




Governor Gavin Newsom

State of California
Governor's Office of Planning and Research
1400 10th Street, Sacramento, California, 95814
info@opr.ca.gov | opr.ca.gov



Director Sam Assefa

Memorandum

Date: November 20, 2023
To: Interested Persons
From: Samuel Assefa, Director
Governor's Office of Planning and Research (OPR)
State Clearinghouse (SCH) Unit

Subject: Senate Bill (SB) 69 (Cortese, 2023) – Notices of Determination (NOD) and Exemption (NOE) Filing

Please be advised effective January 1, 2024, Senate Bill (SB) 69 (Cortese, 2023) will require electronic filing of all notices of determination (NODs) normally filed with the local county clerk to also be filed with the Office of Planning and Research (OPR). In addition, any NOEs filed with the local county clerk must also be filed with OPR.

Background

When a local agency approves or determines to carry out a project subject to CEQA, Public Resources Code section 21152 requires that the local agency file notices of determination with the county clerk of each county in which the project will be located. Section 21152 also authorizes the local agency to file notices of exemption with the county clerk of each county in which the project will be located. Notices filed pursuant to this section shall be posted within 24 hours of receipt in the office or website of the county clerk.

What's New

Under the newly revised section 21152, a local agency that approves or determines to carry out a project subject to CEQA will be required to submit its NODs to both the county clerk and to the State Clearinghouse (SCH) in OPR. Additionally, if a NOE is filed with the county clerk, it must also be filed at SCH. The SCH will promptly post any notice filed under this section, along with any subsequent or amended notices, on its internet website within 24 hours of receipt.

For more information, please refer to the to the full bill text:

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202320240SB69