

FEBRUARY 2007 LEGISLATIVE REPORT

CALIFORNIA FIRE CHIEF'S FIRE PREVENTION OFFICERS

The 2007/2008 Legislative session promises to be an active one for the FPO's. Although only a few bills of interest have been introduced as of the middle of February, the deadline for the introduction of new bills is February 23rd. This means that we will have thousands of bills introduced the week of the 23rd with, no doubt, several of interest to the Fire Prevention Officers.

Some of the bills that we are expecting to be introduced are the Residential Care Facility for the Elderly fire sprinkler bill authored by Assembly Member Betty Karnette; a Senate or Assembly bill that will tighten up the arson registry and increase penalties for non-compliance; and a bill that will mandate the installation of carbon monoxide detector in dwelling (similar to the smoke alarm statute).

Based on what we have seen the past few years, we can also expect to see some bills affecting school and hospital building standards, residential care facilities, emergency plans and preparedness, fireworks, and wildland-urban interface issues. Your Legislative Committee will keep watch for all proposed legislation that impacts the FPO's and if you become aware of a bill that we may have missed, please contact us.

The following is legislation in the California Legislature being monitored by the FPO
Legislative Committee.

For current information or to review any of these bills go to www.leginfo.ca.gov

AB = Assembly Bill	SB = Senate Bill
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AB 304 (Huff) Community care facilities: disaster and mass casualty plans.

Adds Health & Safety Code §1520.7

Status: From printer. May be heard in committee March 15.

This bill would, on and after January 1, 2008, require any person applying for a license for a community care facility or a special permit for specialized services pursuant to those provisions to provide a copy of the plan to any appropriate local entity or authority responsible for providing emergency services in the area or community in which the facility is located.

The bill would require a community care facility that was licensed or received a special permit for specialized services on or before January 1, 2008, to, no later than January 1, 2009, provide a copy of the plan to any appropriate local entity or authority responsible for providing emergency services in the area or community in which the facility is located.

AB 327 (Horton) Residential facilities

Amends Health & Safety Code § 1505, 11834.01, 11834.02, 11834.09, 11834.15, 11834.17, 11834.18, 11834.20, 11834.21, 11834.22, 11834.23, 11834.24, 11834.25, 11834.26, 11834.29, 11834.30, 11834.31, 11834.32, 11834.36, and 11834.50, and adds 1520.4 and 11834.11

Status: Feb. 14 From printer. May be heard in committee March 16.

This bill would require the department, in consultation with, and with the assistance of, the State Department of Alcohol and Drug Programs, the Department of Corrections and Rehabilitation, the State Department of Mental Health, and other appropriate state and local agencies, to establish and maintain a statewide computerized database that includes, among other things, all community care facilities except foster family homes and homes certified by foster family agencies, and alcoholism and drug abuse

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treatment and recovery facilities, including identifying services provided by existing licensed and unlicensed residential programs, as defined.

This bill would also require the State Department of Alcohol and Drug Programs to administer the licensure and regulation of adult recovery maintenance facilities, as defined, no later than July 1, 2009. The bill would require the department, in consultation with specified entities, no later than June 30, 2009, to develop and adopt regulations governing the licensing and operation of adult recovery maintenance facilities. The bill would also make various conforming changes.

AB 409 (Hayashi) Fire protection: crimes.

Amends Health & Safety Code §13112

Status: Feb. 16 Read first time.

Existing law provides that any person who violates specified provisions relating to fire protection, or any order, rule, or regulation made pursuant to those provisions, is guilty of a misdemeanor punishable by a fine of not less than \$100 or more than \$500, or by imprisonment for not more than 6 months, or by both.

This bill would raise the fine described above to a minimum of not less than \$500 and a maximum of not more than \$1,000.

AB 476 (De La Torre) Fireworks

Amends Health & Safety Code §12700 and 12702

Status: Read first time. To print.

This bill would provide that a violation of the State Fireworks Law is punishable by a fine not exceeding \$2,000 nor more than \$5,000, imprisonment in a county jail not exceeding one year, or by both.

This bill would also provide that a 2nd or subsequent violation involving selling, giving, or delivering any dangerous fireworks to a person under 18 years of age is punishable by a fine not exceeding \$2,000 nor more than \$5,000, imprisonment in a county jail not exceeding one year, or by both.

This bill would also provide that a motor vehicle used in the transportation of dangerous fireworks without a valid permit or license to transport explosives, is subject to impoundment and storage, as specified.

AB 506 (Lieu) Battery: code enforcement officer.

Amends Penal Code §243

Status: Read first time. To print.

Existing law provides if a battery is committed against a peace officer, firefighter, or other officer, excluding code enforcement officers, and an injury is inflicted on the victim, the battery is punishable by a fine not exceeding \$2,000, imprisonment in a county jail not exceeding one year, or by both, or by imprisonment in the state prison for 16 months, or 2 or 3 years.

This bill would include code enforcement officers in those provisions.

AB 513 (Lieber) PBDE: prohibition.

Amends Health & Safety Code §108921 and 108922

Status: Read first time. To print.

Existing law prohibits a person from manufacturing, processing, as defined, or distributing in commerce a product, or a flame-retarded part of a product, containing more than 1/10 of 1% pentaBDE or octaBDE, except for products containing small quantities of PBDEs that are produced or used for scientific research on the health or environmental effects of PBDEs.

This bill would additionally include DecaBDE in this prohibition, on and after January 1, 2011. The bill would also delete the exemption for products containing small quantities of PBDEs that are produced or used for scientific research on the health or environmental effects of PBDEs.

SB 166 (Negrete-McLeod) Emergency preparedness: community college districts.

Status: To Com. on RLS.

This bill would declare the intent of the Legislature to enact legislation to require community college districts to implement the Standardized Emergency Management System and other emergency preparedness plans and conduct annual emergency preparedness training sessions for all classified staff.

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SB 329 (Dutton) Hazardous materials: business plans.

Amends Health & Safety Code § 25503.5 and 25505

Status: Feb. 16 Introduced. Read first time. To Com. on RLS. for assignment.

This bill would increase the time for review of the business plan to once every 5 years. The bill would also allow a business to submit a Spill Prevention Control and Countermeasure Plan (SPCC), to the administering agency in lieu of submitting a business plan, if the business is a qualified facility, as defined, and also meets specified requirements with regard to the handling of extremely hazardous substances.

SB 345 (Aanestad) Charter schools.

Amends Education Code § 49110 and adds § 33054 and 45040.1

Status: Introduced. Read first time. To Com. on RLS for assignment. To print.

This bill would make a charter school equivalent to a school district for specified purposes, including making salary payments and submitting applications to the State Board of Education to waive statutory provisions and regulations, thereby allowing charter schools to perform those functions. The chief executive officer of a charter school would be made equivalent to the superintendent of a school district for purposes of issuing work permits to minors, thereby allowing the chief executive officer to perform that function.