

**ASSEMBLY BILL**

**No. 1202**

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**Introduced by Assembly Member Mayes  
(Coauthors: Assembly Members Travis Allen, Bigelow, Gallagher,  
Jones, and Mathis)**

February 27, 2015

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

LEGISLATIVE COUNSEL'S DIGEST

AB 1202, as introduced, Mayes. Fire prevention fee: fee reduction.

Existing law requires the State Board of Forestry and Fire Protection to adopt emergency regulations to establish a fire prevention fee to be charged on each habitable structure, as defined, on a parcel that is within a state responsibility area. Existing law requires that the fee be levied upon the owner of a habitable structure identified by the department as located within the state responsibility area, if that person owns the habitable structure on July 1 of the year for which the fee is due. Existing law authorizes the board to exempt from the fire prevention fee any habitable structure that is subsequently deemed inhabitable as a result of a natural disaster during the year the fee is due, if certain conditions are met.

This bill would require the board to reduce the amount of the fee to be charged on a habitable structure by an amount equal to the amount paid by the owner of the structure to a local fire district for fire prevention services during the year for which the fee is due, if the owner of the structure provides the board with written documentation of the amount paid to the local fire district for those services.

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) The fire prevention fee imposed pursuant to Section  
4 4212 shall be levied upon the owner of a habitable structure  
5 identified by the department as located within the state  
6 responsibility area, if that person owns the habitable structure on  
7 July 1 of the year for which the fee is due.

8 (b) (1) The board may exempt from the fire prevention fee any  
9 habitable structure that is subsequently deemed uninhabitable as  
10 a result of a natural disaster during the year for which the fee is  
11 due, as well as one subsequent year if the habitable structure has  
12 not been repaired or rebuilt. The board shall consider granting an  
13 exemption only if both of the following conditions are met:

14 (1)

15 (A) The owner of the habitable structure certifies that the  
16 structure is not habitable as a result of a natural disaster.

17 (2)

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

25 (e)

26 (2) The board shall prepare forms for purposes of the  
27 certification requirements in ~~subdivision (b)~~ paragraph (1).

28 (c) *The board shall reduce the amount of the fire prevention fee*  
29 *to be charged on a habitable structure by an amount equal to the*  
30 *amount paid by the owner of the structure to a local fire district*  
31 *for fire prevention services during the year for which the fee is*  
32 *due, if the owner of the structure provides the board with written*

- 1 *documentation of the amount paid to the local protection district*
- 2 *for those services.*

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