

Assembly Bill No. 127

CHAPTER 579

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

[Approved by Governor October 5, 2013. Filed with
Secretary of State October 5, 2013.]

LEGISLATIVE COUNSEL'S DIGEST

AB 127, 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, 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.

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

SECTION 1. The Legislature finds and declares that for some insulation materials, current insulation flammability standards can only be met using chemical flame retardants and that new standards proposed pursuant to this act may provide manufacturers with flexibility in meeting the flammability standards, with or without the addition of chemical flame retardants, and would be consistent with maintaining overall building fire safety.

SEC. 2. Section 13108.1 is added to the Health and Safety Code, to read:

13108.1. The State Fire Marshal, in consultation with the Bureau of Electronic and Appliance Repair, Home Furnishings, and Thermal Insulation, shall 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. Based on this review, and if the State Fire Marshal deems it appropriate, he or she shall, by July 1, 2015, propose for consideration by the California Building Standards Commission, to be adopted at the sole discretion of the commission, updated insulation flammability standards that accomplish both of the following:

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