

AMENDMENT TO THE CALIFORNIA RULES OF COURT
Adopted by the Judicial Council on March 15, 2024, effective April 1, 2024

1 Appendix H..... 2
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3 **Amount of Civil Penalty to Cure Alleged Violation of Proposition 65 for Failure to**
4 **Provide Certain Warnings (Health & Saf. Code, § ~~26249.7(k)~~ 25249.7(k))**

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7 **Formula**

8 Under Health and Safety Code section ~~26249.7(k)~~ 25249.7(k), the amount of civil penalty
9 per facility or premises that an alleged violator may agree to pay within 14 days of
10 service of a notice of violation under that section will be computed and adjusted as
11 follows:

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$$\text{Adjusted penalty amount} = \left[\frac{\text{annual CCPI (Dec. ~~2018~~ 2023) - annual CCPI (Dec. ~~2013~~ 2018)}{\text{annual CCPI (Dec. ~~2013~~ 2018)}} + 1 \right] \times \text{Previous dollar amount}$$

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15 **Definition**

16 “CCPI” means the California Consumer Price Index for All Urban Consumers, as
17 established by the California Department of Industrial Relations.

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20 **Calculation and adjustment**

21 Effective April 1, ~~2019~~ 2024, the amount of civil penalty that an alleged violator may
22 agree to pay within 14 days of service of a notice of violation under Health and Safety
23 Code section ~~26249.7(k)(2)(B)(ii)~~ 25249.7(k)(2)(B)(ii) is ~~\$565~~ \$610 per facility or
24 premises where the alleged violation occurred.

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26 The calculation is as follows:

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$$\text{\$~~563.92~~ \$608.79} = \left[\frac{\text{272.51 331.804 - 241.623 272.51}}{\text{241.623 272.51}} \right] + 1 \times \$500$$

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32 Under Health and Safety Code section ~~26249.7(k)(2)(B)(ii)~~ 25249.7(k)(2)(B)(ii), the
33 adjusted penalty amount is rounded to the nearest \$5, so the dollar amount of the adjusted
34 limit is rounded to ~~\$565~~ \$610.