

Date of Hearing: June 10, 2026

ASSEMBLY COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT

Matt Haney, Chair

SB 904 (Seyarto) – As Amended May 27, 2026

SENATE VOTE: 38-0

SUBJECT: Recovery from wildfires

SUMMARY: Requires the Department of Housing and Community Development (HCD), in consultation with other state agencies, to provide reports to the Governor and Legislature that identify existing state permitting requirements that may unduly impede efforts to rebuild after a wildfire and recommend provisions of the California Building Standards Code for possible suspension in order to facilitate rapid rebuilding and recovery, following a declared state of emergency related to a wildfire, as specified. Specifically, **this bill:**

- 1) Defines “substantial structural damage requiring significant rebuilding efforts” to mean the destruction of 25 or more residential or commercial structures.
- 2) Provides that the reporting requirements in 3), 5), and 6) below shall only apply if the Office of Emergency Services (CalOES) makes a written determination, within 10 days after the date that the Governor declared a state of emergency relating to a wildfire, that a wildfire caused substantial structural damage requiring significant rebuilding efforts. Permits CalOES to make the written determination based on an estimation of the data and preliminary damage assessments available at the time of the determination.
- 3) Requires HCD, in consultation with the Office of Land Use and Climate Innovation (LCI), CalOES, and the Department of General Services (DGS), to provide a report, within 30 days of a written determination made in 2) above, to the Governor and the Legislature identifying state permitting requirements that may unduly impede efforts to rebuild properties or facilities destroyed as a result of the wildfire that should be considered for suspension.
- 4) Requires the report in 3) to be updated every 60 days, as appropriate, and as recovery and rebuilding efforts proceed, to identify any additional permitting requirements that are posing barriers to rebuilding and that should be considered for suspension.
- 5) Requires HCD, in consultation with DGS, the Office of the State Fire Marshal, and the State Energy Resources Conservation and Development Commission (Energy Commission), to provide a report to the Governor and the Legislature, within 60 days of a written determination made in 2) above, with recommendations regarding any provisions of the California Building Standards Code that should be considered for suspension in order to facilitate rapid, safe, wildfire-resilient, and cost-effective rebuilding and recovery.
- 6) Requires HCD, upon the Governor’s declaration of a state of emergency relating to a wildfire, to coordinate with local governments to identify and recommend procedures, including, but not limited to, exploring the use of preapproved 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 a wildfire.

- 7) Requires the recommended procedures in 6) to have the ultimate goal of issuing all necessary permits and approvals within 30 days of submission.
- 8) Requires HCD to provide a report to the Governor and the Legislature, within 60 days of a written determination made in 2) above, identifying recommended updates to local government procedures that achieve the goals described in 6) and 7).
- 9) Specifies the manner in which reports required by this bill must be submitted to the Legislature.
- 10) Requires every state agency or political subdivision, upon the Governor's declaration of a state of emergency relating to a wildfire, involved in post-disaster response, debris removal, reconstruction, housing, or land-use to accept electronic submission of any application, form, plan set, appeal, or request for state agency or political subdivision action related to recovery efforts for that state of emergency, with exceptions.
- 11) Authorizes the electronic submission in 10) above to include any of the following features:
 - a) Allow submission through a web-based application portal;
 - b) Allow email submission of a document in PDF or other standard digital format;
 - c) Allow electronic signatures, which shall be deemed valid under the Uniform Electronic Transactions Act; and
 - d) Allow submission of digital plan sets or drawings at any scale accepted by the state agency or political subdivision for paper plans.
- 12) Prohibits a state agency or political subdivision from requiring physical, in-person filing of an application unless the state agency or political subdivision determines, in writing, that electronic submission is not technically feasible for that specific application type.
- 13) Prohibits a state agency or political subdivision from rejecting an application or other document solely because it was submitted electronically.
- 14) Requires every affected state agency or political subdivision to publish, within 30 days of the declaration of a state of emergency for a wildfire, all of the following on its website:
 - a) Information regarding the electronic filing method that may be used to submit documents to the state agency or political subdivision relating to disaster recovery efforts, including the email address to submit documents, a link to the web-based application portal, or both;
 - b) Information regarding required file formats; and
 - c) Contact information for electronic filing support.
- 15) Provides that this bill does not prohibit a state agency or political subdivision from also accepting paper submissions.

- 16) Provides that the electronic submission requirements above shall not apply to a county with a population of less than 100,000 or any city within that county.

EXISTING LAW:

- 1) Establishes the California Emergency Services Act (CESA) to ensure that preparations within the state will be adequate to deal with the effects of natural, manmade, or war-caused emergencies that result in conditions of disaster or in extreme peril to life, property, and the resources of the state, and generally to protect the health and safety and preserve the lives and property of the people of the state. [Government Code (GOV) 8550 *et seq.*]
- 2) Includes the following definitions within CESA:
 - a. “State agency” means any department, division, independent establishment, or agency of the executive branch of the state government. (GOV 8557(a))
 - b. “Political subdivision” includes any city, city and county, county, district, or other local governmental agency or public agency authorized by law. (GOV 8557(b))
- 3) Authorizes the Governor to make, amend, and rescind orders and regulations necessary to carry out the provisions of CESA, and provides that any orders and regulations issued during a state of emergency shall take effect immediately. (GOV 8567)
- 4) Authorizes the Governor, during a state of emergency, to suspend any regulatory statute, or statute prescribing the procedure for conduct of state business, or the orders, rules, or regulations of any state agency, where the Governor determines and declares that strict compliance with any statute, order, rule, or regulation would prevent, hinder, or delay the mitigation of the effects of the emergency. (GOV 8571)
- 5) Establishes CalOES, within the office of the Governor, and makes CalOES responsible for the state’s emergency and disaster response services for natural, technological, or man-made disasters and emergencies, including the responsibility for activities necessary to prevent, respond to, recover from, and mitigate the effects of emergencies and disasters to people and property. (GOV 8585)

FISCAL EFFECT: Unknown.

COMMENTS:

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 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.”

CESA: 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 issued by the Governor have the force and effect of law.

Eaton and Palisades fires: Climate change continues to pose significant risks to California, including more extreme heat events, larger wildfires, prolonged droughts, flooding, and other climate-related impacts. In early January 2025, extremely dry conditions and high winds in Los Angeles resulted in two of the most destructive wildfires in state history. The Palisades fire, which started on January 7th, burned a total of 23,448 acres and damaged or destroyed almost 8,000 structures in the Pacific Palisades and Topanga State Park area of west Los Angeles.¹ The Eaton fire also started on January 7th. It consumed 14,021 acres and damaged or destroyed more than 10,000 structures, including significant portions of the city of Altadena.² An estimated 9,592 single family homes and condominiums, 678 apartment units, 2,210 duplex and bungalow courts, and 373 mobilehomes were either heavily damaged or destroyed.

Building Standards: The California Building Standards Law establishes the process for adopting state building standards by the Commission. Statewide building standards are intended to provide uniformity in building across the state. The California Building Standards Commission's (CBSC) duties include the following: receiving proposed building standards from state agencies for consideration in each triennial and intervening building code adoption cycle; reviewing and approving building standards submitted by state agencies; adopting building standards for state buildings where no other state agency is authorized by law; and publishing the approved building standards in the California Building Standards Code (California Code of Regulations, Title 24).

Most building standards currently in use in California are developed and vetted at the national level every three years by technical organizations, academics, and trade associations that develop consensus standards, which are then incorporated into the International Building Code (IBC), the national model code used by most U.S. jurisdictions. At the state level, agencies with authority over specified occupancies then review the IBC and amend as necessary for California's specific needs. There are approximately 20 state agencies that develop building standards and propose them for adoption to the CBSC.

After the proposal of building standards by state agencies, the proposals undergo a public vetting process. A code advisory committee composed of experts in a particular scope of code reviews the proposed standards, followed by public review. The proposing agency considers feedback and may then amend the standards and re-submit them to the CBSC for consideration. CBSC reviews and adopts the standards and files them with the Secretary of State for codification and publishing, and there is a 180-day period during which local agencies file modifications and changes to the state codes (though they are not limited to this window). The new codes then take effect January 1 of the subsequent year following publication.

Updates and changes to building standards are adopted on two timelines: through the triennial code adoption cycle which occurs every three years, and through the intervening code adoption cycle which provides an update to codes 18 months after the publication of the triennial codes. Regulatory activities for each cycle begin over two years before the effective date of the codes.

¹ *CalFire: Palisades fire.* <https://www.fire.ca.gov/incidents/2025/1/7/palisades-fire>

² *CalFire: Eaton fire.* <https://www.fire.ca.gov/incidents/2025/1/7/eaton-fire>

HCD is responsible for the standards for residential buildings, hotels and motels. The California Building Code and California Residential Code govern general standards for multifamily and single-family residential construction. The Office of the State Fire Marshal is responsible for adopting building standards focused on fire and panic safety for residential occupancies. Within the codes, there are certain requirements that are mandatory for all newly constructed dwellings or buildings, and certain provisions that are optional or voluntary – meaning the requirements must be followed only if an entity chooses to construct certain items or systems.

As a matter of practice, the Legislature typically offers guidelines or directs agencies to consider certain standards, rather than requires the adoption of specific standards, in order to provide flexibility and allow for subject matter experts to determine appropriateness and weigh the many considerations that must be evaluated when recommending new or modified building standards.

Local Amendments to State Codes: Local governments are provided wide latitude to make changes and modifications to the state baseline codes – so long as they exceed or are more protective than the state baseline, not a reduction – and for codes affecting residential buildings (excluding energy “reach codes” which follow a different process), neither the CBSC nor statute requires the local modifications to include any cost determinations or economic impact analysis. Local governments simply have to include a finding in their filing with the CBSC that the modifications are “reasonably necessary because of local climatic, geological, or topographical conditions” (Health and Safety Code (HSC) 17958.7) or environmental conditions for green building standards. CBSC does not currently have the authority to review these findings for validity, merits, or the justification of reasonableness, nor do the local amendments have to follow the APA or more rigorous state review criteria requiring state building standards to “not [be] unreasonable, arbitrary, unfair, or capricious, in whole or in part” (HSC 18930(a)(4)) or have a “cost to the public [that is] reasonable, based on the overall benefit to be derived from the building standards” (HSC 18930(a)(5)).

Numerous Directives and Mandates Leading to Standards Freeze: The Legislature and Governor have enacted multiple additional directives to research and propose new building standards in recent years, including for rainwater catchment, electric vehicle charging, water efficiency and reuse, adaptive reuse projects, and beyond. Some of the most impactful mandates in recent years have also come from outside stakeholders or the adopting agencies themselves (rather than the Legislature), like solar panel mandates and fire sprinkler requirements. There are several legitimate and important concerns that are addressed by these and many other elements of building standards for housing. However, the framework for proposing and adopting new standards leaves agencies in silos regarding the volume or costs of new proposals that counterpart agencies are also simultaneously developing. Cost analyses are performed on each individual modification or for each respective chapter, not on the accumulation of the entirety of changes in each intervening or triennial cycle across all agencies. Holistic review is therefore difficult and while individual standards may increase costs by what appears a reasonable amount, from a different lens, the cost of the totality of all cumulative changes may be less reasonable.

In response to concerns regarding the rapid pace of modifications to building standards, the deadly Los Angeles fires of January 2025, and a need to find methods to stem increases in housing construction costs, the Legislature and Governor enacted several significant changes to building standards in the 2025 housing budget trailer bill, AB 130 (Committee on Budget), Chapter 22. The most significant change is a freeze to any new building standards or changes to

existing building standards affecting residential units at both the state and local level until 2031, with limited exceptions.

AB 130 (Committee on Budget) also curtailed the practice of incorporating significant new building standards into the codes via the intervening code cycle (instead only technical or emergency changes may be made in this manner), and allowed phased residential developments utilizing model home designs to continue using approved building permits until those designs substantially change or for a period of 10 years, rather than at each new code cycle.

This bill: During the outbreak of the Eaton and Palisades fires, and in the ensuing damage that followed, Governor Newsom proclaimed a state of emergency in Los Angeles and Ventura counties. The Governor issued 25 executive orders related to the fires to aid recovery, protect survivors, expedite wildfire safety regulations, and facilitate wildfire prevention projects. This bill codifies provisions of one of the executive orders, Executive Order N-4-25. Three directives in Executive Order N-4-25 are substantially similar to the reporting requirements in this bill. The reporting requirements of the executive order codified in this bill will take effect automatically whenever a future state of emergency related to a wildfire is declared by the Governor and if CalOES makes the specified written determination of substantial structural damage requiring significant rebuilding efforts. This bill, however, differs from Executive Order N-4-25 in that the recommendations regarding suspending any provision of the California Building Standards Code should be in order to facilitate not only rapid, safe, and cost-effective rebuilding and recovery, but wildfire-resilient rebuilding and recovery, too. This bill does not automatically suspend any provision of the California Building Standards Code nor any state or local permitting requirements.

This bill also requires state agencies and political subdivisions involved in post-disaster response, debris removal, reconstruction, housing, or land-use permitting to accept electronic submission of any application, form, plan set, appeal, or request for state agency or political subdivision action related to recovery efforts for that state of emergency. Counties with a population of less than 100,000, or any city within that county, are exempt from the electronic submission requirements of this bill. This bill prohibits state agencies and political subdivisions from requiring physical, in-person filing unless a state agency or political subdivision determines, in writing, that the electronic submission is not technically feasible for that specific application type.

Arguments in support: The California Apartment Association writes in a support position: “SB 904 would codify many of the reporting requirements issued in Governor Newsom’s Executive Orders following the Eaton and Palisades fires in January 2025. This means whenever a future wildfire state of emergency is declared by a Governor, the Department of Housing and Community Development will automatically submit 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 state of emergency. This process would speed up our state’s recovery efforts in the future.”

Arguments in opposition: Climate Action California’s Building Decarbonization team writes in an opposed position: “Building standards in California are developed and revised with extensive stakeholder input. As a result, California’s Building Code serves as a bulwark against shoddy construction methods that have plagued homeowners in many other states. In states with less stringent building codes, homeowners have found themselves without recourse when faced with

extensive problems with their new homes that are not built to a robust standard. While rebuilding after wildfires and other disasters must absolutely be prioritized, we believe that rolling back provisions that result in expensive repairs or higher energy costs later is not the way forward.”

Double-Referred: This bill was also referred to the Assembly Emergency Management Committee, where it will be heard should it pass out of this Committee.

REGISTERED SUPPORT / OPPOSITION:

Support

California Apartment Association

Opposition

Climate Action California

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