

# AB 301 (Bigelow)

## Terms of Sale: Fire Prevention Fee

---

### IN BRIEF:

AB 301 would allow the buyer and seller of a property with a habitable structure in the State Responsibility Area to negotiate the fee as one of the terms of the sale. It would also require the department to notify fee payers that they are allowed to negotiate the fee if there is a transfer of ownership.

### THE PROBLEM:

Currently if a habitable structure changes ownership, the owner of the structure on July 1st must pay the entire fee for the year.

### Solution:

AB 301 would require the department to notify fee payers, through the billing process, that if they decide to sell their habitable structure the apportionment of the fee between the parties may be negotiated as one of the terms of the sale. This bill would clear up any confusion around the legality of negotiating the fee as a term of the sale.

### EXISTING LAW:

The State Responsibility Area (SRA) Fire Prevention Fee was put into law with the signing of AB X1 29 in 2011. Existing law requires the State Board of Forestry and Fire Protection to adopt emergency regulations to establish a fire prevention fee in an amount not to exceed \$150 to be charged annually on each habitable structure on a parcel that is within a SRA.

### STATUS

-Assembly Floor

### SUPPORT:

- CA Farm Bureau
- County of San Diego
- CA Taxpayers Association
- Howard Jarvis Taxpayers Association
- Central Coast Forest Association

### OPPOSITION:

N/A

### CONTACT

**Robert Wilson**

Office of Assemblyman Frank Bigelow

916-319-2005

Robert.Wilson@asm.ca.gov