

Date of Hearing: July 14, 2025

ASSEMBLY COMMITTEE ON EMERGENCY MANAGEMENT

Rhodesia Ransom, Chair

SB 616 (Rubio) – As Amended July 10, 2025

SENATE VOTE: 39-0

SUBJECT: Community Hardening Commission: wildfire mitigation program

SUMMARY: Creates an independent Community Hardening Commission within the Department of Insurance, with the goals of developing a unified and centralized fire mitigation standard for all levels of government across the state, as well as generating guidelines to enable the creation of a wildfire data sharing platform. Specifically, **this bill:**

- 1) Creates the Community Hardening Commission (Commission) as an independent unit within the Department of Insurance (CDI)
- 2) Provides the Commission exists as a separate unit within the Department of Insurance, and has the functions of prescribing policy, holding meetings and setting dates of the meetings, and holding hearings insofar as those powers are given by statute to the commission.
- 3) Provides the decisions and actions of the Commission, with respect to exercising its authority and carrying out its duties under this chapter or any other applicable law, are not subject to review by the Insurance Commissioner, but are final within the limits provided by this chapter.
- 4) Provides the commission shall be chaired by the Insurance Commissioner and consist of the following seven members:
 - (a) The Insurance Commissioner or their designee.
 - (b) The State Fire Marshal, or their designee.
 - (c) The Director of Housing and Community Development or their designee.
 - (d) The Director of the Office of Emergency Services or their designee.
 - (e) The Director of the Office of Energy Infrastructure Safety or their designee.
 - (f) A member of the legislative body appointed by the Speaker of the Assembly.
 - (g) A member of the legislative body appointed by the Senate President pro Tempore.
- 5) Provides the Commission shall be advised by an advisory council, with the following members:
 - (a) Three representatives from scientific research institutions with expertise in wildfire science, as appointed by the Insurance Commissioner.
 - (b) A representative on behalf of the insurance industry, as appointed by the Insurance Commissioner.
 - (c) A representative on behalf of the Insurance Institute for Business and Home Safety, as appointed by the Insurance Commissioner.
 - (d) A representative on behalf of consumers and policyholders, as appointed by the Insurance Commissioner.

- (e) A local representative on behalf of a city or county, or association representing cities or counties, as appointed by the Insurance Commissioner.
 - (f) A representative on behalf of the business community, as appointed by the Insurance Commissioner.
 - (g) A representative of the California Building Industry Association, as appointed by the Insurance Commissioner.
 - (h) A representative of the California Fire Chiefs Association, as appointed by the Insurance Commissioner.
 - (i) A public member appointed by the Governor.
- 6) Requires the Insurance Commissioner, beginning on January 1, 2026, and quarterly thereafter, to convene the Commission for all of the following:
- (a) Develop new wildfire community hardening standards to reduce fire risk and improve access to fire insurance that address:
 - (1) guidelines and best practices for home hardening, as specified;
 - (2) guidelines and best practices for community wildfire mitigation for cities, counties and members of those communities to include infrastructure improvements for water and electrical supply to support fire suppression, enhanced ingress and egress routes, mandated funding mechanisms for defensible space, and risk mitigation specific to farm and agricultural land management, as specified; and
 - (3) means of reducing barriers for cities, counties, and members of those communities in home hardening and wildfire mitigation.
 - (b) Review existing home hardening regulations adopted by the Insurance Commissioner, CAL FIRE, and the California wildfire mitigation financial assistance program, and provide recommendations to the OES, CAL FIRE, and the Insurance Commissioner for changes to their regulations and programs to reduce fire risk and improve access to fire insurance, including outlining the most cost-effective strategies that will lower the risk for loss in a community in a useful manner insurers are able to reflect in underwriting.
 - (c) Make recommendations to expedite proven and cost-effective community hardening practices that reduce fire risk and improve insurability, including recommendations for reducing barriers for cities, counties, and members of those communities to invest in effective home hardening and wildfire mitigation strategies.
 - (d) Make recommendations to increase the pace and scale of forest health and landscape management projects with priority for mitigation near vulnerable communities.
 - (e) Oversee and facilitate state and local agency participation in a wildfire data sharing platform.

- 7) Requires the Commission to consult with stakeholders and make recommendations that include proposed local and state funding mechanisms and certification processes to:
 - (a) promote alignment of programs, inspections, and regulations across state departments and agencies, including, but not limited to, the Insurance Commissioner, OES, and CAL FIRE; and
 - (b) revise the home inspection program developed by CAL FIRE to more directly align with the home hardening regulations adopted by the Insurance Commissioner, CAL FIRE, and the California wildfire mitigation financial assistance program.
- 8) Requires these recommendations to include proposed state and local funding mechanisms and a certification processes that property owners can use or access to demonstrate to an insurer that a home hardening action has been achieved to meet relevant home hardening actions.
- 9) By July 1, 2027 and until January 1, 2032, requires the commission complete these new wildfire community hardening standards and submit a report to the Legislature on additional actions needed to support cities, counties, and members of those communities in home hardening and wildfire mitigation. Requires the commission to periodically review and update these standards.
- 10) Requires the Commission to identify specific wildfire catastrophe events and complete after-action investigations and reports, as specified.
- 11) Provides for any standard, recommendation, or requirement in this section that is intended to be a regulation and would be a building standard as defined by Section 18909 of the Health and Safety Code, the commission shall propose that standard, recommendation, or requirement to the California Building Standards Commission pursuant to the provisions of Chapter 4 (commencing with Section 18935) of Part 2.5 of Division 13 of the Health and Safety Code in order for the regulation to be effective.
- 12) By July 1, 2027, requires CDI to develop guidelines for state and local agencies to aggregate and make available data related to parcel-, neighborhood-, and community-level wildfire risk for the purpose of enabling a wildfire data sharing platform.
- 13) By July 1, 2027 and by January 1 annually thereafter until January 1, 2032, requires the commission to report to the Legislature its assessment of any statutory changes or budgetary resources needed to facilitate the optimal participation of state and local agencies in a wildfire data sharing platform.
- 14) Requires the CWMP to revise its wildfire mitigation program in accordance with the community hardening standards and home hardening guidelines developed by the commission.

EXISTING LAW:

- 1) 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)
- 2) Requires this training to be updated as changes are made to Chapter 7A, as specified, and include any pertinent mandates for emergency power backup, including, but not limited to, battery backup requirements for automatic garage door openers. (Health and Safety Code Section 13159.5)
- 3) 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:
 - (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.
- 4) Authorizes the OSFM, in researching and developing the products listing and the educational and training provisions to expend funds from the Building Standards Administration Special Revolving Fund, upon appropriation by the Legislature. (Health and Safety Code Section 13159.5)
- 5) Establishes the “Safer from Wildfires” Framework. (Section 2644.9 of Title 10 of the California Code of Regulations)
- 6) 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)
- 7) 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)
- 8) Requires the Office of Emergency Services to enter into a joint powers agreement with the Department of Forestry and Fire Protection, until July 1, 2025, 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)

- 9) Requires the joint powers authority to develop eligibility criteria for property owners, community organizations, and local governments that may receive financial assistance under the wildfire mitigation program. (Government Code 8654.4)

FISCAL EFFECT: According to the Senate Committee on Appropriations, “Unknown potentially significant costs to establish the Commission and develop new wildfire community hardening standards (General Fund and Insurance Fund). Unknown potentially minor ongoing state-reimbursable mandated costs for support staff to and local participation on the Commission (General Fund).”

COMMENTS:

Purpose of the bill: According to the author, “Senate Bill 616 is an important step toward the hardening of communities and homes, and helping insurance become more accessible and affordable in California. Climate change is making wildfires more frequent and destructive. As homeowners and communities work to harden their properties to make them more resilient to wildfires, there is a need for greater coordination across local, state and federal government in ways that include the perspectives of leaders across the fire science, construction, planning, insurance and emergency response disciplines. SB 616 will create an independent community hardening commission within the Department of Insurance. The Commission will be tasked with bringing together state and local governmental entities, as well as experts and stakeholders, to create consistent, data-driven standards to guide statewide fire mitigation policies and programs across state and local agencies. Effective fire mitigation is critically important to help improve availability and affordability of property insurance. Equally important, in the event of future wildfire catastrophes, the Commission will be tasked with conducting post-catastrophe reports. These reports will include an assessment of available data and information about the effectiveness of hardening measures in place, a review of lessons learned on performance of mitigation standards, and recommendations on improvements that can reduce severity of future events.”

Equity impact: According to the author’s staff, “By seeking to achieve a more uniform, standardized approach to policies dealing with home and community hardening, this bill will have an equalizing benefit for all residents and homeowners. Through its work and deliberations, the Hardening Commission can ensure all communities are treated fairly.”

California Wildfire Mitigation Program: In 2019, the Legislature passed and the Governor signed into law AB 38 to create the California Wildfire Mitigation Program (CWMP). The law authorized a joint exercise of powers agreement between Cal OES and Cal FIRE 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 cost-effective wildfire resilience measures to create fire-resistant homes, businesses, public buildings, and public spaces. 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 home 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 will 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.

California Department of Insurance's Safer from Wildfires: In 2022, CDI announced the "Safer from Wildfires" framework, which directs insurers to provide discounts to consumers and businesses if they take specified mitigation measures. In crafting this regulation, CDI worked with emergency preparedness agencies in the Governor's Administration, including CAL FIRE, Cal OES, the Governor's Office of Planning and Research, and the California Public Utilities Commission.

The framework provides a list of home and community wildfire mitigation measures that consumers and businesses can take to provide protection for the structure, the immediate surroundings, and the community. Under the regulation, the more "Safer from Wildfires" steps a consumer takes, the more they may be able to save on their insurance. Steps a consumer can take to help mitigate their property under this framework include: class-A fire rated roofs; 5-foot ember resistant zone; ember and fire-resistant vents; non-combustible 6 inches at the bottom of exterior walls; enclosed eaves; upgraded windows; cleared vegetation; removal of combustible sheds and other outbuildings; and defensible space compliance.

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 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.

Arguments in support: California Insurance Commissioner Ricardo Lara writes, “As the proud sponsor of this measure, I write in strong SUPPORT of Senate Bill 616, jointly authored by Senator Rubio, Senator Cortese, and Senator Stern, scheduled for hearing in your committee on April 22, 2025. This bill would create an independent Commission within my Department of Insurance with the goal of communicating the benefits of community-wide mitigation clearly – with one voice – to every corner of our state by aligning our statewide efforts for community wildfire risk reduction and mitigation efforts. We know that community-wide hardening is key to saving lives and protecting homes. Yet year after year, we see communities devastated by fast-moving wildfires that leave behind destruction, heartbreak, and rising insurance premiums. The people I meet across the state want to do their part in mitigating these factors, but they’re navigating a confusing and inconsistent maze of standards, regulations, and rules.”

CAL FIRE Local 2881 writes, “It is universally known and accepted by firefighters, insurance companies, and lawmakers that California’s most prudent path forward to mitigating fire damage and bringing insurance companies back to our state is through community hardening. A commission that streamlines the process and puts data and strategy under a single commission is overdue. SB 616 requires the joint powers authority to revise the wildfire mitigation program in accordance with prescribed community hardening standards and guidelines developed by the Community Hardening Commission which is established in SB 616. The Community Hardening Commission will have autonomy as an independent unit within the Department of Insurance.”

The League of California Cities writes, “The League of California Cities (Cal Cities) is pleased to support SB 616 (Rubio), which would create a Community Hardening Commission that operates independently within the Department of Insurance. The commission would have the goals of developing new fire mitigation standards to reduce fire risk, improving access to fire insurance, and guiding state agencies on reducing fire risk and increasing communities fire resilience.”

Arguments in support unless amended: While expressing their appreciation for the “intent of the bill to promote statewide wildfire resilience and improve coordination across agencies,” the California Fire Chiefs Association and Fire Districts Association of California outlined the following concerns:

1. Transfer of Oversight Authority: The bill removes key responsibilities from the Office of Emergency Services (OES) and places them within the Department of Insurance, a regulatory body without operational wildfire mitigation experience. Local fire authorities, along with CAL FIRE and OES, have the direct expertise necessary to manage and implement mitigation programs effectively.
2. State-Mandated Local Programs: SB 616 would impose a state-mandated program based on the decisions of the Commission, with unclear enforcement mechanisms or flexibility for local Authorities Having Jurisdiction (AHJs). Without proper integration of fire professionals or the ability to tailor mitigation strategies to local risk profiles, these mandates could create operational challenges and unfunded obligations for local agencies.
3. Limited Role for Fire Service Input: While the bill provides for an advisory council that includes a local fire chief representative, this is not a substitute for operational leadership or decision-making authority. Mitigation strategies should be driven by those with direct wildfire response and prevention experience—not solely insurance or policy experts.

To remedy these concerns, the California Fire Chiefs Association and Fire Districts Association of California offered the following amendments:

1. Restore authority for wildfire mitigation program oversight to CAL FIRE and OES, with coordination support from the Department of Insurance.
2. Clarify that all program implementation and enforcement shall remain under the jurisdiction of local fire authorities, with the ability to tailor standards to specific community needs.
3. Ensure local governments and AHJs are consulted before new mandates are imposed, including the ability to assess costs and seek state support prior to implementation.
4. Strengthen the role of fire service professionals within the Commission's structure to ensure practical, field-based perspectives are reflected in all guidance.

As amended on July 10, 2025, this bill ensures the State Fire Marshal shall be a member of the Home Hardening Commission and a representative of the California Fire Chiefs Association shall be a member of the advisory council. Additionally, committee staff is aware of ongoing deliberations and discussions with stakeholders and the author on these recommendations and other policy questions.

Support with suggested amendment: Similarly, the California State Association of Counties (CDAC) has requested a representative on the Commission and the advisory council. CSAC writes, "SB 616 would create an independent Community Hardening Commission within the Department of Insurance, with the goals of developing a unified and centralized fire mitigation standard for all levels of government across the state, as well as generating guidelines to enable the creation of a wildfire data sharing platform. We endorse this approach and respectfully recommend that the Commission and the advisory body include at least one county representative from a distressed area, to be selected by the county statewide association."

The Committee staff is aware of ongoing deliberations and discussions with stakeholders and the author on this request and other policy questions.

Concerns: The California Building Industry Association (CBIA), while expressing support for the overall goal of the measure, expressed concerns regarding how the recommendation would modify building standards and align or conflict with the current process for modifying building standards under Health and Safety Code and through the California Building Standards Commission. The CBIA writes, "The area of concern that we are asking to address is how to handle the valuable recommendations that will be generated by the input and feedback from key stakeholders who serve on this newly formed commission. Under current law, any standard changes, recommendations, or requirements that are intended to be a regulation that would modify a building standard, as defined by Section 18909 of the Health and Safety Code, that result in the adoption, amendment, or repeal of building standards are to be submitted to the California Building Standards Commission (CBSC) for review and adoption. SB 616 creates a competing building code adoption process in the law that will have both the CDI and the CBSC creating code standards that are likely to conflict with each other. The current statutory review process removes the potential for conflict." To address this concern, the CBIA offered the following amendments:

(g)(1) For any standard, recommendation, or requirement in this section that is intended to be a regulation and would be a building standard as defined by Section 18909 of the Health

and Safety Code, the commission shall propose the adoption, amendment, or repeal of building standards to the California Building Standards Commission pursuant to the provisions of Chapter 4 (commencing with Section 18935) of Part 2.5 of the Health and Safety Code in order for the regulation to be effective.

(2) Except as provided in paragraph (1), any standard, recommendation, or requirement contained in this section that is intended to be a regulation, the commission shall propose the adoption, amendment, or repeal of a regulation to CAL FIRE, the Department of Insurance, or the Office of Emergency Services according to their jurisdiction as it existed on January 1, 2025, in order for the regulation to be effective.

As amended on July 10, 2025, this bill includes a similar provision:

(g) For any standard, recommendation, or requirement in this section that is intended to be a regulation and would be a building standard as defined by Section 18909 of the Health and Safety Code, the commission shall propose that standard, recommendation, or requirement to the California Building Standards Commission pursuant to the provisions of Chapter 4 (commencing with Section 18935) of Part 2.5 of Division 13 of the Health and Safety Code in order for the regulation to be effective.

The CBIA also requested amendments to add a representative of the CBIA to the advisory council and that specifies that the business community member of the advisory council be representative of apartment managers, and commercial building owners.

As amended on July 10, 2025, this bill includes a representative of the CBIA on the advisory council.

Arguments in opposition unless amended: The Association of California Water Agencies (ACWA) and the California Special Districts Association (CSDA) write, “ACWA and CSDA have concerns with the inclusion of standards for improvements for water infrastructure within the scope of the bill. We appreciate our conversations with the author’s office and their willingness to try to address our concerns and look forward to future conversations. SB 616 should be more narrowly focused on fire prevention activities; Section 8899.82 (a)(1)(B)(i) relating to improvements to water infrastructure should be removed from the bill. Water agencies’ primary objective is providing the public with safe and reliable drinking water. These water systems were not designed to combat wildfires, especially the climate-driven wildfires that California experiences today.”

The Committee staff is aware of ongoing deliberations and discussions with stakeholders and the author on this request and other policy questions.

Related legislation: AB 1 (Connelly) of this Session. This bill would require the department, on or before January 1, 2030, and every 5 years thereafter, to consider whether or not to update its regulations to include additional building hardening measures for property-level mitigation efforts and communitywide wildfire mitigation programs. As part of this consideration, the bill would require the department to consult with specified agencies to identify additional building hardening measures to consider, as well as to develop and implement a public participation process during the evaluation. (Pending before the Senate Committee on Appropriations)

AB 888 (Calderon) of this Session. Establishes the California Safe Homes grant program to be developed by CDI to reduce local and statewide wildfire losses by encouraging mitigation. (Pending before the Senate Committee on Appropriations)

AB 1143 (Bennett) of this Session. Requires the Office of State Fire Marshal to develop a home hardening certification program that identifies the best appropriate combination of products and construction assemblies and convene and facilitate a workgroup for such purposes, as specified. (Pending before the Senate Committee on Appropriations)

AB 1531 (Committee on Emergency Management) of this Session. This bill adds CDI to the California Wildfire Mitigation Program (CWMP) Board. (Pending before the Senate Committee on Appropriations)

SB 326 (Becker) of this Session. Requires the Deputy Director of Community Wildfire Preparedness and Mitigation within the Office of the State Fire Marshal (OSFM) to prepare a Wildfire Risk Mitigation Planning Framework, a Wildfire Risk Baseline and Forecast, and a Wildfire Mitigation Scenarios Report, each to be released and updated on a specified schedule. (Pending before the Assembly Committee on Appropriations)

SB 429 (Cortese) of this Session. Establishes a grant program upon appropriation by the Legislature, to be administered by CDI, for the development and deployment of a public wildfire catastrophe model, as specified. (Set to be heard by this committee on July 14, 2025)

SB 514 (Cabaldon) Extends the operative date of Cal FIRE's program for individuals to support and augment the department in its defensible and home hardening assessment and public education efforts. (Pending before the Assembly Committee on Appropriations)

Prior legislation: SB 824 (Lara, Chapter 616, Statutes of 2018): Requires, among other things, that commencing April 1, 2020, insurers with premiums of \$10,000,000 or more report to the Insurance Commissioner specified residential property experience data for policies written in California for the two previous years, and increases the reporting threshold amount every five years thereafter. Also requires that such information is posted to the CDI website in the form of a report on wildfire risk, and updated every two years with new data submitted by insurers.

AB 3164 (Friedman, 2020, Vetoed by the Governor): Would have required the California Department of Forestry and Fire Protection (CAL FIRE) to develop a wildland-urban interface wildfire risk model.

SB 1199 (McGuire) from 2020. Would have established the Commission on Home Hardening. (Died in the Assembly.)

AB 642 (Friedman, Chapter 375, Statutes of 2021): Created a Risk Modeling Advisory Workgroup to advise CAL FIRE, in consultation with the State Fire Marshal, and the Insurance Commissioner on wildfire risk modeling.

AB 1933 (Calderon) 2024 Legislative year. This measure would have required CDI to report to the Assembly Committee on Insurance and the Senate Committee on Insurance regarding wildfire risk models, on or before, January 1, 2026, and annually, thereafter. (Died in Senate Insurance Committee.)

Double referral: This bill is double referred. Should it pass this Committee it will be referred to the Assembly Committee on Insurance.

REGISTERED SUPPORT / OPPOSITION:

Support

Cal Fire Local 2881
California Association of Realtors
California Professional Firefighters
City of Arcadia
City of Oakland
City of Santa Barbara
Consumer Watchdog
County of Fresno
County of Madera
County of Mendocino
Independent Insurance Agents & Brokers of California, INC.
Insurance Commissioner Ricardo Lara / California Department of Insurance (sponsor)
League of California Cities
Little Hoover Commission
Rural County Representatives of California
San Gabriel Valley Council of Governments
United Policyholders
U.S. Green Building Council California

Support if Amended

California Fire Chiefs Association
California State Association of Counties
Fire Districts Association of California

Oppose unless amended

Association of California Water Agencies
California Special Districts Association

Concerns

California Building Industry Association
Consumer Federation of America

Opposition

None on file.

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