
SENATE COMMITTEE ON LOCAL GOVERNMENT

Senator María Elena Durazo, Chair

2025 - 2026 Regular

Bill No: SB 1182

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Fiscal: Yes

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GENERAL PLAN: SAFETY ELEMENT: VERY HIGH FIRE HAZARD SEVERITY ZONES: INSURANCE

Requires general plans in fire-prone areas to include information on insurance availability.

Background

Fire Hazard Severity Zones. The California Department of Forestry and Fire Protection (CALFIRE) provides wildland fire protection on non-federal lands outside cities. To meet this duty, the State Board of Forestry and Fire Protection (Board) designates the State Responsibility Area (SRA) every five years. Within SRA lands, CALFIRE designates moderate, high, and very high fire hazard severity zones (FHSZs). After the 1991 Oakland-Berkeley firestorm, the Legislature required CALFIRE to designate the very high FHSZ in the Local Responsibility Area (LRA). Following two devastating wildfire seasons in 2018 and 2020, which included the August Complex Fire that consumed over one million acres in 2020, the Legislature expanded the requirements for the LRA maps to include moderate and high FHSZs, consistent with the SRA. In 2024 and 2025, CALFIRE updated the SRA and LRA maps for the first time since 2007.

Requirements triggered by FHSZ designation. Landowners in the SRA and the very high FHSZ must follow specified fire prevention practices and meet standards developed by the Board (AB 337, Bates, 1992). These practices and standards include maintaining defensible space of 100 feet around structures, performing certain activities to reduce the amount of flammable material near and on structures, and meeting specific building standards developed by CALFIRE and the Department of Housing and Community Development that help a structure withstand ignition and reduce fire risk—known as WUI building code or “Chapter 7A.” AB 2911 (Friedman, 2018) required the State Fire Marshal to update these building standards to provide for comprehensive site and structure fire risk reduction by January 1, 2020. SB 63 (Stern, 2021) subsequently extended these standards to high FHSZs and required the State Fire Marshal to designate moderate and high FHSZs within the LRA.

Among other things, these regulations require:

- Fire-resistant roofing, siding, and decking materials.
- Ember-resistant vents and screened openings to prevent ignition.

By incorporating the requirements of the WUI building code, buildings are better protected against flying embers, which is one of the primary causes of wildfire-related structure loss.

Some studies have found that homes built to the WUI building code are 40% more likely to survive a fire.

Several studies have compared the cost of building to the WUI building code in California relative to the building code that applies elsewhere in the state. Generally, these studies find that costs are not significantly greater to build to the WUI Building Code.¹

AB 3074 (Friedman, 2020), established an ember-resistant zone within 5 feet of a structure as part of revised defensible space requirements for structures located in FHSZs (known as Zone 0). Additionally, cities and counties with areas of their jurisdiction in the very high fire hazard severity zone must incorporate into the safety element of their general plan goals, policies, and feasible implementation measures to reduce the unreasonable risk of wildfire in their communities.

Fire-specific planning requirements. Every county and city must adopt a general plan with seven mandatory elements: land use, circulation, housing, conservation, open space, noise, and safety. General plans must also either include an eighth element on environmental justice, or incorporate environmental justice concerns throughout the other elements. Most of cities' and counties' major land use decisions—subdivisions, zoning, public works projects, use permits—must be consistent with their general plans. Development decisions must carry out and not obstruct a general plan's policies. The Governor's Office of Land Use and Climate Innovation (LCI) develops guidance on land use planning for local agencies to consider.

The Planning and Zoning Law says that the safety element's purpose is to protect the community from unreasonable risks from geologic hazards, flooding, and wildland and urban fires. In 2012, the Legislature expanded the safety elements' contents for fire risks on land classified as SRA and very high FHSZ (SB 1241, Kehoe, 2012). SB 1241 required safety elements to contain:

- Specified information about fire hazards;
- Based on that information, a set of comprehensive goals, policies, and objectives to protect against unreasonable fire risks; and
- To carry out those goals, a set of feasible implementation measures.

Cities and counties must also submit a draft of any safety element amendments to the Board and to local fire protection agencies at least 90 days before adopting it. The Board must review and recommend changes to the draft safety element within 60 days of receiving it. If the Board provides recommendations within this timeframe, local governments must consider its recommendations. If they don't adopt the Board's recommendations, local governments have to explain why they didn't to the Board. Local agencies must meet with the Board on its recommendations if the Board requests, but aren't required to adopt the Board's recommendations.

The safety element must also include similar information about risks due to climate change and goals, policies, objectives, and implementation measures to protect against those risks. Many local governments have also adopted a local hazard mitigation plan (LHMP) to identify all of the natural hazards that threaten a community and strategies to mitigate those hazards. The Federal Emergency Management Agency (FEMA) reviews and approves every LHMP, and the

¹ *Headwaters Economics*. (2018) "Building a Wildfire-Resistant Home: Codes and Costs."

LHMP expires five years after it's approved, unless amended and recertified. Local governments with a compliant LHMP are eligible for proactive hazard mitigation grants from the federal government, as well as additional post-disaster assistance.

California's insurance market. Private insurers have scaled back coverage in recent years to reduce risk exposure from increasing climate-driven wildfires, resulting in large-scale non-renewals of policies and restricted new coverage options. This has driven many homeowners and others to increasingly rely on the California Fair Access to Insurance Requirements Plan (FAIR Plan). The FAIR Plan is a “insurer of last resort” comprising all the licensed insurers in the state that provides basic property insurance where private insurance through licensed insurers cannot be obtained in the normal manner in the market. Specifically, according to the FAIR Plan, as of March 2026, the FAIR Plan currently has 684,388 policies in force, 2.5 times as many as the Plan underwrote in September 2022. The FAIR Plan's total exposure is \$750 billion, which is a 242% increase from September 2022.

The author wants to ensure consideration of insurance availability for land use decisions in fire-prone areas.

Proposed Law

Senate Bill 1182 requires a safety element updated on or after January 1, 2028, to include information regarding availability of insurance for existing and planned uses within very high fire hazard severity zones and in state responsibility areas. The bill also requires, on or before July 1, 2027, LCI to update the guidance document entitled “Fire Hazard Planning General Plan Technical Advice Series” to identify sources of information that a city or county may use to satisfy the requirements of the bill.

Comments

1. **Purpose of the bill.** According to the author, “SB 1182 recognizes that climate risk is no longer just an environmental issue—it is a housing and affordability crisis. Across California, families are facing skyrocketing insurance premiums or losing coverage altogether, putting homeownership and rental stability increasingly out of reach. When insurance becomes unavailable or unaffordable, the impacts ripple outward: higher housing costs, reduced property values, and increased risk of displacement—especially for low- and moderate-income households. Insurance availability offers a critical, real-time signal of risk. When coverage becomes unavailable or unaffordable, it reflects a market determination that the level of danger may be too high to insure. Ignoring that signal can leave communities exposed—not only to physical harm, but to housing instability, displacement, and economic loss. Yet current Safety Elements often fail to account for these economic realities, focusing narrowly on physical hazards without addressing how those risks translate into housing insecurity. SB 1182 ensures that local governments consider insurance availability as part of their safety planning, helping to identify communities where climate impacts are already driving up costs and limiting access to housing. This will better align land use decisions with long-term affordability and sustainability goals, while guiding investments in wildfire mitigation, climate resilience, and community protection. Such investments may in turn improve insurance availability and reduce our reliance on the FAIR Plan. By integrating environmental risk with housing and affordability considerations, SB 1182 helps California plan more responsibly—protecting not just where we build, but whether people can afford to live there safely.”

2. Square peg, round hole. The availability and affordability of insurance is a concern for many Californians. SB 1182 seeks to ensure that local government planning efforts consider insurance availability by incorporating them into the general plan. On one hand, this is consistent with the state's overall approach to planning, which already requires specific contents for safety elements in areas with elevated fire risk. On the other hand, it is unclear to what extent general plan policies can affect the insurance market. First, most general plan policies emphasize requirements on *new* development. However, it is unclear that new development is driving the changes in the overall insurance market: new development is built to more protective building codes than existing development constructed years or decades ago. Additionally, insurance availability is dictated by much more than the characteristics of the structure itself: it can reflect the fire hazard present in the community, the needs for insurers to diversify risk across the state, and the characteristics of the person seeking to purchase insurance. Finally, insurance availability can fluctuate rapidly in response to market conditions. SB 1182 will ensure that general plans provide a snapshot of insurance availability, but is unlikely to materially change the insurance options for homeowners.

3. Mandate. The California Constitution requires the state to reimburse local governments for the costs of new or expanded state mandated local programs. Because SB 1182 adds to the duties of local planning officials, Legislative Counsel says the bill imposes a new state mandate. SB 1182 disclaims the state's responsibility for providing reimbursement by citing local governments' authority to charge for the costs of implementing the bill's provisions.

4. Coming and going. The Senate Rules Committee has ordered a double referral of SB 1182: first to the Committee on Local Government to hear issues related to development, and second to the Committee on Housing. However, recent amendments to the bill removed references to housing. As a result, SB 1182 no longer needs to be heard in the Committee on Housing.

Support and Opposition (4/17/2026)

Support: None submitted to the current version of the bill.

Opposition: None submitted to the current version of the bill.

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