

SENATE THIRD READING

SB 655 (Stern)

As Amended September 4, 2025

Majority vote

SUMMARY

Declares it to be the established policy of the state that all dwelling units shall be able to attain and maintain a safe maximum indoor temperature, and requires all state agencies to consider this policy when revising, adopting, or establishing policies, programs, regulations, and criteria that are relevant to achieving this state policy.

Major Provisions

- 1) Declares it to be the established policy of the state that all dwelling units, as specified, shall be able to attain and maintain a safe maximum indoor temperature.
- 2) Requires all relevant state agencies, including but not limited to, the California Environmental Protection Agency, Department of Housing and Community Development (HCD), Office of Land Use and Climate Innovation, Public Utilities Commission, Energy Commission, Air Resources Board, Department of Health Care Services, California Department of Public Health (CDPH), and Strategic Growth Council to consider the state policy in 1) above for both of the following:
 - a) When revising, adopting, or establishing policies, programs, and criteria, including grant criteria, that are relevant to achieving this state policy; and
 - b) Beginning January 1, 2027, when revising, adopting, or establishing regulations that are relevant to achieving this state policy.
- 3) Provides that the provisions of this bill do not expand any obligation of the state to provide a safe maximum indoor temperature or to require the expenditure of additional resources to develop infrastructure beyond the obligations that may exist under 2) above.

COMMENTS

Extreme Heat and Residential Indoor Temperature Challenges: While current housing law generally provides for the right to heat during times of extreme cold, it does not guarantee cooling during heat events. Heat exposure can cause a variety of health impacts including heat cramps, heat exhaustion, heat stroke, exacerbation of respiratory illnesses, and can even lead to death. In fact, heat causes more reported deaths per year on average in the US than any other weather hazard. A heat wave in 2006 led to 140 deaths as well as 16,000 more emergency room visits and 1,100 more hospitalizations as compared to similar time periods without a heat wave. The California Department of Public Health in 2023 reported 395 excess deaths in California during a 10-day heat wave in September 2022. Due to climate change, this extreme weather will become more common – the California Fourth Climate Change Assessment estimates that by 2050, urban heat-related deaths could double or triple due to rising temperatures. In addition, lower income communities are hotter than wealthier communities, and California metro areas have a larger temperature disparity between their poorest and wealthiest areas than any other state in the southwest.

State Action Plan: In response to concerns about the dangerous impacts of extreme heat, the Governor's Office released "Protecting Californians from Extreme Heat: A State Action Plan to Build Community Resilience" in April 2022. This plan, known as the California Extreme Heat Action Plan (EHAP), includes 13 goals under the categories of building public awareness and notification; strengthening community services and response; increasing the resilience of our built environment; and utilizing nature-based solutions. Areas of near-term focus include implementing a statewide public health monitoring system for early identification, monitoring, and tracking of heat illness events; accelerating readiness and protection of communities most impacted by extreme heat; protecting vulnerable populations through codes, standards, and regulations; expanding economic opportunity and building a climate smart workforce that can operate under, and address, extreme heat; increasing public awareness to reduce risks posed by extreme heat; and protecting natural and working lands, ecosystems, and biodiversity from the impacts of extreme heat.

Recent Efforts to Create a Cooling Standard: In 2022, AB 2597 (Bloom) of 2022 would have required HCD to develop, propose, and submit mandatory building standards for adequate residential cooling for both new and existing units. AB 2597 was held by the author in the Senate Housing Committee due to concerns about placing onerous requirements on housing providers, circumventing the state regulatory process for building code adoption, and placing significant challenges on the electric grid due to more air conditioners running during peak energy demand times and during hot weather in general. Stemming from that conversation, legislation enacted as part of the budget agreement in 2022 AB 209, (Committee on Budget) Chapter 251, Statutes of 2022 included a provision requiring HCD to provide recommendations to the Legislature to help ensure that residential dwelling units can maintain a safe indoor temperature.

AB 209 Report: As required by AB 209, HCD recently released "Policy Recommendations: Recommended Maximum Safe Indoor Temperature" to the Legislature. The report notes that its policy recommendations are aligned with many of the goals identified in the 2022 EHAP discussed above. The report recommends that the state consider a general maximum safe indoor air temperature of 82 degrees Fahrenheit for residential dwelling unit, to be implemented by methods including building standards for newly constructed residential dwelling units, and/or incentive programs for retrofitting existing residential dwelling units, manufactured homes, and mobilehomes. The report recommends the following for newly constructed residential units:

- 1) Direct HCD to propose building standards that require newly constructed residential dwelling units to be designed and constructed to maintain a maximum indoor air temperature of 82 degrees Fahrenheit.
- 2) Establish incentive programs for passive and low energy cooling strategies focusing on the use of cool roofs, cool walls, window shading, building shading, and landscaping. In developing these programs, evaluate the use of modeling predictions of future weather data rather than historical weather data.

For existing residential units, mobilehomes, and manufactured homes, the following:

- 1) Establish incentive programs to encourage broader adoption and use of fans or whole house ventilation systems.
- 2) Establish incentive programs to encourage the use of room evaporative coolers (commonly known as "swamp coolers") in warmer climate zones.

- 3) Establish incentive programs to encourage the use of air conditioning, with current heat pump technology, where feasible and cost effective.
- 4) Establish incentives for weatherization and passive and low energy cooling retrofit strategies.

This bill declares it to be the state's policy that all dwelling units be able to attain and maintain a safe maximum indoor temperature (but does not establish or otherwise reference a specific temperature). This policy declaration is modeled after a similar declaration of water policy that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.

This bill, similar to the aforementioned water policy, also requires all state agencies to consider the indoor temperature policy when revising, adopting, or establishing any policies, programs, regulations, and grant criteria that are relevant to achieving the policy. The author indicates the intention of this subdivision is to require state agencies that have jurisdiction over policies, regulations, or programs that affect cooling standards, incentives, or other tools the state may be using to address extreme heat in residential settings to incrementally incorporate this new policy declaration into those policies, regulations, or programs as they are being issued or updated.

According to the Author

"As Californians face the growing impacts of climate change, extreme heat is among the most alarming and deadly. These spikes in heat are not just uncomfortable. They are life threatening. Vulnerable populations including our elderly, children, those with preexisting health conditions, and low income individuals where access to cooling resources may be limited, are disproportionately affected. The State must address and prepare for extreme heat, promote energy efficiency, and secure safe and healthy housing for all Californians. This bill unifies relevant state efforts around the common-sense goal of refuge from extreme heat in one's own home. When residential dwelling units can maintain a safe indoor temperature, it greatly mitigates heat-related illnesses and death- a worthy and necessary goal for California to achieve."

Arguments in Support

According to a coalition of supporters, including Leadership Council Action, the Western Center on Law and Poverty, the Sierra Club, and Tenants Together, "California has a minimum residential indoor temperature standard to protect people from the cold, yet there are no complementary mechanisms designed to provide broad protections from dangerous indoor heat. This gap in our programs and policies puts the most vulnerable Californians at serious risk of illness and death from extreme heat. ... SB 655 will establish a critical policy statement and goal that all people in California should be able to be safe from the impacts and risks of extreme heat in their own homes. And it will create a common-sense approach to achieving this goal by ensuring that state agencies - through their existing and ongoing efforts to address and prepare for extreme heat, promote energy efficiency, and secure safe and healthy housing - consider how best to address extreme heat in homes through those ongoing efforts."

Arguments in Opposition

The Southern California Rental Housing Association writes in opposition that the bill's policy standard is vague and unenforceable and raises significant concerns regarding expectations for landlords and developers, that it may lay groundwork for future regulatory burdens in the form of cooling mandates to be imposed on existing housing, and that the bill may conflict with other

work local governments are now required to perform to incorporate extreme heat into their general plans' safety elements.

FISCAL COMMENTS

According to the Assembly Committee on Appropriations:

- 1) HCD anticipates minor and absorbable General Fund (GF) costs.
- 2) CDPH indicates GF costs of \$180,000 in fiscal year 2026-27 and annually thereafter, for one position to integrate considerations and mechanisms to maintain a safe maximum indoor air temperature when revising, adopting, or establishing relevant policies, programs, regulations, and criteria.
- 3) GF costs of an unknown, but potentially significant amount to other specified state agencies to consider this state policy while revising or establishing policies, programs, criteria, and regulations that impact achieving a safe maximum indoor temperature.
- 4) Potential future GF cost pressures to achieve, through adopted building standards and incentive programs, a maximum safe indoor air temperature for newly constructed residential dwelling units, and eventually all residential dwellings.

VOTES

SENATE FLOOR: 39-0-1

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

ABS, ABST OR NV: Reyes

ASM HOUSING AND COMMUNITY DEVELOPMENT: 10-0-2

YES: Haney, Patterson, Ávila Farías, Caloza, Garcia, Kalra, Lee, Quirk-Silva, Wicks, Wilson

ABS, ABST OR NV: Ta, Tangipa

ASM APPROPRIATIONS: 11-0-4

YES: Wicks, Arambula, Calderon, Caloza, Elhawary, Fong, Mark González, Ahrens, Pacheco, Pellerin, Solache

ABS, ABST OR NV: Sanchez, Dixon, Ta, Tangipa

UPDATED

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CONSULTANT: Nicole Restmeyer / H. & C.D. / (916) 319-2085

FN: 0001671