

Senate Bill No. 1434

CHAPTER 49

An act to amend Section 19826 of the Health and Safety Code, relating to building permits.

[Approved by Governor June 28, 2000. Filed with
Secretary of State June 29, 2000.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1434, Alarcon. Building permits.

Existing law prohibits a city or county from issuing a building permit without a properly executed declaration by the owner, applicant, contractor, or agent of the owner, contractor, or applicant.

This bill would provide that a properly executed declaration may include a declaration signed and transmitted by facsimile or other electronic means. It would also provide that an application for a building permit shall be construed as a "transaction" and all declarations required shall be construed as records under the Uniform Electronic Transactions Act.

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

SECTION 1. Section 19826 of the Health and Safety Code is amended to read:

19826. (a) No city or county, whether general law or chartered, shall issue a building permit which does not contain all applicable declarations required by Section 19825 properly executed by the owner, applicant, contractor, or agent of the owner, contractor, or applicant. The properly executed declarations shall be a condition for issuance of the building permit. A properly executed declaration may include a declaration signed and transmitted by facsimile or other electronic means. However, no city or county or its employees shall be responsible for determining the truth or accuracy of the declarations, and no monetary liability on the part of, and no cause of action for damages against them, shall arise from their failure to verify the truth or accuracy of the declarations.

(b) A city or county may require that within 15 days of issuance, the issuing agency of the city or county deliver copies of all building permits to the assessor of the county.

(c) For purposes of this section, an "application for a building permit" shall be construed as a "transaction" and all declarations required shall be construed as "records" under Title 2.5

(commencing with Section 1633.1) of Part 2 of Division 3 of the Civil Code.

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