

Date of Hearing: July 16, 2025

ASSEMBLY COMMITTEE ON INSURANCE

Lisa Calderon, Chair

SB 616 (Rubio, Cortese & Stern) – As Amended July 10, 2025

SENATE VOTE: 39-0

SUBJECT: Community Hardening Commission: wildfire mitigation program

SUMMARY: Creates an independent Community Hardening Commission within the California Department of Insurance (CDI) with the goals of developing a unified and centralized fire mitigation standard for all levels of government across the state, as well as generating guidelines to enable the creation of a wildfire data sharing platform. Specifically, **this bill:**

- 1) Creates the Community Hardening Commission (Commission) as an independent unit within the CDI.
- 2) Provides the Commission exists as a separate unit within the CDI, and has the functions of prescribing policy, holding meetings and setting dates of the meetings, and holding hearings insofar as those powers are given by statute to the Commission.
- 3) Provides the decisions and actions of the Commission, with respect to exercising its authority and carrying out its duties under this chapter or any other applicable law, are not subject to review by the Insurance Commissioner, but are final within the limits provided by this chapter.
- 4) Provides the Commission shall be chaired by the Insurance Commissioner and consist of the following seven members:
 - a) The Insurance Commissioner, or their designee.
 - b) The State Fire Marshal, or their designee.
 - c) The Director of Housing and Community Development, or their designee.
 - d) The Director of the Office of Emergency Services, or their designee.
 - e) The Director of the Office of Energy Infrastructure Safety, or their designee.
 - f) A member of the legislative body appointed by the Speaker of the Assembly.
 - g) A member of the legislative body appointed by the Senate President pro Tempore.
- 5) Provides the Commission shall be advised by an advisory council, with the following members:
 - a) Three representatives from scientific research institutions with expertise in wildfire science, as appointed by the Insurance Commissioner.

- b) A representative on behalf of the insurance industry, as appointed by the Insurance Commissioner.
 - c) A representative on behalf of the Insurance Institute for Business and Home Safety (IBHS), as appointed by the Insurance Commissioner.
 - d) A representative on behalf of consumers and policyholders, as appointed by the Insurance Commissioner.
 - e) A local representative on behalf of a city or county, or association representing cities or counties, as appointed by the Insurance Commissioner.
 - f) A representative on behalf of the business community, as appointed by the Insurance Commissioner.
 - g) A representative of the California Building Industry Association, as appointed by the Insurance Commissioner.
 - h) A representative of the California Fire Chiefs Association, as appointed by the Insurance Commissioner.
 - i) A public member appointed by the Governor.
- 6) Requires the Insurance Commissioner, beginning on January 1, 2026, and quarterly thereafter, to convene the Commission for all of the following:
- a) Develop new wildfire community hardening standards to reduce fire risk and improve access to fire insurance that address:
 - i) guidelines and best practices for home hardening, as specified;
 - ii) guidelines and best practices for community wildfire mitigation for cities, counties and members of those communities to include infrastructure improvements for water and electrical supply to support fire suppression, enhanced ingress and egress routes, mandated funding mechanisms for defensible space, and risk mitigation specific to farm and agricultural land management, as specified; and,
 - iii) means of reducing barriers for cities, counties, and members of those communities in home hardening and wildfire mitigation.
 - b) Review existing home hardening regulations adopted by the Insurance Commissioner, CAL FIRE, and the California wildfire mitigation financial assistance program, and provide recommendations to the OES, CAL FIRE, and the Insurance Commissioner for changes to their regulations and programs to reduce fire risk and improve access to fire insurance, including outlining the most cost-effective strategies that will lower the risk for loss in a community in a useful manner insurers are able to reflect in underwriting.

- c) Make recommendations to expedite proven and cost-effective community hardening practices that reduce fire risk and improve insurability, including recommendations for reducing barriers for cities, counties, and members of those communities to invest in effective home hardening and wildfire mitigation strategies.
 - d) Make recommendations to increase the pace and scale of forest health and landscape management projects with priority for mitigation near vulnerable communities.
 - e) Oversee and facilitate state and local agency participation in a wildfire data sharing platform.
- 7) Requires the Commission to consult with stakeholders and make recommendations that include proposed local and state funding mechanisms and certification processes to:
- a) Promote alignment of programs, inspections, and regulations across state departments and agencies, including, but not limited to, the Insurance Commissioner, OES, and CAL FIRE; and
 - b) Revise the home inspection program developed by CAL FIRE to more directly align with the home hardening regulations adopted by the Insurance Commissioner, CAL FIRE, and the California wildfire mitigation financial assistance program.
- 8) Requires these recommendations to include proposed state and local funding mechanisms and a certification process that property owners can use or access to demonstrate to an insurer that a home hardening action has been achieved to meet relevant home hardening actions.
- 9) By July 1, 2027 and until January 1, 2032, requires the Commission complete these new wildfire community hardening standards and submit a report to the Legislature on additional actions needed to support cities, counties, and members of those communities in home hardening and wildfire mitigation. Requires the Commission to periodically review and update these standards.
- 10) Requires the Commission to identify specific wildfire catastrophe events and complete after-action investigations and reports, as specified.
- 11) Provides for any standard, recommendation, or requirement in this section that is intended to be a regulation and would be a building standard as defined by Section 18909 of the Health and Safety Code, the commission shall propose that standard, recommendation, or requirement to the California Building Standards Commission pursuant to the provisions of Chapter 4 (commencing with Section 18935) of Part 2.5 of Division 13 of the Health and Safety Code in order for the regulation to be effective.
- 12) By July 1, 2027, requires CDI to develop guidelines for state and local agencies to aggregate and make available data related to parcel-, neighborhood-, and community-level wildfire risk for the purpose of enabling a wildfire data sharing platform.
- 13) By July 1, 2027 and by January 1 annually thereafter until January 1, 2032, requires the Commission to report to the Legislature its assessment of any statutory changes or budgetary

resources needed to facilitate the optimal participation of state and local agencies in a wildfire data sharing platform.

- 14) Requires the California Wildfire Mitigation Program (CWMP) to revise its wildfire mitigation program in accordance with the community hardening standards and home hardening guidelines developed by the Commission.

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)
- 4) Requires the Office of State Fire Marshal (OSFM) to develop and make available on its internet website a Wildland-Urban Interface Fire Safety Building Standards Compliance training intended for use in the training of local building officials, builders and the fire service. (Health and Safety Code Section 13159.5)
- 5) Requires this training to be updated as changes are made to Chapter 7A, as specified, and include any pertinent mandates for emergency power backup, including, but not limited to, battery backup requirements for automatic garage door openers. (Health and Safety Code Section 13159.5)
- 6) Requires the OSFM to develop and update a Wildland-Urban Interface Products listing of products and construction assemblies that comply with Chapter 7A for the following:
 - a) Exterior wall siding and sheathing;
 - b) Exterior windows, skylights, and doors;
 - c) Vents, including eave and cornice vents;
 - d) Decking;
 - e) Treated lumber and ignition-resistant materials;
 - f) Roofing materials; and,
 - g) Emergency battery power backup for automatic garage door openers.

- 7) Authorizes the OSFM, in researching and developing the products listing and the educational and training provisions to expend funds from the Building Standards Administration Special Revolving Fund, upon appropriation by the Legislature. (Health and Safety Code Section 13159.5)
- 8) Under the California Emergency Services Act, establishes the California Office of Emergency Services (Cal OES) within the office of the Governor for the purpose of mitigating the effects of natural, manmade, or war-caused emergencies. (Government Code 8550)
- 9) Requires the Office of Emergency Services to enter into a joint powers agreement with the Department of Forestry and Fire Protection, until July 1, 2029, to develop and administer a comprehensive wildfire mitigation program to, among other things, encourage cost-effective structure hardening and retrofitting to create fire-resistant homes, businesses, and public buildings. (Government Code 8654.4)
- 10) Requires the joint powers authority to develop eligibility criteria for property owners, community organizations, and local governments that may receive financial assistance under the wildfire mitigation program. (Government Code 8654.4)

FISCAL EFFECT: Unknown.

COMMENTS:

- 1) *Purpose of the bill:* According to the author, “Senate Bill 616 is an important step toward the hardening of communities and homes, and helping insurance become more accessible and affordable in California. Climate change is making wildfires more frequent and destructive. As homeowners and communities work to harden their properties to make them more resilient to wildfires, there is a need for greater coordination across local, state and federal government in ways that include the perspectives of leaders across the fire science, construction, planning, insurance and emergency response disciplines. SB 616 will create an independent community hardening commission within the Department of Insurance. The Commission will be tasked with bringing together state and local governmental entities, as well as experts and stakeholders, to create consistent, data-driven standards to guide statewide fire mitigation policies and programs across state and local agencies. Effective fire mitigation is critically important to help improve availability and affordability of property insurance. Equally important, in the event of future wildfire catastrophes, the Commission will be tasked with conducting post-catastrophe reports. These reports will include an assessment of available data and information about the effectiveness of hardening measures in place, a review of lessons learned on performance of mitigation standards, and recommendations on improvements that can reduce severity of future events.”
- 2) *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) *IBHS*: IBHS is an independent, 501(c)(3) nonprofit scientific research and communications organization supported by property insurers, reinsurers, and affiliated companies. The goal of IBHS is to build more resilient communities. In 2022, IBHS established the “Wildfire Prepared Home,” a wildfire mitigation program allowing homeowners to earn a designation by completing a set of science-based actions addressing three vulnerable areas of a home, the roof, specific building features and defensible space, to meaningfully reduce their home’s wildfire risk. The Wildfire Prepared program features two designation levels. The base level offers a set of fundamental wildfire mitigation measures to protect homes from wind-driven embers, the leading cause of home ignitions, and to reduce the risk of fire spreading to the structure. The plus level builds upon base-level requirements and adds enhanced protection against direct flame contact and radiant heat. Once a designation is achieved, homeowners must take an active role in maintaining the three-year designation by submitting an annual review that verifies ongoing landscaping maintenance, so the property continues to comply with program requirements and is better protected from wildfire.
- 4) *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.
- 5) *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.
- 6) *Chapter 7A of the California Building Standards Code*: Chapter 7A is California’s Wildland-Urban Interface (WUI) building code. As such, this chapter of the building code establishes the *minimum standards* applicable to building materials, systems and/or assemblies used in the exterior design and construction of new buildings located within a WUI Fire Area for the protection of life and property. Chapter 7A was initially adopted in 2008 and has undergone multiple revisions as part of the iterative code development process, integrating the most recent insights and scientific advancements from technical experts in the field.
- 7) *Arguments in support*: California Insurance Commissioner Ricardo Lara writes, “As the proud sponsor of this measure, I write in strong SUPPORT of Senate Bill 616, jointly authored by Senator Rubio, Senator Cortese, and Senator Stern, scheduled for hearing in your committee on April 22, 2025. This bill would create an independent Commission within my Department of Insurance with the goal of communicating the benefits of community-wide

mitigation clearly – with one voice – to every corner of our state by aligning our statewide efforts for community wildfire risk reduction and mitigation efforts. We know that community-wide hardening is key to saving lives and protecting homes. Yet year after year, we see communities devastated by fast-moving wildfires that leave behind destruction, heartbreak, and rising insurance premiums. The people I meet across the state want to do their part in mitigating these factors, but they’re navigating a confusing and inconsistent maze of standards, regulations, and rules.”

- 8) *Arguments in opposition:* The Association of California Water Agencies (ACWA) and the California Special Districts Association (CSDA) write, “ACWA and CSDA have concerns with the inclusion of standards for improvements for water infrastructure within the scope of the bill. We appreciate our conversations with the author’s office and their willingness to try to address our concerns and look forward to future conversations. SB 616 should be more narrowly focused on fire prevention activities; Section 8899.82 (a)(1)(B)(i) relating to improvements to water infrastructure should be removed from the bill. Water agencies’ primary objective is providing the public with safe and reliable drinking water. These water systems were not designed to combat wildfires, especially the climate-driven wildfires that California experiences today.”
- 9) *Related legislation:* AB 1 (Connolly) of this Session. This bill would require the department, on or before January 1, 2030, and every 5 years thereafter, to consider whether or not to update its regulations to include additional building hardening measures for property-level mitigation efforts and communitywide wildfire mitigation programs. As part of this consideration, the bill would require the department to consult with specified agencies to identify additional building hardening measures to consider, as well as to develop and implement a public participation process during the evaluation. (Pending before the Senate Committee on Appropriations)

AB 888 (Calderon) of this Session. Establishes the California Safe Homes grant program to be developed by CDI to reduce local and statewide wildfire losses by encouraging mitigation. (Pending before the Senate Committee on Appropriations)

AB 1143 (Bennett) of this Session. Requires the Office of State Fire Marshal to develop a home hardening certification program that identifies the best appropriate combination of products and construction assemblies and convene and facilitate a workgroup for such purposes, as specified. (Pending before the Senate Committee on Appropriations)

AB 1531 (Committee on Emergency Management) of this Session. This bill adds CDI to the CWMP Board. (Pending before the Senate Committee on Appropriations)

SB 326 (Becker) of this Session. Requires the Deputy Director of Community Wildfire Preparedness and Mitigation within the Office of the State Fire Marshal (OSFM) to prepare a Wildfire Risk Mitigation Planning Framework, a Wildfire Risk Baseline and Forecast, and a Wildfire Mitigation Scenarios Report, each to be released and updated on a specified schedule. (Pending before the Assembly Committee on Appropriations)

SB 429 (Cortese) of this Session. Establishes a grant program upon appropriation by the Legislature, to be administered by CDI, for the development and deployment of a public wildfire catastrophe model, as specified. (Set to be heard in Assembly Emergency Management Committee on July 14, 2025)

SB 514 (Cabaldon) Extends the operative date of Cal FIRE's program for individuals to support and augment the department in its defensible and home hardening assessment and public education efforts. (Pending before the Assembly Committee on Appropriations)

- 10) *Prior legislation*: SB 824 (Lara, Chapter 616, Statutes of 2018): Requires, among other things, that commencing April 1, 2020, insurers with premiums of \$10,000,000 or more report to the Insurance Commissioner specified residential property experience data for policies written in California for the two previous years, and increases the reporting threshold amount every five years thereafter. Also requires that such information is posted to the CDI website in the form of a report on wildfire risk, and updated every two years with new data submitted by insurers.

AB 3164 (Friedman, 2020, Vetoed by the Governor): Would have required the California Department of Forestry and Fire Protection (CAL FIRE) to develop a wildland-urban interface wildfire risk model.

SB 1199 (McGuire) from 2020. Would have established the Commission on Home Hardening. (Died in the Assembly.)

AB 642 (Friedman, Chapter 375, Statutes of 2021): Created a Risk Modeling Advisory Workgroup to advise CAL FIRE, in consultation with the State Fire Marshal, and the Insurance Commissioner on wildfire risk modeling.

AB 1933 (Calderon) 2024 Legislative year. This measure would have required CDI to report to the Assembly Committee on Insurance and the Senate Committee on Insurance regarding wildfire risk models, on or before, January 1, 2026, and annually, thereafter. (Died in Senate Insurance Committee.)

- 11) *Double referral*: This bill passed out of the Assembly Emergency Management Committee on July 14, 2025.

REGISTERED SUPPORT / OPPOSITION:

Support

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Opposition

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