
SENATE COMMITTEE ON HOUSING
Senator Jesse Arreguín, Chair
2025 - 2026 Regular

Bill No: SB 904 **Hearing Date:** 3/17/2026
Author: Seyarto
Version: 3/9/2026 Amended
Urgency: No **Fiscal:** Yes
Consultant: Hank Brady

SUBJECT: California Emergency Services Act: disaster recovery: wildfires.

DIGEST: This bill requires state agencies to report strategies to expedite rebuilding efforts for areas destroyed in a wildfire emergency declared by the Governor within 30-60 days, and requires state and local agencies involved in rebuilding following a wildfire to accept applications related to disaster recovery and housing construction electronically.

ANALYSIS:

Existing law:

- 1) The California Emergency Services Act (CESA) authorizes the Governor to declare a state of emergency and local officials and local governments to declare a local emergency, when specified conditions of disaster or extreme peril to the safety of persons and property exist.
- 2) Establishes the California Environmental Quality Act (CEQA), which requires public agencies with the principal responsibility for carrying out or approving a proposed project to prepare a negative declaration, mitigated negative declaration, or an environmental impact report (EIR), unless the project is exempt from CEQA.
- 3) Provides that CEQA is not applicable to projects that repair, restore, demolish, or replace property or facilities damaged or destroyed as a result of a disaster for which a state of emergency has been declared pursuant to the CESA.

This bill:

- 1) Requires state agencies involved in responding to a wildfire to take specific actions following a state of emergency declared by the governor related to a wildfire. Specifically:
 - a) Requires The Department of Housing and Community Development (HCD), the Office of Land Use and Climate Innovation (GO-LUCI), the Office of Emergency Services (OES), and the Department of General Services (DGS) to provide a report to the Governor and the Legislature identifying state permitting requirements that may impede efforts to rebuild properties or facilities destroyed by a wildfire that could be suspended. The initial report is required within 30 days of the Governor's declaration, and updates to the report are required every 60 days, as appropriate, while the recover and rebuilding efforts proceed.
 - b) Requires HCD in consultation with DGS, the Office of the State Fire Marshall (OFSM), and the California Energy Commission (CEC), to recommend changes to the California Building Standards Code (CBSC) that should be suspended for projects to repair, restore, demolish, or replace properties or facilities damaged or destroyed by the wildfire, as specified.
 - c) Requires HCD to coordinate with local governments to identify and recommend procedures designed to achieve the goal of issuing all necessary permits and approvals for the reconstruction or replacement of residential properties within 30 days. The initial report is required within 60 days and updates to the report are required every 60 days as appropriate.
- 2) Requires state and local agencies involved in post-disaster response, debris removal, reconstruction, housing, or land-use permitting to accept electronic submissions of any type of request for agency action associated with recovery efforts related to a state of emergency related to a wildfire.
 - a) Provides that an electronic submission system may include any of the following features:
 - i. Submissions allowed through a web-based application portal.
 - ii. Email submissions of a document in a PDF or other standard digital format.

- iii. Electronic signatures.
 - iv. Digital plan sets or drawings at any scale accepted for paper plans.
- b) Prohibits state and local agencies from requiring physical in-person filing of an application unless the agency posts a written determination that electronic submission is not technically feasible for that specific application type.
 - c) Prohibits a state or local agency from rejecting an application or document solely because it was submitted electronically.
 - d) Requires state and local agencies to post the following information on their website within 30 days of a declaration of a state of emergency for a wildfire:
 - i. Information regarding electronic filing methods for applications related to disaster recovery efforts that are accepted by the agency.
 - ii. Information regarding required file formats.
 - iii. Contact information for electronic filing support.
 - e) Provides that nothing in the bill prohibits state and local agencies from also accepting paper submissions.
- 3) Exempts counties with a population of less than 100,000, or any city located within that county from the requirements to accept electronic submissions.

Background

Eaton and Palisades fires. California continues to experience the impacts of climate change with disasters of increasing scale and frequency destroying whole communities at an unprecedented scale. In the first month of 2025, major wildfires burned more than 50,000 acres. According to the final incident reports issued by CALFIRE, the Eaton and Palisades fires alone destroyed more than 16,250 structures including homes, small businesses, schools, and places

of worship in Los Angeles County¹. In 2025, a total of 8,036 wildfires burned a combined 525,223 acres. These fires led to 31 fatalities.²

Emergency Declarations. The CESA grants expansive authority for the governor to waive or suspend statutes and regulations that hinder efforts to mitigate the impacts of a declared emergency. Additionally, CEQA and the Coastal Act include provisions that exempt projects to rebuild structures damaged by emergencies from environmental review and permitting requirements embedded within those statutes.

Following the outbreak of the Eaton and Palisades Fires Governor Newsom proclaimed a state of emergency to exist in Los Angeles and Ventura Counties due to fire and windstorm conditions and subsequently issued a series of executive orders in response to the wildfires. The initial orders contained provisions pertinent to rebuilding residential structures, these provisions are contained in EO-N-45³ and EO N-9-25.⁴ These orders were further modified by EO N-20-25⁵ and subsequent orders.

Comments:

- 1) *Author's Statement.* "In January of 2025, the Palisades Fire and other Los Angeles County wildfires destroyed thousands of homes and upended entire neighborhoods. Executive Order N-4-25 responded with decisive coordination by suspending duplicative barriers, aligning state and local agencies and setting a clear goal of issuing necessary permits within 30 days so families could begin rebuilding. SB 904 ensures that this level of urgency is not dependent on a single executive order and strengthens interagency collaboration, so recovery does not stall in bureaucracy. Californians who lose their homes deserve clarity, speed and commitment from their government in its response to all wildfire disasters."

¹ CALFIRE, "Incident Update Eaton Fire," January 27, 2025, accessed March 9, 2026, <https://www.fire.ca.gov/incidents/2025/1/7/eaton-fire/updates/262ba0be-593a-463c-94b1-a15d1e7f2a1e>; CALFIRE, "Incident Update Palisades Fire," February 10, 2025, accessed March 9, 2026, <https://www.fire.ca.gov/incidents/2025/1/7/palisades-fire/updates/fc673f28-0d66-402b-9ebe-2380a9bf3c26>.

² CAL FIRE, "2025 Fire Season Incident Archive," accessed March 9, 2026, <https://www.fire.ca.gov/incidents/2025>.

³ Gavin Newsom, *Executive Order N-4-25*, January 12, 2025, <https://www.gov.ca.gov/wp-content/uploads/2025/01/EO-N-4-25-Rebuilding-Final-signed.pdf>.

⁴ Governor Gavin Newsom, *Executive Order N-9-25*, January 16, 2025, https://www.gov.ca.gov/wp-content/uploads/2025/01/EO-Temp-Housing_1.16.25-GGN-Signed-Final-for-Print.pdf

⁵ Governor Gavin Newsom, *Executive Order N-20-25*, February 13, 2025, https://www.gov.ca.gov/wp-content/uploads/2025/02/State-Permitting-and-Housing-Laws-EO_Final_GGN-Signed.pdf

- 2) *EO-N-4-25*. Governor Newsom issued 25 executive orders related to the Los Angeles County Fires and Windstorm Event.⁶ The third order, EO N-4-25, issued days after the outbreak of the wildfire, contained seven unique directives focused on rebuilding in areas impacted by the wildfire. This bill seeks to codify two of the directives included in EO N-4-25. Specifically, this bill seeks to codify paragraphs five and six of the order, which read as follows:

5. HCD in consultation with DGS, the Office of the State Fire Marshal, and the California Energy Commission, shall, within 60 days review and provide a report to me with recommendations regarding any provision of the Building Standards Code, Title 24 of the California Code of Regulations, that should be suspended for projects... [that repair, restore, demolish, or replace property or facilities substantially damaged or destroyed as a result of this emergency, and that are in substantially the same location as, and do not exceed 110% of the footprint and height of properties and facilities that were legally established and existed before this emergency] in order to facilitate rapid, safe, and cost effective rebuilding and recovery.

6. HCD shall coordinate with local government to identify and recommend procedures, including but not limited to exploring the use of pre-approved plans and waivers of certain permitting requirements, to establish rapid permitting and approval processes to expedite the reconstruction or replacement of residential properties destroyed or damaged by fire. The recommended procedures shall have the ultimate goal of issuing all necessary permits and approvals within 30 days. HCD shall, within 60 days, provide a report to me identifying recommended updates to local government procedures that achieve these goals, and shall update that report every 60 days, as appropriate, to identify any additional permitting and approval requirements that are barriers to recovery and rebuilding efforts that should be removed.

These provisions of EO-N-4-25 are recreated in the first section of this bill. Codifying this aspect of Governor's Newsom's order will make these provisions take effect automatically whenever a future state of emergency related to a wildfire is declared.

⁶ California Governor's Office of Emergency Services, "Open State of Emergency Proclamations," Legal Affairs, accessed March 9, 2026, <https://www.caloes.ca.gov/office-of-the-director/policy-administration/legal-affairs/emergency-proclamations/>.

- 3) *Digital Permitting*. This bill will also require state and local agencies involved in post-disaster response, debris removal, reconstruction, housing, or land-use permitting to accept electronic submission for any type of request for agency action related to recovery from a declared state of emergency related to a wildfire. This bill's digital permitting provisions will extend to any state and local approval necessary to rebuild housing following a wildfire.
- 4) *Rural Exemption*. Wildfire emergencies, while destructive, do not always result in damage to a significant number of structures. The Eaton and Palisades Fires are responsible for less than 10% of the total area burned in 2025, but they account from 98.5% of all structures destroyed in 2025 wildfires. The other 8,034 wildfires in 2025 only destroyed a combined 261 structures.

Wildfires in more rural areas while destructive to land, often result in less property damage than wildfires in more urban areas. Additionally, rural jurisdictions with smaller populations face smaller permitting volumes than more urban areas, making the outlay for establishing a digital permitting system an unnecessary cost that must be borne by few applicants. In recognition of this, the bill exempts counties, and local agencies located within counties with a population of less than 100,000 from the digital permitting requirements. This will exempt 22 counties with a combined population of 866,000, representing 2.2% of the state's total population from the digital permitting requirements of this bill.⁷

- 5) *Double-referral*. This bill was also referred to the Emergency Management Committee.

Related/Prior Legislation:

SB 625 (Wahab. Chapter 92, Statutes of 2025) — created a streamlined ministerial approval process for rebuilding residential structures damaged in a disaster and limited the types of restrictions HOAs can place on proposals to redevelop housing following a disaster.

AB 430 (Gallagher Chapter 745, Statutes of 2019) — created a streamlined ministerial approval process for specified types of housing developments in cities

⁷ California Department of Finance, "E-4 Population Estimates for Cities, Counties, and the State 2021–2025 with 2020 Census Benchmark," 2025, accessed March 9, 2026, https://dof.ca.gov/media/docs/forecasting/Demographics/estimates/e-4-population-estimates-for-cities-counties-and-the-state-2021-2025-with-2020-census-benchmark/E-4_2025_InternetVersion.xlsx.

impacted by the Camp Fire, specifically the cities of Biggs, Corning, Gridley, Live Oak, Orland, Oroville, Willows, and Yuba City.

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

POSITIONS: (Communicated to the committee before noon on Wednesday, March 11, 2026.)

SUPPORT:

American Council of Engineering Companies of California
Southwest California Legislative Council

OPPOSITION:

None on file.

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