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THIRD READING

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Bill No: AB 986  
Author: Muratsuchi (D), et al.  
Amended: 8/29/25 in Senate  
Vote: 21

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SENATE GOVERNMENTAL ORG. COMMITTEE: 15-0, 7/8/25

AYES: Padilla, Valladares, Archuleta, Ashby, Blakespear, Cervantes, Dahle, Hurtado, Jones, Ochoa Bogh, Richardson, Rubio, Smallwood-Cuevas, Wahab, Weber Pierson

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/29/25

AYES: Caballero, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 79-0, 6/3/25 - See last page for vote

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**SUBJECT:** State of emergency and local emergency: landslides and climate change

**SOURCE:** Author

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**DIGEST:** This bill adds “landslide” to the conditions constituting a state of emergency or local emergency.

**ANALYSIS:**

Existing law:

- 1) Authorizes, pursuant to the California Emergency Services Act (ESA), the Governor to declare a state of emergency, and local officials and governments to declare a local emergency, when specified conditions of disaster or extreme peril to the safety of persons and property exist, as specified.

This bill adds “landslide” to the conditions constituting a state of emergency or local emergency.

## Background

*Author Statement.* According to the author's office, "in recent decades, natural disasters in California have become more frequent and severe, due in part to climate change. On the Palos Verdes Peninsula, land movement that began gradually in the 1950s has accelerated to as much as a foot per week. This increased movement has displaced residents and threatens essential infrastructure, including roads, sewer lines, and utility systems. Despite the serious risks and costs posed by accelerating land movement, current law does not explicitly recognize them as qualifying events for emergency assistance. AB 986 adds 'landslides' to the list of qualifying events to give affected communities a clearer path to declare emergencies and take action to protect public safety and infrastructure."

*California Emergency Services Act.* The ESA was enacted in 1970, and established the Office of Emergency Services (OES) within the Governor's Office. Under the ESA, OES is charged with coordinating statewide emergency preparedness; post emergency recovery and mitigation efforts; and the development, review, approval, and integration of emergency plans.

The ESA gives the Governor broad authority to proclaim a state of emergency in an area affected or likely to be affected when: a) conditions of disaster or extreme peril exist; b) the Governor is requested to do so upon request from a designated local government official; or c) the Governor finds that local authority is inadequate to cope with the emergency. Local governments may also issue local emergency proclamations, which is a prerequisite for requesting the Governor's Proclamation of a State of Emergency.

Specifically, the ESA defines a "state of emergency" as the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions such as air pollution, fire, flood, storm, epidemic, riot, drought, cyberterrorism, sudden and severe energy shortage, (deenergization event – specifically only for a local emergency), electromagnetic pulse attack, plant or animal infestation or disease, the Governor's warning of an earthquake or volcanic prediction, or an earthquake, or other conditions, other than conditions resulting from a labor controversy or conditions causing a "state of war emergency," which, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any single county, city and county, or city and require the combined forces of a mutual aid region or regions to combat, or with respect to regulated energy utilities, a sudden

and severe energy shortage requires extraordinary measures beyond the authority vested in the Public Utilities Commission.

The ESA grants the Governor certain special powers during a declared state of emergency, which are in addition to any other existing powers otherwise granted. For example, the ESA empowers the Governor to expend any appropriation for support of the ESA in order to carry out its provisions, as well as the authority to make, amend, and rescind orders and regulations necessary to carry out the ESA. The orders and regulations shall have the force and effect of law.

The ESA is generally considered to give a governor broad authority to declare a state of emergency or local emergency beyond the existing list of conditions. Specifically, the ESA states “other conditions, other than conditions resulting from a labor controversy or conditions causing a ‘state of war emergency,’ which, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any single county, city and county, or city and require the combined forces of a mutual aid region or regions to combat.”

To that end, Governor Newsom noted in his veto of AB 1403 (Levine, 2021) which would have added a “deenergization event” to the list of conditions constituting a state of emergency that the “legislation is unnecessary, as existing statute provides broad emergency authority when disaster conditions are met.”

There are currently 59 open state of emergency proclamations in California proclaimed by the Governor as of June 18, 2025. Event types for these states of emergency include: 2024 December Storms; Los Angeles County Fires and Windstorm Event; 2024 Bird Flu; wildfire prevention projects; droughts; and tree mortality.

Notably, in September of 2024, Governor Newsom declared a state of emergency in the City of Rancho Palos Verdes due to the impacts of the acute acceleration of land movement on the provision of basic utility services. As part of the proclamation, the Governor ordered:

- a) All agencies of the state government utilize and employ state personnel, equipment, and facilities for the performance of any and all activities consistent with the direction of OES and the State Emergency Plan. Also, all residents are to obey the direction of emergency officials with regard to this emergency in order to protect their safety.

- b) OES shall provide assistance to local governments, if appropriate, under the authority of the California Disaster Assistance Act, Government Code section 8680 et seq., and California Code of Regulations, Title 19 section 2900 et seq.

*'Till the Landslide Brought Me Down.* This bill proposes to add “landslide” to the list of conditions in the ESA noted above that constitute a state of emergency or a local emergency. The California Department of Conservation tracks and maps landslides in California and provides regular updates on their internet website. In the 1970s, the California Geological Survey (CGS) prepared a series of “Geology for Planning” and “Environmental Geological Analysis” reports and maps for local agencies in urban areas. These products were designed to assist local agencies in urbanizing areas. These products were designed to assist local agencies in evaluating hazards and developing policies that consider landslide hazards as residential development spread into landslide-prone terrain.

Following the 1982 El Nino storms in the San Francisco Bay area, the Landslide Hazard Mapping Act mandated new maps to show landslides and landslide hazards. Landslide Hazard Identification Maps were prepared by CGS for use by local government planners from 1986 to 1995. A set of three to four maps was prepared for each map study area, usually encompassing a USGS 7.5-minute topographic quadrangle map. Current active landslide mapping programs at CGS, and their respective products, include: the Forest and Watershed Geology Program; Seismic Hazards Program; Highway Corridor Landslide Hazard Mapping; and technical reports and disaster response.

*Portuguese Bend Landslide Complex.* The Portuguese Bend Landslide Complex is a longstanding, multifaceted landslide system located on the south flank of the Palos Verdes Peninsula, predominately within the City of Rancho Palos Verdes. Spanning approximately 240 acres, it comprises several interconnected prehistoric and active landslide blocks, collectively forming part of the ancient Altamira Landslide Complex. These deep-seated rock slides typically mobilize along weak bedding planes within the Miocene-era Altamira Shale, a clay-rich layer that softens and lubricates when saturated. After lying dormant for millennia, the area reactivated in 1956, triggered by roadway construction and urban irrigation that elevated groundwater on the slope, displacing homes and prompting costly litigation.

Movement continues today at rates varying seasonally, from inches to feet per year, tracked through modern GPS and optical-satellite technologies. Ongoing remediation efforts, including dewatering wells, drainage control, and road repairs,

aim to slow (but cannot stop) this dynamic landscape, which remains one of the most persistently active landslide complexes in the United States.

*But Time Makes You Bolder.* In recent years, and with varying levels of success, legislators have attempted to expand the conditions constituting a state of emergency or local emergency. For example, SB 468 (Dodd, Chapter 537, Statutes of 2022) added “electromagnetic pulse attack” to the list of conditions constituting a state of emergency or a local emergency. SB 532 (Dodd, Chapter 557, Statutes of 2017) added “cyberterrorism.” SB 52 (Dodd, Chapter 597, Statutes of 2021) added “deenergization event” to the list of conditions constituting a local emergency.

Alternatively, Governor Newsom vetoed AB 1403 (Levine, 2021), writing that the “bill would specify that conditions constituting a state of emergency under the ESA may include a deenergization event, defined as a planned power outage. This legislation is unnecessary, as existing statute provides broad emergency authority when disaster conditions are met.”

Additionally, SB 1455 (Hertzburg, 2020) which would have added “electromagnetic pulse attack” to the list of conditions was never referred out of the Senate Rules Committee, and AB 2306 (Donnelly, 2012) which would have added “border security,” failed passage in the Assembly Governmental Organization Committee.

It is important to keep in mind that the conditions listed in the ESA, which this bill seeks to expand, are not exhaustive or intended to be the only conditions that can be used by the Governor to declare a state of emergency or local emergency.

### **Related/Prior Legislation**

SB 1461 (Allen, 2024) would have added “landslide” to the conditions constituting a state of emergency or a local emergency, as specified. (Died on the Assembly Inactive File)

**FISCAL EFFECT:** Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee, unknown potentially significant cost pressures in the event that a state of emergency is called due to a landslide (General Fund, special fund, and federal funds). The actual fiscal impact will depend on, among other things, the severity of the landslide, area(s) impacted,

emergency response strategy required, and the duration of the state of emergency proclamation. No additional costs to OES.

**SUPPORT:** (Verified 8/29/25)

California Association of Realtors  
City of Rancho Palos Verdes  
City of Rolling Hills Estates  
City of Thousand Oaks  
County of Los Angeles  
Edison International and Affiliates  
League of California Cities  
Los Angeles County Sanitation Districts  
Orange County Transportation Authority  
Palos Verdes Peninsula  
South Bay Cities Council of Governments  
Southern California Edison

**OPPOSITION:** (Verified 8/29/25)

None received

**ARGUMENTS IN SUPPORT:** In support of this bill, the City of Rancho Palos Verdes writes that, “[c]limate change induced landslides have posed a severe threat to the City, the Palos Verdes Peninsula, and other regions across California. Rancho Palos Verdes, situated atop one of the largest and most active ancient landslide zones in the nation, has experienced this firsthand. The Portuguese Bend Landslide Complex has seen accelerated movement in recent years due to extreme weather cycles marked by prolonged drought followed by intense rainfall during the 2023-24 Winter Storms. In some parts, land movement had been measured at up to 12 inches per week, undermining the stability of homes, roads, and utilities.”

Further, “[t]his ongoing land movement has caused significant damage to public infrastructure and strained the City’s finances. The ongoing rehabilitation of Palos Verdes Drive South, a major arterial road that serves thousands of residents and visitors on the Peninsula and surrounding cities have cost the City and ratepayers millions of dollars and continue to create traffic hazards. Homeowners in affected areas face structural damage, reduced property values, and the risk of evacuation as the lands continues to shift beneath them.”

And, “[d]espite the increasing frequency and severity of such impacts, current California law does not explicitly classify landslides as disasters eligible for state emergency assistance. This gap prevents cities like Rancho Palos Verdes from accessing state resources and technical support that are urgently needed to respond to and recover from these ongoing events. Without this designation, local governments are left to shoulder the entire financial and logistical burden, which is unsustainable and leaves residents at heightened risk.”

ASSEMBLY FLOOR: 79-0, 6/3/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, 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, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, 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

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