

Date of Hearing: August 5, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 804 (Archuleta) – As Amended July 1, 2026

Policy Committee:	Utilities and Energy	Vote:	18 - 0
	Emergency Management		7 - 0
	Utilities and Energy		17 - 0

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

SUMMARY:

This bill requires the Office of the State Fire Marshal (OSFM), within the Department of Forestry and Fire Protection (Calfire), to adopt in regulation hydrogen pipeline safety standards.

More specifically, among other things, this bill:

- 1) Requires the OSFM, by July 1, 2028, to adopt in regulation (a) hydrogen pipeline safety standards to include compliance orders, penalties, and inspection and maintenance provisions and (b) a percentage, in excess of 90%, of hydrogen gas by volume carried in pipeline that makes the pipeline a hydrogen pipeline, for regulatory purposes.
- 2) Requires the OSFM to require any hydrogen pipeline constructed after June 30, 2028, comply with certain federal requirements and meet specified design requirements.
- 3) Requires each hydrogen pipeline operator with pipelines constructed before the effective date of the OSFM's hydrogen pipeline safety standards to file with the OSFM, by January 1, 2028, an assessment for inspection, maintenance, improvement or replacement and document any prior hydrogen release and subsequent investigations.
- 4) Requires a hydrogen pipeline owner to maintain accurate operational records and, by March 30 of each year, submit a report to the OSFM.
- 5) Makes pressure testing requirements of hydrogen pipeline systems and empowers the OSFM to require pressure testing and inspections of such systems at any time.
- 6) Requires a hydrogen pipeline operator to notify the OSFM and the jurisdictional local fire department at least three working days before conducting a pressure test and authorizes the OSFM to observe any such test.
- 7) Makes various site, construction and visibility requirements of a hydrogen pipeline easement.
- 8) Requires a pipeline operator to provide the jurisdictional fire department with maps or diagrams of hydrogen pipeline locations.
- 9) Empowers the OSFM to make numerous additional requirements regarding mapping, facility access and inspection, and records access and sharing, and requires the OSFM to establish a publicly accessible database that inventories intrastate hydrogen pipelines and records related data.

FISCAL EFFECT:

This bill requires significant new regulatory and enforcement work of the OSFM. Calfire estimates this workload to require additional resources valued at \$2.1 million in year one, \$2.9 million in year two, and \$2.8 million annually thereafter (California Hazardous Liquid Pipeline Safety Fund), for eleven additional staff positions—an executive, two pipeline safety engineers and one pipeline safety supervisor, an office manager and supervisor, four analysts and one data specialist—and equipment and training.

COMMENTS:

- 1) **Purpose.** The author intends this bill to enable continued development of hydrogen in California as part of “the clean energy transition.” According to the author, there is a “critical gap” between the state’s pipeline safety regulatory framework, on the one hand, and expansion of hydrogen infrastructure on the other. The author warns, “Without modern oversight, California faces increased risks to public safety and the environment and could erode public confidence in hydrogen as a clean energy solution” and describes this bill as safeguarding “both progress and public safety.”
- 2) **Background.** California is pushing to eliminate the emissions of greenhouse gases from its economy. Many expect, as part of that effort, the state to become increasingly reliant on the use of hydrogen. For example, the Air Resources Board, in its latest scoping plan to achieve statutorily required reductions of emissions of greenhouse gases, estimates the state will need to increase its current supply of hydrogen by approximately 1,700 times.

One of the primary ways to move hydrogen is by using a pipeline, such as those used to move natural gas. However, the characteristics of hydrogen make it unsafe to move hydrogen through pipelines designed to carry natural gas, causing, in some circumstances, embrittlement and leaks.

In California, the California Public Utilities Commission (CPUC) and the OSFM both regulate the safety of pipelines located wholly within California. Consistent with agreements with the federal Pipeline and Hazardous Materials Safety Administration (PHMSA), the CPUC regulates pipelines used to carry gas, meaning natural gas or liquid gasoline fuel, while the OSFM regulates pipelines used to carry hazardous liquids.

Earlier versions of this bill tasked the CPUC with developing safety standards for dedicated hydrogen pipelines. This approach seems consistent with CPUC’s existing jurisdiction over gas pipelines, as hydrogen, generally, is a gas. However, when this committee considered this bill in August of 2025, the bill assigned responsibility for developing safety standards for dedicated hydrogen pipelines to the OSFM, which regulates hazardous liquid pipelines, not gas pipelines.

The current version continues to assign regulatory oversight of hydrogen pipelines to the OSFM; however, the bill has been substantially amended since last year and, as a result, was referred back to the Committee on Utilities and Energy and the Committee on Emergency Management for reconsideration, before arriving, once again, in this committee.

- 3) **Support and Opposition.** This bill is supported by the Environmental Defense Fund and the State Building and Construction Trades Council (each of which submitted letters of support

for the bill in July of 2025). The California State Pipe Trades Council expressed its support in June of this year to describe the bill as “smart policy that anticipates the future, addresses a regulatory blind spot, and protects the health and well-being of Californians.”

In contrast, Pipeline Safety Trust—a nonprofit organization that promotes pipeline safety—opposes the bill, which it says would “incorrectly delegate critical pipeline safety oversight authority of hydrogen pipelines to the Office of the State Fire Marshal (OSFM) instead of the California Public Utilities Commission (CPUC).” The trust asserts it does not take a position on the future of hydrogen but expresses concern this bill “has the potential to create unnecessary conflict and confusion among the two pipeline safety regulators in the state of California.”

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