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## AB-262 California Individual Assistance Act. (2025-2026)

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AMENDED IN ASSEMBLY MAY 23, 2025

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CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

### ASSEMBLY BILL

NO. 262

Introduced by Assembly Member Caloza

(Coauthors: Assembly Members Ahrens, Fong, Garcia, Gipson, Harabedian, McKinnor, Muratsuchi, Pacheco, Schiavo, and Schultz)

January 16, 2025

An act to add Section 8685.1 to, and to add Article 4.5 (commencing with Section 8688) to Chapter 7.5 of Division 1 of Title 2 of, the Government Code, relating to disaster assistance, ~~making an appropriation therefor~~, and declaring the urgency thereof, to take effect immediately.

### LEGISLATIVE COUNSEL'S DIGEST

AB 262, as amended, Caloza. California Individual Assistance Act.

Existing law, the California Disaster Assistance Act, requires the Director of Emergency Services to provide financial assistance to local agencies for their personnel costs, equipment costs, and the cost of supplies and materials used during disaster response activities, incurred as a result of a state of emergency proclaimed by the Governor, subject to specified criteria. The act continuously appropriates moneys in the Disaster Assistance Fund and its subsidiary account, the Earthquake Emergency Investigations Account, without regard to fiscal year, for purposes of the act.

~~This bill would require the director, in administering that act, to prioritize local agencies that are not eligible for federal funding, pursuant to specified federal regulation, due to the agency's inability to meet minimum damage thresholds.~~

This bill would ~~also~~ enact the California Individual Assistance Act to establish a grant program to provide financial ~~assistance~~ *assistance, upon appropriation by the Legislature*, to local agencies, community-based organizations, and individuals for specified costs related to a disaster, as prescribed. The bill would require the director to allocate from the fund, subject to specified conditions, funds to meet the cost of expenses for those purposes. ~~By authorizing increased expenditure of moneys from a continuously appropriated fund for a new purpose, the bill would make an appropriation. The bill would require the director, in administering the California Individual Assistance Act, to prioritize recipients that are not eligible for federal funding, pursuant to specified regulation, due to the inability to meet minimum damage thresholds.~~

This bill would require the director to adopt regulations, as determined to be necessary, to govern the administration of the program.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: ~~yes~~<sup>no</sup> Fiscal Committee: yes Local Program: no

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

**SECTION 1.** The Legislature finds and declares the purpose of this act is to establish in California a program within the Office of Emergency Services to quickly provide assistance to California residents following the declaration of a local or state emergency that may not warrant federal disaster assistance for individuals.

**SEC. 2.** Section 8685.1 is added to the Government Code, to read:

**8685.1.** The director, when determining an allocation of funds for a project consistent with ~~this chapter~~, [Article 4.5 \(commencing with Section 8688\)](#), shall prioritize local agencies that are not eligible under the federal Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. Sec. 5121 et seq.) due to their inability to meet the minimum damages threshold set by 44 C.F.R. 206.48.

**SEC. 3.** Article 4.5 (commencing with Section 8688) is added to Chapter 7.5 of Division 1 of Title 2 of the Government Code, to read:

### **Article 4.5. California Individual Assistance Act**

**8688.** This article shall be known and may be cited as the California Individual Assistance Act.

**8688.1.** It is the intent of the Legislature to provide local agencies, community-based organizations, and individuals with the assistance they need to quickly recover following a disaster.

**8688.2.** Unless the provision or context otherwise requires, the definitions in this section govern the construction of this article:

(a) "Community-based organization" means a public or private nonprofit organization of demonstrated effectiveness that represents a community or significant segments of a community and provides support and services to individuals in the community.

(b) "Disaster" means a fire, flood, storm, tidal wave or tsunami, earthquake, act of terrorism, epidemic, extreme heat or cold event, or other similar calamity that the Governor determines presents a threat to public safety.

(c) "Housing assistance" means assistance available to homeowners and renters to repair disaster-related damages not covered by insurance or by other governmental financial assistance programs, including, but not limited to, costs that are reasonable and necessary to make the essential living areas of a primary residence safe, sanitary, and functional.

(d) "Individual" means a person residing in California.

(e) "Individual and family grants" means housing assistance and other needs assistance provided pursuant to this article.

(f) "Local emergency" means a condition of extreme peril to persons or property proclaimed as such by the governing body of the local agency affected, in accordance with Section 8630.

(g) "Other needs assistance" means assistance to offset expenses and losses in income not covered by insurance or by other financial assistance resources, including, but not limited to, any of the following:

(1) Income losses.

(2) Costs to clean, repair, or replace essential personal property items.

(3) Medical, dental, and funeral expenses resulting from the local emergency.

(4) Other potentially eligible expenses authorized by the director.

(h) "Unusual circumstances" means unavoidable delays that result from recurrence of a disaster, prolonged severe weather within a one-year period, or other conditions beyond the control of the applicant.

**8688.3.** (a) From the Disaster Assistance Fund, and subject to the conditions specified in this article, the director ~~shall~~ *shall, upon appropriation by the Legislature*, allocate funds to meet the cost of expenses for the purposes described in subdivision (b).

(b) Moneys from the Disaster Assistance Fund may be used to provide financial assistance to local agencies, community-based organizations, and individuals for the following purposes:

- (1) To fund local agency and community-based organization personnel costs, equipment costs, translation services, and the cost of supplies and materials used during disaster response activities, incurred as a result of a state of emergency proclaimed by the Governor, excluding the normal hourly wage costs of employees engaged in emergency work activities.
- (2) To reimburse local agencies or community-based organizations that provide individual and family grants.
- (3) To provide direct individual and family grants, including housing assistance and other needs assistance, to individuals.
- (4) To fund indirect administrative costs and any other assistance deemed necessary by the director.
- (5) To fund necessary and required site preparation costs for evacuation and local assistance centers as deemed necessary by the director.

**8688.4.** (a) When certified by the director, *and subject to an appropriation by the Legislature*, claims of community-based organizations and local agencies shall be presented to the Controller for payment out of funds made available for that purpose.

(b) The director shall adopt regulations, as determined to be necessary, to govern the administration of the program authorized by this article in accordance with the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3). These regulations shall include specific eligibility requirements, a procedure for local agencies and community-based organizations to request the implementation of this article, and a method for evaluating these requests by the Office of Emergency Services.

**8688.5.** ~~An~~ *Subject to an appropriation by the Legislature for that purpose, an* allocation may be made to a local agency, community-based organization, or an individual, if, within 10 days after the actual occurrence of a disaster, the local agency has proclaimed a local emergency and that proclamation is acceptable to the director, or upon the order of the Governor when a state of emergency proclamation has been issued.

**8688.6.** A local agency, community-based organization, or an individual shall make application to the director for state financial assistance pursuant to this article within 60 days after the date of the proclamation of a local emergency. The director may extend the time for this filing only under unusual circumstances.

**8688.7.** The director shall develop procedures for a local agency or community-based organization to receive an advance of funds to expedite the delivery of individual and family grants following a disaster.

**SEC. 4.** This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to mitigate the extent and severe impact of recent disasters on individuals and families, the Legislature finds and declares it is necessary for this act to take effect immediately.