

Date of Hearing: August 20, 2025

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 283 (Laird) – As Amended July 17, 2025

Policy Committee:	Utilities and Energy	Vote:	18 - 0
	Local Government		10 - 0

Urgency: No      State Mandated Local Program: Yes      Reimbursable: Yes

**SUMMARY:**

This bill establishes several new fire safety requirements applicable to energy storage systems.

Specifically, this bill, among other things:

- 1) Requires the California Building Standards Commission (CBSC) and the Office of the State Fire Marshall to adopt, as part of the next update of the California Building Standards Code adopted after July 1, 2026, provisions that are at least as protective as the most recently published edition of the National Fire Protection Association (NFPA) 855, Standard for the Installation of Stationary Energy Storage Systems (NFPA 885).
- 2) Requires an applicant to the California Energy Commission (CEC) or a local jurisdiction to construct an energy storage system to certify (a) the energy storage system is designed to comply with NFPA 885 and (b) that, at least 30 days before submitting the application to CEC or a local jurisdiction, as applicable, the applicant met and conferred with the local fire department responsible for fire suppression in the area where the energy storage system is proposed and discussed the energy storage system design.
- 3) Provides CEC or a local jurisdiction, as applicable, shall not certify, or approve, in the case of a local jurisdiction, any application submitted after January 1, 2026, to either entity for the construction of an energy storage system unless both the following apply: (a) the energy storage system will be constructed, installed, commissioned, operated, maintained and decommissioned to comply with NFPA 885, and (b) after installation is complete, but before commencing operations, the energy storage system will be inspected by the local fire department responsible for fire suppression where the system is located or by a representative or designee of the State Fire Marshal.
- 4) Requires the applicant to bear the costs of inspection by the local fire department or by the State Fire Marshall and requires the applicant provide the inspector a copy of documentation of the initial fire official consultation submitted with the application.
- 5) Provides a manufacturer or energy storage system owner may voluntarily design the energy storage system to comply with a more-recent edition of NFPA 855 before its operative date, if compliance with all applicable listing and testing requirements is demonstrated.

**FISCAL EFFECT:**

No state costs. CEC already incorporates NFPA standards in its process of reviewing energy storage system applications. To the extent the bill creates costs for inspections by either the Fire Marshal or for local fire departments, this committee assumes those costs will be borne by the energy storage system applicant.

**COMMENTS:**

- 1) **Purpose.** Responding to several battery energy storage system (BESS) fires in Moss Landing on the Central Coast, the author intends this bill to allow installation and operation while better ensuring public and environmental safety. According to the author, “SB 283 ensures that future battery storage facilities adhere to the highest fire safety standards, protecting first responders, local communities, and the integrity of our renewable energy transition.”
- 2) **Background.** The state’s mix of electricity generation sources includes greater and greater amounts of intermittent renewable energy, such as power derived from solar and wind energy. Because these intermittent resources are not always capable of generating power (for example, when the sun is not shining or when the wind is not blowing), the state is increasingly relying on energy storage systems to capture the energy of these resources when it is available and then use it at later time. Many of these energy storage systems, known as BESS, rely on interconnected banks of batteries, generally using lithium ion technology.

State law provides for the oversight and regulation of the construction and operation of BESS. Generally, local agencies are responsible for permitting the construction of a BESS; however, under some circumstances, a developer of a proposed BESS may request CEC permit construction of the BESS. In addition, state law directs the CPUC to implement and enforce standards for the maintenance and operation of facilities for generation and storage of electricity owned by an electrical corporation or located within the corporation’s territory. And state law directs the State Fire Marshal to propose to the California Building Standards Commission updates to the fire standards relating to requirements for lithium-based BESS.

Nonetheless, the state has recently experienced fires at several BESS facilities, most dramatic among them, perhaps, being the fire at Vistra Corporation’s Moss Landing BESS facility, which led to the evacuation of about 1,200 residents and area road closures.

- 3) **Support and Opposition.** This bill is supported by a long list that includes industry group, electrical utilities, the Sierra Club and the California Association of Professional Firefighters, the latter of which writes:

Currently, BESS facilities can be permitted locally and there are no coherent guidelines for fire safety to mitigate the risks posed a fire of any scale. Additionally, there are no requirements for coordination with local fire departments or routine safety inspections, increasing the likelihood of faults or failures going unnoticed until they result in disaster.

SB 283 recognizes the role that BESS facilities play in adapting our energy grid and integrating new solutions, while ensuring that these facilities are held to strict safety standards.