

Explanation of Change Without Regulatory Effect

PROFESSIONAL FIDUCIARIES BUREAU

Mailing Address of Bureau

Title 16, California Code of Regulations Division 41, Professional Fiduciaries Bureau Article 1, General Provisions, Section 4402

SECTION 100. CHANGE WITHOUT REGULATORY EFFECT

Pursuant to section 100(b)(3) of Title 1, Division 1, Chapter 1, Article 2 of the California Code of Regulations (CCR), the Professional Fiduciaries Bureau (Bureau) hereby submits this written statement explaining why the amendment of Article 1, Division 41, of Title 16 of the CCR (16 CCR) does not materially alter any requirement, right, responsibility, condition, prescription, or other regulatory element of any CCR provision.

Subject to the approval of the Office of Administrative Law, the Department of Consumer Affairs' Professional Fiduciaries Bureau (Bureau) proposes to amend 16 CCR section 4402 to delete the current mailing address listed as P.O. Box 989005, West Sacramento, CA 95798-9005 and replace it with the current preferred mailing address of the Bureau at 1625 N. Market Blvd., Suite S-209, Sacramento, CA 95834, which is its physical address.

Explanation of why changes have no regulatory effect:

These proposed changes do not materially alter any requirement, right, responsibility, condition, prescription, or other regulatory element of any CCR provision because the proposal merely updates the regulation consistent with current contact information already being provided to the public. The existing regulation lists a P.O. Box address for the Bureau that will be discontinued as a mailing address and identifies a new mailing address that is already widely known and used by the public: the Bureau's physical address.

The Bureau has experienced recurring issues in guaranteeing the Bureau's receipt of mail through the P.O. Box address. The Bureau's physical address at 1625 North Market Blvd., Suite S-209, Sacramento, California 95834 is publicized on the Bureau's web site and the Bureau already receives mail at its physical address. This proposal will make the change official and it will also be a more efficient, reliable, and consistent mailing address for the public to use. Thus, the Bureau's proposed deletions of the P.O. Box address and addition of its current physical address as its mailing address may be considered a change without regulatory effect.

Enabling Statutes

**Department of Consumer Affairs,
Professional Fiduciaries Bureau**

ENABLING STATUTES

AUTHORITY

BUSINESS AND PROFESSIONS CODE SECTION 6517

§ 6517. Rules and regulations

The bureau may adopt, amend, or repeal, in accordance with the provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code), regulations necessary to enable the bureau to carry into effect the provisions of law relating to this chapter.

REFERENCE

BUSINESS AND PROFESSIONS CODE SECTIONS 6500 and 6510

§ 6500. Short title

This chapter shall be known as the Professional Fiduciaries Act.

§ 6510. Professional Fiduciaries Bureau; duties and powers; director and chief; transfer of duties

(a) There is within the jurisdiction of the department the Professional Fiduciaries Bureau. The bureau is under the supervision and control of the director. The duty of enforcing and administering this chapter is vested in the chief of the bureau, who is responsible to the director. Every power granted or duty imposed upon the director under this chapter may be exercised or performed in the name of the director by a deputy director or by the chief, subject to conditions and limitations as the director may prescribe.

(b) The Governor shall appoint, subject to confirmation by the Senate, the chief of the bureau, at a salary to be fixed and determined by the director with the approval of the Director of Finance. The chief shall serve under the direction and supervision of the director and at the pleasure of the Governor.

(c) (1) This section shall remain in effect only until January 1, 2023, and as of that date is repealed.

(2) Notwithstanding any other provision of law, the repeal of this section renders the bureau subject to review by the appropriate policy committees of the Legislature.

(3) Notwithstanding any other law, upon the repeal of this section, the responsibilities and jurisdiction of the bureau shall be transferred to the Professional Fiduciaries Advisory Committee, as provided by Section 6511.