

## ASSEMBLY THIRD READING

AB 1693 (Zbur)

As Introduced February 3, 2026

Majority vote

**SUMMARY**

Requires a local building department to allow a qualified professional certifier to certify compliance with applicable building, health, and safety codes for a tenant improvement relating to a retailer.

**Major Provisions**

- 1) Defines a "qualified professional certifier" as an architect or professional engineer licensed pursuant to the Business and Professions Code, who has at least five years of experience in commercial building design or plan review and maintains professional liability insurance of at least \$2 million per occurrence.
- 2) Defines "tenant improvement" as a change to the interior of an existing building.
- 3) Requires 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 applicable building, health, and safety codes for the tenant improvement.
- 4) Requires a tenant improvement relating to a retailer certified pursuant to this bill to comply with building standards approved by the California Building Standards Commission (CBSC) and local building standards in effect at the time the applicant submits the application for a permit.
- 5) Requires a qualified professional certifier to prepare an affidavit, under penalty of perjury, attesting the tenant improvement plans and specifications comply with all applicable laws and regulations.
- 6) Deems a certified plan approved for permitting purposes, provided all fees and required documents have been submitted, if the local building or permitting department does not approve or deny the application within 20 business days of receiving a complete application, including the affidavit specified in item 5, above, or within 10 business days of receiving resubmitted corrected plans.
- 7) Requires each local building or permitting department to conduct a random audit of at least 20% of all tenant improvements submitted per week for certification under this bill, as specified.
- 8) Provides that any false statement in a certification submission made under this bill is grounds for disciplinary action by the California Architects Board or the Board for Professional Engineers, Land Surveyors, and Geologists, as applicable.
- 9) Authorizes local jurisdictions to impose reasonable administrative penalties, including fines, for willful noncompliance with the requirements of this bill.

- 10) Provides that qualified professional certifiers are liable for any damages arising from negligent plan review.

## COMMENTS

The California Building Standards Code contains building standards and regulations adopted by the CBSC to protect the health and safety of people and property. The code 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, fire safety standards, energy efficiency standards, and standards for green buildings. Local government building and planning departments enforce the code.

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.

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.

Modeled after AB 671, this bill authorizes qualified professional certifiers to self-certify tenant improvement plans for retailers.

### **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.

### **Arguments in Support**

The California Retailers Association, sponsor of this measure, writes, "CRA 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. Current law (AB 671, Chapter 470, California Statutes 2025) creates a streamlined approval process for restaurants seeking these types of projects, establishing a similar model for retail projects will be essential for small businesses to thrive in California.

"AB 1693 helps address this by requiring local building departments to allow a licensed architect or engineer serving as a qualified professional certifier to review tenant improvements and certify those improvements for applicable building, health, and safety code. The bill would require the local building department to approve or deny the tenant improvement permit application within 20 business days of receiving a complete application and would deem the plan approved for permitting purposes if the local building department does not approve or deny the application within that timeframe.

"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."

### **Arguments in Opposition**

The California Building Officials, in opposition, state, "By way of background, California Building Officials (CALBO) is the organization of local building departments. CALBO members are primarily responsible for enforcing building code requirements in an estimated 95% of the buildings constructed in California. Accordingly, we have a solid understanding of building and life safety codes, their applicability, and overall enforcement of such standards. We see ourselves as an integral part of local government and seek to promote the best for California communities.

"As you know, AB 1693 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.

"For the aforementioned reasons, we are unable to support AB 1693. We appreciate having the opportunity to share our professional perspective relative to the measure."

### **FISCAL COMMENTS**

- 1) The California Architects Board (CAB) anticipates minor and absorbable costs (special fund) associated with an increase in complaints and the Board for Professional Engineers, Land Surveyors, and Geologists (BPELSG) anticipates no additional costs.
- 2) Local building departments may incur costs to perform audits of tenant improvements submitted for certification, and to review reports received from private providers and issue or deny building permits within 20 days of receiving such a report or within 10 days upon

resubmittal. Because the cost to use a qualified professional certifier will be borne by the applicant (not the local agency), local agency costs to review reports will be offset to the extent savings accrue from performing fewer plan-checking functions.

Local costs resulting from this bill are not reimbursable by the state because local agencies have general authority to charge and adjust planning and permitting fees to cover their administrative expenses associated with new planning mandates.

## **VOTES**

### **ASM LOCAL GOVERNMENT: 10-0-0**

**YES:** Carrillo, Ta, Johnson, Pacheco, Ramos, Ransom, Blanca Rubio, Stefani, Ward, Wilson

### **ASM BUSINESS AND PROFESSIONS: 18-0-1**

**YES:** Berman, Johnson, Addis, Ahrens, Alanis, Bains, Bauer-Kahan, Chen, Elhawary, Hadwick, Haney, Hart, Irwin, Jackson, Lowenthal, Macedo, Nguyen, Pellerin

**ABS, ABST OR NV:** Caloza

### **ASM APPROPRIATIONS: 14-0-1**

**YES:** Wicks, Hoover, Aguiar-Curry, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Ta, Tangipa

**ABS, ABST OR NV:** Arambula

## **UPDATED**

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