

**State of California  
Office of Administrative Law**

**In re:**  
**Contractors State License Board**

**Regulatory Action:**  
**Title 16, California Code of Regulations**

**Amend sections: 884**

**NOTICE OF APPROVAL OF CHANGES  
WITHOUT REGULATORY EFFECT**

**California Code of Regulations, Title 1,  
Section 100**

**OAL Matter Number: 2021-0929-02**

**OAL Matter Type: Nonsubstantive (N)**

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This action by the Contractors State License Board amends civil penalties that shall be assessed for violations of the Contractors State License Law to conform with changes made by Assembly Bill 569 (Stats. 2021, ch. 94).

OAL approves this change without regulatory effect as meeting the requirements of California Code of Regulations, title 1, section 100.

**Date:** November 10, 2021



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**Anna Thomas  
Attorney**

**For: Kenneth J. Pogue  
Director**

**Original: David R. Fogt, Registrar  
Copy: Betsy Figuera**

**NOTICE PUBLICATION REGULATIONS SUBMISSION**

See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 10/2019)

**NONSUBSTANTIVE**

<b>OAL FILE NUMBERS</b>	<b>NOTICE FILE NUMBER</b> Z-	<b>REGULATORY ACTION NUMBER</b> 2021-0929-02N	<b>EMERGENCY NUMBER</b>
For use by Office of Administrative Law (OAL) only			
<b>NOTICE</b>		<b>REGULATIONS</b>	
<b>AGENCY WITH RULEMAKING AUTHORITY</b> Contractors State License Board (CSLB)			<b>AGENCY FILE NUMBER (if any)</b>

**ENDORSED - FILED**  
in the office of the Secretary of State  
of the State of California

NOV 10 2021

1:18pm

OFFICE OF ADMIN. LAW  
2021 SEP 29 PM 2:05

**A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)**

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON		TELEPHONE NUMBER
FAX NUMBER (Optional)		NOTICE REGISTER NUMBER		PUBLICATION DATE
<b>OAL USE ONLY</b>	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn			

**B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)**

1a. SUBJECT OF REGULATION(S) Assessment of Civil Penalties		1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)	
2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (including title 26, if toxics related)			
<b>SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)</b>	ADOPT		
	AMEND		
	884		
TITLE(S) 16	REPEAL		
3. TYPE OF FILING			
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input checked="" type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmission of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmission of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Other (Specify) _____		
4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)			
5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)			
<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input checked="" type="checkbox"/> \$100 Changes Without Regulatory Effect	<input checked="" type="checkbox"/> Effective other (Specify) <u>January 1, 2022</u>
6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY			
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal	
<input type="checkbox"/> Other (Specify) _____			
7. CONTACT PERSON Betsy Figueira	TELEPHONE NUMBER (916) 255-3369	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) betsy.figueira@cslb.ca.gov

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

For use by Office of Administrative Law (OAL) only

**ENDORSED APPROVED**

NOV 10 2021

Office of Administrative Law

SIGNATURE OF AGENCY HEAD OR DESIGNEE <u>David Fogt</u>	DATE 09/28/2021
TYPED NAME AND TITLE OF SIGNATORY David R. Fogt, Registrar	

023 per agency request V&J 10/2

**CONTRACTORS STATE LICENSE BOARD**

**PROPOSED LANGUAGE**

**California Code of Regulations  
Title 1, Section 100 Changes**

**Title 16, Division 8**

**Article 8. Citation**

**Amend Section 884 as follows:**

**§ 884. Assessments of Civil Penalties.**

(a) Civil penalties against persons who have been cited for violation of the Contractors State License Law shall be assessed in accordance with the following ranges of penalties.

Section Violated	Minimum Civil Penalty	Maximum Civil Penalty
7027.1	\$ 100	\$ 1,000
7028	200	<del>85,000</del>
7028.1	1,000	<del>85,000</del>
7028.5	200	<del>85,000</del>
7028.7	200	15,000
7029.1	200	2,500
7029.5	100	500
7029.6	100	500
7030	500	1,500
7030.1	1,000	<del>85,000</del>
7030.5	100	1,000
7031.5	100	500
7034	100	1,000
7058.7	500	<del>85,000</del>
7068.1	100	<del>85,000</del>
7068.2	100	1,000
7071.11	100	1,000
7071.13	100	500

7075	100	500
7076	100	1,000
7083	100	1,000
7083.1	100	1,000
7099.10	100	1,500
7099.11	100	1,500
7107	200	<u>85,000</u>
7108	200	<u>85,000</u>
7108.5	200	2,000
7108.6	200	2,000
7109	200	<u>85,000</u>
7109.5	500	<u>85,000</u>
7110	200	<u>85,000</u>
7110.1	100	1,000
7111	100	1,000
7111.1	100	1,500
7113	200	<u>85,000</u>
7114	500	<u>3045,000</u>
7114.1	200	2,000
7115	100	<u>85,000</u>
7116	100	<u>85,000</u>
7117	100	1,000
7117.5	200	<u>85,000</u>
7117.6	200	<u>85,000</u>
7118	500	<u>3045,000</u>
7118.4	3,000	<u>85,000</u>
7118.5	1,000	<u>85,000</u>
7118.6	1,000	<u>85,000</u>
7119	200	2,000
7120	200	2,000
7123	500	<u>85,000</u>

7125	100	500
7125.4	200	<del>305,000</del>
7154	100	1,000
7157	100	1,000
7158	500	<del>85,000</del>
7159	100	1,000
7159.5(a)(1), (a)(3), and (a)(5),	100	<del>85,000</del>
7159.5(a)(2), (a)(4), (a)(6), (a)(7), and (a)(8)	100	1,000
7159.10	100	500
7159.14	100	<del>85,000</del>
7161	100	<del>85,000</del>
7162	100	1,500
7164	100	1,000

(b) When determining the amount of assessed civil penalty, the Registrar shall take into consideration whether one or more of the following or similar circumstances apply:

- (1) the citation includes multiple violations;
- (2) the cited person has a history of violations of the same or similar sections of the Contractors State License Law;
- (3) in the judgment of the Registrar, a person has exhibited bad faith;
- (4) in the judgment of the Registrar, the violation is serious or harmful;
- (5) the citation involves a violation or violations perpetuated against a senior citizen or disabled person; and/or
- (6) the citation involves a violation or violations involving a construction project in connection with repairs for damages caused by a natural disaster as described in Section 7158 of the eCode.

(c) Where a citation lists more than one violation and each of the violations relates to the same construction project, the total penalty assessment in each citation shall not exceed ~~\$85,000~~, except as provided for violations of Sections 7028.7, in which case the total penalty assessment in each citation shall not exceed \$15,000, and for violations of Section 7114, ~~or 7118,~~ or 7125.4, in which case the total penalty assessment in each citation shall not exceed \$30,000.

(d) Where a citation lists more than one violation, the amount of assessed civil penalty shall be stated separately for each section violated.

Note: Authority cited: Sections 7008, and 7099.2, ~~and 7115,~~ Business and Professions Code. Reference: Sections 7099, 7099.1, and 7115, Business and Professions Code.