



May 29, 2024

The Honorable Maria Elena Durazo
Chair, Senate Local Government Committee
State Capitol, Room 407
Sacramento, CA 95814

**RE: Assembly Bill 2433 (Quirk-Silva) – Oppose Unless Amended
As Amended on May 20, 2024**

Dear Senator Durazo:

On behalf of the Rural County Representatives of California (RCRC), the California State Association of Counties (CSAC), the Urban Counties of California (UCC), and the League of California Cities (Cal Cities), we write in regrettable opposition to Assembly Bill 2433 by Assemblymember Quirk-Silva unless amended as discussed below. This measure creates the California Private Permitting Review and Inspection Act, which would require local jurisdictions to contract with third party plan inspection services if the jurisdiction is unable to meet the timelines outlined in the bill.

Plan review of construction projects is an integral step in ensuring that structures built in California will be safe, not only to inhabit, but also for the surrounding environment and community. City and county building departments review plans based on consistency with the jurisdiction's General Plan, State building codes and associated regulations. Related laws and ordinances that jurisdictions must enforce change regularly and it is the responsibility of those employees to ensure that each project is constructed in a manner that complies with those laws.

AB 2433 creates "shot clocks," or timelines for action, that are unreasonable, particularly for complex projects. These shot clocks apply broadly to building projects, with the only exceptions being for health facilities, high rises and public buildings. If 30 days have lapsed since an applicant submitted a complete application for a building permit and plan-checking services have not been completed, the local jurisdiction must, at the request of the applicant, either approve or deny the permit application, or retain the services of a private plan checking professional and approve or deny the plans based on the private provider's report within 30 days.

Additionally, the bill requirement to contract with a "private professional provider" is flawed and problematic. AB 2433 requires a local jurisdiction to contract with a licensed architect or "professional engineer" to provide plan inspection services if the local

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jurisdiction fails to meet the provided shot clocks. However, a “professional engineer” could mean any type of licensure, ranging from Agricultural engineer to Chemical engineer, not ensuring that the service provider has the requisite skills and expertise to conduct plan inspections. Further, there are several smaller counties that have only one architect for the entire jurisdictions, making it nearly impossible to fulfil the requirements on the bill.

We understand the issue of lagging permitting times in some jurisdictions and would like to find a path to facilitating that needed construction, whether commercial or residential, in a reasonable amount of time. To address concerns of slow permitting timelines in some jurisdictions, we suggest the bill is amended to allow for an expediated permitting process, similar to those that are already in place for other specific permits, such as broadband microtrenching permits or those in the air pollution permitting arena.

For these reasons, RCRC, CSAC, UCC, and Cal Cities are regrettably opposed to AB 2433 unless amended to address our concerns. If you have any questions, please do not hesitate to contact Tracy Rhine (RCRC) trhine@rcrcnet.org, Mark Neuburger (CSAC) mneuburger@counties.org, Chris Lee (UCC) clee@politicogroup.com, or Brady Guertin (Cal Cities) bguertin@calcities.org.

Sincerely,



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Legislative Advocate
California State Association of Counties



Tracy Rhine
Senior Policy Advocate
Rural County Representatives of California



Chris Lee
Legislative Advocate
Urban Counties of California



Brady Guertin
Legislative Affairs, Lobbyist
League of California Cities

cc: The Honorable Sharon Quirk-Silva, Member of the California State Senate
Members of the Senate Local Government Committee
Anton Favorini-Csorba, Chief Consultant, Senate Local Government Committee
Ryan Eisberg, Consultant, Senate Republican Caucus