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GOVERNMENT CODE - GOV

TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000 - 22980] (Title 2 enacted by Stats. 1943, Ch. 134.)

DIVISION 3. EXECUTIVE DEPARTMENT [11000 - 15990.3] (Division 3 added by Stats. 1945, Ch. 111.)

PART 1. STATE DEPARTMENTS AND AGENCIES [11000 - 11898] (Part 1 added by Stats. 1945, Ch. 111.)

CHAPTER 3.5. Administrative Regulations and Rulemaking [11340 - 11361] (Heading of Chapter 3.5 amended by Stats. 1994, Ch. 1039, Sec. 2.)

ARTICLE 2. Definitions [11342.510 - 11342.610] (Article 2 added by Stats. 2000, Ch. 1060, Sec. 8.)

[11342.510.](#) Unless the provision or context otherwise requires, the definitions in this article govern the construction of this chapter.
(Added by Stats. 2000, Ch. 1060, Sec. 8. Effective January 1, 2001.)

[11342.520.](#) "Agency" means state agency.
(Added by Stats. 2000, Ch. 1060, Sec. 8. Effective January 1, 2001.)

[11342.530.](#) "Building standard" has the same meaning provided in Section 18909 of the Health and Safety Code.
(Added by Stats. 2000, Ch. 1060, Sec. 8. Effective January 1, 2001.)

[11342.535.](#) "Cost impact" means the amount of reasonable range of direct costs, or a description of the type and extent of direct costs, that a representative private person or business necessarily incurs in reasonable compliance with the proposed action.
(Added by Stats. 2000, Ch. 1059, Sec. 6.5. Effective January 1, 2001.)

[11342.540.](#) "Director" means the director of the office.
(Added by Stats. 2000, Ch. 1060, Sec. 8. Effective January 1, 2001.)

[11342.545.](#) "Emergency" means a situation that calls for immediate action to avoid serious harm to the public peace, health, safety, or general welfare.
(Added by Stats. 2006, Ch. 713, Sec. 2. Effective January 1, 2007.)

[11342.548.](#) "Major regulation" means any proposed adoption, amendment, or repeal of a regulation subject to review by the Office of Administrative Law pursuant to Article 6 (commencing with Section 11349) that will have an economic impact on California business enterprises and individuals in an amount exceeding fifty million dollars (\$50,000,000), as estimated by the agency.
(Added by Stats. 2011, Ch. 496, Sec. 1. (SB 617) Effective January 1, 2012.)

[11342.550.](#) "Office" means the Office of Administrative Law.
(Added by Stats. 2000, Ch. 1060, Sec. 8. Effective January 1, 2001.)

[11342.560.](#) "Order of repeal" means any resolution, order, or other official act of a state agency that expressly repeals a regulation in whole or in part.
(Added by Stats. 2000, Ch. 1060, Sec. 8. Effective January 1, 2001.)

[11342.570.](#) "Performance standard" means a regulation that describes an objective with the criteria stated for achieving the objective.
(Added by Stats. 2000, Ch. 1060, Sec. 8. Effective January 1, 2001.)

11342.580. “Plain English” means language that satisfies the standard of clarity provided in Section 11349.

(Added by Stats. 2000, Ch. 1060, Sec. 8. Effective January 1, 2001.)

11342.590. “Prescriptive standard” means a regulation that specifies the sole means of compliance with a performance standard by specific actions, measurements, or other quantifiable means.

(Added by Stats. 2000, Ch. 1060, Sec. 8. Effective January 1, 2001.)

11342.595. “Proposed action” means the regulatory action, notice of which is submitted to the office for publication in the California Regulatory Notice Register.

(Amended by Stats. 2001, Ch. 59, Sec. 3. Effective January 1, 2002.)

11342.600. “Regulation” means every rule, regulation, order, or standard of general application or the amendment, supplement, or revision of any rule, regulation, order, or standard adopted by any state agency to implement, interpret, or make specific the law enforced or administered by it, or to govern its procedure.

(Added by Stats. 2000, Ch. 1060, Sec. 8. Effective January 1, 2001.)

11342.610. (a) “Small business” means a business activity in agriculture, general construction, special trade construction, retail trade, wholesale trade, services, transportation and warehousing, manufacturing, generation and transmission of electric power, or a health care facility, unless excluded in subdivision (b), that is both of the following:

(1) Independently owned and operated.

(2) Not dominant in its field of operation.

(b) “Small business” does not include the following professional and business activities:

(1) A financial institution including a bank, a trust, a savings and loan association, a thrift institution, a consumer finance company, a commercial finance company, an industrial finance company, a credit union, a mortgage and investment banker, a securities broker-dealer, or an investment adviser.

(2) An insurance company, either stock or mutual.

(3) A mineral, oil, or gas broker.

(4) A subdivider or developer.

(5) A landscape architect, an architect, or a building designer.

(6) An entity organized as a nonprofit institution.

(7) An entertainment activity or production, including a motion picture, a stage performance, a television or radio station, or a production company.

(8) A utility, a water company, or a power transmission company generating and transmitting more than 4.5 million kilowatt hours annually.

(9) A petroleum producer, a natural gas producer, a refiner, or a pipeline.

(10) A manufacturing enterprise exceeding 250 employees.

(11) A health care facility exceeding 150 beds or one million five hundred thousand dollars (\$1,500,000) in annual gross receipts.

(c) “Small business” does not include the following business activities:

(1) Agriculture, where the annual gross receipts exceed one million dollars (\$1,000,000).

(2) General construction, where the annual gross receipts exceed nine million five hundred thousand dollars (\$9,500,000).

(3) Special trade construction, where the annual gross receipts exceed five million dollars (\$5,000,000).

(4) Retail trade, where the annual gross receipts exceed two million dollars (\$2,000,000).

(5) Wholesale trade, where the annual gross receipts exceed nine million five hundred thousand dollars (\$9,500,000).

(6) Services, where the annual gross receipts exceed two million dollars (\$2,000,000).

(7) Transportation and warehousing, where the annual gross receipts exceed one million five hundred thousand dollars (\$1,500,000).

(Added by Stats. 2000, Ch. 1060, Sec. 8. Effective January 1, 2001.)