

BUILDING STANDARDS COMMISSION

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BUILDING STANDARDS BULLETIN 13-08

DATE: December 9, 2013
TO: INTERESTED PARTIES
SUBJECT: 2013 LEGISLATIVE CHANGES

This information bulletin summarizes the legislative changes to state laws regarding buildings, building standards, and the California Building Standards Commission made during the 2013 period of the 2013/2014 legislative session that are effective January 1, 2014. The changes to laws, which may include amendments, repeals and new language, include the California Education Code, Health and Safety Code, Public Resources Code, Business and Professions Code, Government Code, and Civil Code.

[Chapter 475, Statutes of 2013 \(Assembly Bill No. 56, Weber\)](#) adds Sections 32080 and 32081 to the Education Code, relating to school facilities.

- Article 7 (commencing with Section 32080) is added to Chapter 1 of Part 19 of Division 1 of Title 1 of the Education Code to enact the following:
 - States legislative findings and declarations regarding carbon monoxide poisoning;
 - Requires the Office of the State Fire Marshal to propose for adoption by the California Building Standards Commission, for the Commission's next triennial code adoption cycle, appropriate standards for the installation of carbon monoxide devices in public and private school buildings constructed pursuant to the 2016 California Building Standards Code (Title 24, California Code of Regulations);
 - Encourages schools built prior to the adoption of the 2016 California Building Standards Code to install carbon monoxide devices, as specified.

[Chapter 579, Statutes of 2013 \(Assembly Bill No. 127, Skinner\)](#) adds Section 13108.1 to the Health and Safety Code, relating to fire safety.

- Section 13108.1 is added to the Health and Safety Code to require the Office of the State Fire Marshal, in consultation with the Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal Insulation, to review specified flammability standards to determine if the standards for some insulation materials can only be met with the addition of chemical flame retardants. Based on this

review the Office of the State Fire Marshal may develop building standards that maintain overall building safety and ensure adequate protection from specified types of fires.

[Chapter 154, Statutes of 2013 \(Assembly Bill No. 221, Quirk-Silva\)](#) amends Sections 16000, 16001, and 16004 of the Public Resources Code, relating to recycling.

- Public Resources Code Sections 16000, 16001, and 16004 are amended to update legislative findings and declarations to state the benefits of recycling concrete and to also update the definition of recycled concrete to reference compliance with the California Green Building Standards Code – CALGreen (Part 11, Title 24, California Code of Regulations).

[Chapter 585, Statutes of 2013 \(Assembly Bill No. 341, Dickinson\)](#) amends Sections 18930, 18930.5, and 18931.7 of, and adds Section 18940.5 to, the Health and Safety Code, relating to green building standards.

- Health and Safety Code Section 18930 is amended to specify that, for purposes of the Nine Point Criteria all building standards must meet, the public interest includes, but is not limited to, health and safety, resource efficiency, fire safety, seismic safety, building and building system performance, and consistency with environmental, public health, and accessibility statutes and regulations.
- Health and Safety Code Section 18930.5 is amended as follows:
 - Requires the California Building Standards Commission and state agencies that propose green building standards to allow for input by other state agencies that have expertise in green building subject areas;
 - Requires the process by which these other state agencies shall submit suggested changes for consideration to be adopted as administrative regulations that include certain elements;
 - Requires a state agency that offers advice to the Commission via an advisory panel to, if feasible, indicate when voluntary green building standards may be adopted as mandatory;
- Health and Safety Code Section 18931.7 is amended to expand upon existing requirements for the expenditure of moneys appropriated from the Building Standards Administration Special Revolving Fund;
- Section 18940.5 is added to the Health and Safety Code to require the referencing and reprinting of green building standards into other Parts of Title 24.

[Chapter 377, Statutes of 2013 \(Assembly Bill No. 433, Gordon\)](#) amends Sections 7026.12 and 7057 of, and adds Section 7026.13 to, the Business and Professions Code, and also adds Section 13110 to the Health and Safety Code, relating to contractors.

- Sections 7026.12 and 7057 are amended and Section 7026.13 is added to the Business and Professions Code to authorize, until January 1, 2017, the installation of a residential fire protection system for a one- or two-family dwelling by a contractor holding a C-16 classification, an owner-builder of an owner-occupied dwelling, or by a contractor holding a C-36 classification, as defined in the Contractors State License Board regulations.
- Section 13110 is added to the Health and Safety Code to authorize the Office of the State Fire Marshal to propose, adopt and administer regulations deemed necessary to ensure fire safety in buildings and structures and requires those regulations be submitted to the Building Standards Commission for approval, as specified.

[Chapter 663, Statutes of 2013 \(Assembly Bill No. 980, Pan\)](#) adds Section 18944.18 to the Health and Safety Code, relating to health care facilities.

- Section 18944.18 is added to the Health and Safety Code to enact the following:
 - The intent of the Legislature is for all primary care clinics, including those that provide abortion services, be subject to the same licensing and building standards;
 - The intent of the Legislature is to render unenforceable Section 1226.7 of the 2013 Triennial Edition of the California Building Standards Code;
 - Requires the California Building Standards Commission and the Office of Statewide Health Planning and Development to adopt emergency regulations that would repeal Section 1226.7 of the 2013 California Building Standards Code, including all cross-references to that section, as soon as possible;
 - Requires the California Department of Public Health to repeal regulations relating to abortion services in primary care clinics in specified sections of Title 22 of the California Code of Regulations.

[Chapter 410, Statutes of 2013 \(Assembly Bill No. 1092, Levine\)](#) adds Section 18941.10 to the Health and Safety Code, relating to building standards for mandatory electric vehicle charging infrastructure.

- Section 18941.10 is added to the Health and Safety Code to require the Department of Housing and Community Development and the California Building Standards Commission to adopt mandatory standards for the installation of

electric vehicle charging infrastructure for parking spaces in multifamily dwellings and nonresidential developments. Such requirements must be added in the next triennial edition of the California Building Standards Code (Title 24, California Code of Regulations). This statute also requires the Department and the Commission to actively consult with specified interested parties in developing these standards.

[Chapter 352, Statutes of 2013 \(Assembly Bill No. 1317, Frazier\)](#) amends Sections 18901, 18917.5, 18920, and 18922 of the Health and Safety Code, relating to statutory changes specific to the creation of the Government Operations Agency and the continued existence of the California Building Standards Commission. These modifications to existing statute are necessary to reflect the changes made by the Governor's Reorganization Plan No. 2 of 2012, as introduced to the Legislature on May 3, 2012 and made effective on July 3, 2012.

- Health and Safety Code Section 18901 is amended to state that the California Building Standards Commission shall continue within the Department of General Services;
- Health and Safety Code Section 18917.5 is amended to state that "Secretary" means the Secretary of Government Operations;
- Health and Safety Code Section 18920 is amended to state that the California Building Standards Commission consists of the Secretary of Government Operations and 10 members appointed by the Governor subject to confirmation by the Senate;
- Health and Safety Code Section 18922 is amended to state that the Secretary of Government Operations or the secretary's representative shall serve as the chair of the Commission.

[Chapter 212, Statutes of 2013 \(Senate Bill No. 401, Hueso\)](#) amends Section 11346.2 of the Government Code, relating to the cost of compliance with building standards.

- Government Code Section 11346.2 is amended to require an initial statement of reasons for any proposed building standard, regardless of whether the building standard impacts housing, to include the estimated cost of compliance, potential benefits, and related assumptions used in determining those estimates.

[Chapter 183, Statutes of 2013 \(Senate Bill No. 745, Housing Omnibus Act of 2013, Committee on Transportation and Housing\)](#) amends Sections 1101.5 and 1941.4 of the Civil Code, and amends Section 13114 of the Health and Safety Code, relating to housing.

- Civil Code Section 1101.5 is amended to correct the term "commercial residential real property" to instead read "commercial real property," to be consistent with

the definitions and intent of the enacting legislation ([SB 407, Chapter 587, Statutes of 2009](#));

- Civil Code Section 1941.4 deletes an erroneous reference to the National Electrical Code, replacing it with a more accurate reference to the California Electrical Code. While the National Electrical Code is the model code on which the California Electrical Code is based, the latter is the applicable code used throughout California.
- Health and Safety Code Section 13114 removes the end-of-life feature requirement on all smoke alarms and extends the compliance date to July 1, 2015 for smoke alarm manufacturers to have their products tested to comply with state law;

*Note: Please contact the Department of Housing and Community Development (Department) for further information on this bill and others that have an impact on housing. The Department may be contacted by the following information:

Department of Housing and Community Development

2020 West El Camino Avenue

Sacramento, CA 95833

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This summary of legislative changes is not intended to be a complete digest of all new laws affecting buildings, building standards, and the California Building Standards Commission. Additionally, we have only addressed those provisions of the listed bills that pertain to buildings, building standards, and the Commission, and there may be other changes. The complete text of each law can be reviewed through the California Legislative website at <http://www.leginfo.ca.gov>.

For information regarding legislative changes relative to building standards, you may contact us at (916) 263-0916 or via e-mail at cbssc@dgs.ca.gov.



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