

- 5) Defines “qualified professional certifier” as a licensed architect or a licensed professional engineer who has at least five years of experience in commercial building design or plan review and maintains professional liability insurance in an amount not less than two million dollars (\$2,000,000) per occurrence. (Government Code (GC) § 66345.1)
- 6) 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 (CBSC) and local building standards, for the tenant improvement. (GC § 66345.2 (a))
- 7) 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. (BPC § 66345.2 (b))
- 8) Provides that a licensed architect who serves as a qualified professional certifier, as defined in GC § 66345.1, and makes any false statement in a certification submission for a tenant improvement relating to a restaurant constitutes grounds for disciplinary action. (BPC § 5586.5)
- 9) Provides that BPELGS may suspend a license for up to two years or revoke the certificate of a licensed engineer who serves as a “qualified professional certifier,” as defined in GC § 66345.1, who makes any false statement in a certification submission for a tenant improvement relating to a restaurant. (BPC § 6775)
- 10) Provides that any false statement in a certification submission shall be grounds for disciplinary action by the California Architects Board, or the Board for Professional Engineers, Land Surveyors, and Geologists, as applicable. (GC § 66345.2 (e))
- 11) 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.)
- 12) 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. (HSC § 19837)
- 13) 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)

This bill:

- 1) Defines a “qualified professional certifier” as an architect licensed by CAB or a professional engineer licensed by BPELSG who has at least five years of experience in commercial building design or plan review and maintains professional liability insurance in an amount not less than two million dollars per occurrence.
- 2) Defines “retailer” as any person that is engaged in the business of making retail sales direct to the general public.
- 3) Defines “tenant improvement” as a change to the interior of an existing building.
- 4) 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 all applicable building, health, and safety codes, including, but not limited to, building standards approved by the CBSC and local building standards, for the tenant improvement.
- 5) 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.
- 6) Requires the local building department to approve or deny a complete application, including affidavits, within 20 business days of receipt or the certified plan is deemed approved for permitting purposes, provided all fees and documents have been submitted.
- 7) Allows an applicant whose certified plan is denied to resubmit corrected plans addressing deficiencies. Requires the local building department to approve or deny the 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, initiate the audit within five business days following permit issuance, and include a review of the submitted plans for compliance with all applicable building, health, and safety codes, including building standards approved by CBSC. Requires the local building department to provide a plan check correction notice within 10 business days of the audit’s initiation if an audit reveals material noncompliance.
- 9) Provides that certification does not exempt a tenant improvement from other mandatory construction inspections, including those related to fire, health, and structural inspections conducted during or after construction.
- 10) Provides that a false statement in a certification by a licensed architect or a licensed professional engineer who serves as a “qualified professional certifier” is cause for disciplinary action by CAB or BPELSG, as applicable.
- 11) Authorizes a city or county, to adopt ordinances to require additional qualifications to be met by the qualified professional certifier, including, but not limited to: 1) a

requirement to register with the city or county prior to certifying plans; 2) completing required training prior to certifying plans; 3) payment of fees not to exceed the reasonable cost of implementing this bill; and 4) being subject to penalties that may include decertification as a qualified professional certifier in that jurisdiction or reasonable administrative fines for willful noncompliance with the requirements of this bill and when there are two or more instances in which the qualified professional certifier attests to noncompliant plans.

- 12) Specifies that a local building department is not prohibited from charging permit fees for applications using a qualified professional certifier.
- 13) Names the qualified professional certifier liable for any damages arising from negligent plan review, requires the applicant to indemnify the local agency from any property damage or personal injury arising from construction permitted under an affidavit filed by a qualified professional certifier; and exempts from liability a public entity or employee for an injury caused by their discretionary or ministerial acts or omissions relating to issuance or denial of a permit.
- 14) Makes Legislative findings and declarations relating to the importance of the retail sector's contributions to California's economy, as well as the consequences stemming from retail establishment building plan review delays, which are meant to be addressed by this bill's expedited review process.

FISCAL EFFECT: This bill is keyed fiscal by Legislative Counsel. According to the Assembly Committee on Appropriations, CAB anticipates minor and absorbable costs associated with an increase in complaints and BPELSG does not anticipate additional costs. 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.

COMMENTS:

1. **Purpose.** This bill is co-sponsored by the California Retailers Association and the Westside Council of Chambers of Commerce. The Author states, "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.”

2. Background.

California Architects Board and Board for Professional Engineers, Land Surveyors and Geologists. The Architects Board is a program within the DCA charged with administering the Architect Practice Act, including setting licensing standards and taking enforcement action when provisions of the Act are violated. Enforcement action can include discipline against the license that includes suspension, revocation, etc. The Architects Board currently licenses more than 21,000 licensed architects and the mission is to protect consumers by establishing qualifications, ensuring competence through examinations, setting practice standards, and enforcing the Architects Practice Act.

The Architects Practice Act defines the practice of architecture as offering or performing, or being in responsible control of, professional services which require the skills of an architect in the planning of sites, and the design, in whole or in part, of buildings, or groups of buildings and structures (BPC § 5500.1). Those professional services may include: investigation, evaluation, consultation, and advice; planning, schematic and preliminary studies, designs, working drawings, and specifications; coordination of the work of technical and special consultants; compliance with generally applicable codes and regulations, and assistance in the governmental review process; technical assistance in the preparation of bid documents and agreements between clients and contractors; contract administration; and construction observation.

BPELSG is charged with safeguarding life, health, property, and public welfare by providing for the licensure and regulation of professional engineers (in addition to land surveyors and geologists) operating in California. The BPELSG ensures professional engineers have adequate training and competency necessary to perform their duties and enforces violations of the Professional engineers Act. BPELSG licenses more than 83,000 professional engineers.

The Professional Engineers Act states a professional engineer is 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 for the purpose of securing compliance with specifications and design for any such work (BPC § 6701).

Permitting process and timelines. California has an extensive and lengthy permitting process for commercial facilities that need improvements. Frequent and common delays in municipal building plan review processes often place undue costs and pressure on small-business owners who face cumbersome hurdles to opening retail establishments. Delays also result in longer recovery times for areas impacted by

natural disasters or other damage, longer unemployment periods for staff, and discourage investment in affected areas.

This bill would fast-track plan review and approval by allowing licensed architects and professional engineers to certify that retail establishment improvements meet all applicable building codes. The cost of the certification would be assumed by the retailer to avoid subjecting the local jurisdiction to fiscal impact. This bill also incorporates randomized audits and maintains mandatory construction inspections to allow retailers to open sooner without diminishing public safety standards.

Improves upon existing expedited permitting. Health and Safety Code (HSC) § 19837 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 for a nonresidential permit other than a hotel or motel when there is an excessive delay in checking plans, as specified. However, this law does not require the private entity or person to be a licensee with knowledge of building laws of this state or meet other criteria to perform plan-checking functions.

Last year, AB 671 (Wicks, Chapter 470, Statutes of 2025) enacted a nearly identical expedited plan review program for restaurants that this bill proposes for retailers. Effective on January 1, 2026, it may be too early to evaluate if AB 671 has effectively reduced plan review wait times and whether the reviews are conducted properly. However, unlike HSC § 19837, this bill provides expedited plan review while ensuring that the review is conducted by qualified licensees who have demonstrated their knowledge of the building laws of this state through passing license examination, obtained experience in commercial building design or plan review, have liability insurance, and are required to certify on an affidavit that their statements are true and correct. Consequently, licensees are aware that their license could be subject to disciplinary action should they act negligently or fraudulently by making statements that are untrue on certifications. Thus, this bill is intended to provide a greater level of accountability in contracted plan reviews than existing law that allows a local agency to contract with a private entity or persons without the same assurances of knowledge and accountability.

- 3. Related Legislation.** AB 1915 (Gabriel of 2026) would authorize a licensed contractor to self-certify that a qualifying like-for-like installation or replacement of commercial food equipment, as specified, complies with all applicable building, electrical, mechanical, plumbing, fire, and health and safety codes in effect at the time of installation by submitting an affidavit to that effect. (Status: *This bill is currently in the Senate Committee on Housing.*)

AB 671 (Wicks, Chapter 470, Statutes of 2025) requires a local building or permitting department to allow an applicant to have a qualified professional certifier certify the plans for a restaurant tenant improvement comply with applicable building, health, and safety codes and approve the plans within specified timelines; authorizes an architect licensed by CAB or a professional engineer licensed by BPELSG to serve as a qualified professional certifier after meeting specified requirements; and subjects a qualified professional certifier to disciplinary action for making false statements on a certification by their respective licensing board.

AB 253 (Ward, Chapter 487, Statutes of 2025) enacted the California Residential Private Permitting Review Act, which allows an applicant for specified residential building permits to employ a private professional provider to check plans and specifications in the event that a building department is unable to complete, or estimates being unable to complete, the check in 30 days.

AB 660 (Wilson of 2025) would have expedited plan review for houses by restricting the number of plan check and specification reviews for building permits to two and stipulated that the permit applicant may employ a qualified professional to verify the plans and specifications if the application is not reviewed within a specified time frame. (Status: *This bill was held in the Senate Committee on Appropriations.*)

AB 2433 (Quirk-Silva and Ward of 2024) would have enacted the Private Permitting Review and Inspection Act in 2024. This bill would have required a local agency to complete plan-checking services for a building permit within 30 business days of a request from an applicant. If the local agency were unable to complete the plan-checking services in the 30 days, the applicant would have been able to request that the local agency employ a private professional to perform plan-checking services. (Status: *This bill was never heard in a policy committee of the Senate.*)

- 4. Arguments in Support.** The California Retailers Association (sponsor) and the California Chamber of Commerce write, “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. 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. 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.”

The California Downtown Association writes, “As downtowns continue to recover from the economic impacts of the COVID-19 pandemic, the 2025 fires, and shifting consumer behavior, retailers must be able to quickly make tenant improvements to attract customers and revitalize commercial corridors. Unfortunately, delays in building plan review processes can create months-long setbacks that discourage investment, exacerbate vacancies, and undermine recovery. AB 1693 reduces these barriers by requiring local building departments to allow a properly qualified outside certifier to review tenant improvements and certify compliance with applicable building, health, and safety codes.”

The Greater Cornejo Valley Chamber of Commerce writes, “AB 1693 protects local government resources through robust self-certification audit requirements, clear liability frameworks for certifiers, and applicant indemnification provisions, all while providing the modern regulatory speed our economy demands. By removing costly administrative backlogs, this measure encourages commercial innovation and lowers the barrier to entry for economic development in our region.”

5. **Arguments in Opposition.** The City of Camarillo writes in opposition to this bill, “AB 1693 raises significant concerns regarding local oversight, accountability, and the integrity of the building plan review process. While intended to streamline permitting, this bill substantially limits the ability of local building departments to independently verify compliance with state and local building, fire, health, accessibility, and life-safety standards.”

6. **Comments and Previously Accepted Author Amendments.**

This bill was heard in the Senate Committee on Local Government, at which time, the Author agreed to amendments that would:

- Strike the provision that deems a permit automatically approved after 20 business days if the building department does not approve or disapprove the complete application.
- Allow local governments to impose caps on the size of an eligible structure to no less than 10,000 sq feet and to specify the types of eligible businesses or occupancies, provided the requirements do not effectively prohibit the program through these regulations.
- Add language to communicate the intent is not to authorize displacement of public employees, the use of qualified professional certifiers shall be temporary in nature, and local agencies are not to reduce, eliminate, or fail to fill vacant position as a result of this bill.

In order to facilitate the measure being heard prior to Legislative deadlines, the amendments are expected to be in print prior to a hearing in the Senate Judiciary Committee.

SUPPORT AND OPPOSITION:

Support:

California Chamber of Commerce
 California Downtown Association
 California Retailers Association
 Greater Conejo Valley Chamber of Commerce

Opposition:

City of Camarillo

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