

SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2025-2026 Regular Session

AB 1693 (Zbur)
Version: June 25, 2026
Hearing Date: June 30, 2026
Fiscal: Yes
Urgency: No
ID

SUBJECT

Accelerated retailer building plan approval: tenant improvements

DIGEST

This bill allows permit applicants for a tenant improvement relating to a retailer to utilize a qualified professional certifier to review and certify that the tenant improvement plan is in compliance with all applicable building, health, and safety codes, as specified, and requires that the local building department approve or deny an application for a certified tenant improvement within 20 business days.

EXECUTIVE SUMMARY

There are more than 500,000 retail establishments in California, contributing about \$304 billion to the state's GDP and employing about 3.6 million Californians. Retail covers a broad range of businesses, from general retail stores like drug stores and clothing stores, grocery stores, restaurants and liquor stores, to commercial equipment retailers, cannabis and firearms sellers, and barber shops or other service-based retail industries. Tenant improvements include remodels or additions to the interior of a building for the purposes or requirements of a commercial tenant. For many tenant improvements, the builder may need a permit from the local building agency before beginning work to ensure that the renovations meet any applicable building, health, and safety codes. AB 1693 requires local building departments to allow an applicant for a permit for a tenant improvement relating to a retailer to utilize a qualified professional certifier, at the applicant's expense, to certify the tenant improvement's compliance with all applicable building, health, and safety codes. It also requires the local building department to approve or deny an application for a certified tenant improvement within 20 days.

AB 1693 is sponsored by the California Retailers Association, and is supported by business groups and various chambers of commerce. It is opposed by the City of Camarillo. AB 1693 was triple referred, and previously passed the Senate Local

Government Committee by a vote of 6 to 0 and the Senate Business, Professions and Economic Development Committee by a vote of 10 to 0.

PROPOSED CHANGES TO THE LAW

Existing law:

- 1) Establishes the Architects Practice Act, administered and enforced by the California Architects Board (CAB) within the Department of Consumer Affairs (DCA) to regulate the practice of architecture in California. (Bus. & Prof. Code §§ 5501 et seq.)
- 2) Defines “architect” as a person who is licensed to practice architecture in this state. (Bus. & Prof. Code § 5500.)
- 3) Establishes the Professional Engineers Act, administered and enforced by the Board of Professional Engineers, Land Surveyors and Geologists (BPELSG) within the DCA to regulate the practices of civil, electrical, and mechanical engineering. (Bus. & Prof. Code §§ 6700 et seq.)
- 4) 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. (Bus. & Prof. Code § 6701.)
- 5) Defines “qualified professional certifier” as a licensed architect or a licensed professional engineer who has at least five years of experience in commercial building design or plan review and maintains professional liability insurance in an amount not less than two million dollars (\$2,000,000) per occurrence. (Gov. Code § 66345.1.)
- 6) 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, 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 (CBSC) and local building standards, for the tenant improvement. (Gov. Code § 66345.2 (a).)
- 7) 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 CBSC and local building standards. (Bus. & Prof. § 66345.2 (b).)

- 8) 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. (Health & Saf. Code § 19837.)
- 9) 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. (Health & Saf. Code § 19837.)
- 10) Establishes the Government Claims Act, and specifies that, except as provided by statute, a public entity is not liable for an injury, whether such injury arises out of an act or omission of a public entity or a public employee or any other person, and specifies that the liability created in various relevant provisions is subject to an immunity of the public entity provided by statute, and is subject to any defenses that would be available to the public entity if it were a private person. (Gov. Code § 815.)
- 11) Specifies that a public entity is liable for injury proximately caused by an act or omission of an employee of the public entity within the scope of their employment if the act or omission would, apart from this section, have given rise to a cause of action against that employee or their personal representative. Provides that a public entity is not liable for the act or omission of an employee where the employee is immune from liability. (Gov. Code § 815.2.)

This bill:

- 1) Defines, for the purposes of its provisions:
 - a) “qualified professional certifier” as an architect licensed by CAB or a professional engineer licensed by BPELSG who has at least five years of experience in commercial building design or plan review and maintains professional liability insurance in an amount not less than \$2,00,000 per occurrence;
 - b) “retailer” as any person that is engaged in the business of making retail sales direct to the general public; and
 - c) “tenant improvement” as a change to the interior of an existing building.
- 2) Requires a local building department to allow, upon request from an applicant for a permit for a tenant improvement relating to a retailer, 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 CBSC and local building standards, for the tenant improvement.

- 3) 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 CBSC and local building standards, and that the retailer is a retailer under these provisions.
- 4) Requires the local building department to approve or deny a complete application within 20 business days of receipt, or the certified plan is deemed approved for permitting purposes, provided that all fees and documents have been submitted.
- 5) Allows an applicant whose certified plan is denied to resubmit corrected plans addressing any deficiencies, and requires the local building department to approve or deny the resubmission within 10 business days of receipt.
- 6) 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, including building standards approved by CBSC. Requires the local building department to provide a plan check correction notice within 10 business days of the audit's initiation if an audit reveals material noncompliance.
- 7) Provides that certification does not exempt a tenant improvement from other mandatory construction inspections, including those related to fire, health, and structural inspections conducted during or after construction.
- 8) Provides that a false statement in a certification by a licensed architect or a licensed professional engineer who serves as a "qualified professional certifier" is cause for disciplinary action by CAB or BPELSG, as applicable.
- 9) Authorizes a city or county to adopt ordinances to require additional qualifications to be met by the qualified professional certifier, including, but not limited to:
 - a) 1) a requirement to register with the city or county prior to certifying plans;
 - b) 2) completing required training prior to certifying plans;
 - c) 3) payment of fees not to exceed the reasonable cost of implementing this bill; and
 - d) 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.

- 10) Specifies that a local building department is not prohibited from charging permit fees for applications using a qualified professional certifier.
- 11) Makes a 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, and 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.
- 12) Makes legislative findings and declarations relating to the importance of the retail sector's contributions to California's economy, as well as the consequences stemming from retail establishment building plan review delays, which are meant to be addressed by this bill's expedited review process.

COMMENTS

1. Author's statement

According to the author:

Brick-and-mortar retailers are essential to vibrant neighborhoods and local economic recovery, but too often businesses – especially small and family-owned ones – face months-long permitting delays just to make interior improvements to existing buildings. Those delays hurt workers, communities, and commercial corridors still recovering from the pandemic, recent fires, and prolonged vacancies. AB 1693 offers a commonsense solution. For interior improvement projects, it allows licensed architects or engineers to certify that plans meet all building and safety codes, while requiring local governments to act on complete applications within clear, predictable timelines – with full oversight intact. At a time when retailers are competing with online shopping and navigating real economic challenges, we owe them a permitting process that is fair, efficient, and predictable.

2. Retailers in California cover a broad range of businesses

There are more than 500,000 retail establishments in California, contributing to about \$304 billion to the state's GDP and employing about 3.6 million Californians.¹ Retail accounts for or supports an estimated 25 percent of all jobs in the state. Retail covers a broad range of businesses, from general retail stores like drug stores and clothing

¹ National Retail Federation, "Retail's Impact: California" (accessed Jun. 20 2026)
<https://nrf.com/research-insights/retails-impact/california>.

stores, bookstores, grocery stores, restaurants and liquor stores, to commercial equipment retailers, cannabis and firearms sellers, and barber shops or other service-based retail industries. These retailers can range from small businesses and main street store fronts to large, mega-stores and multinational companies. However, more than 98 percent of retailers have fewer than 50 employees, accounting for 40 percent of all retail jobs in the U.S.²

3. The Building Codes and permitting process for tenant improvements

All buildings in the state must comply with various building standards and regulations set out in the California Building Standards Code (24 Cal. Code Regs.) and adopted by the California Building Standards Commission. These standards include structural and health and safety requirements, including the Building Code, the Fire Code, and emergency efficiency and green buildings standards. The building codes are published every three years. Local governments must enact ordinances to adopt the Building Standards Code, though they can make additions or enact stricter local requirements for the building codes.

Tenant improvements include remodels or additions to the interior of a building for the purposes or requirements of a commercial tenant. They can help an existing tenant business revamp the space, or can remake the space to the requirements of a new tenant. For many tenant improvements, the builder may need a permit from the local building agency before beginning work. These permits ensure that the building or renovations meet the California Building Standards Code, local building codes, and other requirements for the structure or improvement made. Under current law, a local agency must contract with a private entity to check a business's remodeling or tenant improvement plan for which a permit is required when there has been an excessive delay in the issuance of the permit. (Health & Saf. Code § 19837.) Excessive delay means 50 days after the submission of the permit application.

4. Last year's AB 671

Last year, in an attempt to help expedite tenant improvements for restaurants, the Legislature passed AB 671 (Wicks, Ch. 470, Stats. 2025). AB 671 requires a local building or permitting department to allow a permit applicant to have a qualified professional certifier certify that the applicant's plans for tenant improvements for a restaurant to comply with the applicable building, health, and safety codes. AB 671 excluded fast food restaurants from its provisions.

AB 671 placed a number of requirements on these qualified professional certifiers meant to ensure they are qualified to make such determinations. However, the professional

² Marianne Wilson, "Retail industry continues as nation's largest private-sector employer," (2024) <https://chainstoreage.com/retail-industry-continues-nations-largest-private-sector-employer>.

certifiers are hired by the permit applicant, who pays the fees for the certifier's services in reviewing and approving or denying their plans. AB 671 also placed a strict timeline on local jurisdictions to approve or deny a permit application, requiring the local building department to approve or deny an application within 20 business days of receiving it. If the building department fails to make a decision within that time period, the certified plan is deemed approved.

AB 671 also included provisions relating to the liability of the local agency and the professional certifier. It required the certifier to carry professional liability insurance in an amount not less than \$2,000,000 per occurrence, and required the permit applicant to indemnify the local agency from any property damage or personal injury arising from construction permitted by its provisions. (Health & Saf. Code §§ 66345.1, 66345.4.) It also provided that a public entity or employee issuing or denying of a permit under the bill's requirements is not liability for an injury caused by their discretionary or ministerial acts or omissions. (Health & Saf. Code § 66345.4.) Instead, it specified that the professional certifier is to be liable for any damages arising from any negligent plan review.

5. AB 1693 proposes a similar self-certification for retailers

AB 1693 proposes a similar program as the program created by AB 671, but applies it to tenant improvements to a building related to a retailer. For its purposes, a retailer is any person engaged in the business of making retail sales direct to the general public. Under the program, the local building department must allow a permit applicant for a tenant improvement relating to a retailer to utilize a qualified professional certifier to certify that the improvement complies 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. The qualified professional certifier must prepare an affidavit, signed under penalty of perjury, attesting that the tenant improvement complies with the applicable building, health, and safety codes, and that the permit applicant is a retailer eligible under the bill.

Like AB 671, AB 1693 requires the local building department to approve or deny the permit applicant's application within 20 business days, including the affidavits from the qualified professional certifier. If the building department does not, the certified plan is deemed approved for permitting purposes, as long as all fees and required documents have been submitted. If the building department denies the application within the 20-day timeline, the applicant is allowed to resubmit corrected plans to correct deficiencies, and the building department would then have 10 business days to approve or deny the resubmission.

AB 1693 would require that local building departments conduct random audits of at least 20 percent of the tenant improvements that use its professional certifier process. The audits would occur within five business days of the issuance of the permit, and

would review the plan for compliance with the applicable building, health, and safety codes, and if the audit finds noncompliance, require the building department to provide a correction notice within 10 business days.

6. AB 1693's enforcement and liability provisions

AB 1693 also includes a number of provisions regarding liability. It requires that the qualified professional certifier be a licensed architect or professional engineer and have at least five years of experience in commercial building design or plan review. In addition, the professional certifier must carry professional liability insurance of at least \$2,000,000 per occurrence.

In addition, it specifies that a public entity or public employee is not liable for an injury caused by the discretionary or ministerial acts or omissions related to issuing or denying a permit under its certified process. Under the Government Claims Act, a public entity is not liable for an injury, whether such injury arises out of an act or omission of the public entity or a public employee or any other person, except as otherwise provided by statute. (Gov. Code § 815.) However, the Government Code specifically provides that a "public entity is liable for injury proximately caused by an act or omission of an employee of the public entity within the scope of their employment" if the conduct would have otherwise given rise to a cause of action against that employee. (Gov. Code § 815.2.) By specifying that a public entity or employee is not liable for any injury from acts relating to the issuance or denial of permit under its provisions, AB 1693 provides the local housing agency with immunity from suit for any injury that results from its issuance of any permit that was approved or deemed approved through AB 1693's professional certifier process, including any tortious conduct of a public employee.

Instead, AB 1693 places the liability upon the qualified professional certifier. It specifies that the professional certifier is liable for any damages that result from a certifier's negligent plan review. For negligence, a plaintiff must show that the defendant owed a duty of care to the plaintiff, that the defendant breached this duty of care, and that the breach was the proximate cause of the plaintiff's injury. While AB 1693 specifies that a professional certifier is liable for their negligent review of the tenant improvement plan, there is little reason to believe that a harmed party would not otherwise be able to bring a negligence claim against a professional certifier for negligent actions in their review or attestation of a plan's compliance. It should also be noted that, while beyond the jurisdiction of this Committee, AB 1693 also requires the professional certifier to make their attestation under penalty of perjury, which potentially exposes the certifier to criminal charges for lying on the attestation.

7. Amendments

The author agreed to amendments in the Senate Local Government Committee that remove the provisions that deem a permit application approved if the local building department does not approve or deny the application within the required 20-day timeline. The amendments also permit a city or county to adopt requirements, provided that they do not prohibit or effectively prohibit the use of a qualified professional certifier, limit the size of an eligible structure to a limit of no less than 10,000 square feet, or specify the types of businesses or occupancies that are eligible. Amendments also clarify that nothing in the bill is to be construed to authorize the displacement of public employees, that the use of a qualified professional certifier must be strictly temporary, and that local agencies shall not reduce, eliminate, or fail to fill budgeted civil service positions within the building department as a result of the use of qualified professional certifiers. Due to timing, these amendments will be taken in this Committee.

8. Arguments in support

According to the California Retailer's Association, which is the sponsor of AB 1693:

CRA members have conveyed to us that permit turnaround times for tenant improvements routinely stretch into multiple months across California counties, with average processing times around 12 weeks and maximums reaching as high as 31 weeks in some jurisdictions. Retailers continue to experience recurring challenges, including extended review periods, multiple rounds of comments, use of third-party reviewers, portal outages, and unanticipated intake requirements. These lengthy review periods significantly delay basic interior buildouts, store openings, and remodels, forcing retailers to carry rent and financing costs for many additional months before they can generate revenue or hire workers.

Throughout the state, the retail industry faces unpredictable local permitting processes for tenant improvements that create significant hardship, such as increased project costs, delayed business operations, and stagnant economic activity. Current law (AB 671, Chapter 470, California Statutes 2025) creates a streamlined approval process for restaurants seeking these types of projects, establishing a similar model for retail projects will be essential for small businesses to thrive in California.

AB 1693 helps address this by requiring local building departments to allow a licensed architect or engineer serving as a qualified professional certifier to review tenant improvements and certify those improvements for applicable building, health, and safety code. The bill would require the local building department to approve or deny the tenant improvement permit application within 20 business days of receiving a complete application.

9. Arguments in opposition

According to the City of Camarillo, which is opposed to AB 1693:

AB 1693 raises significant concerns regarding local oversight, accountability, and the integrity of the building plan review process. While intended to streamline permitting, this bill substantially limits the ability of local building departments to independently verify compliance with state and local building, fire, health, accessibility, and life-safety standards.

Local building officials play a critical role in protecting public safety and ensuring projects comply with adopted codes and regulations. Allowing project designers or consultants with a financial relationship to the applicant to effectively self-certify compliance creates potential conflicts of interest and undermines the independent review process that municipalities rely upon to safeguard occupants, businesses, and the broader community.

The city is also concerned that the bill's mandatory timelines and deemed-approved provisions may create operational challenges for local agencies managing varying project complexities, staffing limitations, and workload demands. Additionally, the requirement for local jurisdictions to conduct random audits of certified projects would impose additional administrative responsibilities without corresponding funding or reimbursement.

While the city appreciates efforts to support economic activity and streamline permitting for retailers, AB 1693 shifts substantial responsibility and liability away from independent public oversight while limiting local discretion necessary to ensure safe and code compliant development.

SUPPORT

California Retailers Association (sponsor)
California Chamber of Commerce
Greater Conejo Valley Chamber of Commerce
Westside Council of Chambers of Commerce

OPPOSITION

City of Camarillo

RELATED LEGISLATION

Pending Legislation: AB 660 (Wilson, 2025) expedites plan review for houses by restricting the number of plan check and specification reviews for building permits 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. AB 660 was held in the Senate Appropriations Committee.

Prior Legislation:

AB 671 (Wicks, Ch. 470, Stats. 2025) *See Comment 4.*

AB 253 (Ward, Ch. 487, Stats. 2025) enacted the California Residential Private Permitting Review Act to 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.

AB 2433 (Quirk-Silva, 2024) would have enacted the Private Permitting Review and Inspection Act in 2024 to require 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 was unable to complete the plan-checking services in the 30 days, AB 2433 would have permitted the applicant to request that the local agency employ a private professional to perform plan-checking services. AB 2433 was held in Senate Local Government Committee.

PRIOR VOTES:

Senate Business, Professions and Economic Development Committee (Ayes 10, Noes 0)

Senate Local Government Committee (Ayes 6, Noes 0)

Assembly Floor (Ayes 77, Noes 0)

Assembly Appropriations Committee (Ayes 14, Noes 0)

Assembly Business and Professions Committee (Ayes 18, Noes 0)

Assembly Local Government Committee (Ayes 10, Noes 0)
