

DRAFT Regulation Language

The following language is for the purposes of representing to the Apiary Board how the Department has incorporated their motion to implement a new fee schedule into regulation per the January 12, 2023, Apiary Board meeting. This does not represent a final regulation submission or change by the Department.

Final regulation language will be posted at a later date and is subject to public comment through the normal rulemaking process. More information on this process can be found on the Office of Administrative Law website here: [Regular Rulemaking Process | OAL \(ca.gov\)](https://oal.ca.gov)

Persons that would like to be notified when these regulations are posted for comment can email a request to receive this notification to [IPCinfo@cdfa.ca.gov](mailto:IPCinfo@cdfa.ca.gov)

Black text = Existing language in California Code of Regulations

Blue text = **Proposed additions**

Red text (~~strikethrough~~) = **Proposed removal**

3 CCR § 2950

§ 2950. ~~Assessment.~~ **Registration Fee**

Each beekeeper, apiary owner, apiary operator or the person in possession of any apiary shall pay to the Director an annual fee in the amount stated in section 2951 based upon the largest number of colonies of bees in California under his ownership, possession or control during the preceding 12 month period, **regardless of origin. Hobbyist with nine or fewer colonies may request a waiver of the registration fee from the county in which the colonies are located.**

3 CCR § 2951

§ 2951. ~~Assessment Fee.~~ **Registration Fee Schedule**

~~The apiary assessment fee is 15 cents (\$0.15) per colony of honey bees.~~

This section establishes an annual registration fee schedule for any person in possession of an apiary.

The registration fee schedule is as follows:

<u>Number of hives</u>	<u>Fee</u>
1-50 hives	\$100
51 + hives	\$250

- The annual registration fee listed may be adjusted by the Secretary, whenever necessary as provided in Section 29044(a) of the Food and Agricultural Code, in the following manner:

(1) The Apiary Board (Board) shall be advisory to the Secretary and may make recommendations on all matters related to the beekeeping industry and may make recommendations on all matters affecting activities of the department in relation to the beekeeping industry including an annual review of the department’s apiary program.

(A) Prior to making a recommendation to the Secretary, the Board shall provide notice of the agenda for the scheduled Board meeting, showing matters to be considered by the Board. The agenda shall include the topics to be discussed, the date, time, and location of the Board meeting, and a statement that the Board meeting is open to the public. The agenda shall be posted publicly and provided at least 30 days ahead of the scheduled meeting date to the Apiary Board Members, California State Beekeepers Association, potentially affected commodity stakeholders, and interested parties who have requested such notice in writing. The agenda shall be posted online at least 10 calendar days before the Board meeting at <https://www.cdfa.ca.gov/plant/pollinators/apiaryboard.html>

(B) If the Board approves a proposed change in registration fee as necessary to meet the operational needs of the program, then the Board shall promptly make its written recommendation on the registration fee schedule to the Secretary.

(2) The Secretary shall approve or disapprove of the recommendation and so notify the Board in writing of his or her decision within thirty (30) calendar days of receipt of the recommendation of proposed changes by the Board.

(3) If the recommendation is approved by the Secretary, the new registration fee schedule will be reflected in regulation and made available online at <https://www.cdfa.ca.gov/plant/pollinators/apiaryboard.html>

(4) The fee shall become effective on the first day of the year, following the date on which the approved change is posted if prior to September 1. Fees posted after September 1, will become effective on the first day of the second year following the date posted.

### 3 CCR § 2952

#### § 2952. Penalties.

A penalty fee of one-half the amount due shall be added to the required fee for all payments which are not paid within 31 days after receipt of notice from the Director, mailed to the business address, that payment is due; or which are delinquent 31 days and due from a person who has failed to file his business address with the Director.

### 3 CCR § 2953

#### § 2953. Filing of Business Address.

Each beekeeper, apiary owner, apiary operator or person in possession of any apiary who has under his ownership, possession or control any colonies of bees in California during the reporting year shall file with the Director his business address and telephone number and any changes thereto, within 15 days after obtaining such ownership, possession or control.

### 3 CCR § 2954

#### § 2954. Payment Form.

Each ~~assessment~~ annual registration fee payment shall be accompanied by a duly completed return on a form available from the Director and shall certify under penalty of perjury that the information on the return is true and correct.