

ADVISORY NOTICE

QUARTERLY EFFECTIVE DATES OF REGULATIONS SB 1099 (WRIGHT, CHAPTER 295, STATUTES OF 2012)

SB 1099 (Wright, Chapter 295, Statutes of 2012), effective January 1, 2013, makes several changes to the Administrative Procedure Act that will affect regulatory actions undertaken by State agencies. The most significant of those changes to licensees concerns the effective dates of approved regulations.

Government Code section 11343.4(a) provides that a regulation or order of repeal required to be filed with the Secretary of State shall become effective on a quarterly basis as follows:

- (1) **January 1** if the regulation or order of repeal is filed on September 1 to November 30, inclusive.
- (2) **April 1** if the regulation or order of repeal is filed on December 1 to February 29, inclusive.
- (3) **July 1** if the regulation or order of repeal is filed on March 1 to May 31, inclusive.
- (4) **October 1** if the regulation or order of repeal is filed on June 1 to August 31, inclusive.

The new quarterly effective dates will apply to regulations filed with the Secretary of State after January 1, 2013.

Section 11343.4(b) provides for limited exceptions to the standard quarterly effective dates, as follows:

- (1) The effective date is specifically provided by the statute pursuant to which the regulation or order of repeal was adopted, in which event it becomes effective on the day prescribed by the statute.
- (2) A later date is prescribed by the State agency in a written instrument filed with, or as part of, the regulation or order of repeal.
- (3) The agency makes a written request to the office demonstrating good cause for an earlier effective date, in which case the office may prescribe an earlier date.
- (4) A regulation adopted by the Fish and Game Commission pursuant to Article 1 (commencing with Section 200) of Chapter 2 of Division 1 of the Fish and Game Code; or a regulation adopted by the Fish and Game Commission that requires a different effective date in order to conform to a federal regulation.

For any questions regarding the new quarterly effective dates for regulations, please contact James Allen, Regulatory Actions Manager, at (916) 263-4024.