Assembly Bill No. 1738

CHAPTER 271

An act to add Section 17970.9 to the Health and Safety Code, relating to housing.

[Approved by Governor September 18, 2026. Filed with Secretary of State September 18, 2026.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1738, Carrillo. State Housing Law: remote inspections.

Existing law, the State Housing Law, establishes statewide construction and occupancy standards for buildings used for human habitation. Existing law requires the building department of every city or county to enforce the provisions of the State Housing Law, the State Building Standards Code, and other specified rules and regulations promulgated pursuant to the State Housing Law pertaining to standards for buildings used for human habitation. Existing law authorizes an officer, employee, or agent of an enforcement agency to enter and inspect any building or premises whenever necessary to secure compliance with, or prevent a violation of, any provision of the State Housing Law, the building standards published in the State Building Standards Code, and other rules and regulations promulgated pursuant to the provisions of the State Housing Law. Existing law provides certain immunities to a public entity or employee immunity relative to an inspection or license, as provided.

This bill would require a city, including a charter city, county, or city and county, except as specified, to offer a homeowner or contractor, as described, the option of requesting remote inspections for all or a subset of an inspection required by a building permit for specified works in one- or 2-family dwelling units, by either January 1, 2028, or July 1, 2028, as provided. The bill would authorize these local agencies to adopt reasonable protocols governing the technical conduct of a remote inspection, as specified. The bill would apply the above-described immunities to remote inspections. The bill would authorize these local agencies to temporarily ban the homeowner or contractor from using the remote inspection if a homeowner is found to have willfully misrepresented the work, as provided. By imposing new duties on local agencies, the bill would impose a state-mandated local program.

The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Digest Key

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

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Bill Text

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The Legislature finds and declares all of the following:

(a) California faces a housing affordability crisis where every unnecessary cost and time increase compounds the challenge of building homes.

(b) A meaningful portion of the staff time at a building department is spent inspecting simple home renovations, which takes time away from the more urgent need for getting new housing built and drives up the cost that families face in making improvements to their homes, including in adding

additional dwelling units.

(c) Many homeowners and contractors circumvent permitting processes altogether for home renovation projects. A 2019 Public Utilities Commission report found just one-third of heating, ventilation, and air-conditioning systems changeouts had permits.

(d) The COVID-19 pandemic disrupted the operations of local jurisdictions across the country, forcing many building inspection departments to pivot to remote inspections for routine building inspections.

(e) Remote virtual inspections (RVIs) are becoming increasingly widespread, both in California and the rest of the country, with over a dozen municipalities in California currently offering remote inspections for at least one type of permit.

(f) Remote virtual inspections can reduce travel costs and free up time for construction inspectors, speed up permitting timelines, reduce the cost of renovations, improve construction inspector safety, and streamline disaster recovery by reducing permit delays and reducing work backlogs.

(g) The oversight of permitting and inspections is a matter of statewide concern and is not a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, Section 2 of this act adding Section 17970.9 to the Health and Safety Code applies to all cities, including charter cities.

SEC. 2. Section 17970.9 is added to the Health and Safety Code, to read:

17970.9. (a) (1) A local agency shall offer a homeowner, or a contractor upon providing the city or county written consent by the homeowner, the option of requesting a remote inspection for all or a subset of inspections required by a building permit for any of the following projects in single- or two-family dwelling units:

(A) (i) Residential heat pump water heaters, including the alteration, extension, or replacement of components of an existing electrical system to support the installation of a heat pump water heater.

(ii) As part of the electrical work appurtenant to the installation of the residential heat pump water heater, the local agency shall not be required to allow for remote inspections of new or upgraded main electrical services as part of the included scope, but may at their discretion elect to remotely inspect new electrical service installations in support of residential heat pump water heater installations.

(B) (i) Subject to the discretion of the inspector, residential heat pump heating, ventilation, and air-conditioning (HVAC) systems, including the alteration, extension, or replacement of components of an existing electrical system to support the installation of a heat pump HVAC system.

(ii) As part of the electrical work appurtenant to the installation of the residential heat pump HVAC system, the local agency shall not be required to allow for remote inspections of new or upgraded main electrical services as part of the included scope, but may at their discretion elect to remotely inspect new electrical service installations in support of residential heat pump HVAC system installations.

(C) Residential reroofs.

(D) Photovoltaic systems, with an alternating current nameplate rating less than or equal to 15 kilowatts, and energy storage systems.

(E) Smoke and carbon monoxide detectors.

(2) The remote inspection shall be conducted offsite, with the homeowner or contractor using one of the following methods, at the discretion of the local construction inspector:

(A) Videoconferencing.

(B) Recorded photos and videos.

(3) If a local agency requires an inspection to be performed remotely, in lieu of the written consent required pursuant to paragraph (1), the contractor shall disclose to the homeowner the local agency's requirement that the inspection be performed remotely.

(b) (1) This section shall not apply to a city with a population of fewer than 5,000 or a county with a population of fewer than 150,000, including each city within that county.

(2) A local agency that is a qualifying city or county shall satisfy the requirements of subdivision (a) by July 1, 2028.

(3) A local agency that is not a qualifying city or county shall satisfy the requirements of subdivision (a) by January 1, 2028.

(c) A local agency may keep a digital record of the remote inspection conducted pursuant to subdivision (a) or (b) for later review, training, or compliance.

(d) A local agency may adopt reasonable protocols governing the technical conduct of a remote inspection conducted pursuant to subdivision (a), including protocol to ensure the following:

(1) The inspector is able to adequately observe the work that is the subject of the inspection, including that the field of view, image quality, or camera coverage is sufficient to verify compliance with applicable building standards.

(2) The work shown in a remote inspection is the actual work performed under the building permit, at the permitted location, and the video or photo inspection begins at the street, clearly showing the property address at the front of the building or proof of location.

(3) The technology and broadband connectivity used during a remote inspection are sufficient for the inspector to reliably observe and verify the work.

(e) (1) If a homeowner or contractor fails a remote inspection required by a building permit conducted pursuant to subdivision (a), a construction inspector may, at their discretion, conduct future inspections required by that building permit remotely or in person.

(2) This section shall not be construed to limit, supersede, or otherwise abridge the authority of a construction inspector, after attempting to verify compliance with applicable codes and regulations via a remote inspection, to terminate that remote inspection and require that the inspection be conducted in person if the inspector cannot verify compliance with applicable codes or regulations via the remote inspection.

(f) A local agency shall offer a remote inspection at no greater cost and with no greater delay than in-person inspection.

(g) All liabilities and immunities, including, but not limited to, the immunities provided in Sections 818.4, 818.6, and 821.2 of the Government Code, applicable to local agencies and their employees shall apply to a remote inspection.

(h) (1) If a homeowner or contractor is found to have willfully misrepresented the work that is the subject of a remote inspection, a city, including a local agency may temporarily ban the homeowner or contractor from using a remote inspection for a period of time determined by the city or county, not to exceed 6 months for the first offense and 12 months for offenses thereafter.

(2) A local agency may enter into agreements with other local agencies to enforce each other's temporary homeowner or contractor bans.

(i) Nothing in this section shall be construed to prohibit a local agency from adopting or implementing remote inspections in a manner more permissive, or allowing additional types of building permits to be inspected remotely, than provided in this section.

(j) For purposes of this section:

(1) "Local agency" means a city, including a charter city, county, or city and county.

(2) "Qualifying city or county" means a city with a population of 50,000 or fewer that is not exempt pursuant to paragraph (1) of subdivision (b).

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because a local agency or school district has the authority to levy service charges, fees, or assessments sufficient to pay for the program or level of service mandated by this act, within the meaning of Section 17556 of the Government Code.