
THIRD READING

Bill No: AB 671
Author: Wicks (D) and Gabriel (D), et al.
Amended: 8/25/25 in Senate
Vote: 21

SENATE LOCAL GOVERNMENT COMMITTEE: 7-0, 7/9/25
AYES: Durazo, Choi, Arreguín, Cabaldon, Laird, Seyarto, Wiener

SENATE BUS., PROF. & ECON. DEV. COMMITTEE: 11-0, 7/14/25
AYES: Ashby, Choi, Archuleta, Arreguín, Grayson, Menjivar, Niello,
Smallwood-Cuevas, Strickland, Umberg, Weber Pierson

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 72-0, 5/29/25 - See last page for vote

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

SOURCE: Author

DIGEST: This bill requires a local building 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.

Senate Floor Amendments of 8/25/25 require the building department or enforcement agency, upon resubmission of a denied application, to only review deficiencies identified in the initial denial, and make other conforming and technical changes.

ANALYSIS:

Existing law:

- 1) 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.
- 2) 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.
- 3) 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.
- 4) 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.
- 5) 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).
- 6) 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.
- 7) 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.
- 8) 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.

- 9) 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.

This bill:

- 1) 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, as follows.
- 2) Includes the following definitions:
 - a) Applies to a restaurant that is a retail food establishment that prepares, serves, and vends food directly to the consumer, but excludes a fast food restaurant, as that term is defined in existing law.
 - b) States that a tenant improvement is any change to the interior of the building.
 - c) Requires a qualified professional certifier to be a licensed engineer or architect that has specified liability insurance coverage and has five years experience in commercial design or plan checking.
- 3) Establishes the following review process:
 - a) Requires the tenant improvements proposed to be permitted pursuant to this bill to comply with state and local building standards. The professional certifier must prepare an affidavit attesting that the tenant improvement plans comply with all applicable laws and regulations, and either the certifier or the applicant must attest that the restaurant is eligible for the program.
 - b) Requires the local building department to approve or deny the application within 20 business days of receiving a complete application. If the local building department does not approve or deny the application within 20 business days of receiving a complete application, the certified plan is deemed approved for permitting purposes, provided that all fees and required documents have been submitted.

- c) Allows an applicant to resubmit corrected plans addressing deficiencies if denied. The local building department must approve or deny each subsequent resubmission within 10 business days of receipt, and review of each subsequent resubmission must be limited to correcting the deficiencies identified in the initial denial.
 - d) Allows local building departments to charge permit fees to applications using a qualified professional certifier.
 - e) Excludes from this process tenant improvements subject to plan review requirements under the CRFC.
- 4) Requires random audits of no less than 20% of all tenant improvements submitted for self-certification every week, as specified.
- 5) Establishes various enforcement measures, including to:
- a) Allow a city or county to adopt, by ordinance, additional qualifications or requirements for a qualified professional certifier, including, but not limited to, any of the following:
 - i) A requirement to register with the city or county prior to certifying plans under the program;
 - ii) Training requirements that must be completed prior to certifying plans under the program;
 - iii) Payment of fees not to exceed the reasonable cost of implementing the program; and
 - iv) Penalties that may include decertification as a qualified professional certifier in that jurisdiction or reasonable administrative fines for either willful noncompliance or two or more instances in which the qualified professional certifier attested to certifying noncompliant plans.
 - b) Provides that a qualified professional certifier is liable for any damages arising from negligent plan review, requires that the applicant indemnify the local agency from any injury arising from construction, and provides that a public entity or public employee is not liable for an injury caused by their actions related to a permit issued under the program.

- 6) Modifies the existing process for retail food facility plan checks. Specifically, for tenant improvements for a restaurant, regardless of whether it is submitted by a qualified professional certifier, AB 671:
 - a) Repeals the requirement that the enforcement agency approve the plan before the building department issues a building permit; and
 - b) Requires the enforcement agency to approve or deny a subsequent resubmission of a denied retail food facility plan within 10 business days of receipt. The enforcement agency's review of each subsequent resubmission must be limited to correcting the deficiencies identified in the initial denial.
- 7) Includes findings and declarations to support its purposes.

Background

Tenant improvements. While specific definitions vary across local governments, tenant improvements generally commercial additions, or remodels of the interior of an existing building or structure. This can range from minor changes to interiors to complete changes in use from one type of business to another. Restaurant owners report that plan reviews for tenant improvements can take months. They note that several large cities, including New York City, Chicago, and Washington D.C. have reduced permitting timelines by allowing for private certification of plans for restaurant tenant improvements. They want the Legislature to require local governments to establish similar programs.

Comments

Purpose of this bill. According to the author, "Restaurants are the backbone of California's local economies and communities. Often family-owned, restaurants serve as cultural anchors, preserving and sharing diverse food traditions across generations while establishing spaces for gatherings and celebrations. These establishments reflect California's diversity, agricultural abundance, and tradition of culinary innovation. The restaurant industry also plays a critical role in providing first jobs, career advancement opportunities, and pathways to business ownership for immigrant entrepreneurs and historically underserved communities. And throughout our state, food tourism generates key economic activity.

"Despite restaurants' vital role in local economies and communities, the process of opening a restaurant in California is both time- and cost-prohibitive. As highlighted in a recent San Francisco Chronicle article, frequent and common delays in municipal building plan review processes often place undue costs and

pressure on small-business owners. When these owners face cumbersome, even insurmountable, hurdles to opening restaurants, their communities are denied access to vital venues for authentic local food and connection.

“AB 671 responsibly reduces barriers to opening a new restaurant in California by establishing a professional certification program that streamlines the municipal review process, allowing 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. American cities including New York, Washington, D.C., and Chicago have seen success with ‘pro cert’ programs. 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.”

Tradeoffs. The building code reflects decades of evolving safety requirements established to prevent injury and loss of life. Ensuring the safety of restaurants is a core municipal responsibility, carried out by public officials whose primary duty is to protect the public and who have specific expertise in building, health, and food safety requirements. AB 671 shifts the responsibility for plan review from these public officials to a private certifier who is hired by the applicant and may also be the person who designed the plans. This creates a potential conflict of interest, as the certifier may have an economic incentive for the plan’s expedited approval. AB 671 makes these changes in the interest of expediting restaurant openings. It is unclear whether the need for additional restaurants justifies the changes that this bill makes to take public health and safety reviews of restaurant plans out of the hands of public officials.

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

SUPPORT: (Verified 8/26/25)

Cal Asian Chamber of Commerce
California Restaurant Association
Central City Association of Los Angeles
City of Oakland
City of Ontario
Doordash
El Dorado County Chamber of Commerce

El Dorado Hills Chamber of Commerce
 Elk Grove Chamber of Commerce
 Folsom Chamber of Commerce
 Golden Gate Restaurant Association
 Hiho
 Jon & Vinny's
 Lincoln Chamber of Commerce
 Matu
 Oakland Metropolitan Chamber of Commerce
 Oakland Restaurant Collective
 Rancho Cordova Chamber of Commerce
 Rocklin Area Chamber of Commerce
 Roseville Area Chamber of Commerce
 Shingle Springs/cameron Park Chamber of Commerce
 Sushi Nozawa
 United Chamber Advocacy Network Ucan
 Uovo
 Westside Council of Chambers of Commerce
 Yuba Sutter Chamber of Commerce

OPPOSITION: (Verified 8/26/25)

California Association of Environmental Health Administrators

ASSEMBLY FLOOR: 72-0, 5/29/25

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

NO VOTE RECORDED: Alvarez, Bryan, Chen, Nguyen, Solache, Tangipa, Ward

Prepared by: Anton Favorini-Csorba / L. GOV. / (916) 651-4119
 8/27/25 10:24:02

**** END ****