
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Jesse Arreguín, Chair
2025 - 2026 Regular

Bill No: SB 1001 **Hearing Date:** April 14, 2026
Author: Archuleta
Version: March 17, 2026
Urgency: No **Fiscal:** Yes
Consultant: AB

Subject: *Local agency, corporation, or mutual water company: personnel access:
Personal Identity Verification-Interoperable*

HISTORY

Source: Association of County Water Agencies Joint Powers Insurance Authority; Bellflower Somerset Mutual Water Company; Paradise Irrigation District; Pico Water District; Rowland Water District; Walnut Valley Water District

Prior Legislation: AB 750 (Rodriguez), Ch. 17, Stats. of 2023

Support: Burbank Water and Power; California Association of Mutual Water Companies; California State Association of Counties; Citrus Heights Water District; City of Los Alamitos; Desert Water Agency; El Dorado Irrigation District; Georgetown Divide Public Utility District; Las Virgenes Municipal Water District; League of California Cities; Public Water Agencies Group; Scotts Valley Water District; Tuolumne Utilities District; Upper San Gabriel Valley Municipal Water District

Opposition: None known

PURPOSE

The purpose of this bill is to 1) require, commencing July 1, 2028, the California Governor's Office of Emergency Services (Cal OES) to issue, upon request, an identity verification credential to specified public works and critical infrastructure personnel to facilitate access to closed areas following a natural disaster, act of terrorism, or other man-made disaster; and 2) to exempt credentialed individuals from the crime of trespassing in an area closed due to a public health or safety menace unless specified peace officers deem that entry into such an area would be unsafe or interfere with disaster response.

Existing state law establishes the Cal OES within the office of the Governor for the purpose of mitigating the effects of natural, manmade, or war-caused emergencies. (Gov. Code, §§ 8550, 8585, subd. (a).)

Existing law provides that Cal OES shall be considered a law enforcement organization as required for receipt of criminal intelligence information, as specified. (Gov. Code, § 8585, subd. (c).)

Existing law provides that Cal OES shall be responsible for the state's emergency and disaster response services for natural, technological, or man-made disasters and emergencies, including responsibility for activities necessary to prevent, respond to, recover from, and mitigate the effects of emergencies and disasters to people and property. (Gov. Code, § 8585, subd. (e).)

Existing law requires Cal OES to coordinate the emergency activities of all state agencies in connection with an emergency, and requires every state agency and officer to cooperate with Cal OES in rendering all possible assistance in carrying out its duties, as specified. (Gov. Code, § 8587, subd. (a).)

Existing law provides that Cal OES, in coordination with all interested state agencies with designated response roles in the state emergency plan and interested local emergency management agencies, shall jointly establish by regulation a standardized emergency management system for use by all emergency response agencies, as specified. (Gov. Code, § 8607, subd. (a).)

Existing law provides that it is trespass to refuse or to fail to leave any property belonging to another and not open to the general public upon being requested to leave by a peace officer, as specified. (Pen. Code, § 602 (o).)

Existing law provides that every person who goes to the scene of an emergency, or stops at the scene of an emergency, for the purpose of viewing the scene or the activities of police officers, firefighters, emergency medical, or other emergency personnel, or military personnel coping with the emergency in the course of their duties during the time it is necessary for emergency vehicles or those personnel to be at the scene of the emergency or to be moving to or from the scene of the emergency for the purpose of protecting lives or property, unless it is part of the duties of that person's employment to view that scene or those activities, and thereby impedes police officers, firefighters, emergency medical, or other emergency personnel or military personnel, in the performance of their duties in coping with the emergency, is guilty of a misdemeanor. (Pen. Code, § 402.)

Existing law provides that when a menace to the public health or safety is created by a calamity including a flood, storm, fire, earthquake, explosion, accident, or other disaster, peace officers and other emergency response personnel, as specified, may close the area where the menace exists for the duration of the menace by means of ropes, markers, or guards to all persons not authorized by the officer to enter or remain within the enclosed area. If the calamity creates an immediate menace to the public health, the local health officer may close the area where the menace exists pursuant to specified conditions. (Pen. Code, § 409.5, subd. (a).)

Existing law provides that specified peace officers may close the immediate area surrounding any emergency field command post or any other command post activated for the purpose of abating a calamity enumerated above or a riot or other civil disturbance to all unauthorized persons pursuant to the conditions set forth in this section whether or not the field command post or other command post is located near the actual calamity or riot or other civil disturbance. (Pen. Code, § 409.5, subd. (b).)

Existing law provides that an unauthorized person who willfully and knowingly enters an area closed pursuant to the two preceding provisions and who willfully remains within the area after receiving notice to evacuate or leave shall be guilty of a misdemeanor. (Pen. Code, § 409.5, subd. (c).)

Existing law specifies that the preceding provisions do not prevent a duly authorized representative of a news service, newspaper, or radio or television station or network from entering areas closed due to emergencies, but that such representatives are not authorized to facilitate the entry of others into those areas who are not duly authorized representatives of a news service, newspaper, or radio or television network, unless necessary for their safety. (Pen. Code, § 409.5, subd. (d).)

This bill provides that, beginning on July 1, 2028, the Cal OES shall, upon request, issue a local agency, corporation, or mutual water company responsible for public works and critical infrastructure with credentialing to facilitate personnel access to an area during or following a natural disaster, act of terrorism, or other man-made disaster.

This bill requires Cal OES to prepare and make available, by July 1, 2028, an application for a local agency, corporation, or mutual water company to request that an individual be issued a Personal Identity Verification-Interoperable (PIV-I) credential that conforms with specified federal standards and guidelines, and requires a PIV-I card to be provided upon receipt of the signed application that includes a specified verification statement.

This bill provides that access to an area closed in accordance with existing law shall be granted to an individual issued a PIV-I card by the incident commander, a law enforcement official having jurisdiction, or their designee, and that if access is granted by emergency response personnel other than the incident commander, the emergency response personnel shall notify the incident commander that access has been provided to the individual issued a PIV-I card.

This bill provides that a PIV-I card issued by Cal OES shall be valid for 5 years from the date of issuance and shall be renewable upon submission of an application for renewal.

This bill specifies that a local agency, corporation, or mutual water company shall be responsible to collect and destroy a PIV-I card if the individual issued a PIV-I card ceases employment with the employer or the job duties of the individual change, making access afforded by the PIV-I card no longer appropriate.

This bill requires Cal OES to impose and collect a fee from a local agency, corporation, or mutual water company for a PIV-I card that does not exceed the reasonable costs of issuing the card and administration of the program described in this bill.

This bill provides that an individual who holds a valid PIV-I card is not prohibited from entering an area closed due to a menace to the public health or safety created by a calamity unless a peace officer finds that the disaster is of such a nature that it would be unsafe for the cardholder to enter or that the presence of the cardholder would interfere with disaster response.

COMMENTS

1. Need for This Bill

According to the author:

SB 1001 works to improve California’s emergency response systems by creating a universally recognizable identification system for utility workers. In many emergency situations, public works infrastructure is damaged or cut off. In those cases, utility worker access is essential to maintaining or restoring systems like electricity, gas, and water service. When a firefighting crew needs additional water to fight a wildfire, a worker for that water district is the person best equipped to physically turn the dials. When an earthquake disrupts the power grid, a worker for the local electricity company should be the one to access the lines and make repairs. Unfortunately, our current emergency response system does not make it easy for these essential workers to gain the access they need. Without a universally recognizable authorization system, lines of communication between parties can fail, leading to hours-long delays or complete denial of access.

By mirroring existing access laws and safety protections for journalists and agricultural workers, SB 1001 takes a rational approach that puts safety and emergency response first. In emergencies, rapid response is a matter of life or death. SB 1001 establishes now, before the next disaster, a credentialing system to ease utility workers’ abilities to continue their essential work behind the lines of evacuation zones. Standardizing access to emergency areas will allow for essential workers across the state to maintain infrastructure and assist in disaster response steps quicker and hours earlier than their current ability.

2. Cal OES Emergency Preparedness and Response

The California Governor’s Office of Emergency Services (Cal OES, or “the Office”) is responsible for overseeing, among other things, emergency preparedness, response and recovery in the state, and serves as the state’s lead coordinating agency during active disasters and emergencies. The Office’s authority is rooted in the California Emergency Services Act (ESA), which sets forth the Governor’s emergency declaration powers, requires the creation of a State Emergency Plan (SEP) to mitigate the effects of an emergency, and establishes specific requirements related to law enforcement mutual aid. The SEP is a critical – perhaps the central – component of emergency management in California, and “provides a consistent, statewide framework to enable state, local, tribal governments, the federal government, the private sector, and community stakeholders to work together to mitigate, prepare for, respond to, and recover from the effects of emergencies regardless of cause, size, location, or complexity.”¹ Pursuant to the ESA, the plan is in effect at all times and applies to all levels of state government and its political subdivisions.

¹ 2024 California State Emergency Plan. Gavin Newsom, Governor, at p.20 <https://www.caloes.ca.gov/wp-content/uploads/Preparedness/Documents/Cal-OES-California-State-Emergency-Plan-2024-1.pdf>

The Office is also responsible for establishing and managing the Standardized Emergency Management System (SEMS), which is “the cornerstone of California’s emergency response system and the fundamental structure for the response phase of emergency management.”² SEMS is used to manage multi-agency and multijurisdictional responses to emergencies, and unifies all elements of California’s emergency management community into a single integrated system and standardizes key elements. According to Cal OES, SEMS uses the Incident Command System to provide the on-scene emergency management structure needed to respond to the complexity and demands of single or multiple incidents without being hindered by jurisdictional boundaries. ICS is the combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure that is responsible for managing resources effectively. Within the ICS, the Incident Commander sets the objectives to be accomplished and approves the strategy and tactics to be used to meet those objectives, but must respond to higher authority.

According to the author, despite this extensive planning and tight coordination between state and local governmental entities during emergency situations, the existing framework does not necessarily allow for the most efficient assignment of resources and personnel:

In many emergency situations, especially wildfires and earthquakes, public works infrastructure can be damaged or cut off. In those cases, utility worker access is essential to maintaining or restoring utility systems like electricity, gas, and water service. When a firefighting crew needs additional water to fight a wildfire, a worker for that water district is the person best equipped to physically turn the dials. Under current law, there are no explicit permissions for utility workers to be granted access to evacuation zones; rather, it is up to the discretion of the peace officer maintaining the boundary. While sometimes gaining access is a smooth process, other times there are delays and requests for verification that can take hours and further threaten lives and property.

The main provisions of this bill, which do not fall within the jurisdiction of this committee (see comment 4), require Cal OES, beginning July 1, 2028, to issue, upon the request of the employer, employees of a utility company or local agency responsible for public works and critical infrastructure within a specific jurisdiction credentials – known as a Personal Identity Verification -Interoperable (PIV-I) credential – to facilitate access to an emergency areas following a natural disaster, act of terrorism, or man-made disaster.

3. Trespassing in a Closed Emergency Area

California law gives broad powers to law enforcement officers during times of emergency. When a “menace to the public health or safety is created by a calamity,” including both natural and man-made disasters, existing law authorizes peace officers and other specified public safety personnel to close the area where the menace exists for the duration of the menace by means to all persons not authorized by the peace officer or other personnel to enter or remain in the closed area.³ Peace officers may also close the immediate area surrounding an emergency field command post or other command post activated to respond to the public safety menace.⁴ Further, any person who willfully and knowingly enters an area closed pursuant to these provisions and

² *Id.* at p. 57.

³ Pen. Code, § 409.5, subd. (a).

⁴ Pen. Code, § 409.5, subd. (b).

who willfully remains in the area after receiving notice to evacuate or leave is guilty of a misdemeanor.⁵ However, the law includes exceptions to this criminal penalty for specified members of the press and individuals who hold a valid livestock pass identification document, provided certain conditions are met.⁶ This bill creates an additional exemption for individuals who hold a valid PIV-I credential issues pursuant to the bill's other provisions, permitting access for those individuals unless a peace officer finds that the disaster is of such a nature that it would be unsafe for the credentialed individual to enter the area or their presence would interfere with disaster response. Additionally, the bill states that the holder of a PIV-I credential shall be granted access to a closed area by the incident commander, a law enforcement officer with jurisdiction, or their designee, but that if access is granted by anyone but the incident commander, the person granting access must notify the incident commander. The process for access to a closed area established by this bill seems to adequately preserve chain of command during disaster situations and give peace officers cordoning a closed emergency area sufficient discretion to ensure the safety of credential holders and others.

4. Double Referral

This bill was also referred to the Senate Emergency Management Committee, where it was heard on March 24th and received a vote of 8-0. For an analysis of the provisions of this bill outside this committee's jurisdiction and therefore not discussed above, see the analysis prepared by the Senate Emergency Management Committee.

5. Argument in Support

According to the League of California Cities:

Cities operate and oversee a significant portion of California's infrastructure and local public works departments play a major role in responding to emergencies. During floods, severe storms, wildfires, earthquakes, and other disasters, rapid access for trained utility personnel is essential to triaging interrupted systems and restoring critical infrastructure. Public works professionals assist with rescue, evacuation, sheltering and provide temporary traffic control, perimeter security, transportation of supplies and equipment, and restoration of infrastructure. They are among the first to respond and clear roadways so that police, fire, emergency medical, and utilities vehicles can access stricken areas. Unfortunately, in many disaster scenarios, public works professionals can face delays or barriers when attempting to access impacted areas due to safety perimeters, road closures, or coordination challenges between jurisdictions.

SB 1001 would establish a consistent, statewide credentialing system that clearly identifies authorized utility personnel and facilitates timely access during emergency response and recovery efforts. By ensuring that verified workers can quickly reach damaged infrastructure, this program will help prevent prolonged water and utility outages, reduce public health risks, and accelerate community

⁵ Pen. Code, § 409.5, subd. (c).

⁶ Pen. Code, § 409.5, subds. (d), (e). The issue of press access to disaster areas and protest events has been the focus of recent legislation and past litigation. See AB 750 (Rodriguez) Ch. 17, Stats. of 2023, SB 98 (McGuire), Ch. 759, Stats. of 2021. See also *Los Angeles Free Press, Inc. v. City of Los Angeles* (1970) 9 Cal.App.3d 448; *Leiserson v. City of San Diego* (1986) 184 Cal.App.3d 41.

recovery. Importantly, the bill establishes clear safeguards by requiring that applications for identification cards be signed by a duly authorized representative of the water utility and include a certification under penalty of perjury. These provisions help maintain the integrity of the program while ensuring that only legitimate personnel are granted access to credentials.

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