

**State of California  
Office of Administrative Law**

**In re:**  
Department of Justice

**Regulatory Action:**

**Title 11, California Code of Regulations**

**Adopt sections:** 999.30  
**Amend sections:** 999.10, 999.12  
**Repeal sections:**

**NOTICE OF APPROVAL OF EMERGENCY  
REGULATORY ACTION**

**Government Code Sections 11346.1 and  
11349.6**

**OAL Matter Number: 2023-0609-02**

**OAL Matter Type: Emergency (E)**

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This emergency action adopts regulations implementing the statutory certification requirements for cigarettes pursuant to the California Cigarette Fire Safety and Firefighter Protection Act upon transition the administration of the state's fire safety compliant cigarette program from the State Fire Marshal to the Department of Justice (DOJ) effective January 1, 2023. (Health & Saf. Code, §§ 14950-14959; AB 1742.) This emergency is deemed pursuant to Health & Safety Code, section 14954, subd. (e.) This action also amends regulations to implement the California tobacco directory related to the DOJ fire safety certifications. This emergency is deemed pursuant to Revenue and Taxation Code, § 30165.1, subd. (n).)

OAL approves this emergency regulatory action pursuant to sections 11346.1 and 11349.6 of the Government Code.

This emergency regulatory action is effective on 6/19/2023 and will expire on 12/19/2023. The Certificate of Compliance for this action is due no later than 12/18/2023.

**Date:** June 19, 2023



Digitally signed by  
Mark Storm  
Date: 2023.06.19  
13:25:16 -07'00'

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Mark Storm  
Senior Attorney

**For:** Kenneth J. Pogue  
Director

**Original:** Rob Bonta, Attorney General  
**Copy:** Marlon Martinez

# EMERGENCY

For use by Secretary of State only

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

JUN 19 2023  
*received at 3:12pm*

OAL FILE NUMBERS	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER
Z-		2023-0609-03E	

For use by Office of Administrative Law (OAL) only

OFFICE OF ADMIN. LAW  
 2023 JUN 9 AM 11:14

NOTICE

REGULATIONS

AGENCY WITH RULEMAKING AUTHORITY  
 Department of Justice

AGENCY FILE NUMBER (If any)

### 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	ACTION ON PROPOSED NOTICE <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) Fire Standard Compliant Cigarettes & Rev. Tobacco Escrow Agreement		1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)		
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 999.30		
TITLE(S)		AMEND 999.10, 999.12		
11		REPEAL		
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 checked="" 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 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)				
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 checked="" type="checkbox"/> Effective on filing with Secretary of State <input 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"/> Other (Specify) _____		<input type="checkbox"/> Fair Political Practices Commission		<input type="checkbox"/> State Fire Marshal
7. CONTACT PERSON Marlon Martinez		TELEPHONE NUMBER (213) 269-6437	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) marlon.martinez@doj.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  
**Jonathan Lloyd Wolff**  
 Digitally signed by Jonathan Lloyd Wolff  
 Date: 2023.05.26 11:37:54 -07'00'

DATE

TYPED NAME AND TITLE OF SIGNATORY  
 Jonathan Wolff, Acting Chief Deputy Attorney General

For use by Office of Administrative Law (OAL) only

**ENDORSED APPROVED**

JUN 19 2023

Office of Administrative Law