Date of Hearing: April 28, 2025

ASSEMBLY COMMITTEE ON EMERGENCY MANAGEMENT
Rhodesia Ransom, Chair
AB 1530 (Committee on Emergency Management) – As Introduced March 26, 2025

SUBJECT: California Disaster Assistance Act

SUMMARY: Provides greater flexibility to the California Office of Emergency Services to administer California Disaster Assistance Act (CDAA) funds and allow local agencies to identify and apply for unmet disaster needs, as specified. Specifically, **this bill**:

1) Modifies the definition of project under the CDAA to include "disaster and any other unmet needs as identified by a local agency."

2) Specifies "unmet needs" means assistance that may be immediately required to help individuals and community-based organizations to quickly recover from a disaster.

3) Provides the Cal OES Director shall issue guidelines to administer the CDAA program, as opposed to regulations.

4) Adds "unmet needs" as defined above to the list of eligible programs for financial assistance that may be provided under the CDAA.

5) Requires Cal OES to establish a model recovery process that would be available to assist a community in recovering from a disaster.

6) Requires the model recovery process to include among other things, measures to encourage the participation of private nonprofit organizations and how they may be eligible to receive state assistance, as specified.

7) Requires Cal OES to issue guidelines to implement the process under CDAA for eligible private nonprofit organizations to receive state assistance for distribution of supplies and other disaster activities, as specified.

EXISTING LAW:

1) 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 8558)

2) Under the California Emergency Services Act, 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 8558)

3) Under the California Emergency Services Act, establishes the California Office of Emergency Services (Cal OES) within the office of the Governor for the purpose of

mitigating the effects of natural, manmade, or war-caused emergencies. (Government Code 8550)

4) Under the California Disaster Assistance Act (CDAA), 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) The 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. Typically, if the President declares a major disaster, the Federal Emergency Management Agency (FEMA) will provide financial assistance to local governments for 75% of eligible costs associated and the state will provide financial assistance for 75% of the remaining costs (18.75% of the total). (Ibid)

6) The CDAA provides if a state of emergency is proclaimed, an eligible private nonprofit organization may receive state assistance for distribution of supplies and other disaster or emergency assistance activities resulting in extraordinary cost. (Government Code Section 8692)

7) 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)

8) Under the Sandy Recovery Improvement Act of 2013, requires FEMA, in cooperation with State, local, and Tribal emergency management agencies, to review, update, and revise through rulemaking the factors that FEMA uses to determine whether to recommend provision of Individual Assistance (IA) during a major disaster. (Public Law 113-2, Section 1109).

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

COMMENTS:

Purpose of the bill: According to the author, "The purpose of this bill is to expedite the delivery of disaster assistance to communities that have suffered from disasters. This bill accomplished this by provided Cal OES with greater flexibility to administer the CDDA program. This bill also empowers local emergency managers, who know their communities the best, by broadening the eligible activities under the CDDA program to include unmet needs as identified by local agencies. Finally, this bill will give Cal OES the ability to revitalize the State Private Non-Profit (PNP) Organization Assistance Program to encourage greater participation with non-profits and voluntary organizations active in disasters."

Equity impact: According to the author's staff, "people of low socioeconomic status are more likely to live in homes that are vulnerable to disasters and to have their homes damaged or destroyed in the event of a disaster. When an emergency strikes, vulnerable populations, including low income individuals, undocumented individuals, and access and functional needs populations, face the highest risk. This bill will ensure Cal OES and local emergency managers can assist vulnerable populations."

Background: California has faced an increasing number of disasters in recent years, including catastrophic wildfires, earthquakes, and extreme weather events. These events result in significant loss of life, displacement of residents, and extensive damage to housing and infrastructure. Vulnerable communities, particularly those with lower socioeconomic status, are disproportionately affected. They face challenges such as homelessness, long-term financial hardship, and difficulty accessing recovery resources. Disasters often exacerbate existing inequalities, entrenching disadvantaged populations in cycles of poverty and vulnerability.

Federal and state disaster assistance and recovery programs leave some behind: Although the state has a robust and sophisticated emergency response and management system, there are individuals and communities that do not meet the criteria for federal or state disaster assistance programs. For example, several counties proclaimed a local emergency due to winter storms this year and have requested the Governor issue a state of emergency proclamation and recovery assistance under the California Disaster Assistance Act, but may not have extensive enough damages (in Cal OES's determination) to be granted assistance.

The extent of damages 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.

Disaster response and recovery: 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 is also 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 funds and several federal emergency preparedness grant programs.

The California Disaster Assistance Act (CDAA): The CDAA authorizes the Director of the 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. CDAA provides for the reimbursement of local government costs including funding for the repair, restoration, or replacement of public real property damaged or destroyed by a disaster.

CDAA Authorizes Spending From Special Disaster and Emergency Account: CDAA provides a variety of authorities to respond to emergencies. Most notably, the statute authorizes the Department of Finance (DOF) to transfer funds from the Special Fund for Economic Uncertainties (SFEU) to the Disaster Response-Emergency Operations Account (DREOA) and allocate funds from DREOA to state departments for disaster response operations costs. (The SFEU is the state's discretionary budget reserve of the General Fund.) Funds are allocated from DREOA immediately upon notification to the Joint Legislative Budget Committee (JLBC) by DOF. Initially, the use of DREOA for each emergency is limited to 120 days following the

Governor's declaration of the emergency. However, the Governor can extend the use of DREOA for emergency-related activities in 120-day increments—even if the proclaimed state of emergency has ended. In this way, DREOA funds can be available for response operations that might arise beyond the state of emergency.

State Assistance for Private Nonprofit Organizations via CDAA: The CDDA provides if a state of emergency is proclaimed, an eligible private nonprofit organization may receive state assistance for distribution of supplies and other disaster or emergency assistance activities resulting in extraordinary cost. This program is known as the State Private Non-Profit (PNP) Organization Assistance Program and Cal OES governs it through California Code of Regulations Title 19, Division 2, Chapter 6, Article 2, Sections 2991 – 2999. Although this program is authorized, CDAA funds have not been used for this purpose in the last three fiscal years.

Related legislation: AB 294 (Gallagher) of this Session. Would allow 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. (Pending in the Assembly Committee on Appropriations)

REGISTERED SUPPORT / OPPOSITION:

Support

None on file.

Opposition

None on file.

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