

Date of Hearing: April 23, 2026

ASSEMBLY COMMITTEE ON EMERGENCY MANAGEMENT

Rhodesia Ransom, Chair

AB 1964 (Bennett) – As Introduced February 13, 2026

SUBJECT: State Fire Marshal: county recorder: home hardening

SUMMARY: Requires the State Fire Marshal (SFM), by January 1, 2030, to compile a report concerning homes in moderate, high, and very high fire hazard severity zones (FHSZs) in state and local responsibility areas to evaluate whether homes in these areas meet home hardening criteria and estimate the cost to complete home hardening on the homes that do not meet the criteria. Specifically, **this bill**:

- 1) Requires county recorders to maintain construction records related to home hardening.
- 2) Requires the SFM, by January 1, 2030, to compile a report concerning homes in moderate, high, and very high FHSZs in state and local responsibility areas that includes all of the following:
 - a. The total number of homes located within each fire hazard severity zone and responsibility area.
 - b. The number of homes that meet home hardening criteria and the number of homes that require more home hardening in each responsibility area and county.
 - c. An estimate of the cost to complete home hardening on those homes that do not meet home hardening criteria.
- 3) Requires the SFM make the completed report available online and to the legislature, as specified.
- 4) Defines “home hardening” for the purposes of this bill to mean the replacement or repair of structural features that are affixed to the property with features that are in compliance with the California Wildland-Urban Interface Code (Chapter 7 (commencing with Section 1.1.1) of Title 24 of the California Code of Regulations).

EXISTING LAW:

- 1) Establishes the State Fire Marshal (SFM) as a component of the Department of Forestry and Fire Protection (CAL FIRE) to foster, promote, and develop ways and means of protecting life and property against fire and panic. (Health & Safety Code Section 13100 – 13100.1)
- 2) Requires the SFM to identify areas in the state as moderate, high, and very high fire hazard severity zones based on consistent statewide criteria and based on the severity of fire hazard that is expected to prevail in those areas. (Government Code Section 51178 & Public Resources Code Section 4202)
- 3) Establishes the Board of Forestry and Fire Protection (Board) to determine, establish, and maintain an adequate forest policy for the state, and protect all wildland forest resources in California that are not under federal jurisdiction. (Public Resources Code Section 740)

- 4) Requires the Board to classify all lands within the state, without regard to any classification of lands made by or for any federal agency or purpose, for the purpose of determining areas in which the financial responsibility of preventing and suppressing fires is primarily the responsibility of the state, commonly referred to as the “State Responsibility Area.” (Public Resources Code Section 4125 (a))
- 5) Provides that the following areas are not to be included in the State Responsibility Area:
 - a) Lands owned or controlled by the federal government or any agency of the federal government; and
 - b) Lands within the exterior boundaries of any city, except a city and county with a population of less than 25,000 if, at the time the city and county government is established, the county contains no municipal corporations, typically referred to as a local responsibility area. (Public Resources Code Section 4127)
- 6) Requires the SFM, by regulation, to designate FHSZs and assign to each zone a rating reflecting the degree of severity of fire hazard that is expected to prevail in the zone. Provides that no designation of a zone and assignment of a rating shall be adopted by the SFM until the proposed regulation has been transmitted to the board of supervisors of the county in which the zone is located at least 45 days before the adoption of the proposed regulation and a public hearing has been held in that county during that 45-day period. (Public Resources Code Section 4203)
- 7) Requires the SFM to periodically review zones designated and rated pursuant to current law and, as necessary, revise FHSZs or their ratings or repeal the designation of FHSZs. (Public Resources Code Section 4204)
- 8) Requires the Board to adopt regulations implementing minimum fire safety standards related to defensible space that are applicable to SRA lands under the authority of CAL FIRE, and to lands classified and designated as VHFHSZs. (Public Resources Code Section 4290)
- 9) Requires the Board to develop and maintain a “Fire Risk Reduction Community” list of agencies, communities, and neighborhoods located in the SRA or a VHFHSZ that meet best practices for fire hazard planning. (Public Resources Code Section 4290.1)
- 10) Requires a person who owns or operates a building or structure in specified lands with flammable materials to maintain defensible space of 100 feet from each side of the structure. Requires the Board to develop and update guidance for fuels management for defensible space compliance. Requires the SFM to make recommendations to the Board on vegetation management, and make reasonable efforts to provide notice to affected residents. (Public Resources Code Section 4291)
- 11) Requires CAL FIRE to establish a local assistance grant program for fire prevention and home hardening education activities in California, requires the local assistance grant program to establish a robust year-round fire prevention effort in and near fire-threatened communities that focuses on increasing the protection of people, structures, and communities. (Public Resources Code Section 4124.5)
- 12) Authorizes the Office of the State Fire Marshal to allow certification of contractors who conduct defensible space, home hardening, fuel reduction, roadside clearance, and other

contracting activities for wildlife resiliency efforts and who have completed specified training programs. (Health and Safety Code Section 13159.5)

- 13) Requires the Office of State Fire Marshal (OSFM) to develop and make available on its internet website a Wildland-Urban Interface Fire Safety Building Standards Compliance training intended for use in the training of local building officials, builders and the fire service. (Health and Safety Code Section 13159.5)
- 14) Requires the OFSM to develop and update a Wildland-Urban Interface Products listing of products and construction assemblies that comply with Chapter 7A for the following (Health and Safety Code 13159.5):
 - (a) Exterior wall siding and sheathing;
 - (b) Exterior windows, skylights, and doors;
 - (c) Vents, including eave and cornice vents;
 - (d) Decking;
 - (e) Treated lumber and ignition-resistant materials;
 - (f) Roofing materials; and
 - (g) Emergency battery power backup for automatic garage door openers.
- 15) Requires the State Fire Marshal to biennially prepare and publish listings of construction materials and equipment and methods of construction and of installation of equipment, together with the name of any person, firm, corporation, association, or similar organization designated as the manufacturer, representative, or supplier, which are in conformity with building standards relating to fire and panic safety adopted and published in the State Building Standards Code. (Health and Safety Code, Section 13144.1)
- 16) Requires the Office of Emergency Services to enter into a joint powers agreement with the Department of Forestry and Fire Protection, until July 1, 2029, to develop and administer a comprehensive wildfire mitigation program to, among other things, encourage cost-effective structure hardening and retrofitting to create fire-resistant homes, businesses, and public buildings. (Government Code 8654.4)
- 17) Requires the SFM to identify cost effective building retrofits and structure hardening measures for site or structure fire risk reduction that are eligible for financial assistance under the wildfire mitigation program (Government Code 8654.5)
- 18) Require the department of Forestry and Fire Protection to identify cost effective defensible space, vegetation management, and fuel modification activities to reduce wildfire risk for entire neighborhoods and communities that are eligible for financial assistance under the wildfire mitigation program (Government Code 8654.5)

FISCAL EFFECT: Unknown. A fiscal committee has not analyzed this bill.

COMMENTS:

Author Statement: “Wildfires in California are inevitable. As we continue to grapple with increasingly frequent and destructive wildfires, it’s imperative California understand where our resources need to be focused. AB 1964 requires the State Fire Marshal to conduct a survey on the number of homes in moderate, high, and very high Fire Hazard Severity Zones, that are

successfully fire hardened and not in addition to an estimate of what it would cost to harden homes that need it. With comprehensive data on the state of home hardening, California ensures its resources for hardening incentives go to the communities that need it most—ultimately protecting homes and giving us the best bang for our buck.”

Equity Statement: “Wildfires have a disproportionate effect on vulnerable communities, such as impacts to rebuilding and displacement issues. UCLA’s data brief (PDF attached) explores how redlining in Altadena created disproportionate impacts on the Black community during the Eaton Fire. The brief found that nearly half of Black households were destroyed or damaged compared to the 37% experienced by non-Black households. This bill ensures the state is focusing resources in the communities that need it the most to prevent property loss, especially in areas with high rates of generational home ownership.”

Wildfires: Wildfires are a severe and growing threat to lives, property, and infrastructure in California. The confluence of a changing climate, urbanization, and constraints on forest management increases the urgency to address this threat. According to data from CAL FIRE, 18 of California’s 20 most destructive fires have occurred in the past decade.¹ Collectively, these fires have resulted in 231 deaths and the loss of 66,810 structures (homes, outbuildings, and commercial properties). While fewer wildfires threatened California in 2023 due to the increased number of weather events and atmospheric rivers, the vegetative growth from the significant rainfall contributed to devastating wildfires in 2024 and 2025. In 2024, the Park Fire became the fourth-largest fire in California’s history. Despite aggressive initial attack suppression efforts, the fire rapidly expanded, ultimately consuming 429,603 acres across Butte and Tehama counties. The Park Fire led to the destruction of 713 structures and damage to 57 others, prompting widespread evacuations and the temporary closure of Lassen Volcanic National Park.

In January 2025, Los Angeles County experienced the second and third most destructive fires in California history: the Palisades Fire and Eaton Fire. The University of California, Los Angeles (UCLA) estimated the fires’ total property and capital losses could range between \$76 billion and \$131 billion, with insured losses estimated up to \$45 billion. At its height, the fires placed an estimated 331,335 people on an evacuation advisory, with nearly 192,000 residents facing mandatory evacuation and roughly 140,000 subject to warnings. The Eaton Fire resulted in 9,413 buildings being destroyed, 1,074 structures damaged, and 19 confirmed civilian fatalities. The Palisades Fire resulted in 6,833 structures destroyed, 973 structures damaged, and 12 confirmed civilian fatalities. The blazes burned a combined 37,728 acres and leveled entire communities in the Pacific Palisades and Altadena neighborhoods of LA County.

Home Hardening: Home hardening refers to modifying a building’s exterior with fire-resistant materials and construction techniques to prevent ignition from embers, radiant heat, and direct flames during wildfires. One of the most common causes of ignition is ember entry, which home hardening activities can be mitigated with.² Wildfire home hardening includes retrofitting homes with fire-resistant materials and creating defensible space around homes and communities. Home modifications include replacing the roof with metal, clay, or tile, installing metal gutters, and upgrading to dual-paned windows with one pane of tempered glass.

¹ Statistics, CAL FIRE <https://www.fire.ca.gov/our-impact/statistics>

² Fire Safe Communities Program, <https://cafiresafecouncil.org/grants-and-funding/cfsc-grant-programs>

Fire Hazard Severity Zones (FHSZ): As referenced above, Public Resource Code 4202 requires the SFM to classify lands within state responsibility areas into fire hazard severity zones. Each zone shall embrace relatively homogeneous lands and shall be based on fuel loading, slope, fire weather, and other relevant factors present, including areas where winds have been identified by the department as a major cause of wildfire spread. Under Government Code 51178, the SFM is required to identify areas in the state as moderate, high, and very high fire hazard severity zones based on consistent statewide criteria and based on the severity of fire hazard that is expected to prevail in those areas. Moderate, high, and very high fire hazard severity zones shall be based on fuel loading, slope, fire weather, and other relevant factors including areas where winds have been identified by the SFM as a major cause of wildfire spread.

How are FHSZs determined?: According to CAL FIRE, “the best available science and data were used to develop and field test a model that now serves as the basis of zone assignments. The model evaluated the probability of the area burning and potential fire behavior in the area. Many factors were included such as fire history, vegetation, flame length, blowing embers, proximity to wildland, terrain, and weather.”

California Wildfire Mitigation Program: In 2019, AB 38 (Wood, 2019) directed Cal OES to create the California Wildfire Mitigation Program (CWMP) along with Cal FIRE via a joint powers agreement to strengthen community-wide resilience against wildfires. This included developing a state home hardening initiative to retrofit, harden, and create defensible space for homes at high risk of wildfires, focusing on high socially vulnerable communities, and providing financial assistance for low- and moderate-income households. The effort is meant to encourage designed to encourage cost-effective structure hardening and retrofitting and facilitate vegetation management, the creation and maintenance of defensible space, and other fuel modification activities. This includes a community hardening approach to achieve wildfire resilience, low-cost retrofits with ignition-resistant materials to bring homes up to the standard of the California Building Code Chapter 7A, community and homeowner wildfire education on defensible space and home retrofitting and providing financial assistance to support home hardening work for qualifying homeowners.

In coordination with state and local partners, Cal OES and Cal FIRE also established a state Wildfire Community Hardening Framework that can be modeled throughout vulnerable California communities. The framework provides the opportunity for California communities to leverage state and federal resources and develop local wildfire home hardening programs that address community resiliency needs. To help expedite local wildfire home hardening program development and inform the build-out of the state’s framework, Cal OES and Cal FIRE provide state funding, resources, and support for demonstration communities to implement community wildfire home hardening projects in areas with high social vulnerability and wildfire risk.

Wildfire Mitigation Advisory Committee: The Wildfire Mitigation Advisory Committee was established through AB 9 (Wood, 2021) to act in an advisory capacity on the programs and activities of the Community Wildfire Preparedness and Mitigation Division. The Wildfire Mitigation Advisory Committee (WMAC) provides a means of communication between the OSFM, representatives of industry, state agencies, the fire service, and other stakeholders. The Committee provides a forum for addressing wildfire preparedness and mitigation issues of statewide concern, shares best practices, seeks comments and specific input on programs and technical issues, and informs local agencies and the public of applicable new laws and regulations.

Chapter 7A of the California Building Standards Code: Chapter 7A is California's Wildland-Urban Interface (WUI) building code. As such, this chapter of the building code establishes the *minimum standards* applicable to building materials, systems and/or assemblies used in the exterior design and construction of new buildings located within a WUI Fire Area for the protection of life and property. Chapter 7A was initially adopted in 2008 and has undergone multiple revisions as part of the iterative code development process, integrating the most recent insights and scientific advancements from technical experts in the field.

State Fire Marshal's Building Materials Listing (BML) Program: The OSFM's BML Program was initially established to mandate approval and listing of fire alarm systems and devices before their sale or marketing in the state. Over time, it expanded to include various materials, such as roof coverings, wall assemblies, hardware, and more. Product approval involves rigorous testing, and companies must utilize SFM accredited laboratories for testing to list products in California. The SFM listing service provides essential information to building authorities, architects, engineers, contractors, and the fire service. In addition, the SFM publishes a complementary handbook to the BML that specifically details products that have been assessed and validated by the SFM to meet the requirements of Chapter 7A.

Policy Considerations: There is a clear relationship between this bill and AB 1934, also by this author, which was heard by this Committee at a prior hearing this year. AB 1934 requires the OFSM's Wildfire Mitigation Advisory Committee to develop an implementation plan by January 1, 2028 for a home hardening certification program that identifies home hardening measures, including defensible space, that can be voluntarily implemented to substantially reduce the risk of loss during a fire and bring existing building stock into alignment with the provisions adopted in the California Building Standards Code (Title 24 of the California Code of Regulations). Additionally, that bill also directs the plan to provide recommendations on identifying the qualifications necessary for individuals tasked with inspecting a home and confirming its compliance with the home hardening standards established in the implementation plan. If AB 1934 is enacted, this implementation plan would create the home hardening standards – some of which may not be captured by current regulations – necessary for the SFM to begin the report as required by this bill, as well as establish the criteria for how homes will effectively be inspected and determined whether to be in compliance with the home hardening standards. To create more cohesion between the two bills, the author is taking amendments that are outlined below. The Committee may want to consider whether the SFM should be directed to complete a report prior to publishing the related implementation plan, even if the report's deadline is two years after AB 1934's implementation plan deadline.

It is unclear whether the SFM would have authority to access records in the LRA. To address this, the author is taking amendments to clarify the county recorders are required to share the home hardening construction records, upon request (outlined below).

Furthermore, the specificity of information this report would provide is left open to interpretation. The author's staff expressed they are working with the impacted entities and department and expect future amendments to further specify the reporting requirements.

Additionally, the Committee may want to consider if the county recorders are the proper entity to collect the records required under this bill. The author's office said they are actively working with the County Recorders' Association of California.

Committee Amends: To create more cohesion between this bill and AB 1934, as well as address possible issues with information sharing between the county recorders and the Office of the SFM, the author is taking the following amendments:

Amendment 1

In the title, in line 2, strike out “Section” and insert:
Sections 13133.5 and

Amendment 2

On page 2, in line 3, after “27212.” insert:
(a)

Amendment 3

On page 2, between lines 4 and 5, insert:

(b) The recorder shall share construction records related to home hardening in a state or local responsibility area with the Office of the State Fire Marshal, upon the request of the Office of the State Fire Marshal.

SEC. 2. Section 13133.5 is added to the Health and Safety Code, to read:

13133.5. On or before January 1, 2028, the Office of the State Fire Marshal shall develop home hardening standards to determine whether a home is sufficiently hardened to effectively reduce fire risk during an ember shower or when directly exposed to flames and radiant heat, as determined by the Office of the State Fire Marshal.

Amendment 4

On page 2, in line 5, strike out “SEC. 2.” and insert:

SEC. 3.

Amendment 5

On page 3, in line 1, strike out “home hardening criteria” and insert:
the standards developed pursuant to Section 13133.5,

Amendment 6

On page 3, in line 2, after “hardening” insert:
to meet the standards developed pursuant to Section 13133.5,

Amendment 7

On page 3, in line 5, strike out “home hardening criteria.” and insert:
the standards developed pursuant to Section 13133.5.

Amendment 8

On page 3, strike out lines 10 to 14, inclusive, in line 15, strike out “SEC. 3.” and insert:

SEC. 4.

Related Legislation:

AB 1934 (Bennett, 2026) Requires the Office of the State Fire Marshal's (OSFM) Wildfire Mitigation Advisory Committee to develop an implementation plan for a home hardening certification program, as specified. (Pending in the Assembly Committee on Natural Resources)

Arguments in Support: According to the Nature Conservancy, "California needs solutions to support the hardening of existing homes, and you can't manage what you can't measure. We know millions of homes need to be hardened and for some homes that will cost tens of thousands of dollars for other homes it will cost under a hundred dollars to replace some vents. We don't know where most homes are on that spectrum. Getting a better understanding of the scope of the problem is essential to crafting the right solutions to it."

REGISTERED SUPPORT / OPPOSITION:**Support**

Fire Aside, INC
The Nature Conservancy

Opposition

None on file.

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