



Adult Titles 15 & 24 Regulations Revision

Workgroup Briefing Book

2019 – 2020
Updated September 2020

STATE OF CALIFORNIA

BOARD OF STATE AND COMMUNITY CORRECTIONS

2590 VENTURE OAKS WAY, SUITE 200 ♦ SACRAMENTO CA 95833 ♦ 916.445.5073 ♦ BSCC.CA.GOV

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Board of State and Community Corrections

Chair, Board of State and Community Corrections.....	Linda M. Penner
Secretary, Department of Corrections and Rehabilitation	Ralph Diaz
Director, Division of Adult Parole Operations	Guillermo Viera Rosa
Department of Corrections and Rehabilitation	
County Sheriff in charge of a local detention facility	Dean Growdon
which has a jail rated capacity of 200 or less inmates	Lassen County
County Sheriff in charge of a local detention facility	William Gore
which has a jail rated capacity of over 200 inmates	San Diego County
Chief Probation Officer.....	Lee Seale
from a county with a population over 200,000	Sacramento County
Chief Probation Officer.....	Kelly Zuniga
from a county with a population under 200,000	Kings County
Judge.....	Gordon S. Baranco
	Alameda County (retired)
Chief of Police.....	Andrew Mills
	Santa Cruz Police Department
Community provider of rehabilitative treatment or services	Scott Budnick
for adult offenders	Anti-Recidivism Coalition
Community provider or advocate with expertise in effective	David Steinhart
programs, policies, and treatment of	Commonweal – Juvenile
Justice Program at-risk youth and juvenile offenders	
County Supervisor or County Administrative Officer.....	Lee Lor
	Merced County
Public Member.....	Norma Cumpian
	Anti-Recidivism Coalition

Adult Titles 15 and 24 Regulations Revision Executive Steering Committee

Brandon Barnes, Sheriff (Chair)
Sutter County Sheriff's Office

Robert Handy, Chief of Police
Huntington Beach Police Department

Matthew Schuler, Assistant Sheriff
Contra Costa County Sheriff's Office

Jerry Gutierrez, Executive Officer
San Bernardino County Sheriff's Department

Dave Kent, Captain
Shasta County Sheriff's Office

**Christine Brown-Taylor, Reentry Services
Manager**
San Diego County Sheriff's Department

Erin Winger, Deputy Agency Director
Orange County Health Care Agency
Correctional Health Services

**Cynthia Borges, Chief Mental Health
Clinician/
Program Manager**
San Joaquin County Correctional Healthcare

Abre' Conner, Staff Attorney
ACLU of Northern California

**Rick Heyer, Supervising Deputy County
Counsel**
Sacramento County Counsel

Pamila Lew, Senior Attorney
Disability Rights - California

Eugene Dey, Founder & Executive Director
Outside Solutions Consulting

Adolfo Gonzales, Chief Probation Officer
San Diego County Probation Department

Administration Workgroup

Kevin McConnell, Captain (Chair)
San Francisco Sheriff's Office

Jim Bass, Chief
Monterey County Sheriff's Office

Michelle Costeiu, Sergeant
Alameda County Sheriff's Office

Sonia Berlanga, Sergeant
San Joaquin County Sheriff's Office

Kathy Podesto, Community Member

Robert Hadley, Lieutenant
Butte County Sheriff's Office

Patrick Rowe, Deputy
Sacramento County Sheriff's Department

James Peak, Lieutenant
Orange County Sheriff's Department

Anita Willis, Activist
Essie Justice

Jeff Bell, Captain
Shafter Police Department

Ed Little, Policy Advocate
Californians for Safety and Justice

Carrie Hill, Attorney
National Sheriff's Association

Matthew Ogonowski, Admin Sergeant
Ventura County Sheriff's Office

Administration Regulations

ARTICLE 1. GENERAL INSTRUCTIONS

- 1004. Severability.
- 1005. Other Standards and Requirements.
- 1006. Definitions.
- 1007. Pilot Projects.
- 1008. Alternate Means of Compliance.

ARTICLE 2. INSPECTION AND APPLICATION OF STANDARDS

- 1010. Applicability of Standards.
- 1012. Emergency Suspensions of Standards or Requirements.
- 1013. Criminal History Information.
- 1016. Contracts for Local Detention Facilities.
- 1018. Appeal.

ARTICLE 3. TRAINING, PERSONNEL, AND MANAGEMENT

- 1020. Corrections Officer Core Course.
- 1021. Jail Supervisory Training.
- 1023. Jail Management Training.
- 1024. Court Holding and Temporary Holding Facility Training.
- 1025. Continuing Professional Training.
- 1027. Number of Personnel.
- 1027.5. Safety Checks.
- 1028. Fire and Life Safety Staff.
- 1029. Policy and Procedures Manual.
- 1032. Fire Suppression Preplanning.

ARTICLE 4. RECORDS AND PUBLIC INFORMATION

- 1040. Population Accounting.
- 1041. Inmate Records.
- 1044. Incident Reports.
- 1045. Public Information Plan.
- 1046. Death in Custody.
- 1047. Serious Illness or Injury of a Minor in an Adult Detention Facility.

Classification and Segregation Workgroup

Scott Wooden, Lieutenant (Chair)

Contra Costa County Sheriff's Office

Carl Darnell, Lieutenant

San Diego County Sheriff's Department

Yvette Borden, Lieutenant

Tehama County Sheriff's Office

Keven Wright, Lieutenant

Kern County Sheriff's Office

Traci Kessler, Compliance Officer

San Luis Obispo County Sheriff's Department

Lucy Caltagirone, Staff Attorney II

Disability Rights California

Shanta Ramdahol, Chief of Detention Nursing

Contra Costa County Sheriff's Office

Keith Chandler, Criminal Justice Consultant

Outside Solutions Consulting

Eugene Dey, Executive Director

Outside Solutions Consulting

Ed Little, Policy Advocate

Californians for Safety and Justice

Classification and Segregation Regulations

ARTICLE 5. CLASSIFICATION AND SEGREGATION

- 1050. Classification Plan.
- 1051. Communicable Diseases.
- 1052. Mentally Disordered Inmates.
- 1053. Administrative Segregation.
- 1054. Administrative Removal – Type
IV Facility.
- 1055. Use of Safety Cell.
- 1056. Use of Sobering Cell.
- 1057. Developmentally Disabled
Inmates.
- 1058. Use of Restraint Devices.
- 1058.5. Restraints and Pregnant
Inmates.
- 1059. DNA Collection, Use of Force.

ARTICLE 3. TRAINING, PERSONNEL, AND MANAGEMENT

- 1030. Suicide Prevention Program.

Programs and Services Workgroup

**Michelle LeFors, Inmate Services
Director (Chair)**
Fresno County Sheriff-Coroner's Office

Katie Ward, Social Services Manager
Solano County Probation Department

Alison Ordille, Program Manager II
San Luis Obispo County Sheriff's Department

America Velasco, Program Coordinator
Marin County Sheriff's Office

Pam Rogers, Inmate Programs Manager
Sacramento County Sheriff's Department

**Desiree Spignor, Associate Clinical Social
Worker**
Anti-Recidivism Coalition

Michael Heck, Senior Program Director
Community Solutions, Inc.

Lonnie Jones, Administrative Sergeant
Tehama County Sheriff's Office

John Hendon, Compliance Officer
Merced County Sheriff's Department

Patricia Ceballos, Program Manager
San Diego County Sheriff's Department

Programs and Services Regulations

<i>ARTICLE 6. INMATE PROGRAMS AND SERVICES</i>
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1061. Inmate Education Plan.

1062. Visiting.

1063. Correspondence.

1064. Library Service.

1065. Exercise and Recreation.

1066. Books, Newspapers, Periodicals,
and Writings.

1067. Access to Telephone.

1068. Access to the Courts and Counsel.

1069. Inmate Orientation.

1070. Individual/Family Service
Programs.

1071. Voting.

1072. Religious Observances.

1073. Inmate Grievance Procedure.

Minors in Detention Workgroup

Marc Summers, Deputy (Chair)

San Bernardino County Sheriff's Department

Michael Shacklett, Sergeant

Riverside County Sheriff's Department

Robert Foster, Officer

San Jose Police Department

Sean Morphis, Sergeant

Bakersfield Police Department

Miguel Garcia, Policy Coordinator

Anti-Recidivism Coalition

and

Member of the State Advisory Committee on
Juvenile Justice & Delinquency

**Amanda Clifford, Policy and Advocacy
Associate**

Bill Wilson Center

And

Member of the State Advisory Committee on
Juvenile Justice & Delinquency

Christina Gunter, Sergeant

Greenfield Police Department

Minors in Detention Regulations

ARTICLE 8. MINORS IN JAILS

- 1100. Purpose.
- 1101. Restrictions on Contact with Adult Prisoners.
- 1102. Classification.
- 1103. Release Procedures.
- 1104. Supervision of Minors.
- 1105. Recreation Programs.
- 1106. Disciplinary Procedures.
- 1120. Education Program for Minors in Jails.
- 1121. Health Education for Minors in Jails.
- 1122. Reproductive Information and Services for Minors in Jails.
- 1122.5. Pregnant Minors.
- 1123. Health Appraisals/Medical Examinations for Minors in Jails.
- 1124. Prostheses and Orthopedic Devices for Minors in Jails.
- 1125. Psychotropic Medications for Minors in Jail.

ARTICLE 9. MINORS IN TEMPORARY CUSTODY IN A LAW ENFORCEMENT FACILITY

- 1140. Purpose.
- 1141. Minors Arrested for Law Violations.
- 1142. Written Policies and Procedures.
- 1143. Care of Minors in Temporary Custody.
- 1144. Contact Between Minors and Adult Prisoners.
- 1145. Decision on Secure Custody.
- 1146. Conditions of Secure Custody.
- 1147. Supervision of Minors in Secure Custody Inside a Locked Enclosure.
- 1148. Supervision of Minors in Secure Custody Outside of a Locked Enclosure.
- 1149. Criteria for Non-Secure Custody.
- 1150. Supervision of Minors in Non-Secure Custody.
- 1151. Minors Under the Influence of Any Intoxicating Substance in Secure or Non-Secure Custody.

<i>ARTICLE 10. MINORS IN COURT HOLDING FACILITIES</i>

1160. Purpose.

1161. Conditions of Detention.

1162. Supervision of Minors.

1163. Classification.

Medical and Mental Health Workgroup

Jim Bass, Chief (Chair)
Monterey County Sheriff's Office

Tia Mao, Nurse
Los Angeles County
Department of Public Health

Tyler Rinde, Policy Advocate
County Behavioral Health Directors Association of
California

Jackie Garcia, Community Member

James Peak, Lieutenant
Orange County Sheriff's Department

Carrie Hill, Attorney
National Sheriff's Association

Chad Herman, Commander
Plumas County Sheriff's Office

**Julie Leftwich, Attorney & Social Justice
Advocate**

Stevie Ellis, Compliance Deputy
Tulare County Sheriff's Office

Mark Foxall, Professor
University of Nebraska

Medical and Mental Health Regulations

<i>ARTICLE 11. MEDICAL/MENTAL HEALTH SERVICES</i>

- 1200. Responsibility for Health Care Services.
- 1202. Health Service Audits.
- 1203. Health Care Staff Qualifications.
- 1204. Health Care Staff Procedure.
- 1205. Medical/Mental Health Records.
- 1206. Health Care Procedures Manual.
- 1206.5. Management of Communicable Diseases in a Custody Setting.
- 1207. Medical Receiving Screening.
- 1207.5. Special Mental Disorder Assessment.
- 1208. Access to Treatment.
- 1209. Mental Health Services and Transfer to Treatment Facility.
- 1210. Individualized Treatment Plans.
- 1211. Sick Call.
- 1212. Vermin Control.
- 1213. Detoxification Treatment.
- 1214. Informed Consent.
- 1215. Dental Care.
- 1216. Pharmaceutical Management.
- 1217. Psychotropic Medications.
- 1220. First Aid Kit(s).
- 1230. Food Handlers.

Nutritional Health Workgroup

Meeting Date and Members TBD

Nutritional Health Regulations

<i>ARTICLE 12. FOOD</i>

1240. Frequency of Serving.

1241. Minimum Diet.

1242. Menus.

1243. Food Service Plan.

1245. Kitchen Facilities, Sanitation, and Food Storage.

1246. Food Serving and Supervision.

1247. Disciplinary Separation Diet.

1248. Medical Diets.

Environmental Health Workgroup

Meeting Date and Members TBD

Environmental Health Regulations

ARTICLE 13. INMATE CLOTHING AND PERSONAL HYGIENE

- 1260. Standard Institutional Clothing.
- 1261. Special Clothing.
- 1262. Clothing Exchange.
- 1263. Clothing Supply.
- 1264. Control of Vermin in Inmates' Personal Clothing.
- 1265. Issue of Personal Care Items.
- 1266. Showering.
- 1267. Hair Care Services.

ARTICLE 14. BEDDING AND LINENS

- 1270. Standard Bedding and Linen Issue.
- 1271. Bedding and Linen Exchange.
- 1272. Mattresses.

ARTICLE 15. FACILITY SAFETY AND SECURITY

- 1280. Facility Sanitation, Safety, and Maintenance.

Title 24 Physical Plant Workgroup

Dan Dyer, Commander (Chair)

Los Angeles County Sheriff's Department

Rob Crout, Lieutenant

San Luis Obispo County Sheriff's Department

Jesse Venegas, Lieutenant

San Bernardino County Sheriff's Department

David Sepulveda, Captain

Santa Clara County Sheriff's Department

Darrell Stelling, Senior Principal / AIA
DLR Group

**Spencer Meyer, Supervising
Deputy State Fire Marshal**
State Fire Marshal

April Lenkey, AIA
Lenkey Consulting Group

Michael Harter, Lieutenant
Riverside County Sheriff's Department

Richard Diaz, Staff Attorney
Disability Rights California

Title 24 Physical Plant Regulations

A note about Title 24 Physical Plant revisions: changes made to Title 24 are not retroactive; newly adopted standards will apply to any new construction that occurs after the revisions are approved by the Building Standards Commission. Pursuant to Title 24, Section 13-102 (b) Exclusions, facilities are grandfathered under the standards they were built under, unless they may significant physical plant modifications.

<i>PART 1, CHAPTER 13, ADMINISTRATIVE REGULATIONS FOR THE BSCC</i>
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- 13-102 (a) Definitions. The following definitions shall apply:
- 13-102 (b) Exclusions.
- 13-102 (c) Initial planning for a local detention facility.
 - 13-102 (c) 1. Letter of intent.
 - 13-102 (c) 2. Needs assessment study.
 - 13-102 (c) 3. Operational program statement.
 - 13-102 (c) 4. Type III and Type IV facilities in existing buildings.
 - 13-102 (c) 5. Submittal of plans and specifications.
 - 13-102 (c) 6. Design requirements.
 - 13-102 (c) 7. Pilot projects.
 - 13-102 (c) 8. Alternate means of compliance.

<i>PART 2, CHAPTER 12, INTERIOR ENVIRONMENT</i>

- 1231.1 Definitions.
- 1231.2 Design criteria for required spaces.
 - 1231.2.1 Reception and booking.
 - 1231.2.2 Temporary holding cell or room.
 - 1231.2.3 Temporary staging cell or room.
 - 1231.2.4 Sobering cell.
 - 1231.2.5 Safety cell.
 - 1231.2.6 Single-occupancy cells.
 - 1231.2.7 Double-occupancy cells.
 - 1231.2.8 Dormitories.
 - 1231.2.9 Dayrooms.

- 1231.2.10 Exercise area.
- 1231.2.11 Correctional program/multipurpose space.
- 1231.2.12 Medical examination room.
- 1231.2.13 Pharmaceutical storage space.
- 1231.2.14 Medical care housing.
- 1231.2.16 Commissary.
- 1231.2.17 Dining facilities.
- 1231.2.18 Visiting space.
- 1231.2.19 Safety equipment storage
- 1231.2.20 Janitors' closet.
- 1231.2.21 Storage rooms.
- 1231.2.22 Audio monitoring system.
- 1231.2.23 Laundry facilities.
- 1231.2.24 Emergency power.
- 1231.2.25 Confidential interview rooms.
- 1231.2.26 Attorney interview space.
- 1231.3 Design criteria for furnishings and equipment.
- 1231.3.1 Toilets/urinals.
- 1231.3.2 Wash basins.
- 1231.3.3 Drinking fountains.
- 1231.3.4 Showers.
- 1231.3.5 Beds.
- 1231.3.6 Lighting.
- 1231.3.7 Windows.
- 1231.3.8 Cell padding.
- 1231.3.9 Mirrors.
- 1231.3.10 Seating.
- 1231.3.11 Table/seat.
- 1231.3.12 Weapons locker.

Type I and Temporary Holding Facilities Workgroup

Jennifer Estrada, Jail Administrator (Chair)
Santa Monica Police Department

Mike Fisher, Sheriff
Sierra County Sheriff's Office

Ryan Anderson, Sergeant
Berkley Police Department

**Jonathan Wolent, Environmental Health
Specialist**
Orange County Health Department

James Buchanan
University of Stanford
Department of Public Safety

Pilar Chavez, Lieutenant
Los Angeles County Sheriff's Department

Erika Havrilchak, Jail Manager
Redondo Beach Police Department

Daisy Valencia, Correctional Assistant
Los Angeles County Sheriff's Department

Michael Horne, Sergeant
Santa Clara Police Department

John Benone, Lieutenant
San Pablo Police Department

Kelly Martin, Custody Supervisor
El Monte Police Department

Type I and Temporary Holding Facilities Regulations

<i>TYPE I AND TEMPORARY HOLDING FACILITIES</i>
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Review of applicable regulations, see ESC Notes.

Safe Release of Inmates/Transportation and Discipline Workgroup

Sean Land, Lieutenant (Chair)
Mariposa County Sheriff's Office

Sonya Berlanga, Sergeant
San Joaquin County Sheriff's Office

Eric McCuoid, Lieutenant
Contra Costa County Sheriff's Office

Sonia Manning, Lieutenant
San Diego County Sheriff's Department

Ian Silva, Lieutenant
Kern County Sheriff's Office

**Cynthia Borges, Chief Mental Health
Clinician**
San Joaquin County Sheriff's Office

Richard Diaz, Staff Attorney II
Disability Rights California

Eugene Dey, Executive Director
Outside Solutions Consulting

**Richard Mireles, Certified Alcohol
and Drug Counselor II**
California Crop Organization

Safe Release of Inmates/Transportation and Discipline Regulations

SAFE RELEASE OF INMATES / TRANSPORTATION

Review of applicable regulations, see ESC Notes.

ARTICLE 7. DISCIPLINE

- 1080. Rules and Disciplinary Penalties.
- 1081. Plan for Inmate Discipline.
- 1082. Forms of Discipline.
- 1083. Limitations on Disciplinary Actions.
- 1084. Disciplinary Records.

SAMPLE Workgroup Meeting Agenda

**Board of State and Community Corrections
2590 Venture Oaks Way
Sacramento CA 95833**

- A. Welcome
 - Housekeeping
 - Roundtable introductions
- B. Public Comment
- C. Overview of Regulation Revision Process
 - Role of ESC
 - Role of Workgroups
 - Role of Staff
- D. Review Goals and Outcomes
- E. Develop Regulation Revision Recommendations
Public comment will be taken throughout this section
 - Review and discuss global topics
 - Review and discuss each applicable regulation
 - Review and discuss public comment and ESC notes
 - Draft Recommendations for Revisions
- F. Review Decisions and Finalize Recommendations
- G. Public Comment
- H. Adjourn

Role of the Executive Steering Committee

The Executive Steering Committee (ESC) identifies issues to be considered, recommends revisions, and provides direction to workgroups. The workgroups propose language changes to existing regulations and present recommendations to the ESC for consideration. The ESC may accept, deny, or modify any of the workgroup's recommendations. The ESC may request that workgroups reconsider proposed revisions and ask for further information. The ESC ultimately presents the proposed regulations revisions to the BSCC Board for final approval.

Role of the Subject Matter Workgroups

Workgroups review and consider ESC recommendations, public comments, national best practices and other issues and studies as applicable. Workgroups may also review "cross referenced" regulations where necessary, for instance, although Title 15 definitions are located in the Administration Workgroup's assigned regulation Article, each workgroup will review Section 1006 Definitions, as it is applicable across all regulation sections. Current statute, case law, best practices, current penological trends and any available empirical evidence will be considered when reviewing regulations for potential revision.

Workgroups will consider the following options when reviewing each regulation:

- **No Change to Regulation**

It is determined by the workgroup that the current regulation meets the needs of the field.

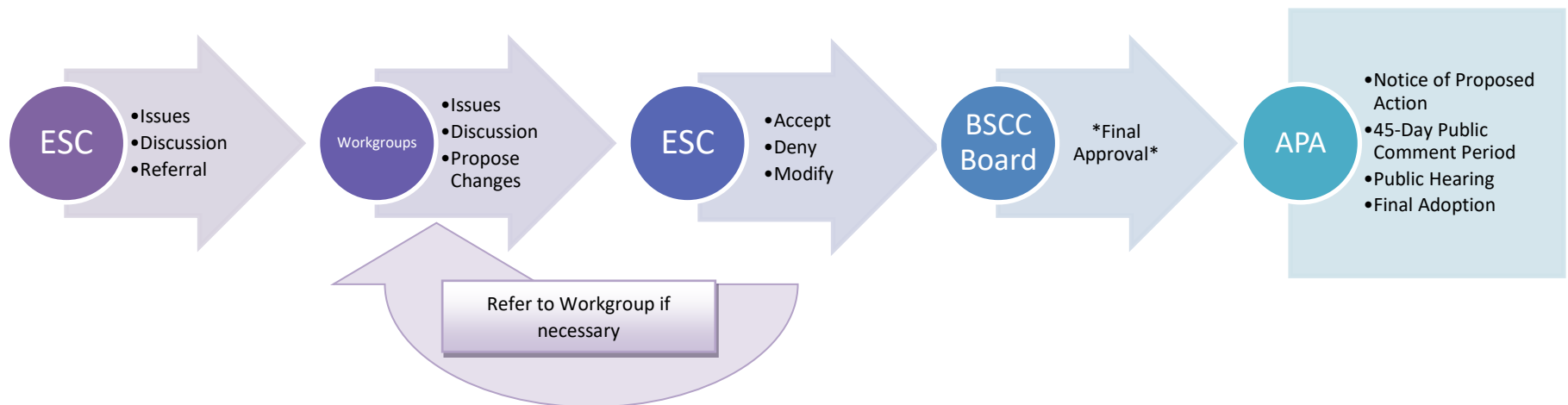
- **Recommend Changes to Regulation**

It is determined by the workgroup that the current regulation *does not* meet the needs of the field.

When changes to regulation text are proposed, the workgroup must provide clear rationale justifying the need for the proposed change(s), potential operational impact of the proposed change(s), and, potential fiscal impact of the proposed change(s).

Role of Staff

BSCC staff organize, assist, and act as a resource to the ESC and workgroups throughout the regulation revision process. Following Board approval, staff prepare documents that proceed through the Administrative Procedures Act (APA), as outlined in Government Code 11340, et seq., and ensure that proposed revisions meet required clarity, consistency and format standards. Staff publish the BSCC's Notice of Proposed Action in the California Regulatory Notice Register, accept public comment during the 45-day period, if necessary, hold public hearings, incorporate any necessary modifications to the proposed language, and complete the APA process with the Office of Administrative Law.



Statutes vs. Regulations

Statutes

Statutes are laws adopted by a legislative body and established in a formal document, such as the California Penal Code. Requirements in statute are mandatory, enforceable, and may only be amended by the state legislature.

Regulations

Regulations are administratively established by state agencies through the Administrative Procedures Act (APA), and may not be mandatory and enforceable. In the case of minimum standards for local detention facilities, it has been determined that, with some exceptions, that the regulations are advisory and not mandatory. Regulations “implement, interpret, or make specific the law enforced or administered by it, or to govern its procedure” (Government Code Section 11342.600). Penal Code 6030, for example, requires the Board of State and Community Corrections to establish minimum standards for local detention facilities, and outlines the specific criteria that those regulations must contain, including health and sanitary conditions.

There are two basic types of regulations:

Prescriptive Standards: Specifies the sole means of compliance with a performance standard by specific actions, measurements, or other quantifiable means (Government Code, Section 11342.590). An example is Title 15, Section 1027, Number of Personnel, which requires hourly safety checks.

Performance Standards: Describes an objective with the criteria stated for achieving the objective (Government Code, Section 11342.570). Performance Standards indicate what is required without directing the jurisdiction how they should be implemented. These standards allow greater flexibility in addressing the objective. An example is Title 15, Section 1067, Access to Telephone. This regulation requires a facility administrator to provide reasonable access to a telephone, but does not define “access.”

Adult Titles 15 and 24 Regulations Review and Revision Process

Proposed Timeline; subject to change

Tentative Timeline	Activity
October 10 – November 25, 2019	<ul style="list-style-type: none"> · Solicit feedback from the field
December 2, 2019	<ul style="list-style-type: none"> · Executive Steering Committee meeting <ul style="list-style-type: none"> ○ Review feedback from the field and critical issues ○ Choose regulations and issues for review and amendment to workgroups
March 2020	<ul style="list-style-type: none"> · Workgroups meet in-person
September – October 2020	<ul style="list-style-type: none"> · Workgroups meet via Zoom
December 2020 – January 2021	<ul style="list-style-type: none"> · Executive Steering Committee meeting <ul style="list-style-type: none"> ○ Workgroup presentations of proposed amendments ○ Finalize regulation revision recommendations
April 2021	<ul style="list-style-type: none"> · Board of State and Community Corrections meeting <ul style="list-style-type: none"> ○ Approve proposed revisions ○ Direct staff to begin APA rulemaking process
May 2021	<ul style="list-style-type: none"> · Submit notice package to Office of Administrative Law (Title 15) · Publication date in California Regulatory Notice Register
May 2021	<ul style="list-style-type: none"> · Submit Economic Statement to Department of Finance for review
June – July 2021	<ul style="list-style-type: none"> · 45-day public comment period ends (Title 15) · Public hearing, location TBA · Return to BSCC Board, if necessary (will affect all following timeline activities)
August 2021	<ul style="list-style-type: none"> · File final regulations with Office of Administrative Law (Title 15)
September – October 2021	<ul style="list-style-type: none"> · Office of Administrative Law approval/disapproval notice (Title 15)
April 2022	<ul style="list-style-type: none"> · Title 15 regulations become effective
<i>TBD, based on Building Standards Commission Code Adoption Cycles</i>	<ul style="list-style-type: none"> · Title 24 regulations must be adopted through the California Building Standards Commission. Timelines regarding their triennial and intervening code adoption cycles may be found at https://www.dgs.ca.gov/bsc