

**UPDATED INFORMATIVE DIGEST
FOR PROPOSED BUILDING STANDARDS
OF THE STATE FIRE MARSHAL
REGARDING THE 2025 CALIFORNIA BUILDING CODE,
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 2
(SFM 04/24)**

The State Fire Marshal finds that REVISIONS have been made which would warrant a change to the Informative Digest contained in the Notice of Proposed Action for the 2025 California Building Code, California Code of Regulations (CCR), Title 24, Part 2.

SUMMARY OF THE IMMEDIATELY PRECEDING LAWS AND REGULATIONS

Reference: Government Code Section 11346.9(b)

Insert a concise and clear summary of the immediately preceding laws and regulations, if any, relating directly to the adopted, amended, or repealed regulations in the format of the Legislative Counsel's Digest.

Assembly Bill (AB) 176 (2023-2024) (Education Finance: Education Omnibus Trailer Bill) was signed into law on September 30, 2024. The bill amended Health and Safety Code (HSC) Sections 1596.809 (Administration of Child Day Care Licensing) and HSC 13235 (Fire Safety Inspections of Care Facilities), which became effective on September 27, 2024. The amendments shall remain operative until January 1, 2027, or until the Office of the State Fire Marshal adopts new regulations pertaining to occupancy standards for daycare centers (HSC 1596.76). The amended HSC sections outline the California Building Code edition that shall be utilized for assigning occupancy classification to child care centers. The edition identified was in effect on December 31, 2022.

SUMMARY OF EFFECT

Reference: Government Code Section 11346.9(b)

Insert a clear and concise summary of the effect of the adopted, amended, or repealed regulation.

SFM implemented the changes brought by AB 176 in the 45-Day Express Terms. These changes implement AB 176 for new license applicants seeking a fire clearance (Fire Safety Inspection) to operate a Child Care Center and existing licensees seeking an updated fire safety inspection due to operational changes (such as increased capacity, change in ownership, or name change) will not be subject to the regulations for use and occupancy specified under the 2022 edition of Title 24 Part 2 California Building Code, Chapter 3 which went into effect on January 1, 2023.

This change in occupancy classification is retroactive; any fire safety inspection on or after January 1, 2023, is subject to the regulations for use and occupancy specified under the 2019 edition of Title 24, Part 2 of California Building Code, Chapter 3, as they existed on December 31, 2022.