

**ASSEMBLY BILL**

**No. 292**

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**Introduced by Assembly Member Nestande**

February 11, 2013

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An act to amend Section 11344 of the Government Code, relating to the California Code of Regulations.

LEGISLATIVE COUNSEL'S DIGEST

AB 292, as introduced, Nestande. California Code of Regulations: open access.

The Administrative Procedure Act generally sets forth the requirements for the adoption, publication, review, and implementation of regulations by state agencies. The act requires the Office of Administrative Law to provide for the official compilation, printing, and publication of state agency regulations, known as the California Code of Regulations.

This bill would provide that the full text of the California Code of Regulations shall bear an open access creative commons attribution license, allowing any individual, at no cost, to use, distribute, and create derivative works based on the material for either commercial or noncommercial purposes.

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 11344 of the Government Code is
- 2 amended to read:
- 3 11344. The office shall do all of the following:

1 (a) Provide for the official compilation, printing, and publication  
2 of adoption, amendment, or repeal of regulations, which shall be  
3 known as the California Code of Regulations. ~~On~~

4 (1) *On* and after July 1, 1998, the office shall make available  
5 on the Internet, free of charge, the full text of the California Code  
6 of Regulations, and may contract with another state agency or a  
7 private entity in order to provide this service.

8 (2) *On and after January 1, 2014, or upon the expiration of an*  
9 *existing contract, the full text of the California Code of Regulations*  
10 *shall bear an open access creative commons attribution license,*  
11 *allowing any individual, at no cost, to use, distribute, and create*  
12 *derivative works based on the material for either commercial or*  
13 *noncommercial purposes.*

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

17 (c) Provide for the compilation, printing, and publication of  
18 weekly updates of the California Code of Regulations. This  
19 publication shall be known as the California Code of Regulations  
20 Supplement and shall contain amendments to the code.

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

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