

AMENDED IN ASSEMBLY APRIL 10, 1997

CALIFORNIA LEGISLATURE—1997–98 REGULAR SESSION

**ASSEMBLY BILL**

**No. 125**

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**Introduced by Assembly Member Pacheco**  
*(Coauthors: Assembly Members Aguiar, Baca, Granlund,  
Thompson, Vincent, and Wayne)*  
*(Coauthors: Senators Alpert, Brulte, and Haynes)*

January 15, 1997

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An act to ~~add and repeal Section 18941.8~~ amend Section 18941.7 of the Health and Safety Code, relating to building standards.

LEGISLATIVE COUNSEL'S DIGEST

AB 125, as amended, Pacheco. Building standards: ~~March Air Force Base: County of Riverside~~ closed military bases.

*Existing law authorizes the governing body of a city, county, or city and county to adopt an ordinance that allows a building or other structure located on a military base selected for closure by action of the federal Defense Base Closure and Realignment Commission to comply with specified provisions of state building standards and state standards of fire safety, or to any regulations or standards promulgated pursuant to state building standards, in a graduated manner over a period of no more than 3 years from the earlier of either the date the property has been transferred by, or the date a lease of the building or other structure is entered into with, the federal government, provided that specified conditions are met. Under existing law, these provisions will remain in effect only*

*until January 1, 2003, and as of that date are repealed, unless a later enacted statute, which is enacted before that date, deletes or extends that date.*

*This bill would increase the period of time for compliance with the specified state standards and regulations from 3 years to 5 years and would extend the period during which these provisions are operative from January 1, 2003, to January 1, 2020, at which time they would be repealed, unless a later enacted statute, which is enacted before that date, deletes or extends that date.*

~~Existing law establishes various building standards and standards of fire and seismic safety applicable to buildings throughout the state. Existing federal law establishes the Defense Base Closure and Realignment Commission, pursuant to the actions of which several military bases have been closed around the state.~~

~~This bill would authorize the governing body of the County of Riverside or a city within that county with jurisdiction to adopt an ordinance that allows a building or other structure located on March Air Force Base or March Air Reserve Base, selected for closure by action of the federal Defense Base Closure and Realignment Commission, to comply with specified provisions establishing state building standards and state standards of fire safety, or to any regulations or standards promulgated pursuant to state building standards, in a graduated manner over a period of no more than 20 years from the earlier of either the date the property has been transferred by or a lease of the building or other structure is entered into with the federal government, provided that specified conditions are met. This provision would be applicable only to a building or other structure relating to which the property has been transferred by or a lease is entered into prior to January 1, 2000.~~

~~This bill would repeal its provisions on January 1, 2020.~~

~~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. Section 18941.8 is added to the Health  
2



1 SECTION 1. Section 18941.7 of the Health and Safety  
2 Code is amended to read:

3 18941.7. (a) The governing body of a city, county, or  
4 city and county may adopt an ordinance that allows a  
5 building or other structure located on a military base  
6 selected for closure by action of the federal Defense Base  
7 Closure and Realignment Commission to comply with  
8 this part and Division 12 (commencing with Section  
9 13000), or to any regulations or standards promulgated  
10 pursuant to this part, in a graduated manner over a period  
11 of no more than ~~three~~ five years from the earlier of either  
12 the date the property has been transferred by, or the date  
13 a lease is entered into with, the federal government  
14 pursuant to paragraph (2), if all of the following  
15 conditions are met:

16 (1) The use of the building or structure is not  
17 hazardous to life safety, fire safety, health, or sanitation,  
18 as determined by the local building official and fire  
19 marshal.

20 (2) The building or other structure has been  
21 transferred by the federal government to the city,  
22 county, city and county, redevelopment agency, or reuse  
23 entity or is under a lease between the city, county, city  
24 and county, redevelopment agency, or reuse entity and  
25 the federal government.

26 (3) The governing body of the city, county, or city and  
27 county adopts a graduated compliance plan which  
28 includes all of the following:

29 (A) Requirements for buildings and structures with:

30 (i) No change in occupancy or use with no anticipated  
31 alterations.

32 (ii) No change in occupancy or use with planned  
33 alterations.

34 (iii) Change in occupancy or use with no anticipated  
35 alterations.

36 (iv) Change in occupancy or use with planned  
37 alterations.

38 (B) Requirements for a building and structure  
39 compliance inspection and a fire department inspection,



1 and for preparation of inspection reports, prior to issuing  
2 a certificate of occupancy.

3 (C) Requirements for the inspection reports prepared  
4 pursuant to subparagraph (B) to be attached to the  
5 certificate of occupancy or provided to the occupants of  
6 the building or other structure.

7 (D) Requirements for the terms and period of time for  
8 compliance to be specified in the sublease.

9 (b) Nothing in this section affects the requirement of  
10 state consent to retrocession pursuant to Section 113 of  
11 the Government Code.

12 (c) This section shall be applicable to a building or  
13 other structure for which the conditions in paragraphs  
14 (1), (2), and (3) of subdivision (a) are met before January  
15 1, 2000.

16 (d) This section shall remain in effect only until  
17 January 1, ~~2003~~ 2020, and as of that date is repealed, unless  
18 a later-enacted statute, that is enacted before January 1,  
19 ~~2003~~ 2020, deletes, or extends that date.

20 ~~and Safety Code, to read:~~

21 ~~18941.8. (a) The governing body of the County of~~  
22 ~~Riverside or a city with jurisdiction within the County of~~  
23 ~~Riverside may adopt an ordinance that allows a building~~  
24 ~~or other structure located on March Air Force Base or~~  
25 ~~March Air Reserve Base to comply with this part and~~  
26 ~~Division 12 (commencing with Section 13000), or to any~~  
27 ~~regulations or standards promulgated pursuant to this~~  
28 ~~part, in a graduated manner over a period of no more~~  
29 ~~than 20 years from the earlier of either the date the~~  
30 ~~property has been transferred by, or the date a lease is~~  
31 ~~entered into with, the federal government pursuant to~~  
32 ~~paragraph (2), if all of the following conditions are met:~~

33 ~~(1) The use of the building or structure is not~~  
34 ~~hazardous to life safety, fire safety, health, or sanitation;~~  
35 ~~as determined by the local building official and fire~~  
36 ~~marshal.~~

37 ~~(2) The building or other structure has been~~  
38 ~~transferred by the federal government to the city,~~  
39 ~~county, redevelopment agency, or reuse entity or is~~



1 ~~under a lease between the city, county, redevelopment~~  
2 ~~agency, or reuse entity and the federal government.~~

3 ~~(3) The governing body of the city, county, or reuse~~  
4 ~~entity adopts a graduated compliance plan which~~  
5 ~~includes all of the following:~~

6 ~~(A) Requirements for buildings and structures with:~~

7 ~~(i) No change in occupancy or use with no anticipated~~  
8 ~~alterations.~~

9 ~~(ii) No change in occupancy or use with planned~~  
10 ~~alterations.~~

11 ~~(iii) Change in occupancy or use with no anticipated~~  
12 ~~alterations.~~

13 ~~(iv) Change in occupancy or use with planned~~  
14 ~~alterations.~~

15 ~~(B) Requirements for a building and structure~~  
16 ~~compliance inspection and a fire department inspection,~~  
17 ~~and for preparation of inspection reports, prior to issuing~~  
18 ~~a certificate of occupancy.~~

19 ~~(C) Requirements for the inspection reports prepared~~  
20 ~~pursuant to subparagraph (B) to be attached to the~~  
21 ~~certificate of occupancy or provided to the occupants of~~  
22 ~~the building or other structure.~~

23 ~~(b) Nothing in this section affects the requirement of~~  
24 ~~state consent to retrocession pursuant to Section 113 of~~  
25 ~~the Government Code.~~

26 ~~(c) This section shall be applicable only to a building~~  
27 ~~or other structure for which the conditions referred to in~~  
28 ~~paragraphs (1), (2), and (3) of subdivision (a) are met~~  
29 ~~prior to January 1, 2000.~~

30 ~~(d) This section shall remain in effect only until~~  
31 ~~January 1, 2020, and as of that date is repealed, unless a~~  
32 ~~later enacted statute, that is enacted before January 1,~~  
33 ~~2020, deletes or extends that date.~~

34 ~~SEC. 2. The Legislature finds and declares that a~~  
35 ~~general statute, within the meaning of Section 16 of~~  
36 ~~Article IV of the California Constitution, cannot be made~~  
37 ~~applicable to the unique problems within the County of~~



- 1 ~~Riverside, as set forth in Section 1 of this act, and that,~~
- 2 ~~therefore, this act is necessary.~~

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