

ASSEMBLY THIRD READING
AB 1915 (Gabriel and Wicks)
As Amended March 23, 2026
Majority vote

SUMMARY

Makes various changes to the California Retail Food Code (CRFC) related to milk, non-continuous cooking, raw animal foods, handwashing sinks, refrigeration, grease traps and grease incinerators, and passthrough windows. Requires the Building Standards Commission (BSC) as part of its next triennial update to adopt various building standards related to restrooms, drinking fountains, cooking equipment, and dishwashers. Establishes a streamlined approval process for a local permit for a like-for-like equipment installation (the installation or replacement of substantially similar existing approved equipment) for restaurants.

COMMENTS

CRFC. The CRFC is modeled after the federal Food and Drug Administration's (FDA) Model Food Code (MFC), which is updated every four years to enhance food safety laws based on the best available science. Between each four-year period, the FDA makes available a Food Code Supplement that updates, modifies, or clarifies certain provisions. The Food Code assists food control jurisdictions at all levels of government by providing them with a scientifically sound technical and legal basis for regulating the retail and food service segment of the industry, such as restaurants, grocery stores, and institutions like nursing homes. Forty-eight states and territories have adopted food codes patterned after the MFC, representing 80% of the United States' population.

The CRFC is primarily enforced by 62 local environmental health regulatory agencies. The State Department of Public Health's Food and Drug Branch plays a supporting role in the enforcement of the CRFC by providing technical expertise to evaluate processes and procedures and to answer technical and legal inquiries for local agencies, industry and consumers.

Restaurant businesses. In their 2025 article titled "Los Angeles restaurants thought it couldn't get any worse. Then 2025 happened," the *Los Angeles (L.A.) Times* reported that last year restaurateurs said that the state of the hospitality industry was untenable due to the loss of business from the entertainment-industry strikes, cost-of-labor increases, and repayment of COVID-era back rent and loans. In 2025 fires, Immigration and Customs Enforcement raids, neighborhood curfews, and tariffs added to the strain on L.A. restaurants. In a new industry survey, 84.8% of L.A. restaurants said business decreased in 2025.

Various changes to CRFC. This bill makes various changes to the CRFC related to the handling of milk, non-continuous cooking, raw animal foods, refrigeration, grease traps and grease incinerators, passthrough windows, and warm water at handwashing sinks. Some of the changes in this bill are substantially similar to provisions of the FDA's 2022 MFC, which is the most recent version.

- 1) *Milk Products.* Under the CRFC, "handling" of milk or milk products is excluded from the definition of limited food preparation. The author states this means, for example, coffee carts are not technically allowed to serve milk although such handling is happening safely

throughout California. Authorizing the handling of milk products under this bill would codify this practice.

- 2) *Non-Continuous Cooking.* Non-continuous (or "par") cooking is a common food practice, especially in large hotel and catering operations. The author notes that because it is not defined in the CRFC, jurisdictions were not consistent in allowing the practice. The definition established in this bill is identical to the one within the FMC.
- 3) *Raw Animal Foods.* Non-continuous cooking of raw animal foods is a process in which these foods are partially cooked, cooled, stored, and later finished to reach the required safe internal temperature in more than one heating step rather than in a single continuous cooking session. Some jurisdictions allow this practice, while others do not, as non-continuous cooking is not defined in the CRFC. This bill establishes a framework for the non-continuous cooking of raw animal foods within the CRFC and references several requirements for the cooking of potentially hazardous foods. This framework is substantially to the process for non-continuous cooking of raw animal foods within the MFC.
- 4) *Grease Traps and Grease Incinerators.* This bill authorizes a grease trap or grease interceptor to be located in a food preparation or utensil handling area if specified conditions are met, including if the site can provide a plan and procedures to keep food surfaces clean and prevent cross-contamination. The author's intent is to provide flexibility to restaurants while maintaining public health.
- 5) *Passthrough Windows.* Currently, passthrough window service openings are limited to no more than 216 square inches, or up to 432 inches if equipped with an air curtain device. This bill gives flexibility to passthrough window service openings up to 432 inches to be either an air curtain device or self-closing device. Further, this bill authorizes larger passthrough window service openings but requires these windows to be equipped with both an air curtain device or self-closing device in order to protect public health (keeping the windows closed to prevent contamination of food).
- 6) *Warm Water.* The changes in this bill relating to warm water and handwashing sinks align with the MFC which requires that handwashing sinks should be equipped to provide water at a temperature of at least 85 through a mixing valve or combination faucet and prohibits the use of a steam mixing valve.

Building Standards Code Adoption Process. The BSC is charged, in part, with the following tasks: administering California's building code adoption process; reviewing and approving building standards proposed and adopted by state agencies; codifying and publishing approved building standards in the California Building Code; and resolving conflict, duplication, and overlap in building standards. BSC's authority and expertise to develop and propose building standards (or, its "original jurisdiction") is limited to the following nonresidential occupancy types and subject areas:

- 1) Specified state buildings as well as buildings constructed by the Trustees of the California State University (CSU) and the Regents of the University of California (UC).
- 2) Seismic retrofit standards for state buildings including those owned by the UC and CSU.

- 3) Standards for parking lot lighting systems for the UC, CSU, and California Community Colleges.
- 4) Green building standards for nonresidential occupancy types for which no other state agency has authority.

Several other state agencies are tasked with developing building standards for various building occupancies and building uses. For example, the Office of Statewide Health Planning and Development does this for hospitals and clinics (among other facilities) and The State Department of Public Health (DPH) does this for public swimming pools, organized camps, and food establishments.

This bill requires BSC to adopt specific building standards related to retail food facilities (restaurants) that the author and sponsor believe will ease regulatory burdens and cut costs for small business owners.

Like-For-Like Equipment. This bill establishes a streamlined approval process for a local permit for a like-for-like equipment installation (the installation or replacement of substantially similar existing approved equipment) for restaurants. The author contends that restaurants seeking to replace outdated or broken commercial kitchen equipment are often required to navigate lengthy permitting and inspection processes, even when the replacement equipment is virtually identical to what already exists, causing delays and lost revenue. Please see the Business and Professions Committee analysis for additional background on these provisions.

According to the Author

California's neighborhood restaurants are the heart of California's communities, yet so many are fighting just to survive. The author states that this bill is a commitment to stand beside them, offering the support they need to launch, adapt, and thrive. When local restaurants succeed, California's communities are stronger for it.

Arguments in Support

The Independent Hospitality Coalition (IHC) is the sponsor of this bill and states that this bill is the result of ongoing collaboration between small business stakeholders, industry professionals, and public health regulators to identify areas where outdated or duplicative requirements can be modernized without compromising safety. IHC continues that this bill streamlines permitting for routine equipment installations, modernizes provisions of the CRFC to better reflect current operations, and reduces unnecessary regulatory triggers that increase costs without improving public outcomes. IHC states that by doing so, this bill will do the following: reduce barriers to entry for new and emerging small businesses; lower upfront and ongoing costs for operators; shorten permitting timelines and reduce delays in opening or reinvestment; support adaptive reuse of existing commercial spaces; and, create more opportunities for small businesses to succeed and grow. IHC continues that this bill maintains core public health and safety protections, that regulatory oversight focuses meaningful risks while eliminating outdated or redundant requirements that burden both businesses and agencies. IHC concludes that this bill is a commonsense reform that reflects how small businesses operate today and provides a clear pathway to reduce costs, remove unnecessary barriers, and expand economic opportunity.

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to the Assembly Committee on Appropriations, BSC would need to hire a two-year limited-term associate architect to research, develop, and propose the subject standards. BSC estimates costs of \$296,000 in fiscal year (FY) 2029-30 and \$306,000 in FY 2030-31 (Building Standards Administration Special Revolving Fund and Department of General Services (DGS) Service Revolving Fund). BSC explains this bill will also have an unknown fiscal impact to the State Fire Marshal, Department of Health Care Access and Information, Division of the State Architect, Energy Commission, and other agencies through its effects on the funds cited. Costs of an unknown but potentially significant amount to the Contractors State License Board (CSLB), which expects this bill will increase complaints from local building departments, other agencies, and consumers regarding negligent or false certifications of compliance with building codes (Contractors License Fund). CSLB notes such cases require the same level of investigative work as other disciplinary matters, including reviewing certification packets submitted by local agencies, coordinating with local building departments to verify permit timelines, and determining whether misrepresentation or false statements warrant disciplinary action. CSLB states it will need an additional position for every additional 53 complaints per year. Costs of an unknown but likely absorbable amount to DPH. The California Conference of Directors of Environmental Health anticipates no costs to local environmental health agencies.

VOTES**ASM HEALTH: 16-0-0**

YES: Bonta, Chen, Addis, Aguiar-Curry, Ahrens, Caloza, Carrillo, Mark González, Johnson, Patel, Patterson, Rogers, Sanchez, Schiavo, Sharp-Collins, Stefani

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: 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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