



California Regulatory Notice Register

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PROPOSED ACTION ON REGULATIONS

Information contained in this document is published as received from agencies and is not edited by Thomson Reuters.

TITLE 2. FAIR POLITICAL PRACTICES COMMISSION

NOTICE IS HEREBY GIVEN that the Fair Political Practices Commission, pursuant to the authority vested in it by Sections 82011, 87303, and 87304 of the Government Code to review proposed conflict-of-interest codes, will review the amended conflict-of-interest codes of the following:

CONFLICT-OF-INTEREST CODES

AMENDMENT

MULTI-COUNTY: Los Gatos–Saratoga Union
High School District

A written comment period has been established commencing September 6, 2024, and closing on October 21, 2024. Written comments should be directed to the Fair Political Practices Commission, Attention Belen Cisneros, 1102 Q Street, Suite 3050, Sacramento, California 95811.

At the end of the 45-day comment period, the proposed conflict-of-interest code will be submitted to the Commission’s Executive Director for their review, unless any interested person or their duly authorized representative requests, no later than 15 days prior to the close of the written comment period, a public hearing before the full Commission. If a public hearing is requested, the proposed code will be submitted to the Commission for review.

The Executive Director of the Commission will review the above-referenced conflict-of-interest code, proposed pursuant to Government Code Section 87300, which designate, pursuant to Government Code Section 87302, employees who must disclose certain investments, interests in real property and income.

The Executive Director of the Commission, upon their own motion or at the request of any interested person, will approve, or revise and approve, or return the proposed code to the agency for revision and re-submission within 60 days without further notice.

Any interested person may present statements, arguments, or comments, in writing to the Executive

Director of the Commission, relative to review of the proposed conflict-of-interest code. Any written comments must be received no later than October 21, 2024. If a public hearing is to be held, oral comments may be presented to the Commission at the hearing.

COST TO LOCAL AGENCIES

There shall be no reimbursement for any new or increased costs to local government which may result from compliance with these codes because these are not new programs mandated on local agencies by the codes since the requirements described herein were mandated by the Political Reform Act of 1974. Therefore, they are not “costs mandated by the state” as defined in Government Code Section 17514.

EFFECT ON HOUSING COSTS AND BUSINESSES

Compliance with the codes has no potential effect on housing costs or on private persons, businesses, or small businesses.

AUTHORITY

Government Code Sections 82011, 87303 and 87304 provide that the Fair Political Practices Commission as the code-reviewing body for the above conflict-of-interest codes shall approve codes as submitted, revise the proposed code, and approve it as revised, or return the proposed code for revision and re-submission.

REFERENCE

Government Code Sections 87300 and 87306 provide that agencies shall adopt and promulgate conflict-of-interest codes pursuant to the Political Reform Act and amend their codes when change is necessitated by changed circumstances.

CONTACT

Any inquiries concerning the proposed conflict-of-interest code should be made to Belen Cisneros, Fair Political Practices Commission, 1102 Q Street, Suite 3050, Sacramento, California 95811, or email bcisneros@fppc.ca.gov.

AVAILABILITY OF PROPOSED CONFLICT-OF-INTEREST CODES

Copies of the proposed conflict-of-interest codes may be obtained from the Commission offices or the respective agency. Requests for copies from the Commission should be made to Belen Cisneros, Fair Political Practices Commission, 1102 Q Street, Suite

3050, Sacramento, California 95811, or email bcisneros@fpcc.ca.gov.

TITLE 10. HEALTH BENEFIT EXCHANGE

AMEND SECTION 6464

The California Health Benefit Exchange/Covered California (the Exchange) Board proposes to amend the regulation described below after considering all comments, objections, and recommendations regarding the proposed action.

PUBLIC HEARING

The Exchange has not scheduled a public hearing on this proposed action. However, the Exchange will hold a hearing if it receives a written request for a public hearing from any interested person, or his or her authorized representative, no later than 15 days before the close of the written comment period.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Exchange. The written comment period closes at **noon (12:00 p.m.) on October 22, 2024 (45 days after the published date)**. The Exchange will consider only comments received at the Exchange's office by that time. Submit written comments to:

Jocelyn Acosta
Regulations Analyst
California Health Benefit Exchange (Covered California)
1601 Exposition Boulevard
Sacramento, CA 95815

Comments may also be submitted by facsimile (FAX) at 916–403–4468 or by email to regulations@covered.ca.gov.

AUTHORITY AND REFERENCE

Government Code section 100504, subdivision (a)(6) authorizes the Exchange Board to adopt rules and regulations, as necessary. The proposed regulation implements, interprets, and makes specific Government Code section 100503, subdivisions (a), (h), and (s), and Centers for Medicare and Medicaid Services (CMS), Guidance Regarding Identity Proofing for the Marketplace, Medicaid, and CHIP, and Disclosure of Certain Data Obtained through the Data Services Hub (June 11, 2013).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Summary of Existing Laws and Effect of the Proposed Regulations

In March 2010, President Obama signed federal healthcare reform legislation called the Patient Protection and Affordable Care Act (ACA). It created the opportunity for each state to establish a state-based health insurance exchange to implement the ACA. California chose to operate an exchange that is commonly known as “Covered California.” For purposes of this Notice, Covered California will be referred to as the “Exchange.” The Exchange's mission is to increase the number of insured Californians, improve health care quality, lower costs, and reduce health disparities through an innovative, competitive marketplace that empowers consumers to choose their health plan.

That same year, 2010, California chose to operate its own exchange as the California Legislature enacted and the governor signed, legislation establishing the California Health Exchange (now also known as “Covered California,”) and its governing Board. (Stats. 2010, chapter 659, section 2, (SB 900, [Alquist, Steinberg]); Stats 2010, chapter 655 (AB 1602, [Perez]).)

Section 2 of AB 1602 expressed the Legislature's intent in creating the Exchange and its governing Board as follows: “It is the intent of the Legislature to enact the necessary statutory changes to California law in order to establish an American Health Benefit Exchange in California and its administrative authority in a manner that is consistent with the federal Patient Protection and Affordable Care Act (Public Law 111–148), as amended by the federal Health Care and Education Reconciliation Act of 2010 (Public Law 111–152), hereafter the federal act. In doing so, it is the intent of the Legislature to do all of the following: Reduce the number of uninsured Californians by creating an organized, transparent marketplace for Californians to purchase affordable, quality health care coverage, to claim available federal tax credits and cost-sharing subsidies, and to meet the personal responsibility requirements imposed under the federal act. (b) Strengthen the health care delivery system. (c) Guarantee the availability and renewability of health care coverage through the private health insurance market to qualified individuals and qualified small employers. (d) Require that health care service plans and health insurers issuing coverage in the individual and small employer markets compete on the basis of price, quality, and service, and not on risk selection. (e) Meet the requirements of the federal act and all applicable federal guidance and regulations.”

State law also specifies the powers and duties of the executive board of the Exchange. Government

Code section 100504, subdivision (a) authorizes the Exchange’s Board of Directors to adopt rules and regulations, as necessary. The Exchange proposes this permanent rulemaking in furtherance of its rulemaking authority to implement, interpret, and make specific state and federal laws.

The Exchange is required to establish the criteria and process for eligibility determination, enrollment, and disenrollment of enrollees and potential enrollees in California, provide for the processing of applications and the enrollment and disenrollment of enrollees, and exercise all powers reasonably necessary to carry out and comply with the duties, responsibilities, and requirements of the Government Code and the ACA. (Gov. Code, § 100503, subdivisions (a), (h) & (s).)

The Exchange currently provides rigorous system features and procedures that ensure that individuals who apply for coverage or who provide enrollment assistance are who they say they are. However, for continued use of the Federal Data Services Hub for verification of income and social security data, CMS guidance requires state exchanges to establish remote identity verification for customers who apply online and over the phone. (CMS, Guidance Regarding Identity Proofing for the Marketplace, Medicaid, and CHIP, and the Disclosure of Certain Data Obtained through the Data Services Hub (June 11, 2013), pages 1–2.) As a result, the Exchange integrated the federal remote identity verification service for consumers who apply online or over the phone. These proposed amendments will provide the public with clear standards for identity verification, including the processes that will be used for paper and non–paper (i.e., electronic or telephonic) applications and the alternate process should the initial identify verification fail. These amendments allow the Exchange to continue using the federal data services hub by complying with existing federal guidance.

The Exchange is proposing to make amendments to California Code of Regulations, title 10, section 6464. *Objectives and Anticipated Benefits of the Proposed Regulation*

The broad objective of this proposed regulatory action is to make edits that ensure clarity and address stakeholder requests. If approved, this regulation will assist the Exchange with the implementation of identity verification requirements.

Anticipated benefits of this proposed regulation include:

- Providing consumers with clear guidelines on how the Exchange will verify the identity for consumers who apply in either paper or non–paper formats.
- Ensuring compliance with federal requirements.

- Protecting and safeguarding California consumers from the unauthorized and illegal access to, or disclosure of, sensitive information such as federal tax information, personal health information, and personal identifying information, confidential information, or financial information contained in the information systems and devices of the Exchange, or any other information as required by federal law or guidance.

Evaluation of Consistency and Compatibility with Existing State Regulations

After an evaluation of current regulations, the Exchange determined that these proposed amended regulations are not inconsistent or incompatible with any existing state regulations. This evaluation included a review of the laws that regulate the Exchange and specifically those statutes and regulations related to health insurance. Exchange staff also conducted an internet search of other state agency regulations. The Exchange has made its best effort to conform its regulations to State law and does not know of any State statutes or regulations conflicting with these proposed regulations. The proposed amendments do not conflict with any other regulations governing other Certified Representatives.

DOCUMENTS TO BE INCORPORATED BY REFERENCE

None.

DOCUMENTS RELIED UPON

Centers for Medicare and Medicaid Services, *Guidance Regarding Identity Proofing for the Marketplace, Medicaid, and CHIP, and the Disclosure of Certain Data Obtained through the Data Services Hub* (June 11, 2013).

DISCLOSURES REGARDING THE PROPOSED ACTION

The Executive Director of the California Health Benefit Exchange has made the following initial determinations:

Matters prescribed by statute applicable to the agency or to any specific regulation or class of regulations: None.

Mandate on local agencies or school districts: None.
Cost or savings to any state agency: None.

Cost to any local agency or school district which must be reimbursed pursuant to Government Code sections 17500 et seq.: None.

Other nondiscretionary costs or savings imposed on local agencies: None.

Costs or savings in federal funding to the state: There is no other impact on federal funding to the state as a result of these regulations.

Significant effect on housing costs: None.

Effect on small business: The proposed regulations will not affect small businesses because the regulations apply to the Exchange identity verification process as well as individual consumers applying for health coverage through the Exchange.

Significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states: None.

Cost impacts on a representative private person or business: The Exchange is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Business Reporting Requirement: None.

RESULTS OF THE ECONOMIC IMPACT ASSESSMENT/ANALYSIS

The Exchange concludes regarding the proposed regulations that it is:

- (1) **unlikely** to create or eliminate any jobs in the State;
- (2) **unlikely** to create or eliminate businesses within the State;
- (3) **unlikely** to impact the expansion of businesses currently doing business in California;
- (4) **likely** to provide benefits to the health and welfare of California residents; and
- (5) **unlikely** to provide benefits to worker safety and the state’s environment.

Benefits of the regulations, including, but not limited to, benefits to the health, safety, and welfare of California residents, worker safety, and the state’s environment and quality of life, among any other benefits identified by the agency.

The regulation has a number of benefits which are tied to the Exchange’s overall mission. The Exchange is committed to improving the consumer experience in obtaining health insurance. The regulation ensures that identity proofing is used to protect the privacy of personal information, such that only the appropriate individuals have access to data to which access is restricted. A robust identity proofing process is a key piece of the comprehensive privacy and security framework that is needed when providing interactive access to an eligibility process that includes sensitive federal and state data.

Anticipated benefits of this proposed regulation include:

- Providing consumers with clear guidelines on how the Exchange will verify the identity for consumers who apply in either paper or non–paper formats.
- Ensuring compliance with federal requirements.
- Protecting and safeguarding California consumers from the unauthorized and illegal access to, or disclosure of, sensitive information such as federal tax information, personal health information, and personal identifying information, confidential information, or financial information contained in the information systems and devices of the Exchange, or any other information as required by federal law or guidance.

This proposed regulatory action will not affect worker safety and the state’s environment.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Exchange must determine that no reasonable alternative considered or otherwise identified and brought to the attention of the Exchange is more effective in carrying out the purpose for which the action is proposed, is as effective and less burdensome to affected private persons than the proposed action, or is more cost–effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The Exchange invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

CONTACT PERSONS

Inquiries concerning the proposed administrative action may be directed to:

Jocelyn Acosta
California Health Benefit Exchange (Covered California)
1601 Exposition Boulevard
Sacramento, CA 95815
Telephone: (916) 954–3132

The backup contact person for inquiries concerning the proposed administrative action may be directed to:

Crystal Hirst
California Health Benefit Exchange (Covered California)
1601 Exposition Boulevard
Sacramento, CA 95815
Telephone: (916) 228–8313

Please direct copies of the proposed text of the regulations, the Initial Statement of Reasons, the modi-

fied text of the regulations, if any, or other information upon which the rulemaking is based to Jocelyn Acosta at the above contact information.

AVAILABILITY OF DOCUMENTS

Availability of Initial Statement of Reasons, Text of Proposed Regulations and Rulemaking File

The Exchange will have the entire rulemaking file available for inspection and copying throughout the rulemaking process at its office at the above address. As of the date of this notice is published in the Notice Register, the rulemaking file will consist of this notice, the proposed text of the regulation and the Initial Statement of Reasons. Copies may be obtained by contacting Jocelyn Acosta at the address or phone number listed above.

Availability of Changed or Modified Text

After holding a hearing, if requested, and considering all timely and relevant comments received, the Exchange may adopt the proposed regulations substantially as described in this notice. If the Exchange makes modifications which are sufficiently related to the originally proposed text, it will make the modified text to the public at least 15 days before the Exchange adopts the regulations as revised. Please send requests for copies of any modified regulations to the attention of Jocelyn Acosta at the address indicated above. The Exchange will accept written comments on the modified regulations for 15 days after the date on which they are made available.

Availability of the Final Statement of Reasons

Upon its completion, copies of the Final Statement of Reasons may be obtained by contacting Jocelyn Acosta at the above address.

Availability of Documents on the Internet

Copies of the Notice of Proposed Rulemaking, the Initial Statement of Reasons and the proposed text of the regulations in underline and strikeout can be accessed through our website at www.hbex.coveredca.com/regulations.

TITLE 11. COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

EMPLOYMENT STATUS NOTIFICATIONS

Notice is hereby given that the Commission on Peace Officer Standards and Training (POST) proposes to amend regulations in Division 2 of Title 11 of the California Code of Regulations as described below in the Informative Digest. A public hearing is not scheduled. Pursuant to Government Code (GC) section 11346.8, any interested person, or their duly au-

thorized representative, may request a public hearing. POST must receive the written request no later than 15 days prior to the close of the public comment period.

Public Comments Due by October 21, 2024.

Notice is also given that any interested person, or authorized representative, may submit written comment(s) relevant to the proposed regulatory action by fax at (916) 404–5619, by email to Katelynn Poulos at Katelynn.Poulos@post.ca.gov or by letter to:

Commission on POST
Attention: Katelynn Poulos
860 Stillwater Road, Suite 100
West Sacramento, CA 95605–1630

AUTHORITY AND REFERENCE

This proposal is made pursuant to the authority vested by Penal Code (PC) section 13503 (authority of POST) and PC § 13506 (POST authority to adopt regulations). This proposal is intended to interpret, implement, and make specific PC § 13503(e), which authorizes POST to develop and implement programs to increase the effectiveness of law enforcement, including programs involving training and education courses.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

On September 30, 2021, Governor Newsom signed Senate Bill (SB) 2 (2021). SB 2 (2021) made significant changes to existing Government and Penal Codes, respectively. These changes provide for additional peace officer eligibility requirements. SB 2 (2021) also grants POST the authority to certify all peace officers in California, and subsequently take action against those certifications, should POST determine serious misconduct occurred. While the peace officer eligibility requirements went into effect on January 1, 2022, the remaining changes to Government and Penal Codes went into effect on January 1, 2023. POST continues to review and update processes and regulatory actions in response to the implementation of SB 2 (2021).

This rulemaking action clarifies and makes specific the information required to be submitted on the *Affidavit of Separation Form*, (POST 2–357) to be more appropriately aligned with the requirements of PC § 13510.9(d) and to specify the means by which POST shall be notified of convictions identified in GC § 1029 as disqualifiers for eligibility as a peace officer.

This rulemaking action also clarifies terminology and instructions as well as maintains consistency with Penal Code language.

Anticipated Benefits of the Proposed Amendments:

The benefits anticipated by the proposed amendments to the regulation will provide clarity regarding the information required to be reported on the *Affidavit of Separation Form* (POST 2–357) and will specify the means by which POST shall be notified of convictions identified in GC § 1029 as disqualifiers for eligibility as a peace officer. This will increase the efficiency of the state of California in delivering services to stakeholders. Thus, law enforcement standards are maintained and effective in preserving peace, protection of public health, safety, and welfare in the state. The proposed amendments will have no impact on worker safety or the state’s environment.

Evaluation of Inconsistency/Incompatibility with Existing State Regulations:

POST has determined that these proposed amendments are not inconsistent nor incompatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area, POST has concluded that these are the only regulations that concern processes and procedures for peace officer eligibility in the state.

FORMS/DOCUMENTS INCORPORATED
BY REFERENCE

- *Affidavit of Separation Form* (POST 2–357) (Revision Date 01/2023).

DISCLOSURES REGARDING THE
PROPOSED ACTION

POST has made the following initial determinations:

Mandate on local agencies or school districts: None.

Cost or savings to any state agency: None.

Costs to any local agency or school district which must be reimbursed in accordance with GC §§ 17500 through 17630: None.

Other non–discretionary costs or savings imposed on local agencies: None.

Costs or savings in federal funding to the state: None.

Cost impacts on a representative private persons or business: POST is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Significant, statewide adverse economic impact directly affecting California businesses: POST has determined that the proposed regulations will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

Significant effect on housing costs: None.

Small Business Determination: POST has determined that the proposed regulations will not affect small businesses because the regulation addresses requirements that are currently in place as they relate to understanding the status or validity of a peace officer’s certification and/or appointment and only affect law enforcement agencies. Additionally, the Commission’s main function to establish and maintain training standards for law enforcement has no financial effect on small businesses.

RESULTS OF ECONOMIC IMPACT
ANALYSIS/ASSESSMENT

POST concludes that it is (1) unlikely the proposal will create nor eliminate jobs in the state of California, (2) unlikely that the proposal will create nor eliminate any businesses, and (3) unlikely that the proposed regulations will result in the expansion of businesses currently doing business within the state.

Benefits of the Proposed Action: As stated above under the Informative Digest/Policy Statement Overview, the benefits of the regulation will increase the efficiency of the state of California in delivering services to stakeholders by providing clarity regarding the information required to be reported on the *Affidavit of Separation Form* (POST 2–357) and to specify the means by which POST shall be notified of convictions identified in GC § 1029 as disqualifiers for eligibility as a peace officer. Thus, the law enforcement standards are maintained and effective in preserving peace, protection of public health, safety, and welfare in California. There would be no impact that would affect worker safety or the state’s environment.

CONSIDERATION OF ALTERNATIVES

In accordance with GC § 11346.5, subdivision (a)(13), POST must determine that no reasonable alternative it considered, or that has otherwise identified and brought to its attention, would be more effective in carrying out the purpose for which the action is proposed, or would be as effective as and less burdensome to affected private persons than the proposed action, or would be more cost–effective to affected private persons and equally effective in implementing the statutory policy or other provision of law than the proposed action.

CONTACT PERSONS

Questions regarding this proposed regulatory action may be directed to Katelynn Poulos, Commission on POST, 860 Stillwater Road, Suite 100, West Sacramento, CA 95605–1630 at (916) 227–4894. General questions regarding the regulatory pro-

cess may be directed to Ashley Anderson at (916) 970–4635.

TEXT OF PROPOSAL

Individuals may request copies of the proposed text (the “express terms”) of the regulations, the initial statement of reasons, the modified text of the regulations, if any, or other information upon which the rulemaking is based to, the Commission on POST at 860 Stillwater Road, Suite 100, West Sacramento, CA 95605–1630. These documents are also located on the POST Website at <https://post.ca.gov/Regulatory-Actions>.

ADOPTION OF PROPOSED REGULATIONS/ AVAILABILITY OF CHANGED OR MODIFIED TEXT

Following the public comment period, the Commission may adopt the proposal substantially as set forth without further notice, or the Commission may modify the proposal if such modifications remain sufficiently related to the text as described in the Informative Digest. If the Commission makes changes to the language before the date of adoption, the text of any modified language, clearly indicated, will be made available at least 15 days before adoption to all persons whose comments were received by POST during the public comment period and to all persons who request notification from POST of the availability of such changes. A request for the modified text should be addressed to the agency official designated in this notice. The Commission will accept written comments on the modified text for 15 days after the date that the revised text is made available.

AVAILABILITY AND LOCATION OF THE RULEMAKING FILE AND THE FINAL STATEMENT OF REASONS

The rulemaking file contains all information upon which POST is basing this proposal and is available for public inspection by contacting the person(s) named above. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, and the initial statement of reasons.

To request a copy of the Final Statement of Reasons once it has been approved, submit a written request to the contact person(s) named above.

TITLE 24. BUILDING STANDARDS COMMISSION

NOTICE OF PROPOSED ACTION TO BUILDING STANDARDS OF THE CALIFORNIA BUILDING STANDARDS COMMISSION REGARDING THE 2025 CALIFORNIA ADMINISTRATIVE CODE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 1 (BSC 04/24)

Notice is hereby given that the California Building Standards Commission (CBSC) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 1. The CBSC is proposing building standards related to the 2025 California Administrative Code, Title 24, Part 1.

PUBLIC COMMENT PERIOD

Reference: Government Code Sections 11346.5(a)(1), 11346.5(a)(15) and 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **September 6, 2024**, until midnight on **October 21, 2024**.

Comments may be submitted to CBSC via:

Email: cbsc@dgs.ca.gov

US Mail postmarked no later than **October 21, 2024**:

California Building Standards Commission
Attention: Public Comments
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Note: Only comments received in an accessible format will be viewable via CBSC’s website.

Any interested person, or his or her duly authorized representative, may request no later than 15 days prior to the close of the written comment period that a public hearing be held.

The public will have an opportunity to provide written and oral comments regarding the proposed action on building standards at a public meeting to be conducted by CBSC to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

POST–HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS

Reference: Government Code (GC) Section 11346.5(a)(18).

Following the public comment period, CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15–day period.

NOTE: To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

AUTHORITY AND REFERENCE

Reference: Government Code Section 11346.5(a)(2).

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Sections 18931, 18934 and 18949.6.

The purpose of these building standards is to implement, interpret, or make specific the provisions of Health and Safety Code Sections 18931, 18934 and 18949.6.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

HSC Section 18931 establishes the duties of CBSC to review and approve, return for amendment, or reject the building standards adopted by state agencies; codify and publish the adopted and approved standards; resolve conflict; ensure consistency; hear appeals and adopt procedural regulations to administer these duties.

HSC Section 18934 mandates state agencies proposing to adopt building standards to adopt and CBSC to approve regulations establishing procedures to ensure public participation in the development of building standards and regulations.

HSC Section 18949.6 requires CBSC to adopt regulations setting forth the procedure for the adoption of building standards and administrative regulations that apply directly to the implementation or enforcement of building standards. The adoption process is required to facilitate the triennial adoption of model codes and allow for public review of proposed building standards and administrative regulations.

Summary of Existing Regulations

Chapter 1 of the 2022 California Administrative Code (California Code of Regulations, Title 24, Part 1) contains regulations that explain the various responsibilities and functions of CBSC addressing the development, adoption, and publication of building

standards in Title 24, California Code of Regulations. It also includes requirements for state proposing agencies and state adopting agencies involved in the development of building standards.

Summary of Effect

The proposed amendments to Chapter 1, of Part 1, Title 24, California Code of Regulations, are being made to clarify, implement, and make specific requirements relative to procedures for compliance with CBSC rulemaking processes by state adopting and proposing agencies. Specific rationale is provided for each item within the Initial Statement of Reasons (ISOR).

Comparable Federal Statute or Regulations

There are no comparable federal statutes or regulations related to the CBSC proposed action.

Policy Statement Overview

The proposed amendments to Chapter 1 of the 2025 California Administrative Code address necessary procedures for compliance with CBSC rulemaking processes by state adopting and proposing agencies and specific requirements relative to the signatures on and number of copies of rulemaking submittals. The amendments are purposed to assist the public and state agencies with the requirements and processes regarding rulemaking procedures.

Evaluation of Consistency

CBSC has determined that the proposed administrative regulations are not inconsistent or incompatible with existing state regulations.

OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS

Reference: Government Code Section 11346.5(a)(4).

CBSC has determined that there are no other matters prescribed by statute applicable to the agency or to any specific regulation or class of regulations.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

Reference: Government Code Section 11346.5(a)(5).

CBSC has determined that the proposed regulatory action WOULD NOT impose a mandate on local agencies or school districts. CBSC does not have authority to impose building standards or regulations on school districts. Further, the proposed amendments are administrative in nature and will only impact procedures for compliance with CBSC rulemaking processes by state adopting and proposing agencies.

ESTIMATE OF COST OR SAVINGS

Reference: Government Code Section 11346.5(a)(6).

An estimate, prepared in accordance with instructions adopted by Department of Finance, of cost or savings to any state agency, local agency, or school district.

- A. Cost or Savings to any state agency: **YES.**
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO.**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO.**
- D. Other nondiscretionary cost or savings imposed on local agencies: **NO.**
- E. Cost or savings in federal funding to the state: **NO.**

Estimate: The proposed regulations have a potential to reduce printing expenses for state agencies, but they are negligible and impossible to provide a number. The approximate estimation is 50% savings on the cost associated with printing of the rulemaking documents required to be submitted to CBSC.

INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES

Reference: Government Code Section 11346.5(a)(8).

CBSC has made an initial determination that this regulatory action would not have a significant adverse economic impact on California business enterprises and individuals, including the ability of California businesses to compete with businesses in other states.

Declaration of Evidence

Reference: Government Code Section 11346.5(a)(8).

In making the declaration, the agency shall provide in the record of facts, evidence, documents, testimony, or other evidence that the agency relied upon to support its initial determination of no effect.

CBSC has determined that the amendments being proposed are purely administrative in nature and will only impact Part 1 of Title 24 regarding procedures for compliance with CBSC rulemaking processes by state adopting and proposing agencies. The public is welcome to submit any information, facts, or documents either supporting CBSC's initial determination or finding to the contrary.

FINDING OF NECESSITY FOR THE PUBLIC'S HEALTH, SAFETY, OR WELFARE

Reference: Government Code Section 11346.5(a)(11).

Any regulation that requires a report shall not apply to businesses, unless the agency makes a finding that it is necessary for the health, safety, or welfare of the public that the regulations apply to businesses.

N/A.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

Reference: Government Code Section 11346.5(a)(9).

Describe all cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. If no cost impact, provide the following statement:

CBSC is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION

Reference: Government Code Section 11346.5(a)(10).

The CBSC has assessed whether and to what extent this proposal will affect the following:

A. The creation or elimination of jobs within the State of California.

These regulations will not affect the creation or cause the elimination of jobs within the State of California.

B. The creation of new businesses or the elimination of existing businesses within the State of California.

This regulation will not affect the creation of new businesses or elimination of existing businesses within the State of California.

C. The expansion of businesses currently doing business within the State of California.

These regulations will not affect the expansion of businesses currently doing business within the State of California.

D. The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.

These regulations will not affect the health and welfare of California residents, or worker safety. These regulations are administrative in nature and impact procedures for the administration of the rulemaking process. The proposed amendments have a potential to save natural resources associated with elimination of unnecessary printing which may benefit the state's environment.

**ESTIMATED COST OF COMPLIANCE OF
STANDARDS THAT WOULD
IMPACT HOUSING**

Reference: Government Code Section 11346.5(a)(12).

CBSC has determined that this proposal would not have a significant effect on housing costs. CBSC does not have authority to impose building standards or regulations affecting housing.

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).

CBSC has determined that no reasonable alternative considered by CBSC or that has otherwise been identified and brought to the attention of CBSC would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action. In addition, no reasonable alternative considered by CBSC or that has otherwise been identified and brought to the attention of CBSC would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

**AVAILABILITY OF
RULEMAKING DOCUMENTS**

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(19).

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(21).

CBSC shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law. The statement shall note that providing the accessible description of proposed changes may require extending the period of public comment for the proposed action.

**CBSC CONTACT PERSON FOR
PROCEDURAL AND
ADMINISTRATIVE QUESTIONS**

Reference: Government Code Section 11346.5(a)(14).
General questions regarding procedural and administrative issues should be addressed to:

Kevin Day, Deputy Executive Director
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone: (916) 263–0916

**PROPOSING STATE AGENCY CONTACT
PERSON FOR SUBSTANTIVE OR
TECHNICAL QUESTIONS ON THE
PROPOSED CHANGES TO
BUILDING STANDARDS**

Specific questions regarding the substantive or technical aspects of the proposed changes to the building standards should be addressed to:

Primary Contact:

Carol Hagler, Associate Governmental Project
Analyst
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone: (916) 263–5889
Email: Carol.Hagler@dgs.ca.gov

Back up Contact:

Irina Brauzman, Supervising Architect
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone: (916) 263–0916
Email: Irina.Brauzman@dgs.ca.gov

**TITLE 24. BUILDING STANDARDS
COMMISSION**

**NOTICE OF PROPOSED ACTION TO
BUILDING STANDARDS OF THE
CALIFORNIA BUILDING STANDARDS
COMMISSION REGARDING THE
2025 CALIFORNIA BUILDING CODE
CALIFORNIA CODE OF REGULATIONS,
TITLE 24, PART 2 (BSC 05/24)**

Notice is hereby given that the California Building Standards Commission proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 2. The CBSC is proposing building stan-

dards related to the 2025 California Building Code, Title 24, Part 2.

PUBLIC COMMENT PERIOD

Reference: Government Code Sections 11346.5(a)(1), 11346.5(a)(15) and 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **September 6, 2024**, until midnight on **October 21, 2024**.

Comments may be submitted to CBSC via:

Email: cbssc@dgs.ca.gov

US Mail postmarked no later than **October 21, 2024**:

California Building Standards Commission
Attention: Public Comments
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Note: Only comments received in an accessible format will be viewable via CBSC’s website.

Any interested person, or his or her duly authorized representative, may request no later than 15 days prior to the close of the written comment period that a public hearing be held.

The public will have an opportunity to provide written and oral comments regarding the proposed action on building standards at a public meeting to be conducted by CBSC to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

POST-HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS

Reference: Government Code Section 11346.5(a)(18).

Following the public comment period, CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

NOTE: To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

AUTHORITY AND REFERENCE

Reference: Government Code Section 11346.5(a)(2).

BSC proposes to adopt these building standards under the authority granted by Health and Safety Code Sections 18928, 18928.1, 18929, 18931, 18932, 18934.5, 18940.5 and 18942(b).

The purpose of these building standards is to implement, interpret, or make specific the provisions of Health and Safety Code Sections 18928, 18928.1, 18930, 18931, 18932, 18934.5, 18938(b), 18940.5, 18942(b) and 115920–115929.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

HSC Section 18928 sets forth that each state agency adopting or proposing adoption of a model code shall adopt or propose adoption of the most recent edition of the model codes within one year after the date of publication of the model code, national standard, or specification.

HSC Section 18928.1 specifies that building standards adopted or approved by CBSC shall incorporate text of the model codes, applicable national specifications or published standards, in whole or in part, only by reference, with appropriate additions or deletions therefrom.

HSC Sections 18929 outlines the process for adoption of administrative regulations applying to implementation or enforcement of building standards and publication in the administrative part of Title 24.

HSC Section 18930 requires building standards adopted or proposed by state agencies be submitted to the CBSC for approval or adoption prior to codification and establishes the analysis, criteria, review considerations, and factual determinations for the approval or adoption of building standards (9–Point Criteria).

HSC Section 18931 establishes the duties of the Commission to review and approve, return for amendment, or reject the building standards adopted by state agencies; codify and publish the adopted and approved standards; resolve conflict; ensure consistency; hear appeals and adopt procedural regulations to administer these duties.

HSC Section 18932 establishes the contents and format of the building standards code.

HSC Section 18934.5 authorizes CBSC to adopt, approve, codify, and publish building standards for the design and construction of state buildings, including California State University buildings and, to the extent permitted by law, University of California buildings, where no state agency has the authority to adopt building standards applicable to state buildings.

HSC Section 18938(b) sets forth that building standards contained in the model codes and adopted by reference into the California Building Standards Code, Title 24, shall apply to all occupancies through-

out the state and shall become effective 180 days after publication in Title 24 or at a later date as established by the commission.

HSC Section 18940.5 authorizes CBSC and other state agencies that propose green building standards for inclusion in Part 11 of the Title 24 of the California Code of Regulations to the extent feasible, reference or reprint green building standards in other parts of Title 24. For purposes of compliance with this section, the republication of these provisions in other parts of Title 24 shall not be considered duplication in violation of HSC Section 18930.

HSC Section 18942(b) requires CBSC to publish the Swimming Pool Safety Act (HSC Sections 115920 through 115929) within the requirements for single-family residential occupancies contained in Part 2.5 of Title 24 of the California Code of Regulations.

HSC Sections 115920 through 115929 are known as the Swimming Pool Safety Act. The Swimming Pool Safety Act establishes minimum standards for pool safety and is required to be published within the requirements for single-family residential occupancies contained in Part 2.5 of Title 24 of the California Code of Regulations by HSC Section 18942(b).

Summary of Existing Regulations

The existing 2022 California Building Code (CBC) is Part 2 of the California Code of Regulations, Title 24, also referred to as the California Building Standards Code. The 2022 CBC incorporates, by adoption by the BSC, the 2021 International Building Code (IBC) of the International Code Council (ICC), with amendments for state buildings and buildings constructed by the University of California and California State Universities promulgated by the California Building Standards Commission. Additional BSC amendments to model code language in the 2024 IBC resolve conflicts with existing California laws or regulations, pursuant to HSC Section 18931.

Summary of Effect

BSC is mandated to adopt the most current editions of the model codes. This proposed action by BSC will repeal the 2021 IBC and adopt the 2024 IBC with existing and new editorial amendments into the 2025 edition of the CBC. This proposed action will make the 2022 CBC inoperative upon the effective date of 2025 CBC on January 1, 2026. BSC's amendments are applicable to state buildings, state colleges and universities, pursuant to Health and Safety Code Section 18934.5. Additionally, the proposed action will:

- Make editorial changes to currently adopted amendments to improve clarity and maintain the most current building standards for the protection of public health and welfare in the built environment.

- Make editorial amendments to the 2024 IBC model code language to resolve conflicts with existing California laws or regulations, pursuant to HSC Section 18931.
- Continue to reference or reprint green building standards into the 2025 CBC, as appropriate, pursuant to HSC Section 18940.5

The Initial Statement of Reasons (ISOR) provides a complete description of the proposed building standards effect.

Comparable Federal Statute or Regulations

There are no comparable federal statutes or regulations related to the proposed action by BSC.

Policy Statement Overview

This proposed adoption of the most current edition of the IBC, by reference through the California Code of Regulations, Title 24, makes it applicable to construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures throughout the State of California as specified in Chapter 1 of the CBC.

The adoption of the most current edition of the IBC provides an up-to-date reference document for existing buildings to be repaired, relocated, altered, added to, or otherwise modified under the next triennial edition of the CBC. BSC's amendments are applicable to state buildings, state colleges and universities, as specified in Chapter 1 of the CBC.

The broad objective of the proposed action is to maintain building regulations in conformance with existing state laws and regulations by resolving conflict, duplication, and overlap in building standards in the code.

Evaluation of Consistency

BSC has determined that the proposed regulations are not inconsistent or incompatible with existing state regulations. The amendments are proposed to provide regulatory consistency for the code user.

OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS

Reference: Government Code Section 11346.5(a)(4).

BSC has determined that there are no other matters prescribed by statute applicable to the agency or to any specific regulation of class of regulations.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

Reference: Government Code Section 11346.5(a)(5).

BSC has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

BSC does not have authority to propose building standards for schools. HSC Section 18928 requires adoption of the most recent edition of the applicable model codes. HSC Section 18938(b) makes building standards contained in the model codes, as adopted by reference into the California Building Standards Code, applicable to all occupancies throughout the State of California as prescribed.

This proposal makes clarifying changes to existing code language with no intended change in regulatory effect. BSC's amendments apply to elements of state buildings, state colleges, and universities only or resolve conflicts with existing California laws or regulations pursuant to HSC Section 18931.

ESTIMATE OF COST OR SAVINGS

Reference: Government Code Section 11346.5(a)(6).

An estimate, prepared in accordance with instructions adopted by Department of Finance, of cost or savings to any state agency, local agency, or school district.

- A. Cost or Savings to any state agency: **NO**.
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**.
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**.
- D. Other nondiscretionary cost or savings imposed on local agencies: **NO**.
- E. Cost or savings in federal funding to the state: **NO**.

Estimate: BSC has determined that this proposed action makes only clarifying changes to existing code language and would have no intended change in regulatory effect. This proposal does not impose new mandates on local agencies that would require state reimbursement pursuant to Part 7 (commencing with Section 17500) Division 4 of the Government Code.

INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES

Reference: Government Code Section 11346.5(a)(8).

If the agency makes an initial determination that the adoption/amendment/repeal of this regulation will not

have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall make a declaration to that effect.

BSC has made an initial determination that the adoption of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

Declaration of Evidence

Reference: Government Code Section 11346.5(a)(8).

In making the declaration, the agency shall provide in the record of facts, evidence, documents, testimony, or other evidence that the agency relied upon to support its initial determination of no effect.

BSC affirms that the rulemaking action complies with the mandates set forth by the Health and Safety Code Sections 18928 and 18934.5. This rulemaking adopts the 2024 IBC with minor editorial changes and no intended change in regulatory effect. The amendments are to provide clarifications and eliminate conflicts with existing building standards.

Therefore, BSC has determined that there are no other facts, evidence, documents, testimony, or other evidence upon which BSC relied to support its initial determination of no effect pursuant to Government Code Section 11346.5(a)(8). The public is welcome to submit any information, facts, or documents either supporting BSC's initial determination or finding to the contrary.

FINDING OF NECESSITY FOR THE PUBLIC'S HEALTH, SAFETY, OR WELFARE

Reference: Government Code Section 11346.5(a)(11).

Any regulation that requires a report shall not apply to businesses, unless the agency makes a finding that it is necessary for the health, safety, or welfare of the public that the regulations apply to businesses.

The proposed regulatory action does not require a report by any business or agency, so BSC has not made a finding of necessity for public's health, safety or welfare.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

Reference: Government Code Section 11346.5(a)(9).

Describe all cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. If no cost impact, provide the following statement:

BSC is not aware of any cost impacts that a representative private person or business would necessarily

ly incur in reasonable compliance with the proposed action.

ASSESSMENT OF EFFECT OF
REGULATIONS UPON JOBS AND
BUSINESS EXPANSION,
ELIMINATION OR CREATION

Reference: Government Code Section 11346.5(a)(10).

The BSC has assessed whether and to what extent this proposal will affect the following:

A. The creation or elimination of jobs within the State of California.

This regulation will not affect the creation or elimination of jobs within the State of California.

B. The creation of new businesses or the elimination of existing businesses within the State of California.

This regulation will not affect the creation of new businesses or elimination of existing businesses within the State of California.

C. The expansion of businesses currently doing business within the State of California.

This regulation will not affect the expansion of businesses currently doing business within the State of California.

D. The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.

These regulations will update and clarify minimum building standards and eliminate conflicts with existing building standards, which will provide clarity and regulatory consistency for the code user increasing protection of public health and safety, worker safety and the environment.

ESTIMATED COST OF COMPLIANCE OF
STANDARDS THAT WOULD
IMPACT HOUSING

Reference: Government Code Section 11346.5(a)(12).

BSC has determined there would be no cost to comply with these proposed building standards. BSC does not have authority to impose building standards or regulations applicable to housing.

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).

BSC has determined that no reasonable alternative considered by BSC or that has otherwise been identified and brought to the attention of BSC would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the

proposed action. In addition, no reasonable alternative considered by BSC or that has otherwise been identified and brought to the attention of BSC would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

AVAILABILITY OF
RULEMAKING DOCUMENTS

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(19).

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(21).

BSC shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law. The statement shall note that providing the accessible description of proposed changes may require extending the period of public comment for the proposed action.

CBSC CONTACT PERSON FOR
PROCEDURAL AND
ADMINISTRATIVE QUESTIONS

Reference: Government Code Section 11346.5(a)(14).

General questions regarding procedural and administrative issues should be addressed to:

Kevin Day, Deputy Executive Director

2525 Natomas Park Drive, Suite 130

Sacramento, CA 95833

Telephone: (916) 263–0916

Kevin.Day@dgs.ca.gov

PROPOSING STATE AGENCY CONTACT
PERSON FOR SUBSTANTIVE OR
TECHNICAL QUESTIONS ON THE
PROPOSED CHANGES TO
BUILDING STANDARDS

Specific questions regarding the substantive or technical aspects of the proposed changes to the building standards should be addressed to:

Primary Contact:

Irina Brauzman, Supervising Architect
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone Number: (916) 263–0916
Irina.Brauzman@dgs.ca.gov

Back up Contact:

Timothy O'Malley, Architectural Associate
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone Number: (916) 263–0916
Timothy.OMalley@dgs.ca.gov

**TITLE 24. BUILDING STANDARDS
COMMISSION**

NOTICE OF PROPOSED ACTION TO
BUILDING STANDARDS OF THE
CALIFORNIA BUILDING STANDARDS
COMMISSION REGARDING THE 2025
CALIFORNIA EXISTING BUILDING CODE
CALIFORNIA CODE OF REGULATIONS,
TITLE 24, PART 10 (BSC 06/24)

Notice is hereby given that the California Building Standards Commission (BSC) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 10. The BSC is proposing building standards related to 2025 California Existing Building Code.

PUBLIC COMMENT PERIOD

Reference: Government Code Sections 11346.5(a)(1), 11346.5(a)(15) and 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **September 6, 2024**, until midnight on **October 21, 2024**.

Comments may be submitted to CBSC via:

Email: cbsc@dgs.ca.gov

US Mail postmarked no later than **October 21, 2024**:

California Building Standards Commission
Attention: Public Comments
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Note: Only comments received in an accessible format will be viewable via CBSC's website.

Any interested person, or his or her duly authorized representative, may request no later than 15 days prior to the close of the written comment period that a public hearing be held.

The public will have an opportunity to provide written and oral comments regarding the proposed action on building standards at a public meeting to be conducted by CBSC to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

POST–HEARING MODIFICATIONS TO THE
TEXT OF THE REGULATIONS

Reference: Government Code Section 11346.5(a)(18).

Following the public comment period, CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15–day period.

NOTE: To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

AUTHORITY AND REFERENCE

Reference: Government Code Section 11346.5(a)(2).

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Sections 18928, 18928.1, 18929, 18930.5, 18931, 18932, 18934.5, 18934.7 and 18940.5.

The purpose of these building standards is to implement, interpret, or make specific the provisions of Health and Safety Code Sections 18928, 18928.1, 18930, 18930.5, 18931, 18932, 18934.5, 18938(b) and 18940.5.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

HSC Section 18928 sets forth that each state agency adopting or proposing adoption of a model code shall adopt or propose adoption of the most recent edition of the model codes within one year after the date of publication of the model code, national standard, or specification.

HSC Section 18928.1 specifies that building standards adopted or approved by CBSC shall incorporate text of the model codes, applicable national specifications or published standards, in whole or in part, only by reference, with appropriate additions or deletions therefrom.

HSC Sections 18929 outlines the process for adoption of administrative regulations applying to implementation or enforcement of building standards and publication in the administrative part of Title 24.

HSC Section 18930 requires building standards adopted or proposed by state agencies be submitted to the CBSC for approval or adoption prior to codification and establishes the analysis, criteria, review considerations, and factual determinations for the approval or adoption of building standards (9–Point Criteria).

HSC Section 18930.5 grants CBSC the authority, if no state agency has the authority or expertise to propose green building standards applicable to a particular occupancy, to adopt, approve, codify, update, and publish green building standards for those occupancies.

HSC Section 18931 establishes the duties of the Commission to review and approve, return for amendment, or reject the building standards adopted by state agencies; codify and publish the adopted and approved standards; resolve conflict; ensure consistency; hear appeals and adopt procedural regulations to administer these duties.

HSC Section 18932 establishes the contents and format of the building standards code.

HSC Section 18934.5 authorizes CBSC to adopt, approve, codify, and publish building standards for the design and construction of state buildings, including California State University buildings and, to the extent permitted by law, University of California buildings, where no state agency has the authority to adopt building standards applicable to state buildings.

HSC Section 18934.7 mandates CBSC to adopt the building standards of Appendix Chapter 1 of the International Existing Building Code for publication by reference in the California Building Standards Code. Buildings subject to building standards adopted pursuant to Part 1.5 of HSC are exempt.

HSC Section 18938(b) sets forth that building standards contained in the model codes and adopted by

reference into California Building Standards Code, Title 24, shall apply to all occupancies throughout the state and shall become effective 180 days after publication in Title 24 or at a later date as established by the commission.

HSC Section 18940.5 authorizes CBSC and other state agencies that propose green building standards for inclusion in Part 11 of the Title 24 of the California Code of Regulations to the extent feasible, reference or reprint green building standards in other parts of Title 24. For purposes of compliance with this section, the republication of these provisions in other parts of Title 24 shall not be considered duplication in violation of HSC Section 18930.

Summary of Existing Regulations

The existing 2022 California Existing Building Code (CEBC) is Part 10 of the California Code of Regulations, Title 24, also referred to as the California Building Standards Code. The 2022 CEBC incorporates, by adoption by the BSC, the 2021 International Existing Building Code (IEBC) of the International Code Council (ICC), with amendments for state buildings and buildings constructed by the University of California and California State Universities promulgated by the California Building Standards Commission. Additional BSC amendments to model code language in the 2021 IEBC resolve conflicts with existing California laws or regulations, pursuant to HSC Section 18931.

Summary of Effect

BSC is mandated to adopt the most current editions of the model codes. This proposed action by BSC will repeal the 2021 IEBC and adopt the 2024 IEBC with existing and new editorial amendments into the 2025 edition of the CEBC. This proposed action will make the 2022 CEBC inoperative upon the effective date of 2025 CEBC on January 1, 2026. BSC's amendments are applicable to state buildings, state colleges and universities, pursuant to Health and Safety Code Section 18934.5. Additionally, the proposed action will:

- Make editorial changes to currently adopted amendments to improve clarity and maintain the most current building standards for the protection of public health and welfare in the built environment.
- Make editorial amendments to the 2024 IEBC model code language to resolve conflicts with existing California laws or regulations, pursuant to HSC Section 18931.
- Reference or reprint green building standards into the 2025 CEBC, as appropriate, pursuant to HSC Section 18940.5

The Initial Statement of Reasons (ISOR) provides a complete description of the proposed building standards effect.

Comparable Federal Statute or Regulations

There are no comparable federal statutes or regulations related to the proposed action by BSC.

Policy Statement Overview

This proposed adoption of the most current edition of the IEBC, by reference through the California Code of Regulations, Title 24, makes it applicable to construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures throughout the State of California as specified in Chapter 1 of the CEBC.

The adoption of the most current edition of the IEBC provides an up-to-date reference document for existing buildings to be repaired, relocated, altered, added to, or otherwise modified under the next triennial edition of the CEBC. BSC's amendments are applicable to state buildings, state colleges and universities, as specified in Chapter 1 of the CEBC.

The broad objective of the proposed action is to maintain building regulations in conformance with existing state laws and regulations by resolving conflict, duplication, and overlap in building standards in the code.

Evaluation of Consistency

BSC has determined that the proposed regulations are not inconsistent or incompatible with existing state regulations. The amendments are proposed to provide regulatory consistency for the code user.

**OTHER MATTERS PRESCRIBED BY
STATUTE APPLICABLE TO THE AGENCY
OR TO ANY SPECIFIC REGULATION OR
CLASS OF REGULATIONS**

Reference: Government Code Section 11346.5(a)(4).

BSC has determined that there are no other matters prescribed by statute applicable to the agency or to any specific regulation of class of regulations.

**MANDATE ON LOCAL AGENCIES OR
SCHOOL DISTRICTS**

Reference: Government Code Section 11346.5(a)(5).

BSC has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

BSC does not have authority to propose building standards for schools. HSC Section 18928 requires adoption of the most recent edition of the applicable model codes. HSC Section 18938(b) makes building standards contained in the model codes, as adopted by reference into the California Building Standards

Code, applicable to all occupancies throughout the State of California as prescribed.

This proposal makes clarifying changes to existing code language and have no intended change in regulatory effect. BSC's amendments apply to elements of state buildings, state colleges, and universities only or resolve conflicts with existing California laws or regulations pursuant to HSC Section 18931.

ESTIMATE OF COST OR SAVINGS

Reference: Government Code Section 11346.5(a)(6).

An estimate, prepared in accordance with instructions adopted by Department of Finance, of cost or savings to any state agency, local agency, or school district.

- A. Cost or Savings to any state agency: **NO.**
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO.**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO.**
- D. Other nondiscretionary cost or savings imposed on local agencies: **NO.**
- E. Cost or savings in federal funding to the state: **NO.**

Estimate: BSC has determined that this proposed action makes only clarifying changes to existing code language and would have no intended change in regulatory effect. This proposal does not impose new mandates on local agencies that would require state reimbursement pursuant to Part 7 (commencing with Section 17500) Division 4 of the Government Code.

**INITIAL DETERMINATION OF NO
SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT ON BUSINESSES**

Reference: Government Code Section 11346.5(a)(8).

If the agency makes an initial determination that the adoption/amendment/repeal of this regulation will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall make a declaration to that effect.

BSC has made an initial determination that the adoption of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

Declaration of Evidence

Reference: Government Code Section 11346.5(a)(8).

In making the declaration, the agency shall provide in the record of facts, evidence, documents, testimony,

or other evidence that the agency relied upon to support its initial determination of no effect.

The BSC affirms that the rulemaking action complies with the mandates set forth by the Health & Safety Code, Section 18928 and 18934.5. This rulemaking adopts the 2024 IEBC with minor editorial changes and no intended change in regulatory effect. The amendments are to provide clarifications and eliminate conflicts with existing building standards.

Therefore, BSC has determined that there are no other facts, evidence, documents, testimony, or other evidence upon which BSC relied to support its initial determination of no effect pursuant to Government Code Section 11346.5(a)(8). The public is welcome to submit any information, facts, or documents either supporting BSC’s initial determination or finding to the contrary.

FINDING OF NECESSITY FOR THE PUBLIC’S HEALTH, SAFETY, OR WELFARE

Reference: Government Code Section 11346.5(a)(11).

Any regulation that requires a report shall not apply to businesses, unless the agency makes a finding that it is necessary for the health, safety, or welfare of the public that the regulations apply to businesses.

The proposed regulatory action does not require a report by any business or agency, so BSC has not made a finding of necessity for public’s health, safety or welfare.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

Reference: Government Code Section 11346.5(a)(9).

Describe all cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. If no cost impact, provide the following statement:

BSC is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION

Reference: Government Code Section 11346.5(a)(10).

The BSC has assessed whether and to what extent this proposal will affect the following:

A. The creation or elimination of jobs within the State of California.

This regulation will not affect the creation or elimination of jobs within the State of California.

B. The creation of new businesses or the elimination of existing businesses within the State of California.

This regulation will not affect the creation of new businesses or elimination of existing businesses within the State of California.

C. The expansion of businesses currently doing business within the State of California.

This regulation will not affect the expansion of businesses currently doing business within the State of California.

D. The benefits of the regulation to the health and welfare of California residents, worker safety, and the state’s environment.

These regulations will update and clarify minimum building standards and eliminate conflicts with existing building standards, which will provide clarity and regulatory consistency for the code user increasing protection of public health and safety, worker safety and the environment.

ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING

Reference: Government Code Section 11346.5(a)(12).

BSC has determined there would be no cost to comply with these proposed building standards. BSC does not have authority to impose building standards or regulations applicable to housing.

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).

BSC has determined that no reasonable alternative considered by BSC or that has otherwise been identified and brought to the attention of BSC would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action. In addition, no reasonable alternative considered by BSC or that has otherwise been identified and brought to the attention of BSC would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

AVAILABILITY OF RULEMAKING DOCUMENTS

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(19).

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(21).

BSC shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law. The statement shall note that providing the accessible description of proposed changes may require extending the period of public comment for the proposed action.

CBSC CONTACT PERSON FOR PROCEDURAL AND ADMINISTRATIVE QUESTIONS

Reference: Government Code Section 11346.5(a)(14).

General questions regarding procedural and administrative issues should be addressed to:

Kevin Day, Deputy Executive Director
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone: (916) 263–0916
Kevin.Day@dgs.ca.gov

PROPOSING STATE AGENCY CONTACT PERSON FOR SUBSTANTIVE OR TECHNICAL QUESTIONS ON THE PROPOSED CHANGES TO BUILDING STANDARDS

Specific questions regarding the substantive or technical aspects of the proposed changes to the building standards should be addressed to:

Primary Contact:

Irina Brauzman, Supervising Architect
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone Number: (916) 263–0916
Irina.Brauzman@dgs.ca.gov

Back up Contact:

Timothy Freeman, Associate Architect
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone Number: (916) 263–0916
Timothy.Freeman@dgs.ca.gov

TITLE 24. BUILDING STANDARDS COMMISSION/DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

NOTICE OF PROPOSED ACTION TO BUILDING STANDARDS OF THE CALIFORNIA REGARDING THE 2025 CALIFORNIA BUILDING CODE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2 (HCD 05/24)

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the Department of Housing and Community Development (HCD) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 2. HCD is proposing building standards related to the 2025 California Building Code (CBC).

PUBLIC COMMENT PERIOD

Reference: Government Code (GC) Sections 11346.5(a)(1), 11346.5(a)(15) and 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **September 6, 2024**, until midnight on **October 21, 2024**.

Comments may be submitted to CBSC via:

Email: cbcs@dgs.ca.gov

US Mail postmarked no later than **October 21, 2024**:

California Building Standards Commission
Attention: Public Comments
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Note: Only comments received in an accessible format will be viewable via CBSC's website.

Any interested person, or his or her duly authorized representative, may request no later than 15 days prior to the close of the written comment period that a public hearing be held.

The public will have an opportunity to provide written and oral comments regarding the proposed action on building standards at a public meeting to be conducted by CBSC to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time, and location of the public meeting.

POST-HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS

Reference: Government Code Section 11346.5(a)(18).

Following the public comment period, CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

NOTE: To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

AUTHORITY AND REFERENCE

Reference: Government Code Section 11346.5(a)(2).

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.5. The purpose of these building standards is to implement, interpret, or make specific the provisions of Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, 18938.6, 18941, 18941.5, 19890, 19891, 19892 and 19960 through 19997; Civil Code Sections 1101.4, 1101.5, 1954.201, 1954.202 and 5551; and Government Code Sections 8698.4, 12955.1, 12955.1.1 and 65852.2.

The Department of Housing and Community Development is proposing this regulatory action based on Health and Safety Code Sections 17040, 17920.9, 17921, 17921.5, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17922.14, 17926, 17927, 17928, 17958.12, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1 through 18873.5, 18928, 18938.3, 18944.11 and 19990; and Government Code Sections 12955.1 and 12955.1.1.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

Health and Safety Code, section 17000 through 17062.5 requires HCD to develop and propose adoption of building standards for employee housing.

Health and Safety Code, section 17040 requires HCD to propose adoption of building standards for employee housing for “... the protection of the public health, safety, and general welfare of employees and the public, governing the erection, construction, enlargement, conversion, alteration, repair, occupancy, use, sanitation, ventilation, and maintenance of all employee housing”.

Health and Safety Code, section 17910 through 17995.5 requires HCD to develop and propose adoption of regulations for buildings used for human habitation.

Health and Safety Code, section 17920.9 requires HCD to propose the adoption, amendment, or repeal by the CBSC of regulations necessary for the provision of minimum fire safety and fire-resistant standards relating to the manufacture, composition, and use of foam building systems manufactured for use, or used, in construction of buildings subject to this part, mobilehomes or factory-built housing, for the protection of the health and safety of persons occupying those buildings, mobilehomes, or factory-built housing.

Health and Safety Code, section 17921 requires HCD to propose the adoption, amendment, or repeal of building standards by the CBSC. HSC, section 17922, requires that the building standards be essentially the same as the most recent editions of the uniform industry codes. The CBSC is authorized to adopt these building standards under the authority granted by HSC, section 18949.5.

Health and Safety Code, section 17921.5 establishes HCD’s authority to develop mandatory green building standards for recycled water systems.

Health and Safety Code, section 17921.6 establishes HCD’s authority to prepare and propose adoption of minimum standards regulating the use and application of cellular concrete as it determines are reasonably necessary for the protection of life and property.

Health and Safety Code, section 17921.10 sets forth the standards proposed by HCD pursuant to section 17921. Those may include voluntary best practice and mandatory requirements related to environmentally preferable water using devices and measures.

Health and Safety Code, section 17922 states that the most recent editions of the international or uniform codes referred to in that section shall be considered to be adopted one year after the date of publication of the applicable international or uniform codes.

Health and Safety Code, section 17922.6 establishes HCD’s authority to coordinate the proposal of minimum building standards that establish uniform

minimum noise insulation requirements for hotels, motels, apartment houses, and dwellings other than detached single-family dwellings.

Health and Safety Code, section 17922.12 establishes HCD’s authority to propose adoption of building standards for the construction, installation, and alteration of graywater systems for indoor and outdoor uses.

Health and Safety Code, section 17922.14 establishes HCD’s authority to propose adoption of building standards requiring the installation of water meters or submeters in newly constructed multiunit residential structures or mixed-use residential and commercial structures, as those terms are defined in section 517 of the Water Code.

Health and Safety Code, section 17926 establishes HCD’s authority to propose adoption of building standards for the installation of carbon monoxide detectors in hotel and motel dwelling units intended for human occupancy.

Health and Safety Code, section 17927 establishes HCD’s authority to propose the adoption of a building standard to the CBSC pursuant to Chapter 4 (commencing with section 18935) of Part 2.5 of Division 13 to authorize HCD to adopt, amend, and repeal rules and regulations for garage door springs for installation in garages which are accessory to apartment houses, hotels, motels, and dwellings as the department determines are reasonably necessary to prevent the death or injury of persons or damage to property resulting from the breaking of the garage door springs.

Health and Safety Code, section 17928 authorizes HCD to review green building guidelines used for green buildings.

Health and Safety Code, section 17958.12 establishes HCD’s authority to propose the adoption of a building standard related to retroactive permits.

Health and Safety Code, section 18200 through 18700 requires HCD to develop and propose adoption of building standards for permanent buildings and structures within mobilehome parks.

Health and Safety Code, section 18552 establishes HCD’s authority to propose the adoption of building standards to the CBSC pursuant to Chapter 4 (commencing with section 18935) of Part 2.5 to adopt regulations for manufactured home or mobilehome accessory buildings or structures.

Health and Safety Code, section 18554 establishes requirements for discharge of wastewater, sewage, or waste material from plumbing fixtures in a manufactured home, mobilehome, recreational vehicle, accessory structure, or permanent building in the park.

Health and Safety Code, section 18620 establishes HCD’s authority to propose the adoption of building standards to the CBSC pursuant to Chapter 4 (commencing with section 18935) of Part 2.5 to adopt regu-

lations regarding the construction of buildings in parks that it determines are reasonably necessary for the protection of life and property.

Health and Safety Code, section 18630 establishes HCD’s authority to propose building standards regarding plumbing in parks that are reasonably necessary for the protection of life and property.

Health and Safety Code, section 18640 authorizes HCD to propose adoption of building standards for toilet, shower, and laundry facilities in parks.

Health and Safety Code, section 18670 authorizes HCD to propose adoption of building standards regarding electrical wiring, fixtures, and equipment installed in parks that it determines are reasonably necessary for the protection of life and property.

Health and Safety Code, section 18690 establishes HCD’s authority to propose the adoption of building standards to the CBSC pursuant to Chapter 4 (commencing with section 18935) of Part 2.5 to adopt regulations regarding fuel gas equipment and installations in parks.

Health and Safety Code, section 18691 establishes HCD’s authority to adopt rules and regulations in title 25 of the California Code of Regulations, which reference building standards, that it determines are reasonably consistent with generally recognized fire protection standards, governing conditions relating to the prevention of fire or for the protection of life and property against fire in parks.

Health and Safety Code, section 18860 through 18874 requires HCD to develop regulations in title 25 of the California Code of Regulations, that references to building standards, and propose adoption of building standards for special occupancy parks.

Health and Safety Code, section 18865 requires HCD to adopt regulations in title 25 of the California Code of Regulations for permanent buildings and structures within special occupancy parks, which include references to building standards.

Health and Safety Code, section 18871.3 through 18871.4 establishes HCD’s authority to propose the adoption of building standards to the CBSC regarding accessory buildings or structures located in a park.

Health and Safety Code, section 18873 establishes HCD’s authority to propose the adoption of building standards to the California Building Standards Commission pursuant to Chapter 4 (commencing with Section 18935) of Part 2.5 to adopt regulations regarding the construction of buildings in parks that it determines are reasonably necessary for the protection of life and property.

Health and Safety Code, section 18873.1 requires HCD adopt regulations, which reference building standards, regarding plumbing in special occupancy parks.

Health and Safety Code, section 18873.2 requires HCD to propose adoption of building standards for toilet, shower, and laundry facilities in special occupancy parks.

Health and Safety Code, section 18873.3 requires HCD to propose adoption of building standards regarding electrical wiring, fixtures, and equipment installed in special occupancy parks.

Health and Safety Code, section 18873.4 requires HCD to propose adoption of building standards regarding fuel gas equipment and installations in special occupancy parks.

Health and Safety Code, section 18873.5 requires HCD adopt regulations in title 25 of the California Code of Regulations, which reference building standards, that it determines are reasonably consistent with generally recognized fire protection standards, governing conditions relating to the prevention of fire or for the protection of life and property against fire in special occupancy parks.

Health and Safety Code, section 18928 requires each state agency adopting or proposing adoption of a model code, national standard, or specification to reference the most recent edition of applicable model codes, national standards, or specifications and to do so within one year of their publication date.

Health and Safety Code, section 18938.3 establishes with respect to the model codes that are designated in Sections 17922 and 18938, to serve as the basis for the California Building Standards Code but are no longer published, the building standards adopted and approved by the commission shall be those contained in the most recent editions of the model codes adopted or approved by the commission to serve as the basis for the 2007 triennial edition of the California Building Standards Code.

Health and Safety Code, section 18938.6 establishes that every permit shall remain valid if the work on the site authorized by that permit is commenced within 12 months after its issuance, unless the permittee has abandoned the work authorized by the permit.

Health and Safety Code, section 18941 requires HCD to propose adoption of building standards that are written on a performance basis consistent with state and nationally recognized standards for building construction in view of the use and occupancy of each structure to preserve and protect the public health and safety.

Health and Safety Code, section 18941.5 states that the amendments, additions, and deletions to the California Building Standards Code, including, but not limited to, green building standards, adopted by a city, county, or city and county pursuant to Section 18941.5 or pursuant to Section 17958.7, together with all applicable portions of the California Building Standards Code, shall become effective 180 days after

publication of the California Building Standards Code by the commission, or at a later date after publication established by the commission.

Health and Safety Code, section 18944.11 requires HCD to adopt building standards for plumbing that would govern the use of nonwater-supplied urinals.

Health and Safety Code Section 18949.5 transfers authority to adopt, or review and approve building standards to CBSC for specific state agencies.

Health and Safety Code, section 19890 states that on or after January 1, 1991, no person, corporation, or entity shall manufacture for sale in this state, purchase, sell or offer for sale at retail or wholesale, or install in this state, a residential automatic garage door opener that does not have an automatic reverse safety device that complies with the applicable standards set forth in the Underwriters Laboratories.

Health and Safety Code, section 19891 establishes penalties for violations of HSC, section 19890.

Health and Safety Code, section 19892 requires residential automatic garage door openers be equipped with a battery backup function that is designed to operate when activated during an electrical outage.

Health and Safety Code, section 19960 through 19997 requires HCD to propose adoption of building standards for factory-built housing.

Health and Safety Code, section 19990 authorizes HCD to propose the adoption of building standards to the CBSC pursuant to Chapter 4 (commencing with section 18935) of Part 2.5 of the HSC regarding requirements related to factory building housing to include the most recent editions of the international or uniform industry codes.

Government Code, section 8698.4 requires a city, county, or city/county to submit the adopted ordinance with any associated findings to HCD. As it relates to submissions of findings to HCD pursuant to GC section 8698.4(a)(2)(A)(i), the trigger for submission of findings with an adopted ordinance by a city, county, or city/county, is when the proposed standard does not meet the minimum requirements of Appendix X of the CRC or Appendix O of the CBC, respectively. Those findings must specify how the alternative standard, or portions thereof, protect health and safety.

Government Code, section 12955.1 authorizes HCD to propose the adoption, amendment, or repeal of building standards related to covered multifamily dwellings by the CBSC.

Government Code, section 12955.1.1 provides a clear definition for the covered multifamily dwelling and for the multistory dwelling unit.

Government Code, section 65852.2 establishes requirements for the Accessory dwelling units.

Civil Code, section 1101.4 establishes for multifamily residential property, all noncompliant plumb-

ing fixtures must be replaced with water-conserving fixtures.

Civil Code, section 1101.5 establishes requirement for building alterations to single-family residential; all noncompliant plumbing fixtures must be replaced.

Civil Code, section 1954.201 encourages the conservation of water in multifamily residential rental buildings and establishes submetering of dwelling units for water service.

Civil Code, section 1954.202 defines “Submeter”, “Water service” and “Water purveyor.”

Civil Code, section 5551 establishes definitions and requirements for 9-year inspections of exterior elevated elements in condominium projects.

Summary of Existing Regulations

The 2022 CBC, CCR, Title 24, Part 2, became effective on January 1, 2023.

Summary of Effect

HCD proposes to adopt by reference the 2024 International Building Code (IBC), with California amendments, into the 2025 CBC, CCR, Title 24, Part 2, impacting the following programs:

- State Housing Law Program: relative to residential occupancies, buildings or structures accessory thereto and as provided in HSC, section 17921.
- Employee Housing Program: relative to any building or structure or outdoors on premises or property in accordance with HSC, section 17040.
- Mobilehome Parks and Special Occupancy Parks Programs: relative to the design or construction of permanent buildings and accessory buildings and structures within the park in accordance with HSC, sections 18620 and 18873, respectively.
- Factory-built Housing Program: relative to residential buildings, dwellings, or portions thereof, or building component, or manufactured assemblies in accordance with HSC, section 19990.

The building standards provide consistency with model code format, state and federal laws and regulations, and conditions unique to California. In addition, the amendments provide clarity and specificity, and provide direction for the code user. A discussion of the effect of the regulations may be found in the associated Initial Statement of Reasons.

Comparable Federal Statute or Regulations

There are no comparable federal statutes or regulations.

Policy Statement Overview

The proposed regulations, as part of the update to the current 2022 California Building Standards Code (CCR, Title 24), will adopt, amend, or repeal existing building standards and establish new building standards, which will affect residential occupancies and buildings or structures accessory thereto, as provided for by federal and state accessibility requirements;

the use of general design, structural, and fire and life safety requirements in housing construction, buildings and structures accessory thereto; and permanent buildings in mobilehome parks and special occupancy parks. These updates will result in the 2025 California Building Standards Code.

The benefits anticipated from this proposed regulatory action include updating building standards, which will result in the protection of public health and safety, worker safety, the environment, and general welfare of California residents. In addition, providing for use of the most recent building technology, methods and materials and applying those building standards on a statewide basis, as required by statute, results in uniformity in residential construction and promotes affordable costs.

Evaluation of Consistency

HCD has determined that the proposed regulations are not inconsistent or incompatible with existing state regulations.

OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS

Reference: Government Code Section 11346.5(a)(4).
None.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

Reference: Government Code Section 11346.5(a)(5).
HCD has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

ESTIMATE OF COST OR SAVINGS

Reference: Government Code Section 11346.5(a)(6).
An estimate, prepared in accordance with instructions adopted by Department of Finance, of cost or savings to any state agency, local agency, or school district.

- A. Cost or Savings to any state agency: **None.**
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **None.**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **None.**
- D. Other nondiscretionary cost or savings imposed on local agencies: **None.**
- E. Cost or savings in federal funding to the state: **None.**

Estimate: \$0; HCD believes that any additional expenditure resulting from this proposed action will be minimal and will be able to be absorbed within existing budgets and resources.

**INITIAL DETERMINATION OF NO
SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT ON BUSINESSES**

Reference: Government Code Section 11346.5(a)(8).

If the agency makes an initial determination that the adoption/amendment/repeal of this regulation will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall make a declaration to that effect.

HCD has made an initial determination that the adoption, amendment, or repeal of these regulations will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

Declaration of Evidence

Reference: Government Code Section 11346.5(a)(8).

In making the declaration, the agency shall provide in the record of facts, evidence, documents, testimony, or other evidence that the agency relied upon to support its initial determination of no effect.

HCD has determined that there are minimal facts, evidence, documents, testimony, or other evidence upon which the agency relied to support its initial determination of no effect pursuant to Government Code Section 11346.5(a)(8). The public is welcome to submit any information, facts or documents either supporting HCD's initial determination or finding to the contrary.

**FINDING OF NECESSITY FOR THE
PUBLIC'S HEALTH,
SAFETY, OR WELFARE**

Reference: Government Code Section 11346.5(a)(11).

Any regulation that requires a report shall not apply to businesses, unless the agency makes a finding that it is necessary for the health, safety, or welfare of the public that the regulations apply to businesses.

HCD has assessed the proposal regarding the economic impact of recordkeeping and reporting requirements and has determined that a report pursuant to Government Code Section 11346.3(c) is not required.

**COST IMPACT ON REPRESENTATIVE
PRIVATE PERSON OR BUSINESS**

Reference: Government Code Section 11346.5(a)(9).

Describe all cost impacts that a representative private person or business would necessarily incur in

reasonable compliance with the proposed action. If no cost impact, provide the following statement:

HCD is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

**ASSESSMENT OF EFFECT OF
REGULATIONS UPON JOBS AND
BUSINESS EXPANSION,
ELIMINATION OR CREATION**

Reference: Government Code Section 11346.5(a)(10).

The Department of Housing and Community Development has assessed whether and to what extent this proposal will affect the following:

A. The creation or elimination of jobs within the State of California.

These regulations will not affect the creation, or cause the elimination, of jobs within the State of California.

B. The creation of new businesses or the elimination of existing businesses within the State of California.

These regulations will not affect the creation, or cause the elimination, of businesses within the State of California.

C. The expansion of businesses currently doing business within the State of California.

These regulations will not affect the expansion of businesses currently doing business within the State of California.

D. The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.

The adoption of the 2024 International Building Code by reference with California amendments will provide stakeholders with assurance of safe building standards while allowing for innovation and accommodation of specialized requirements for the State of California. These regulations will also update and improve minimum existing building standards, which will provide increased protection of public health and safety, worker safety, and the environment.

**ESTIMATED COST OF COMPLIANCE OF
STANDARDS THAT WOULD
IMPACT HOUSING**

Reference: Government Code Section 11346.5(a)(12).

- No increased cost of compliance for those regulations that make only technical and nonsubstantive changes.
- Government Code Section 11346.2(b)(5)(B)(ii) provides that the model codes adopted pursuant

to Section 18928 of the Health and Safety Code shall be exempt from the requirements of Section 11346.2(b)(5)(B) unless upon request as specified. The purpose of this rulemaking is to adopt the 2024 IBC which is the model code.

- The potential benefits provide clarity for the code users and local enforcing agencies.
- Protection of public health and safety, worker safety and the environment.

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).

HCD has determined that no reasonable alternative considered by HCD or that has otherwise been identified and brought to the attention of HCD would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action. In addition, no reasonable alternative considered by HCD or that has otherwise been identified and brought to the attention of HCD would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

AVAILABILITY OF RULEMAKING DOCUMENTS

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

All the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(19).

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(21).

HCD shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law. The statement shall note that providing the accessible description of proposed changes may require extending the period of public comment for the proposed action.

CBSC CONTACT PERSON FOR PROCEDURAL AND ADMINISTRATIVE QUESTIONS

Reference: Government Code Section 11346.5(a)(14).
General questions regarding procedural and administrative issues should be addressed to:

Kevin Day, Deputy Executive Director
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone: (916) 263–0916

PROPOSING STATE AGENCY CONTACT PERSON FOR SUBSTANTIVE OR TECHNICAL QUESTIONS ON THE PROPOSED CHANGES TO BUILDING STANDARDS

Specific questions regarding the substantive or technical aspects of the proposed changes to the building standards should be addressed to:

Primary Contact:

Randall Enrico, District Representative II
Department of Housing and Community
Development
Codes and Standards
(916) 255–2513
Randall.Enrico@hcd.ca.gov

Back up Contact:

Mitchel Baker, Assistant Deputy Director
Department of Housing and Community
Development
Codes and Standards
(916) 214–8097
Mitchel.Baker@hcd.ca.gov

TITLE 24. BUILDING STANDARDS COMMISSION/DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

NOTICE OF PROPOSED ACTION TO BUILDING STANDARDS OF THE CALIFORNIA REGARDING THE 2025 CALIFORNIA RESIDENTIAL CODE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2.5 (HCD 07/24)

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the

California Department of Housing and Community Development (HCD) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 2.5. HCD is proposing building standards related to the 2025 California Residential Code (CRC).

PUBLIC COMMENT PERIOD

Reference: Government Code Sections 11346.5(a)(1), 11346.5(a)(15) and 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **September 6, 2024**, until midnight on **October 21, 2024**.

Comments may be submitted to CBSC via:

Email: cbcs@dgs.ca.gov

US Mail postmarked no later than **October 21, 2024**:

California Building Standards Commission
Attention: Public Comments
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Note: Only comments received in an accessible format will be viewable via CBSC’s website.

Any interested person, or his or her duly authorized representative, may request no later than 15 days prior to the close of the written comment period that a public hearing be held.

The public will have an opportunity to provide written and oral comments regarding the proposed action on building standards at a public meeting to be conducted by CBSC to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time, and location of the public meeting.

POST–HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS

Reference: Government Code Section 11346.5(a)(18).

Following the public comment period, CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15–day period.

NOTE: To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

AUTHORITY AND REFERENCE

Reference: Government Code Section 11346.5(a)(2).

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.5. The purpose of these building standards is to implement, interpret, or make specific the provisions of Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, 18938.6, 18941, 18941.5, 19890, 19891, 19892 and 19960 through 19997; Civil Code Sections 1101.4, 1101.5, 1954.201, 1954.202 and 5551; and Government Code Sections 8698.4, 12955.1, 12955.1.1 and 65852.2.

HCD is proposing this regulatory action based on Health and Safety Code Sections 17040, 17920.9, 17921, 17921.5, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17922.14, 17926, 17927, 17928, 17958.12, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11 and 19990; and Government Code Sections 12955.1 and 12955.1.1.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

Health and Safety Code, section 17000 through 17062.5 requires HCD to develop and propose adoption of building standards for employee housing.

Health and Safety Code, section 17040 requires HCD to propose adoption of building standards for employee housing for “... the protection of the public health, safety, and general welfare of employees and the public, governing the erection, construction, enlargement, conversion, alteration, repair, occupancy, use, sanitation, ventilation, and maintenance of all employee housing”.

Health and Safety Code, section 17910 through 17995.5 requires HCD to develop and propose adoption of regulations for buildings used for human habitation.

Health and Safety Code, section 17920.9 requires HCD to propose the adoption, amendment, or repeal by the CBSC of regulations necessary for the provision of minimum fire safety and fire-resistant standards relating to the manufacture, composition, and use of foam building systems manufactured for use, or used, in construction of buildings subject to this part, mobilehomes or factory-built housing, for the protection of the health and safety of persons occu-

pying those buildings, mobilehomes, or factory–built housing.

Health and Safety Code, section 17921 requires HCD to propose the adoption, amendment, or repeal of building standards by the CBSC. HSC, section 17922, requires that the building standards and rules and regulations shall impose substantially the same requirements as are contained in the most recent editions of the international or uniform industry codes. The CBSC is authorized to adopt these building standards under the authority granted by HSC, section 18949.5.

Health and Safety Code, section 17921.5 establishes HCD’s authority to develop mandatory green building standards for recycled water systems.

Health and Safety Code, section 17921.6 establishes HCD’s authority to prepare and propose adoption of minimum standards regulating the use and application of cellular concrete as it determines are reasonably necessary for the protection of life and property.

Health and Safety Code, section 17921.10 sets forth the standards proposed by HCD pursuant to section 17921. Those may include voluntary best practice and mandatory requirements related to environmentally preferable water using devices and measures.

Health and Safety Code, section 17922 states that the most recent editions of the international or uniform industry codes referred to in that section shall be considered to be adopted one year after the date of publication of the applicable international or uniform codes.

Health and Safety Code, section 17922.6 establishes HCD’s authority to coordinate the proposal of minimum building standards that establish uniform minimum noise insulation requirements for hotels, motels, apartment houses, and dwellings other than detached single–family dwellings.

Health and Safety Code, section 17922.12 establishes HCD’s authority to propose adoption of building standards for the construction, installation, and alteration of graywater systems for indoor and outdoor uses.

Health and Safety Code, section 17922.14 establishes HCD’s authority to propose adoption of building standards requiring the installation of water meters or submeters in newly constructed multiunit residential structures or mixed–use residential and commercial structures, as those terms are defined in section 517 of the Water Code.

Health and Safety Code, section 17926 establishes HCD’s authority to propose adoption of building standards for the installation of carbon monoxide detectors in hotel and motel dwelling units intended for human occupancy.

Health and Safety Code, section 17927 establishes HCD’s authority to propose the adoption of a building

standard to the CBSC pursuant to Chapter 4 (commencing with section 18935) of Part 2.5 of Division 13 to authorize HCD to adopt, amend, and repeal rules and regulations for garage door springs for installation in garages which are accessory to apartment houses, hotels, motels, and dwellings as the department determines are reasonably necessary to prevent the death or injury of persons or damage to property resulting from the breaking of the garage door springs.

Health and Safety Code, section 17928 authorizes HCD to review green building guidelines used for green buildings.

Health and Safety Code, section 17958.12 establishes HCD’s authority to propose the adoption of a building standard related to retroactive permits.

Health and Safety Code, section 18200 through 18700 requires HCD to develop and propose adoption of building standards for permanent buildings and structures within mobilehome parks.

Health and Safety Code, section 18552 requires HCD to adopt regulations regarding the construction of buildings in parks that it determines are reasonably necessary for the protection of life and property; and to propose and submit building standards for approval pursuant to Chapter 4 (commencing with Section 18935) of Part 2.5.

Health and Safety Code, section 18554 establishes requirements for discharge of wastewater, sewage, or waste material from plumbing fixtures in a manufactured home, mobilehome, recreational vehicle, accessory structure, or permanent building in the park.

Health and Safety Code, section 18620 requires HCD to adopt regulations regarding the construction of buildings in parks that it determines are reasonably necessary for the protection of life and property; and to propose and submit building standards for approval pursuant to Chapter 4 (commencing with Section 18935) of Part 2.5.

Health and Safety Code, section 18630 establishes HCD’s authority to propose building standards regarding plumbing in parks that are reasonably necessary for the protection of life and property.

Health and Safety Code, section 18640 authorizes HCD to propose adoption of building standards for toilet, shower, and laundry facilities in parks.

Health and Safety Code, section 18670 authorizes HCD to propose adoption of building standards regarding electrical wiring, fixtures, and equipment installed in parks that it determines are reasonably necessary for the protection of life and property.

Health and Safety Code, section 18690 requires HCD to adopt regulations regarding the construction of buildings in parks that it determines are reasonably necessary for the protection of life and property; and to propose and submit building standards for approval

al pursuant to Chapter 4 (commencing with Section 18935) of Part 2.5.

Health and Safety Code, section 18691 establishes HCD’s authority to adopt rules and regulations in title 25 of the California Code of Regulations, which reference building standards, that it determines are reasonably consistent with generally recognized fire protection standards, governing conditions relating to the prevention of fire or for the protection of life and property against fire in parks.

Health and Safety Code, section 18865 requires HCD to adopt regulations in title 25 of the California Code of Regulations for permanent buildings and structures within special occupancy parks, which include references to building standards.

Health and Safety Code, section 18871.3 through 18873.5 establishes HCD’s authority to propose the adoption of building standards to the CBSC regarding accessory buildings or structures located in a park.

Health and Safety Code, section 18873 requires HCD to adopt regulations regarding the construction of buildings in parks that it determines are reasonably necessary for the protection of life and property; and to propose and submit building standards for approval pursuant to Chapter 4 (commencing with Section 18935) of Part 2.5.

Health and Safety Code, section 18873.1 requires HCD adopt regulations, which reference building standards, regarding plumbing in special occupancy parks.

Health and Safety Code, section 18873.2 requires HCD to propose adoption of building standards for toilet, shower, and laundry facilities in special occupancy parks.

Health and Safety Code, section 18873.3 requires HCD to propose adoption of building standards regarding electrical wiring, fixtures, and equipment installed in special occupancy parks.

Health and Safety Code, section 18873.4 requires HCD to propose adoption of building standards regarding fuel gas equipment and installations in special occupancy parks.

Health and Safety Code, section 18873.5 requires HCD adopt regulations in title 25 of the California Code of Regulations, which reference building standards, that it determines are reasonably consistent with generally recognized fire protection standards, governing conditions relating to the prevention of fire or for the protection of life and property against fire in special occupancy parks.

Health and Safety Code, section 18938.3 establishes with respect to the model codes that are designated in Sections 17922 and 18938, to serve as the basis for the California Building Standards Code but are no longer published, the building standards adopted and approved by the commission shall be those con-

tained in the most recent editions of the model codes adopted or approved by the commission to serve as the basis for the 2007 triennial edition of the California Building Standards Code.

Health and Safety Code, section 18938.6 establishes that every permit shall remain valid if the work on the site authorized by that permit is commenced within 12 months after its issuance, unless the permittee has abandoned the work authorized by the permit.

Health and Safety Code, section 18941 requires HCD to propose adoption of building standards that are written on a performance basis consistent with state and nationally recognized standards for building construction in view of the use and occupancy of each structure to preserve and protect the public health and safety.

Health and Safety Code, section 18941.5 states that the amendments, additions, and deletions to the California Building Standards Code, including, but not limited to, green building standards, adopted by a city, county, or city and county pursuant to Section 18941.5 or pursuant to Section 17958.7, together with all applicable portions of the California Building Standards Code, shall become effective 180 days after publication of the California Building Standards Code by the commission, or at a later date after publication established by the commission.

Health and Safety Code, section 18944.11 requires HCD to adopt building standards for plumbing that would govern the use of nonwater-supplied urinals.

Health and Safety Code, section 19890 states that on or after January 1, 1991, no person, corporation, or entity shall manufacture for sale in this state, purchase, sell or offer for sale at retail or wholesale, or install in this state, a residential automatic garage door opener that does not have an automatic reverse safety device that complies with the applicable standards set forth in the Underwriters Laboratories.

Health and Safety Code, section 19891 establishes penalties for violations of HSC, section 19890.

Health and Safety Code, section 19892 requires residential automatic garage door openers be equipped with a battery backup function that is designed to operate when activated during an electrical outage.

Health and Safety Code, section 19960 through 19997 requires HCD to propose adoption of building standards for factory-built housing.

Health and Safety Code, section 19990 authorizes HCD to propose the adoption of building standards to the CBSC pursuant to Chapter 4 (commencing with section 18935) of Part 2.5 of the HSC regarding requirements related to factory building housing to include the most recent editions of the international or uniform industry codes.

Government Code, section 8698.4 requires a city, county, or city/county to submit the adopted ordinance

with any associated findings to HCD. As it relates to submissions of findings to HCD pursuant to GC section 8698.4(a)(2)(A)(i), the trigger for submission of findings with an adopted ordinance by a city, county, or city/county, is when the proposed standard does not meet the minimum requirements of Appendix X of the CRC or Appendix O or their successors of the CBC, respectively. Those findings must specify how the alternative standard, or portions thereof, protect health and safety.

Government Code, section 12955.1 authorizes HCD to propose the adoption, amendment, or repeal of building standards related to covered multifamily dwellings by the CBSC.

Government Code, section 12955.1.1 provides a clear definition for the covered multifamily dwelling and for the multistory dwelling unit.

Government Code, section 65852.2 establishes requirements for the Accessory dwelling units.

Civil Code, section 1101.4 establishes for multifamily residential property, all noncompliant plumbing fixtures must be replaced with water-conserving fixtures.

Civil Code, section 1101.5 establishes requirement for building alterations to single-family residential; all noncompliant plumbing fixtures must be replaced.

Civil Code, section 1954.201 encourages the conservation of water in multifamily residential rental buildings and establishes submetering of dwelling units for water service.

Civil Code, section 1954.202 defines “Submeter”, “Water service” and “Water purveyor”.

Civil Code, section 5551 establishes definitions and requirements for 9-year inspections of exterior elevated elements in condominium projects.

Summary of Existing Regulations

The 2022 CRC, CCR, Title 24, Part 2.5, became effective on January 1, 2023.

Summary of Effect

HCD proposes to adopt by reference the 2024 International Residential Code (IRC), with California amendments, into the 2025 CRC, CCR, Title 24, Part 2.5, impacting the following programs:

- State Housing Law Program: relative to residential occupancies, buildings or structures accessory thereto and as provided in HSC, Section 17921.
- Employee Housing Program: relative to any building or structure or outdoors on premises or property in accordance with HSC, Section 17040.
- Mobilehome Parks and Special Occupancy Parks Programs: relative to the design or construction of permanent buildings and accessory buildings and structures within the park in accordance with HSC, Sections 18620 and 18873, respectively.

- Factory-built Housing Program: relative to residential buildings, dwellings, or portions thereof, or building component, or manufactured assemblies in accordance with HSC, Section 19990.

The building standards provide consistency with model code format, state and federal laws and regulations, and conditions unique to California. In addition, the amendments provide clarity and specificity, and provide direction for the code user. A discussion of the effect of the regulations may be found in the associated Initial Statement of Reasons.

Comparable Federal Statute or Regulations

There are no comparable federal statutes or regulations.

Policy Statement Overview

The proposed regulations, as part of the update to the current 2022 California Building Standards Code (CCR, Title 24), will adopt, amend, or repeal existing building standards and establish new building standards, which will affect residential occupancies and buildings or structures accessory thereto, as provided for by federal and state accessibility requirements; the use of general design, structural, and fire and life safety requirements in housing construction, buildings and structures accessory thereto; and permanent buildings in mobilehome parks and special occupancy parks. These updates will result in the 2025 California Building Standards Code.

The benefits anticipated from this proposed regulatory action include updating building standards, which will result in the protection of public health and safety, worker safety, the environment and general welfare of California residents. In addition, providing for use of the most recent building technology, methods and materials and applying those building standards on a statewide basis, as required by statute, results in uniformity in residential construction and promotes affordable costs.

Evaluation of Consistency

HCD has determined that the proposed regulations are not inconsistent or incompatible with existing state regulations.

OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS

Reference: Government Code Section 11346.5(a)(4).
None.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

Reference: Government Code Section 11346.5(a)(5).

HCD has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

ESTIMATE OF COST OR SAVINGS

Reference: Government Code Section 11346.5(a)(6).

An estimate, prepared in accordance with instructions adopted by Department of Finance, of cost or savings to any state agency, local agency, or school district.

- A. Cost or Savings to any state agency: **None.**
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **None.**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **None.**
- D. Other nondiscretionary cost or savings imposed on local agencies: **None.**
- E. Cost or savings in federal funding to the state: **None.**

Estimate: \$0; HCD believes that any additional expenditure resulting from this proposed action will be minimal and will be able to be absorbed within existing budgets and resources.

INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES

Reference: Government Code Section 11346.5(a)(8).

If the agency makes an initial determination that the adoption/amendment/repeal of this regulation will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall make a declaration to that effect.

HCD has made an initial determination that the adoption, amendment, or repeal of these regulations will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

Declaration of Evidence

Reference: Government Code Section 11346.5(a)(8).

In making the declaration, the agency shall provide in the record of facts, evidence, documents, testimony, or other evidence that the agency relied upon to support its initial determination of no effect.

HCD has determined that there are minimal facts, evidence, documents, testimony, or other evidence upon which the agency relied to support its initial determination of no effect pursuant to Government Code Section 11346.5(a)(8). The public is welcome to submit

any information, facts or documents either supporting HCD's initial determination or finding to the contrary.

FINDING OF NECESSITY FOR THE PUBLIC'S HEALTH, SAFETY, OR WELFARE

Reference: Government Code Section 11346.5(a)(11).

Any regulation that requires a report shall not apply to businesses, unless the agency makes a finding that it is necessary for the health, safety, or welfare of the public that the regulations apply to businesses.

HCD has assessed the proposal regarding the economic impact of recordkeeping and reporting requirements and has determined that a report pursuant to Government Code Section 11346.3(c) is not required.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

Reference: Government Code Section 11346.5(a)(9).

Describe all cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. If no cost impact, provide the following statement:

HCD is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION

Reference: Government Code Section 11346.5(a)(10).

HCD has assessed whether and to what extent this proposal will affect the following:

A. The creation or elimination of jobs within the State of California.

These regulations will not affect the creation, or cause the elimination, of jobs within the State of California.

B. The creation of new businesses or the elimination of existing businesses within the State of California.

These regulations will not affect the creation, or cause the elimination, of businesses within the State of California.

C. The expansion of businesses currently doing business within the State of California.

These regulations will not affect the expansion of businesses currently doing business within the State of California.

D. The benefits of the regulation to the health and welfare of California residents, worker safety, and the state’s environment.

The adoption of the 2024 International Residential Code by reference with California amendments will update and improve minimum residential building standards, which will provide increased protection of public health and safety, worker safety, and the environment.

ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING

Reference: Government Code Section 11346.5(a)(12).

- No increased cost of compliance for those regulations that make only technical and nonsubstantive changes.
- Government Code Section 11346.2(b)(5)(B)(ii) provides that the model codes adopted pursuant to Section 18928 of the Health and Safety Code shall be exempt from the requirements of Section 11346.2(b)(5)(B) unless upon request as specified. The purpose of this rulemaking is to adopt the 2024 IRC which is a model code.
- The potential benefits provide recognition and appropriate use of new technologies and materials, clarity for the code users and local enforcement agencies, and may increase business due to the adoption of new building standards.
- Protection of public health and safety, worker safety and the environment.

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).

HCD has determined that no reasonable alternative considered by HCD or that has otherwise been identified and brought to the attention of HCD would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action. In addition, no reasonable alternative considered by HCD or that has otherwise been identified and brought to the attention of HCD would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

AVAILABILITY OF RULEMAKING DOCUMENTS

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

All of the information upon which the proposed regulations are based is contained in the rulemaking file,

which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(19).

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the CBSC website: <https://www.dgs.ca.gov/en/BSC>.

Reference: Government Code Section 11346.5(a)(21).

HCD shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law. The statement shall note that providing the accessible description of proposed changes may require extending the period of public comment for the proposed action.

CBSC CONTACT PERSON FOR PROCEDURAL AND ADMINISTRATIVE QUESTIONS

Reference: Government Code Section 11346.5(a)(14).

General questions regarding procedural and administrative issues should be addressed to:

Kevin Day, Deputy Executive Director
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone: (916) 263–0916

PROPOSING STATE AGENCY CONTACT PERSON FOR SUBSTANTIVE OR TECHNICAL QUESTIONS ON THE PROPOSED CHANGES TO BUILDING STANDARDS

Specific questions regarding the substantive or technical aspects of the proposed changes to the building standards should be addressed to:

Primary Contact:

Brian Starr, District Representative
Department of Housing and Community Development
Division of Codes and Standards
(916) 776–7596
Brian.Starr@hcd.ca.gov

Back up Contact:

Jeffrey Cooney, District Representative
Department of Housing and Community
Development
Division of Codes and Standards
(916) 820–1532
Jeffrey.Cooney@hcd.ca.gov

**TITLE 24. BUILDING STANDARDS
COMMISSION/DEPARTMENT
OF HOUSING AND COMMUNITY
DEVELOPMENT**

NOTICE OF PROPOSED ACTION TO
BUILDING STANDARDS OF THE
CALIFORNIA REGARDING THE 2025
CALIFORNIA EXISTING BUILDING CODE
CALIFORNIA CODE OF REGULATIONS,
TITLE 24, PART 10 (HCD 06/24)

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the Department of Housing and Community Development (HCD) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 10. The HCD is proposing building standards related to the 2025 California Existing Building Code (CEBC).

PUBLIC COMMENT PERIOD

Reference: Government Code (GC) Sections 11346.5(a)(1), 11346.5(a)(15) and 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **September 6, 2024**, until midnight on **October 21, 2024**.

Comments may be submitted to CBSC via:

Email: cbsc@dgs.ca.gov

US Mail postmarked no later than **October 21, 2024**:

California Building Standards Commission
Attention: Public Comments
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Note: Only comments received in an accessible format will be viewable via CBSC's website.

Any interested person, or his or her duly authorized representative, may request no later than 15 days prior to the close of the written comment period that a public hearing be held.

The public will have an opportunity to provide written and oral comments regarding the proposed action on building standards at a public meeting to be conducted by CBSC to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time, and location of the public meeting.

**POST-HEARING MODIFICATIONS TO THE
TEXT OF THE REGULATIONS**

Reference: Government Code Section 11346.5(a)(18).

Following the public comment period, CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

NOTE: To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

AUTHORITY AND REFERENCE

Reference: Government Code Section 11346.5(a)(2)

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.5. The purpose of these building standards is to implement, interpret, or make specific the provisions of Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, 18938.3, 18938.6, 18941, 18941.5, 19890, 19891, 19892 and 19960 through 19997; Civil Code Sections 1101.4, 1101.5, 1954.201, 1954.202 and 5551; and Government Code Sections 8698.4, 12955.1, 12955.1.1 and 65852.2. California Code of Regulations, Title 20, Sections 1605.1, 1605.3 and 1607.

HCD is proposing this regulatory action based on Health and Safety Code Sections 17040, 17920.9, 17921, 17921.5, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17922.14, 17926, 17927, 17928, 17958.12, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1 through 18873.5, 18928, 18938.3, 18944.11 and 19990; and Government Code Sections 12955.1 and 12955.1.1.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

Health and Safety Code, section 17000 through 17062.5 requires HCD to develop and propose adoption of building standards for employee housing.

Health and Safety Code, section 17040 requires HCD to propose adoption of building standards for employee housing for “... the protection of the public health, safety, and general welfare of employees and the public, governing the erection, construction, enlargement, conversion, alteration, repair, occupancy, use, sanitation, ventilation, and maintenance of all employee housing”.

Health and Safety Code, section 17910 through 17995.5 requires HCD to develop and propose adoption of regulations for buildings used for human habitation.

Health and Safety Code, section 17920.9 requires HCD to propose the adoption, amendment, or repeal by the CBSC of regulations necessary for the provision of minimum fire safety and fire-resistant standards relating to the manufacture, composition, and use of foam building systems manufactured for use, or used, in construction of buildings subject to this part, mobilehomes or factory-built housing, for the protection of the health and safety of persons occupying those buildings, mobilehomes, or factory-built housing.

Health and Safety Code, section 17921 requires HCD to propose the adoption, amendment, or repeal of building standards by the CBSC. HSC, section 17922, requires that the building standards be essentially the same as the most recent editions of the uniform industry codes. The CBSC is authorized to adopt these building standards under the authority granted by HSC, section 18949.5.

Health and Safety Code, section 17921.5 establishes HCD’s authority to develop mandatory green building standards for recycled water systems.

Health and Safety Code, section 17921.6 establishes HCD’s authority to prepare and propose adoption of minimum standards regulating the use and application of cellular concrete as it determines are reasonably necessary for the protection of life and property.

Health and Safety Code, section 17921.10 sets forth the standards proposed by HCD pursuant to section 17921. Those may include voluntary best practice and mandatory requirements related to environmentally preferable water using devices and measures.

Health and Safety Code, section 17922 states that the most recent editions of the international or uniform codes referred to in that section shall be considered to be adopted one year after the date of publication of the applicable international or uniform codes.

Health and Safety Code, section 17922.6 establishes HCD’s authority to coordinate the proposal of minimum building standards that establish uniform

minimum noise insulation requirements for hotels, motels, apartment houses, and dwellings other than detached single-family dwellings.

Health and Safety Code, section 17922.12 establishes HCD’s authority to propose adoption of building standards for the construction, installation, and alteration of graywater systems for indoor and outdoor uses.

Health and Safety Code, section 17922.14 establishes HCD’s authority to prepare and propose adoption of building standards requiring the installation of water meters or submeters in newly constructed multiunit residential structures or mixed-use residential and commercial structures, as those terms are defined in section 517 of the Water Code.

Health and Safety Code, section 17926 establishes HCD’s authority to propose adoption of building standards for the installation of carbon monoxide detectors in hotel and motel dwelling units intended for human occupancy.

Health and Safety Code, section 17927 establishes HCD’s authority to propose the adoption of a building standard to the CBSC pursuant to Chapter 4 (commencing with section 18935) of Part 2.5 of Division 13 to authorize HCD to adopt, amend, and repeal rules and regulations for garage door springs for installation in garages which are accessory to apartment houses, hotels, motels, and dwellings as the department determines are reasonably necessary to prevent the death or injury of persons or damage to property resulting from the breaking of the garage door springs.

Health and Safety Code, section 17928 authorizes HCD to review green building guidelines used for green building.

Health and Safety Code, section 17958.12 establishes HCD’s authority to propose the adoption of a building standard related to retroactive permits.

Health and Safety Code, section 18200 through 18700 requires HCD to develop and propose adoption of building standards for permanent buildings and structures within mobilehome parks.

Health and Safety Code, section 18552 establishes HCD’s authority to propose the adoption of building standards to the CBSC pursuant to Chapter 4 (commencing with section 18935) of Part 2.5 to adopt regulations for manufactured home or mobilehome accessory buildings or structures.

Health and Safety Code, section 18554 establishes requirements for discharge of wastewater, sewage, or waste material from plumbing fixtures in a manufactured home, mobilehome, recreational vehicle, accessory structure, or permanent building in the park.

Health and Safety Code, section 18620 establishes HCD’s authority to propose the adoption of building standards to the CBSC pursuant to Chapter 4 (commencing with section 18935) of Part 2.5 to adopt reg-

ulations regarding the construction of buildings in parks that it determines are reasonably necessary for the protection of life and property.

Health and Safety Code, section 18630 establishes HCD’s authority to propose building standards regarding plumbing in parks that are reasonably necessary for the protection of life and property.

Health and Safety Code, section 18640 authorizes HCD to propose adoption of building standards for toilet, shower, and laundry facilities in parks.

Health and Safety Code, section 18670 authorizes HCD to propose adoption of building standards regarding electrical wiring, fixtures, and equipment installed in parks that it determines are reasonably necessary for the protection of life and property.

Health and Safety Code, section 18690 establishes HCD’s authority to propose the adoption of building standards to the CBSC pursuant to Chapter 4 (commencing with section 18935) of Part 2.5 to adopt regulations regarding fuel gas equipment and installations in parks.

Health and Safety Code, section 18691 establishes HCD’s authority to adopt rules and regulations in title 25 of the California Code of Regulations, which reference building standards, that it determines are reasonably consistent with generally recognized fire protection standards, governing conditions relating to the prevention of fire or for the protection of life and property against fire in parks.

Health and Safety Code, section 18860 through 18874 requires HCD to develop of regulations in title 25 of the California Code of Regulations, that references to building standards, and propose adoption of building standards for special occupancy parks.

Health and Safety Code, section 18865 requires HCD to adopt regulations in title 25 of the California Code of Regulations for permanent buildings and structures within special occupancy parks, which include references to building standards.

Health and Safety Code, section 18871.3 establishes HCD’s authority to propose the adoption of a building standard to the California Building Standards Commission pursuant to Chapter 4 (commencing with Section 18935) of Part 2.5 to adopt regulations regarding accessory buildings or structures located in a park. The regulations shall provide for the construction, location, and use of accessory buildings or structures located in a special occupancy park to protect the health and safety of the occupants and the public.

Health and Safety Code, section 18871.4 establishes requirements for discharge of wastewater, sewage, or waste material from plumbing fixtures in a manufactured home, mobilehome, recreational vehicle, accessory structure, or permanent building in a special occupancy park.

Health and Safety Code, section 18873.1 through 18873.5 establishes HCD’s authority to propose the adoption of building standards to the CBSC regarding accessory buildings or structures located in a park.

Health and Safety Code, section 18873 establishes HCD’s authority to propose the adoption of building standards to the California Building Standards Commission pursuant to Chapter 4 (commencing with Section 18935) of Part 2.5 to adopt regulations regarding the construction of buildings in parks that it determines are reasonably necessary for the protection of life and property.

Health and Safety Code, section 18928 requires each state agency adopting or proposing adoption of a model code, national standard, or specification to reference the most recent edition of applicable model codes, national standards, or specifications and to do so within one year of their publication date.

Health and Safety Code, section 18938.3 establishes with respect to the model codes that are designated in Sections 17922 and 18938, to serve as the basis for the California Building Standards Code but are no longer published, the building standards adopted and approved by the commission shall be those contained in the most recent editions of the model codes adopted or approved by the commission to serve as the basis for the 2007 triennial edition of the California Building Standards Code.

Health and Safety Code, section 18938.6 establishes that every permit shall remain valid if the work on the site authorized by that permit is commenced within 12 months after its issuance, unless the permittee has abandoned the work authorized by the permit.

Health and Safety Code, section 18941 requires HCD to propose adoption of building standards that are written on a performance basis consistent with state and nationally recognized standards for building construction in view of the use and occupancy of each structure to preserve and protect the public health and safety.

Health and Safety Code, section 18941.5 states that the amendments, additions, and deletions to the California Building Standards Code, including, but not limited to, green building standards, adopted by a city, county, or city and county pursuant to Section 18941.5 or pursuant to Section 17958.7, together with all applicable portions of the California Building Standards Code, shall become effective 180 days after publication of the California Building Standards Code by the commission, or at a later date after publication established by the commission.

Health and Safety Code, section 18944.11 requires HCD to adopt building standards for plumbing that would govern the use of nonwater-supplied urinals.

Health and Safety Code, section 18949.5 transfers the authority to adopt, or review and approve building standards to CBSC for specific state agencies.

Health and Safety Code, section 19890 states that on or after January 1, 1991, no person, corporation, or entity shall manufacture for sale in this state, purchase, sell or offer for sale at retail or wholesale, or install in this state, a residential automatic garage door opener that does not have an automatic reverse safety device that complies with the applicable standards set forth in the Underwriters Laboratories.

Health and Safety Code, section 19891 establishes penalties for violations of HSC, section 19890.

Health and Safety Code, section 19892 requires residential automatic garage door openers be equipped with a battery backup function that is designed to operate when activated during an electrical outage.

Health and Safety Code, section 19960 through 19997 requires HCD to propose adoption of building standards for factory-built housing.

Health and Safety Code, section 19990 authorizes HCD to propose the adoption of building standards to the CBSC pursuant to Chapter 4 (commencing with section 18935) of Part 2.5 of the HSC regarding requirements related to factory building housing to include the most recent editions of the international or uniform industry codes.

Government Code, section 8698.4 requires a city, county, or city/county to submit the adopted ordinance with any associated findings to HCD. As it relates to submissions of findings to HCD pursuant to GC section 8698.4(a)(2)(A)(i), the trigger for submission of findings with an adopted ordinance by a city, county, or city/county, is when the proposed standard does not meet the minimum requirements of Appendix X of the CRC or Appendix O of the CBC, respectively. Those findings must specify how the alternative standard, or portions thereof, protect health and safety.

Government Code, section 12955.1 authorizes HCD to propose the adoption, amendment, or repeal of building standards related to covered multifamily dwellings by the CBSC.

Government Code, section 12955.1.1 provides a clear definition for the covered multifamily dwelling and for the multistory dwelling unit.

Government Code, section 65852.2 establishes requirements for the Accessory dwelling units.

Civil Code, section 1101.4 establishes for multifamily residential property, all noncompliant plumbing fixtures must be replaced with water-conserving fixtures.

Civil Code, section 1101.5 establishes requirement for building alterations to single-family residential; all noncompliant plumbing fixtures must be replaced.

Civil Code, section 1954.201 encourages the conservation of water in multifamily residential rental

buildings and establishes submetering of dwelling units for water service.

Civil Code, section 1954.202 defines “Submeter”, “Water service” and “Water purveyor.”

Civil Code, section 5551 establishes definitions and requirements for 9-year inspections of exterior elevated elements in condominium projects.

California Code of Regulations, Title 20, section 1605.1 establishes federal and state standards for federally regulated appliances.

California Code of Regulations, Title 20, section 1605.3 establishes state standards for non-federally regulated appliances.

California Code of Regulations, Title 20, section 1607 establishes labeling standards for appliances.

Summary of Existing Regulations

The 2022 CEBC, CCR, Title 24, Part 10, effective on January 1, 2023.

Summary of Effect

HCD proposes to adopt by reference the 2024 International Existing Building Code (IEBC), with California amendments, into the 2025 CEBC, CCR, Title 24, Part 10, impacting the following programs:

- State Housing Law Program: relative to residential occupancies, buildings or structures accessory thereto and as provided in HSC Section 17921.
- Employee Housing Program: relative to any building or structure or outdoors on premises or property in accordance with HSC Section 17040.
- Mobilehome Parks and Special Occupancy Parks Programs: relative to the design or construction of permanent buildings and accessory buildings and structures within the park in accordance with HSC Sections 18620 and 18873, respectively.
- Factory-built Housing Program: relative to residential buildings, dwellings, or portions thereof, or building component, or manufactured assemblies in accordance with HSC Section 19990.

The building standards provide consistency with model code format, state and federal laws and regulations, and conditions unique to California. In addition, the amendments provide clarity and specificity, and provide direction for the code user. A discussion of the effect of the regulations may be found in the associated Initial Statement of Reasons.

Comparable Federal Statute or Regulations

There are no comparable federal statutes or regulations.

Policy Statement Overview

The proposed regulations, as part of the update to the current 2022 California Building Standards Code (CCR, Title 24), will adopt, amend, or repeal existing building standards and establish new building standards, which will affect residential occupancies and buildings or structures accessory thereto, as provid-

ed for by federal and state accessibility requirements; the use of general design, structural, and fire and life safety requirements in housing construction, buildings and structures accessory thereto; and permanent buildings in mobilehome parks and special occupancy parks. These updates will result in the 2025 California Building Standards Code.

The benefits anticipated from this proposed regulatory action include updating building standards, which will result in the protection of public health and safety, worker safety, the environment and general welfare of California residents. In addition, providing for use of the most recent building technology, methods and materials and applying those building standards on a statewide basis, as required by statute, results in uniformity in residential construction and promotes affordable costs.

Evaluation of Consistency

HCD has determined that the proposed regulations are not inconsistent or incompatible with existing state regulations.

OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS

Reference: Government Code Section 11346.5(a)(4).
None.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

Reference: Government Code Section 11346.5(a)(5).
HCD has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

ESTIMATE OF COST OR SAVINGS

Reference: Government Code Section 11346.5(a)(6).
An estimate, prepared in accordance with instructions adopted by Department of Finance, of cost or savings to any state agency, local agency, or school district.

- A. Cost or Savings to any state agency: **None.**
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **None.**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **None.**
- D. Other nondiscretionary cost or savings imposed on local agencies: **None.**

- E. Cost or savings in federal funding to the state: **None.**

Estimate: \$0; HCD believes that any additional expenditure resulting from this proposed action will be minimal and will be able to be absorbed within existing budgets and resources.

INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES

Reference: Government Code Section 11346.5(a)(8).

If the agency makes an initial determination that the adoption/amendment/repeal of this regulation will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall make a declaration to that effect.

HCD has made an initial determination that the adoption, amendment, or repeal of these regulations will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

Declaration of Evidence

Reference: Government Code Section 11346.5(a)(8).

In making the declaration, the agency shall provide in the record of facts, evidence, documents, testimony, or other evidence that the agency relied upon to support its initial determination of no effect.

HCD has determined that there are minimal facts, evidence, documents, testimony, or other evidence upon which the agency relied to support its initial determination of no effect pursuant to Government Code Section 11346.5(a)(8). The public is welcome to submit any information, facts or documents either supporting HCD's initial determination or finding to the contrary.

FINDING OF NECESSITY FOR THE PUBLIC'S HEALTH, SAFETY, OR WELFARE

Reference: Government Code Section 11346.5(a)(11).

Any regulation that requires a report shall not apply to businesses, unless the agency makes a finding that it is necessary for the health, safety, or welfare of the public that the regulations apply to businesses.

HCD has assessed the proposal regarding the economic impact of recordkeeping and reporting requirements and has determined that a report pursuant to Government Code Section 11346.3(c) is not required.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

Reference: Government Code Section 11346.5(a)(9).

Describe all cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. If no cost impact, provide the following statement:

HCD is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION

Reference: Government Code Section 11346.5(a)(10).

The Department of Housing and Community Development has assessed whether and to what extent this proposal will affect the following:

A. The creation or elimination of jobs within the State of California.

These regulations will not affect the creation, or cause the elimination, of jobs within the State of California.

B. The creation of new businesses or the elimination of existing businesses within the State of California.

These regulations will not affect the creation, or cause the elimination, of businesses within the State of California.

C. The expansion of businesses currently doing business within the State of California.

These regulations will not affect the expansion of businesses currently doing business within the State of California.

D. The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.

The adoption of the 2024 IEBC through incorporation by reference with California amendments will provide stakeholders with a code establishing minimum requirements for existing buildings using prescriptive and some performance-related provisions. It is founded on broad-based principles intended to encourage the use and reuse of existing buildings while requiring reasonable upgrades and improvements. These regulations will update and improve minimum existing building standards, which will provide increased protection of public health and safety, worker safety, and the environment.

ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING

Reference: Government Code Section 11346.5(a)(12).

- No increased cost of compliance for those regulations that make only technical and nonsubstantive changes.
- Government Code Section 11346.2(b)(5)(B)(ii) provides that the model codes adopted pursuant to Section 18928 of the Health and Safety Code shall be exempt from the requirements of Section 11346.2(b)(5)(B) unless upon request as specified. The purpose of this rulemaking is to adopt the 2024 IEBC which is a model code setting forth requirements for existing buildings.
- The potential benefits provide recognition and appropriate use of new technologies and materials, clarity for the code users and local enforcement agencies, and may increase business due to the adoption of new building standards.
- Protection of public health and safety, worker safety and the environment.

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).

HCD has determined that no reasonable alternative considered by HCD or that has otherwise been identified and brought to the attention of HCD would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action. In addition, no reasonable alternative considered by HCD or that has otherwise been identified and brought to the attention of HCD would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

AVAILABILITY OF RULEMAKING DOCUMENTS

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(19).

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(21).

HCD shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for

which effective communication is required under state or federal law. The statement shall note that providing the accessible description of proposed changes may require extending the period of public comment for the proposed action.

**CBSC CONTACT PERSON FOR
PROCEDURAL AND
ADMINISTRATIVE QUESTIONS**

Reference: Government Code Section 11346.5(a)(14).

General questions regarding procedural and administrative issues should be addressed to:

Kevin Day, Deputy Executive Director
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone: (916) 263–0916

**PROPOSING STATE AGENCY CONTACT
PERSON FOR SUBSTANTIVE OR
TECHNICAL QUESTIONS ON THE
PROPOSED CHANGES TO
BUILDING STANDARDS**

Specific questions regarding the substantive or technical aspects of the proposed changes to the building standards should be addressed to:

Primary Contact:

Jeffrey Cooney, District Representative I
Department of Housing and Community
Development
Codes and Standards
(916) 820–1532
Jeffrey.Cooney@hcd.ca.gov

Back up Contact:

Mitchel Baker, Assistant Deputy Director
Department of Housing and Community
Development
Codes and Standards
(916) 214–8097
Mitchel.Baker@hcd.ca.gov

**TITLE 24. BUILDING STANDARDS
COMMISSION/DIVISION OF THE
STATE ARCHITECT**

**NOTICE OF PROPOSED ACTION TO
BUILDING STANDARDS OF THE (DSA–
SS, DSA–SS/CC) REGARDING THE 2025
CALIFORNIA ADMINISTRATIVE CODE,
CALIFORNIA CODE OF REGULATIONS,
TITLE 24, PART 1 (DSA–SS 04/24)**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of The Division of the State Architect (DSA) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 1. The DSA is proposing building standards related to structural design and construction oversight of public elementary and secondary schools, community colleges and state-owned or state leased essential services buildings.

PUBLIC COMMENT PERIOD

Reference: Government Code Sections 11346.5(a)(1), 11346.5(a)(15) and 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **September 6, 2024**, until midnight on **October 21, 2024**.

Comments may be submitted to CBSC via:

Email: cbsc@dgs.ca.gov

US Mail postmarked no later than **October 21, 2024**.

California Building Standards Commission
Attention: Public Comments
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Note: Only comments received in an accessible format will be viewable via CBSC’s website.

Any interested person, or his or her duly authorized representative, may request no later than 15 days prior to the close of the written comment period that a public hearing be held.

The public will have an opportunity to provide written and oral comments regarding the proposed action on building standards at a public meeting to be conducted by CBSC to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

POST-HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS

Reference: Government Code Section 11346.5(a)(18).

Following the public comment period, CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

NOTE: To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

AUTHORITY AND REFERENCE

Reference: Government Code Section 11346.5(a)(2).

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.1. The purpose of these building standards is to implement, interpret, or make specific the provisions of Health & Safety Code Sections 13138, 13143 and 16001; Government Code Sections 4454 and 14963; and Education Code Sections 17280, 17283, 17295, 17297, 17299, 17300, 17307, 17309, 17311, 17405, 81050, 81050.5, 81130, 81130.5, 81133, 81134, 81136, 81138, 81141, 81143, and 81529.

The Division of the State Architect is proposing this regulatory action based on Health and Safety Code Section 16022, Education Code Sections 17300, 17301, 17310 and 81142, and Government Code Sections 4450, 4453, 4454 and 14963.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

Health and Safety Code Section 13138 authorizes the State Fire Marshal (or agency appropriated responsibility for enforcement) to charge an amount sufficient to recover costs incurred for building code inspections and related fire and life safety activities (such as plan review)

Health and Safety Code Section 13143 authorizes the State Fire Marshal to establish building standards for the prevention of fire and for the protection of life and property against fire and panic.

Health and Safety Code Section 16001 defines the intent of the Essential Services Buildings Seismic Safety Act of 1986 “Essential Services Act” (HSC 16000–16023): that essential services buildings...shall

be capable of providing essential services to the public after a disaster, shall be designed and constructed to minimize fire hazards and that the buildings and the vital nonstructural components (e.g., communications systems, main transformers and switching equipment, emergency backup systems, etc.) shall resist...the forces generated by earthquakes, gravity and winds.

Health and Safety Code Section 16022 assigns the State Architect the responsibility to observe the implementation and administration of the Essential Services Act, to establish and adopt regulations deemed necessary to do so, to provide advice and assistance to local jurisdictions and to hear appeals relative to administration of the Act.

Health and Safety Code Section 18949.1, transfers the responsibilities of DSA to adopt regulations relating to building standards, to the California Building Standards Commission.

Government Code Section 4450 authorizes the State Architect to develop regulations for making buildings, structures, sidewalks, curbs, and related facilities accessible to and usable by persons with disabilities.

Government Code Section 4453 assigns responsibility for enforcement of Chapter 7 to the Director of the Department of General Services where state funds are used for any project or where funds of counties, municipalities, or other political subdivisions are utilized for the construction of elementary, secondary, or community college projects.

Government Code Section 4454 dictates that no contract shall be awarded until the Department of General Services (DGS) has issued written approval stating that the plans and specifications comply with the intent of Chapter 7, and Government Code Section 4454.5 declares district faculty and employee housing, and community college student housing buildings exempt from the requirement for written approval from DGS.

Government Code Section 14963 transfers the responsibilities of the State Fire Marshal to conduct duties and functions related to construction, school, plan checking, and construction inspection, to DSA.

Education Code Sections 17280–17317 and 81130–81149 are known and cited as the “Field Act”. The Field Act was enacted after the 1933 Long Beach Earthquake and assigned DSA authority for design review and construction oversight of school building construction in California to ensure the protection of life and property. **Sections 17310 and 81142** authorize the State Architect to establish building standards for public elementary and secondary schools, and community colleges.

Education Code Section 17405 defines the conditions where leased buildings are or are not subject to Field Act requirements.

Education Code Section 81050 defines buildings used, or designed to be used, for community colleges purposes as a “school building” and therefore must satisfy “Field Act” requirements. **Section 81050.5** stipulates that buildings used or intended to be used by a community college district as “residential housing” are not a “school building”.

Education Code Section 81529 allows for the governing board of a community college district to designate a building that is primarily used for other than public school purposes as an “offsite location” for the purpose of conducting instruction in educational programs prescribed by the board and therefore exempt from compliance with Field Act requirements.

Summary of Existing Regulations

Existing building standards which prescribe the administrative requirements for building design and construction of state-owned or state-leased essential services buildings, public elementary and secondary schools, and community colleges are promulgated by the Division of the State Architect. These regulations are contained in CCR, Title 24, Part 1, and are based on authority and responsibilities assigned to DSA by statute.

Summary of Effect

The proposed action will adopt and amend the current 2022 edition of the California Administrative Code (CAC) (Title 24, Part 1, California Code of Regulations (CCR)) in order to adopt the 2025 CAC. In addition to editorial updates, including clarifications which do not cause a change in regulatory effect, the proposed action will:

- Modify Sections 4–205, 4–305, 4–402, 4–405 to add reference to new Part 7 to the list of applicable building standards, in response to SFM proposal to establish new Part 7, California Wildland–Urban Interface Code, to Title 24, CCR.
- Modify Sections 4–310 and 5–101 to align with Education Code Section 81050.5, as amended by AB 358 (Reg. Sess. 2023–2024), excluding community college student housing buildings from compliance with the Field Act.
- Add definition for “Laboratory of Record” to Section 4–314 to coordinate with language updates to Sections 4–335 and 4–335.1 and reorganization to create new Article 11.
- Modify Section 4–317(e) by adding exception to prohibition on construction, rehabilitation, reconstruction or relocation of a school building within 50 feet of active fault trace. Exception allows repair of damage caused by means not related to natural or manmade disaster (e.g. dry rot, vehicle impact).
- Modify Sections 4–318(c), 4–319 and 4–420 to clarify amount of refund of fees when the work

has not yet commenced (checking work, or construction) on a project (or subsequent increments). Brings regulatory language into alignment with current practice as stipulated in Section 1.5 of IR A–30.

- Relocate and reorganize content currently contained in Chapter 4, Group 1 Article 5 CERTIFICATION OF CONSTRUCTION (Section 4–333.1 and portions of Section 4–335.1) and Article 6 DUTIES UNDER THE ACT (portions of Section 4–342) and create two new articles:
 - Article 10 INSPECTOR CERTIFICATION and
 - Article 11 LABORATORY ACCEPTANCE.
 - Intent is to consolidate and clarify inspector certification, discipline, appeals, and reinstatement requirements (Article 10) and to consolidate and clarify laboratory acceptance, discipline, appeals, and reinstatement requirements (Article 11). Creating distinct articles for these two programs helps delineate and keep these requirements separate from the requirements, duties and expectations for certified inspectors and accepted labs (as well as Contractor, and Design Professionals) during construction as specified in Articles 5 and 6.
- Modify Section 4–335(f) to require minimum educational requirements for special inspectors in order to be consistent with similar minimum qualifications for Project Inspectors and DSA Certified Special Inspectors. Removing minimum age requirement since the other existing and proposed minimum qualifications are sufficient to ensure appropriately qualified individuals provide special inspections.
- Modify Section 4–342(b)5 to add requirement for 48 hours prior notification for structural steel erection. This provides consistency in notification to DSA prior to significant milestones for these structural systems, as is already stipulated as a requirement for concrete and masonry structures.
- Repeal Section 4–350 regarding records; the language is redundant, and potentially in conflict with Public Records Act law,
- Repeal Section 4–351 regarding location of records; it addresses topics more appropriately addressed by policy and not regulation.
- Add new definitions for “Classroom” and “Shade Structure” to Section 4–411 in order to clarify

broad terms frequently reflected in project designs for which there are no current definitions.

Comparable Federal Statute or Regulations

There are no comparable federal regulations or statutes.

Policy Statement Overview

The broad objective of the proposed action is to maintain building regulations in conformance with current state law by amending the current edition of the California Administrative Code.

Evaluation of Consistency

There are no regulations being proposed that will be inconsistent or incompatible within this submittal and with current California Administrative Code and statutory requirements of the Education Code, Government Code and Health and Safety Code.

OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS

Reference: Government Code Section 11346.5(a)(4).

DSA has determined that there are no other matters prescribed by statute applicable to the agency or to any specific regulation or class of regulations.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

Reference: Government Code Section 11346.5(a)(5).

DSA has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

ESTIMATE OF COST OR SAVINGS

Reference: Government Code Section 11346.5(a)(6).

An estimate, prepared in accordance with instructions adopted by Department of Finance, of cost or savings to any state agency, local agency, or school district.

- A. Cost or Savings to any state agency: **NO**.
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**.
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**.
- D. Other nondiscretionary cost or savings imposed on local agencies: **NO**.
- E. Cost or savings in federal funding to the state: **NO**.

Estimate: The proposed regulations will have no mandated cost or savings to any state agency, local agency, or school district.

INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES

Reference: Government Code Section 11346.5(a)(8).

If the agency makes an initial determination that the adoption/amendment/repeal of this regulation will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall make a declaration to that effect.

DSA has made an initial determination that the adoption and amendment of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

Declaration of Evidence

Reference: Government Code Section 11346.5(a)(8).

In making the declaration, the agency shall provide in the record of facts, evidence, documents, testimony, or other evidence that the agency relied upon to support its initial determination of no effect.

DSA has not relied on any other facts, evidence, documents, testimony, or other evidence to make its initial determination of no statewide adverse economic impact. The scope of the proposed action is to make editorial and technical modifications to the existing code that are in alignment with statutory requirements and national referenced standards.

FINDING OF NECESSITY FOR THE PUBLIC'S HEALTH, SAFETY, OR WELFARE

Reference: Government Code Section 11346.5(a)(11).

Any regulation that requires a report shall not apply to businesses, unless the agency makes a finding that it is necessary for the health, safety, or welfare of the public that the regulations apply to businesses.

The proposed regulatory action does not require a report by any business or agency, so the Division of the State Architect has not made a finding of necessity for public's health, safety or welfare.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

Reference: Government Code Section 11346.5(a)(9).

Describe all cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. If no cost impact, provide the following statement:

DSA is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT OF EFFECT OF
REGULATIONS UPON JOBS AND
BUSINESS EXPANSION,
ELIMINATION OR CREATION

Reference: Government Code Section 11346.5(a)(10).

The Division of the State Architect has assessed whether and to what extent this proposal will affect the following:

A. The creation or elimination of jobs within the State of California.

The Division of the State Architect did not identify any amended regulation that would lead to the creation or elimination of jobs within the State of California.

B. The creation of new businesses or the elimination of existing businesses within the State of California.

The Division of the State Architect did not identify any amended regulation that would lead to the creation of new businesses or the elimination of existing businesses within the State of California.

C. The expansion of businesses currently doing business within the State of California.

The Division of the State Architect did not identify any amended regulation that would lead to the expansion of businesses currently doing business within the State of California.

D. The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.

Part 1, California Administrative Code is the administrative regulations for application of the California Building code, implementation of construction testing and inspection programs, and certification of construction for the safety and protection of life and property of public K–14 school buildings in compliance with the California Education Code and state-owned or state-leased essential service buildings in compliance with the California Health and Safety Code. The benefits of the regulations provide clarity to the California Administrative Code.

ESTIMATED COST OF COMPLIANCE OF
STANDARDS THAT WOULD
IMPACT HOUSING

Reference: Government Code Section 11346.5(a)(12).

DSA has determined that this proposed action has no effect on housing.

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).

DSA has determined that no reasonable alternative considered by DSA or that has otherwise been identified and brought to the attention of DSA would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action. In addition, no reasonable alternative considered by DSA or that has otherwise been identified and brought to the attention of DSA would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

AVAILABILITY OF
RULEMAKING DOCUMENTS

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(19).

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(21).

DSA shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law. The statement shall note that providing the accessible description of proposed changes may require extending the period of public comment for the proposed action.

CBSC CONTACT PERSON FOR
PROCEDURAL AND
ADMINISTRATIVE QUESTIONS

Reference: Government Code Section 11346.5(a)(14).

General questions regarding procedural and administrative issues should be addressed to:

Kevin Day
Deputy Executive Director
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone: (916) 263–0916

PROPOSING STATE AGENCY CONTACT
PERSON FOR SUBSTANTIVE OR
TECHNICAL QUESTIONS ON THE
PROPOSED CHANGES TO
BUILDING STANDARDS

Specific questions regarding the substantive or technical aspects of the proposed changes to the building standards should be addressed to:

Primary Contact:

Diane Gould
Principal Structural Engineer
Division of the State Architect
916–324–6959
Diane.Gould@dgs.ca.gov

Back up Contact:

Ryan Turner
Supervising Structural Engineer
Division of the State Architect
858–674–5431
ryan.turner@dgs.ca.gov

**TITLE 24. BUILDING STANDARDS
COMMISSION/DIVISION OF THE
STATE ARCHITECT**

NOTICE OF PROPOSED ACTION TO
BUILDING STANDARDS OF THE (DSA–
SS, DSA–SS/CC) REGARDING THE
2025 CALIFORNIA BUILDING CODE,
CALIFORNIA CODE OF REGULATIONS,
TITLE 24, PART 2 (DSA–SS 05/24)

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of Division of the State Architect proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 2. The DSA is proposing building standards related to structural design and construction oversight of public elementary and secondary schools, community colleges and state-owned or state leased essential services buildings.

PUBLIC COMMENT PERIOD

Reference: Government Code Sections 11346.5(a)(1), 11346.5(a)(15) and 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **September 6, 2024**, until midnight on **October 21, 2024**.

Comments may be submitted to CBSC via:

Email: cbsc@dgs.ca.gov

US Mail postmarked no later than **October 21, 2024**:

California Building Standards Commission
Attention: Public Comments
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Note: Only comments received in an accessible format will be viewable via CBSC’s website.

Any interested person, or his or her duly authorized representative, may request no later than 15 days prior to the close of the written comment period that a public hearing be held.

The public will have an opportunity to provide written and oral comments regarding the proposed action on building standards at a public meeting to be conducted by CBSC to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

**POST–HEARING MODIFICATIONS TO THE
TEXT OF THE REGULATIONS**

Reference: Government Code Section 11346.5(a)(18).

Following the public comment period, CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15–day period.

NOTE: To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

AUTHORITY AND REFERENCE

Reference: Government Code Section 11346.5(a)(2).

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.1 The purpose of these building standards is to implement, interpret, or make specific the provisions of Health and Safety Code sections 16000–16023, and Education Code sections 17280–17317, 81052–81053 and 81130–81149.

The Division of the State Architect is proposing this regulatory action based on Health and Safety Code section 16022, and Education Code sections 17310, 81053 and 81142.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

Health and Safety Code Sections 16000–16023 are known and cited as the “Essential Services Buildings Seismic Safety Act of 1986” and require that essential services buildings be capable of providing essential services to the public after a disaster and shall be designed and constructed to minimize fire hazards and to resist, insofar as practical, the forces generated by earthquakes, gravity, and winds.

Health and Safety Code Section 16022 authorizes the State Architect to establish building standards for state–owned and state–leased essential services buildings and to oversee the implementation of the act including the design and construction of state–owned and state leased essential services buildings.

Health and Safety Code Section 18949.1 transfers the responsibilities of DSA to adopt regulations relating to building standards, to the California Building Standards Commission.

Education Code Sections 17280–17317 and 81130–81149 are known and cited as the “Field Act” and relate to public elementary and secondary (K–12) schools and community colleges respectively.

Education Code Sections 17310 and 81142 authorize the State Architect to establish building standards for the design, construction, and inspection of building systems for public elementary and secondary schools, and community colleges respectively.

Education Code Sections 81052 and 81053 authorize the State Architect to establish building standards which a community college may elect to use in lieu of those standards promulgated in accordance with Education Code section 81142.

Summary of Existing Regulations

Existing building standards which prescribe the design and construction requirements for state–owned or state–leased essential services buildings, public elementary and secondary schools, and community colleges are promulgated by the Division of the State Architect. These regulations are contained in CCR, Title 24, Part 2, and are based on provisions within the adopted model building code.

Summary of Effect

The proposed action will adopt the 2025 California Building Code (CBC) (Title 24, Part 2, California Code of Regulations), by adopting the most recent edition of the selected model building code (International Building Code (IBC), 2024 edition) and carrying forward existing amendments. The proposed action will:

- Integrate currently adopted structural safety amendments into the updated CBC.

- Repeal currently adopted amendments deemed to be sufficiently addressed by the adopted model building code.
- Make editorial changes to currently adopted amendments to improve clarity or intent.

Comparable Federal Statute or Regulations

There are no comparable federal regulations or statutes.

Policy Statement Overview

The broad objective of the proposed action is to maintain building regulations in conformance with current state law by adopting and amending the current edition of the California Building Code based upon the most current edition of the model building code and nationally recognized structural design standards.

Evaluation of Consistency

There are no regulations being proposed that will be inconsistent or incompatible within this submittal and with current California Building Code and statutory requirements of the Education Code and Health and Safety Code.

OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS

Reference: Government Code Section 11346.5(a)(4).

DSA has determined that there are no other matters prescribed by statute applicable to the agency or to any specific regulation or class of regulations.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

Reference: Government Code Section 11346.5(a)(5).

DSA has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

ESTIMATE OF COST OR SAVINGS

Reference: Government Code Section 11346.5(a)(6).

An estimate, prepared in accordance with instructions adopted by Department of Finance, of cost or savings to any state agency, local agency, or school district.

- A. Cost or Savings to any state agency: **NO**.
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**.
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**.

- D. Other nondiscretionary cost or savings imposed on local agencies: **NO.**
- E. Cost or savings in federal funding to the state: **NO.**

Estimate: The proposed regulations will have no mandated cost or savings to any state agency, local agency, or school district

INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES

Reference: Government Code Section 11346.5(a)(8).

If the agency makes an initial determination that the adoption/amendment/repeal of this regulation will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall make a declaration to that effect.

DSA has made an initial determination that the adoption, amendment or repeal of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

Declaration of Evidence

Reference: Government Code Section 11346.5(a)(8).

In making the declaration, the agency shall provide in the record of facts, evidence, documents, testimony, or other evidence that the agency relied upon to support its initial determination of no effect.

No facts, evidence, documents, testimony or other evidence has been relied upon to support the initial determination of no effect. The proposed changes to the regulations are editorial to provide clarity, and do not result in an increase to the cost of compliance in the application and implementation of the California Building Code, since they are equivalent to current requirements.

FINDING OF NECESSITY FOR THE PUBLIC'S HEALTH, SAFETY, OR WELFARE

Reference: Government Code Section 11346.5(a)(11).

Any regulation that requires a report shall not apply to businesses, unless the agency makes a finding that it is necessary for the health, safety, or welfare of the public that the regulations apply to businesses.

The proposed regulatory action does not require a report by any business or agency, so the Division of the State Architect has not made a finding of necessity for public's health, safety or welfare.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

Reference: Government Code Section 11346.5(a)(9).

Describe all cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. If no cost impact, provide the following statement:

DSA is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. The proposed changes to the regulations are editorial to provide clarity, and do not result in an increase to the cost of compliance in the application and implementation of the California Building Code, since they are equivalent to current requirements.

ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION

Reference: Government Code Section 11346.5(a)(10).

The Division of the State Architect has assessed whether and to what extent this proposal will affect the following:

A. The creation or elimination of jobs within the State of California.

DSA has determined that this proposed action will not affect the creation of or elimination of jobs within the State of California.

B. The creation of new businesses or the elimination of existing businesses within the State of California.

DSA has determined that this proposed action will not affect the creation of new businesses nor the elimination of existing businesses within the State of California.

C. The expansion of businesses currently doing business within the State of California.

DSA has determined that this proposed action will not affect the expansion of businesses currently doing business within the State of California.

D. The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.

These regulations will bring California into compliance with the most recent edition of the national model code (i.e. the 2024 IBC, developed by the International Code Council), thereby benefiting the welfare of residents, worker safety, and the state's environment.

**ESTIMATED COST OF COMPLIANCE OF
STANDARDS THAT WOULD
IMPACT HOUSING**

Reference: Government Code Section 11346.5(a)(12).
DSA has determined that this proposed action has no effect on housing.

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).
DSA has determined that no reasonable alternative considered by DSA or that has otherwise been identified and brought to the attention of DSA would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action. In addition, no reasonable alternative considered by DSA or that has otherwise been identified and brought to the attention of DSA would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

**AVAILABILITY OF
RULEMAKING DOCUMENTS**

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(19).
Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(21).
DSA shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law. The statement shall note that providing the accessible description of proposed changes may require extending the period of public comment for the proposed action.

**CBSC CONTACT PERSON FOR
PROCEDURAL AND
ADMINISTRATIVE QUESTIONS**

Reference: Government Code Section 11346.5(a)(14).

General questions regarding procedural and administrative issues should be addressed to:

Kevin Day, Deputy Executive Director
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone: (916) 263–0916

**PROPOSING STATE AGENCY CONTACT
PERSON FOR SUBSTANTIVE OR
TECHNICAL QUESTIONS ON THE
PROPOSED CHANGES TO
BUILDING STANDARDS**

Specific questions regarding the substantive or technical aspects of the proposed changes to the building standards should be addressed to:

Primary Contact:

Diane Gould
Principal Structural Engineer
Division of the State Architect
916–324–6959
Diane.Gould@dgs.ca.gov

Back up Contact:

Ryan Turner
Supervising Structural Engineer
Division of the State Architect
858–674–5431
ryan.turner@dgs.ca.gov

**TITLE 24. BUILDING STANDARDS
COMMISSION/DIVISION OF THE
STATE ARCHITECT**

**NOTICE OF PROPOSED ACTION TO
BUILDING STANDARDS OF THE (DSA–
SS, DSA–SS/CC) REGARDING THE 2025
CALIFORNIA EXISTING BUILDING CODE,
CALIFORNIA CODE OF REGULATIONS,
TITLE 24, PART 10 (DSA–SS 06/24)**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of Division of the State Architect (DSA) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 10. The DSA is proposing building standards related to structural design and construction oversight of public elementary and secondary schools, community colleges and state-owned or state leased essential services buildings.

PUBLIC COMMENT PERIOD

Reference: Government Code Sections 11346.5(a)(1), 11346.5(a)(15) and 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **September 6, 2024**, until midnight on **October 21, 2024**.

Comments may be submitted to CBSC via:

Email: cbsc@dgs.ca.gov

US Mail postmarked no later than **October 21, 2024**:

California Building Standards Commission
Attention: Public Comments
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Note: Only comments received in an accessible format will be viewable via CBSC’s website.

Any interested person, or his or her duly authorized representative, may request no later than 15 days prior to the close of the written comment period that a public hearing be held.

The public will have an opportunity to provide written and oral comments regarding the proposed action on building standards at a public meeting to be conducted by CBSC to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

POST-HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS

Reference: Government Code Section 11346.5(a)(18).

Following the public comment period, CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

NOTE: To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

AUTHORITY AND REFERENCE

Reference: Government Code Section 11346.5(a)(2).

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.1. The purpose of these building stan-

dards is to implement, interpret, or make specific the provisions of Health and Safety Code sections 16000–16023, and Education Code sections 17280–17317, 81052–81053 and 81130–81147.

The Division of the State Architect is proposing this regulatory action based on Health and Safety Code section 16022, and Education Code sections 17310, 81053 and 81142.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

Health and Safety Code Sections 16000–16023 are known and cited as the “Essential Services Buildings Seismic Safety Act of 1986” and require that essential services buildings be capable of providing essential services to the public after a disaster and shall be designed and constructed to minimize fire hazards and to resist, insofar as practical, the forces generated by earthquakes, gravity, and winds.

Health and Safety Code Section 16022 authorizes the State Architect to establish building standards for state-owned and state-leased essential services buildings and to oversee the implementation of the act including the design and construction of state-owned and state leased essential services buildings.

Health and Safety Code Section 18949.1 transfers the responsibilities of DSA to adopt regulations relating to building standards, to the California Building Standards Commission.

Education Code Sections 17280–17317 and 81130–81147 are known and cited as the “Field Act” and relate to public elementary and secondary (K–12) schools and community colleges respectively.

Education Code Sections 17310 and 81142 authorize the State Architect to establish building standards for the design, construction, and inspection of building systems for public elementary and secondary (K–12) schools and community colleges respectively.

Education Code Sections 81052–81053 authorize the State Architect to establish building standards which a community college may elect to use in lieu of those standards promulgated in accordance with Education Code section 81142.

Summary of Existing Regulations

Existing building standards which prescribe the design and construction requirements for the repair, alternation, addition, and change of occupancy to existing state-owned or state-leased essential services buildings, public elementary and secondary schools, and community colleges are promulgated by the Division of the State Architect. These regulations are contained in Title 24, Part 10, California Existing Building Code.

Summary of Effect

The proposed action will adopt 2025 California Existing Building Code (CEBC) (Title 24, Part 10, California Code of Regulations) by adopting the most recent edition of the selected model building code (International Existing Building Code (IEBC), 2024 edition) and carrying forward existing amendments.

The proposed action will:

- Integrate currently adopted structural safety amendments into the updated CEBC.
- Repeal currently adopted amendments deemed to be sufficiently addressed by the adopted model building code.
- Make editorial changes to currently adopted amendments to improve clarity or intent.

Comparable Federal Statute or Regulations

There are no comparable federal regulations or statutes.

Policy Statement Overview

The broad objective of the proposed action is to maintain building regulations in conformance with current state law by making editorial changes to currently adopted amendments to improve clarity or intent.

Evaluation of Consistency

The proposed regulations are not inconsistent nor incompatible with existing state regulations.

**OTHER MATTERS PRESCRIBED BY
STATUTE APPLICABLE TO THE AGENCY
OR TO ANY SPECIFIC REGULATION OR
CLASS OF REGULATIONS**

Reference: Government Code Section 11346.5(a)(4).

DSA has determined that there are no other matters prescribed by statute applicable to the agency or to any specific regulation or class of regulations.

**MANDATE ON LOCAL AGENCIES OR
SCHOOL DISTRICTS**

Reference: Government Code Section 11346.5(a)(5).

DSA has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

ESTIMATE OF COST OR SAVINGS

Reference: Government Code Section 11346.5(a)(6).

An estimate, prepared in accordance with instructions adopted by Department of Finance, of cost or savings to any state agency, local agency, or school district.

A. Cost or Savings to any state agency: **NO**.

B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**.

C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**.

D. Other nondiscretionary cost or savings imposed on local agencies: **NO**.

E. Cost or savings in federal funding to the state: **NO**.

Estimate: The proposed regulations will have no mandated cost or savings to any state agency, local agency, or school district.

**INITIAL DETERMINATION OF NO
SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT ON BUSINESSES**

Reference: Government Code Section 11346.5(a)(8).

If the agency makes an initial determination that the adoption/amendment/repeal of this regulation will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall make a declaration to that effect.

DSA has made an initial determination that the adoption and amendment of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

Declaration of Evidence

Reference: Government Code Section 11346.5(a)(8).

In making the declaration, the agency shall provide in the record of facts, evidence, documents, testimony, or other evidence that the agency relied upon to support its initial determination of no effect.

No facts, evidence, documents, testimony or other evidence has been relied upon by DSA to support the initial determination of no effect. 2022 CEBC regulations have been carried over, and all revisions to existing amendments are clarifications with no fiscal or economic impact.

**FINDING OF NECESSITY FOR THE
PUBLIC'S HEALTH,
SAFETY, OR WELFARE**

Reference: Government Code Section 11346.5(a)(11).

Any regulation that requires a report shall not apply to businesses, unless the agency makes a finding that it is necessary for the health, safety, or welfare of the public that the regulations apply to businesses.

The proposed regulatory action does not require a report by any business or agency, so DSA has not

made a finding of necessity for public’s health, safety or welfare.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

Reference: Government Code Section 11346.5(a)(9).

Describe all cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. If no cost impact, provide the following statement:

DSA is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION

Reference: Government Code Section 11346.5(a)(10).

The Division of the State Architect has assessed whether and to what extent this proposal will affect the following:

A. The creation or elimination of jobs within the State of California.

DSA has determined that this proposed action will not affect the creation of or elimination of jobs within the State of California.

B. The creation of new businesses or the elimination of existing businesses within the State of California.

DSA has determined that this proposed action will not affect the creation of new or the elimination of existing business within the State of California.

C. The expansion of businesses currently doing business within the State of California.

DSA has determined that this proposed action will not affect the expansion of businesses currently doing business within the State of California.

D. The benefits of the regulation to the health and welfare of California residents, worker safety, and the state’s environment.

DSA did not identify any amended regulation that would have a significant positive or adverse impact. These regulations will bring California into compliance with the most recent edition of the national model code (i.e. the 2024 IEBC, developed by the International Code Council), thereby benefiting the welfare of residents, worker safety, and the state’s environment.

ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING

Reference: Government Code Section 11346.5(a)(12).
The Division of the State Architect has determined that this proposed action has no effect on housing.

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).
DSA has determined that no reasonable alternative considered by DSA or that has otherwise been identified and brought to the attention of DSA would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action. In addition, no reasonable alternative considered by DSA or that has otherwise been identified and brought to the attention of DSA would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

AVAILABILITY OF RULEMAKING DOCUMENTS

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(19).

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(21).

DSA shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law. The statement shall note that providing the accessible description of proposed changes may require extending the period of public comment for the proposed action.

CBSC CONTACT PERSON FOR PROCEDURAL AND ADMINISTRATIVE QUESTIONS

Reference: Government Code Section 11346.5(a)(14).

General questions regarding procedural and administrative issues should be addressed to:

Kevin Day, Deputy Executive Director
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone: (916) 263–0916

**PROPOSING STATE AGENCY CONTACT
PERSON FOR SUBSTANTIVE OR
TECHNICAL QUESTIONS ON THE
PROPOSED CHANGES TO
BUILDING STANDARDS**

Specific questions regarding the substantive or technical aspects of the proposed changes to the building standards should be addressed to:

Primary Contact:

Diane Gould
Principal Structural Engineer
Division of the State Architect
916–324–6959
Diane.Gould@dgs.ca.gov

Back up Contact:

Ryan Turner
Supervising Structural Engineer
Division of the State Architect
858–674–5431
ryan.turner@dgs.ca.gov

**TITLE 24. BUILDING STANDARDS
COMMISSION/DEPARTMENT
OF HEALTH CARE ACCESS
AND INFORMATION/OFFICE OF
STATEWIDE HOSPITAL PLANNING
AND DEVELOPMENT**

**NOTICE OF PROPOSED ACTION TO
BUILDING STANDARDS OF THE
REGARDING THE 2025 CALIFORNIA
ADMINISTRATIVE CODE CALIFORNIA
CODE OF REGULATIONS, TITLE 24, PART 1
(OSHPD 03/24)**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the Department of Health Care Access and Information (HCAI) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 1, California Administrative Code. HCAI is proposing

building standards related to the construction of hospitals, skilled nursing and intermediate care facilities, licensed clinics, and correctional treatment centers.

PUBLIC COMMENT PERIOD

Reference: Government Code Sections 11346.5(a)(1), 11346.5(a)(15) and 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **September 6, 2024**, until midnight on **October 21, 2024**.

Comments may be submitted to CBSC via:

Email: cbsc@dgs.ca.gov

US Mail postmarked no later than **October 21, 2024**:

California Building Standards Commission
Attention: Public Comments
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Note: Only comments received in an accessible format will be viewable via CBSC's website.

Any interested person, or his or her duly authorized representative, may request no later than 15 days prior to the close of the written comment period that a public hearing be held.

The public will have an opportunity to provide written and oral comments regarding the proposed action on building standards at a public meeting to be conducted by CBSC to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

**POST–HEARING MODIFICATIONS TO THE
TEXT OF THE REGULATIONS**

Reference: Government Code Section 11346.5(a)(18).

Following the public comment period, CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15–day period.

NOTE: To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

AUTHORITY AND REFERENCE

Reference: Government Code Section 11346.5(a)(2).

CBSA proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.3. The purpose of these building standards is to implement, interpret, or make specific the provisions of 1250.3, and 129675–130070.

HCAI is proposing this regulatory action based on Health and Safety Code, Sections 1275, 18929, and 129850.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

Health and Safety Code, Section 1250.3 provides the provisions for a Chemical dependency recovery hospital per Assembly Bill 2096 (Chapter 233, Statutes 2022) into regulations.

Health and Safety Code, Section 1275 authorizes HCAI to adopt and enforce building standards for the physical plant of health facilities including hospitals, skilled nursing and intermediate care facilities, licensed clinics, and correctional treatment centers.

Health and Safety Code, Section 18929 requires Office of Statewide Hospital Planning and Development (OSHPD) to submit administrative regulations that directly apply to the implementation or enforcement of building standards to the California Building Standards Commission for the Commission's approval and must be adopted pursuant to Health and Safety Code Section 18930 and the Government Code (commencing with Section 11346).

Health and Safety Code, Section 18949.3 transfers the responsibilities of HCAI to adopt regulations relating to building standards, to the California Building Standards Commission.

Health and Safety Code, Sections 129675–130070 authorizes HCAI to provide plan review and construction observation for hospitals, skilled nursing facilities and intermediate care facilities to assure that these health facilities are compliant with the California Building Standards Code.

Health and Safety Code, Section 129850 authorizes HCAI to propose building standards, as necessary, in order to carry out the requirements of the Alfred E. Alquist Hospital Facilities Seismic Safety Act.

Summary of Existing Regulations

Title 24, Part 1, California Administrative Code (CAC) contains regulations pertaining to the administrative processes for the design and construction of hospitals, skilled nursing and intermediate care facilities, licensed clinics, and correctional treatment centers. Requirements governing the structural design and construction of OSHPD regulated health facilities

are currently found in Part 2, Volumes 1 and 2 of the 2025 California Building Code.

Summary of Effect

The proposal makes minor editorial and technical modifications for clarification; provides consistency within Title 24 and provides coordination with Title 22, Licensing and Certification requirements, and includes requirements for laws passed that influence standards.

Comparable Federal Statute or Regulations

There are no comparable federal statutes or regulations related to this proposed action.

Policy Statement Overview

HCAI is responsible for the development of building standards for the physical plant of health facilities including hospitals, skilled nursing and intermediate care facilities, licensed clinics, and correctional treatment centers. The intent of this proposal is to provide editorial and minor technical modifications to administrative regulations for clarification and consistency and includes requirements for laws passed that influence standards.

Evaluation of Consistency

The proposed regulation is consistent and compatible with existing state regulations.

OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS

Reference: Government Code Section 11346.5(a)(4).
There are no other matters to identify.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

Reference: Government Code Section 11346.5(a)(5).
HCAI has determined that the proposed regulatory action WOULD NOT impose a mandate on local agencies or school districts.

ESTIMATE OF COST OR SAVINGS

Reference: Government Code Section 11346.5(a)(6).
An estimate, prepared in accordance with instructions adopted by Department of Finance, of cost or savings to any state agency, local agency, or school district.

- A. Cost or Savings to any state agency: **NO**.
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**.

- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**.
- D. Other nondiscretionary cost or savings imposed on local agencies: **NO**.
- E. Cost or savings in federal funding to the state: **NO**.
- Estimate: \$0.

INITIAL DETERMINATION OF NO
SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT ON BUSINESSES

Reference: Government Code Section 11346.5(a)(8).

If the agency makes an initial determination that the adoption/amendment/repeal of this regulation will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall make a declaration to that effect.

HCAI has made an initial determination that the adoption/amendment/repeal of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

Declaration of Evidence

Reference: Government Code Section 11346.5(a)(8).

In making the declaration, the agency shall provide in the record of facts, evidence, documents, testimony, or other evidence that the agency relied upon to support its initial determination of no effect.

HCAI has not relied on any other facts, evidence, documents, testimony, or other evidence to make its final determination of no statewide adverse economic impact. The scope of the proposed action is to make editorial and technical modifications to the existing code that are in alignment with health facility licensing requirements and national referenced standards.

FINDING OF NECESSITY FOR THE
PUBLIC'S HEALTH,
SAFETY, OR WELFARE

Reference: Government Code Section 11346.5(a)(11)

Any regulation that requires a report shall not apply to businesses, unless the agency makes a finding that it is necessary for the health, safety, or welfare of the public that the regulations apply to businesses.

HCAI has made an assessment and has determined that a report pursuant to Government Code Section 11346.3(d) is not required.

COST IMPACT ON REPRESENTATIVE
PRIVATE PERSON OR BUSINESS

Reference: Government Code Section 11346.5(a)(9).

Describe all cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. If no cost impact, provide the following statement:

HCAI is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT OF EFFECT OF
REGULATIONS UPON JOBS AND
BUSINESS EXPANSION,
ELIMINATION OR CREATION

Reference: Government Code Section 11346.5(a)(10).

HCAI has assessed whether and to what extent this proposal will affect the following:

A. The creation or elimination of jobs within the State of California.

The proposed regulations will not create or eliminate jobs within the State of California.

B. The creation of new businesses or the elimination of existing businesses within the State of California.

The proposed regulations will not create new businesses, or eliminate existing businesses within the State of California.

C. The expansion of businesses currently doing business within the State of California.

The proposed regulations will not cause expansion of businesses currently doing business with the State of California.

D. The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.

The proposed building standards and regulations regarding the design and construction of licensed health facilities ensure protection of the public's health, safety, and welfare of California residents through updated amendments. The regulations will not affect worker safety, or the state's environment.

ESTIMATED COST OF COMPLIANCE OF
STANDARDS THAT WOULD
IMPACT HOUSING

Reference: Government Code Section 11346.5(a)(12).

These proposed regulations will not result in any cost of compliance that would impact housing.

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).

HCAI has determined that no reasonable alternative considered by HCAI or that has otherwise been identified and brought to the attention of HCAI would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action. In addition, no reasonable alternative considered by HCAI or that has otherwise been identified and brought to the attention of HCAI would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

AVAILABILITY OF RULEMAKING DOCUMENTS

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(19).

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(21).

HCAI shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law. The statement shall note that providing the accessible description of proposed changes may require extending the period of public comment for the proposed action.

CBSC CONTACT PERSON FOR PROCEDURAL AND ADMINISTRATIVE QUESTIONS

Reference: Government Code Section 11346.5(a)(14).

General questions regarding procedural and administrative issues should be addressed to:

Kevin Day, Deputy Executive Director
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone: (916) 263–0916

PROPOSING STATE AGENCY CONTACT PERSON FOR SUBSTANTIVE OR TECHNICAL QUESTIONS ON THE PROPOSED CHANGES TO BUILDING STANDARDS

Specific questions regarding the substantive or technical aspects of the proposed changes to the building standards should be addressed to:

Primary Contact:

Mia Marvelli, Health Facilities Review,
Supervisor, Building Standards Unit
Department of Health Care Access and
Information
Office of Statewide Hospital Planning and
Development
(916) 440–8300
RegsUnit@hcai.ca.gov

Back up Contact:

Lori Campbell, Staff Services Manager I
(Specialist), Building Standards Unit
Department of Health Care Access and
Information
Office of Statewide Hospital Planning and
Development
(916) 440–8300
RegsUnit@hcai.ca.gov

TITLE 24. BUILDING STANDARDS COMMISSION/DEPARTMENT OF HEALTH CARE ACCESS AND INFORMATION/OFFICE OF STATEWIDE HOSPITAL PLANNING AND DEVELOPMENT

NOTICE OF PROPOSED ACTION TO BUILDING STANDARDS OF THE REGARDING THE 2025 CALIFORNIA BUILDING CODE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2, VOLUME 1 (OSHPD 04/24)

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the Department of Health Care Access and Information (HCAI) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 2, Volume 1, California Building Code. HCAI is proposing building standards related to the construction of hospitals, skilled nursing and intermediate care

facilities, licensed clinics, and correctional treatment centers.

PUBLIC COMMENT PERIOD

Reference: Government Code Sections 11346.5(a)(1), 11346.5(a)(15) and 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **September 6, 2024**, until midnight on **October 21, 2024**.

Comments may be submitted to CBSC via:

Email: cbsc@dgs.ca.gov

US Mail postmarked no later than **October 21, 2024**:

California Building Standards Commission
Attention: Public Comments
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Note: Only comments received in an accessible format will be viewable via CBSC's website.

Any interested person, or his or her duly authorized representative, may request no later than 15 days prior to the close of the written comment period that a public hearing be held.

The public will have an opportunity to provide written and oral comments regarding the proposed action on building standards at a public meeting to be conducted by CBSC to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

POST-HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS

Reference: Government Code Section 11346.5(a)(18).

Following the public comment period, CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

NOTE: To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

AUTHORITY AND REFERENCE

Reference: Government Code Section 11346.5(a)(2).

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.3. The purpose of these building standards is to implement, interpret, or make specific the provisions of 1250.3, 1418.22 and 129675–130070.

HCAI is proposing this regulatory action based on Health and Safety Code, Sections 1275, 18928, 18929, 127010, and 129850.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

Health and Safety Code, Section 1250.3 provides the provisions for a Chemical dependency recovery hospital per Assembly Bill 2096 (Chapter 233, Statutes 2022) into regulations.

Health and Safety Code, Section 1275 authorizes HCAI to adopt and enforce building standards for the physical plant of health facilities including hospitals, skilled nursing and intermediate care facilities, licensed clinics, and correctional treatment centers.

Health and Safety Code, Section 1418.22 requires that Skilled Nursing Facilities (SNFs) have an alternative source of power to protect resident health and safety for no fewer than 96 hours for power outages that may result from a public safety power shutoff, an emergency, a natural disaster, or other cause.

Health and Safety Code, Section 18928 requires HCAI to adopt and reference the most recent edition of applicable model codes, national standards, or specifications. The model code, national standard, or specification, with amendments or proposed changes, shall be adopted within one year after the publication date.

Health and Safety Code, Section 18929 requires OSHPD to submit administrative regulations that directly apply to the implementation or enforcement of building standards to the California Building Standards Commission for the Commission's approval and must be adopted pursuant to Health and Safety Code Section 18930 and the Government Code (commencing with Section 11346).

Health and Safety Code, Section 18949.3 transfers the responsibilities of HCAI to adopt regulations relating to building standards, to the California Building Standards Commission.

Health and Safety Code, Section 127010 gives authority to the HCAI Director to have the powers of a head of the department.

Health and Safety Code, Sections 129675–130070 authorizes HCAI to provide plan review and construction observation for hospitals, skilled nursing facilities and intermediate care facilities to assure that these health facilities are compliant with the California Building Standards Code.

Health and Safety Code, Section 129850 authorizes HCAI to propose building standards, as necessary, in order to carry out the requirements of the Alfred E. Alquist Hospital Facilities Seismic Safety Act.

Summary of Existing Regulations

Requirements governing the design and construction of OSHPD regulated health facilities are currently found in Part 2, Volume 1 and 2 of the 2022 California Building Code and 2022 California Existing Building Code. Title 24, Part 2, Volume 1, California Building Code (CBC) is based on the 2021 International Building Code with California amendments. The CBC contains regulations pertaining to the design and construction of hospitals, skilled nursing and intermediate care facilities, licensed clinics, and correctional treatment centers.

Summary of Effect

HCAI proposes to repeal the 2021 International Building Code, adopt the 2024 International Building Code, and carry forward existing amendments from the 2022 California Building Code, Part 2, Volume 1 of Title 24 California Code of Regulations.

The proposal makes minor editorial and technical modifications for clarification; provides consistency within Title 24, and provides coordination with Title 22, Licensing and Certification requirements.

Also included are regulations in accordance with new statutes in the Health and Safety Code: Assembly Bill 2096 (Chapter 233, Statutes of 2022) which adds the requirements for Chemical Dependency Recovery Hospitals (CDRH).

Comparable Federal Statute or Regulations

There are no comparable federal statutes or regulations related to this proposed action.

Policy Statement Overview

HCAI is responsible for the development of building standards for the physical plant of health facilities including hospitals, skilled nursing and intermediate care facilities, licensed clinics, and correctional treatment centers. The intent of this proposal is to provide editorial and minor technical modifications for clarification and consistency within the code; coordination with other parts of Title 24, and align the building code provisions with nationally recognized standards.

Evaluation of Consistency

The proposed regulation is consistent and compatible with existing state regulations.

OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS

Reference: Government Code Section 11346.5(a)(4).
There are no other matters to identify.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

Reference: Government Code Section 11346.5(a)(5).

HCAI has determined that the proposed regulatory action **WOULD NOT** impose a mandate on local agencies or school districts.

ESTIMATE OF COST OR SAVINGS

Reference: Government Code Section 11346.5(a)(6).

An estimate, prepared in accordance with instructions adopted by Department of Finance, of cost or savings to any state agency, local agency, or school district.

- A. Cost or Savings to any state agency: **NO**.
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**.
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**.
- D. Other nondiscretionary cost or savings imposed on local agencies: **NO**.
- E. Cost or savings in federal funding to the state: **NO**.

Estimate: \$0.

INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES

Reference: Government Code Section 11346.5(a)(8).

If the agency makes an initial determination that the adoption/amendment/repeal of this regulation will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall make a declaration to that effect.

HCAI has made an initial determination that the adoption/amendment/repeal of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

Declaration of Evidence

Reference: Government Code Section 11346.5(a)(8).

In making the declaration, the agency shall provide in the record of facts, evidence, documents, testimony, or other evidence that the agency relied upon to support its initial determination of no effect.

HCAI has not relied on any other facts, evidence, documents, testimony, or other evidence to make its final determination of no statewide adverse economic impact. The scope of the proposed action is to make editorial and technical modifications to the existing

code that are in alignment with health facility licensing requirements and national referenced standards.

FINDING OF NECESSITY FOR THE PUBLIC’S HEALTH, SAFETY, OR WELFARE

Reference: Government Code Section 11346.5(a)(11)

Any regulation that requires a report shall not apply to businesses, unless the agency makes a finding that it is necessary for the health, safety, or welfare of the public that the regulations apply to businesses.

HCAI has made an assessment and has determined that a report pursuant to Government Code Section 11346.3(d) is not required.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

Reference: Government Code Section 11346.5(a)(9).

Describe all cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. If no cost impact, provide the following statement:

HCAI is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION

Reference: Government Code Section 11346.5(a)(10).

HCAI has assessed whether and to what extent this proposal will affect the following:

A. The creation or elimination of jobs within the State of California.

The proposed regulations will not create or eliminate jobs within the State of California.

B. The creation of new businesses or the elimination of existing businesses within the State of California.

The proposed regulations will not create new businesses, or eliminate existing businesses within the State of California.

C. The expansion of businesses currently doing business within the State of California.

The proposed regulations will not cause expansion of businesses currently doing business with the State of California.

D. The benefits of the regulation to the health and welfare of California residents, worker safety, and the state’s environment.

The proposed building standards and regulations regarding the design and construction of licensed health facilities ensure protection of the public’s health, safety, and welfare of California residents through updated amendments. The regulations will not affect worker safety, or the state’s environment.

ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING

Reference: Government Code Section 11346.5(a)(12).

These proposed regulations will not result in any cost of compliance that would impact housing.

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).

HCAI has determined that no reasonable alternative considered by HCAI or that has otherwise been identified and brought to the attention of HCAI would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action. In addition, no reasonable alternative considered by HCAI or that has otherwise been identified and brought to the attention of HCAI would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

AVAILABILITY OF RULEMAKING DOCUMENTS

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(19).

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(21).

HCAI shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state

or federal law. The statement shall note that providing the accessible description of proposed changes may require extending the period of public comment for the proposed action.

CBSC CONTACT PERSON FOR
PROCEDURAL AND
ADMINISTRATIVE QUESTIONS

Reference: Government Code Section 11346.5(a)(14).

General questions regarding procedural and administrative issues should be addressed to:

Kevin Day, Deputy Executive Director
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone: (916) 263–0916

PROPOSING STATE AGENCY CONTACT
PERSON FOR SUBSTANTIVE OR
TECHNICAL QUESTIONS ON THE
PROPOSED CHANGES TO
BUILDING STANDARDS

Specific questions regarding the substantive or technical aspects of the proposed changes to the building standards should be addressed to:

Primary Contact:

Mia Marvelli, Health Facilities Review,
Supervisor, Building Standards Unit
Department of Health Care Access and
Information
Office of Statewide Hospital Planning and
Development
(916) 440–8300
RegsUnit@hcai.ca.gov

Back up Contact:

Lori Campbell, Staff Services Manager I
(Specialist), Building Standards Unit
Department of Health Care Access and
Information
Office of Statewide Hospital Planning and
Development
(916) 440–8300
RegsUnit@hcai.ca.gov

**TITLE 24. BUILDING STANDARDS
COMMISSION/DEPARTMENT
OF HEALTH CARE ACCESS
AND INFORMATION/OFFICE OF
STATEWIDE HOSPITAL PLANNING
AND DEVELOPMENT**

NOTICE OF PROPOSED ACTION TO
BUILDING STANDARDS OF THE
REGARDING THE 2025 CALIFORNIA
BUILDING CODE CALIFORNIA CODE
OF REGULATIONS, TITLE 24, PART 2,
VOLUME 2 (OSHPD 05/24)

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the Department of Health Care Access and Information (HCAI) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 2, Volume 2, California Building Code. HCAI is proposing building standards related to the construction of hospitals, skilled nursing and intermediate care facilities, licensed clinics, and correctional treatment centers.

PUBLIC COMMENT PERIOD

Reference: Government Code Sections 11346.5(a)(1), 11346.5(a)(15) and 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **September 6, 2024**, until midnight on **October 21, 2024**.

Comments may be submitted to CBSC via:

Email: cbsc@dgs.ca.gov

US Mail postmarked no later than **October 21, 2024**:

California Building Standards Commission
Attention: Public Comments
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Note: Only comments received in an accessible format will be viewable via CBSC's website.

Any interested person, or his or her duly authorized representative, may request no later than 15 days prior to the close of the written comment period that a public hearing be held.

The public will have an opportunity to provide written and oral comments regarding the proposed action on building standards at a public meeting to be conducted by CBSC to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be

issued announcing the date, time and location of the public meeting.

POST-HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS

Reference: Government Code Section 11346.5(a)(18).

Following the public comment period, CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

NOTE: To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

AUTHORITY AND REFERENCE

Reference: Government Code Section 11346.5(a)(2).

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.3. The purpose of these building standards is to implement, interpret, or make specific the provisions of 1250.3, 1418.22, and 129675–130070.

HCAI is proposing this regulatory action based on Health and Safety Code, Sections 1275, 18928, and 129850.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

Health and Safety Code, Section 1250.3 provides the provisions for a Chemical dependency recovery hospital per Assembly Bill 2096 (Chapter 233, Statutes 2022) into regulations.

Health and Safety Code, Section 1275 authorizes HCAI to adopt and enforce building standards for the physical plant of health facilities including hospitals, skilled nursing and intermediate care facilities, licensed clinics, and correctional treatment centers.

Health and Safety Code, Section 1418.22 requires that Skilled Nursing Facilities (SNFs) have an alternative source of power to protect resident health and safety for no fewer than 96 hours for power outages that may result from a public safety power shutoff, an emergency, a natural disaster, or other cause.

Health and Safety Code, Section 18928 requires HCAI to adopt and reference the most recent edition of applicable model codes, national standards, or spec-

ifications. The model code, national standard, or specification, with amendments or proposed changes, shall be adopted within one year after the publication date.

Health and Safety Code, Section 18949.3 transfers the responsibilities of HCAI to adopt regulations relating to building standards, to the California Building Standards Commission.

Health and Safety Code, Sections 129675–130070 authorizes HCAI to provide plan review and construction observation for hospitals, skilled nursing facilities and intermediate care facilities to assure that these health facilities are compliant with the California Building Standards Code.

Health and Safety Code, Section 129850 authorizes HCAI to propose building standards, as necessary, in order to carry out the requirements of the Alfred E. Alquist Hospital Facilities Seismic Safety Act.

Summary of Existing Regulations

Title 24, Part 2, Volume 2, California Building Code (CBC) is based on the 2021 International Building Code with California amendments. The CBC contains regulations pertaining to the design and construction of hospitals, skilled nursing and intermediate care facilities, licensed clinics, and correctional treatment centers. Requirements governing the design and construction of OSHPD regulated health facilities are found in Part 2, Volumes 1 and 2 of the 2022 California Building Code and 2022 California Existing Building Code.

Summary of Effect

HCAI proposes to repeal the 2021 International Building Code, adopt the 2024 International Building Code, and carry forward existing amendments from the 2022 California Building Code, Part 2, Volume 2 of Title 24 California Code of Regulations.

The proposal makes minor editorial and technical modifications for clarification; provides consistency within Title 24, and provides coordination with Title 22, Licensing and Certification requirements.

Also included are regulations in accordance with new statutes in the Health and Safety Code: Assembly Bill 2096 (Chapter 233, Statutes of 2022) which adds the requirements for Chemical Dependency Recovery Hospitals (CDRH).

Comparable Federal Statute or Regulations

There are no comparable federal statutes or regulations related to this proposed action.

Policy Statement Overview

HCAI is responsible for the development of building standards for the physical plant of health facilities including hospitals, skilled nursing and intermediate care facilities, licensed clinics, and correctional treatment centers. The intent of this proposal is to provide editorial and minor technical modifications for clarification and consistency within the code; coordina-

tion with other parts of Title 24, and align the building code provisions with nationally recognized standards.

Evaluation of Consistency

The proposed regulation is consistent and compatible with existing state regulations.

OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS

Reference: Government Code Section 11346.5(a)(4).
There are no other matters to identify.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

Reference: Government Code Section 11346.5(a)(5).
HCAI has determined that the proposed regulatory action **WOULD NOT** impose a mandate on local agencies or school districts.

ESTIMATE OF COST OR SAVINGS

Reference: Government Code Section 11346.5(a)(6).
An estimate, prepared in accordance with instructions adopted by Department of Finance, of cost or savings to any state agency, local agency, or school district.

- A. Cost or Savings to any state agency: **NO**.
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**.
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**.
- D. Other nondiscretionary cost or savings imposed on local agencies: **NO**.
- E. Cost or savings in federal funding to the state: **NO**.

Estimate: \$0.

INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES

Reference: Government Code Section 11346.5(a)(8).
If the agency makes an initial determination that the adoption/amendment/repeal of this regulation will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall make a declaration to that effect.

HCAI has made an initial determination that the adoption/amendment/repeal of this regulation will not

have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

Declaration of Evidence

Reference: Government Code Section 11346.5(a)(8).

In making the declaration, the agency shall provide in the record of facts, evidence, documents, testimony, or other evidence that the agency relied upon to support its initial determination of no effect.

HCAI has not relied on any other facts, evidence, documents, testimony, or other evidence to make its final determination of no statewide adverse economic impact. The scope of the proposed action is to make editorial and technical modifications to the existing code that are in alignment with health facility licensing requirements and national referenced standards.

FINDING OF NECESSITY FOR THE PUBLIC'S HEALTH, SAFETY, OR WELFARE

Reference: Government Code Section 11346.5(a)(11)

Any regulation that requires a report shall not apply to businesses, unless the agency makes a finding that it is necessary for the health, safety, or welfare of the public that the regulations apply to businesses.

HCAI has made an assessment and has determined that a report pursuant to Government Code Section 11346.3(d) is not required.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

Reference: Government Code Section 11346.5(a)(9).

Describe all cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. If no cost impact, provide the following statement:

HCAI is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION

Reference: Government Code Section 11346.5(a)(10).

HCAI has assessed whether and to what extent this proposal will affect the following:

A. The creation or elimination of jobs within the State of California.

The proposed regulations will not create or eliminate jobs within the State of California.

B. The creation of new businesses or the elimination of existing businesses within the State of California.

The proposed regulations will not create new businesses, or eliminate existing businesses within the State of California.

C. The expansion of businesses currently doing business within the State of California.

The proposed regulations will not cause expansion of businesses currently doing business with the State of California.

D. The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.

The proposed building standards and regulations regarding the design and construction of licensed health facilities ensure protection of the public's health, safety, and welfare of California residents through updated amendments. The regulations will not affect worker safety, or the state's environment.

**ESTIMATED COST OF COMPLIANCE OF
STANDARDS THAT WOULD
IMPACT HOUSING**

Reference: Government Code Section 11346.5(a)(12).

These proposed regulations will not result in any cost of compliance that would impact housing.

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).

HCAI has determined that no reasonable alternative considered by HCAI or that has otherwise been identified and brought to the attention of HCAI would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action. In addition, no reasonable alternative considered by HCAI or that has otherwise been identified and brought to the attention of HCAI would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

**AVAILABILITY OF
RULEMAKING DOCUMENTS**

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(19).

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(21).

HCAI shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law. The statement shall note that providing the accessible description of proposed changes may require extending the period of public comment for the proposed action.

**CBSC CONTACT PERSON FOR
PROCEDURAL AND
ADMINISTRATIVE QUESTIONS**

Reference: Government Code Section 11346.5(a)(14).

General questions regarding procedural and administrative issues should be addressed to:

Kevin Day, Deputy Executive Director
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone: (916) 263–0916

**PROPOSING STATE AGENCY CONTACT
PERSON FOR SUBSTANTIVE OR
TECHNICAL QUESTIONS ON THE
PROPOSED CHANGES TO
BUILDING STANDARDS**

Specific questions regarding the substantive or technical aspects of the proposed changes to the building standards should be addressed to:

Primary Contact:

Mia Marvelli, Health Facilities Review,
Supervisor, Building Standards Unit
Department of Health Care Access and
Information
Office of Statewide Hospital Planning and
Development
(916) 440–8300
RegsUnit@hcai.ca.gov

Back up Contact:

Lori Campbell, Staff Services Manager I
(Specialist), Building Standards Unit
Department of Health Care Access and
Information
Office of Statewide Hospital Planning and
Development
(916) 440–8300
RegsUnit@hcai.ca.gov

**TITLE 24. BUILDING STANDARDS
COMMISSION/DEPARTMENT
OF HEALTH CARE ACCESS
AND INFORMATION/OFFICE OF
STATEWIDE HOSPITAL PLANNING
AND DEVELOPMENT**

**NOTICE OF PROPOSED ACTION TO
BUILDING STANDARDS OF THE
REGARDING THE 2025 CALIFORNIA
EXISTING BUILDING CODE CALIFORNIA
CODE OF REGULATIONS, TITLE 24,
PART 10 (OSHPD 06/24)**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the Department of Health Care Access and Information (HCAI) proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 10, California Existing Building Code. HCAI is proposing building standards related to the construction of hospitals, skilled nursing and intermediate care facilities, licensed clinics, and correctional treatment centers.

PUBLIC COMMENT PERIOD

Reference: Government Code Sections 11346.5(a)(1), 11346.5(a)(15) and 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **September 6, 2024**, until midnight on **October 21, 2024**.

Comments may be submitted to CBSC via:

Email: cbcs@dgs.ca.gov

US Mail postmarked no later than **October 21, 2024**:

California Building Standards Commission
Attention: Public Comments
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Note: Only comments received in an accessible format will be viewable via CBSC’s website.

Any interested person, or his or her duly authorized representative, may request no later than 15 days prior to the close of the written comment period that a public hearing be held.

The public will have an opportunity to provide written and oral comments regarding the proposed action on building standards at a public meeting to be conducted by CBSC to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

**POST–HEARING MODIFICATIONS TO THE
TEXT OF THE REGULATIONS**

Reference: Government Code Section 11346.5(a)(18).

Following the public comment period, CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15–day period.

NOTE: To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

AUTHORITY AND REFERENCE

Reference: Government Code Section 11346.5(a)(2).

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.3. The purpose of these building standards is to implement, interpret, or make specific the provisions of 1250.3, 1418.22, and 129675–130070.

HCAI is proposing this regulatory action based on Health and Safety Code, Sections 1275, 18928, 18929, 127010, and 129850.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

Health and Safety Code, Section 1250.3 provides the provisions for a Chemical dependency recovery hospital per Assembly Bill 2096 (Chapter 233, Statutes 2022) into regulations.

Health and Safety Code, Section 1275 authorizes HCAI to adopt and enforce building standards for the physical plant of health facilities including hospi-

tals, skilled nursing and intermediate care facilities, licensed clinics, and correctional treatment centers.

Health and Safety Code, Section 1418.22 requires that Skilled Nursing Facilities (SNFs) have an alternative source of power to protect resident health and safety for no fewer than 96 hours for power outages that may result from a public safety power shutoff, an emergency, a natural disaster, or other cause.

Health and Safety Code, Section 18928 requires HCAI to adopt and reference the most recent edition of applicable model codes, national standards, or specifications. The model code, national standard, or specification, with amendments or proposed changes, shall be adopted within one year after the publication date.

Health and Safety Code, Section 18929 requires OSHPD to submit administrative regulations that directly apply to the implementation or enforcement of building standards to the California Building Standards Commission for the Commission's approval and must be adopted pursuant to Health and Safety Code Section 18930 and the Government Code (commencing with Section 11346).

Health and Safety Code Section 18949.3 transfers the responsibilities of HCAI to adopt regulations relating to building standards, to the California Building Standards Commission.

Health and Safety Code, Section 127010 gives authority to the HCAI Director to have the powers of a head of the department.

Health and Safety Code, Sections 129675–130070 authorizes HCAI to provide plan review and construction observation for hospitals, skilled nursing facilities and intermediate care facilities to assure that these health facilities are compliant with the California Building Standards Code.

Health and Safety Code, Section 129850 authorizes HCAI to propose building standards, as necessary, in order to carry out the requirements of the Alfred E. Alquist Hospital Facilities Seismic Safety Act.

Summary of Existing Regulations

Title 24, Part 10, 2022 California Existing Building Code (CEBC) is based on the 2021 International Building Code with California amendments. The CEBC contains regulations pertaining to the design and construction of hospitals, skilled nursing and intermediate care facilities, licensed clinics, and correctional treatment centers.

Summary of Effect

HCAI proposes to repeal the 2021 International Existing Building Code, adopt the 2024 International Existing Building Code, and carry forward existing amendments from the 2022 California Existing Building Code, Part 10 of Title 24 California Code of Regulations.

The proposal makes minor editorial and technical modifications for clarification; provides consistency

within Title 24, and provides coordination with Title 22, Licensing and Certification requirements.

Also included are regulations in accordance with new statutes in the Health and Safety Code: Assembly Bill 2096 (Chapter 233, Statutes of 2022) which adds the requirements for Chemical Dependency Recovery Hospitals (CDRH).

Comparable Federal Statute or Regulations

There are no comparable federal statutes or regulations related to this proposed action.

Policy Statement Overview

HCAI is responsible for the development of building standards for the physical plant of health facilities including hospitals, skilled nursing and intermediate care facilities, licensed clinics, and correctional treatment centers. The intent of this proposal is to provide editorial and minor technical modifications for clarification and consistency within the code; coordination with other parts of Title 24, and align the building code provisions with nationally recognized standards.

Evaluation of Consistency

The proposed regulation is consistent and compatible with existing state regulations.

OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS

Reference: Government Code Section 11346.5(a)(4).
There are no other matters to identify.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

Reference: Government Code Section 11346.5(a)(5).
HCAI has determined that the proposed regulatory action WOULD NOT impose a mandate on local agencies or school districts.

ESTIMATE OF COST OR SAVINGS

Reference: Government Code Section 11346.5(a)(6).
An estimate, prepared in accordance with instructions adopted by Department of Finance, of cost or savings to any state agency, local agency, or school district.

- A. Cost or Savings to any state agency: **NO**.
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**.
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**.

- D. Other nondiscretionary cost or savings imposed on local agencies: **NO**.
- E. Cost or savings in federal funding to the state: **NO**.
- Estimate: \$0

INITIAL DETERMINATION OF NO
SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT ON BUSINESSES

Reference: Government Code Section 11346.5(a)(8).

If the agency makes an initial determination that the adoption/amendment/repeal of this regulation will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall make a declaration to that effect.

HCAI has made an initial determination that the adoption/amendment/repeal of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

Declaration of Evidence

Reference: Government Code Section 11346.5(a)(8).

In making the declaration, the agency shall provide in the record of facts, evidence, documents, testimony, or other evidence that the agency relied upon to support its initial determination of no effect.

HCAI has not relied on any other facts, evidence, documents, testimony, or other evidence to make its final determination of no statewide adverse economic impact. The scope of the proposed action is to make editorial and technical modifications to the existing code that are in alignment with health facility licensing requirements and national referenced standards.

FINDING OF NECESSITY FOR THE
PUBLIC'S HEALTH,
SAFETY, OR WELFARE

Reference: Government Code Section 11346.5(a)(11)

Any regulation that requires a report shall not apply to businesses, unless the agency makes a finding that it is necessary for the health, safety, or welfare of the public that the regulations apply to businesses.

HCAI has made an assessment and has determined that a report pursuant to Government Code Section 11346.3(d) is not required.

COST IMPACT ON REPRESENTATIVE
PRIVATE PERSON OR BUSINESS

Reference: Government Code Section 11346.5(a)(9).

Describe all cost impacts that a representative private person or business would necessarily incur in

reasonable compliance with the proposed action. If no cost impact, provide the following statement:

HCAI is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT OF EFFECT OF
REGULATIONS UPON JOBS AND
BUSINESS EXPANSION,
ELIMINATION OR CREATION

Reference: Government Code Section 11346.5(a)(10).

HCAI has assessed whether and to what extent this proposal will affect the following:

A. The creation or elimination of jobs within the State of California.

The proposed regulations will not create or eliminate jobs within the State of California.

B. The creation of new businesses or the elimination of existing businesses within the State of California.

The proposed regulations will not create new businesses, or eliminate existing businesses within the State of California.

C. The expansion of businesses currently doing business within the State of California.

The proposed regulations will not cause expansion of businesses currently doing business with the State of California.

D. The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.

HCAI promulgates building standards regarding the design and construction of licensed health facilities to ensure the protection of the public's health and safety in the facilities. The proposed regulations are necessary for the continued preservation of the health, safety, and welfare of California residents through updated amendments. The regulations will not affect worker safety, or the state's environment.

ESTIMATED COST OF COMPLIANCE OF
STANDARDS THAT WOULD
IMPACT HOUSING

Reference: Government Code Section 11346.5(a)(12).

These proposed regulations will not result in any cost of compliance that would impact housing.

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).

HCAI has determined that no reasonable alternative considered by HCAI or that has otherwise been iden-

tified and brought to the attention of HCAI would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action. In addition, no reasonable alternative considered by HCAI or that has otherwise been identified and brought to the attention of HCAI would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

**AVAILABILITY OF
RULEMAKING DOCUMENTS**

Reference: Government Code Sections
11346.5(a)(16) and 11346.5(a)(20).

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(19).

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(21).

HCAI shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law. The statement shall note that providing the accessible description of proposed changes may require extending the period of public comment for the proposed action.

**CBSC CONTACT PERSON FOR
PROCEDURAL AND
ADMINISTRATIVE QUESTIONS**

Reference: Government Code Section 11346.5(a)(14).

General questions regarding procedural and administrative issues should be addressed to:

Kevin Day, Deputy Executive Director
California Building Standards Commission
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone: (916) 263–0916

**PROPOSING STATE AGENCY CONTACT
PERSON FOR SUBSTANTIVE OR
TECHNICAL QUESTIONS ON THE
PROPOSED CHANGES TO
BUILDING STANDARDS**

Specific questions regarding the substantive or technical aspects of the proposed changes to the building standards should be addressed to:

Primary Contact:

Mia Marvelli, Health Facilities Review,
Supervisor, Building Standards Unit
Department of Health Care Access and
Information
Office of Statewide Hospital Planning and
Development
(916) 440–8300
RegsUnit@hcai.ca.gov

Back up Contact:

Lori Campbell, Staff Services Manager I
(Specialist), Building Standards Unit
Department of Health Care Access and
Information
Office of Statewide Hospital Planning and
Development
(916) 440–8300
RegsUnit@hcai.ca.gov

**TITLE 24. BUILDING STANDARDS
COMMISSION/STATE FIRE MARSHAL**

**NOTICE OF PROPOSED ACTION TO
BUILDING STANDARDS OF THE
REGARDING THE 2025 CALIFORNIA
ADMINISTRATIVE CODE CALIFORNIA
CODE OF REGULATIONS, TITLE 24, PART 1
(SFM 03/24)**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the State Fire Marshal proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 1. The SFM is proposing building standards related to the 2024 Triennial rulemaking code cycle.

PUBLIC COMMENT PERIOD

Reference: Government Code Sections 11346.5(a)(1),
11346.5(a)(15) and 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **September 6, 2024**, until midnight on **October 21, 2024**.

Comments may be submitted to CBSC via:

Email: cbsc@dgs.ca.gov

US Mail postmarked no later than **October 21, 2024**:

California Building Standards Commission
Attention: Public Comments
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Note: Only comments received in an accessible format will be viewable via CBSC’s website.

Any interested person, or his or her duly authorized representative, may request no later than 15 days prior to the close of the written comment period that a public hearing be held.

The public will have an opportunity to provide written and oral comments regarding the proposed action on building standards at a public meeting to be conducted by CBSC to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time, and location of the public meeting.

POST–HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS

Reference: Government Code Section 11346.5(a)(18).

Following the public comment period, CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15–day period.

NOTE: To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

AUTHORITY AND REFERENCE

Reference: Government Code Section 11346.5(a)(2).

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.2. The purpose of these building standards is to implement, interpret, or make specific the provisions of Health and Safety Code Sections 13108, 13108.5, 13113, 13113.5, 13114, 13132, 13132.7, 13133,

13135, 13143, 13143.1, 13143.2, 13143.6, 13143.9, 13145, 13146, 13210, 13211, 16022.5, and 17921.

The SFM is proposing this regulatory action based on Health and Safety Code Sections 1250, 1502, 1568.02, 1569.72–1569.78, 1597.44–1597.65, 13108, 13108.5, 13114, 13143, 13143.2, 13143.6, 13145, 13146, 13211, 16022.5, 17921, 18928, 18949.2, and 25500 through 25545; Government Code Sections 51176, 51177, 51178, 51179 and 51189; Public Education Code 17074.50; Public Resources Code Sections 4201 through 4204.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

Health and Safety Code Section 1250.

As used in this chapter, “health facility” means a facility, place, or building that is organized, maintained, and operated for the diagnosis, care, prevention, and treatment of human illness, physical or mental, including convalescence and rehabilitation and including care during and after pregnancy, or for any one or more of these purposes, for one or more persons, to which the persons are admitted for a 24–hour stay or longer.

Health and Safety Code Section 1502.

General provisions and Definitions for California’s Community Care Facilities Act

Health and Safety Code Section 1568.02, 1569.72 through 1569.78.

General provisions and Levels of Care for Residential Care Facilities for the Elderly

Health and Safety Code Section 1597.44 through 1597.65.

General and Licensing provisions for Family Day Care

Health and Safety Code Section 13108(a).

The State Fire Marshal shall prepare and adopt building standards related to the means of egress, the installation of fire alarms, and fire extinguishing systems in any state–owned building or any state–occupied building.

Health and Safety Code Section 13108.5.

- (a) The State Fire Marshal, in consultation with the Director of Forestry and Fire Protection and the Director of Housing and Community Development, shall, according to Section 18930, propose fire protection building standards for roofs, exterior walls, structure projections, including, but not limited to, porches, decks, balconies, and eaves, and structure openings, including, but not limited to, attic and eave vents and windows of buildings in fire hazard severity zones, including very high fire hazard severity

zones designated by the Director of Forestry and Fire Protection according to Article 9 (commencing with Section 4201) of Chapter 1 of Part 2 of Division 4 of the Public Resources Code.

Health and Safety Code Section 13113.

An automatic sprinkler system shall be installed in all 24-hour institutional-type occupancies, and homes for the care of aged or senile persons.

Health and Safety Code Section 13113.5.

The State Fire Marshal Shall adopt regulations requiring the installation of automatic smoke detectors in all facilities that provide 24-hour per day care, which house six or fewer persons, and which do not have automatic sprinkler systems.

Health and Safety Code Section 13114(a).

The State Fire Marshal shall adopt regulations and standards to control the quality and installation of fire alarm systems and fire alarm devices marketed, distributed, offered for sale, or sold in this state, and no person shall market, distribute, offer for sale, or sell any fire alarm system or fire alarm device in this state unless the system or device has been approved and listed by the State Fire Marshal.

Health and Safety Code Section 13132.

Every person, firm, or corporation maintaining or operating any facility for the care of the mentally handicapped shall file a statement with the fire authority having jurisdiction within five days of the admission or readmission of a patient stating that such patient is an ambulatory or a non-ambulatory person and enumerating the reasons for such classification. Such a statement shall also be filed for each existing patient within 30 days of the effective date of this section.

Any statement required to be filed according to this section shall be certified as to its correctness by the person attending such patient.

It shall be unlawful for any person, firm, or corporation required to file a statement according to this section to include false statements therein. Any such act shall violate this section and be subject to the provisions of Section 13112.

Health and Safety Code Section 13132.7.

Shall require fire retardant roof coverings in fire hazard severity zones.

Health and Safety Code Section 13133(a).

The State Fire Marshal shall develop and adopt regulations establishing new occupancy classifications and specific fire safety standards appropriate for residential facilities, and residential care facilities for the elderly. These fire safety standards shall apply uniformly throughout the state.

Health and Safety Code Section 13135.

The State Fire Marshal shall adopt regulations for alcoholism or drug abuse recovery or treatment facil-

ities based on whether the residents or patients of the facilities are non-ambulatory.

Health and Safety Code Section 13143.

Grants the State Fire Marshal authority to prepare and adopt regulations establishing minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in any building or structure used or intended for use as an asylum, jail, mental hospital, hospital, home for the elderly, children's nursery, children's home or institution not otherwise excluded from the coverage of this subdivision, school, or any similar occupancy of any capacity, and in any assembly occupancy where 50 or more persons may gather together in a building, room, or structure for amusement, entertainment, instruction, deliberation, worship, drinking or dining, awaiting transportation, or education.

Health and Safety Code Section 13143.1(a).

The State Fire Marshal shall prepare, adopt, and submit building standards for establishing minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in any motion picture or television production facility.

Health and Safety Code Section 13143.2.

The State Fire Marshal shall enforce building standards published in the California Building Standards Code and those other rules and regulations adopted by the State Fire Marshal for the provision of structural fire safety and fire-resistant exits in multiple-story structures existing on January 1, 1975, let for human habitation, including, and limited to, apartment houses, hotels, and motels wherein rooms used for sleeping are let above the ground floor.

Health and Safety Code Section 13143.6(a).

The State Fire Marshal shall prepare and adopt regulations establishing minimum standards for the prevention of fire and for the protection of life and property against fire in any building or structure intended for use as a home or institution for the housing of any person of any age for protective social care and supervision services by any governmental agency, certified family care homes, out-of-home placement facilities, and halfway houses.

Health and Safety Code Section 13143.9.

The State Fire Marshal shall establish minimum requirements for the storage, handling, and use of hazardous materials.

Health and Safety Code Section 13145.

The State Fire Marshal, the chief of any city, county, or city and county fire department or district providing fire protection services, or a Designated Campus Fire Marshal, and their authorized representatives, shall enforce in their respective areas building standards relating to fire and panic safety adopted by the State Fire Marshal and published in the California Building

Standards Code and other regulations that have been formally adopted by the State Fire Marshal for the prevention of fire or the protection of life and property against fire or panic.

Health and Safety Code Section 13146.

- (a) The responsibility for enforcement of building standards adopted by the State Fire Marshal and published in the California Building Standards Code relating to fire and panic safety and other regulations of the State Fire Marshal shall be as follows:
 - (1) The city, county, or city and county with jurisdiction in the area affected by the standard or regulation shall delegate the enforcement of the building standards relating to fire and panic safety and other regulations of the State Fire Marshal as they relate to R–3 dwellings, as described in Section 310.5 of Part 2 of the California Building Standards Code, to either of the following:
 - (A) The chief of the fire authority of the city, county, or city and county, or the chief’s authorized representative.
 - (B) The chief building official of the city, county, or city and county, or the official’s authorized representative.

Health and Safety Code Section 13210.

- (a) “Existing high-rise structure” means a high-rise structure, the construction of which is commenced or completed prior to July 1, 1974.
- (b) “High-rise structure” means every building of any type of construction or occupancy having floors used for human occupancy located more than 75 feet above the lowest floor level having building access, except buildings used as hospitals, as defined in Section 1250.
- (c) “New high-rise structure” means a high-rise structure, the construction of which is commenced on or after July 1, 1974.

Health and Safety Code Section 13211.

The State Fire Marshal shall prepare and adopt building standards relating to fire and panic safety in high-rise structures.

Health and Safety Code Section 16022.5.

Following the completion of construction of a state-owned or state-occupied essential services building, the State Fire Marshal may conduct regular inspections of those buildings for compliance with building standards relating to fire and panic safety.

Health and Safety Code Section 17921(b).

The State Fire Marshal shall adopt, amend, or repeal and submit building standards for approval according to the provisions of Chapter 4 (commencing with Section 18935) of Part 2.5, and the State Fire Marshal

shall adopt, amend, and repeal other rules and regulations for fire and panic safety in all hotels, motels, lodging houses, apartment houses, and dwellings, buildings, and structures accessory thereto. These building standards and regulations shall be enforced according to Sections 13145 and 13146; however, this section is not intended to require an inspection by a local fire agency of each single-family dwelling prior to its occupancy.

Health and Safety Code Section 18928(a).

Requires each state agency adopting or proposing adoption of a model code, national standards, or specification shall reference the most recent edition of applicable model codes, national standards, or specifications.

Health and Safety Code Section 18949.2

- (a) Any responsibilities of the State Fire Marshal to adopt, through a formal rulemaking process as provided in Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, relating to building standards, including, but not limited to, Sections 13108, 13143, 13143.6, and 13211, are hereby transferred to the commission.
- (b) The State Fire Marshal shall remain the state agency responsible for developing building standards to implement the state’s fire and life safety policy. In its role as the fire and life safety standard developing agency, the State Fire Marshal shall continue its existing activities and forums designed to facilitate compromise and consensus among the various individuals and groups involved in the development of the state’s codes related to fire and life safety.
- (c) The state’s fire and life safety building standards, as developed by the State Fire Marshal and as adopted by the commission, shall continue to be based on the state’s fire and life safety policy goals and mandates as they existed prior to the enactment of this chapter and as they are amended.

Health and Safety Code Section 25500 through 25545.

- (a) The Legislature declares that to protect public health and safety and the environment, it is necessary to establish business and area plans relating to the handling and release or threatened release of hazardous materials. The establishment of a statewide environmental reporting system for these plans is a statewide requirement. Basic information on the location, type, quantity, and health risks of hazardous materials handled, used, stored, or disposed of in the state, which could be accidentally released into the environment, is required to be submitted to firefighters,

health officials, planners, public safety officers, health care providers, regulatory agencies, and other interested persons. The information provided by business and area plans is necessary to prevent or mitigate the damage to the health and safety of persons and the environment from the release or threatened release of hazardous materials into the workplace and environment.

Government Code Section 51176 through 51179.

The purpose of this chapter is to classify lands in the state per whether a very high fire hazard is present so that public officials can identify measures that will retard the rate of spread, and reduce the potential intensity, of uncontrolled fires that threaten to destroy resources, life, or property, and to require that those measures be taken.

Government Code Section 51189.

No later than January 31, 2020, the State Fire Marshal, in consultation with the director and the Director of Housing and Community Development, shall, according to Section 18930 of the Health and Safety Code, recommend updated building standards that provide for comprehensive site and structure fire risk reduction to protect structures from fires spreading from adjacent structures or vegetation and to protect vegetation from fires spreading from adjacent structures, based on information learned from the 2017 wildfire season

Public Education Code Section 17074.50.

- (a) On and after July 1, 2002, all new construction projects submitted to the Division of the State Architect according to this chapter, including, but not limited to, hardship applications, that require the approval of the Department of General Services shall include an automatic fire detection, alarm, and sprinkler system as outlined in Section 17074.52 and approved by the State Fire Marshal.

Public Resources Code Sections 4201 through 4204.

The purpose of this article is to provide for the classification of lands within state responsibility areas by the severity of fire hazard present to identify measures to be taken to retard the rate of spreading and to reduce the potential intensity of uncontrolled fires that threaten to destroy resources, life, or property.

Summary of Existing Regulations

The SFM currently adopts the California Code of Regulations, Title 24, Part 1, 2022 California Administrative Code with SFM amendments and additional building standards relating to regulations that establish minimum requirements for the prevention of fire and the protection of life and property against fire and in any building or structure used or intended for use as defined in each of the Health and Safety Code references shown above.

The SFM currently has administrative provisions in Chapter 1 Division I in Parts 2, 2.5, 3, 4, 5, 9, and 10 of Title 24.

Summary of Effect

The general purpose of this proposed action is principally intended to adopt the 2025 California Administrative Code (California Code of Regulations, Title 24, Part 1) based upon updated information or recent actions of the SFM. This proposed action:

- Add a reference to Part 7, which is being proposed as the 2025 California Wildland–Urban Interface Code.

Comparable Federal Statutes or Regulations

The SFM has determined that there are no comparable federal regulations or statutes addressing the fire and life safety requirements as presented in this notice.

Policy Statement Overview

The specific purpose of this rulemaking effort by the SFM is to act by Health and Safety Code section 18929.1, which requires all proposed regulations to specifically comply with this section regarding the Triennial code adoption cycle.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies addressed in and published as the 2025 California Administrative Code.

The SFM further proposes to offer new amendments where necessary to ensure that the regulations of the California Administrative Code, establish and or maintain minimum requirements for the prevention of fire and panic for the protection of life and property against fire and panic in any building or structure used or intended for use as defined in each of the Health and Safety Code references shown above.

Evaluation of Consistency

The proposed regulations are consistent with existing state regulations.

OTHER MATTERS PRESCRIBED BY
STATUTE APPLICABLE TO THE AGENCY
OR TO ANY SPECIFIC REGULATION OR
CLASS OF REGULATIONS

Reference: Government Code Section 11346.5(a)(4).

The SFM has determined that there are no other prescribed statutes or any specific regulation or class of regulation applicable to the amendments and building standards relating to the 2025 California Administrative Code.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

Reference: Government Code Section 11346.5(a)(5).

SFM has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

ESTIMATE OF COST OR SAVINGS

Reference: Government Code Section 11346.5(a)(6).

An estimate, prepared in accordance with instructions adopted by the Department of Finance, of cost or savings to any state agency, local agency, or school district.

- A. Cost or Savings to any state agency: **NO**.
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**.
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**.
- D. Other non–discretionary costs or savings imposed on local agencies: **NO**.
- E. Cost or savings in federal funding to the state: **NO**.

Estimate: N/A.

INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES

Reference: Government Code Section 11346.5(a)(8).

If the agency makes an initial determination that the adoption/amendment/repeal of this regulation will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall make a declaration to that effect.

SFM has made an initial determination that the adoption of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

Declaration of Evidence

Reference: Government Code Section 11346.5(a)(8).

In making the declaration, the agency shall provide in the record of facts, evidence, documents, testimony, or other evidence that the agency relied upon to support its initial determination of no effect.

The SFM affirms that this rulemaking action complies specifically with the mandates of HSC Sections 13143, 18928, 18949.2(b), 18949(c), and the mandates of the statutory authority of the SFM. The proposed

amendments are administrative in nature with no intended change in regulatory effect.

Therefore, the SFM’s initial determination of no significant, statewide adverse economic impact directly affecting businesses in California and their ability to compete with businesses in other states does not require any additional evidence, documents, or other evidence to support this action. The public is welcome to submit any information, facts, or documents either supporting SFM’s initial determination or finding to the contrary.

FINDING OF NECESSITY FOR THE PUBLIC’S HEALTH, SAFETY, OR WELFARE

Reference: Government Code Section 11346.5(a)(11).

Any regulation that requires a report shall not apply to businesses unless the agency makes a finding that it is necessary for the health, safety, or welfare of the public that the regulations apply to businesses.

N/A.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

Reference: Government Code Section 11346.5(a)(9).

Describe all cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. If no cost impact, provide the following statement:

SFM is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT OF THE EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION

Reference: Government Code Section 11346.5(a)(10).

The State Fire Marshal has assessed whether and to what extent this proposal will affect the following:

A. The creation or elimination of jobs within the State of California.

These regulations will not affect the creation, or cause the elimination, of jobs within the State of California.

B. The creation of new businesses or the elimination of existing businesses within the State of California.

These regulations will not affect the creation of new businesses or the elimination of existing businesses within the State of California.

C. The expansion of businesses currently doing business within the State of California.

These regulations will not affect the expansion of businesses currently doing business within the State of California.

D. The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.

These regulations will update and improve minimum building standards, which will provide increased protection of public health and safety, worker safety, and the environment.

**ESTIMATED COST OF COMPLIANCE OF
STANDARDS THAT WOULD
IMPACT HOUSING**

Reference: Government Code Section 11346.5(a)(12).
The SFM did not identify any impact on housing.

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).
SFM has determined that no reasonable alternative considered by SFM or that has otherwise been identified and brought to the attention of the SFM would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action. In addition, no reasonable alternative considered by SFM or that has otherwise been identified and brought to the attention of SFM would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

**AVAILABILITY OF
RULEMAKING DOCUMENTS**

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms, and the initial statement of reasons can be accessed from the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(19).

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(21).

SFM shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accom-

modate a person with a visual or other disability for which effective communication is required under state or federal law. The statement shall note that providing an accessible description of proposed changes may require extending the period of public comment for the proposed action.

**CBSC CONTACT PERSON FOR
PROCEDURAL AND
ADMINISTRATIVE QUESTIONS**

Reference: Government Code Section 11346.5(a)(14).

General questions regarding procedural and administrative issues should be addressed to:

Kevin Day, Deputy Executive Director
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone: (916) 263–0916

**PROPOSING STATE AGENCY CONTACT
PERSON FOR SUBSTANTIVE OR
TECHNICAL QUESTIONS ON THE
PROPOSED CHANGES TO
BUILDING STANDARDS**

Specific questions regarding the substantive or technical aspects of the proposed changes to the building standards should be addressed to:

Primary Contact:

Crystal Sujeski, Division Chief
CALFIRE/Office of the State Fire Marshal
Code Development and Analysis Division
510–846–1276
Crystal.Sujeski@fire.ca.gov

Backup Contact:

Jena Garcia, Deputy State Fire Marshal III
Supervisor
CALFIRE/Office of the State Fire Marshal
Code Development and Analysis Division
916–531–7650
Jena.Garcia@fire.ca.gov

TITLE 24. BUILDING STANDARDS COMMISSION/STATE FIRE MARSHAL

NOTICE OF PROPOSED ACTION TO BUILDING STANDARDS OF THE REGARDING THE 2025 CALIFORNIA BUILDING CODE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2 (SFM 04/24)

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the State Fire Marshal proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 2. The SFM is proposing building standards related to the 2024 Triennial rulemaking code cycle.

PUBLIC COMMENT PERIOD

Reference: Government Code Sections 11346.5(a)(1), 11346.5(a)(15) and 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **September 6, 2024**, until midnight on **October 21, 2024**.

Comments may be submitted to CBSC via:

Email: cbsc@dgs.ca.gov

US Mail postmarked no later than **October 21, 2024**:

California Building Standards Commission
Attention: Public Comments
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Note: Only comments received in an accessible format will be viewable via CBSC’s website.

Any interested person, or his or her duly authorized representative, may request no later than 15 days prior to the close of the written comment period that a public hearing be held.

The public will have an opportunity to provide written and oral comments regarding the proposed action on building standards at a public meeting to be conducted by CBSC to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time, and location of the public meeting.

POST-HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS

Reference: Government Code Section 11346.5(a)(18).

Following the public comment period, CBSC may adopt the proposed building standards substantially as

proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

NOTE: To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

AUTHORITY AND REFERENCE

Reference: Government Code Section 11346.5(a)(2).

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.2. The purpose of these building standards is to implement, interpret, or make specific the provisions of Health and Safety Code Sections 13108, 13108.5, 13113, 13113.5, 13114, 13115, 13121, 13132, 13132.7, 13133, 13135, 13143, 13143.1, 13143.2, 13143.6, 13143.9, 13145, 13146, 13210, 13211, 16022.5, and 17921.

The SFM is proposing this regulatory action based on Health and Safety Code Sections 1250, 1502, 1568.02, 1569.72–1569.78, 1597.44–1597.65, 13108, 13108.5, 13114, 13116, 13120, 13143, 13143.2, 13143.6, 13145, 13146, 13211, 16022.5, 17921, 18928, 18949.2, and 25500 through 25545; Government Code Sections 51176 through 51179, and 51189; Public Education Code 17074.50; Public Resources Code Sections 4201 through 4204.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

Health and Safety Code Section 1250.

As used in this chapter, “health facility” means a facility, place, or building that is organized, maintained, and operated for the diagnosis, care, prevention, and treatment of human illness, physical or mental, including convalescence and rehabilitation and including care during and after pregnancy, or for any one or more of these purposes, for one or more persons, to which the persons are admitted for a 24-hour stay or longer.

Health and Safety Code Section 1502.

General Provisions and Definitions for California’s Community Care Facilities Act

Health and Safety Code Section 1568.02, 1569.72 through 1569.78.

General Provisions and Levels of Care for Residential Care Facilities for the Elderly

Health and Safety Code Section 1597.44 through 1597.65.

General and Licensing provisions for Family Day Care

Health and Safety Code Section 13108(a).

The State Fire Marshal shall prepare and adopt building standards related to the means of egress, the installation of fire alarms, and fire extinguishing systems in any state–owned building or any state–occupied building.

Health and Safety Code Section 13108.5.

- (a) The State Fire Marshal, in consultation with the Director of Forestry and Fire Protection and the Director of Housing and Community Development, shall, pursuant to Section 18930, propose fire protection building standards for roofs, exterior walls, structure projections, including, but not limited to, porches, decks, balconies, and eaves, and structure openings, including, but not limited to, attic and eave vents and windows of buildings in fire hazard severity zones, including very high fire hazard severity zones designated by the Director of Forestry and Fire Protection pursuant to Article 9 (commencing with Section 4201) of Chapter 1 of Part 2 of Division 4 of the Public Resources Code.

Health and Safety Code Section 13113.

An automatic sprinkler system shall be installed in all 24–hour institutional–type occupancies, and homes for the care of aged or senile persons.

Health and Safety Code Section 13113.5.

The State Fire Marshal Shall adopt regulations requiring the installation of automatic smoke detectors in all facilities that provide 24–hour per day care, which house six or fewer persons, and which do not have automatic sprinkler systems.

Health and Safety Code Section 13114(a).

The State Fire Marshal shall adopt regulations and standards to control the quality and installation of fire alarm systems and fire alarm devices marketed, distributed, offered for sale, or sold in this state, and no person shall market, distribute, offer for sale, or sell any fire alarm system or fire alarm device in this state unless the system or device has been approved and listed by the State Fire Marshal.

Health and Safety Code Section 13115(b).

It shall be unlawful for any person to manufacture, sell, or offer for sale any tent designed and intended for use for occupancy by less than 15 persons unless the tent is made from flame–retardant fabrics or materials approved by the State Fire Marshal. A tent described in this subdivision shall be labeled in a manner specified by the State Fire Marshal. Any manufacturer of tents for sale in this state who fails to use flame–retardant fabrics or materials or who fails to label them

as specified by the State Fire Marshal shall be strictly liable for any damage that occurs to any person as a result of a violation of this section.

Health and Safety Code Section 13116.

Except as provided in Section 18930, the State Fire Marshal shall prepare and adopt rules and regulations establishing minimum requirements for the prevention of fire and panic in connection with the use of tents, awnings or other fabric enclosures. The State Fire Marshal shall adopt and submit building standards for approval pursuant to Chapter 4 (commencing with Section 18935) of Part 2.5 of Division 13 of this code for the purposes described in this section.

Health and Safety Code Section 13120.

The State Fire Marshal shall establish minimum standard requirements, and shall adopt rules and regulations as are deemed necessary by him or her to properly regulate the manufacture, sale and application of flame–retardant chemicals and the sale of flame–retardant treated fabrics or materials used or intended for use in connection with any occupancy mentioned in Sections 13115 and 13119.

Health and Safety Code Section 13121.

The State Fire Marshal shall, before approving any flame–retardant chemical, fabric or material, require that flame–retardant chemicals and flame–retardant fabrics or materials be submitted to a laboratory approved by him or her for testing in accordance with the standards established pursuant to Section 13120.

Health and Safety Code Section 13132.

Every person, firm, or corporation maintaining or operating any facility for the care of the mentally handicapped shall file a statement with the fire authority having jurisdiction within five days of the admission or readmission of a patient stating that such patient is an ambulatory or a non–ambulatory person and enumerating the reasons for such classification. Such a statement shall also be filed for each existing patient within 30 days of the effective date of this section.

Any statement required to be filed pursuant to this section shall be certified as to its correctness by the person attending such patient.

It shall be unlawful for any person, firm, or corporation required to file a statement pursuant to this section to include false statements therein. Any such act shall be in violation of this section and subject to the provisions of Section 13112.

Health and Safety Code Section 13132.7.

Shall require fire retardant roof coverings in fire hazard severity zones.

Health and Safety Code Section 13133(a).

The State Fire Marshal shall develop and adopt regulations establishing new occupancy classifications and specific fire safety standards appropriate for residential facilities, and residential care facilities for the

elderly. These fire safety standards shall apply uniformly throughout the state.

Health and Safety Code Section 13135.

The State Fire Marshal shall adopt regulations for alcoholism or drug abuse recovery or treatment facilities based on whether the residents or patients of the facilities are non –ambulatory.

Health and Safety Code Section 13143.

Grants the State Fire Marshal authority to prepare and adopt regulations establishing minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in any building or structure used or intended for use as an asylum, jail, mental hospital, hospital, home for the elderly, children’s nursery, children’s home or institution not otherwise excluded from the coverage of this subdivision, school, or any similar occupancy of any capacity, and in any assembly occupancy where 50 or more persons may gather together in a building, room, or structure for the purpose of amusement, entertainment, instruction, deliberation, worship, drinking or dining, awaiting transportation, or education.

Health and Safety Code Section 13143.1(a).

The State Fire Marshal shall prepare, adopt, and submit building standards for establishing minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in any motion picture or television production facility.

Health and Safety Code Section 13143.2.

The State Fire Marshal shall enforce building standards published in the California Building Standards Code and those other rules and regulations adopted by the State Fire Marshal for the provision of structural fire safety and fire-resistant exits in multiple-story structures existing on January 1, 1975, let for human habitation, including, and limited to, apartment houses, hotels, and motels wherein rooms used for sleeping are let above the ground floor.

Health and Safety Code Section 13143.6(a).

The State Fire Marshal shall prepare and adopt regulations establishing minimum standards for the prevention of fire and for the protection of life and property against fire in any building or structure intended for use as a home or institution for the housing of any person of any age for protective social care and supervision services by any governmental agency, certified family care homes, out-of-home placement facilities, and halfway houses.

Health and Safety Code Section 13143.9.

The State Fire Marshal shall establish minimum requirements for the storage, handling, and use of hazardous materials.

Health and Safety Code Section 13145.

The State Fire Marshal, the chief of any city, county, or city and county fire department or district providing

fire protection services, or a Designated Campus Fire Marshal, and their authorized representatives, shall enforce in their respective areas building standards relating to fire and panic safety adopted by the State Fire Marshal and published in the California Building Standards Code and other regulations that have been formally adopted by the State Fire Marshal for the prevention of fire or the protection of life and property against fire or panic.

Health and Safety Code Section 13146.

(a) The responsibility for enforcement of building standards adopted by the State Fire Marshal and published in the California Building Standards Code relating to fire and panic safety and other regulations of the State Fire Marshal shall be as follows:

- (1) The city, county, or city and county with jurisdiction in the area affected by the standard or regulation shall delegate the enforcement of the building standards relating to fire and panic safety and other regulations of the State Fire Marshal as they relate to R-3 dwellings, as described in Section 310.5 of Part 2 of the California Building Standards Code, to either of the following:
 - (A) The chief of the fire authority of the city, county, or city and county, or the chief’s authorized representative.
 - (B) The chief building official of the city, county, or city and county, or the official’s authorized representative.

Health and Safety Code Section 13210.

- (a) “Existing high-rise structure” means a high-rise structure, the construction of which is commenced or completed prior to July 1, 1974.
- (b) “High-rise structure” means every building of any type of construction or occupancy having floors used for human occupancy located more than 75 feet above the lowest floor level having building access, except buildings used as hospitals, as defined in Section 1250.
- (c) “New high-rise structure” means a high-rise structure, the construction of which is commenced on or after July 1, 1974.

Health and Safety Code Section 13211.

The State Fire Marshal shall prepare and adopt building standards relating to fire and panic safety in high-rise structures.

Health and Safety Code Section 16022.5.

Following the completion of construction of a state-owned or state-occupied essential services building, the State Fire Marshal may conduct regular inspections of those buildings for compliance with building standards relating to fire and panic safety.

Health and Safety Code Section 17921(b).

The State Fire Marshal shall adopt, amend, or repeal and submit building standards for approval pursuant to the provisions of Chapter 4 (commencing with Section 18935) of Part 2.5, and the State Fire Marshal shall adopt, amend, and repeal other rules and regulations for fire and panic safety in all hotels, motels, lodging houses, apartment houses, and dwellings, buildings, and structures accessory thereto. These building standards and regulations shall be enforced pursuant to Sections 13145 and 13146; however, this section is not intended to require an inspection by a local fire agency of each single-family dwelling prior to its occupancy.

Health and Safety Code Section 18928(a).

Requires each state agency adopting or proposing adoption of a model code, national standards, or specification shall reference the most recent edition of applicable model codes, national standards, or specifications.

Health and Safety Code Section 18949.2

- (a) Any responsibilities of the State Fire Marshal to adopt, through a formal rulemaking process as provided in Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, relating to building standards, including, but not limited to, Sections 13108, 13143, 13143.6, and 13211, are hereby transferred to the commission.
- (b) The State Fire Marshal shall remain the state agency responsible for developing building standards to implement the state's fire and life safety policy. In its role as the fire and life safety standard developing agency, the State Fire Marshal shall continue its existing activities and forums designed to facilitate compromise and consensus among the various individuals and groups involved in the development of the state's codes related to fire and life safety.
- (c) The state's fire and life safety building standards, as developed by the State Fire Marshal and as adopted by the commission, shall continue to be based on the state's fire and life safety policy goals and mandates as they existed prior to the enactment of this chapter and as they are amended.

Health and Safety Code Section 25500 through 25545.

- (a) The Legislature declares that to protect public health and safety and the environment, it is necessary to establish business and area plans relating to the handling and release or threatened release of hazardous materials. The establishment of a statewide environmental reporting system for these plans is a statewide requirement. Basic information on the location, type, quantity, and

health risks of hazardous materials handled, used, stored, or disposed of in the state, which could be accidentally released into the environment, is required to be submitted to firefighters, health officials, planners, public safety officers, health care providers, regulatory agencies, and other interested persons. The information provided by business and area plans is necessary to prevent or mitigate the damage to the health and safety of persons and the environment from the release or threatened release of hazardous materials into the workplace and environment.

Government Code Section 51176 through 51179.

The purpose of this chapter is to classify lands in the state in accordance with whether a very high fire hazard is present so that public officials can identify measures that will retard the rate of spread, and reduce the potential intensity, of uncontrolled fires that threaten to destroy resources, life, or property, and to require that those measures be taken.

Government Code Section 51189.

No later than January 31, 2020, the State Fire Marshal, in consultation with the director and the Director of Housing and Community Development, shall, pursuant to Section 18930 of the Health and Safety Code, recommend updated building standards that provide for comprehensive site and structure fire risk reduction to protect structures from fires spreading from adjacent structures or vegetation and to protect vegetation from fires spreading from adjacent structures, based on information learned from the 2017 wildfire season

Public Education Code Section 17074.50.

- (a) On and after July 1, 2002, all new construction projects submitted to the Division of the State Architect pursuant to this chapter, including, but not limited to, hardship applications, that require the approval of the Department of General Services shall include an automatic fire detection, alarm, and sprinkler system as set forth in Section 17074.52 and approved by the State Fire Marshal.

Public Resources Code Sections 4201 through 4204.

The purpose of this article is to provide for the classification of lands within state responsibility areas in accordance with the severity of fire hazard present for the purpose of identifying measures to be taken to retard the rate of spreading and to reduce the potential intensity of uncontrolled fires that threaten to destroy resources, life, or property.

Summary of Existing Regulations

The SFM currently adopts by reference the 2021 International Building Code into California Code of Regulations, Title 24, Part 2, 2022 California Building Code with SFM amendments and additional building

standards relating to regulations that establish minimum requirements for the prevention of fire and the protection of life and property against fire and in any building or structure used or intended for use as defined in each of the Health and Safety Code references shown above.

Summary of Effect

The general purpose of this proposed action is principally intended to adopt the 2024 International Building Code into 2025 California Building Code (California Code of Regulations, Title 24, Part 2) with necessary amendments based upon updated information or recent actions of the SFM. This proposed action:

- Repeal certain amendments to the 2021 International Building Code and/or California Building Standards not addressed by the model code that are no longer necessary nor justified pursuant with Health and Safety Code 18930(a)(7).
- Adopt and implement additional necessary amendments to the 2025 California Building Code that address inadequacies of the 2024 International Building Code as they pertain to California laws.
- Codify non-substantive editorial and formatting amendments to the 2025 California Building Code.

Comparable Federal Statutes or Regulations

The SFM has determined that there are no comparable federal regulations or statutes addressing the fire and life safety requirements as presented in this notice.

Policy Statement Overview

The specific purpose of this rulemaking effort by the SFM is to act in accordance with Health and Safety Code section 18929.1, which requires all proposed regulations to specifically comply with this section regarding the Triennial code adoption cycle.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies addressed in 2024 International Building Code and published as the 2025 California Building Code.

The SFM further proposes to offer new amendments where necessary to ensure that the regulations of the California Building Code, establish and or maintain minimum requirements for the prevention of fire and panic for the protection of life and property against fire and panic in any building or structure used or intended for use as defined in each of the Health and Safety Code references shown above.

Evaluation of Consistency

The proposed regulations are consistent with existing state regulations.

OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS

Reference: Government Code Section 11346.5(a)(4).

The SFM has determined that there are no other prescribed statutes or any specific regulation or class of regulation applicable to the amendments and building standards relating to the 2025 California Building Code.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

Reference: Government Code Section 11346.5(a)(5).

SFM has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

ESTIMATE OF COST OR SAVINGS

Reference: Government Code Section 11346.5(a)(6).

An estimate, prepared in accordance with instructions adopted by the Department of Finance, of cost or savings to any state agency, local agency, or school district.

- Cost or Savings to any state agency: **NO**.
- Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**.
- Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**.
- Other non-discretionary cost or savings imposed on local agencies: **NO**.
- Cost or savings in federal funding to the state: **NO**.

Estimate: N/A.

INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES

Reference: Government Code Section 11346.5(a)(8).

If the agency makes an initial determination that the adoption/amendment/repeal of this regulation will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall make a declaration to that effect.

SFM has made an initial determination that the adoption/amendment/repeal of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

Declaration of Evidence

Reference: Government Code Section 11346.5(a)(8).

In making the declaration, the agency shall provide in the record of facts, evidence, documents, testimony, or other evidence that the agency relied upon to support its initial determination of no effect.

The SFM affirms that this rulemaking action complies specifically with the mandates of HSC Sections 13143, 18928, 18949.2(b), 18949(c), and the mandates of the statutory authority of the SFM. SFM is adopting the latest edition of the model code according to HSC Section 18928, making only minor amendments with no intended change in regulatory effect since these amendments are equivalent to current requirements in the Code.

Therefore, the SFM's initial determination of no significant, statewide adverse economic impact directly affecting businesses in California and their ability to compete with businesses in other states does not require any additional evidence, documents, or other evidence to support this action. The public is welcome to submit any information, facts, or documents either supporting SFM's initial determination or finding to the contrary.

FINDING OF NECESSITY FOR THE PUBLIC'S HEALTH, SAFETY, OR WELFARE

Reference: Government Code Section 11346.5(a)(11).

Any regulation that requires a report shall not apply to businesses unless the agency makes a finding that it is necessary for the health, safety, or welfare of the public that the regulations apply to businesses.

N/A

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

Reference: Government Code Section 11346.5(a)(9).

Describe all cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. If no cost impact, provide the following statement:

SFM is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION

Reference: Government Code Section 11346.5(a)(10).

The State Fire Marshal has assessed whether and to what extent this proposal will affect the following:

A. The creation or elimination of jobs within the State of California.

These regulations will not affect the creation, or cause the elimination, of jobs within the State of California.

B. The creation of new businesses or the elimination of existing businesses within the State of California.

These regulations will not affect the creation of new businesses or the elimination of existing businesses within the State of California.

C. The expansion of businesses currently doing business within the State of California.

These regulations will not affect the expansion of businesses currently doing business within the State of California.

D. The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.

These regulations will update and improve minimum building standards, which will provide increased protection of public health and safety, worker safety and the environment.

ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING

Reference: Government Code Section 11346.5(a)(12).

The SFM has determined that no additional cost of compliance with standards would impact housing.

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).

SFM has determined that no reasonable alternative considered by SFM or that has otherwise been identified and brought to the attention of SFM would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

In addition, no reasonable alternative considered by SFM or that has otherwise been identified and brought to the attention of SFM would be more cost-effective to affected private persons and equally effective in im-

plementing the statutory policy or other provisions of law.

AVAILABILITY OF RULEMAKING DOCUMENTS

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms, and the initial statement of reasons can be accessed from the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(19).

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(21).

SFM shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law. The statement shall note that providing an accessible description of proposed changes may require extending the period of public comment for the proposed action.

CBSC CONTACT PERSON FOR PROCEDURAL AND ADMINISTRATIVE QUESTIONS

Reference: Government Code Section 11346.5(a)(14).

General questions regarding procedural and administrative issues should be addressed to:

Kevin Day, Deputy Executive Director
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone: (916) 263–0916
Kevin.Day@dgs.ca.gov

PROPOSING STATE AGENCY CONTACT PERSON FOR SUBSTANTIVE OR TECHNICAL QUESTIONS ON THE PROPOSED CHANGES TO BUILDING STANDARDS

Specific questions regarding the substantive or technical aspects of the proposed changes to the building standards should be addressed to:

Primary Contact:

Crystal Sujeski, Division Chief
CALFIRE / Office of the State Fire Marshal
Code Development and Analysis Division
510–846–1276
Crystal.Sujeski@fire.ca.gov

Back up Contact:

Jena Garcia, Deputy State Fire Marshal III
Supervisor
CALFIRE / Office of the State Fire Marshal
Code Development and Analysis Division
916–531–7650
Jena.Garcia@fire.ca.gov

TITLE 24. BUILDING STANDARDS COMMISSION/STATE FIRE MARSHAL

NOTICE OF PROPOSED ACTION TO BUILDING STANDARDS OF THE REGARDING THE 2025 CALIFORNIA RESIDENTIAL CODE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2.5 (SFM 05/24)

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the State Fire Marshal proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 2.5. The SFM is proposing building standards related to the 2024 Triennial rulemaking code cycle.

PUBLIC COMMENT PERIOD

Reference: Government Code Sections 11346.5(a)(1), 11346.5(a)(15) and 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **September 6, 2024**, until midnight on **October 21, 2024**.

Comments may be submitted to CBSC via:

Email: cbsc@dgs.ca.gov

US Mail postmarked no later than **October 21, 2024**:

California Building Standards Commission
Attention: Public Comments
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Note: Only comments received in an accessible format will be viewable via CBSC's website.

Any interested person, or his or her duly authorized representative, may request no later than 15 days prior to the close of the written comment period that a public hearing be held.

The public will have an opportunity to provide written and oral comments regarding the proposed action on building standards at a public meeting to be conducted by CBSC to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time, and location of the public meeting.

POST-HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS

Reference: Government Code Section 11346.5(a)(18).

Following the public comment period, CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

NOTE: To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

AUTHORITY AND REFERENCE

Reference: Government Code Section 11346.5(a)(2).

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.2. The purpose of these building standards is to implement, interpret, or make specific the provisions of Health and Safety Code Sections 13108, 13108.5, 13113, 13113.5, 13114, 13132, 13132.7, 13133, 13135, 13143, 13143.1, 13143.2, 13143.6, 13143.9, 13145, 13146, 13210, 13211, 16022.5, and 17921.

The SFM is proposing this regulatory action based on Health and Safety Code Sections 1250, 1502, 1568.02, 1569.72–1569.78, 1597.44–1597.65, 13108, 13108.5, 13114, 13143, 13143.2, 13143.6, 13145, 13146, 13211, 16022.5, 17921, 18897.3, 18928, 18949.2, and 25500 through 25545; Government Code Sections 11346.2(a)(2), 11346.5, 51176, 51177, 51178, 51179 and 51189; Public Education Code 17074.50; Public Resources Code Sections 4201 through 4204.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

Health and Safety Code Section 1250.

As used in this chapter, “health facility” means a facility, place, or building that is organized, maintained, and operated for the diagnosis, care, prevention, and treatment of human illness, physical or mental, including convalescence and rehabilitation and including care during and after pregnancy, or for any one or more of these purposes, for one or more persons, to which the persons are admitted for a 24-hour stay or longer.

Health and Safety Code Section 1502.

General Provisions and Definitions for California’s Community Care Facilities Act

Health and Safety Code Section 1568.02, 1569.72 through 1569.78.

General Provisions and Levels of Care for Residential Care Facilities for the Elderly

Health and Safety Code Section 1597.44 through 1597.65.

General and Licensing provisions for Family Day Care

Health and Safety Code Section 13108(a).

The State Fire Marshal shall prepare and adopt building standards related to the means of egress, the installation of fire alarms, and fire extinguishing systems in any state-owned building or any state-occupied building.

Health and Safety Code Section 13108.5.

- (a) The State Fire Marshal, in consultation with the Director of Forestry and Fire Protection and the Director of Housing and Community Development, shall, pursuant to Section 18930, propose fire protection building standards for roofs, exterior walls, structure projections, including, but not limited to, porches, decks, balconies, and eaves, and structure openings, including, but not limited to, attic and eave vents and windows of buildings in fire hazard severity zones, including very high fire hazard severity zones designated by the Director of Forestry and Fire Protection pursuant to Article 9 (commencing with Section 4201) of Chapter 1 of Part 2 of Division 4 of the Public Resources Code.

Health and Safety Code Section 13113.

An automatic sprinkler system shall be installed in all 24-hour institutional-type occupancies, and homes for the care of aged or senile persons.

Health and Safety Code Section 13113.5.

The State Fire Marshal Shall adopt regulations requiring the installation of automatic smoke detectors in all facilities that provide 24-hour per day care, which house six or fewer persons, and which do not have automatic sprinkler systems.

Health and Safety Code Section 13114(a).

The State Fire Marshal shall adopt regulations and standards to control the quality and installation of fire alarm systems and fire alarm devices marketed, distributed, offered for sale, or sold in this state, and no person shall market, distribute, offer for sale, or sell any fire alarm system or fire alarm device in this state unless the system or device has been approved and listed by the State Fire Marshal.

Health and Safety Code Section 13132.

Every person, firm, or corporation maintaining or operating any facility for the care of the mentally handicapped shall file a statement with the fire authority having jurisdiction within five days of the admission or readmission of a patient stating that such patient is an ambulatory or a non-ambulatory person and enumerating the reasons for such classification. Such a statement shall also be filed for each existing patient within 30 days of the effective date of this section.

Any statement required to be filed pursuant to this section shall be certified as to its correctness by the person attending such patient.

It shall be unlawful for any person, firm, or corporation required to file a statement pursuant to this section to include false statements therein. Any such act shall be in violation of this section and subject to the provisions of Section 13112.

Health and Safety Code Section 13132.7.

Shall require fire retardant roof coverings in fire hazard severity zones.

Health and Safety Code Section 13133(a).

The State Fire Marshal shall develop and adopt regulations establishing new occupancy classifications and specific fire safety standards appropriate for residential facilities, and residential care facilities for the elderly. These fire safety standards shall apply uniformly throughout the state.

Health and Safety Code Section 13135.

The State Fire Marshal shall adopt regulations for alcoholism or drug abuse recovery or treatment facilities based on whether the residents or patients of the facilities are non-ambulatory.

Health and Safety Code Section 13143.

Grants the State Fire Marshal authority to prepare and adopt regulations establishing minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in any building or structure used or intended for use as an asylum, jail, mental hospital, hospital, home for the elderly, children's nursery, children's home or institution not otherwise excluded from the coverage of this subdivision, school, or any similar occupancy of any capacity, and in any assembly occupancy where 50 or more persons may gather together in a building, room, or structure for the purpose of amusement, entertain-

ment, instruction, deliberation, worship, drinking or dining, awaiting transportation, or education.

Health and Safety Code Section 13143.1(a).

The State Fire Marshal shall prepare, adopt, and submit building standards for establishing minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in any motion picture or television production facility.

Health and Safety Code Section 13143.2.

The State Fire Marshal shall enforce building standards published in the California Building Standards Code and those other rules and regulations adopted by the State Fire Marshal for the provision of structural fire safety and fire-resistant exits in multiple-story structures existing on January 1, 1975, let for human habitation, including, and limited to, apartment houses, hotels, and motels wherein rooms used for sleeping are let above the ground floor.

Health and Safety Code Section 13143.6(a).

The State Fire Marshal shall prepare and adopt regulations establishing minimum standards for the prevention of fire and for the protection of life and property against fire in any building or structure intended for use as a home or institution for the housing of any person of any age for protective social care and supervision services by any governmental agency, certified family care homes, out-of-home placement facilities, and halfway houses.

Health and Safety Code Section 13143.9.

The State Fire Marshal shall establish minimum requirements for the storage, handling, and use of hazardous materials.

Health and Safety Code Section 13145.

The State Fire Marshal, the chief of any city, county, or city and county fire department or district providing fire protection services, or a Designated Campus Fire Marshal, and their authorized representatives, shall enforce in their respective areas building standards relating to fire and panic safety adopted by the State Fire Marshal and published in the California Building Standards Code and other regulations that have been formally adopted by the State Fire Marshal for the prevention of fire or the protection of life and property against fire or panic.

Health and Safety Code Section 13146.

(a) The responsibility for enforcement of building standards adopted by the State Fire Marshal and published in the California Building Standards Code relating to fire and panic safety and other regulations of the State Fire Marshal shall be as follows:

- (1) The city, county, or city and county with jurisdiction in the area affected by the standard or regulation shall delegate the enforcement of the building standards relating to

fire and panic safety and other regulations of the State Fire Marshal as they relate to R–3 dwellings, as described in Section 310.5 of Part 2 of the California Building Standards Code, to either of the following:

- (A) The chief of the fire authority of the city, county, or city and county, or the chief’s authorized representative.
- (B) The chief building official of the city, county, or city and county, or the official’s authorized representative.

Health and Safety Code Section 13210.

- (a) “Existing high–rise structure” means a high–rise structure, the construction of which is commenced or completed prior to July 1, 1974.
- (b) “High–rise structure” means every building of any type of construction or occupancy having floors used for human occupancy located more than 75 feet above the lowest floor level having building access, except buildings used as hospitals, as defined in Section 1250.
- (c) “New high–rise structure” means a high–rise structure, the construction of which is commenced on or after July 1, 1974.

Health and Safety Code Section 13211.

The State Fire Marshal shall prepare and adopt building standards relating to fire and panic safety in high–rise structures.

Health and Safety Code Section 16022.5.

Following the completion of construction of a state–owned or state–occupied essential services building, the State Fire Marshal may conduct regular inspections of those buildings for compliance with building standards relating to fire and panic safety.

Health and Safety Code Section 17921(b).

The State Fire Marshal shall adopt, amend, or repeal and submit building standards for approval pursuant to the provisions of Chapter 4 (commencing with Section 18935) of Part 2.5, and the State Fire Marshal shall adopt, amend, and repeal other rules and regulations for fire and panic safety in all hotels, motels, lodging houses, apartment houses, and dwellings, buildings, and structures accessory thereto. These building standards and regulations shall be enforced pursuant to Sections 13145 and 13146; however, this section is not intended to require an inspection by a local fire agency of each single–family dwelling prior to its occupancy.

Health and Safety Code Section 18897.3.

Except as provided in Section 18930, the State Fire Marshal shall adopt minimum fire safety regulations for organized camps in accordance with the provisions of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. The State Fire Marshal shall adopt and submit

building standards for approval pursuant to Chapter 4 (commencing with Section 18935) of Part 2.5 of this division for the purposes described in this section.

Health and Safety Code Section 18928(a).

Requires each state agency adopting or proposing adoption of a model code, national standards, or specification shall reference the most recent edition of applicable model codes, national standards, or specifications.

Health and Safety Code Section 18949.2

- (a) Any responsibilities of the State Fire Marshal to adopt, through a formal rulemaking process as provided in Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, relating to building standards, including, but not limited to, Sections 13108, 13143, 13143.6, and 13211, are hereby transferred to the commission.
- (b) The State Fire Marshal shall remain the state agency responsible for developing building standards to implement the state’s fire and life safety policy. In its role as the fire and life safety standard developing agency, the State Fire Marshal shall continue its existing activities and forums designed to facilitate compromise and consensus among the various individuals and groups involved in the development of the state’s codes related to fire and life safety.
- (c) The state’s fire and life safety building standards, as developed by the State Fire Marshal and as adopted by the commission, shall continue to be based on the state’s fire and life safety policy goals and mandates as they existed prior to the enactment of this chapter and as they are amended.

Health and Safety Code Section 25500 through 25545.

- (a) The Legislature declares that to protect public health and safety and the environment, it is necessary to establish business and area plans relating to the handling and release or threatened release of hazardous materials. The establishment of a statewide environmental reporting system for these plans is a statewide requirement. Basic information on the location, type, quantity, and health risks of hazardous materials handled, used, stored, or disposed of in the state, which could be accidentally released into the environment, is required to be submitted to firefighters, health officials, planners, public safety officers, health care providers, regulatory agencies, and other interested persons. The information provided by business and area plans is necessary to prevent or mitigate the damage to the health and safety of persons and the environment from the

release or threatened release of hazardous materials into the workplace and environment.

Government Code Section 11346.2(a)(2).

The agency shall include a notation following the express terms of each California Code of Regulations section, listing the specific statutes or other provisions of law authorizing the adoption of the regulation and listing the specific statutes or other provisions of law being implemented, interpreted, or made specific by that section in the California Code of Regulations.

Government Code Section 11346.5.

The notice of proposed adoption, amendment, or repeal of a regulation shall include the following per GOV Section 11346.5.

Government Code Section 51176 through 51179.

The purpose of this chapter is to classify lands in the state in accordance with whether a very high fire hazard is present so that public officials can identify measures that will retard the rate of spread, and reduce the potential intensity, of uncontrolled fires that threaten to destroy resources, life, or property, and to require that those measures be taken.

Government Code Section 51189.

No later than January 31, 2020, the State Fire Marshal, in consultation with the director and the Director of Housing and Community Development, shall, pursuant to Section 18930 of the Health and Safety Code, recommend updated building standards that provide for comprehensive site and structure fire risk reduction to protect structures from fires spreading from adjacent structures or vegetation and to protect vegetation from fires spreading from adjacent structures, based on information learned from the 2017 wildfire season.

Public Education Code Section 17074.50.

- (a) On and after July 1, 2002, all new construction projects submitted to the Division of the State Architect pursuant to this chapter, including, but not limited to, hardship applications, that require the approval of the Department of General Services shall include an automatic fire detection, alarm, and sprinkler system as set forth in Section 17074.52 and approved by the State Fire Marshal.

Public Resources Code Sections 4201 through 4204

The purpose of this article is to provide for the classification of lands within state responsibility areas in accordance with the severity of fire hazard present for the purpose of identifying measures to be taken to retard the rate of spreading and to reduce the potential intensity of uncontrolled fires that threaten to destroy resources, life, or property.

Summary of Existing Regulations

The SFM currently adopts by reference the 2021 International Residential Code into California Code of Regulations, Title 24, Part 2.5, 2022 California Residential Code with SFM amendments and additional building standards relating to regulations that establish minimum requirements for the prevention of fire and for the protection of life and property against fire and in any building or structure used or intended for use as defined in each of the Health and Safety Code references shown above.

Summary of Effect

The general purpose of this proposed action is principally intended to adopt the 2024 International Residential Code into 2025 California Residential Code (California Code of Regulations, Title 24, Part 2.5) with necessary amendments based upon updated information or recent actions of the SFM. This proposed action:

- Repeal certain amendments to the 2021 International Residential Code and/or California Building Standards not addressed by the model code that are no longer necessary nor justified pursuant with Health and Safety Code 18930(a)(7).
- Adopt and implement additional necessary amendments to the 2025 California Residential Code that address inadequacies of the 2024 International Residential Code as they pertain to California laws.
- Codify non-substantive editorial and formatting amendments to the 2025 California Residential Code.

Comparable Federal Statutes or Regulations

The SFM has determined that there are no comparable federal regulations or statutes addressing the fire and life safety requirements as presented in this notice.

Policy Statement Overview

The specific purpose of this rulemaking effort by the SFM is to act in accordance with Health and Safety Code section 18929.1, which requires all proposed regulations to specifically comply with this section regarding the Triennial code adoption cycle.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies addressed in 2024 International Residential Code and published as the 2025 California Residential Code.

The SFM further proposes to offer new amendments where necessary to ensure that the regulations of the California Residential Code, establish and or maintain minimum requirements for the prevention of fire and panic for the protection of life and property against

fire and panic in any building or structure used or intended for use as defined in each of the Health and Safety Code references shown above.

Evaluation of Consistency

The proposed regulations are consistent with existing state regulations.

**OTHER MATTERS PRESCRIBED BY
STATUTE APPLICABLE TO THE AGENCY
OR TO ANY SPECIFIC REGULATION OR
CLASS OF REGULATIONS**

Reference: Government Code Section 11346.5(a)(4).

The SFM has determined that there are no other prescribed statutes or any specific regulation or class of regulation applicable to the amendments and building standards relating to the 2025 California Residential Code.

**MANDATE ON LOCAL AGENCIES OR
SCHOOL DISTRICTS**

Reference: Government Code Section 11346.5(a)(5).

SFM has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

ESTIMATE OF COST OR SAVINGS

Reference: Government Code Section 11346.5(a)(6).

An estimate, prepared in accordance with instructions adopted by the Department of Finance, of cost or savings to any state agency, local agency, or school district.

- A. Cost or Savings to any state agency: **NO.**
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO.**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO.**
- D. Other non–discretionary costs or savings imposed on local agencies: **NO.**
- E. Cost or savings in federal funding to the state: **NO.**

Estimate: N/A.

**INITIAL DETERMINATION OF NO
SIGNIFICANT STATEWIDE ADVERSE
ECONOMIC IMPACT ON BUSINESSES**

Reference: Government Code Section 11346.5(a)(8).

If the agency makes an initial determination that the adoption/amendment/repeal of this regulation will not have a significant, statewide adverse economic impact

directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall make a declaration to that effect.

SFM has made an initial determination that the adoption/amendment/repeal of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

Declaration of Evidence

Reference: Government Code Section 11346.5(a)(8).

In making the declaration, the agency shall provide in the record of facts, evidence, documents, testimony, or other evidence that the agency relied upon to support its initial determination of no effect.

The SFM affirms that this rulemaking action complies specifically with the mandates of HSC Sections 13143, 18928, 18949.2(b), 18949(c), and the mandates of the statutory authority of the SFM. SFM is adopting the latest edition of the model code according to HSC Section 18928, making only minor amendments with no intended change in regulatory effect since these amendments are equivalent to current requirements in the Code.

Therefore, the SFM’s initial determination of no significant, statewide adverse economic impact directly affecting businesses in California and their ability to compete with businesses in other states does not require any additional evidence, documents, or other evidence to support this action. The public is welcome to submit any information, facts, or documents either supporting SFM’s initial determination or finding to the contrary.

**FINDING OF NECESSITY FOR THE
PUBLIC’S HEALTH,
SAFETY, OR WELFARE**

Reference: Government Code Section 11346.5(a)(11).

Any regulation that requires a report shall not apply to businesses unless the agency makes a finding that it is necessary for the health, safety, or welfare of the public that the regulations apply to businesses.

N/A.

**COST IMPACT ON REPRESENTATIVE
PRIVATE PERSON OR BUSINESS**

Reference: Government Code Section 11346.5(a)(9).

Describe all cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. If no cost impact, provide the following statement:

SFM is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT OF EFFECT OF
REGULATIONS UPON JOBS AND
BUSINESS EXPANSION,
ELIMINATION OR CREATION

Reference: Government Code Section 11346.5(a)(10).

The SFM has assessed whether and to what extent this proposal will affect the following:

A. The creation or elimination of jobs within the State of California.

These regulations will not affect the creation, or cause the elimination, of jobs within the State of California.

B. The creation of new businesses or the elimination of existing businesses within the State of California.

These regulations will not affect the creation of new businesses or the elimination of existing businesses within the State of California.

C. The expansion of businesses currently doing business within the State of California.

These regulations will not affect the expansion of businesses currently doing business within the State of California.

D. The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.

These regulations will update and improve minimum building standards, which will provide increased protection of public health and safety, worker safety, and the environment.

ESTIMATED COST OF COMPLIANCE OF
STANDARDS THAT WOULD
IMPACT HOUSING

Reference: Government Code Section 11346.5(a)(12).

The SFM has determined that no additional cost of compliance with standards would impact housing.

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).

SFM has determined that no reasonable alternative considered by SFM or that has otherwise been identified and brought to the attention of SFM would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

In addition, no reasonable alternative considered by SFM or that has otherwise been identified and brought to the attention of SFM would be more cost-effective to affected private persons and equally effective in im-

plementing the statutory policy or other provisions of law.

AVAILABILITY OF
RULEMAKING DOCUMENTS

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms, and the initial statement of reasons can be accessed from the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(19).

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(21).

SFM shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law. The statement shall note that providing an accessible description of proposed changes may require extending the period of public comment for the proposed action.

CBSC CONTACT PERSON FOR
PROCEDURAL AND
ADMINISTRATIVE QUESTIONS

Reference: Government Code Section 11346.5(a)(14).

General questions regarding procedural and administrative issues should be addressed to:

Kevin Day, Deputy Executive Director
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone: (916) 263–0916

PROPOSING STATE AGENCY CONTACT
PERSON FOR SUBSTANTIVE OR
TECHNICAL QUESTIONS ON THE
PROPOSED CHANGES TO
BUILDING STANDARDS

Specific questions regarding the substantive or technical aspects of the proposed changes to the building standards should be addressed to:

Primary Contact:

Crystal Sujeski, Division Chief
CALFIRE / Office of the State Fire Marshal
Code Development and Analysis Division
510–846–1276
Crystal.Sujeski@fire.ca.gov

Backup Contact:

Jena Garcia, Deputy State Fire Marshal III
Supervisor
CALFIRE / Office of the State Fire Marshal
Code Development and Analysis Division
916–531–7650
Jena.Garcia@fire.ca.gov

**TITLE 24. BUILDING STANDARDS
COMMISSION/STATE FIRE MARSHAL**

NOTICE OF PROPOSED ACTION TO
BUILDING STANDARDS OF THE
REGARDING THE 2025 CALIFORNIA
WILDLAND–URBAN INTERFACE CODE
CALIFORNIA CODE OF REGULATIONS,
TITLE 24, PART 7
(SFM 08/24)

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of State Fire Marshal proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 7. The SFM is proposing building standards related to 2024 Triennial rulemaking code cycle.

PUBLIC COMMENT PERIOD

Reference: Government Code Sections 11346.5(a)(1), 11346.5(a)(15) and 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **September 6, 2024**, until midnight on **October 21, 2024**.

Comments may be submitted to CBSC via:

Email: cbsc@dgs.ca.gov

US Mail postmarked no later than **October 21, 2024**:

California Building Standards Commission
Attention: Public Comments
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Note: Only comments received in an accessible format will be viewable via CBSC’s website.

Any interested person, or his or her duly authorized representative, may request no later than 15 days prior to the close of the written comment period that a public hearing be held.

The public will have an opportunity to provide written and oral comments regarding the proposed action on building standards at a public meeting to be conducted by CBSC to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

**POST–HEARING MODIFICATIONS TO THE
TEXT OF THE REGULATIONS**

Reference: Government Code Section 11346.5(a)(18).

Following the public comment period, CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15–day period.

NOTE: To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

AUTHORITY AND REFERENCE

Reference: Government Code Section 11346.5(a)(2).

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.2. The purpose of these building standards is to implement, interpret, or make specific the provisions of Health and Safety Code Sections 13108, 13108.5, 13113, 13113.5, 13114, 13132, 13132.7, 13133, 13135, 13143, 13143.1, 13143.2, 13143.6, 13143.9, 13145, 13146, 13210, 13211, 16022.5, and 17921.

The SFM is proposing this regulatory action based on Health and Safety Code Sections 1250, 1502, 1568.02, 1569.72–1569.78, 1597.44–1597.65, 13108, 13108.5, 13114, 13143, 13143.2, 13143.6, 13145, 13146, 13211, 16022.5, 17921, 18928, 18949.2, and 25500 through 25545; Government Code Sections 51176, 51177, 51178, 51179 and 51189; Public Education Code 17074.50; Public Resources Code Sections 4201 through 4204.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

Health and Safety Code Section 1250.

As used in this chapter, “health facility” means a facility, place, or building that is organized, maintained, and operated for the diagnosis, care, prevention, and treatment of human illness, physical or mental, including convalescence and rehabilitation and including care during and after pregnancy, or for any one or more of these purposes, for one or more persons, to which the persons are admitted for a 24-hour stay or longer.

Health and Safety Code Section 1502.

General provisions and Definitions for the California’s Community Care Facilities Act

Health and Safety Code Section 1568.02, 1569.72 through 1569.78.

General provisions and Levels of Care for Residential Care Facilities for the Elderly

Health and Safety Code Section 1597.44 through 1597.65.

General and Licensing provisions for Family Day Care

Health and Safety Code Section 13108(a).

The State Fire Marshal shall prepare and adopt building standards related to the means of egress, the installation of fire alarms and fire extinguishing systems in any state-owned building or in any state-occupied building.

Health and Safety Code Section 13108.5.

- (a) The State Fire Marshal, in consultation with the Director of Forestry and Fire Protection and the Director of Housing and Community Development, shall, pursuant to Section 18930, propose fire protection building standards for roofs, exterior walls, structure projections, including, but not limited to, porches, decks, balconies, and eaves, and structure openings, including, but not limited to, attic and eave vents and windows of buildings in fire hazard severity zones, including very high fire hazard severity zones designated by the Director of Forestry and Fire Protection pursuant to Article 9 (commencing with Section 4201) of Chapter 1 of Part 2 of Division 4 of the Public Resources Code.

Health and Safety Code Section 13113.

An automatic sprinkler system shall be installed in all 24-hour institutional type occupancies, and homes for the care of aged or senile persons.

Health and Safety Code Section 13113.5.

The State Fire Marshal Shall adopt regulations requiring the installation of automatic smoke detectors in all facilities which provide 24-hour per day care, which house six or fewer persons, and which do not have automatic sprinkler systems.

Health and Safety Code Section 13114(a).

The State Fire Marshal shall adopt regulations and standards to control the quality and installation of fire alarm systems and fire alarm devices marketed, distributed, offered for sale, or sold in this state, and that no person shall market, distribute, offer for sale, or sell any fire alarm system or fire alarm device in this state unless the system or device has been approved and listed by the State Fire Marshal.

Health and Safety Code Section 13132.

Every person, firm, or corporation maintaining or operating any facility for the care of the mentally handicapped shall file a statement with the fire authority having jurisdiction within five days of the admission or readmission of a patient stating that such patient is an ambulatory or a non-ambulatory person and enumerating the reasons for such classification. Such a statement shall also be filed for each existing patient within 30 days of the effective date of this section.

Any statement required to be filed pursuant to this section shall be certified as to its correctness by the person attending such patient.

It shall be unlawful for any person, firm, or corporation required to file a statement pursuant to this section to include false statements therein. Any such act shall be in violation of this section and subject to the provisions of Section 13112.

Health and Safety Code Section 13132.7.

Shall require fire retardant roof coverings in fire hazard severity zones.

Health and Safety Code Section 13133(a).

The State Fire Marshal shall develop and adopt regulations establishing new occupancy classifications and specific fire safety standards appropriate for residential facilities, and residential care facilities for the elderly. These fire safety standards shall apply uniformly throughout the state.

Health and Safety Code Section 13135.

The State Fire Marshal shall adopt regulations for alcoholism or drug abuse recovery or treatment facilities based on whether the residents or patients of the facilities are non-ambulatory.

Health and Safety Code Section 13143.

Grants the State Fire Marshal authority to prepare and adopt regulations establishing minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in any building or structure used or intended for use as an asylum, jail, mental hospital, hospital, home for the elderly, children’s nursery, children’s home or institution not otherwise excluded from the coverage of this subdivision, school, or any similar occupancy of any capacity, and in any assembly occupancy where 50 or more persons may gather together in a building, room, or structure for the purpose of amusement, entertain-

ment, instruction, deliberation, worship, drinking or dining, awaiting transportation, or education.

Health and Safety Code Section 13143.1(a).

The State Fire Marshal shall prepare, adopt, and submit building standards for establishing minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in any motion picture or television production facility.

Health and Safety Code Section 13143.2.

The State Fire Marshal shall enforce building standards published in the California Building Standards Code and those other rules and regulations adopted by the State Fire Marshal for the provision of structural fire safety and fire-resistant exits in multiple-story structures existing on January 1, 1975, let for human habitation, including, and limited to, apartment houses, hotels, and motels wherein rooms used for sleeping are let above the ground floor.

Health and Safety Code Section 13143.6(a).

The State Fire Marshal shall prepare and adopt regulations establishing minimum standards for the prevention of fire and for the protection of life and property against fire in any building or structure used intended for use as a home or institution for the housing of any person of any age for protective social care and supervision services by any governmental agency, certified family care homes, out-of-home placement facilities, and halfway houses.

Health and Safety Code Section 13143.9.

The State Fire Marshal shall establish minimum requirements for the storage, handling, and use of hazardous materials.

Health and Safety Code Section 13145.

The State Fire Marshal, the chief of any city, county, or city and county fire department or district providing fire protection services, or a Designated Campus Fire Marshal, and their authorized representatives, shall enforce in their respective areas building standards relating to fire and panic safety adopted by the State Fire Marshal and published in the California Building Standards Code and other regulations that have been formally adopted by the State Fire Marshal for the prevention of fire or for the protection of life and property against fire or panic.

Health and Safety Code Section 13146.

(a) The responsibility for enforcement of building standards adopted by the State Fire Marshal and published in the California Building Standards Code relating to fire and panic safety and other regulations of the State Fire Marshal shall be as follows:

- (1) The city, county, or city and county with jurisdiction in the area affected by the standard or regulation shall delegate the enforcement of the building standards relating to

fire and panic safety and other regulations of the State Fire Marshal as they relate to R-3 dwellings, as described in Section 310.5 of Part 2 of the California Building Standards Code, to either of the following:

- (A) The chief of the fire authority of the city, county, or city and county, or the chief's authorized representative.
- (B) The chief building official of the city, county, or city and county, or the official's authorized representative.

Health and Safety Code Section 13210.

- (a) "Existing high-rise structure" means a high-rise structure, the construction of which is commenced or completed prior to July 1, 1974.
- (b) "High-rise structure" means every building of any type of construction or occupancy having floors used for human occupancy located more than 75 feet above the lowest floor level having building access, except buildings used as hospitals, as defined in Section 1250.
- (c) "New high-rise structure" means a high-rise structure, the construction of which is commenced on or after July 1, 1974.

Health and Safety Code Section 13211.

The State Fire Marshal shall prepare and adopt building standards relating to fire and panic safety in high-rise structures.

Health and Safety Code Section 16022.5.

Following completion of construction of a state-owned or state-occupied essential services building, the State Fire Marshal may conduct regular inspections of those buildings for compliance with building standards relating to fire and panic safety.

Health and Safety Code Section 17921(b).

The State Fire Marshal shall adopt, amend, or repeal and submit building standards for approval pursuant to the provisions of Chapter 4 (commencing with Section 18935) of Part 2.5, and the State Fire Marshal shall adopt, amend, and repeal other rules and regulations for fire and panic safety in all hotels, motels, lodging houses, apartment houses and dwellings, buildings, and structures accessory thereto. These building standards and regulations shall be enforced pursuant to Sections 13145 and 13146; however, this section is not intended to require an inspection by a local fire agency of each single-family dwelling prior to its occupancy.

Health and Safety Code Section 18928(a).

Requires each state agency adopting or proposing adoption of a model code, national standards, or specification shall reference the most recent edition of applicable model codes, national standards, or specifications.

Health and Safety Code Section 18949.2

- (a) Any responsibilities of the State Fire Marshal to adopt, through a formal rulemaking process as provided in Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, relating to building standards, including, but not limited to, Sections 13108, 13143, 13143.6, and 13211, are hereby transferred to the commission.
- (b) The State Fire Marshal shall remain the state agency responsible for developing building standards to implement the state's fire and life safety policy. In its role as the fire and life safety standard developing agency, the State Fire Marshal shall continue its existing activities and forums designed to facilitate compromise and consensus among the various individuals and groups involved in development of the state's codes related to fire and life safety.
- (c) The state's fire and life safety building standards, as developed by the State Fire Marshal and as adopted by the commission, shall continue to be based on the state's fire and life safety policy goals and mandates as they existed prior to the enactment of this chapter and as they are amended.

Health and Safety Code Section 25500 through 25545.

- (a) The Legislature declares that, to protect the public health and safety and the environment, it is necessary to establish business and area plans relating to the handling and release or threatened release of hazardous materials. The establishment of a statewide environmental reporting system for these plans is a statewide requirement. Basic information on the location, type, quantity, and health risks of hazardous materials handled, used, stored, or disposed of in the state, which could be accidentally released into the environment, is required to be submitted to firefighters, health officials, planners, public safety officers, health care providers, regulatory agencies, and other interested persons. The information provided by business and area plans is necessary to prevent or mitigate the damage to the health and safety of persons and the environment from the release or threatened release of hazardous materials into the workplace and environment.

Government Code Section 51176 through 51179.

The purpose of this chapter is to classify lands in the state in accordance with whether a very high fire hazard is present so that public officials can identify measures that will retard the rate of spread, and reduce the potential intensity, of uncontrolled fires that

threaten to destroy resources, life, or property, and to require that those measures be taken.

Government Code Section 51189.

No later than January 31, 2020, the State Fire Marshal, in consultation with the director and the Director of Housing and Community Development, shall, pursuant to Section 18930 of the Health and Safety Code, recommend updated building standards that provide for comprehensive site and structure fire risk reduction to protect structures from fires spreading from adjacent structures or vegetation and to protect vegetation from fires spreading from adjacent structures, based on information learned from the 2017 wildfire season.

Public Education Code Section 17074.50.

- (a) On and after July 1, 2002, all new construction projects submitted to the Division of the State Architect pursuant to this chapter, including, but not limited to, hardship applications, that require the approval of the Department of General Services shall include an automatic fire detection, alarm, and sprinkler system as set forth in Section 17074.52 and approved by the State Fire Marshal.

Public Resources Code Sections 4201 through 4204.

The purpose of this article is to provide for the classification of lands within state responsibility areas in accordance with the severity of fire hazard present for the purpose of identifying measures to be taken to retard the rate of spreading and to reduce the potential intensity of uncontrolled fires that threaten to destroy resources, life, or property.

Summary of Existing Regulations

Currently, wildland laws and regulations are in several different locations, including:

- California Code of Regulations (CCR) Title 24 (T-24):
 - Part 2 California Building Code (CBC), Chapter 7A,
 - Part 2.5 California Residential Code (CRC), Chapter 3, section R337,
 - Part 9 California Fire Code (CFC), Chapter 49,
- CCR, Title 14, Natural Resources Code (T-14),
- CCR, Title 19, Public Safety Code (T-19), and
- California state laws:
 - Public Resources Code (PRC),
 - Government Code (GOV),
 - Health and Safety Code (HSC).

Summary of Effect

The purpose of the proposed regulatory actions is to provide a single location for all wildland laws and regulations by adopting by reference the 2024 edition

of the International Wildland–Urban Interface Code (IWUIC), with California amendments, into the currently vacant California Code of Regulations (CCR), Title 24, California Building Standards Code (CBSC), Part 7 with the title of the “California Wildland–Urban Interface Code” (CWUIC).

By having all wildland laws and regulations in a single location, designers, contractors, homeowners, and Authorities Having Jurisdiction (AHJ) will have a one-stop shop to find the laws and regulations they need for enforcement.

The IWUIC framework is constructed of chapters covering different topics that address specific topics in the wildland environment.

- Chapter 1 contains administrative provisions. Consistent with other parts of the T–24, Chapter 1 is proposed to consist of two divisions. Chapter 1, Division I will detail the California state agency’s identifiable administrative provisions. Chapter 1, Division II will contain specific adopted sections like other parts of the T–24.
- Chapter 2 contains definitions and will incorporate specific definitions used throughout the document consistent with the current T–24 regulations and state laws as appropriate.
- Chapter 3 addresses wildland–urban interface areas. This section is amended to refer to how California establishes fire hazard severity zones.
- Chapter 4 establishes the access, water supply, and fire protection plan requirements based on designated fire hazard severity zones. The California version of this chapter will incorporate sections from the T–24, Part 9 CFC, Chapters 5 and 49 as well as requirements found in the PRC, T–14, and other statutes and regulations found in California.
- Chapter 5 contains the construction requirements for new buildings constructed in designated fire hazard severity zones. This proposed Part 7 CWUIC will relocate all of the current requirements found in T–24, Part 2 CBC, Chapter 7A, and Part 2.5 CRC, Chapter 3, section R337 into Chapter 5.
- Chapter 6 contains requirements for the establishment and maintenance of defensible space, and other items needed to protect structures in the wildland–urban interface areas. It is amended to relocate current provisions that are in T–24, Part 9 CFC.
- Chapter 7 is the referenced standards of the IWUIC and will be amended to incorporate all relevant referenced standards found within the regulations of the document.
- Two appendices are added to the CWUIC to assist local agencies. Appendix D is a model adop-

tion ordinance for designation of fire hazard severity zone with the local responsibility area (LRA). Appendix G contains home hardening recommendations for existing structures.

The proposal to create a Part 7 California Wildland–Urban Interface Code (CWUIC) will be an improvement for the challenges faced by designers, contractors, homeowners, and Authorities Having Jurisdiction (AHJ). This single document sets California apart as the leader and innovator in establishing solutions faced in the wildland–built environment. Consolidating the laws and regulations into this single document creates a functional tool that will facilitate the robust construction and maintenance of buildings in California’s wildland–urban interface area.

Comparable Federal Statute or Regulations

The SFM has determined that there are no comparable federal regulations or statutes addressing the fire and life safety requirements as presented in this notice.

Policy Statement Overview

The specific purpose of this rulemaking effort by the SFM is to act in accordance with Health and Safety Code section 18929.1, which requires all proposed regulations to specifically comply with this section regarding the Triennial code adoption cycle.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies addressed in 2024 International Wildland–Urban Interface Code and published as the 2025 California Wildland–Urban Interface Code.

The SFM further proposes to offer new amendments where necessary to ensure that the regulations of the California Wildland–Urban Interface Code, establish and or maintain minimum requirements for the prevention of fire and panic for the protection of life and property against fire and panic in any building or structure used or intended for use as defined in each of the Health and Safety Code references shown above.

Evaluation of Consistency

The proposed regulations are consistent with existing state regulations.

OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS

Reference: Government Code Section 11346.5(a)(4).

The SFM has determined that there are no other prescribed statutes or any specific regulation or class of regulation applicable to the amendments and building

standards relating to the 2025 California Wildland–Urban Interface Code.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

Reference: Government Code Section 11346.5(a)(5).

SFM has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

ESTIMATE OF COST OR SAVINGS

Reference: Government Code Section 11346.5(a)(6).

An estimate, prepared in accordance with instructions adopted by Department of Finance, of cost or savings to any state agency, local agency, or school district.

- A. Cost or Savings to any state agency: **NO**.
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**.
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**.
- D. Other nondiscretionary cost or savings imposed on local agencies: **NO**.
- E. Cost or savings in federal funding to the state: **NO**.

Estimate: N/A.

INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES

Reference: Government Code Section 11346.5(a)(8).

If the agency makes an initial determination that the adoption/amendment/repeal of this regulation will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall make a declaration to that effect.

SFM has made an initial determination that the adoption/amendment/repeal of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

Declaration of Evidence

Reference: Government Code Section 11346.5(a)(8).

In making the declaration, the agency shall provide in the record of facts, evidence, documents, testimony, or other evidence that the agency relied upon to support its initial determination of no effect.

The SFM affirms that this rulemaking action complies specifically with the mandates of HSC Sections

13143, 18928, 18949.2(b), 18949(c) and the mandates of the statutory authority of the SFM. Numerous public workshops were held during the per–rulemaking phase of the intervening code cycle and no comments have been made that the proposed changes would have significant statewide adverse economic impact on businesses. SFM is proposing to consolidate the existing wildland laws and regulations in one document, making only minor amendments with no intended change in regulatory effect since these amendments are equivalent to current requirements in the Code.

Therefore, the SFM’s initial determination of no significant, statewide adverse economic impact directly affecting business in California and their ability to compete with businesses in other states does not require any additional evidence, documents, or other evidence to support this action. The public is welcome to submit any information, facts, or documents either supporting SFM’s initial determination or finding to the contrary.

FINDING OF NECESSITY FOR THE PUBLIC’S HEALTH, SAFETY, OR WELFARE

Reference: Government Code Section 11346.5(a)(11).

Any regulation that requires a report shall not apply to businesses, unless the agency makes a finding that it is necessary for the health, safety, or welfare of the public that the regulations apply to businesses.

N/A.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

Reference: Government Code Section 11346.5(a)(9).

Describe all cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. If no cost impact, provide the following statement:

SFM is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION

Reference: Government Code Section 11346.5(a)(10).

The State Fire Marshal has assessed whether and to what extent this proposal will affect the following:

A. The creation or elimination of jobs within the State of California.

These regulations will not affect the creation, or cause the elimination, of jobs within the State of California.

B. The creation of new businesses or the elimination of existing businesses within the State of California.

These regulations will not affect the creation of new businesses or the elimination of existing business within the State of California.

C. The expansion of businesses currently doing business within the State of California.

These regulations will not affect the expansion of businesses currently doing business within the State of California.

D. The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.

These regulations will update and improve minimum building standards, which will provide increased protection of public health and safety, worker safety and the environment.

**ESTIMATED COST OF COMPLIANCE OF
STANDARDS THAT WOULD
IMPACT HOUSING**

Reference: Government Code Section 11346.5(a)(12).

The SFM has determined that no additional cost of compliance with standards would impact housing.

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).

SFM has determined that no reasonable alternative considered by SFM or that has otherwise been identified and brought to the attention of SFM would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

In addition, no reasonable alternative considered by SFM or that has otherwise been identified and brought to the attention of SFM would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

**AVAILABILITY OF
RULEMAKING DOCUMENTS**

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

All of the information upon which the proposed regulations are based is contained in the rulemaking file,

which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(19).

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(21).

SFM shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law. The statement shall note that providing the accessible description of proposed changes may require extending the period of public comment for the proposed action.

**CBSC CONTACT PERSON FOR
PROCEDURAL AND
ADMINISTRATIVE QUESTIONS**

Reference: Government Code Section 11346.5(a)(14).

General questions regarding procedural and administrative issues should be addressed to:

Kevin Day, Deputy Executive Director
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone: (916) 263–0916

**PROPOSING STATE AGENCY CONTACT
PERSON FOR SUBSTANTIVE OR
TECHNICAL QUESTIONS ON THE
PROPOSED CHANGES TO
BUILDING STANDARDS**

Specific questions regarding the substantive or technical aspects of the proposed changes to the building standards should be addressed to:

Primary Contact:

Crystal Sujeski, Division Chief
CALFIRE / Office of the State Fire Marshal
Code Development and Analysis Division
510–846–1276
Crystal.Sujeski@fire.ca.gov

Back up Contact:

Jena Garcia, Deputy State Fire Marshal III
Supervisor
CALFIRE / Office of the State Fire Marshal
Code Development and Analysis Division
916–531–7650
Jena.Garcia@fire.ca.gov

TITLE 24. BUILDING STANDARDS COMMISSION/STATE FIRE MARSHAL

NOTICE OF PROPOSED ACTION TO BUILDING STANDARDS OF THE REGARDING THE 2025 CALIFORNIA FIRE CODE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 9 (SFM 06/24)

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the State Fire Marshal proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 9. The SFM is proposing building standards related to the 2024 Triennial rulemaking code cycle.

PUBLIC COMMENT PERIOD

Reference: Government Code Sections 11346.5(a)(1), 11346.5(a)(15) and 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **September 6, 2024**, until midnight on **October 21, 2024**.

Comments may be submitted to CBSC via:

Email: cbsc@dgs.ca.gov

US Mail postmarked no later than **October 21, 2024**:

California Building Standards Commission
Attention: Public Comments
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Note: Only comments received in an accessible format will be viewable via CBSC’s website.

Any interested person, or his or her duly authorized representative, may request no later than 15 days prior to the close of the written comment period that a public hearing be held.

The public will have an opportunity to provide written and oral comments regarding the proposed action on building standards at a public meeting to be conducted by CBSC to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time, and location of the public meeting.

POST-HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS

Reference: Government Code Section 11346.5(a)(18).

Following the public comment period, CBSC may adopt the proposed building standards substantially as

proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

NOTE: To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

AUTHORITY AND REFERENCE

Reference: Government Code Section 11346.5(a)(2).

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.2. The purpose of these building standards is to implement, interpret, or make specific the provisions of Health and Safety Code Sections 13108, 13108.5, 13113, 13113.5, 13114, 13115, 13121, 13132, 13132.7, 13133, 13135, 13143, 13143.1, 13143.2, 13143.6, 13143.9, 13145, 13146, 13210, 13211, 16022.5, and 17921.

The SFM is proposing this regulatory action based on Health and Safety Code Sections 1250, 1502, 1568.02, 1569.72–1569.78, 1597.44–1597.65, 13108, 13108.5, 13114, 13116, 13120, 13143, 13143.2, 13143.6, 13145, 13146, 13211, 16022.5, 17921, 18928, and 18949.2, and 25500 through 25545; Government Code Sections 51176 through 51179, and 51189; Public Education Code 17074.50; Public Resources Code Sections 4201 through 4204.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

Health and Safety Code Section 1250.

As used in this chapter, “health facility” means a facility, place, or building that is organized, maintained, and operated for the diagnosis, care, prevention, and treatment of human illness, physical or mental, including convalescence and rehabilitation and including care during and after pregnancy, or for any one or more of these purposes, for one or more persons, to which the persons are admitted for a 24-hour stay or longer.

Health and Safety Code Section 1502.

General Provisions and Definitions for California’s Community Care Facilities Act

Health and Safety Code Section 1568.02, 1569.72 through 1569.78.

General Provisions and Levels of Care for Residential Care Facilities for the Elderly

Health and Safety Code Section 1597.44 through 1597.65.

General and Licensing provisions for Family Day Care

Health and Safety Code Section 13108(a).

The State Fire Marshal shall prepare and adopt building standards related to the means of egress, the installation of fire alarms, and fire extinguishing systems in any state-owned building or any state-occupied building.

Health and Safety Code Section 13108.5.

- (a) The State Fire Marshal, in consultation with the Director of Forestry and Fire Protection and the Director of Housing and Community Development, shall, pursuant to Section 18930, propose fire protection building standards for roofs, exterior walls, structure projections, including, but not limited to, porches, decks, balconies, and eaves, and structure openings, including, but not limited to, attic and eave vents and windows of buildings in fire hazard severity zones, including very high fire hazard severity zones designated by the Director of Forestry and Fire Protection pursuant to Article 9 (commencing with Section 4201) of Chapter 1 of Part 2 of Division 4 of the Public Resources Code.

Health and Safety Code Section 13113.

An automatic sprinkler system shall be installed in all 24-hour institutional-type occupancies, and homes for the care of aged or senile persons.

Health and Safety Code Section 13113.5.

The State Fire Marshal Shall adopt regulations requiring the installation of automatic smoke detectors in all facilities that provide 24-hour per day care, which house six or fewer persons, and which do not have automatic sprinkler systems.

Health and Safety Code Section 13114(a).

The State Fire Marshal shall adopt regulations and standards to control the quality and installation of fire alarm systems and fire alarm devices marketed, distributed, offered for sale, or sold in this state, and no person shall market, distribute, offer for sale, or sell any fire alarm system or fire alarm device in this state unless the system or device has been approved and listed by the State Fire Marshal.

Health and Safety Code Section 13115(b).

It shall be unlawful for any person to manufacture, sell, or offer for sale any tent designed and intended for use for occupancy by less than 15 persons unless the tent is made from flame-retardant fabrics or materials approved by the State Fire Marshal. A tent described in this subdivision shall be labeled in a manner specified by the State Fire Marshal. Any manufacturer of tents for sale in this state who fails to use flame-retardant fabrics or materials or who fails to label them

as specified by the State Fire Marshal shall be strictly liable for any damage that occurs to any person as a result of a violation of this section.

Health and Safety Code Section 13116.

Except as provided in Section 18930, the State Fire Marshal shall prepare and adopt rules and regulations establishing minimum requirements for the prevention of fire and panic in connection with the use of tents, awnings or other fabric enclosures. The State Fire Marshal shall adopt and submit building standards for approval pursuant to Chapter 4 (commencing with Section 18935) of Part 2.5 of Division 13 of this code for the purposes described in this section.

Health and Safety Code Section 13120.

The State Fire Marshal shall establish minimum standard requirements, and shall adopt rules and regulations as are deemed necessary by him or her to properly regulate the manufacture, sale and application of flame-retardant chemicals and the sale of flame-retardant treated fabrics or materials used or intended for use in connection with any occupancy mentioned in Sections 13115 and 13119.

Health and Safety Code Section 13121.

The State Fire Marshal shall, before approving any flame-retardant chemical, fabric or material, require that flame-retardant chemicals and flame-retardant fabrics or materials be submitted to a laboratory approved by him or her for testing in accordance with the standards established pursuant to Section 13120.

Health and Safety Code Section 13132.

Every person, firm, or corporation maintaining or operating any facility for the care of the mentally handicapped shall file a statement with the fire authority having jurisdiction within five days of the admission or readmission of a patient stating that such patient is an ambulatory or a non-ambulatory person and enumerating the reasons for such classification. Such a statement shall also be filed for each existing patient within 30 days of the effective date of this section.

Any statement required to be filed pursuant to this section shall be certified as to its correctness by the person attending such patient.

It shall be unlawful for any person, firm, or corporation required to file a statement pursuant to this section to include false statements therein. Any such act shall be in violation of this section and subject to the provisions of Section 13112.

Health and Safety Code Section 13132.7.

Shall require fire retardant roof coverings in fire hazard severity zones.

Health and Safety Code Section 13133(a).

The State Fire Marshal shall develop and adopt regulations establishing new occupancy classifications and specific fire safety standards appropriate for residential facilities, and residential care facilities for the

elderly. These fire safety standards shall apply uniformly throughout the state.

Health and Safety Code Section 13135.

The State Fire Marshal shall adopt regulations for alcoholism or drug abuse recovery or treatment facilities based on whether the residents or patients of the facilities are non –ambulatory.

Health and Safety Code Section 13143.

Grants the State Fire Marshal authority to prepare and adopt regulations establishing minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in any building or structure used or intended for use as an asylum, jail, mental hospital, hospital, home for the elderly, children’s nursery, children’s home or institution not otherwise excluded from the coverage of this subdivision, school, or any similar occupancy of any capacity, and in any assembly occupancy where 50 or more persons may gather together in a building, room, or structure for the purpose of amusement, entertainment, instruction, deliberation, worship, drinking or dining, awaiting transportation, or education.

Health and Safety Code Section 13143.1(a).

The State Fire Marshal shall prepare, adopt, and submit building standards for establishing minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in any motion picture or television production facility.

Health and Safety Code Section 13143.2.

The State Fire Marshal shall enforce building standards published in the California Building Standards Code and those other rules and regulations adopted by the State Fire Marshal for the provision of structural fire safety and fire-resistant exits in multiple-story structures existing on January 1, 1975, let for human habitation, including, and limited to, apartment houses, hotels, and motels wherein rooms used for sleeping are let above the ground floor.

Health and Safety Code Section 13143.6(a).

The State Fire Marshal shall prepare and adopt regulations establishing minimum standards for the prevention of fire and for the protection of life and property against fire in any building or structure intended for use as a home or institution for the housing of any person of any age for protective social care and supervision services by any governmental agency, certified family care homes, out-of-home placement facilities, and halfway houses.

Health and Safety Code Section 13143.9.

The State Fire Marshal shall establish minimum requirements for the storage, handling, and use of hazardous materials.

Health and Safety Code Section 13145.

The State Fire Marshal, the chief of any city, county, or city and county fire department or district providing

fire protection services, or a Designated Campus Fire Marshal, and their authorized representatives, shall enforce in their respective areas building standards relating to fire and panic safety adopted by the State Fire Marshal and published in the California Building Standards Code and other regulations that have been formally adopted by the State Fire Marshal for the prevention of fire or the protection of life and property against fire or panic.

Health and Safety Code Section 13146.

- (a) The responsibility for enforcement of building standards adopted by the State Fire Marshal and published in the California Building Standards Code relating to fire and panic safety and other regulations of the State Fire Marshal shall be as follows:
 - (1) The city, county, or city and county with jurisdiction in the area affected by the standard or regulation shall delegate the enforcement of the building standards relating to fire and panic safety and other regulations of the State Fire Marshal as they relate to R-3 dwellings, as described in Section 310.5 of Part 2 of the California Building Standards Code, to either of the following:
 - (A) The chief of the fire authority of the city, county, or city and county, or the chief’s authorized representative.
 - (B) The chief building official of the city, county, or city and county, or the official’s authorized representative.

Health and Safety Code Section 13210.

- (a) “Existing high-rise structure” means a high-rise structure, the construction of which is commenced or completed prior to July 1, 1974.
- (b) “High-rise structure” means every building of any type of construction or occupancy having floors used for human occupancy located more than 75 feet above the lowest floor level having building access, except buildings used as hospitals, as defined in Section 1250.
- (c) “New high-rise structure” means a high-rise structure, the construction of which is commenced on or after July 1, 1974.

Health and Safety Code Section 13211.

The State Fire Marshal shall prepare and adopt building standards relating to fire and panic safety in high-rise structures.

Health and Safety Code Section 16022.5.

Following the completion of construction of a state-owned or state-occupied essential services building, the State Fire Marshal may conduct regular inspections of those buildings for compliance with building standards relating to fire and panic safety.

Health and Safety Code Section 17921(b).

The State Fire Marshal shall adopt, amend, or repeal and submit building standards for approval pursuant to the provisions of Chapter 4 (commencing with Section 18935) of Part 2.5, and the State Fire Marshal shall adopt, amend, and repeal other rules and regulations for fire and panic safety in all hotels, motels, lodging houses, apartment houses, and dwellings, buildings, and structures accessory thereto. These building standards and regulations shall be enforced pursuant to Sections 13145 and 13146; however, this section is not intended to require an inspection by a local fire agency of each single-family dwelling prior to its occupancy.

Health and Safety Code Section 18928(a).

Requires each state agency adopting or proposing adoption of a model code, national standards, or specification shall reference the most recent edition of applicable model codes, national standards, or specifications.

Health and Safety Code Section 18949.2

- (a) Any responsibilities of the State Fire Marshal to adopt, through a formal rulemaking process as provided in Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, relating to building standards, including, but not limited to, Sections 13108, 13143, 13143.6, and 13211, are hereby transferred to the commission.
- (b) The State Fire Marshal shall remain the state agency responsible for developing building standards to implement the state's fire and life safety policy. In its role as the fire and life safety standard developing agency, the State Fire Marshal shall continue its existing activities and forums designed to facilitate compromise and consensus among the various individuals and groups involved in the development of the state's codes related to fire and life safety.
- (c) The state's fire and life safety building standards, as developed by the State Fire Marshal and as adopted by the commission, shall continue to be based on the state's fire and life safety policy goals and mandates as they existed prior to the enactment of this chapter and as they are amended.

Health and Safety Code Section 25500 through 25545.

- (a) The Legislature declares that to protect public health and safety and the environment, it is necessary to establish business and area plans relating to the handling and release or threatened release of hazardous materials. The establishment of a statewide environmental reporting system for these plans is a statewide requirement. Basic information on the location, type, quantity, and

health risks of hazardous materials handled, used, stored, or disposed of in the state, which could be accidentally released into the environment, is required to be submitted to firefighters, health officials, planners, public safety officers, health care providers, regulatory agencies, and other interested persons. The information provided by business and area plans is necessary to prevent or mitigate the damage to the health and safety of persons and the environment from the release or threatened release of hazardous materials into the workplace and environment.

Government Code Section 51176 through 51179.

The purpose of this chapter is to classify lands in the state in accordance with whether a very high fire hazard is present so that public officials can identify measures that will retard the rate of spread, and reduce the potential intensity, of uncontrolled fires that threaten to destroy resources, life, or property, and to require that those measures be taken.

Government Code Section 51189.

No later than January 31, 2020, the State Fire Marshal, in consultation with the director and the Director of Housing and Community Development, shall, pursuant to Section 18930 of the Health and Safety Code, recommend updated building standards that provide for comprehensive site and structure fire risk reduction to protect structures from fires spreading from adjacent structures or vegetation and to protect vegetation from fires spreading from adjacent structures, based on information learned from the 2017 wildfire season

Public Education Code Section 17074.50.

- (a) On and after July 1, 2002, all new construction projects submitted to the Division of the State Architect pursuant to this chapter, including, but not limited to, hardship applications, that require the approval of the Department of General Services shall include an automatic fire detection, alarm, and sprinkler system as set forth in Section 17074.52 and approved by the State Fire Marshal.

Public Resources Code Sections 4201 through 4204.

The purpose of this article is to provide for the classification of lands within state responsibility areas in accordance with the severity of fire hazard present for the purpose of identifying measures to be taken to retard the rate of spreading and to reduce the potential intensity of uncontrolled fires that threaten to destroy resources, life, or property.

Summary of Existing Regulations

The SFM currently adopts by reference the 2021 International Fire Code into California Code of Regulations, Title 24, Part 9, 2022 California Fire Code with SFM amendments and additional building

standards relating to regulations that establish minimum requirements for the prevention of fire and the protection of life and property against fire and in any building or structure used or intended for use as defined in each of the Health and Safety Code references shown above.

Summary of Effect

The general purpose of this proposed action is principally intended to adopt the 2024 International Fire Code into 2025 California Fire Code (California Code of Regulations, Title 24, Part 9) with necessary amendments based upon updated information or recent actions of the SFM. This proposed action:

- Repeal certain amendments to the 2021 International Fire Code and/or California Building Standards not addressed by the model code that is no longer necessary nor justified pursuant to Health and Safety Code 18930(a)(7).
- Adopt and implement additional necessary amendments to the 2025 California Fire Code that address inadequacies of the 2024 International Fire Code as they pertain to California laws.
- Codify non–substantive editorial and formatting amendments to the 2025 California Fire Code.

Comparable Federal Statutes or Regulations

The SFM has determined that there are no comparable federal regulations or statutes addressing the fire and life safety requirements as presented in this notice.

Policy Statement Overview

The specific purpose of this rulemaking effort by the SFM is to act in accordance with Health and Safety Code section 18929.1, which requires all proposed regulations to specifically comply with this section regarding the Triennial code adoption cycle.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies addressed in the 2024 International Fire Code and published as the 2025 California Fire Code.

The SFM further proposes to offer new amendments where necessary to ensure that the regulations of the California Fire Code, establish and or maintain minimum requirements for the prevention of fire and panic for the protection of life and property against fire and panic in any building or structure used or intended for use as defined in each of the Health and Safety Code references shown above.

Evaluation of Consistency

The proposed regulations are consistent with existing state regulations.

OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS

Reference: Government Code Section 11346.5(a)(4).

The SFM has determined that there are no other prescribed statutes or any specific regulation or class of regulation applicable to the amendments and building standards relating to the 2025 California Fire Code.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

Reference: Government Code Section 11346.5(a)(5).

SFM has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

ESTIMATE OF COST OR SAVINGS

Reference: Government Code Section 11346.5(a)(6).

An estimate, prepared in accordance with instructions adopted by the Department of Finance, of cost or savings to any state agency, local agency, or school district.

- Cost or Savings to any state agency: **No.**
- Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **No.**
- Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **No.**
- Other non–discretionary cost or savings imposed on local agencies: **No.**
- Cost or savings in federal funding to the state: **No.**

Estimate: N/A.

INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES

Reference: Government Code Section 11346.5(a)(8).

If the agency makes an initial determination that the adoption/amendment/repeal of this regulation will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall make a declaration to that effect.

SFM has made an initial determination that the adoption/amendment/repeal of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

Declaration of Evidence

Reference: Government Code Section 11346.5(a)(8).

In making the declaration, the agency shall provide in the record of facts, evidence, documents, testimony, or other evidence that the agency relied upon to support its initial determination of no effect.

The SFM affirms that this rulemaking action complies specifically with the mandates of HSC Sections 13143, 18928, 18949.2(b), 18949(c), and the mandates of the statutory authority of the SFM. SFM is adopting the latest edition of the model code according to HSC Section 18928, making only minor amendments with no intended change in regulatory effect since these amendments are equivalent to current requirements in the Code.

Therefore, the SFM's initial determination of no significant, statewide adverse economic impact directly affecting businesses in California and their ability to compete with businesses in other states does not require any additional evidence, documents, or other evidence to support this action. The public is welcome to submit any information, facts, or documents either supporting SFM's initial determination or finding to the contrary.

FINDING OF NECESSITY FOR THE PUBLIC'S HEALTH, SAFETY, OR WELFARE

Reference: Government Code Section 11346.5(a)(11).

Any regulation that requires a report shall not apply to businesses unless the agency makes a finding that it is necessary for the health, safety, or welfare of the public that the regulations apply to businesses.

N/A.

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

Reference: Government Code Section 11346.5(a)(9).

Describe all cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. If no cost impact, provide the following statement:

SFM is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION

Reference: Government Code Section 11346.5(a)(10).

The SFM has assessed whether and to what extent this proposal will affect the following:

A. The creation or elimination of jobs within the State of California.

These regulations will not affect the creation, or cause the elimination, of jobs within the State of California.

B. The creation of new businesses or the elimination of existing businesses within the State of California.

These regulations will not affect the creation of new businesses or the elimination of existing businesses within the State of California.

C. The expansion of businesses currently doing business within the State of California.

These regulations will not affect the expansion of businesses currently doing business within the State of California.

D. The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.

These regulations will update and improve minimum building standards, which will provide increased protection of public health and safety, worker safety, and the environment.

ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING

Reference: Government Code Section 11346.5(a)(12).

The SFM has determined that no additional cost of compliance with standards would impact housing.

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).

SFM has determined that no reasonable alternative considered by SFM or that has otherwise been identified and brought to the attention of SFM would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action. In addition, no reasonable alternative considered by SFM or that has otherwise been identified and brought to the attention of SFM would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

AVAILABILITY OF RULEMAKING DOCUMENTS

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms, and the initial statement of reasons can be accessed from the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(19).

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(21).

SFM shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law. The statement shall note that providing an accessible description of proposed changes may require extending the period of public comment for the proposed action.

**CBSC CONTACT PERSON FOR
PROCEDURAL AND
ADMINISTRATIVE QUESTIONS**

Reference: Government Code Section 11346.5(a)(14).

General questions regarding procedural and administrative issues should be addressed to:

Kevin Day, Deputy Executive Director
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833
Telephone: (916) 263–0916

**PROPOSING STATE AGENCY CONTACT
PERSON FOR SUBSTANTIVE OR
TECHNICAL QUESTIONS ON THE
PROPOSED CHANGES TO
BUILDING STANDARDS**

Specific questions regarding the substantive or technical aspects of the proposed changes to the building standards should be addressed to:

Primary Contact:

Crystal Sujeski, Division Chief
CALFIRE / Office of the State Fire Marshal
Code Development and Analysis Division
510–846–1276
Crystal.Sujeski@fire.ca.gov

Backup Contact:

Jena Garcia, Deputy State Fire Marshal III
Specialist
CALFIRE / Office of the State Fire Marshal
Code Development and Analysis Division
916–531–7650
Jena.Garcia@fire.ca.gov

**TITLE 24. BUILDING STANDARDS
COMMISSION/STATE FIRE MARSHAL**

**NOTICE OF PROPOSED ACTION TO
BUILDING STANDARDS OF THE
REGARDING THE 2025 CALIFORNIA
EXISTING BUILDING CODE CALIFORNIA
CODE OF REGULATIONS, TITLE 24,
PART 10 (SFM 09/24)**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of State Fire Marshal proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 10. The SFM is proposing building standards related to 2024 Triennial rulemaking code cycle.

PUBLIC COMMENT PERIOD

Reference: Government Code Sections 11346.5(a)(1), 11346.5(a)(15) and 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **September 6, 2024**, until midnight on **October 21, 2024**.

Comments may be submitted to CBSC via:

Email: cbcs@dgs.ca.gov

US Mail postmarked no later than **October 21, 2024**:

California Building Standards Commission
Attention: Public Comments
2525 Natomas Park Drive, Suite 130
Sacramento, CA 95833

Note: Only comments received in an accessible format will be viewable via CBSC's website.

Any interested person, or his or her duly authorized representative, may request no later than 15 days prior to the close of the written comment period that a public hearing be held.

The public will have an opportunity to provide written and oral comments regarding the proposed action on building standards at a public meeting to be conducted by CBSC to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be

issued announcing the date, time, and location of the public meeting.

POST-HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS

Reference: Government Code Section 11346.5(a)(18).

Following the public comment period, CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

NOTE: To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

AUTHORITY AND REFERENCE

Reference: Government Code Section 11346.5(a)(2).

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.2. The purpose of these building standards is to implement, interpret, or make specific the provisions of Health and Safety Code Sections 13108, 13108.5, 13113, 13113.5, 13114, 13132, 13132.7, 13133, 13135, 13143, 13143.1, 13143.2, and 13143.6, 13143.9, 13145, 13146, 13210, 13211, 16022.5, and 17921.

The SFM is proposing this regulatory action based on Health and Safety Code Sections 1250, 1502, 1568.02, 1569.72–1569.78, 1597.44–1597.65, 13108, 13108.5, 13114, 13143, 13143.2, 13143.6, 13145, 13146, 13211, 16022.5, 17921, 18928, 18949.2 and 25500 through 25545; Government Code Sections 51176, 51177, 51178, 51179 and 51189; Public Education Code 17074.50; Public Resources Code Sections 4201 through 4204.

INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

Summary of Existing Laws

Health and Safety Code Section 1250.

As used in this chapter, “health facility” means a facility, place, or building that is organized, maintained, and operated for the diagnosis, care, prevention, and treatment of human illness, physical or mental, including convalescence and rehabilitation and including care during and after pregnancy, or for any one or more of these purposes, for one or more persons,

to which the persons are admitted for a 24-hour stay or longer.

Health and Safety Code Section 1502.

General Provisions and Definitions for California’s Community Care Facilities Act

Health and Safety Code Section 1568.02, 1569.72 through 1569.78.

General Provisions and Levels of Care for Residential Care Facilities for the Elderly

Health and Safety Code Section 1597.44 through 1597.65.

General and Licensing provisions for Family Day Care

Health and Safety Code Section 13108(a).

The State Fire Marshal shall prepare and adopt building standards related to the means of egress, the installation of fire alarms, and fire extinguishing systems in any state-owned building or any state-occupied building.

Health and Safety Code Section 13108.5.

- (a) The State Fire Marshal, in consultation with the Director of Forestry and Fire Protection and the Director of Housing and Community Development, shall, pursuant to Section 18930, propose fire protection building standards for roofs, exterior walls, structure projections, including, but not limited to, porches, decks, balconies, and eaves, and structure openings, including, but not limited to, attic and eave vents and windows of buildings in fire hazard severity zones, including very high fire hazard severity zones designated by the Director of Forestry and Fire Protection pursuant to Article 9 (commencing with Section 4201) of Chapter 1 of Part 2 of Division 4 of the Public Resources Code.

Health and Safety Code Section 13113.

An automatic sprinkler system shall be installed in all 24-hour institutional-type occupancies, and homes for the care of aged or senile persons.

Health and Safety Code Section 13113.5.

The State Fire Marshal Shall adopt regulations requiring the installation of automatic smoke detectors in all facilities that provide 24-hour per day care, which house six or fewer persons, and which do not have automatic sprinkler systems.

Health and Safety Code Section 13114(a).

The State Fire Marshal shall adopt regulations and standards to control the quality and installation of fire alarm systems and fire alarm devices marketed, distributed, offered for sale, or sold in this state, and no person shall market, distribute, offer for sale, or sell any fire alarm system or fire alarm device in this state unless the system or device has been approved and listed by the State Fire Marshal.

Health and Safety Code Section 13132.

Every person, firm, or corporation maintaining or operating any facility for the care of the mentally handicapped shall file a statement with the fire authority having jurisdiction within five days of the admission or readmission of a patient stating that such patient is an ambulatory or a non-ambulatory person and enumerating the reasons for such classification. Such a statement shall also be filed for each existing patient within 30 days of the effective date of this section.

Any statement required to be filed pursuant to this section shall be certified as to its correctness by the person attending such patient.

It shall be unlawful for any person, firm, or corporation required to file a statement pursuant to this section to include false statements therein. Any such act shall violate this section and be subject to the provisions of Section 13112.

Health and Safety Code Section 13132.7.

Shall require fire retardant roof coverings in fire hazard severity zones.

Health and Safety Code Section 13133(a).

The State Fire Marshal shall develop and adopt regulations establishing new occupancy classifications and specific fire safety standards appropriate for residential facilities, and residential care facilities for the elderly. These fire safety standards shall apply uniformly throughout the state.

Health and Safety Code Section 13135.

The State Fire Marshal shall adopt regulations for alcoholism or drug abuse recovery or treatment facilities based on whether the residents or patients of the facilities are non-ambulatory.

Health and Safety Code Section 13143.

Grants the State Fire Marshal authority to prepare and adopt regulations establishing minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in any building or structure used or intended for use as an asylum, jail, mental hospital, hospital, home for the elderly, children's nursery, children's home or institution not otherwise excluded from the coverage of this subdivision, school, or any similar occupancy of any capacity, and in any assembly occupancy where 50 or more persons may gather together in a building, room, or structure for the purpose of amusement, entertainment, instruction, deliberation, worship, drinking or dining, awaiting transportation, or education.

Health and Safety Code Section 13143.1(a).

The State Fire Marshal shall prepare, adopt, and submit building standards for establishing minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in any motion picture or television production facility.

Health and Safety Code Section 13143.2.

The State Fire Marshal shall enforce building standards published in the California Building Standards Code and those other rules and regulations adopted by the State Fire Marshal for the provision of structural fire safety and fire-resistant exits in multiple-story structures existing on January 1, 1975, let for human habitation, including, and limited to, apartment houses, hotels, and motels wherein rooms used for sleeping are let above the ground floor.

Health and Safety Code Section 13143.6(a).

The State Fire Marshal shall prepare and adopt regulations establishing minimum standards for the prevention of fire and for the protection of life and property against fire in any building or structure intended for use as a home or institution for the housing of any person of any age for protective social care and supervision services by any governmental agency, certified family care homes, out-of-home placement facilities, and halfway houses.

Health and Safety Code Section 13143.9.

The State Fire Marshal shall establish minimum requirements for the storage, handling, and use of hazardous materials.

Health and Safety Code Section 13145.

The State Fire Marshal, the chief of any city, county, or city and county fire department or district providing fire protection services, or a Designated Campus Fire Marshal, and their authorized representatives, shall enforce in their respective areas building standards relating to fire and panic safety adopted by the State Fire Marshal and published in the California Building Standards Code and other regulations that have been formally adopted by the State Fire Marshal for the prevention of fire or the protection of life and property against fire or panic.

Health and Safety Code Section 13146.

- (a) The responsibility for enforcement of building standards adopted by the State Fire Marshal and published in the California Building Standards Code relating to fire and panic safety and other regulations of the State Fire Marshal shall be as follows:
 - (1) The city, county, or city and county with jurisdiction in the area affected by the standard or regulation shall delegate the enforcement of the building standards relating to fire and panic safety and other regulations of the State Fire Marshal as they relate to R-3 dwellings, as described in Section 310.5 of Part 2 of the California Building Standards Code, to either of the following:
 - (A) The chief of the fire authority of the city, county, or city and county, or the chief's authorized representative.

- (B) The chief building official of the city, county, or city and county, or the official's authorized representative.

Health and Safety Code Section 13210.

- (a) "Existing high-rise structure" means a high-rise structure, the construction of which is commenced or completed prior to July 1, 1974.
- (b) "High-rise structure" means every building of any type of construction or occupancy having floors used for human occupancy located more than 75 feet above the lowest floor level having building access, except buildings used as hospitals, as defined in Section 1250.
- (c) "New high-rise structure" means a high-rise structure, the construction of which is commenced on or after July 1, 1974.

Health and Safety Code Section 13211.

The State Fire Marshal shall prepare and adopt building standards relating to fire and panic safety in high-rise structures.

Health and Safety Code Section 16022.5.

Following the completion of construction of a state-owned or state-occupied essential services building, the State Fire Marshal may conduct regular inspections of those buildings for compliance with building standards relating to fire and panic safety.

Health and Safety Code Section 17921(b).

The State Fire Marshal shall adopt, amend, or repeal and submit building standards for approval pursuant to the provisions of Chapter 4 (commencing with Section 18935) of Part 2.5, and the State Fire Marshal shall adopt, amend, and repeal other rules and regulations for fire and panic safety in all hotels, motels, lodging houses, apartment houses, and dwellings, buildings, and structures accessory thereto. These building standards and regulations shall be enforced pursuant to Sections 13145 and 13146; however, this section is not intended to require an inspection by a local fire agency of each single-family dwelling prior to its occupancy.

Health and Safety Code Section 18928(a).

Requires each state agency adopting or proposing adoption of a model code, national standards, or specification shall reference the most recent edition of applicable model codes, national standards, or specifications.

Health and Safety Code Section 18949.2

- (a) Any responsibilities of the State Fire Marshal to adopt, through a formal rulemaking process as provided in Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, relating to building standards, including, but not limited to, Sections 13108, 13143, 13143.6, and 13211, are hereby transferred to the commission.

- (b) The State Fire Marshal shall remain the state agency responsible for developing building standards to implement the state's fire and life safety policy. In its role as the fire and life safety standard developing agency, the State Fire Marshal shall continue its existing activities and forums designed to facilitate compromise and consensus among the various individuals and groups involved in the development of the state's codes related to fire and life safety.
- (c) The state's fire and life safety building standards, as developed by the State Fire Marshal and as adopted by the commission, shall continue to be based on the state's fire and life safety policy goals and mandates as they existed prior to the enactment of this chapter and as they are amended.

Health and Safety Code Section 25500 through 25545.

- (a) The Legislature declares that to protect public health and safety and the environment, it is necessary to establish business and area plans relating to the handling and release or threatened release of hazardous materials. The establishment of a statewide environmental reporting system for these plans is a statewide requirement. Basic information on the location, type, quantity, and health risks of hazardous materials handled, used, stored, or disposed of in the state, which could be accidentally released into the environment, is required to be submitted to firefighters, health officials, planners, public safety officers, health care providers, regulatory agencies, and other interested persons. The information provided by business and area plans is necessary to prevent or mitigate the damage to the health and safety of persons and the environment from the release or threatened release of hazardous materials into the workplace and environment.

Government Code Section 51176 through 51179.

The purpose of this chapter is to classify lands in the state in accordance with whether a very high fire hazard is present so that public officials can identify measures that will retard the rate of spread, and reduce the potential intensity, of uncontrolled fires that threaten to destroy resources, life, or property, and to require that those measures be taken.

Government Code Section 51189.

No later than January 31, 2020, the State Fire Marshal, in consultation with the director and the Director of Housing and Community Development, shall, pursuant to Section 18930 of the Health and Safety Code, recommend updated building standards that provide for comprehensive site and structure fire risk reduction to protect structures from fires spread-

ing from adjacent structures or vegetation and to protect vegetation from fires spreading from adjacent structures, based on information learned from the 2017 wildfire season

Public Education Code Section 17074.50.

- (a) On and after July 1, 2002, all new construction projects submitted to the Division of the State Architect pursuant to this chapter, including, but not limited to, hardship applications, that require the approval of the Department of General Services shall include an automatic fire detection, alarm, and sprinkler system as set forth in Section 17074.52 and approved by the State Fire Marshal.

Public Resources Code Sections 4201 through 4204.

The purpose of this article is to provide for the classification of lands within state responsibility areas in accordance with the severity of fire hazard present for the purpose of identifying measures to be taken to retard the rate of spreading and to reduce the potential intensity of uncontrolled fires that threaten to destroy resources, life, or property.

Summary of Existing Regulations

The SFM currently adopts by reference the California Code of Regulations, Title 24, Part 10, 2022 California Existing Building Code (CEBC) based on 2021 International Existing Building Code (IEBC) with SFM amendments and additional building standards relating to regulations that establish minimum requirements for the prevention of fire and for the protection of life and property against fire and in any building or structure used or intended for use as defined in each of the Health and Safety Code references shown above.

Summary of Effect

The general purpose of this proposed action is principally intended to adopt the 2025 California Existing Building Code (California Code of Regulations, Title 24, Part 10) based upon updated information or recent actions of the SFM. This proposed action will:

- Repeal the adoption of the 2022 CEBC based on 2021 IEBC and adopt 2025 CEBC based on 2024 IEBC.
- Repeal certain amendments to the 2021 International Existing Building Code and/or California Building Standards not addressed by the model code that are no longer necessary nor justified pursuant to Health and Safety Code 18930(a)(7).
- Adopt and implement additional necessary amendments to the 2025 CEBC that address inadequacies of the 2024 IEBC as they pertain to California laws.

- Codify non-substantive editorial and formatting amendments to the 2025 CEBC.

Comparable Federal Statutes or Regulations

The SFM has determined that there are no comparable federal regulations or statutes addressing the fire and life safety requirements as presented in this notice.

Policy Statement Overview

The specific purpose of this rulemaking effort by the SFM is to act in accordance with Health and Safety Code section 18929.1, which requires all proposed regulations to specifically comply with this section regarding the Triennial code adoption cycle.

The actions described above are reasonably necessary to carry out the purpose for which it is proposed. The rationale for these actions is to establish minimum requirements for the prevention of fire and for the protection of life and property against fire and panic in occupancies addressed in the 2024 IEBC and published as the 2025 CEBC.

The SFM further proposes to offer new amendments where necessary to ensure that the regulations of the CEBC, establish and or maintain minimum requirements for the prevention of fire and panic for the protection of life and property against fire and panic in any building or structure used or intended for use as defined in each of the Health and Safety Code references shown above.

Evaluation of Consistency

The proposed regulations are consistent with existing state regulations.

OTHER MATTERS PRESCRIBED BY
STATUTE APPLICABLE TO THE AGENCY
OR TO ANY SPECIFIC REGULATION OR
CLASS OF REGULATIONS

Reference: Government Code Section 11346.5(a)(4).

The SFM has determined that there are no other prescribed statutes or any specific regulation or class of regulation applicable to the amendments and building standards relating to the 2025 CEBC.

MANDATE ON LOCAL AGENCIES OR
SCHOOL DISTRICTS

Reference: Government Code Section 11346.5(a)(5).

SFM has determined that the proposed regulatory action would not impose a mandate on local agencies or school districts.

ESTIMATE OF COST OR SAVINGS

Reference: Government Code Section 11346.5(a)(6).

An estimate, prepared in accordance with instructions adopted by the Department of Finance, of cost

or savings to any state agency, local agency, or school district.

- A. Cost or Savings to any state agency: **NO.**
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO.**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO.**
- D. Other non–discretionary cost or savings imposed on local agencies: **NO.**
- E. Cost or savings in federal funding to the state: **NO.**

Estimate: N/A.

INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES

Reference: Government Code Section 11346.5(a)(8).

If the agency makes an initial determination that the adoption/amendment/repeal of this regulation will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall make a declaration to that effect.

SFM has made an initial determination that the adoption/amendment/repeal of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

Declaration of Evidence

Reference: Government Code Section 11346.5(a)(8).

In making the declaration, the agency shall provide in the record of facts, evidence, documents, testimony, or other evidence that the agency relied upon to support its initial determination of no effect.

The SFM affirms that this rulemaking action complies specifically with the mandates of HSC Sections 13143, 18928, 18949.2(b), 18949(c), and the mandates of the statutory authority of the SFM. SFM is adopting the latest edition of the model code according to HSC Section 18928, making only minor amendments with no intended change in regulatory effect since these amendments are equivalent to current requirements in the Code.

Therefore, the SFM’s initial determination of no significant, statewide adverse economic impact directly affecting businesses in California and their ability to compete with businesses in other states does not require any additional evidence, documents, or other evidence to support this action. The public is welcome to submit any information, facts, or documents either supporting SFM’s initial determination or finding to the contrary.

FINDING OF NECESSITY FOR THE PUBLIC’S HEALTH, SAFETY, OR WELFARE

Reference: Government Code Section 11346.5(a)(11).

Any regulation that requires a report shall not apply to businesses unless the agency makes a finding that it is necessary for the health, safety, or welfare of the public that the regulations apply to businesses.

N/A

COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS

Reference: Government Code Section 11346.5(a)(9).

Describe all cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. If no cost impact, provide the following statement:

SFM is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION

Reference: Government Code Section 11346.5(a)(10).

The State Fire Marshal has assessed whether and to what extent this proposal will affect the following:

A. The creation or elimination of jobs within the State of California.

These regulations will not affect the creation, or cause the elimination, of jobs within the State of California.

B. The creation of new businesses or the elimination of existing businesses within the State of California.

These regulations will not affect the creation of new businesses or the elimination of existing businesses within the State of California.

C. The expansion of businesses currently doing business within the State of California.

These regulations will not affect the expansion of businesses currently doing business within the State of California.

D. The benefits of the regulation to the health and welfare of California residents, worker safety, and the state’s environment.

These regulations will update and clarify minimum building standards and eliminate conflicts with existing building standards, which will provide clarity and regulatory consistency for the code user increasing the

protection of public health and safety, worker safety, and the environment.

ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING

Reference: Government Code Section 11346.5(a)(12).
The SFM has determined that no additional cost of compliance with standards would impact housing.

CONSIDERATION OF ALTERNATIVES

Reference: Government Code Section 11346.5(a)(13).
SFM has determined that no reasonable alternative considered by SFM or that has otherwise been identified and brought to the attention of SFM would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

In addition, no reasonable alternative considered by SFM or that has otherwise been identified and brought to the attention of SFM would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

AVAILABILITY OF RULEMAKING DOCUMENTS

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms, and the initial statement of reasons can be accessed from the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(19).

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the CBSC website: dgs.ca.gov/BSC.

Reference: Government Code Section 11346.5(a)(21).

SFM shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law. The statement shall note that providing an accessible description of proposed changes may require extending the period of public comment for the proposed action.

CBSC CONTACT PERSON FOR PROCEDURAL AND ADMINISTRATIVE QUESTIONS

Reference: Government Code Section 11346.5(a)(14).

General questions regarding procedural and administrative issues should be addressed to:

Kevin Day, Deputy Executive Director

2525 Natomas Park Drive, Suite 130

Sacramento, CA 95833

Telephone: (916) 263–0916

PROPOSING STATE AGENCY CONTACT PERSON FOR SUBSTANTIVE OR TECHNICAL QUESTIONS ON THE PROPOSED CHANGES TO BUILDING STANDARDS

Specific questions regarding the substantive or technical aspects of the proposed changes to the building standards should be addressed to:

Primary Contact:

Crystal Sujeski, Division Chief

CALFIRE / Office of the State Fire Marshal

Code Development and Analysis Division

510–846–1276

Crystal.Sujeski@fire.ca.gov

Back up Contact:

Jena Garcia, Deputy State Fire Marshal III
Supervisor

CALFIRE / Office of the State Fire Marshal

Code Development and Analysis Division

916–531–7650

Jena.Garcia@fire.ca.gov

GENERAL PUBLIC INTEREST

DEPARTMENT OF FISH AND WILDLIFE

FISH AND GAME CODE SECTION 1653 CONSISTENCY DETERMINATION REQUEST FOR RICHMOND RANCH RESERVE POND 1 DESEDIMENTATION AND RESTORATION PROJECT (TRACKING NUMBER: 1653–2024–147–001–R3) SANTA CLARA COUNTY

California Department of Fish and Wildlife (CDFW) received a Request to Approve on 8/20/2024, that the Santa Clara Valley Habitat Agency (SCVHA) proposes to carry out a habitat restoration or enhancement project pursuant to Fish and Game Code section 1653. The proposed project involves removing 200 cubic yards of accumulated sediment from Pond 1 and conducting revegetation. The proposed project will be carried out on Pond 1, located at Richmond Ranch Reserve, Santa Clara County, California.

On 6/26/2024, the San Francisco Bay Regional Water Quality Control Board (Regional Water Board) received a Notice of Intent (NOI) to comply with the terms of, and obtain coverage under, the General 401 Water Quality Certification Order for Small Habitat Restoration Projects (General 401 Order) for the Richmond Ranch Reserve Pond 1 Desedimentation and Restoration Project. The Regional Water Board determined that the Project, as described in the NOI, was categorically exempt from California Environmental Quality Act (CEQA) review (section 15333 — Small Habitat Restoration Projects) and met the eligibility requirements for coverage under the General 401 Order. The Regional Water Board issued a Notice of Applicability (WDID Number 2CW457508) for coverage under the General 401 Order on 8/19/2024.

The SCVHA is requesting a determination that the project and associated documents are complete pursuant to Fish and Game Code section 1653 subdivision (d). If CDFW determines the project is complete, the SCVHA will not be required to obtain an incidental take permit under Fish and Game Code section 2081 subdivision (b) or a Lake or Streambed Alteration Agreement under Fish and Game Code section 1605 for the proposed project.

In accordance with Fish and Game Code section 1653 subdivision (e), if CDFW determines during the

review, based on substantial evidence, that the request is not complete, the SCVHA will have the opportunity to submit under Fish and Game Code section 1652.

DEPARTMENT OF FISH AND WILDLIFE

HABITAT RESTORATION AND ENHANCEMENT ACT CONSISTENCY DETERMINATION NUMBER 1653–2024–143–001–R1

Project: Tenmile Creek Sediment Source
Control Varnhagen Meadow Project
Location: Mendocino County
Applicant: Patrick Higgins, Eel River Recovery
Project

Background

Project Location: The Tenmile Creek Sediment Source Control Varnhagen Meadow Project (Project) is located within a meadow in the Cahto Creek watershed, tributary to Tenmile Creek, approximately 2.5 miles southwest of Laytonville, California; Assessor's Parcel Number 014–411–09; Latitude/Longitude 39.660669, 123.516442 W. Baker's meadowfoam (*Limnanthes bakeri*), a State-listed Rare Species with a California Rare Plant Rank 1B.1, occurs on the Project site. Additionally, the Tenmile Creek watershed supports populations of Coho Salmon (*Oncorhynchus kisutch*), Chinook Salmon (*O. tshawytscha*), and steelhead trout (*O. mykiss*).

Project Description: Patrick Higgins (Applicant) representing the Eel River Recovery Project, proposes to reduce sediment inputs in Cahto Creek, restore hydrologic process, and improve forest and meadow habitat at the Project site. Check dams will be built at four locations in existing gullies to help reduce erosion and fine sediment contribution to Cahto Creek. Overly dense vegetation will be thinned, and pile-burned to improve forest and meadow health. Abandoned logging roads will be ripped and recontoured, and biochar from the burn piles will be used to amend the soil on the decommissioned roadbed. Additionally, disturbed areas throughout the Project site will be revegetated with native species.

Project Size: The total area of ground disturbance associated with the Project is five acres and 436 linear feet. The Applicant has included project size calculations that were used to determine the total size of the Project. The proposed Project complies with the General 401 Certification for Small Habitat Restoration Projects and associated categorical exemption from the California Environmental Quality Act (Cal. Code Regs., title 14, § 15333).

Project Associated Discharge: Discharge of materials into Waters of the State, as defined by Water Code section 13050 subdivision (e), resulting from the Project include those associated with the following: (1) 50 cubic yards of woody material, (2) 100 native willow (*Salix spp.*) and ash (*Fraxinus spp.*) cuttings, and (3) eight cubic yards of native soil.

Project Timeframes: Start date: June 1, 2025

Completion date: June 30, 2028

Seasonal work window: Any activities requiring heavy equipment that will result in ground disturbance, including road work (i.e. ripping, re-contouring, or out-sloping) or re-contouring/laying back gully or streambanks, may occur between June 1 and October 31, annually. All other project-related activities may occur year-round. The Applicant may request a variance to, or extension of, the seasonal work window or project time frame. The North Coast Regional Water Quality Control Board (Regional Water Board) and the California Department of Fish and Wildlife (CDFW) will review any requests and provide authorization, if appropriate, via email within 30 days.

Water Quality Certification Background: Because the Project's primary purpose is habitat restoration intended to improve the quality of waters in California, the Regional Water Board issued a Notice of Applicability (NOA) for Coverage under the State Water Resources Control Board General 401 Water Quality Certification Order for Small Habitat Restoration Projects SB12006GN (Order) (Waste Discharge Identification (WDID) Number 1B24081WNME, Electronic Content Management Identification (ECM PIN) Number CW-895397 for the Project. The NOA describes the Project and requires the Applicant to comply with terms of the Order. Additionally, the Applicant has provided a supplemental document that sets forth measures to avoid and minimize impacts to Baker's meadowfoam and other native species.

Receiving Water: Cahto Creek, tributary to Tenmile Creek

Filled or Excavated Area: Permanent area impacted: 0 acres

Temporary area impacted: 5 acres

Length permanently impacted: 0 linear feet

Length temporarily impacted: 436 linear feet

Regional Water Board staff determined that the Project may proceed under the Order. Additionally, Regional Water Board staff determined that the Project, as described in the Notice of Intent (NOI) complies with the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq.).

Noticing: On July 31, 2024, the Director of CDFW received a notice from the Applicant requesting a determination pursuant to Fish and Game Code Section

1653 that the NOA, NOI, and related species protection measures are consistent with the Habitat Restoration and Enhancement Act (HREA) with respect to the Project.

Pursuant to Fish and Game Code section 1653 subdivision (c), CDFW filed an initial notice with the Office of Administrative Law on August 2, 2024, for publishing in the General Public Interest section of the California Regulatory Notice Register (Cal. Reg. Notice File Number Z-2024-0802-01) on August 16, 2024. Upon approval, CDFW will file a final notice pursuant to Fish and Game Code section 1653 subdivision (f).

Determination

CDFW has determined that the NOA, NOI, and related species protection measures are consistent with HREA as to the Project and meets the conditions set forth in Fish and Game Code section 1653 for authorizing the Project.

Specifically, CDFW finds that: (1) The Project purpose is voluntary habitat restoration and the Project is not required as mitigation; (2) the Project is not part of a regulatory permit for a non-habitat restoration or enhancement construction activity, a regulatory settlement, a regulatory enforcement action, or a court order; and (3) the Project meets the eligibility requirements of the State Water Resources Control Board's Order for Clean Water Act Section 401 General Water Quality Certification for Small Habitat Restoration Projects.

Avoidance and Minimization Measures

The avoidance and minimization measures for the Project, as required by Fish and Game Code section 1653, subdivision (b)(4), were included in an attachment to the NOI, which contains the following categories: (1) Construction-period Water Quality Protection and Erosion and Sedimentation Control Measures; (2) Post-construction and Sediment Control and Water Quality Protection Requirements; (3) General Program Conditions for Vegetation Management; and (4) General Measures to Avoid Impacts on Biological Resources. The specific avoidance and minimization requirements are found in an attachment to the NOI, *Final Tenmile Creek Sediment Source Control Varnhagen Meadow Basis of Design Report*.

Monitoring and Reporting

As required by Fish and Game Code section 1653, subdivision (g), the Applicant included a copy of the monitoring and reporting plan. The Applicant's Monitoring and Reporting Plan provides a timeline for restoration, performance standards, and monitoring parameters and protocols. Specific requirements of the plan are found in an attachment to the NOI, *Final Tenmile Creek Sediment Source Control Varnhagen*

Meadow Basis of Design Report, prepared by the Eel River Recovery Project.

Notice of Completion

Coverage under the State Water Resources Control Board General 401 Water Quality Certification Order for Small Habitat Restoration Projects requires the Applicant to submit a Notice of Completion (NOC) no later than 30 days after the project has been completed. A complete NOC includes at a minimum:

- photographs with a descriptive title;
- date the photograph was taken;
- name of the photographic site;
- WDID number and ECM PIN number indicated above;
- success criteria for the Project.

The NOC shall demonstrate that the Applicant has carried out the Project in accordance with the Project description as provided in the Applicant's NOI. Applicant shall include the project name, WDID number, and ECM PIN number with all future inquiries and document submittals. Pursuant to Fish and Game Code section 1653, subdivision (g), the Applicant shall submit the monitoring plan, monitoring report, and notice of completion to CDFW as required by the General Order. Applicant shall submit documents electronically to: Nicholas.VanVleet@wildlife.ca.gov.

Project Authorization

Pursuant to Fish and Game Code section 1654, CDFW's approval of a habitat restoration or enhancement project pursuant to section 1652 or 1653 shall be in lieu of any other permit, agreement, license, or other approval issued by CDFW, including, but not limited to, those issued pursuant to Chapter 6 (commencing with section 1600) and Chapter 10 (commencing with section 1900) of this Division and Chapter 1.5 (commencing with section 2050) of Division 3. Additionally, Applicant must adhere to all measures contained in the approved NOA and comply with other conditions described in the NOI.

If there are any substantive changes to the Project or if the Water Board amends or replaces the NOA, the Applicant shall be required to obtain a new consistency determination from CDFW. (See generally Fish & Game Code, § 1654, subdivision (c).)

**DEPARTMENT OF FISH AND
WILDLIFE**

FISH AND GAME CODE SECTION 1653
CONSISTENCY DETERMINATION
REQUEST FOR
SOUTH FORK SCOTT RIVER FLOODPLAIN
CONNECTIVITY PROJECT PHASE IV
(TRACKING NUMBER:
1653–2024–148–001–R1)
SISKIYOU COUNTY

California Department of Fish and Wildlife (CDFW) received a Request to Approve on 8/23/2024, that California Trout, Inc. proposes to carry out a habitat restoration or enhancement project pursuant to Fish and Game Code section 1653. The proposed project involves restore side-channel habitat, improve floodplain connectivity, increase instream complexity and cover, promote riparian vegetation, and enhance slow-water habitat through active restoration. The proposed project will be carried out on the South Fork Scott River, located near Callahan, Siskiyou County, California.

On 8/13/2024, the North Coast Regional Water Quality Control Board (Regional Water Board) received a Notice of Intent (NOI) to comply with the terms of, and obtain coverage under, the General 401 Water Quality Certification Order for Small Habitat Restoration Projects (General 401 Order) for the South Fork Scott River Floodplain Connectivity Project Phase IV. The Regional Water Board determined that the Project, as described in the NOI, was categorically exempt from California Environmental Quality Act (CEQA) review (section 15333 — Small Habitat Restoration Projects) and met the eligibility requirements for coverage under the General 401 Order. The Regional Water Board issued a Notice of Applicability (WDID No 1A24111WNSI) for coverage under the General 401 Order on 8/16/2024.

California Trout, Inc. is requesting a determination that the project and associated documents are complete pursuant to Fish and Game Code section 1653 subdivision (d). If CDFW determines the project is complete, California Trout, Inc. will not be required to obtain an incidental take permit under Fish and Game Code section 2081 subdivision (b) or a Lake or Streambed Alteration Agreement under Fish and Game Code section 1605 for the proposed project.

In accordance with Fish and Game Code section 1653 subdivision (e), if CDFW determines during the review, based on substantial evidence, that the request is not complete, California Trout, Inc. will have the opportunity to submit under Fish and Game Code section 1652.

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH THE SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA 95814, (916) 653–7715. Please have the agency name and the date filed (see below) when making a request.

CalSavers Retirement Savings Board
File # 2024–0802–04
CalSavers Retirement Savings Program

This action by the CalSavers Retirement Savings Board (Board) makes permanent the emergency regulatory provisions in the Board’s regulations which define “noncompliance” and specify penalties and the process for assessment of penalties on eligible employers for noncompliance with the CalSavers Retirement Savings Program.

Title 10
Amend: 10000, 10008
Filed 08/21/2024
Effective 08/21/2024
Agency Contact:
Tristan Woolacott (916) 653–1744

Department of Corrections and Rehabilitation
File # 2024–0808–02
Milestone Completion Credit Schedule

This rulemaking action amends section 3043.3 to revise the Milestone Completion Credit Schedule (MCCS), which is incorporated by reference in subsection 3043.3(d), and to update the references to the form within 3043.3.

Title 15
Amend: 3043.3
Filed 08/21/2024
Effective 09/09/2024
Agency Contact: Sarah Pollock (279) 223–2308

Office of Health Care Affordability
File # 2024–0813–01
Material Change Transactions — Pre-Transaction Review

In this deemed emergency readopt pursuant to Health and Safety Code section 127501.2, subdivision (a), the Office of Health Care Affordability (“OHCA”) is amending regulations pertaining to the Cost and

Market Impact Reviews (“CMIR”) program. Under the CMIR program, OHCA collects, analyzes, and publicly reports data on total health care expenditures, including market consolidation transactions that are likely to significantly impact competition and health care costs. The amendments in this emergency readopt, among other things, change the scope of entities subject to OHCA’s filing requirements for material change transactions.

Title 22
Amend: 97431, 97435, 97438, 97439, 97441, 97442
Filed 08/22/2024
Effective 08/22/2024
Agency Contact: Danielle Rogers (916) 326–3653

State Personnel Board
File # 2024–0711–01
Interjurisdictional Exchange

This action by the State Personnel Board amends administrative personnel regulations related to temporary assignments or loans in general, period of time for the temporary assignment or loan, and interjurisdictional employee exchanges for both Career Executive Assignment (CEA) and non-CEA positions. This action is exempt from the Administrative Procedure Act under Government Code section 18211 and is submitted to the Office of Administrative Law for filing with the Secretary of State and publication in the California Code of Regulations pursuant to Government Code section 18214(d)(2).

Title 02
Amend: 438, 438.1, 442, 548.130
Filed 08/22/2024
Effective 10/01/2024
Agency Contact:
Michelle La Grandeur (916) 651–2740

Air Resources Board
File # 2024–0716–02
Section 100 changes to title 13 sections 2013, 2013.1, 2015 and 2015.3

This action without regulatory effect amends the Advanced Clean Fleets (ACF) Regulation to align with AB 1594 (Garcia, E., Stats. 2023, chapter 585). This legislation adopted Vehicle Code section 28500. The existing ACF regulation creates an exemption allowing specified fleet owners to purchase an internal combustion engine (ICE) vehicle instead of a battery electric vehicle (BEV) when replacing a medium- or heavy-duty ICE fleet vehicles at the end of life. The existing regulatory exemption is based upon a fleet owner’s reporting of its existing ICE vehicle’s daily usage measurements, but expressly excludes the three highest daily usage measurements of the existing ICE vehicle. The new statute compels the California Air

Resources Board (CARB) to consider the three highest daily usage measurements of an existing public agency utility's ICE utility—specialized vehicle's daily usage measurements when reported for these purposes. This action also newly defines a public agency utility to align with the statute.

Title 13
Amend: 2013, 2013.1, 2015, 2015.3
Filed 08/26/2024
Agency Contact:
Bradley Bechtold (279) 208–7266

California Highway Patrol
File # 2024–0806–01
Cornering Lamps

In these changes without regulatory effect, the Department of California Highway Patrol amends and repeals certain of its regulations to remove standards and specifications for cornering lamps and to instead incorporate by reference, pursuant to Vehicle Code section 26103(b), the requirements for cornering lamps established by SAE [Society of Automotive Engineers] J852, Front Cornering Lamps for Use on Motor Vehicles (Revised July 11, 2017).

Title 13
Amend: 667, 720
Repeal: 673, 689, 721, 722673, 689, 721, 722
Filed 08/26/2024
Agency Contact: Erica De Parsia (916) 843–3400

Department of Conservation
File # 2024–0715–01
Well Stimulation Permitting Phase Out

This action will cease issuance of well stimulation treatment permits for oil and gas wells in California.

Title 14
Amend: 1780
Filed 08/26/2024
Effective 10/01/2024
Agency Contact:
Christine Hansen (916) 694–7577

Department of Public Health
File # 2024–0717–01
Petfood Labeling and Licensing Revisions

This action amends regulations concerning pet food labeling to define the terms “human grade” and “natural” and to specify the permissible use of these terms on pet food product labels. The action also conforms the Department's regulation on the validity period of a pet food processor's license to the period specified by statute.

Title 17
Amend: 19025, 10941
Filed 08/26/2024
Effective 08/26/2024
Agency Contact: David Martin (916) 440–7673

Structural Pest Control Board
File # 2024–0725–01
Fumigation & Pesticide Standards & Record Requirements

This rulemaking action by the Structural Pest Control Board (SPCB) amends the existing Standards and Recording Requirements regulation under California Code of Regulations Title 16 section 1970 by relocating the required information for Fumigation Logs into a new Standard Structural Fumigation Log (Form number 43M–47, Rev. 6/2023) which is incorporated by reference. Additionally, this action amends the required structural pest control application report information to be align with the minimum federal standards set forth in 40 C.F.R. 171.303(b)(7)(vi).

Title 16
Amend: 1970
Filed 08/21/2024
Effective 10/01/2024
Agency Contact: Sophia Azar (279) 236–2502

Board of Barbering and Cosmetology
File # 2024–0719–03
SB 803 Clean Up

In this regular rulemaking, the Board of Barbering and Cosmetology (“BBC”) is amending and repealing regulations primarily in response to the enactment of Senate Bill 803 (Chapter 648, Stats. of 2021) and Assembly Bill 2196 (Chapter 527, Stats. of 2022). S.B. 803, among other things, (1) reduced the number of hours required for courses in barbering and cosmetology to 1,000 hours; (2) codified in statute the minimum amount of instruction that must be included for various subjects in a course for barbering, cosmetology, hairstyling, skin care, and nail care; (3) repealed BBC's preapplication program for schools and apprenticeships; (4) added a new “hairstyling” license type; and (5) eliminated the requirement that an applicant for licensure pass a practical examination. With the enactment of A.B. 2196, electrolysis course curriculum requirements were similarly codified. Additionally, BBC is amending two documents incorporated by reference and adopting a third.

Title 16
Amend: 904, 909, 931, 932, 937, 962, 998
Repeal: 928, 934, 950.1, 950.2, 950.3, 950.4
Filed 08/28/2024
Effective 10/01/2024
Agency Contact: Jennifer Huetter (279) 278–5089

Department of Corrections and Rehabilitation
File # 2024–0718–01
Youth Offender Program

This action by the Department of Corrections and Rehabilitation (“CDCR”) adopts regulatory provisions establishing definitions, programming curriculum, initial placement procedures, and subsequent evaluation processes for a program granted to individuals committed to CDCR who are under 26 years of age that is designed to provide these individuals priority placement in education assignments, program assignments, or both, to address their rehabilitative needs until they are no longer under 26 years of age.

Title 15

Adopt: 3040.4

Amend: 3000

Filed 08/28/2024

Effective 10/01/2024

Agency Contact: Josh Jugum (916) 798–1484

**PRIOR REGULATORY
DECISIONS AND CCR
CHANGES FILED WITH THE
SECRETARY OF STATE**

A quarterly index of regulatory decisions by the Office of Administrative Law (OAL) is provided in the California Regulatory Notice Register in the volume published by the second Friday in January, April, July, and October following the end of the preceding quarter. For additional information on actions taken by OAL, please visit oal.ca.gov.