

**State of California  
Office of Administrative Law**

**In re:**  
**Department of Justice**

**Regulatory Action:**

**Title 11, California Code of Regulations**

**Adopt sections:**

**Amend sections: 31.29**

**Repeal sections:**

**NOTICE OF FILING AND PRINTING ONLY**

**Government Code Section 11343.8**

**OAL Matter Number: 2021-0521-03**

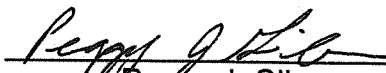
**OAL Matter Type: File and Print Only (FP)**

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This action by Department of Justice amends section 31.29, Debt Collection Licensing Act Licensee Bond, in the title 11 listing of approved surety bonds for the Department of Financial Protection and Innovation.

OAL filed this regulation with the Secretary of State, and will publish the regulation in the California Code of Regulations.

Date: June 29, 2021

  
Peggy J. Gibson  
Senior Attorney

For: Kenneth J. Pogue  
Director

Original: Rob Bonta, Attorney General  
Copy: Sarah L. Fabian

**NOTICE PUBLICATION/REGULATIONS SUBMISSION**

STD. 400 (REV. 10/2019)

**FILE PRINT**

For use by Secretary of State only

<b>OAL FILE NUMBERS</b>	NOTICE FILE NUMBER <b>Z-</b>	REGULATORY ACTION NUMBER <b>2021-0521-03PP</b>	EMERGENCY NUMBER
For use by Office of Administrative Law (OAL) only		2021 MAY 21 P 3:46 OFFICE OF ADMINISTRATIVE LAW	
NOTICE		REGULATIONS	
AGENCY WITH RULEMAKING AUTHORITY Department of Justice, for the Department of Financial Protection and Innovation			AGENCY FILE NUMBER (If any)

**ENDORSED - FILED**  
in the office of the Secretary of State  
of the State of CaliforniaJUN 29 2021  
2:44 PM**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)
<b>OAL USE ONLY</b>	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 Disapproved/Withdrawn	NOTICE REGISTER NUMBER	PUBLICATION DATE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) Department of Financial Protection and Innovation Bond Form	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)	
<b>SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)</b>	ADOPT
TITLE(S) 11, Div.1, Chapter 2	AMEND Article 6, section 31.29 - Debt Collection Licensing Act Licensee Bond
	REPEAL
3. TYPE OF FILING	
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<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 nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)
	<input checked="" type="checkbox"/> File & Print
	<input checked="" type="checkbox"/> Other (Specify) <u>Revision of surety bond form</u>
	<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"/> Fair Political Practices Commission
<input type="checkbox"/> Other (Specify)	<input type="checkbox"/> State Fire Marshal
7. CONTACT PERSON Sarah L. Fabian	TELEPHONE NUMBER 415-510-3517
	FAX NUMBER (Optional)
	E-MAIL ADDRESS (Optional)

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.

For use by Office of Administrative Law (OAL) only

**AUTHORIZED FOR FILING AND PRINTING**

JUN 29 2021

Office of Administrative Law

SIGNATURE OF AGENCY HEAD OR DESIGNEE Sarah L. Fabian <small>Digitally signed by Sarah L. Fabian Date: 2021.05.18 16:09:24 -0700</small>	DATE May 18, 2021
TYPED NAME AND TITLE OF SIGNATORY Sarah L. Fabian - Deputy Attorney General	

This document is for reference ONLY. This bond form has been rendered electronically in NMLS for official use.

## SURETY BOND

Bond No. \_\_\_\_\_ DEBT COLLECTION LICENSING ACT LICENSEE BOND  
Bond Amount: \_\_\_\_\_ (California Financial Code Section 100000, et seq.)  
Effective Date: \_\_\_\_\_

KNOW ALL PERSONS BY THESE PRESENTS:

That we, \_\_\_\_\_ including any and all trade names, NMLS # \_\_\_\_\_, whose address for service is \_\_\_\_\_ as Principal, and \_\_\_\_\_, NAIC # \_\_\_\_\_, duly licensed to do surety business in the State of California, whose address for service is \_\_\_\_\_ as Surety (Principal and Surety together are hereinafter collectively referred to as "Obligors"), are held and firmly bound unto the Commissioner of the Department of Financial Protection and Innovation of the State of California ("Commissioner") for use by the Commissioner, for its own benefit, under the provisions of the Debt Collection Licensing Act, California Financial Code Section 100000, et seq.) ("Debt Collection Licensing Act"), hereafter described in the penal sum of \_\_\_\_\_, lawful money of the United States of America, to be paid to the Commissioner for which payment well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents:

Whereas, the above bound Principal has applied to the Commissioner for a license to engage in the business of debt collection, as provided by law under the Debt Collection Licensing Act.

The Surety, its successors and assigns, are jointly and severally liable on the obligations of the bond, the statute providing for the bond (Debt Collection Licensing Act, California Financial Code Division 25, Section 100000, et seq.) and the provisions of Chapter 2 (commencing with Section 995.010) Title 14, Part 2, California Code of Civil Procedure.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the Principal and any employee or agent representing the Principal, working at any location, faithfully conform to and abide by each and every provision of the Debt Collection Licensing Act, and all amendments thereto, and of all rules and regulations and orders lawfully made by the Commissioner, and pay to the Commissioner any and all monies that may become due or owing to the Commissioner under and by virtue of the provisions of the Debt Collection Licensing Act, then this obligation is to be void; otherwise to remain in full force and effect until the Surety is released from liability by the Commissioner, subject, however, to the following conditions:

1. The Surety may reduce coverage by amending the effective date or the bond amount, or may cancel this bond sixty (60) calendar days from date of receipt of notice delivered electronically through NMLS to the Principal and the Commissioner, but no such amendment or cancellation shall affect any liability which arises from acts or omissions which occur prior to the termination of such sixty-day period.
2. The Surety shall provide notice to the Commissioner within ten (10) calendar days of service of any action against the Bond.
3. In no event shall the aggregate liability of the Surety for any and all claims exceed the penal sum of this Bond stated therein.

4. The Commissioner has the exclusive right to proceed on this bond against the Principal or Surety hereon or both to recover any and all moneys that may become due or owing.

In Witness Whereof, The said Principal has hereto set his hand and seal and the said Surety has caused this obligation to be duly executed by its duly authorized agent to be hereunto affixed on this \_\_\_\_\_ day of \_\_\_\_\_.

By: \_\_\_\_\_  
Principal

By: \_\_\_\_\_  
Surety