

June 6, 2025

RECEIVED
June 06, 2025
**Commission on
State Mandates**

Juliana Gmur
Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814

Test Claim 24-TC-06, Emergency Shelters: Persons with Pets

Dear Director Gmur:

The Department of Finance (Finance) has completed its review of test claim 24-TC-06 submitted to the Commission on State Mandates (Commission) by the County of Sacramento (Claimant), in which the Claimant alleges it incurred reimbursable, state-mandated costs associated with Chapter 344, Statutes of 2023 (AB 781).

Existing law provides cities and counties with the discretion to create disaster councils and, if they choose to do so, the cities and counties must also develop an emergency plan. An emergency plan is an official and approved document that outlines the principles and methods for carrying out emergency operations and providing mutual aid.

Prior to 2024 and the passage of AB 781, city and county emergency plans were not required to designate emergency shelters that are able to accommodate persons with pets.

Effective January 1, 2024, AB 781 added Government Code section 8593.10 to do the following:

- Require city and county emergency plans to designate emergency shelters that are able to accommodate persons with pets.
- Require that at least one city- or county-designated emergency shelter be able to accommodate pets.
- Require cities and counties, to the extent practicable, to designate at least one cooling or warming center that can accommodate persons with pets.
- Require emergency shelters designated as able to accommodate pets to operate in accordance with safety provisions regarding the sheltering of pets in state and local emergency plans, and in accordance with applicable Federal

Emergency Management Agency (FEMA) disaster assistance policies and procedures.

- Require a city or county to make specified pet emergency preparedness information publicly available on its internet website.

The Claimant alleges it incurred state-mandated, reimbursable costs to update its emergency plan, and to operate emergency shelters cooling shelters and warming shelters in compliance with AB 781, particularly as this relates to complying with FEMA policies and procedures, and state and local emergency plan provisions, concerning sheltering pets. The Claimant identifies \$4,260 in such costs in 2023-24 and estimates \$58,186 in such costs in 2024-25.

Finance notes the requirement to develop emergency plans stems from the discretionary decision of a city or county to form a disaster council. Finance asserts that any costs incurred by the Claimant to update emergency plans to comply with AB 781 are therefore not state-reimbursable. Per subdivision (a) of Government Code section 8610, excerpted below, counties, cities and counties, and cities, have discretion to create disaster councils. The subsequent requirement to develop an emergency plan, and to update it as required by AB 781, is the result of that discretionary decision.

"(a) Counties, cities and counties, and cities may create disaster councils by ordinance. A disaster council shall develop plans for meeting any condition constituting a local emergency or state of emergency, including, but not limited to, earthquakes, natural or manmade disasters specific to that jurisdiction, or state of war emergency; those plans shall provide for the effective mobilization of all of the resources within the political subdivision, both public and private."

Finance further notes it is not aware of any statutory requirement for a local government to operate an emergency shelter, except for requirements that are downstream from the discretionary decision to create a disaster council. Finance therefore asserts that any additional costs imposed by this bill related to the operation of an emergency shelter are discretionary and not state-reimbursable.

Additionally, Finance notes it is not aware of any statutory requirement for a local government to operate cooling or warming shelters. Finance therefore asserts that any additional costs imposed by this bill related to the operation of a cooling or warming shelter are discretionary and not state-reimbursable.

Even if the Commission were to determine there is a statutory requirement for the Claimant to operate cooling or warming centers, Finance notes that AB 781 provides cities and counties with discretion to designate cooling or heating shelters that can accommodate persons with pets. Government Code section 8593.10 (b) (1) (D) and (E), as amended by AB 781 (excerpted below), states cities and counties "shall, to the extent practicable," designate cooling and warming shelters that can accommodate

persons with pets. The determination of practicability is discretionary, and the costs associated with an affirmative determination are therefore not state-reimbursable.

“(D) Whenever a city or county designates any number of emergency cooling centers, it shall, to the extent practicable, designate at least one cooling center that can accommodate persons with pets.

(E) Whenever a city or county designates any number of emergency warming centers, it shall, to the extent practicable, designate at least one heating center that can accommodate persons with pets.”

Finally, the Claimant is seeking reimbursement for costs to operate both emergency shelters and cooling and warming shelters, in accordance with applicable pet-related provisions of state and local emergency plans and FEMA disaster assistance policies and procedures. However, pursuant to Government Code section 8593.10 (b) (2), as amended by AB 781 (excerpted below), these requirements apply to emergency shelters, not to cooling or warming shelters:

“(2) An emergency shelter designated as able to accommodate persons with pets shall be in compliance with both of the following:

(A) Safety procedures regarding the sheltering of pets referenced or established in the component of the state and local emergency plan.

(B) Applicable disaster assistance policies and procedures of the Federal Emergency Management Agency.”

If you have any questions regarding this letter, please contact Chris Hill, Principal Program Budget Analyst at (916) 445-3274.

Sincerely,

Teresa Calvert

TERESA CALVERT
Program Budget Manager

DECLARATION OF SERVICE BY EMAIL

I, the undersigned, declare as follows:

I am a resident of the County of Sacramento and I am over the age of 18 years, and not a party to the within action. My place of employment is 980 Ninth Street, Suite 300, Sacramento, California 95814.

On June 10, 2025, I served the:

- **Current Mailing List dated May 7, 2025**
- **Finance's Comments on the Test Claim filed June 6, 2025**

Emergency Shelters: Persons with Pets, 24-TC-06

Statutes 2023, Chapter 344, Section 2 (AB 781); Government Code Section 8593.10(b), (c), and (d), effective January 1, 2024

County of Sacramento, Claimant

by making it available on the Commission's website and providing notice of how to locate it to the email addresses provided on the attached mailing list.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on June 10, 2025 at Sacramento, California.



David Chavez

Commission on State Mandates

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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 5/7/25

Claim Number: 24-TC-06

Matter: Emergency Shelters: Persons with Pets, 24-TC-06

Claimant: County of Sacramento

TO ALL PARTIES, INTERESTED PARTIES, AND INTERESTED PERSONS:

Each commission mailing list is continuously updated as requests are received to include or remove any party or person on the mailing list. A current mailing list is provided with commission correspondence, and a copy of the current mailing list is available upon request at any time. Except as provided otherwise by commission rule, when a party or interested party files any written material with the commission concerning a claim, it shall simultaneously serve a copy of the written material on the parties and interested parties to the claim identified on the mailing list provided by the commission. (Cal. Code Regs., tit. 2, § 1181.3.)

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