

**DRAFT INITIAL STATEMENT OF REASONS  
FOR PROPOSED BUILDING STANDARDS  
OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
REGARDING THE 2022 CALIFORNIA ELECTRICAL CODE  
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 3**

**(HCD XX/XX)**

The Administrative Procedure Act (APA) requires that an Initial Statement of Reasons be available to the public upon request when rulemaking action is being undertaken. The following information required by the APA pertains to this particular rulemaking action:

**STATEMENT OF SPECIFIC PURPOSE, PROBLEM, RATIONALE and BENEFITS**

Government Code Section 11346.2(b)(1) requires a statement of specific purpose of each adoption, amendment, or repeal and the problem the agency intends to address and the rationale for the determination by the agency that each adoption, amendment, or repeal is reasonably necessary to carry out the purpose and address the problem for which it is proposed. The statement shall enumerate the benefits anticipated from the regulatory action, including the benefits or goals provided in the authorizing statute.

**Specific Purpose:**

The California Building Standards Commission (CBSC) selected the 2020 National Electrical Code (NEC) as the model code to be referenced in the California Code of Regulations (CCR), title 24, part 3 for the 2021 Triennial Code Adoption Cycle.

The specific purpose of these regulations is to adopt by reference the 2020 edition of the NEC, with California amendments, into the CCR, title 24, part 3, 2022 California Electrical Code (CEC), for the following programs:

- a) **State Housing Law:** relative to residential occupancies, buildings or structures accessory thereto.
- b) **Employee Housing Act:** relative to the use of electrical equipment and systems in or on any building or structure or outdoors on premises or property in accordance with Health and Safety Code Section 17040.
- c) **Mobilehome Parks and Special Occupancy Parks:** relative to the use of electrical equipment and systems in or on any permanent buildings, accessory buildings, and structures under the ownership and control of the park operator, within the park, in accordance with Health and Safety Code Section 18300 for mobilehome parks, and Health and Safety Code Section 18865 for special occupancy parks.
- d) **Factory-Built Housing Law:** relative to residential buildings, dwellings or portions thereof, or building components, or manufactured assemblies in accordance with Health and Safety Code Section 19990.

**The Public Problem, Administrative Requirement, or Other Circumstance Addressed:**

**Administrative Requirement:** Health and Safety Code (HSC) Section 17921 directs the Department of Housing and Community Development (HCD) to adopt the most recent edition of the model code, which, in this case, is the National Electrical Code (NEC) published by the National Fire Protection Association (NFPA).

## Rationale for Necessity

The National Fire Protection Association acted on the 2020 NEC at its Association Technical Meeting held June 17-20, 2019. The 2020 edition of the NEC was issued by the Standards Council on August 5, 2019, with an effective date of August 25, 2019, and supersedes all previous editions. The NEC will automatically become adopted, in its entirety, pursuant to Health and Safety Code Section 17922(b), one year from its date of publication, if not adopted or proposed for adoption by HCD to the CBSC prior to that date.

If the 2020 NEC becomes adopted in its entirety without being amended by the CBSC, such automatic adoption would cause considerable confusion because California amendments, also known as “State Amendments,” are necessary modifications to the model code language to ensure that the 2022 CEC is consistent with state law.

It is necessary to propose the adoption of some sections of the 2020 NEC with amendments to the model code language to incorporate state law provisions and to accommodate unique California conditions.

It is necessary to not propose the adoption of some sections of the 2020 NEC as they would conflict with existing state law provisions and not accommodate unique California conditions.

It is necessary to bring forward previously existing California amendments. Some existing amendments will be brought forward without any changes and will represent no change in regulatory effect from the 2019 CEC. Other previously existing California amendments will be changed as explained below.

### Specific Proposed Regulatory Actions:

HCD proposes to adopt the 2020 NEC by reference into the 2022 CEC with modification. The rationale for each modification is listed below.

#### Item 1

### ARTICLE 89, GENERAL CODE PROVISIONS

Note: Upon review of the 2019 CEC, HCD found there were inconsistencies between the CEC and other parts of title 24. In order to make the 2022 CEC consistent with other parts of title 24, HCD is proposing editorial and format changes to several sections. These types of proposed amendments have no fiscal impact pursuant to CCR, title 1, section 100, “Changes Without Regulatory Effect.”

#### Section 89.101 GENERAL

##### Section 89.101.1 Title.

**Rationale:** HCD proposes to continue adoption of the above referenced section with modification. The proposed modification updates the reference to the NEC from the 2017 NEC to the 2020 NEC. This proposed modification incorporates the latest model code and therefore support Nine-Point Criteria (7).

### **Section 89.101.2 Purpose.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with modification. The proposed modification is editorial and for format consistency within this code. The proposed modification is for format consistency with standards adopted by the CBSC and therefore supports Nine-Point Criteria (8).

### **Section 89.101.3 Scope.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with modifications. The modifications are editorial and for format consistency within this code. The proposed modifications are for format consistency with standards adopted by the CBSC, therefore the proposals support Nine-Point Criteria 8.

### **Section 89.101.3.2 State-Regulated Buildings, Structures, and Applications and 89.101.3.2 Note.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with modifications. The proposed modification is editorial and for format consistency within this code. The proposal modification is for consistency with standards adopted by the CBSC and therefore support Nine-Point Criteria (8). The proposed modification to the “Note” replaces a reference to an incorrect location, in the Preface of this code, with reference to the correct location and supports Nine-Point Criteria (6), in that the text is not unnecessarily ambiguous or vague.

### **Section 89.101.3.3 Exempted from This Code.**

**Rationale:** HCD proposes to repeal the above referenced section. The proposed repeal removes duplicative text in Article 89, because model code text in Article 90 addresses similar issues. The proposed modification removes duplication of text within this code and adopts applicable sections of the model code therefore the proposal support Nine-Point Criteria (1) and (7).

### **Section 89.101.5 Referenced Codes.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with modification. The proposed modification is editorial and for format consistency within this code. The proposed modification is for format consistency with standards adopted by the CBSC and therefore supports Nine-Point Criteria (8).

### **Section 89.101.6 Non-Building Standards, Orders and Regulations.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with modification. The proposed modification is editorial and for format consistency within this code. The proposed modification is for format consistency with standards adopted by the CBSC and therefore supports Nine-Point Criteria (8).

### **Section 89.101.7.3 Conflicts. (Exception)**

**Rationale:** HCD proposes to repeal the above referenced exception because HCD is proposing a new section which incorporates the language from this exception for format consistency with other parts of title 24. The proposed modification is for format consistency with standards adopted by the CBSC and therefore supports Nine-Point Criteria (8).

### **Section 89.101.7.3.1 Detached One- and Two-Family Dwellings.**

**Rationale:** HCD proposes to adopt the above referenced new California amendment (section). The proposed new section incorporates language from the exception in Section 89.101.7.3 for format consistency with other parts of title 24. The proposed modification does not conflict with, overlap, or duplicate other building standards and is for format consistency with standards adopted by the CBSC and therefore supports Nine-Point Criteria (1) and (8) There is no intended change in regulatory effect for the existing exception.

### **Section 89.101.8 City, County, or City and County Amendments, Additions or Deletions.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with modification. The proposed modification is editorial and for format consistency with other parts of title 24. The proposed modification adds the word “a” in front of the second instance of “city, county, or city and county.” The proposed modification is for format consistency with standards adopted by the CBSC and therefore supports Nine-Point Criteria (8).

### **Section 89.101.9 Effective Date of this Code. (Exceptions)**

**Rationale:** HCD proposes to continue adoption of the above referenced exceptions with modifications. The proposed modifications changed the text in the HCD banner and for format consistency with other parts of title 24. The proposed modification is for format consistency with standards adopted by the CBSC and therefore supports Nine-Point Criteria (8).

### **Section 89.101.11 Format.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with modification. The proposed modification is editorial and for format consistency within this code. The proposed modification is for format consistency with standards adopted by the CBSC and therefore supports Nine-Point Criteria (8).

### **Section 89.108.2 Authority and Abbreviations.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with modification. The proposed modification is editorial and for format consistency within this code. The proposed modification is for format consistency with standards adopted by the CBSC and therefore supports Nine-Point Criteria (8).

### **Section 89.108.2.1.1 Housing and Construction.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with modification. The proposed modification is for format consistency with other parts of title 24, updates authority and references used for “HCD 1” and also adds a period after “HCD 1.” The proposed modification does not conflict with, overlap, or duplicate other building standards and is for format consistency with standards adopted by the CBSC and therefore supports Nine-Point Criteria (1) and (8).

### **Section 89.108.2.1.2 Housing Accessibility.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with modifications. The proposed modifications to item (4) are for format consistency with title 24 and adds the word “new” in two places clarifying application to new common use areas serving new covered multifamily dwellings. Other proposed modifications in the two paragraphs following item (5) are editorial, also for format consistency with other parts of title 24 and to update authority and references used for “HCD 1-AC.” The first paragraph following item (5) proposes modifications by adding the words “in Chapter 11B,” and corrects a section number reference to 89.109.1. The second paragraph following item (5) proposes modification to correct “multifamily dwellings” into two words. The proposed modifications do not conflict with, overlap, or duplicate other building standards and is for format consistency with standards adopted by the CBSC and therefore supports Nine-Point Criteria (1) and (8).

### **Section 89.108.2.1.3 Permanent Buildings in Mobilehome Parks and Special Occupancy Parks.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with modifications. These proposed modifications are consistent with proposed amendments in other parts of title 24 and update authority and references used for “HCD 2.” The proposed modifications are within the parameters established by enabling legislation, consistent with standards adopted by the CBSC and therefore supports Nine-Point Criteria (2).

### **Section 89.108.3.1 Duties and Powers.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with modifications. The proposed modifications are editorial and for format consistency with other parts of title 24. The proposed editorial modification corrects the spelling of the word.

### **Section 89.108.3.2.1 State Housing Law.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with modification. The proposed modification is editorial and corrects the spelling of “condominiums.” The proposed modifications are for format consistency with standards adopted by the CBSC and therefore supports Nine-Point Criteria (8).

### **Section 89.108.3.2.2 Mobilehome Parks Act.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with modification. The proposed modification is editorial and for format consistency within this code. The proposed modification is for format consistency with standards adopted by the CBSC and therefore supports Nine-Point Criteria (8).

### **Section 89.108.3.2.5 Factory-Built Housing Law.**

**Rationale:** HCD proposed to continue adoption of the above referenced section with modification. The proposed modification is editorial and for format consistency within this code. The proposed modification is for format consistency with standards adopted by the CBSC and therefore supports Nine-Point Criteria (8).

### **Section 89.108.4.1 Permits.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with modifications. The proposed modification of subsection (b)(2) removes an extraneous word from the sentence. The proposed modifications in the paragraph following subsection (c) are for format consistency with other parts of title 24. The proposed modification does not conflict with, overlap, or duplicate other building standards and is for format consistency with standards adopted by the CBSC and therefore supports Nine-Point Criteria (1) and (8). There is no intended change in regulatory effect from other parts of the title 24.

### **Section 89.108.4.2 Fees.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with modification. The proposed modification is for format consistency with other parts of title 24. The proposed modification does not conflict with, overlap, or duplicate other building standards and is for format consistency with standards adopted by the CBSC and therefore supports Nine-Point Criteria (1) and (8). There is no intended change in regulatory effect for other parts of title 24.

### **Section 89.108.4.3 Plan Review and Time Limitations.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with modification. The proposed modification is for consistency with other parts of title 24. The proposed modification is for format consistency with standards adopted by the CBSC and therefore supports Nine-Point Criteria (8).

#### **Section 89.108.4.3.1 Retention of Plans. (Exceptions)**

**Rationale:** HCD proposes to continue adoption of the above referenced section with modifications. The proposed modifications are editorial and for correct number formatting for consistency with other parts of title 24. The proposed modification is for format consistency with standards adopted by the CBSC and therefore supports Nine-Point Criteria (8).

### **Section 89.108.5.1 General. Item 4**

**Rationale:** HCD proposes to continue adoption of the above referenced section with modification. The proposed modification is editorial and for consistency with other parts of this code. The proposed modification is for format consistency with standards adopted by the CBSC and therefore supports Nine-Point Criteria (8).

### **Section 89.108.7.2 Local Building Departments.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with modifications. The proposed modifications are editorial and for format consistency within this code. The proposed modification is for format consistency with standards adopted by the CBSC and therefore supports Nine-Point Criteria (8).

#### **Section 89.108.7.2.1 Approval of Alternates.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with modification to item 4. The proposed editorial medication corrects the spelling of the word “equivalent.” The proposed modification is for format consistency with standards adopted by the CBSC and therefore supports Nine-Point Criteria (8).

### **Section 89.108.8.3 Appeals.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with modification. The proposed modification is for format consistency with other parts of title 24. The proposed modification is for format consistency with standards adopted by the CBSC and therefore supports Nine-Point Criteria (8).

### **Section 89.108.9.1 Authority to Enforce.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with modification. The proposed modification is for format consistency with other parts of title 24. The proposed modification is for format consistency with standards adopted by the CBSC and therefore supports Nine-Point Criteria (8).

### **Section 89.108.9.2 Actions and Proceedings.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with modification. The proposed modification is for format consistency with other parts of title 24. The proposed modification is for format consistency with standards adopted by the CBSC and therefore supports Nine-Point Criteria (8).

### **Section 89.108.10.2 Moved Structures.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with modification. The proposed modification is for format consistency with other parts of title 24. The proposed modification is for format consistency with standards adopted by the CBSC and therefore supports Nine-Point Criteria (8).

The remaining sections from Article 89 are being brought forward from the 2019 CEC without modification.

### **CAC Recommendation (if applicable):**

TBD

### **Agency Response:**

TBD

## **Item 2**

### **ARTICLE 90, INTRODUCTION**

HCD proposes to adopt Article 90 from the 2020 NEC into the 2022 CEC with modification as follows.

### **Section 90.2 Scope.**

**Rationale:** HCD proposes to continue adoption of the above referenced section with modification to Section 90.2 (B)(1). The proposed modification is to maintain consistency with California amendment Section 89.101.3.3. that the adopted model code adequately addresses the goals and needs of the state agency therefore the proposal supports Nine-Point Criteria (1) and (7).

**CAC Recommendation (if applicable):**

TBD

**Agency Response:**

TBD

**Item 3**

**CHAPTER 1, GENERAL**

**Rationale:** HCD proposes to adopt Chapter 1, Articles 100 and 110 from the 2020 NEC into the 2022 CEC with new and existing amendments as follows.

**Article 100 Definitions**

**Accessory Dwelling Unit.**

**Rationale:** HCD proposes to bring forward the above referenced California amendment (definition) from the 2019 CEC for adoption into the 2022 CEC without modification.

**Ballasted Solar Photovoltaic System.**

**Rationale:** HCD proposes to bring forward the above referenced California amendment (definition) from the 2019 CEC for adoption into the 2022 CEC with modification. The proposed modification corrects the HCD banner for consistency with other parts of this code. The proposed modification is for format consistency with standards adopted by the CBSC and therefore supports Nine-Point Criteria (8).

**Building.**

**Rationale:** HCD proposes to adopt the above referenced definition from the 2020 NEC with existing California amendment for adoption into the 2022 CEC without modification.

**Article 110 Requirements for Electrical Installations.**

**Section 110.13 Mounting and Cooling of Equipment.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment allows the use of ballasted solar photovoltaic systems provided that the wiring and interconnections are designed to accommodate for maximum system displacement.

**CAC Recommendation (if applicable):**

TBD

**Agency Response:**

TBD

**Item 4**

**CHAPTER 2, WIRING AND PROTECTION**

**Articles 200, 210, 215, 220, 225, 230, 240, 242 (new, formerly 280 and 285), and 250**

**Rationale:** HCD proposes to adopt the above referenced Articles from the 2020 NEC into the 2022 CEC with a new California amendment as follows.



Note: Article 242 “Overvoltage Protection” is new in the 2020 NEC. Articles 280 “Surge Arrestors, over 1000 Volts” and 285 “Surge-Protective Devices (SPDS) 1000 Volts or Less” have been removed in the 2020 NEC. Article 242 carries some relocated text from the old Articles 280 and 285.

## **Article 230 Services**

### **Section 230.67 Surge Protection**

**Rationale:** HCD proposes to adopt the above referenced section with a new California amendment. Subsection D requires that when service equipment, as defined, is replaced dwelling units are required to have surge protective devices. This is a new requirement in the 2020 NEC which would be adopted for the 2022 CEC applicable to buildings permitted after January 1, 2023. The model code would apply the requirements retroactively to structures with building permits submitted prior to January 1, 2023, and would conflict with statutory provisions in Health and Safety Code sections 17912, 17922(d), 17922.3, 17958.8 and 17958.9 for existing and moved residential structures. In addition, the model code provisions would conflict with Sections 108.10.1 and 108.10.2 in this code and also with provisions in Section 302.5 in the 2019 California Existing Building Code. However, it should be recognized that the proposed California amendments would not prohibit surge protective devices installed on a voluntary basis in or for existing dwelling units. This amendment is proposed to avoid conflict within this code and other parts of title 24 and with existing statute (Nine-Point Criteria (1)).

#### **CAC Recommendation (if applicable):**

TBD

#### **Agency Response:**

TBD

## **Item 5**

### **CHAPTER 3, WIRING METHODS AND MATERIALS**

**Articles 300, 310, 311 (new, formerly 328), 312, 314, 320, 322, 324, 326, 330, 332, 334, 336, 337 (new, includes portions of former 310 and 328), 338, 340, 342, 344, 348, 350, 352, 353, 354, 355, 356, 358, 360, 362, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 393, 394, 396, 398, and 399**

**Rationale:** HCD proposes to adopt the above referenced Articles from the 2020 NEC into the 2022 CEC with existing California amendments as follows.

Note: Article 311 “Medium Voltage Conductors and Cable” is new in the 2020 NEC. Article 328 “Medium Voltage Cable: Type MV” has been removed from the 2020 NEC. Some requirements that were in Articles 328 and 310 have been relocated into the new Article 311. Article 337 “Type P Cable” is new in the 2020 NEC for covering the use, installation and specifications for 600-volt Type P cable in hazardous locations.

## **Article 334 Nonmetallic-Sheathed Cable: Types NM and NMC**

### **Section 334.10 Uses Permitted.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment with modification. The existing amendment “Note” provides the user with a specific reference to the California Building Code (CBC) for Types I, II, III, IV, and V construction as used in Section 334.10 Items (2), (3), (4) and (5). The proposed modification is editorial and for format consistency with other parts of this code and with standards adopted by the CBSC and therefore supports Nine-Point Criteria (8).

## **Article 394 Concealed Knob-and- Tube Wiring**

### **Section 394.12 Uses Not Permitted.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment. The existing amendment provides specificity to the code user as it relates to the use of knob-and-tube wiring in California. The existing amendment allows for areas with existing knob-and-tube wiring to be insulated as long as certain requirements are met for fire safety. One of the requirements is that the wiring shall be surveyed by an electrical contractor and a certification shall be provided stating that the wiring is in good condition with no evidence of deterioration, improper over-current protection, or improper connections or splices.

### **CAC Recommendation (if applicable):**

TBD

### **Agency Response:**

TBD

## **Item 6**

### **CHAPTER 4, EQUIPMENT FOR GENERAL USE**

**Articles 400, 402, 404, 406, 408, 409, 410, 411, 422, 424, 426, 427, 430, 440, 445, 450, 455, 460, 470, 480, and 490**

**Rationale:** HCD proposes to adopt the above referenced Articles from the 2020 NEC into the 2022 CEC with existing California amendments as follows.

## **Article 450 Transformers and Transformer Vaults (Including Secondary Ties)**

### **Section 450.23 Less-Flammable Liquid-Insulated Transformers.**

**Rationale:** HCD proposes to adopt the above referenced section with existing California amendment with modifications. The existing amendment is a “Note”, which provides the user with a specific reference to the CBC for Types I and II construction as used in Section 450.23. The proposed modifications are for format consistency with other parts of this code. The proposed modifications are for format consistency with standards adopted by the CBSC and therefore supports Nine-Point Criteria (8).

**CAC Recommendation (if applicable):**

TBD

**Agency Response:**

TBD

**Item 7**

**CHAPTER 4, EQUIPMENT FOR GENERAL USE**

**Article 425 Fixed Resistance and Electrode Industrial Process Heating Equipment.**

**Rationale:** HCD proposes to not adopt the above referenced Article from the 2020 NEC into the 2022 CEC. The code provisions covered by this Article do not fall within the occupancies regulated by HCD.

**CAC Recommendation (if applicable):**

TBD

**Agency Response:**

TBD

**Item 8**

**CHAPTER 5, SPECIAL OCCUPANCIES**

**Articles 518, 545 and 590**

**Rationale:** HCD proposes to adopt the above referenced Articles from the 2020 NEC into the 2022 CEC without amendment.

**CAC Recommendation (if applicable):**

TBD

**Agency Response:**

TBD

**Item 9**

**CHAPTER 5, SPECIAL OCCUPANCIES**

**Articles 500, 501, 502, 503, 504, 505, 506, 510, 511, 513, 514, 515, 516, 517, 520, 522, 525, 530, 540 547, 550, 551, 552, and 555 (555 includes former 553)**

**Rationale:** HCD proposes to not adopt the above referenced Articles from the 2020 NEC into the 2022 CEC.

**CAC Recommendation (if applicable):**

TBD

**Agency Response:**

TBD

**Item 10**  
**CHAPTER 6, SPECIAL EQUIPMENT**

**Articles 600, 620, 625, 626, 646, 680, 682, 690, 691, 692 and 694**

**Rationale:** HCD proposes to adopt the above referenced Articles from the 2020 NEC into the 2022 CEC with existing California amendments as follows.

**Article 625 Electric Power Transfer System**

**Section 625.1.1 (HCD 1) Electric Vehicle (EV) Charging for New Construction.**

**Rationale:** HCD proposes to adopt the above referenced existing California amendment. The existing amendment is a pointer to the California Green Building Standards Code (CALGreen). During the 2012 Triennial Code Adoption Cycle, pointers to mandatory CALGreen requirements were proposed for inclusion into other parts of title 24 to enhance user convenience.

**CAC Recommendation (if applicable):**

TBD

**Agency Response:**

TBD

**Item 11**  
**CHAPTER 6, SPECIAL EQUIPMENT**

**Articles 604, 605, 610, 630, 640, 645, 647, 650, 660, 665, 668, 669, 670, 675, 685 and 695**

**Rationale:** HCD proposes to not adopt the above referenced Articles from the 2020 NEC. The code provisions covered by these Articles do not fall within the occupancies regulated by HCD.

**CAC Recommendation (if applicable):**

TBD

**Agency Response:**

TBD

**Item 12**  
**CHAPTER 7, SPECIAL CONDITIONS**

**Articles 700, 702, 705, 706, 708, 710, 712, 720, 725, 727, 728, 750 and 770**

**Rationale:** HCD proposes to adopt the above referenced Articles from the 2020 NEC into the 2022 CEC without amendment.

**CAC Recommendation (if applicable):**

TBD

**Agency Response:**

TBD

**Item 13**  
**CHAPTER 7, SPECIAL CONDITIONS**

**Articles 701 and 760**

**Rationale:** HCD proposes to not adopt the above referenced Articles from the 2020 NEC into the 2022 CEC. The code provisions covered by these Articles do not fall within the occupancies regulated by HCD.

**CAC Recommendation (if applicable):**

TBD

**Agency Response:**

TBD

**Item 14**  
**CHAPTER 8, COMMUNICATIONS SYSTEMS**

**Articles 800, 805 (new; includes portions of former 800, 820, 830, and 840), 810, 820, 830 and 840**

**Rationale:** HCD proposes to adopt the above referenced Articles from the 2020 NEC into the 2022 CEC without amendment.

Note: Article 805 “Communications Circuits” is a new Article in the 2020 NEC Article 805 combined redundant comment general requirements from Articles 800, 820, 830, and 840 to put them into one Article.

**CAC Recommendation (if applicable):**

TBD

**Agency Response:**

TBD

**Item 15**  
**CHAPTER 9, TABLES**

**Tables 1, 2, 4, 5, 5A, 8, 9, 10, 11(A), 11(B), 12(A) and 12(B)**

**Rationale:** HCD proposes to adopt the above referenced Chapter and Tables from the 2020 NEC into the 2022 CEC without amendment.

**CAC Recommendation (if applicable):**

TBD

**Agency Response:**

TBD

## Item 16 ANNEXES

### Annexes A, B, C, D, E, F, G, H, I and J

**Rationale:** HCD propose to not adopt Annexes A, B, C, D, E, F, G, H, I and J from the 2020 NEC into the 2022 CEC. The Annexes are available for local enforcement agencies to adopt by ordinance.

#### **CAC Recommendation (if applicable):**

TBD

#### **Agency Response:**

TBD

### **TECHNICAL, THEORETICAL, AND EMPIRICAL STUDY, REPORT, OR SIMILAR DOCUMENTS**

Government Code Section 11346.2(b)(3) requires an identification of each technical, theoretical, and empirical study, report, or similar document, if any, upon which the agency relies in proposing the regulation(s).

TBD

### **STATEMENT OF JUSTIFICATION FOR PRESCRIPTIVE STANDARDS**

Government Code Section 11346.2(b)(1) requires a statement of the reasons why an agency believes any mandates for specific technologies or equipment or prescriptive standards are required.

TBD

### **CONSIDERATION OF REASONABLE ALTERNATIVES**

Government Code Section 11346.2(b)(4)(A) requires a description of reasonable alternatives to the regulation and the agency's reasons for rejecting those alternatives. In the case of a regulation that would mandate the use of specific technologies or equipment or prescribe specific action or procedures, the imposition of performance standards shall be considered as an alternate. It is not the intent of this paragraph to require the agency to artificially construct alternatives or describe unreasonable alternatives.

TBD

### **REASONABLE ALTERNATIVES THE AGENCY HAS IDENTIFIED THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS**

Government Code Section 11346.2(b)(4)(B) requires a description of any reasonable alternatives that have been identified or that have otherwise been identified and brought to the attention of the agency that would lessen any adverse impact on small business.

TBD

### **FACTS, EVIDENCE, DOCUMENTS, TESTIMONY, OR OTHER EVIDENCE OF NO SIGNIFICANT ADVERSE IMPACT ON BUSINESS**

Government Code Section 11346.2(b)(5)(A) requires the facts, evidence, documents, testimony, or other evidence on which the agency relies to support an initial determination that the action will not have a significant adverse economic impact on business.

TBD

### **ASSESSMENT OF EFFECT OF REGULATIONS UPON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION**

Government Code Sections 11346.3(b)(1) and 11346.5(a)(10)

The Department of Housing and Community Development has assessed whether or not and to what extent this proposal will affect the following:

- A. The creation or elimination of jobs within the State of California.  
TBD
- B. The creation of new businesses or the elimination of existing businesses within the State of California.  
TBD
- C. The expansion of businesses currently doing business within the State of California.  
TBD
- D. The benefits of the regulation to the health and welfare of California residents, worker safety, and the state's environment.  
TBD

### **ESTIMATED COST OF COMPLIANCE, ESTIMATED POTENTIAL BENEFITS, AND RELATED ASSUMPTIONS USED FOR BUILDING STANDARDS**

Government Code Section 11346.2(b)(5)(B)(i) states if a proposed regulation is a building standard, the initial statement of reasons shall include the estimated cost of compliance, the estimated potential benefits, and the related assumptions used to determine the estimates.

TBD

### **DUPLICATION OR CONFLICTS WITH FEDERAL REGULATIONS**

Government Code Section 11346.2(b)(6) requires a department, board, or commission within the Environmental Protection Agency, the Resources Agency, or the Office of the State Fire Marshal to describe its efforts, in connection with a proposed rulemaking action, to avoid unnecessary duplication or conflicts with federal regulations contained in the Code of Federal Regulations addressing the same issues. These agencies may adopt regulations different from these federal regulations upon a finding of one or more of the following justifications: (A) The differing state regulations are authorized by law and/or (B) The cost of differing state regulations is justified by the benefit to human health, public safety, public welfare, or the environment.

TBD