

Date of Hearing: May 3, 2023

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Chris Holden, Chair

AB 835 (Lee) – As Amended April 20, 2023

Policy Committee: Emergency Management

Vote: 7 - 0

Urgency: No

State Mandated Local Program: No

Reimbursable: No

**SUMMARY:**

This bill requires the State Fire Marshal (SFM) to research standards for single-exit, single stairway multiunit residential buildings above three stories and provide a report to the Joint Legislative Committee on Emergency Management and California Building Standards Commission (CBSC) by January 1, 2025.

**FISCAL EFFECT:**

Costs of an unknown, but potentially significant, amount to the SFM to research specified building design standards. In addition, since the primary purpose of this bill is to require the SFM to study an issue and create a report, this bill is eligible for this committee's suspense file.

**COMMENTS:**

1) **Purpose.** According to the author:

The current requirement to have two exit routes for certain residential buildings, which many other countries do not have, comes from early 20th-century building codes prior to the development of fire mitigations such as automatic fire sprinklers, fire-rated walls, separations, and ladder trucks. This requirement increases the costs for building housing, which is significant since California has the highest housing cost burden in the country.

Currently, California requires two stairway routes in multiunit residential buildings that are above three stories tall. The second means of egress requirement prevents development in places where a second staircase can be difficult to fit into a narrow lot, such as commercial parcels on main streets in high opportunity neighborhoods. However, it does not necessarily keep people safer. European countries broadly allow single stair multifamily housing and have a better record on fire safety than the US.

This bill is supported by a large coalition of housing advocacy groups.

2) **CBSC.** Existing law requires the CBSC to approve and adopt building standards and codify those standards in the California Building Standards Code (Code), which must be published every three years. Although not allowed in California, single-stair, single-exit buildings of

up to six stories are allowed in the cities of Seattle and New York. Legislation is also pending in the state of Washington allowing single staircase exits in buildings of up to six stories.

- 3) **Recent Amendments.** This bill originally required the SFM to research, develop, and propose, for the CBSC's consideration before the next Code update, standards for single-exit, single-stairway multiunit residential buildings above three stories. However, this version of the bill was opposed, unless amended, by the California Professional Firefighters (CPF), which argued "Multiple egress points are a key safety consideration for these types of buildings for several reasons – ensuring all residents are close to a stairway, preventing crowding during an uncertain and unsafe situation, and ensuring that if one stairway or exit is blocked another remains available are just a few." This bill was amended by the Assembly Emergency Management Committee to instead require the SFM to research such standards and provide a report to CBSC and the Legislature, removing CPF opposition to this bill.

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