

SENATE BILL

No. 230

Introduced by Senator Marks

February 2, 1977

An act to add Section 25913 to the Health and Safety Code, relating to asbestos, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 230, as introduced, Marks. Asbestos: enforcement authority.

Under existing law, it is a misdemeanor for a person to spray any substance containing asbestos upon a building or structure during its construction, alteration, or repair except (1) cold process cutback asphalt roof coatings, and (2) until July 1, 1978, portland cement plaster containing less than $\frac{1}{2}$ of 1% asbestos, and exterior and interior coatings and laminating resins containing encapsulated asbestos fibers bound within the finished product from manufacture through application.

This bill would require the State Department of Health to enforce the asbestos prohibitions except that the Division of Industrial Safety of the Department of Industrial Relations would be required to enforce the asbestos prohibitions with respect to the safety of employees.

The bill would take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

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

1. SECTION 1. Section 25913 is added to the Health and
2. Safety Code, to read:
3. 25913. This chapter shall be enforced by the State
4. Department of Health except that the Division of

1 Industrial Safety of the Department of Industrial
2 Relations shall enforce this chapter with respect to the
3 safety of employees.

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

9 Because of health hazards involved in the use of
10 asbestos, it is essential that enforcement authority be
11 clarified at the earliest opportunity and, consequently, it
12 is necessary that this act take effect immediately.