Date of Hearing: July 16, 2025

ASSEMBLY COMMITTEE ON HOUSING AND COMMUNITY DEVELOPMENT
Matt Haney, Chair
SB 655 (Stern) – As Amended June 16, 2025

SENATE VOTE: 39-0

SUBJECT: Dwelling units: indoor temperature

SUMMARY: Declares it to be the established policy of the state that all dwelling units, as specified, shall be able to attain and maintain a safe maximum indoor temperature, and requires all state agencies to consider this policy when revising, adopting, or establishing policies, programs, regulations, and criteria, including grant criteria, that are relevant to achieving this state policy.

EXISTING LAW:

1) Deems any building or portion thereof in which there exists a lack of adequate heating, to an extent that endangers the life, limb, health, property, safety, or welfare of the occupants of the building, nearby residents, or the public, to be a substandard building. (Health and Safety Code Section 17920.3(a)(6))

2) Deems a dwelling untenantable if it substantially lacks heating facilities that conformed with applicable law at the time of installation or that are maintained in good working order. (Civil Code Section 1941.1(a)(4))

3) Requires every dwelling unit and guest room used or offered for rent or lease to be provided with heating facilities capable of maintaining a minimum room temperature of 70 degrees at a point three feet above the floor in all habitable rooms, and when the heating facilities are not under the control of the tenant or occupant of the building owner and/or manager, shall provide that heat at a minimum temperature of 70 degrees, 24 hours a day. Requires these facilities to be installed and maintained in a safe condition and in accordance with Chapter 37 of the Uniform Building Code, the Uniform Mechanical Code, and other applicable laws. Prohibits unvented fuel burning heaters and requires all heating devices or appliances to be of an approved type. (California Code of Regulations, 25 CCR § 34)

4) Declares it to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. (Water Code (WAT) Section 106.3(a))

5) Requires all relevant state agencies, including the Department of Water Resources, the State Water Resources Control Board, and the State Department of Public Health, to consider the state policy in 4) above when revising, adopting, or establishing policies, regulations, and grant criteria when those policies, regulations, and criteria are pertinent to the uses of water described in 4) above. (WAT 106.3(b))

6) Provides that 4) and 5) above do not expand any obligation of the state to provide water or to require the expenditure of additional resources to develop water infrastructure beyond the obligations that may exist pursuant to 3) above. (WAT 106.3(c))

FISCAL EFFECT: Unknown.

COMMENTS:

Author's Statement: According to the author, "As Californians face the growing impacts of climate change, extreme heat is among the most alarming and deadly. These spikes in heat are not just uncomfortable. They are life threatening. Vulnerable populations including our elderly, children, those with preexisting health conditions, and low income individuals where access to cooling resources may be limited, are disproportionately affected. The State must address and prepare for extreme heat, promote energy efficiency, and secure safe and healthy housing for all Californians. This bill unifies relevant state efforts around the common-sense goal of refuge from extreme heat in one's own home. When residential dwelling units can maintain a safe indoor temperature, it greatly mitigates heat-related illnesses and death- a worthy and necessary goal for California to achieve."

Extreme Heat and Residential Indoor Temperature Challenges: While current housing law generally provides for the right to heat during times of extreme cold, it does not guarantee cooling during heat events. Heat exposure can cause a variety of health impacts including heat cramps, heat exhaustion, heat stroke, exacerbation of respiratory illnesses, and can even lead to death. In fact, heat causes more reported deaths per year on average in the US than any other weather hazard.[1] A heat wave in 2006 led to 140 deaths as well as 16,000 more emergency room visits and 1,100 more hospitalizations as compared to similar time periods without a heat wave. The California Department of Public Health in 2023 reported 395 excess deaths in California during a 10-day heat wave in September 2022. Due to climate change, this extreme weather will become more common – the California Fourth Climate Change Assessment estimates that by 2050, urban heat-related deaths could double or triple due to rising temperatures. In addition, lower income communities are hotter than wealthier communities, and California metro areas have a larger temperature disparity between their poorest and wealthiest areas than any other state in the southwest.[2,3]

State Action Plan: In response to concerns about the dangerous impacts of extreme heat, the Governor's Office released "Protecting Californians from Extreme Heat: A State Action Plan to Build Community Resilience" in April 2022.[4] This plan, known as the California Extreme Heat Action Plan (EHAP), includes 13 goals under the categories of building public awareness and notification; strengthening community services and response; increasing the resilience of our built environment; and utilizing nature-based solutions. Areas of near-term focus include implementing a statewide public health monitoring system for early identification, monitoring, and tracking of heat illness events; accelerating readiness and protection of communities most impacted by extreme heat; protecting vulnerable populations through codes, standards, and regulations; expanding economic opportunity and building a climate smart workforce that can operate under, and address, extreme heat; increasing public awareness to reduce risks posed by

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[1] https://oehha.ca.gov/media/epic/downloads/19humanhealth_14jan2019.pdf
[2] https://www.latimes.com/california/story/2021-10-28/extreme-heat-built-environment-equity
[3] Dialesandro, John; et al. *Dimension of thermal Inequity: Neighborhood Social Demographics and Urban Heat in the Southwestern U.S.* (Int. J. Environ. Res. Public Health, 2021). https://www.mdpi.com/1660-4601/18/3/941
[4] *Protecting Californians From Extreme Heat: A State Action Plan to Build Community Resilience*, https://www.gov.ca.gov/2022/04/28/california-releases-extreme-heat-action-plan-to-protect-communities-from-rising-temperatures/

extreme heat; and protecting natural and working lands, ecosystems, and biodiversity from the impacts of extreme heat.

Recent Efforts to Create a Cooling Standard: In 2022, AB 2597 (Bloom) would have required HCD to develop, propose, and submit mandatory building standards for adequate residential cooling for both new and existing units. AB 2597 was held by the author in the Senate Housing Committee due to concerns about placing onerous requirements on housing providers, circumventing the state regulatory process for building code adoption, and placing significant challenges on the electric grid due to more air conditioners running during peak energy demand times and during hot weather in general. Stemming from that conversation, legislation enacted as part of the budget agreement in 2022 (AB 209, Committee on Budget) included a provision requiring HCD to provide recommendations to the Legislature to help ensure that residential dwelling units can maintain a safe indoor temperature.

AB 209 Report*:* As required by AB 209, HCD recently released "Policy Recommendations: Recommended Maximum Safe Indoor Temperature" to the Legislature.[5] The report notes that its policy recommendations are aligned with many of the goals identified in the 2022 EHAP discussed above. The report recommends that the state consider a general maximum safe indoor air temperature of 82 degrees Fahrenheit for residential dwelling unit, to be implemented by methods including building standards for newly constructed residential dwelling units, and/or incentive programs for retrofitting existing residential dwelling units, manufactured homes, and mobilehomes. The report recommends the following for newly constructed residential units:

- Direct HCD to propose building standards that require newly constructed residential dwelling units to be designed and constructed to maintain a maximum indoor air temperature of 82 degrees Fahrenheit.

- Establish incentive programs for passive and low energy cooling strategies focusing on the use of cool roofs, cool walls, window shading, building shading, and landscaping. In developing these programs, evaluate the use of modeling predictions of future weather data rather than historical weather data.

For existing residential units, mobilehomes, and manufactured homes, the following:

- Establish incentive programs to encourage broader adoption and use of fans or whole house ventilation systems.

- Establish incentive programs to encourage the use of room evaporative coolers (commonly known as "swamp coolers") in warmer climate zones.

- Establish incentive programs to encourage the use of air conditioning, with current heat pump technology, where feasible and cost effective.

- Establish incentives for weatherization and passive and low energy cooling retrofit strategies.

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[5] *Policy Recommendations: Recommended Maximum Safe Indoor Air Temperature*, https://www.hcd.ca.gov/sites/default/files/docs/policy-and-research/plan-report/ab-209-policy-recommendations.pdf

This bill declares it to be the state's policy that all dwelling units be able to attain and maintain a safe maximum indoor temperature (but does not establish or otherwise reference a specific temperature). This policy declaration is modeled after a similar declaration of water policy that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes, as referenced in existing law above.

This bill, similar to the aforementioned water policy, also requires all state agencies to consider the indoor temperature policy when revising, adopting, or establishing any policies, programs, regulations, and grant criteria that are relevant to achieving the policy. The author indicates the intention of this subdivision is to require state agencies that have jurisdiction over policies, regulations, or programs that affect cooling standards, incentives, or other tools the state may be using to address extreme heat in residential settings to incrementally incorporate this new policy declaration into those policies, regulations, or programs as they are being issued or updated.

Arguments in Support: According to a coalition of supporters, including Leadership Council Action, the Western Center on Law and Poverty, the Sierra Club, and Tenants Together, "California has a minimum residential indoor temperature standard to protect people from the cold, yet there are no complementary mechanisms designed to provide broad protections from dangerous indoor heat. This gap in our programs and policies puts the most vulnerable Californians at serious risk of illness and death from extreme heat. … SB 655 will establish a critical policy statement and goal that all people in California should be able to be safe from the impacts and risks of extreme heat in their own homes. And it will create a common-sense approach to achieving this goal by ensuring that state agencies - through their existing and ongoing efforts to address and prepare for extreme heat, promote energy efficiency, and secure safe and healthy housing - consider how best to address extreme heat in homes through those ongoing efforts."

Arguments in Opposition: The Southern California Rental Housing Association writes in opposition that the bill's policy standard is vague and unenforceable and raises significant concerns regarding expectations for landlords and developers, that it may lay groundwork for future regulatory burdens in the form of cooling mandates to be imposed on existing housing, and that the bill may conflict with other work local governments are now required to perform to incorporate extreme heat into their general plans' safety elements.

Committee Amendments: Staff recommends the bill be amended as follows:

1) Name specific state agencies and departments that are of particular relevance to the temperature policy in the bill, specifically HCD, the Office of Land Use and Climate Innovation, and the Energy Commission; and

2) Phase in the requirement to consider the temperature policy for regulations on January 1, 2027, as the rulemaking process is lengthy and enacting this requirement with a January 1, 2026 date may disrupt pending rulemaking packages or cause agencies to have to withdraw or reissue legally required notices or reopen comment periods.

Related Legislation:

AB 209 (Committee on Budget), Chapter 251, Statutes of 2022: Required HCD to provide recommendations to the Legislature to help ensure that residential dwelling units can maintain a safe indoor temperature.

AB 2579 (Bloom) of 2022 would have required HCD to develop, propose, and submit mandatory building standards for adequate residential cooling for both new and existing units. The bill was

AB 685 (Eng), Chapter 524, Statutes of 2012: Declared that it is the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. Required all relevant state agencies, including the Department of Water Resources, the State Water Resources Control Board, and the State Department of Public Health, to consider this state policy when revising, adopting, or establishing policies, regulations, and grant criteria when those policies, regulations, and grant criteria are pertinent to the uses of water.

REGISTERED SUPPORT / OPPOSITION:

Support

Access Reproductive Justice
Association for Energy Affordability
Building Decarbonization Coalition
Building Electrification Institute
California Center for Movement Legal Services
California Environmental Justice Alliance Action
California Green New Deal Coalition
California Rural Legal Assistance Foundation
Center for Community Action and Environmental Justice
Center on Race, Poverty & the Environment
Central California Asthma Collaborative
Central California Environmental Justice Network
Central Valley Air Quality Coalition
Centro Binacional para el Desarrollo Indigena Oaxaqueño
Clean Water Action
Climate Resolve
Coalition for Economic Survival
Cómite Cívico del Valle
Community Action to Fight Asthma
Courage California
Healing and Justice Center
Health in Partnership
Hmong Innovating Politics
Housing Now!
Impactful Freedom
Inland Empire Prism Collective
Inner City Law Center
Interfaith Movement for Human Integrity
Leadership Counsel Action
Legal Aid of Sonoma County
Local Clean Energy Alliance
Los Angeles County Board of Supervisors
Madera Coalition for Community Justice
Natural Resources Defense Council

Pesticide Action and Agroecology Network
PODER
Pueblo Unido CDC
Regional Asthma Management and Prevention
Rising Sun Center for Opportunity
SGV Casita
Sierra Club California
So Cal Trash Army
Starting Over Strong
Starting Over
Strategic Actions for a Just Economy
Tenants Together
TODEC Legal Center
Unidos por el Valle Central
USGBC California
Western Center on Law & Poverty
Individuals (1)

Opposition

Southern California Rental Housing Association

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