

## ASSEMBLY THIRD READING

AB 1964 (Bennett)

As Amended May 18, 2026

Majority vote

**SUMMARY**

Requires the Office of the State Fire Marshal (OSFM) to develop home hardening standards that identify whether a home is sufficiently hardened against fire risks and requires the State Fire Marshal (SFM) to compile a report that estimate the number of homes in moderate, high, and very high fire hazard severity zones (FHSZs) in state and local responsibility areas that meet home hardening criteria or require additional home hardening.

**Major Provisions**

- 1) Requires the OSFM, by January 1, 2028, to develop home hardening standards to determine whether a home is sufficiently hardened to effectively reduce fire risk, as specified.
- 2) Requires the SFM, by January 1, 2030, to compile a report concerning homes in moderate, high, and very high FHSZs in state and local responsibility areas that includes all of the following:
  - a) An estimate of the total number of homes located within each fire hazard severity zone and responsibility area.
  - b) An estimate of the number of homes that meet home hardening standards, as specified, and an estimate of the number of homes that require more home hardening in each responsibility area and county.
- 3) Requires the SFM to, by July 1, 2030, make the completed report available online and to the legislature, as specified.

**COMMENTS**

*Home Hardening:* Home hardening refers to modifying a building's exterior with fire-resistant materials and construction techniques to prevent ignition from embers, radiant heat, and direct flames during wildfires. One of the most common causes of ignition is ember entry, which home hardening activities can be mitigated with.<sup>1</sup> Wildfire home hardening includes retrofitting homes with fire-resistant materials and creating defensible space around homes and communities. Home modifications include replacing the roof with metal, clay, or tile, installing metal gutters, and upgrading to dual-paned windows with one pane of tempered glass.

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

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<sup>1</sup> Fire Safe Communities Program, <https://cafiresafecouncil.org/grants-and-funding/cfsc-grant-programs>

statewide criteria and based on the severity of fire hazard that is expected to prevail in those areas. Moderate, high, and very high fire hazard severity zones shall be based on fuel loading, slope, fire weather, and other relevant factors including areas where winds have been identified by the SFM as a major cause of wildfire spread.

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

*California Wildfire Mitigation Program:* In 2019, AB 38 (Wood) Chapter 391, Statutes of 2019 directed California Governor's Office of Emergency Services (Cal OES) to create the California Wildfire Mitigation Program (CWMP) along with Cal FIRE via a joint powers agreement to strengthen community-wide resilience against wildfires. This included developing a state home hardening initiative to retrofit, harden, and create defensible space for homes at high risk of wildfires, focusing on high socially vulnerable communities, and providing financial assistance for low- and moderate-income households. The effort is meant to encourage designed to encourage cost-effective structure hardening and retrofitting and facilitate vegetation management, the creation and maintenance of defensible space, and other fuel modification activities. This includes a community hardening approach to achieve wildfire resilience, low-cost retrofits with ignition-resistant materials to bring homes up to the standard of the California Building Code Chapter 7A, community and homeowner wildfire education on defensible space and home retrofitting and providing financial assistance to support home hardening work for qualifying homeowners.

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

*Wildfire Mitigation Advisory Committee:* The Wildfire Mitigation Advisory Committee was established through AB 9 (Wood) Chapter 225, Statutes of 2021 to act in an advisory capacity on the programs and activities of the Community Wildfire Preparedness and Mitigation Division. The Wildfire Mitigation Advisory Committee (WMAC) provides a means of communication between the OSFM, representatives of industry, state agencies, the fire service, and other stakeholders. The Committee provides a forum for addressing wildfire preparedness and mitigation issues of statewide concern, shares best practices, seeks comments and specific input on programs and technical issues, and informs local agencies and the public of applicable new laws and regulations.

*Chapter 7A of the California Building Standards Code:* Chapter 7A is California's Wildland-Urban Interface (WUI) building code. As such, this chapter of the building code establishes the *minimum standards* applicable to building materials, systems and/or assemblies used in the exterior design and construction of new buildings located within a WUI Fire Area for the

protection of life and property. Chapter 7A was initially adopted in 2008 and has undergone multiple revisions as part of the iterative code development process, integrating the most recent insights and scientific advancements from technical experts in the field.

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

*Policy Considerations:* There is a clear relationship between this bill and AB 1934 of the current legislative session also by this author. AB 1934 requires the OFSM's Wildfire Mitigation Advisory Committee to develop an implementation plan by January 1, 2028 for a home hardening certification program that identifies home hardening measures, including defensible space, that can be voluntarily implemented to substantially reduce the risk of loss during a fire and bring existing building stock into alignment with the provisions adopted in the California Building Standards Code (Title 24 of the California Code of Regulations). If AB 1934 is enacted, the home hardening standards created by the implementation plan would likely double as the home hardening standards that this bill requires the OFSM to develop in order to draft the report that estimates the number of homes in moderate, high, and very high FHSZs that meet home hardening criteria or require additional home hardening.

### **According to the Author**

"Wildfires in California are inevitable. As we continue to grapple with increasingly frequent and destructive wildfires, it's imperative California understand where our resources need to be focused. AB 1964 requires the State Fire Marshal to conduct a survey on the number of homes in moderate, high, and very high Fire Hazard Severity Zones, that are successfully fire hardened and not in addition to an estimate of what it would cost to harden homes that need it. With comprehensive data on the state of home hardening, California ensures its resources for hardening incentives go to the communities that need it most—ultimately protecting homes and giving us the best bang for our buck."

### **Arguments in Support**

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

### **Arguments in Opposition**

None on file.

## FISCAL COMMENTS

According to the Assembly Committee on Appropriations:

Costs of an unknown amount, potentially in the millions of dollars, to the SFM to develop home hardening standards, and estimate the number of homes in certain FHSZs that do or do not meet those standards (General Fund (GF)).

## VOTES

### **ASM EMERGENCY MANAGEMENT: 7-0-0**

**YES:** Ransom, Hadwick, Arambula, Bains, Bennett, Calderon, DeMaio

### **ASM APPROPRIATIONS: 11-0-4**

**YES:** Wicks, Aguiar-Curry, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache

**ABS, ABST OR NV:** Hoover, Dixon, Ta, Tangipa

## UPDATED

VERSION: May 18, 2026

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