

Date of Hearing: March 27, 2012

ASSEMBLY COMMITTEE ON HIGHER EDUCATION
Marty Block, Chair
AB 2126 (Block) – As Introduced: February 23, 2012

SUBJECT: California State University: regulations.

SUMMARY: Deletes the sunset date for provisions governing the adoption, amendment, or repeal of regulations by the California State University (CSU) Trustees.

EXISTING LAW establishes procedures for the adoption, amendment or repeal of regulations by the CSU Trustees, rather than the process set forth in the Administrative Procedures Act, until January 1, 2013.

FISCAL EFFECT: Unknown

COMMENTS: Prior to the enactment of AB 3132 (Firestone), Chapter 938, Statutes of 1996, CSU was required to follow the Administrative Procedures Act (APA) when promulgating rules and regulations, which required review of all proposed regulations to be completed by the Office of Administrative Law (OAL). With the enactment of AB 3132 the CSU Trustees were authorized to streamline many operations, including to promulgate regulations, without having to utilize the procedures outlined in the APA. Under the authority provided in AB 3132, the CSU Office of General Counsel (OGC) is charged with performing a review similar to that previously performed by OAL. This authority was granted for an initial period of five years and has since been extended by several statutes. Current law, enacted by AB 262 (Coto), Chapter 679, Statutes of 2007, extends this authority until January 1, 2013. This bill would remove the sunset date.

This bill would remove the sunset provision, and would allow CSU Trustees to continue the process of adopting regulations through the CSU OGC indefinitely. The author notes that CSU has received no complaints about the current process despite enacting, repealing or modifying 68 groups of regulations.

REGISTERED SUPPORT / OPPOSITION:

Support

California State University Office of the Chancellor (Sponsor)

Opposition

None on File

Analysis Prepared by: Laura Metune / HIGHER ED. / (916) 319-3960