

Date of Hearing: April 25, 2017

ASSEMBLY COMMITTEE ON HIGHER EDUCATION
Jose Medina, Chair
AB 819 (Medina) – As Amended April 17, 2017

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 and modifies the provisions to require CSU to post any proposed regulation on its website at least 45 prior consideration for adoption.

EXISTING LAW: Until January 1, 2018, establishes procedures for the adoption, amendment or repeal of regulations by the CSU Trustees, rather than the process administered by the Office of Administrative Law (OAL) pursuant to the Administrative Procedures Act (APA).

FISCAL EFFECT: According to an Assembly Appropriations Committee analysis of prior legislation proposing to repeal the sunset (later amended to extend the sunset), CSU would realize ongoing administrative cost savings with continued use of the existing process for adopting regulations, which does not require outside review by the OAL.

COMMENTS: Prior to the enactment of AB 3132 (Firestone), Chapter 938/Statutes of 1996, CSU, when promulgating rules and regulations, was required to follow the APA, which required review of all proposed regulations by the OAL, as is done for all other state agencies. Under AB 3132, the CSU Office of General Counsel (OGC) is instead 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 four times, most recently by AB 2126 (Block, 2012), which extended this authority until January 1, 2018. This bill removes the sunset date.

CSU has received no complaints about the current adoption process over the 20 years since the original statute provided this authority. CSU indicates that regulations adopted by the Trustees are typically academic in nature or to ensure compliance with state law. Since 2012, 14 regulations have been adopted.

REGISTERED SUPPORT / OPPOSITION:

Support

California State University Office of the Chancellor (sponsor)

Opposition

None on file.

Analysis Prepared by: Chuck Nicol / HIGHER ED. / (916) 319-3960