

**State of California
Office of Administrative Law**

In re:
California Prison Industry Authority

Regulatory Action:

Title 15, California Code of Regulations

Adopt sections:
Amend sections: 8114
Repeal sections:

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

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

OAL Matter Number: 2022-0729-02

OAL Matter Type: Nonsubstantive (N)

This action by the California Prison Industry Authority makes changes without regulatory effect relating to legal matters.

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

Date: September 12, 2022



Kevin D. Hull
Senior Attorney

For: Kenneth J. Pogue
Director

Original: William Davidson, General
Manager

Copy: Moira Doherty

NOTICE PUBLICATION/REGULATIONS SUBMISSION

STD. 400 (REV. 10/2019)

NONSUBSTANTIVE

For use by Secretary of State only

OAL FILE NUMBERS	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER
	Z-	2022-0729-02W	

For use by Office of Administrative Law (OAL) only

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

SEP 12 2022

2:09

OFFICE OF ADMIN. LAW 2022 JUL 29 PM 12:33

NOTICE	REGULATIONS
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AGENCY WITH RULEMAKING AUTHORITY
California Prison Industry Authority

AGENCY FILE NUMBER (if any)

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

1. SUBJECT OF NOTICE Legal Matters	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE 8/12/22
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 Disapproved/Withdrawn	NOTICE REGISTER NUMBER		PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S)	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
15	8114
TITLE(S)	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"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal 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 type="checkbox"/> Effective other (Specify)
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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 M. Doherty	TELEPHONE NUMBER 916-413-1140	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) moira.doherty@calpia.ca.gov
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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
SEP 12 2022
Office of Administrative Law

DocuSigned by: William Davidson DESIGNEE
DATE: 7/13/2022
CFB1417058F146E... TORY
William Davidson, General Manager and Prison Industry Board Chair Delegate

Proposed Text

In the following text:

Single strikeout indicates deleted text.

Single underline indicates added text.

Title 15 Crime Prevention and Corrections
Division 8.0 California Prison Industry Authority
Section 8114

§ 8114. Legal Matters.

(a) An employee who is subpoenaed to testify before a court or other tribunal in connection with a matter, event, or transaction of which he or she gained knowledge during the course of his or her duties must notify CALPIA's General Counsel, Legal Services in writing within one business day. The written notification must include all relevant information concerning the contact, copy of any subpoena, and a summary of his or her anticipated testimony.

(b) No employee ~~must~~will consult or testify as a specialist or an expert witness, based on expertise gained in the course of his or her duties, in an administrative, civil, or criminal action without giving reasonable notice, as defined in subdivision (a), to the CALPIA General Counsel.

(1) An employee who is contacted for the purpose of eliciting expert testimony, as defined in Evidence Code Section 720, must notify CALPIA's General Counsel, Legal Services in writing within one business day. The written notification must include all relevant information concerning the contact, a copy of any subpoena, and a summary of his or her anticipated testimony.

(2) CALPIA's General Counsel or his or her designee retains the discretion to seek to quash the subpoena on substantive or procedural grounds before the judicial body through whose authority the subpoena was issued.

Authority: Sections 2801 and 2809, Penal Code.

Reference: Section 720, Evidence Code; and Sections 2801 and 2809, Penal Code.