

DEPARTMENT OF CONSUMER AFFAIRS

**TITLE 16. PROFESSIONAL AND VOCATIONAL REGULATIONS
DIVISION 2.**

CALIFORNIA ARCHITECTS BOARD

NOTICE OF PROPOSED REGULATORY ACTION CONCERNING:
Retired License Reinstatement

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 his or her 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 by Thursday, December 18, 2025**, or must be received by the Board at the hearing, should one be scheduled.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by sections 5526 and 5600.4 of the Business and Professions Code (BPC), and to implement, interpret, or make specific BPC sections 23.8, 30, 144, 486, 5600.2, 5600.3, and 5600.4, the Board is considering amending section 109.1 of title 16 of the California Code of Regulations (CCR).

INFORMATIVE DIGEST / POLICY STATEMENT OVERVIEW

Currently, Board regulations 16 CCR section 109.1 describes the method by which licensees apply for a retired license and should they choose, reinstate that license back to active. The existing regulation states licensees should submit an application with the required fee and a statement they have completed the continuing education (CE) requirement, if they want to reinstate the license. Additionally, the current regulation states a retired license may be reinstated at any time up to five years from the expirations date of their original architect's license.

This proposal will require that retired licensees wait at least one year after placing their license into retirement status prior to applying to reinstate a retired license back to an unrestricted license and require proof of CE completion be submitted with the reinstatement application.

This regulatory proposal will amend 16 CCR section 109.1. The amendment to the regulation through this proposed rulemaking is as follows:

Amend 16 CCR 109(c)(1) to state that a retired license can be brought back to active status one year after issuance.

Amend 16 CCR 109.1(c)(1)(B)(iv) for consistency in syntax and numbering.

Remove 16 CCR 109(c)(1)(B)(v) because this is being changed to requiring proof of completion in newly proposed (c)(1)(C).

Amend 16 CCR section 109.1(c)(1)(B)(vi) for consistency in syntax and numbering.

Add 16 CCR section 109.1(c)(1)(C) to replace what was deleted from prior (c)(1)(B)(v) and require proof of CE completion.

Anticipated Benefits of Proposal

This proposal will require licensees wait a minimum of one year after issuance prior to reinstating a retired license and require submission of proof of CE completion. This will allow the Board to make the retired license more meaningful by discouraging licensees from treating it as an inactive license, and protect the public by ensuring licensees coming out of retired status have met the education requirements to renew their license and are submitting documentation in accordance with the reporting requirements of CCRs 165 and 166 so the Board can ensure relevant education was utilized. This will ultimately benefit the public by ensuring returning licensees are up to date with the latest educational requirements of the profession.

This regulatory proposal does not affect worker safety, or the state's environment.

Evaluation of 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 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 regulations do not result in a

fiscal impact to the state. This proposal clarifies the timeline to reinstate a retired license and the documentation required to request reinstatement. The Board does not anticipate additional workload or costs resulting from the proposed regulations.

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

Nondiscretionary Costs/Savings to Local Agencies: None.

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

Mandate Imposed on Local Agencies or School Districts: None.

Significant Effect on Housing Costs: None.

BUSINESS IMPACT ESTIMATES

The Board has made the initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

The regulations do not result in additional workload or costs to businesses and therefore are not anticipated to result in any negative impacts.

Cost Impact on Representative Private Person or Business

The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

RESULTS OF ECONOMIC IMPACT ASSESSMENT / ANALYSIS:

Impact on Jobs / Businesses

The Board has determined that this regulatory proposal will not have any impact on the following:

- 1) Creation or elimination of jobs within California,
- 2) Creation of new businesses or elimination of existing businesses within California, or
- 3) Expansion of businesses currently doing business within the state.

This proposal would not have any of the above-referenced impacts as explained in the “Business Impact Estimates” section of this notice.

Benefits of Regulation

The Board has determined that the regulatory proposal will ensure licensees reinstating their license from a retired status to a fully unrestricted status are up to date with current practices by ensuring they have completed the required CE. This will assist the Board’s

continuance in regulating the profession of architecture and protection of the public, which will benefit the health and welfare of California residents.

This regulatory proposal does not affect worker safety because it does not involve worker safety.

This regulatory proposal does not affect the state's environment because it does not involve the environment.

Business Reporting Requirements

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

Effect on Small Business

The Board does not maintain data to define if any of its licensees are a "small business" as defined in Government Code section 11342.610. However, in the event a licensee is affiliated with a small business, the regulations do not result in additional workload or costs and are not anticipated to result in any negative impacts to small businesses.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Board must determine that no reasonable alternative it considered to the regulation or that has otherwise been identified and brought to its attention 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 proposal described in this Notice; or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Any interested person may submit written comments relevant to the above determinations at the Board's office at 2420 Del Paso Road, Suite 105, Sacramento, California 95834 during the written comment period, or at the hearing if one is scheduled or requested.

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), 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, and any document incorporated by reference, and of 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 Road, Suite 105, 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 Person and will be mailed to those persons who submit written comments 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 Person named below or by accessing the website listed below.

CONTACT PERSONS

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

Name: Timothy Rodda
Address: 2420 Del Paso Road, Suite 105
Sacramento, CA 95834
Telephone No.: 279.895.1246
E-Mail Address: timothy.rodga@dca.ca.gov

The backup contact person is:

Name: Laura Zuniga
Address: 2420 Del Paso Road, Suite 105
Sacramento, CA 95834
Telephone No.: 916.471.0760
E-Mail Address: laura.zuniga@dca.ca.gov

AVAILABILITY OF DOCUMENTS ON THE INTERNET:

Materials regarding this proposal can be found at

https://www.cab.ca.gov/resrcs/laws_regs/prop_reg.shtml

Copies of the Notice of Proposed Action, the Initial Statement of Reasons, and the text of the regulations with modifications noted, as well as the Final Statement of Reasons when completed, and modified text, if any, can be accessed through the Board's website at https://www.cab.ca.gov/resrcs/laws_regs/prop_reg.shtml.