

**INITIAL STATEMENT OF REASONS
FOR PROPOSED 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)**

The Administrative Procedure Act (APA) requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action:

STATEMENT OF SPECIFIC PURPOSE, PROBLEM, RATIONALE and BENEFITS

Government Code Section 11346.2(b)(1) requires a statement of specific purpose of each adoption, amendment, or repeal and the problem the agency intends to address and the rationale for the determination by the agency that each adoption, amendment, or repeal is reasonably necessary to carry out the purpose and address the problem for which it is proposed. The statement shall enumerate the benefits anticipated from the regulatory action, including the benefits or goals provided in the authorizing statute.

General purpose, problem, rationale and benefits: The California Building Standards Commission (BSC) proposes to repeal the adoption of the 2022 California Existing Building Code (CEBC), which is based on the 2021 International Existing Building Code (IEBC) of the International Code Council (ICC).

BSC proposes to adopt the 2024 IEBC, the most recent edition of the model code, for codification and effectiveness into the 2025 edition of the CEBC. This action is to meet the requirements of Health and Safety Code (HSC) Section 18928 assuring adoption of the most recent edition of model code within one year of its publication. In addition, HSC Section 18934.5 assures that the commission shall adopt, approve, codify and publish building standards for those occupancies under BSC's authority.

In addition, BSC brings forward existing amendments from the 2022 California Existing Building Code for inclusion into the 2025 California Existing Building Code without modification (not shown) and proposes new amendments shown in the rulemaking items below.

A statement of specific purpose, problem, rationale and benefit for each item is as follows:

ITEM 1

**Chapter 1 SCOPE AND ADMINISTRATION,
DIVISION I CALIFORNIA ADMINISTRATION,
DIVISION II SCOPE AND ADMINISTRATION**

BSC proposes to adopt Sections 106.2.5 and 109.3.6 of the 2024 IEBC Chapter 1 and bring forward existing amendments in Chapter 1, Division I, Sections 1.1 and 1.2 and in Chapter 1, Division II, Sections 101.7 (formerly Section 101.8) and 105.5.1 from the 2022 CEBC for adoption into the 2025 CEBC with the following modifications.

ITEM 1-1

Section 1.1.1 Title

BSC proposes to update the year of the model code being adopted in this cycle to meet statutory obligation to adopt the latest edition of model code within one year of publication, and to correctly identify the year of the model code incorporated into the 2025 CBC. This update will clarify the codes available for use in construction and maintain the most current building standards for the protection of public health and welfare in the built environment.

ITEM 1-2

Section 101. 7 (formerly Section 101.8) Maintenance

BSC proposes to renumber this section to accommodate for the renumbering of the sections in the 2024 IEBC.

In coordination with HCD and DSA, BSC proposes to move one sentence from the middle to the end of the section adding BSC banner. There is no change in regulatory effect as this change only affects format of the code eliminating unnecessary duplication of the code language. The proposed amendment makes it possible for DSA to co-adopt Section 101.7 and to delete Section 101.8.1 which contains the same language as Section 101.7 but without the moved sentence.

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 2

Chapter 2 DEFINITIONS

BSC proposes to adopt 2024 IEBC Chapter 2 and bring forward existing amendments in definitions of BUILDING OFFICIAL and ENFORCEMENT AGENCY from 2022 CEBC to 2025 CEBC without change.

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 3

Chapter 3 PROVISIONS FOR ALL COMPLIANCE METHODS

BSC proposes to adopt 2024 IEBC Sections 301.1.1, 302.5, 304.1, 304.2, and 305.1, and bring forward existing amendments in Sections 301.1, 302.1.1, and 317 through 322 from 2022 CEBC to 2025 CEBC with the following modifications.

ITEM 3-1

Section 304.3 Seismic evaluation and design procedures

BSC proposes to replace reference to Chapter 12 with Chapter 11 to eliminate conflict with existing California regulations. Chapter 12 is reserved from 2022 CEBC as California Historical Building Code (CHBC) regulates historic buildings in California.

ITEM 3-2

Table 317.5

BSC proposes to update the amendment language in Table 317.5 to align the amendment requirements with the model code and adopted referenced standard. This change broadly benefits communities or portions thereof serviced by state-owned Risk Category IV buildings by requiring seismic performance objectives consistent with their functional needs and public expectation.

The structural seismic performance criteria given in Table 317.5 for Risk Category IV buildings under BSC authority is less than that required by IEBC in Table 304.3.2 for Risk Category IV buildings and the Basic Performance Objective of ASCE 41. This appears to be an error as it is not the intent of the amendment to reduce the criteria of the model code and adopted consensus standard (ASCE 41). It appears that when the Existing Building provisions were relocated from Part 2 (Chapter 34) to Part 10 (Chapter 3) during the 2015 triennial rulemaking cycle, although the existing amendment language remained intact, it was in conflict with HSC 18930(a)(1) "The proposed building standards do not conflict with, overlap, or duplicate other building standards." In addition, it is widely accepted that the expected structural performance of the Risk Category IV building in the design basis seismic event is Immediate Occupancy (S-1).

BSC proposes to amend Footnote #1 to coordinate with changes made in 2023 edition of ASCE 41: Seismic Evaluation and Retrofit of Existing Buildings. The names of nonstructural performance levels are removed because they are unnecessarily redundant with those given in ASCE 41. This proposal has been coordinated with DSA.

ITEM 3-3

Section 318. 1, Definition of REPAIR

BSC proposes to repeal the definition of REPAIR in this section in coordination with the adoption of the model code definition for the same term contained in Section 202. The definition adopted in Section 202 retains the meaning previously defined here, so there is no intended change in regulatory effect. This proposal aligns with the recommendation of the SD/LF CAC during 2021 triennial code adoption cycle and has been coordinated with DSA.

ITEM 3-4

Section 318. 1, Definitions of BSE-C and BSE-R RESPONSE ACCELERATION PARAMETERS

BSC proposes to revise referenced ASCE 41 section numbers in the definitions to coordinate with changes made in 2023 edition of ASCE 41.

ITEM 3-5

Section 319. 1 Basis for evaluation and design

BSC proposes to update the referenced code in Exception #1 from 2016 edition of CBC to 2019 edition to keep referencing the code edition two triennial adoption cycles previous to the current edition. This change is made with each code, consistent with the original intent of permitting the use of the two most recent code editions when the stated context conditions are met.

ITEM 3-6

Section 319. 2 Existing conditions

BSC proposes to repeal reference to particular ASCE 41 section as applicable section numbers are provided in the itemized levels below and to coordinate with changes made in 2023 edition of ASCE 41. There is no intended change in regulatory intent. This proposal has been coordinated with DSA.

ITEM 3-7

Section 319.5 Configuration requirements

BSC proposes to amend the section and relocate existing code language from Section 319.7.2 to Section 319.5, so it applies consistently and universally. The basis for determination of an irregular classification belongs in the primary section addressing irregularities rather than a later subsection defining the conditions that require the use of Method B. This proposal has been coordinated with DSA.

ITEM 3-8

Section 319.7 with subsections

BSC proposes editorial amendments to improve the presentation and clarity of provisions that define conditions requiring the use of Method B. Additionally, existing code language from Section 319.7.2 is proposed to be relocated to Section 319.5 and Section 319.7.2 is amended to refer to the relocated language. This proposal has been coordinated with DSA.

In the previous code cycle while discussing modifications to Section 317.7.2, the Code Advisory Committee (CAC) noted the inconsistency and awkward format of the existing code language comprising the list of conditions presented in this section. These revisions attempt to address those comments by bringing consistency to structure and presentation of the provisions.

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 4

Chapter 4 REPAIRS

BSC proposes to adopt 2024 IEBC Section 401.1.1, 401.3, 405.2.6, 406.1, 407.1, 408.1

and 408.2, bring forward existing amendment in Section 401.1.2 from 2022 CEBC to 2025 CEBC without modifications and propose new amendments as follows.

ITEM 4-1

Section 401.1 Scope

BSC proposes to remove reference to Chapter 12 of 2024 IEBC and refer to the California Historical Building Code (CHBC), California Code of Regulations (CCR), Title 24, Part 8 to eliminate conflict with existing California regulations and to clarify that historic buildings and structures shall comply with CHBC. Chapter 12, which addresses historic buildings in IEBC, will continue to be reserved from CEBC as CHBC regulates historic buildings and structures in California.

ITEM 4-2

Section 407.1 General

BSC proposes to adopt Section 407.1 and co-adopt existing HCD amendment that refers to California Mechanical Code for existing mechanical systems undergoing repair to provide clarity and regulatory consistency for the code user.

ITEM 4-3

Section 408.1 Materials

BSC proposes to adopt Section 408.1, co-adopt existing HCD amendment that refers to California Plumbing Code for existing plumbing systems undergoing repair and add reference to Division 5.3 of CALGreen. This proposal provides clarity about requirements in other parts of Title 24 that are applicable to plumbing materials and supplies used for repairs.

ITEM 4-4

Section 408.2 Water closet replacement

BSC proposes to adopt Section 408.2 and co-adopt existing HCD amendments. These existing amendments correct the maximum flow rate for water closets, which is 1.28 gallons per flush. The amendment provides clarity and consistency with CALGreen and the California Plumbing Code.

BSC proposes NOT to adopt and NOT to print the exception, which conflicts with the existing laws and regulations related to flow rates for water closets.

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 5

Chapter 5 PRESCRIPTIVE COMPLIANCE METHOD

BSC proposes to adopt 2024 IEBC Chapter 5 Sections 501.1, 502.1, 502.2 (former Section 502.3), 502.3 (former Section 502.4), 503.1, 503.2, 503.3, 506.1, 506.1.1, 506.2,

506.3 and bring forward existing amendments in Sections 501.1, 501.1.2, 502.1, 503.1 and 506.5 from 2022 CEBC to 2025 CEBC with the following modifications.

ITEM 5-1

Section 502.1 General

BSC proposes an amendment Exception #2 to maintain status quo requiring structural elements in the buildings within BSC's authority listed in Section 1.2 and undergoing additions to comply with the requirements of Sections 317 through 322.

The following language "except that the structural elements need only comply with Sections 502.2 through 502.3." has been added to 2024 IEBC excluding requirements of Section 502.4 (formerly 502.5) from the requirements of Section 502 for additions. BSC's current requirements for existing structural elements carrying lateral load differ from those in the model code as the requirements of Section 502.4 are replaced by the requirements of Sections 317 through 322. The proposed amendment is necessary to clarify that structural elements carrying lateral load in the buildings within BSC's authority listed in Section 1.2 are still required to comply with the requirements of Sections 317 through 322.

BSC also proposes editorial amendments to align with added model code exception and replaces references to International Building Code with the references to California Building Code in the new model code language.

ITEM 5-2

Section 507 Historic buildings

BSC proposes to remove model code provisions for historic buildings provided in Sections 507.1, 507.2, 507.3 and 507.4 of IEBC to eliminate conflict with existing California regulations and provide reference to the CHBC, CCR, Title 24, Part 8. CHBC regulates historic buildings and structures in California.

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 6

Chapter 6 CLASSIFICATION OF WORK

BSC proposes NOT to adopt Chapter 6 of the 2024 IEBC for scopes within BSC's authority listed in Section 1.2 of the CEBC.

Regulations governing alterations for buildings under BSC jurisdiction are contained in Chapters 3, 4 and 5 of this code. BSC adopts certain sections of Chapter 5 Prescriptive Compliance Method, as the only acceptable method for compliance for scopes within BSC's authority.

BSC proposes to bring forward existing amendments in Sections 601.1, 601.1.1 and 607 from the 2022 CEBC to 2025 CEBC with the following modifications.

ITEM 6-1

Section 601.1 Scope

BSC proposes to continue removing references to historic structures and Chapter 12 of 2024 IEBC to eliminate conflict with existing California regulations. The model code language in this section changed slightly from the 2021 edition of IEBC, so BSC proposes to delete the language that is current in 2024 IEBC. There is no intended change in regulatory effect.

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 7

Chapter 7 ALTERATIONS—LEVEL 1

BSC proposes NOT to adopt Chapter 7 of the 2024 IEBC for scopes within BSC's authority listed in Section 1.2 of the CEBC.

Chapter 7 is related to the "Work Area Method", described in Chapter 6 Classification of Work. Since Chapter 6 is not adopted, Chapter 7 is not adopted.

BSC proposes to bring forward existing amendments in Sections 701.1 and 708 from 2022 CEBC to 2025 CEBC with the following modifications.

ITEM 7-1

Section 708.1 Minimum requirements

BSC proposes to amend Section 708.1 to eliminate possible conflict with existing energy conservation regulations and provide a reference to the California Energy Code, which is Part 6 of Title 24. BSC coordinated with the California Energy Commission, who promulgates energy efficiency requirements in the California Energy Code, and received their support for the proposed amendment.

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 8

Chapter 8 ALTERATIONS—LEVEL 2

BSC proposes NOT to adopt Chapter 8 of the 2024 IEBC for scopes within BSC's authority listed in Section 1.2 of the CEBC.

Chapter 8 is related to the "Work Area Method", described in Chapter 6 Classification of Work. Since Chapter 6 is not adopted, Chapter 8 is not adopted.

BSC proposes to bring forward existing amendment in Section 809 from 2022 CEBC to 2025 CEBC with the following modifications.

ITEM 8-1

Section 809.1 Minimum requirements

BSC proposes to amend Section 809.1 to eliminate possible conflict with existing energy conservation regulations and provide a reference to the California Energy Code, which is Part 6 of Title 24. BSC coordinated with the California Energy Commission, who promulgates energy efficiency requirements in the California Energy Code, and received their support for the proposed amendment.

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 9

Chapter 9 ALTERATIONS—LEVEL 3

BSC proposes NOT to adopt Chapter 9 of the 2024 IEBC for scopes within BSC's authority listed in Section 1.2 of the CEBC.

Chapter 9 is related to the "Work Area Method", described in Chapter 6 Classification of Work. Since Chapter 6 is not adopted, Chapter 9 is not adopted.

BSC proposes to bring forward existing amendment in Section 907 from 2022 CEBC to 2025 CEBC with the following modifications.

ITEM 9-1

Section 907.1 Minimum requirements

BSC proposes to amend Section 907.1 to eliminate possible conflict with existing energy conservation regulations and provide a reference to the California Energy Code, which is Part 6 of Title 24. BSC coordinated with the California Energy Commission, who promulgates energy efficiency requirements in the California Energy Code, and received their support for the proposed amendment.

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 10

Chapter 10 CHANGE OF OCCUPANCY

BSC proposes NOT to adopt Chapter 10 of the 2024 IEBC for scopes within BSC's

authority listed in Section 1.2 of the CEBC. BSC proposes to bring forward existing amendments in Sections 1001.2.1 and 1006.3 from 2022 CEBC to 2025 CEBC without modifications.

Chapter 10 is related to the “Work Area Method”, described in Chapter 6 Classification of Work. Since Chapter 6 is not adopted, Chapter 10 is not adopted. Provisions for occupancy change are covered in Section 506, within Chapter 5 Prescriptive Compliance Method.

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 11

Chapter 11 ADDITIONS

BSC proposes NOT to adopt Chapter 11 of the 2024 IEBC for scopes within BSC’s authority listed in Section 1.2 of the CEBC.

Chapter 11 is related to the “Work Area Method”, described in Chapter 6 Classification of Work. Since Chapter 6 is not adopted, Chapter 11 is not adopted. Provisions for additions are covered in Section 502, within Chapter 5 Prescriptive Compliance Method.

BSC proposes to bring forward existing amendment in Section 1104 from 2022 CEBC to 2025 CEBC with the following modifications.

ITEM 11-1

Section 1104.1 Minimum requirements

BSC proposes to amend Section 1104.1 to eliminate possible conflict with existing energy conservation regulations and provide a reference to the California Energy Code, which is Part 6 of Title 24. BSC coordinated with the California Energy Commission, who promulgates energy efficiency requirements in the California Energy Code, and received their support for the proposed amendment.

ITEM 12

Chapter 12 HISTORIC BUILDINGS

BSC proposes NOT to adopt Chapter 12 of the 2024 IEBC.

Chapter 12 of IEBC will continue to be reserved from CEBC as Part 8 of Title 24 regulates qualified historical buildings and properties in California.

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 13

Chapter 13 PERFORMANCE COMPLIANCE METHODS

BSC proposes NOT to adopt Chapter 13 of the 2024 IEBC.

Regulations governing additions, alterations and change in occupancy for buildings under BSC jurisdiction are contained in Chapters 3, 4 and 5 of this code and already provide stakeholders the option of performance based seismic design through the application of ASCE 41. Much of the remaining regulations contained in Chapters 13 are not within BSC authority or regulated in other parts of the California Building Standards Code; therefore, adoption of this chapter is not deemed constructive at this time.

BSC also proposes to carry forward a note under the chapter title, adding a reference to Section 104.11 for consideration of alternate means of compliance and clarifying that Chapter 13 continues to be not adopted by the state of California and may be available for adoption by local ordinance.

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 14

Chapter 14 RELOCATED OR MOVED BUILDINGS

BSC proposes NOT to adopt Chapter 14 of the 2024 IEBC as relocations are covered in Section 317.6, as “alterations,” for scopes within BSC authority.

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 15

Chapter 15 CONSTRUCTION SAFEGUARDS

BSC proposes to adopt Chapter 15 of the 2024 IEBC into the 2025 CEBC without amendments. Chapter 15 adoption provides consistency with Chapter 33 of California Building Code (CBC), that BSC also adopts.

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 16

Chapter 16 REFERENCED STANDARDS

BSC proposes to adopt Chapter 16 of the 2024 IEBC into the 2025 CEBC with the following amendment for scopes within BSC's authority listed in Section 1.2 of the CEBC.

Chapter 16 adoption provides consistency with Chapter 35 of CBC and identifies appropriate references contained within the text of CEBC for BSC authority.

ITEM 16-1

ASCE/SEI

BSC proposes to adopt the 2023 edition of ASCE 41: Seismic Evaluation and Retrofit of Existing Buildings in accordance with the IEBC errata posted December 20, 2023.

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 17

Appendix A GUIDELINES FOR THE SEISMIC RETROFIT OF EXISTING BUILDINGS: Chapter A1 SEISMIC STRENGTHENING PROVISIONS FOR UNREINFORCED MASONRY BEARING WALL BUILDINGS, Chapter A2 EARTHQUAKE HAZARD REDUCTION IN EXISTING REINFORCED CONCRETE AND REINFORCED MASONRY WALL BUILDINGS WITH FLEXIBLE DIAPHRAGMS

BSC proposes to adopt Appendix Chapters A1 and A2 of the 2024 IEBC and bring forward existing amendments in Sections A100.1, A103.1, and A202.1 from 2022 CEBC to 2025 CEBC without change.

Health and Safety Code Section 18934.7 requires BSC to adopt, approve, codify, and publish by reference in the California Building Standards Code the building standards in Appendix Chapter A1 of the IEBC to provide minimum standards for existing unreinforced masonry (URM) bearing wall buildings. Appendix Chapter A2 is referenced in Section 319.1.1 and has been adopted by BSC since 2018 Triennial Code Adoption Cycle.

The purpose of this action is to adopt the latest standards as required by HSC Section 18928 and as recommended by the Seismic Safety Commission, making the standards available to local governments for their loss reduction programs. The rationale for the adoption is the improvement of these programs and the successful mitigation of the remaining at-risk URM and flex diaphragm buildings.

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 18

Chapter A3 PRESCRIPTIVE PROVISIONS FOR SEISMIC STRENGTHENING OF CRIPPLE WALLS AND SILL PLATE ANCHORAGE OF LIGHT, WOOD-FRAME RESIDENTIAL BUILDINGS,

Chapter A4 EARTHQUAKE RISK REDUCTION IN WOOD-FRAME RESIDENTIAL BUILDINGS WITH SOFT, WEAK OR OPEN FRONT WALLS

BSC proposes NOT to adopt Appendix Chapters A3 and A4 of the 2024 IEBC. These appendices are for residential buildings and are not within BSC authority.

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 19

Chapter A5 REFERENCED STANDARDS

BSC proposes to adopt Appendix A Chapter A5 of the 2024 IEBC without amendment.

BSC continues to adopt Chapter A5 as the adopted chapters of Appendix A rely on these referenced standards to carry out the intent of the provisions.

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

ITEM 20

Appendix B SUPPLEMENTARY ACCESSIBILITY REQUIREMENTS FOR EXISTING BUILDINGS AND FACILITIES;

Appendix C GUIDELINES FOR THE WIND RETROFIT OF EXISTING BUILDINGS:

Chapter C1 GABLE END RETROFIT FOR HIGH-WIND AREAS,

Chapter C2 ROOF DECK FASTENING FOR HIGH-WIND AREAS,

Chapter C3 REFERENCED STANDARDS;

Appendix D BOARD OF APPEALS;

Appendix E TEMPORARY EMERGENCY USES,

Resource A GUIDELINES ON FIRE RATINGS OF ARCHAIC MATERIALS AND ASSEMBLIES

BSC proposes NOT to adopt Appendices B, C, D, E and Resource A of the 2024 IEBC.

CAC Recommendation:

[Enter CAC recommendation(s), if any]

Agency Response:

[Enter the agency's response to CAC recommendation(s)]

TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS

Government Code Section 11346.2(b)(3) requires an identification of each technical, theoretical, and empirical study, report, or similar document, if any, upon which the agency relies in proposing the regulation(s).

There was no technical, theoretical or empirical study, report, or similar documents used as the basis for the proposed adoption of 2024 IEBC with necessary amendments to become 2025 CEBC. Health and Safety Code Section 18928 mandates this proposed action.

STATEMENT OF JUSTIFICATION FOR PRESCRIPTIVE STANDARDS

Government Code Section 11346.2(b)(1) requires a statement of the reasons why an agency believes any mandates for specific technologies or equipment or prescriptive standards are required.

Health and Safety Code Section 18928 requires the adoption of 2024 IEBC, which contains prescriptive building standards, into 2025 CEBC. Prescriptive standards provide the following: explicit guidance for certain mandated requirements; consistent application and enforcement of building standards while also establishing clear design parameters; and ensure compliance with minimum health, safety and welfare standards for owners, occupants and guests. Performance standards are permitted by state law; however, they must be demonstrated to the satisfaction of the proper enforcing agency.

The proposed BSC amendments do not contain any mandates for specific technologies or equipment or prescriptive standards beyond the existing requirements already contained within 2022 CEBC. The amendments are editorial to provide clarifications and eliminate conflicts with existing building standards.

CONSIDERATION OF REASONABLE ALTERNATIVES

Government Code Section 11346.2(b)(4)(A) requires a description of reasonable alternatives to the regulation and the agency's reasons for rejecting those alternatives. In the case of a regulation that would mandate the use of specific technologies or equipment or prescribe specific action or procedures, the imposition of performance standards shall be considered as an alternate. It is not the intent of this paragraph to require the agency to artificially construct alternatives or describe unreasonable alternatives.

BSC has not identified any reasonable alternatives, including less burdensome and equally effective in achieving the purposes of the regulation in a manner that ensures full compliance with statute.

BSC is required by statute to adopt model codes by reference in the California Building Standards Law (Health and Safety Code, Section 18901 et seq.). The proposed BSC amendments are editorial to provide clarifications and eliminate conflicts with existing building standards.

REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS

Government Code Section 11346.2(b)(4)(B) requires a description of any reasonable alternatives that have been identified or that have otherwise been identified and brought to the attention of the agency that would lessen any adverse impact on small business.

Adoption of the latest edition of the model code is mandated by HSC Section 18928. No alternatives were identified that would lessen any adverse impact on small business. Small businesses will not experience an adverse impact due to the proposed BSC amendments, which are editorial to provide clarifications and eliminate conflicts with existing building standards.

FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

Government Code Section 11346.2(b)(5)(A) requires the facts, evidence, documents, testimony, or other evidence on which the agency relies to support an initial determination that the action will not have a significant adverse economic impact on business.

BSC 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.

BSC is adopting the latest edition of the model code pursuant 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, there are no other facts, evidence, documents, testimony, or other evidence on which the BSC relies to support its initial determination of no effect pursuant to Government Code Section 11346.2(b)(5)(A). The public is welcome to submit any information, facts, or documents either supporting BSC's initial determination or finding to the contrary.

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

Government Code Sections 11346.2(b)(2) and 11346.3(b)(1)

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, ESTIMATED POTENTIAL BENEFITS, AND RELATED ASSUMPTIONS USED FOR BUILDING STANDARDS

Government Code Section 11346.2(b)(5)(B)(i) states if a proposed regulation is a building standard, the initial statement of reasons shall include the estimated cost of compliance, the estimated potential benefits, and the related assumptions used to determine the estimates.

Because this proposal makes only non-substantive, clarifying changes to existing code language resulting in no intended change in regulatory effect, BSC estimates there will be no additional cost for the regulated community to comply with these building standards. The benefits of this proposal include clarifying code language and eliminating conflicts with existing building standards that will produce sensible and usable state building standards that promote health and safety. BSC's assumption of no additional cost of compliance is based on the fact that the proposal preserves the existing status quo of the CEBC with no intended change in regulatory effect.

DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS

Government Code Section 11346.2(b)(6) requires a department, board, or commission within the Environmental Protection Agency, the Resources Agency, or the Office of the State Fire Marshal to describe its efforts, in connection with a proposed rulemaking action, to avoid unnecessary duplication or conflicts with federal regulations contained in the Code of Federal Regulations addressing the same issues. These agencies may adopt regulations different from these federal regulations upon a finding of one or more of the following justifications: (A) The differing state regulations are authorized by law and/or (B) The cost of differing state regulations is justified by the benefit to human health, public safety, public welfare, or the environment.

The proposed regulations do not duplicate or conflict with federal regulations.