

AMENDED IN SENATE SEPTEMBER 12, 2013

AMENDED IN SENATE SEPTEMBER 5, 2013

AMENDED IN SENATE JULY 10, 2013

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  
(Coauthor: Assembly Member Atkins)**

February 22, 2013

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An act to add Section 18944.18 to the Health and Safety Code, relating to health care facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 980, as amended, Pan. 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 state the intent of the Legislature that all primary care clinics, including primary care clinics that provide abortion services, be subject to the same licensing and building standards. The bill would require the commission, in conjunction with the Office of Statewide Health Planning and Development (OSHPD), to repeal a specific

provision of the 2013 Triennial Edition of the Building Standards Code, as soon as possible, and to repeal certain provisions of the 2013 Triennial Edition of the California Plumbing Code pertaining to licensed clinics. The bill would grant OSHPD emergency regulatory authority to implement these provisions, and would make these regulations permanent without further regulatory action. The bill would require the State Department of Public Health, no later than July 1, 2014, to repeal certain regulations relating to abortion services in primary care clinics.

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. (a) It is the intent of the Legislature that all  
 2 primary care clinics, including primary care clinics that provide  
 3 abortion services, be subject to the same licensing and building  
 4 standards.

5 (b) It is the intent of the Legislature to render unenforceable  
 6 Section 1226.7 of the 2013 Triennial Edition of the California  
 7 Building Standards Code. It is the intent of the Legislature that the  
 8 public agencies charged with authority to enforce Section 1226.7  
 9 of the 2013 Triennial Edition of the California Building Standards  
 10 Code not enforce that section.

11 SEC. 2. Section 18944.18 is added to the Health and Safety  
 12 Code, to read:

13 18944.18. (a) The California Building Standards Commission,  
 14 in conjunction with the Office of Statewide Health Planning and  
 15 Development, shall repeal Section 1226.7 of the 2013 Triennial  
 16 Edition of the California Building Standards Code, including all  
 17 cross-references to that section, as soon as possible. The Office of  
 18 Statewide Health Planning and Development is granted emergency  
 19 regulatory authority to implement this subdivision. Notwithstanding  
 20 the Administrative Procedure Act (Chapter 3.5 (commencing with  
 21 Section 11340) of Part 1 of Division 3 of Title 2 of the Government  
 22 Code), the regulations adopted under this subdivision shall become  
 23 permanent without further regulatory action.

24 ~~(b) The California Building Standards Commission, in~~  
 25 ~~conjunction with the Office of Statewide Health Planning and~~  
 26 ~~Development, shall repeal the sections of the 2013 Triennial~~  
 27 ~~Edition of the California Plumbing Code pertaining to licensed~~

1 ~~clinics that were approved by the California Building Standards~~  
2 ~~Commission on April 24, 2013. The Office of Statewide Health~~  
3 ~~Planning and Development is granted emergency regulatory~~  
4 ~~authority to implement this subdivision. Notwithstanding the~~  
5 ~~Administrative Procedure Act (Chapter 3.5 (commencing with~~  
6 ~~Section 11340) of Part 1 of Division 3 of Title 2 of the Government~~  
7 ~~Code), the regulations adopted under this subdivision shall become~~  
8 ~~permanent without further regulatory action.~~

9 (e)

10 (b) The State Department of Public Health shall, no later than  
11 July 1, 2014, repeal the regulations relating to abortion services  
12 in primary care clinics contained in Article 5 (commencing with  
13 Section 75040) of Chapter 7 of Division 5 of Title 22 of the  
14 California Code of Regulations.

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