

ASSEMBLY THIRD READING
AB 1738 (Carrillo)
As Amended March 26, 2026
Majority vote

SUMMARY

Requires a city, county, or city and county (local jurisdiction) to establish a remote virtual building inspection (RVI) program for certain residential scopes of work by July 1, 2027.

Major Provisions

- 1) Requires, by July 1, 2027, a local jurisdiction to offer a homeowner or contractor the option of requesting a remote inspection for all or a subset of an inspection required by a building permit for any the following in single- or two-family dwelling units:
 - a) Residential water heaters;
 - b) Residential heating, ventilation, and air-conditioning systems (HVAC);
 - c) Residential reroofs;
 - d) Minor residential electrical work;
 - e) Minor residential plumbing work;
 - f) Photovoltaic and energy storage systems;
 - g) Smoke and carbon monoxide detectors;
 - h) All inspections for the permitting of accessory dwelling units (ADUs) or junior accessory dwelling units (JADUs) under 800 square feet, except for foundation and framing inspections; and
 - i) Home hardening and defensible space/
- 2) Requires, by July 1, 2027, a jurisdiction to offer a homeowner or contractor the option of requesting a remote inspection for all or a subset of the inspections required by a building permit for any of the following in single- or two-family dwelling units, subject to the discretion of the construction inspector:
 - a) Drywall;
 - b) Exterior siding;
 - c) Insulation;
 - d) Signs;
 - e) Window replacements;
 - f) Light foundations and footings;

- g) Fireplace inserts;
 - h) Patios or decks;
 - i) Temporary power poles;
 - j) Demolition;
 - k) Removing gas lines;
 - l) Residential additions and storage sheds under 800 square feet.
- 3) Requires the remote inspections in 1) and 2) to be conducted offsite, with the homeowner or contractor using videoconferencing or recorded photos and videos, at the discretion of the local construction inspector.
 - 4) Allows a city or county to keep a digital record of the remote inspection conducted pursuant to this bill for later review, training, or compliance.
 - 5) Allows, if a homeowner or contractor fails a remote inspection required by a building permit conducted pursuant to this bill, a construction inspector, at their discretion, to conduct future inspections required by that building permit remotely or in person.
 - 6) Requires a city or county to offer a remote inspection at no greater cost and with no greater delay than in-person inspection.
 - 7) Requires all liabilities and immunities applicable to cities and counties and their employees to apply to remote inspections, as specified.
 - 8) Allows a city or county, at their discretion, to set up a process to perform onsite audits to confirm that a homeowner or contractor accurately represented the work that is subject of a remote inspection. If the homeowner or contractor is found to have willfully misrepresented the work that is the subject of a remote inspection, a city or county may temporarily ban the homeowner or contractor from using a remote inspection. A city or county may enter into agreements with other cities and counties to enforce each other's temporary homeowner or contractor bans.
 - 9) Requires a city or county to include information on its remote inspection program in its annual progress reports (APRs) submitted to the Department of Housing and Community Development (HCD), beginning with the report due April 1, 2028.
 - 10) Provides that the oversight of permitting and inspections 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 and, therefore, this bill applies to all cities, including charter cities.
 - 11) Contains a number of findings and declarations.

COMMENTS

State Housing Law and Building Codes: State Housing Law establishes uniform statewide requirements for building standards and code enforcement to protect public health and safety.

The California Building Standards Code, adopted and updated by the California Building Standards Commission (CBSC) on a three-year cycle, includes standards related to structural safety, fire protection, energy efficiency, and green building. Local jurisdictions are generally required to enforce these standards and may only adopt local modifications based on specified local conditions. In 2025, AB 130 (Committee on Budget), Chapter 22, Statutes of 2025, paused most new residential building standards until June 1, 2031, with limited exceptions for health and safety, wildfire, and climate-related updates.

Residential Construction Inspections: Local building departments are responsible for conducting inspections during construction to ensure compliance with approved plans, building codes, and safety requirements. Inspections occur throughout construction, from foundation and framing through final occupancy, and may include review of structural work, electrical and plumbing systems, fire safety measures, energy efficiency requirements, and accessibility standards.

In 2025, the Legislature enacted AB 1308 (Hoover), Chapter 509, Statutes of 2025, which requires local agencies to complete inspections within 10 business days for certain small residential projects and provides that failure to meet the deadline constitutes a violation of the Housing Accountability Act. Even with relatively quick inspection scheduling timeframes in certain jurisdictions, stakeholders note inefficiencies associated with scheduling inspections, coordinating onsite access, and contractor standby time while waiting for inspectors to arrive. Stakeholders also note that some smaller-scale projects or alterations may proceed without permits to avoid permitting, inspection, or scheduling requirements, resulting in work occurring outside the formal code enforcement and safety review process.

Remote Virtual Inspections (RVIs): RVIs allow building inspections to be conducted remotely using video, photographs, or similar technology rather than requiring the homeowner, contractor, and inspector to be physically present onsite. The inspection is conducted while a contractor, homeowner, or other representative is present at the jobsite and follows the inspector's directions, or by submitting recorded media for review. RVIs do not establish a different legal standard for inspections, but instead provide an alternative method for conducting inspections required under existing building and safety laws. National organizations, including the International Code Council (ICC) and National Fire Protection Association (NFPA), have issued guidance and best practices related to RVIs, including recommendations regarding permit verification, documentation, and technology standards. The ICC's guidance further provides that all inspections may qualify for an RVI, depending on the resources and policies of the local jurisdiction, although these materials are advisory and do not establish binding requirements.

While some jurisdictions had an RVI framework before the COVID-19 pandemic, the use of RVIs expanded during the pandemic as jurisdictions sought to maintain inspection services while limiting in-person contact. Today, approximately 19 California jurisdictions currently allow some form of remote inspection for limited scopes of work, including HVAC replacements, reroofs, solar installations, EV chargers, and certain plumbing or electrical work. More complex inspections involving structural work, foundations, framing, or detailed field verification are generally still conducted in person. Other states, including Florida, have similarly authorized RVIs for limited types of residential construction inspections.

This Bill: This bill requires all jurisdictions in California to offer remote virtual inspections (RVIs) by July 1, 2027, for specified residential permits related to single- and two-family dwellings. Required eligible inspection types include HVAC systems, reroofs, certain electrical

and plumbing work, photovoltaic and energy storage systems, smoke and carbon monoxide detectors, certain inspections (excluding foundation and framing inspections) for ADUs and JADUs under 800 square feet, and home hardening improvements. The bill also authorizes RVIs for additional scopes of work, such as insulation, siding, window replacements, patios, decks, small residential additions, and sheds, at the discretion of the building inspector. The bill requires RVIs to be offered at no greater cost or delay than in-person inspections, authorizes jurisdictions to conduct onsite audits, and allows jurisdictions to temporarily prohibit contractors or homeowners from using RVIs if they willfully misrepresent inspected work. Beginning in 2028, jurisdictions would also be required to report RVI-related data in their annual progress reports.

According to the Author

"Like many of you, I'm a homeowner, and have also experienced the frustration of waiting weeks for an inspection on a simple home renovation. Even once the inspection date is booked, a routine inspection that only takes 15 minutes can take hours, forcing homeowners to take a day off work and a day of lost pay. Even beyond the money lost from missing work, the cost of delaying these inspections can also cost hundreds if not thousands of dollars.

AB 1738 proposes an alternative to this, by giving homeowners the choice to request a remote virtual inspection for simple home renovations. These remote inspections are already happening throughout the state; 19 different jurisdictions already offer some form of remote inspections. This bill will require local jurisdictions to allow remote virtual inspections upon request for simple renovations. This is a simple, commonsense affordability measure that will help homeowners save time and money."

Arguments in Support

SPUR and Permit Power, the bill co-sponsors, write in support: "Remote inspections are a proven, cost-effective solution. RVIs allow building inspectors to conduct inspections using live video, recorded video, or photos for eligible projects such as water heaters, HVAC systems, solar and battery installations, minor electrical and plumbing work, ADUs, and re-inspections. These inspections maintain full safety and code compliance while reducing unnecessary travel, scheduling inefficiencies, and backlogs.

Remote inspections are already working across California. At least 19 jurisdictions, small and large—including Los Angeles County, San Diego, Santa Barbara, Berkeley, Santa Rosa, and Placer County—use RVIs for portions of their inspection workload. Statewide and national authorities, including the International Code Council, HUD, and the National Fire Protection Association, have issued standards and best practices supporting their use. Other states, including Texas and Florida, have authorized or required remote inspections in statute."

Arguments in Opposition

The California Building Officials write in opposition: "Making the permitting and inspection process more arbitrary, or a "box" to check, is not going to net in an increase in requested services as outlined within AB 1738. It simply diminishes the process of inspection and the life-safety role of the code official.

There is nothing to prohibit a local building department from moving forward with remote or virtual inspections without mandate. We appreciate the guidelines offered by the International Code Council (ICC) and National Fire Protection Association (NFPA) and routinely encourage our members to reference these materials. As CALBO, we are not anti-remote inspection. Rather, we feel that a one-size fits all approach to inspection services is a disservice to 40

million+ diverse Californians and the local building departments that provide public safety services on their behalf."

FISCAL COMMENTS

According to the Assembly Committee on Appropriations:

- 1) HCD estimates ongoing General Fund costs of \$482,000 in fiscal year 2027-28 and annually thereafter to update the APR form and related technical assistance (TA) materials as well as provide TA to local governments and other stakeholders, develop enhancements to the HCD Connect database and existing related reports, and respond to new report requests.
- 2) Local costs to cities and counties resulting from this bill to provide remote inspections 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.

The Legislative Analyst's Office recently warned of General Fund structural deficits of around \$35 billion per year in the 2027-28 fiscal year and ongoing.

VOTES

ASM HOUSING AND COMMUNITY DEVELOPMENT: 12-0-0

YES: Haney, Patterson, Ávila Farías, Caloza, Garcia, Kalra, Lee, Quirk-Silva, Ta, Tangipa, Wicks, Wilson

ASM LOCAL GOVERNMENT: 10-0-0

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

ASM APPROPRIATIONS: 15-0-0

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

UPDATED

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