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SB-282 Residential heat pump systems: water heaters and HVAC: installations. (2025-2026)

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Date Published: 04/29/2025 09:00 PM

AMENDED IN SENATE APRIL 29, 2025

AMENDED IN SENATE APRIL 21, 2025

AMENDED IN SENATE MARCH 17, 2025

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

SENATE BILL

NO. 282

Introduced by Senator Wiener
(Coauthors: Senators Allen, Becker, and Stern)

February 05, 2025

An act to add Section 4737 to the Civil Code, and to add Chapter 7.5 (commencing with Section 51297.50) to Part 1 of Division 1 of Title 5 of the Government Code, relating to housing.

LEGISLATIVE COUNSEL'S DIGEST

SB 282, as amended, Wiener. Residential heat pump systems: water heaters and HVAC: installations.

(1) Existing law establishes the State Energy Resources Conservation and Development Commission and prescribes the authorities, duties, and responsibilities of the commission pertaining to energy matters. Existing law requires the commission, on or before January 1, 2019, in consultation with the Contractors State License Board, local building officials, and other stakeholders, to approve a plan that promotes compliance with specified regulations relating to building energy efficiency standards in the installation of central air-conditioning and heat pumps, as specified. Existing law authorizes the commission to adopt regulations to increase compliance with permitting and inspection requirements for central air-conditioning and heat pumps, and associated sales and installations, consistent with the above-described plan.

The bill would require a city, ~~including a charter city,~~ county, or city and county to adopt and offer asynchronous inspections for installations of *residential* heat pump water heater or heat pump ~~HVAC, as defined, systems~~ *HVAC systems, as defined*, that do not require a licensed contractor and building inspector to be simultaneously present during the inspection. The bill would authorize a building inspector to contact the licensed contractor who performed the installation by telephone call or real-time ~~face~~ *video* conferencing during their inspection, and, if the building inspector determines during an asynchronous inspection that there is an issue with an installation of the heat pump water heater or heat pump HVAC system and that the licensed contractor who performed the installation must be present to perform tests or cure the installation, to require the licensed contractor who performed the installation to schedule an additional inspection in which the building inspector and the licensed contractor who

performed the installation are required to be simultaneously present during the additional inspection. The bill would specify that these provisions do not require a local entity described above to discontinue offering inspections ~~of an~~ *for the* installation of a *residential* heat pump water heater or heat pump HVAC system that require a building inspector and licensed contractor to be simultaneously present.

The bill would authorize a city, ~~including a charter city,~~ county, or city and county, except as specified, to issue up to one nondiscretionary permit per installation of a residential heat pump water heater or heat pump HVAC system in which the local entity administratively approves an application to install the residential heat pump water heater or heat pump HVAC ~~system and the application is subject to a limited review.~~ *system.*

The bill would ~~prohibit~~ *authorize* a city, ~~including a charter city,~~ county, or city and county ~~from applying to apply only certain~~ additional building, ~~planning,~~ *planning* or ~~zoning~~ *zoning, or workforce labor* standards on the installation of a residential heat pump water heater or residential heat pump HVAC ~~systems as specified, and would require those standards to be null and void, except as specified. The bill would, notwithstanding those provisions, authorize~~ *system, including* additional standards ~~to be applied~~ that conform to local laws, including reach codes, designed to encourage the adoption of zero-emission ~~equipment,~~ *equipment* or improvement of building ~~efficiency, and additional standards, including workforce labor standards, to be applied on any installation of a residential heat pump water heater or heat pump HVAC system that receives public subsidies or other public funding, as specified.~~ *efficiency.* The bill would prohibit a local entity described above from requiring a permit or inspection for plug-in ready window air-conditioner or window heat pump HVAC systems, provided that certain requirements are met, including that the appliance has a voltage rating of 120 volts or less and the appliance is a self-contained unit.

The bill would require *the commission, on or before July 1, 2026, to develop standardized permitting checklists, as prescribed, for local governments to use in the permitting process for installations of residential heat pump water heater or heat pump HVAC systems, as specified, subject to certain requirements, including that the standardized permitting checklists do not exceed 2 pages in length. The bill would require* a city, ~~including a charter city,~~ county, or city and county, on or before July 1, 2027, ~~and except as specified,~~ to implement an online automated permitting process that verifies code compliance and issues permits in real time within the same day of the application being ~~submitted, or allows the local entity to issue permits, as described above,~~ *submitted* to a licensed contractor for the installation of a residential heat pump water heater or residential heat pump HVAC system. The bill would require a permit to be issued pursuant to the automated permitting process, upon discretion of the administering jurisdiction, if the installation complies with ~~specified the~~ checklist requirements. The ~~bill would require a local entity described above to report to the commission when it implements the above-described automated permitting process. In this regard, the bill would require the commission, on or before July 1, 2026, to develop a standardized code compliance checklist that is designed for local jurisdictions to use in verifying whether the installation of a residential heat pump water heater or residential heat pump HVAC system is compliant with specified codes, as provided. If the local entity has an internet website, the bill would require the local entity to publish and make publicly available, among other things, that checklist on the~~ *checklists on their* internet website. *The bill would require the local entity to allow an applicant to, among other things, submit an automated permit application and associated documentation electronically.* The bill would, upon confirmation by the local entity that the application and supporting documents are complete and ~~meets specified~~ *meet the checklist* requirements, require the local entity to approve the application and issue all required permits or authorizations. The bill would, upon receipt of an incomplete application, require the local entity to issue a written correction notice, as specified. *The bill would exempt from these requirements a city with a population of fewer than 5,000 persons or a county with a population of fewer than 150,000 persons, as specified.*

The bill would, except as ~~specified,~~ *provided,* prohibit a city, ~~including a charter city,~~ county, or city and county from charging a ~~residential~~ permit fee for a *residential* heat pump water ~~heaters~~ *heater* and heat pump HVAC ~~systems~~ *system* that exceeds the estimated reasonable cost of providing the service for which the fee is charged, subject to specified requirements, including that the ~~residential~~ permit fee for a *residential* heat pump water heater system does not exceed \$50. The bill would, notwithstanding that provision, authorize a local entity described above to charge a ~~residential~~ permit fee for the installation of a *residential* heat pump water heater or heat pump HVAC system that exceeds the above-described fee limit, as specified, if the local entity, as part of a written finding and an adopted resolution or ordinance, provides substantial evidence of the reasonable cost to issue the permit, and would prohibit ~~the a~~ local entity *described above* from applying additional charges above the advertised fee schedule.

The bill would include findings and declarations related to these provisions.

(2) Existing law, the Davis-Stirling Common Interest Development Act, defines and regulates common interest developments. Among other things, the act makes a provision of the governing documents, as defined, or architectural or landscaping guidelines or policies void and unenforceable if, among other things, the provision prohibits, or includes conditions that have the effect of prohibiting, the use of low water-using plants as a group or as a replacement of existing turf.

This bill would additionally make any provision of the governing documents, architectural guidelines, or policies void and unenforceable if the provision prevents the replacement of a fuel-gas-burning appliance with an electric appliance. The bill would also make any covenant, restriction, or condition contained in any, among other specified agreements, deed, and any provision of

a governing document, that effectively prohibits or restricts the installation or use of a residential heat pump water heater or heat pump HVAC system, void and unenforceable.

(3) 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.

(4) 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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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

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

SECTION 1. Section 4737 is added to the Civil Code, to read:

4737. (a) Notwithstanding any other law, any provision of the governing documents, architectural guidelines, or policies shall be void and unenforceable if the provision prevents the replacement of a fuel-gas-burning appliance with an electric appliance.

(b) Any covenant, restriction, or condition contained in any deed, contract, security instrument, or other instrument affecting the transfer or sale of, or any interest in, real property, and any provision of a governing document, that effectively prohibits or restricts the installation or use of a residential heat pump water heater or heat pump heating, ventilation, and air-conditioning (HVAC) system is void and unenforceable.

SEC. 2. Chapter 7.5 (commencing with Section 51297.50) is added to Part 1 of Division 1 of Title 5 of the Government Code, to read:

CHAPTER 7.5. Residential Heat Pump System Installation

51297.50. The Legislature finds and declares all of the following:

(a) The oversight of permitting for residential heat pump water heater and heat pump heating, ventilation, and air-conditioning (HVAC) systems is a matter of statewide concern and not a municipal affair. ~~Nothing~~ *Therefore, this chapter shall apply to all cities and counties, including a charter city.*

(b) Nothing in this chapter is intended to imply the approval of any other local fees for heat pump permitting not specified in this chapter.

~~(b)~~

(c) It is the intent of the Legislature that local agencies do not adopt ordinances that create unreasonable barriers to the installation of heat pumps and not unreasonably restrict the ability of home and residential property owners to install heat pumps.

~~(c)~~

(d) It is the policy of the state to promote and encourage the use of zero-emission water heating and space heating and cooling systems, and to limit obstacles to their use.

~~(d)~~

(e) It is the intent of the Legislature that local agencies comply not only with provisions declared in this section, but also the legislative intent to encourage the installation of residential heat pump systems by removing obstacles to, and minimizing costs of, permitting, so long as the action does not supersede the building official's authority to identify and address higher priority life-safety situations.

~~(e)~~

(f) Each state entity, including the commission and the Department of Housing and Community Development, should streamline codes and standards compliance processes with the intent of increasing permitted work without undermining the integrity of the code measures, especially when it comes to appliance retrofits.

51297.51. For purposes of this chapter, the following definitions apply:

(a) "Commission" means the State Energy Resources Conservation and Development Commission, which is also known as the Energy Commission.

(b) "HVAC" means heating, ventilation, and air-conditioning.

(c) "Residential heat pump water heater or heat pump HVAC system" means a single heat pump water heater or heat pump HVAC system that serves one residential dwelling unit.

51297.52. (a) A city, ~~including a charter city,~~ county, or city and county shall adopt and offer asynchronous inspections for installations of *residential* heat pump water heater or heat pump HVAC systems that do not require a licensed contractor and building inspector to be simultaneously present during the inspection of an installation of a *residential* heat pump water heater or heat pump HVAC system.

(b) A building inspector may contact the licensed contractor who performed the installation of the heat pump water heater or heat pump HVAC system by telephone call or real-time ~~face~~ *video* conferencing during their inspection.

(c) If a building inspector determines during an asynchronous inspection that there is an issue with an installation of the heat pump water heater or heat pump HVAC system and that the licensed contractor who performed the installation must be present to perform tests or cure the installation, the building inspector may require the licensed contractor who performed the installation to schedule an additional inspection in which the building inspector and the licensed contractor who performed the installation are both required to be simultaneously present during the additional inspection.

(d) Nothing in this section shall be construed to require a ~~charter~~ city, county, or city and county to discontinue offering inspection options for the installation of a *residential* heat pump water heater or heat pump HVAC system that require a building inspector and licensed contractor who performed the installation to be simultaneously present.

51297.53. (a) Except as otherwise provided in subdivision (b), a city, ~~including a charter city,~~ county, or city and county may issue up to one nondiscretionary permit per installation of a residential heat pump water heater or heat pump HVAC system in which the city, county, or city and county administratively approves an application to install the residential heat pump water heater or heat pump HVAC ~~system and the application is subject to a limited review.~~ *system.*

(b) Notwithstanding subdivision (a), a city, ~~including a charter city,~~ county, or city and county may issue more than one nondiscretionary permit requested by a licensed contractor per installation of a residential heat pump water heater or heat pump HVAC system if the ~~city, county, or city and county~~ *building official* makes written findings based upon substantial evidence that the proposed installation would have a specific, adverse impact on public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific, adverse impact.

~~(c) An applicant may appeal a denial of an additional nondiscretionary permit described in subdivision (b) to the local planning commission of the city, county, or city and county.~~

51297.54. (a) A city, ~~including a charter city,~~ county, or city and ~~county, shall not apply additional~~ *county may apply only any of the following additional* building, ~~planning, or zoning~~ *planning or zoning, or workforce labor* standards on the installation of a residential heat pump water heater or residential heat pump HVAC ~~systems beyond state statutory provisions or regulations relating to the installation of those heat pump systems in a residence.~~ *system:*

~~(b) Any additional standards that exceed statutory provisions or regulations relating to the installation of a residential heat pump water heater or heat pump HVAC system in a residence shall be considered null and void unless the city, county, or city and county provides substantial evidence that the standard is designed to mitigate the specific, adverse impact on the public health or safety at the lowest cost possible.~~

(1) Additional standards for setbacks for installations not to exceed 3 feet in side yards and backyards or 10 feet in front yards. If a city, county, or city and county requires the submission of site plans for applications for permits for installations of residential heat pump water heater or residential heat pump HVAC systems, the city, county, or city and county shall require only site plan information directly relevant to the installation or to determining setback compliance.

~~(c) Notwithstanding subdivisions (a) and (b), additional~~

(2) Additional standards ~~may be applied~~ that conform to local laws, including reach codes, designed to encourage the adoption of zero-emission equipment or improvement of building efficiency.

~~(d) Notwithstanding subdivisions (a) and (b), additional standards, including workforce labor standards, may be applied on any installation of a residential heat pump water heater or heat pump HVAC system that receives public subsidies or other public funding. For purposes of this subdivision, "workforce labor standards" include, but are not limited to, the payment of prevailing~~

~~wages and the employment of apprentices from apprenticeship programs approved by the Division of Apprenticeship Standards:~~

(3) Additional planning or zoning standards relating to the installation of a residential heat pump water heater or heat pump HVAC system if the city, county, or city and county adopts an ordinance that includes substantial evidence that the standard is designed to mitigate the specific, adverse impact on the public health or safety at the lowest cost possible.

(4) Any additional standards, including workforce labor standards, on an installation of a residential heat pump water heater or heat pump HVAC system that receives public subsidies or other public funding. For purposes of this paragraph, "workforce labor standards" include, but are not limited to, the payment of prevailing wages and the employment of apprentices from apprenticeship programs approved by the Division of Apprenticeship Standards.

~~(e)~~

~~(b)~~ A city, ~~including a charter city,~~ county, or city and county shall not require a permit or inspection for plug-in ready window air-conditioner or window heat pump HVAC systems, provided that all of the following requirements are met:

(1) The appliance has a voltage rating of 120 volts or less.

(2) The appliance is a self-contained unit.

(3) The installation of the appliance does not require the installation of a dedicated circuit for the appliance.

(4) The installation of the appliance does not require an upgrade to the electrical panel to accommodate the additional load of the appliance.

(5) The installation of the appliance does not require the installation of drainage or structural modifications.

~~51297.55. (a)(1) On or before July 1, 2027, a city, including a charter city, county, or city and county, other than a city, county, or city and county described in paragraph (2), shall implement an online, automated permitting process that verifies code compliance and issues permits in real time within the same day of the application being submitted, or allows the city, county, or city and county to issue permits in real time within the same day of the application being submitted, to a licensed contractor for the installation of a residential heat pump water heater or residential heat pump HVAC system. A permit shall be issued pursuant to the automated permitting process, upon discretion of the administering jurisdiction, if the installation of a residential heat pump water heater or residential heat pump HVAC system complies with the checklist requirements created pursuant to subdivision (b).~~

~~(2) Paragraph (1) shall not apply to a city, including a charter city, with a population of fewer than 5,000 or a county with a population of fewer than 150,000, including each city or charter city within that county.~~

~~(3) A city, including a charter city, county, or city and county shall report to the commission when it implements the online, automated permitting process described in paragraph (1).~~

~~(b)(1)(A)~~

51297.55. (a) On or before July 1, 2026, the commission shall develop ~~a standardized code compliance checklist,~~ *standardized permitting checklists*, known as the California Heat Pump Code Compliance Checklist, which shall not exceed two pages in length and be designed for local jurisdictions to use in verifying whether the installation of a residential heat pump water heater or residential heat pump HVAC system is compliant with the California Building Standards Code (Title 24 of the California Code of Regulations). *Permitting Checklists, for local governments to use in the permitting of installations of residential heat pump water heater or heat pump HVAC systems in accordance with this chapter. The commission shall develop the standardized permitting checklists subject to all of the following requirements:*

~~(B) The commission, in drafting the California Heat Pump Code Compliance Checklist described in subparagraph (A), shall take into account criteria for determining whether the installation of an electric heat pump constitutes a standard appliance swap out, or whether additional building codes pertaining to architectural or structural integrity need to apply, including, but not limited to, both of the following:~~

~~(i) Whether the installation of the heat pump water heater or heat pump HVAC system requires architectural changes.~~

~~(ii) Whether the installation of the heat pump water heater or heat pump HVAC system requires upgrades to the electrical panel.~~

(1) The standardized permitting checklists shall not exceed two pages in length.

(2) The commission shall, at a minimum, consult with local governments and licensed contractors who install residential heat pump water heater and heat pump HVAC system in developing the standardized permitting checklists.

(3) The commission shall adopt the standardized permitting checklists as regulations in accordance with the Administrative Procedures Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).

(b) (1) On or before July 1, 2027, a city, county, or city and county, other than a city, county, or city and county described in paragraph (5), shall, consistent with the goals and intent of this chapter, implement an online, automated permitting process that verifies code compliance and issues permits to a licensed contractor in real time within the same day of the application being submitted for the installation of a residential heat pump water heater or heat pump HVAC system. A permit shall be issued pursuant to the automated permitting process, upon discretion of the administering jurisdiction, if the installation of a residential heat pump water heater or residential heat pump HVAC system complies with the checklist requirements created pursuant to subdivision (a).

(2) The city, county, or city and ~~county, if the city, county, or city and county has an internet website,~~ county shall publish and make publicly available a list of the requirements ~~described in paragraph (1) of subdivision (a), the checklist described in paragraph (1) of this subdivision,~~ adopted pursuant to Section 51297.54, the checklists described in subdivision (a), any required permitting documentation, and a list of all relevant fees and fee amounts that may be imposed by the city, county, or city and county on a ~~heat pump HVAC or water heater installation,~~ residential heat pump water heater or heat pump HVAC system, including, but not limited to, permit fees and inspection fees, on ~~the their~~ internet website.

(3) The city, county, or city and county shall allow an applicant to submit an automated permit application and associated documentation electronically, and shall ~~authorize~~ allow the applicant to submit an electronic signature on all forms, applications, and other documentation instead of a wet signature by an applicant.

~~(c)(1)~~

(4) (A) Upon confirmation by the city, ~~including a charter city,~~ county, or city and county of the application and supporting documents being complete and meeting the ~~checklist~~ requirements ~~described in~~ created pursuant to subdivision (a), the ~~local entity~~ city, county, or city and county shall approve the application and issue all required permits or authorizations.

~~(2)~~

(B) Upon receipt of an incomplete application, ~~a city, including a charter city,~~ the city, county, or city and county shall issue a written correction notice detailing all deficiencies in the application and any additional information required to be eligible for expedited permit issuance.

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

51297.56. (a) (1) A city, ~~including a charter city,~~ county, or city and county, except as ~~specified~~ provided in subdivision (b), shall not charge a ~~residential~~ permit fee for a residential heat pump water heater ~~and or~~ heat pump HVAC ~~systems system~~ that exceeds the estimated reasonable cost of providing the service for which the fee is charged, subject to the following limitations:

(A) The ~~residential~~ permit fee for a residential heat pump water heater system shall not exceed fifty dollars (\$50).

(B) The ~~residential~~ permit fee for a residential heat pump HVAC system shall not exceed one hundred fifty dollars (\$150).

(2) Paragraph (1) shall not apply to a ~~city, including a charter city,~~ city with a population of fewer than 5,000 persons and a county with a population of fewer than ~~150,000,~~ 150,000 persons, including each city ~~or charter city~~ within that county.

(b) (1) Notwithstanding subdivision (a), a city, ~~including a charter city,~~ county, or city and county may charge a ~~residential~~ permit fee for the installation of a residential heat pump water heater or a heat pump HVAC system that exceeds the fee limits specified in subdivision (a) if the city, ~~including a charter city,~~ county, or city and county, as part of a written finding and an adopted resolution or ordinance, provides substantial evidence of the reasonable cost to issue the permit.

(2) A ~~residential~~ permit fee described in paragraph (1) shall be subject to all of the following requirements:

(A) The fee shall correspond to the typical reasonable cost demonstrated by the city, county, or city and county for the equipment type.

(B) The fee shall be set at a regular fixed amount per appliance type.

(C) The fee shall be listed publicly.



(c) A city, county, or city and county shall not apply additional charges above the publicly listed fee.

SEC. 3. The Legislature finds and declares that the oversight of permitting for residential heat pump water heater and heat pump heating, ventilation, and air-conditioning (HVAC) systems 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 Chapter 7.5 (commencing with Section 51297.50) to Part 1 of Division 1 of Title 5 of the Government Code, applies to all cities, including charter cities.

SEC. 4. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.