



# Bill Text: CA AB2139 | 2021-2022 | Regular Session | Enrolled California Assembly Bill 2139

**Bill Title:** Building standards: local rebuilding plans: state of emergency.

**Spectrum:** Bipartisan Bill

**Status:** (*Enrolled*) 2022-08-16 - Enrolled and presented to the Governor at 4 p.m. [AB2139 Detail]

**Download:** California-2021-AB2139-Enrolled.html

ENROLLED AUGUST 09, 2022  
PASSED IN SENATE AUGUST 08, 2022  
PASSED IN ASSEMBLY MAY 25, 2022  
AMENDED IN ASSEMBLY APRIL 25, 2022

CALIFORNIA LEGISLATURE— 2021–2022 REGULAR SESSION

**ASSEMBLY BILL**

**NO. 2139**

**Introduced by Assembly Member Gallagher  
(Principal coauthor: Senator Nielsen)  
(Coauthors: Assembly Members Ward and Wicks)**

February 15, 2022

An act to add and repeal Section 18941.12 of the Health and Safety Code, relating to building standards.

## LEGISLATIVE COUNSEL'S DIGEST

AB 2139, Gallagher. Building standards: local rebuilding plans: state of emergency.

Existing law establishes a California Building Standards Commission in the Government Operations Agency. Existing law requires only those building standards approved by the commission, and that are effective at the local level at the time an application for a building permit is submitted, to apply to the plans and specifications for, and to the construction performed under, that building permit, except as provided, including for a city or county that has been subject to an emergency proclaimed pursuant to the California Emergency Services Act (CESA).

Existing law, the CESA, among other things, authorizes the Governor to proclaim a state of emergency in an area affected or likely to be affected thereby if specified conditions exist and either (1) specified local officials request the Governor to so declare or (2) the Governor determines that local authority is inadequate to cope with the emergency.

This bill would, until January 1, 2029, and notwithstanding any subsequent updates to building standards approved by the commission, permit an individual submitting a proposed development plan for a residential development to utilize, and require a local agency to allow the utilization of, a template floor plan if certain conditions are met, including that the proposed new development is located on the same parcel that contained a residential building that was damaged or destroyed, prior to January 1, 2020, as a result of a disaster in an area for which a state of emergency was proclaimed by the Governor pursuant to the CESA. By imposing additional duties on local agencies, the bill would impose a state-mandated local program.