

CALIFORNIA DEPARTMENT OF JUSTICE

TITLE 11. LAW

DIVISION 1. ATTORNEY GENERAL

CHAPTER 4.5. CALIFORNIA VOLUNTEER AND EMPLOYEE CRIMINAL HISTORY SERVICE (CalVECHS) PROGRAM

UPDATED INFORMATIVE DIGEST

Effect of the Proposed Rulemaking:

On March 7, 2025, the Department of Justice (DOJ) published the Notice of Proposed Rulemaking. Following the Notice of Proposed Rulemaking, the regulations text was modified on January 23, 2026. The regulations were modified as follows:

Section 401: This section was amended to specify that a qualified entity is a human resource agency or employer and to specify that “elderly” refers to a person. This section was also amended to establish who is a “covered individual,” consistent with the populations established in Penal Code section 11105.3 and the applicant populations allowed under United States Code, title 34, section 40102, and replace “prospective” with “applicant,” consistent with the populations established in Penal Code section 11105.3. This section also includes the addition of definitions for “authorized applicant agency,” “employer,” and “human resource agency.”

Section 402: This section was amended to clarify that enrollment in the CalVECHS Program is contingent upon approval by DOJ as an authorized applicant agency, to distinguish the CalVECHS enrollment process from the general applicant agency authorization process.

Section 403: This section was amended to clarify that DOJ will deny CalVECHS enrollment when an agency’s applicants are already required to undergo fingerprint-based state and national criminal history background checks under a statute other than Penal Code section 11105.3 that has been approved by the Federal Bureau of Investigation for a federal response. This amendment minimizes ambiguity about the types of entities that cannot be approved for CalVECHS enrollment.

Applicable Laws:

There have been no changes in applicable laws or to the effect of the proposed regulations from the laws and effects described in the Notice of Proposed Rulemaking.