
THIRD READING

Bill No: SB 911
Author: Becker (D)
Amended: 3/10/26
Vote: 21

SENATE JUDICIARY COMMITTEE: 12-0, 4/7/26
AYES: Umberg, Niello, Allen, Ashby, Caballero, Durazo, Reyes, Stern,
Valladares, Wahab, Weber Pierson, Wiener
NO VOTE RECORDED: Laird

SENATE LOCAL GOVERNMENT COMMITTEE: 7-0, 4/22/26
AYES: Durazo, Choi, Arreguín, Ashby, Cervantes, Laird, Seyarto

SENATE APPROPRIATIONS COMMITTEE: 7-0, 5/14/26
AYES: Cervantes, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

SUBJECT: Transfer of real property: fire hazard severity zones: compliance
documentation

SOURCE: Author

DIGEST:

This bill requires a seller of a single-family home located in a high or very high fire hazard severity zone to notify the local fire department or the Department of Forestry and Fire Protection of a written agreement between the seller and buyer and of the buyer's obligation to obtain documentation of compliance with defensible space requirements, and requires the local fire department or Department of Forestry and Fire Protection to conduct a compliance inspection if it has not received documentation of compliance within one year of the date of the close of escrow, as specified.

ANALYSIS:

Existing law:

- 1) Requires a seller of residential property to make disclosures of natural hazards on a specified statement, called the Natural Hazard Disclosure Statement (NDS), to a prospective buyer if the property is within the following zones or areas:
 - a) A special flood zone area as defined by the Federal Emergency Management Agency;
 - b) An area of potential flooding as shown on a dam failure inundation map created by the Department of Water Resources;
 - c) A very high fire hazard severity zone as identified by the Department of Forestry and Fire Protection;
 - d) A wildland area that may contain substantial forest fire risks and hazards as identified by the Department of Forestry and Fire Protection;
 - e) An earthquake fault zone as identified by the California Geological Survey; and
 - f) A seismic hazard zone as identified by the California Geological Survey. (Civil Code (CIV) § 1103.2 (a).)

- 2) Requires a seller of any single-family residence to deliver the required disclosures:
 - a) as soon as practicable before transfer of title, in the case of a sale; or
 - b) as soon as practicable before execution of the contract in the case of a sale by a real property sales contract, a lease together with an option to purchase, or a ground lease coupled with improvements. (CIV §§ 1102.3, 1103.3.)

- 3) Exempts from the disclosure provisions transfers of single-family residences that are made pursuant to a court order, pursuant to a foreclosure or mortgage default, by a fiduciary in the administration of a trust, guardianship, conservatorship or estate, from one co-owner to one or more other co-owners, to a spouse, pursuant to a dissolution of marriage or legal separation, to or from any governmental entity, and made under various other circumstances, as specified. (CIV §§ 1102.2, 1103.1.)

- 4) Specifies that no transfer of a single-family residence shall be invalidated solely because of the failure to comply with the disclosure requirements, but that a person who willfully or negligently violates or fails to perform the disclosure duties shall be liable for actual damages. (CIV §§ 1102.13, 1103.13.)

- 5) Requires, on and after July 1, 2021, that a seller of a single-family home located within a high or very high fire hazard severity zone provide the buyer with documentation stating that the property is in compliance with state and local defensible space requirements, as follows:
 - a) For properties in local jurisdictions that have enacted an ordinance requiring an owner of property within the jurisdiction to obtain documentation that the property is in compliance with defensible space rules, the seller must provide the buyer with a copy of the documentation that complies with the requirements of the local ordinance and information on the local agency from which a copy of the documentation may be obtained; or
 - b) For properties in local jurisdictions with no local ordinance, if a state or local agency or other specified entity provides an inspection with documentation for the jurisdiction, the seller must provide the buyer with documentation obtained within the six months prior to the seller and buyer entering into a transaction to sell the property. (CIV § 1102.19(a).)
- 6) Requires, on and after July 1, 2021, if the seller of a single-family home subject to the requirements in (5) has not obtained documentation of compliance pursuant to (5)(a) or (5)(b), that the seller and buyer enter into a written agreement for the buyer to obtain documentation of compliance with defensible space requirements, either as follows:
 - a) If the local jurisdiction has an ordinance requiring that an owner or buyer obtain documentation, the buyer obtain documentation in compliance with that ordinance; or
 - b) If the local jurisdiction does not have a local ordinance requiring an owner or buyer to obtain documentation of compliance, and if a state or local agency or other specified entity provides an inspection with documentation for the jurisdiction, the buyer obtain documentation of compliance within one year of the date of the close of escrow. (CIV § 1102.19(b).)
- 7) Requires the State Fire Marshal to identify areas in the state as moderate, high, and very high fire hazard severity zones based on consistent statewide criteria and based on the severity of fire hazard that is expected to prevail in those areas. (Government Code (GOV) § 51178 & Public Resources Code (PRC) § 4202.)
- 8) Requires the Board of Forestry and Fire Protection to classify all lands within the state, without regard to any classification of lands made by or for any federal agency or purpose, for the purpose of determining areas in which the

financial responsibility of preventing and suppressing fires is primarily the responsibility of the state, commonly referred to as the “State Responsibility Area.” (PRC § 4125 (a).)

- 9) Requires a person who owns, leases, controls, operates, or maintains a building or structure in a state responsibility area to maintain defensible space of 100 feet around their structure, but not beyond the property line, with more intense fuel reductions between five and 30 feet around the structure and an ember-resistant zone within five feet of the structure, as specified, and to take various other actions and maintenance related to trees or other plants near a structure’s chimney or stovepipe or overhanging the building, and related to vegetative material on the structure’s roof. (PRC § 4291.)
- 10) Requires a person who owns, leases, controls, operates, or maintains an occupied dwelling or structure within a very high fire hazard severity zone within a local responsibility area to maintain defensible space of 100 feet around the structure, with more intense fuel reductions between five and 30 feet around the structure and an ember-resistant zone within five feet of the structure, as specified. Additionally requires such a person to take various other actions and maintenance related to trees or other plants near a structure’s chimney or stovepipe or overhanging the building, and related to vegetative material on the structure’s roof. (GOV § 51182.)
- 11) Permits a city, county, or city and county fire department or district providing fire protection services to charge and collect a fee from an owner of the structure, as specified, and permits the State Fire Marshal or their representative who inspects an occupied structure, except dwellings, to charge and collect a fee for the inspection and related fire and life safety activities. (Health and Safety Code (HSC) § 13146.2.)
- 12) Permits a fire protection district to charge a fee to cover the cost of any service that it provides, or to cover the cost of enforcing any regulation for which the fee is charged, at no more than the costs reasonably borne in providing the service or enforcement, and requires the district to establish a schedule of fees. (HSC § 13916.)

This bill:

- 1) Requires, before the close of escrow, a seller of a single-family home, if they did not obtain documentation of compliance and must sign a written agreement

with the buyer for the buyer to obtain documentation of compliance in accordance with (6)(b), above, where a local jurisdiction does not have an ordinance requiring documentation of compliance and an entity provides an inspection with documentation for the jurisdiction, to notify the local fire department or the Department of Forestry and Fire Protection, as applicable, of the written agreement and the buyer's obligation to obtain documentation of compliance.

- 2) Specifies that the written agreement and documentation of compliance may be transmitted electronically or by hard copy.
- 3) Requires, if the local fire department or the Department of Forestry and Fire Protection has not received the documentation of compliance within one year of the date of close of escrow, that the local fire department or the Department of Forestry and Fire Protection conduct a compliance inspection at the property.
- 4) Specifies that the local fire department or the Department of Forestry and Fire Protection may delegate the responsibility to conduct a compliance check to a third-party, nonprofit entity that it or the State Fire Marshal deems qualified to conduct defensible space programs and compliance inspections or re-inspections.
- 5) Permits compliance inspections and re-inspections to be conducted in-person, or by remote verification using photographic evidence or documentation of completed work.
- 6) Permits the local fire department to prioritize compliance inspections and re-inspections based on factors that include, but are not limited to, wildfire risk and repetitive noncompliance.
- 7) Permits a local fire department to recover the costs of compliance inspections and re-inspections pursuant to current statutory provisions.
- 8) Specifies that nothing in the provisions described in (3) through (7), above, may be construed to modify current immunities granted to a local fire department under any provision of law or under specified existing provisions of the Government Code.

- 9) Specifies that the provisions in (7) and (8), above, are declaratory of existing law.

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

According to the Senate Appropriations Committee:

Estimated \$6.1 million in 2026-27 and \$5.6 million annually thereafter to maintain funding for 31 inspectors to conduct defensible space inspections of private property within state responsibility areas (General Fund).

Unknown, potentially significant costs for local enforcing agencies to ensure compliance with defensible space, vegetation management, and fuel modification requirements. The bill authorizes enforcing agencies to charge a fee sufficient to cover their administrative and investigatory costs.

SUPPORT: (Verified 5/14/26)

American Property Casualty Insurance Association
California Fire Chiefs Association
Fire Aside, Inc.
Fire Districts Association of California
National Association of Mutual Insurance Companies
Pacific Association of Domestic Insurance Companies
Personal Insurance Federation of California

OPPOSITION: (Verified 5/14/26)

California Association of Realtors

ARGUMENTS IN SUPPORT:

According to Fire Aside, Inc., which supports SB 911:

We support SB 911 because, in our day-to-day work with fire agencies, we see firsthand how inconsistent compliance documentation at the point of sale creates gaps that are difficult to close later. SB 911 addresses this directly by creating a clear notification pathway to local fire departments — and to CAL FIRE where applicable — when buyers have assumed responsibility for obtaining defensible space compliance. That structured handoff is exactly what allows fire agencies to follow up effectively and ensure new property owners understand their wildfire safety obligations. Real estate transactions

are a critical moment to establish those expectations, and SB 911 makes meaningful use of that opportunity.

ARGUMENTS IN OPPOSITION:

According to the California Association of Realtors, which opposes SB 911:

[A]s currently drafted, SB 911 raises several concerns that could create unintended burdens for both sellers and buyers. Accordingly, C.A.R. has adopted an Oppose Unless Amended position.

Specifically, subdivision (b) places an impractical obligation on sellers to comply with notification requirements. In practice, this approach is likely to result in confusion and inconsistent compliance. A more effective and workable solution would be to incorporate the notification into the closing process, where documentation and disclosures are already systematically handled.

As amended on March 10, 2026, SB 911 requires the seller to notify the local fire department or the Department of Forestry and Fire Protection of the buyer's obligation to obtain documentation of compliance prior to the close of escrow. However, during the Senate Judiciary Committee hearing, the author committed to revising the bill to instead incorporate this notification into the Preliminary Change of Ownership Report (PCOR), which is completed by the transferee at closing. C.A.R. views this as a reasonable and practical compromise and is prepared to remove its opposition once these amendments are in print.

Prepared by: Ian Dougherty / JUD. / (916) 651-4113
5/16/26 9:45:46

****** END ******