

AMENDED IN ASSEMBLY JUNE 22, 2026

AMENDED IN ASSEMBLY JUNE 17, 2026

AMENDED IN SENATE APRIL 28, 2026

AMENDED IN SENATE APRIL 6, 2026

AMENDED IN SENATE MARCH 25, 2026

SENATE BILL

No. 1153

Introduced by Senator Caballero
(Coauthor: Senator Rubio)
(Coauthor: Assembly Member McKinnor)

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 amended, 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-specific 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, among other things, 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 provide that the inability of a public water system to maintain water supply or water pressure during a wildfire shall not be considered a substantial cause of the damages resulting from a wildfire, and that the spread of wildfire shall not be considered an inherent risk presented by the deliberate design, construction, or maintenance of a public water system.~~

This bill would prohibit anything, including any other law, from imposing a duty on public water systems, including wholesale water systems, to design, construct, or maintain a water system for wildfire defense or suppression. The bill would further prohibit the failure of an urban retail water supplier to implement or comply with any of the incident-specific response procedures developed pursuant to the above requirements or the inability of any public water system to maintain water supply or water pressure during a wildfire from being considered a substantial cause of the damages resulting from a wildfire.

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.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

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
26 in firefighting, but not to provide water service to aid in
27 extinguishing fires that threaten property not served by a water
28 service provider or wildfires.

29 (f) Designing and constructing public water systems to function
30 as wildfire defense or suppression systems would be physically
31 impracticable and financially infeasible, and may compromise the
32 quality of water for human consumption and the affordability of
33 drinking water for ratepayers.

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

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

8607.3. (a) (1) Beginning January 1, 2028, all urban retail water suppliers serving a high or very high fire hazard severity zone shall include incident-specific response procedures for wildfires as part of their disaster preparedness plans, including in any applicable emergency response plan as required by Section 1433(b) of the federal Safe Drinking Water Act (42 U.S.C. Sec. 300i-2).

(2) The plans required pursuant to paragraph (1) shall include, but not be limited to, all of the following:

(A) 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 that water supplier. Identification of mitigation actions within the plan shall consider system conditions, risks, operations, and available resources, including financial and staffing constraints.

(B) (i) Actions to prepare for a wildfire, such as identification of critical infrastructure and coordination with local emergency responders, including, but not limited to, cities, counties, offices of emergency services, fire agencies, and law enforcement.

(ii) An assessment of the resilience of critical infrastructure located in a high or very high fire hazard severity zone. The assessment shall identify critical infrastructure, such as water pumps, water tanks, applicable pipelines, and backup electrical generation equipment, assess the risk wildfire poses to the identified critical infrastructure, and include an evaluation of fire hardening measures and alternative emergency power in the event of a loss of power, including, but not limited to, onsite backup generators, portable generators, or availability of alternative water sources.

(C) Actions to respond to a wildfire, such as identifying immediate response actions, including a plan to prepare water tanks during a red flag warning, and a communications strategy to communicate with customers.

(D) Actions to recover from a wildfire, such as completion of water system damage assessments and development of long-term adaptation measures.

(3) This subdivision does not change the confidentiality level for information provided pursuant to paragraph (2), including the

1 right to withhold or redact records pursuant to applicable
2 exceptions to disclosure within the California Public Records Act
3 (Division 10 (commencing with Section 7920.000) of Title 1).

4 (4) The incident-specific response procedures for wildfire
5 required pursuant to paragraph (1) shall be provided by the urban
6 retail water supplier to the county Office of Emergency Services,
7 subject to the confidentiality provisions of paragraph (3).

8 (5) An urban retail water supplier that meets the criteria of
9 paragraph (1) of subdivision (a) shall review their disaster
10 preparedness plans at least once every five years and shall update
11 those plans as necessary.

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

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

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

21 ~~(c) Nothing in this section~~

22 *(b) Notwithstanding any other law, nothing shall be interpreted*
23 *to impose a duty on public water systems, including wholesale*
24 *water systems, to design, construct, or maintain a water system*
25 *for wildfire defense or suppression. While an urban retail water*
26 *supplier that meets the criteria identified in paragraph (1) of*
27 *subdivision (a) shall be required to include incident-specific*
28 *response procedures in their disaster preparedness plans pursuant*
29 *to paragraph (1) of subdivision (a), the identified mitigation actions*
30 *pursuant to paragraph (2) of subdivision (a) shall inform*
31 *preparedness and response planning, and shall not be construed to*
32 *guarantee the ability of a public water system to maintain water*
33 *supply or water pressure during a wildfire.* ~~Failure~~ *Neither the*
34 *failure of an urban retail water supplier to implement or comply*
35 *with any actions identified in subdivision (a) nor the inability of*
36 *any public water system to maintain water supply or water pressure*
37 *during a wildfire shall not be considered a substantial cause of the*
38 *damages resulting from a wildfire.*

39 ~~(d)~~

(c) Nothing in this section shall be construed to limit or affect liability for injury or damage resulting from a negligent act or omission of an entity operating a public water system for its intended purpose and function, as described by subdivision (h) of Section 116275 of the Health and Safety Code and any other applicable laws and regulations governing system operations.

(e)

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

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

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

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

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

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

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

SEC. 4. The Legislature finds and declares that Section 2 of this act, which adds Section 8607.3 to the Government Code, imposes a limitation on the public’s right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

Disclosure of operational and critical infrastructure information could increase the risk of misuse by malicious actors. The need to

- 1 protect public safety and security outweighs the interest in public
- 2 disclosure of this information.

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