

**NOTICE OF PROPOSED ACTION  
TO BUILDING STANDARDS OF THE  
DIVISION OF THE STATE ARCHITECT  
REGARDING THE 2025 CALIFORNIA GREEN BUILDING STANDARDS CODE  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 11  
(DSA-SS 03/24)**

Notice is hereby given that the California Building Standards Commission (CBSC) on behalf of the Division of the State Architect proposes to adopt, approve, codify, and publish changes to building standards contained in the California Code of Regulations (CCR), Title 24, Part 11. The DSA is proposing building standards related to 2025 California Green Building Standards Code.

**PUBLIC COMMENT PERIOD**

Reference: Government Code Sections 11346.5(a)(1), 11346.5(a)(15) and 11346.5(a)(17).

A public hearing has not been scheduled; however, written comments will be accepted from **May 17, 2024**, until midnight on **July 1, 2024**.

Comments may be submitted to CBSC via:

Email: [cbsc@dgs.ca.gov](mailto:cbsc@dgs.ca.gov)

US Mail postmarked no later than **July 1, 2024**:

California Building Standards Commission

Attention: Public Comments

2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833

Note: Only comments received in an accessible format will be viewable via CBSC's website.

Any interested person, or his or her duly authorized representative, may request no later than 15 days prior to the close of the written comment period that a public hearing be held.

The public will have an opportunity to provide written and oral comments regarding the proposed action on building standards at a public meeting to be conducted by CBSC to be scheduled at a date near the end of the current adoption cycle. A meeting notice will be issued announcing the date, time and location of the public meeting.

**POST-HEARING MODIFICATIONS TO THE TEXT OF THE REGULATIONS**

Reference: Government Code Section 11346.5(a)(18).

Following the public comment period, CBSC may adopt the proposed building standards substantially as proposed in this notice or with modifications that are sufficiently related to the original proposed text and notice of proposed changes. If modifications are made, the full text of the proposed modifications, clearly indicated, will be made available to the public for at least 15 days prior to the date on which CBSC adopts, amends, or repeals the regulation(s). CBSC will accept written comments on the modified building standards during the 15-day period.

**NOTE:** To be notified of any modifications, you must submit written/oral comments or request that you be notified of any modifications.

## AUTHORITY AND REFERENCE

Reference: Government Code Section 11346.5(a)(2).

CBSC proposes to adopt these building standards under the authority granted by Health and Safety Code Section 18949.1.

The purpose of these building standards is to implement, interpret, or make specific the provisions of Education Code Sections 17280 through 17317, 17661 and 81130 through 81149.

The Division of the State architect is proposing this regulatory action based on Education Code Sections 17310, 17661 and 81142.

## INFORMATIVE DIGEST

Reference: Government Code Section 11346.5(a)(3).

### Summary of Existing Laws

**Health and Safety Code, Section 18949.1** transfers the responsibilities of DSA to adopt regulations relating to building standards, to the California Building Standards Commission.

**Sections 17310 and 81142 of the Education Code** authorize the State Architect to establish building standards for the design, construction and inspection of public elementary and secondary schools, and community colleges.

**Section 17661 of the Education Code** requires the State Architect to propose mandatory standards for carbon dioxide monitors in K-12 and Community College classrooms.

**Sections 17280-17317 and 81130-81149 of the Education Code** are known and cited as the “Field Act”.

### Summary of Existing Regulations

Existing green building standards apply to the planning, design, operation, construction, use and occupancy of every newly constructed building or structure throughout the State of California. It is not the intent that the green building standards substitute or be identified as meeting the certification requirements of any green building program. The green building standards for public elementary and secondary schools and community colleges are promulgated by the Division of the State Architect. These regulations are contained in the California Green Building Standards Code (CALGreen Code, Part 11, Title 24) and incorporate the following:

Part 3, California Electrical Code, which prescribe the design and construction requirements for electrical systems of public elementary and secondary schools, and community colleges.

Part 4, California Mechanical Code, which prescribe the design and construction requirements for mechanical systems of public elementary and secondary schools and community colleges.

Part 5, California Plumbing Code, which prescribe the design and construction requirements for plumbing systems of public elementary and secondary schools,

and community colleges.

Part 6, the California Energy Code, which contains minimum energy efficiency standards for the non-residential buildings in California promulgated by the California Energy Commission (CEC).

Part 11, the California Green Building Standards Code (CALGreen), which contains mandatory and voluntary green building standards for residential and non-residential facilities.

Other relevant CCR titles:

Title 17 includes regulations for air quality promulgated by the California Air Resources Board.

### **Summary of Effect**

The proposed action will implement the proposed modifications to the California Green Building Standards Code for buildings within DSA authority. The proposed amendments contain amendments which clarify where CO2 monitors are required in public K-12 schools and community colleges, align with statute.

Once filed with Secretary of State, the standards will be codified and published by July 1, 2025, and will become effective January 1, 2026.

### **Comparable Federal Statute or Regulations**

There are no federal statutes or regulations that are comparable to the proposed updates to the California Green Building Standards Code (CALGreen Code).

### **Policy Statement Overview**

The broad objective of the proposed action is to maintain green building standards in conformance with current state law, by updating the 2022 California Green Building Standards Code (CALGreen Code).

### **Evaluation of Consistency**

There are no inconsistent or incompatible regulations proposed.

### **OTHER MATTERS PRESCRIBED BY STATUTE APPLICABLE TO THE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS**

Reference: Government Code Section 11346.5(a)(4).

There are no other matters prescribed by statute applicable to the Division of the State Architect, or to any specific regulation or class of regulations.

### **MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS**

Reference: Government Code Section 11346.5(a)(5).

DSA-SS has determined that the proposed regulatory action would create a mandate on school districts. Based on bill analysis for the Senate and Assembly Appropriations Committees, the regulations created pursuant to the bill could result in additional state reimbursable expenses to install new carbon dioxide monitors in classrooms.

## ESTIMATE OF COST OR SAVINGS

Reference: Government Code Section 11346.5(a)(6).

An estimate, prepared in accordance with instructions adopted by Department of Finance, of cost or savings to any state agency, local agency, or school district.

- A. Cost or Savings to any state agency: **NO**
- B. Cost to any local agency required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **NO**
- C. Cost to any school district required to be reimbursed under Part 7 (commencing with Section 17500) of Division 4: **YES**
- D. Other nondiscretionary cost or savings imposed on local agencies: **NO**
- E. Cost or savings in federal funding to the state: **NO**

Estimate: \$600/carbon dioxide monitor

## INITIAL DETERMINATION OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT ON BUSINESSES

Reference: Government Code Section 11346.5(a)(8).

If the agency makes an initial determination that the adoption/amendment/repeal of this regulation will not have a significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, it shall make a declaration to that effect.

DSA-SS has made an initial determination that the amendments of this regulation will not have a significant statewide adverse economic impact on businesses, including the ability of California businesses to compete with businesses in other states.

### Declaration of Evidence

Reference: Government Code Section 11346.5(a)(8).

In making the declaration, the agency shall provide in the record of facts, evidence, documents, testimony, or other evidence that the agency relied upon to support its initial determination of no effect.

No facts, evidence, documents, testimony or other evidence has been relied upon to support the initial determination of no effect. The public may submit any information, facts or documents either supporting DSA's initial determination or finding to the contrary.

## FINDING OF NECESSITY FOR THE PUBLIC'S HEALTH, SAFETY, OR WELFARE

Reference: Government Code Section 11346.5(a)(11).

Any regulation that requires a report shall not apply to businesses, unless the agency makes a finding that it is necessary for the health, safety, or welfare of the public that the regulations apply to businesses.

DSA-SS has evaluated the proposed code changes and has determined that these changes do not require a report.

## **COST IMPACT ON REPRESENTATIVE PRIVATE PERSON OR BUSINESS**

Reference: Government Code Section 11346.5(a)(9).

Describe all cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action. If no cost impact, provide the following statement:

DSA is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

## **ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION**

Reference: Government Code Section 11346.5(a)(10).

DSA-SS has assessed whether and to what extent this proposal will affect the following:

**A. The creation or elimination of jobs within the State of California.**

These proposed regulations will not affect the creation or elimination of jobs within the State of California

**B. The creation of new businesses or the elimination of existing businesses within the State of California.**

These proposed regulations will not affect the creation or elimination of existing businesses within the State of California.

**C. The expansion of businesses currently doing business within the State of California.**

These proposed regulations will not affect the expansion of businesses currently doing business within the State of California

**D. The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.**

These proposed regulations are consistent with the California Schools Healthy Air, Plumbing and Efficiency Program (AB841 (Chapter 372, Statutes of 2020), and will support the health and welfare of California residents, worker safety and the states environment.

## **ESTIMATED COST OF COMPLIANCE OF STANDARDS THAT WOULD IMPACT HOUSING**

Reference: Government Code Section 11346.5(a)(12).

DSA-SS has determined this proposed action would have no effect on housing.

## **CONSIDERATION OF ALTERNATIVES**

Reference: Government Code Section 11346.5(a)(13).

DSA-SS has determined that no reasonable alternative considered by DSA-SS or that has otherwise been identified and brought to the attention of DSA-SS would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provisions of law.

## AVAILABILITY OF RULEMAKING DOCUMENTS

Reference: Government Code Sections 11346.5(a)(16) and 11346.5(a)(20).

All of the information upon which the proposed regulations are based is contained in the rulemaking file, which is available for public review, by contacting the person named below. This notice, the express terms and initial statement of reasons can be accessed from the [CBSC website](https://dgs.ca.gov/BSC): [dgs.ca.gov/BSC](https://dgs.ca.gov/BSC).

Reference: Government Code Section 11346.5(a)(19).

Interested parties may obtain a copy of the final statement of reasons, once it has been prepared, by making a written request to the contact person named below or at the [CBSC website](https://dgs.ca.gov/BSC): [dgs.ca.gov/BSC](https://dgs.ca.gov/BSC).

Reference: Government Code Section 11346.5(a)(21).

DSA shall provide, upon request, a description of proposed changes included in the proposed action, in the manner provided by Section 11346.6, to accommodate a person with a visual or other disability for which effective communication is required under state or federal law. The statement shall note that providing the accessible description of proposed changes may require extending the period of public comment for the proposed action.

## CBSC CONTACT PERSON FOR PROCEDURAL AND ADMINISTRATIVE QUESTIONS

Reference: Government Code Section 11346.5(a)(14).

General questions regarding procedural and administrative issues should be addressed to:

Kevin Day, Acting Executive Director  
2525 Natomas Park Drive, Suite 130  
Sacramento, CA 95833  
Telephone: (916) 263-0916

## PROPOSING STATE AGENCY CONTACT PERSON FOR SUBSTANTIVE OR TECHNICAL QUESTIONS ON THE PROPOSED CHANGES TO BUILDING STANDARDS

Specific questions regarding the substantive or technical aspects of the proposed changes to the building standards should be addressed to:

Primary Contact:

Paul Johnson, Senior Electrical Engineer  
Department of General Services, Division of the State Architect  
Telephone No.: (916) 322-3579  
[Paul.johnson@dgs.ca.gov](mailto:Paul.johnson@dgs.ca.gov)  
Facsimile No.: (916) 445-3521

Back up Contact:

Eric Driever, Principal Architect  
Department of General Services, Division of the State Architect  
Telephone No.: (916) 443-9829  
[eric.driever@dgs.ca.gov](mailto:eric.driever@dgs.ca.gov)