

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

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February 19, 2020

Regulatory Action for The Responsible Beverage Service Training Program Act of 2017
OAL Notice File Number
Z-2019-0730-06

Notice of Second Modification to Text of Proposed Regulations

Pursuant to the requirements of Government Code section 11346.8(c), and section 44 of Title 1 of the California Code of Regulations, the Department of Alcoholic Beverage Control is providing notice of changes that have been made to the text of the proposed section of the California Code of Regulations Title 4; 160(b)(7), 160(b)(10), 160(b)(11), 160(b)(13), 160(b)(16), 160(b)(18), 166(l), 166(m), 167(a), 167(a)(1) – (a)(10), 167(a)(12), 167(b)(4), 167(d), 167(g), 167(h), 168, 168(a), 168(a)(1)-(a)(8), 168(a)(12), 168(a)(13), 168(b), 168(b)(1), 168(b)(3), 168(b)(4), 168.1(b)(1)-(b)(9), 168.2, 163(a), 169, 169(a), 169(c), 169(e), 169(g), 171 and 172.

The proposal to add California Code of Regulations Title 4 sections 160-173 was originally noticed to the public on August 9, 2019. The proposed addition was subject to hearing on October 11, 2019. The First Modification to the Proposed Regulation was noticed on October 18, 2019. The Final regulations package was submitted for review by the Office of Administrative Law (OAL) on November 19, 2019.

On January 6, 2020, OAL disapproved the publication of the proposed regulations due to clarity, necessity, and procedural issues. OAL outlined the required modifications to the proposed regulatory package prior to publication in its written statement for reasons of disapproval, dated January 13, 2020. (See attached disapproval decision for details.) Most of the required changes concerned clarity, grammar, and construction. Each of the required changes outlined by OAL in its disapproval notice have been individually addressed by the proposed modifications.

The language of the required curriculum for RBS training courses found in Sections 162-166 had no clarity or necessity problems found by OAL and remains the same as the proposed text released on October 18, 2019.

The necessity of each of these changes is explained in depth in the Second Addendum to the Initial Statement of Reasons published concurrently with this notice.

A copy of the second modified full text of the regulation with the proposed changes is attached for your review. Additions to the originally proposed language appear in *italic underlined text* and deletions are shown in ~~strike through~~.

Any interested person may submit a written statement relating to the modified language during the public comment period between February 19, 2020 and March 6, 2020. The written comment period will close at **12:00 p.m. on March 6, 2020**. Submit written comments to:

**The Department of Alcoholic Beverage Control
3927 Lennane Drive, Suite 100
Sacramento, CA 95834**

Comments may also be submitted by email to RBSTPCComments@abc.ca.gov.

All written comments received by the Department of Alcoholic Beverage Control by **12:00 pm March 6, 2020**, which pertain to the indicated changes, will be reviewed and responded to by the Department's staff as part of the compilation of the rulemaking file. Please limit your comments to the proposed modifications to the text which will appear in *italic underlined text* or in ~~strike through~~.

Questions concerning the proposed addition may be addressed to Robert de Ruyter at (916) 419-8958 or at Robert.deRuyter@abc.ca.gov. If Robert de Ruyter is not available, questions concerning the proposed amendment may be directed to Sarah Easter at (916) 928-7627 or Sarah.Easter@abc.ca.gov.

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