lawful gambling games in California gambling establishments. The Act further enables the Department to prevent the play of prohibited games in gambling establishments through the game approval process by placing restrictions and limitations on how a controlled game may be played.

The proposed regulations would further the policies set forth in the Act, as well as the Legislature's determination that any game of twenty-one is illegal, by providing the public and the regulated industries with (1) clear guidance on the rules of twenty-one or blackjack, as prohibited, (2) clear guidance on what game rules will be required in order for a game to be deemed a permissible blackjack variation, and thus a game that may be approved by the Department, and (3) a procedure by which the regulated industry may seek to modify a previously approved game or pending game in order to conform the game rules to the requirements of these proposed regulations. These regulations would thus ensure that controlled games are not played in a manner that contravene state law.

The regulations will benefit the health, safety and welfare of the public and the regulated industries because they will ensure that the public does not engage in, and the regulated industries do not offer, gambling games that are prohibited by Penal Code section 330 and the State Constitution. The regulations will also benefit the regulated industry by providing clear guidance and transparency on the rules that must be included in a blackjack-style game with permissible variations for that game to be approved. The proposed regulations will also provide some cost savings to the regulated industry in the form of a fee waiver to assist in their compliance with the proposed regulations. The proposed regulations will establish an appeal procedure for disapproved games, lending transparency to the process. These regulations will also benefit the Department in its review of games by describing specific rule requirements that will be easily verifiable by Department staff.

#### **Comparable Federal Regulations:**

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

#### **Determination of Inconsistency/Incompatibility with Existing State Regulations:**

The Department has determined these proposed regulations are not inconsistent or incompatible with any existing state regulations, because there are no

existing regulations that address the specific subject matter of the proposed regulations.

#### **Forms Incorporated by Reference:**

None.

#### **Other Statutory Requirements:**

None.

### **DISCLOSURES REGARDING THE PROPOSED ACTION**

#### **The Department has made the following Initial Determinations:**

*Mandate on local agencies and school districts:* The proposed regulations do not impose a mandate on local agencies or school districts.

*Cost or savings to any state agency:* The proposed regulations may result in a loss of revenue to the Department arising from new parameters governing blackjack-style games with permissible variations.

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

*Other non-discretionary costs or savings imposed on local agencies:* The proposed regulations may result in a loss of tax revenue to local governments that benefit from cardroom gaming activity. Local tax revenues from gaming may be disproportionately important to communities hosting cardroom activities. Cardrooms tend to be concentrated in major metropolitan jurisdictions. But gaming revenue and the attendant local tax revenue are of special significance in many lower income counties too.

*Cost or Savings in Federal Funding to the State:* None.

*Significant Effect on Housing Costs:* None.

*Significant, statewide adverse economic impact directly affecting businesses:*

The Department has made an initial determination that the adoption and amendment of this regulation may have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The proposed action will affect all cardrooms (or card clubs) in California. Currently 86 licensed cardrooms are located throughout the state. The proposed action will affect all third-party businesses supporting cardroom gaming in the state (known as third-party providers of proposition player services or TPPPS). Currently 36 TPPPS are licensed to operate in the state.

The proposed action will require cardrooms and TPPPS to work within the limitations imposed upon a blackjack-style game. These proposed regulations provide specific guidance regarding: (1) Black-

jack game rules that are prohibited, including specified variations that do not sufficiently differentiate a game from the prohibited form of Blackjack; and (2) the specified rule variations that must be included in a blackjack-style game such that the game may be approved by the Bureau.

The proposed action may indirectly affect a variety of associated attractions or appurtenant services including restaurants, bar, and hotels.

The Department has considered proposed alternatives that would lessen any adverse economic impact on business and invites you to submit proposals. Under Government Code section 11346.5, subdivision (a)(7), submissions of proposed alternatives to a proposed regulatory action may include the following considerations:

- The establishment of differing compliance or reporting requirements or timetables that take into account the resources available to businesses.
- Consolidation or simplification of compliance and reporting requirements for businesses.
- The use of performance standards rather than prescriptive standards.
- Exemption or partial exemption from the regulatory requirements for businesses.

*Cost impacts on representative person or business:*

The Department estimates that: (1) the compliance costs associated with the regulations could lead to the elimination of all blackjack revenue from cardrooms; (2) 50 percent of lost revenue may be replaced with revenue from new games; and (3) 25 percent of customers may switch patronage from cardrooms to tribal casinos to play traditional Blackjack. This could represent a \$68 million loss of revenues to cardrooms and a \$34 million increase in revenues to tribal casinos.

## RESULTS OF THE STANDARDIZED REGULATORY IMPACT ANALYSIS (SRIA)

Cardrooms would be directly affected by the proposed regulations. In 2023, existing Blackjack games in California cardrooms produced an estimated \$136 million in revenue. The Department estimates that cardrooms would lose \$68 million in revenue under the proposed regulation, while tribal casinos will gain \$34 million.

*Creation or Elimination of Jobs in California*

The Department estimates the proposed regulations will result in 53 fewer jobs within the cardroom industry per year over the period of 2026–2035.

*Creation or Elimination of Businesses in California*

The Department has determined that this regulatory proposal will likely not have a significant impact on existing businesses or the expansion of businesses in California.

*Competitive Advantages or Disadvantages for Existing Businesses in California, including the ability of California businesses to compete with businesses in other states*

The Department does not have reliable estimates regarding the individual competitiveness of cardrooms in light of the proposed regulations. However, a cardroom's compliance costs associated with the proposed regulations likely puts them at some competitive disadvantage relative to tribal casinos.

With respect to out-of-state competition, the Department does not have reliable estimates regarding a gambling migration as a result of the proposed regulation. The new restrictions will likely impact cardrooms' individual competitiveness against out-of-state competitors that offer traditional Blackjack, diverting some gaming revenue across California's border to Nevada or other neighboring jurisdictions. Higher costs for patrons to reach more remote Blackjack opportunities, however, may slightly diminish sector competitiveness.

*Increase or Decrease in Investment in California*

The Department estimates that the impact on state investment is relatively small. However, cardroom gaming restrictions will have more direct impacts on investment by the regulated sector. Lower revenue and compliance requirements may discourage investment by some cardroom investors. For other cardroom investors, the new restrictions may generate incentives to innovate new games or blackjack variations to retain patrons. Therefore, it is reasonable to expect incumbent firms to invest in new games and product differentiation to offset any loss of business arising from the proposed regulations.

*Benefits of the Regulations*

The regulations will benefit the health, safety and welfare of the public and the regulated industries because they will provide a clear set of rules for blackjack-style games in California cardrooms. This will ensure that the public does not engage in, and the regulated industries do not offer, gambling games that are prohibited by Penal Code section 330. The regulations will also benefit the regulated industry by providing clear guidance and transparency on the rules that must be included in a blackjack-style game with permissible variations for that game to be approved. The proposed regulations will also provide cost savings to the regulated industry in the form of fee waivers to assist in their compliance with the proposed regulations. The proposed regulations will establish an appeal procedure for disapproved games, lending transparency to the process. These regulations will also benefit the Department in its review of games by describing specific game rule requirements that will be easily verifiable by Department staff.

### *Incentives for Innovation in Products, Materials, or Processes*

Substantive industry regulations can induce innovation. When existing practices are subject to new restrictions, it is reasonable to expect affected businesses to invest in product differentiation to offset any loss of business. In the case of blackjack-style games, cardrooms may invent new games or variations to retain patrons. Innovation processes are inherently subject to uncertainty, and it is not realistic to predict the advent of transformative technologies or products in the industry.

### SUMMARY OF DEPARTMENT OF FINANCE'S COMMENTS ON SRIA AND RESPONSE

The Department of Finance (DOF) generally concurs with the methodology applied in the SRIA, but raised three main points of disagreement that: (1) the SRIA should clearly identify the regulatory baseline used to analyze the change in behavior as a result of the proposed regulations in order to augment the analysis of the impacts to local governments; (2) the proposed regulatory alternatives should then be compared to the defined baseline and include quantified cost impacts; and (3) the SRIA must provide the rationale for any underlying assumptions that are material to the analysis. In response to these comments, the Department revised the SRIA to include an updated analysis of the regulatory baseline to augment the impact on local governments and outline the direct costs of alternative regulatory scenarios. Additionally, the Department noted the lack of data on industry adjustments to gaming rules changes, which limits the ability to support underlying assumptions that are material to the analysis. In the absence of such data, the Department assumptions are intended to be indicative of change in behavior as a result of the proposed regulations. The revised SRIA is included in the regulatory package as Appendix D to the Initial Statement of Reasons.

**SMALL BUSINESS DETERMINATION:** The Department has determined that the proposed action affects small businesses.

### CONSIDERATION OF ALTERNATIVES

Government Code section 11346.5, subdivision (a)(13) requires that the Department must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to af-

fected private persons and equally effective in implementing the statutory policy or other provision of law. The Department has determined that the proposed action is the most effective way to enforce the prohibition against traditional Blackjack games and the regulation of permissible blackjack-style games in California.

The Department invites interested persons to submit alternatives with respect to the proposed regulations at either the public hearing or during the written comment period.

Alternatives to the proposed regulation that the Department itself considered are described in the SRIA and Initial Statement of Reasons.

### CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

A. McMillen, Regulations Coordinator  
California Department of Justice, Bureau of  
Gambling Control  
2450 Del Paso Road, Suite 100, Sacramento, CA  
95834  
Telephone: (916) 261-4256  
Email: [BGC\\_Regulations@doj.ca.gov](mailto:BGC_Regulations@doj.ca.gov)

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

L. Terry, Crime Analyst II  
California Department of Justice, Bureau of  
Gambling Control  
2450 Del Paso Road, Suite 100, Sacramento, CA  
95834  
Telephone: (916) 830-9051  
Email: [BGC\\_Regulations@doj.ca.gov](mailto:BGC_Regulations@doj.ca.gov)

### AVAILABILITY OF INITIAL STATEMENT OF REASONS, PROPOSED TEXT, RELATED FORMS, AND RULEMAKING FILE

The Department will make the entire rulemaking file available for inspection and copying throughout the rulemaking process upon request to the contact person above. As of the date this Notice of Proposed Rulemaking is published in the California Regulatory Notice Register, the rulemaking file consists of this notice, the text of proposed regulations, the initial statement of reasons, the economic and fiscal impact statement (STD 399) and addendum, and any information upon which the proposed rulemaking is based, which are available on the Department's website at

[www.oag.ca.gov/gambling/regulations](http://www.oag.ca.gov/gambling/regulations). Please refer to the contact information listed above to obtain copies of these documents.

#### AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments, the Department will either adopt these regulations substantially as described in this notice or make modification based on the comments. If the Department 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 the Department adopts the proposed regulations as revised. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

#### AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, a copy of the final statement of reasons will be available on the Department's website at [www.oag.ca.gov/gambling/regulations](http://www.oag.ca.gov/gambling/regulations). Please refer to the contact information included above to obtain a copy of the final statement of reasons.

#### AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of this notice, the initial statement of reasons, the text of the proposed regulations, and any information upon which the proposed rulemaking is based will be posted and available for downloading on the Department's website at: [www.oag.ca.gov/gambling/regulations](http://www.oag.ca.gov/gambling/regulations).

### TITLE 11. DEPARTMENT OF JUSTICE

#### DIVISION 3. GAMBLING CONTROL CHAPTER 1. THE BUREAU OF GAMBLING CONTROL

The Department of Justice (Department) proposes to adopt sections 2076 and 2077 of Title 11, Division 3, Chapter 1 of the California Code of Regulations concerning rotation of the player-dealer position in specified controlled games.

The Department originally published this notice (OAL Notice File Number Z-2025-0204-09) on February 14, 2025, and subsequently received several requests to extend the public comment period. The Department agreed to extend the public comment period

by withdrawing the earlier notice and restarting the rulemaking proceeding. This action is virtually identical to the previous action. See new information below regarding the public hearing.

#### PUBLIC HEARING

The Department, by and through the Bureau of Gambling Control (Bureau), will hold a virtual public hearing to provide all interested persons an opportunity to present statements or arguments, either orally or in writing, with respect to the proposed regulation as follows:

**Date:** May 28, 2025  
**Time:** 9:00 a.m. Pacific Time

**To join by videoconference:**

ZoomGov Link:  
<https://doj-ca.zoomgov.com/j/1603976077>  
Meeting ID: 160 397 6077

**To join by teleconference:**

Dial: (669) 254-5252  
Meeting ID: 160 397 6077

NEW! Members of the public who wish to speak at the hearing are requested to RSVP in advance on the Bureau's website at [https://oag.ca.gov/gambling/regulations](http://www.oag.ca.gov/gambling/regulations). Speakers will be called in the order of the RSVP. The information provided will help the Bureau plan hearing logistics and accommodate participants.

The Department requests, but does not require, that persons who make oral statements or comments at a hearing also submit a written copy of their testimony at the hearing to [BGC\\_Regulations@doj.ca.gov](mailto:BGC_Regulations@doj.ca.gov).

#### WRITTEN COMMENT PERIOD

Any interested party, or their authorized representative may submit written comments relevant to the proposed regulatory action. The written comment period closes on **May 29, 2025, at 5:00 p.m.** The Department will only consider comments received by that time, including any public comments received in the previous rulemaking (OAL Notice File Number Z-2025-0204-09) from February 14, 2025 to March 27, 2025. Please submit written comments to:

A. McMillen, Regulations Coordinator  
California Department of Justice, Bureau of  
Gambling Control  
2450 Del Paso Road, Suite 100, Sacramento, CA  
95834  
Telephone: (916) 261-4256  
Email: [BGC\\_Regulations@doj.ca.gov](mailto:BGC_Regulations@doj.ca.gov)

NOTE: Written and oral comments, attachments, and associated contact information (e.g., address, phone, email, etc.) become part of the rulemaking record and can be released to the public upon request.

## AUTHORITY AND REFERENCE

Authority: Section 19826, Business and Professions Code.

Reference: Sections 19805 and 19826, Business and Professions Code.

## INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

### Summary of Existing Laws and Regulations:

#### *The Gambling Control Act*

The Department is charged with the investigation and enforcement of controlled gambling activities in California as set forth in the Gambling Control Act (Act), codified at Business and Professions Code section 19800, et seq. (Government Code, § 15001.1.) The Department's Bureau of Gambling Control (Bureau) carries out those investigative and enforcement activities. (See Government Code, § 15002.5.) The Act was enacted in 1997, and it became effective January 1, 1998. (Stats. 1997, ch. 867.) In enacting this measure, the Legislature declared that “Unregulated gambling enterprises are inimical to the public health, safety, welfare, and good order.” (Business and Professions Code, § 19801, subdivisions (a), (d).) The purpose of the Act is not to expand opportunities for gambling, or to create any right to operate a gambling enterprise, or to have a financial interest in any gambling enterprise, but rather to regulate businesses that offer otherwise lawful forms of gambling games. (*Id.*, § 19801, subdivision (f).)

The Act also provides that public trust requires comprehensive measures be enacted to ensure that permissible gambling will not endanger public health, safety, or welfare, is free from criminal and corruptive elements, and is conducted honestly and competitively. (Business and Professions Code, § 19801, subdivision (g).) The Legislature also declared that “[p]ublic trust and confidence can only be maintained by strict and comprehensive regulation of all persons, locations, practices, associations, and activities related to the operation of lawful gambling establishments ...” (*Id.*, § 19801, subdivision (h).) The Act “is an exercise of the police power of the state for the protection of the health, safety, and welfare of the people of the State of California, and shall be liberally construed to effectuate those purposes.” (*Id.*, § 19971.)

Under the Act, the Department has the exclusive authority and responsibility to “[a]pprove the play of any

controlled game<sup>1</sup>, including placing restrictions and limitations on how a controlled game may be played.” (Business and Professions Code, §§ 19826, subdivision (g) and 19943.5. The Department is directed to “adopt regulations reasonably related to its functions and duties as specified in [the Act].”<sup>2</sup> (*Id.*, § 19826 subdivision (f).)

#### *Banking Games are Prohibited*

The California Constitution<sup>3</sup> and Penal Code section 330 prohibits the play of any banking game. Prior to the enactment of the definition of “banking game” in Business and Professions Code section 19805, subdivision (c), “banking game” had generally been described as a game in which the house,<sup>4</sup> acting as the bank, “is a participant in the game, taking on all comers, paying all winners, and collecting from all losers.” (*Sullivan v. Fox* (1987) 189 Cal.App.3d 673, 678; *Huntington Park Club Corp. v. County of Los Angeles* (1988) 206 Cal.App.3d 241, 250.) This judicial construction of the term “banking game” or “banked game” generally required that the house, i.e., the owner(s) of the gambling establishment, be involved in the play of the game.

In *Oliver v. County of L.A.* (1998) 66 Cal.App.4th 1397 (*Oliver*), however, the court expanded upon the definition of a banking game, and held that a banking game includes a game where *any* person or entity maintains or operates a bank. *Oliver* held that “a game will be determined to be a banking game if under the rules of that game, it is *possible* that the house, *another entity, a player, or an observer* can maintain a bank or operate as a bank during the play of the game.” (*Id.*

<sup>1</sup> A “controlled game” is defined as “any poker or Pai Gow game, and any other game played with cards or tiles, or both, and approved by the Department of Justice, and any game of chance, including any gambling device, played for currency, check, credit, or any other thing of value that is not prohibited and made unlawful by statute or local ordinance.” (Penal Code, § 337j, subdivision (e)(1).)

<sup>2</sup> The Act also provides that the California Gambling Control commission, to the extent that it adopts regulations, shall provide that the Department has the authority to approve game rules “to ensure fairness to the public and *compliance with state laws.*” (Business and Professions Code, § 19841, subdivision (b), *italics added.*)

<sup>3</sup> California Constitution, article IV, section 19, subdivision (e) requires the state to prohibit casinos that are the type currently operating in Nevada and New Jersey. This provision “was intended, in part, to constitutionalize Penal Code section 330.” (*Hotel Employees and Restaurant Employees Inter. Union v. Davis* (1999) 21 Cal.4th 585, 609 fn. 5.)

<sup>4</sup> “House” means the gambling enterprise, and any owner, shareholder, partner, key employee, or landlord thereof. (Business and Professions Code, § 19805, subdivision (t).) “Gambling enterprise” means a natural person or an entity, whether individual, corporate, or otherwise, that conducts a gambling operation and that by virtue is required to hold a state gambling license under the Act. (*Id.*, § 19805, subdivision (m).) “Gambling operation” means exposing for play one or more controlled games that are dealt, operated, carried on, conducted, or maintained for commercial gain. (*Id.*, § 19805, subdivision (q).)

at p. 1408, italics added). Thus, the *potential* that under the game's rules a player may act as a bank determines whether the game is a banking game, not the current mode of play. (*Ibid.*) Accordingly, a game will be found to be an illegal banked game, no matter who is acting as the bank, if the game's rules allow the *possibility* that a person, entity, or an observer may maintain or operate a bank. (*Kelly v. First Astri Corp.* (1999) 72 Cal.App.4th 462, 492.) This definition of a banking game was adopted by the California Supreme Court in *Hotel Employees & Restaurant Employees Internat. Union v. Davis* (1999) 21 Cal.4th 585, 605.

The Act was then amended to add the definition of a "banking game" or "banked game," to require the player-dealer position to be continuously and systematically rotated among each player if a cardroom game features a player-dealer position:

"Banking game" or "banked game" does not include a controlled game if the published rules of the game feature a player-dealer position and provide that this position must be continuously and systematically rotated amongst each of the participants during the play of the game, ensure that the player-dealer is able to win or lose only a fixed and limited wager during the play of the game, and preclude the house, another entity, a player, or an observer from maintaining or operating as a bank during the course of the game. For purposes of this section, it is not the intent of the Legislature to mandate acceptance of the deal by every player if the department finds that the rules of the game render the maintenance of or operation of a bank impossible by other means. The house shall not occupy the player-dealer position.

(Business and Professions Code, § 19805, subdivision (c).)<sup>5</sup>

*Games and Game Rules are Reviewed and Approved by the Bureau*

A controlled game may not be offered for play unless the Bureau has approved the game rules. (Business and Professions Code, § 19826, subdivision (g); see also Penal Code, § 337j, subdivision (e)(1).) To obtain approval, applicants must submit an Application for Game Review (BGC-APP.026 (Rev. 09/2017)) to the Bureau, along with the payment of an application fee and a deposit. (Cal. Code Regs., title 11, §§ 2037, subdivision (a)(1)(K), 2038.)

No regulations currently govern the approval of games featuring a rotating player-dealer position.

<sup>5</sup> Business and Professions Code section 19805, subdivision (c) mirrors Penal Code section 330.11, creating a limited exception to the banked game prohibition in Penal Code section 330. The two statutes specify a pivotal role for the Bureau to ensure a game is not banked through the game approval process. The Bureau has authority to investigate violations of Chapters 9 and 10 of the Penal Code, including section 330. (Business and Professions Code, § 19826, subdivision (c).)

Accordingly, the Department submits these proposed regulations to describe (1) how rotation of the player-dealer position shall be maintained, (2) prohibited betting arrangements, and (3) the limitations on use of a Third-Party Provider of Proposition Player Services (TPPPS) in games featuring a rotating player-dealer position. These regulations would ensure that controlled games are not played in a manner that would allow the maintenance or operation of a bank in contravention of California law.

#### **Effect of the Proposed Rulemaking:**

These proposed regulations provide specific guidance regarding: (1) who may hold the player-dealer position, and that game rules specify how to select a player-dealer; (2) the required notice to players as to when they may act as player-dealer, limitations on how much the player-dealer may win or lose, and how wagers will be settled; (3) the requirement that the player-dealer position be offered to all seated participants prior to start of every hand; (4) minimum standards of rotation of the player-dealer position, and consequences for failing to adhere to the minimum standards (5) specific prohibitions, including a provision prohibiting any person from placing a wager against the TPPPS when they are not the player-dealer; and a provision precluding a TPPPS from settling any wagers if they are not the player-dealer (6) the minimum number of TPPPS that may provide services at a table offering a player-dealer game; and, (7) the procedure the Bureau must follow when performing another review of previously-approved games featuring a player-dealer position.

#### *The Player-Dealer Position*

The proposed regulation would specify that only seated player participants may act as the player-dealer. This specification is required based upon the definition of a player-dealer under Business and Professions Code section 19805, subdivision (ag). The proposed regulation would require that the player-dealer position be offered to other seated players prior to the play of every hand. This specification is required to ensure that the player-dealer position is rotated on a continuous basis, so as to prevent the game from falling within the definition of a banking game or banked game under Business and Professions Code section 19805, subdivision (c).

#### *Consequences for Failing to Rotate the Player-Dealer Position*

The proposed regulation would specify that if the player-dealer position is not rotated as specified within a 40-minute period, play of the game shall cease, and no further play shall be allowed unless and until another person accepts the player-dealer position. The proposed regulation would provide that if the 40-

minute mark is reached during a round of play, the round of play may be completed before the game will be stopped.

*Limitations on Specified Wagering Methods and Settling of Wagers*

The proposed regulation would prevent the maintenance or operation of a bank by any person through other means by placing restrictions on the manner of placing wagers, and limiting who may settle wagers. The proposed regulation would prohibit any person from placing a wager directly against a TPPPS who is not occupying the player-dealer position. The proposed regulation would prohibit a TPPPS from settling any wagers if they are not occupying the player-dealer position.

*Specialized Rule Regarding TPPPS*

In order to prevent or minimize circumventing the mandated rotation of the player-dealer position among the seated players at a table, the proposed regulation would limit the number of TPPPS that may provide proposition player services. The proposed regulation would provide that only one TPPPS may provide services at a table offering a controlled game featuring a rotating player-dealer position.

*Review of Previously Approved Games*

The proposed regulations would establish a procedure for reviewing currently approved or pending games featuring a player-dealer position for compliance with the proposed regulations (section 2077). Within 60 days of the effective date of the regulations, a gambling enterprise must submit a request for review of a currently approved game, or seek modification of a currently approved game, to ensure that the game is compliant with these regulations. The Bureau thereafter shall have 120 days to approve or disapprove a game or modification of a game. Pending games shall be modified to comply with the regulations if the games are not compliant when these regulations become effective. If no request for review of a game featuring a player-dealer position is received within 60 days of the effective date of the regulations, and the game is not compliant with these regulations, the game will be disapproved. The disapproval may be appealed as specified. The proposed regulations would waive the fees normally required for the modification of a game for purposes of complying with these regulations. This fee waiver shall apply only to requests to modify a game that is filed with the Bureau within 60 days of the effective date of the regulations, and only for purposes of compliance with the proposed regulations.

**Anticipated Benefits of the Proposed Regulations:**

The California Legislature, in its legislative findings, declared that the purpose of the Act is to regulate businesses that offer otherwise lawful forms of gam-

bling games, to enact comprehensive measures to ensure that gambling is free from criminal and corruptive elements, and to provide for the strict and comprehensive regulation of all activities related to the operation of lawful gambling establishments. (Business and Professions Code, § 19801, subdivisions (a), (f), (g), (h).)

Banking games have long been prohibited in California under Penal Code section 330 and the State Constitution. The Act furthers this prohibition by allowing only the play of lawful gambling games in California gambling establishments. The Act further enables the Department to prevent and prohibit the play of banking games in gambling establishments through the game approval process.

The proposed regulations would further the Act's policies, as well as the Legislature's determination to prohibit banking games, by requiring that: (1) the player-dealer position must rotate to two players, other than the TPPPS, within a 40-minute period and then, if no rotation occurs, the game must end; (2) if the game ends, game play shall stop, no cards shall be dealt and no wagers shall be made until another person accepts the player-dealer position. Thus, the TPPPS would no longer be allowed to serve as player-dealer during every round of play.

The regulations will benefit the public's health, safety and welfare and the regulated industries because they will ensure that the public does not engage in, and the regulated industry does not offer, any form of gambling prohibited by Penal Code section 330 and the State Constitution. The notice requirement proposed by the regulations will benefit the public by informing players at each table who may act as the player-dealer at any time during the game and what the limitations are on amounts that may be won or lost while acting as the player-dealer. The proposed requirement that the player-dealer position be offered after every hand, and rotate in a specified manner, will also provide the benefit of stronger enforcement of gambling laws. This will benefit the Department in its enforcement responsibilities, because the proposed regulations provide for specific minimum rotation requirements that will be easily verifiable by Department staff.

**Comparable Federal Regulations:**

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

**Determination of Inconsistency/Incompatibility with Existing State Regulations:**

The Department has determined these proposed regulations are not inconsistent or incompatible with any existing state regulations, because there are no existing regulations that address the specific subject matter of the proposed regulations.

**Forms Incorporated by Reference:**

None.

**Other Statutory Requirements:**

None.

## DISCLOSURES REGARDING THE PROPOSED ACTION

The Department has made the following initial determinations:

*Mandate on local agencies or school districts:* None.

*Cost or Savings to any state agency:* The proposed regulations may result in a loss of revenue to the Department arising from the new parameters governing the player-dealer position rotation.

*Cost to any local agency or School District which for which reimbursed in accordance with Government Code sections 17500 through 17630:* None.

*Other non-discretionary costs or savings imposed on local agencies:* The proposed regulations may result in a loss of tax revenue to local governments that benefit from cardroom gaming activity. Local tax revenues from gaming may be disproportionately important to communities hosting cardroom activities. Cardrooms tend to be concentrated in major metropolitan jurisdictions. But gaming revenue and the attendant local tax revenue are of special significance in many lower income counties too.

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

*Cost impacts on representative person or business:* The Department estimates that: (1) the compliance costs associated with the regulations over the period of 2026 to 2035 will result in a 50 percent decrease in TPPPS revenues from cardrooms and 25 percent of customers would shift their patronage to tribal casinos to avoid new player-dealer rotation requirements. Total net direct costs to the gaming sector would thus be \$198 million, while cardrooms would lose \$396 million. As a result, tribal casinos would gain \$198 million, and the combined costs and benefits (falling on different stakeholders) is \$594 million.

*Significant effect on housing costs:* None.

*Significant Statewide Adverse Economic Impact Directly Affecting Businesses:*

The Department has made an initial determination that the adoption and amendment of this regulation may have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The proposed action will affect all third-party businesses supporting cardroom gaming in the state (known as third-party providers of proposition player services or TPPPS). Currently 36 TPPPS are licensed to operate in the state. The proposed action will also

affect all California cardrooms. Currently 86 licensed cardrooms are located throughout the state.

The proposed action will require TPPPS and cardrooms to work within the limitations imposed upon player dealers. These proposed regulations impose minimum requirements for player-dealers and rotation of the player-dealer position.

The proposed action may indirectly affect a variety of associated attractions or appurtenant services including restaurants, bar, and hotels.

The Department has considered proposed alternatives that would lessen any adverse economic impact on business and invites you to submit proposals. Under Government Code section 11346.5, subdivision (a)(7), submissions of proposed alternatives to a proposed regulatory action may include the following considerations:

- The establishment of differing compliance or reporting requirements or timetables that take into account the resources available to businesses.
- Consolidation or simplification of compliance and reporting requirements for businesses.
- The use of performance standards rather than prescriptive standards.
- Exemption or partial exemption from the regulatory requirements for businesses.

## RESULTS OF THE STANDARDIZED REGULATORY IMPACT ANALYSIS (SRIA)

Cardrooms and TPPPS businesses would be directly affected by the proposed regulations. Most notably, the proposal will likely reduce the number of cardrooms customers, TPPPS employees and TPPPS patronage, thereby impacting a significant revenue stream.

The Department estimates that TPPPS revenues from cardrooms would decline significantly by 50 percent, and that 25 percent of customers would shift their patronage to tribal casinos to avoid the player-dealer rotation requirement. Total net direct costs to the gaming sector would thus be \$198 million, while cardrooms would lose \$396 million. As a result, tribal casinos would gain \$198 million, and the combined costs and benefits (falling on different stakeholders) is \$594 million.

### *Creation or Elimination of Jobs in California*

The Department estimates that the proposed regulation (compared to baseline scenario) would result in 311 fewer jobs per year over the period of 2026–2035, with the employment impact consisting of gaming related operations and service sector jobs within the cardroom industry. Comparable to the majority of service sectors, the cardroom industry exhibits an average level of skill intensity. Job losses in the cardroom sector are more easily absorbed compared to those in

highly skilled sectors. The loss would have a negligible effect on continued annual growth of employment across the state over the first decade of implementation.

#### *Creation or Elimination of Businesses in California*

The Department has determined that this regulatory proposal will not have a significant impact on existing businesses or the expansion of businesses in California.

#### *Competitive Advantages or Disadvantages for Existing Businesses in California, including the ability of California businesses to compete with businesses in other states*

The Department does not have reliable estimates regarding the individual competitiveness of TPPPS businesses and cardrooms in light of the proposed regulations. However, it is likely that compliance costs associated with cardroom and TPPPS businesses operating within California may put them at some competitive disadvantage relative to tribal casinos.

With respect to out-of-state competition, the Department does not have reliable estimates regarding a gambling migration as a result of the proposed regulation.

#### *Increase or Decrease in Investment in California*

The Department estimates that the impact on state investment is relatively small. However, cardroom gaming restrictions will have a direct impact on investment by the regulated sector. Lower revenue and compliance requirements may discourage investment by some cardroom investors. Other investors may respond by making more innovative investments in alternatives. It is difficult to quantify the increase or decrease in investment due to the lack of currently available data to predict the innovation or productivity impacts.<sup>6</sup> But it is reasonable to expect existing businesses to invest in new games to offset any loss of business arising from the new parameters governing the player-dealer position rotation.

#### *Benefits of the Regulations*

The regulations will benefit the health, safety and welfare of the public because they will provide clear standards for controlled games featuring a player-dealer position. And, in order to ensure that “permissible gambling will not endanger public health, safety, or welfare” (Business and Professions Code, § 19801, subdivision (g)), the regulated industry and the public will, via the proposed regulations, be more fully informed as to what games are allowed to be played in California gambling establishments. This will ensure the public does not engage in unlawful gambling activities.

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<sup>6</sup> The Department does not have reliable estimates on the increase or decrease in investment in California as a result of the proposed regulations.

#### *Incentives for Innovation in Products, Materials, or Processes*

Substantive industry regulations can induce innovation. When existing practices are subject to new restrictions, it is reasonable to expect affected businesses to invest in product differentiation to offset any loss of business. In the case of new player-dealer rotation rules, TPPPS may innovate roles to allow revenue-neutral rotation partnerships. Innovation processes are inherently subject to uncertainty, and it is not realistic to predict the advent of transformative technologies or products in the industry.

### SUMMARY OF DEPARTMENT OF FINANCE'S COMMENTS ON SRIA AND RESPONSE

The Department of Finance (DOF) stated that it generally concurs with the methodology applied in the SRIA, but raised three main points of disagreement that: (1) the SRIA should clearly identify the regulatory baseline used to analyze the change in behavior as a result of the proposed regulations in order to augment the analysis of the impacts to local governments; (2) the proposed regulatory alternatives should then be compared to the defined baseline and include quantified cost impacts; and (3) the SRIA must provide the rationale for any underlying assumptions that are material to the analysis. In response to these comments, the Department revised the SRIA to include an updated analysis of the regulatory baseline to augment the impact on local governments and outline the direct costs of alternative regulatory scenarios.

Additionally, the Department noted the lack of data on industry adjustments to gaming rules changes, which limits the ability to support underlying assumptions that are material to the analysis. In the absence of such data, the Department assumptions are intended to be indicative of change in behavior as a result of the proposed regulations. The revised SRIA is included in the regulatory package as Appendix B to the Initial Statement of Reasons.

**SMALL BUSINESS DETERMINATION:** The Department has determined that the proposed action affects small businesses.

### CONSIDERATION OF ALTERNATIVES

Government Code section 11346.5, subdivision (a)(13) requires that the Department must determine that no reasonable alternative considered by the Department or that has otherwise been identified and brought to the attention of the Department would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the pro-

posed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. The Department has determined that the proposed action is the most effective way to enforce the prohibition against traditional Blackjack games and the regulation of permissible blackjack-style games in California.

The Department invites interested persons to submit alternatives with respect to the proposed regulations at either the public hearing or during the written comment period.

Alternatives to the proposed regulation that the agency itself considered are described in the SRIA and Initial Statement of Reasons.

#### CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

A. McMillen, Regulations Coordinator  
California Department of Justice, Bureau of  
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2450 Del Paso Road, Suite 100, Sacramento, CA  
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Questions regarding procedure, comments, or the substance of the proposed action should be addressed to the above contact person. In the event the contact person is unavailable, inquiries regarding the proposed action may be directed to the following backup contact person:

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Email: [BGC\\_Regulations@doj.ca.gov](mailto:BGC_Regulations@doj.ca.gov)

#### AVAILABILITY OF INITIAL STATEMENT OF REASONS, PROPOSED TEXT, RELATED FORMS, AND RULEMAKING FILE

The Department will have the entire rulemaking file available for inspection and copying throughout the rulemaking process upon request to the contact person above. As of the date this Notice of Proposed Rulemaking (Notice) is published in the Notice Register, the rulemaking file consists of this Notice, the Text of Proposed Regulations (the “express terms” of the regulations), the Initial Statement of Reasons, and any information upon which the proposed rulemaking is based. The text of this Notice, the

express terms, the Initial Statement of Reasons, and any information upon which the proposed rulemaking is based are available on the Department’s website at [www.oag.ca.gov/gambling/regulations](http://www.oag.ca.gov/gambling/regulations). Please refer to the contact information listed above to obtain copies of these documents.

#### AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments, the Department will either adopt these regulations substantially as described in this notice or make modification based on the comments. If the Department 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 the Department adopts the proposed regulations as revised. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

#### AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, a copy of the final statement of reasons will be available on the Department’s website at [www.oag.ca.gov/gambling/regulations](http://www.oag.ca.gov/gambling/regulations). Please refer to the contact information included above to obtain a copy of the final statement of reasons.

#### AVAILABILITY OF DOCUMENTS ON THE INTERNET

Copies of this Notice, the Initial Statement of Reasons, the Text of the Proposed Regulations, and any information upon which the proposed rulemaking is based will be posted and available for downloading on the Department’s website at: [www.oag.ca.gov/gambling/regulations](http://www.oag.ca.gov/gambling/regulations).

#### TITLE 13. DEPARTMENT OF MOTOR VEHICLES

##### DIVISION 1, CHAPTER 1 ARTICLE 4.7 — SCHOOLS FOR TRAFFIC VIOLATORS

The Department of Motor Vehicles (department) proposes to amend Sections 345.31 and 345.32 in Article 4.7, Chapter 1, Division 1, Title 13 of the California Code of Regulations, related traffic violator school courses.

### PUBLIC HEARING

A public hearing regarding this proposed regulatory action is not scheduled. However, a public hearing will be held if any interested person or his or her duly authorized representative requests a public hearing to be held relevant to the proposed action by submitting a written request to the contact person identified in this notice no later than fifteen (15) days prior to the close of the written comment period.

### DEADLINE FOR WRITTEN COMMENTS

Any interested party or his or her duly authorized representative may submit written comments relevant to the proposed regulations to the contact person identified in this notice. All written comments must be received at the department no later than **May 27, 2025**, the final day of the written comment period, for them to be considered by the department before it adopts the proposed regulation.

### AUTHORITY AND REFERENCE

The department proposes to adopt/amend/repeal these regulations under the authority granted by Vehicle Code section 1651, to implement, interpret, or make specific Vehicle Code sections 11202 and 11219.

### INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Vehicle Code sections 11200, 11202.5, and 11206 authorize the department to license and regulate traffic violator schools, owners, instructors, and operators, establish rules related to lesson plans and lesson plan approval, and course content curriculum. Vehicle Code section 1652 authorizes the department to prescribe forms deemed necessary for purposes of implementing the Vehicle Code.

Section 345.30 establishes curriculum content that requires, among other things, that a classroom course provide a minimum of 340 minutes of instruction and 60 minutes for a post-knowledge test, and home study and internet courses to have a word count that meets or exceeds 42,500.

Some schools have translated lesson plans to languages other than English to make courses available to customers who would learn better in a different language. Currently, schools submit their lesson plans to a California court to verify the translated lesson plans. Once the translation is verified, a Certificate of Translation is provided to the school and the school submits the certificate to the department prior to offering the course in the language. The fees for a lesson plan to be verified by a court are charged by the word. Since the courses are based on a minimum word count of

42,500, schools are paying from \$5,000 to \$10,000 to have their course translated.

The department has determined it would reduce the financial burden to schools by establishing a self-certification process by following translator guidelines that are currently used by the department when it has its own documents translated. The proposed self-certification translation requirements will allow the school to submit a translated course with documentation showing the person who provided the translation has either a minimum of five years of professional translation work experience, a four-year college degree in the targeted language, or a translator certificate issued by the American Translators Association or equivalent. The department has created a form the school will submit with the translated course that identifies the qualifications of the translator. Once the department verifies the information contained in the form, including verification of an approved English version of the course, the department will provide an approved form to the traffic violator school owner and they can begin offering courses in the translated language.

### BENEFITS OF THE PROPOSED REGULATION

This action will benefit traffic violator schools by allowing them to self-certify a translated course. Currently, schools are required to work with the California courts to have a Certificate of Translation issued. This process has proven to be extremely costly for schools. The change to a self-certification process will reduce the financial burden associated with having a course translated.

### CONSISTENCY AND COMPATIBILITY WITH STATE REGULATIONS

The department has conducted a review of other regulations and has determined this action is neither inconsistent nor incompatible with existing state regulations.

### COMPARABLE FEDERAL STATUTES AND REGULATIONS

The department has also conducted a search and has determined that there are no comparable federal statutes or regulations related to traffic violator schools operating in California.

## DOCUMENTS INCORPORATED BY REFERENCE

The following document(s) is/are incorporated by reference:

- Traffic Violator School Foreign Language Approval Request, form OL 775 (Rev. 3/2025)

This form is not published in the California Code of Regulations because it would be impractical and cumbersome to do so; however, the document is readily available to interested parties by contacting the department representative identified below.

## ECONOMIC AND FISCAL IMPACT DETERMINATIONS

The department has made the following initial determinations concerning the proposed regulatory action:

- *Cost or Savings to Any State Agency:* None.
- *Other Non-Discretionary Cost or Savings to Local Agencies:* None.
- *Costs or Savings in Federal Funding to the State:* None.
- *Effects on Housing Costs:* None.
- *Cost to any local agency or school district requiring reimbursement pursuant to Government Code section 17500 et seq.:* None.
- *Cost Impact on Representative Private Persons or Businesses:* This proposed action will not have a cost impact on representative private persons or businesses. This action may benefit traffic violator schools by eliminating the need for schools to provide expensive certifications of translations.
- *Small Business Impact:* This action may impact small businesses by changing the way a traffic violator schools submits translated courses to the department.
- *Local Agency/School District Mandate:* The proposed regulatory action will not impose a mandate on local agencies or school districts, or a mandate that requires reimbursement pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code.
- *Significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states:* The department has made an initial determination that there will not be any significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. This action establishes a process for having traffic violator school courses

translated to languages other than English. The department anticipates this action will benefit traffic violator schools and course participants.

## RESULTS OF THE ECONOMIC IMPACT STATEMENT

The department has made the following determinations when assessing the economic impact associated with this proposed regulation:

The department has made the initial determination that this action will not impact, 1) the creation or elimination of jobs within the State of California, 2) the creation or elimination of existing businesses within the State of California, 3) the expansion of businesses currently doing business within the State of California, or 4) worker safety or the state's environment.

This action will have no benefit to the health of California residents, worker safety or the state's environment. This action will benefit traffic violator schools within California who will have a less costly process to having their courses translated into other languages. When schools can offer their courses in multiple languages, residents of California will benefit by having more access to traffic violator school being offered in their language.

## PUBLIC DISCUSSIONS OF PROPOSED REGULATIONS

A pre-notice workshop, pursuant to Government Code section 11346.45, is not required because the issues addressed in the proposal are not so complex or large in number that they cannot easily be reviewed during the comment period.

## ALTERNATIVES CONSIDERED

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

## CONTACT PERSON

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

Randi Calkins, Regulations Specialist  
Department of Motor Vehicles  
Legal Affairs Division

P.O. Box 932382, MS C-244  
Sacramento, CA 94232-3820

Any inquiries or comments concerning the proposed rulemaking action requiring more immediate response may use:

Telephone: (916) 657-6469  
Facsimile: (916) 657-6243  
Email: [LADRegulations@dmv.ca.gov](mailto:LADRegulations@dmv.ca.gov)

In the event the contact person is unavailable, inquiries should be directed to the following back-up person:

Peggy Gibson, Attorney IV  
Department of Motor Vehicles  
Telephone: (916) 657-6469

**AVAILABILITY OF STATEMENT  
OF REASONS AND TEXT  
OF PROPOSED REGULATIONS**

The department has prepared an Initial Statement of Reasons for the proposed regulatory action and has available all the information upon which the proposal is based. The contact person identified in this notice shall make available to the public upon request the Express Terms of the proposed regulatory action using underline or italics to indicate additions to, and strikeout to indicate deletions from the California Code of Regulations.

The contact person identified in this notice shall also make available to the public, upon request, the Final Statement of Reasons and the location of public records, including reports, documentation and other materials related to the proposed action. In addition, the above-cited materials (the Notice of Proposed Regulatory Action, the Initial Statement of Reasons, and Express Terms) may be accessed at <https://www.dmv.ca.gov/portal/about-the-california-department-of-motor-vehicles/california-dmv-rulemaking-actions/>.

**AVAILABILITY OF MODIFIED TEXT**

Following the written comment period, and the hearing if one is held, the department may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the fully modified text, with changes clearly indicated, shall be made available to the public for at least 15 days prior to the date on which the department adopts the resulting regulations. Requests for copies of any modified regulations should be addressed to the department contact person identified in this notice. The department will accept written comments on the modified regulations

for 15 days after the date on which they are first made available to the public.

**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.

CalSavers Retirement Savings Board  
File # 2025-0320-01  
CalSavers Retirement Savings Program Amendments

This emergency action by the CalSavers Retirement Savings Board amends employer registration requirements in section 10002 and adopts a financial incentive program in section 10012. This action is a deemed emergency pursuant to Government Code section 100048.

Title 10  
Adopt: 10012  
Amend: 10002  
Filed 04/01/2025  
Effective 04/01/2025  
Agency Contact:  
Tristan Woolacott (916) 653-1744

Department of Motor Vehicles  
File # 2025-0212-01  
Interstate Carrier Program form

This action without regulatory effect amends the Interstate Carrier Program (ICP) Inventory Order Form, REG 215 I, which is incorporated by reference, to remove the pre-filled reference to obsolete letter sequencing for ordering sequential license plates.

Title 13  
Amend: 226.22, 226.52  
Filed 03/26/2025  
Agency Contact: Randi Calkins (916) 282-7294

Department of Resources Recycling and Recovery  
File # 2025-0218-01  
AB 1311 Alternative Schedule

In this rulemaking action, the Department implements Assembly Bill 1311 (Stats. 2021, c. 506) which expands eligibility for certified recycling centers to

operate on an alternative schedule and allows the Department to certify recycling centers with reduced hours.

**Title 14**

Adopt: 2503

Amend: 2030, 2045, 2500, 2516

Filed 04/02/2025

Effective 04/02/2025

Agency Contact: Kris Chisholm (916) 322-2404

2783.5, 2785, 2787, 2788, 2789, 2790, 2790.5, 2790.7, 2791, 2793, 2794, 2795, 2795.5, 2796, 2796.5, 2797, 2798, 2798.5, 2799, 2800, 2801, 2802, 2803, 2804

11/21/2024

AMEND: 3425, 3436

11/22/2024

AMEND: 850

12/05/2024

AMEND: 3899

12/13/2024

AMEND: 6000, 6424, 6428, 6432, 6434

12/19/2024

AMEND: 3591.15

12/30/2024

ADOPT: 331 AMEND: 302, 303, 304, 304.1, 304.2, 305, 305.1, 305.2, 305.3, 306, 306.1, 306.2, 306.3, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316.1, 316.2, 316.3, 316.4, 317, 318, 319, 320.1, 320.2, 320.3, 321, 322, 322.1, 322.2, 322.3, 323, 323.1, 323.2, 324.1, 324.2, 325, 326, 327, 328, 329, 330.1, 330.2, 340

**CCR CHANGES FILED WITH THE SECRETARY OF STATE OCTOBER 1, 2024, TO DECEMBER 31, 2024**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulations titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

**Title 02**

10/03/2024 AMEND: 59730  
11/01/2024 AMEND: 1859.90  
11/05/2024 AMEND: 18534  
11/12/2024 AMEND: 10500  
11/26/2024 AMEND: 59550  
12/11/2024 AMEND: 18537.1  
12/11/2024 ADOPT: 19050 REPEAL: 19050, 19050.5, 19050.6, 19050.7, 19050.8, 19052, 19053, 19055, 19056, 19059, 20050, 20051  
12/12/2024 ADOPT: 58.12 AMEND: 58.12 [renumbered to 58.13], 58.13 [renumbered to 58.14], 59.3, 60.1, 60.2  
12/17/2024 AMEND: 18703

**Title 03**

10/23/2024 AMEND: 3406, 3417, 3423, 3424, 3441, 3442, 3444, 3445  
11/12/2024 ADOPT: 2770, 2771, 2772, 2773, 2774, 2775, 2776, 2777, 2778, 2779, 2780, 2781, 2782, 2783, 2784, 2785, 2786, 2787, 2788, 2789, 2790, 2791, 2792, 2793, 2794, 2795, 2796, 2798, 2799, 2800, 2801, 2802, 2803, 2804, 2805, 2806, 2807, 2808, 2809, 2810, 2811 REPEAL: 2691, 2695, 2704, 2705, 2706, 2770, 2773, 2773.1, 2773.5, 2774, 2774.5, 2775, 2776, 2777, 2778, 2781, 2782, 2783,

**Title 04**

10/25/2024 AMEND: 1433, 1440, 1440.5, 2057, 2059, 2066, 2071, 2072  
11/04/2024 ADOPT: 10092.16, 10092.17 AMEND: 10092.1, 10092.2, 10092.4, 10092.5, 10092.6, 10092.7, 10092.8, 10092.9, 10092.10, 10092.13, 10092.14, 10092.15  
11/12/2024 ADOPT: 11010, 11011, 11012  
12/31/2024 AMEND: 1632

**Title 05**

10/10/2024 ADOPT: 40511, 40512, 41020, 41021, 41022, 41023 AMEND: 40050, 40100 REPEAL: 40050.1, 40050.2, 40050.3, 40050.4, 40050.5, 40511, 40512, 40512, 40514, 40515, 40516, 40517, 40518, 40519, 40519.1, 40519.2, 40519.3, 41020, 41021, 41022, 41023, 41024, 40125  
10/21/2024 AMEND: 71395, 76000, 76020  
10/23/2024 AMEND: 19810  
10/31/2024 ADOPT: 76245 AMEND: 76240  
11/06/2024 AMEND: 855  
12/18/2024 ADOPT: 27010 AMEND: 27003, 27004, 27007, 27008  
12/19/2024 ADOPT: 30800, 30801, 30802, 30803  
12/23/2024 AMEND: 19810

**Title 08**

10/09/2024 AMEND: 108  
10/24/2024 AMEND: 14300.41  
10/29/2024 AMEND: 9881.1  
11/26/2024 AMEND: 1671.1, 1716.2, 1730, 1731  
12/03/2024 AMEND: 10133.32  
12/04/2024 AMEND: 17223  
12/11/2024 ADOPT: 9789.40.1, 9789.40.2, 9789.40.3, 9789.40.4, 9789.40.5, 9789.40.6, 9789.40.7

## CALIFORNIA REGULATORY NOTICE REGISTER 2025, VOLUME NUMBER 15-Z

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AMEND: 9789.12.1, 9789.13.2, 9789.13.3, 9789.40, 9789.111	1051.4, 1072.4, 1090.5, 1092.09, 1094.6, 1094.8.
12/19/2024 AMEND: 336	11/05/2024 AMEND: 670.2
<b>Title 09</b>	11/12/2024 ADOPT: 35.00 AMEND: 150.06, 150.16, 189
11/26/2024 ADOPT: 7370, 7371, 7372, 7373, 7374, 7375, 7376, 7377, 7378, 7379, 7380, 7381, 7382, 7383, 7384, 7385, 7386, 7387, 7378, 7389	11/13/2024 AMEND: 2.30, 5.00, 7.50, 8.00, 703
12/12/2024 ADOPT: 4354, 4354.1	11/13/2024 AMEND: 120.7, 122, 165, 190, 705.1
	11/13/2024 ADOPT: 4859.01, 4859.02, 4859.03, 4859.04, 4859.05, 4859.06
	11/18/2024 AMEND: 1100, 1104.1
	11/20/2024 AMEND: 1038, 1038.3, 1052.4
<b>Title 10</b>	11/26/2024 AMEND: 650, 703
10/08/2024 AMEND: 2643.3, 2644.27, 2648.1, 2648.2, 2648.4	11/26/2024 ADOPT: 685
10/10/2024 AMEND: 2498.5	12/02/2024 AMEND: 132.2
10/10/2024 AMEND: 3733	12/05/2024 AMEND: 2975
10/11/2024 ADOPT: 1000, 1001, 1002, 1003, 1004, 1010, 1011, 1012, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1030, 1031, 1032, 1033, 1034, 1040, 1041, 1042, 1043, 1044, 1045, 1048, 1050, 1051, 1052, 1053, 1430.1, 1461, 1462.5, 1465, 1466, 1467, 2030.5, 2044.1	12/13/2024 AMEND: 18660.5, 18660.6, 18660.7, 18660.10, 18660.11, 18660.12, 18660.13, 18660.14, 18660.15, 18660.16, 18660.17, 18660.18, 18660.19, 18660.21, 18660.22, 18660.30, 18660.35, 18660.36, 18660.37, 18660.38, 18660.41, and 18660.49
11/26/2024 AMEND: 9000, 9001, 9003, 9004, 9005, 9007 [renumbered as 9006] REPEAL: 9006	12/19/2024 AMEND: 671
12/12/2024 ADOPT: 2644.4.5, 2644.4.8, 2648.5 AMEND: 2644.4, 2644.5, 2644.8, 2644.27	12/19/2024 AMEND: 702
12/16/2024 AMEND: 6408, 6410, 6474, 6476, 6478, 6484, 6496, 6504, 6602	12/24/2024 AMEND: 27.20, 27.40, 27.45, 27.50, 27.65, 28.27, 28.28, 28.29, 28.54, 28.65
12/17/2024 ADOPT: 5550, 5551, 5552, 5553, 5553.1, 5553.2, 5553.3, 5554, 5554.1, 5554.2, 5555, 5556	
12/30/2024 ADOPT: 2759.1, 2759.2, 2759.3, 2759.4, 2759.5, 2759.6, 2759.7, 2759.8	
<b>Title 11</b>	
11/06/2024 AMEND: 1001, 1070, 1082	<b>Title 15</b>
12/26/2024 ADOPT: 7601, 7602, 7603, 7604, 7605 AMEND: 7600	10/08/2024 AMEND: 184
12/27/2024 AMEND: 7600	10/14/2024 ADOPT: 3574
12/31/2024 AMEND: 1015, 1018	10/16/2024 AMEND: 3078.3, 3078.4, 3078.7, 3078.8, 3078.9, 3078.10, 3078.11, 3078.12, 3078.13
<b>Title 12</b>	11/21/2024 ADOPT: 3147 AMEND: 3006, 3132, 3130, 3131, 3133, 3134, 3134.1, 3135, 3136, 3137, 3138, 3139, 3140, 3141, 3142, 3143, 3144, 3145, 3146, 3190
10/02/2024 ADOPT: 2500, 2501, 2502, 2503, 2504	11/26/2024 ADOPT: 3298
<b>Title 13</b>	12/16/2024 AMEND: 1028
12/20/2024 AMEND: 28.19	12/26/2024 ADOPT: 3481, 3482, 3483, 3485 AMEND: 3392, 3392.1, 3392.3, 3392.5, 3392.8, 3392.9, 3450, 3480, 3484, 3486, 3486.1, 3486.2, 3486.3 REPEAL: 3481, 3482, 3483, 3485
12/24/2024 ADOPT: 20.03	
<b>Title 14</b>	
10/16/2024 AMEND: 699.5	<b>Title 16</b>
10/23/2024 AMEND: 670.1	10/09/2024 ADOPT: 1583, 1584, 1584.5, 1585, 1586, 1587 AMEND: 1505, 1524
10/31/2024 AMEND: 895.1, 912.7, 912.9, 913.4, 916.3, 921.4, 923.1, 923.4, 932.7, 932.9, 933.4, 936.3, 943.1, 943.4, 952.7, 952.9, 953.4, 953.7, 956.3, 963.1, 963.4, 1034, 1038.2, 1038.4, 1051,	10/09/2024 AMEND: 1845, 1858, 1881, 1886.30 and 1886.40
	10/16/2024 ADOPT: 2326.01 AMEND: 2326
	10/17/2024 AMEND: 109
	10/21/2024 ADOPT: 1391.13, 1391.14
	10/21/2024 ADOPT: 1507.5 AMEND: 1524
	10/22/2024 ADOPT: 1970.1, 1970.42, 1970.43 AMEND: 1970.4

10/23/2024	AMEND: 117	10/25/2024	AMEND: 64305
11/20/2024	ADOPT: 1081.3, 1081.4 AMEND: 1080, 1080.3, 1081, 1081.2 REPEAL: 1080.1, 1080.2, 1081.1, 1082, 1082.1, 1082.3, 1083	11/05/2024	AMEND: 66260.201
11/20/2024	AMEND: 1749	11/25/2024	AMEND: 95000, 95001, 95002, 95003, 95004, 95005, 95006, 95007 and 95008
11/22/2024	ADOPT: 1116, 1116.5	11/25/2024	ADOPT: 97380, 97382, 97384, 97386, 97388, 97390, 97392, 97393, 97394, 97396, 97398, 97400, 97402, 97404, 97406, 97408, 97410, 97412, 97414, 97416
11/25/2024	AMEND: 4240	12/02/2024	AMEND: 66260.10, 66261.4
11/26/2024	AMEND: 2406, 2418, 2421, 2430, 2451, 2462, 2467, 2480, 2481 REPEAL: 2401, 2407, 2408, 2409	12/19/2024	AMEND: 66270.27
12/04/2024	AMEND: 121, 124	12/27/2024	AMEND: 5300
12/11/2024	AMEND: 43, 45		
12/19/2024	AMEND: 1749		
12/23/2024	AMEND: 1709.1		
12/30/2024	AMEND: 1399.127		

**Title 17**

10/17/2024	10/22/2024 REPEAL: 50243, 50245, 50247, 50249, 50251, 50253, 50255, 50257, 50259, 50261, 50262, 50263, 50265, 50267
11/13/2024	ADOPT: 1030.8, 1032, 1032.5, 1034, 1035.3 AMEND: 1029, 1030, 1030.5, 1030.6, 1030.7, 1030.16, 1030.17, 1031, 1035.1, 1035.2

**Title 17, 22**

11/06/2024	ADOPT: 60301.175 AMEND: 60310, 60315, 60316, 64654 REPEAL: 7583, 7584, 7585, 7586, 7601, 7602, 7603, 7604, 7605
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**Title 18**

10/09/2024	AMEND: 1699, 1699 Appendix A
11/26/2024	AMEND: 35015, 35039, 35055, 35057, 35058

**Title 19**

12/17/2024	ADOPT: 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616
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**Title 22**

10/07/2024	AMEND: 66261.6
10/21/2024	REPEAL: 97700.1, 97700.2, 97700.3, 97700.4, 97700.5, 97700.6, 97700.7, 97700.8, 97700.13, 97700.15, 97700.17, 97700.18, 97700.19, 97700.20, 97700.21, 97700.23, 97700.25, 97700.26, 97700.27, 97700.29, 97700.31, 97700.32, 97700.33, 97700.35, 97700.41, 97700.43, 97700.45, 97700.47, 97700.49, 97700.51, 97700.53, 97700.55, 97700.57, 97700.59, 97700.61, 97700.63, 97700.65, 97720, 97722, 97724, 97726, 97730, 97731, 97732, 97734, 97735, 97737, 97740, 97743, 97745, 97747, 97750, 97752, 97755, 97757, 97760
10/24/2024	AMEND: 64802.25

11/05/2024	AMEND: 66260.201
11/25/2024	AMEND: 95000, 95001, 95002, 95003, 95004, 95005, 95006, 95007 and 95008
11/25/2024	ADOPT: 97380, 97382, 97384, 97386, 97388, 97390, 97392, 97393, 97394, 97396, 97398, 97400, 97402, 97404, 97406, 97408, 97410, 97412, 97414, 97416
12/02/2024	AMEND: 66260.10, 66261.4
12/19/2024	AMEND: 66270.27
12/27/2024	AMEND: 5300

**Title 22, MPP**

10/17/2024	AMEND: 87101, 87208, 87219, 87303, 87307, 87309, 87455, 87457, 87458, 87463, 87507, 87606, 87705, 87706 REPEAL: 87707
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**Title 23**

10/31/2024	AMEND: 2200, 2200.6, 2200.7, 2200.8
11/04/2024	AMEND: 1042, 1044, 1062, 1063, 1064, 1066, 1068, 3833
11/07/2024	ADOPT: 2910 REPEAL: 2910
11/25/2024	AMEND: 383 REPEAL: 390

**Title 27**

10/04/2024	AMEND: 25607.2
11/26/2024	ADOPT: 25607.50, 25607.51, 25607.52, 25607.53 AMEND: 25601, 25602, 25603, 25607.2