

AMENDED IN ASSEMBLY SEPTEMBER 5, 2025

AMENDED IN ASSEMBLY JULY 17, 2025

AMENDED IN ASSEMBLY JUNE 27, 2025

AMENDED IN SENATE MAY 1, 2025

AMENDED IN SENATE APRIL 9, 2025

AMENDED IN SENATE MARCH 20, 2025

**SENATE BILL**

**No. 283**

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**Introduced by Senator Laird**

(Coauthors: Assembly Members Davies and Petrie-Norris)

February 5, 2025

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An act to ~~add Section 18944.22 to the Health and Safety Code, to amend Section 25545 of, and to add Sections 25545.16 and 25545.19 to, to the Public Resources Code, and to add Chapter 10 (commencing with Section 8500) to Division 4.1 of of, and to repeal Section 8503 of,~~ the Public Utilities Code, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

SB 283, as amended, Laird. Energy storage systems.

Existing law, the California Building Standards Law, establishes the California Building Standards Commission (building commission) within the Government Operations Agency and sets forth its powers and duties, including approval and adoption of building standards and codification of those standards into the California Building Standards Code. Existing law requires the State Fire Marshal, before the next triennial edition of the California Building Standards Code adopted after January 1, 2025, to propose to the building commission updates

to the fire standards relating to requirements for lithium-based battery systems, as provided.

~~This bill would require the building commission and the Office of the State Fire Marshal to adopt provisions that are at least as protective as the most recently published edition of the National Fire Protection Association (NFPA) 855, Standard for the Installation of Stationary Energy Storage Systems, (NFPA 855 Standard) in the next update of the California Building Standards Code adopted after July 1, 2026.~~

Existing law authorizes a person proposing an eligible facility, including an energy storage system that is capable of storing 200 megawatthours or more of energy, to file with the State Energy Resources Conservation and Development Commission (Energy Commission) an application for certification for the site and related facility, as provided. Existing law provides that the certification issued by the Energy Commission is in lieu of any permit, certificate, or similar document required by a state, local, or regional agency for the use of the site and related facility.

Existing law vests the Public Utilities Commission (PUC) with regulatory authority over public utilities, including electrical corporations. Existing law requires the PUC to direct the state's 3 largest electrical corporations to file applications for programs and investments to accelerate widespread deployment of distributed energy storage systems for specified purposes and authorizes the PUC to approve, or modify and approve, programs and investments of an electrical corporation in distributed energy storage systems with appropriate energy storage management systems, as defined.

This bill would require that an application submitted to the Energy Commission after January 1, 2026, in accordance with the above-described provisions relating to certification of facilities by the Energy Commission, and an application submitted to a local jurisdiction, as defined, for an energy storage system, include the applicant's certification that ~~the energy storage system is designed in accordance with the most recently published edition of the NFPA 855 Standard, except as specified, and, at least 30 days before submitting the application, that the applicant met and conferred with the local fire department responsible for~~ *authority that has jurisdiction over* fire suppression in the area where the energy storage system is proposed, as provided. The bill would also prohibit the approval of those applications unless the local jurisdiction requires as a condition of approval ~~that the energy storage system is constructed, installed,~~

~~commissioned, operated, maintained, and decommissioned in accordance with the NFPA 855 Standard, that after installation is complete, but before commencing operations, operations or use of the batteries, the energy storage system is inspected by the local fire department responsible for authority that has jurisdiction over fire suppression where the system is located or by a representative or designee of the State Fire Marshal, suppression, and that the applicant bear the cost of the inspection. inspection, as specified. The bill would authorize a state or local entity to approve the construction of an energy storage system only if it is located in a dedicated-use noncombustible building or it is an outdoor installation. require, as part of the next update to the California Building Standards Code considered after July 1, 2026, the Office of the State Fire Marshal to review and consider proposing provisions that restrict the location of energy storage systems to dedicated-use noncombustible buildings or outdoor installations, as provided. By imposing additional duties on local officers, the bill would impose a state-mandated local program.~~

The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

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. This act shall be known, and may be cited, as the
- 2 Clean Energy Safety Act of 2025.
- 3 ~~SEC. 2. Section 18944.22 is added to the Health and Safety~~
- 4 ~~Code, to read:~~
- 5 ~~18944.22. The commission and the Office of the State Fire~~
- 6 ~~Marshal shall adopt provisions that are at least as protective as the~~

1 most recently published edition of the National Fire Protection  
2 Association (NFPA) 855, Standard for the Installation of Stationary  
3 Energy Storage Systems, in the next update of the code adopted  
4 after July 1, 2026.

5 SEC. 3. ~~Section 25545 of the Public Resources Code is~~  
6 ~~amended to read:~~

7 25545. ~~For purposes of this chapter, the following definitions~~  
8 ~~apply:~~

9 (a) ~~“California Native American tribe” has the same meaning~~  
10 ~~as set forth in Section 21073.~~

11 (b) ~~“Facility” means any of the following:~~

12 (1) ~~A solar photovoltaic or terrestrial wind electrical generating~~  
13 ~~powerplant with a generating capacity of 50 megawatts or more~~  
14 ~~and any facilities appurtenant thereto.~~

15 (2) ~~An energy storage system as defined in Section 2835 of the~~  
16 ~~Public Utilities Code that is capable of storing 200 megawatthours~~  
17 ~~or more of energy.~~

18 (3) ~~A stationary electrical generating powerplant using any~~  
19 ~~source of thermal energy, with a generating capacity of 50~~  
20 ~~megawatts or more, excluding any powerplant that burns, uses, or~~  
21 ~~relies on fossil or nuclear fuels.~~

22 (4) ~~A discretionary project as described in Section 21080 for~~  
23 ~~which the applicant has certified that a capital investment of at~~  
24 ~~least two hundred fifty million dollars (\$250,000,000) will be made~~  
25 ~~over a period of five years and the discretionary project is for (A)~~  
26 ~~the manufacture, production, or assembly of an energy storage~~  
27 ~~system or component manufacturing, wind system or component~~  
28 ~~manufacturing, and solar photovoltaic energy system or component~~  
29 ~~manufacturing, or (B) the manufacture, production, or assembly~~  
30 ~~of specialized products, components, or systems that are integral~~  
31 ~~to renewable energy or energy storage technologies.~~

32 (5) ~~An electrical transmission line carrying electricity from a~~  
33 ~~facility described in paragraph (1), (2), or (3) that is located in the~~  
34 ~~state to a point of junction with any interconnected electrical~~  
35 ~~transmission system.~~

36 (6) ~~A hydrogen production facility and associated onsite storage~~  
37 ~~and processing facilities that do not derive hydrogen from a fossil~~  
38 ~~fuel feedstock and that receive funding from any of the following:~~

39 (A) ~~The Hydrogen Program established pursuant to Section~~  
40 ~~25664.1.~~

1 ~~(B) Section 91530, as added by the Safe Drinking Water,~~  
2 ~~Wildfire Prevention, Drought Preparedness, and Clean Air Bond~~  
3 ~~Act of 2024.~~

4 ~~(C) The Alliance for Renewable Clean Hydrogen Energy~~  
5 ~~Systems (ARCHES) authorized by Article 15 (commencing with~~  
6 ~~Section 12100.160) of Chapter 1.6 of Part 2 of Division 3 of Title~~  
7 ~~2 of the Government Code, as awarded by the United States~~  
8 ~~Department of Energy Office of Clean Energy Demonstrations.~~

9 ~~(e) “NFPA 855” means the National Fire Protection Association~~  
10 ~~855, Standard for the Installation of Stationary Energy Storage~~  
11 ~~Systems. The applicable edition of NFPA 855 shall be the 2023~~  
12 ~~edition, and any subsequent update to the 2023 edition, even if~~  
13 ~~that subsequent update has not yet been incorporated into the~~  
14 ~~California Building Standards Code pursuant to Section 18944.22~~  
15 ~~of the Health and Safety Code. If there is a conflict between a~~  
16 ~~provision of NFPA 855 and a provision of the California Building~~  
17 ~~Standards Code (Title 24 of the California Code of Regulations)~~  
18 ~~or any other regulation adopted by a state agency, the more~~  
19 ~~protective provision shall apply.~~

20 ~~(d) “Site” means any location on which an eligible facility is~~  
21 ~~constructed or is proposed to be constructed.~~

22 ~~SEC. 4.~~

23 ~~SEC. 2. Section 25545.16 is added to the Public Resources~~  
24 ~~Code, to read:~~

25 ~~25545.16. (a) For any application submitted after January 1,~~  
26 ~~2026, the commission shall not certify an energy storage system,~~  
27 ~~as described in paragraph (2) of subdivision (b) of Section 25545,~~  
28 ~~pursuant to this chapter, unless both of the following requirements~~  
29 ~~are satisfied:~~

30 ~~(a) (1) The energy storage system shall be constructed, installed,~~  
31 ~~commissioned, operated, maintained, and decommissioned to~~  
32 ~~comply with NFPA 855.~~

33 ~~(2) A manufacturer or energy storage system owner may~~  
34 ~~voluntarily design the energy storage system to comply with a~~  
35 ~~more recent edition of NFPA 855 before its operative date, if~~  
36 ~~compliance with all applicable listing and testing requirements is~~  
37 ~~demonstrated. (b) After installation is complete, unless, within 90~~  
38 ~~days of the project applicant providing notice of completion of~~  
39 ~~installation to the authority that has jurisdiction over fire~~  
40 ~~suppression, but before commencing operations, operations or~~

1 *use of the batteries, the energy storage system shall be is inspected*  
 2 *by the local fire department responsible for authority that has*  
 3 *jurisdiction over fire suppression where the system is located or*  
 4 *by a representative or designee of the State Fire Marshal. located.*  
 5 The applicant shall bear the cost of the inspection. The inspector  
 6 shall be provided a copy of *the* documentation of the ~~initial fire~~  
 7 ~~official~~ consultation *required pursuant to subdivision (a) of Section*  
 8 *25545.19* submitted with the application.

9 *(b) If the inspection required pursuant to subdivision (a) has*  
 10 *not occurred within 90 days after the notice of completion, the*  
 11 *commission may certify or approve for operation the energy*  
 12 *storage system.*

13 *(c) The commission shall include findings regarding compliance*  
 14 *with the requirements of this section in a decision to certify an*  
 15 *energy storage system pursuant to Section 25545.1.*

16 ~~SEC. 5.~~

17 *SEC. 3.* Section 25545.19 is added to the Public Resources  
 18 Code, to read:

19 25545.19. *(a) In an application for an energy storage system,*  
 20 *as described in paragraph (2) of subdivision (b) of Section 25545,*  
 21 *submitted in accordance with this chapter, the applicant shall certify*  
 22 ~~both of the following: that,~~

23 ~~(a) The energy storage system is designed to comply with NFPA~~  
 24 ~~855.~~

25 ~~(b) At~~ *at least 30 days before submitting the application, the*  
 26 *applicant met and conferred with the local fire department*  
 27 *responsible for authority that has jurisdiction over fire suppression*  
 28 *in the area where the energy storage system is proposed and*  
 29 *discussed the energy storage system design, sought input on*  
 30 *mitigating potential fire and life safety concerns, and sought input*  
 31 *on the content of emergency action plans required by Section 761.3*  
 32 *of the Public Utilities Code. The application shall include*  
 33 *documentation of this consultation, including the date, the names*  
 34 *and titles of participants, a summary of matters discussed, and a*  
 35 *description of how the application addresses those matters.*

36 *(b) The authority that has jurisdiction over fire suppression*  
 37 *shall have 30 days to respond to the request to meet and the*  
 38 *meeting shall occur within 60 days of the initial request, unless*  
 39 *otherwise agreed upon between the parties.*

1 (c) *If the authority that has jurisdiction over fire suppression*  
 2 *declines the opportunity to meet and confer pursuant to subdivision*  
 3 *(a), or does not respond to the request, the applicant shall*  
 4 *document their interactions with the authority and may submit the*  
 5 *application pursuant to this chapter.*

6 (d) *The commission shall include findings regarding compliance*  
 7 *with the requirements of this section in a decision to certify an*  
 8 *energy storage system pursuant to Section 25545.1.*

9 ~~SEC. 6.~~

10 SEC. 4. Chapter 10 (commencing with Section 8500) is added  
 11 to Division 4.1 of the Public Utilities Code, to read:

12  
 13 CHAPTER 10. ENERGY STORAGE SYSTEMS

14  
 15 8500. For purposes of this chapter, both of the following  
 16 definitions apply:

17 (a) “Energy storage system” means a stationary electrical energy  
 18 storage system, as defined in Chapter 12 (commencing with Section  
 19 1201) of Part 9 of the California Building Standards Code (Title  
 20 24 of the California Code of Regulations), that is capable of storing  
 21 10 megawatthours or more of energy.

22 (b) “Local jurisdiction” means a city, county, or city and county.

23 ~~(c) “NFPA 855” has the same meaning as defined in Section~~  
 24 ~~25545 of the Public Resources Code.~~

25 8501. An application submitted to a local jurisdiction for an  
 26 energy storage system shall include the applicant’s certification  
 27 ~~of both of the following: that,~~

28 ~~(a) (1) The energy storage system is designed to comply with~~  
 29 ~~the NFPA 855.~~

30 ~~(2) A manufacturer or energy storage system owner may~~  
 31 ~~voluntarily design an energy storage system to comply with a more~~  
 32 ~~recent edition of NFPA 855 before its operative date, if compliance~~  
 33 ~~with all applicable listing and testing requirements is demonstrated.~~

34 ~~(b) At~~ at least 30 days before submitting ~~an~~ *the* application, the  
 35 applicant met and conferred with the ~~local fire department~~  
 36 ~~responsible for~~ *authority that has jurisdiction over* fire suppression  
 37 in the area where the energy storage system is proposed and  
 38 discussed the energy storage system design, sought input on  
 39 mitigating potential fire and life safety concerns, and sought input  
 40 on the content of emergency action plans required by Section 761.3

1 of the Public Utilities Code. The application shall include  
2 documentation of this consultation, including the date, the names  
3 and titles of participants, a summary of fire safety matters  
4 discussed, and a description of how the application addresses those  
5 matters.

6 8502. For any application submitted after January 1, 2026, a  
7 local jurisdiction shall not approve an energy storage system, unless  
8 the local jurisdiction ~~requires both of the following~~ *requires*, as a  
9 condition of approval:

10 (a) ~~(1) The energy storage system shall be constructed, installed,~~  
11 ~~commissioned, operated, maintained, and decommissioned in~~  
12 ~~accordance with the NFPA 855.~~

13 (2) ~~A manufacturer or energy storage system owner may~~  
14 ~~voluntarily design an energy storage system to comply with a more~~  
15 ~~recent edition of NFPA 855 before its operative date, if compliance~~  
16 ~~with all applicable listing and testing requirements is demonstrated.~~

17 (b) ~~After approval, that after installation is complete, but before~~  
18 ~~commencing operations, operations or use of the batteries, the~~  
19 ~~energy storage system shall be~~ *is* inspected by the ~~local fire~~  
20 ~~department responsible for fire suppression or by a representative~~  
21 ~~or designee of the State Fire Marshal. respective authorities having~~  
22 ~~jurisdiction, including the authority that has jurisdiction over fire~~  
23 ~~suppression. The applicant shall bear the cost of the inspection.~~  
24 ~~inspections. The inspector shall be provided a copy of the~~  
25 ~~documentation of the initial fire official consultation submitted~~  
26 ~~with the application. application pursuant to Section 8501.~~

27 8503. (a) For purposes of this section, all of the following  
28 definitions apply:

29 (1) “Dedicated-use building” has the same meaning as defined  
30 ~~in Chapter 12 (commencing with Section 1201) of Part 9 of the~~  
31 ~~California Building Standards Code (Title 24 of the California~~  
32 ~~Code of Regulations).~~

33 (2) “Noncombustible building” means a building that meets the  
34 Type I building requirements set forth in ~~Chapter 6 (commencing~~  
35 ~~with Section 601) of Part 2 of the California Building Standards~~  
36 ~~Code (Title 24 of the California Code of Regulations).~~

37 (3) “Outdoor installation” means an energy storage system that  
38 is regulated by ~~Section 1207.8 of Part 9 of the California Building~~  
39 ~~Standards Code (Title 24 of the California Code of Regulations).~~

1 ~~(b) A state or local entity may only approve the construction of~~  
2 ~~an energy storage system if it is located in a dedicated-use,~~  
3 ~~noncombustible building or is an outdoor installation.~~

4 *(b) As part of the next update to the California Building*  
5 *Standards Code considered after July 1, 2026, the Office of the*  
6 *State Fire Marshal shall review and consider proposing provisions*  
7 *that restrict the location of energy storage systems to dedicated-use*  
8 *noncombustible buildings or outdoor installations.*

9 *(c) (1) In the review and consideration of limiting the use of*  
10 *indoor installations of energy storage systems pursuant to*  
11 *subdivision (b), the Office of the State Fire Marshal shall consider*  
12 *proposing provisions that are consistent with the efforts of the*  
13 *office to ensure the safe construction, installation, commission,*  
14 *operation, maintenance, and decommission of energy storage*  
15 *systems.*

16 *(2) The provisions considered pursuant to paragraph (1) shall*  
17 *only pertain to fire and life safety considered in the California*  
18 *Building Standards Code development process and shall not limit*  
19 *the commission’s general oversight of energy storage systems.*

20 *(d) As part of the review pursuant to subdivision (b), the State*  
21 *Fire Marshal may consider different requirements for battery*  
22 *technologies with different flammability and risk profiles.*

23 *(e) This section shall remain in effect only until January 1 2029,*  
24 *and as of that date is repealed.*

25 8504. This chapter does not prevent a local jurisdiction from  
26 adopting and enforcing laws consistent with or more protective  
27 than this chapter.

28 ~~SEC. 7.~~

29 *SEC. 5.* The Legislature finds and declares that ensuring the  
30 safety of battery energy storage systems is a matter of statewide  
31 concern. Therefore, Sections 2 to ~~6~~, 4, inclusive, of this act adding  
32 Section 18944.22 to the Health and Safety Code, amending Section  
33 25545 of, and *act*, adding Sections 25545.16 and 25545.19 to, to  
34 the Public Resources ~~Code~~, *Code* and adding Chapter 10  
35 (commencing with Section 8500) to Division 4.1 of the Public  
36 Utilities Code, address a matter of statewide concern rather than  
37 a municipal affair as that term is used in Section 5 of Article XI  
38 of the California Constitution. Therefore, Sections 2 to ~~6~~, 4,  
39 inclusive, of this act apply to all cities, including charter cities.

1     ~~SEC. 8.~~

2     *SEC. 6.* No reimbursement is required by this act pursuant to  
3 Section 6 of Article XIII B of the California Constitution because  
4 a local agency or school district has the authority to levy service  
5 charges, fees, or assessments sufficient to pay for the program or  
6 level of service mandated by this act, within the meaning of Section  
7 17556 of the Government Code.

8     However, if the Commission on State Mandates determines that  
9 this act contains other costs mandated by the state, reimbursement  
10 to local agencies and school districts for those costs shall be made  
11 pursuant to Part 7 (commencing with Section 17500) of Division  
12 4 of Title 2 of the Government Code.