

## **AB 130 – Sections Affecting the CBSC Process**

### **SEC. 29.**

**Section 17958 of the Health and Safety Code is amended to read:**

(a) Except as provided in *subdivision (b)*, and in Sections 17958.8 and 17958.9, any city or county may make changes in the provisions adopted pursuant to Section 17922 and published in the California Building Standards Code or the other regulations thereafter adopted pursuant to Section 17922 to amend, add, or repeal ordinances or regulations which impose the same requirements as are contained in the provisions adopted pursuant to Section 17922 and published in the California Building Standards Code or the other regulations adopted pursuant to Section 17922 or make changes or modifications in those requirements upon express findings pursuant to Sections 17958.5 and 17958.7. If any city or county does not amend, add, or repeal ordinances or regulations to impose those requirements or make changes or modifications in those requirements upon express findings, the provisions published in the California Building Standards Code or the other regulations promulgated pursuant to Section 17922 shall be applicable to it and shall become effective 180 days after publication by the California Building Standards Commission. Amendments, additions, and deletions to the California Building Standards Code adopted by a city or county pursuant to Section 17958.7, together with all applicable portions of the California Building Standards Code, shall become effective 180 days after publication of the California Building Standards Code by the California Building Standards Commission.

*(b) Commencing October 1, 2025, to June 1, 2031, inclusive, a city or county shall not make changes that are applicable to residential units in the provisions adopted pursuant to Section 17922 and published in the California Building Standards Code or the other regulations thereafter adopted pursuant to Section 17922 to amend, add, or repeal ordinances or regulations which impose the same requirements as are contained in the provisions adopted pursuant to Section 17922 and published in the California Building Standards Code or the other regulations adopted pursuant to Section 17922 or make changes or modifications in those requirements upon express findings pursuant to Sections 17958.5 and 17958.7, unless one of the following conditions is met:*

*(1) The changes or modifications are substantially equivalent to changes or modifications that were previously filed by the governing body of the city or county and were in effect as of September 30, 2025.*

*(2) The commission deems those changes or modifications necessary as emergency standards to protect health and safety.*

*(3) The changes or modifications relate to home hardening.*

*(4) The building standards relate to home hardening and are proposed for adoption by a fire protection district pursuant to Section 13869.7.*

*(5) The changes or modifications are necessary to implement a local code amendment that is adopted to align with a general plan approved on or before June 10, 2025, and that permits mixed-fuel residential construction consistent with federal law while also incentivizing all-electric construction as part of an adopted greenhouse gas emissions reduction strategy.*

*(6) The changes or modifications are related to administrative practices, are proposed for adoption during the intervening period pursuant to Section 18942, and exclusively result in any of the following:*

*(A) Reductions in time for a local agency to issue a postentitlement permit.*

*(B) Alterations to a local agency's postentitlement fee schedule.*

*(C) Modernization of, or adoption of, new permitting platforms and software utilized by the local agency.*

*(D) Reductions in cost of internal operation for a local agency.*

*(E) Establishment, alteration, or removal of local programs related to enforcement of building code violations or complaints alleging building code violations.*

## SEC. 30.

### Section 17958.5 of the Health and Safety Code is amended to read:

(a) Except as provided in *subdivision (c) and in* Section 17922.6, in adopting the ordinances or regulations pursuant to Section 17958, a city or county may make those changes or modifications in the requirements contained in the provisions published in the California Building Standards Code and the other regulations adopted pursuant to Section 17922, including, but not limited to, green building standards, as it determines, pursuant to the provisions of Section 17958.7, are reasonably necessary because of local climatic, geological, or topographical conditions.

(b) For purposes of this section, a city *or* county may make reasonably necessary modifications to the requirements, adopted pursuant to Section 17922, including, but not limited to, green building standards, contained in the provisions of the code and regulations on the basis of local conditions.

*(c) Commencing October 1, 2025, to June 1, 2031, inclusive, a city or county shall not make a change or modification as described in subdivision (a) or (b), including to green building standards, that is applicable to residential units, unless one of the following conditions is met:*

*(1) The changes or modifications are substantially equivalent to changes or modifications that were previously filed by the governing body of the city or county and were in effect as of September 30, 2025.*

*(2) The commission deems those changes or modifications necessary as emergency standards to protect health and safety.*

*(3) The changes or modifications relate to home hardening.*

*(4) The building standards relate to home hardening and are proposed for adoption by a local fire prevention district pursuant to Section 13869.7.*

*(5) The changes or modifications are necessary to implement a local code amendment that is adopted to align with a general plan approved on or before June 10, 2025, and that permits mixed-fuel residential construction consistent with federal law while also incentivizing all-electric construction as part of an adopted greenhouse gas emissions reduction strategy.*

*(6) The changes or modifications are related to administrative practices, are proposed for adoption during the intervening period pursuant to Section 18942, and exclusively result in any of the following:*

*(A) Reductions in time for a local agency to issue a postentitlement permit.*

*(B) Alterations to a local agency's postentitlement fee schedule.*

*(C) Modernization of, or adoption of, new permitting platforms and software utilized by the local agency.*

*(D) Reductions in cost of internal operation for a local agency.*

*(E) Establishment, alteration, or removal of local programs related to enforcement of building code violations or complaints alleging building code violations.*

## SEC. 31.

### Section 17958.7 of the Health and Safety Code is amended to read:

(a) Except as provided in *subdivision (c) and in* Section 17922.6, the governing body of a city or county, before making any modifications or changes pursuant to Section 17958.5, shall make an express finding that such modifications or changes are reasonably necessary because of local climatic, *geological*, or topographical conditions. Such a finding shall be available as a public record. A copy of those findings, together with the modification or change expressly marked and identified to which each finding refers, shall be filed with the California Building Standards Commission. No modification or change shall become effective or operative for any purpose until the finding and the modification or change have been filed with the California Building Standards Commission.

(b) The California Building Standards Commission may reject a modification or change filed by the governing body of a city or county if no finding was submitted.

*(c) Commencing October 1, 2025, to June 1, 2031, inclusive, the commission shall reject a modification or change to any building standard affecting a residential unit and filed by the governing body of a city or county, unless one of the following conditions is met:*

*(1) The changes or modifications are substantially equivalent to changes or modifications that were previously filed by the governing body of the city or county and were in effect as of September 30, 2025.*

*(2) The commission deems those changes or modifications necessary as emergency standards to protect health and safety.*

*(3) The changes or modifications relate to home hardening.*

*(4) The building standards relate to home hardening and are proposed for adoption by a local fire prevention district pursuant to Section 13869.7.*

*(5) The changes or modifications are necessary to implement a local code amendment that is adopted to align with a general plan approved on or before June 10, 2025, and that permits mixed-fuel residential construction consistent with federal law while also incentivizing all-electric construction as part of an adopted greenhouse gas emissions reduction strategy.*

*(6) The changes or modifications are related to administrative practices, are proposed for adoption during the intervening period pursuant to Section 18942, and exclusively result in any of the following:*

*(A) Reductions in time for a local agency to issue a postentitlement permit.*

*(B) Alterations to a local agency's postentitlement fee schedule.*

*(C) Modernization of, or adoption of, new permitting platforms and software utilized by the local agency.*

*(D) Reductions in cost of internal operation for a local agency.*

*(E) Establishment, alteration, or removal of local programs related to enforcement of building code violations or complaints alleging building code violations.*

*(d) (1) The commission, in determining that a modification or change meets any of the criteria in paragraph (1) to (5), inclusive, of subdivision (c), may rely on a statement by the local agency to that effect.*

*(2) The changes or modifications made pursuant to paragraph (6) of subdivision (c) may be filed with the commission and shall be reviewed by the commission, in consultation with the Department of Housing and Community Development, within 60 days of receipt, if requested by the local agency.*

## **SEC. 37.**

### **Section 18916 of the Health and Safety Code is amended to read:**

"Model code" means any building code drafted by private organizations or otherwise, and shall include, but not be limited to, the latest edition of the following:

(a) The International Building Code of the International Code Council.

(b) The Uniform Plumbing Code of the International Association of Plumbing and Mechanical Officials.

(c) The Uniform Mechanical Code of the International Association of Plumbing and Mechanical Officials.

(d) The National Electrical Code of the National Fire Protection Association.

(e) The International Fire Code of the International Code Council.

(f) The International Existing Building Code of the International Code Council.

(g) The International Residential Code of the International Code Council.

*(h) The International Wildland-Urban Interface Code of the International Code Council.*

## SEC. 38.

### Section 18929.1 of the Health and Safety Code is amended to read:

(a) *Except as provided in subdivision (c), the* commission shall receive proposed building standards from state agencies for consideration in an 18-month code adoption cycle. The commission shall develop regulations setting forth the procedures for the 18-month adoption cycle. The regulations shall ensure all of the following:

- (1) Adequate public participation in the development of building standards prior to submittal to the commission for adoption and approval.
- (2) Adequate notice, in written form, to the public of the compiled building standards and their justification.
- (3) Adequate technical review of proposed building standards and accompanying justification by advisory bodies appointed by the commission.
- (4) Adequate time for review of recommendations by advisory bodies prior to action by the commission.
- (5) The procedures shall meet the intent of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code) and Section 18930.

(b) Where this section is in conflict with other provisions of this part, the intent of this section shall prevail.

*(c) Commencing October 1, 2025, to June 1, 2031, inclusive, subdivision (a) shall not apply to any building standards affecting residential units and proposed building standards affecting residential units shall not be considered, approved, or adopted by the commission, unless any of the following conditions are met:*

- (1) The commission deems those changes necessary as emergency standards to protect health and safety.*
- (2) The building standards are amendments by the State Fire Marshal to building standards within the California Wildland-Urban Interface Code (Part 7 of Title 24 of the California Code of Regulations).*
- (3) The building standards are proposed for adoption in relation to standards researched pursuant to Section 13108.5.2.*
- (4) The building standards are proposed for adoption pursuant to Section 17921.9, 17921.11, or 18940.7 of this code, or Section 13558 of the Water Code.*
- (5) The building standards are necessary to ensure the latest editions of the model codes specified in Section 18916 are incorporated into the triennial edition of the California Building Standards Code, along with any necessary and related state amendments supporting or facilitating the incorporation of the model codes.*
- (6) The building standards are necessary to incorporate errata or emergency updates to the national model codes specified in Section 18916, along with any necessary and related state amendments supporting or facilitating the incorporation of errata or emergency updates to the model codes.*
- (7) The building standards under consideration would take effect on or after January 1, 2032.*

## SEC. 39.

### Section 18930 of the Health and Safety Code is amended to read:

(a) *Except as provided in subdivision (g), any* building standard adopted or proposed by state agencies shall be submitted to, and approved or adopted by, the California Building Standards Commission prior to codification. Prior to submission to the commission, building standards shall be adopted in compliance with the procedures specified in Article 5 (commencing with Section 11346) of Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code. Building standards adopted by state agencies and submitted to the commission for approval shall be accompanied by an analysis written by the adopting agency or state agency that proposes the building standards which shall, to the satisfaction of the commission, justify the approval thereof in terms of the following criteria:

- (1) The proposed building standards do not conflict with, overlap, or duplicate other building standards.
- (2) The proposed building standard is within the parameters established by enabling legislation and is not expressly within the exclusive jurisdiction of another agency.

(3) The public interest requires the adoption of the building standards. The public interest includes, but is not limited to, health and safety, resource efficiency, fire safety, seismic safety, building and building system performance, and consistency with environmental, public health, and accessibility statutes and regulations.

(4) The proposed building standard is not unreasonable, arbitrary, unfair, or capricious, in whole or in part.

(5) The cost to the public is reasonable, based on the overall benefit to be derived from the building standards.

(6) The proposed building standard is not unnecessarily ambiguous or vague, in whole or in part.

(7) The applicable national specifications, published standards, and model codes have been incorporated therein as provided in this part, where appropriate.

(A) If a national specification, published standard, or model code does not adequately address the goals of the state agency, a statement defining the inadequacy shall accompany the proposed building standard when submitted to the commission.

(B) If there is no national specification, published standard, or model code that is relevant to the proposed building standard, the state agency shall prepare a statement informing the commission and submit that statement with the proposed building standard.

(8) The format of the proposed building standards is consistent with that adopted by the commission.

(9) The proposed building standard, if it promotes fire and panic safety, as determined by the State Fire Marshal, has the written approval of the State Fire Marshal.

(b) In reviewing building standards submitted for its approval, the commission shall consider only the record of the proceedings of the adopting agency, except as provided in subdivision (b) of Section 11359 of the Government Code.

(c) Where the commission is the adopting agency, it shall consider the record submitted to, and considered by, the state agency that proposes the building standards and the record of public comment that results from the commission's adoption of proposed regulations.

(d) (1) The commission shall give great weight to the determinations and analysis of the adopting agency or state agency that proposes the building standards on each of the criteria for approval set forth in subdivision (a). Any factual determinations of the adopting agency or state agency that proposes the building standards shall be considered conclusive by the commission unless the commission specifically finds, and sets forth its reasoning in writing, that the factual determination is arbitrary and capricious or substantially unsupported by the evidence considered by the adopting agency or state agency that proposes the building standards.

(2) Whenever the commission makes a finding, as described in this subdivision, it shall return the standard to the adopting agency or state agency that proposes the building standards for a reexamination of its original determination of the disputed fact.

(e) Whenever a building standard is principally intended to protect the public health and safety, its adoption shall not be a "factual determination" for purposes of subdivision (d). Whenever a building standard is principally intended to conserve energy or other natural resources, the commission shall consider or review the cost to the public or benefit to be derived as a "factual determination" pursuant to subdivision (d). Whenever a building standard promotes fire and panic safety, each agency shall, unless adopted by the State Fire Marshal, submit the building standard to the State Fire Marshal for prior approval.

(f) Whenever the commission finds, pursuant to paragraph (2) of subdivision (a), that a building standard is adopted by an adopting agency pursuant to statutes requiring adoption of the building standard, the commission shall not consider or review whether the adoption is in the public interest pursuant to paragraph (3) of subdivision (a).

*(g) Commencing October 1, 2025, to June 1, 2031, inclusive, proposed building standards affecting residential units shall not be considered, approved, or adopted by the commission or any other adopting agency, unless any of the following conditions are met:*

*(1) The commission deems those changes necessary as emergency standards to protect health and safety.*

*(2) The building standards are amendments by the State Fire Marshal to building standards within the California Wildland-Urban Interface Code (Part 7 of Title 24 of the California Code of Regulations).*

*(3) The building standards are proposed for adoption in relation to standards researched pursuant to Section 13108.5.2.*

*(4) The building standards are proposed for adoption pursuant to Section 17921.9, 17921.11, or 18940.7 of this code, or Section 13558 of the Water Code.*

*(5) The building standards are necessary to ensure the latest editions of the model codes specified in Section 18916 are incorporated into the triennial edition of the California Building Standards Code, along with any necessary and related state amendments supporting or facilitating the incorporation of the model codes.*

*(6) The building standards are necessary to incorporate errata or emergency updates to the national model codes specified in Section 18916, along with any necessary and related state amendments supporting or facilitating the incorporation of errata or emergency updates to the model codes.*

*(7) The building standards are necessary to incorporate updates to accessibility requirements that align with minimum federal accessibility laws, standards, and regulations.*

*(8) The building standards under consideration would take effect on or after January 1, 2032.*

## **SEC. 40.**

### **Section 18938.5 of the Health and Safety Code is amended to read:**

(a) Only those building standards approved by the commission, and that are effective at the local level at the time an application for a building permit is submitted, shall apply to the plans and specifications for, and to the construction performed under, that building permit.

(b) (1) A local ordinance adding or modifying building standards for residential occupancies, which are published in the California Building Standards Code, shall apply only to an application for a building permit submitted after the effective date of the ordinance and to the plans and specifications for, and the construction performed under, that permit.

(2) Paragraph (1) shall not apply to any of the following:

(A) A city or county that has been subject to an emergency proclaimed pursuant to the California Emergency Services Act (Chapter 7 (commencing with Section 8550) of Division 1 of Title 2 of the Government Code).

(B) A permit that is subsequently deemed expired because the building or work authorized by the permit is not commenced within 12 months from the date of the permit or the permittee has abandoned the work authorized by the permit.

(C) A permit that is subsequently deemed suspended or revoked because the building official has, in writing, suspended or revoked the permit due to its issuance in error or on the basis of incorrect information supplied.

(c) No model code made applicable to any additional occupancy shall apply to any project that has been submitted for a building permit prior to the effective date of that model code.

*(d) Notwithstanding subdivisions (a) to (c), inclusive, the state and local building standards in effect at the time an application for a building permit is submitted, for a residential dwelling based on a model home design approved under those standards, shall apply to all future residential dwellings based on that approved model home design in the same jurisdiction, unless the model home design substantially changes at a later date or 10 years have passed since the building permit for the model home design was approved by the jurisdiction, whichever comes first.*

## **SEC. 41.**

### **Section 18941.5 of the Health and Safety Code is amended to read:**

(a) (1) Amendments, additions, and deletions to the California Building Standards Code, including, but not limited to, green building standards, adopted by a city, county, or city and county pursuant to Section 18941.5 or pursuant to Section 17958.7, together with all applicable portions of the California Building Standards Code, shall become effective 180 days after publication of the California Building Standards Code by the commission, or at a later date after publication established by the commission.



(2) The publication date established by the commission shall be no earlier than the date the California Building Standards Code is available for purchase by the public.

(b) Neither the State Building Standards Law contained in this part, nor the application of building standards contained in this section, shall limit the authority of a city, county, or city and county to establish more restrictive building standards, including, but not limited to, green building standards, reasonably necessary because of local climatic, geological, or topographical conditions. The governing body shall make the finding required by Section 17958.7 and the other requirements imposed by Section 17958.7 shall apply to that finding. Nothing in this section shall limit the authority of fire protection districts pursuant to subdivision (a) of Section 13869.7. Further, nothing in this section shall require findings required by Section 17958.7 beyond those currently required for more restrictive building standards related to housing.

*(c) Notwithstanding subdivision (b), and commencing October 1, 2025, to June 1, 2031, inclusive, a city or county shall not establish more restrictive building standards, including, but not limited to, green building standards, that are applicable to residential units, unless one of the following conditions is met:*

*(1) The changes or modifications are substantially equivalent to changes or modifications that were previously filed by the governing body of the city or county and were in effect as of September 30, 2025.*

*(2) The commission deems those changes or modifications necessary as emergency standards to protect health and safety.*

*(3) The changes or modifications relate to home hardening.*

*(4) The building standards relate to home hardening and are proposed for adoption by a fire protection district pursuant to Section 13869.7.*

*(5) The changes or modifications are necessary to implement a local code amendment that is adopted to align with a general plan approved on or before June 10, 2025, and that permits mixed-fuel residential construction consistent with federal law while also incentivizing all-electric construction as part of an adopted greenhouse gas emissions reduction strategy.*

## **SEC. 42.**

### **Section 18942 of the Health and Safety Code is amended to read:**

(a) *(1)* The commission shall publish, or cause to be published, editions of the code in its entirety once ~~in~~ every three years. In the intervening period the commission shall publish, or cause to be published, supplements as necessary. For emergency building standards defined in subdivision (a) of Section 18913, an emergency building standards supplement shall be published whenever the commission determines it is necessary.

*(2) Changes adopted during the intervening period described in paragraph (1) shall be limited to only the following:*

*(A) Technical updates to existing code requirements only to the extent necessary to effectuate support or facilitate the incorporation or implementation of those existing code requirements. The updates shall be limited to clarifying, conforming, or coordinating changes that do not materially alter the substance or intent of the existing code provisions.*

*(B) Emergency building standards.*

*(C) Amendments by the State Fire Marshal to building standards within the California Wildland-Urban Interface Code (Part 7 of Title 24 of the California Code of Regulations).*

*(D) The building standards are necessary to incorporate errata or emergency updates to the national model codes specified in Section 18916, along with any necessary and related state amendments supporting or facilitating the incorporation of errata or emergency updates to the model codes.*

*(E) Changes or modifications made pursuant to paragraph (6) of subdivision (b) of Section 17958, paragraph (6) of subdivision (c) of Section 17958.5, or paragraph (6) of subdivision (c) of Section 17958.7.*

*(F) Building standards necessary to incorporate updates to accessibility requirements that align with minimum federal accessibility laws, standards, and regulations.*

(b) The commission shall publish the text of Article 2.5 (commencing with Section 115920) of Chapter 5 of Part 10 of Division 104, within the requirements for single-family residential occupancies contained in Part 2.5 of Title 24 of the California Code of Regulations, with the following note:

“NOTE: These regulations are subject to local government modification. You should verify the applicable local government requirements at the time of application for a building permit.”

(c) The commission shall publish the text of Section 116064.2 within Part 2 of Title 24 of the California Code of Regulations.

(d) The commission may publish, stockpile, and sell at a reasonable price the code and materials incorporated therein by reference if it deems the latter is insufficiently available to the public, or unavailable at a reasonable price. Each state department concerned and each city, county, or city and county shall have an up-to-date copy of the code available for public inspection.

(e) (1) Each city, county, and city and county, including charter cities, shall obtain and maintain with all revisions on a current basis, at least one copy of the building standards and other state regulations relating to buildings published in Titles 8, 19, 20, 24, and 25 of the California Code of Regulations. These codes shall be maintained in the office of the building official responsible for the administration and enforcement of this part.

(2) This subdivision shall not apply to a city or county that contracts for the administration and enforcement of the provisions of this part with another local government agency that complies with this section.