

DEPARTMENT OF CONSUMER AFFAIRS  
**TITLE 16. PROFESSIONAL AND VOCATIONAL REGULATIONS**  
**DIVISION 2. California Architects Board**

NOTICE OF PROPOSED REGULATORY ACTION CONCERNING:  
**Fees**

**NOTICE IS HEREBY GIVEN** that the California Architects Board (Board) is proposing to take the action described in the Informative Digest below, after considering all comments, objections, and recommendations regarding the proposed action.

**PUBLIC HEARING**

The Board has not scheduled a public hearing on this proposed action. However, the Board will hold a hearing if it receives a written request for a public hearing from any interested person, or their authorized representative, no later than 15 days prior to the close of the written comment period. A hearing may be requested by making such request in writing addressed to the individuals listed under “Contact Person” in this Notice.

**WRITTEN COMMENT PERIOD**

Written comments relevant to the action proposed, including those sent by mail, facsimile, or e-mail to the addresses listed under “Contact Person” in this Notice, must be **received by the Board at its office no later than Tuesday, November 8, 2022, by 5:00 p.m.**, or must be received by the Board at the hearing, should one be scheduled.

**AUTHORITY AND REFERENCE**

Pursuant to the authority vested by section(s) 5510.15 and 5526 of the Business and Professions Code (BPC), and to implement, interpret, or make specific BPC section 5604, the Board is considering amending section 144 of title 16 of the California Code of Regulations (CCR)<sup>1</sup>.

**INFORMATIVE DIGEST / POLICY STATEMENT OVERVIEW**

This regulatory proposal will amend CCR section 144. The amendments to regulations through this proposed rulemaking are as follows:

CCR 144 (d) will increase the fee for an original license from \$300 to \$400 and will increase the fee for an original license that is issued less than one year before the date on which it will expire from \$150 to \$200.

CCR 144 (e) will increase the biennial renewal fee from \$300 to \$400.

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<sup>1</sup> All CCR references are to title 16 unless otherwise noted.

### **Anticipated Benefits of Proposal**

This regulatory proposal will allow the Board to remain solvent while implementing new requirements in statute and continuing to carry out its consumer protection mandate.

This regulatory proposal will benefit the health and welfare of California residents as it allows the Board to continue to protect consumers through its licensing, enforcement, and educational activities. This regulatory proposal does not affect worker safety or the state's environment.

### **Consistency and Compatibility with Existing State Regulations**

During the process of developing this regulatory proposal, the Board has conducted a search of any similar regulations on these topics and has concluded that these regulations are neither duplicative, inconsistent, nor incompatible with existing state regulations.

## **DISCLOSURES REGARDING THIS PROPOSED ACTION**

### **FISCAL IMPACT ESTIMATES**

#### **Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:**

The Board estimates the proposed fee changes in the regulations will increase revenue by approximately \$1.2 million per year and up to \$12 million over a ten-year period.

Because the Board currently charges the fees in this proposal and/or performs workload associated with these programs and fees, no additional workload and costs are anticipated.

The Board estimates one-time information technology (IT) costs of \$5,000 to update cashiering and accounting software. Any IT costs will be absorbed within existing resources.

The regulations do not result any costs or savings in federal funding to the state.

#### **Nondiscretionary Costs/Savings to Local Agencies: None**

**Local Mandate:** None

#### **Cost to any Local Agency or School District for which Government Code Sections 17500 - 17630 Require Reimbursement: None**

## **RESULTS OF ECONOMIC IMPACT ASSESSMENT / ANALYSIS:**

## **BUSINESS IMPACT ESTIMATES**

The Board has determined that the proposed regulatory action will affect the Board's licensees by increasing application and renewal fees for a license in architecture. However, because a license in architecture is an individual license and not a business license, the Board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

### **Impact on Jobs / Businesses**

The Board has made the initial determination that the proposed regulatory proposal will not create or eliminate jobs for licensees because the regulations change licensing fees. Changes in licensing fees in these amounts will not create nor eliminate jobs for architects in California.

The proposed regulatory proposal will not affect the expansion of businesses currently operating within the State of California because the regulations change license fees. Changes in licensing fees in these amounts will not affect the expansion of businesses and is not sufficient to eliminate existing businesses.

The proposed regulatory proposal will not create new business or eliminate existing businesses within the State of California because the regulations change license fees. Changes in licensing fees in these amounts will not create new businesses and is not sufficient to eliminate existing businesses.

This regulatory proposal will benefit the health and welfare of California residents as it allows the Board to continue to protect consumers through its licensing, enforcement, and educational activities. This regulatory proposal does not affect worker safety or the state's environment.

### **Business Reporting Requirements**

The regulatory action does not require businesses to file a report with the Board.

### **Effect on Small Business**

The Board has made the initial determination that the proposed regulatory action will affect small businesses.

The regulatory proposal will have the following effects:

- It will not affect the expansion of small businesses currently operating within the State of California because the regulations change license fees. Changes in licensing fees in these amounts will not affect the expansion of small businesses and is not sufficient to eliminate existing small businesses.
- It will not create new small business or eliminate existing small businesses within the State of California because the regulations change license fees. Changes in

licensing fees in these amounts will not create new small businesses and is not sufficient to eliminate existing small businesses.

### **Cost Impact on Representative Private Person or Business**

The regulations will increase Board license and license renewal fees as follows:

- Initial License: \$300 to \$400
- Initial License that is issued less than one year before the date on which it will expire from \$150 to \$200
- Renewal License: \$300 to \$400

### **Significant Effect on Housing Costs: None**

### **CONSIDERATION OF ALTERNATIVES**

The Board must determine that no reasonable alternative considered by the Board or that has otherwise been identified and brought to the attention of the Board, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

In addition to the discussion above, set forth below is the alternative which was considered and the reason the alternative was rejected:

The Board considered reducing expenditures by cutting Board costs, with options to:

- Stop sending enforcement cases to the Attorney General's Office, which means potential violations are not addressed and licensees do not face discipline.
- Leave unfilled positions vacant. The Board's Assistant Executive Officer position is currently vacant, and the Board will continue to hold it open through this fiscal year for the salary savings. Leaving any other positions vacant would likely impact either the Enforcement or Licensing Divisions, which could mean an unacceptable increase in the time to handle complaints or process applications.

However, exercising either of these options would prevent the Board from fulfilling its consumer protection mandate, as the Board would no longer be able to perform many of the services mandated by the law. Therefore, this is not a viable option.

The Board also considered fee increases that are less than the amounts contained in this regulatory proposal. Revenue projections with lower fee increase amounts would not provide enough revenue for the Board to be fiscally solvent for very long, and the Board would need to file another rulemaking raising fees within a fairly short period of time.

Any interested person may submit comments to the Board in writing relevant to the above determinations at 2420 Del Paso Rd #105, Sacramento, CA 95834, Sacramento, California 95834.

## **AVAILABILITY OF STATEMENT OF REASONS AND RULEMAKING FILE**

The Board has compiled a record for this regulatory action, which includes the Initial Statement of Reasons (ISOR), the proposed regulatory text, and all the information on which this proposal is based. This material is contained in the rulemaking file and is available for public inspection upon request to the contact persons named in this Notice.

## **TEXT OF PROPOSAL**

Copies of the exact language of the proposed regulations, the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained upon request from the Board at 2420 Del Paso Rd #105, Sacramento, CA 95834, Sacramento, California 95834.

## **AVAILABILITY OF CHANGED OR MODIFIED TEXT**

After considering all timely and relevant comments, the Board, upon its own motion or at the request of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal, with the modifications clearly indicated, will be available for review and written comment for 15 days prior to its adoption from the person designated in this Notice as the contact persons 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.

## **AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE**

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the Final Statement of Reasons once it has been prepared by making a written request to the contact persons named below or by accessing the website listed below.

## **CONTACT PERSONS**

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

Name:	Kim McDaniel
Address:	California Architects Board 2420 Del Paso Road, Suite 105 Sacramento, CA 95834
Telephone No.:	916-471-0768
Fax No.:	916-575-7283

E-Mail Address: Kimberly.mcdaniel@dca.ca.gov

The backup contact person is:

Name: Jane Kreidler  
Address: California Architects Board  
2420 Del Paso Road, Suite 105  
Sacramento, CA 95834  
Telephone No.: 916-471-0772  
Fax No.: 916-575-7283  
E-Mail Address: jane.kreidler@dca.ca.gov

**AVAILABILITY OF DOCUMENTS ON THE INTERNET**

Copies of the Notice of Proposed Actions the Initial Statement of Reasons, and the text of the regulations can be accessed through the Board's website at [https://www.cab.ca.gov/news/laws/proposed\\_regulation.shtml](https://www.cab.ca.gov/news/laws/proposed_regulation.shtml).