



ASSEMBLY FLOOR ALERT

Date: August 31, 2021

To: Members, California State Assembly

From: Rex D. Frazier, President
Seren Taylor, Senior Legislative Advocate
Deanna LaTour-Jarquin, Legislative Advocate

Re: SB 332 (Dodd) Civil liability: prescribed burning operations: gross negligence, as amended June 23, 2021.

PIFC Position: Support

The Personal Insurance Federation of California (PIFC) is a statewide trade association that represents seven of the nation's largest property and casualty insurance companies including (State Farm, Farmers, Liberty Mutual Insurance, Progressive, Mercury, Nationwide and Allstate as well as associate members CHUBB, CONNECT by American Family Insurance, and NAMIC) who collectively write the majority of personal lines auto and home insurance in California.

SB 332 provides that, under specific conditions, no person is liable for any fire suppression, rescue or emergency medical services, fire investigation, and other related costs. The bill also provides that the grant of immunity from fire suppression or other costs do not apply to any person whose conduct constitutes gross negligence, and it does not affect the ability of a private or public entity plaintiff to bring a civil action against any defendant.

Prescribed burning is the controlled application of fire to the land to reduce wildfire hazards, clear downed trees, control plant diseases, improve rangeland and wildlife habitats, and restore natural ecosystems. As catastrophic wildfires continue to be a growing concern in California, the use of prescribed burning to reduce hazardous fuels is an important tool that can help reduce risk, loss, and property damage.

PIFC has long supported legislation that would reduce the risk of catastrophic wildfires across California. Since the new normal of California's devastating wildfire seasons over the last four years, the insurance industry has been working diligently to help customers rebuild their homes, replace their personal property, and restore their lives. The increased use of prescribed fire not only protects lives and property, it also creates habitat and assists in the regeneration of certain species of plants and trees.

Prescribed burns are an inherently dangerous activity. Ensuring that safety standards are met and that there is appropriate legal accountability for people performing controlled burns is the right approach. SB 332 strikes a reasonable balance to increase the use of prescribed burns to reduce risk and loss from

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wildfires and maintain the existing right to remedy for those who have been injured or killed, or had their property damaged, as the result of negligent prescribed burning. For these reasons, **PIFC supports SB 332**. If you have any questions regarding PIFC's position, please contact Seren Taylor at (916) 442-6646.

CC: Senator Bill Dodd, Author
Hazel Miranda, Deputy Legislative Secretary, Office of the Governor
Michael Martinez, Senior Deputy Commissioner and Legislative Director, California Department of Insurance