
SENATE COMMITTEE ON HUMAN SERVICES

Senator Arreguín, Chair

2025 - 2026 Regular

Bill No: AB 777

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Urgency: No

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Fiscal: Yes

Subject: Food assistance: disasters: utilities

SUMMARY

This bill requires the California Department of Social Services (CDSS) to establish memoranda of understanding or other data sharing agreements necessary with utility companies for the purposes of maximizing the food assistance available through the automated mass replacement of Supplemental Nutrition Assistance Program (SNAP) benefits, D-SNAP, SUN Bucks, and any other federally funded nutrition assistance programs. The bill also requires CDSS submit a report to the Legislature that describes how California can maximize all available federal food assistance during state and federally declared disasters, public health emergencies, or other crises.

ABSTRACT

Existing Law:

- 1) Establishes under federal law SNAP to promote the general welfare and to safeguard the health and wellbeing of the nation's population by raising the levels of nutrition among low-income households. (*7 United States Code Section (USC) 2011 et seq.*)
- 2) Establishes the Summer Electronic Benefits Transfer (EBT) benefits program which beginning with summer 2024 and annually for each summer thereafter, issue to each eligible household summer EBT benefits to provide nutrition assistance through EBT or other permitted methods during the summer months for each eligible child, to ensure continued access to food when school is not in session for the summer. (*42 USC 1762*)
- 3) Requires state agencies to provide replacement funds to a household when the household reports that food purchased with program benefits was destroyed in a household misfortune. (*7 CFR 274.6*)
- 4) Acknowledges access to sufficient affordable and healthy food as human right and requires state agencies and departments to consider this state policy. (*Welfare and Institutions Code (WIC) 18700*)

- 5) Establishes CalFresh as California's implementation of the federal SNAP program. (*WIC 18900*)
- 6) Requires CDSS to partner with the State Department of Education, shall maximize participation in the federal Summer Electronic Benefit Transfer for Children (Summer EBT) program established pursuant to Section 1762 of Title 42 of the United States Code. (*WIC 18901.57*)
- 7) Requires CDSS to identify the needed elements of a county human services department disaster plan and develop guidance for the development and submission of that plan. (*WIC 18917 (a)*)
- 8) Requires the CDSS to request to operate federal Disaster Supplemental Nutrition Assistance Program (D-SNAP) if the President issues a major disaster declaration for individual assistance. CDSS is also required to submit a waiver request to provide automatic mass replacement benefits to eligible households and a waiver request to allow households to purchase hot, prepared foods at authorized retailers with their benefits at the same time. (*WIC 18917 (d)*)
- 9) States that it is the intent of the Legislature that CDSS maximize the capacity of counties to maintain timely, adequate, and safe access to all applicable benefits during a disaster by providing support necessary for out-stationed application intake locations, if requested, by a county and technology and equipment to support the mobile issuance of EBT cards to recipients of Disaster CalFresh or replacement benefits, free of charge. (*WIC 18917 (e)*)
- 10) Establishes the EBT Act, and defines the EBT system as a program designed to provide benefits to those eligible to receive public assistance benefits such as CalWORKs and CalFresh. (*WIC 10065 et seq.*)
- 11) Defines "electrical corporation" to be every corporation or person owning, controlling, operating, or managing any electric plant for compensation within this state, except where electricity is generated on or distributed by the producer through private property solely for its own use or the use of its tenants and not for sale or transmission to others. (*Public Utilities Code (PUC) 218*)
- 12) Defines "gas corporation" to be every corporation or person owning, controlling, operating, or managing any gas plant for compensation within this state, except where gas is made or produced on and distributed by the maker or producer through private property alone solely for his own use or the use of his tenants and not for sale to others. (*PUC 222*)
- 13) Defines "water corporation" to be every corporation or person owning, controlling, operating, or managing any water system for compensation within this State. (*PUC 241*)

- 14) Defines “Local publicly owned electric utility” to mean a municipality or municipal corporation operating as a “public utility” furnishing electric service, a municipal utility district furnishing electric service, a public utility district furnishing electric services formed, an irrigation district furnishing electric services or a joint powers authority that includes one or more of these agencies and that owns generation or transmission facilities, or furnishes electric services over its own or its member’s electric distribution system. (*PUC 224.5*)
- 15) Provides that the CPUC may supervise and regulate every public utility in the State and may do all things which are necessary and convenient in the exercise of such power and jurisdiction. (*PUC 701*).
- 16) Prohibits an electrical corporation or gas corporation from sharing, disclosing, or otherwise making accessible to any third party a customer’s electrical or gas consumption data unless it is given consent by the consumer or used for analysis as specified in law. Defines “electrical or gas consumption data” as data about a customer’s electrical or natural gas usage that is made available as part of an advanced metering infrastructure, and includes incremental and monthly meter-specific electricity data, to the extent produced by that infrastructure, and the name, account number, and address of the customer. Prohibits an electrical corporation or gas corporation from sharing, disclosing, or otherwise make accessible to any immigration authority, as defined in the Government Code, a customer’s electrical consumption data without a court-ordered subpoena or judicial warrant. (*PUC 8380*)
- 17) Prohibits a local publically owned electrical utility from sharing, disclosing, or otherwise making accessible to any third party a customer’s electrical or gas consumption data unless it is given consent by the consumer or used for analysis as specified in law. Defines “electrical or gas consumption data” as data about a customer’s electrical or natural gas usage that is made available as part of an advanced metering infrastructure, and includes incremental and monthly meter-specific electricity data, to the extent produced by that infrastructure, and the name, account number, and address of the customer. Prohibits a local publicly owned electric utility from sharing, disclosing, or otherwise making accessible to any immigration authority, as defined in the Government Code, a customer’s electrical consumption data without a court-ordered subpoena or judicial warrant. (*PUC 8381*)

This Bill:

- 1) Requires the CPUC to establish any memoranda of understanding or other data sharing agreements necessary to direct electrical, gas, and water corporations to provide data to CDSS for the purposes of maximizing the food assistance available through D-SNAP.
- 2) Requires the data shared with CDSS to be limited to only the aggregated customer outage data at the zip code level that is necessary to maximize food assistance in an emergency, and shall not include any personally identifiable information.
- 3) Prohibits the provided data from being used for any other purpose than what is specified in this bill.

- 4) Requires all provided data to be subject to all applicable privacy laws.
- 5) Requires the electrical, gas, and water corporations to timely respond to the data requested by CDSS pursuant to the memoranda of understanding or other data sharing agreements.
- 6) Requires each utility to have a dedicated point of contact for CDSS and establish any memoranda of understanding or other data sharing agreements necessary to provide the data requested to enable food assistance in an emergency.
- 7) Requires the CPUC to provide technical assistance to CDSS, including, but not limited to, technical assistance to support a report on ways to maximize all available federal food assistance during state and federally declared disasters.
- 8) Defines “electrical corporation”, a “gas corporation”, a “water corporation,” or a local publicly owned electric utility serving California customers, as defined in state law.
- 9) Requires CDSS to maximize the amount of assistance requested and received through the federal D-SNAP, and all other federally funded nutrition assistance programs, including utilizing necessary data provided by utilities as described by this bill, in order for the department to seek automated mass replacement of SNAP benefits in a timely manner for D-SNAP, SUNBucks, and any other federally funded nutrition assistance programs.
- 10) Requires The governing board of each local publicly owned electric utility, by July 1, 2026, shall establish any memoranda of understanding or other data sharing agreements necessary to provide data to CDSS to maximize the food assistance available through D-SNAP. Requires the memoranda of understanding or other data sharing agreements shall include, at minimum, all of the following requirements and prohibitions:
 - a. The provided data shall be limited to only the aggregated customer outage data at the zip code level that is necessary to maximize food assistance in an emergency, and shall not include any personally identifiable information.
 - b. The provided data shall not be used for any purposes other than those specified in this section and provisions related to D-SNAP.
 - c. The provided data shall be subject to all applicable privacy laws.
 - d. Require the local publicly owned electric utility to timely respond to the data requested by CDSS pursuant to the memoranda of understanding or other data sharing agreements.
- 11) Requires each local publicly owned electric utility shall have a dedicated point of contact for CDSS and establish any memoranda of understanding or other data sharing agreements necessary to provide the data requested.
- 12) Requires CDSS to maintain at least one dedicated point of contact with each utility to act as liaison with the utility.

- 13) Requires CDSS to submit a report to the Legislature, on or before December 31, 2026, that includes both of the following:
- 14) Describes any further ways to ensure that California maximizes all available federal food assistance during state and federally declared disasters, public health emergencies, or other crises that enable the provision of resources to California households.
- 15) Describes any additional oversight or actions needed to fulfill the objectives of this bill.
- 16) Sunsets the requirement for the report described above on January 1, 2030.

FISCAL IMPACT

According to the Assembly Appropriations Committee, “costs to CPUC resulting from this bill should be minor and absorbable.”

BACKGROUND AND DISCUSSION

Purpose of the Bill:

According to the author, “During the January 2025 Southern California fires and windstorms, neighborhoods in my district of the Northeast San Fernando Valley that were impacted by the emergency did not receive automatic mass replacement of food benefits they were eligible for. This included emergency food assistance through Disaster CalFresh. AB 777 will maximize federal food assistance following disasters by ensuring that all public and private utilities serving California households provide the necessary data to draw down all available federal food assistance benefits.”

CalFresh

CalFresh is California’s version of the federal SNAP, an entitlement program that provides eligible households with federally funded monthly benefits to purchase food. CalFresh food benefits are 100 percent federally funded. CalFresh administration costs are funded with 50 percent federal funds, 35 percent General Fund, and 15 percent county funds, except for state-mandated program changes. CalFresh food benefits are issued through an Electronic Benefit Transfer (EBT) card which cardholders can use at point-of-sale terminals authorized by the United States Department of Agriculture, Food and Nutrition Service. Recipients can buy groceries but are not allow to purchase “hot foods” or nonfood items. Grocers and other retailers are paid directly by the federal government for the dollar value of purchases made with CalFresh food benefits. Monthly benefits per household vary based on household size, income, and deductible living expenses—with larger households generally receiving more benefits than smaller households and relatively higher-income households generally receiving fewer benefits than lower-income households. The average benefits in 2024 was \$279 a month for all households, \$496 for households with children, and \$166 for households with older adults.

In addition to standard CalFresh there are also pilot programs and related programs to help Californians in similar positions. For example, SUNBucks, is a program that provides an eligible family with additional cash aid for groceries in the summer months when children are out of school. Families are eligible for \$120 per child per summer. All of these funds are accessible with an EBT card for recipients that qualify.

Disaster CalFresh

Disaster CalFresh is the state specific version of the federal Disaster Supplemental Nutrition Assistance Program. The program can be enabled after a natural or human-made disaster to help victims purchase food. Before California can offer Disaster CalFresh to victims, a Presidential Major Disaster Declaration for Individual Assistance must be declared, commercial food distribution channels must have been disrupted and restored, and the state must be approved by the federal government to provide it. Disaster areas are defined by the Presidential Declaration.

Disaster CalFresh provides disaster victims with a month's worth of benefits on an EBT card if they are not eligible for the regular CalFresh. For a household to be eligible, a person in that household must (1) live or work in the disaster area, (2) planned to have purchase food during the time of the disaster, (3) have experienced an adverse effect like loss of income or inaccessible resources, (4) and meet the disaster gross income limit which is set by the federal government. Households can receive up to \$292 for a month and do not need to be CalFresh recipients before the disaster.

State law says CDSS must apply for other federal waivers when they request Disaster CalFresh authorization such as the Timely Reporting Waiver, which extends the 10-day deadline for CalFresh recipients to report food loss; the Automated Mass Replacement Waiver, which allows CDSS to replace a certain percentage of a households benefit allotment if they live in the affected area without the recipient applying for a replacement; and the Hot Foods Waiver, which allows victims to temporarily purchase "hot foods" in the affected zip codes. Recent implementation of this law happened during the Los Angeles fires of January 2025. After an emergency declaration was made, CDSS was authorized for Disaster CalFresh and was approved for all of these waivers for 19 zip codes for wildfire impacts and two zip codes for qualifying power outages.

If there is a disaster event but there is not Presidential Declaration with Individual Assistance, mass replacement benefits can still be provided. For example in the event of a power outage or public safety power shutoff. According to CDSS, "food loss may be assumed in situations where the impact of a disaster is widespread, such as major flooding or extensive power outages. Power outages are a very common cause of food loss resulting from a disaster. To assume food loss due to power loss, a majority (50% or more) of residents in a given area must experience a power outage of four hours or more."¹ In the case of a power outage, CDSS or the county human services agency must contact the local utility company directly to learn the zip codes where residents lost power and how long they did not have power. The CDSS CalFresh Emergency Responses Handbook suggests county agencies share the following with utility companies:

- Explain that they work for the county and are in need of specialized assistance.

¹ California Department of Social Services. CalFresh Emergency Response Handbook. September 13, 2018.

- Explain that they need specific data that indicates extensive power outages to provide assistance to disaster survivors who suffered food loss as a result of the outages.
- Explain that the county is working on a tight timeframe that is federally mandated.
- Be specific about the data needed and double check that both parties are in agreement on what data is being requested.
- To prevent the sharing of personally identifiable information, the utility may exempt from the ZIP code list any ZIP code with 15 households (or meters) or less.
- Obtain the name of the person at the utility company who will be working on the case, as well as a direct line or extension, if available.
- Ask for a case or reference number for follow up.
- Ask that, due to the circumstances, a status update be provided after one or two days. The requested data may take a utility company several days to prepare.
- Consider supplying the utility with follow-up information, such as the number of clients assisted and replacement benefits issued as a result of their assistance.

The handbook also recommends county human services agencies to establish relationships with local utilities in advance to expedite the above requests when there is a disaster. AB 777 requires CDSS to be the primary point of contact with utilities by requiring the department to establish memorandums of understanding and point of contacts with the CPUC and utility companies for the sharing data required to submit mass replacement waiver requests with the federal government.

One example of a mass replacement waiver without a presidential declaration was on March 3, 2025: “winter storms damaged power utility equipment, and Public Safety Power Shut-Off events resulted in widespread and prolonged power outages which impacted residents across the state. Three power utility companies, Pacific Gas and Electric, Southern California Edison, and Trinity Public Utilities District reported that the power outages began on Thursday, February 13, 2025, and continued through Saturday, February 15, 2025. In total, nearly 12,000 households across California were without power for four hours or more during this timeframe, which included 2,141 CalFresh households. These households were forced to be without power for several days which resulted in destroyed food that was purchased with CalFresh benefits.” The households in these zip codes were approved for a mass replacement of 55% of their regular CalFresh benefits.²

According to information provided by the author, certain zip codes in Los Angeles County that were affected by power outages during the Los Angeles fires were not included in the waiver as affected zip codes and therefore eligible families did not receive a replacement of benefits or Disaster CalFresh. According to the author’s office some households experienced power outages

² <https://www.cdss.ca.gov/inforesources/calfresh/disaster-calfresh>

for up to six days. This bill would facilitate mass replacement of benefits or disaster CalFresh for households in similar situations.

Related/Prior Legislation:

SB 739 (Arreguin, 2025) would require the department to inquire of the ability of each county facility that serves CalFresh participants in the impacted area to provide timely and adequate service. SB 739 is pending in the Assembly Appropriations Committee.

AB 607 (Gloria, Chapter 501, Statutes of 2017) created the Community Resiliency and Disaster Preparedness Act of 2017 which, among other things, requires CDSS and the county human services agencies, if the President of the United States issues a major disaster declaration for individual assistance, to request to operate a federal D-SNAP for the regions affected by the major disaster. The bill would require the department to offer training on Disaster CalFresh to county human services agencies and others. The bill would require county human services agencies to annually submit to the department a disaster plan, as specified, to ensure there are sufficient resources necessary to continue adequate access to benefits during a disaster.

COMMENTS

AB 777 requires utilities to communicate directly with CDSS about households that experienced disasters that would qualify them for a replacement of CalFresh benefits. It also requires the CPUC to facilitate those data sharing agreements. As high winds, wildfires, floods, public safety power shutoffs, and other disasters become more frequent, it is important for CDSS to have a comprehensive picture of the need when petitioning for waivers from the federal government. This bill tries to improve the information collection accuracy and speed by requiring data sharing agreements. The Californians who experience these disasters deserve all the help they can get, especially if they are currently CalFresh recipients already facing food insecurity. The author may want to consider being more specific regarding what data must be shared by specifying that the must share the appropriate zip codes and length of the outage. Utilities are currently restricted from sharing certain data, including personal indefinable information, and may be limited in what can be shared.

PRIOR VOTES

Senate Energy, Utilities, and Communications Committee:	16 – 0
Assembly Floor:	71 - 0
Assembly Appropriations Committee:	15 - 0
Assembly Utilities and Energy Committee:	18 - 0

POSITIONS

Support:

Grace Institute - End Child Poverty in CA (Sponsor)

California Association of Food Banks (Co-Sponsor)
Western Center on Law and Poverty (Co-Sponsor)
Courage California
Feeding San Diego
Food for People, the Food Bank for Humboldt County
Food in Need of Distribution Food Bank
Glide
Jacobs & Cushman San Diego Food Bank
Los Angeles Regional Food Bank
Mazon: a Jewish Response to Hunger
Second Harvest Food Bank of Orange County
Second Harvest Food Bank of Santa Cruz County
Second Harvest of Silicon Valley

Oppose:

None received

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