

Date of Hearing: April 7, 2025

ASSEMBLY COMMITTEE ON EMERGENCY MANAGEMENT

Rhodesia Ransom, Chair

AB 624 (Dixon) – As Introduced February 13, 2025

SUBJECT: Office of Emergency Services: federal grant funding; Community Relief Act

SUMMARY: Requires the California Office of Emergency Services (Cal OES) to provide local operational areas and urban areas the maximum local share of the federal Emergency Management Performance Grant, provide the Legislature with additional grant spending information, and establishes the Community Relief Act. Specifically, **this bill:**

- 1) Requires Cal OES, to the extent permitted by federal law, to provide local operational areas and urban areas the maximum local share of the federal Emergency Management Performance Grant.
- 2) Requires Cal OES, to the extent permitted by federal law, to provide the Senate Committee on Governmental Organization and the Assembly Committee on Emergency Management with copies of agreements entered into with local governments to spend the state share of funding from the State Homeland Security Grant Program and the Urban Areas Security Initiative Program.
- 3) Allows Cal OES to retain up to 3 percent of the Emergency Management Performance Grant, State Homeland Security Grant Program, and the Urban Areas Security Initiative Program for administrative purposes.
- 4) Establishes the Community Relief Act to be administered by the California Office of Emergency Services (Cal OES) to provide local agencies, community-based organizations, and individuals with the assistance they need to quickly recover following a disaster.
- 5) Allows funds in the California Disaster Assistance Act to be used to provide financial assistance to local agencies, tribal governments, community based organizations and individuals to:
 - (a) fund local agency, tribal government, and community-based organization costs and services used during disaster response activities, including for rebuilding infrastructure and other systems, and disaster mitigation, incurred as a result of a state of emergency proclaimed by the Governor under the California Emergency Services Act (Chapter 7 (commencing with Section 8550)), excluding the normal hourly wage costs of employees engaged in emergency work activities;
 - (b) reimburse local agencies, tribal governments, or community-based organizations that provide individual and family grants;
 - (c) provide direct individual and family grants, including housing assistance and other needs assistance, to individuals;
 - (d) fund administrative costs and any other assistance deemed necessary by the director; and
 - (e) fund necessary and required site preparation costs for evacuation and local assistance centers as deemed necessary by the director.

- 6) Makes the following definitions for the purposes of the California Individual Assistance Act:
- (a) “Community-based organization” means a public or private nonprofit organization of demonstrated effectiveness that represents a community or significant segments of a community and provides support and services to individuals in the community.
 - (b) “Housing assistance” means assistance available to homeowners and renters to repair disaster-related damages not covered by insurance or by other governmental financial assistance programs, including, but not limited to, costs that are reasonable and necessary to make the essential living areas of a primary residence safe, sanitary, and functional.
 - (c) “Individual and family grants” means housing assistance and other needs assistance provided pursuant to this article.
 - (d) “Other needs assistance” means assistance to offset expenses and losses in income not covered by insurance or by other financial assistance resources, including, but not limited to, any of the following: income losses; costs to clean, repair, or replace essential personal property items; medical, dental, and funeral expenses resulting from the local emergency; and other potentially eligible expenses authorized by the director.
 - (e) “Tribal government” means an entity formed by the duly constituted governing body of a California Native American tribe, as specified.
 - (f) “Unusual circumstances” means unavoidable delays that result from recurrence of a disaster, prolonged severe weather within a one-year period, or other conditions beyond the control of the applicant.
- 7) Provides claims of community-based organizations and local agencies shall be presented to the Controller and may be made available within 10 days after the occurrence of a disaster, as specified.
- 8) Requires the director to adopt regulations that include specific eligibility requirements, a procedure for local agencies and community-based organizations to request grants, and a method for evaluating these requests by Cal OES.
- 9) Requires a local agency, community-based organization, or an individual shall make application to the director within 60 days after the date of the proclamation of a local emergency, unless the time for filing is extended under unusual circumstances.
- 10) Requires Cal OES to develop procedures for a local agency or community-based organization to receive an advance of funds to expedite the delivery of individual and family grants following a disaster.

EXISTING LAW:

- 1) Establishes the California Office of Emergency Services (Cal OES) within the office of the Governor and makes Cal OES responsible for the state’s emergency and disaster response services for natural, technological, or manmade disasters and emergencies, including responsibility for activities necessary to prevent, respond to, recover from, and mitigate the effects of emergencies and disasters to people and property. (Gov. Code § 8550)

- 2) Authorizes the Governor to make, amend, and rescind orders and regulations necessary to carry out the provisions of the California Emergency Services Act, requires the orders and regulations to have the force and effect of law, and requires orders and regulations, or amendments or rescissions to orders and regulations, issued during a state of war emergency or state of emergency to be in writing and to take effect immediately upon their issuance. (Gov. Code § 8567)
- 3) The Federal Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 100-707) 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.
- 4) The EMPG Program is authorized by Section 662 of the Post-Katrina Emergency Management Reform Act of 2006 (PKEMRA), as amended, (Pub. L. No. 109-295) (6 U.S.C. § 762); the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended (Pub. L. No. 93-288) (42 U.S.C. §§ 5121 et seq.); the Earthquake Hazards Reduction Act of 1977, as amended (Pub. L. No. 95-124) (42 U.S.C. §§ 7701 et seq.); and the National Flood Insurance Act of 1968, as amended (Pub. L. No. 90-448) (42 U.S.C. §§ 4001 et seq.).
- 5) The Homeland Security Grant Programs, including the State Homeland Security Program (SHSP) and the Urban Area Security Initiative (UASI), are authorized by Section 2002 of the Homeland Security Act of 2002 (Pub. L. No. 107-296, as amended) (6 U.S.C. § 603).
- 6) Provides FEMA with the statutory authority to deliver numerous disaster and non-disaster financial assistance programs in support of FEMA's mission, largely through grant agreements and cooperative agreements (grants).
- 7) The California Disaster Assistance Act (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. (Gov. Code § 8680)
- 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: “AB 624 would require that the Office of Emergency Services (OES) provide local agencies with the maximum local share of federal grants and would establish the Community Relief Act, which would establish a grant program to provide financial assistance to local agencies, tribal governments, community-based organizations, and individuals affected by wildfires and other natural disasters. This bill provides a clear and direct way that we can assist our communities in recovering from devastating natural disasters. With hundreds of billions of dollars in damages annually from wildfires, it is imperative that we provide impacted community members with additional support to obtain basic necessities and housing. This is especially important with many Californians facing an insurance crisis and who now find themselves underinsured or wholly uninsured. By providing our communities with additional avenues to obtain recovery funding, we are taking an important step in reducing the devastating impact of wildfires.”

Equity impact: According to the author’s staff, “Unfortunately, recovery efforts are often inequitable and do not benefit all those affected by natural disasters equally. According to CalMatters, during Hurricane Katrina Recovery Efforts there were severe disparities in aid distribution, and black homeowners were the recipients of only 1.5% of allocated recovery efforts. The other major concern is that low-income groups will be affected disproportionately during recovery efforts. If they are unable to rebuild their homes, California neighborhoods affected by fires may become the target of large development firms. Inadequate recovery efforts will lead to an incentive structure where homeowners without sufficient financial capital to rebuild will sell to developers offering money to buy the land. Providing more grant opportunities will help insulate lower-income groups who were affected by the fires.”

Background: The first section of this bill concerns the distribution of three federal homeland security and emergency preparedness grants administered by the Federal Emergency Management Agency (FEMA):

1. The Emergency Management Performance Grant (EMPG) Program – this all-hazard grant addresses vulnerabilities within a framework that prioritizes equity, climate resilience, and readiness. It is awarded to implement preparedness goals and close capability gaps through actions such as providing trainings to community partners, purchasing equipment, hiring additional staff, installing back-up power systems, prepositioning logistics and distribution infrastructure, developing or refining disaster plans, and implementing programs that increase the resilience of underserved communities.
 - a. EMPG carries a 1:1 match requirement, from the awardee, for every federal dollar received. In fiscal year 2024, California was awarded \$24.5 million, of which nearly half is retained at the state level.
 - b. The EMPG Program does not have a provision for the proportion of federal awards the state must award to local jurisdictions vs retain at the state agency level. The discretion is left to Cal OES as the grant-administering agency.
2. The State Homeland Security Grant (SHSG) Program – this grant assists efforts to build, sustain, and deliver capabilities to prepare for, protect against, and respond to acts of terrorism. Priority areas include protection of soft targets/crowded places, intelligence

sharing, domestic violent extremism, cybersecurity, and election security. This money is targeted at planning, training/ exercises, and awareness campaigns, as well as funding needed equipment and capital projects.

- a. States are required by FEMA to pass 80% of awarded funds through to local jurisdictions. SHSG has no match requirement. In fiscal year 2023, California was awarded \$51.3 million, of which 20% is retained at the state level.
3. Urban Areas Security Initiative (UASI) Program – this grant is very similar to the SHSG program with a particular emphasis on providing resources to high-threat, high-density urban areas.
- a. States are required by FEMA to pass 80% of awarded funds through to local jurisdictions. UASI has no match requirement. In fiscal year 2023, California was awarded \$113.9 million, of which nearly 20% is retained at the state level.

In total, the state retains approximately \$45 million of these three federal preparedness grants. This bill would realign approximately \$12.2 million received under the EMPG program to local jurisdictions.

Community Relief Act: The second section of this bill establishes the Community Relief Act within Cal OES to, as noted above, provide local agencies, community-based organizations, and individuals with the assistance they need to quickly recover following a disaster.

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 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 also is responsible for developing and maintaining the State Emergency Plan 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.

Gaps in Current State and Local Assistance Programs: State and local emergency managers are all too familiar with the limitations of state and federal disaster assistance program. Recently, the Committee has received testimony from emergency management officials regarding the need for community and individual relief programs following the Camp Fire, the Ferndale Earthquake Sequence, the 2023 Winter Storms that impacted Pajaro and Planada, floods in San Diego, and the January 2025 Los Angeles Wildfires. Local emergency managers have consistently expressed the need for a state-based, localized assistance program. They argue this program could be administered with more cultural competence, sensitivity, and flexibility for the diversity of circumstances faced by Californians, while leveraging state agency expertise to avoid duplication of benefits.

Cal OES's Seismic Safety Commission recognize the need for an Individual Assistance program: One of the priority policy recommendations included in the *Ferndale Earthquake Sequence: Understanding Impediments to Local Recovery in Rio Dell, California* April 11, 2024 Report of the Seismic Safety Commission, is the need for improvements for Individual Assistance. Cal OES's Seismic Safety Commission recommended:

“The absence of FEMA and CDAA funds for individual assistance disproportionately hinders recovery in communities experiencing disadvantage and underservice that are already struggling financially. Although FEMA has recently improved⁹ the Individual Assistance Program (i.e., quicker access to funds, expanded eligibility for property and home repairs, simplified application process), the changes do not address the disparity that occurs in a state like California where the minimum-threshold requirement limits the availability of funds. To better avail small communities that experience disadvantage with equitable federal aid after disasters, FEMA should consider expanding the eligibility criteria to include factors such as poverty level and community vulnerability and evaluate impacts on a regional basis as an alternative to statewide thresholds that unfairly penalize residents of large and diverse states, such as California. Further, because communities like Rio Dell face post-disaster financial challenges both at an individual and community level, the State should consider establishing a program like CDAA that provides individual assistance to disaster victims.”

FEMA recommends a State-level Individual Assistance Program: The Section 1109 of the Sandy Recovery Improvement Act (SRIA) of 2013 (Public Law 113-2) required FEMA, in cooperation with State, local, and Tribal emergency management agencies, to review, update, and revise through rulemaking the factors found at 44 CFR 206.48 that FEMA uses to determine whether to recommend provision of Individual Assistance (IA) during a major disaster. These factors help FEMA measure the severity, magnitude, and impact of a disaster, as well as the capabilities of the affected jurisdictions.

During the rule making process FEMA stated, “FEMA strongly believes States are ultimately responsible for the well-being of their citizens and that States have a responsibility to plan for disasters, pre-identify funding and resources, and to provide assistance to their citizens after a disaster. This should include the establishment, funding, and improvement of State-level individual assistance programs.”

Individual Assistance Program in Other States: Several states offer or have offered assistance to individuals following a disaster. Following Hurricane Michael in late 2018, Georgia announced

and established the Disaster Temporary Assistance for Needy Families Program (DTANF) in 20 Georgia counties to support families as they continue to recover from the storm. Those determined eligible for assistance received one lump sum payment for the family size that was equal the sum of four months benefits. The program extended assistance to low-income families who suffered a loss of housing because of Hurricane Michael.

The State of Arkansas established a State Individual Assistance Program, as authorized by Arkansas Code Annotated 12-75-101. The Arkansas Department of Emergency Management administers the State Individual Assistance Program. Through the development of a disaster declaration and damage assessments, individuals may be eligible to receive disaster assistance. The assistance is for qualified homeowners/renters whose primary residence was damaged or destroyed in a declared designated area. If the damage exceeds the capabilities of local government, a state declaration will be requested through the Governor's Office

The Mississippi Emergency Management Agency oversees an Office of Individual Assistance, which is comprised of their Housing Bureau and Disability Integration Advisor. The Office of Individual Assistance also works directly with the different volunteer organizations before, during and after a disaster. The Individual Assistance Program coordinates assistance provided to individuals, households, and businesses recovering from disaster or emergency impacts. After a severe weather event, the Office of Housing and Individual Assistance receives an influx of calls from residents of the impacted areas. If warranted, the IA Bureau will activate the Disaster Call Center to connect callers with the resources needed to return to pre-disaster status.

The State of Alaska's Department of Homeland Security and Emergency Management administers an Individual Assistance (IA) Program, which includes the Individual and Family Grants (IFG) and Temporary Housing Grants (THG). IA provides financial assistance to disaster survivors through grants to assist individuals and families in the declared disaster area with serious losses not covered or not fully covered by their insurance or other financial sources or means. The mission of the Alaska Individual Assistance Program is to provide financial assistance to individuals or families whose: primary residence was destroyed or damaged; only means of transportation was destroyed or damaged, when alternative is not available; essential personal property was destroyed, damaged, or lost; and medical, funeral or dental expenses that were incurred as a direct result of the disaster.

Related legislation: Related Legislation: AB 262 (Caloza) of this Session. Establishes the Individual Assistance Program within Cal OES to provide assistance to local agencies, community-based organizations, and individuals recovering from disasters. (Set to be heard in the Assembly Committee on Emergency Management on April 7, 2025)

AB 294 (Gallagher) Authorizes 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. (Set to be heard in the Assembly Committee on Emergency Management on April 7, 2025)

Prior legislation: AB 2660 (Committee on Emergency Management) of the 2023-24 Session. Would have required Cal OES to provide local operational and urban areas the maximum local share of federal grant funding administered by OES from the Emergency Management Performance Grant Program (EMPG); requires OES to provide specified legislative policy committees with copies of agreements entered into local governments, as specified; and authorizes OES to retain up to three percent of federal grant funding for administrative purposes, as specified. (Died in the Senate Committee on Appropriations)

AB 1786 (Rodriguez) of the 2023-24 Session. Would have created two disaster relief programs to help individuals, families, and communities quickly recover from disasters due to or exacerbated by climate change, as specified. (Died in the Assembly Committee on Appropriations)

AB 513 (Rodriguez) of the 2023-24 Session. Would have established the California Individual Assistance Act to be administered by Cal OES. (Died in the Senate Committee on Appropriations)

REGISTERED SUPPORT / OPPOSITION:

Support

None on file.

Opposition

None on file.

Analysis Prepared by: Mike Dayton / E.M. / (916) 319-3802