SENATE THIRD READING
SB 1267 (Allen)
As Amended June 15, 2026
Majority vote

SUMMARY

Requires the installer of an electric vehicle (EV) charging station within a common interest development (CID) to indemnify or reimburse the homeowners' association (HOA) or the members for loss or damage caused by the installation of an EV charging station.

Major Provisions

1) Extends the responsibility for the costs of damage to the charging station, common area, exclusive use common area, or separate interests resulting from the use of an EV charging station to the owner and each successive owner of the charging station.

2) Requires the installer of an EV charging station to indemnify or reimburse the HOA for loss or damage caused by the installation of the EV charging station.

3) Provides that, except in the case of gross negligence by the HOA, it is the intent of the Legislature to provide an HOA that has complied with this section of law with civil liability protection for injuries and damages emanating from an EV charging station or its use that the HOA does not own.

COMMENTS

CIDs: There are over 50,000 CIDs in the state, ranging in size from three to 27,000 units, with the average CID having 286 residents. CIDs make up roughly 4.7 million housing units, and 36% of Californians (over 14 million Californians) live in a CID. These rates are even higher for homeowners, with approximately 65% of homeowners living in a CID. CIDs include condominiums, community apartment projects, housing cooperatives, and planned unit developments. They are characterized by a separate ownership of dwelling space coupled with an undivided interest in a common property, restricted by covenants and conditions that limit the use of common area, and the separate ownership interests and the management of common property and enforcement of restrictions by an HOA. CIDs are governed by the Davis-Stirling Common Interest Development Act (the Act) as well as the governing documents of the HOA, including bylaws, declaration, and operating rules.

Davis-Stirling Common Interest Development Act: The Act went into effect in 1986 and is the primary body of law governing CIDs in California. The Act provides the legal framework for the creation and management of HOAs, including rules related to governance, assessments, dispute resolution, maintenance responsibilities, and member rights. The Act aims to balance the authority of HOAs with the rights of individual property owners, ensuring that communities are managed efficiently and fairly.

Over time, the Act has been amended to address the evolving needs of CIDs and to increase transparency, accountability, and consumer protection. Key provisions include requirements for open meetings, financial disclosures, election procedures, and architectural review processes. The Act also provides mechanisms for resolving disputes, including internal dispute resolution and alternative dispute resolution, before certain legal actions can proceed. As CIDs continue to represent a significant portion of California's housing stock, the Act play as critical role in shaping the living environment and governance of millions of residents across the state.

Climate mitigation efforts and EV charging need: According to the California Air Resources Board, the transportation sector is the largest source of emissions in the state, accounting for roughly 40% of total greenhouse gas emissions in recent years. Within that sector, light-duty passenger vehicles, including cars, SUVs, and pickup trucks, are the largest source of transportation-related emissions.

To address this issue and help the state reach its emissions reductions targets, Governor Brown signed Executive Order B-16-12, which established a goal of putting 1.5 million zero emissions vehicles (ZEV) on California's road by 2025. Governor Brown revised California's ZEV deployment target in January 2018, by signing Executive Order B-48-18. This order called for deploying five million ZEVs in California by 2030. The order also increased ZEV infrastructure targets. Specifically, the order establishes a goal of installing 200 hydrogen fueling stations and 250,000 EV chargers, including 10,000 direct current fast chargers, by 2025. In 2020, Governor Newsom issued Executive Order N-79-20, directing the state to require that all new passenger cars and trucks sold in California be zero-emission by 2035. The state currently has over 1.9 million EVs on the road and over 200,000 chargers to support them as of September 2025, according to the California Energy Commission. This is more than double the number of chargers statewide in 2022, and nearly five times as many as in 2019.

EVs in HOAs: To promote, encourage, and remove obstacles to the use of EV charging stations in CIDs, the Legislature passed SB 209 (Corbett), Chapter 121, Statutes of 2011, which made void and unenforceable any covenant, condition, or restriction (CC&R) contained in any deed, contract, security instrument, or other instrument affecting the transfer or sale of any interest in a CID, and any provision of a governing document, that effectively prohibits or restricts the installation or use of an EV charging station. At the time, existing law allowed an HOA to deny an application for installation of EV charging stations. SB 209 allowed an HOA to impose reasonable restrictions on EV charging stations, so long as the restrictions do not significantly increase the cost of the station or significantly decrease its efficiency or specified performance. Under SB 209, EV charging stations needed to meet all applicable health and safety standards imposed by state and local permitting authorities and needed to be designed in compliance with the California Building Standards Code. SB 209 also established various obligations of a homeowner if an EV charging station was to be placed in a common area or an exclusive use common area, including that the homeowner agree to comply with the CID's architectural standards for the installation, engage a licensed contractor to install the station, and provide a certificate of insurance that names the CID as an additional insured under the homeowner's insurance policy. Under the SB 209 framework, a homeowner, and each successive homeowner, were required to maintain a liability coverage policy in the amount of $1 million.

In 2018, the Legislature passed SB 1016 (Allen), Chapter 376, Statutes of 2018 which removed the requirement that the homeowner's liability coverage for an EV charging station within the common area or an exclusive use common area be for an amount of $1 million. Additionally, SB 1016 removed the requirement that the HOA be named an additional insured under the policy. However, the statute contained language requiring the HOA to be listed as an additional insured in two separate provisions, and SB 1016 only removed the requirement from one of the provisions. SB 770 (Allen), Chapter 525, Statutes of 2025, removed the other provision that still required the member installing the EV charging station to list the HOA as an additional insured in their policy. Today, existing law still requires an owner and each successive owner to maintain, at all times, a liability coverage policy and to provide the HOA with the corresponding certificate of insurance with 14 days of approval of an application to install an EV charging station and each year thereafter.

This bill seeks to address potential issues of exposure to liability for damage or injury resulting from an EV charging station installed within a common area or an exclusive use common area. This bill requires the installer of an EV charging station to indemnify or reimburse the HOA or the members for loss or damage caused by the installation of the EV charging station. Generally, an HOA is responsible for the common area of the CID, including injuries and damages that occur in or to the common area. The author and proponents of this bill note that following the repeal of the requirement to name an HOA as an additional insured, some HOAs are concerned that they would be liable for damage or injury arising from the EV charging station in the common area even though the charging station is owned by the homeowner. This bill does not change an owner's or successive owner's responsibilities for costs of damage to the EV charging station, common area, exclusive use common area, or separate interests resulting from the installation, maintenance, or removal of the charging station. Nor does this bill change the owner's or successive owner's existing obligation to maintain, at all times, a liability coverage policy and to provide the HOA with the certificate of insurance annually. Owners and successive owners are still required to disclose to prospective buyers the existence of any charging station of the owner and the related responsibilities of the owner provided under Civil Code Section 4745.

According to the Author
"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.

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.

SB 1267 would require the installer of a resident's EV charging station to indemnify the association during the installation of the charger and make homeowner's liable for any costs arising from the use of a privately owned charger."

Arguments in Support
According to the Community Associations Institute's California Legislative Action Committee, "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." According to the Electric Vehicle Charging Association, "SB 1267 makes targeted and practical improvements to prior work in this area."

Arguments in Opposition
None on file.

FISCAL COMMENTS

Unknown. This bill is keyed non-fiscal by the Legislative Counsel.

VOTES

SENATE FLOOR: 36-0-4
YES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Grayson, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener
ABS, ABST OR NV: Alvarado-Gil, Gonzalez, Grove, Niello

ASM HOUSING AND COMMUNITY DEVELOPMENT: 11-0-1
YES: Haney, Patterson, Ávila Farías, Caloza, Ward, Kalra, Lee, Quirk-Silva, Tangipa, Wicks, Wilson
ABS, ABST OR NV: Ta

ASM JUDICIARY: 12-0-0
YES: Kalra, Macedo, Bauer-Kahan, Bryan, Connolly, Dixon, Harabedian, Pacheco, Papan, Sanchez, Stefani, Zbur

UPDATED

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