

Date of Hearing: July 16, 2025

ASSEMBLY COMMITTEE ON INSURANCE

Lisa Calderon, Chair

SB 770 (Allen) – As Amended March 24, 2025

SENATE VOTE: 28-10

SUBJECT: Common interest developments: EV charging stations

SUMMARY: Removes a requirement that an owner of a separate interest in a common interest development (CID) seeking to install an electric vehicle (EV) charging station in a common area obtain a certificate of insurance for the EV charging station that names the home owners' association (HOA) for the CID as an insured party.

EXISTING LAW:

- 1) Establishes, within the Davis-Stirling Common Interest Development Act, rules and regulations governing the operation of CIDs and the respective rights and duties of a HOA and its members. Requires the governing documents of a CID, and any amendments to the governing documents, to be adopted through HOA elections in accordance with specified procedures. (Civil Code 4745)
- 2) Deems void and unenforceable any covenant, condition, or restriction (CC&R) contained in any deed, contract, security instrument, or other instrument affecting the transfer of, or any interest in, real property, and any provision of the CID governing documents, that effectively prohibits or restricts:
 - a. Installation of a solar energy system.
 - b. Installation or use of a video or television antenna.
 - c. Installation of low-water using plants, artificial turf, and other synthetic surface that resembles grass.
 - d. Installation or use of an EV charging station within the owner's unit or designated parking space.
 - e. Display or affixation of one or more religious items on any entry door frame to a dwelling. (Civil Code 4700-4753)

FISCAL EFFECT: Unknown.

COMMENTS:

- 1) *Purpose:* According to the author, "In order to meet California's ambitious climate goals, the State must do more to reduce the barriers to EV ownership. The California Energy Commission estimates in its 2024 charging infrastructure assessment that the state will need 2.1 million charging stations by 2035 to support EV demand. As of 2024, only 178,000 chargers have been installed, meeting only 8 percent of that need.

While the price of EVs has been decreasing, the accessibility of EV charging stations can be an issue. This is especially the case for residents of multi-family housing who need to use common area spaces to install vehicle chargers. Existing law requires HOA residents to obtain an insurance policy that names the association as an additional insured, however, this confuses EV drivers & HOAs alike because these policies are not widely offered.

SB 770 will help California meet its clean transportation goals by removing the barrier for homeowners to obtain a policy that names an HOA as an additional insured party on their general liability insurance that covers an EV charger.”

- 2) *Insuring EV Charging Infrastructure:* Existing law prohibits any CID governing provision that prevents an owner of a separate interest in a CID from installing an EV charging station within their unit (*e.g.*, garage), and in a designated parking space, including a parking space in the common area of the CID. The law is only applicable to EV charging stations that meet specific standards and allows HOAs to impose reasonable restrictions on the installation of EV charging stations.

An owner proposing to install an EV charging station in the common area of the CID (*e.g.*, a shared parking lot or parking garage with designated parking spaces) must obtain HOA approval. The law requires that HOAs must approve the installation if the owner seeking to install the EV charging station agrees to meet certain conditions. One of the conditions the owner must comply with is that they must provide a certificate of insurance that names the HOA an insured party, as specified.

- 3) *Obtaining insurance.* Supporters of this bill point out that there are few insurers offering an insurance policy that names the HOA as an insured. They state that many insurance companies are not aware of the requirement in law and do not know how to list an HOA on the insurance policy. They argue this bill will remove a barrier that can hinder EV utilization.

According to the Assembly Judiciary Committee analysis, “In practice, this bill would simply add an extra step should a homeowner association need to recover against an insurance policy for losses related to an electric vehicle charger. Although naming the homeowner association as an insured streamlines the process for obtaining financial redress, nothing in this bill limits the association’s ability to recover damages. In accordance with this bill, should the association need to seek compensation, the association must file a claim against the insurance of the owner of the electric vehicle charging equipment. Much like under the existing law, the insurer would be able to evaluate the merits of the claim before paying any appropriate compensation.”

- 4) *Opposition.* The Community Associations Institute, representing HOAs in California, is opposed to this bill and argues that homeowners in CIDs have successfully obtained additional insurance coverage and that this bill could expose associations to costly litigation.

REGISTERED SUPPORT / OPPOSITION:

Support

California Electric Transportation Coalition

Calstart INC.

Electric Vehicle Charging Association

Oppose

Community Associations Institute - California Legislative Action Committee

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