

Introduced by Senator Gaines

February 18, 2015

An act to amend Section 4212 of the Public Resources Code, relating to fire prevention.

LEGISLATIVE COUNSEL'S DIGEST

SB 265, as introduced, Gaines. Fire prevention fee.

Existing law requires the State Board of Forestry and Fire Protection, on or before September 1, 2011, to adopt emergency regulations to establish a fire prevention fee in an amount not to exceed \$150 to be charged on each habitable structure on a parcel that is within a state responsibility area, as defined, and authorizes the board to annually adjust the fire prevention fee using prescribed methods.

This bill would make a nonsubstantive change to that law.

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

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

- 1 SECTION 1. Section 4212 of the Public Resources Code is
2 amended to read:
3 4212. (a) (1) By September 1, 2011, the board shall adopt
4 emergency regulations to establish a fire prevention fee for the
5 purposes of this chapter in an amount not to exceed one hundred
6 fifty dollars (\$150) to be charged on ~~each~~ every habitable structure
7 on a parcel that is within a state responsibility area.
8 (2) The Legislature finds and declares that a fire prevention fee
9 of not more than one hundred fifty dollars (\$150) is a reasonable
10 amount for the necessary fire prevention activities of the state that

1 benefit the owner of a habitable structure within a state
2 responsibility area.

3 (b) On July 1, 2013, and annually thereafter, the board may
4 adjust the fire prevention fees imposed pursuant to this chapter to
5 reflect the percentage of change in the average annual value of the
6 Implicit Price Deflator for State and Local Government Purchases
7 of Goods and Services for the United States, as calculated by the
8 United States Department of Commerce for the 12-month period
9 in the third quarter of the prior calendar year, as reported by the
10 Department of Finance.

11 (c) Emergency regulations adopted pursuant to subdivision (a)
12 shall be adopted in accordance with the rulemaking provisions of
13 the Administrative Procedure Act (Chapter 3.5 (commencing with
14 Section 11340) of Part 1 of Division 3 of Title 2 of the Government
15 Code). The adoption of emergency regulations shall be deemed
16 an emergency and necessary for the immediate preservation of the
17 public peace, health, and safety, or general welfare.