

AMENDED IN ASSEMBLY APRIL 8, 1996

CALIFORNIA LEGISLATURE—1995–96 REGULAR SESSION

**ASSEMBLY BILL**

**No. 3026**

**Introduced by Assembly Member Bates**  
*(Coauthor: Assembly Member Lee)*

February 23, 1996

---

---

An act to add Chapter 13 (commencing with Section 19894) to Part 3 of Division 13 of the Health and Safety Code, relating to housing.

LEGISLATIVE COUNSEL'S DIGEST

AB 3026, as amended, Bates. Housing: security window bars.

Existing law requires specified written disclosures to be made to prospective transferees of real property.

This bill would require the seller of any residential real property with security window bars on ~~the outside~~ of all windows to any bedroom to make a specified certification to a prospective purchaser regarding code requirements with respect to safety release mechanisms.

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

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

1 SECTION 1. Chapter 13 (commencing with Section  
2 19894) is added to Part 3 of Division 13 of the Health and  
3 Safety Code, to read:  
4

CHAPTER 13. SECURITY WINDOW BARS

1  
2  
3 19894. (a) The seller of any residential real property  
4 with security window bars on ~~the outside of~~ all windows  
5 to any bedroom shall certify to the prospective purchaser  
6 that these security window bars have met, at the time that  
7 they were installed, all applicable state and local code  
8 requirements with respect to safety release mechanisms  
9 on these security window bars or, if they were  
10 subsequently altered or modified, that they have met all  
11 applicable state and local code requirements with respect  
12 to safety release mechanisms at the time of the alteration  
13 or modification. This certification shall be made in  
14 writing, and may be included in existing transactional  
15 documents, including, but not limited to, a real estate  
16 sales contract or receipt for deposit, or a transfer  
17 disclosure statement pursuant to Section 1102.6 or 1102.6a  
18 of the Civil Code.

19 (b) Notwithstanding Section 669 of the Evidence  
20 Code, the failure of any person to comply with this section  
21 shall not create a presumption of a failure by that person  
22 to exercise due care.

