

Date of Hearing: June 29, 2026

ASSEMBLY COMMITTEE ON EMERGENCY MANAGEMENT

Rhodesia Ransom, Chair

SB 1263 (McGuire) – As Amended June 15, 2026

SENATE VOTE: 36-0

SUBJECT: Contractors: debris removal

SUMMARY: Prohibits a contractor from engaging in debris removal on residential property that is damaged or destroyed by a natural disaster, as specified, unless they hold a specific license from the Contractors State License Board (CSLB), have passed an approved Hazardous Substance Removal Certification examination, and comply with Department of Industrial Relations' Hazardous Waste Operations and Emergency Response (HAZWOPER) requirements. Specifically, **this bill:**

- 1) Prohibits a contractor from engaging in debris removal, including muck out and ash out, on residential property that is damaged or destroyed by a natural disaster for which a state of emergency is declared by the Governor, or for which an emergency or major disaster is declared by the President of the United States, unless the contractor has one of the following licenses or classifications:
 - a. A - General Engineering Contractor.
 - b. B - General Building Contractor.
 - c. C-12 - Earthwork and Paving.
 - d. C-21 - Building Moving/Demolition.
 - e. C-49 - Tree and Palm
- 2) Specifies the C-49 – Tree and Palm contractors may only complete tree service and removal for the purposes of this bill.
- 3) Requires any licensee authorized by this bill to perform debris removal must have passed an approved hazardous substance certification examination, as specified, and comply with the hazardous waste operations and emergency response (HAZWOPER) requirements.
- 4) Specifies the above requirements only apply when a permit is required for debris removal resulting from a natural disaster with a state or federal emergency proclamation or disaster declaration, and the restrictions for debris removal, including muck out and ash out, no longer apply after any needed debris removal, including muck out or ash out, is deemed completed or finalized by the local permitting agency, irrespective of whether an emergency proclamation or disaster declaration is still in effect.
- 5) Defines “debris” to mean debris from, or located on, a residential property as a result of a natural disaster. “Debris” does not include any materials unrelated to the declared emergency or disaster.

- 6) Defines “debris removal” to mean appropriate identification, encapsulation, transportation, and disposal of debris.

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. (Government (Gov.) Code § 8550)
- 2) Authorizes the Governor to proclaim a state of emergency and local officials and local governments to proclaim a local emergency, when specified conditions of disaster or extreme peril to the safety of persons and property exist, and authorizes the Governor or the appropriate local government to exercise certain powers in response to that emergency. (Gov. Code § 8558)
- 3) Defines “state of emergency” and “local emergency” to mean a duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state or territorial limits of a local government caused by, among other things, a sudden and severe energy shortage. (Gov. Code § 8558)
- 4) Requires the Standardized Emergency Management System (SEMS) for managing multiagency and multijurisdictional responses to emergencies in California. State agencies are required to use SEMS and local government entities must use SEMS in order to be eligible for any reimbursement of response-related costs under the state’s disaster assistance programs. (Gov. Code § 8607)
- 5) Under the California Disaster Assistance Act, requires the Director of Cal OES to provide financial assistance to local agencies for their personnel costs, equipment costs, and the cost of supplies and materials used during disaster response activities, incurred as a result of a state of emergency proclaimed by the Governor, subject to specified criteria. (Gov. Code § 8680)
- 6) Requires the Department of Resources Recycling and Recovery or another state agency tasked to manage contracts for wildfire debris cleanup and removal by the Governor’s Office of Emergency Services to prequalify contractors to enter into contracts in communities impacted by wildfires. (Public Resources Code § 40520)
- 7) Establishes, until January 1, 2029, the CSLB under the Department of Consumer Affairs to implement and enforce the Contractors State License Law (License Law), which includes the licensing and regulation of contractors and home improvement salespersons. (Business and Professions Code (BPC) §§ 7000 *et seq.*)

FISCAL EFFECT: Pursuant to Senate Rule 28.8, no significant state costs anticipated.

COMMENTS:

Author Statement: “As California faces increasingly destructive natural disasters, safe debris removal and disposal are essential components of disaster recovery. Improper handling of hazardous debris can create significant risks to public health, worker safety, and the

environment. [This bill] clarifies who is authorized to conduct debris removal in declared disaster areas—including muck-out and ash-out operations—and requires that all who perform this work possess hazardous substance removal certifications and comply with HAZWOPER standards. These crucial safeguards will help ensure appropriate clearing of disaster sites while protecting workers and impacted communities.”

Natural, Technological, or Manmade Disasters and Emergencies: California faces an escalating threat from natural, technological, and human-caused disasters, with climate change acting as a major force multiplier that intensifies the frequency, scale, and complexity of emergencies statewide. Rising temperatures, prolonged drought, extreme precipitation, sea-level rise, and record-breaking heat waves are accelerating life-threatening historic wildfires, vanishing Sierra snowpacks, stressing water and energy systems, degrading air quality, and increasing risks to public health and critical infrastructure are all major intensifiers of disasters. These issues demonstrate that California’s climate emergencies are growing with frequency and intensity. California faces heightened risks of mass casualties, large-scale infrastructure failure, economic disruption, community displacement, and irreversible ecological damage.

In written testimony provided to the House of Representatives Committee on Appropriations in 2022, California’s OES Director stated, “the State of California arguably faces the most complex and severe disaster conditions in the nation and these challenges and complexities grow in magnitude each year. In the past decade, California has experienced every conceivable type of natural and manmade disaster including drought, earthquake, flood, catastrophic wildfire, mudslides, dam failure, cyber security attacks, oil spills, natural gas leak, civil unrest, terrorism, and tsunamis. However, the COVID-19 pandemic has put our emergency management system to the test.” More recently, the 2025 Los Angeles Wildfires further strained emergency management systems and revealed inconsistencies in emergency preparedness and response.

Wildfire Debris Removal and Recovery Operations: The Department of Resources Recycling and Recovery (Cal Recycle) is responsible for implementing the Consolidated Debris Removal Program. The program is divided into two phases.

Department of Toxic Substance Control (DTSC) or the United States Environmental Protection Agency (USEPA) are tasked with Phase 1 of the process, which removes common household items burned in the wildfires that may require safe disposal. This phase is meant to reduce public and recovery workers’ toxic exposure. As fire-scarred houses are cleared, common household items are removed to help clear properties in preparation for rebuilding. These items are the type of common everyday materials that residents transport to designated collection facilities for proper disposal. A team surveys property, identifying debris and marking it for disposal. Then, a second team will secure the loose debris in a secure receptacle and remove it. Following removal, the collected debris is taken to a transfer site nearby where it is sorted and quickly routed on its journey to its final disposal location. Throughout this process, local, state, and federal partners work together to test air, water, and soil to ensure safety.

CalRecycle generally implements Phase 2. (However, the U.S. Army Corps of Engineers was tasked with this phase for debris removal following the 2025 Los Angeles fires.) Objectives of this phase include reducing immediate threats to public health and safety, and expediting economic recovery of the affected cities and communities. These efforts involved the removal of ash, burned structural remains, hazardous materials, foundations, ACM, vehicles, vessels, contaminated soil and debris from private and public properties. Phase 2 also includes removing

the top 3 - 6 inches of contaminated soil. Soil testing and contaminated soil removal are part of the process because toxins like arsenic, lead, mercury, and chlorine can be present. Since Phase 1 does not remove all asbestos, Phase 2 crews conduct a full asbestos assessment and removal.

Property Rights of Entry (ROEs) are required to conduct Phase 2 of fire debris management. Property owners deciding to “opt out” of this program must hire their own contractors – at the owner’s expense.

Los Angeles Wildfires: In January 2025, Los Angeles County experienced the second and third most destructive fires in California history: the Palisades Fire and Eaton Fire. The University of California, Los Angeles (UCLA) estimated the fires’ total property and capital losses could range between \$76 billion and \$131 billion, with insured losses estimated up to \$45 billion.¹ At its height, the fires placed an estimated 331,335 people on an evacuation advisory, with nearly 192,000 residents facing mandatory evacuation and roughly 140,000 subject to warnings. The Eaton Fire resulted in 9,413 buildings being destroyed, 1,074 structures damaged, and 19 confirmed civilian fatalities. The Palisades Fire resulted in 6,833 structures destroyed, 973 structures damaged, and 12 confirmed civilian fatalities. The blazes burned a combined 37,728 acres and leveled entire communities in the Pacific Palisades and Altadena neighborhoods of LA County.

Executive Order N-5-25: Following the 2025 Los Angeles wildfires, Governor Newsom signed Executive Order N-5-25, which outlined “the urgent need to expeditiously develop a comprehensive plan for debris removal and execute the contracts and take other actions necessary to expeditiously implement that plan.” The Governor’s Executive Order directed state agencies “to develop a comprehensive plan for expeditiously removing debris from impacted properties to allow the rebuilding process to commence as quickly as possible, including the prompt execution of contracts with debris removal vendors with a proven track record of successfully delivering services on a timely and cost-effective basis.”

Contractor Requirements Following Los Angeles Wildfires: Anyone who decided to “opt out” of the Phase 2 debris removal provided by the US Army Corps of Engineers was required to hire their own contractors with specialized certifications and/or licenses as well as obtain a fire debris removal permit. As noted by the Assembly Committee on Business and Professions, “Los Angeles County debris removal permits were issued to contractors with an A General Engineering Contractor, B General Building Contractor, C-12 Earthwork and Paving, and C-21 Building Moving/Demolition license.² Moreover, contractors were required to hold the CSLB Hazardous Substance Removal Certification. Los Angeles County also required contractors’ employees to complete 40 hours of HAZWOPER training”

This bill largely codifies these requirements.

Prior Legislation: SB 641 (Ashby) of 2025, among other things, would have prohibited a contractor from engaging in debris removal unless the contractor has an A-General Engineering Contractor, B – General Building Contractor, C-12 Earthwork and Paving, or C-21 Building

¹ Economic Impact of the Los Angeles Wildfires, <https://www.anderson.ucla.edu/about/centers/ucla-anderson-forecast/economic-impact-los-angeles-wildfires>

² Contractors State License Board, *Disaster Debris 2025* (2025), <https://www.cslb.ca.gov/Resources/MediaRoom/Disaster%20Debris%202025.pdf>.

Moving/Demolition license; allowed CSLB to authorize additional classification to perform debris removal during a declared emergency or declared disaster area due to a natural disaster; and required any licensee authorized to perform debris removal to have passed the CSLB's hazardous substance certification examination and completed HAZWOPER training. (Vetoed)

Arguments in Support: According to the Associated General Contractors, "This bill provides important benefits to licensed contractors by clarifying eligibility requirements and reinforcing the value of proper licensure and training. By requiring contractors engaged in debris removal to hold specific classifications, [this bill] helps ensure that qualified professionals are prioritized for this critical work, protecting both public safety and the integrity of the contracting industry. The bill's requirement for hazardous substance certification and compliance with established safety standards strengthens workforce preparedness. Contractors who invest in proper training and certification will be better positioned to compete for debris removal contracts, while also operating under clearer regulatory expectations during emergency response situations. [This bill] also promotes fairness by creating a more level playing field. By limiting participation to appropriately licensed and certified contractors, the bill helps reduce unqualified or opportunistic operators entering disaster zones, thereby supporting reputable contractors who adhere to industry standards."

Arguments in Opposition: According to the Southern California Contractors Association (SCCA), this bill "generally contains two provisions. The first requires a specific contractors license for debris removal in a declared disaster area. SCCA has no concerns with this provision. The second requires hazardous waste operations and emergency response (HAZWOPER) training for any contractor that "performs debris removal" in a declared disaster area. This requirement is unnecessary. SCCA contractors have a long history of performing soil mitigation and debris removal in declared disaster areas. Our members worked on soil mitigation and debris removal after the Camp Fire in 2017 and most recently the Palisades Fire in 2025. Our contractor members have sent hundreds of workers through the 40 hour HAZWOPER training. Additionally, SCCA contractors frequently work for Caltrans and other agencies removing non-hazardous debris due to mudslides. [This bill's] requirement for HAZWOPER training for non-hazardous debris is entirely unnecessary."

Double Referral: This bill was first heard by the Assembly Committee on Business and Professions, where the bill passed with an 18-0-1 vote.

Policy Considerations: As written, this bill only applies to a contractor engaging in debris removal on residential property that is damaged or destroyed by a *natural disaster*, as opposed to a non-natural disaster. Natural disasters are not specifically defined in the California Emergency Services Act or the California Disaster Assistant Act (CDAA). Rather, statute recognizes the conditions that warrant a state of emergency:

Gov. Code § 8558.(b)

"State of emergency" means 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, 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.

Additionally, the CDAA defines disaster as a fire, flood, storm, tidal wave, earthquake, terrorism, epidemic, or other similar public calamity that the Governor determines presents a threat to public safety.

The committee and the author may wish to consider whether the provisions of this bill should apply to debris removal for non-natural disasters, which may include technological and human-caused disasters such as explosions and acts of terrorism. If the committee and author determine this bill should only apply to natural disasters, the author may wish to consider defining natural disaster for the purposes of this bill.

Additionally, the committee and author may wish to consider whether the provisions of this bill should also apply to contractors engaging in debris removal of commercial property, in addition to residential property.

REGISTERED SUPPORT / OPPOSITION:

Support

Associated General Contractors, California Chapters
Contractors State License Board

Opposition

Southern California Contractors Association

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