
SENATE COMMITTEE ON EMERGENCY MANAGEMENT
Senator Henry Stern
Chair
2025 - 2026 Regular

Bill No: SB 904 **Hearing Date:** 4/14/2026
Author: Seyarto
Version: 4/6/2026 Amended
Urgency: No **Fiscal:** Yes
Consultant: Cassie Royce

SUBJECT: Recovery from wildfires

SUMMARY: Directs specified state agencies, including the California Office of Emergency Services (Cal OES), to consult and take specified reporting actions following a wildfire state of emergency (SOE) declared by the Governor if certain conditions are met, and requires state and local agencies involved in post-wildfire response and recovery to accept electronic submissions of recovery-related documentation as specified.

ANALYSIS:

Existing law:

- 1) Empowers the Governor under the California Emergency Services Act (ESA) to proclaim a SOE in an area affected, or likely to be affected, when specified conditions of disaster or extreme peril to the safety of persons and property exist, and either when requested to do so by a local governing authority or the Governor finds that local authority is inadequate to cope with the emergency.
- 2) Designates Cal OES as the lead state agency responsible for state emergency response to natural, technological, or man-made disasters, as specified.
- 3) Establishes the Office of the State Fire Marshal (SFM), within the Department of Forestry and Fire Protection (CALFIRE), to, among other responsibilities, develop, adopt, and enforce fire and life safety building standards.

This bill:

- 1) Provides that the reporting actions required by this bill shall only be applied if Cal OES makes a written determination, within 10 days after the Governor declares a wildfire SOE, that the wildfire caused substantial structural damage requiring significant rebuilding efforts, as defined, or as otherwise determined

by Cal OES based on available data estimates and preliminary damage assessments.

- 2) Requires the Department of Housing and Community Development (HCD), in consultation with the Office of Land Use and Climate Innovation, Cal 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 should be considered for suspension following a wildfire SOE.
- 3) Directs HCD to provide the initial report within 30 days of the Governor's declaration, and updates to the report every 60 days, as appropriate, while the recovery and rebuilding efforts proceed, as specified.
- 4) Requires HCD, in consultation with DGS, the SFM, and the California Energy Commission (CEC), to consult and report recommended changes to the California Building Standards Code that should be suspended for projects to repair, restore, demolish, or replace properties or facilities damaged or destroyed as a result of the wildfire. The report must be provided to the Governor and Legislature within 60 days, as specified.
- 5) Requires HCD to coordinate with local governments following a wildfire SOE 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.
- 6) Directs HCD to provide a report to the Governor and the Legislature regarding the information in 5) above within 60 days and updates to the report every 60 days as appropriate.
- 7) Permits HCD to incorporate by reference any prior report, in whole or in part, to satisfy the reporting requirements of this bill.
- 8) 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 wildfire SOE.
- 9) Provides that an electronic submission system may include any of the following features:
 - a) Submissions allowed through a web-based application portal.
 - b) Email submissions of a document in a PDF or other standard digital format.

- c) Electronic signatures.
 - d) Digital plan sets or drawings at any scale accepted for paper plans.
- 10) 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.
- 11) Prohibits a state or local agency from rejecting an application or document solely because it was submitted electronically.
- 12) Requires state and local agencies to post the following information on their website within 30 days of a wildfire SOE declaration:
- a) Information regarding electronic filing methods for applications related to disaster recovery efforts that are accepted by the agency.
 - b) Information regarding required file formats.
 - c) Contact information for electronic filing support.
- 13) Provides that nothing in this bill prohibits state and local agencies from also accepting paper submissions.
- 14) Exempts counties with a population of less than 100,000, or any city located within that county from the requirements to accept electronic submissions.

ANALYSIS:

Background

Author's statement. According to the author, "In January 2025, the Palisades Fire and other Los Angeles County wildfires destroyed thousands of homes and upended entire neighborhoods. Executive Order (EO) 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."

Emergency declaration authority. The ESA grants the governor broad authority to make, amend, or rescind orders and regulations during a SOE that temporarily suspend any state, county, city, or special district statute, ordinance, regulation, or

rule as necessary to mitigate the impacts of the declared emergency. The orders and regulations shall have the force and effect of law.

EO-N-4-25. Following the outbreak of the Eaton and Palisades fires in January 2025, and the devastating damage that followed, Governor Newsom proclaimed a SOE for Los Angeles and Ventura Counties and subsequently issued a number of EOs to aid recovery, protect survivors, expedite wildfire safety regulations, and facilitate wildfire prevention projects. Information from Cal OES indicates the Governor issued a total of 25 EOs related to the fires.

The third order, EO N-4-25, issued January 12, 2025, exempted work to rebuild devastated areas from environmental review and provided other directives aimed at rebuilding in impacted areas. This bill seeks to codify two of these directives, which read as follows:

5. HCD in consultation with DGS, the SFM, and the CEC, 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 the EO are substantially similar to the reporting requirements in this bill. The portions of Governor Newsom's order as codified in this bill will take effect automatically whenever a future wildfire SOE is declared, if Cal OES makes the required written determination.

Electronic permitting. This bill also requires 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 wildfire SOE. These provisions will apply to any state and local approval necessary to rebuild housing following a wildfire SOE. Given that rural jurisdictions with smaller populations face lower permitting volumes than more urban areas, the bill exempts counties with a population of less than 100,000, and cities within those counties, from the digital permitting requirements.

Prior Legislation

AB 1227 (Ellis) of 2025 would have required, among other things, the California Natural Resources Agency and the California Environmental Protection Agency to report to the Legislature on the implementation of Governor Newsom's March 1, 2025, SOE proclamation related to fast-tracking wildfire prevention and fuel reduction projects. (Held in the Senate Appropriations Committee)

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

SUPPORT:

American Council of Engineering Companies of California
California Hispanic Chambers of Commerce
Southwest California Legislative Council

OPPOSITION:

None on file

ARGUMENTS IN SUPPORT: In support of this bill, the Southwest California Legislative Council writes that, "SB 904 ensures that when a wildfire emergency is declared, the state acts with urgency to identify permitting barriers, recommend building code suspensions to enable rapid reconstruction, and coordinate with local agencies on streamlined permitting processes. This bill cuts through bureaucratic obstacles precisely when speed and efficiency matter most to affected residents and businesses."

DUAL REFERRAL: Senate Housing Committee and Senate Emergency Management Committee