

AMENDED IN SENATE APRIL 9, 2025

AMENDED IN SENATE MARCH 20, 2025

**SENATE BILL**

**No. 283**

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**Introduced by Senator Laird**

February 5, 2025

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An act to add Section 18944.22 to the Health and Safety Code, to add Sections 25545.15 and 25545.16 to the Public Resources Code, and to add Chapter 10 (commencing with Section 8500) to Division 4.1 of the Public Utilities Code, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

SB 283, as amended, Laird. Energy storage systems.

Existing law, the California Building Standards Law, establishes the California Building Standards Commission (commission) within the ~~Department of General Services~~ *Government Operations Agency* and sets forth its powers and duties, including approval and adoption of building standards and codification of those standards into the California Building Standards Code. Existing law requires the State Fire Marshal, before the next triennial edition of the California Building Standards Code adopted after January 1, 2025, to propose to the commission updates to the fire standards relating to requirements for lithium-based battery systems, as provided.

This bill would require the commission and the Office of the State Fire Marshal to review and consider the most recently published edition of the National Fire Protection Association (NFPA) 855, Standard for the Installation of Stationary Energy Storage Systems, for incorporation into the next update of the California Building Standards Code adopted after July 1, 2026.

Existing law authorizes a person proposing an eligible facility, including an energy storage system that is capable of storing 200 megawatt-hours or more of energy, to file with the State Energy Resources Conservation and Development Commission (Energy Commission) an application for certification for the site and related facility, as provided. Existing law provides that the certification issued by the Energy Commission is in lieu of any permit, certificate, or similar document required by a state, local, or regional agency for the use of the site and related facility.

Existing law vests the Public Utilities Commission (PUC) with regulatory authority over public utilities, including electrical corporations. Existing law requires the PUC to direct the state's 3 largest electrical corporations to file applications for programs and investments to accelerate widespread deployment of distributed energy storage systems for specified purposes and authorizes the PUC to approve, or modify and approve, programs and investments of an electrical corporation in distributed energy storage systems with appropriate energy storage management systems, as defined.

This bill would require an application submitted to the Energy Commission in accordance with the above-described provisions relating to certification of facilities by the Energy Commission, and an application submitted to a local jurisdiction for an energy storage management system, to include the applicant's certification that the facility has been designed in accordance with the *most recently published edition of the NFPA 855, Standard for the Installation of Stationary Energy Storage Systems*, and, at least 30 days before submitting an application, the applicant met and conferred with the local fire department responsible for fire suppression in the area where the facility or system is proposed, as provided. The bill would also prohibit the approval of those applications unless the local jurisdiction requires as a condition of approval that the system be constructed, installed, commissioned, operated, maintained, and decommissioned in accordance with *the most recently published edition of the NFPA 855*, that after installation is complete, but before commencing operations, the system be inspected by the local fire department responsible for fire suppression or by a representative or designee of the State Fire Marshal, and that the applicant bear the cost of the inspection. *The bill would authorize a state or local entity to approve the construction of an energy storage management system with over 600 kilowatt-hours of storage capacity only if it is located in a noncombustible, dedicated-use building or is*

*a remote outdoor installation, as provided.* By imposing additional duties on local officers, the bill would impose a state-mandated local program.

The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1     *SECTION 1. This act shall be known, and may be cited, as the*  
2     *Clean Energy Safety Act of 2025.*

3     ~~SECTION 1.~~

4     *SEC. 2.* Section 18944.22 is added to the Health and Safety  
5     Code, to read:

6     18944.22. The commission and the Office of the State Fire  
7     Marshal shall review and consider the most recently published  
8     edition of the National Fire Protection Association (NFPA) 855,  
9     Standard for the Installation of Stationary Energy Storage Systems,  
10    for incorporation into the next update of the code adopted after  
11    July 1, 2026.

12    ~~SEC. 2.~~

13    *SEC. 3.* Section 25545.15 is added to the Public Resources  
14    Code, to read:

15    25545.15. In an application for an energy storage system, as  
16    described in paragraph (2) of subdivision (b) of Section 25545,  
17    submitted in accordance with this chapter, the applicant shall certify  
18    both of the following:

19    (a) ~~The facility~~ *energy storage system* has been designed in  
20    accordance with the *most recently published edition of the National*

1 Fire Protection Association (NFPA) 855, Standard for the  
2 Installation of Stationary Energy Storage Systems. The applicable  
3 edition of NFPA 855 shall be the 2023 edition, unless a later edition  
4 is incorporated into the California Building Standards Code  
5 pursuant to Section 18944.22 of the Health and Safety Code or  
6 designated by the commission as applicable to this chapter. If  
7 *Systems, unless the mostly recently published edition was published*  
8 *less than one year before the date of the application, in which case*  
9 *the energy storage system shall be designed in accordance with*  
10 *the California Building Standards Code (Title 24 of the California*  
11 *Code of Regulations).*

12 (b) If there is a conflict between a provision of NFPA 855 and  
13 a provision of the California Building Standards Code (Title 24  
14 of the California Code of Regulations) or any other regulation  
15 adopted by a state agency, the more protective provision shall  
16 apply.

17 (b)

18 (c) At least 30 days before submitting an application, the  
19 applicant met and conferred with the local fire department  
20 responsible for fire suppression in the area where the *facility energy*  
21 *storage system* is proposed and discussed the *facility energy*  
22 *storage system* design, sought input on mitigating potential fire  
23 and life safety concerns, and sought input on the content of  
24 emergency response plans.

25 ~~SEC. 3.~~

26 SEC. 4. Section 25545.16 is added to the Public Resources  
27 Code, to read:

28 25545.16. The commission shall not certify an energy storage  
29 system, as described in paragraph (2) of subdivision (b) of Section  
30 25545, pursuant to this chapter, unless both of the following  
31 requirements are satisfied:

32 (a) The *facility energy storage system* shall be constructed,  
33 installed, commissioned, operated, maintained, and  
34 decommissioned in accordance with the *most recently published*  
35 *edition of the* National Fire Protection Association (NFPA) 855,  
36 *Standard for the Installation of Stationary Energy Storage Systems.*  
37 ~~The applicable edition of NFPA 855 shall be the 2023 edition,~~  
38 ~~unless a later edition is incorporated into the California Building~~  
39 ~~Standards Code pursuant to Section 18944.22 of the Health and~~  
40 ~~Safety Code or designated by the commission as applicable to this~~

~~chapter 10~~ *If Systems, unless the most recently published edition was published less than one year before the date of the application, in which case the energy storage system shall be designed in accordance with the California Building Standards Code (Title 24 of the California Code of Regulations).*

*(1) Notwithstanding paragraph (1), a manufacturer or energy storage system owner may voluntarily design the energy storage system in accordance with a more recent edition of NFPA 855 before its operative date, if compliance with all applicable listing and testing requirements is demonstrated.*

*(2) If there is a conflict between a provision of NFPA 855 and a provision of the California Building Standards Code (Title 24 of the California Code of Regulations) or any other regulation adopted by a state agency, the more protective provision shall apply.*

*(b) After installation is complete, but before commencing operations, the ~~facility~~ energy storage system shall be inspected by the local fire department responsible for fire suppression or by a representative or designee of the State Fire Marshal. The applicant shall bear the cost of the inspection.*

~~SEC. 4.~~

*SEC. 5.* Chapter 10 (commencing with Section 8500) is added to Division 4.1 of the Public Utilities Code, to read:

#### CHAPTER 10. ENERGY STORAGE MANAGEMENT SYSTEMS

8500. For purposes of this chapter, both of the following definitions apply:

(a) “Energy storage management system” has the same meaning as defined in Section 2838.2.

(b) “NFPA 855” means the National Fire Protection Association (NFPA) 855, Standard for the Installation of Stationary Energy Storage Systems. The applicable edition of NFPA 855 shall be the 2023 edition, unless a later edition is incorporated into the California Building Standards Code pursuant to Section 18944.22 of the Health and Safety Code or designated by the commission as applicable to this chapter. If there is a conflict between a provision of NFPA 855 and a provision of the California Building Standards Code (Title 24 of the California Code of Regulations)

1 or any other regulation adopted by a state agency, the more  
2 protective provision shall apply.

3 8501. An application submitted to a local jurisdiction for an  
4 energy storage management system shall include the applicant's  
5 certification of both of the following:

6 (a) (1) The energy storage management system has been  
7 designed in accordance with the NFPA-~~855~~. 855, *unless the most*  
8 *recently published edition was published less than one year before*  
9 *the date of the application, in which case the energy storage*  
10 *management system shall be designed in accordance with the*  
11 *California Building Standards Code (Title 24 of the California*  
12 *Code of Regulations).*

13 (2) *Notwithstanding paragraph (1), a manufacturer or energy*  
14 *storage management system owner may voluntarily design an*  
15 *energy storage management system in accordance with a more*  
16 *recent edition of NFPA 855 before its operative date, if compliance*  
17 *with all applicable listing and testing requirements is*  
18 *demonstrated.*

19 (b) At least 30 days before submitting an application, the  
20 applicant met and conferred with the local fire department  
21 responsible for fire suppression in the area where the energy storage  
22 management system is proposed and discussed the energy storage  
23 management system design, sought input on mitigating potential  
24 fire and life safety concerns, and sought input on the content of  
25 emergency response plans.

26 8502. A local jurisdiction shall not approve an energy storage  
27 management system, unless the local jurisdiction requires both of  
28 the following as a condition of approval:

29 (a) (1) The energy storage management system shall be  
30 constructed, installed, commissioned, operated, maintained, and  
31 decommissioned in accordance with the NFPA-~~855~~. 855, *unless*  
32 *the most recently published edition was published less than one*  
33 *year before the date of the application, in which case the energy*  
34 *storage management system shall be designed in accordance with*  
35 *the California Building Standards Code (Title 24 of the California*  
36 *Code of Regulations).*

37 (2) *Notwithstanding paragraph (1), a manufacturer or energy*  
38 *storage management system owner may voluntarily design an*  
39 *energy storage management system in accordance with a more*  
40 *recent edition of NFPA 855 before its operative date, if compliance*

1 *with all applicable listing and testing requirements is*  
2 *demonstrated.*

3 (b) After installation is complete, but before commencing  
4 operations, the energy storage management system shall be  
5 inspected by the local fire department responsible for fire  
6 suppression or by a representative or designee of the State Fire  
7 Marshal. The applicant shall bear the cost of the inspection.

8 8503. (a) *For purposes of this section, all of the following*  
9 *definitions apply:*

10 (1) *“Dedicated-use building” has the same meaning as defined*  
11 *in Chapter 12 (commencing with Section 1201) of Part 9 of the*  
12 *California Building Standards Code (Title 24 of the California*  
13 *Code of Regulations).*

14 (2) *“Noncombustible building” means a building that meets*  
15 *the Type I building requirements set forth in Part 11 (commencing*  
16 *with Section 101) of the California Building Standards Code (Title*  
17 *24 of the California Code of Regulations).*

18 (3) *“Remote outdoor installation” has the same meaning as*  
19 *defined in Chapter 12 (commencing with Section 1201) of Part 9*  
20 *of the California Building Standards Code (Title 24 of the*  
21 *California Code of Regulations).*

22 (b) *A state or local entity may only approve the construction of*  
23 *an energy storage management system with over 600 kilowatthours*  
24 *of storage capacity if it is located in a noncombustible,*  
25 *dedicated-use building or is a remote outdoor installation.*

26 ~~SEC. 5.~~

27 ~~SEC. 6.~~ The Legislature finds and declares that Sections 2  
28 to 4, 5, inclusive, of this act adding Section 18944.22 to the Health  
29 and Safety Code, adding Sections 25545.15 and 25545.16 to the  
30 Public Resources Code, and adding Chapter 10 (commencing with  
31 Section 8500) to Division 4.1 of the Public Utilities Code address  
32 a matter of statewide concern rather than a municipal affair as that  
33 term is used in Section 5 of Article XI of the California  
34 Constitution. Therefore, Sections 2 to 4, 5, inclusive, of this act  
35 apply to all cities, including charter cities.

36 ~~SEC. 6.~~

37 ~~SEC. 7.~~ No reimbursement is required by this act pursuant to  
38 Section 6 of Article XIII B of the California Constitution because  
39 a local agency or school district has the authority to levy service  
40 charges, fees, or assessments sufficient to pay for the program or

1 level of service mandated by this act, within the meaning of Section  
2 17556 of the Government Code.

3 However, if the Commission on State Mandates determines that  
4 this act contains other costs mandated by the state, reimbursement  
5 to local agencies and school districts for those costs shall be made  
6 pursuant to Part 7 (commencing with Section 17500) of Division  
7 4 of Title 2 of the Government Code.

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