

AMENDED IN SENATE SEPTEMBER 3, 2013

AMENDED IN SENATE JUNE 24, 2013

AMENDED IN ASSEMBLY MAY 29, 2013

AMENDED IN ASSEMBLY APRIL 22, 2013

AMENDED IN ASSEMBLY APRIL 1, 2013

AMENDED IN ASSEMBLY MARCH 21, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 127**

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**Introduced by Assembly Member Skinner  
(Coauthors: Assembly Members Ammiano, Rendon, Stone, and  
Williams)**

January 14, 2013

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An act to add Section 13108.1 to the Health and Safety Code, relating to fire safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 127, as amended, Skinner. Fire safety: fire retardants: building insulation.

Existing law authorizes the State Energy Resources Conservation and Development Commission to adopt regulations pertaining to urea formaldehyde foam insulation materials that are reasonably necessary to protect the public health and safety. Existing law provides that these regulations may include prohibition of the manufacture, sale, or installation of this insulation. Existing law also authorizes the Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal Insulation to establish by regulation insulation material standards

governing the quality of all insulation material sold or installed in the state.

The California Building Standards Law requires all state agencies that adopt or propose adoption of any building standard to submit the building standard to the California Building Standards Commission for approval or adoption. Existing law requires the commission to receive proposed building standards from state agencies for consideration in an 18-month code adoption cycle. Existing law requires the commission to adopt, approve, codify, update, and publish green building standards applicable to a particular occupancy, if no state agency has the authority or expertise to propose green building standards for those occupancies.

This bill would require the State Fire Marshal, in consultation with the Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal Insulation ~~and the Department of Toxic Substances Control,~~ ~~to, by July 1, 2015, to review the flammability standards for building insulation materials, including whether the flammability standards for some insulation materials can only be met with the addition of chemical flame retardants. The bill would require, if deemed appropriate by the State Fire Marshal based on this review, the State Fire Marshal to, by July 1, 2015, propose for consideration by the commission updated insulation flammability standards that accomplish certain things, including maintaining overall building fire safety while giving full consideration to the long-term human and ecological health impacts associated with chemical flame retardants safety.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. *The Legislature finds and declares that for some*
- 2     *insulation materials, current insulation flammability standards*
- 3     *can only be met using chemical flame retardants and that new*
- 4     *standards proposed pursuant to this act may provide manufacturers*
- 5     *with flexibility in meeting the flammability standards, with or*
- 6     *without the addition of chemical flame retardants, and would be*
- 7     *consistent with maintaining overall building fire safety.*
- 8     SECTION 1.
- 9     SEC. 2. Section 13108.1 is added to the Health and Safety
- 10    Code, to read:

1 13108.1. The State Fire Marshal, in consultation with the  
2 Bureau of Electronic and Appliance Repair, Home Furnishings,  
3 and Thermal ~~Insulation and the Department of Toxic Substances~~  
4 ~~Control~~, *Insulation*, shall review the flammability standards for  
5 building insulation materials, including whether the flammability  
6 standards for some insulation materials can only be met with the  
7 addition of chemical flame retardants. Based on this review, and  
8 if the State Fire Marshal deems it appropriate, he or she shall, by  
9 July 1, 2015, propose for consideration by the California Building  
10 Standards Commission, *to be adopted* at the sole discretion of the  
11 commission, updated insulation flammability standards that  
12 accomplish both of the following:

13 (1)

14 (a) Maintain overall building fire ~~safety while giving full~~  
15 ~~consideration to the long-term human and ecological health impacts~~  
16 ~~associated with chemical flame retardants.~~ *safety.*

17 (2)

18 (b) Ensure that there is adequate protection from fires that travel  
19 between walls and into confined areas, including crawl spaces and  
20 attics, for occupants of the building and any firefighters who may  
21 be in the building during a fire.