

ASSEMBLY BILL

No. 3131

Introduced by Assembly Members Lee and Bates

February 23, 1996

An act to add Sections 17958.10 and 17958.12 to the Health and Safety Code, relating to housing.

LEGISLATIVE COUNSEL'S DIGEST

AB 3131, as introduced, Lee. Security bars: fire safety: regulations.

Existing law generally requires the State Fire Marshal to prepare, adopt, and submit for approval building standards pursuant to the California Building Standards Code, and other regulations relating to fire and panic safety establishing minimum requirements for the installation and maintenance of security bars that present a fire or panic hazard.

This bill would prohibit the sale of security bars, referred to as "burglar bars" in this bill, in California at wholesale or retail unless the burglar bars are either labeled or their packaging contains warning information for the consumer and installer, or both, regarding requirements in the California Building Standards Code intended to promote safety in the event of a fire.

This bill would require the State Fire Marshal to develop and adopt regulations specifying labeling and packaging information, among other things. It would require that the regulations include a list of local agencies that require an approved release device on the exterior of the building for use

only by the fire department for emergency access in the event of a fire.

This bill would require a contractor or installer of burglar bars to provide the owner of the residential structure the above information prior to installing burglar bars.

This bill would become operative 6 months after the regulations required by this bill are adopted by the State Fire Marshal.

This bill would make it a misdemeanor for any person to install for profit unopenable burglar bars on windows or doors of a residential structure where the California Building Standards Code requires openable burglar bars for emergency escape or rescue.

This bill, by creating a new crime, would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

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

1 SECTION 1. Section 17958.10 is added to the Health
2 and Safety Code, to read:
3 17958.10. (a) For the purposes of this section,
4 “burglar bars” are security bars located on the inside or
5 outside of a door or window of a house, house trailer,
6 apartment, motel, hotel, or other type of residential
7 dwelling.
8 (b) Burglar bars may not be sold in California at
9 wholesale or retail unless the burglar bars are either
10 labeled or their packaging contains warning information
11 for the consumer and installer, or both, regarding
12 requirements in the California Building Standards Code
13 intended to promote safety in the event of a fire. The
14 State Fire Marshal shall develop and adopt regulations



1 specifying labeling and packaging information, language,
2 location, and height and stroke of print type. The
3 regulations shall include a list of local agencies that
4 require an approved release device on the exterior of the
5 building for use only by the fire department for
6 emergency access in the event of a fire.

7 (c) Any contractor or installer of burglar bars shall
8 provide the owner of the residential structure the
9 information required in subdivision (b) prior to installing
10 burglar bars.

11 (d) This section shall become operative six months
12 after the regulations required in subdivision (b) are
13 adopted by the State Fire Marshal.

14 SEC. 2. Section 17958.12 is added to the Health and
15 Safety Code, to read:

16 17958.12. (a) No person shall install for profit
17 unopenable burglar bars on windows or doors of a house,
18 house trailer, apartment, motel, hotel, or other type of
19 residential structure where the California Building
20 Standards Code requires openable burglar bars for
21 emergency escape or rescue.

22 (b) Any person violating this section is guilty of a
23 misdemeanor.

24 SEC. 3. No reimbursement is required by this act
25 pursuant to Section 6 of Article XIII B of the California
26 Constitution because the only costs that may be incurred
27 by a local agency or school district will be incurred
28 because this act creates a new crime or infraction,
29 eliminates a crime or infraction, or changes the penalty
30 for a crime or infraction, within the meaning of Section
31 17556 of the Government Code, or changes the definition
32 of a crime within the meaning of Section 6 of Article
33 XIII B of the California Constitution.

34 Notwithstanding Section 17580 of the Government
35 Code, unless otherwise specified, the provisions of this act
36 shall become operative on the same date that the act
37 takes effect pursuant to the California Constitution.

