



May 29, 2025

Senate President Pro Tem Mike McGuire
1021 O Street, Suite 8518
Sacramento, CA 95814

Chair Maria Elena Durazo
Senate Local Government Committee
1021 I Street, Suite 7530
Sacramento, CA 95814

Chair Dr. Aisha Wahab
Senate Housing Committee
1021 I Street, Suite 8530
Sacramento, CA 95814

**RE: AB 306 (Schultz and Rivas) Building Regulations: State Building Standards – OPPOSE
UNLESS AMENDED**

Dear Pro Tem McGuire, Senator Wahab, Senator Durazo and Committee Members:

The undersigned organizations share the authors' concerns about the need for more affordably priced housing in California, and the importance of supporting the residents of the more than 10,000 homes that burned in Los Angeles this year to safely and quickly rebuild their communities. However, AB 306 (Schultz and Rivas) will not solve these problems, and instead will cause significant harm and increase cost pressures on development, including by blocking changes that would **lower** construction and permitting costs and by preventing the advancement of building code that supports the decarbonization of existing buildings.

We request all of the following amendments to avoid these negative impacts:

- Limit the bill to new residential construction.
- Allow code changes that reduce upfront building costs, provide code compliance flexibility, or enable local governments to improve the speed and efficiency of local permitting processes.
- Allow local governments 180 days to adopt and update the 2025 code.
- Clarifying and technical amendments to ensure the bill results in the outcomes intended.

In addition to the direct harm caused by shutting down the code process in California, we are deeply concerned about the message sent to the rest of the country and world that halting building code

development is an appropriate response to the Los Angeles fires or other climate-fueled disasters. On the contrary, we will need to be nimble, open to new technologies, and responsive to local needs so that we ensure our homes and buildings are resilient and safe in a quickly changing environment.

Problems with AB 306

1. AB 306 Prevents Advancement of Code that Benefits Existing Buildings

While the stated intent of AB 306 is to encourage *new* housing production and fast rebuilding after the LA wildfires, AB 306 would also freeze advances to building codes applicable to *existing* buildings, thereby taking away a critical tool to reduce air and climate pollution from the existing building stock. For example, as part of the 2025 Building Energy Code, the Energy Commission adopted a voluntary code for local government adoption to encourage the replacement of existing air conditioning units with heat pumps. Because heat pumps provide zero-emission heating and cooling and have similar costs and installation requirements as one-way air conditioning units, this type of low-cost improvement offers a significant opportunity to advance the transition away from heating with fossil fuels.

2. Halting the Code Process Will Limit California's Flexibility and the Ability to REDUCE Costs through Code Updates

AB 306 would pause all code updates beyond those taken from national model codes for almost a decade because it disallows even “considering” new code through 2031. With 3-year code development cycles, this means the next opportunity for code updates would not occur until 2034, because the next code development process would not restart until 2031.

California must be responsive to changes and opportunities over the next decade – and not just for “emergency” health and safety issues. Pausing all code updates means missing out on updates that could *reduce* costs or provide alternative options for meeting code. Consider if we had been unable to make the recent updates for Accessory Dwelling Units that reduced construction costs for electric ADUs, or the updates allowing mass timber to be used for structural loads which significantly reduces the cost of buildings while also reducing the embodied carbon of the building.

The purpose of the building code process is not to make building more difficult. Instead, the process reviews and incorporates new technology and new information into the code while ensuring safety, with all stakeholders at the table. There is a range of improvements made through code updates that lower costs and provide direct benefits to occupants. We are asking that the state and local building codes are able to be updated to:

- Reduce upfront construction costs, administrative costs, or project development costs;
- Add alternative compliance pathways to meet the building code; and
- Enable local governments to improve the speed and efficiency of local permitting processes.

These are common sense amendments that align with the intent of the bill. One argument we have heard is that builders can still go “above code” so AB 306 does not limit what is possible. This is false in many cases. If a new process, product or building method is not currently allowed in today’s code, then they would not be allowed without special “emergency” approval under AB 306.

3. Local Governments Will be Blocked from Making Modifications that Serve Local Needs

Local governments currently have the ability to adapt the state code to their local conditions. These changes go through a local public process to ensure awareness and support of the local community. Local governments are more attuned to the needs of their communities and have the best sense of what is required to cope with the devastating loss of homes, as in the case of the LA fires. Local governments are also finding ways to ensure buildings are more resilient to other natural disasters – including sea level rise, extreme heat, and flooding – and to mitigate climate change.

We urge the legislature to maintain the ability of local governments to determine their own local needs and priorities in building codes – particularly when it comes to disaster preparedness in areas that face above-average impacts from climate risks. For example, low-lying regions in the San Francisco Bay Area are looking at options to ensure new buildings avoid inundation with sea level rise, and Southern California communities are considering ways to avoid wildland to urban conflagration. We ask that local governments be able to update their codes for purposes of disaster preparedness, to address existing buildings, and that the bill be amended to allow local governments 180 days to adopt and update the 2025 code, which goes into effect in January 2026.

Respectfully, we are concerned that this bill does not produce the outcomes intended. We stand ready to work with you to reduce the harm of this bill and avoid stripping away the many important benefits of the building code.

Sincerely,

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NRDC

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Sustainability and Resilience
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