
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 1915 (Gabriel) - Accelerated restaurant equipment permitting approval: retail food safety

Version: July 1, 2026

Policy Vote: HEALTH 11 - 0, HOUSING
10 - 0, B., P. & E.D. 11 - 0

Urgency: No

Mandate: Yes

Hearing Date: August 3, 2026

Consultant: Agnes Lee

Bill Summary: AB 1915 would establish a process for accelerated restaurant equipment installation approval, require the California Building Standards Commission to adopt specified building standards, and make changes to the California Retail Food Code.

Fiscal Impact:

- The Department of General Services (DGS) indicates that because the California Building Standards Commission currently lacks the authority and expertise for these types of building standards, the commission would need limited-term staff to research, develop, and propose the subject standards. This would result in costs of \$296,000 in 2029-30 and \$306,000 in 2030-31 (DGS Service Revolving Fund). Additionally, the commission may require access to consultants with expertise in public health at an unknown but likely significant additional cost. Current law requires state agencies to pay a proportionate share of the cost to review and publish California Building Standards Commission regulations, which is paid into the DGS Service Revolving Fund. According to DGS, implementation of this bill would necessitate a temporary increase to the revolving fund, which would result in a corresponding increase in costs to state agencies to pay their proportionate share during fiscal years 2029-30 and 2030-31.
- The Contractors State License Board estimates the following costs (Contractors License Fund):
 - Costs of \$365,000 in 2026-27 and \$349,000 in 2027-28 and ongoing thereafter for staffing resources for workload related to an increase in the number of complaints filed by local building departments, other agencies, and consumers regarding negligent or false certifications of compliance with building codes. According to statewide data, more than 85,000 restaurants operate in California. Based on estimated data, the board projects an additional workload of at least 150 new complaints annually and 110 would require investigation and potential disciplinary action.
 - The board anticipates that 25 percent of these cases (about 28 annually) may require referral to the Attorney General (AG) for potential perjury charges and half of those may be contested and proceed to trial with the Office of

Administrative Hearings (OAH). This would result in an estimated \$224,000 in additional AG costs and \$280,000 in additional OAH costs, annually.

- The board anticipates that about half of the 110 annual cases would require an industry expert to inspect the equipment installed and testify at hearings. At an estimated average of \$2,000 per inspection, the total costs would be approximately \$110,000, annually.
- Revenues collected from civil penalties may be negligible. For an estimated 28 complaints referred to the AG for disciplinary action, and at \$1,500 per citation, revenues could be approximately \$42,000 annually.
- The California Department of Public Health anticipates no fiscal impact for state administration related to the California Retail Food Code provisions.
- Unknown, potential workload costs to the courts related to enforcement of civil penalties under the bill (Trial Court Trust Fund, General Fund). While the courts are not funded on a workload basis, an increase in workload could result in delayed court services and would put pressure on the General Fund to increase the amount appropriated for trial court operations.
- Unknown potential costs to local agencies. Costs would not be reimbursable by the state to the extent local agencies have the authority to levy fees to cover the costs of the required activities. Other costs may be potentially reimbursable by the state, subject to a determination by the Commission on State Mandates.

Background:

Accelerated Restaurant Building Plan Approval. Current law 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 compliance with all applicable building, health, and safety codes. The local building department must approve or deny the applications within specified timelines. An architect licensed by the California Architects Board or a professional engineer licensed by the Board for Professional Engineers, Land Surveyors and Geologists may serve as a qualified professional certifier, subject to specified conditions.

Contractors State License Board (CSLB). The CSLB is responsible for enforcing and administering the Contractors State License Law and regulations related to the licensure, practice and discipline of the construction industry in California. Current law provides that willful or deliberate disregard and violation of the building laws of the state, or of any political subdivision thereof, or of any of the following references to or provisions of law, constitutes a cause for disciplinary action against a licensee. Current law requires the CSLB to assess a civil penalty in an amount not less than \$1,500 nor greater than \$30,000 for certain violations.

California Building Standards Commission (CBSC). The CBSC is responsible for establishing the process for adopting state building standards under the California Building Standards Law. The CBSC's duties include the following: receiving proposed building standards from state agencies for consideration in each triennial and

intervening building code adoption cycle; reviewing and approving building standards submitted by state agencies; adopting building standards for state buildings where no other state agency is authorized by law; and publishing the approved building standards in the California Building Standards Code. Current law authorizes local governments to enact ordinances or regulations that make building standards amendments to the Building Standards Code, as specified.

California Retail Food Code. Current law establishes the California Retail Food Code (CalCode) to provide for the regulation of retail food facilities. Health and sanitation standards are established at the state level through the CalCode, while enforcement is charged to local agencies, carried out by the 58 county environmental health departments, and four city environmental health departments. The CalCode includes some building specifications, including types of handwashing requirements, what surfaces are required to be made of, cooking vent hood requirements etc. Current law requires any construction, alteration, remodeling, or operation of a food facility to be approved by the local enforcement agency, and to be in accordance with all applicable local, state, and federal statutes, regulations, and ordinances, including fire, building, and zoning codes.

Proposed Law: Specific provisions of the bill would:

- Define “like-for-like equipment installation” to mean the installation or replacement of commercial food service equipment that is substantially similar in size, function, and utility demand to existing approved equipment and does not do any of the following:
 - Change the use or occupancy classification of the building.
 - Alter structural or load-bearing elements.
 - Modify fire or life safety systems, except for direct connection to existing approved systems.
 - Increase approved utility capacity.
 - Require discretionary review.
- Define “qualified licensed contractor certifier” to mean a licensed contractor who satisfies all the following:
 - Does not contract for or perform initial installation of like-for-like equipment they are certifying.
 - Is unaffiliated with the contractor performing the like-for-like equipment installation.
 - Holds a valid license in good standing in the appropriate classification for the work performed.
 - Has not less than five years of experience performing commercial food service equipment installation or commercial restaurant construction experience.

- Maintains commercial general liability insurance in an amount not less than \$2,000,000 per occurrence.
- Is not subject to any current suspension, probation, or enforcement action by the CSLB.
- Require, upon request of an applicant for a permit for a like-for-like equipment installation relating to a restaurant, a local building department must allow a qualified licensed contractor certifier to submit a certification of compliance with applicable codes; require a certification submitted to satisfy the inspection requirement for the qualifying installation; and require certification to be at the applicant's expense and cannot exempt the project from permit requirements.
- Require a qualified licensed contractor certifier to submit an affidavit, under penalty of perjury, attesting to both of the following:
 - The equipment installation complies with all applicable building, electrical, mechanical, plumbing, fire, and health and safety codes in effect at the time of installation.
 - The work performed is limited to a like-for-like equipment installation.
- Require the local building department to approve or deny a complete permit application within 10 business days of receipt; and provide that if the local building department does not approve or deny the application within the timeframe, the permit must be deemed approved for permitting purposes, provided all required fees have been paid.
- Require that a qualified licensed contractor certifier is liable for damages arising from negligent or false certification; require the applicant to indemnify the local agency from property damage or personal injury arising from construction performed pursuant to these provisions chapter; require that a false statement made in a certification must constitute grounds for disciplinary action by the CSLB, and may constitute grounds for a conviction of perjury; and require the CSLB to assess a civil penalty in an amount not less than \$1,500 nor greater than \$30,000 for this violation.
- Require the CBSC as a part of the next triennial update of the California Building Standards Code that occurs on or after January 1, 2027, to adopt building standards that do all the following:
 - Authorizes a business establishment that is takeout only to operate without providing customer restrooms.
 - Authorizes a business establishment, regardless of whether the business establishment sells alcohol, with a maximum occupancy of 49 persons to provide restrooms without urinals.
 - Authorizes a business establishment to install up to 1,000 square feet of patio seating without providing additional restrooms.

- Authorizes a business establishment that serves alcohol to satisfy a requirement to provide restrooms by exclusively providing restrooms for use by all genders.
- Authorizes a business establishment with a maximum occupancy of 100 occupants to operate without drinking fountains.
- Authorizes a business establishment to operate cooking equipment without installing a Type 1 hood, as described, over the cooking equipment, provided that the cooking equipment is operated for the purpose of baking and the equipment does not produce cooking odors, smoke, grease, or vapor.
- Authorizes a business establishment to operate an under-the-counter dishwasher without installing a mechanical exhaust system over the dishwasher.
- Define “noncontinuous cooking,” also known as “par-cooking,” to mean the cooking of food in a food facility using a process in which the initial heating of the food is intentionally halted so that it may be cooled and held for complete cooking at a later time prior to sale or service; provide that “noncontinuous cooking” does not include cooking procedures that only involve temporarily interrupting or slowing an otherwise continuous cooking process; and add requirements in the CalCode regarding raw animal foods that are cooked using a noncontinuous cooking process.
- Make changes to the CalCode related to handwashing facilities, grease traps, passthrough window service openings, and other requirements.

Related Legislation:

SB 918 (Seyarto) would make changes to requirements for retail food facilities related to “passthrough window service openings.” The bill is currently on the Senate floor.

AB 1693 (Zbur) would establish a process for accelerated retailer building plan approval. The bill is currently in this committee.

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