
**SENATE COMMITTEE ON
BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT**
Senator Angelique Ashby, Chair
2025 - 2026 Regular

Bill No:	AB 671	Hearing Date:	July 14, 2025
Author:	Wicks		
Version:	July 9, 2025		
Urgency:	No	Fiscal:	Yes
Consultant:	Yeaphana La Marr		

Subject: Accelerated restaurant building plan approval: California Retail Food Code: tenant improvements

SUMMARY: Requires a local building or permitting department to allow an applicant to have a qualified professional certifier certify that the plans for a tenant improvement relating to a restaurant comply with applicable building, health, and safety codes and approve the plans within specified timelines. Authorizes an architect licensed by the California Architects Board or a professional engineer licensed by the Board for Professional Engineers, Land Surveyors and Geologists to serve as a qualified professional certifier after meeting specified requirements. Subjects a qualified professional certifier to disciplinary action for making false statements on a certification by their respective licensing board.

NOTE: This measure was previously heard in Senate Committee on Local Government on July 9, 2025. The bill passed with a vote of 7-0.

Existing law:

- 1) Establishes the Architects Practice Act to regulate the practice of architecture in California. (Business and Professions Code (BPC) § 5501 et seq.)
- 2) Establishes the California Architects Board (Architects Board) within the Department of Consumer Affairs (DCA) to administer the Architects Practice Act until January 1, 2029. (BPC § 5510)
- 3) Defines “architect” as a person who is licensed to practice architecture in this state. (Business and Professions Code (BPC) § 5500)
- 4) Provides for the regulation of professional engineering in California under the Professional Engineers Act. (BPC § 6700 et seq.)
- 5) Establishes the Board of Professional Engineers, Land Surveyors and Geologists (BPELSG) within the DCA to administer the Professional Engineers Act until January 1, 2029. (BPC §§ 6710 et seq.)
- 6) Defines a “professional engineer” as a person engaged in the professional practice of rendering service or creative work requiring education, training, and experience in engineering sciences and the application of special knowledge of the mathematical, physical, and engineering sciences in such professional or creative work as

consultation, investigation, evaluation, planning or design of public or private utilities, structures, machines, processes, circuits, buildings, equipment or projects, and supervision of construction to secure compliance with specifications and design for any such work. (BPC § 6701)

- 7) Establishes the Permit Streamlining Act, which among other things, establishes time limits in which state and local government agencies must either approve or disapprove permits authorizing a development. (Government Code §§ 65920-65964.5)
- 8) Establishes the California Building Standards Commission (CBSC) within the Department of General Services and requires the CBSC to administer the processes related to the adoption, approval, publication, and implementation of California's building codes, which serve as the basis for the design and construction of buildings in California. (Health and Safety Code (HSC) §§ 18901 et seq.)
- 9) Allows the governing body of a local agency to authorize its enforcement agency to contract with or employ a private entity or persons on a temporary basis to perform plan checking functions, as specified. (HSC § 19837)
- 10) Requires a local agency to contract with or employ a private entity or persons on a temporary basis to perform plan checking functions upon the request of an applicant for a nonresidential permit for the remodeling or tenant improvements of a building, as specified, where there is an "excessive delay" in checking the plans and specifications that are submitted as a part of the application. (HSC § 19837)
- 11) Establishes the California Retail Food Code (CRFC) to provide for the regulation of retail food facilities, establish health and sanitation standards at the state level through the CRFC, and assign enforcement to local agencies of the 58 county environmental health departments and four city environmental health departments (Berkeley, Long Beach, Pasadena, and Vernon). (HSC § 113700 et seq.)
- 12) Defines a "food facility" as an operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption at the retail level with various exceptions. (HSC § 113789)
- 13) Requires a person proposing to build or remodel a food facility to submit complete, easily readable plans drawn to scale, and specifications to the enforcement agency for review, and to receive plan approval before starting any new construction or remodeling of a facility for use as a retail food facility (HSC § 114380).
- 14) Requires the enforcement agency to approve or reject the plans to build or remodel a food facility within 20 working days after receipt and to notify the applicant of the decision. Unless the plans are approved or rejected within 20 working days, they are deemed approved. (HSC § 114380)
- 15) Requires the food facility, if a determination is made by the enforcement agency that a structural condition poses a public health hazard, to remedy the deficiency to the satisfaction of the enforcement agency. (HSC § 114380)

This bill:

- 1) Defines “qualified professional certifier,” as a licensed architect or licensed professional engineer who meets both the following conditions:
 - a. Has at least five years of experience in commercial building design or plan review and
 - b. Maintains professional liability insurance in an amount not less than two million dollars (\$2,000,000) per occurrence.
- 2) Defines “restaurant” as a retail food establishment that prepares, serves, and vends food directly to the consumer and is not a fast food restaurant, as defined.
- 3) Defines “tenant improvement” as a change to the interior of an existing building.
- 4) Requires a local building department to allow a qualified professional certifier to certify, at the applicant’s expense, compliance with all applicable building, health, and safety codes, including, but not limited to, building standards approved by the California Building Standards Commission and local building standards and to approve the permit application within 20 days of receiving a completed application for a tenant improvement relating to a restaurant.
- 5) Requires a qualified professional certifier to prepare an affidavit, under penalty of perjury, attesting that the tenant improvement plans and specifications comply with all applicable building, health, and safety codes, including, but not limited to, building standards approved by the California Building Standards Commission and local building standards.
- 6) Deems a certified plan as approved if the local building department fails to approve the application within 20 business days.
- 7) Allows an applicant whose certified plan was denied to resubmit corrected plans addressing the deficiencies. Requires the local building department to approve or deny the resubmission within 10 business days.
- 8) Requires each local building department to conduct a random audit of no less than 20 percent of all tenant improvements submitted per week for certification, initiate the audit within five business days following permit issuance, and include a review of the submitted plans for compliance with all applicable building, health, and safety codes. Requires the local building department shall provide a plan check correction notice within 10 business days of the audit’s initiation if an audit reveals material noncompliance.
- 9) Provides that certification does not exempt a tenant improvement from other mandatory construction inspections or limit the authority of the local health department under the California Retail Food Code. Specifies that this bill does not apply to tenant improvements subject to plan review requirements under the California Retail Food Code (Article 1 (commencing with Section 114380) of Chapter 13 of Part 7 of Division 104 of the Health and Safety Code).

- 10) Subjects a licensed architect who services as a “qualified professional certifier” to disciplinary action by the California Architects Board and subjects a professional engineer to disciplinary action by the Board for Professional Engineers, Land Surveyors and Geologist, as applicable, for making any false statement in a certification submission.
- 11) Authorizes a city or county, to adopt ordinances to require additional qualifications to be met by the qualified professional certifier, including: 1) a requirement to register with the city or county prior to certifying plans; 2) completing required training prior to certifying plans; 3) payment of fees not to exceed the reasonable cost of implementing this bill; and 4) being subject to penalties that may include decertification as a qualified professional certifier in that jurisdiction or reasonable administrative fines for willful noncompliance with the requirements of this bill and when there are two or more instances in which the qualified professional certifier attests to noncompliant plans.
- 12) Specifies that a local building department is not prohibited from charging permit fees for applications using a qualified professional certifier.
- 13) Names the qualified professional certifier liable for any damages arising from negligent plan review, requires the applicant to indemnify the local agency from any property damage or personal injury arising from construction permitted under an affidavit filed by a qualified professional certifier. Exempts from liability a public entity or employee for an injury caused by their discretionary or ministerial acts or omissions relating to issuance or denial of a permit.
- 14) Makes findings and declarations regarding the benefit that small, independent, and family-owned restaurants provide to communities and the hardships that delays cause on these businesses, which result in the need for expedited review process for food service establishments.

FISCAL EFFECT: This bill is keyed as fiscal. According to the Assembly Committee on Appropriations, states there are no costs to the state.

COMMENTS:

1. **Purpose.** This bill is Author-sponsored. The Author states, “California’s restaurants reflect the state’s diversity, agricultural abundance, and tradition of culinary innovation. Often family-owned, they play a critical role in providing first jobs, career advancement opportunities, and pathways to business ownership for immigrant entrepreneurs and historically underserved communities. Restaurants are spaces where we celebrate graduations, birthdays, and anniversaries; they’re where we hold business meetings and catch up with friends. But despite restaurants’ vital role in local economies and communities, frequent and common delays in municipal building plan review processes mean the process of opening a restaurant in California is often time- and cost-prohibitive. AB 671 responsibly reduces barriers to opening a restaurant in California by establishing a professional certification program to streamline the municipal review process. The program allows qualified architects and engineers to certify restaurant retrofits—often completed by small restaurants—that convert an existing facility to a new use. The framework

incorporates randomized audits to ensure compliance and does not exempt restaurants from mandatory construction inspections, such as fire, health, and structural checks. Thus, the legislation facilitates timely restaurant openings while maintaining vital public safety standards, similar to programs in other major cities, such as New York, Washington, D.C., and Chicago. With AB 671, California will similarly simplify the review process for restaurant owners, lessening the burden on many small businesses and community hubs so they can open faster.”

2. Background.

California Architects Board and Board for Professional Engineers, Land Surveyors and Geologists. The Architects Board is a program within the DCA charged with administering the Architect Practice Act, including setting licensing standards and taking enforcement action when provisions of the Act are violated. Enforcement action can include discipline against the license that includes suspension, revocation, etc. The Architects Board currently licenses more than 21,000 licensed architects and the mission is to protect consumers by establishing qualifications, ensuring competence through examinations, setting practice standards, and enforcing the Architects Practice Act.

The Architects Practice Act defines the practice of architecture as offering or performing, or being in responsible control of, professional services which require the skills of an architect in the planning of sites, and the design, in whole or in part, of buildings, or groups of buildings and structures (BPC § 5500.1). Those professional services may include: investigation, evaluation, consultation, and advice; planning, schematic and preliminary studies, designs, working drawings, and specifications; coordination of the work of technical and special consultants; compliance with generally applicable codes and regulations, and assistance in the governmental review process; technical assistance in the preparation of bid documents and agreements between clients and contractors; contract administration; and construction observation.

BPELSG is charged with safeguarding life, health, property, and public welfare by providing for the licensure and regulation of professional engineers (in addition to land surveyors and geologists) operating in California. The BPELSG ensures professional engineers have adequate training and competency necessary to perform their duties and enforces violations of the Professional engineers Act. BPELSG licenses more than 83,000 professional engineers.

The Professional Engineers Act states a professional engineer is a person engaged in the professional practice of rendering service or creative work requiring education, training and experience in engineering sciences and the application of special knowledge of the mathematical, physical and engineering sciences in such professional or creative work as consultation, investigation, evaluation, planning or design of public or private utilities, structures, machines, processes, circuits, buildings, equipment or projects, and supervision of construction for the purpose of securing compliance with specifications and design for any such work (BPC § 6701).

Permitting process and timelines. California has an extensive and lengthy permitting process for facilities that cook and serve food to customers. Frequent and common delays in municipal building plan review processes often place undue costs and pressure on small-business owners who face cumbersome hurdles to opening restaurants. Meanwhile, their communities are denied access to vital venues for local food and connection.

This bill would fast-track plan review and approval by allowing licensed architects and engineers to certify that restaurant tenant improvements, which are often completed by small restaurants to convert an existing facility to a new use or to make simple modifications, meet all applicable building codes. The cost of the certification would be assumed by the restaurant to avoid subjecting the local jurisdiction from fiscal impact. This bill also incorporates randomized audits and maintains mandatory construction inspections to allow restaurants to open sooner to without diminishing public safety standards.

3. **Related Legislation.** AB 253 (Ward of 2025) would enact the California Residential Private Permitting Review Act, which would allow an applicant for specified residential building permits to employ a private professional provider to check plans and specifications in the event that a building department is unable to complete or estimates being unable to complete the check in 30 days. *This bill is currently pending in the Senate Committee on Housing.*

AB 660 (Wilson of 2025) would expedite plan review for houses by restricting the number of plan check and specification reviews for building permits to two and stipulates that the permit applicant may employ a qualified professional to verify the plans and specifications if the application is not reviewed within a specified time frame. *This bill is currently pending in the Senate Committee on Housing.*

AB 2433 (Quirk-Silva and Ward of 2024) would have enacted the Private Permitting Review and Inspection Act in 2024. This bill would have required a local agency to complete plan-checking services for a building permit within 30 business days of a request from an applicant. If the local agency were unable to complete the plan-checking services in the 30 days, the applicant would have been able to request that the local agency employ a private professional to perform plan-checking services. *The bill was held in Senate Committee on Local Government.*

4. **Arguments in Support.** The California Restaurant Association, Cal Asian Chamber of Commerce, Hiho Cheeseburger, Jon & Vinny's Italian, Matú, Sushi Nozawa Group, and Uovo write in support, "To meet guest expectations, attract new customers, and enhance the dining experience, restaurant owners frequently invest in tenant improvements – such as adding outdoor patios – to create inviting spaces for customers to enjoy California's renowned weather and scenic views. However, restaurant owners currently face months-long delays in the building plan review process, creating significant financial and operational hardships. These prolonged wait times cause employment opportunities to evaporate, disrupt restaurant openings, delay service, and burden small business owners who depend on timely improvements to remain competitive. ...AB 671 simplifies the tenant improvement plan review process for restaurant owners while maintaining safety standards. This will enable restaurants to open more quickly and to employ more people sooner,

which will help support economic growth in their communities.”

The California Travel Association and Cameo Network write, “Cities like New York City, Chicago, and Washington, D.C. have successfully implemented self-certification programs that allow licensed professionals to verify code compliance. The self-certification of plans has successfully reduced wait times while ensuring compliance with building and safety standards. AB 671 similarly expedites the building plan review process for restaurant build-outs without compromising safety. It specifically clarifies that self-certification does not exempt projects from required inspections, including fire, health, and structural evaluations. It also mandates that local building departments conduct random audits of self-certified projects to ensure compliance.”

The City of Ontario writes in support, “By allowing licensed architects and engineers to attest that a project meets all applicable building and safety codes, the bill removes one of the most expensive and time-consuming barriers facing small restauranteurs while preserving public safety. This bill aligns with Ontario’s economic development objectives and complements our existing efforts to streamline licensing and offer technical assistance to small businesses. We are confident AB 671 will accelerate job creation, revitalize dormant commercial spaces, while upholding the safeguards our residents expect.”

The Greater Los Angeles Hospitality Association notes, “We have lost too many restaurants in California since the COVID19 Pandemic and it’s been difficult to recoup these losses simply because of the lengthy and costly process and change of use bureaucracy that an applicant must go through. This bill, AB 671, could simplify this bureaucracy and help the applicant to get their doors open sooner, allowing them to operate and the landlord to collect rent!”

5. **Policy Considerations and Suggested Amendments.**

While each respective board has a broad jurisdiction and authority to pursue disciplinary action, each practice act specifies the violations for which a licensee may be subject to disciplinary action. The Architects Practice Act identifies violations for which the Architects Board may seek disciplinary action against an architect’s license in BPC §§ 5560-5590 and the Professional Engineers Act identifies violations for which BPELSG may seek disciplinary action in BPC §§ 6775-6780. However, neither practice act identifies a violation of the provisions of this bill as cause for disciplinary action.

Granting each board authority to take disciplinary action in its respective practice act when a licensee acting as a qualified professional certifier makes a false statement in a certification submission clarifies the intent. The bill should be amended according to the following:

Add BPC § 5587 as follows:

5587. The fact that the holder of a license who serves as a qualified professional certifier, as defined by Government Code Section 66345.1, makes any false

statement in a certification submission pursuant to Chapter 14 of the Government Code (commencing with Section 66345) constitutes grounds for disciplinary action.

Amend BPC § 6775 as follows:

6775. The board may, upon its own initiative or upon the receipt of a complaint, investigate the actions of any professional engineer licensed under this chapter and make findings thereon.

By a majority vote, the board may publicly reprove, suspend for a period not to exceed two years, or revoke the certificate of any professional engineer licensed under this chapter on any of the following grounds:

- (a) Any conviction of a crime substantially related to the qualifications, functions, and duties of a licensed professional engineer, in which case the certified record of conviction shall be conclusive evidence thereof.
- (b) Any deceit, misrepresentation, or fraud in his or her practice.
- (c) Any negligence or incompetence in his or her practice.
- (d) A breach or violation of a contract to provide professional engineering services.
- (e) Any fraud, deceit, or misrepresentation in obtaining his or her certificate as a professional engineer.
- (f) Aiding or abetting any person in the violation of any provision of this chapter or any regulation adopted by the board pursuant to this chapter.
- (g) A violation in the course of the practice of professional engineering of a rule or regulation of unprofessional conduct adopted by the board.
- (h) A license who serves as a qualified professional certifier, as defined by Government Code Section 66345.1, makes any false statement in a certification submission pursuant to Chapter 14 of the Government Code (commencing with Section 66345).
- ~~(h)~~(i) A violation of any provision of this chapter or any other law relating to or involving the practice of professional engineering.

SUPPORT AND OPPOSITION:

Support:

Cal Asian Chamber of Commerce
 California Restaurant Association
 California Travel Association
 Cameo - California Association for Micro Enterprise Opportunity
 Hiho

Jon & Vinny's
Matu
Ontario; City of
Sushi Nozawa
The Greater Los Angeles Hospitality Association
Uovo

Opposition:

None received

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