

ASSEMBLY BILL

No. 262

Introduced by Assembly Member Caloza

January 16, 2025

An act to add Article 4.5 (commencing with Section 8688) to Chapter 7.5 of Division 1 of Title 2 of the Government Code, relating to disaster assistance, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 262, as introduced, Caloza. California Individual Assistance Act.

Existing law, the California Disaster Assistance Act, requires the Director of Emergency Services to provide financial assistance to local agencies for their personnel costs, equipment costs, and the cost of supplies and materials used during disaster response activities, incurred as a result of a state of emergency proclaimed by the Governor, subject to specified criteria. The act continuously appropriates moneys in the Disaster Assistance Fund and its subsidiary account, the Earthquake Emergency Investigations Account, without regard to fiscal year, for purposes of the act.

This bill would enact the California Individual Assistance Act to establish a grant program to provide financial assistance to local agencies, community-based organizations, and individuals for specified costs related to a disaster, as prescribed. The bill would require the director to allocate from the fund, subject to specified conditions, funds to meet the cost of expenses for those purposes. By authorizing increased expenditure of moneys from a continuously appropriated fund for a new purpose, the bill would make an appropriation.

This bill would require the director to adopt regulations, as determined to be necessary, to govern the administration of the program.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

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

1 SECTION 1. The Legislature finds and declares the purpose
2 of this act is to establish in California a program within the Office
3 of Emergency Services to quickly provide assistance to California
4 residents following the declaration of a local or state emergency
5 that may not warrant federal disaster assistance for individuals.

6 SEC. 2. Article 4.5 (commencing with Section 8688) is added
7 to Chapter 7.5 of Division 1 of Title 2 of the Government Code,
8 to read:

9
10 Article 4.5. California Individual Assistance Act

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12 8688. This article shall be known and may be cited as the
13 California Individual Assistance Act.

14 8688.1. It is the intent of the Legislature to provide local
15 agencies, community-based organizations, and individuals with
16 the assistance they need to quickly recover following a disaster.

17 8688.2. Unless the provision or context otherwise requires, the
18 definitions in this section govern the construction of this article:

19 (a) "Community-based organization" means a public or private
20 nonprofit organization of demonstrated effectiveness that represents
21 a community or significant segments of a community and provides
22 support and services to individuals in the community.

23 (b) "Disaster" means a fire, flood, storm, tidal wave or tsunami,
24 earthquake, act of terrorism, epidemic, extreme heat or cold event,
25 or other similar calamity that the Governor determines presents a
26 threat to public safety.

27 (c) "Housing assistance" means assistance available to
28 homeowners and renters to repair disaster-related damages not
29 covered by insurance or by other governmental financial assistance
30 programs, including, but not limited to, costs that are reasonable

1 and necessary to make the essential living areas of a primary
2 residence safe, sanitary, and functional.

3 (d) “Individual” means a person residing in California.

4 (e) “Individual and family grants” means housing assistance
5 and other needs assistance provided pursuant to this article.

6 (f) “Local emergency” means a condition of extreme peril to
7 persons or property proclaimed as such by the governing body of
8 the local agency affected, in accordance with Section 8630.

9 (g) “Other needs assistance” means assistance to offset expenses
10 and losses in income not covered by insurance or by other financial
11 assistance resources, including, but not limited to, any of the
12 following:

13 (1) Income losses.

14 (2) Costs to clean, repair, or replace essential personal property
15 items.

16 (3) Medical, dental, and funeral expenses resulting from the
17 local emergency.

18 (4) Other potentially eligible expenses authorized by the director.

19 (h) “Unusual circumstances” means unavoidable delays that
20 result from recurrence of a disaster, prolonged severe weather
21 within a one-year period, or other conditions beyond the control
22 of the applicant.

23 8688.3. (a) From the Disaster Assistance Fund, and subject to
24 the conditions specified in this article, the director shall allocate
25 funds to meet the cost of expenses for the purposes described in
26 subdivision (b).

27 (b) Moneys from the Disaster Assistance Fund may be used to
28 provide financial assistance to local agencies, community-based
29 organizations, and individuals for the following purposes:

30 (1) To fund local agency and community-based organization
31 personnel costs, equipment costs, translation services, and the cost
32 of supplies and materials used during disaster response activities,
33 incurred as a result of a state of emergency proclaimed by the
34 Governor, excluding the normal hourly wage costs of employees
35 engaged in emergency work activities.

36 (2) To reimburse local agencies or community-based
37 organizations that provide individual and family grants.

38 (3) To provide direct individual and family grants, including
39 housing assistance and other needs assistance, to individuals.

1 (4) To fund indirect administrative costs and any other assistance
2 deemed necessary by the director.

3 (5) To fund necessary and required site preparation costs for
4 evacuation and local assistance centers as deemed necessary by
5 the director.

6 8688.4. (a) When certified by the director, claims of
7 community-based organizations and local agencies shall be
8 presented to the Controller for payment out of funds made available
9 for that purpose.

10 (b) The director shall adopt regulations, as determined to be
11 necessary, to govern the administration of the program authorized
12 by this article in accordance with the Administrative Procedure
13 Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of
14 Division 3). These regulations shall include specific eligibility
15 requirements, a procedure for local agencies and community-based
16 organizations to request the implementation of this article, and a
17 method for evaluating these requests by the Office of Emergency
18 Services.

19 8688.5. An allocation may be made to a local agency,
20 community-based organization, or an individual, if, within 10 days
21 after the actual occurrence of a disaster, the local agency has
22 proclaimed a local emergency and that proclamation is acceptable
23 to the director, or upon the order of the Governor when a state of
24 emergency proclamation has been issued.

25 8688.6. A local agency, community-based organization, or an
26 individual shall make application to the director for state financial
27 assistance pursuant to this article within 60 days after the date of
28 the proclamation of a local emergency. The director may extend
29 the time for this filing only under unusual circumstances.

30 8688.7. The director shall develop procedures for a local agency
31 or community-based organization to receive an advance of funds
32 to expedite the delivery of individual and family grants following
33 a disaster.

34 SEC. 3. This act is an urgency statute necessary for the
35 immediate preservation of the public peace, health, or safety within
36 the meaning of Article IV of the California Constitution and shall
37 go into immediate effect. The facts constituting the necessity are:

1 In order to mitigate the extent and severe impact of recent
2 disasters on individuals and families, the Legislature finds and
3 declares it is necessary for this act to take effect immediately.

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