
SENATE COMMITTEE ON APPROPRIATIONS

Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

SB 904 (Seyarto) - Recovery from wildfires

Version: April 6, 2026

Urgency: No

Hearing Date: April 27, 2026

Policy Vote: HOUSING 9 - 0, E.M. 9 - 0

Mandate: Yes

Consultant: Mark McKenzie

Bill Summary: SB 904 would require the Department of Housing and Community Development (HCD), if the Office of Emergency Services (OES) makes a written determination that a declared wildfire disaster caused substantial structural damage, to coordinate with specified state entities and local governments and report specified recommendations and strategies to the Governor and Legislature to facilitate rebuilding efforts. The bill would also require state and local agencies involved in post-wildfire response and recovery to accept electronic submissions of applications, forms, and other documents related to disaster recovery, as specified.

Fiscal Impact:

- HCD estimates ongoing costs in the low millions of dollars annually for 6.0 – 10.0 PY of staff resources across program, technical, and management classifications to support policy and construction standards analysis, IT support, interagency coordination, stakeholder engagement, and report development. Actual ongoing costs will depend on final staffing levels, the scope of reporting, and the frequency of wildfire emergencies, which will drive workload variability. HCD would also incur one-time costs, likely in the low hundreds of thousands of dollars, to make necessary IT improvements to expand electronic application capabilities within existing systems. (General Fund)
- The California Energy Commission (CEC) indicates that the workload associated with this bill would require at least 1.0 PY of additional staff, at a cost of approximately \$214,000 annually, to be positioned on short notice and at unknown frequencies. Required activities include reviewing the Energy Code, making recommendations on standards to suspend, coordinating with HCD, and updating the CEC website to provide guidance and the ability to submit forms electronically. (Energy Resources Program Account)
- OES estimates impacts from this bill would be absorbable by existing staff, including any costs to make written determinations that a Governor declared wildfire disaster caused substantial structural damage requiring significant rebuilding efforts. The Office of Land Use and Innovation (LCI), OES, the Department of General Services (DGS), and the State Fire Marshal (SFM) all report that any costs to consult with HCD on specified reports to the Governor and Legislature following a determination by OES would be absorbable. (General Fund)
- Unknown, potentially significant state-mandated local costs related to the requirements that every political subdivision involved in post-disaster response, debris removal, reconstruction, housing, or land-use permitting must accept

electronic submissions of any applications, forms, plans, and other documents related to recovery efforts. Staff notes that the bill excludes counties with a population of less than 100,000 and any city within those counties from this requirement. These costs could be state-reimbursable, subject to a determination by the Commission on State Mandates, should an affected local agency file a successful claim. (General Fund)

Background: Existing law, the California Emergency Services Act (CESA), authorizes the Governor to declare a state of emergency 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 the local authority is inadequate to cope with the emergency. The CESA grants the Governor broad authority to make, amend, or rescind orders and regulations during a state of emergency 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.

Following the outbreak of the Eaton and Palisades fires in January of 2025, and the devastating damage that followed, Governor Newsom proclaimed a state of emergency for Los Angeles and Ventura Counties, and subsequently issued a number of Executive Orders (Eos) to aid recovery, protect survivors, expedite wildfire safety regulations, and facilitate wildfire prevention projects. OES indicates that a total of 25 Eos were issued in response to these wildfire disasters. The initial orders, including EO N-45 and EO N-4-25, contained provisions pertinent to rebuilding residential structures. These orders were further modified by EO N-20-25.

The third order issued following the declaration of the state of emergency, EO N-4-25, was issued on January 12, 2025. This EO exempted work to rebuild devastated areas from environmental review and provided other directives aimed at rebuilding in impacted areas. Specifically, paragraphs five and six 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.

Proposed Law: SB 904 would require HCD to coordinate with specified state entities and local governments and report recommendations and strategies to the Governor and Legislature to facilitate rebuilding efforts. Specifically, this bill would:

- Specify that this provision would only apply if OES makes a written determination, within 10 days of the Governor declaring a wildfire state of emergency, that the wildfire caused substantial structural damage requiring significant rebuilding efforts.
- Require HCD, in consultation with LCI, OES, and DGS, within 30 days of the OES written determination, provide a report to the Governor and Legislature identifying state permitting requirements that may unduly impede rebuilding efforts that should be considered for suspension. HCD must update that report every 60 days, as appropriate, to identify any additional requirements that should be considered for suspension.
- Require HCD, in consultation with DGS, the SFM, and CEC, within 60 days of the OES written determination, to recommend 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 by the wildfire, as specified.
- Require HCD to coordinate with local governments to identify and recommend procedures to establish rapid permitting and approval processes to expedite the reconstruction or replacement of damaged or destroyed residential properties, with the goal of issuing all permits and approvals within 30 days. HCD must report this information to the Governor and Legislature within 60 days of the OES written determination, and update the report every 60 days, as appropriate.
- Authorize HCD to incorporate by reference any report prepared by a government entity, in whole or in part, into any of the reports required by this bill.

The bill would also require state and local agencies involved in post-wildfire response and recovery to accept electronic submissions of applications, forms, and other documents related to disaster recovery. Specifically, this bill would:

- Require every state agency or political subdivision that is involved in post-disaster response, debris removal, reconstruction, housing, or land-use permitting, upon the Governor's declaration of a wildfire state of emergency, to accept electronic submission of any application, form, plan set, appeal, or request for agency action related to recovery efforts for that state of emergency.
- Authorize the electronic submission system to include any of the following features:
 - Allow submission through a web-based application portal.
 - Allow email submission of a document in PDF or other standard digital format.
 - Allow electronic signatures, as specified.
 - Allow submission of digital plan sets or drawings at any scale accepted by the state or local agency for paper plans.
- Prohibit a state or local agency from requiring physical, in-person filing of an application unless it posts a written determination that electronic submission is not technically feasible for that specific application type, as specified.
- Prohibit a state or local agency from rejecting an application or other document solely because it was submitted electronically.

- Require every affected state and local agency to publish all of the following on its website within 30 days of the declaration of a wildfire state of emergency:
 - Information regarding electronic filing methods for applications related to disaster recovery efforts that are accepted by the agency.
 - Information regarding required file formats.
 - Contact information for electronic filing support.
- Specify that nothing in the bill prohibits a state or local agency from also accepting paper submissions.
- Exempts counties with a population of less than 100,000, or any city located within that county from the requirements to accept electronic submissions.

Related Legislation: SB 625 (Wahab), Chap. 92/ 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), Chap. 745/2019, created a streamlined ministerial approval process for specified types of housing developments in cities impacted by the Camp Fire, specifically the cities of Biggs, Corning, Gridley, Live Oak, Orland, Oroville, Willows, and Yuba City.

Staff Comments: Several of the reporting requirements in this bill are substantially similar to paragraphs five and six of EO N-4-25, which was issued following the Governor's declaration of a state of emergency related to the Eaton and Palisades fires in January of 2025. Codifying these aspects of the EO will ensure that these provisions take effect automatically whenever a future wildfire state of emergency is declared and OES issues a written determination that the wildfire caused substantial structural damage requiring significant rebuilding efforts.

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