

Date of Hearing: April 23, 2026

ASSEMBLY COMMITTEE ON EMERGENCY MANAGEMENT

Rhodesia Ransom , Chair

AB 1863 (DeMaio) – As Amended April 7, 2026

SUBJECT: Fire protection districts: fees: 911 telephone calls

SUMMARY: Prohibits fire protection district boards from charging fees to anyone who calls 911 emergency telephone number. Specifically, **this bill**:

1. Prohibits a district board from charging a fee to any member of the public for use of a 911 emergency telephone number.
2. Specifies the above prohibition does not apply to a member of the public for use of a 911 emergency telephone number for a prank call.

EXISTING LAW:

1. Establishes the California Office of Emergency Services (Cal OES) within the office of the Governor and makes Cal OES responsible for the state's emergency and disaster response services for natural, technological, or manmade disasters and emergencies. (Gov. Code § 8550)
2. Establishes "911" as the primary emergency telephone number within the system, authorizes a public agency or public safety agency to maintain a separate secondary backup number, and requires they maintain a separate number for nonemergency telephone calls. (Government Code § 53111).
3. Establishes the Fire Protection District Law of 1987 (also known as the Bergeson Fire District Law) (Health and Safety Code § 13800 *et seq.*)
4. Requires disclosure forms to contain a statement that enrollees of health care service plans are encouraged to use appropriately the "911" emergency response system, in areas where the system is established and operating, when they have an emergency medical condition that requires an emergency response. (Health and Safety Code § 1363.2)
5. Requires every local emergency telephone system must include police, firefighting, and emergency medical and ambulance services, and may include other emergency services, as specified. (Government Code § 53110).
6. Prohibits a public agency to delegate, assign, or enter into a contract for "911" call processing services for the dispatch of emergency response resources except as specified, or if the delegation or assignment is to, or the contract or agreement is with, another public agency. (Government Code § 53110).
7. Establishes relevant entities, as described, may delegate or assign to a nonpublic agency, or contract with a nonpublic agency for, "911" call processing services only, as specified (Government Code § 53110).

8. Establishes that to maximize efficiency and use of the system, all pay telephones within each system shall enable a caller to dial “911” for emergency services, and to reach an operator by dialing “0,” without the necessity of inserting a coin. At those “911” public safety answering points serving an area where 5 percent or more of the population, in accordance with the latest United States census information, speak a specific primary language other than English, operators who speak that other language, in addition to English, shall be on duty or available through interagency telephone conference procedures at all times for “911” emergency services. (Government Code § 53112)
9. Establishes that no health care service plan that provides basic health care services shall require prior authorization or refuse to pay for any ambulance or ambulance transport services, as specified, provided to an enrollee as a result of a “911” emergency response system request for assistance if either of the following conditions apply: (Health and Safety Code § 1371.5).
 - a. The request was made for an emergency medical condition and ambulance transport services were required.
 - b. An enrollee reasonably believed that the medical condition was an emergency medical condition and reasonably believed that the condition required ambulance transport services.
10. Establishes that determination as to whether an enrollee reasonably believed that the medical condition was an emergency medical condition that required an emergency response shall not be based solely upon a retrospective analysis of the level of care eventually provided to, or a final discharge of, the person who received emergency assistance. (Health and Safety Code § 1371.5).
11. Establishes that a health care service plan shall not be required to pay for any ambulance or ambulance transport services if the health care service plan determines that the ambulance or ambulance transport services were never performed, an emergency condition did not exist, or upon findings of fraud, incorrect billings, the provision of services that were not covered under the member’s current benefit plan, or membership that was invalid at the time services were delivered for the pending emergency claim. (Health and Safety Code § 1371.5).

FISCAL EFFECT: This bill is not keyed fiscal.

COMMENTS:

Author Statement: “Californians should be able to not fear calling 911 for a medical emergency, but multiple cities throughout the state have begun to implement fees when calling 911. By enacting fees, many Californians see these costs as financial barriers to receiving lifesaving care and putting lives at risk. It is imperative that there be no financial burdens or hurdles when simply deciding to call 911 for a medical emergency, and that Californians know that calling 911 is the best thing to do, rather than prioritizing financial safety over real physical safety.”

Equity Statement: “This bill will positively impact lower-income communities, as it will take away a financial barrier to making 911 calls for medical emergencies.”

Emergency Preparedness and Response: Cal OES is responsible for addressing natural, technological, or manmade disasters and emergencies, and preparing the State to prevent, respond to, quickly recover from, and mitigate the effects of both intentional and natural disasters. As part of their overall preparedness mission, Cal OES is required to develop a State Emergency Plan (SEP) and State Hazard Mitigation Plan (SHMP); maintain the Standardized Emergency Management System (SEMS) and the Emergency Management Mutual Aid System (EMMA); and assist counties with their local Emergency Operation Plans (EOP). Cal OES, in coordination with FEMA and local partners, has developed four Catastrophic Plans to augment the State Emergency Plan.

State Emergency Plan: The SEP describes how response to natural or human-caused emergencies occur in California. The plan is a requirement of the California Emergency Services Act (ESA), and describes methods for conducting emergency operations, the process for rendering mutual aid, emergency services of government agencies, how resources are mobilized, how the public is informed, and how continuity of government is maintained during emergencies. The SEP further describes hazard mitigation, as well as emergency preparedness for disasters. The SEP defines Emergency Support Functions (ESF) which are discipline-specific groups that develop functional annexes to set goals, objectives, operational concepts, capabilities, organization structures, and related policies and procedures. Under the SEP, there are 18 ESFs led by a state agency and represent an alliance of state government and other stakeholders with similar functional responsibilities.

Calling 911: Calling 911 from a landline, mobile phone, or Voice over Internet Protocol (VoIP) device is generally free at the point of use. 911 systems are commonly funded through monthly surcharges or fees placed on telephone service bills, which distribute the cost of maintaining emergency communications infrastructure across subscribers rather than billing someone during an emergency. In California, funding for the state's 911 system comes from a monthly surcharge on telephone customers deposited in the State Emergency Telephone Number Account (SETNA). The 911 surcharge is established each fall by Cal OES, though current law caps the surcharge at 80 cents. The 911 surcharge rate for calendar year 2026 is 41 cents. SETNA is expected to receive \$215 million in surcharge revenue in 2026-27.¹ Cal OES annually determines the surcharge amount based on projected system costs and the number of access lines, subject to statutory caps.

Fire Protection District Law of 1987: California's Fire Protection District Law of 1987 provides the principal statutory framework for the formation, governance, powers, and financing of many independent fire protection districts in the state. The law authorizes districts to deliver a range of fire and emergency services, including fire suppression, rescue response, hazardous materials response, emergency medical support, fire prevention, inspections, and public education. It also establishes procedures for district boundaries, annexations, consolidations, elections, boards of directors, and contracts with cities, counties, or other agencies for service delivery. In practice, the statute was designed to give local communities a specialized governmental entity focused on fire protection and emergency response, particularly in areas outside full-service municipal fire departments. California's archived Senate Governance and Finance Committee materials describe the law as the primary enabling act for fire districts and note that districts are often

¹ Office of Emergency Services Next Generation 911 System, https://lao.ca.gov/reports/2026/5145/2026-27_OES_Next_Generation_911_System_022726.pdf

relied upon in rural, suburban, and unincorporated areas where service demands differ from incorporated cities.^{2,3}

The statute also grants districts operational powers necessary for emergency readiness. These powers may include acquiring property, constructing and maintaining fire stations, purchasing apparatus and equipment, hiring personnel, adopting fire prevention regulations where authorized, and entering mutual aid or service agreements. Because fire districts are special districts rather than general-purpose cities or counties, their authority is generally limited to the powers expressly granted in statute. As a result, the 1987 law functions as both an authorization mechanism and a constraint: districts may act robustly within their fire-protection mission but must generally rely on separate statutory authority for activities beyond that mission. A recurring issue under the Fire Protection District Law is long-term fiscal sustainability. Service demands have expanded over time to include EMS calls, wildfire response, all-risk emergencies, and resilience planning, while many districts depend on revenues constrained by statewide tax rules and local voter approvals.

First Responder Fees / Fee Programs: “First responder fees” or local public-safety fee programs generally refer to charges, assessments, taxes, or cost-recovery mechanisms used by local agencies to fund fire, EMS, paramedic, or emergency response capacity. In California, these mechanisms can take multiple forms: parcel taxes, special taxes, benefit assessments, property-related fees, ambulance transport charges, inspection fees, development impact fees, or contractual service charges. Which legal pathway is available depends on how the charge is structured and what service it funds.

First responder fees help local fire departments and emergency agencies recover the direct costs of providing advanced emergency medical response, particularly when firefighters or paramedic engine companies arrive before an ambulance. In many communities, emergency medical calls make up the majority of fire department responses, requiring trained personnel, medical equipment, vehicles, and around-the-clock staffing. Property tax revenues and general fund dollars often do not fully cover these expanding service demands, especially as call volumes rise and equipment and labor costs increase. As a result, some jurisdictions use first responder fees as a targeted cost-recovery mechanism tied to actual medical incidents rather than relying solely on broad-based taxes. For example, the Cosumnes Community Services District explains that its First Responder User Fee is authorized under California Health and Safety Code §13916 and is intended to recover personnel, apparatus, and materials costs associated with paramedic first response services.⁴

These fees exist because emergency medical responses increasingly function as a healthcare service as well as a public-safety service. Firefighters frequently provide on-scene medical assessments, stabilization, lifesaving interventions, and patient handoffs before transport occurs, creating costs that may not otherwise be reimbursed if only the ambulance provider bills for care. State law in California allows certain public agencies to charge for these first responder services, and many agencies bill insurance rather than seeking full payment directly from residents. Other

² The Fire Protection District Law of 1987, <https://archive.senate.ca.gov/sites/archive.senate.ca.gov/files/committees/2013-14/sgf.senate.ca.gov/thefireprotectiondistrictlawof1987/index.html>

³ Understanding Proposition 218, https://lao.ca.gov/1996/120196_prop_218/understanding_prop218_1296.html

⁴ First Responder Fee, Cosumnes Fire Department <https://www.cosumnescsd.gov/249/First-Responder-Fee>

entities, including the Benicia Fire Department and El Dorado County Fire Protection District, similarly describe first responder fees as a way to support EMS operations and offset costs not covered by traditional tax revenues.⁵

Policy Considerations:

Eliminating first responder fee programs without an alternative funding source could reduce a cost-recovery mechanism that many agencies use to offset the expense of emergency medical responses, personnel readiness, medical supplies, and apparatus deployment. If those fees were canceled, fire districts and local governments would likely need to backfill the lost revenue through the General Fund. This could place emergency medical response costs onto broader taxpayer bases regardless of service usage and may compete with other local priorities such as parks, roads, housing, or law enforcement.

Committee Amends: The author's office, in consultation with Committee staff, has decided to take the following as committee amendments that strike the original text:

SEC. 2. Section 13916.5 is added to the Health and Safety Code, to read:

13916.5. (a) Notwithstanding Section 13916, a district board shall not charge a fee to any member of the public for ~~use of a 911~~ *either of the following:*

(1) *Using a 911 emergency telephone number.* ~~This~~

(2) *Emergency responders arriving at a location or otherwise responding to the use of a 911 emergency telephone number unless emergency services are provided.*

(b) *This section does not ~~apply~~ prohibit a district board from charging a fee to a member of the public for use of a 911 emergency telephone number for a prank call.*

REGISTERED SUPPORT / OPPOSITION:

Support

None on file.

Opposition

None on file.

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⁵ First Responder Fee, The City of Benicia <https://www.ci.benicia.ca.us/firstresponderfee>