

AMENDED IN SENATE MAY 1, 2025

AMENDED IN SENATE MARCH 26, 2025

SENATE BILL

No. 629

Introduced by Senator Durazo
(Principal coauthors: Senators Cortese, Menjivar, Pérez, Reyes,
Smallwood-Cuevas, and Stern)

February 20, 2025

An act to amend Section 51178 of, and to add Sections 51179.5 and 51182.5 to, the Government Code, relating to wildfires.

LEGISLATIVE COUNSEL'S DIGEST

SB 629, as amended, Durazo. Wildfires: fire hazard severity zones: defensible space, vegetation management, and fuel modification enforcement.

Existing law requires the State Fire Marshal to identify areas of the state as moderate, high, and very high fire hazard severity zones based on specified criteria. Existing law requires the State Fire Marshal to periodically review the areas in the state identified as very high fire hazard severity zones, as specified. Existing law requires a local agency, within 30 days after receiving a ~~receiving a~~ transmittal from the State Fire Marshal that identifies those fire hazard severity zones, to make the information available for public review and comment, and to present the information in a format that is understandable and accessible to the general public, including, but not limited to, maps. Existing law requires a person who owns, leases, controls, operates, or maintains an occupied dwelling or structure in a very high fire hazard severity zone to take certain fire risk management measures, including maintaining defensible space of 100 feet from each side of the structure, except as provided. Existing law requires the Office of the State Fire Marshal to develop a

model defensible space program, as provided, that includes, but is not limited to, specified components, including enforcement mechanisms for compliance with and maintenance of defensible space requirements. Existing law includes among these enforcement mechanisms, among other things, site inspections.

This bill would require the factors on which the fire severity zones are based to include areas within the perimeter of a wildfire that burned 1,000 or more acres, destroyed more than 10 structures, or resulted in a fatality, and to include areas at risk for an urban conflagration that accounts for the potential for structures to serve as a fuel source that extends the ember cast outside of wildland areas. The bill would require the State Fire Marshal to update the designations in the next review and all subsequent reviews, and to publish the model and methodology used to develop the fire hazard severity zones on its internet website at least 60 days before finalizing those designations.

This bill would require a city or county to designate, by ordinance, an area in its jurisdiction that is within the perimeter of a wildfire described above occurring on or after January 1, 2025, as a very high fire hazard severity zone within a specified timeframe, but would authorize a city or county to exclude such an area if it makes findings, as specified, that ~~the~~ none of the state fire protection standards, as defined, are necessary for effective fire protection within the area. The bill would authorize a city or county to include areas within its jurisdiction that were not burned in such a wildfire as a very high, high, or moderate fire hazard severity zone, as specified. At least 60 days before adopting an ordinance designating an area burned in such a wildfire as a very high fire hazard severity zone, the bill would require the city or county to transmit a draft of the ordinance to the Office of the State Fire Marshal and to every local agency that provides fire protection to any area within the jurisdiction of the city or county to review and recommend changes, as specified. The bill would require the city or county to consider those recommendations and, if it does not accept those recommendations, to communicate in writing its reasons for not accepting those recommendations, as specified. The bill would authorize the Office of the State Fire Marshal to request a consultation with the city or county to discuss the rejected recommendations and the city's or county's response, and would prohibit the city or county from adopting the draft ordinance until after that consultation. The bill would also authorize the Office of the State Fire Marshal to allege to the Attorney General that the city or county is in violation of state law

if, following the consultation and a specified notice by the Office of the State Fire Marshal, the city or county adopts the draft ordinance without the changes proposed by the office. The bill would require the city or county to amend the map of fire hazard severity zones provided by the State Fire Marshal, and to post a notice, as specified, identifying the location of the amended map, and post the amended map on its internet website. By requiring local agencies to take specific actions regarding fire hazard severity zones, this bill would impose a state-mandated local program.

This bill would, beginning January 1, 2027, require each local or state fire authority or designee authorized to enforce vegetation management requirements to establish, fund, and implement an enforcement program to verify ongoing compliance with the defensible space, vegetation management, and fuel modification requirements established by specified regulations. The bill would authorize those enforcing agencies to charge a fee sufficient to cover the costs of administering the program and providing any inspections conducted by the enforcing agency. The bill would also require each enforcing agency to inspect and document compliance for each affected property or structure at least once annually, except as provided, and to submit data on defensible space inspections and compliance to a reporting platform established by the Director of Forestry and Fire Protection for defensible space and home hardening assessment data. By requiring local fire authorities to take certain actions with regard to enforcement programs for defensible space, vegetation management, and fuel modification requirements, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature finds and declares all of the
2 following:

3 (1) Numerous studies indicate that two of the most important
4 factors for increasing the survivability of homes in the face of
5 wildfire are building to the state's wildland-urban interface (WUI)
6 building standards and maintaining defensible space as required
7 by Section 4290 of the Public Resources Code. Homes built to
8 these standards are up to 40 percent less likely to be destroyed by
9 a wildfire. These measures are critical in reducing property loss,
10 protecting lives, and aiding firefighting efforts.

11 (2) Building to the WUI building standards is cost effective.
12 Several studies demonstrate that building to the WUI standards
13 costs the same as, or less than, building to the standards that apply
14 in the rest of the state.

15 (3) Building to the WUI building standards and maintaining
16 defensible space also qualifies homeowners for discounts on their
17 insurance under the Safer from Wildfire Framework developed by
18 the Department of Insurance.

19 (4) Only homes in certain fire hazard severity zones designated
20 by the State Fire Marshal must be built to the WUI building
21 standards and maintain defensible space. Similarly, the state's
22 standards for fire safe roads for new development and legislative
23 requirements to plan for and mitigate the threat of wildfire also
24 only apply in those zones.

25 (5) Current maps of fire hazard severity zones do not account
26 for the potential for homes and other buildings to act as fuel and
27 spread wildfire. Accordingly, significant areas that have burned
28 in wildfires in recent years are not included in a fire hazard severity
29 zone, including Coffey Park in the County of Sonoma.

30 (b) This act shall be known and may be cited as the Keeping
31 Communities Safe from Wildfire Act of 2025.

32 SEC. 2. Section 51178 of the Government Code is amended
33 to read:

34 51178. (a) The State Fire Marshal shall identify areas in the
35 state as moderate, high, and very high fire hazard severity zones
36 based on consistent statewide criteria and based on the severity of
37 fire hazard that is expected to prevail in those areas. Moderate,
38 high, and very high fire hazard severity zones shall be based on

1 fuel loading, slope, fire weather, and other relevant factors
2 including all of the following:

3 (1) Areas where winds have been identified by the Office of the
4 State Fire Marshal as a major cause of wildfire spread.

5 (2) Areas burned in a wildfire, as defined in subdivision (a) of
6 Section 51179.5.

7 (3) Areas at risk for an urban conflagration that accounts for
8 the potential for structures to serve as a fuel source that extends
9 the ember cast outside of wildland areas.

10 (b) The State Fire Marshal shall, at least 60 days before
11 finalizing the designations pursuant to subdivision (a), publish the
12 model and methodology used to develop the fire hazard severity
13 zones on its internet website.

14 (c) The State Fire Marshal shall update the designations as
15 required under paragraphs (2) and (3) of subdivision (a), and
16 publish the model and methodology in accordance with subdivision
17 (b), in the next review and all subsequent reviews made pursuant
18 to Section 51181.

19 SEC. 3. Section 51179.5 is added to the Government Code, to
20 read:

21 51179.5. (a) For purposes of this section:

22 (1) "Area burned in a wildfire" means any land area included
23 within the perimeter of a wildfire, as shown on an incident map
24 posted on the internet website of the Department of Forestry and
25 Fire Protection, that meets any of the following conditions:

26 (A) The wildfire burned 1,000 or more acres.

27 (B) The wildfire destroyed more than 10 structures.

28 (C) The wildfire resulted in ~~a fatality~~. *one or more fatalities*.

29 (2) "State fire protection standards" means all of the following,
30 or their successor provisions:

31 (A) Chapter 7A of the California Building Code (Title 24 of the
32 California Code of Regulations).

33 (B) Chapter 49 of the California Fire Code.

34 (C) Section R337 of the California Residential Code.

35 (D) Chapter 12-7A of the California Referenced Standards Code.

36 (E) Subchapter 2 (commencing with Section 1270) of Chapter
37 7 of Division 1.5 of Title 14 of the California Code of Regulations.

38 (F) Article 3 (commencing with Section 1299) of Subchapter
39 3 of Chapter 7 of Division 1.5 of Title 14 of the California Code
40 of Regulations.

1 (G) Regulations implementing an ember-resistant zone pursuant
2 to paragraph (2) of subdivision (c) of Section 51182.

3 (b) For wildfires occurring on or after January 1, 2025, a city
4 or county shall designate, by ordinance, any area burned in a
5 wildfire in its jurisdiction as a very high fire hazard severity zone
6 within 120 days of the wildfire reaching 100 percent containment,
7 or by May 1, 2026, whichever is later.

8 (c) As part of the ordinance adopted pursuant to subdivision
9 (b), a city or county may, at its discretion, do any of the following:

10 (1) Include areas within the jurisdiction of the city and county
11 that were not burned in a wildfire as a very high fire hazard severity
12 zone if the city or county makes a finding supported by substantial
13 evidence in the record that any of the state fire protection standards
14 are necessary for effective fire protection within the area.

15 (2) Include areas within the jurisdiction of the city and county
16 that were not burned in a wildfire as moderate and high fire hazard
17 severity zones, respectively.

18 (3) Exclude areas within the jurisdiction of the city and county
19 that were burned in a wildfire and that would otherwise be
20 designated within the very high fire hazard severity zone pursuant
21 to subdivision (b), following a finding supported by clear and
22 convincing evidence in the record that none of the state fire
23 protection standards are necessary for effective fire protection
24 within the area.

25 (d) At least 60 days before adopting an ordinance pursuant to
26 subdivision (b), the city or county shall transmit a draft of the
27 ordinance to the Office of the State Fire Marshal and to every local
28 agency that provides fire protection to any area within the
29 jurisdiction of the city or county.

30 (e) (1) The Office of the State Fire Marshal shall review the
31 draft ordinance and may recommend changes to the city or county
32 within 60 days of its receipt regarding whether the ordinance
33 complies with subdivision (b).

34 (2) A local agency that provides fire protection to any area
35 within the jurisdiction of the city or county may review the draft
36 ordinance and may recommend changes to the city or county within
37 60 days of its receipt regarding whether the ordinance complies
38 with subdivision (b).

39 (f) (1) Before adopting a draft ordinance pursuant to subdivision
40 (b), a city or county shall consider the recommendations, if any,

1 made by the Office of the State Fire Marshal and any local agency
2 that provides fire protection to any area within the jurisdiction of
3 the city or county. If the city or county does not accept all or some
4 of those recommendations, if any, the city council or board of
5 supervisors shall communicate in writing to the Office of the State
6 Fire Marshal or the local agency, as applicable, its reasons for not
7 accepting the recommendations.

8 (2) If the city or county does not adopt recommended changes
9 from the Office of the State Fire Marshal concerning its draft
10 ordinance, the Office of the State Fire Marshal, within 15 days of
11 receipt of the city's or county's written response, may request, in
12 writing, a consultation with the city or county to discuss the
13 recommendations and the city's or county's response. The
14 consultation may be conducted in person, electronically, or
15 telephonically. If the Office of the State Fire Marshal requests a
16 consultation pursuant to this paragraph, the city or county shall
17 not adopt the draft ordinance until after consulting with the Office
18 of the State Fire Marshal. The consultation shall occur no later
19 than 30 days after the Office of the State Fire Marshal's written
20 request.

21 (3) If the recommendations from the Office of the State Fire
22 Marshal or a local agency that provides fire protection to any area
23 within the jurisdiction of the city or county are not available within
24 the time limits required by this section, the city or county may act
25 without those recommendations.

26 (g) (1) The city or county shall send a copy of an ordinance
27 adopted pursuant to this section to the Office of the State Fire
28 Marshal within 30 days of adoption.

29 (2) If, following the consultation described in subdivision (f),
30 the city or county adopts the draft ordinance without the changes
31 proposed by the Office of the State Fire Marshal, the Office of the
32 State Fire Marshal may allege to the Attorney General that the city
33 or county is in violation of state law. The Office of the State Fire
34 Marshal shall notify the city or county at least 15 days before
35 making an allegation to the Attorney General.

36 (h) The city or county shall amend a map described in
37 subdivision (g) of Section 51179 pursuant to the ordinance adopted
38 pursuant to this section and shall post a notice at the office of the
39 county recorder, county assessor, and county planning agency

1 identifying the location of the amended map. The amended map
2 shall also be posted on the internet website of the city or county.

3 (i) Nothing in this section shall be construed to authorize a city
4 or county to exclude any area designated as a fire hazard severity
5 zone pursuant to Section 51178.

6 SEC. 4. Section 51182.5 is added to the Government Code, to
7 read:

8 51182.5. (a) For the purposes of this section, the following
9 terms shall have the following meanings:

10 (1) “Adequate progress” means the enforcing agency is taking
11 concrete steps reasonably calculated to achieve funding and
12 implementation of the enforcement program by the date specified
13 in subdivision (b).

14 (2) “Enforcing agency” means the local or state fire authority
15 or designee authorized to enforce vegetation management
16 requirements.

17 (b) Beginning January 1, 2027, an enforcing agency shall
18 establish, fund, and implement an enforcement program to verify
19 ongoing compliance, within the enforcing agency’s jurisdiction,
20 with the defensible space, vegetation management, and fuel
21 modification requirements established pursuant to the following
22 or their successor provisions:

23 (1) Chapter 7A of the California Building Code (Title 24 of the
24 California Code of Regulations).

25 (2) Chapter 49 of the California Fire Code.

26 (3) Section R337 of the California Residential Code.

27 (4) Chapter 12-7A of the California Referenced Standards Code.

28 (5) Subchapter 2 (commencing with Section 1270) of Chapter
29 7 of Division 1.5 of Title 14 of the California Code of Regulations.

30 (6) Article 3 (commencing with Section 1299) of Subchapter 3
31 of Chapter 7 of Division 1.5 of Title 14 of the California Code of
32 Regulations.

33 (7) Regulations implementing an ember-resistant zone pursuant
34 to paragraph (2) of subdivision (c) of Section 51182.

35 (c) The enforcing agency may charge a fee sufficient to cover
36 the costs of administering the program and providing any
37 inspections conducted by the enforcing agency.

38 (d) (1) The enforcing agency shall inspect and document
39 compliance for each affected property or structure at least once
40 annually.

1 (2) The enforcing agency shall submit data on defensible space
2 inspections and compliance pursuant to this section to the
3 defensible space and home hardening assessment reporting
4 platform established by the Director of Forestry and Fire Protection
5 pursuant to subdivision (c) of Section 4291.5 of the Public
6 Resources Code.

7 (e) An enforcing agency that adopts a finding, based on
8 substantial evidence in the record and before January 1, 2027, that
9 demonstrates adequate progress may delay compliance with the
10 requirement to document compliance annually in subdivision (d)
11 until no later than January 1, 2029.

12 SEC. 5. No reimbursement is required by this act pursuant to
13 Section 6 of Article XIII B of the California Constitution because
14 a local agency or school district has the authority to levy service
15 charges, fees, or assessments sufficient to pay for the program or
16 level of service mandated by this act, within the meaning of Section
17 17556 of the Government Code.

18 However, if the Commission on State Mandates determines that
19 this act contains other costs mandated by the state, reimbursement
20 to local agencies and school districts for those costs shall be made
21 pursuant to Part 7 (commencing with Section 17500) of Division
22 4 of Title 2 of the Government Code.