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AB-261 Fire safety: fire hazard severity zones: State Fire Marshal. (2025-2026)

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AMENDED IN SENATE JULY 10, 2025

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CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 261

Introduced by Assembly Member Quirk-Silva
(Coauthor: [Senator Rubio](#))

January 16, 2025

An act to amend Section 51178 of the Government Code, and to amend ~~Section~~ [Sections 4202 and](#) 4204 of the Public Resources Code, relating to fire safety.

LEGISLATIVE COUNSEL'S DIGEST

AB 261, as amended, Quirk-Silva. Fire safety: fire hazard severity zones: State Fire Marshal.

Existing law requires the State Fire Marshal to classify lands within state responsibility areas into fire hazard severity zones, and, by regulation, designate fire hazard severity zones and assign to each zone a rating reflecting the degree of severity of fire hazard that is expected to prevail in the zone. Existing law requires the State Fire Marshal to periodically review designated and rated zones and, as necessary, revise zones or their ratings or repeal the designation of zones.

Existing law also requires the State Fire Marshal to identify areas in the state that are not state responsibility areas as moderate, high, and very high fire hazard severity zones based on consistent statewide criteria and based on the severity of fire hazard that is expected to prevail in those areas, and to periodically review ~~and~~ [and, as necessary](#), make recommendations relative to very high fire hazard severity zones.

This bill [would prohibit the State Fire Marshal's determination of fire hazard severity zone, in both state responsibility areas and lands that are not state responsibility areas, from being based on risk mitigation activities](#). The bill would, as applied to both state responsibility areas and lands that are not state responsibility areas, authorize the State Fire Marshal, in periods between the State Fire Marshal's review of areas of the state for recommendations regarding an area's fire hazard severity zone, to confer with entities, including, but not limited to, public agencies, tribes, nonprofit organizations, project applicants, and members of the public, on actions that may impact the degree of fire hazard in an area or the area's recommended fire hazard severity zone designation. The bill would authorize the State Fire Marshal to provide a written response to an entity on actions that may impact the degree of fire hazard, and would require this written response to be posted on the State Fire Marshal's internet website.

This bill would authorize those entities to provide information to the State Fire Marshal on wildfire safety improvements or other actions the entity has taken or plans to take, and any information submitted to or by the department, as specified, before the next review that may impact the degree of fire hazard in an area or the area's fire hazard severity zone designation. The bill would authorize the State Fire Marshal to consider this information in the next review, and would require any documentation provided to the State Fire Marshal to be posted in a manner that is easily accessible on the State Fire Marshal's internet website.

This bill would authorize the State Fire Marshal to require a fee from an entity that confers with the State Fire Marshal, or provides information to the State Fire Marshal, to cover the State Fire Marshal's costs associated with these processes, as specified.

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

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

SECTION 1. Section 51178 of the Government Code is amended to read:

51178. (a) The State Fire Marshal shall identify areas in the state as moderate, high, and very high fire hazard severity zones based on consistent statewide criteria and based on the severity of fire hazard that is expected to prevail in those areas. Moderate, high, and very high fire hazard severity zones shall be based on fuel loading, slope, fire weather, and other relevant factors including areas where winds have been identified by the Office of the State Fire Marshal as a major cause of wildfire spread. *Fire hazard severity zones shall not be based on risk mitigation activities.*

(b) (1) In periods between the State Fire Marshal's review of areas of the state for recommendations regarding an area's fire hazard severity zone, pursuant to Section 51181, the State Fire Marshal may confer with entities, including, but not limited to, public agencies, tribes, nonprofit organizations, project applicants, members of the public, and others, on actions that may impact the degree of fire hazard in an area or the area's recommended fire hazard severity zone designation. The State Fire Marshal may provide a written response to an entity on actions that may impact the degree of fire hazard.

(2) In periods between the State Fire Marshal's review of areas of the state for recommendations regarding an area's fire hazard severity zone, pursuant to Section 51181, entities, including, but not limited to, public agencies, tribes, nonprofit organizations, project applicants, members of the public, and others, may provide information to the State Fire Marshal on wildfire safety improvements and other actions the entity has taken or plans to take, and any information submitted to or by the department pursuant to Section 4291.5 of the Public Resources Code, before the next review that may impact the degree of fire hazard in an area or the area's fire hazard severity zone designation. The State Fire Marshal, according to the State Fire Marshal's discretion, may consider this information in the next review.

(3) Any letters provided by the State Fire Marshal pursuant to paragraph (1) and any documentation provided to the State Fire Marshal pursuant to paragraph (2) shall be posted on the State Fire Marshal's internet website in a manner that is easily accessible.

(4) The State Fire Marshal may require a fee from an entity that confers with the State Fire Marshal pursuant to paragraph (1) or provides information to the State Fire Marshal pursuant to paragraph (2) to cover the State Fire Marshal's costs associated with this subdivision.

SEC. 2. *Section 4202 of the Public Resources Code is amended to read:*

4202. The State Fire Marshal shall classify lands within state responsibility areas into fire hazard severity zones. Each zone shall embrace relatively homogeneous lands and shall be based on fuel loading, slope, fire weather, and other relevant factors present, including areas where winds have been identified by the department as a major cause of wildfire spread. *Fire hazard severity zones shall not be based on risk mitigation activities.*

~~SEC. 2.~~**SEC. 3.** Section 4204 of the Public Resources Code is amended to read:

4204. (a) The State Fire Marshal shall periodically review zones designated and rated pursuant to this article and, as necessary, shall revise zones or their ratings or repeal the designation of zones. Any revision of a zone or its rating or any repeal of a zone shall conform to the requirements of Section 4203. In addition, the revision or repeal of a zone may be petitioned pursuant to Sections 11340.6 and 11340.7 of the Government Code.

(b) (1) In periods between the State Fire Marshal's review of areas of the state regarding an area's fire hazard severity zone designation, the State Fire Marshal may confer with entities, including, but not limited to, public agencies, tribes, nonprofit organizations, project applicants, members of the public, and others, on actions that may impact the degree of fire hazard in an area or the area's recommended fire hazard severity zone designation. The State Fire Marshal may provide a written response to an entity on actions that may impact the degree of fire hazard.

(2) In periods between the State Fire Marshal's review of areas of the state regarding an area's fire hazard severity zone, entities, including, but not limited to, public agencies, tribes, nonprofit organizations, project applicants, members of the public, and others, may provide information to the State Fire Marshal on wildfire safety improvements and other actions the entity has taken or plans to take, and any information submitted to or by the department pursuant to Section 4291.5, before the next review that may impact the degree of fire hazard in an area or the area's fire hazard severity zone designation. The State Fire Marshal, according to the State Fire Marshal's discretion, may consider this information in the next review.

(3) Any letters provided by the State Fire Marshal pursuant to paragraph (1) and any documentation provided to the State Fire Marshal pursuant to paragraph (2) shall be posted on the State Fire Marshal's internet website in a manner that is easily accessible.

(4) The State Fire Marshal may require a fee from an entity that confers with the State Fire Marshal pursuant to paragraph (1) or provides information to the State Fire Marshal pursuant to paragraph (2) to cover the State Fire Marshal's costs associated with this subdivision.