
THIRD READING

Bill No: SB 629
Author: Durazo (D), et al.
Amended: 5/1/25
Vote: 21

SENATE GOVERNMENTAL ORG. COMMITTEE: 11-1, 4/22/25

AYES: Padilla, Valladares, Archuleta, Ashby, Blakespear, Cervantes, Richardson,
Rubio, Smallwood-Cuevas, Wahab, Weber Pierson

NOES: Ochoa Bogh

NO VOTE RECORDED: Dahle, Hurtado, Jones

SENATE LOCAL GOVERNMENT COMMITTEE: 5-0, 4/30/25

AYES: Durazo, Arreguín, Cabaldon, Laird, Wiener

NO VOTE RECORDED: Choi, Seyarto

SENATE APPROPRIATIONS COMMITTEE: 5-0, 5/23/25

AYES: Caballero, Cabaldon, Grayson, Richardson, Wahab

NO VOTE RECORDED: Seyarto, Dahle

SUBJECT: Wildfires: fire hazard severity zones: defensible space, vegetation
management, and fuel modification enforcement

SOURCE: Author

DIGEST: This bill updates the criteria for designating fire hazard severity zones (FHSZ) to include areas impacted by significant wildfires and urban conflagration risks, and requiring local agencies to adopt ordinances with map updates, as specified. Additionally, this bill establishes an enforcement program for defensible space, vegetation management, and fuel modification requirements, with annual inspections and fees to cover administrative costs, as specified.

ANALYSIS:

Existing law:

- 1) Requires the State Fire Marshal (SFM) to identify areas of the state as moderate, high, and very high FHSZ based on specified data.
- 2) Requires a person who owns, leases, controls, operates, or maintains an occupied dwelling or structure in a very high FHSZ to take certain fire risk management measures, including maintaining defensible space of 100 feet from each side of the structure, except as specified.
- 3) Requires the SFM to develop a model defensible space program, as specified and requires the model defensible space program to include, but not be limited to, specific components, including enforcement mechanisms for compliance with and maintenance of defensible space requirements, as specified.

This bill:

- 1) Requires the SFM to identify areas in the state as moderate, high, and very high FHSZs based on fuel loading, slope, fire weather, and other relevant factors, as specified.
- 2) Requires the SFM to, at least 60 days before finalizing the designations described above, publish the model and methodology used to develop the FHSZs on its internet website, as specified.
- 3) Requires a city or county to designate, by ordinance, for wildfires occurring on or after January 1, 2025, any area burned in a wildfire in its jurisdiction as a very FHSZ within 120 days of the wildfire reaching 100% containment, or by May 1, 2026, whichever is later.
- 4) Authorizes, as part of the ordinance adopted, a city or county to, at its discretion, do any of the following:
 - a) Include areas within the jurisdiction of the city and county that were not burned in a wildfire as a very high FHSZ if the city or county makes a finding supported by substantial evidence in the record that any of the state fire protection standards are necessary for fire protection within the area.
 - b) Include areas within the jurisdiction of the city and county that were burned in a wildfire as moderate and high FHSZs, respectively.

- c) Exclude areas within the jurisdiction of the city and county that were burned in a wildfire and that would otherwise be designated within the very high FHSZ following a finding supported by clear and convincing evidence in the record that none of the state fire protection standards are necessary for effective fire protection within the area, as specified.
- 5) Requires a city or county, at least 60 days before adopting an ordinance to transmit a draft of the ordinance to the Office of the SFM and to every local agency that provides fire protection to any area within the jurisdiction of the city or county, as specified.
 - 6) Requires the SFM to review the draft ordinance and authorizes the office to recommend changes to the city or county within 60 days of its receipt regarding whether the ordinance complies with the above requirement, as specified.
 - 7) Authorizes a local agency that provides fire protection to any area within the jurisdiction of the city or county to review the draft ordinance and authorizes recommended changes to the city or county within 60 days of its receipt regarding whether the ordinance complies with above requirements, as specified.
 - 8) Requires a city or county, before adopting a draft ordinance, to consider the recommendations, if any, made by the SFM and any local agency that provides fire protection to any area within the jurisdiction of the city or county, as specified.
 - 9) Requires the city council or board of supervisors, if a city or county does not accept all or some of those recommendations, if any, to communicate in writing to the SFM or the local agency, as applicable, its reasons for not accepting the recommendations.
 - 10) Authorizes the SFM, if a city or county does not adopt recommended changes from the office concerning its draft ordinance, to, within 15 days of receipt of the city's or county's written response, request in writing, a consultation with the city or county to discuss the recommendations and the city's or county's response, as specified.

- 11) Prohibits a city or county, if the SFM requests a consultation pursuant to above, from adopting the draft ordinance until after consulting with the SFM, as specified.
- 12) Authorizes a city or county, if the recommendations from the SFM or a local agency that provides fire protection to any area within the jurisdiction of the city or county are not available within the time limits described above to act without those recommendations.
- 13) Requires a city or county to send a copy of an ordinance adopted pursuant to this bill to the SFM within 30 days of adoption.
- 14) Authorizes the SFM, if, following the consultation described above, a city or county adopts the draft ordinance without the changes proposed by the SFM, to allege to the Attorney General (AG) that the city or county is in violation of state law, as specified.
- 15) Requires a city or county to amend a map described above pursuant to the adopted ordinance and to post a notice at the office of the county recorder, county assessor, and county planning agency identifying the location of the amended map, as specified.
- 16) Specifies that nothing in this bill shall be construed to authorize a city or county to exclude any area designated as a FHSZ, as specified.
- 17) Requires an enforcing agency, beginning January 1, 2027, to establish, fund, and implement an enforcement program to verify ongoing compliance, within the enforcing agency's jurisdiction, with the defensible space, vegetation management, and fuel modification requirements established, as specified.
- 18) Authorizes the enforcing agency to charge a fee sufficient to cover the costs of administering the program and providing any inspection conducted by the enforcing agency.
- 19) Requires the enforcing agency to inspect and document compliance for each affected property or structure at least once annually.
- 20) Requires the enforcing agency to submit data on defensible space inspections and compliance pursuant to this bill to the defensible space and home

hardening assessment reporting platform established by the Director of Forestry and Fire Protection (Cal FIRE), as specified.

- 21) Authorizes an enforcing agency that adopts a finding, based on substantial evidence in the record and before January 1, 2027, that demonstrates adequate progress to delay compliance with the requirement to document compliance annually until no later than January 1, 2029.
- 22) Defines “area burned in a wildfire” to mean any land area included within the perimeter of a wildfire, as shown on an incident map posted on the internet website of Cal FIRE, that meets any of the following conditions:
 - a) The wildfire burned 1,000 or more acres.
 - b) The wildfire destroyed more than 10 structures.
 - c) The wildfire resulted in one or more fatalities.

Background

Author Statement. According to the author’s office, “two of the most important things California can do to make homes more likely to survive wildfires is to build homes to the standards in the state’s Wildland-Urban Interface (WUI) building code and ensure that property owners maintain defensible space year-round in fire-prone areas. These measures are critical in reducing property loss, protecting lives, and aiding firefighting efforts.”

Further, “SB 629 increases wildfire resilience in the state by automatically designating areas that burned in a wildfire within the very high fire hazard severity zone, which triggers the use of WUI building code standards and defensible space maintenance requirements, as well as other fire safety regulations. SB 629 also requires these maps to be updated to reflect the potential for urban conflagrations. Finally, SB 629 requires annual defensible space inspections.”

Office of the State Fire Marshal. AB 9 (Wood, Chapter 225, Statutes of 2021) established the Deputy Director of Community Wildfire Preparedness and Mitigation within the Office of the SFM to be responsible for overseeing defensible space requirements, establishment of FHSZs, and implementation of the minimum fire safety standards, among other responsibilities. AB 9 also augmented the SFM’s responsibilities by transferring and delegating certain duties related to fire safety and wildfire prevention from Cal FIRE to the SFM, including Cal

FIRE's local assistance grant program for fire prevention and home hardening education activities.

This bill requires the SFM to, when designating lands as moderate, high, or very high FHSZ, to consider areas burned in a wildfire (defined as having met any of the following conditions: burned 1,000 or more acres; destroyed 10 or more structures; or resulted in a fatality). This bill also requires the SFM to base the FHSZ maps on areas at risk for an urban conflagration that accounts for the potential for structures to serve as fuel source that extends the ember cast outside of wildland areas, and requires the SFM to publish the model and methodology of the FHSZ maps at least 60 days before finalizing designations.

Fire Hazard Mapping. FHSZs fall into the following classifications: moderate, high, and very high based on consistent statewide criteria and based on the severity of fire hazard that is expected to prevail in those areas. FHSZ maps evaluate “hazard” based on the physical conditions that create a likelihood and expected fire behavior over a 30 to 50-year period without considering mitigation measures such as home hardening, defensible space, vegetation management, or fuel reduction efforts. Within high FHSZs, newly constructed homes must meet heightened fire-resistant building standards. Anyone hoping to sell a home also has to alert would-be-buyers of the elevated danger with a disclosure form. For those in very high FHSZs, the law requires a 100-foot circle around a property free of brush, dead trees, and other flammable materials.

SB 63 (Stern), Chapter 382, Statutes of 2021, requires Cal FIRE to adopt all FHSZs in the LRA. Previously, only VHFHSZs were required for adoption in the LRA. Cal FIRE uses the same modeling data that are used to map the SRA to develop the FHSZs in the LRA. FHSZ maps for the LRA, as required by SB 63, were released in four rounds earlier this year. According to reporting by CalMatters, high and very high FHSZs exploded across the state, increasing by 168% since 2011, all told, the size of the new high and very high FHSZs on the new maps is 3,632 square miles – an area nearly twice the size of Delaware. These zones are home to approximately 3.7 million people, or roughly one in 10 Californians that are now subject to an array of enhanced building code, defensible space, and real estate disclosure rules. Local governments are required to take public comment for 90 days, but must ultimately approve the maps without removing any hazard areas (though they are allowed to make additions).

These standards potentially will make new construction more costly. However, home hardening standards, which are periodically updated, have been shown to

work. An analysis by the Sacramento Bee showed that approximately 51% of the 350 single-family homes built after 2008 in the path of the Camp Fire were undamaged. By contrast, only 18% of the 12,100 homes built prior to 2008 escaped damage. Factors that can cause post-2008 homes to combust include not having adequate defensible space and proximity to neighboring non-fire hardened homes.

This bill requires cities and counties to additionally designate by ordinance any area burned by a wildfire occurring on or after January 1, 2025, as a very high FHSZ within 120 days of the fire reaching 100% containment. This bill defines “area burned in a wildfire” to mean any land area included within the perimeter of a wildfire, as shown on an incident map posted on Cal FIRE’s internet website that meets any of the following conditions: the wildfire burned 1,000 or more acres; destroyed more than 10 structures; or resulted in a fatality. This bill authorizes cities and counties to exclude any land burned by a wildfire from the very high FHSZ designation following a finding supported by clear and convincing evidence in the record that none of the specified state fire protection standards – including defensible space – are necessary for effective fire protection within the area.

This bill also authorizes cities and counties to designate areas within their jurisdiction that were not burned in a wildfire as moderate or high. If the city or county makes a finding supported by substantial evidence in the record that any of the specified state fire protection standards are necessary, this bill authorizes the city or county to designate the area as a very high FHSZ.

This bill requires the SFM to review any draft ordinance and authorizes the SFM to make recommended changes to the city or county within 60 days of its receipt. Before adopting the ordinance, this bill requires the city or county to consider the recommendations, if any, made by the SFM or any local agency that provides fire protection to any area within the jurisdiction. If following a consultation, a city or county adopts the draft ordinance without any proposed changes, the SFM may allege to the Attorney General that the city or county is in violation of state law.

Defensible Space. This bill requires, beginning January 1, 2027, enforcing agencies (local or state fire authorities) to establish, fund, and implement an enforcement program to verify ongoing compliance, within that enforcing agency’s jurisdiction, with the defensible space, vegetation management, and fuel reduction requirements. Enforcing agencies will be authorized to charge a fee sufficient to cover the costs of administering the program and providing any inspections that would be required to be conducted annually. This bill requires enforcing agencies

to submit data on defensible space inspections and compliance to the defensible space and home hardening assessment reporting platform established by the Director of Cal FIRE.

Prior/Related Legislation

AB 3074 (Friedman, Chapter 259, Statutes of 2020) established, upon appropriation, an ember-resistant zone within five feet of a structure as part of the defensible space requirements for structures located in specified high FHSZs. AB 38 (Wood, Chapter 391, Statutes of 2019) requires specified disclosures for the sale of real property in a high or very high FHSZ related to fire safety including home hardening and defensible space, as specified.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Senate Appropriations Committee, Cal FIRE reports total costs of \$146 million in year one, \$125 million in year two, and \$116 million in year three and ongoing (General Fund) for a significant number of additional staff and equipment to conduct defensible space inspections of private property within the SRA and to collect and analyze data on damaged and destroyed structures. Other costs include contracting costs with risk modeling vendors and staff time to review and responds to local ordinances.

Unknown state reimbursable mandate costs ranging from minor to potentially significant (General Fund). By requiring cities or counties to designate, by ordinance, any area burned in a wildfire in its jurisdiction as a very high FHSZ within a specified timeframe, this bill creates a state-mandated local program. To the extent the Commission on State Mandates determines that the provisions of this bill create a new program or impose a higher level of service on local agencies, local agencies could claim reimbursement of those costs.

Unknown, potentially significant costs for local enforcing agencies to ensure compliance with defensible space, vegetation management, and fuel modification requirements. However, the bill authorizes enforcing agencies to charge a fee sufficient to cover their administrative and investigatory costs, so these costs are not considered reimbursable by the state.

SUPPORT: (Verified 5/23/25)

None received

OPPOSITION: (Verified 5/23/25)

None received

Prepared by: Brian Duke / G.O. / (916) 651-1530
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