

Department of Finance

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Director



County of Sacramento

Divisions

Auditor-Controller
Consolidated Utilities Billing &
Service
Investments
Revenue Recovery
Tax Collection & Licensing
Treasury

March 23, 2026

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



**Re: County of Sacramento Written Comments on Draft Proposed Decision: Emergency Shelters
Persons with Pets (24-TC-06)**

Dear Director Gmur and Commission Members:

Sacramento County respectfully submits its written comments to the Commission's draft proposed decision dated March 4, 2026, regarding Test Claim 24-TC-06 on Emergency Shelters: Persons with Pets.

Our comments below are separated into three distinct sections which broadly correspond with the differing proposed treatment in the Draft Proposed Decision.

Emergency Plans

The Commission determined on Page 3 of the Proposed Decision *"Although counties may be compelled to have an emergency plan and those plans are required to designate emergency shelters, the requirement to designate shelters to accommodate persons with pets is not a new requirement for counties."*

The foundation for this decision also on Page 3 was that *"Government Code section 8593.3.2. requires county emergency plans to be updated and to conform to FEMA's Comprehensive Preparedness Guide 101. FEMA's 2010 Comprehensive Preparedness Guide 101 implements the 2006 federal PETS Act, which required FEMA, when approving standards for state and local emergency preparedness operational plans, to ensure that the plans address the needs of individuals with household pets prior to, during, and following a major disaster or emergency, and contains the same activities for emergency shelters to accommodate persons with pets."*

The County disagrees and believes further distinguishment of the legal requirements is important. Government Code section 8593.3.2 does require each county to submit a copy of its emergency plan to CalOES and requires that it incorporates best practices (captured in the 2010 Comprehensive Preparedness Guide).

However, what is lost is that those emergency plans were intended to address State and Federally declared disasters and sheltering requirements for persons and pets associated with that category of event. What it does not do is address warming and cooling events specifically for persons with pets, which are not addressed in the FEMA 2010 Comprehensive Preparedness Guide.

Thus, the County of Sacramento still contends that counties are practically compelled to have emergency plans and AB781 through Government Code section 8593.10(b)(1)(a) imposes new requirements to update emergency plans which are not existing activities as they incorporate additional types of events (i.e. heating and cooling) and new requirements for those type of events (populations of persons with pets) which were not previously required.

Sheltering Costs

The Commission asserts that the Government Code section 8593.10(b)(1)(D), and (E) provisions concerning the designation, opening, and operation of cooling and warming shelters are not mandatory because those portions of 8593.10 impose requirements “to the extent practicable”.

However, the County notes there is a distinction between the legal support relied on in the draft proposed decision and use of the term “to the extent practicable” in Government Code section 8593.10(b)(1)(D)-(E). The proposed decision cites to *Coachella Valley Unified School District v. State of California* (2009) 176 Cal.App.4th 93 for the conclusion that use of “to the extent practicable” in 8593.10(b)(1)(D)-(E) means counties and cities which designate any number of emergency cooling or warming centers are not mandated to designate at least one cooling or warming center that can accommodate pets. A review of that case reveals it contains a fundamental difference from the statutory language under review in this matter.

The *Coachella Valley Unified School District* case involved an effort by California school districts receiving funds under the Federal No Child Left Behind Act of 2001 (NCLBA) to require the State to abide by the NCLBA’s requisites for assessing limited English proficient (LEP) students. One of the NCLBA’s provisions requires states to assess such students in a valid and reasonable manner with reasonable accommodations, including, to the extent practicable, assessments in the language and form most likely to yield accurate data on the students’ knowledge and abilities in academic content areas. The court found the NCLBA nowhere obligates a state to test LEP students in their primary language. Instead, it found the law gave broad discretion to the states in such regard because “whether the particular form and language and form of an assessment is likely to yield accurate results depends on the particular student population being tested and the mode of instruction they are receiving, among other factors.” The court thus determined “the NCLBA invites each state to make its own judgment call in fashioning a testing program for its LEP students...” (*Coachella Valley Unified School District* 174 Cal.App.4th 93, 115).

The *Coachella Valley Unified School District* case therefore establishes that under the NCLBA, “to the extent practicable” involves states having discretion to decide whether they should test LEP students in their primary language to achieve the NCLBA’s legal objectives, not whether states are able to do so. In contrast, under Government code sections 8593.10(b)(C)-(D), counties and cities which designate emergency cooling or warming centers are mandated to designate at least one cooling or warming center that can accommodate people with pets if they are able to do so. Unlike states under the NCLBA, counties and cities which are able to designate a cooling or warming center that can accommodate persons with pets do not have discretion to decide whether they should do so.

Beyond, the arguments above there is not a similar off-ramp for Emergency Shelters in Government Code section 8593.10(b)(1)(C) as recognized in the proposed decision. Included in the County’s test claim in addition to the designation of a shelter, was the costs to operate a shelter to accommodate persons with pets under that designation.

Thus, we contend that in certain types of emergencies that are not a State or Federally declared emergency wherein the County could pursue reimbursement, that this still imposes a new state-

reimbursable mandate specific to sheltering costs of persons with pets. We would encourage the Commission to look specifically at that element and reconsider if this may be a reimbursable mandate.

Communication Costs

The Proposed Decision accurately captures there are heightened communication requirements placed on counties to communicate resources during extreme weather temperature events and providing information specific to persons with pets. We agree that this is a higher level of service and believe that the proposed decision accurately captures this additional requirement imposed on local agencies under AB781.

Conclusion:

We appreciate the detailed efforts put in by Commission staff analyzing our claim and complex legal regulations regarding Emergency Services in arriving at the Proposed Test decision. As described above, while we appreciate the conclusions regarding the heightened communication requirements imposed by AB781, we hope that the Commission will examine more deeply its proposed decision around Emergency Plans and Sheltering Costs for Emergency events in light of these comments and determine additional areas of AB781 are State reimbursable mandates.

Thank you for your time and consideration of the County's written comments in response to the Draft Proposed Decision. Should you have any questions or require further clarification, please contact me at 916-874-7450 or rindec@saccounty.gov and I would be pleased to provide additional information.

I hereby certify by my signature below that the statements are made in this document are true and correct of my own knowledge, or, as to all other matters, I believe them to be true and correct based upon information and belief.

Executed on March 23, 2026, at Sacramento, California, by:



Chad Rinde
Director of Finance
Sacramento County Department of Finance

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 March 24, 2026, I served the:

- **Current Mailing List dated March 3, 2026**
- **Claimant's Comments on the Draft Proposed Decision filed March 23, 2026**

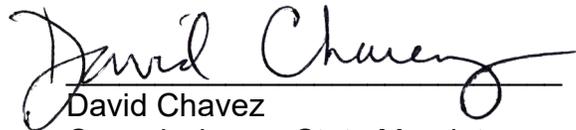
Emergency Shelters: Persons with Pets, 24-TC-06

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 March 24, 2026 at Sacramento, California.



David Chavez
Commission on State Mandates
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COMMISSION ON STATE MANDATES

Mailing List

Last Updated: 3/3/26

Claim Number: 24-TC-06

Matter: Emergency Shelters: Persons with Pets

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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