PLAINTIFF'S EXHIBIT
KM-287

**Senate Bill No. 2419**

## CHAPTER 1432

*An act to add Chapter 10.3 (commencing with Section 25910) to Division 20 of the Health and Safety Code, relating to spraying of asbestos.*

[Approved by Governor September 26, 1974. Filed with Secretary of State September 26, 1974.]

### LEGISLATIVE COUNSEL'S DIGEST

SB 2419, Marks. Spraying of asbestos.

Prohibits any person, on or after July 1, 1975, from causing or permitting the spraying of any substance containing more than ½ of 1% asbestos in or upon a building or other structure during its construction, alteration, or repair; and, on or after July 1, 1976, similarly prohibits the spraying of any substance containing any amount of asbestos.

Exempts cold process cutback asphalt roof coatings from such prohibitions.

Provides that notwithstanding Sec. 2231, Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor any appropriation made by this act for a specified reason.

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

SECTION 1. Chapter 10.3 (commencing with Section 25910) is added to Division 20 of the Health and Safety Code, to read:

### CHAPTER 10.3. SPRAYING OF ASBESTOS

25910. No person, on or after July 1, 1975, shall cause or permit the spraying of any substance containing more than one-half of 1 percent asbestos in or upon a building or other structure during its construction, alteration, or repair. No person, on or after July 1, 1976, shall cause or permit the spraying of any substance containing any amount of asbestos in or upon a building or other structure during its construction, alteration, or repair.

Cold process cutback asphalt roof coatings shall be exempted from the provisions of this chapter.

25911. Any violation of this chapter shall be a misdemeanor.

SEC. 2. Notwithstanding Section 2231 of the Revenue and Taxation Code, there shall be no reimbursement pursuant to that section nor shall there be any appropriation made by this act because the Legislature recognizes that during any legislative session a variety of changes to laws relating to crimes and infractions may cause both increased and decreased costs to local government



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entities and school districts which, in the aggregate, do not result in significant identifiable cost changes.

BILLS CHAPTERED

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| Bill Number: | SB 2419 | Subject: | Spraying of Asbestos |
| Author: | Senator Marks | Chapter: | 1432 |
| Position: | Active Support (as amended) | Effective Date: | January 1, 1975 |

ANALYSIS:
This legislation prohibits any person, on or after July 1, 1975 from causing or permitting the spraying of any substance containing more the 1/2 of 1% asbestos in or upon a building or other structure during its construction, alteration, or repair; and, on or after July 1, 1976, similarly prohibits the spraying of any substance containing any amount of asbestos.
EXEMPTS COLD PROCESS CUTBACK ASPHALT ROOF COATINGS FROM SUCH PROHIBITIONS.

COMMENT:
Cold process cutback asphalt roof coatings shall be exempted from the provisions of this chapter. Which means that asbestos can be used in cold process cutback roof coatings.

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TPN from HBR 5/7/76

AMENDED IN SENATE APRIL 22, 1976

AMENDED IN SENATE APRIL 7, 1976

AMENDED IN SENATE MARCH 1, 1976

# SENATE BILL No. 1596

Introduced by Senator Presley

February 13, 1976

An act to amend Section 25910 of the Health and Safety Code, relating to asbestos, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 1596, as amended, Presley. Asbestos: buildings and structures.

Existing law prohibits any person, on and after July 1, 1975, from spraying any substance containing more than ½ of 1% asbestos, except cold process cutback asphalt roof coatings, in or upon a building or structure during its construction, alteration, or repair; and, on or after July 1, 1976, prohibits such spraying of any substance containing any amount of asbestos, except cold process cutback asphalt roof coatings.

This bill would revise the exemption to also exclude portland cement plaster containing less than ½ of 1% asbestos, and exterior and interior coatings and laminating resins containing encapsulated asbestos fibers bound within the finished product, from such asbestos spraying prohibitions *until July 1, 1978*.

This bill would take effect immediately as an urgency statute.

Vote: ⅔. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

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

SECTION 1. Section 25910 of the Health and Safety Code is amended to read:

25910. (a) Except as provided in subdivision (b), no person, on or after July 1, 1975, shall cause or permit the spraying of any substance containing more than one-half of 1 percent asbestos in or upon a building or other structure during its construction, alteration, or repair. Except as provided in subdivision (b), no person, on or after July 1, 1976, shall cause or permit the spraying of any substance containing any amount of asbestos in or upon a building or other structure during its construction, alteration, or repair.

~~(b) Cold process cutback asphalt roof coatings, portland~~ *(b) Portland* cement plaster containing less than one-half of 1 percent asbestos, and exterior and interior coatings and laminating resins containing encapsulated asbestos fibers bound within the finished product from manufacture through application, shall be exempt from the provisions of this chapter *until July 1, 1978. Cold process cutback asphalt roof coatings shall be exempt from the provisions of this chapter.*

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order that the changes made by this act may take effect prior to July 1, 1976, and at the earliest opportunity during the construction season, it is necessary that this act take immediate effect.

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