

**TO: Chair and Members**

**DATE: May 8, 2014**

**SUBJECT: Final Construction Financing Program,  
Title 15 Regulations Revision Public Period  
and Rulemaking File. Requesting Approval.**

**AGENDA ITEM: B**

**ACTION: X  
INFORMATION:**

**RESOURCE PERSON: Ginger Wolfe**  
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**Summary:**

This agenda item is a request for the Board of State and Community Corrections (Board) to approve the submission of the final rulemaking package, including the previously approved emergency regulation revisions, for the Construction Financing Program, Title 15, California Code of Regulations (CCR). The required 45-day public comment period was noticed on February 18, 2014, published by the Office of Administrative Law (OAL) on February 28, 2014, and closed on April 14, 2014 without comment. The aforementioned rulemaking package will be final after completion of a 30-day review period performed by OAL.

**Background:**

The Board is authorized to develop regulations for local adult facilities construction conducted through the Adult Local Criminal Justice Facilities Construction Financing Program (Senate Bill 1022), pursuant to Government Code Section 15820.925.

In July 2013 the Board of State and Community Corrections (BSCC) released to the field the Senate Bill 1022 (SB 1022), Adult Local Criminal Justice Facilities Construction Financing Program, Request for Proposals (RFP). BSCC staff, working with other state stakeholders, revised the Title 15, Local Jail Construction Financing Program regulations. On January 7, 2014 a special session was held by the BSCC Board where the submission and publication of Title 15 emergency regulations were approved.

To make the emergency regulations permanent, Board staff filed a Notice of Proposed Regulatory Action with OAL on February 18, 2014. The public review and comment period closed on April 14, 2014 without comment. There have been no changes to the proposed text originally submitted to the Board on January 7, 2014.

This agenda item seeks approval of the proposed text and permission to submit a Certificate of Compliance rulemaking package with the OAL to make permanent the previously approved emergency regulations.

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**Recommendation/Action Needed:**

Staff recommends:

1. The Board approve the final proposed text for the Construction Financing Program, Title 15 Regulations.
2. The Board direct staff to proceed with the Certificate of Compliance rulemaking activities pursuant to the APA.

**Attachment Included:**

Title 15, Division 1, Chapter1, Subchapter 6 Board of State and Community Corrections Construction Financing Program Regulations.