

ITEM 6
STAFF REPORT
ADOPTION OF PROPOSED 2021 RULEMAKING CALENDAR

EXECUTIVE SUMMARY

Background

Government Code section 11017.6 requires covered state agencies to prepare an annual rulemaking calendar for publication in the California Regulatory Notice Register. While the Commission is exempt from review and approval by the Office of Administrative Law (OAL), it has traditionally submitted the calendar to keep the public informed of its rulemaking plans. The calendar is due to OAL before February 12, 2021.

Proposed 2021 Rulemaking Calendar

The attached proposed 2021 Rulemaking Calendar consists of two rulemakings:

Order 21-01: Amendment to Conflict of Interest Code

This rulemaking would amend Title 2, Chapter 2.5, Article 9 to provide an update to the Commission’s Conflict of Interest Code.

Timeline

Order to CSM	January 22, 2021
Notice to OAL	January 26, 2021
Notice Publication Date	February 5, 2021
End of Public Comment Period	March 22, 2021
Public Hearing, if requested	March 26, 2021
Proposed Date for Adoption To OAL	May 28, 2021 2 Weeks Following Adoption (No later than 7/19/21 for SOS filing by 8/31/21)
Effective Date of Regulations	October 1, 2021

Order 21-02: General Cleanup Provisions

This rulemaking would amend Title 2, Chapter 2.5, Articles 1 through 8, and 10 to provide general cleanup to the Commission’s regulations.

Timeline

Order to CSM	January 22, 2021
Notice to OAL	January 26, 2021
Notice Publication Date	February 5, 2021
End of Public Comment Period	March 22, 2021
Public Hearing, if requested	March 26, 2021
Proposed Date for Adoption To OAL	May 28, 2021 2 Weeks Following Adoption (No later than 7/19/21 for SOS filing by 8/31/21)
Effective Date of Regulations	October 1, 2021

Staff Recommendation

Staff recommends that the Commission adopt the Proposed 2021 Rulemaking Calendar for transmittal to the Office of Administrative Law.

(attached Rulemaking Calendar)

COMMISSION ON STATE MANDATES
2021 RULEMAKING CALENDAR

SCHEDULE B: PROPOSED REGULATIONS IMPLEMENTING STATUTES ENACTED PRIOR
TO THE YEAR 2020

Subject: Amendment of Conflict of Interest Code Update (Order 21-01)

California Code of Regulations Title and Sections Affected: Title 2, Chapter 2.5
Article 9

Statute(s) Being Implemented: Government Code Sections 87100-87505

Responsible Agency Unit: Executive

Contact Person and Phone Number: Heidi Palchik (916-323-3562)

Projected Notice Publication Date: February 5, 2021

Projected Public Hearing Date: March 26, 2021, if requested

Projected Adoption by Your Agency Date: May 28, 2021

Projected To OAL to File and Print Date: 2 weeks following adoption

Subject: General Cleanup Provisions (Order 21-02)

California Code of Regulations Title and Sections Affected: Title 2, Chapter 2.5,
Articles 1 through 8, and 10

Statute(s) Being Implemented: Government Code Sections 17500-17630

Responsible Agency Unit: Executive

Contact Person and Phone Number: Heidi Palchik (916-323-3562)

Projected Notice Publication Date: February 5, 2021

Projected Public Hearing Date: March 26, 2021, if requested

Projected Adoption by Your Agency Date: May 28, 2021

Projected To OAL to File and Print Date: 2 weeks following adoption

Report on the Status of all Uncompleted Rulemaking Described on Previous Calendars: The Commission on State Mandates (Commission) did not commence the rulemaking listed on the 2020 rulemaking calendar (20-01).