

Date of Hearing: April 21, 2026

ASSEMBLY COMMITTEE ON BUSINESS AND PROFESSIONS

Marc Berman, Chair

AB 1693 (Zbur) – As Introduced February 3, 2026

NOTE: This bill is double-referred and passed the Assembly Local Government Committee on April 15, 2026, on a 10-0-0 vote.

SUBJECT: Accelerated retailer building plan approval: tenant improvements.

SUMMARY: Requires a local building department to allow a “qualified professional certifier,” as specified, to certify compliance with appliance building, health, and safety codes for a tenant improvement plan related to a retailer, as defined, and requires the local building department to approve or deny the permit application within 20 business days.

EXISTING LAW:

- 1) Establishes the Architects Practice Act to regulate the practice of architecture in California. (Business and Professions Code (BPC) § 5501 *et seq.*)
- 2) Establishes the California Architects Board (CAB) within the Department of Consumer Affairs (DCA) to administer the Architects Practice Act until January 1, 2029. (BPC § 5510)
- 3) Defines “architect” as a person who is licensed to practice architecture in this state. (Business and Professions Code (BPC) § 5500)
- 4) Provides for the regulation of professional engineering in California under the Professional Engineers Act. (BPC § 6700 *et seq.*)
- 5) Establishes the Board for Professional Engineers, Land Surveyors, and Geologists (BPELSG) within the DCA to administer the Professional Engineers Act until January 1, 2029. (BPC §§ 6710 *et seq.*)
- 6) Defines a “professional engineer” as a person engaged in the professional practice of rendering service or creative work requiring education, training, and experience in engineering sciences and the application of special knowledge of the mathematical, physical, and engineering sciences in such professional or creative work as consultation, investigation, evaluation, planning or design of public or private utilities, structures, machines, processes, circuits, buildings, equipment or projects, and supervision of construction to secure compliance with specifications and design for any such work. (BPC § 6701)
- 7) Establishes the Permit Streamlining Act, which, among other things, establishes time limits within which state and local government agencies must either approve or disapprove permits authorizing a development. (Government Code (GOV) §§ 65920–65964.5)
- 8) Establishes the California Building Standards Commission (CBSC) within the Department of General Services and requires the CBSC to administer the processes related to the adoption, approval, publication, and implementation of California’s building codes, which serve as the basis for the design and construction of buildings in California. (Health and Safety Code (HSC) §§ 18901 *et seq.*)

- 9) Allows the governing body of a local agency to authorize its enforcement agency to contract with or employ a private entity or persons on a temporary basis to perform plan-checking functions, as specified. (Health and Safety Code (HSC) § 19837)
- 10) Requires a local agency to contract with or employ a private entity or persons on a temporary basis to perform plan-checking functions upon the request of an applicant for a nonresidential permit for the remodeling or tenant improvements of a building, as specified, where there is an “excessive delay” in checking the plans and specifications that are submitted as a part of the application. (HSC § 19837)
- 11) Defines, for a nonresidential permit for a building other than a hotel or motel that is three stories or less, “excessive delay” to mean the building department or building division of the local agency has taken more than 50 days after submitting a complete application to complete the structural building safety plan check of the applicant’s set of plans and specifications that are suitable for checking. (HSC § 19837)
- 12) Defines “Qualified professional certifier” to mean a licensed architect or engineer who meets both of the following conditions:
 - a) Has at least five years of experience in commercial building design or plan review.
 - b) Maintains professional liability insurance in an amount not less than two million dollars (\$2,000,000) per occurrence.(GOV § 66345.1(a))
- 13) Defines “restaurant” to mean a retail food establishment that prepares, serves, and vends food directly to the consumer and is not a fast food restaurant. (GOV § 66345.1(b))
- 14) Defines “tenant improvement” as a change to the interior of an existing building. (GOV § 66345.1(c))
- 15) Requires a local building department to allow, upon request from an applicant for a permit for a tenant improvement relating to a restaurant, a qualified professional certifier to certify, at the applicant’s expense, compliance with all applicable building, health, and safety codes, including, but not limited to, building standards approved by the California Building Standards Commission and local building standards, for the tenant improvement. (GOV § 66345.2(a)(1))
- 16) Requires a certified tenant improvement relating to a restaurant to comply with all applicable building, health, and safety codes, including, but not limited to, building standards approved by the California Building Standards Commission and local building standards, in effect at the time the application for a permit is submitted. (GOV § 66345.1(a)(2))
- 17) Requires a qualified professional certifier to prepare an affidavit, under penalty of perjury, attesting that the tenant improvement plans and specifications comply with all applicable building, health, and safety codes, including, but not limited to, building standards approved by the California Building Standards Commission and local building standards. (GOV § 66345.1(b)(1)(A))

- 18) Requires a qualified professional certifier or the applicant to prepare an affidavit, under penalty of perjury, attesting that the restaurant for which the tenant improvement is constructed meets the definition of “restaurant.” (GOV § 66345.1(b)(1)(B))
- 19) Provides that a qualified professional certifier making any false statement in a certification constitutes grounds for disciplinary action. (BPC §§ 5586.5 and 6775(g))
- 20) Requires the local building department to approve or deny the application within 20 business days of receiving a complete application, including the affidavits specified above. If the local building department does not approve or deny the application within 20 business days of receiving a complete application, including the affidavits, a certified plan shall be deemed approved for permitting purposes, provided that all fees and required documents have been submitted. (GOV § 66345.1(b)(1)-(2))
- 21) Specifies that if a complete application is denied within the 20-business-day period, the applicant may resubmit corrected plans addressing the deficiencies identified in the initial denial. The local building department’s review of each subsequent resubmission shall be limited to correcting the deficiencies identified in the initial denial. The local building department shall approve or deny each subsequent resubmission within 10 business days of receipt. (GOV § 66345.1(b)(4))
- 22) Requires each local building department to conduct a random audit of no less than 20 percent of all tenant improvements submitted per week for certification, as specified. (GOV § 66345.1(c))
- 23) Provides that certification does not exempt a tenant improvement from other mandatory construction inspections, including, but not limited to, fire, health, and structural inspections conducted during or after construction. (GOV § 66345.1(d)(1))
- 24) Specifies that any false statement in a certification submission made is grounds for disciplinary action by the CAB or the BPELSG, and Geologists, as applicable. (GOV § 66345.1(e))
- 25) Authorizes a city or county to adopt, by ordinance, additional qualifications or requirements for a qualified professional certifier, including, but not limited to, any of the following:
 - a) A requirement to register with the city or county prior to certifying plans.
 - b) Training requirements that must be completed prior to certifying plans.
 - c) Payment of fees, as specified.
 - d) Penalties that may include decertification as a qualified professional certifier in that jurisdiction or reasonable administrative fines for either of the following:
 - i) Willful noncompliance with the requirements of this chapter.
 - ii) Two or more instances in which the qualified professional certifier attested to certifying noncompliant plans.

- 26) Provides that a local building department may charge permit fees for applications utilizing a qualified professional certifier. (GOV 66345.3)
- 27) Makes qualified professional certifiers liable for any damages arising from negligent plan review. (GOV 66345.4(a))
- 28) Requires the applicant to indemnify the local agency from any property damage or personal injury arising from construction. (GOV 66345.4(b))
- 29) Provides that a public entity or public employee is not liable for an injury caused by their discretionary or ministerial acts or omissions relating to the issuance or denial of any permit. (GOV 66345.4(c))

THIS BILL:

- 1) Requires, notwithstanding any other law, a local building department to allow, upon request from an applicant for a permit for a tenant improvement relating to a retailer, a qualified professional certifier to certify, at the applicant's expense, compliance with all applicable building, health, and safety codes, including, but not limited to, building standards approved by the California Building Standards Commission (CBSC) and local building standards, for the tenant improvement.
- 2) Provides that a tenant improvement relating to a retailer certified pursuant to this bill shall comply with all applicable building, health, and safety codes, including, but not limited to, building standards approved by the California Building Standards Commission and local building standards, in effect at the time the application for a permit is submitted.
- 3) Requires a qualified professional certifier to prepare an affidavit, under penalty of perjury, attesting that the tenant improvement plans and specifications comply with all applicable building, health, and safety codes, including, but not limited to, building standards approved by the CBSC and local building standards.
- 4) Requires a qualified professional certifier or the applicant to prepare an affidavit, under penalty of perjury, attesting that the retailer for which the tenant improvement is constructed meets the requirements of the definition of "retailer" as provided pursuant to this bill.
- 5) Requires the local building department to approve or deny the application within 20 business days of receiving a complete application, including the required affidavits.
- 6) Specifies that, if the local building department does not approve or deny the application within 20 business days of receiving a complete application, including the required affidavits, a certified plan is to be deemed approved for permitting purposes, provided that all fees and required documents have been submitted.
- 7) Allows, if a complete application is denied within the 20-business-day period described above, the applicant to resubmit corrected plans addressing the deficiencies identified in the initial denial; requires that the local building department's review of each subsequent resubmission be limited to correcting the deficiencies identified in the initial denial, and that the department shall approve or deny each subsequent resubmission within 10 business days of receipt.

- 8) Requires each local building department to conduct a random audit of no less than 20 percent of all tenant improvements submitted per week for certification under this bill.
- 9) Requires audits to be initiated within five business days following permit issuance and to include a review of the submitted plans for compliance with all applicable building, health, and safety codes, including, but not limited to, building standards approved by the CBSC and local building standards.
- 10) Requires, if an audit reveals material noncompliance, the local building department to provide a plan check correction notice within 10 business days of the audit's initiation.
- 11) Provides that certification under this bill does not exempt a tenant improvement from other mandatory construction inspections, including, but not limited to, fire, health, and structural inspections conducted during or after construction.
- 12) Requires any false statement in a certification submission made under this bill to be grounds for disciplinary action by the CAB or the BPELSG, as specified.
- 13) Allows a city or county to adopt, by ordinance, additional qualifications or requirements for a qualified professional certifier, including, but not limited to, any of the following:
 - a) A requirement to register with the city or county prior to certifying plans pursuant to this chapter.
 - b) Training requirements that must be completed prior to certifying plans pursuant to this chapter.
 - c) Payment of fees not to exceed the reasonable cost of implementing this chapter.
 - d) Penalties that may include decertification as a qualified professional certifier in that jurisdiction or reasonable administrative fines for either of the following:
 - i) Willful noncompliance with the requirements of this chapter.
 - ii) Two or more instances in which the qualified professional certifier attested to certifying noncompliant plans pursuant to this chapter.
- 14) Provides that this bill does not prohibit a local building department from charging permit fees for applications utilizing a qualified professional certifier.
- 15) Requires qualified professional certifiers to be liable for any damages arising from negligent plan review pursuant to this bill.
- 16) Requires the applicant to indemnify the local agency from any property damage or personal injury arising from construction permitted pursuant to this bill.
- 17) Provides that, notwithstanding Section 815.6, a public entity or public employee is not liable for an injury caused by their discretionary or ministerial acts or omissions relating to the issuance or denial of any permit pursuant to this bill.

18) Provides the following definitions for the purposes of this bill:

- a) “Qualified professional certifier” means an architect licensed pursuant to Chapter 3 (commencing with Section 5500) of Division 3 of the Business and Professions Code, or a professional engineer licensed pursuant to Chapter 7 (commencing with Section 6700) of Division 3 of the Business and Professions Code, who meets both of the following conditions:
 - i) Has at least five years of experience in commercial building design or plan review.
 - ii) Maintains professional liability insurance in an amount not less than two million dollars (\$2,000,000) per occurrence.
- b) “Retailer” means any person who is engaged in the business of making retail sales directly to the general public. “Retailer” does not include a retail food establishment that prepares, serves, or vends food directly to the consumer, or a fast food restaurant, as specified.
- c) “Tenant improvement” means a change to the interior of an existing building.

19) Finds and declares that retailers’ role in the state’s economy and tourism industry is a matter of statewide concern and is not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, Section 3 of this act adding Chapter 15 (commencing with Section 66350) to Division 1 of Title 7 of the Government Code applies to all cities, including charter cities.

20) Provides that no reimbursement is required by this bill pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this bill or because costs that may be incurred by a local agency or school district will be incurred because this bill creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

FISCAL EFFECT: Unknown; this bill is keyed fiscal by the Legislative Counsel.

COMMENTS:

Purpose. This bill is sponsored by the *California Retailers Association* and the *Westside Council of Chambers of Commerce*. According to the author:

Brick-and-mortar retailers are essential to vibrant neighborhoods and local economic recovery, but too often businesses—especially small and family-owned ones—face months-long permitting delays just to make interior improvements to existing buildings. Those delays hurt workers, communities, and commercial corridors still recovering from the pandemic, recent fires, and prolonged vacancies. AB 1693 offers a commonsense solution. For interior improvement projects, it allows licensed architects or engineers to certify that plans meet all building and safety codes, while requiring local governments to act on complete applications within clear, predictable timelines—with full oversight

intact. At a time when retailers are competing with online shopping and navigating real economic challenges, we owe them a permitting process that is fair, efficient, and predictable.

Background.

California Building Standards Code. The California Building Standards Code (Cal. Code Regs., Title 24) regulates the design, construction, quality of materials, use and occupancy, location, and maintenance of all buildings and structures in the state, and includes standards for building safety (the Building Code), fire safety standards (the Fire Code), energy efficiency standards (the Energy Code), and standards for green buildings (CalGreen). The 2025 Building Standards Code took effect on January 1, 2026. Improvements to existing buildings must comply with the current standards and may trigger additional code updates for other parts of the building. Local building departments and enforcement agencies enforce the California Building Standards Code.

Building Permit Process. Retailers may be required to obtain various permits from the local building department prior to constructing or modifying a building. Local building departments enforce state and local building standards and zoning laws and are responsible for evaluating plans for compliance. Building departments may contract with a private entity to provide plan-checking services. The Permit Streamlining Act requires public agencies to determine within 30 days whether development project applications are complete or require additional information. Applications that are not approved or rejected within 30 days are approved by default. Once entitled (i.e., approved), applicants are required to obtain a range of non-discretionary post-entitlement permits, including building, health, and safety permits, that are not subject to the timelines established by the Permit Streamlining Act. Tenant improvements may or may not require discretionary permits, subject to the Permit Streamlining Act, but are still required to obtain post-entitlement permits.

Existing law requires a local building department or permitting agency to contract with or employ a private entity or persons on a temporary basis to perform plan-checking functions, such as compliance with building, health, and safety codes, upon the request of an applicant when there is an "excessive delay" in checking the applicant's plans and specifications. For a nonresidential permit for the remodeling or tenant improvements of a building, excessive delay generally means the local building department has taken more than 50 days after receiving a complete application to complete the structural building safety plan check. "Excessive delay" can also be claimed if the agency takes more than 60 days to check the initial application and check resubmitted corrected plans and specifications after the agency returned the plans to the applicant for correction.

Last year, AB 671 (Wicks and Gabriel), Chapter 470, Statutes of 2025, authorized qualified professional certifiers to self-certify that tenant improvement plans for restaurants comply with all applicable building, health, and safety codes, and required local building departments to approve or reject those plans within 20 days. Plans that are not acted upon within that period are approved by default. This bill authorizes qualified professional certifiers to self-certify tenant improvement plans for retailers, as well. According to the author, this bill will allow family-owned and small businesses to open more quickly and avoid unnecessary costs and delays.

Qualified Professional Certifiers. Consistent with existing law pursuant to AB 671, this bill defines a "qualified professional certifier" as an architect or professional engineer licensed by the

CAB or the BPELSG who has at least five years of experience in commercial building design or plan review and maintains professional liability insurance, as specified.

The CAB is responsible for licensing and regulating architects in California. An applicant for an architect license must be at least 18 years old or the equivalent of a high school graduate, pass the Architect Registration Examination and the California Supplemental Examination, and complete eight years of architectural training and education. Licensed architects must complete continuing education as a condition of license renewal. The California Architects Board is responsible for taking enforcement action against architects and unlicensed individuals who violate the Architects Practice Act. Enforcement action ranges from citations and fines to license revocation.

The BPELSG is responsible for licensing and regulating professional engineers in California. As noted on the Board's website:

There are three categories of Professional Engineer licensure available in California: (1) practice act, (2) title act, and (3) title authority. The practice acts are Civil, Electrical, and Mechanical Engineering. Practice act means that only a person appropriately licensed with the Board may practice or offer to practice these branches of engineering. The title acts are Agricultural, Chemical, Control Systems, Fire Protection, Industrial, Metallurgical, Nuclear, Petroleum, and Traffic Engineering. Title act means that only a person licensed by the Board in that branch of engineering may use the title in any manner. The title authorities exist for two sub-branches of Civil Engineering: Structural Engineering and Geotechnical Engineering. A title authority indicates a proficiency in that field greater than what is required for Civil Engineering licensure.

There are two pathways to licensure under the Professional Engineers Act; applicants may qualify with six years' engineering work experience or completion of a bachelor's degree in engineering and 12 to 48 months of professional work experience, depending on the highest level of degree completion (e.g., bachelor's or master's) and whether the degree was obtained from a Board-approved school. Applicants for licensure must pass the Fundamentals of Engineering Examination and the Principles and Practice of Engineering Examination administered by the National Council of Examiners for Engineering and Surveying, and/or another examination developed and administered by the Board, depending on the branch of engineering. The Board is empowered to take enforcement action against licensees and individuals engaged in unlicensed practice, ranging from citations and fines to formal discipline, including license revocation.

This bill makes any false statement in a certification submitted to a local building department pursuant to this bill grounds for disciplinary action by the appropriate licensing board.

Current Related Legislation. AB 1915 (Gabriel), as it relates to this bill, would establish a streamlined approval process for local permits for like-for-like equipment installations at restaurants. *AB 1915 is pending in this committee.*

Prior Related Legislation. AB 671 (Wicks and Gabriel), Chapter 470, Statutes of 2025, requires a local building department or permitting department to allow a qualified professional certifier to self-certify that tenant improvement plans relating to a restaurant comply with all applicable building, health, and safety codes, and requires local building departments to approve or reject those plans within 20 days.

ARGUMENTS IN SUPPORT:

As the co-sponsor of this bill, the *California Retailers Association* writes in support:

[California Retailers Association] members have conveyed to us that permit turnaround times for tenant improvements routinely stretch into multiple months across California counties, with average processing times around 12 weeks and maximums reaching as high as 31 weeks in some jurisdictions. Retailers continue to experience recurring challenges, including extended review periods, multiple rounds of comments, use of third-party reviewers, portal outages, and unanticipated intake requirements. These lengthy review periods significantly delay basic interior buildouts, store openings, and remodels, forcing retailers to carry rent and financing costs for many additional months before they can generate revenue or hire workers. Throughout the state, the retail industry faces unpredictable local permitting processes for tenant improvements that create significant hardship, such as increased project costs, delayed business operations, and stagnant economic activity...This legislation is critical as reducing these permitting delays will promote economic activity within California's small business community while maintaining appropriate safety and compliance standards.

As a co-sponsor of this bill, the *Westside Council of Chambers of Commerce* adds in support:

[This bill] will help reduce permitting delays for retailers looking to open and renovate their stores and support their operation through a predictable and efficient process. Specifically, the bill permits retailers to hire licensed architects or engineers to certify that tenant improvement plans comply with applicable building, health, and safety codes. Municipal building departments are required to approve or deny permit applications within 20 business days. Additionally, municipalities retain the authority and requirement to conduct audits to ensure accountability and public safety and there are penalties for non-compliance or other misconduct by private certifiers. Like AB 671 which was signed into law last year and created a nearly identical system for restaurants, creating a streamlined, predictable path forward for retailers to open in a timely manner will support a vibrant business community, particularly for small business.

ARGUMENTS IN OPPOSITION:

In opposition, the *California Building Officials* write:

[This bill] has been composed in a similar "spirit" to last year's AB 671, which we were also unable to support. While we understand that AB 1693 is limited in scope to retail tenant-improvements, in the name of public safety, the person designing the plans should not be the one offering final approval. We appreciate the perimeters and limitations you have outlined with your measure, but self-certification is an unsavory practice that leads to large-scale concerns in the short- and long-term life of a commercial structure. Local jurisdictions, at a minimum, need to offer approvals and assurances that state and local building, fire, and life safety codes have been met. Allowing someone who has been hired to draw plans with an economic incentive for their expedited approval is not a responsible practice – regardless of the scale of the development project.

POLICY ISSUES FOR CONSIDERATION:

Conflict of interest. This bill authorizes licensed professional certifiers to sign off on their own work despite their financial interest in certifying tenant improvement plans.

IMPLEMENTATION ISSUES FOR CONSIDERATION:

Potential for costly errors and delays. Although this bill is intended to expedite the permitting process, retailers may face significant costs and delays downstream to the extent that corrections are necessary after construction has begun or been completed.

Qualifications of a “qualified professional certifier.” This bill would allow any licensed architect or professional engineer with at least five years of experience in commercial building design or plan review, and who maintains a \$2 million professional liability insurance policy, to submit tenant improvement plans for retailer establishments under this bill. However, what constitutes “commercial building design or plan review” is unclear. Qualified professional certifiers could have vastly different levels of experience due to the vagueness of the criterion. Moreover, it is unclear how local building departments would verify that a qualified professional certifier meets that requirement. Additionally, the author may wish to require the architect or professional engineer to hold a valid license in good standing.

Enforcement. Under this bill, any false statement in a certification submission would be grounds for disciplinary action by the CAB or BPELSG, but neither the licensee nor the local building department is required to notify the appropriate board.

REGISTERED SUPPORT:

California Retailers Association (Co-sponsor)
Westside Council of Chambers of Commerce (Co-sponsor)
California Chamber of Commerce
California Downtown Association
Construction Employers' Association
South Pasadena Residents for Responsible Growth
United Chamber Advocacy Network

REGISTERED OPPOSITION:

California Building Officials

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