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AB-2469 Emergency Management Assistance Compact: California Wildfire Mitigation Financial Assistance Program. (2023-2024)

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Assembly Bill No. 2469

CHAPTER 402

An act to amend Sections 179.9 and 8654.10 of the Government Code, relating to emergency services.

[Approved by Governor September 22, 2024. Filed with Secretary of State September 22, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2469, Committee on Emergency Management. Emergency Management Assistance Compact: California Wildfire Mitigation Financial Assistance Program.

Existing law ratifies, approves, and sets forth the provisions of the Emergency Management Assistance Compact, an interstate agreement that provides for mutual assistance between states responding to emergencies and disasters. Under existing law, the compact becomes inoperative on March 1, 2028, and is repealed as of January 1, 2029.

This bill would change the inoperative and repealed dates to make the compact inoperative on March 1, 2038, and repealed as of January 1, 2039.

Existing law establishes, within the office of the Governor, the Office of Emergency Services, under the direction of the Director of Emergency Services. Existing law charges the Office of Emergency Services with coordinating various emergency activities within the state.

The Joint Exercise of Powers Act authorizes two or more public agencies, if authorized by their legislative or other governing bodies, to enter into an agreement to jointly exercise any power common to the contracting parties, as provided. That act requires, among other things, that the agreement state the purpose of agreement or power to be exercised and provides for the method by which the purpose will be accomplished or the manner in which the power will be exercised.

Existing law requires the Office of Emergency Services to enter into a joint powers agreement pursuant to the Joint Exercise of Powers Act with the Department of Forestry and Fire Protection 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. Existing law requires the State Fire Marshal, in consultation with specified state officials, to identify building retrofits and structure hardening measures, and the Department of Forestry and Fire Protection to identify defensible space, vegetation management, and fuel modification activities, that are eligible for financial assistance under the program.

Existing law specifies the types of designated wildfire hazard areas eligible for funding under the program. Existing law authorizes the joint powers authority administering the program to accept federal funds, as specified. Existing law requires the joint powers authority to develop criteria and a scoring methodology to prioritize financial assistance provided through the program based on specific factors. Existing law imposes specified reporting requirements on the joint powers authority, requires it to report to the Legislature by July 1, 2024, and authorizes it to enter into cooperative agreements with other federal, state, regional, and local

agencies. Existing law makes the operation of the program contingent upon an appropriation by the Legislature and repeals the program's provisions on July 1, 2025.

This bill would require an additional joint powers authority report to be submitted by July 1, 2028, and would extend the program's repeal date to July 1, 2029.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 179.9 of the Government Code is amended to read:

179.9. This article shall become inoperative on March 1, 2038, and, as of January 1, 2039, is repealed.

SEC. 2. Section 8654.10 of the Government Code is amended to read:

8654.10. (a) The operation of this article is contingent upon an appropriation by the Legislature in the annual Budget Act or another statute for purposes of this article.

(b) No later than July 1, 2028, the joint powers authority shall submit a report to the Legislature, in compliance with Section 9795, regarding the implementation of the wildfire mitigation financial assistance program administered pursuant to this article. The report shall include, but is not limited to, all of the following:

- (1) An evaluation of the cost-effectiveness of the wildfire mitigation program compared to other structure hardening, defensible space, vegetation management, and fuel reduction incentive programs.
- (2) An evaluation of the overall wildfire risk reduction achieved statewide through awards of financial assistance under the wildfire mitigation program.
- (3) Detailed information about the quantity, monetary value, geographic distribution, and categories of awards of financial assistance made under the wildfire mitigation program.
- (4) Detailed information about the sources and amounts of funds appropriated or granted to the wildfire mitigation program.
- (5) Detailed information about barriers encountered to completing work awarded financial assistance under the wildfire mitigation program, including state, regional, or local permitting requirements.
- (6) Any other information the Office of Emergency Services determines is necessary or convenient to evaluate the financial assistance awarded under the program.

(c) This article shall remain in effect only until July 1, 2029, and as of that date is repealed.