

Thursday, July 3, 2025

Commission on State Mandates
980 9th Street, Suite 300
Sacramento, CA 95814

**RE: Accessibility to emergency information and services: emergency shelters:
persons with pets. 24-TC-06**

Dear Chair Stephenshaw and Members of the Commission on State Mandates,

The California State Association of Counties (CSAC) submits this comment letter regarding the test claim submitted by Sacramento County for Chapter 344, Statutes of 2023 (Assembly Bill 781, Maienschein). The primary purpose of CSAC is to represent county government before the California Legislature, California administrative agencies, and the federal government. This includes advocating on the value and need for county programs and services and for adequate funding to provide those services.

CSAC wishes to provide the following comments in response to the comment letter submitted by the California Department of Finance (DOF) on June 6, 2025 regarding 24-TC-06:

- 1. DOF Comment:** “Finance notes the requirement to develop emergency plans stems from the discretionary decision of a city or county to form a disaster council.”
 - a. CSAC Response:** This is not correct. The requirement to develop emergency plans does not stem from a local agency’s decision to form a disaster council. Rather, counties, as political subdivisions of the state, are required to take action to carry out the provisions of the State Emergency Plan. California Government Code requires the Governor to coordinate and enforce the State Emergency Plan by coordinating the preparation of plans for mitigation of the effects of an emergency by the political subdivisions of the state. The Governor’s Office of Emergency Services (Cal OES) is the delegated authority by the Governor to implement the State Emergency Plan and perform executive functions assigned by the Governor to support all phases of emergency management. This includes the promulgation of guidelines and assignments to state government and its

political subdivisions to support the development of California's emergency management system. As such, the State's emergency management system designates local governments—such as counties—as primarily responsible for emergency preparedness and response.

While it is discretionary that local emergency plans be developed and approved by a local disaster council, it is not discretionary for local governments to have and maintain emergency plans. The establishment of a local disaster council is one manner in which local governments take action to comply with the requirement to carry out the provisions of the State Emergency Plan. Lacking the establishment of a local disaster council does not exempt a local government from compliance with the State Emergency Act or the directives of Cal OES. The provisions of AB 781 do not specify that they pertain only to emergency plans as developed and approved by local disaster councils. Rather, AB 781 applies to any city or county emergency plan that serves to carry out the provisions of the State Emergency Plan.

The California Emergency Services Act:

- i. "The State Emergency Plan shall be in effect in each political subdivision of the state, and the governing body of **each political subdivision shall take such action as may be necessary to carry out the provisions thereof.**" (California Government Code Section [8568](#))
- ii. " "Political subdivision" includes any city, city and county, county, district, or other local governmental agency or public agency authorized by law." (California Government Code Section [8557\(b\)](#))
- iii. " "Emergency plans" means those official and approved documents which describe the principles and methods to be applied in carrying out emergency operations or rendering mutual aid during emergencies. These plans include such elements as continuity of government, the emergency services of governmental agencies, mobilization of resources, mutual aid, and public information." (California Government Code Section [8560\(a\)](#))

- iv. "The Governor shall coordinate the State Emergency Plan and those programs necessary for the mitigation of the effects of an emergency in this state; and **he shall coordinate the preparation of plans and programs for the mitigation of the effects of an emergency by the political subdivisions of this state**, such plans and programs to be integrated into and coordinated with the State Emergency Plan and the plans and programs of the federal government and of other states to the fullest possible extent." (Government Code Section [8569](#)).
- v. "A county shall send a copy of its emergency plan to the Office of Emergency Services on or before March 1, 2022, and upon any update to the plan after that date." (Government Code Section [8593.3.2](#))
- vi. "On or before July 31, 2015, the Office of Emergency Services shall update the State Emergency Plan to include proposed best practices for local governments and nongovernmental entities to use to mobilize and evacuate people with disabilities and others with access and functional needs during an emergency or natural disaster." (Government Code Section [8570.3](#))

2. DOF Comment: "Finance further notes it is not aware of any statutory requirement for a local government to operate an emergency shelter, except for requirements that are downstream from the discretionary decision to create a disaster council."

- a. **CSAC Response:** As established above, counties, as political subdivisions of the state, are required to take action to carry out the provisions of the State Emergency Plan. Compliance with the State Emergency Plan includes myriad requirements for accessibility to emergency information and services for the functional needs population pursuant to Government Code Article 6.5 ([Sections 8593 to 8594.16](#)). This includes a requirement for counties, upon the next update to their emergency plans, to integrate functional needs into their emergency planning by addressing how the functional needs population is served by emergency sheltering (Government Code Section [8593.3](#)). It is from this requirement that counties are mandated to integrate many components of accessibility into their emergency plans, as follows:

- i. "A county, including a city and county, shall, upon the next update to its emergency plan, integrate access and functional needs into its emergency plan by addressing, at a minimum, how the access and functional needs population is being served by the following...Emergency sheltering," (Government Code Section [8593.3](#))
- ii. "Upon the next update of a city or county's emergency plan: A county shall update its emergency plan to designate emergency shelters able to accommodate persons with pets." (Government Code Section [8593.10\(b\)\(1\)](#) and [8593.10\(b\)\(1\)\(A\)](#))
- iii. "A county, including a city and county, shall, upon the next update to its emergency plan, integrate cultural competence into its emergency plan by addressing, at a minimum, how culturally diverse communities within its jurisdiction are served by the following...Emergency evacuation and sheltering." (Government Code Section [8593.3.5\(a\)](#) and [8593.3.5\(a\)\(2\)](#)).

CSAC urges the Commission to recognize that local emergency planning, local maintenance of emergency plans, and local compliance with the State Emergency Plan are not discretionary in nature. We encourage the Commission to evaluate test claim 24-TC-06 with the establishment that counties, as political subdivisions of the state, are required to carry out the State Emergency Plan, including accessibility and functional requirements pursuant to Government Code Article 6.5.

Thank you for your consideration of our comments.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jacqueline Wong-Hernandez". The signature is fluid and cursive, with a large loop at the end.

Jacqueline Wong-Hernandez
Chief Policy Officer