

# Enacted Bills

## California AB 1054 (2019)

- **Focus:** Wildfire liability reform, utility sector stabilization, and creation of a Wildfire Fund.
- **Mitigation Planning:** Requires utilities to submit and implement wildfire mitigation plans, subject to CPUC approval.
- **Liability/Cost Recovery:** Limits strict liability for utilities, creates a \$21B Wildfire Fund to pay claims, and allows cost recovery for prudent expenses.
- **Oversight:** California Public Utilities Commission (CPUC), new Wildfire Safety Division.
- **Unique:** Socializes wildfire risk, strengthens utility accountability, and provides rapid compensation to wildfire victims.

## California SB 254 (2025)

- **Focus:** Comprehensive wildfire, climate, and energy infrastructure reform.
- **Mitigation Planning:** Revises wildfire mitigation plan requirements (every 4 years), strengthens oversight, and accelerates clean energy transmission.
- **Liability/Cost Recovery:** Expands Wildfire Fund (up to \$10B in new bonds), creates new funding mechanisms, and introduces tax credits for transmission projects.
- **Oversight:** CPUC, California Infrastructure and Economic Development Bank, new Transmission Infrastructure Accelerator.
- **Unique:** Focus on decarbonization, public-private partnerships, and insurance market stabilization.

# Enacted Bills

## Idaho – S1183 (2025)

- **Mitigation Plan:** Public utility electric corporations must file wildfire mitigation plans with the Public Utilities Commission.
- **Update/Reporting:** Annual review and update; commission has 6 months to approve/reject.
- **Liability:** Rebuttable presumption of non-negligence for utilities that implement approved plans.
- **Oversight:** Idaho Public Utilities Commission.
- **Statute of Limitations:** Not specified in summary.
- **Unique:** Utilities can access private/public land for mitigation if initially denied; emergency clause for immediate effect.

## Wyoming HB0192 (2025)

- **Mitigation Plan:** Public utilities must submit wildfire mitigation plans every 5 years, with annual compliance reports.
- **Update/Reporting:** 5-year plan cycle; annual compliance reporting.
- **Liability:** Economic losses recoverable if non-compliance or gross negligence is proven; good faith negotiation required before litigation.
- **Oversight:** Public Service Commission (120 days to approve).
- **Statute of Limitations:** 4 years for claims.
- **Unique:** Cost recovery possible but not guaranteed; does not alter existing third-party agreements.

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## Montana – HB 490 (2025)

- **Mitigation Plan:** All electric facilities providers must prepare and implement wildfire mitigation plans; updates every 3 years.
- **Update/Reporting:** 3-year update cycle; annual compliance reports by June 1.
- **Liability:** Removes strict liability; requires proof of failure to exercise reasonable care; rebuttable presumption of reasonableness if plan followed.
- **Oversight:** Public review and comment; Public Service Commission/local authorities approve.
- **Statute of Limitations:** 3 years for civil actions.
- **Unique:** Coordination with state/local/tribal wildfire plans; insurance payouts considered for subrogation.

## Utah – SB 224 (2024)

- **Mitigation Plan:** Amends energy resource planning and wildfire liability for large-scale electric utilities; allows creation of a fire fund.
- **Update/Reporting:** Not specified for plan updates; focuses on resource planning and fire fund administration.
- **Liability:** Two-year statute of limitations for fire claims; caps on recoverable damages (with inflation adjustments); exceptions for non-compliance with approved wildfire protection plans.
- **Oversight:** Public Service Commission.
- **Statute of Limitations:** 2 years for fire claims.
- **Unique:** Utilities may create a fire fund to supplement insurance; explicit damage caps; mandates consideration of dispatchability in resource planning.

# Proposed Bills

## Alaska – HB 252

- **Mitigation Plan:** Required for all electric utilities; must include risk assessment, vegetation management, facility maintenance, power interruption, and coordination with fire agencies.
- **Update/Reporting:** Annual updates; immediate action/reporting for high-risk conditions.
- **Liability:** Utilities presumed non-negligent if they comply with an approved plan; liability limited except for gross negligence or non-compliance.
- **Oversight:** Department of Natural Resources approves plans.
- **Statute of Limitations:** Not specified in summary.
- **Unique:** Written agreements with property owners; immediate notification/action for high risk;

# Proposed Bills

## New Mexico H.B. 267

- **Focus:** Requires electric utilities to develop, submit, and update wildfire mitigation plans to the Public Regulation Commission (PRC). Plans must cover risk assessment, infrastructure maintenance, vegetation management, emergency response, and public communication.
- **Liability:** Limits utility liability for wildfire damages if operating under an approved plan, except for intentional or malicious harm. One-year statute of limitations for wildfire claims.
- **Cost Recovery:** Utilities can recover mitigation costs via a dedicated rider on customer bills. Grant program for rural co-ops.
- **Oversight:** PRC certifies compliance; annual reporting required.
- **Unique:** Public posting of mitigation documents; grant program for rural co-ops.

## New Mexico S.B. 161

- **Focus:** Nearly identical to H.B. 267, requires mitigation plans, annual compliance, and PRC oversight.
- **Liability:** Limits damages, sets a one-year statute of limitations, and provides a rebuttable presumption of utility compliance.
- **Cost Recovery:** Rider mechanism for cost recovery; grant program for rural co-ops.
- **Unique:** Explicitly shields utilities from liability for public safety power shutoffs if following approved plans.



# Proposed Bills

## Hawaii S.B. 2943 & H.B. 1814

- **Focus:** Mandates defensible space and vegetation clearance around structures and electric lines. Utilities must maintain firebreaks and minimum clearances, with stricter rules for higher voltages.
- **Liability:** Fines up to \$10,000 per violation; utilities and property owners liable for damages if non-compliant.
- **Oversight:** Department of Land and Natural Resources (DLNR) enforces; rules for worker safety and prevailing wage.
- **Unique:** Private right of action for repeated violations; DLNR must seek federal/private funding.

## New Mexico H.B. 171

- **Focus:** Establishes a Wildfire Fund, financed by utility surcharges, to reimburse claims for utility-caused wildfires. Participation requires approved mitigation plans.
- **Liability:** Utilities must comply with PRC standards; fund disbursements only after three years of participation.
- **Oversight:** Independent administrator manages fund; annual reporting to PRC and legislature.
- **Unique:** Fund must grow by 10% of projected risk annually; new PRC safety bureau created.



# Proposed Bills

## [Oregon S.B. 1553](#) & [H.B. 4077](#)

- **S.B. 1553:** Prohibits electric companies from passing wildfire litigation/settlement costs to consumers if found negligent. Requires escrow funds for judgments and allocates punitive damages to a Wildfire Recovery Fund.
- **H.B. 4077:** Authorizes utilities to issue bonds/securitize debt for insurance costs, including wildfire risk, with PUC approval.
- **Unique:** S.B. 1553 applies retroactively to wildfires since 2020; H.B. 4077 focuses on financial risk management.



WEST

# Forging a Resilient West

## CSG West Wildfire & Disaster Preparedness Committee

Joe Kolman, Policy Consultant  
406.570.2271  
[joe.Kolman@outlook.com](mailto:joe.Kolman@outlook.com)

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