Date of Hearing: June 23, 2026

ASSEMBLY COMMITTEE ON JUDICIARY
Ash Kalra, Chair
SB 1267 (Allen) – As Amended June 15, 2026

SENATE VOTE: 36-0

SUBJECT: COMMON INTEREST DEVELOPMENTS: ELECTRIC VEHICLE CHARGING STATIONS OWNED BY MEMBERS IN COMMON AREAS

SYNOPSIS

Beginning in 2011, the Legislature has sought to limit homeowner association's ability to block residents from installing critical electric vehicle charging infrastructure with the enactment of SB 209 (Corbett) Chap. 121, Stats. 2011. Little did the Legislature realize at the time, but the enactment of SB 209 set off a nearly two-decade long debate about liability related to electric vehicle charging stations. These debates have surrounded homeowner associations' fears related to liability from charging stations and homeowner's inability to obtain the complex insurance policies required by associations.

This bill represents the Legislatures most recent, and hopefully final, bill trying to deal with the subject of electric vehicle charging infrastructure and homeowner associations. Following the removal of a requirement that a homeowner's insurance name the association as an additional insured with the passage of SB 770 (Allen) Chap. 525, Stats. 2025, this bill instead requires a homeowner to reimburse or indemnify an association for any harm caused by the electric vehicle charging station. The measure also states the intent of the Legislature to provide a homeowner association that has complied with the statutory framework regarding the installation of electric vehicle chargers with civil liability protection for injuries and damages emanating from an electric vehicle charging station or its use that the association does not own.

This measure is supported by homeowner associations and electric vehicle advocates. The proponents of the measure contend that this bill strikes the right balance between protecting homeowner association budgets from liability and permitting residents to install electric vehicle chargers. Recent amendments addressed concerns raised by the California Association of Realtors and the bill now has no known opposition. The measure was previously heard and approved by the Committee on Housing and Community Development by a vote of 11 to zero.

SUMMARY: Requires a homeowner installing an electric vehicle charging station within a common interest development to indemnify or reimburse the homeowner association or the members of the association for any losses or damages caused by the installation of the charging station. Specifically, **this bill**:

1) Requires the installer of an electric vehicle charging station to indemnify or reimburse the association or the members for loss or damage caused by the installation of the electric vehicle charging station.

2) Provides, except in cases of gross negligence by the homeowner association, that it is the intent of the Legislature to provide an association that has complied with this section with

civil liability protection for injuries and damages emanating from an electric vehicle charging station or its use that the association does not own.

EXISTING LAW:

1) Establishes the Davis-Stirling Common Interest Development Act and provides for the rules and regulations governing the operation of a residential common interest development and the respective rights and duties of the homeowner association and its members. (Civil Code Section 4000 *et seq*.)

2) Provides that in a condominium project governed by the Davis-Stirling Common Interest Development Act the common area is not subject to partition, except as provided. (Civil Code Section 4630.)

3) Provides that any covenant, restriction, or condition contained in any deed, contract, security instrument, or other instrument affecting the transfer or sale of any interest in a common interest development, and any provision of a governing document that either effectively prohibits or unreasonably restricts the installation or use of an electric vehicle charging station within an owner's unit or in a designated parking space, including, but not limited to, a deeded parking space, a parking space in an owner's exclusive use common area, or a parking space that is specifically designated for use by a particular owner is void and unenforceable. (Civil Code Section 4745 (a).)

4) Requires a resident of a common interest development to obtain approval from the association before installing the electric vehicle charging station and requires the association to approve the installation if the owner agrees in writing to do all of the following:

   a) Comply with the association's architectural standards for the installation of the charging station;

   b) Engage a licensed contractor to install the charging station;

   c) Within 14 days of approval, provide a certificate of insurance that names the association as an additional insured under the owner's insurance policy, as specified in 5); and

   d) Pay for both the costs associated with the installation of and the electricity usage associated with the charging station. (Civil Code Section 4745 (f)(1).)

5) Requires the owner of the charging station, whether located within a separate unit or within the common area or exclusive use common area, to, at all times, maintain a liability coverage policy. The owner that submitted the application to install the charging station must provide the association with the corresponding certificate of insurance within 14 days of approval of the application, and update the certificate of insurance annually thereafter. (Civil Code Section 4745 (f)(3).)

FISCAL EFFECT: As currently in print this bill is keyed non-fiscal.

COMMENTS: For more than a decade, the Legislature has been dealing with the seemingly intractable problem of how to ensure that homeowner associations cannot unreasonably prevent the installation of electric vehicle charging infrastructure within a development. The existing framework, generally, prohibits a homeowner association board from denying the installation of an electric vehicle charging station so long as the charger fits with the community aesthetic and is properly insured. In the wake of legislation removing a requirement naming the homeowner association as an additional insured on the policy, homeowner associations once again appear to be fearing unchecked liability from electric vehicle charging stations. Accordingly, this bill would require the homeowner installing a charging station to indemnify or reimburse the association for damage caused by the charging station. In support of this bill, the author states:

> Residents belonging to homeowner associations and condominium complexes find it particularly difficult to make the switch to an electric vehicle because unlike single family homeowners, these residents need to use common area spaces to install the needed infrastructure to charge their vehicles. With the biggest barrier to large-scale market proliferation of EVs being accessibility to charging stations, more must be done to ensure that prospective EV drivers in HOAs are accommodated.
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> However, there are concerns and uncertainty about liability for damage or injury caused by a charger. In many cases, the EV charger must be installed in the common area of a shared parking lot. Privately owned chargers can create liability for an association for injury or damage that occurs in common area spaces. While increased adoption of EVs over time has not shown any significant risk of damage or injury, the lack of certainty can be worrying for HOAs. Uncertain risks make it more difficult for HOAs to obtain adequate insurance policies in an increasingly unaffordable market.
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> SB 1267 would require the installer of an EV charging station to indemnify the HOA during the installation of the charger and make the resident responsible for all costs associated with the usage of their charger.

Background on homeowner association governance. There are approximately 50,000 common interest developments in California. They vary in size and structure, but generally are characterized by the following: (1) separate ownership of individual residential units coupled with an undivided interest in common property; (2) covenants, conditions, and restrictions that limit the use of both separate interests and common property; and (3) *management of common property* and enforcement of restrictions by a homeowner association.

Governance of these developments and the homeowner associations that make up their governing bodies is regulated under the Davis-Stirling Act (Civil Code Section 1350 *et seq*.), which sets forth general rules governing common interest developments. Beyond the overarching state law, each individual association is also subject to specific rules and regulations set forth by the association's "governing documents." These governing documents include the recorded declaration and any other documents, such as bylaws, operating rules of the association, or articles of incorporation that govern the operation of the association.

Of note to this measure is the responsibility for maintaining the common areas of the association. This typically includes obtaining insurance to protect the association should damage occur to the common area or if a person is injured as a result of a defect in the common area. As this Committee is well aware, a myriad of factors are making obtaining affordable insurance for homeowner associations increasingly difficult.

The final chapter in the long saga of homeowner associations and electric vehicle chargers? In order to meet California's ambitious climate goals, the state needs to transition away from gas powered vehicles to electric vehicles. In fact, in furtherance of this goal, Governor Newsom issued Executive Order N-79-20, which called for all in-state sales of new passenger cars and trucks to be zero-emission vehicles by 2035. One obstacle to transitioning to electric vehicles has long been consumer fears about inadequate charging infrastructure limiting electric vehicles' range. Although California has been a national leader in deploying electric vehicle charging infrastructure, challenges remain.

One issue related to electric vehicle charging that the Legislature has repeatedly attempted to address is potential reluctance of homeowner association boards to permit the installation of electric vehicle charging equipment within association common areas, namely community garages in condominium developments. Originally enacted in 2011, with the passage of SB 209 (Corbett) Chap. 121, Stats. 2011, the state's current legal framework generally requires homeowner association boards to permit the installation of charging infrastructure while simultaneously requiring an electric vehicle owner to obtain insurance for the charger and name the association as an insured party. Recognizing some difficulties in the SB 209 framework, in 2018, the Legislature amended SB 209 to remove a $1 million coverage minimum from the insurance requirement recognizing that the risks posed by charging infrastructure did not warrant such a large insurance requirement. (SB 1016 (Allen) Chap. 376, Stats. 2018.) Notably, SB 1016 retained several references to the homeowner association being named on the insurance policy. As a result of the insurance industry's reluctance to issue policies naming the association as an additional insured, last year the Legislature enacted SB 770 (Allen) Chap. 525, Stats. 2025, to maintain the insurance coverage requirements but eliminate the requirement that the homeowner association be named as an additional insured.

Unsurprisingly, the passage of SB 770, and several other bills related to association management last year, have resulted in significant consternation by homeowner associations about their legal exposure. Despite the fact that it appears that electric vehicle chargers pose few additional dangers beyond normal home appliances, associations are now worried that the passage of SB 770 is exposing associations to massive levels of civil liability.

This bill aims to protect homeowner associations from any liability associated with electric vehicle chargers. Seeking to ameliorate the concerns of homeowner associations regarding their liability related to electric vehicle charging stations, this bill makes two modest changes to existing law. First, the bill requires the homeowner installing the electric vehicle charging station to indemnify or reimburse the association or the members for loss or damage caused by the installation of the electric vehicle charging station. Secondly, just to ensure that any court ever forced to adjudicate a dispute regarding a homeowner associations and liability related to electric vehicle charging stations, the bill states the intent of the Legislature to provide an association that has complied with the statutory framework regarding the installation of electric vehicle chargers with civil liability protection for injuries and damages emanating from an electric vehicle charging station or its use that the association does not own.

***ARGUMENTS IN SUPPORT**:* This bill is supported by homeowner associations and electric vehicle advocates. In support of the bill the Community Associations Institute's California Legislative Action Committee writes:

> As associations increasingly navigate requests for individually owned EV charging stations in common areas, SB 1267 appropriately clarifies responsibility and liability. The bill affirms the Legislative intent to provide civil liability protections to associations that comply with

existing EV charging station requirements, ensuring they are not held responsible for injuries or damages stemming from equipment they do not own.

SB 1267 also strengthens accountability by requiring owners to enter into maintenance and indemnity agreements upon request by the associations, and by expanding owner responsibility to include damages resulting from the use, not just the installation, maintenance or removal of EV charging stations. Additionally, the bill ensures that installers indemnify or reimburse associations and their members for any loss or damage caused by the installation or use of these systems.

Lastly, these provisions strike an important balance by supporting California's clean energy goals while protection HOAs and their members from undue financial and legal risk. By clearly assigning responsibility to the appropriate parties, SB 1267 reduces uncertainty, helps prevent disputes, and allows associations to responsibly accommodate EV infrastructure.

REGISTERED SUPPORT / OPPOSITION:

Support

Alliance for Automotive Innovation
Community Associations Institute - California Legislative Action Committee
Electric Vehicle Charging Association

Opposition

None on file

Analysis Prepared by: Nicholas Liedtke / JUD. / (916) 319-2334