

**FINAL STATEMENT OF REASONS  
FOR PROPOSED BUILDING STANDARDS  
OF THE CALIFORNIA BUILDING STANDARDS COMMISSION  
REGARDING THE 2022 CALIFORNIA EXISTING BUILDING CODE,  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 10  
(BSC 03/22)**

The Administrative Procedure Act requires that every agency shall maintain a file of each rulemaking that shall be deemed to be the record for that rulemaking proceeding. The rulemaking file shall include a Final Statement of Reasons. The Final Statement of Reasons shall be available to the public upon request when rulemaking action is being undertaken. The following are the reasons for proposing this particular rulemaking action:

**UPDATES TO THE INITIAL STATEMENT OF REASONS:**

Government Code Section 11346.9(a)(1) requires an update of the information contained in the Initial Statement of Reasons. If the update identifies any data or any technical, theoretical or empirical study, report, or similar document on which the state agency is relying that was not identified in the Initial Statement of Reasons, the state agency shall comply with Government Code Section 11347.1.

The BSC has not added any data (including technical, theoretical, or empirical studies, reports, or similar documents relied upon) that would necessitate an update of the information contained in the Initial Statement of Reasons.

**MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

Pursuant to Government Code Section 11346.9(a)(2), if the determination as to whether the proposed action would impose a mandate, the agency shall state whether the mandate is reimbursable pursuant to Part 7 of Division 4. If the agency finds that the mandate is not reimbursable, it shall state the reasons for the finding(s).

The 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 adopt regulations applicable to school districts. While the proposed building standard regulations are applicable to—and required to be enforced by—local agencies (i.e., city and county building departments), the regulations within this proposal are editorial to provide clarifications and eliminate conflicts with existing building standards. The proposed amendments have no intended change in regulatory effect since they are equivalent to current requirements in the Code.

**OBJECTIONS OR RECOMMENDATIONS MADE REGARDING THE PROPOSED REGULATION(S).**

Government Code Section 11346.9(a)(3) requires a summary of EACH objection or recommendation regarding the specific adoption, amendment, or repeal proposed, and an explanation of how the proposed action was changed to accommodate each objection or recommendation, or the reasons for making no change. This requirement applies only to objections or recommendations specifically directed at the agency's proposed action or to the procedures followed by the agency in proposing or adopting the action, or reasons for

making no change. Irrelevant or repetitive comments may be aggregated and summarized as a group.

The text with proposed changes was made available to the public for a 45-day comment period from April 7, 2023, until May 22, 2023. No comments were received during the comment period. There was no subsequent public comment period.

## **DETERMINATION OF ALTERNATIVES CONSIDERED AND EFFECT ON PRIVATE PERSONS**

Government Code Section 11346.9(a)(4) requires a determination with supporting information that no alternative considered would be more effective in carrying out the purpose for which the regulation is proposed, or would be as effective and less burdensome to affected private persons than the adopted regulation, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

There were no reasonable alternatives available to BSC as the proposed changes are editorial in nature and consistent with interested party input. BSC participated in the State Fire Marshal (SFM) California Existing Building Code (CEBC) workgroup to discuss possible adoption of International Existing Building Code compliance paths for inclusion in the 2022 CEBC. The proposed amendments are a result of the findings from the workgroup meetings. These regulations will clarify minimum building standards and eliminate conflicts with existing building standards, which will provide clarity and regulatory consistency for the code user and allow more flexibility in the regulations encouraging the reuse of existing buildings. 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.

## **REJECTED PROPOSED ALTERNATIVE THAT WOULD LESSEN THE ADVERSE ECONOMIC IMPACT ON SMALL BUSINESSES:**

Government Code Section 11346.9(a)(5) requires an explanation setting forth the reasons for rejecting any proposed alternatives that would lessen the adverse economic impact on small businesses, including the benefits of the proposed regulation per 11346.5(a)(3).

Not applicable— BSC has determined 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 making editorial amendments with no intended change in regulatory effect. The amendments are to provide clarifications and eliminate conflicts with existing building standards.