

ASSEMBLY BILL

No. 301

Introduced by Assembly Member Bigelow

February 12, 2015

An act to amend Section 4213.1 of the Public Resources Code, relating to fire prevention.

LEGISLATIVE COUNSEL'S DIGEST

AB 301, as introduced, Bigelow. State responsibility areas: fire prevention fees.

Existing law requires the State Board of Forestry and Fire Protection to adopt emergency regulations to establish a fire prevention fee in an amount not to exceed \$150 to be charged annually on each habitable structure on a parcel that is within a state responsibility area. Existing law requires the fee to be levied upon the owner of a habitable structure if that person owns the structure on July 1 of the year for which the fee is due.

This bill would require the fee to be prorated for an owner, upon whom a fee is imposed, if that owner owns the habitable structure for only a portion of the year for which the fee is due.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 4213.1 of the Public Resources Code is
- 2 amended to read:
- 3 4213.1. (a) (1) The fire prevention fee imposed pursuant to
- 4 Section 4212 shall be levied upon the owner of a habitable structure

1 identified by the department as located within the state
2 responsibility area, if that person owns the habitable structure on
3 July 1 of the year for which the fee is due.

4 (2) *The fire prevention fee shall be prorated for an owner, upon*
5 *whom a fee is imposed, if that owner owns the habitable structure*
6 *for only a portion of the year for which the fee is due.*

7 (b) The board may exempt from the fire prevention fee any
8 habitable structure that is subsequently deemed uninhabitable as
9 a result of a natural disaster during the year for which the fee is
10 due, as well as one subsequent year if the habitable structure has
11 not been repaired or rebuilt. The board shall consider granting an
12 exemption only if both of the following conditions are met:

13 (1) The owner of the habitable structure certifies that the
14 structure is not habitable as a result of a natural disaster.

15 (2) The owner of the habitable structure either documents that
16 the habitable structure passed a defensible space inspection
17 conducted by the department or by one of its agents within one
18 year of the date the structure was damaged or destroyed or certifies
19 that clearance as required under Section 4291 was in place at the
20 time that the structure was damaged or destroyed as a result of a
21 natural disaster.

22 (c) The board shall prepare forms for purposes of the
23 certification requirements in subdivision (b).