

Date of Hearing: April 2, 2025

**ASSEMBLY COMMITTEE ON INSURANCE**  
Lisa Calderon, Chair  
AB 1 (Connolly) – As Introduced December 2, 2024

**SUBJECT:** Residential property insurance: wildfire risk

**SUMMARY:** Requires, by January 1, 2030, and every five years thereafter, the Department of Insurance (CDI) to consider whether to update the Safer from Wildfires regulations to include certain building hardening measures. Specifically, **this bill**:

- 1) Requires CDI to consider whether to update the Safer from Wildfires regulations to include additional building hardening measures for property-level mitigation efforts and community-wide mitigation programs.
- 2) Requires CDI to consult with the Office of Emergency Services (OES), Department of Forestry and Fire Protection (CAL FIRE), Public Utilities Commission (PUC), and Office of Planning and Research (OPR) to identify additional building hardening measures to consider as part of CDI's evaluation.
- 3) Requires CDI to develop and implement a meaningful public participation process as part of CDI's consideration. The process must include at least one public meeting to solicit suggestions for additional building hardening measures and making a preliminary list of measures available for public review and comment during another public meeting.
- 4) Requires, if CDI's consideration results in a final list of building hardening measures to adopt, CDI to initiate the Administrative Procedure Act process and amend the Safer from Wildfires regulations within 30 days of publishing the final list.

**EXISTING LAW:**

- 1) Provides for the regulation of insurers, agents and brokers, and other insurance-like organizations by the Insurance Commissioner, and imposes a broad range of financial solvency, licensing, and market behavior requirements, as set forth in the Insurance Code.
- 2) Establishes the “Safer from Wildfires” Framework. (Section 2644.9 of Title 10 of the California Code of Regulations)
- 3) Requires the State Fire Marshal to biennially prepare and publish listings of construction materials and equipment and methods of construction and of installation of equipment, together with the name of any person, firm, corporation, association, or similar organization designated as the manufacturer, representative, or supplier, which are in conformity with building standards relating to fire and panic safety adopted and published in the State Building Standards Code. (Health and Safety Code, Section 13144.1)

**FISCAL EFFECT:** Unknown

**COMMENTS:**

- 1) *Purpose:* According to the author, “ As the Legislature, Governor, and the Department of Insurance work to solve California’s home insurance crisis, we must focus on providing real benefits and incentives to those who are working their hardest to keep their homes and families safe from wildfires. As new and safer building materials come to market and wildfire prevention methods evolve, it is important that we periodically revisit the regulations and evaluate if they capture the best mitigation practices available and if the regulations are offering as much relief as possible to the people who are doing the right thing. This bill represents a reasonable step the Legislature can take to help consumers save money on their insurance bills and reduce the risk of disaster for vulnerable communities and the families that live there.”
- 2) *Background: CDI Safer from Wildfires Framework:* In 2022, CDI announced the “Safer from Wildfires” framework, which directs insurers to provide discounts to consumers and businesses if they take specified mitigation measures. In crafting this regulation, CDI worked with emergency preparedness agencies in the Governor’s Administration, including CAL FIRE, Cal OES, the Governor’s Office of Planning and Research, and the California Public Utilities Commission.

The framework provides a list of home and community wildfire mitigation measures that consumers and businesses can take to provide protection for the structure, the immediate surroundings, and the community. Under the regulation, the more “Safer from Wildfires” steps a consumer takes, the more they may be able to save on their insurance.

The regulation required insurance companies to submit new rate filings incorporating the wildfire safety standards created by CDI, and also requires insurance companies to provide consumers with their property’s “wildfire risk score” and a right to appeal that score. Steps a consumer can take to help mitigate their property under this framework include:

- Class-A fire rated roof: Most roofs qualify, including asphalt shingles, concrete, brick, or masonry tiles, and metal shingles or sheets.
- 5-foot ember resistant zone, including fencing: Removing greenery and replacing wood chips with stone or decomposed granite 5 feet around the home prevents fire from getting a foot in the door.
- Ember- and fire-resistant vents: Installing 1/16 to 1/8 inch noncombustible, corrosion-resistant metal mesh screens over exterior vents can keep wind-blown embers out of the house.
- Non-combustible 6 inches at the bottom of exterior walls: Having a minimum of 6 vertical inches measured from the ground up and from any attached horizontal surface like a deck can stop embers from accumulating and igniting the walls. Noncombustible materials include brick, stone, fiber-cement siding or concrete.
- Enclosed eaves: Installing soffits under your eaves can prevent heat and embers from getting trapped and igniting. When enclosing eaves, non-combustible or ignition resistant materials are recommended.

- Upgraded windows: Multi-paned windows are more resistant to breaking during a wildfire, which helps keep flames from entering. Multi-paned glass or added shutters all qualify.
- Cleared vegetation, weeds and debris from under decks: Noncombustible materials like concrete, gravel, or bare soil are permitted.
- Removal of combustible sheds and other outbuildings to at least a distance of 30 feet: These include sheds, gazebos, accessory dwelling units (ADUs), and open covered structures with a solid roof, dog houses and playhouses.
- Defensible space compliance: Following state and local laws requiring defensible space including trimming trees and removal of brush and debris from yard.
- Being safer together: Safer from Wildfires recognizes two community-wide programs, Firewise USA and Fire Risk Reduction Communities as small as 8 dwelling units or as big as 2,500 can create an action plan and start being safer together.

[Wildfire Mitigation Partnership Summary Document \(ca.gov\)](#) is an important document to review, as it relates to this measure and goes into great detail about the process CDI went through to create the Safer from Wildfire framework.

- 3) *Building materials listing:* The State Fire Marshal's Building Materials Listing Program (BML) was initially established to mandate approval and listing of fire alarm systems and devices before their sale or marketing in the state. Over time, it expanded to include various materials, such as roof coverings, wall assemblies, hardware, and more. Product approval involves rigorous testing, and companies must utilize SFM accredited laboratories for testing to list products in California. The SFM listing service provides essential information to building authorities, architects, engineers, contractors, and the fire service. This list is updated every two years.
- 4) *California Wildfire Mitigation Program:* In 2019, AB 38 (Wood), required Cal OES and Cal FIRE to establish a Joint Powers Authority (JPA) to administer the California Wildfire Mitigation Program (CWMP). The purpose of the CWMP is to harden homes and establish defensible space in high risk, socially vulnerable communities; and provide financial assistance for low- and moderate-income households. These efforts encourage cost-effective wildfire resilience and hazard mitigation measures to create fire-resistant homes, businesses, public buildings, and public spaces.
- 5) *Previous Legislation:* AB 2416 ((Connolly) 2024 Legislative Year) would have required, by January 1, 2030, and every five years thereafter, CDI to consider whether to update the Safer from Wildfires regulations to include certain building hardening measures. This measure is the exact same as what is in AB 1. AB 2416 was moved to the inactive file by the State Senate.

6) *Related Legislation:*

AB 888 (Calderon) would establish the California Safe Homes grant program to be developed by CDI to reduce local and statewide wildfire losses by encouraging mitigation. Pending before the Assembly Insurance Committee.

SB 616 (Rubio, Cortese & Stern) establishes the Community Hardening Commission within CDI. Pending before the Senate Insurance Committee.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

California Association of Realtors  
California Environmental Voters (formerly CLCV)  
California State Association of Counties  
Insurance Commissioner Ricardo Lara / California Department of Insurance  
League of California Cities  
Little Hoover Commission (org & Economy Comm.)  
Los Angeles County Division, League of California Cities  
Monterey, County of  
North American Insulation Manufacturers Association  
Northern California Youth Policy Coalition  
Paradise; Town of  
Personal Insurance Federation of California  
Rural County Representatives of California  
United Policyholders

**Opposition**

None on file.

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