

Date of Hearing: March 23, 2026

ASSEMBLY COMMITTEE ON EMERGENCY MANAGEMENT

Rhodesia Ransom, Chair

AB 1866 (Rogers) – As Amended March 11, 2026

SUBJECT: California Disaster Assistance Act: minimum damages thresholds

SUMMARY: Requires the Office of Emergency Services to prioritize disaster financial assistance to local agencies that are not eligible for federal funding due to the agency's inability to meet minimum damage thresholds under federal law and specifies costs that may be included in the local agency's cost share. Specifically, **this bill:**

- 1) Requires Cal OES to prioritize local agencies that are not eligible for federal funding from the Robert T. Stafford Disaster Relief and Emergency Assistance Act due to the local agency's inability to meet minimum damage thresholds under federal law, as specified.
- 2) Requires for any eligible project, the local agency cost share may include, but is not limited to, the following:
 - a. Local agency personnel costs, equipment costs, and the cost of supplies and materials used during disaster response activities, incurred as a result of a state of emergency proclaimed by the Governor.
 - b. Costs to repair, restore, reconstruct, or replace facilities belonging to local agencies damaged as a result of disasters, as specified.
 - c. Indirect administrative costs and any other assistance deemed necessary by the local agency.
 - d. A calculated level of compensation associated with volunteer services provided by individuals participating in emergency work activities, including, but not limited to, community emergency response teams

EXISTING LAW:

- 1) Requires the Director of Emergency Services to provide financial assistance to local agencies for their personnel costs, equipment costs, and the cost of supplies and materials used during disaster response activities, incurred as a result of a state of emergency proclaimed by the Governor, subject to specified criteria. (Government Code Section 8680)
- 2) The California Disaster Assistance Act (CDAA) authorizes the Office of Emergency Services (Cal OES) to administer a disaster assistance program that provides financial assistance for the costs incurred by local governments as a result of a disaster. (Government Code Section 8558)
- 3) Under the California Emergency Services Act, defines a state of emergency to mean the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions such as, among others, air pollution, fire, flood, and storm. (Government Code Section 8558)

- 4) Under the California Disaster Assistance Act, requires the Director of Cal OES to provide financial assistance to local agencies for their personnel costs, equipment costs, and the cost of supplies and materials used during disaster response activities, incurred as a result of a state of emergency proclaimed by the Governor, subject to specified criteria. (Government Code Section 8680)
- 5) Defines a local emergency to mean the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of a county, city and county, or city, caused by conditions such as, among others, air pollution, fire, flood, and storm. (Government Code Section 8558)
- 6) Provides the California Disaster Assistance Act continuously appropriates funds to the Disaster Assistance Fund and its subsidiary account, the Earthquake Emergency Investigations Account, without regard to fiscal year. (Government Code Section 8690.25)
- 7) Under the California Disaster Assistance Act, requires the state share be no more than 75 percent of total state eligible costs, with exceptions as specified. (Government Code Section 8686)
- 8) Under the California Disaster Assistance Act, defines disaster to mean a fire, flood, storm, tidal wave, earthquake, terrorism, epidemic, or other similar public calamity that the Governor determines presents a threat to public safety. (Government Code Section 8680.3)
- 9) Under the California Disaster Assistance Act, requires, if the Director authorizes replacement of facilities, as specified, the state contribution shall not exceed the net cost of restoring each facility, as specified. (Government Code Section 8686.4)
- 10) Under the Federal Robert T. Stafford Disaster Relief and Emergency Assistance Act, authorizes the Federal Emergency Management Agency (FEMA) to provide emergency assistance to states and local entities impacted by disasters. In any emergency, the President may, among other things, authorize public assistance programs aimed at providing essential emergency assistance, repairing and restoring damaged public facilities and removing debris. (Public Law 100707)

FISCAL EFFECT: Unknown. This bill has not been analyzed by a fiscal committee.

COMMENTS:

Purpose of the Bill:

“My district is no stranger to natural disasters and we have missed out on much-needed federal funding when we needed it most. In 2022, the Ferndale Earthquake Sequence severely devastated the City of Rio Dell, but the city did not qualify for any federal assistance. Currently, California’s FEMA minimum per-event threshold is \$72,750,330—the threshold is that high because of the concentrated economic value of California’s major cities. As a result, small and rural communities are unable to qualify for federal assistance. AB 1866 ensures that communities impacted by a state declared natural disaster are prioritized for state assistance when Federal Emergency Management Agency (FEMA) funding and programs are not available.

Additionally, AB 1866 clarifies that volunteer services, such as volunteer services through Community Emergency Response Teams (CERTs), provided during disaster recovery will count toward the local cost share to help communities leverage local capacity when federal aid is unavailable.”

Equity Statement:

“AB 1866 is an equitable approach towards disaster assistance, prioritizing communities (often small, rural, and low-income) for state assistance when they do not qualify for FEMA assistance yet are impacted by a state-declared emergency. This approach aims to provide greater consideration and equitable access to ensuring communities hit by disaster are prioritized through the existing state disaster public assistance program, where the state cost share can typically cover up to 75% of the total damages to public infrastructure or facilities impacted by a disaster.”

Disaster Response:

Cal OES serves as the state’s leadership hub during all major emergencies and disasters. This includes responding, directing, and coordinating local, state and federal resources and mutual aid assets across all regions to support the diverse communities across the state. Cal OES also is responsible for developing and maintaining the State Emergency Plan (SEP) and the Disaster Recovery Framework. Cal OES serves as the state’s overall coordinator and agent to secure federal government resources through the Federal Emergency Management Agency. Cal OES also administers the California Disaster Assistance Acts (CDAA) funds and several federal emergency preparedness grants and programs.

California Disaster Assistance Act

The California Disaster Assistance Act (CDAA) authorizes the Director of Cal OES to administer a disaster assistance program that provides financial assistance from the state for costs incurred by local governments as a result of a disaster event. Funding for the repair, restoration, or replacement of public, real property damaged or destroyed by a disaster is made available when the Director concurs with a local emergency proclamation requesting state disaster assistance.¹ The program also provides for the reimbursement of local government costs associated with certain emergency activities undertaken in response to a state of emergency proclaimed by the Governor. In addition, the program may provide matching fund assistance for cost sharing required under federal public assistance programs in response to a Presidential Major Disaster or Emergency Declaration.

Federal Disaster Assistance

FEMA’s Public Assistance (PA) Program provides supplemental grants to state, tribal, territorial, and local governments, and certain types of private non-profits so communities can quickly respond to and recover from major disasters or emergencies. For eligibility to PA grants, regions must have received a Presidential declaration of an emergency or major disaster. Through the Community Disaster Loan Program, FEMA provides funding for local governments to operate their essential community services after substantial revenue loss is caused by a disaster. In support of responding to fire disasters, the Fire Management Assistance Grant (FMAG) program is also available to states, local and tribal governments, for the mitigation, management, and control of fires on publicly or privately owned forests or grasslands, which threaten such

¹ California Disaster Assistance Act, <https://www.caloes.ca.gov/office-of-the-director/operations/recovery-directorate/recovery-operations/public-assistance/california-disaster-assistance-act/>

destruction as would constitute a major disaster, through FEMA. Revenue loss and minimum damage thresholds are evaluated before grants can be awarded.

Disaster Damage Thresholds:

FEMA has established the minimum damage threshold for each state based on state-level metrics. The estimated value of damage from a local event must exceed the state-level minimum threshold to qualify for federal assistance. The extent of damage to public infrastructure and residences within a county is one of the factors FEMA considers in evaluating a Governor's request for a major disaster declaration and requests public and individual assistance programs. If the damages to homes and public infrastructure do not meet the federal criteria, the county and individuals will not be eligible for disaster assistance.

In California, the minimum damage threshold, currently over \$72 million, is based on statewide metrics rather than local impact, and can exclude small, rural, and low-income communities from FEMA assistance even after severe local disaster.² Although the state has a robust and sophisticated emergency response and management system, there are communities that do not meet the criteria for federal disaster assistance programs.

The Ferndale earthquakes in Humboldt County of December 2022 and January 2023 caused an estimated \$32 million in damage within the City of Rio Dell alone, out of approximately \$40 million in total damages across Humboldt County. Approximately 25% of the city's housing stock was damaged, with significant damage to the local water and wastewater systems. FEMA's disaster Public Assistance and Individual Assistance funding were unavailable because the level of damage did not meet FEMA's minimum thresholds for California.²

In September 2025, a storm system fueled by Tropical Storm Mario caused exceptionally high winds, heavy rainfall, flash flooding, and mudslides across both Imperial and San Bernardino Counties. The storm damaged State Routes 38, 62, and 178 in San Bernardino County roads and other infrastructure, including severe erosion, washouts, and undermined embankments. In Imperial County, and in the City of Brawley, the storm caused significant infrastructure damage, including damage to canal systems and electrical transmission lines and poles, resulting in widespread loss of power.³ Although the Governor proclaimed a state of emergency, the disaster did not meet federal thresholds for FEMA Public Assistance as a Presidential Emergency declaration did not occur.

Arguments in Support:

According to the League of California Cities, AB 1866 "would strengthen the California Disaster Assistance Act (CDAA) by ensuring local agencies who do not qualify for federal disaster aid are prioritized when being considered for state disaster public assistance following a state declared emergency. AB 1866 would provide a targeted, state-level solution by clarifying that, when allocating state public assistance funding under the CDAA, the Director of the Office of Emergency Services should consider for priority local agencies that are not eligible for federal assistance due to their inability to meet FEMA's minimum damage threshold. This clarification

²Ferndale Earthquake Sequence Understanding Impediments to Local Recovery in Rio Dell, California, <https://www.ssc.ca.gov/wp-content/uploads/sites/5/2024/04/Rio-Dell-Lessons-Learned-Final-Accessible.pdf>

³ Executive Department State of California: Proclamation of a State of Emergency, <https://dot.ca.gov/-/media/dot-media/programs/local-assistance/documents/erp/2025/declarations/ca25-7-proclamation-20251223.pdf>

would help ensure more equitable access to state disaster funding and better support communities with limited fiscal capacity to recover on their own.”

Related Legislation:

AB 262 (Caloza, 2025) would have enacted the California Individual Assistance Act. This bill was amended in Assembly Emergency Management committee to include language that stated the director of Cal OES should prioritize local agencies that are not eligible under the federal Robert T. Stafford Disaster Relief and Emergency Assistance Act due to their inability to meet the minimum damages threshold set. According to the sponsors of this bill, this language was later amended in Assembly Appropriations so the bill would focus solely on California Individual Assistance. (Held in Assembly Governmental Organization Committee).

AB 624 (Dixon, 2025) would have required the California Office of Emergency Services (Cal OES) to provide local operational areas and urban areas the maximum local share of the federal Emergency Management Performance Grant, provide the Legislature with additional grant spending information, and establishes the Community Relief Act. (Died in Assembly Emergency Management Committee).

AB 294 (Gallagher, 2025) would have authorized the California Office of Emergency Services (Cal OES) to prioritize funding and technical assistance for infrastructure and housing recovery projects in communities that suffered losses of population and business due to a local, state, or federal emergency or disaster. (Died in Assembly Emergency Management Committee).

REGISTERED SUPPORT / OPPOSITION:

Support

League of California Cities (sponsor)
City of Industry
City of Pico Rivera
City of Port Hueneme
City of Thousand Oaks
City of Tracy
City of Walnut
Redwood Empire Division, League of California Cities
Rural County Representatives of California (RCRC)
Second Harvest Food Bank Santa Cruz County

Opposition

None on file

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