SENATE COMMITTEE ON ENVIRONMENTAL QUALITY
Senator Blakespear, Chair
2025 - 2026 Regular

Bill No:	AB 1795		
Author:	Gipson		
Version:	5/18/2026	**Hearing Date:**	7/1/2026
Urgency:	Yes	**Fiscal:**	Yes
Consultant:	Taylor McKie		

SUBJECT: Smoke Damage Recovery Act

DIGEST: This bill requires the California Environmental Protection Agency (CalEPA) to develop health-based standards and requirements for minimum sampling, testing, chemical screening levels, and clearance for residential properties that have sustained smoke damage as a result of a wildfire and establish training and certification requirements for specified personnel involved in the remediation process.

ANALYSIS:

Existing federal law:

1) Establishes the federal Toxic Substances Control Act (TSCA), which, among other things, empowers the United States Environmental Protection Agency (U.S. EPA) with the authority to require reporting, record-keeping, and testing requirements, and restrictions relating to chemical substances and mixtures. (15 United States Code (USC) §§ 2601 et seq.)

2) Establishes, under TSCA, dust-lead hazard standards, post-abatement clearance levels, and abatement requirements for lead-based paint in certain residential structures. (40 Code of Federal Regulations (CFR) §§ 745.61 et seq.)

Existing state law:

1) Establishes the California Environmental Protection Agency (CalEPA) in the state government to protect public health and the environment. (Government Code (GC) §§ 12800 et seq.)

2) Establishes the Hazardous Waste Control Law (HWCL) to authorize the Department of Toxic Substances Control (DTSC) to regulate the management of hazardous wastes in California. (Health and Safety Code (HSC) §§ 25100 et seq.)

3) Defines "hazardous waste" as waste, that, because of its quantity, concentration, or physical, chemical, or infectious characteristics:
   a) Causes, or significantly contributes to, an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or,

   b) Poses a substantial present or potential hazard to human health or the environment, as specified. (HSC § 25141(b))

4) Requires the DTSC, under the HWCL, to adopt, and revise when appropriate, standards and regulations for the management of hazardous wastes to protect against hazards to public health, domestic livestock, wildlife, or the environment. (HSC § 25150)

5) Establishes DTSC's Toxicity Criteria for Human Health Risk Assessments, Screening Levels, and Remediation Goals (Toxicity Criteria Rule) for hazardous waste and hazardous substance cleanup sites; requires, among other things, that human health risk assessment calculations—including, but not limited to, all cancer risk and non-cancer hazard screening levels and corrective action objectives—use the toxicity criteria specified under the Toxicity Criteria Rule and attain human health protection, as specified. (22 California Code of Regulations (CCR) § 68400.5).

6) Specifies, under the Toxicity Criteria Rule, criteria for all human health risk assessments, human health risk-based screening levels, and human health risk-based remediation goals statewide, for the cleanup of releases of hazardous waste or hazardous substances to the environment. (22 CCR §§ 69020-69022)

7) Defines, under DTSC's health standards for the management of hazardous waste, "remediation goal" to mean a contaminant concentration that is media-specific (e.g., for air, groundwater, surface water, or soil affected by a release), site-specific, protective of human health and the environment, and used as a final cleanup goal for a response or corrective action. (22 CCR § 69020(c)(5))

8) Defines, under DTSC's health standards for the management of hazardous waste, "screening level" to mean a risk-based, contaminant concentration, calculated as specified and considered to be protective for humans (including sensitive groups) over a lifetime. (22 CCR § 69020(c)(6))

This bill:

Under the Health and Safety Code:

1) Requires CalEPA to develop health-based standards and requirements through regulation for minimum sampling, testing, and chemical screening levels for

residential properties that have sustained smoke damage as a result of a wildfire in consultation with specified agencies on or before June 30, 2027.

2) Requires the developed standards and requirements to include protocols, parameters, and thresholds for pre-remediation testing, post-remediation testing, and clearance of a residential property for habitation after completed remediation.

3) Requires the developed standards and requirements to consider all of the following:
   a) Differences based on the distance of a residential structure from the fire perimeter; and

   b) Whether certain wildfire smoke byproducts and hazardous substances dissipate with the passage of time.

4) Authorizes CalEPA to impose additional standards and requirements pertaining to a specific wildfire, including that related to additional wildfire contaminants, minimum sampling and testing recommendations or requirements, or chemical screening levels, and exempts these additional standards from the Administrative Procedure Act.

5) Defines "fire perimeter" to mean the footprint or entire outer boundary of a burned area as a result of a wildland-urban interface fire or urban conflagration, as specified.

6) Defines "impact zone" to mean a ZIP code that is either of the following:
   a) Within the fire perimeter, as specified; or

   b) Adjacent to and downwind of the fire perimeter, as specified.

7) Requires CalEPA to consult with the Department of Insurance (CDI) and other specified agencies to establish training and certification requirements for a person who inspects, evaluates, samples, tests, analyzes, remediates, or restores residential properties that have sustained smoke damage as a result of a wildfire, as specified.

8) Requires CalEPA to promulgate regulations to implement, administer, and enforce the training and certification requirements, establish rules for noncompliance, and determine which governmental entity shall have jurisdiction over the different categories of persons who will be subject to the requirements.

9) Requires the regulations concerning training and certification to establish fees that will be required for certification at levels not to exceed an amount sufficient to cover the costs of administering and enforcing such requirements.

10) Requires the fees collected to be deposited into the Wildfire Remediation and Restoration Certification and Training Fund created in the State Treasury, with funds available upon appropriation by the Legislature.

Under the Insurance Code:

11) Prohibits an insurer from terminating coverage for additional living expenses for a covered smoke damage claim submitted under a policy of residential property insurance as a result of a wildfire until the property has been cleared for habitation, as described.

12) Requires the standards and requirements developed by CalEPA for minimum sampling, testing, and chemical screening levels to apply to all covered smoke damage claims within the impact zone submitted under policies of residential property insurance as a result of a wildfire.

13) Requires any additional standards developed by CalEPA related to additional wildfire contaminants, minimum sampling, testing recommendations or requirements, or chemical screening levels to apply to all covered smoke damage claims.

14) Requires an insurer to be responsible for covering the cost of the sampling and testing that is required pursuant to the standards and requirements developed by CalEPA, subject to the terms and provisions of the policy.

15) Allows an insurer to cover sampling and testing that exceeds what is required pursuant to the standards and requirements developed by CalEPA.

16) Requires all of the following conditions to apply to covered smoke damage claims:
    a) The insurer must inspect the property as soon as practicable, but no later than 30 calendar days after receiving notice of the claim, if the insurer chooses to exercise its right to inspect the smoke-damaged property, as specified;

    b) The insurer must pay the actual cash value of the cost to restore the damaged property to no less than its pre-loss condition, unless the policyholder has agreed to permit the insurer to remediate and restore the property to its pre-loss condition;

c) The insurer must pay the undisputed amount of replacement cost to restore the damaged property to no less than its pre-loss condition up to the applicable policy limits within 15 calendar days from the date of which the insured provides the insurer with a copy of the contract remediating and restoring the property, unless the policy holder has agreed to permit the insurer to remediate and restore the property to its pre-loss condition under a policy that requires payment of the replacement cost for a lass after the actual cash value payment; and

d) A payment not made pursuant to the specified timeframes must accrue interest payable to the insured.

17) Requires the insurer to supply the claimant with a copy of each document upon which the settlement is based if a claim is settle on the basis of a written scope or estimate prepared by or for the insurer.

18) Requires the estimate prepared by or for the insurer to be for an amount that will restore the property to no less than its pre-loss condition and that allows for restoration to meet or exceed the standards and requirements developed by CalEPA, other applicable laws and regulations, and accepted trade and industry standards that do not conflict with the standards developed by CalEPA.

19) Requires a vendor or contractor hired or referred by the insurer to have the requisite license, training, and certification mandated by the state.

20) Requires CDI to implement and enforce the standards and requirements developed by CalEPA as they pertain to its licensees and assess penalties for noncompliance.

21) Specifies that the proposed provisions do not limit any other law or regulation, including the Unfair Trade Practices Act and the Fair Claims Settlement Practices Regulations.

22) Requires CDI to develop a training and certification program for insurance adjusters (hired by an insurer) and public insurance adjusters (hired by an insured) in inspecting, evaluating, sampling, or testing smoke damage caused by a wildfire and subjects all activities for training and certification to the standards and requirements developed by CalEPA on or before January 1, 2028.

23) Requires CDI to implement and enforce the training and certification program and assess penalties for noncompliance.

24) Makes related findings and declarations.

Background

1) *Fires in the wildland urban interface.* Due to climate change, the frequency and severity of wildfires have been increasing in the state and globally.[1] Four out of the five most destructive wildfires in California history have occurred in the last 10 years.[2] In 2025, the Eaton and Palisades fires in Los Angeles County destroyed over 16,000 structures and burned nearly 38,000 acres combined; in 2018, the Camp Fire in Butte County destroyed nearly 19,000 structures and burned 153,000 acres; and in 2017, the Tubbs Fire in Napa and Sonoma counties destroyed more than 5,500 structures and burned nearly 37,000 acres.

   These fires are all examples of wildland urban interface (WUI) fires, which means a zone of transition between unoccupied land and human development. It is known as the line, area, or zone where structures and other human development meet or intermingle with undeveloped wildland or vegetative fuels.[3] Although the area burned in the WUI comprises a relatively small percentage of the overall burn area, the majority of damage to human structures occurs in the WUI. California is first among the top five states with the most homes in WUI areas, with 30-45% of all homes in the state in WUI areas.

2) *Where there's smoke, there's toxins.* When fires in the WUI burn into densely populated areas, wildfires can transition into urban conflagrations, in which fires spread rapidly from structure-to-structure. In the wake of these fires, both the interiors and exteriors of structures can become polluted by smoke residue, ash, and debris, which can contain toxic chemicals. The smoke from these fires doesn't just consist of the chemicals from plant-fueled fires, but also of various toxic compounds from lead-based paint, lithium batteries, vinyl siding, fiberglass insultation, electrical wiring, rubber tires, and more.[4] These chemicals can also be altered from the high intensity of the wildfire and interact with each other as they are being emitted.

   Fires have been blamed for a long list of health illnesses. Wildland fire smoke has been linked to increased hospital admissions for asthma, strokes, and heart attacks. House fires have been associated with higher levels of cancer in firefighters. But new hazards arise when these types of fires are combined and amplified by burning entire neighborhoods. Health risks associated with WUI fire toxicants can persist beyond the active burning of the fire, due to contamination of the ecosystem and built environment. Exposure to these

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[1] California Air Resources Board. (2026). Wildfires & Climate Change.
[2] CAL FIRE. (2025). Top 20 Most Destructive California Wildfires.
[3] U.S. Fire Administration. (2026). What is the WUI?.
[4] Cornwall, W. (2025). In the Ashes.

toxicants and health impacts can also extend well beyond the WUI communities, as smoke can be transported for hundreds to thousands of kilometers.[5]

Studies have reported that several types of chemicals can be found at elevated concentrations inside of structures following WUI fires, including volatile organic compounds (VOCs) and heavy metals.[6,7,8] Reports and independent studies have also demonstrated that unsafe levels of toxins can remain in homes after professional cleaning and can be redistributed throughout the home by the HVAC systems.[9] Some types of contamination from WUI fire smoke damage may cause permanent physical damage to property and pose potential acute and chronic health impacts if it goes without sufficient remediation.[10]

For homes that remain standing but have been impacted by WUI fire smoke and debris, there are no uniform state or federal standards pertaining to investigation, testing, and remediation for indoor chemical hazards. Residents returning to their homes have reported feeling concerned about whether it is safe to do so. In the absence of such standards, various entities have developed professional standards and certifications to guide the work of remediation and testing by contractors and hygienists, as well as recommendations for residents. Some guidance has been released from the state for soil contamination following WUI fires, which contains screening levels for various soil contaminants, step-by-step instructions for survivors and local authorities for soil sampling based on property damage levels, information on how to interpret results, and an overview of professional remediation methods.[11] The state has not released similar guidance for indoor contaminants.

This bill would require CalEPA to develop standards and requirements for minimum sampling, testing, chemical screening levels, and clearance for residential properties that have sustained smoke damage as a result of a wildfire. AB 1795 also requires CalEPA and the CDI to establish training and certification requirements for anyone who inspects, evaluates, tests, remediates, or adjusts insurance claims.

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[5] National Academies of Sciences, Engineering, and Medicine. (2022). The Chemistry of Fires at the Wildland-Urban Interface.
[6] LA Fire Health Study. (2026). LA Fire HEALTH Study.
[7] Jech, S., et. al. (2024). Determination of Soil Contamination at the Wildland-Urban Interface after the 2021 Marchall Fire in Colorado, USA.
[8] Allen, J. et. al. (2025). Post-fire soil hazards: recommendations for updated soil testing protocols and clearance thresholds.
[9] Callimachi, R. and Migliozzi, B. (2025). How Did This Family End Up Back in a Toxic House?.
[10] California Department of Insurance. (2026). Report of the Smoke Claims and Remediation Task Force.
[11] Department of Toxic Substances Control. (2025). Residential Soil Evaluation.

3) *Navigating a hazy insurance landscape.* Following the Eaton and Palisades Fires, thousands of residential properties suffered damage from WUI fire smoke and its associated harmful contaminants. Under insurance policies, claims can be made for smoke damage when smoke residue, odor, or contamination impacts a property following a fire. CDI estimated that over 13,000 insurance claims involving standing homes that sustained smoke damage were filed after the WUI fires in Los Angeles County.

   As claims were filed and addressed, CDI received complaints from policyholders regarding the handling of smoke damage claims, including disputes over the scope of investigation, claim denial, and the extent of remediation and restoration.[10] Some policyholders reported feeling pressured to return to homes they suspected were unsafe and faced significant costs to test and restore their homes to pre-loss conditions. A lack of consistency in sampling and testing protocols, restoration methods, and claims adjusting practices has led to varying outcomes and frustrations for WUI fire survivors.

   Additionally, the insurance industry has indicated operational and legal challenges associated with increased smoke damage claims; uncertainty with inconsistent standards and protocols for evaluating and remediating smoke damage; and competing expectations surrounding claims handling and insurance affordability.[10]

   Thus, the need for uniform standards that guide the evaluation of smoke damage, remediation and restoration practices, and the handling of smoke damage insurance claims emerged. This bill would provide consistency through the development of standards and would require that all smoke damage insurance claims be subject to the developed standards, as specified.

4) *Smoke Claims and Remediation Task Force.* Out of recognition of the need for statewide standards for investigating and addressing smoke damage, CDI established the Smoke Claims and Remediation Task Force (Task Force) in May 2025. The Task Force was charged with the following:

   - Evaluating existing methods of best practices and recommending uniform standards for inspecting, testing, and remediating properties with smoke damage;
   - Recommending standards for determining whether structures damaged are below, at, or above, established levels for health and safety of occupants; and
   - Determining which state and local government agencies must be involved in creating and enforcing these standards.

On March 9, 2026, CDI released the Task Force's findings in a report. The report documents various activities of the Task Force, including discussions on how smoke damage and contaminants should be addressed in the wake of WUI fires and urban conflagrations. Throughout the discussions, the Task Force heard from numerous stakeholders, including impacted homeowners and survivor groups, consumer advocates, academics, industrial hygienists, restoration specialists, local and state public health experts, insurance industry representatives, an attorney on behalf of policyholders, and an attorney on behalf of the insurance industry.

Key takeaways of the report highlighted areas of agreement and disagreement on how to address smoke damage. There was general consensus regarding the relatively greater potential for harm from toxins resulting from WUI fires; the need for standards for contaminants of concern in addition to existing standards; the utility of a tiered classification system for smoke damage claims with varying protocols; and the importance of training and certification programs for personnel involved in the insurance claim and remediation process, including, but not limited to insurance adjusters, industrial hygienists, remediation experts, and testing laboratories.

Areas of contention included the necessity for pre-remediation testing; the applicability of additional remediation and repeated clearance testing under an insurance claim; and the development of the tiered classification system for smoke damage claims based on distance from the fire perimeter and the activities that apply to the varying protocols.

This bill, sponsored by the Insurance Commissioner Ricardo Lara, was born out of the findings of the Smoke Claims and Remediation Task Force. Reflecting some of the arguments made during Task Force activities, this bill would require that the standards are developed with consideration of distance from the fire perimeter, which may have implications for what pre- and post-remediation testing are conducted.

Comments

1) *Purpose of Bill.* According to the author, "AB 1795 creates a consistent statewide framework for handling wildfire smoke damage insurance claims which would be the first in the nation. This bill would require that homes contaminated after a wildfire are properly evaluated and restored to a safe and habitable condition – and hold insurance companies accountable when standards are not met. Right now, the absence of statewide standards has

created confusion, unfair claims handling, and uncertainty for families already coping with unimaginable losses. Consumer protection is my number one priority, and establishing clear rules will ensure that homeowners are protected and survivors can safely move back into their restored homes knowing they do not face life-long health risks. After a wildfire, recovery should not depend on a homeowner's ability to navigate complex insurance disputes while their life is already turned upside down. More than a year after the most devastating fires Los Angeles has ever seen, there is no reason to delay. I am dedicated to swift passage of AB 1795, the Smoke Damage Recovery Act, to pave the way for a better process that insurance policyholders can rely upon."

2) *A presumption of attribution.* Following the Eaton and Palisades fires, there have been many anecdotes of insurance claim denials for smoke damage, as insurers would indicate that evidence of contamination would not be attributable to the WUI fire, even if the test results were positive, and would determine the contamination to be pre-existing. These denials have left wildfire survivors without resources that may have been warranted and have led to litigation against insurers, costing everyone involved time and resources.

   Opponents of the bill argue that a presumption that attributes evidence of contamination to a WUI fire would prevent the denial of rightful claims. To be more protective of wildfire survivors, it may be important to consider the inclusion of a presumption in this bill. Although the author committed to include a rebuttable presumption in this bill on the Assembly floor, one has not yet been included in the bill. The sponsors of the bill have indicated that a presumption is built in, as the adopted standards would apply to any residence within the impact zone, however, that has not been clear to the impacted groups, and it is unclear how CalEPA will employ such a presumption in the regulations.

   Because there are concerns that opportunists may exploit the presumption for their own personal gain, a presumption could include additional guardrails to ensure it is employed appropriately. The presumption could be based off additional established standards that indicate an elevated level of contamination that is attributed to smoke from WUI fires. With this approach, agencies would also need to determine background levels and margins of error of which to compare the elevated level and the types of contaminants involved. This could provide a consistent baseline of which to make such a presumption.

   The use of a presumption could also depend on the distance from the fire perimeter. This bill provides that the established standards and requirements shall consider differences based on distance of a residential structure from the fire perimeter, if appropriate. A presumption could be automatically made for residential structures within or closer to the fire perimeter, and the presumption based off an elevated level of contamination could apply to residential structures much further away.

Going forward, the author may wish to consider including in the established standards a rebuttable presumption that evidence of contamination is attributable to a WUI fire and pair the presumption with an elevated level of contamination or similar metric, such as detection sampling results.

3) *Directing the use of industry standards.* This bill requires that the estimate prepared by or for an insurer to be for an amount that will restore the damaged property to no less than its pre-loss condition and allow for restoration to be completed in a manner that meets or exceeds the CalEPA established standards, other relevant laws and regulations, and accepted trade and industry standards, as long as the trade and industry standards do not conflict with the CalEPA established standards and requirements. The trade and industry standards, such as from the Institute of Inspection Cleaning and Restoration Certification (IICRC) or the American Industrial Hygiene Association (AIHA), specify protocols for pre-restoration evaluation, wildfire impact assessment, sampling, analytical chemical methods, data interpretation, and restoration methods.

   A particular protocol found to be problematic is the visual inspection and odor perception tests both as part of the pre-remediation evaluation and the restoration completion evaluation. These sensory tests can be subjective, and some technical guides even acknowledge that odor perception can vary by orders of magnitude between individuals. This can lead to inconsistent and insufficient assessment during pre- and post-remediation.

   AB 1795 only references these trade and industry standards for provisions that involve post-remediation activities and includes a provision that they shall not conflict with the CalEPA established standards. However, it is not certain that the CalEPA established standards will preclude the use of visual and olfactory assessment, which could lead to its continued use. It may be important to continue to generally reference the use of these standards for some applications, as they are not exclusive to the sensory perception assessments, and may include helpful tools that could fall outside the scope or jurisdiction of CalEPA's expertise. However, if there is consensus on the inadequacy of the sensory perception assessments, then the Legislature could give direction to explicitly exclude such tests, when appropriate. ***The author and committee may wish to consider ensuring the standards established by CalEPA indicate***

the appropriate and inappropriate employment of the visual and olfactory assessments as outlined in trade and industry standards.

4) *Transformation and dissipation.* This bill currently proposes that the standards and requirements developed by CalEPA consider whether certain wildfire smoke byproducts and associated hazardous substances dissipate with the passage of time. This accounts for one physical process that may occur with contamination from WUI fire smoke that may decrease the presence or concentrations of those chemicals. However, there are other physical processes that may impact the composition and toxicity of WUI fire smoke. Hazardous chemicals from WUI fire smoke can undergo chemical reactions, transform, and degrade over time, sometimes into substances that may be more toxic than the primary contaminants.[5] Similar to the author's intent to require CalEPA to consider physical changes to the chemistries of WUI fire smoke, ***the author and committee may wish to consider requiring CalEPA to consider whether certain wildfire smoke byproducts and associated hazardous substances transform with the passage of time when developing the standards and requirements.***

5) *Twin flames: AB 1642 & AB 1795.* Another bill pending hearing before this committee, AB 1642 (Harabedian) addresses wildfire smoke contamination through establishing health-based standards, similar to this bill, except it does not include provisions that link the standards to insurance claims. Both bills require the establishment of health-based standards for testing, remediation, and clearance, but AB 1642 houses this work at DTSC in coordination with the Office of Environmental Health Hazard Assessment (OEHHA) and AB 1795 houses this work at the California Environmental Protection Agency (CalEPA), which houses both DTSC and OEHHA. If both bills are passed by the Legislature in their current form and signed by the Governor, they have the potential to duplicate efforts under CalEPA. While proponents have expressed that the intent differs between the two bills, there may still be jurisdictional overlap and questions regarding how any established standard will apply in the real-world, especially in the context of insurance.

   Because of the wide-reaching implications and domestic importance of both bills, conversations regarding how they will fit together or co-exist will continue beyond this committee with coordination between both authors and the respective agencies. For the purpose of this analysis, below are considerations that could resolve areas of conflict or duplication:

   a) *Presumptions and proxies.* AB 1642, which is primarily supported by wildfire survivors, includes a presumption that if WUI debris is present in a surviving structure after a WUI fire, then any identified contamination is a result of that WUI fire. This presumption has been deemed necessary due to experiences of insurance claim denials when a homeowner suspects their home has been contaminated with WUI debris and detection sampling results are ignored. The evaluations of contamination or smoke damage have also been contingent on visual and olfactory assessment, which can be more subjective than testing results for contaminants. If the inspector does not sense smoke damage or contamination, this could also lead to a decision to deny further testing and/or a denial of an insurance claim.

AB 1795 does not currently have such a presumption, although commitments for one may be forthcoming. It should be noted that the sponsors of AB 1795 have indicated that a presumption is built into the bill, as the adopted standards would apply to any residence within the impact zone, though it is uncertain what those standards will look like. There have also been concerns about the design of the impact zone and whether the standards would apply to potentially impacted homes. Generally, there are costs concerns associated with the presumption AB 1642 proposes as well concerns that opportunists may abuse it. There are also concerns with the number of tests that would need to be conducted as part of the presumption and pre-remediation testing.

To balance the concerns for costs and testing requirements with assurance that contamination will be addressed appropriately, agencies could be authorized to include a proxy (or proxies) in the standards that could act as a substitute for other types of contamination and indicate a certain likelihood that sampled contamination is associated with wildfire or WUI debris. There are various types of contaminants and contamination profiles associated with pre-existing background conditions, wildfires, and WUI fires.[5] The regulators could determine whether one type of contaminant has a likelihood of co-existing with other types of contamination or debris, which could strengthen any argument of presumption or attribution. This proxy could be paired with an established elevated level described in *comment 2* to provide a level of certainty to the attribution of the contamination to the wildfire or WUI fire.

Testing one proxy (or a limited set of proxies) could mitigate any concerns around the costs of multiple tests of contaminants and subsequent increases in insurance costs. The utilization of the proxy could also be distance-dependent, as a blanket presumption may be of more utility closer to the fire perimeter, whereas a proxy may be more useful much further downwind. It is important to note that this proxy would not substitute the need or determination for pre-remediation testing, however, it could serve as a cost-effective, scientifically based metric to base a presumption on and be more stringent than current industry inspection standards.

b) *Standards and guidance.* Although it has been indicated that AB 1642 does not apply in an insurance context, the current language does suggest implications for insurance protocols. AB 1642 is intended to focus on the development and adoption of health-based standards and guidance. AB 1795 is intended to focus on the same, but in conjunction with insurance protocols. Both standards are likely to assess some, if not the same, level of risk and could possibly take economic considerations into account.

   Standards are typically applied within a regulatory framework with various considerations at play. AB 1642 could focus more on developing guidance with health-based thresholds that will not take economic considerations into account. This could be similar to thresholds OEHHA established as public health goals for drinking water that considers "no significant risk." The State Water Board then sets drinking water standards as close to the public health goal as economically and technologically feasible with a stringent assessment of risk. A similar structure could be outlined here, with the health-based thresholds established for scientific clarity and standards developed that consider risk, the technological limitations of testing, and feasibility under the existing insurance framework. If AB 1642 were to reflect guidance instead of standards, it would be more in alignment with the author's expressed intent. It should be noted, however, that guidance is not typically enforceable, whereas a standard set by AB 1795 would be.

6) *Committee amendments.* ***Staff recommends the committee adopt the bolded amendments contained in comments 3 & 4 above.***

DOUBLE REFERRAL:

This measure was heard in Senate Committee on Insurance on June 24, 2026, and passed out of committee with a vote of 5-1.

Related/Prior Legislation

AB 1642 (Harabedian) would require DTSC to adopt regulations that specify standards for investigation, environmental testing, and clearance to guide the removal of contamination from wildland urban interface (WUI) fire debris in residential areas after a wildfire. This bill is pending before the Senate Environmental Quality Committee.

AB 1 (Connolly, Chapter 472, Statutes of 2025) required, by January 1, 2030 and every five years thereafter, CDI to consider whether to update the Safer from Wildfires regulations to include certain building hardening measures.

SB 1176 (Niello, 2024) would have required CAL FIRE, the California Governor's Office of Emergency Services, and DTSC, in consultation with academic and research institutions with demonstrated relevant expertise, and any other governmental agency or educational institution that may have experience in public health and wildfires, to form a workgroup related to toxic heavy metal exposure after a wildfire. This bill was held on the suspense file in the Assembly Appropriations Committee.

AB 541 (Wood, Chapter 530, Statutes of 2023) required the State Water Board to require a public water system that has experienced a major wildfire event of 300 acres or more and under specified conditions to perform sample collection and analysis of its source waters for the presence of benzene as soon as it is safe to do so; and authorized the State Water Board to require the public water system to take specified response actions if benzene is detected.

SOURCE: Insurance Commissioner Ricardo Lara

SUPPORT:

Insurance Commissioner Ricardo Lara / California Department of Insurance

OPPOSITION:

301 Organics
350 Conejo
350 Conejo / San Fernando Valley
350 South Bay LA
350 South Bay Los Angeles
350 Southland Legislative Alliance
Altadena Arts
American Property Casualty Insurance Association
Ban Sup
Civic Sundays
Clergy Community Coalition
Dena Rise Up
Eaton Fire Collaborative
Eaton Fire Renters Coalition

Eaton Fire Residents United
End Child Poverty CA
Greenfaith
Hello Claire
Hollly Wyman Design
Joan Collaborative
L.a. Voice
Leap of Faith Family to Family Support
Little Tokyo Service Center
Long Beach Alliance for Clean Energy
Maeve Mt. Washington Glassell Park
Mcclain Consulting Services
My Tribe Rise
National Association of Mutual Insurance Companies
Pacific Association of Domestic Insurance Companies
Pacific Film Foundation
Pasadenans Organizing for Progress (POP!)
Personal Insurance Federation of California
Resilient Palisades
San Diego350
Sonoma County Climate Activist Network (SOCOCAN!)

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