

**BUILDING STANDARDS COMMISSION**

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# CALIFORNIA BUILDING STANDARDS COMMISSION INFORMATION BULLETIN 21-01

**DATE:** December 3, 2021

**TO:** CBSC INTERESTED PARTIES  
LOCAL BUILDING DEPARTMENTS  
STATE AGENCIES AND DEPARTMENTS

**SUBJECT:** 2021 LEGISLATIVE CHANGES

This information bulletin summarizes the 2021 legislative changes to state laws related to the California Building Standards Commission (CBSC) and state building standards. The statutory changes summarized in this bulletin become effective on January 1, 2022, unless otherwise specified in statute. The links will take you to the *California Legislative Information* website for the complete text on each law.

[AB 9 \(Wood, Chapter 225, Statutes of 2021\) Fire safety and prevention: wildfires: fire adapted communities: Office of the State Fire Marshal: community wildfire preparedness and mitigation<sup>†</sup>](#)

This bill establishes in the Department of Conservation the Regional Forest and Fire Capacity Program to support regional leadership to build local and regional capacity and develop, prioritize, and implement strategies and projects that create fire adapted communities and landscapes by improving ecosystem health, community wildfire preparedness, and fire resilience. The bill requires, among other things, the department to, upon an appropriation by the Legislature, provide block grants to regional entities, as defined, to develop regional strategies that develop governance structures, identify wildfire risks, foster collaboration, and prioritize and implement projects within the region to achieve the goals of the program. The bill also requires the Office of the State Fire Marshal and the Department of Housing and Community Development to research, develop, and propose for adoption specified fire and life safety building standards applicable to moderate and high fire severity zones during the next triennial code adoption cycle.

[AB 100 \(Holden, Chapter 692, Statutes of 2021\) Drinking water: endpoint devices: lead content.](#)

Existing law, the California Safe Drinking Water Act, requires the State Water Resources Control Board to administer provisions relating to the regulation of drinking water to protect public health. Existing law prohibits, with certain exceptions, the use of any pipe, pipe or plumbing fitting or fixture, solder, or flux that is not lead free in the installation or repair of any

public water system or any plumbing in a facility providing water for human consumption. Existing law defines “lead free” for purposes of conveying or dispensing water for human consumption to mean not more than 0.2% lead when used with respect to solder and flux and not more than a weighted average of 0.25% lead when used with respect to the wetted surfaces of pipes and pipe fittings, plumbing fittings, and fixtures. Commencing January 1, 2023, this bill prohibits a person from manufacturing, and offering for sale in the state, an endpoint device, as defined, that does not meet a certain lead leaching standard. Commencing July 1, 2023, the bill prohibits a person from introducing into commerce or offering for sale in the state an endpoint device that does not meet that lead leaching standard. The bill requires the consumer-facing product packaging or product labeling of an endpoint device to bear specified lettering if the endpoint device meets that lead leaching standard and the above-described definition of “lead free.”

[AB 133 \(Committee on Budget, Chapter 143, Statutes of 2021\) Health](#)

Current law establishes the Office of Statewide Health Planning and Development (OSHPD), under the control of an executive officer known as the Director of Statewide Health Planning and Development. The office is vested with all the duties, powers, purposes, and responsibilities of the State Department of Public Health relating to health planning and research development. Current law creates the health care workforce clearinghouse to serve as the central source of health care workforce and education data in the state to collect data regarding health care workers, including the supply of health care workers and current and forecasted demand for health care workers. This bill renames the Office of Statewide Health Planning and Development as the Department of Health Care Access and Information. The bill repeals numerous duties and programs currently carried out by the OSHPD, including, among others, rural health care transition oversight, the Steven M. Thompson Medical School Scholarship Program, and the Postsurgical Care Demonstration Project.

[AB 361 \(Rivas, Chapter 165, Statutes of 2021\) Open meetings: state and local agencies: teleconferences](#)

Until January 1, 2024, this bill authorizes a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency, as that term is defined, when a state or local health official imposes or recommends measures to promote social distancing, during a proclaimed state of emergency held for the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees, and during a proclaimed state of emergency when the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees, as provided. These authorizations expire January 31, 2022, for state bodies subject to the Bagley-Keene Open Meeting Act.

[AB 642 \(Friedman, Chapter 375, Statutes of 2021\) Wildfires<sup>†</sup>](#)

Existing law requires the Director of Forestry and Fire Protection to identify areas of the state as very high fire hazard severity zones, as provided. Existing law requires a local agency, within 30 days of receiving a transmittal from the director that identifies very high fire hazard severity zones, to make the information available for public review. This bill requires the

director to also identify areas in the state as moderate and high fire hazard severity zones. The bill modifies the factors the director is required to use to classify areas into fire hazard severity zones, as provided. The bill instead requires a local agency, within 30 days of receiving a transmittal from the director that identifies fire hazard severity zones, to make the information available for public review and comment. By expanding the responsibility of local agencies, this bill imposes a state-mandated local program.

[AB 970 \(McCarty, Chapter 710, Statutes of 2021\) Planning and zoning: electric vehicle charging stations: permit application: approval.](#)

Current law requires every city, county, and city and county to create an expedited, streamlined permitting process for electric vehicle charging stations and to adopt a checklist pursuant to which an applicant that satisfies the information requirements shall be deemed complete and therefore eligible for expedited review. This bill clarifies that these provisions apply to all cities, including charter cities.

[AB 1584 \(Committee on Housing and Community Development, Chapter 360, Statutes of 2021\) Housing Omnibus](#) <sup>††</sup>

Existing law, the Planning and Zoning Law, authorizes a local agency to provide for the creation of accessory dwelling units in single-family and multifamily residential zones by ordinance, and sets forth standards the ordinance is required to impose with respect to certain matters, including, among others, maximum unit size, parking, and height standards. Existing law authorizes a local agency to provide by ordinance for the creation of junior accessory dwelling units, as defined, in single-family residential zones and requires the ordinance to include, among other things, standards for the creation of a junior accessory dwelling unit, required deed restrictions, and occupancy requirements. This bill makes void and unenforceable any covenant, restriction, or condition contained in any deed, contract, security instrument, or other instrument affecting the transfer or sale of any interest in real property that either effectively prohibits or unreasonably restricts the construction or use of an accessory dwelling unit or junior accessory dwelling unit on a lot zoned for single-family residential use that meets the above-described minimum standards established for those units, but would permit reasonable restrictions that do not unreasonably increase the cost to construct, effectively prohibit the construction of, or extinguish the ability to otherwise construct, an accessory dwelling unit or junior accessory dwelling unit consistent with those aforementioned minimum standards provisions. This bill contains other related provisions and other existing laws.

[SB 63 \(Stern, Chapter 382, Statutes of 2021\) Fire prevention: vegetation management: public education: grants: defensible space: fire hazard severity zones.](#) <sup>†</sup>

Existing law requires the Director of Forestry and Fire Protection to identify areas of the state as very high fire hazard severity zones based on specified criteria. Existing law requires a local agency, within 30 days after receiving a transmittal from the director that identifies very high fire hazard severity zones, to make the information available for public review, as provided. This bill, among other things, also requires the director to identify areas of the state as moderate and high fire hazard severity zones. The bill modifies the factors the director is required to use to identify areas into fire hazard severity zones, as provided. The bill requires

a local agency to make this information available for public review and comment, as provided. By expanding the responsibility of a local agency, the bill imposes a state-mandated local program. The bill also requires the Office of the State Fire Marshal and the Department of Housing and Community Development to research, develop, and propose for adoption specified fire and life safety building standards applicable to moderate and high fire severity zones during the next triennial code adoption cycle.

[SB 68 \(Becker, Chapter 720, Statutes of 2021\) Building electrification and electric vehicle charging.](#)

Existing law requires the State Energy Resources Conservation and Development Commission (Energy Commission) to assess the potential for the state to reduce the emissions of greenhouse gases from the state's residential and commercial building stock by at least 40% below 1990 levels by January 1, 2030. This bill requires the Energy Commission to gather or develop, and publish on its internet website, guidance and best practices to help building owners, the construction industry, and local governments overcome barriers to electrification of buildings and installation of electric vehicle charging equipment.

As appropriate, CBSC updates the California Building Standards Code (California Code of Regulations, Title 24) with changes resulting from newly enacted legislation. This information bulletin is *not* intended to be a complete digest of all new laws affecting buildings, building standards, and CBSC.

Sincerely,



Mia Marvelli, Executive Director  
Department of General Services, California Building Standards Commission

† Please contact the Office of the State Fire Marshal (OSFM) for further information on bills that have an impact on fire safety:

(916) 568-3800

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Sacramento, CA 95814

PO Box 944246

[OSFM website](#)

†† Please contact the Department of Housing and Community Development (HCD) for further information on bills that have an impact on housing:

(800) 952-8356

Department of Housing and Community Development

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[HCD website](#)