

SB 1551 -1 STAFF MEASURE SUMMARY

Senate Committee On Natural Resources and Wildfire

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Meeting Dates: 2/3, 2/10

WHAT THE MEASURE DOES:

The measure allows homeowners to install fire-hardened building materials on, or remove non-fire-hardened building materials from their property by invalidating deed restrictions and planned community rules that prohibit the removal of non-fire-hardened materials, restrict the installation or use of fire-hardened materials through design or appearance requirements, or mandate fire-hardened materials that cost more than 10 percent above comparable alternatives of similar or lesser quality. It provides that applications to install fire-hardened materials are deemed approved unless the association issues a written denial or modification request within 60 days that explains the decision in reasonable detail and is not arbitrary or capricious. It takes effect on 91st day following adjournment sine die.

Fiscal impact: May have fiscal impact, but no statement yet issued.

Revenue impact: May have revenue impact, but no statement yet issued.

ISSUES DISCUSSED:

- The scope of Homeowners Association (HOA) authority to restrict homeowners from making fire mitigation or protective improvements to their properties
- Property owners' ability to update, remove, or replace materials on their property boundaries, including fences
- Rulemaking authority and enforcement responsibilities
- Potential HOA liability in the event of fire-related property damage
- Section 4(B) of the measure

EFFECT OF AMENDMENT:

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amendment updates applicable fire-hardening standards, clarifies homeowner rights to use fire-hardened materials, limits cost burdens imposed by planned communities, and extends the timeline for association review and response.

Detailed Summary:

- Revises criteria within definition of "fire-hardened building materials"
 - Replaces criteria that a fire-hardened building material is: "ignition-resistant construction criteria set forth in Sections 504–506 of the International Wildland–Urban Interface Code (IWUIC)" with reference to the construction criteria for wildland areas set forth in the IWUIC.
 - Replaces references to National Fire Protection Association (NFPA) Standard 1144 with construction criteria for wildland areas set forth in NFPA Standard 1140.
- Clarifies that provisions in a planned community's governing documents are void and unenforceable to the extent they prohibit the removal and replacement of non-fire-hardened materials with fire-hardened materials.
- Clarifies that an association may not require fire-hardened materials when the cost is substantially higher than comparable alternatives of similar quality and would either practically prevent their use or impose an unreasonable burden on the owner.

- - Revises the deadline for delivering a written denial or modification request to within 90 days.

BACKGROUND:

In 2025, the Insurance Institute for Business & Home Safety (IBHS) launched the Wildfire Prepared Home Program, which provides guidance to reduce parcel-level wildfire risk through a systems-based approach that considers building materials, home design, and surrounding property conditions. Homes earn a designation by meeting mitigation requirements that include the use of fire-resistant materials and construction features.

The National Fire Protection Association (NFPA) establishes nationally recognized standards for fire-resistant building materials and assemblies in wildfire-prone areas, including requirements for noncombustible materials and fire-resistance ratings.