
THIRD READING

Bill No: AB 306
Author: Schultz (D), Hadwick (R) and Wicks (D)
Amended: 7/2/26 in Senate
Vote: 21

SENATE HOUSING COMMITTEE: 10-0, 6/24/26
AYES: Arreguín, Seyarto, Cabaldon, Caballero, Cortese, Durazo, Gonzalez,
Grayson, Ochoa Bogh, Padilla

SENATE LOCAL GOVERNMENT COMMITTEE: 7-0, 7/1/26
AYES: Durazo, Choi, Arreguín, Ashby, Cervantes, Laird, Seyarto

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/13/26
AYES: Cervantes, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 71-0, 4/1/25 - See last page for vote

SUBJECT: California Building Standards Commission: appeals: code
interpretations

SOURCE: American Institute of Architects California

DIGEST: This bill requires the California Building Standards Commission (BSC) to hear and decide appeals regarding a local agencies implementation of the California Building Standards Code (state building code), and to issue code interpretations, as specified.

ANALYSIS:

Existing law:

- 1) Establishes the BSC within the Department of General Services, and requires the BSC to approve and adopt building standards and to codify those standards in the state building code. Requires BSC to publish editions of the state

building code in its entirety once every three years. In the intervening period, the BSC must publish supplements as necessary.

- 2) Requires BSC to receive proposed building standards from a state agency for consideration in an 18-month code adoption cycle. Requires BSC to adopt regulations governing the procedures for the 18-month code adoption cycle.
- 3) Provides that requirements and standards published in the state building code and other regulations take effect 180 days after publication by the BSC.
- 4) Allows a city or county, in adopting ordinances or regulations to adopt the state building code to make changes or modifications in the requirements of the state building code and other regulations, including green building standards, as it determines are reasonably necessary because of local climatic, geological, or topographical conditions.
- 5) Requires the governing body of a city or county, before making any modifications or changes, to make an express finding that such modifications or changes are reasonably necessary because of local climatic, geological or topographical conditions, and requires those findings as well as the modification or change expressly marked and identified to be filed with the BSC. Prohibits a modification or change from becoming effective or operative until the finding and modification or change have been filed with BSC.
- 6) Requires BSC to reject any proposed modification or changes to any building standards affecting residential units at the state and local level from October 1, 2025, to June 1, 2031, with limited exceptions.
- 7) Authorizes any person adversely affected by any regulation, rules, omission, interpretation, decision, or practice of any state agency regarding the administration of any building standard to appeal the issue for resolution to the commission.
- 8) Provides that if any local agency with authority to enforce a state building standard and any person adversely affected by any regulation, rule, omission, interpretation, decision, or practice of such agency both wish to appeal the issue for resolution to the BSC, then both parties may appeal to the BSC. The BSC may accept such appeal only if the BSC determines that the issues involved in such appeal have statewide significance.

This bill:

- 1) Clarifies and adds the following to BSC's base duties relative to the state building code:
 - a) Specifies that the BSC must issue decisions on appeals regarding administration of the state building code.
 - b) Requires the BSC to promulgate code interpretations.
- 2) Clarifies that any person adversely affected by any regulation, rule, omission, interpretation, decision, or practice of a local agency having authority to enforce a state building standard respecting a state building standard may appeal the issue for resolution to the BSC without the local agency that issued the adverse action agreeing to appeal the issue.
- 3) Allows an appeal requested jointly by a person adversely impacted by a local agency, and the local agency enforcing the decision, to go to the BSC directly without exhausting the local appeals process.
- 4) Provides that that an appeal may include a request for approval to use an alternate material, assembly of materials, equipment, method of construction method of installation of equipment, or means of protection. Provides that an appeal that results in the approval of an alternative shall be limited to the particular case and shall not be construed as establishing any precedent for future requests.
- 5) Provides that the BSC may only accept an appeal if the appeal deals with an issue of statewide significance, and the person seeking the appeal has exhausted local appeals procedures.
- 6) Requires the BSC to review an appeal with stakeholders, including, but not limited, to representatives of the building industry, local agencies that have authority to enforce building standards, and labor organizations.
- 7) Provides that any person may request a code interpretation from the BSC regarding the intent of any regulation or provision adopted by the BSC. Specifies that if the request is related to a specific project the BSC shall review the issue with the appropriate local enforcing agency prior to rendering an interpretation.
- 8) Provides that decisions on appeals and code interpretations issued by the BSC shall be posted on the BSC's website in a searchable format.

- 9) Requires local enforcement agencies that issue written rules and regulations intended to clarify the application the state building code to post them on agencies website as specified.

Background

Building Standards. The California Building Standards Law establishes the process for adopting state building standards by BSC. Statewide building standards are intended to provide uniformity in buildings across the state. The BSC'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 state building code.

Comments

- 1) *Author's Statement.* "AB 306 addresses a practical yet underexamined barrier to housing delivery in California: the absence of a functional statewide process for resolving significant building code disputes. Today, identical code provisions can be interpreted differently across California's 540 jurisdictions, and innovative materials, methods, and housing types often must be approved on a jurisdiction-by-jurisdiction basis. That inconsistency creates delays, uncertainty, and unnecessary costs. This bill establishes a more workable state-level framework for appeals, code interpretations, and code equivalency determinations when issues have statewide significance. It also improves transparency by requiring that code interpretations and local amendments be posted on line, and linked where applicable to findings and express terms. AB 306 does not eliminate local authority or lower safety standards. Local agencies retain their authority to adopt more restrictive standards where authorized by law and supported by required findings, and local officials retain case-by-case authority over alternative methods and materials. This bill creates a clearer path to state level consistency, transparency, and accountability in code administration. If California is serious about housing production efficiency, adaptive reuse, and scaling construction innovation, we must also modernize the systems that determine how our building codes are interpreted and applied."
- 2) *Appeals.* BSC is required by statute to adopt and maintain the state building code. The BSC's duties include an obligation to hear appeals brought by a

person adversely affected by a regulation, rule, omission, interpretation, decision, or practice by a local agency charged with implementing the state building code. The statute requires the BSC to “hear” these appeals, but there is no affirmative obligation for the BSC to deny, approve or to otherwise issue any decision related to the appeal. Additionally, the authority to appeal an action by an agency related to the state building code is vague and ambiguous. Existing law states that if a local agency and a person adversely affected by a decision of the local agency relative to the state building code both wish to appeal an issue to the BSC for resolution, then both parties may appeal to the BSC. Existing law could be interpreted to only allow appeals when the local agency that issued the decision that will be appealed agrees to submit an appeal with the person adversely impacted by the local agency. It is unlikely that a local agency will join an appeal seeking to reverse the local agency’s original decision.

This bill will clarify that a person adversely impacted by a local agency’s decision relative to the state building code may appeal that decision to the BSC after exhausting local appeals. For any appeal that is jointly filed by a local agency and a person affected by the local agency’s decision on the state building code, the appellants are not required to exhaust the local appeals process. This bill will additionally clarify that the BSC is not only obliged to hear appeals, but that the BSC must issue a decision on appeals that are heard.

- 3) *Alternative materials and methods.* The State Fire Marshal (SFM) is responsible for promulgating regulations that promote fire and life safety for inclusion in the state building code. The SFM also adopts regulations related to fire hazard severity zones. The SFM established a process where an applicant may request approval of an alternative material, assembly of materials, equipment, method of construction, method of installation, or means of protection from the local agency responsible for enforcing aspects of the state building code within the jurisdiction of the SFM. The SFM regulations also provide a process for an applicant to file a written appeal to the SFM requesting approval of an alternative that was denied by the local agency. The SFM regulations specify that any appeal that is approved by a local enforcement agency, or the SFM, shall not be construed as establishing precedent for any future request.

This bill seeks to replicate the SFM appeal process that is relative to aspects of the state building code within the SFM’s jurisdiction to aspects of the state building code in the BSC’s general jurisdiction.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Appropriations Committee:

- The CBSC estimates ongoing costs of approximately \$1.1 million annually beginning in 2028-29 for 4.0 PY of new staff, and additional unknown annual costs, at least in the tens of thousands annually, to periodically contract with subject matter experts and firms with specialized technical knowledge in particular areas of construction in order to make informed appeals and code interpretation decisions. CBSC may also incur unknown significant one-time costs to make IT improvements, to the extent an online portal for electronic filing of appeals is needed (DGS Service Revolving Fund). The CBSC also notes that its current office space cannot accommodate the addition of new permanent staff, and that it may have to incur additional one-time office relocation costs and increased annual office leasing costs. See Staff Comments.
- Unknown local costs, potentially significant in the aggregate, for local enforcement agencies to post on their respective websites any written rules and regulations that clarify the application of the Building Standards Code in a manner that clearly identifies those rules or regulations as a local interpretation or policy, as specified. These costs are potentially reimbursable by the state, subject to a determination by the Commission on State Mandates. (General Fund)

SUPPORT: (Verified 8/13/2026)

American Institute of Architects California (Source)

Abundant Housing LA

Bay Area Council

California Apartment Association

California Conference of Carpenters

California Yimby

Construction Employers' Association

Council of Infill Builders

Eden Housing

House Sacramento

Housing Action Coalition

Housing California

Los Angeles County

Phillips Win Architecture

San Francisco Bay Area Planning and Urban Research Association

Studio One Eleven
Us gbc California
Valley Industry and Commerce Association

OPPOSITION: (Verified 8/13/2026)

California Building Officials
County Building Officials Association of California
City of Oceanside

ASSEMBLY FLOOR: 71-0, 4/1/25

AYES: Aguiar-Curry, Ahrens, Alanis, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Bonta, Bryan, Calderon, Carrillo, Castillo, Chen, DeMaio, Dixon, Elhawary, Ellis, Essayli, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wilson, Rivas

NO VOTE RECORDED: Addis, Alvarez, Boerner, Caloza, Connolly, Davies, Hart, Wicks, Zbur

Prepared by: Hank Brady / HOUSING / (916) 651-4124
8/14/26 10:35:56

**** **END** ****