

SENATE THIRD READING
SB 1263 (McGuire)
As Amended August 13, 2026
Majority vote

SUMMARY

Prohibits a contractor from engaging in debris removal that includes hazardous waste on residential or commercial 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 or Board), have passed a CSLB Hazardous Substance Removal Certification examination, and comply with Department of Industrial Relations' Hazardous Waste Operations and Emergency Response (HAZWOPER) requirements, as specified.

Major Provisions

- 1) Prohibits a contractor from engaging in debris removal that includes hazardous waste, including muck out and ash out, on residential or commercial 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 – Specialty Contractor Classification for Earthwork and Paving.
 - d) C-21 – Specialty Contractor Classification for Building Moving/Demolition.
 - e) C-49 – Specialty Contractor Classification for Tree and Palm, as specified.
- 2) Provides that any contractor licensee authorized to perform debris removal that includes hazardous waste must have passed a Hazardous Substance Removal Certification examination administered by the CSLB and comply with HAZWOPER requirements.
- 3) Specifies that the restrictions for debris removal that includes hazardous waste apply when a permit is required and end after the debris removal that includes hazardous waste is deemed completed or finalized by the local permitting agency, irrespective of whether an emergency proclamation or disaster declaration is still in effect.
- 4) Defines "debris" as debris from, or located on, a residential or commercial property as a result of a natural disaster and does not include any materials unrelated to the declared emergency or disaster.
- 5) Defines "debris removal" to mean appropriate identification, encapsulation, transportation, and disposal of debris.
- 6) Specifies that "residential property" and "commercial property" do not include property owned, operated, or leased by a state, federal, or local government or utility.

COMMENTS

The CSLB is responsible for implementing and enforcing the License Law, which governs the licensure, practice, and discipline of contractors in California. A license is required for construction projects valued at \$1,000 or more, including labor and materials. The CSLB issues licenses to business entities and sole proprietors. Each license requires a qualifying individual (a "qualifier") who satisfies the experience and examination requirements for licensure and directly supervises and controls construction work performed under the license. The CSLB issues four types of licenses: "A" General Engineering Contractor; "B" General Building Contractor; "B-2" Residential Remodeling Contractor; and "C" Specialty Contractor classifications.

In the aftermath of the Eaton and Palisades wildfires in Los Angeles County in 2025, the first step in rebuilding was a two-phase hazardous-waste cleanup and debris-removal process. In total, more than 2.5 million tons of debris were removed from more than 9,000 properties. In the first phase, the United States Environmental Protection Agency (EPA) removed hazardous waste such as batteries, fertilizers and pesticides, paints and oils, cleaners and solvents, and propane tanks and other pressurized products from all residential properties at no cost to homeowners. In some instances, hazardous waste removal was deferred until phase two debris removal.

During phase two, property owners could elect to participate in a federally funded, government-sponsored program or to hire a private contractor. If homeowners opted in for free debris removal, the United States Army Corps of Engineers removed structural debris, including damaged foundations, hazardous trees, asbestos, ash, contaminated soil, and destroyed vehicles. Those who opted out were required to arrange for and pay for debris removal themselves. Property owners were required to hire a certified consultant to check their property for asbestos, hire a licensed, specialized contractor to remove debris, and obtain a fire debris removal permit from Los Angeles County. 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.

Moreover, contractors were required to hold the CSLB Hazardous Substance Removal Certification. Under current law, contractors who perform hazardous substance removal work at specific sites must pass the Hazardous Substance Removal Certification examination to add the certification to their existing license. The examination is developed by the CSLB in consultation with the Division of Occupational Safety and Health, the State Water Resources Control Board, the Department of Toxic Substances Control, and an advisory committee composed of two representatives of hazardous substance removal workers in California, two general engineering contractors in California, and two representatives of insurance companies in California who are selected by the Insurance Commissioner. The examination covers safe removal, transport, and disposal of hazardous materials, but not the identification of hazardous substances.

Los Angeles County also required contractors' employees to complete 40 hours of HAZWOPER training. Current Cal/OSHA health and safety standards cover employees performing fire cleanup work, including ash, soot, and debris removal, and require employers to provide mandated hazard training and proper protective equipment. The CSLB reports that more than 1,500 contractors met the requirements established by Los Angeles County.

This bill prohibits a contractor from engaging in debris removal on residential or commercial 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 holds a specific license type, obtains Hazardous Substance Removal Certification from CSLB, and complies with HAZWOPER standards. The debris removal restrictions apply only when a permit is required and the debris contains hazardous waste, and end after the work is deemed completed or finalized by the local permitting agency.

According to the Author

"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."

Arguments in Support

The *Associated General Contractors, California Chapters* write in support:

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

There is no opposition on file.

FISCAL COMMENTS

According to the Assembly Appropriations Committee, the CSLB anticipates no implementation costs.

VOTES

SENATE FLOOR: 36-0-4

YES: Allen, Alvarado-Gil, Archuleta, Ashby, Becker, Blakespear, Cabaldon, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNeerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Weber Pierson, Wiener

ABS, ABST OR NV: Arreguín, Caballero, Valladares, Wahab

ASM BUSINESS AND PROFESSIONS: 18-0-1

YES: Berman, Addis, Ahrens, Alanis, Bains, Bauer-Kahan, Caloza, Chen, Elhawary, Hadwick, Haney, Hart, Irwin, Jackson, Patterson, Lowenthal, Nguyen, Pellerin

ABS, ABST OR NV: Macedo

ASM EMERGENCY MANAGEMENT: 6-0-1

YES: Ransom, Hadwick, Arambula, Bennett, Calderon, DeMaio

ABS, ABST OR NV: Bains

ASM APPROPRIATIONS: 15-0-0

YES: Wicks, Hoover, Arambula, Calderon, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Ta, Tangipa

UPDATED

VERSION: August 13, 2026

CONSULTANT: Kaitlin Curry / B. & P. / (916) 319-3301

FN: 0003609