



STATE HISTORICAL BUILDING SAFETY BOARD BYLAWS **DRAFT - 1/21/25**

Article I – Name, Principal Office and Executive Officer

1. The name of the organization is the State Historical Building Safety Board (SHBSB, or the Board)
2. The SHBSB is a unit within the Division of the State Architect (DSA)
3. The State Architect shall appoint the Executive Director to the Board.

Article II – Purpose, Powers and Duties of the Board

1. The Board shall fulfill the purposes, establish policies, procedures and perform duties consistent with the Health and Safety Code (HSC) Part 2.7 State Historical Building Code (Sections 18950-18962).
2. Each Board member shall adhere to these bylaws and any amendments to them thereafter (“Bylaws”).

Article III – Members and Officers

1. The SHBSB is comprised of twenty-two (22) members, and twenty-two (22) alternates, inclusive of the California Licensed Building Contractor appointed by the Board. The appointed alternates shall serve in place of the members at the meetings of the board that the members are unable to attend.
2. Members shall be appointed by the appointing organization identified at HSC Section 18960(d). Appointing organizations are to select both a member and an alternate member.
 - a. The alternate shall serve in the capacity of the member if the member is unable to fulfill their duties.
 - b. The member and alternates appointed shall be qualified experts in their respective fields as determined by the appointing organizations.
3. The Board shall appoint a member and an alternate California Licensed Building Contractor to serve on the Board.
 - a. The term of each member of the SHBSB is four years.
 - i. Vacancies shall be filled by appointing agencies in the same manner as the original appointments.
 - ii. Appointing organizations may reappoint original members for successive terms or may appoint the alternate as the member, and vice versa.
 - iii. Appointed members and alternates shall coordinate with their appointing organization for reappointment.
 - iv. The State Architect shall serve continuously until replaced.
4. No member may delegate their attendance, participation, or vote to any other person other than their appointed alternate.



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5. Board members must notify DSA and their appointing organization if they can no longer serve in the capacity of a Board member. Their position will be deemed vacant 30 days after notification.
6. The Board shall appoint the Chairperson and a Vice Chairperson annually as provided in this section:
 - a. Prior to the February meeting each year, the Executive Director will solicit interest in officer positions.
 - b. At the February meeting, the Executive Director shall ask members to nominate individuals for the position of Chairperson and Vice Chairperson. Any nomination for office must be seconded. No member may nominate or second the nomination for himself or herself for either office.
 - c. A majority vote is necessary to elect an officer, and each officer elected shall serve for one year or until his or her successor is elected.
 - d. If, in the Board's judgment, no nominee for the position of Chairperson or Vice Chairperson can garner sufficient votes for election to that position at the February meeting, a motion to put the election over to a subsequent meeting is in order.
 - e. Newly elected officers shall assume office immediately following the February meeting.
 - f. In the event a vacancy occurs in the office of Chairperson or Vice Chairperson during a calendar year, an election shall be held at the next meeting. Any member interested in completing the one-year term of an office that has become vacant may nominate himself or herself, but each nomination requires a second.
 - g. The position of Chairperson and Vice-Chairperson may be nominated for and serve more than one successive term.
7. If, in the event the Chairperson and Vice Chair are not available, the board may, by majority vote, elect the temporary Chairperson to fill the role of Chairperson for that meeting.
 - a. The alternate member serving on behalf of the organization of either the Chairperson or the Vice Chairperson shall not act as the Chairperson or Vice Chairperson respectively in the event of an absence of either officer without the majority vote of the Board.
8. No member may be elected as Chairperson and Vice-Chairperson simultaneously.



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Article IV – Duties

1. The duties of the Board are as follows:
 - a. Adopt rules and regulations pursuant to the State Historical Building Code.
 - b. Adopt and submit alternative building standards for approval by the Building Standards Commission.
 - c. Coordinate and consult with the following state agencies when adopting rules and regulations pursuant to the Historical Building Code which affect qualified historic buildings or structures within their jurisdiction:
 - i. The Division of the State Architect
 - ii. The State Fire Marshal
 - iii. The State Building Standards Commission, but only with respect to approval of building standards.
 - iv. The Department of Housing and Community Development
 - v. The Department of Transportation
 - vi. Other state agencies that may be affected by the Historic Building Code.
 - d. Act as consultant to the State Architect.
 - e. Act as a review body to California State and local agencies with respect to interpretations, administration and enforcement, publish and report to the Building Standards Commission such interpretations.
 - f. Accept appeals from any party if the issue is of statewide importance and report such interpretations to the Building Standards Commission.
 - g. Accept requests from State agencies on regarding variances or appeals affecting qualified historical buildings or structures.
 - h. Receive filings from local jurisdictions, of changes or modifications to the Historic Building Code pursuant to Health and Safety Code 18959(f)
 - i. The Board may, from time to time, appoint consultants who shall serve without pay but may be reimbursed for actual expenses as approved by the Board.
2. The duties of the Board members and alternates are as follows:
 - a. Abide by these bylaws.
 - b. Abide with the Conflict of Interest Code



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- c. Abide by Bagley-Keene Open Meeting Act including but not limited to communication requirements included therein.
 - d. Attend meetings regularly and communicate availability to staff in a timely manner. If unavailable, assist staff in the coordination with the appointed alternate to attend meetings.
 - e. In accordance with Bagley-Keene open meeting rules, confer with appointed alternate regarding meeting topics when not able to attend meetings.
 - f. Actively participate in meetings.
3. The duties of the Chairperson is as follows:
- a. serve as spokesperson for the Board;
 - b. represent the position of the Board to the Executive Director
 - c. preside at all meetings of the Board and follow-up with the assistance of the executive director to see that agreed upon action is implemented;
 - d. serve, as necessary, as the Board's liaison to local jurisdictions and local historic building committees/commissions, or designate a member to serve in their place;
 - e. provide direction for the executive director;
 - f. and, along with the executive director, direct staff in preparing agendas for Board meetings, in consultation with other members as permitted by law, and determine priorities for the expenditure of board travel funds.
4. The Duties of the Vice Chairperson is as follows:
- a. preside at Board meetings in the absence of the Chairperson;
 - b. represent the Board at functions as designated by the Chairperson; and
 - c. fulfill all duties of the Chairperson when he or she is unable to serve.
5. In the event neither the Chairperson or Vice-chairperson is available the Executive Director may perform the duties of the Chair for administrative duties only. The Executive Officer may not vote, nor be counted for the purposes of Quorum.

Article IV – Meetings

1. Board meetings will be held in accordance with the Bagley-Keene Open Meeting Act and be noticed a minimum of 10 business days in advance of the meeting.
2. Board meetings will allow members of the public to attend either in-person or virtually.



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3. The SHBSB will meet three (3) times per year. Meetings will be held in the months of February, May and September.
 - a. Meeting regularity and schedule may be adjusted at the Board's direction.
 - b. Special Board meetings may be held at the direction of the Chairperson.
4. A quorum for Board meetings is twelve (12) Board members in attendance in person.
 - a. Board members must confirm attendance no later than three (3) days prior to the scheduled meeting.
 - b. To avoid unplanned absences causing a lack of quorum, if fewer than 13 members have confirmed attendance, the Chairperson may cancel the meeting.
 - i. If the Chairperson or Vice Chairperson is unavailable, the Executive Director may act in this capacity.
5. Meetings will be recorded and SHBSB staff shall keep minutes, which shall, prior to the next scheduled meeting, be provided to all members for review. Minutes shall be approved or disapproved by majority vote of the SHBSB at the next scheduled meeting.

Article V – Compensation

1. Board members serve as without pay but shall receive actual and necessary expenses incurred while serving on the Board.
2. Reimbursement of expenses incurred are in accordance with the Department of General Services/Human Resources Policies.

Article VI – Conflict of Interest

1. Board members shall file statements of economic interests as required by the Fair Political Practices Commission. The terms in the Conflict of Interest Code, adopted by the Board constitute the Conflict of Interest Code of the Board.

Article VII – Advisory Committees

1. An Advisory Committee is more than two (2) members meeting to deliberate or discuss Board duties or activities in accordance with the Bagley-Keene Open Meeting Act.
2. The Board may create by majority vote, advisory committees which serve to advise the Board, on Board related duties. The Advisory Committees may not act on behalf of the Board and must act in accordance with Bagley-Keene Open Meeting Act.
3. The Board may appoint, by majority vote, members of the board to advisory committees for a limited term not to exceed the term of the appointed member.
4. Advisory Committees may not exceed ten (10) Board members but may be created with fewer than ten (10) members.



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5. Advisory Committees may meet in accordance with the teleconference rules for advisory, non-decision-making bodies in the Bagley-Keene Open Meeting Act.
6. The Board has established the Code Development and Appeals Advisory Committee (CDAAC) as follows:
 - a. The CDAAC shall have seven (7) Board members maximum as nominated and confirmed through majority vote by the Board. Board members may self-nominate to serve on the CDAAC.
 - b. Board members not appointed to the advisory committee may attend to hear the meeting but may not participate in the discussion or deliberation.
 - c. The CDAAC shall conduct public workshops or hearings for California Building Code updates, meet to hear and make recommendations to the full Board regarding appeals, meet to provide informal, non-binding, interpretations to State and local jurisdictions on matters relating to the California Historical Building Code.
 - i. Formal, binding interpretations require full Board approval prior to issuance. A copy of the formal interpretation must be sent to the California Building Standards Commission and published.
 - ii. Informal meetings by a state agency, local jurisdiction or private party may be requested.
 - d. The CDAAC shall consult with the following state agencies when considering proposed rules and regulations to the Historical Building Code which affect qualified historic buildings or structures within their jurisdiction:
 - i. The Division of the State Architect
 - ii. The State Fire Marshal
 - iii. The State Building Standards Commission, but only with respect to approval of building standards.
 - iv. The Department of Housing and Community Development
 - v. The Department of Transportation
 - vi. Other state agencies that may be affected by the Historic Building Code.
7. The Board has established the Bylaws Advisory Committee (BAC) as follows:
 - a. The BAC shall have five (5) Board members maximum as nominated and confirmed through majority vote by the Board. Board members may self-nominate to serve on the BAC.
 - b. The BAC shall meet to confer on the creation of, and amendments to the Bylaws and to confer on administrative procedures related to the business activities of the Board.



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Article VI – Amendment of Bylaw

1. The Bylaws may be amended by a majority vote of the SHBSB. Amendments to the Bylaws are not final until approved by the full Board.

[End of the Bylaws]

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