

**Commission on State Mandates - Proposed Amendments to the Commission's Regulations  
Consolidated Comments from County Governments and Associations**

	Section #	Page #	Line #	Requested Change, Question, or General Feedback	Explanation of Change and Comments
1	§ 1184.1.	40	26	(i) The requester and any state agency or interested party <b>or interested person</b> may file written comments on the draft proposed decision.	Please add "interested person" to the entities that are eligible to file written comments regarding the SCO's claiming instructions. This provides clarity that associations may file written comments.
2	§ 1182.1(f)	2	20-24	"Filing date means the date <b>a filing is</b> received at the Commission's office, <b>provided that it is</b> found to not contain personal identifying information as described in section 1181.3 of these regulations."	The day the CSM received the filing and the day it determines there is no PII can be two different days.
3	§ 1182.1(h)	2	30-31	Delete the definition of "interested party" and substitute <b>"interested person"</b> or <b>"party or interested person"</b> throughout the regulations wherever the term is deleted.	The term "interested party" is rarely used in the regulations and where it is used it raises confusion about the legal significance of the distinction between an "interested party" and an "interested person." The terms "interested person" and "party" (including associated terms like "party to a test claim") capture the two relevant types of entities that appear before the CSM. This change also promotes consistency with the statutory scheme.
4	§ 1181.11(b)	13	10-14	Insert after first sentence: <b>"The transcript and electronic recording for each public meeting shall be posted to the Commission's website within 60 days of the public meeting."</b>	Posting recordings will promote transparency. This practice is also consistent with other state and local bodies, such as the Courts of Appeal and the California Supreme Court. Posting the electronic recording helps parties eager to testify before the Commission understand what to expect.
5	§ 1183.2(a)	23	9-12	Add before first sentence or as a standalone subdivision: <b>"Within 10 days of receipt of a test claim, the Commission shall post it on the Commission's website, along with an incomplete notice, if any."</b>	Posting incomplete test claims promotes transparency and offers the opportunity for interested persons and other potential parties to assist the would-be claimant. This is especially helpful where multiple parties may be inadvertently developing test claims on the same alleged mandate.
6	§ 1183.2(b)	23	13-15	Add to the end: <b>"Written comments may be filed by parties or interested persons."</b>	This suggestion clarifies who may submit comments.

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7	§ 1183.2(c)(2)	23	20-27	Recommend deleting this provision.	Unless the Commission lacks access to legal research resources and the internet, the obligation to append comments and test claims with copies of cited authorities is burdensome for filers.
8	§ 1183.3(a)	23	31-33	Add to the end: <b>"Written rebuttals may be filed by parties or interested persons."</b>	This suggestion clarifies who may submit rebuttals.
9	§ 1183.3(b)(2)	23-24	37-4	Recommend deleting this provision.	Unless the Commission lacks access to legal research resources and the internet, the obligation to append comments and test claims with copies of cited authorities is burdensome for filers.
10	§ 1183.6(a)	24	35	Edit "written comments filed" to <b>"written comments and rebuttals filed"</b> .	The provision seems to inadvertently absolve the CSM staff from reviewing rebuttals to comments.
11	§ 1183.6(c)	25	10-12	Restore language that is proposed for deletion.	The original version of this regulation is prudent and consistent with the legal standard that the Commission's decisions be supported by substantial evidence.
12	Note			The requested change on line 11 above should apply to all areas where this deletion is proposed.	
13	§ 1182.1(j)	2 to 3	36-3	"Matter" means <b>an administrative proceeding assigned a single matter number that may include related</b> test claims, proposed parameters and guidelines ..."	Definition as written suggests any of the listed documents might itself be a "matter." But it appears the "matter" is the proceeding assigned a TC number that incorporates the listed documents on its docket.
14	§ 1187.9(a)	57	2 to 4		Recommending that a party requesting extension of time for filing of a comment be encouraged to seek stipulation of or response from the original filer. It is unclear on what grounds the Commission determines that there is "no prejudice to any party or interested party," and a filer might have cause to argue that prejudice does exist or to seek a corresponding extension of time to respond.

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15	§ 1181.3(b)	6	25-26		In place of deleted requirement of a scanned copy of a signed signature page, it would be helpful to add language stating what form of e-signature or signing software is permitted for declarations and other signed documents incorporated into filings. For example, some courts permit pasted pen signatures while others permit typed e-signatures. The purpose is to avoid an incomplete letter for an improper e-signature.
16	§ 1183.7(g)(1)	26	9-11	Proposed alternative language: " <b>Any offsetting revenue or savings that claimant incurs from a statute, executive order, or an appropriation in a Budget Act or other bill that was specifically intended to fund the costs of the state mandate.</b> "	This alternative languages hues more closely to the relevant provision in the statutory scheme, located at Government Code section 17556, subd. (e).
17	§ 1183.7(g)(2)	26	12-15	Recommend deleting this provision, including the prior language.	Neither the constitutional right nor the statutory scheme preclude reimbursement if there are revenue sources beyond the State, with the exception of local fee authority. In the alternative, this provision should be consistent with the statutory scheme, which ties such revenue and offsetting savings to sources "specifically intended to fund the costs of the state mandate."
18	§ 1183.18(a)(2)	36	12-14	Days representing extensions of time and postponements of hearings <b>requested by</b> the parties shall be tolled and may not be counted toward the date on which a statewide cost estimate must be adopted by the Commission.	This change makes clearer that the extensions and postponements came from the parties themselves.
19	§ 1183.18(a)(3)	36	15-19	<b>To account for the Commission's 10-day test claim review period and the test claimant's 30-day period to cure an incomplete notice pursuant to § 1183.1, subd. (g), no more than 45 days shall be tolled for each incompleteness finding</b> and may not be counted toward the date on which a statewide cost estimate must be adopted by the Commission.	This proposed change clarifies the upper bound of the tolled period for incomplete test claims consistent with the Commission's regulations for test claim review and incompleteness curing time periods.