
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anna Caballero, Chair
2025 - 2026 Regular Session

AB 261 (Quirk-Silva) - Fire safety: fire hazard severity zones: State Fire Marshal

Version: July 10, 2025

Urgency: No

Hearing Date: August 18, 2025

Policy Vote: G.O. 15 - 0, N.R. & W. 7 - 0

Mandate: No

Consultant: Janelle Miyashiro

Bill Summary: AB 261 authorizes the State Fire Marshal (SFM), in periods between the SFM's review of state responsibility areas (SRAs) and non-SRAs regarding fire hazard severity zones (FHSZs), to confer with entities on actions that may impact the degree of fire hazard in that area and authorizes those entities to provide information to the SFM on wildfire safety improvements, as specified. AB 261 also authorizes the SFM to charge a fee from an entity that confers with the SFM.

Fiscal Impact: The California Department of Forestry and Fire report costs of approximately \$1.25 million in year one, \$2.09 million in year two, and \$2.07 in year three and ongoing (General Fund). Costs include four additional staff to address workload associated with monitoring and responding to requests for written responses from entities and reformatting and reviewing data for FHSZ modeling.

Background: The mission of the SFM is to protect life and property through the development and application of fire prevention engineering, education and enforcement. The SFM supports the mission of CAL FIRE by focusing on fire prevention and provides support through a wide variety of fire safety responsibilities. Additionally, the SFM classifies certain lands within the state into FHSZs. Each zone is based on fuel loading, slope, fire weather, and other relevant factors present, including areas where winds have been identified by CAL FIRE as a major cause of wildfire spread. Unlike an insurance company's risk assessment of a house in the woods, which might take into account its composite wood sidings, hazard maps only take into account the lasting facts about a location.

FHSZ maps evaluate "hazard" based on the physical conditions that create a likelihood and expected fire behavior over a 30 to 50-year period without considering mitigation measures such as home hardening, defensible space, vegetation management, or fuel reduction efforts. Within high FHSZs, newly constructed homes must meet heightened fire-resistant building standards. Anyone hoping to sell a home also has to alert would-be-buyers of the elevated danger with a disclosure form. For those in very high FHSZs, the law requires a 100-foot circle around a property free of brush, dead trees, and other flammable materials. Need subdivisions also need to be carefully designed with multiple evacuation routes, adequate water supply infrastructure, and built-in-fuel breaks in place.

Proposed Law:

- In the SFM's identification of both SRAs and non-SRAs as moderate, high, and very high FHSZs, provides that a FHSZ shall not be based on risk mitigation activities.

- In periods between the SFM's review of areas regarding an area's FHSZ, authorizes the SFM to confer with public agencies, tribes, nonprofit organizations, project applicants, members of the public, and others, on actions that may impact the degree of fire hazard in an area. Authorizes the SFM to provide written responses to an entity on actions that may impact the degree of fire hazard. Authorizes these entities to also provide information to the SFM on wildfire safety improvements and other actions the entity has taken or plans to take that may impact the degree of fire hazard in an area.
 - Requires any letters provided by, and any documentation provided to, the SFM to be posted on the SFM's website.
 - Authorizes the SFM to charge a fee to an entity that confers with the SFM to cover the SFM's costs to provide that information.

Related Legislation: AB 300 (Lackey, 2025) requires the SFM, at least once every five years, to review and update SRAs and non-SRAs FHSZ mapping classifications, as specified. AB 300 is pending in this committee.

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