

## CONCURRENCE IN SENATE AMENDMENTS

CSA1 Bill Id:AB 799 Author:(Celeste Rodriguez)

As Amended Ver:August 29, 2025

Majority vote

**SUMMARY**

Requires the Department of Corrections and Rehabilitation (CDCR) to pay a death benefit, as specified, for the death of any incarcerated hand crew member assigned to the California Conservation Camp program, as specified.

**Senate Amendments**

- 1) Clarifies that death benefits apply to incarcerated individual hand crew members and death benefits applies notwithstanding workers' compensation exclusivity, as specified.
- 2) Specifies that death benefits shall be paid if a crew member dies during and resulting from the performance of their duties on an active deployment, when completing firefighter Conservation Camp training exercises, or while physically or mentally incapacitated due to and resulting from the performance of their duties.

**COMMENTS**

*As passed by the Assembly:* This bill required the Department of Corrections and Rehabilitation (CDCR) to pay a death benefit, as specified, for the death of any incarcerated crew members in the California Conservation Camp program, as specified.

**Major Provisions:**

- 1) Required a death benefit be paid within 60 days of the death of an incarcerated crew member to the beneficiary designated by the hand crew member to receive the death benefit if the crew member dies during any of the following circumstances:
  - a) During the performance of their duties on active deployment.
  - b) During performance of their duties completing firefighter Conservation Camp training.
  - c) While physically or mentally incapacitated due to their performance of their duties.
- 2) Stated death benefits shall be:
  - a) Paid in the sum of \$50,000.
  - b) An amount equal to 50% of the annual compensation earned by the deceased crew member during the 12 months immediately preceding the death of the crew member.

**According to the Author**

According to the author, "Fire camp hand crew members, commonly referred to as incarcerated firefighters, provide the crucial public service of responding to fires, fire mitigation, and protecting life and property. Incarcerated hand crew members specifically use shovels and axes to cut down fire lines, clear debris, and chart paths for professional firefighters. During the

devastating January 2025 wildfires in Los Angeles, 1,100 incarcerated hand crew members were deployed to help the city and county protect life and property.

"Assembly Bill 799 will provide a survivor death benefit in the amount of fifty thousand dollars to the family member(s) of an incarcerated hand crew member who loses their life while carrying out their duties. Given California's continued reliance on incarcerated hand crews for firefighting efforts, and the inherent dangers in this work, this legislation extends the next of kin some financial protections and recognizes that their loved one's life has value."

### **Arguments in Support**

According to the *California Public Defenders Association*: "Inmate firefighters risk their lives and safety alongside professional firefighters to combat California's increasingly devastating wildfires but are unpaid. This disparity fails to recognize the tremendous value these individuals provide to our state's emergency response system and does nothing to incentivize participation in this public safety program. AB 799 would address this inequity, in part, by guaranteeing inmate firefighter's next-of-kin a "death benefit" if the firefighter is killed while fighting or training to fight California wildfires. This reform is both a matter of basic fairness and smart public policy for several reasons:

"1. Equal work deserves equal pay. Inmate firefighters face the same risks as other firefighters (and more risk than other inmates) but are not currently compensated for that risk or work in any way.

"2. As climate change drives more frequent and severe wildfires, we need all available trained firefighters to protect our communities. Inmate firefighters are asked to voluntarily risk their lives without any promise that their dependents or loved ones will be compensated if they die. Promising firefighters that their dependents will receive at least some financial compensation if they are killed on the job will encourage participation in this vital firefighting program.

"3. Compensating firefighters for their dangerous but vital work demonstrates our commitment to human dignity and labor rights, regardless of a person's circumstances."

### **Arguments in Opposition**

None Submitted.

## **FISCAL COMMENTS**

According to the Senate Appropriations Committee, "CDCR anticipates that this bill will result in minimal ongoing General Fund costs given the limited number of firefighter deaths over the previous decade. However, these costs could be increased significantly depending on the interpretation of the language around physical and mental incapacitation of incarcerated firefighters in this bill. Currently, data is not available on the number of hand crewmembers who have become mentally or physically incapacitated. Regarding the average annual compensation for fire camp participants, CDCR indicates high-level estimates for calendar year 2022 at \$719.26 and 2023 at \$754.76."

## **VOTES:**

**ASM PUBLIC SAFETY: 9-0-0**

**YES:** Schultz, Alanis, Mark González, Haney, Harabedian, Lackey, Nguyen, Ramos, Sharp-Collins

**ASM APPROPRIATIONS: 15-0-0**

**YES:** Wicks, Sanchez, Arambula, Calderon, Caloza, Dixon, Elhawary, Fong, Mark González, Hart, Pacheco, Pellerin, Solache, Ta, Tangipa

**ASSEMBLY FLOOR: 76-0-3**

**YES:** Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, Muratsuchi, Nguyen, Ortega, Pacheco, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

**ABS, ABST OR NV:** Chen, McKinnor, Papan

**UPDATED**

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