

TITLE 16. COURT REPORTERS BOARD OF CALIFORNIA NOTICE OF PROPOSED CHANGES IN THE REGULATIONS

NOTICE IS HEREBY GIVEN that the Court Reporters Board of California (Board) is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held in the 3rd Floor Conference Room at 2535 Capitol Oaks Drive, Sacramento, California 95833, at 1:00 p.m. on June 3, 2008. Written comments must be received by the Board at its office (for the Board's address, see Contact Person section on page 3) not later than June 3, 2008 at 5:00 p.m. or at the hearing. The Board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposal substantially as described below or may modify such proposal if such modification is sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in the Notice as the contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference Citations

Pursuant to the authority vested by Sections 8007 and 8008 of the Business and Professions (B&P) Code, and to implement, interpret, or make specific Sections 163.5 and 8031 of said Code, the Court Reporters Board of California is considering changes to Division 24 of Title 16 of the California Code of Regulations as follows:

Informative Digest/Plain English Policy Statement Overview

Adopt Section 2450 – Fee Schedule.

Section 163.5 of the B&P Code sets the renewal delinquency fee at 50% of the renewal fee. Section 8007 authorizes the Board to adopt, amend, or repeal rules and regulations which are reasonably necessary to carry out the provisions of the chapter. Section 8008 authorizes the Board to charge and collect fees. Section 8031 establishes the statutory limits for the fees that the Board may charge and collect.

The existing regulation sets forth the fees that may be charged and collected by the Board for an examination and as a penalty for failure to notify the Board of a name or address change.

This proposal would amend the regulation in order to:

- Delete subsection (a), which sets the fee for an examination at \$75 for each separate part for each administration.
- Add a new subsection (a) to set the fee for filing an application for examination at \$40 for each administration.
- Add a new subsection (b) to set the fee for an initial certificate at \$100 and the fee for an initial certificate that is issued less than 180 days before it will expire at \$50.
- Add a new subsection (c) to set the fee for an annual renewal of a certificate at \$100.

- Add a new subsection (d) to set the delinquency fee for the renewal of a certificate at \$50.
- Add a new subsection (e) to set the fee for a duplicate certificate at \$5.
- Renumber existing subsection (b) to new subsection (f) and amend the text to revise the penalty fee for failure to notify the Board of a change of name or address from \$50 to \$20.

Adopt Section 2451 – Due Dates of Fees.

Section 8007 of the B&P Code authorizes the Board to adopt, amend, or repeal rules and regulations which are reasonably necessary to carry out the provisions of the chapter. Section 8008 authorizes the Board to charge and collect fees. Section 8031 establishes the statutory limits for the fees that the Board may charge and collect.

The existing regulation sets forth the due dates of fees that must be paid to the Board, specifically the application fee and the original certificate fee.

This proposal would amend the regulations in order to:

- Revise subsection (b) by changing the term “original certificate” to “initial certificate” to be consistent with the terminology used in Section 2450 and elsewhere.
- Add a new subsection (c) to establish the due date of a delinquency fee for the renewal of a certificate if the certificate is not renewed within thirty (30) days after the date on which it expired.

Local Mandate

The proposed regulatory action does not impose a mandate on local agencies or school districts.

Fiscal Impact on Public Agencies/STD 399

The proposed regulatory action will not result in costs or savings to any state agency, costs or savings to any local agency or school district that is required to be reimbursed under Part 7 of Division 4 (commencing with Section 17500 of the Government Code), other nondiscretionary costs or savings on local agencies, or costs or savings in federal funding to the state.

Cost Impact on Affected Private Persons

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. The proposed regulatory action does not represent a fee increase; the proposed fees are the same amounts that are currently charged by the Board.

Housing Costs

The proposed regulatory action will not have a significant effect on housing costs.

Effect on Small Business

The proposed regulatory action will not affect small businesses, because it only affects individuals who are certified or applying for certification as court reporters. In addition, the proposed fees are the same amounts that are currently charged by the Board.

Contact Person

Inquiries or comments concerning the proposed administrative action may be addressed to:

Court Reporters Board of California
2535 Capitol Oaks Drive, Suite 230
Sacramento, CA 95833
Attn: Julia Miranda-Bursell
(916) 263-3660
(916) 263-3664 (FAX)
Julia_Miranda-Bursell@dca.ca.gov

The backup contact person is:

David Brown
(916) 263-3660
(916) 263-3664 (FAX)
David_Brown@dca.ca.gov

Inquiries concerning the substance of the proposed regulations may be directed to Julia Miranda-Bursell at (916) 263-3660.

Comment Period

Written comments must be received by the Board at the Court Reporters Board of California, 2535 Capitol Oaks Drive, Suite 230, Sacramento, CA 95833 not later than June 3, 2008 at 5:00 p.m. or at the hearing to be held in the 3rd Floor Conference Room at 2535 Capitol Oaks Drive, Sacramento, CA 95833 at 1:00 p.m. on June 3, 2008.

Availability of Modifications

With the exception of technical or grammatical changes, the full text of any modified proposal will be available from the person designated in this notice as the contact person for 15 days prior to its adoption and will be mailed to those persons who submit written or oral testimony related to this proposed regulatory action or who have requested notification of any changes to the proposal.

Reference to Text and Initial Statement of Reasons

The Board has prepared a statement of the reasons for the proposed action, which is available to the public upon request. The express terms of the proposed action and all information upon which the proposal is based are available upon request.

Business Impact

The Board is not aware of any significant statewide adverse economic impact that the proposed regulatory action will have directly affecting business, including the ability of California businesses to compete with businesses in other states, because it only affects individuals who are certified or applying for certification as court reporters. In addition, the proposed fees are the same amounts that are currently charged by the Board.

Impact on Jobs/New Businesses

The proposed regulatory action will not affect the creation or elimination of jobs within the State of California, the creation of new businesses or the elimination of existing businesses within the State of California, or the expansion of businesses currently doing business within the State of California, because it only affects individuals who are certified or applying for certification as court reporters. In addition, the proposed fees are the same amounts that are currently charged by the Board.

Public Hearing

A public hearing will be held in the 3rd Floor Conference Room at 2535 Capitol Oaks Drive, Sacramento, CA 95833 at 1:00 p.m. on June 3, 2008.

Federal Mandate

The proposed regulatory action is not mandated by federal law or is not identical to any previously adopted or amended federal regulation.

Consideration of Alternatives

The Board must determine that no reasonable alternative which it considered or that has otherwise been identified and brought to its attention would be either more effective in carrying out the purpose for which the action is proposed or would be as effective as and less burdensome on affected private persons than the proposed regulatory action. The actual determination must be part of both the Initial and Final Statement of Reasons.

Availability of the Final Statement of Reasons

Interested parties may obtain a copy of the Final Statement of Reasons once it has been prepared by making a written request to the contact person named above.

Website Access

Materials regarding the proposed regulatory action can be found at www.courtreportersboard.ca.gov.