

**Introduced by Senator Wright**

**(Principal coauthor: Senator Correa)**

**(Coauthors: Senators Dutton and Rubio)**

(Coauthors: Assembly Members Logue, Ma, Perea, and Wieckowski)

February 16, 2012

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An act to amend Sections 11343.4 and 11344 of the Government Code, relating to regulations.

LEGISLATIVE COUNSEL'S DIGEST

SB 1099, as introduced, Wright. Regulations.

(1) The Administrative Procedure Act generally sets forth the requirements for the adoption, publication, review, and implementation of regulations by state agencies. The act specifically provides that a regulation or order of repeal required to be filed with the Secretary of State shall become effective on the 30th day after the date of filing, subject to certain exceptions.

This bill would instead provide that a regulation or order of repeal is effective on either January 1 or July 1, as specified, subject to the same exceptions.

(2) The act requires the Office of Administrative Law to make a free copy of the full text of the California Code of Regulations available on its Internet Web site.

This bill would also require the office to provide on its Internet Web site a list of, and a link to the full text of, each regulation filed with the Secretary of State that is pending effectiveness, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 11343.4 of the Government Code is  
2 amended to read:

3 11343.4. ~~A~~(a) *Except as otherwise provided in subdivision*  
4 *(b), a regulation or an order of repeal required to be filed with the*  
5 *Secretary of State shall become effective on the 30th day after the*  
6 *date of filing unless: on either of the following:*

7 (1) *July 1 if the regulation or order of repeal is filed on*  
8 *December 1 to June 1, inclusive.*

9 (2) *January 1 if the regulation or order of repeal is filed on*  
10 *June 2 to November 30, inclusive.*

11 (b) *The effective dates in subdivision (a) shall not apply in all*  
12 *of the following:*

13 (a)

14 (1) ~~Otherwise~~*The effective date is specifically provided by the*  
15 *statute pursuant to which the regulation or order of repeal was*  
16 *adopted, in which event it becomes effective on the day prescribed*  
17 *by the statute.*

18 (b)

19 (2) *A later date is prescribed by the state agency in a written*  
20 *instrument filed with, or as part of, the regulation or order of repeal.*

21 (c)

22 (3) *The agency makes a written request to the office*  
23 *demonstrating good cause for an earlier effective date, in which*  
24 *case the office may prescribe an earlier date.*

25 SEC. 2. Section 11344 of the Government Code is amended  
26 to read:

27 11344. The office shall do all of the following:

28 (a) *Provide for the official compilation, printing, and publication*  
29 *of adoption, amendment, or repeal of regulations, which shall be*  
30 *known as the California Code of Regulations. On and after July*  
31 *1, 1998, the office shall make available on the Internet, free of*  
32 *charge, the full text of the California Code of Regulations, and*  
33 *may contract with another state agency or a private entity in order*  
34 *to provide this service.*

35 (b) *Make available on its Internet Web site a list of, and a link*  
36 *to the full text of, each regulation filed with the Secretary of State*  
37 *that is pending effectiveness pursuant to Section 11343.4.*

38 (b)

1 (c) Provide for the compilation, printing, and publication of  
2 weekly updates of the California Code of Regulations. This  
3 publication shall be known as the California Code of Regulations  
4 Supplement and shall contain amendments to the code.

5 ~~(e)~~

6 (d) Provide for the publication dates and manner and form in  
7 which regulations shall be printed and distributed and ensure that  
8 regulations are available in printed form at the earliest practicable  
9 date after filing with the Secretary of State.

10 ~~(d)~~

11 (e) Ensure that each regulation is printed together with a  
12 reference to the statutory authority pursuant to which it was enacted  
13 and the specific statute or other provision of law which the  
14 regulation is implementing, interpreting, or making specific.