

Memorandum 94-37

Administrative Adjudication: Conforming Revisions

As part of the administrative adjudication comprehensive revision, conforming changes will be necessary in hundreds of statutes. The staff has collected and drafted a great number of conforming revisions. The changes are too numerous and too repetitious to reproduce in full here, but typical examples are set out in this memorandum and a partial list is included in the Exhibit. (Note: The list in the Exhibit was compiled before the restructuring of the statute and will change somewhat in conformity with the restructuring.)

The purpose of this memorandum is to obtain Commission approval of the following approach to dealing with the conforming revisions. The staff would prepare the complete draft of conforming revisions and circulate the draft to interested persons for review. This would occur either at the time the revised tentative recommendation is circulated for comment or shortly thereafter. In this connection we would also solicit suggestions for other necessary or desirable conforming revisions. The staff would not raise individual conforming revisions for discussion at a Commission meeting unless the revision appears to present a policy issue or a question is raised by a person who reviews the material.

The conforming revisions fall into the following general categories:

(1) Existing statutory references to the hearing provisions of the Administrative Procedure Act must be revised to refer to comparable provisions of the redrafted statute. This is a mechanical task. Examples are:

Bus. & Prof. Code § 489 (technical amendment). Denial of license for lack of good character

489. Any agency in the department which is authorized by law to deny an application for a license upon the grounds specified in Section 480, may without a hearing deny an application upon such a ground, if within one year previously, and after proceedings conducted in accordance with the provisions of Chapter 5 (~~commencing with Section 11500~~) of Part 1 of Division 3 of Title 2 *Division 3.3 (commencing with Section 600) of Title 1* of the Government Code, such ~~the~~ agency has denied an application from the same applicant upon the same ground.

Comment. Section 489 is amended to correct the reference to the Administrative Procedure Act.

Bus. & Prof. Code § 828 (technical amendment). Insufficient evidence for action against licentiate

828. If the licensing agency determines, pursuant to proceedings conducted under Section 820, that there is insufficient evidence to bring an action against the licentiate pursuant to Section 822, then all licensing agency records of the proceedings, including the order for the examination, investigative reports, if any, and the report of the physicians and surgeons or psychologists, shall be kept confidential and are not subject to discovery or subpoena. If no further proceedings are conducted to determine the licentiate's fitness to practice during a period of five years from the date of the determination by the licensing agency of the proceeding pursuant to Section 820, then the licensing agency shall purge and destroy all records pertaining to the proceedings. If new proceedings are instituted during the five-year period against the licentiate by the licensing agency, the records, including the report of the physicians and surgeons or psychologists, may be used in the proceedings and shall be available to the respondent pursuant to the provisions of ~~Section 11507.6 Chapter 5 (commencing with Section 645.110) of Part 4 of Division 3.3 of Title 1 of the Government Code.~~

Comment. Section 828 is amended to revise the reference to former Section 11507.6 of the Government Code to refer instead to the new discovery chapter in the Administrative Procedure Act.

(2) Statutes requiring hearings to be conducted under the Administrative Procedure Act must be revised to require hearings to be conducted by an administrative law judge employed by the Office of Administrative Hearings. Examples are:

Bus. & Prof. Code § 485 (technical amendment). Procedure on denial

485. (a) Upon denial of an application for a license, under this chapter the board shall:

~~(a) File and serve a statement of issues in accordance with Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code; or, in the alternative, do one of the following:~~

(1) Commence an adjudicative proceeding under Division 3.3 (commencing with Section 600) of Title 1 of the Government Code conducted by an administrative law judge employed by the Office of Administrative Hearings.

(b) (2) Notify the applicant that the application is denied, stating (1) the reason for the denial, and (2) that the applicant has the right to a hearing under ~~Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code~~ *Division 3.3 (commencing with Section 600) of Title 1 of the Government Code* conducted by an administrative law judge employed by the Office of Administrative Hearings if written request for hearing is made within 60 days after service of the notice of denial. Unless written request for hearing is made within the 60-day period, the applicant's right to a hearing is deemed waived.

(b) Service of the notice of denial may be made in the manner authorized for service of summons in civil actions, or by registered mail addressed to the applicant at the latest address filed by the applicant in writing with the board in his application or otherwise. Service by mail is complete on the date of mailing.

Comment. Section 485 is amended to correct references to the Administrative Procedure Act and to continue the existing requirement that the hearing be conducted by an administrative law judge employed by the Office of Administrative Hearings. See former Gov't Code §§ 11501-11502.

Bus. & Prof. Code § 495 (technical amendment). Public reproof

495. Notwithstanding any other provision of law, any entity authorized to issue a license or certificate pursuant to this code may publicly reprove a licensee or certificate holder thereof, for any act which would constitute grounds to suspend or revoke a license or certificate. Any proceedings for public reproof, public reproof and suspension, or public reproof and revocation shall be conducted in accordance with ~~Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2~~ *Division 3.3 (commencing with Section 600) of Title 1* of the Government Code by an administrative law judge employed by the Office of Administrative Hearings .

Comment. Section 495 is amended to correct the reference to the Administrative Procedure Act and to continue the existing requirement that the hearing be conducted by an administrative law judge employed by the Office of Administrative Hearings. See former Gov't Code §§ 11501-11502.

The reference in Section 495 to specific proceedings that are subject to the Administrative Procedure Act does not imply that other proceedings not mentioned in Section 495 are not so subject. See Gov't Code § 612.110(a).

(3) Decisions that are exempted from the Administrative Procedure Act must be identified in the statutes governing the decisions. This is addressed in Memorandum 94-35.

(4) Statutes providing rules that conflict with the Administrative Procedure Act must be revised to eliminate the conflict, except in cases where there is a policy reason supporting the difference. We will presume that existing statutory differences are supported by policy reasons unless we are able to demonstrate otherwise. Discovery and review of these statutes is more time consuming than the other conforming revision tasks, and is more judgmental.

For example, the following provision is generally consistent with the revised Administrative Procedure Act, but includes special provisions for additional time in special circumstances. For this reason, the staff does not propose to revise this provision.

Bus. & Prof. Code § 487. Hearing; time

487. If a hearing is requested by the applicant, the board shall conduct such hearing within 90 days from the date the hearing is requested unless the applicant shall request or agree in writing to a postponement or continuance of the hearing. Notwithstanding the above, the Office of Administrative Hearings may order, or on a showing of good cause, grant a request for, up to 45 additional days within which to conduct a hearing, except in cases involving alleged examination or licensing fraud, in which cases the period may be up to 180 days. In no case shall more than two such orders be made or requests be granted.

The following provision limits the ability of the agency head to delegate decision making authority. The Administrative Procedure Act contains a contrary rule. The staff would not disturb this special provision.

Bus. & Prof. Code § 7501.2 (technical amendment). Delegation of powers and duties

7501.2. Every power and duty granted to or imposed upon the director under this chapter may be delegated to the chief, except that the director may not delegate authority to adopt or otherwise act upon any proposed decision of a hearing officer after a hearing ~~under the provisions of Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2~~ *Division 3.3 (commencing with Section 600) of Title 1* of the Government Code. The chief may delegate any power or duty granted to or imposed upon ~~him or her~~ *the chief* under this chapter to the deputy chief, to the assistant chief, or to any inspection, investigation, or auditing personnel of the bureau.

Comment. Section 7501.2 is amended to correct the reference to the Administrative Procedure Act.

Respectfully submitted,

Nathaniel Sterling
Executive Secretary

Exhibit

ADMINISTRATIVE ADJUDICATION: CONFORMING REVISIONS

TENTATIVE LIST

(Note: This list was compiled before the restructuring of the statute and may change substantially in conformity with the restructuring.)

Department of Consumer Affairs (part 1)

Bus. & Prof. Code § 102. Revise cross-reference to APA.

Governor's Office (part 1)

Bus. & Prof. Code § 106.5. Revise cross-reference to APA.

Department of Consumer Affairs (part 2)

Bus. & Prof. Code § 125.7. Revise cross-reference to APA.

Bus. & Prof. Code § 125.8. Revise cross-reference to APA.

Bus. & Prof. Code § 125.9. Revise cross-reference to APA.

Denial, Suspension, and Revocation of Licenses Generally

Bus. & Prof. Code § 485. Revise cross-reference to APA.

Bus. & Prof. Code § 489. Revise cross-reference to APA.

Bus. & Prof. Code § 491. Revise cross-reference to section of APA.

Bus. & Prof. Code § 495. Revise cross-reference to APA.

Healing Arts Generally

Bus. & Prof. Code § 652. Revise cross-reference to APA.

Bus. & Prof. Code § 805.1. Revise cross-reference to APA.

Bus. & Prof. Code § 826. Revise cross-reference to APA.

Bus. & Prof. Code § 828. Revise cross-reference to Gov't Code § 11507.6

State Board of Chiropractic Examiners

Bus. & Prof. Code § 1057. Revise cross-reference to APA.

Chiropractic Act § 10. Revise cross-ref. to APA (must go on statewide ballot).

Clinical Laboratory Technology

Bus. & Prof. Code § 1267. Revise cross-reference to APA.

Bus. & Prof. Code § 1322. Revise cross-reference to APA.

Board of Dental Examiners

Bus. & Prof. Code § 1628.5. Revise cross-reference to APA.
Bus. & Prof. Code § 1646.7. Revise cross-reference to APA.
Bus. & Prof. Code § 1647.9. Revise cross-reference to APA.
Bus. & Prof. Code § 1670. Revise cross-reference to APA.
Bus. & Prof. Code § 1701.5. Add code reference to APA.
Bus. & Prof. Code § 1747. Revise cross-reference to APA.
Bus. & Prof. Code § 1807. Revise cross-reference to APA.

Medical Board of California (part 1)

Bus. & Prof. Code § 2018. Add code reference to APA.
Bus. & Prof. Code § 2230. Revise cross-reference to APA.
Bus. & Prof. Code § 2231. Revise cross-reference to Gov't Code § 11515.
Bus. & Prof. Code § 2292. Replace cross-ref. to Gov't Code § 11505 with "Subject to Gov't Code § 642.340, service may be made by any means selected by the agency."
Bus. & Prof. Code § 2336. Revise cross-reference to APA.

Speech-Language Pathology and Audiology Examining Committee

Bus. & Prof. Code § 2531.5. Revise cross-reference to APA.
Bus. & Prof. Code § 2533.2. Revise cross-reference to APA.

Medical Board of California (part 3)

Bus. & Prof. Code § 2555. Revise cross-reference to APA.
Bus. & Prof. Code § 2555.1. Revise cross-reference to APA.
Bus. & Prof. Code § 2559.3. Revise cross-reference to APA.
Bus. & Prof. Code § 2563. Revise cross-reference to APA.

Physical Therapy Examining Committee

Bus. & Prof. Code § 2608. Revise cross-reference to APA.
Bus. & Prof. Code § 2614. Revise cross-reference to APA.
Bus. & Prof. Code § 2660. Add code reference to APA.

Board of Registered Nursing

Bus. & Prof. Code § 2750. Revise cross-reference to APA.
Bus. & Prof. Code § 2760. Revise cross-reference to Gov't Code § 11522.

Board of Vocational Nurse and Psychiatric Technician Examiners (part 1)

Bus. & Prof. Code § 2875. Revise cross-reference to APA.
Bus. & Prof. Code § 2878.7. Revise cross-reference to Gov't Code § 11522.

State Board of Optometry

Bus. & Prof. Code § 3044. Revise cross-reference to APA.
Bus. & Prof. Code § 3090. Revise cross-reference to APA.
Bus. & Prof. Code § 3125. Add code reference to APA.

Bus. & Prof. Code § 3135. Revise cross-reference to APA.
Bus. & Prof. Code § 3166. Revise cross-reference to APA.

Hearing Aid Dispensers Examining Committee

Bus. & Prof. Code § 3329. Revise cross-reference to APA.
Bus. & Prof. Code § 3400. Revise cross-reference to APA.

Physician Assistant Examining Committee

Bus. & Prof. Code § 3528. Revise cross-reference to APA.

Respiratory Care Examining Committee

Bus. & Prof. Code § 3753. Revise cross-reference to APA.
Bus. & Prof. Code § 3756. Replace cross-reference to Gov't Code § 11505 with:
"Subject to Gov't Code § 642.340, service may be made by any means selected by
the agency."

Board of Examiners of Nursing Home Administrators

Bus. & Prof. Code § 3932. Revise cross-reference to APA.

California State Board of Pharmacy (part 1)

Bus. & Prof. Code § 4080.2. Revise cross-reference to APA.
Bus. & Prof. Code § 4160. Revise cross-reference to APA.
Bus. & Prof. Code § 4238. Revise cross-reference to APA.
Bus. & Prof. Code § 4238.5. Revise cross-reference to APA.
Bus. & Prof. Code § 4350. Revise cross-reference to APA.
Bus. & Prof. Code § 4364. Revise cross-reference to APA.

Board of Vocational Nurse and Psychiatric Technician Examiners (part 2)

Bus. & Prof. Code § 4520. Revise cross-reference to APA.

Board of Examiners in Veterinary Medicine

Bus. & Prof. Code § 4837. Revise cross-reference to APA.
Bus. & Prof. Code § 4853.6. Revise cross-reference to APA.
Bus. & Prof. Code § 4875. Revise cross-reference to APA.
Bus. & Prof. Code § 4875.6. Revise cross-reference to APA.

Acupuncture Examining Committee

Bus. & Prof. Code § 4960. Revise cross-reference to APA.

Board of Behavioral Science Examiners

Bus. & Prof. Code § 4982.3. Revise cross-reference to APA.
Bus. & Prof. Code § 4988.1. Revise cross-reference to APA.
Bus. & Prof. Code § 4992.4. Revise cross-reference to APA.
Bus. & Prof. Code § 4996.11. Revise cross-reference to APA.
Bus. & Prof. Code § 4998.6. Revise cross-reference to APA.

State Board of Accountancy

Bus. & Prof. Code § 5017. Revise cross-reference to APA.

Bus. & Prof. Code § 5102. Revise cross-reference to APA.

Bus. & Prof. Code § 5156. Revise cross-reference to APA.

California State Board of Architectural Examiners

Bus. & Prof. Code § 5553. Revise cross-reference to APA.

Bus. & Prof. Code § 5561.5. Revise cross-reference to APA.

Bus. & Prof. Code § 5566.2. Revise cross-reference to APA.

California State Board of Landscape Architects

Bus. & Prof. Code § 5662. Revise cross-reference to APA.

Bus. & Prof. Code § 5679. Revise cross-reference to APA.

California Auctioneer Commission

Bus. & Prof. Code § 5718. Revise cross-reference to APA.

Bus. & Prof. Code § 5719. Revise cross-reference to APA.

Bus. & Prof. Code § 5764. Revise cross-reference to APA.

Bus. & Prof. Code § 5783.5. Revise cross-reference to APA.

Bus. & Prof. Code § 5786. Revise cross-reference to APA.

Bus. & Prof. Code § 5788. Revise cross-reference to APA.

State Bar of California

Bus. & Prof. Code § 6169. Conforming revision.

State Board of Registration for Professional Engineers and Land Surveyors (part 1)

Bus. & Prof. Code § 6728.3. Revise cross-reference to APA.

Bus. & Prof. Code § 6776. Revise cross-reference to APA.

Bus. & Prof. Code § 6796.3. Revise cross-reference to Gov't Code § 11504 (statement of issues).

Bureau of Collection and Investigative Services (part 1)

Bus. & Prof. Code § 6980.6. Revise cross-reference to APA.

Bus. & Prof. Code § 6980.7. Revise cross-reference to APA (rules/regs).

Bus. & Prof. Code § 6980.21. Revise cross-reference to APA.

Bus. & Prof. Code § 6980.30. Revise cross-reference to APA.

Bus. & Prof. Code § 6980.35. Revise cross-reference to APA.

Contractors' State License Board

Bus. & Prof. Code § 7013. Revise cross-reference to APA.

Bus. & Prof. Code § 7028.12. Revise cross-reference to APA.

Bus. & Prof. Code § 7077. Revise cross-reference to APA.

Bus. & Prof. Code § 7091. Revise cross-reference to APA.

Bus. & Prof. Code § 7099.5. Revise cross-reference to APA.

Bus. & Prof. Code § 7155. Revise cross-reference to APA.

State Board of Guide Dogs for the Blind

Bus. & Prof. Code § 7183.5. Revise cross-reference to APA.

Bus. & Prof. Code § 7212. Revise cross-reference to APA.

Bus. & Prof. Code § 7216. Revise cross-reference to APA.

State Board of Barbering and Cosmetology

Bus. & Prof. Code § 7403. Revise cross-reference to APA.

Bus. & Prof. Code § 7411. Revise cross-reference to APA.

Bus. & Prof. Code § 7420. Substitute reference to B&P Code § 494.5.

Bureau of Collection and Investigative Services (part 2)

Bus. & Prof. Code § 7501.2. Revise cross-reference to APA.

Bus. & Prof. Code § 7501.7. Revise cross-reference to APA.

Bus. & Prof. Code § 7502.4. Revise cross-reference to APA.

Bus. & Prof. Code § 7503.5. Revise cross-reference to APA.

Bus. & Prof. Code § 7504.1. Revise cross-reference to APA.

Bus. & Prof. Code § 7506.8. Revise cross-reference to APA.

Bus. & Prof. Code § 7506.12. Revise cross-reference to APA.

Bus. & Prof. Code § 7510. Revise cross-reference to APA.

Bus. & Prof. Code § 7517.1. Revise cross-reference to APA.

Bus. & Prof. Code § 7517.2. Revise cross-reference to APA.

Bus. & Prof. Code § 7518. Revise cross-reference to APA.

Bus. & Prof. Code § 7547.23. Revise cross-reference to APA.

Bus. & Prof. Code § 7561. Revise cross-reference to APA.

Bus. & Prof. Code § 7564. Revise cross-reference to APA.

Bus. & Prof. Code § 7591.2. Revise cross-reference to APA.

Bus. & Prof. Code § 7591.18. Revise cross-reference to APA.

Bus. & Prof. Code § 7591.19. Revise cross-reference to APA.

Bus. & Prof. Code § 7596.83. Revise cross-reference to APA.

State Board of Funeral Directors and Embalmers

Bus. & Prof. Code § 7626.5. Revise cross-reference to APA.

Bus. & Prof. Code § 7647.5. Revise cross-reference to APA.

Bus. & Prof. Code § 7686. Revise cross-reference to APA.

State Board of Registration for Geologists and Geophysicists

Bus. & Prof. Code § 7861. Revise cross-reference to APA.

Certified Shorthand Reporters Board

Bus. & Prof. Code § 8009. Revise cross-reference to APA.

Bus. & Prof. Code § 8010. Revise cross-reference to APA.

Structural Pest Control Board

Bus. & Prof. Code § 8568. Revise cross-reference to APA.

Bus. & Prof. Code § 8620. Revise cross-reference to APA.

Bus. & Prof. Code § 8697.3. Revise cross-reference to APA.

State Board of Registration for Professional Engineers and Land Surveyors (part 2)

Bus. & Prof. Code § 8720.3. Revise cross-reference to APA.

Bus. & Prof. Code § 8720.4. Revise cross-reference to Gov't Code § 11517.

Bus. & Prof. Code § 8781. Revise cross-reference to APA.

Cemetery Board

Bus. & Prof. Code § 9737. Revise cross-reference to APA.

Bureau of Electronic and Appliance Repair

Bus. & Prof. Code § 9848. Revise cross-reference to APA.

Bureau of Automotive Repair

Bus. & Prof. Code § 9884.12. Revise cross-reference to APA.

Bus. & Prof. Code § 9889.1. Revise cross-reference to APA.

Bus. & Prof. Code § 9889.47. Revise cross-reference to APA.

Department of Consumer Affairs (part 3)

Bus. & Prof. Code § 9891.29. Revise cross-reference to APA.

Real Estate Commissioner

Bus. & Prof. Code § 10086. Revise cross-reference to APA.

Bus. & Prof. Code § 10100. Revise cross-reference to APA.

Bus. & Prof. Code § 10101. Revise cross-reference to Gov't Code § 11503.

Bus. & Prof. Code § 10148. Revise cross-reference to APA.

Bus. & Prof. Code § 10167.4. Revise cross-reference to APA.

Bus. & Prof. Code § 10167.12. Revise cross-reference to APA.

Bus. & Prof. Code § 10175.2. Revise cross-reference to Gov't Code § 11518.

Bus. & Prof. Code § 10177. Revise cross-reference to APA.

Bus. & Prof. Code § 10177.1. Revise cross-reference to APA.

Bus. & Prof. Code § 10222. Add code reference to APA.

Department of Food & Agriculture

Bus. & Prof. Code § 12314. Revise cross-reference to APA.

Bus. & Prof. Code § 12500.6. Revise cross-reference to APA.

Bus. & Prof. Code § 12537. Revise cross-reference to APA.

Bus. & Prof. Code § 12708. Revise cross-reference to APA.

Department of Corporations (part 1)

Bus. & Prof. Code § 17772. Revise cross-reference to APA.

Bureau of Home Furnishings and Thermal Insulation

Bus. & Prof. Code § 19209. Revise cross-reference to APA.

Bus. & Prof. Code § 19215.6. Revise cross-references.

California Horse Racing Board

Bus. & Prof. Code § 19461. Revise cross-reference to APA.

Bus. & Prof. Code § 19462. Conform to proposed Gov't Code § 649.120?

Attorney General

Bus. & Prof. Code § 19813. Revise cross-reference to APA.

Public Prosecutor

Bus. & Prof. Code § 22358. Revise cross-reference to APA.

Bus. & Prof. Code § 22460.5. Revise cross-reference to APA.

Alcoholic Beverage Control

Bus. & Prof. Code § 24013. Revise cross-reference to APA.

Bus. & Prof. Code § 24016. Revise cross-reference to APA.

Bus. & Prof. Code § 24042. Revise cross-reference to APA.

Bus. & Prof. Code § 24210. Revise cross-reference to APA.

Bus. & Prof. Code § 24300. Revise cross-reference to APA.

Bus. & Prof. Code § 25750. Revise cross-reference to APA.

General Law (part 1)

Code Civ. Proc. § 1094.5. Revise cross-reference to APA.

Department of Corporations (part 2)

Corp. Code § 25100. Revise cross-reference to APA.

Corp. Code § 25143. Revise cross-reference to APA.

Corp. Code § 25211. Revise cross-reference to APA.

Corp. Code § 25215. Revise cross-reference to APA.

Corp. Code § 25220. Revise cross-reference to APA.

Corp. Code § 25233. Revise cross-reference to APA.

Corp. Code § 25302. Revise cross-reference to APA.

Corp. Code § 25532. Revise cross-reference to APA.

Corp. Code § 25534. Revise cross-reference to APA.

Corp. Code § 25702. Revise cross-reference to APA.

Corp. Code § 27108. Revise cross-reference to APA.

Corp. Code § 29542. Revise cross--reference to APA.

Corp. Code § 31117. Revise cross-reference to APA.

Corp. Code § 31157. Revise cross-reference to APA.

Corp. Code § 31211. Revise cross-reference to APA.

Corp. Code § 31402. Revise cross-reference to APA.

Corp. Code § 31403. Revise cross-reference to APA.

Corp. Code § 31513. Revise cross-reference to APA. Other revisions may be needed.

State Board of Education, Cal. Community College, & Cal. State Univ.

Educ. Code § 232. Revise cross-reference to APA.

State Department of Education

Educ. Code § 8403. Revise cross-reference to APA.

Educ. Code § 8404. Revise.

Educ. Code § 8445. Revise cross-reference to APA.

Educ. Code § 8448. Revise cross-reference to APA.

Teachers' Retirement Board

Educ. Code § 22217. Revise cross-reference to APA.

Commission on Teacher Credentialing

Educ. Code § 44242.5. Revise cross-reference to APA.

Educ. Code § 44246. Revise cross-reference to APA; add "except as provided in Section 44245".

Commission on Professional Competence

Educ. Code § 44944. Revise cross-reference to APA.

Educ. Code § 44945. Revise cross-reference to APA.

Educ. Code § 44948.5. Revise cross-reference to APA.

Educ. Code § 44949. Revise cross-reference to APA.

Student Aid Commission

Educ. Code § 69511. Exemption request under review.

State Commission on Federal Scholarships

Educ. Code § 69742. Add code reference to APA.

Board of Governors of California Community Colleges

Educ. Code § 87342 (hearings governed by rule). Amend to make subject to APA.

Educ. Code § 87675. Revise cross-reference to APA.

Educ. Code § 87679. Revise cross-reference to APA.

Educ. Code § 87682. Revise cross-reference to APA.

Educ. Code § 87740. Revise cross-reference to APA.

Trustees of California State University (part 2)

Educ. Code § 89042. Revise cross-reference to APA.

Educ. Code § 89539. Amend to make subject to APA. Maybe not substantive change. See Gov't Code § 19578.

State Department of Education

Educ. Code § 94330. Revise cross-reference to APA.

Educ. Code § 94333. Revise cross-reference to APA.

Educ. Code § 94342. Revise cross-reference to APA.

General Law (part 2)

Evid. Code § 669.1. Reference to rule-making APA.

Fin. Code § 12306. Revise cross-reference to APA.
Fin. Code § 12402. Revise cross-reference to APA.

Department of Corporations (part 3)

Fin. Code § 14204. Revise cross-reference to APA.
Fin. Code § 14206. Revise cross-reference to APA.
Fin. Code § 17405.1. Revise cross-reference to APA.
Fin. Code § 17415. Revise cross-reference to APA.
Fin. Code § 17604. Revise cross-reference to APA.
Fin. Code § 17613. Revise cross-reference to APA.
Fin. Code § 18360. Revise cross-reference to APA.
Fin. Code § 22210. Revise cross-reference to APA.
Fin. Code § 22211. Revise cross-reference to APA.
Fin. Code § 22608. Revise cross-reference to APA.
Fin. Code § 22617. Revise cross-reference to APA.
Fin. Code § 24210. Revise cross-reference to APA.
Fin. Code § 24211. Revise cross-reference to APA.
Fin. Code § 24608. Revise cross-reference to APA.
Fin. Code § 24617. Revise cross-reference to APA.
Fin. Code § 26210. Revise cross-reference to APA.
Fin. Code § 26211. Revise cross-reference to APA.
Fin. Code § 26608. Revise cross-reference to APA.
Fin. Code § 26617. Revise cross-reference to APA.
Fin. Code § 30703. Revise cross-reference to APA.

Fish & Game Commission and Department

Fish & Game Code § 3218. Revise cross-reference to APA.
Fish & Game Code § 3246. Revise cross-reference to APA.
Fish & Game Code § 3291. Revise cross-reference to APA.
Fish & Game Code § 7706. Revise cross-reference to APA.
Fish & Game Code § 7855. Revise cross-reference to APA.

Department of Food & Agriculture (part 1)

Food & Agric. Code § 6762. Revise cross-reference to APA.
Food & Agric. Code § 9261. Revise cross-reference to APA.
Food & Agric. Code § 10988. Revise cross-reference to APA.
Food & Agric. Code § 11512. Revise cross-reference to APA.
Food & Agric. Code § 11708. Revise cross-reference to APA.
Food & Agric. Code § 12113. Revise cross-reference to APA.
Food & Agric. Code § 12257. Revise cross-reference to APA.
Food & Agric. Code § 12826. Revise cross-reference to APA.
Food & Agric. Code § 12827. Revise cross-reference to APA.
Food & Agric. Code § 13127. Revise cross-reference to APA.
Food & Agric. Code § 13131. Revise cross-reference to APA.
Food & Agric. Code § 14601. Revise cross-reference to APA.

Food & Agric. Code § 18931. Revise cross-reference to APA.
Food & Agric. Code § 19224. Revise cross-reference to APA.
Food & Agric. Code § 21051.3. Revise cross-reference to APA.
Food & Agric. Code § 21740. Revise cross-reference to APA.
Food & Agric. Code § 24751. Revise cross-reference to APA.
Food & Agric. Code § 25062. Revise cross-reference to APA.
Food & Agric. Code § 29157. Revise cross-reference to APA.
Food & Agric. Code § 32813. Revise cross-reference to APA.
Food & Agric. Code § 43065. Revise cross-reference to APA.
Food & Agric. Code § 52515. Revise cross-reference to APA.
Food & Agric. Code § 55846. Repeal. See proposed Gov't Code § 643.110.
Food & Agric. Code § 55847. Repeal. See proposed Gov't Code §§ 649.110-649.160.
Food & Agric. Code § 55850. Repeal. See proposed Gov't Code §§ 641.310-641.380 (emergency decision).
Food & Agric. Code § 56446. Repeal. See proposed Gov't Code § 643.110.
Food & Agric. Code § 56447. Repeal. See proposed Gov't Code §§ 649.110-649.160.
Food & Agric. Code §§ 56471-56503. Conforming revision.
Food & Agric. Code § 56543. Conforming revision.

Department of Industrial Relations

Food & Agric. Code § 57041. Revise cross-reference to APA.
Food & Agric. Code § 57192. Revise cross-reference to APA.

Department of Food & Agriculture (part 2)

Food & Agric. Code § 61416.1. Revise cross-reference to APA.
Food & Agric. Code § 61418. Revise cross-reference to APA.
Food & Agric. Code § 61419. Revise cross-reference to APA.
Food & Agric. Code § 62148. Revise cross-reference to APA.
Food & Agric. Code § 62151. Revise cross-reference to APA.
Food & Agric. Code § 62155. Revise cross-reference to APA.

Office of the Secretary of State

Gov't Code § 8214.3. Revise cross-reference to APA.
Gov't Code § 8214.4. Revise cross-reference to APA.

General Law

Gov't Code § 11018. Revise cross-reference to APA.
Gov't Code § 11126. Revise cross-reference to APA.
Gov't Code § 11136. Revise cross-reference to APA.
Gov't Code § 11370. Revise cross-reference to APA.
Gov't Code § 11370.3. Revise cross-reference to APA.
Gov't Code § 11373. Revise cross-reference to Gov't Code § 11517.

State Controller (part 1)

Gov't Code § 12477. Add code reference to APA.

Department of Economic Opportunity

Gov't Code § 12735. Add code reference to APA.

Gov't Code § 12781. Add code reference to APA.

State Fair Employment and Housing Commission

Gov't Code § 12972. Revise cross-reference to APA.

Gov't Code § 12987. Add code reference to APA.

State Controller (part 2)

Gov't Code § 16487. Add code reference to APA.

California State Personnel Board

Gov't Code § 19582. Conforming revision (hearing & decision).

Gov't Code § 19583. Conforming revision (decision).

Board of Administration, Public Employees Retirement System

Gov't Code § 20133. Revise cross-reference to APA.

Gov't Code § 22775. Add code reference to APA.

Gov't Code § 22776. Revise cross-reference to APA. Delete "insofar as practicable".

Fair Political Practices Commission

Gov't Code § 83116. Revise cross-reference to APA.

Gov't Code § 87400. Revise cross-reference to APA.

Gov't Code § 87404. Revise cross-reference to APA.

Department & Commission of Boating and Waterways

Harb. & Nav. Code § 737. Revise cross-reference to APA.

Harb. & Nav. Code § 766. Revise cross-reference to APA.

Harb. & Nav. Code § 768. Revise cross-reference to APA.

Board of Pilot Commissioners

Harb. & Nav. Code § 1155. Revise cross-reference to APA.

Harb. & Nav. Code § 1180. Revise cross-reference to APA.

Harb. & Nav. Code § 1182. Revise cross-reference to APA.

State Department of Health Services (part 1)

Health & Safety Code § 436.57. Revise cross-reference to APA.

Office of Statewide Health Planning & Development

Health & Safety Code § 438.5. Revise cross-reference to APA.

Health & Safety Code § 438.51. Revise cross-reference to APA.

Health & Safety Code § 438.8. Revise cross-reference to APA.
Health & Safety Code § 443.37. Revise cross-reference to APA.

State Department of Health Services (part 2)

Health & Safety Code § 530. Revise cross-reference to APA.
Health & Safety Code § 1016. Revise cross-reference to APA.
Health & Safety Code § 1027. Revise cross-reference to APA.
Health & Safety Code § 1219. Revise cross-reference to APA.
Health & Safety Code § 1220. Revise cross-reference to APA.
Health & Safety Code § 1241. Revise cross-reference to APA.

Department of Consumer Affairs

Health & Safety Code § 1249.53. Revise cross-reference to APA.

Director of Statewide Health Planning & Development

Health & Safety Code § 1260. Revise cross-reference to APA.

State Department of Health Services (part 3)

Health & Safety Code § 1269. Revise cross-reference to APA.
Health & Safety Code § 1295. Revise cross-reference to APA.
Health & Safety Code § 1317.4. Revise cross-reference to APA.
Health & Safety Code § 1337.8. Revise cross-reference to APA.
Health & Safety Code § 1339.7. Revise cross-reference to APA.

Department of Corporations (part 4)

Health & Safety Code § 1397. Revise cross-reference to APA.
Health & Safety Code § 1408. Revise cross-reference to APA.

State Department of Health Services (part 4)

Health & Safety Code § 1437. Revise cross-reference to APA.
Health & Safety Code § 1526. Revise cross-reference to APA.
Health & Safety Code § 1551. Revise cross-reference to APA.
Health & Safety Code § 1551.5. Change reference to Gov't Code § 11510 to Gov't Code § 645.440.
Health & Safety Code § 1569.22. Revise cross-reference to APA.
Health & Safety Code § 1569.51. Revise cross-reference to APA.
Health & Safety Code § 1575.3. Revise cross-reference to APA.
Health & Safety Code § 1576.5. Revise cross-reference to APA.
Health & Safety Code § 1590.5. Revise cross-reference to APA.
Health & Safety Code § 1596.879. Revise cross-reference to APA.
Health & Safety Code § 1596.887. Revise cross-reference to APA.

Department of Justice (part 1)

Health & Safety Code § 1597.83. Revise cross-reference to APA.

State Department of Health Services (part 5)

Health & Safety Code § 1615. Revise cross-reference to APA.
Health & Safety Code § 1618. Revise cross-reference to APA.
Health & Safety Code § 1668. Revise cross-reference to APA.
Health & Safety Code § 1720. Revise cross-reference to APA.
Health & Safety Code § 1728.2. Revise cross-reference to APA.
Health & Safety Code § 1736. Revise cross-reference to APA.
Health & Safety Code § 1737. Revise cross-reference to Gov't Code § 11522.
Health & Safety Code § 1784. Revise cross-reference to APA.

California State Board of Pharmacy (part 2)

Health & Safety Code § 11129. Revise cross-reference to APA.

Alcohol & Drug Programs, Health & Welfare Agency

Health & Safety Code § 11834.36. Revise cross-reference to APA.
Health & Safety Code § 11838.4. Revise cross-reference to APA.
Health & Safety Code § 11838.11. Revise cross-reference to APA.
Health & Safety Code § 11877.10. Revise cross-reference to APA.
Health & Safety Code § 11891. Revise cross-reference to APA.

State Fire Marshall (part 1)

Health & Safety Code § 12588. Revise cross-reference to APA.
Health & Safety Code § 12593. Revise cross-reference to APA.
Health & Safety Code § 13123. Revise cross-reference to APA.
Health & Safety Code § 13143.8. Revise cross-reference to APA.
Health & Safety Code § 13187. Revise cross-reference to APA.
Health & Safety Code § 13188. Revise cross-reference to APA.
Health & Safety Code § 13188.3. Revise cross-reference to APA.

Department of Housing and Community Development (part 2)

Health & Safety Code § 18005. Revise cross-reference to APA.
Health & Safety Code § 18024.5. Revise cross-reference to APA.

State Fire Marshall (part 2)

Health & Safety Code § 18949.6. Revise cross-reference to APA.

Department of Health Services

Health & Safety Code § 25079. Revise cross-reference to APA.
Health & Safety Code § 25099.2. Revise cross-reference to APA.

Department of Toxic Substances Control (part 1)

Health & Safety Code § 25149. Revise cross-reference to APA.
Health & Safety Code § 25186.1. Revise cross-reference to APA.
Health & Safety Code § 25187. Revise cross-reference to Gov't Code § 11523.
Health & Safety Code § 25226. Revise cross-reference to APA.

Department of Toxic Substances Control (part 2)

Health & Safety Code § 25375.5. Revise cross-reference to Gov't Code § 11513.

State Department of Health Services (part 7)

Health & Safety Code § 25629. Revise cross-reference to APA.

Health & Safety Code § 25690. Revise cross-reference to APA.

State Department of Health Services (part 8)

Health & Safety Code § 25845. Revise cross-reference to APA.

Health & Safety Code § 25847. Revise cross-reference to APA.

Health & Safety Code § 26582. Revise cross-reference to APA.

Health & Safety Code § 26691. Revise cross-reference to APA.

Health & Safety Code § 28317. Revise cross-reference to APA.

Health & Safety Code § 28418. Revise cross-reference to APA. Add "denial" of a license.

Health & Safety Code § 28479. Revise cross-reference to APA.

Health & Safety Code § 28721. Revise cross-reference to APA.

Local hospital districts

Health & Safety Code § 32154. Revise cross-reference to Gov't Code § 11510.

Business, Transportation & Housing Agency

Health & Safety Code § 35823. Revise cross-reference to APA.

Air Resources Board

Health & Safety Code § 40807. Revise cross-reference to APA.

Health & Safety Code § 40843. Revise cross-reference to Gov't Code § 11525 to

Health & Safety Code § 43105. Conforming revision. (Procedures for determining compliance established by board.)

Health & Safety Code § 43641. Revise cross-reference to APA.

Health & Safety Code § 44031.5. Revise cross-reference to APA.

Health & Safety Code § 44053. Revise cross-reference to APA.

Department of Insurance

Ins. Code § 676.2. Revise cross-reference to APA.

Ins. Code § 700. Revise cross-reference to APA.

Ins. Code § 704. Revise cross-reference to APA.

Ins. Code § 777.2. Revise cross-reference to APA.

Ins. Code § 779.23. Revise cross-reference to APA.

Ins. Code § 790.035. Revise cross-reference to APA.

Ins. Code § 790.05. Revise cross-reference to APA.

Ins. Code § 790.06. Revise cross-reference to APA.

Ins. Code § 790.07. Add code reference to APA.

Ins. Code § 851. Revise cross-reference to APA.

Ins. Code § 1153.5. Revise cross-reference to APA.

Ins. Code § 1667. Revise cross-reference to APA.

Ins. Code § 1692.1. Revise cross-reference to APA.
Ins. Code § 1738. Revise cross-reference to APA.
Ins. Code § 1742. Revise cross-reference to APA.
Ins. Code § 1746. Revise cross-reference to APA.
Ins. Code § 1759.3. Revise cross-reference to APA.
Ins. Code § 1807.5. Revise cross-reference to APA.
Ins. Code § 1821. Revise cross-reference to APA.
Ins. Code § 1838. Revise cross-reference to APA.
Ins. Code § 1858.07. Revise cross-reference to APA.
Ins. Code § 1858.5. Revise cross-reference to APA.
Ins. Code § 1861.08. Revise cross-reference to APA.
Ins. Code § 9080.1. Revise cross-reference to APA.
Ins. Code § 10234.5. Revise cross-reference to APA.
Ins. Code § 10291.5. Revise cross-reference to APA.
Ins. Code § 11520.5. Revise cross-reference to APA.
Ins. Code § 11754.1. Amend to change "accusation" to "notice of commencement"
and to change Gov't Code § 11503 to Gov't Code § 642.320.
Ins. Code § 11754.4. Revise cross-reference to APA.
Ins. Code § 12414.18. Revise cross-reference to APA.
Ins. Code § 12640.15. Revise cross-reference to APA.

California Major Risk Medical Insurance Board

Ins. Code § 12698.20. Revise cross-reference to APA.
Ins. Code § 12732. Revise cross-reference to APA.

Insurance Commissioner

Ins. Code § 12924. Revise cross-reference to APA.
Ins. Code § 12975.5. Revise cross-reference to APA.
Ins. Code § 14060. Revise cross-reference to APA.
Ins. Code § 15038. Revise cross-reference to APA.

Division of Labor Standards Enforcement

Lab. Code § 1513. Revise cross-reference to APA.
Lab. Code § 1514. Revise cross-reference to Gov't Code § 11522 (reinstatement of
license).
Lab. Code § 1528. Revise cross-reference to APA.
Lab. Code § 1686. Revise cross-reference to APA.
Lab. Code § 1692. Revise cross-reference to APA.
Lab. Code § 1700.8. Revise cross-reference to APA.
Lab. Code § 1700.22. Revise cross-reference to APA.

Department of Industrial Relations / California Apprenticeship Council

Lab. Code § 3081. Conforming revision (hearings under rules prescribed by
California Apprenticeship Council).
Lab. Code § 3083. Conforming revision (conclusiveness of decision).

Division of Labor Statistics & Research

Lab. Code § 6603. Make conforming revisions.

Department of Justice (part 3)

Pen. Code § 11126. Revise cross-reference to APA.

California State Board of Forestry (part 1)

Pub. Res. Code § 776. Revise cross-reference to APA.

Division of Oil & Gas

Pub. Res. Code § 3236.5. Revise cross-reference to APA.

California State Board of Forestry (part 2)

Pub. Res. Code § 4423.1. Revise cross-reference to APA (negates application of APA to proclamations).

Pub. Res. Code § 4576. Revise cross-reference to APA.

Pub. Res. Code § 4602.5. Conforming revision.

Pub. Res. Code § 4624.5. Revise cross-reference to APA.

California Transportation Commission

Pub. Util. Code § 21216. Revise cross-reference to APA.

Department of Transportation

Pub. Util. Code § 21657. Revise cross-reference to APA.

Pub. Util. Code § 21660. Revise cross-reference to APA.

Pub. Util. Code § 21669.6. Revise cross-reference to APA.

Pub. Util. Code § 24251. Revise cross-reference to APA.

State Board of Equalization (part 1)

Rev. & Tax. Code § 670. Revise cross-reference to APA.

Rev. & Tax. Code § 671. Revise cross-reference to APA.

Rev. & Tax. Code § 1636. Conforming revision.

California Unemployment Insurance Appeals Board

Unemp. Ins. Code § 1954. Revise reference to Gov't Code §§ 11180-11191.

Department of California Highway Patrol (part 1)

Veh. Code § 2417. Revise cross-reference to APA.

Veh. Code § 2540. Revise cross-reference to APA.

Veh. Code § 2573. Revise cross-reference to APA.

Department of Motor Vehicles (part 2)

Veh. Code § 3067. Revise cross-reference to APA.

Veh. Code § 5105. Revise cross-reference to APA.

Veh. Code § 11107. Revise cross-reference to APA.

Veh. Code § 11111. Revise cross-reference to APA.

Veh. Code § 11111.2. Revise cross-reference to APA.
Veh. Code § 11112. Revise cross-reference to APA.
Veh. Code § 11211. Revise cross-reference to APA.
Veh. Code § 11217. Revise cross-reference to APA.
Veh. Code § 11217.5. Revise cross-reference to APA.
Veh. Code § 11302. Revise cross-reference to APA.
Veh. Code § 11302.2. Revise cross-reference to APA.
Veh. Code § 11509. Revise cross-reference to APA.
Veh. Code § 11510. Revise cross-reference to APA.
Veh. Code § 11512. Revise cross-reference to APA.
Veh. Code § 11513. Revise cross-reference to APA.
Veh. Code § 11605. Revise cross-reference to APA.
Veh. Code § 11610. Revise cross-reference to APA.
Veh. Code § 11613. Revise cross-reference to APA.
Veh. Code § 11618. Revise cross-reference to APA.
Veh. Code § 11705. Revise cross-reference to APA.
Veh. Code § 11705.4. Revise cross-reference to APA.
Veh. Code § 11706. Revise cross-reference to APA.
Veh. Code § 11708. Revise cross-reference to APA.
Veh. Code § 11712. Revise cross-reference to APA.
Veh. Code § 11808. Revise cross-reference to APA.
Veh. Code § 11812. Revise cross-reference to APA.
Veh. Code § 11903. Revise cross-reference to APA.
Veh. Code § 14112. Revise cross-reference to APA.

Department of California Highway Patrol (part 2)

Veh. Code § 31307. Revise cross-reference to APA.
Veh. Code § 34061. Revise cross-reference to APA.

Traffic Adjudication Board

Veh. Code § 40705. Revise cross-reference to APA.

State Department of Health Services / Social Services

Welf. & Inst. Code § 10955. Delete first three sentences.
Welf. & Inst. Code § 10958. Conforming revision.
Welf. & Inst. Code § 109581. Conforming revision.
Welf. & Inst. Code § 10959. Conforming revision.
Welf. & Inst. Code § 10960. Conforming revision.
Welf. & Inst. Code § 10961. Conforming revision.
Welf. & Inst. Code § 10962. Conforming revision.
Welf. & Inst. Code § 11350.6. Revise reference to APA.
Welf. & Inst. Code § 14123. Revise cross-reference to APA.
Welf. & Inst. Code § 14171. Revise cross-reference to APA.
Welf. & Inst. Code § 14304. Revise cross-reference to APA.
Welf. & Inst. Code § 14454. Revise cross-reference to APA.