

Introduced by Senator Caballero

February 18, 2026

An act to add Section 8607.3 to the Government Code, relating to disaster preparedness.

LEGISLATIVE COUNSEL'S DIGEST

SB 1153, as introduced, Caballero. Disaster preparedness: urban retail water suppliers and public water systems: wildfire.

Existing law, the California Emergency Services Act, requires all public water systems, as defined, with 10,000 or more service connections to review and revise their disaster preparedness plans in conjunction with related agencies, including, but not limited to, local fire departments and the Office of Emergency Services to ensure that the plans are sufficient to address possible disaster scenarios. A person, as defined, who violates the provisions of this act is guilty of a misdemeanor.

This bill, beginning January 1, 2028, would require all urban retail water suppliers, as defined, serving a high or very high fire hazard severity zone to include incident-specified response procedures for wildfires as part of their disaster preparedness plans, including any applicable emergency response plan as required by federal law. The bill would require these plans to include mitigation actions, including actions, procedures, and equipment, that can obviate or significantly lessen the impact of a wildfire on the water system and the supply of drinking water provided by the water supplier. Because violation of these requirements by certain urban retail water suppliers would constitute a misdemeanor, the bill would expand the scope of a crime, thereby imposing a state-mandated local program.

This bill would deem the inability of a public water system to maintain water supply or water pressure during a wildfire not a substantial cause of the damages resulting from a wildfire. The bill would also deem the spread of wildfire not an inherent risk presented by the deliberate design, construction, or maintenance of a public water system.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) Wildfires are increasing in frequency, severity, and
4 destructive impact in California.

5 (b) Public water systems are increasingly vulnerable to wildfire,
6 either directly or indirectly, including physical damage to critical
7 infrastructure; disruption of access and operations; interruption of
8 power supplies; degradation of water quality; excessive or
9 uncontrolled water demands; and impairment of pumping,
10 treatment, and distribution capabilities.

11 (c) Public water systems impacted by wildfires may experience
12 disruptions in water supply or pressure during wildfire events.

13 (d) Public water systems are deliberately designed and
14 constructed to provide clean and safe drinking water in accordance
15 with state and federal safe drinking water laws and regulatory
16 requirements.

17 (e) Existing law, Section 53750.5 of the Government Code,
18 finds that water service is a different and distinct service from fire
19 service, and that water service is a property-related service that
20 aids in the provision of fire service provided to properties. While
21 public water systems are often relied upon to aid firefighting
22 activities, including the use of fire hydrants, they are not
23 intentionally designed or constructed for wildfire defense or
24 suppression. Hydrants are generally designed and installed,
25 consistent with applicable fire codes and industry standards to aid

1 in firefighting, but not to provide water service to aid in
2 extinguishing fires that threaten property not served by a water
3 service provider or wildfires.

4 (f) Designing and constructing public water systems to function
5 as wildfire defense or suppression systems would be physically
6 impracticable and financially infeasible, and may compromise the
7 quality of water for human consumption and the affordability of
8 drinking water for ratepayers.

9 (g) To limit the risks presented by wildfires to water systems
10 and water supply, it is imperative that urban retail water suppliers
11 serving high-risk areas prepare for wildfire incidents and seek to
12 mitigate the impacts of wildfires on the water systems.

13 SEC. 2. Section 8607.3 is added to the Government Code, to
14 read:

15 8607.3. (a) Beginning January 1, 2028, all urban retail water
16 suppliers serving a high or very high fire hazard severity zone shall
17 include incident-specific response procedures for wildfires as part
18 of their disaster preparedness plans, including any applicable
19 emergency response plan as required by Section 1433(b) of the
20 federal Safe Drinking Water Act (42 U.S.C. Sec. 300i-2). The
21 plans shall include mitigation actions, including actions,
22 procedures, and equipment, that can obviate or significantly lessen
23 the impact of a wildfire on the water system and the supply of
24 drinking water provided by that water supplier.

25 (b) While public water systems, including wholesale water
26 systems, and the water distributed through them, may be available
27 to aid in firefighting activities, both of the following shall apply:

28 (1) The inability of a public water system to maintain water
29 supply or water pressure during a wildfire shall not be considered
30 a substantial cause of the damages resulting from a wildfire.

31 (2) The spread of wildfire shall not be considered an inherent
32 risk presented by the deliberate design, construction, or
33 maintenance of a public water system.

34 (c) Nothing in this section shall be interpreted to impose a duty
35 on public water systems, including wholesale water systems, to
36 design, construct, or maintain a water system for wildfire defense
37 or suppression. Noncompliance with subdivision (a) shall not be
38 considered a substantial cause of the damages resulting from a
39 wildfire.

40 (d) For purposes of this section, the following definitions apply:

1 (1) “High or very high fire hazard severity zone” means those
2 areas identified by the State Fire Marshal as high or very high fire
3 hazard severity zones pursuant to Section 51178.

4 (2) “Public water system” has the same meaning as defined in
5 subdivision (h) of Section 116275 of the Health and Safety Code.

6 (3) “Urban retail water supplier” has the same meaning as
7 defined in subdivision (af) of Section 10608.12 of the Water Code.

8 (4) “Wholesale water system” has the same meaning as defined
9 in paragraph (6) of subdivision (c) of Section 116455 of the Health
10 and Safety Code.

11 (5) “Wildfire” has the same meaning as defined in subdivision
12 (j) of Section 51177.

13 SEC. 3. No reimbursement is required by this act pursuant to
14 Section 6 of Article XIII B of the California Constitution because
15 the only costs that may be incurred by a local agency or school
16 district will be incurred because this act creates a new crime or
17 infraction, eliminates a crime or infraction, or changes the penalty
18 for a crime or infraction, within the meaning of Section 17556 of
19 the Government Code, or changes the definition of a crime within
20 the meaning of Section 6 of Article XIII B of the California
21 Constitution.