REACH CODE NEWS BRIEF: SEPTEMBER 2025: SPECIAL EDITION: CHANGING POLICY LANDSCAPE

OVERVIEW OF AB130

AB306, the original legislation, was introduced in the California Assembly on January 23, 2025 as an urgency measure along with a group of other housing bills put forward to “fast-track fire recovery” after the Eaton and Palisades wildfires. Urgency measures require two-thirds voting majorities and take effect immediately upon signing by the Governor.

It was passed unanimously through Assembly committees in March and passed unanimously off the Assembly floor on April 1st, 2025. In June, many of its provisions were incorporated into AB 130, the state’s 212-page budget trailer bill.

On June 24th, AB 130 was rapidly put into print and signed by the Governor on June 30, 2025 as part of the 2025-26 budget package within a week’s time.

The bill prohibits the California Building Standards Commission (CBSC) from considering, approving, and adopting any **residential** building standard from October 1, 2025 - June 1, 2031 unless the exceptions outlined in the bill are met.

See the article below for a detailed description of the most promising exception pathway.

RESOURCES FOR POST AB130 REACH CODE PLANNING

There are a range of resources available now, as well as new resources coming online continuously. This listing provides a snapshot.

- **Just Published!** Building Standards Commission Information Bulletin 25-03: AB130 Impacts
- Blog from Shute, Mihaly and Weinberger: What Now? Opportunities remain for local government building code changes after AB 130
- Planning Flowchart for Exception 5
- ID360: Navigating AB 130: Who Can Still Develop Reach Codes After California’s Building Standards Freeze?
- Sierra Club:
    - After AB-130 California Cities Must Lead on Building Electrification
    - These California Cities Are Leading Fossil Fuel Transition in Buildings

    - A Guide to Local Buildings Advocacy Post-Berkeley
- Canary Media: California halts building code updates in a blow to electrification
- Text of AB130
- BayREN memo

UPCOMING EVENTS

September 30 - October 1: Net Zero Conference, Los Angeles

October 2: Clean Mobility Forum, Fresno

October 7: California Energy Commission: 2025 Electric Program Investment Charge (EPIC) Symposium

October 8: California Energy Commission: Business Meeting

October 8: BayREN C&S Training: Solar Photovoltaic and Battery Storage Systems

October 9: Los Angeles Business Council: 19th Annual Sustainability Summit, Los Angeles

October 16: USGBC-CA & AIA San Diego: Converge San Diego

October 16: Sustain SoCal: 16th Annual Energy Event, UCI Beall Applied Innovation, Irvine

October 23: New Buildings Institute: Heat Pump Water Heater Day

October 23: I-REN C&S Training: 2025 Code Series: CALGreen

October 28: 3C-REN High Performance Happy Hour Series: Renewable Energy, Energy Storage and Resiliency



NEW THIS MONTH!

EXAMINING REACH CODE PATHWAYS IN A NEW POLICY LANDSCAPE

Please note that this discussion does not constitute legal advice or counsel. Each jurisdiction is strongly encouraged to confer with its legal counsel on this or any other legal question.

As a result of the passage of AB130, after October 1, 2025 there are specific, new pathways for the development and adoption of local energy codes ("reach" codes). This article focuses on Exception 5 as being the most likely accessible pathway for most jurisdictions.

Background

The general prohibition provides that cities and counties are prohibited from adopting more restrictive **RESIDENTIAL** buildings standards from October 1, 2025-June 1, 2031 inclusive, unless an exception applies (H&S Code 17958, 17958.5, 17958.7, & 18941.5 (c)). These exceptions are:

1. Changes or Modifications are "substantially equivalent to changes or modifications that were previously filed by the governing body and were in effect as of September 30, 2025."
2. CBD deems those changes or modifications necessary as emergency standards to protect health and safety.
3. Changes or modifications relate to home hardening.
4. Building standards relate to home hardening and are proposed for adoption by a fire protection district pursuant to Section 13869.7.
5. Changes or Modifications "are necessary to implement 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. Changes or modifications are related to administrative practices

Exception 5 Pathway

There are essentially three conditions in this pathway, **all** of which must be met:

1. The desired reach code aligns with a general plan that was approved on or before June 10, 2025 **AND**
2. The desired reach code complies with federal law (EPCA) by permitting mixed fuel construction while also encouraging all-electric construction **AND**
3. The desired reach code is part of an adopted greenhouse gas emissions reduction strategy.

To meet condition number one, the jurisdiction must have an existing general plan that was adopted on or before June 10, 2025. As noted in "California halts building code updates in a blow to electrification," a substantial number of general plans (409 of 482 city plans, 52 of 58 county plans) mention the phrase 'greenhouse gas'. Because the term "align with" is so broad, the need for explicit language connecting general plan goals with reach codes may not be necessary. More broadly stated goals such as health and safety, reducing greenhouse gas emissions, improving air quality,

may be sufficient. Express findings from the local jurisdiction that the proposed measure aligns with a document or documents constituting a general plan would be important.

To meet condition number two, the proposed reach code must comply with federal law (the provision in EPCA expressed through the Berkeley v CRA decision permitting mixed fuel construction) while also incentivizing all-electric construction. This does not mean the general plan must contain explicit language but that the proposed reach code itself does. Again, express findings to this point will establish the necessary intent.

To meet condition number three, the proposed reach code must harmonize with an adopted greenhouse gas emissions reduction strategy. Commentators have noted that the legislation does not define this term and the language is quite broad. While an existing Climate Action Plan or other document might provide a best case scenario, it may be possible for the jurisdiction to develop and adopt a GHG emissions reduction strategy alongside the proposed reach code to satisfy this requirement.



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OTHER REACH CODE NEWS BRIEFS

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Archives