

INITIAL STATEMENT OF REASONS

Amend Commission Regulation 1054

The Commission on Peace Officer Standards and Training (POST) proposes to amend Regulation 1054 – Requirement for Course Budget to address the following:

- Replace the term "a POST-certified tuition-based course" with "any POST-certified courses."

Justification for Proposed Revisions

Currently, the language of Regulation 1054 uses the term "a POST-certified tuition-based course" implying that the requirements for creating a course budget only pertain to courses that include tuition. However, the requirements set forth by Regulation 1054 are used to provide direction to presenters of POST-certified courses under all reimbursement plans, regardless of whether tuition is charged. The current language has led to confusion when providing guidance to presenters who provide courses which do not include tuition but utilize a reimbursement plan that includes reimbursement for presenter costs associated with POST-course delivery.

Under Reimbursement Plans V, VI, and VII, POST reimburses the presenter for presentation costs. Because POST reimburses presenters for costs associated with student attendance, courses associated with these plans do not include student tuition, therefore the course is not always understood by presenters as a "POST-certified tuition-based course." Replacing the term "tuition-based" with "POST-certified course" would clarify the language of Regulation 1054 to reflect all POST-certified courses and their associated budgets.

Business Impact/Small Businesses

The Commission has made an initial determination that this regulatory proposal would have no significant statewide adverse economic impact directly affecting California businesses, including the ability of California businesses to compete with businesses in other states. The proposal does not affect small businesses, as defined by Government Code section 11342.610, because the Commission sets selection and training standards for law enforcement, which are government entities, and does not have an impact on California businesses, including small businesses.

Cost Impacts on Representative Private Persons or Businesses

The Commission on POST is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with this proposed action.

Assessment

The adoption of the proposed regulation amendments will neither create nor eliminate jobs in the State of California and will not result in the elimination of existing businesses or create or expand businesses in the State of California.

Consideration of Alternatives

The Commission determined that no reasonable alternative considered by the Commission or that has otherwise been identified and brought to the attention of the Commission would be more

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effective in carrying out the purpose for which the action is proposed, would be as effective, and less burdensome to affected private persons that the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of the law.

Benefits Anticipated

The specific benefits anticipated by the proposed amendment to the regulations would eliminate confusion and add clear and concise communication to the presenters and POST staff.

Economic Impact Analysis

Impact of Jobs/New Business:

The Commission on POST sets law enforcement selection and training standards for its member law enforcement agencies. Participation in POST programs, and adherence to POST regulations, is voluntary and limited to law enforcement agencies that are governmental entities. The proposed regulatory revisions will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

Assessment:

The adoption of the proposed regulation amendments will neither create nor eliminate jobs in the state of California and will not result in the elimination of existing businesses or create or expand businesses in the State of California.

Benefits of the Regulation:

The benefits of proposed amendments to the regulation will increase the efficiency of the state of California in delivering services to stakeholders. Thus, the law enforcement standards are maintained and effective in preserving peace, protection of public health, safety, and welfare of California. The proposed amendments will have no impact on worker safety or the State's environment.