

**ASSEMBLY BILL**

**No. 297**

---

---

**Introduced by Assembly Member Vince Fong**

January 26, 2023

---

---

An act to amend Section 4124.5 of the Public Resources Code, relating to fire prevention.

LEGISLATIVE COUNSEL'S DIGEST

AB 297, as introduced, Vince Fong. Wildfires: local assistance grant program: advance payments.

Existing law requires the Department of Forestry and Fire Protection to establish a local assistance grant program for fire prevention and home hardening education activities. Under existing law, the Director of Forestry and Fire Protection may, until January 1, 2024, authorize advance payments from a grant program award, not to exceed 25% of the total grant award, except as specified.

This bill would extend the director's authority to authorize advance payments from a grant program award to January 1, 2034.

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 4124.5 of the Public Resources Code is  
2 amended to read:  
3 4124.5. (a) The department shall establish a local assistance  
4 grant program for fire prevention and home hardening education  
5 activities in California. Groups eligible for grants shall include,  
6 but are not limited to, local agencies, resource conservation

1 districts, fire safe councils, the California Conservation Corps,  
 2 certified community conservation corps as defined in Section  
 3 14507.5, University of California Cooperative Extension, the Board  
 4 of Commissioners under California Volunteers described in Section  
 5 8411 of the Government Code, Native American tribes, and  
 6 qualified nonprofit organizations. The department may establish  
 7 a cost-share requirement for one or more categories of projects.

8 (b) (1) The local assistance grant program shall establish a  
 9 robust year-round fire prevention effort in and near fire threatened  
 10 communities that focuses on increasing the protection of people,  
 11 structures, and communities. To the maximum extent practicable,  
 12 the grants shall be designed to be durable and adaptively managed  
 13 so that while improving resiliency to wildfire, the projects, when  
 14 on forest land, retain a mixture of species and sizes of trees to  
 15 protect habitat values. The department shall prioritize, to the extent  
 16 feasible, projects that are multiyear efforts.

17 (2) For purposes of this subdivision, “fire threatened  
 18 communities” means those communities in high and very high fire  
 19 hazard severity zones, identified by the director pursuant to Section  
 20 51178 of the Government Code, or Article 9 (commencing with  
 21 Section 4201) of this code, or on the “Fire Risk Reduction  
 22 Community” list maintained by the board pursuant to Section  
 23 4290.1.

24 (c) Eligible activities shall include, but not be limited to, all of  
 25 the following:

26 (1) Development and implementation of public education and  
 27 outreach programs. Programs may include technical assistance,  
 28 workforce recruitment and training, and equipment purchases.

29 (2) Fire prevention activities as defined in Section 4124.

30 (3) Projects to improve compliance with defensible space  
 31 requirements as required by Section 4291 through increased  
 32 inspections, assessments, and assistance for low-income residents.

33 (4) Technical assistance to local agencies to improve fire  
 34 prevention and reduce fire hazards.

35 (5) Creation of additional “Firewise USA” communities in the  
 36 state or other community planning or certification programs  
 37 deemed as appropriate by the department.

38 (6) Projects to improve public safety, including, but not limited  
 39 to, access to emergency equipment and improvements to public  
 40 evacuation routes.

1 (7) Vegetation management along roadways and driveways to  
2 reduce fire risk. Where appropriate, the Department of  
3 Transportation shall be consulted if state infrastructure will be  
4 affected. Those projects shall remain consistent with paragraph  
5 (1) of subdivision (b).

6 (8) Public education outreach regarding making homes and  
7 communities more wildfire resilient, including defensible space  
8 training.

9 (9) Projects to reduce the flammability of structures and  
10 communities to prevent their ignition from wind-driven embers.

11 (10) Development of a risk reduction checklist for communities  
12 that includes defensible space criteria, structural vulnerability  
13 potential, and personal evacuation plans.

14 (d) The department may consider the fire risk of an area, the  
15 geographic balance of projects, and whether the project is  
16 complementary to other fire prevention or forest health activities  
17 when awarding local assistance grants.

18 (e) (1) Until January 1, ~~2024~~, 2034, the director may authorize  
19 advance payments from a grant awarded pursuant to this section.  
20 The advance shall not exceed 25 percent of the total grant award.  
21 The director may authorize a greater amount, not to exceed 50  
22 percent of either the total grant award or the cost of equipment,  
23 whichever amount is less, for the purpose of purchasing necessary  
24 equipment.

25 (2) The grantee shall expend the funds from the advance  
26 payment within 6 months of receipt, unless the department waives  
27 this requirement.

28 (3) The grantee shall file an accountability report with the  
29 department four months from the date of receiving the funds and  
30 every four months thereafter.

31 (f) Until July 1, 2025, the department may authorize advance  
32 payments on a grant awarded under this section in accordance with  
33 subdivision (d) of Section 11019.1 of the Government Code.

34 (g) The department may expand or amend an existing grant  
35 program to meet the requirements of this section.

36 (h) Funding for the local assistance grant program created  
37 pursuant to this section shall be made upon appropriation by the  
38 Legislature.

O