

AMENDED IN SENATE JUNE 19, 2013

AMENDED IN ASSEMBLY MARCH 21, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 980**

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**Introduced by Assembly Member Pan**

February 22, 2013

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An act to add Section 18944.18 to the Health and Safety Code, relating to ~~building standards~~; *health care facilities*.

LEGISLATIVE COUNSEL'S DIGEST

AB 980, as amended, Pan. ~~Building standards~~. *Primary care clinics: abortion.*

Existing law requires the California Building Standards Commission to codify all building standards of adopting agencies or state agencies that propose the building standards and statutes defining building standards into one California Building Standards Code. Existing law requires the commission to publish, or cause to be published, editions of the building standards code in its entirety once every 3 years.

This bill would require the commission, in conjunction with the Office of Statewide Health Planning and Development, to adopt emergency regulations to repeal a specific portion of the 2013 Triennial Edition of the Building Standards Code, and would prohibit the commission from adopting building code standards that establish construction requirements for primary care clinics that provide medication or aspiration abortion services that differ from construction standards applicable to other specified primary care clinics. *The bill would require the State Department of Public Health to repeal specified regulations relating to primary care clinics that provide abortions.*

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. Section 18944.18 is added to the Health and  
2 Safety Code, to read:  
3 18944.18. (a) It is the intent of the Legislature to preempt, and  
4 to render inoperative, Section 1226.7 of the 2013 Triennial Edition  
5 of the *California Building Standards Code*.  
6 ~~(b) The California Building Standards Commission, in~~  
7 ~~conjunction with the Office of Statewide Health Planning and~~  
8 ~~Development, shall adopt emergency regulations to delete Section~~  
9 ~~1226.7 of the 2013 Triennial Edition of the Building Standards~~  
10 ~~Code, including all cross-references to that section, as soon as~~  
11 ~~possible.~~  
12 (e)  
13 (b) Notwithstanding any other law, the *California Building*  
14 *Standards Commission* shall not adopt building code standards  
15 that establish construction requirements for primary care clinics  
16 that provide medication or aspiration abortion services that differ  
17 from construction standards applicable to other primary care clinics  
18 described in Section 1226.6 of the 2013 Triennial Edition of the  
19 *California Building Standards Code*.  
20 SEC. 2. (a) *The California Building Standards Commission,*  
21 *in conjunction with the Office of Statewide Health Planning and*  
22 *Development, shall adopt emergency regulations to delete Section*  
23 *1226.7 of the 2013 Triennial Edition of the California Building*  
24 *Standards Code, including all cross-references to that section, as*  
25 *soon as possible. Notwithstanding the Administrative Procedure*  
26 *Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of*  
27 *Division 3 of Title 2 of the Government Code), the regulations*  
28 *adopted under this subdivision shall become permanent without*  
29 *further regulatory action.*  
30 (b) *The State Department of Public Health shall, no later than*  
31 *July 1, 2014, repeal regulations inconsistent with this act,*  
32 *including, but not limited to Sections 75042, 75043, and 75044 of*  
33 *Title 22 of the California Code of Regulations.*

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