

## **Bills that go into effect January 1, 2019**

### **AB 2485 (Chau) Code enforcement: financially interested parties**

This bill would prohibit a local official, as defined, who inspects a commercial property or business for compliance with a state statute or regulation or local ordinance from being accompanied during the inspection by a person with a potential financial interest in the outcome of the inspection, as defined, unless the person is the owner of the property or business, is the agent or representative of the owner, is a person who has, or operates under, a specified existing contract with the local government who has been directed by a local official to perform services at the property or business, or is a contractor or consultant, or a designated representative of a contractor or consultant, that is on a publicly available list of qualified bidders that may provide inspection, abatement, or remediation services to, and receive compensation for those services from, the local government, as specified. The bill would additionally prohibit a person who has entered into a contract with a local government for inspection, abatement, or remediation services, who inspects a commercial property or business for compliance with a state statute or regulation or local ordinance without the presence of a local official from soliciting or receiving compensation from the owner to remediate any potential violations of a state statute or regulation or local ordinance found in the course of the inspection.

### **AB 2913 (Wood) Building standards: building permits: expiration**

A provision of the California Building Standards Law specifies that a local ordinance adding or modifying building standards for residential occupancies, published in the California Building Standards Code, applies only to an application for a building permit submitted after the effective date of the ordinance and to plans and specifications for, and the construction performed under, that permit, unless, among other reasons, the permit is subsequently deemed expired because the building or work authorized by the permit is not commenced within 180 days from the date of the permit, or the permittee has suspended or abandoned the work authorized by the permit at any time after the work is commenced.

This bill would instead provide that a permit would remain valid for purposes of the California Building Standards Law 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. The bill would also authorize a permittee to request and the building official to grant, in writing, one or more extensions of time for periods of not more than 180 days per extension. The bill would require that the permittee request the extension in writing and demonstrate justifiable cause for the extension. The bill would also make conforming changes to the above-described provisions.

### **AB 3002 (Grayson) Disability access requirements: information**

This bill would additionally require local jurisdictions issuing building permits for commercial construction or business licenses to make available a notice containing specified information regarding disability access. The bill would also require a local agency to provide the informational notice to an applicant for a commercial building permit or a business license. The bill, among other things, would require this informational notice to be translated into specified languages and to include specified information on compliance requirements under both state and federal law and an advisory strongly encouraging the applicant to obtain a CASp consultation and inspection. The bill would define "commercial property" for these purposes. The bill would require the State Architect to develop a model

notice for local agencies to use to comply with these provisions, as specified. The bill would include related legislative findings by imposing new requirements on local government agencies.

**SB 721 (Hill) Building standards: decks and balconies: inspection**

This bill would require an inspection of exterior elevated elements and associated waterproofing elements, as defined, including decks and balconies, for buildings with 3 or more multifamily dwelling units by a licensed architect, licensed civil or structural engineer, a building contractor holding specified licenses, or an individual certified as a building inspector or building official, as specified. The bill would require the inspections, including any necessary testing, to be completed by January 1, 2025, with certain exceptions, and would require subsequent inspections every 6 years, except as specified. The bill would require the inspection report to contain specified items and would require that a copy of the inspection report be presented to the owner of the building within 45 days of the completion of the inspection and would require copies of the reports to be maintained in the building owner's records for 2 inspection cycles, as specified. The bill would require that if the inspection reveals conditions that pose an immediate hazard to the safety of the occupants, the inspection report be delivered to the owner of the building within 15 days and emergency repairs be undertaken, as specified, with notice given to the local enforcement agency. The nonemergency repairs made under these provisions would be required to be completed within 120 days, unless an extension is granted by the local authorities. The bill would authorize local enforcement agencies to recover enforcement costs associated with these requirements. The bill would require the local enforcement agency to send a 30-day corrective notice to the owner of the building if repairs are not completed on time and would provide for specified civil penalties and liens against the property for the owner of the building who fails to comply with these provisions. The bill would exclude a common interest development, as defined, from these provisions. The bill would require any building subject to these provisions that is proposed for conversion to condominiums to be sold to the public after January 1, 2019, to have the required inspection conducted prior to the first close of escrow of a separate interest in the project, and would require the inspection report and written confirmation by the inspector that any recommended repairs or replacements have been completed to be submitted to, among others, the Department of Real Estate and included in certain required statements and reports, as specified. The bill would authorize a local governing entity to enact stricter requirements than those imposed by these provisions.

**SB 1226 (Bates) Building standards: building permits**

This bill would require the adoption of a building standard to the California Building Standards Commission pursuant to existing law that would authorize, when a record of the issuance of a building permit for the construction of an existing residential unit does not exist, specified enforcement officials will determine when the residential unit was constructed and then apply the State Housing Law, the building standards published in the California Building Standards Code, and other specified rules and regulations in effect on that date and issue a retroactive building permit for that construction. This bill would declare that the provisions of the bill are declaratory of existing law.

**Effective July 1, 2019**

**SB 969 (Dodd D) Automatic garage door openers: backup batteries.**

Would, beginning July 1, 2019, require an automatic garage door opener that is manufactured for sale, sold, offered for sale, or installed in a residence to have a battery backup function that is designed to operate when activated because of an electrical outage. The bill would make a violation of those provisions subject to a civil penalty of \$1,000. The bill would, on and after July 1, 2019, prohibit a replacement residential garage door from being installed in a manner that connects the door to an existing garage door opener that does not meet the requirements of these provisions.

**Chaptered Bills.** A legislative bill is "chaptered" by the Secretary of State once it passes through both houses of the California State Legislature and has either been signed by the Governor or has become law without the Governor's signature. The secretary of state assigns a sequential chapter number to all bills that become law. Statutes are cited by chapter and year, but legislative bills are also referred to by the bill number assigned by the Assembly or Senate when the bill is introduced.

**AB 565 (Bloom D) Building standards: live/work units.**

Would require the Department of Housing and Community Development, commencing with the next triennial edition of the California Building Standards Code adopted after January 1, 2019, to develop and submit for approval by the California Building Standards Commission clarifications in the California Building Code and the California Residential Code pertaining to the requirements for the construction of live/work units.

An act to add Section 18941.15 to the Health and Safety Code, relating to building standards.

**AB 2132 (Levine D) Building permit fees: waiver.**

The State Housing Law authorizes cities and counties to prescribe fees for permits required or authorized pursuant to the State Housing Law. This bill would authorize these entities to waive or reduce all building permit fees for improvements to the home of a person at least 60 years of age with a qualifying disability that are made to accommodate that disability.

An act to add Section 17951.7 to the Health and Safety Code, relating to housing.

**AB 2598 (Quirk D) Cities and counties: ordinances: violations.**

Current law authorizes the legislative body of a city or a county to make, by ordinance, any violation of an ordinance subject to an administrative fine or penalty and limits the maximum fine or penalty amounts for infractions. This bill would, for violations of a local building and safety code determined to be an infraction, increase the amounts of the fines to \$130 for a first violation, \$700 for a 2nd violation of the same ordinance within one year, and \$1,300 for each additional violation of the same ordinance within one year of the first violation.

An act to amend Sections 25132 and 36900 of the Government Code, relating to local government.

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