

Date of Hearing: April 22, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 1621 (Wilson) – As Amended March 4, 2026

Policy Committee:	Local Government	Vote:	10 - 0
	Housing and Community Development		12 - 0

Urgency: No State Mandated Local Program: Yes Reimbursable: No

SUMMARY:

This bill makes numerous changes to the postentitlement permit review process for housing development projects regarding plan check, tolling, building inspection, and appeals process requirements.

Specifically, this bill:

- 1) Limits a local agency to two rounds of plan check and specification reviews while reviewing a building permit for a housing development proposal, unless the local or state agency provides written findings based on substantial evidence that an additional review is necessary to address a specific, adverse impact on public health or safety.
- 2) Authorizes a local or state agency to deny a permit application that is not compliant with standards following two plan check and specification reviews and allows an applicant to request additional submittals of applications that are not compliant with permit standards.
- 3) Specifies the requirements above apply only to building permits, not other postentitlement phase permits.
- 4) If state or federal law requires review of the application by another public agency that is independent of the state or local agency before the state or local agency is authorized to act on the application, requires the postentitlement phase permit time limits be tolled until that public agency completes the review and returns the application to a state or local agency.
- 5) Clarifies notification requirements regarding tolling of time limits and resumption of the time limits for building permits.
- 6) Prohibits a local agency from requesting or requiring any action or inaction as a result of a building inspection that would represent a deviation from a previously approved plan or similar approval for the project, unless the local agency’s requirement or request is accompanied by written findings based on substantial evidence, as specified.
- 7) Makes several changes to the process and requirements that apply if a postentitlement phase permit is determined to be incomplete or denied or determined to be noncompliant.
- 8) Expands the “deemed approved” provision for state agencies, and Housing Accountability Act (HAA) violation provision for local agencies, to specify that they need to comply with all postentitlement phase review processes, not just the statutory timeframes.

FISCAL EFFECT:

- 1) The Department of Housing and Community Development (HCD) estimates minor and absorbable costs.
- 2) Costs to other affected state agencies and departments are anticipated to be minor and absorbable.
- 3) Local costs are not reimbursable by the state because cities and counties have general authority to charge and adjust planning and permitting fees as necessary to cover administrative costs.

COMMENTS:

- 1) **Purpose.** According to the author:

While California has taken many steps to address the housing crisis, there is still much work to be done. [This bill] aims to build on AB 2234 by closing gaps in existing law regarding the timelines for state and local agencies to review applications and act on postentitlement permits and applications. The post-entitlement process has become a significant cog in the housing progress, delaying construction and advancement across the state. [This bill] aims to ensure that our housing projects are approved and built on time, avoiding delays during the plan check process that often derail housing development.

- 2) **Background. *Post-entitlement Permit Process.*** Once a housing project receives entitlement (approval) from the local planning department, the developer must obtain a range of nondiscretionary permits, referred to as postentitlement permits, to complete the work to construct the building. These permits can include building permits and other permits for demolition, grading, and excavation, among others. During the postentitlement stage, housing project plans are reviewed for consistency with state housing law, state building codes, fire codes, energy codes, and green building standards.

Local governments are primarily responsible for approving housing developments within their respective jurisdictions, but various state departments may also play a role, depending on a project's scope and location. For example, the Department of Toxic Substances Control reviews housing projects for potential hazardous materials requiring site cleanup and mitigation plans.

Existing Time Limits. AB 2234 (Rivas), Chapter 651, Statutes of 2022, established time limits local agencies must follow to determine postentitlement phase permit application completeness and to then approve or deny postentitlement permits. If a local agency fails to meet these time limits, it is considered a violation of the Housing Accountability Act (HAA). HCD has enforcement authority over the HAA and may initiate enforcement reviews based on various sources, including applicant complaints.

AB 301 (Schiavo and Rivas), Chapter 488, Statutes of 2025, applied many of the same postentitlement review provisions and procedures established in AB 2234 to state agencies

Despite the passage of AB 2234 and AB 301, developers cite continued delays, hurdles, and inconsistencies in the postentitlement permitting and inspection process. This bill further addresses those issues.

- 3) **Support and Opposition.** This bill is sponsored by the California Building Industry Association, who asserts that, despite streamlining progress, projects that have received their entitlements too often encounter prolonged delays during the postentitlement phase, which increases financing costs, labor and material expenses, and overall project risk.

This bill is opposed by the League of California Cities, California State Association of Counties, and Rural County Representatives of California, who assert this measure prohibits a local agency from denying an application on non-health-and-safety grounds, effectively allowing developers to circumvent other necessary regulations and impairing a local government's ability to review applications for residential development projects effectively.

Analysis Prepared by: Jennifer Swenson / APPR. / (916) 319-2081