

**FINAL EXPRESS TERMS
FOR PROPOSED BUILDING STANDARDS
OF THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
REGARDING THE 2019 CALIFORNIA PLUMBING CODE,
CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 5
(HCD 06/19)**

The State agency shall draft the regulations in plain, straightforward language, avoiding technical terms as much as possible and using a coherent and easily readable style. The agency shall draft the regulation in plain English. A notation shall follow the express terms of each regulation listing the specific statutes authorizing the adoption and listing specific statutes being implemented, interpreted, or made specific (Government Code Section 11346.2(a)(1)).

If using assistive technology, please adjust your settings to recognize underline, strikeout, italics and ellipsis.

LEGEND for EXPRESS TERMS (Based on model codes - Parts 2, 2.5, 3, 4, 5, 9, 10)

- Model Code language appears upright.
 - Existing California amendments appear in *italics*.
 - Amended model code or new California amendments appear *underlined and in italic*.
 - Repealed model code language appears ~~upright and in strikeout~~.
 - Repealed California amendments appear in ~~*italic and strikeout*~~.
 - Ellipsis (. . .) indicate existing text remains unchanged.
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FINAL EXPRESS TERMS (ITEMS 1-7)

Item 1 HCD proposes to amend Chapter 1 as follows:

**CHAPTER 1
ADMINISTRATION
DIVISION I
CALIFORNIA ADMINISTRATION**

1.1.0 General.

...

1.1.9 Effective Date of this Code. *Only those standards approved by the California Building Standards Commission that are effective at the time an application for building permit is submitted shall apply to the plans and specifications for, and to the construction performed under, that permit. For the effective dates of the provisions contained in this code, see the History Note page of this code. (No change to text; shown for reference only.)*

Exceptions:

(1) [HCD 1 & HCD 2] Retroactive permits issued in accordance with Health and Safety Code Section 17958.12.

(2) [HCD 1 & HCD 2] Plans approved by the Department of Housing and Community Development or a Department-approved design approval agency for factory-built housing as defined by Health and Safety Code Section 19971. Approved plans, pursuant to the California Code of Regulations, Title 25, Division 1, Chapter 3, Subchapter 1, Article 3, Section 3048 remain valid for a period of 36 months from the date of plan approval.

Notation:

Authority: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.5, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17922.14, 17927, 17928, 17958.12, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1 through 18873.5, 18938.3, 18944.11, and 19990; and Government Code Sections 12955.1 and 65852.2.

Reference(s): Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; Civil Code Sections 1101.4 and 1101.5; and Government Code Sections 12955.1 and 12955.1.1.

SECTION 1.8.0
DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT [HCD]

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1.8.4 Permits, Fees, Applications, and Inspections.

1.8.4.1 Permits. *A written construction permit shall be obtained from the enforcing agency prior to the erection, construction, reconstruction, installation, relocation, or alteration of any plumbing system. (No change to existing California amendment.)*

Exceptions:

1. *Work exempt from permits as specified in Chapter 1, Administration, Division II, Section 104.2 items (1)-(2) of this code. (No change to existing California amendment.)*
2. *Changes, alterations, or repairs of a minor nature not affecting structural features, egress, sanitation, safety, or accessibility as determined by the enforcing agency. (No change to existing California amendment.)*
3. *Retroactive permits issued in accordance with Health and Safety Code Section 17958.12.*

Exemptions from permit requirements shall not be deemed to grant authorization for any work to be done in any manner in violation of other provisions of law or this code. (No change to existing California amendment.)

Notation:

Authority: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.5, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17922.14, 17927, 17928, 17958.12, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1 through 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1 and 65852.2.

Reference(s): Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; Civil Code Sections 1101.4 and 1101.5; and Government Code Sections 12955.1 and 12955.1.1.

1.8.9 Unsafe Buildings or Structures.

1.8.9.1 Authority to Enforce. *Subject to other provisions of law, the administration, enforcement, actions, proceedings, abatement, violations, and penalties for unsafe buildings and structures are contained in the following statutes and regulations: (No change to existing California amendment.)*

1. *For applications subject to the State Housing Law as referenced in Section 1.8.3.2.1 of this code, refer to Health and Safety Code, Division 13, Part 1.5, commencing with Section 17910 and California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1, commencing with Section 1. For enforcement related to accessory dwelling units, see Health and Safety Code Section 17980.12, operative until January 1, 2035.*
2. *through 5. (No change to existing California amendment.)*

Notation:

Authority: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.5, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17922.14, 17927, 17928, 17958.12, 17980.12, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1 through 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1 and 65852.2.

Reference(s): Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; Civil Code Sections 1101.4 and 1101.5; and Government Code Sections 12955.1 and 12955.1.1.

Item 2 HCD proposes to amend Chapter 2 as follows:

CHAPTER 2 DEFINITIONS

203.0

- A -

Accessory Dwelling Unit. [HCD 1 & HCD 2] *An attached or detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. Accessory dwelling units shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. (See Government Code Section 65852.2.)*

215.0

- M -

Meter. *An instrument or device for recording the quantity of a product passing through a particular outlet. (See Water Code Section 516 for additional details.)*

221.0

- S -

Submeter. *A secondary device beyond a meter that measures water consumption of an individual rental unit within a multiunit residential structure or mixed-use residential and commercial structure. (See Civil Code Section 1954.202(g) and Water Code Section 517 for additional details.)*

Notation:

Authority: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.5, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17922.14, 17927, 17928, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1.

Reference(s): Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; Civil Code Sections 1101.4, 1101.5, and 1954.202(g); Government Code Sections 12955.1, 12955.1.1, and 65852.2; Water Code Sections 516 and 517.

Item 3 HCD proposes to amend Chapter 3 as follows:

**CHAPTER 3
GENERAL REGULATIONS**

311.0 Independent Systems.

311.1 General. The drainage system of each new building and new work installed in an existing building shall be separate and independent from that of any other building, and, where available, every building shall have an independent connection with a public or private sewer. (No change to existing text.)

Exception: Where one building stands in the rear of another building on an interior lot, and no private sewer is available or can be constructed to the rear building through an adjoining court, yard, or driveway, the building drain from the front building shall be permitted to be extended to the rear building. (No change to existing text.)

Note: *Accessory dwelling units are not required to have independent service utility (drainage) connections provided they meet the specific requirements in Government Code Section 65852.2.*

Notation:

Authority: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.5, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17922.14, 17927, 17928, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1.

Reference(s): Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; Civil Code Sections 1101.4 and 1101.5; and Government Code Sections 12955.1, 12955.1.1, and 65852.2.

Item 4 HCD proposes to amend Chapter 4 as follows:

**CHAPTER 4
PLUMBING FIXTURES AND FIXTURE FITTINGS**

420.3 Pre-Rinse Spray Valve. Commercial food service pre-rinse spray valves shall have a maximum flow rate of 1.6 gallons per minute (gpm) at 60 pounds-force per square inch (psi) (6.0 L/m at 414 kPa) and shall be equipped with an integral automatic shutoff. (No change to existing text.)

420.3.1 Pre-Rinse Spray Valves. [HCD 1 & HCD 2] *When installed, shall meet the requirements in the California Code of Regulations, Title 20 (Appliance Efficiency Regulations), Section 1605.1(h)(4) Table H-2, Section 1605.3(h)(4)(A), and Section 1607(d)(7), and shall be equipped with an integral automatic shutoff.*

FOR REFERENCE ONLY: *The following table and code section have been reprinted from the California Code of Regulations, Title 20 (Appliance Efficiency Regulations), Section 1605.1(h)(4) and Section 1605.3(h)(4)(A).*

Table H-2
Standards for Commercial Pre-rinse Spray Valves Manufactured On or After January 28, 2019

<u>Product Class (spray force in ounce force (ozf))</u>	<u>Maximum Flow Rate (gpm)</u>
<u>Product Class 1 (≤ 5.0 ozf)</u>	<u>1.00</u>
<u>Product Class 2 (> 5.0 ozf and ≤ 8.0 ozf)</u>	<u>1.20</u>
<u>Product Class 3 (> 8.0 ozf)</u>	<u>1.28</u>

Title 20 Section 1605.3(h)(4)(A): Commercial pre-rinse spray valves manufactured on or after January 1, 2006, shall have a minimum spray force of not less than 4.0 ounces-force (ozf) [113 grams-force (gf)].

Notation:

Authority: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.5, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17922.14, 17927, 17928, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; Civil Code Sections 1101.4, 1101.5, and 1954.201; Government Code Sections 12955.1 and 12955.1.1; and California Code of Regulations, Title 20, Sections 1605.1, 1605.3, and 1607.

Item 5 HCD proposes to amend Chapter 6 as follows:

**CHAPTER 6
WATER SUPPLY AND DISTRIBUTION**

601.0 General.

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~~**601.2.1 Submeters. [HCD 1] Each water purveyor that sells, leases, rents, furnishes, or delivers water service to a newly constructed multiunit residential structure or residential portion of newly constructed mixed-use residential and commercial structure for which an application for a water connection(s) is submitted after January 1, 2018, shall require a measurement of the quantity of water supplied to each individual residential dwelling unit as a condition of new water service. The measurement may be by individual water meters or submeters. See California Water Code Section 517 for definitions of “multiunit residential structure,” “mixed-use residential and commercial structure,” and “submeter,” and Section 537 et seq. for additional details and a list of exempted structures. See also the California Civil Code, Title 5, Part 4, Division 4, Chapter 2.5 (commencing with Section 1954.201).**~~

Submeters (or meters) shall be installed to measure potable and reclaimed (recycled) water (hot and cold) that is supplied for the exclusive use of an individual dwelling unit within a newly constructed, multiunit rental residential structure; or for the use of an individual dwelling unit within a newly constructed mixed-use rental residential/commercial structure. Submeters (or meters) shall be installed in accordance with this code and the manufacturer’s installation instructions.

See Water Code Section 517 for definitions of “multiunit residential structure” and “mixed-use residential and commercial structure.” See also Civil Code commencing with Section 1954.201.

Exemptions:

- (1) Long-term health care facilities as defined in Health and Safety Code Section 1418.
- (2) Low-income housing as defined in Health and Safety Code Section 17922.14 (c)(2)(B).
- (3) Residential care facilities for the elderly as defined in Health and Safety Code Section 1569.2 (p)(1).
- (4) Housing at a place of education as defined in Title 24 of the California Code of Regulations, California Building Code, Part 2, Section 202.
- (5) Time-share property as defined in Business and Professions Code Section 11212, Subdivision (aa).

601.2.1.1 Approved Submeters. [HCD 1] Submeters (or meters) shall be approved in accordance with the Business and Professions Code, Division 5.

601.2.2 Submeter Testing. [HCD 1] Submeter (or meter) testing shall be in accordance with the California Code of Regulations, Title 4, Division 9, Chapter 3, Article 1; Civil Code, Division 3, Part 4, Title 5; and Business and Professions Code, Division 5.

Notation:

Authority: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.5, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17922.14, 17927, 17928, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; Civil Code Sections 1101.4, 1101.5, and 1954.201; Government Code Sections 12955.1 and 12955.1.1; and Business and Professions Code, Division 5.

Item 6 HCD proposes to amend Chapter 15 as follows:

**CHAPTER 15
ALTERNATE WATER SOURCES FOR NONPOTABLE APPLICATIONS**

1502.0. Inspection and Testing.

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1502.3 Cross-Connection Inspection and Testing. An initial *visual* inspection and *initial cross-connection* test shall be performed on both the potable and alternate water source systems *before the initial operation of the alternate water source system. During an initial or subsequent cross-connection test, The the* potable and alternate water source system shall be isolated from each other and independently inspected and tested to ensure there is no cross-connection in accordance with Section 1502.3.1 through Section 1502.3.3.

...

1502.3.2 Cross-Connection Test. *A cross-connection test shall be performed in the presence of the Authority Having Jurisdiction or other authorities having jurisdiction to determine whether a cross-connection has occurred as follows:*

(1) through (4) (No change to existing text.)

(5) The alternate water source system shall then be activated and pressurized. *When an alternate water source is not available for the initial cross-connection test, a temporary connection to a potable water supply shall be required. At the conclusion of the initial cross-connection test, the temporary connection to the potable water supply shall be disconnected.*

(6) through (9) (No change to existing text.)

1503.0 Gray Water Systems.

...

1503.3 Connections to Potable and Reclaimed (Recycled) Water Systems. Gray water systems shall have no direct connection to a potable water supply, on-site treated nonpotable water supply, or reclaimed (recycled) water *supply* systems. (No change to existing text.)

Exceptions:

- (1) Potable *water*, on-site treated nonpotable *water*, reclaimed (recycled) water, or *rainwater* is permitted to be used as makeup water for a non-pressurized storage tank provided the connection is protected by an air gap in accordance with this code. (No change to existing text.)
- (2) A *potable water supply* may be connected temporarily for the initial cross-connection testing of the untreated graywater system as required in Section 1502.3.2.

1506.0 On-Site Treated Nonpotable Gray Water Systems.

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1506.4 Connections to Potable or Reclaimed (Recycled) Water Systems. On-site treated nonpotable *gray* water systems shall have no *direct* connection to a potable water supply or reclaimed (recycled) water *supply* system. (No change to existing text.)

Exceptions:

- (1) (No change to existing text.)
- (2) A *potable water supply* may be connected temporarily for the initial cross-connection testing of the on-site treated nonpotable gray water system as provided in Section 1502.3.2.

Notation:

Authority: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.5, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17922.14, 17927, 17928, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; Civil Code Sections 1101.4, 1101.5, and 1954.201; and Government Code Sections 12955.1 and 12955.1.1.

Item 7 HCD proposes to amend Chapter 16 of the 2019 CPC to repeal existing California amendment Table 1602.9.6 and adopt model code Table 1602.9.6 with amendments; and amend other sections as follows:

**CHAPTER 16
NONPOTABLE RAINWATER CATCHMENT SYSTEMS**

**TABLE 1602.9.6
MINIMUM TREATMENT AND WATER QUALITY FOR RAINWATER**

APPLICATION	MINIMUM TREATMENT	MINIMUM WATER QUALITY
<i>Car washing</i>	<i>Debris excluder or other approved means in compliance with Section 1602.9.10</i>	<i>N/A</i>
	<i>100 Micron (100 µm) in compliance with Section 1602.9.11 for drip irrigation</i>	
<i>Surface, subsurface and drip irrigation</i>	<i>Debris excluder or other approved means in compliance with Section 1602.9.10</i>	<i>N/A</i>
	<i>100 Micron (100 µm) in compliance with Section 1602.9.11 for drip irrigation</i>	
<i>Spray irrigation where the maximum storage volume is less than 360 gallons (1363 L)</i>	<i>Debris excluder or other approved means in compliance with Section 1602.9.10 and disinfection in accordance with Section 1602.9.8</i>	<i>N/A</i>
<i>Spray irrigation where the maximum storage volume is equal to or greater than 360 gallons (1363 L)</i>	<i>Debris excluder or other approved means in compliance with Section 1602.9.10</i>	<i>Escherichia coli: < 100 CFU/100 ml Turbidity: < 10 NTU</i>
<i>Urinal and water closet flushing, clothes washing, and trap priming</i>	<i>Debris excluder or other approved means in compliance with Section 1602.9.10</i>	<i>Escherichia coli: < 100 CFU/100 ml</i>
	<i>100 Micron (100 µm) in compliance with Section 1602.9.11</i>	<i>Turbidity: < 10 NTU</i>
<i>Ornamental fountains and other water features</i>	<i>Debris excluder or other approved means in compliance with Section 1602.9.10</i>	<i>Escherichia coli: < 100 CFU/100 ml Turbidity: < 10 NTU</i>
<i>Cooling tower make up water</i>	<i>Debris excluder or other approved means in compliance with Section 1602.9.10</i>	<i>Escherichia coli: < 100 CFU/100 ml</i>
	<i>100 Micron (100 µm) in compliance with Section 1602.9.11</i>	<i>Turbidity: < 10 NTU</i>

**TABLE 1602.9.6
MINIMUM WATER QUALITY**

APPLICATION	MINIMUM TREATMENT	MINIMUM WATER QUALITY
Car washing	Debris excluder or other approved means in accordance with Section 1603.14, and 100 microns (<u>100 μm</u>) in accordance with Section 1603.15 for drip irrigation.	N/A
<u>Surface</u> , Subsurface and drip irrigation	Debris excluder or other approved means in accordance with Section 1603.14, and 100 microns (<u>100 μm</u>) in accordance with Section 1603.15 for drip irrigation.	N/A
Spray irrigation where the maximum storage volume is less than 360 gallons (<u>1363 L</u>)	Debris excluder or other approved means in accordance with Section 1603.14, and disinfection in accordance with Section 1603.12.	N/A
Spray irrigation where the maximum storage volume is equal to or more than 360 gallons (<u>1363 L</u>)	Debris excluder or other approved means in accordance with Section 1603.14.	Escherichia coli: < 100 CFU/100 mL, and Turbidity: < 10 NTU
Urinal and water closet flushing, clothes washing, and trap priming	Debris excluder or other approved means in accordance with Section 1603.14, and 100 microns (<u>100 μm</u>) in accordance with Section 1603.15.	Escherichia coli: < 100 CFU/100 mL, and Turbidity: < 10 NTU
Ornamental fountains and other water features	Debris excluder or other approved means in accordance with Section 1603.14.	Escherichia coli: < 100 CFU/100 mL, and Turbidity: < 10 NTU
Cooling tower make-up water	Debris excluder or other approved means in accordance with Section 1603.14, and 100 microns (<u>100 μm</u>) in accordance with Section 1603.15.	Escherichia coli: < 100 CFU/100 mL, and Turbidity: < 10 NTU

For SI units: 1 micron = 1 μ m, 1 gallon = 3.785 L

1605.0 Inspection and Testing.

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1605.3 Cross-Connection Inspection and Testing. An initial visual inspection and an initial cross-connection test ~~in accordance with Section 1602.5~~ shall be performed on both the potable and rainwater catchment water systems before the initial operation of the rainwater catchment system. During an initial or subsequent cross-connection test, ~~The~~ the potable and rainwater catchment water systems shall be isolated from each other and independently inspected and tested to ensure there is no cross-connection in accordance with Section 1602.5. Initial or subsequent inspections or tests shall be performed in accordance with Section 1605.3.1 through Section 1605.3.3.

1605.3.1 Visual System Inspection. (No change to existing text.)

1605.3.2 Cross-Connection Test. *A cross-connection test shall be performed in the presence of the Authority Having Jurisdiction or other authorities having jurisdiction to determine whether a cross-connection has occurred as follows: (No change to existing text.)*

(1) through (5) (No change to existing text.)

(6) The rainwater catchment water system shall then be activated and pressurized. (No change to existing text.)

When rainwater is not available for the initial cross-connection test, a temporary connection to a potable water supply shall be required. At the conclusion of the initial cross-connection test, the temporary connection to the potable water supply shall be disconnected.

(7) through (10) (No change to existing text.)

Notation:

Authority: Health and Safety Code Sections 17040, 17050, 17920.9, 17921, 17921.5, 17921.6, 17921.10, 17922, 17922.6, 17922.12, 17922.14, 17927, 17928, 18300, 18552, 18554, 18620, 18630, 18640, 18670, 18690, 18691, 18865, 18871.3, 18871.4, 18873, 18873.1, 18873.2, 18873.3, 18873.4, 18873.5, 18938.3, 18944.11, and 19990; and Government Code Section 12955.1.

Reference: Health and Safety Code Sections 17000 through 17062.5, 17910 through 17995.5, 18200 through 18700, 18860 through 18874, and 19960 through 19997; Civil Code Sections 1101.4, 1101.5, and 1954.201; and Government Code Sections 12955.1 and 12955.1.1.