

**State of California
Office of Administrative Law**

In re:
California Architects Board

Regulatory Action:

Title 16, California Code of Regulations

Adopt sections:

Amend sections:

Repeal sections: 120(a)

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

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

OAL Matter Number: 2024-0508-01

OAL Matter Type: Nonsubstantive (N)

In this filing for a change without regulatory effect pursuant to section 100 of Title 1 of the California Code of Regulations, the California Architects Board is repealing subsection (a) of section 120 of Title 16 of the California Code of Regulations regarding "Re-Examination" to conform to the statutory amendment in Business and Professions Code section 5550.3(c).

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

Date: June 20, 2024



Jenifer Ryan
Senior Attorney

For: Kenneth J. Pogue
Director

Original: Laura Zuniga, Executive Officer
Copy: Timothy Rodda

NONSUBSTANTIVE

STATE OF CALIFORNIA--OFFICE OF ADMINISTRATIVE LAW
NOTICE PUBLICATION REGULATIONS SUBMISSION

STD. 400 (REV. 10/2019)

For use by Secretary of State only

OAL FILE NUMBERS	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER
	Z-	2024-0508-01N	

For use by Office of Administrative Law (OAL) only

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

JUN 20 2024

1:42 PM

OFFICE OF ADMIN. LAW
2024 MAY 8 AM 11:17

NOTICE	REGULATIONS
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AGENCY WITH RULEMAKING AUTHORITY California Architects Board	AGENCY FILE NUMBER (If any)
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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)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	ACTION ON PROPOSED NOTICE	NOTICE REGISTER NUMBER	PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Re-Examination	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)
ADOPT
AMEND
TITLE(S)
16
REPEAL
120 (a)

3. TYPE OF FILING			
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<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"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> File & Print <input type="checkbox"/> Other (Specify) _____	<input checked="" type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input type="checkbox"/> Print Only

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)
N/A

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 type="checkbox"/> Effective other (Specify) _____

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	TELEPHONE NUMBER	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional)
Timothy Rodda	(279) 895-1246		timothy.rodde@dca.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.

SIGNATURE OF AGENCY HEAD OR DESIGNEE	DATE
<i>Laura Zuniga</i>	5/8/2024

TYPED NAME AND TITLE OF SIGNATORY
Laura Zuniga, Executive Officer, California Architects Board

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

JUN 20 2024

Office of Administrative Law

Department of Consumer Affairs
Title 16. California Architects Board

Re-Examination

Repeal of California Code of Regulations, Section 120

Section 100 CHANGE WITHOUT REGULATORY EFFECT

§ 120. Re-Examination.

~~(a) Credit for divisions of the Architect Registration Examination (ARE) passed prior to January 1, 2006 shall expire on July 1, 2014 unless all divisions of the ARE have been passed and credited.~~

(b) Effective January 1, 2006, candidates for the ARE shall receive conditional credit for each division passed and shall be required to retake only those divisions of the ARE previously failed or those divisions passed on or after January 1, 2006 for which the conditional credit has expired. Conditional credit shall remain valid for five years after the date the division was passed for which conditional credit was granted. Conditional credit shall become full credit only if the conditional credit is within its five-year period of validity and the candidate has passed all remaining divisions of the ARE. Candidates who have received full credit for all divisions of the ARE shall be deemed to have passed the ARE.

(c) A candidate who has failed a division of the ARE or who has failed to appear for a scheduled division of the ARE shall not be permitted to take any subsequent division of the ARE unless he or she has reapplied properly to NCARB or its authorized representative for the division(s).

(d) A candidate who has failed a division of the ARE shall not be permitted to reapply to NCARB or its authorized representative for that previously failed division within six (6) months after the date that the candidate last failed the division.

Note: Authority cited: Section 5526, Business and Professions Code. Reference: Section 5550, Business and Professions Code.