

SENATE BILL SB-19

Introduced by Senator Henry Stern (D-27)

An act relating to The Disaster Recovery and Permitting Timeline Act.

LEGISLATIVE COUNSEL'S DIGEST

SB-19, Henry Stern (D-27). The Disaster Recovery and Permitting Timeline Act.

California law establishes general timelines for local agencies to review and process residential building permit applications. Laws such as Assembly Bill 2234 require local governments to act within specified timeframes when reviewing housing development and building permit applications. These requirements are intended to facilitate routine housing development and construction throughout the state.

However, existing permitting laws were designed for normal development conditions and do not provide a permanent statewide framework for accelerated rebuilding following wildfire disasters. As a result, homeowners whose residences are damaged or destroyed by wildfires may experience lengthy permitting delays that prolong displacement and increase rebuilding costs. In addition, local agencies face limited accountability when permit-review deadlines are missed during post-disaster recovery efforts.

The Disaster Recovery and Permitting Timeline Act would establish a permanent statewide post-disaster permitting framework that automatically takes effect whenever the Governor declares a wildfire state of emergency. The bill would create expedited permit-review timelines for homeowners rebuilding primary residences damaged or destroyed by wildfires while maintaining all applicable building, fire, environmental, and Wildland-Urban Interface (WUI) safety standards.

The bill would also require local agencies to provide homeowners with regular written updates regarding the status of their permit applications, including anticipated review timelines, required revisions, and explanations for any delays. Similar to existing permitting laws, local agencies that fail to comply with statutory review deadlines may be subject to existing legal remedies and enforcement actions under state law.

Implementation of the bill would be overseen by local building departments in coordination with the California Governor's Office of Emergency Services (Cal OES) and the California Department of Housing and Community Development (HCD). Rather than creating a new tax or permanent appropriation, the bill would utilize existing state disaster recovery funds to support temporary staffing, mutual-aid plan reviewers, and electronic permitting systems in affected jurisdictions.

Vote: Majority. Appropriations/fiscal: no. Local program: yes.

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

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SECTION 1. Short Title

This act shall be known and may be cited as the Disaster Recovery and Permitting Timeline Act.

SECTION 2. Definitions

(a) "Local agency" means any city, county, or local building and safety department responsible for reviewing and issuing residential building permits.

(b) "Qualifying residential rebuilding project" means the reconstruction, repair, or replacement of an owner-occupied primary residence damaged or destroyed by a wildfire subject to a Governor-declared state of emergency.

(c) "Expedited permitting timeline" means the permit-review deadlines established under this act for qualifying residential rebuilding projects.

SECTION 3. Expedited Post-Disaster Permitting Timelines

(a) Upon the Governor's declaration of a wildfire state of emergency, expedited permitting timelines shall apply to residential rebuilding projects for owner-occupied primary residences damaged or destroyed by the wildfire.

(1) Local agencies shall complete an initial review of a rebuilding permit application within 10 calendar days of submission.

(2) Local agencies shall approve, deny, or request revision to a rebuilding permit application within 20 to 40 calendar days, depending on the complexity of the project.

(b) These timelines shall apply only to qualifying residential rebuilding projects located within the declared disaster area.

SECTION 4. Homeowner Transparency and Accountability

(a) Local agencies shall provide homeowners with written updates throughout the permitting process.

(1) Updates shall include the status of the application, required documentation, requested revisions, anticipated review timelines, and explanation for any delay.

(2) If a permitting deadline cannot be met, the local agency shall provide written notice explaining the reason for the delay.

(b) Consistent with existing California permitting laws, a local agency's failure to comply with the timelines established by this act may be subject to existing legal remedies and enforcement mechanisms under state law.

SECTION 5. Safety Standards and Exemptions

(a) Nothing in this act shall waive or reduce applicable building, fire, environmental, structural, or

Wildland-Urban Interface (WUI) safety requirements.

(b) Permitting timelines may be paused when delays result from:

(1) Incomplete applications.

(2) Applicant-requested revisions.

(3) Utility coordination requirements.

(4) Environmental remediation or site-specific safety hazards.

(5) Other documented circumstances beyond the control of the local agency.

SECTION 6. Implementation and Funding

(a) This act shall be implemented by local building and safety departments in coordination with the California Governor's Office of Emergency Services (Cal OES) and the California Department of Housing and Community Development (HCD).

(b) Existing state disaster recovery funds may be allocated to affected local jurisdictions for implementation of this act.

(1) Funds may be used for temporary staffing.

(2) Funds may be used for mutual-aid plan reviewers.

(3) Funds may be used for electronic permitting systems and other administrative resources necessary to meet the expedited permitting timelines established by this act.

SECTION 7. Reporting and Compliance

(a) Local agencies operating under this act shall submit quarterly reports to the California Department of Housing and Community Development (HCD) and the California Governor's Office of Emergency Services (Cal OES).

(b) Reports shall include:

(1) The number of rebuilding permit applications received.

(2) Average permit-review and approval times.

(3) The number of missed statutory deadlines.

(4) The reasons for missed deadlines.

(5) Actions taken to improve permit efficiency.

(c) Homeowners who believe a local agency has violated the provision of this act may file an administrative complaint with HCD.

(d) HCD shall review complaints and may issue recommendations or corrective guidance to improve compliance with this act.

SECTION 8. Effective Date