



# CALIFORNIA CONSUMER ALERT

#INSURECA

Insurance Commissioner Ricardo Lara

## Commissioner Lara and Assemblymember Gipson Unveil the Smoke Damage Recovery Act

*Nation's First Public Health and Insurance Standards to Protect Families from Toxic Smoke Contamination*

**February 11, 2026** - In response to unprecedented smoke contamination from last year's Los Angeles wildfires, the largest urban wildfire disaster in state history, Insurance Commissioner Ricardo Lara and Assemblymember Mike Gipson today announced AB 1795, the Smoke Damage Recovery Act, landmark legislation establishing California's first enforceable public health and insurance claims standards for smoke-damaged homes.

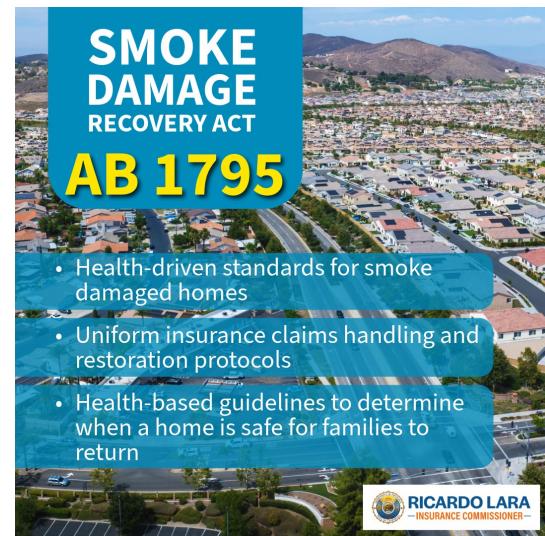
Despite the growing severity of wildfires, no state or national standards exist for testing, cleaning, or restoring homes contaminated by wildfire smoke. This gap in the law has left families navigating conflicting expert opinions, prolonged insurance disputes, and unsafe living conditions. AB 1795 directly confronts this decades-old failure by creating science-based, health-driven standards for smoke testing and restoration and by providing immediate relief for Los Angeles wildfire survivors who cannot wait for statewide standards to be finalized.

Commissioner Lara has repeatedly emphasized that smoke damage is not merely an insurance issue — it is a public health crisis. A central feature of AB 1795 is its early-action provision, designed specifically to address the delays and disputes facing survivors of the Los Angeles wildfires. If a state or local health or environmental agency issues specific standards for interior smoke testing, screening levels, or restoration, survivors will be able to use those local standards immediately to support and expedite their insurance claims.

This empowers a public health agency to issue interim guidance that insurers must follow, giving families a clear path to recovery now rather than waiting months for statewide standards to be completed.

This is the first bill in the nation to create a mechanism for immediate, locally driven smoke-damage standard, a direct response to what survivors have been asking for.

"Wildfire survivors are being told to return to homes coated in toxic residue and that is unacceptable. This is not just an insurance dispute; it is a public health emergency. Families cannot wait for long processes or conflicting opinions. They need clear standards and real protection now," said Commissioner Lara. "We are delivering immediate relief for Los Angeles survivors while building the



long-term, science-based framework Californians deserve. After more than 30 years without enforceable standards, it falls to us to lead.”

“Smoke contamination has left families uncertain about whether it’s safe to return home parents worried about their children’s health, older residents displaced from their homes, and entire communities caught in limbo,” said Assemblymember Gipson. “AB 1795 gives survivors what they have been pleading for: real standards, real protections, and real urgency. Strong, science-based rules are the only way to ensure families get a fair and safe path back home.”

## Why AB 1795 Is Needed Now

- The Los Angeles wildfires produced historic levels of smoke contamination, affecting thousands of standing homes.
- Survivors report severe health symptoms, conflicting expert assessments, and insurers denying or minimizing claims.
- No state or national standards exist for smoke testing, remediation, or claims handling.
- The Department of Insurance is investigating hundreds of consumer complaints and has taken [enforcement action against the FAIR Plan for improper smoke-claim denials](#).
- The Department’s [Smoke Claims & Remediation Task Force](#) — including CAL FIRE, public health experts, restoration specialists, and survivor groups has identified urgent needs for uniform standards and will issue recommendations next month.

## What AB 1795 Would Do

AB 1795 addresses the decades-long absence of standards and the unprecedented damage caused by the Los Angeles wildfires by:

- Establishing science-based, health-driven standards for inspection, testing, and restoration of smoke-damaged homes.
- Creating uniform insurance claims-handling practices and required restoration protocols.
- Developing health-based guidelines to determine when a home is safe for families to return.
- Designating the appropriate state and local agencies to implement and enforce these standards.
- Providing immediate relief by allowing survivors to rely on local public health standards for smoke testing and restoration while statewide standards are being finalized.

These provisions reflect the consensus among California’s public health experts, environmental scientists, and survivor advocates that smoke contamination poses long-term health risks requiring specialized, science-based remediation not ad hoc, insurer-driven decisions.

## Commissioner Lara’s Actions on Smoke Damage Recovery

- Created the [Smoke Claims & Remediation Task Force](#) to develop science-based recommendations.
- Issued a [formal Bulletin](#) directing insurers to fully investigate and pay legitimate smoke-damage claims.
- Launched a [market conduct examination](#) of State Farm to assess wildfire and smoke-claim handling.
- Filed [legal enforcement action against the FAIR Plan](#) for improper smoke-claim denials.
- Engaged survivor groups directly to ensure their lived experience informs policy decisions.

These efforts build on California’s broader modernization of insurance regulation and wildfire recovery practices.

## A National Model

By establishing the nation's first comprehensive smoke-damage standards and by creating a mechanism for immediate, locally driven relief, AB 1795 positions California to lead the development of a national framework, much like the Department has done with climate disclosure, wildfire catastrophe modeling, and the Sustainable Insurance Strategy.

As wildfires intensify and smoke impacts reach communities far beyond traditional fire zones, states across the country are confronting the same lack of clear standards that California is addressing today. National media coverage in the New York Times and the San Francisco Chronicle has highlighted the growing public health implications of wildfire smoke and the absence of consistent remediation protocols underscoring the urgent need for the type of science-based protections California is now advancing.

## Next Steps

The Smoke Claims & Remediation Task Force will finalize its recommendations in March. These findings, along with public input from survivors, existing research, and ongoing investigations, will inform amendments to AB 1795 as it moves through the Legislature.

## Take Action Now

[Click here](#) to sign up and receive a draft letter of support for AB 1795. You'll be able to personalize it and send it directly to your California State Senator and Assemblymember to voice your support for stronger disaster-recovery protections.