# ADDENDUM TO FINAL EXPRESS TERMS AND RATIONALE FOR PROPOSED BUILDING STANDARDS OF THE STATE FIRE MARSHAL REGARDING THE 2025 CALIFORNIA FIRE CODE, CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 9 (SFM 04/24)

The state agency shall draft the regulations in plain, straightforward language, avoiding technical terms as much as possible and using a coherent and easily readable style. The agency shall draft the regulation in plain English. A notation shall follow the express terms of each regulation listing the specific statutes authorizing the adoption and listing specific statutes being implemented, interpreted, or made specific (Government Code Section 11346.2(a)(1)).

Approve as amended a proposed provision, as requested by the state agency. No modification shall be made that materially alters a requirement, right, responsibility, condition or prescription in the text made available to the public for comment in accordance with this chapter. The proposing agency shall justify the modification pursuant to Health and Safety Code Section 18930 in an amended justification consistent with the approval action submitted to the Commission within 15 days. Failure to submit the amended justification within that time is cause for disapproval. (Section 1-417(a)4 of the California Administrative Code, Part 1 of Title 24 of the California Code of Regulations).

If using assistive technology, please adjust your settings to recognize underline, strikeout, double strikeout, italics and ellipsis. Double underline will be indicated by parenthetical notes within the text. The notes will not be codified or published in the code.

## LEGEND for EXPRESS TERMS (Based on model codes - Parts 2, 2.5, 3, 4, 5, 9, 10)

* Model Code language appears upright
* Existing California amendments appear in *italic*
* Amended model code or new California amendments appear *underlined & italic*
* Repealed model code language appears ~~upright and in strikeout~~
* Repealed California amendments appear in *~~italic and strikeout~~*
* Addendum changes to Final Express Terms language appear in *double underline and italic* and *double strikeout and italic*.
* Ellipses (...) indicate existing text remains unchanged

## ADDENDUM to FINAL EXPRESS TERMS and RATIONALE

### ITEM 2-27.1 Section 203.4.2 Group E, child-care facilities.

[The SFM proposes to amend the existing exception to Group E child-care facilities and provide a pointer to subsections in the California Fire Code. The changing language is revised in this addendum: California Building Code pointer is changed to California Fire Code pointer.]

**203.4.2 Group E, *child-care* facilities.** This group includes buildings and structures, or portions thereof occupied by more than *six* children *36 months* of age *and* *older* who receive educational, supervision or personal care services for *~~fewer~~* fewer than 24 hours per day.

***Exception: [SFM]*** *A child-care facility not otherwise classified as a Group R-3 occupancy, where occupants are not capable of responding to an emergency situation without physical assistance from the staff, shall be classified as Group I-4. ~~A maximum of five infants~~ Infants* *and toddlers are allowed in Group E child-care when the requirements of California Building [start double underline] Fire [end double underline] Code Sections 305.2.1, 305.2.2, 305.2.3 or 308.5.1 [start double underline] 203.4.2.1, 203.4.2.2, 203.4.2.3, or 203.7.4.1 [end double underline] are met.*

**Rationale:** SFM proposes to correct the referenced code sections to California Fire Code section numbers. The section numbers initially referenced are those of the California Building Code.

#### **Notation:**

Authority: Health and Safety Code Sections 1250, 1502, 1568.02, 1569.72 - 1569.78, 1597.44 - 1597.65, 13108, 13108.5, 13114, 13143, 13143.2, 13143.6, 13145, 13146, 13211, 16022.5, 17921, 18928, 18949.2, 25500 through 25545; Government Code Sections 51176, 51177, 51178, 51179 and 51189; Public Education Code 17074.50; Public Resources Code Sections 4201 through 4204.

Reference(s): Health and Safety Code Sections 13108, 13108.5, 13113, 13113.5, 13114, 13132, 13132.7, 13133, 13135, 13143, 13143.1, 13143.2, 13143.6, 13143.9, 13145, 13146, 13210, 13211, 16022.5, 17921.

The State Fire Marshal requests the Commission to approve this item as amended, in order to satisfy Health and Safety Code Section **18930(a)(1)** the proposed building standards do not conflict with, overlap, or duplicate other building standards.