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CALIFORNIA CONSUMER ALERT

Insurance Commissioner Ricardo Lara

Commissioner Lara and Assemblymember Gipson advance nation’s first smoke damage standards bill

Focus now shifts to State Legislature as Commissioner’s Task Force issues recommendations

March 13, 2026 — The focus of recovery from devastating Los Angeles smoke damage shifts now to the State Legislature as Insurance Commissioner Ricardo Lara and Assemblymember Mike Gipson introduced comprehensive reforms to fix the problem. The [Smoke Damage Recovery Act \(AB 1795\)](#) would create a consistent statewide framework for handling wildfire smoke damage insurance claims — considered to be the first in the nation. AB 1795 would require that homes contaminated after a wildfire are properly evaluated and restored to a safe and habitable condition – and hold insurance companies accountable when standards are not met.

California’s record-breaking wildfires — including the January 2025 Eaton and Palisades Fires — destroyed thousands of homes and left many more contaminated by smoke, soot, ash, and other toxic combustion byproducts. From January through November last year, [more than 42,000](#) insurance claims were filed following those fires, including more than 13,000 claims involving standing homes with smoke damage.

“After devastating wildfires, families should not have to fight to prove their homes are unsafe,” said **Insurance Commissioner Ricardo Lara**. “Right now, the absence of statewide standards has created confusion, unfair claims handling, and uncertainty for families already coping with unimaginable losses. Consumer protection is my number one priority and we are working to establish clear rules so that homeowners are protected and survivors can safely move back into their restored homes knowing they do not face lifelong health risks.”

“After a wildfire, recovery should not depend on a homeowner’s ability to navigate complex insurance disputes while their life is already turned upside down,” said **Assemblymember Mike A. Gipson (D-Carson)**. “More than a year after the most devastating fires Los Angeles has ever seen, there is no reason to delay. I am dedicated to swift passage of AB 1795, the Smoke Damage Recovery Act, to pave the way for a better process that insurance policyholders can rely upon.”

First-ever report calls for statewide smoke restoration standards

Commissioner Lara issued the [results of the nation’s first Smoke Claims and Remediation Task Force](#), a nine-month effort led by the California Department of Insurance. The Task Force found wildfire survivors are falling through the gaps in smoke damage inspection, testing, and restoration rules. State and local public health experts, fire safety experts, smoke remediation specialists,

SMOKE DAMAGE RECOVERY ACT
AB 1795

- Health-driven standards for smoke damaged homes
- Uniform insurance claims handling and restoration protocols
- Health-based guidelines to determine when a home is safe for families to return

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RICARDO LARA
— INSURANCE COMMISSIONER —

industrial hygienists, consumer advocates, and representatives from the insurance industry agreed on the report's core finding: Statewide standards are needed for wildfire survivors to be safe and insurance companies to have clear direction so claims are paid.

“People who paid for insurance protection, then had their homes contaminated by wildfire smoke and debris, deserve to have their homes restored to pre-loss condition -- not be mired in delays, costly disputes, stress and frustration,” said **Amy Bach, Executive Director, United Policyholders** and a member of the Task Force. “This bill will pave the way for critically needed indoor air quality and remediation standards and claim handling protocols.”

The 64-page Task Force report included wildfire survivor groups' recommendations and a review of scientific and technical information – the first of its kind. The report also found areas of disagreements among the various experts on the task force and other stakeholders that provided presentations, pointing to the need for the Legislature to act to bring clarity through its transparent public deliberation process.

Legislation would create nation's first health-based insurance requirements

The Smoke Damage Recovery Act is a comprehensive approach to ending decades-old disputes over smoke damage and restoration that exploded in scale immediately after the Los Angeles wildfires. California would be the first state to create standards based in public health and science, serving as a national model.

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.

Support the Smoke Damage Recovery Act (AB 1795)

We invite your office to join cities and counties statewide in submitting a letter of support for this bill. Once you sign up below, you will receive a draft letter of support. 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.

Take Action Now: bit.ly/CDILegAction

Why AB 1795 Matters

The legislation would assist wildfire survivors by:

1. Creating statewide protocols for inspection, sampling, and testing of smoke-related contaminants in residential homes.
2. Requiring insurers to follow consistent remediation standards to restore homes to pre-loss condition.
3. Preventing insurers from terminating Additional Living Expenses (ALE) benefits until a home is cleared as safe for habitation.
4. Requiring insurers to inspect smoke-damage claims within 30 days of notice.
5. Establishing timelines for claim payments to ensure survivors receive funds promptly.
6. Creating training and certification programs for professionals involved in smoke damage assessment, testing, and restoration.

AB 1795 would also direct state agencies including the California Environmental Protection Agency (CalEPA) and the Department of Insurance to develop and/or enforce science-based standards and guidance to ensure consistent evaluation and remediation of wildfire smoke damage.

Together, the Task Force recommendations and AB 1795 represent a comprehensive effort to bring greater clarity, accountability, and consumer protections to the handling of wildfire smoke damage claims in California.

AB 1795 is expected to be heard next month once referred to an Assembly policy committee.

Resources:

1. Read the text of the [Smoke Damage Recovery Act \(AB 1795\)](#)
2. View the [Task Force Report](#) (64 pages) and appendices including wildfire survivor groups' recommendations and scientific and technical information
3. Commissioner Lara convened the [Smoke Claims and Remediation Task Force in May 2025](#) to evaluate the science, claims practices, and public health considerations associated with wildfire smoke damage.