

**NOTICE OF PROPOSED ACTION  
TO BUILDING STANDARDS OF THE  
CALIFORNIA BUILDING STANDARDS COMMISSION  
REGARDING THE 2021 CALIFORNIA REFERENCED STANDARDS CODE  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 12**

**(BSC 07/21)**

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 12. The CBSC is proposing building standards related to the 2022 California Referenced Standards Code, (California Code of Regulations, Title 24, Part 12).

**PUBLIC COMMENT PERIOD**

Reference: Government Code Section 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **September 3rd, 2021** until midnight on **October 18th, 2021**.

Comments may be submitted to CBSC via:

[e-Comment form](https://dgs.ca.gov/BSC/e-comments): [dgs.ca.gov/BSC/e-comments](https://dgs.ca.gov/BSC/e-comments)

US Mail postmarked no later than **October 18th, 2021**:

**California Building Standards Commission**  
Michael Nearman, Deputy Executive Director  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833

Note: Only comments received in an accessible format will be viewable via CBSC's website. Use the e-Comment form to ensure accessibility.

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 both 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 & Safety Code Section 18929, 18932. The purpose of these building standards is to implement, interpret, or make specific the provisions of Health & Safety Code Section 18929, 18932.

The CBSC is proposing this regulatory action based on Health & Safety Code Section 18929, 18932

## **INFORMATIVE DIGEST**

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

### **Summary of Existing Laws**

**Health and Safety Code Section 18929** outlines the adoption of administrative regulations applying to implementation of enforcement of building standards; publication, certain Housing and Community Development Department regulations exempted.

**Health and Safety Code Section 18932** establishes the contents and format of the building standards code.

### **Summary of Existing Regulations**

The California Referenced Standards Code (Part 12, Title 24, California Code of Regulations) contains standards that are not available by way of the model codes or other national sources, and thus are developed by state agencies. The standards are referenced throughout the other codes of Title 24.

### **Summary of Effect**

This proposed action, upon approval by the commissioners, will amend a cross-referencing table by updating the Chapter titles and its associated sections to Title 24. ACKNOWLEDGEMENTS section will also be amended to reflect the year of the code, Commissioners, and the Governor update. The adoption of these non-regulatory changes by CBSC is in the public interest, since they clarify, interpret, and provide a non-regulatory aid for designers, builders, and local enforcement agencies.

A thorough description of the amendment effects may be found in the Initial Statement of Reasons.

### **Comparable Federal Statute or Regulations**

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

### **Policy Statement Overview**

CBSC is responsible for the development of Part 12 administrative/non-regulatory content.

### **Evaluation of Consistency**

The proposed regulation is 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).

The 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. While these referenced standards are applicable for use by local agencies, they are intended as a nonregulatory aid to the code user.

### **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: Any additional expenditure resulting from this proposed action will be minimal and will be absorbed within the existing budget 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 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.

CBSC 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 relies upon to support its initial determination of no effect.

The CBSC affirms that the rulemaking action complies with the mandates set forth by the Health & Safety Code, Section 18929. This rulemaking has no direct economic impact and is only provided to enhance the clarity of Part 12, a benefit to the code user.

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

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

The CBSC has determined that no report is required for this regulation.

## **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.**

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 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, 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 CBSC has determined 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](https://dgs.ca.gov/BSC): [dgs.ca.gov/BSC](https://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://dgs.ca.gov/BSC): [dgs.ca.gov/BSC](https://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 and that providing the 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:

Michael Nearman, Deputy Executive Director  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone: (916) 263-0916

E-mail: [Michael.Nearman@dgs.ca.gov](mailto:Michael.Nearman@dgs.ca.gov)

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

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

Primary Contact:

Veronica Turdean, Architectural Associate  
California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-0353  
E-mail: [Veronica.Turdean@dgs.ca.gov](mailto:Veronica.Turdean@dgs.ca.gov)

Back up Contact:

Irina Brauzman, Associate Architect  
California Building Standards Commission  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone No.: (916) 263-5159  
E-mail: [Irina.Brauzman@dgs.ca.gov](mailto:Irina.Brauzman@dgs.ca.gov)