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# SENATE COMMITTEE ON LOCAL GOVERNMENT

Senator María Elena Durazo, Chair

2025 - 2026 Regular

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**Bill No:** AB 1738  
**Author:** Carrillo  
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**Fiscal:** Yes  
**Consultant:** Favorini-Csorba

## ***STATE HOUSING LAW: REMOTE INSPECTIONS***

*Requires cities and counties to offer a homeowner or contractor the option of a remote virtual inspection for specified projects in single- or two-family dwelling units.*

### **Background**

The California Constitution allows cities and counties to “make and enforce within its limits, all local, police, sanitary and other ordinances and regulations not in conflict with general laws.” It is from this fundamental power (commonly called the police power) that cities and counties derive their authority to regulate behavior to preserve the health, safety, and welfare of the public—including land use authority.

***State Housing Law.*** Prior to 1962, the Legislature established minimum building requirements for dwellings in statutory form, and these requirements only applied to incorporated cities, unless a county voluntarily adopted them. In 1962, the Legislature enacted State Housing Law, which provides requirements and procedures for uniform statewide code enforcement to protect the health, safety, and general welfare of the public and occupants of housing and accessory buildings. Among other things, State Housing Law delegates responsibility to state administrative agencies for the adoption of building standards, applies state building codes uniformly, and directs local agencies’ administration of code enforcement.

***Building codes.*** The California Building Standards Code (Title 24 of the California Code of Regulations) contains building standards and regulations as adopted by the California Building Standards Commission (BSC). These standards include, among other requirements, structural 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 BSC updates the Building Standards Code on a three-year cycle—the BSC published new standards that went into effect on January 1, 2026. Once adopted at the state level, cities and counties in California then enact an ordinance to adopt the codes. New construction and improvements to existing buildings must comply with the current building codes, and improvements to an existing building may trigger additional code upgrades for other parts of a building.

City and county building departments enforce the provisions of the State Housing Law, the California Building Standards Code, and local zoning codes that specify the allowable forms and uses of buildings within a city or county’s jurisdiction. Within building departments, the positions responsible for evaluating building permits for compliance include building officials, inspectors, plan checkers, and civil engineers. State Housing Law also allows local agencies to hire private entities on a temporary basis to perform plan checking services. Some agencies contract out a portion of their workload during especially busy times, or certain portions of the

building permit review process, such as reviewing compliance with energy efficiency requirements. Other local agencies contract out nearly all plan checking functions to a private firm.

***Administrative permit approvals.*** Depending on the scope of work, a homeowner or contractor may need a range of administrative permits from the local agency in order to actually complete the work to modify a building. These permits can include building permits and other permits for: demolition; grading; excavation; electrical, plumbing, or mechanical work; encroachment in the public right-of-way; roofing; water and sewer connections or septic systems; fire sprinklers; and home occupations. Although exact procedures vary by jurisdiction, approving a permit for home improvements follows the general track of a building permit. Typically, the installer submits information regarding the mechanical equipment that will be installed or other changes that will be made, along with supporting documentation (such as an electrical diagram or other schematics), to the city or county building department. If the plan is approved, the installer or customer pays a permit fee, receives a permit, and starts the installation project.

***Building inspections.*** Once the building permits are issued and construction begins, the construction phase involves a separate layer of local government oversight through building inspections. These inspections ensure that the actual construction work complies with approved plans, building codes, and safety regulations. Local agency inspectors review critical aspects of construction such as structural components, electrical and plumbing systems, fire safety measures, energy efficiency, and accessibility requirements, at multiple stages of the project. Inspections occur throughout construction, from foundation and framing to final issuance of a certificate of occupancy, ensuring building safety and compliance with the approved set of plans at every step. Building departments can charge fees for the cost of the inspections; if they don't perform an inspection within 60 days of receiving notice of the completion of the permitted work, they must refund those fees.

***Remote Virtual Inspections (RVIs).*** During the COVID-19 pandemic, cities and counties explored alternative ways of performing inspection to preserve public health. Some jurisdictions adopted "Remote Virtual Inspections" (RVIs), which allow building inspectors to review permitted construction work without being physically present at the jobsite. Instead, the inspection is conducted using video, photographs, or similar technology while a contractor, property owner, or other representative is present at the site and follows the inspector's directions, or records media to be sent to the inspector.

National organizations have issued guidance and best practices related to the use of RVIs, although these materials generally do not create binding requirements for local building departments. In 2020, the International Code Council (ICC) published Recommended Practices for Remote Virtual Inspections, which describes procedural considerations such as verifying permit status, ensuring adequate connectivity and visibility, maintaining appropriate documentation, and recording inspection results in the jurisdiction's permit-tracking system. The document states that it is provided for informational purposes and does not supersede building codes or local policies.

Similarly, the National Fire Protection Association (NFPA) has published guidance outlining administrative and technical considerations for RVIs, such as determining which inspection types are appropriate for remote review, addressing safety considerations, and establishing procedures for documentation and technology use.

Some jurisdictions have continued to offer RVIs following the pandemic, while others have returned primarily to in-person inspections. Approximately 19 out of the 540 cities and counties in California currently allow some use of RVIs for portions of their inspection workload. For example, the City of Sacramento offers virtual inspections for certain residential permits, including minor HVAC work, water heater replacement, solar photovoltaic systems, EV charger installations, and some reroof inspections. Other jurisdictions, such as Santa Barbara, Santa Rosa, and Placer County, similarly allow remote inspections for eligible permits at the discretion of the local building inspector. Los Angeles County offers virtual inspections for some inspections, including inspections of reroofs, roof top solar photovoltaic system and energy storage systems, some water heaters, and smoke and carbon monoxide detectors. Additional inspection types are offered virtually at the discretion of the building inspector. However, Los Angeles County's guidance on the program specifies that "project complexity or any other circumstances... may inhibit the RVI, making it unsuitable for the project. Consequently, an RVI is not guaranteed, and inspectors may require in-person inspection of any portion or phase of a project."

Research by SPUR argues that the current system that generally requires in-person inspection increases costs for homeowners. SPUR notes that the total number of inspections of single family homes ranges from 110,000 to 200,000 a year in California. SPUR interviewed heating, ventilation, and air conditioning (HVAC) contractors for the project, who reported waiting 2 to 6 hours for inspections that take 5 to 15 minutes. This wait time drives costs of \$600 to \$1,000 per inspection. SPUR argues that RVIs:

- Reduce travel costs and environmental impacts and free up time for building inspectors to focus on new construction;
- Accelerate the clean energy transition by reducing costs and delays when installing a heat pump water heater or HVAC, upgrading electrical panels, or installing solar panels;
- Reduce work backlogs, shorten permitting timelines, minimize disruptions at job sites, and lower renovation costs;
- Improve inspector safety; and
- Streamline disaster recovery by reducing permit delays, improving efficiency, and enabling faster rebuilding.

Clean energy advocates want the Legislature to require local agencies to adopt RVIs.

### **Proposed Law**

Assembly Bill 1738 requires a city or county to offer a homeowner or contractor the option of requesting an RVI for inspections required by a building permit for any of the following projects in single- or two-family dwelling units:

- Residential heat pump water heaters, including necessary minor electrical work;
- Residential heat pump HVAC systems, including necessary minor electrical work;
- Residential reroofs;
- Photovoltaic and energy storage systems;
- Smoke and carbon monoxide detectors; and
- All inspections for accessory dwelling units (ADUs) smaller than 800 square feet, except for foundations and framing.

The RVI must be conducted offsite, with the homeowner or contractor using videoconferencing or recorded photos and videos, at the discretion of the local construction inspector.

The bill requires cities and counties that are in an area that is a metropolitan city or part of an urban county, as defined in federal law, to comply by January 1, 2028. Other cities and counties have an additional six months to comply.

AB 1738 requires a city or county to offer a remote inspection at no greater cost and with no greater delay than in-person inspection. It allows local agencies to adopt reasonable protocols governing the technical conduct of an RVI, including to ensure that:

- The inspector is able to adequately observe the work that is the subject of the RVI, as specified;
- The work shown in the RVI is the actual work performed under the building permit, at the permitted location, and the video or photo inspection begins at the street, clearly showing the property address at the front of the building or proof of location; and
- The technology and broadband connectivity used during the RVI are sufficient for the inspector to reliably observe and verify the work.

If a homeowner or contractor fails an RVI, a construction inspector may, at their discretion, conduct future inspections required by that building permit remotely or in person. The bill also provides that it does not limit, supersede, or otherwise abridge the authority of a construction inspector, after they have made best efforts to verify compliance with applicable codes and regulations, to terminate that remote inspection and require that the inspection be conducted in person. A city or county may establish an audit program to confirm that work was accurately represented. If the homeowner or contractor is found to have willfully misrepresented the work that is the subject of an RVI, a city or county may temporarily ban the homeowner or contractor from using RVIs for up to 6 months for the first offense and 12 months for subsequent offenses.

AB 1738 applies specified liability protection for cities and counties and their employees to RVIs and includes findings and declarations to support its purposes.

### **Comments**

1. Purpose of the bill. 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.”

2. Safety or convenience. It is relatively clear that RVIs increase convenience for homeowners, contractors, and building officials when having permitted work inspected. Historically, however, the purpose of inspections has been to preserve public safety and hold contractors accountable to ensure that work performed on behalf of homeowners is done correctly. By removing the physical presence of a building inspector and limiting them to visual and audio means of inspecting, RVIs may not allow the same depth of investigation of the details of construction as an in-person inspection. For example, it may be more difficult for a building inspector to ensure that an electrical connection is tight absent physically touching it. This raises concerns that RVIs could result in substandard work that may pose a safety hazard. AB 1738 lets homeowners and contractors, not building officials, determine when an RVI may be suitable for certain types of permits. A building official that identifies issues can request an in-person inspection, but the default remains remote. Supporters of the bill argue that there is no difference in safety between RVIs and in-person inspections, while building officials, local governments, and some labor organizations that perform this work state that safety issues will go undiscovered. Is the convenience of RVIs worth the potential safety impacts?

3. Picking and choosing. Cities and counties across the state have opted into RVIs to varying degrees, based on the needs and conditions in their communities. For example, the benefits from RVIs may be greater in more geographically spread-out jurisdictions where travel times are greater. Other jurisdictions may find that the potential risks are too great to uniformly allow RVIs. For example, Los Angeles County allows RVIs for solar panels, smoke and carbon monoxide detectors, reroofs, and water heaters, but does not default to RVIs for HVAC or ADUs. Local officials currently get to balance those tradeoffs by delineating the scope of RVIs. AB 1738 mandates specific categories of permits that must be inspected through RVIs, removing that local discretion for those permits. To preserve a greater element of local control, the Committee may wish to consider amending AB 1738 to narrow the types of inspections that must be conducted through RVI.

4. Additional safeguards. Certain provisions of AB 1738 could make it more likely that improper work is not caught by an RVI. Additional safeguards to mitigate this occurrence could include to:

- Require written homeowner consent. AB 1738's RVIs will increase convenience for contractors, but the incentives of contractors and homeowners may be misaligned. Contractors may opt for RVIs even if they do not catch as many violations, but homeowners may want greater security provided by in person inspections. The Committee may wish to consider amending AB 1738 to require written homeowner consent when a contractor requests an RVI;
- Allow disqualification for any willful misrepresentation. AB 1738 establishes optional audit procedures and allows disqualification of a contractor as a result of that audit. However, local agencies can already perform audits of RVIs without this authorization, and limiting disqualification to false statements uncovered only during an audit limits the ability of local agencies to sanction unscrupulous contractors. The Committee may wish to consider amending AB 1738 to remove the audit provisions and clarify that contractors that willfully misrepresent work can be sanctioned at any time;
- Limit what qualifies as "minor electrical work." AB 1738 allows minor electrical work to be inspected virtually along with an HVAC or water heater installation. Absent a definition, this provision creates ambiguity and opportunity for disputes over whether

installations that require panel upgrades must qualify for RVI. The Committee may wish to consider amending AB 1738 to define “minor electrical work.”

- Allow greater leeway for inspectors to terminate RVIs. AB 1738 requires that an inspector make “best efforts” to verify compliance before terminating an RVI if they cannot ascertain compliance with applicable codes. That term introduces uncertainty in the discretion of the building official to pursue public safety by requiring an in-person inspection. The Committee may wish to consider amending AB 1738 to strike the requirement to make best efforts before terminating an RVI.

5. Who’s in? In 2023, the Legislature approved SB 379 (Wiener), which required cities and counties to automate permitting of solar panels. Because not all jurisdictions were likely to have equal ability to adopt an automated process, SB 379 delayed implementation for certain small cities and counties and exempted the smallest of the small. AB 1738 delays its provisions by six months for similar, but not identical, jurisdictions, and does not exempt any local agencies. The Committee may wish to consider amending AB 1738 align the cities and counties to which the bill applies with existing law regarding automated permitting of solar photovoltaic installations.

6. Mandate. The California Constitution requires the state to reimburse local governments for the costs of new or expanded state mandated local programs. Because AB 1738 imposes new duties on local officials, Legislative Counsel says that it imposes a new state mandate. AB 1738 disclaims the state’s responsibility for providing reimbursement by citing local governments’ authority to charge for the costs of implementing the bill’s provisions.

7. Charter city. The California Constitution allows cities that adopt charters to control their own “municipal affairs.” In all other matters, charter cities must follow the general, statewide laws. Because the Constitution doesn’t define “municipal affairs,” the courts determine whether a topic is a municipal affair or whether it’s an issue of statewide concern. AB 1738 says that it applies to all cities, including charter cities. To support this assertion, the bill includes a legislative finding and declaration that oversight of permitting and inspections is a matter of statewide concern.

8. Coming and going. The Senate Rules Committee has ordered a double referral of AB 1738: first to the Committee on Local Government, which has jurisdiction over local permitting procedures, and second to the Committee on Housing.

**Assembly Actions**

Assembly Housing and Community Development Committee:	12-0
Assembly Local Government Committee:	10-0
Assembly Appropriations Committee:	15-0
Assembly Floor:	62-0

**Support and Opposition** (6/12/2026)

Support: Permit Power (Sponsor)

Spur (Sponsor)

Alexander Walker-griffin, Councilmember, City of Hercules

Ben Bartlett, Councilmember, City of Berkeley

City of El Monte, Mayor Pro Tem, Viviana Longoria  
City of Oakland, Mayor Barbara Lee  
Councilmember Eunisses Hernandez, First District, City of Los Angeles  
Councilmember Terry Taplin, Berkeley  
Devin Murphy, Mayor Pro Tempore, City of Pinole  
Eunisses Hernandez, Councilmember, City of Los Angeles  
Janani Ramachandran, Councilmember, City of Oakland  
Lindsey P. Horvath, County Supervisor, Los Angeles County  
Rebecca Saltzman, Councilmember, City of El Cerrito  
Salvador Melendez, Councilmember, City of Montebello  
Terry Taplin, Councilmember, City of Berkeley  
Tim Sandoval, Mayor, City of Pomona  
Victor Preciado, Councilmember, City of Pomona  
Zac Unger, City of Oakland Councilmember  
350 Bay Area Action  
350 Conejo / San Fernando Valley  
350 Humboldt County  
350 South Bay Los Angeles  
350 Southland Legislative Alliance  
Abundant Housing Los Angeles  
Acterra: Action for a Healthy Planet  
Activesgv  
Advanced Energy United  
All-electric California  
Apartment Association of Orange County  
California Apartment Association  
California Center for Sustainable Energy  
California Climate Action  
California Environmental Voters  
California Yimby  
Casita Coalition  
Central City Association of Los Angeles  
City of Baldwin Park  
City of Pico Rivera  
Clean Earth 4 Kids  
Cleaneearth4kids.org  
Climate Action California  
Climate Resolve  
Community Action to Fight Asthma  
East Bay Rental Housing Association  
East Bay Yimby  
Fresnans Against Fracking  
Grow the Richmond  
Habitat for Humanity California  
Healing and Justice Center  
Housing Action Coalition  
Los Angeles Cleantech Incubator  
Los Angeles Climate Reality Project  
Megafire Action  
Menlo Spark

Mountain View Yimby  
Napa-solano for Everyone  
Natural Resources Defense Council (NRDC)  
Northern Neighbors Sf  
Palisades Recovery Coalition  
Peninsula for Everyone  
Physicians for Social Responsibility - San Francisco Bay  
Redwood Energy  
Regional Asthma Management & Prevention  
Regional Asthma Management and Prevention (RAMP)  
San Diego Building Electrification Coalition  
San Francisco Bay Area Planning & Urban Research Association (SPUR)  
San Francisco Bay Physicians for Social Responsibility  
San Jose Yimby  
San Mateo Forward  
Santa Cruz Climate Action Network  
Santa Cruz Yimby  
Santa Rosa Yimby  
Sf Yimby  
South Bay Yimby  
South Pasadena Residents for Responsible Growth  
Sustainable Claremont  
The Climate Center  
The Two Hundred for Homeownership  
U.s. Green Building Council  
Vector Green Power, LLC  
Ventura County Yimby  
Yes! in Redwood City  
Yimby Action  
Yimby Los Angeles  
Yimby Monterey Peninsula  
Yimby Slo  
Zillow Group

Opposition: California Building Officials  
California State Association of Electrical Workers  
California State Pipe Trades Council  
City of La Verne  
City of Thousand Oaks  
League of California Cities  
Western States Council Sheet Metal, Air, Rail and Transportation

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