



Laws and Legislation for Wildfire Mitigation Plans

PNNL-SA-211619

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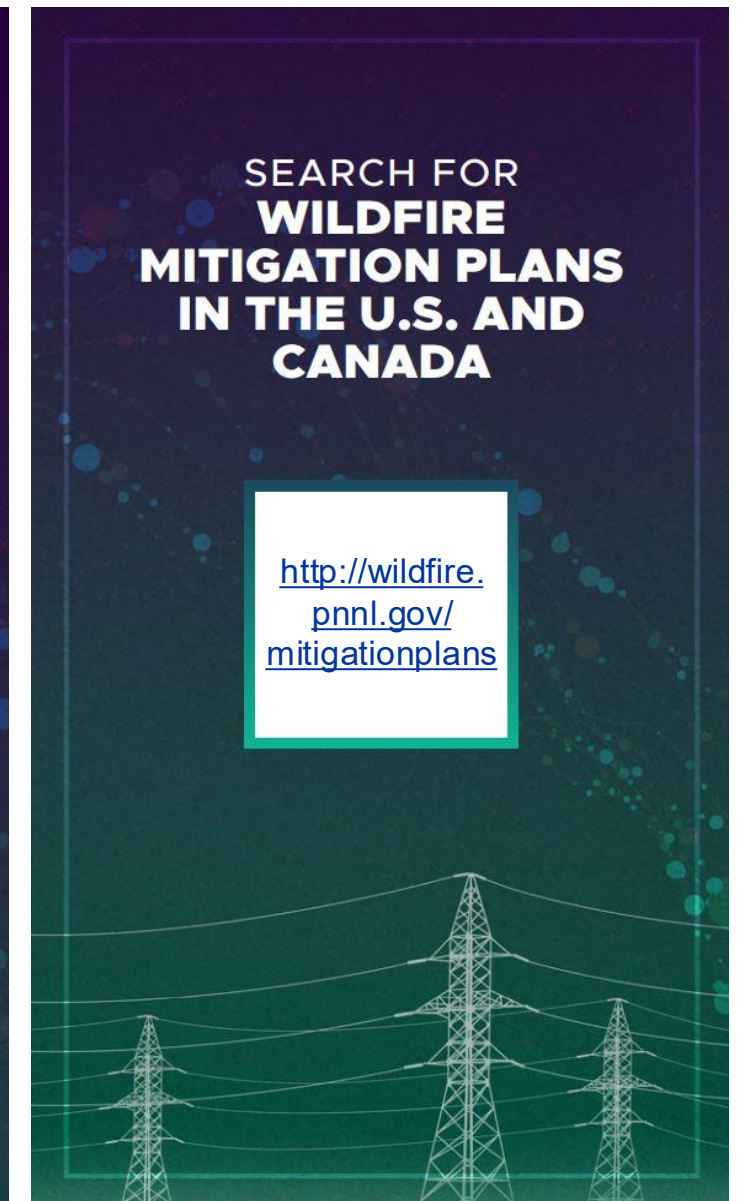
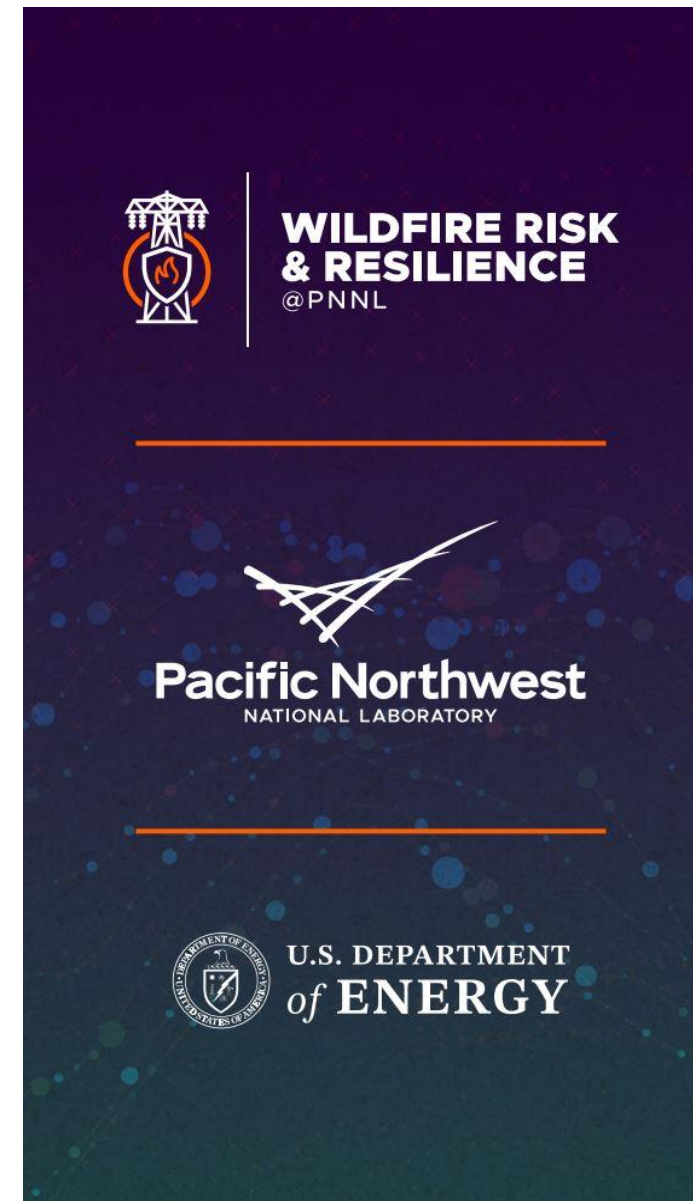
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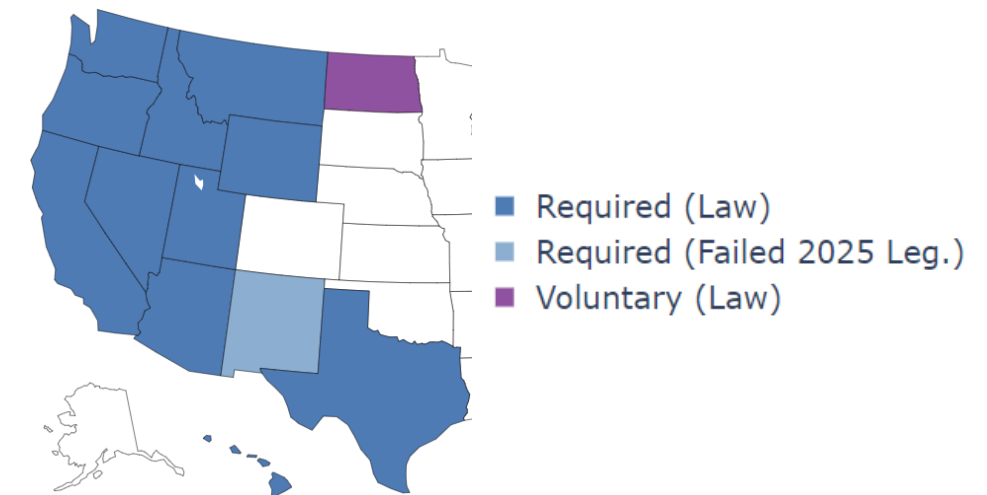
Background

- Sponsored by the U.S. Department of Energy's Grid Deployment Office, PNNL created a database of all known and discrete utility Wildfire Mitigation Plans (WMPs) from across the United States and Canada.
- The goal is to provide a single consolidated location for access to all WMPs. Plans are organized by various metadata:
 - Location of the authoring utility or entity
 - Year or range of years of the plan implementation period
 - Type of utility or entity
- The database is a component of a larger research program to establish credible industry metrics to assess and mitigate wildfire risk.
- To help make sense of hundreds of WMPs and their contexts, PNNL produced a series of citable short decks, organized by technical topics.



State Requirements for WMPs

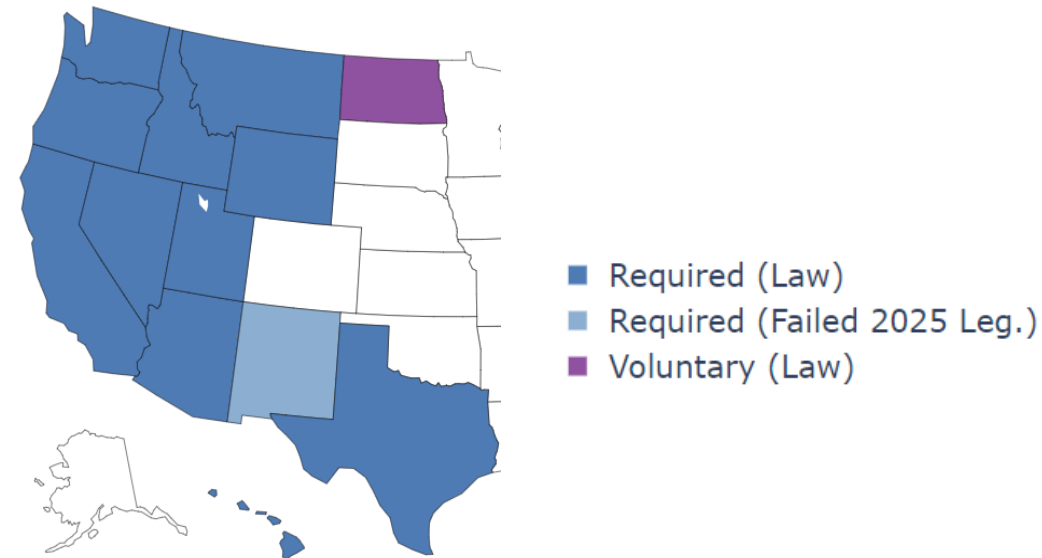
While utilities often *voluntarily* produce wildfire mitigation plans as part of efforts to mitigate hazards and operational risks, several states have proposed or adopted *legislation* to require wildfire mitigation plans or clarify content for voluntary plans as part of efforts to mitigate state-wide risk and clarify liability and damages when wildfires occur.



This short deck reviews legislation and laws requiring wildfire mitigation planning and trends for utilization of wildfire mitigation plans as components of clarifying liability and limitations on damages. It provides a summary of states with WMP requirements, information on linkage between WMP requirements and liability and damages, and trends in adoption of WMP requirements as part of comprehensive liability legislation.

Included information is the result of a survey of publicly available information as of June 25, 2025 on enacted laws or introduced legislation between 2019 and 2025.

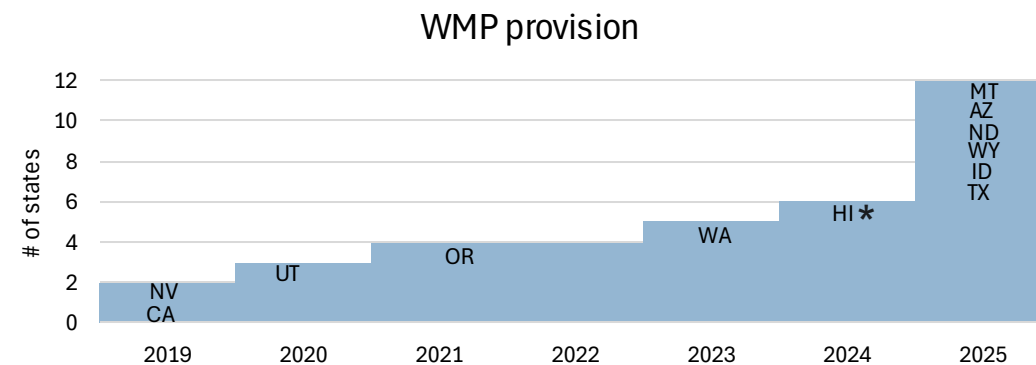
Timeframes for WMP Requirements



California and Nevada introduced the first legislation requiring Wildfire Mitigation or Wildfire Protection Plans (WMPs) in 2019. Since then, **ten additional states have enacted legislation pertaining to WMPs.**

Four states, Utah, Oregon, Washington, and Hawaii, implemented requirements for WMPs between 2022 and 2024.

Six states passed legislation to either mandate WMPs or clarify requirements of and benefits from them as part of their 2025 legislative sessions.



*Hawaii requires WMPs through Commission Order No. 41033, which achieves the same objective as legislatively directed WMPs and is included in summary information here. Oklahoma 2025 legislation directs utilities to comply with Commission requirements and the National Electric Safety Code but does not require WMPs explicitly at this time and is not included here.

Existing laws require submission of a WMP to the state Public Utilities Commission (PUC) or governing board for approval. Some states specify WMP content legislatively, while others leave content to PUC direction. Some states apply legislative mandates only to regulated utilities, while others apply them to all utilities regardless of oversight structure.

Special Provisions Connected to WMPs

State	Wildfire Mitigation Planning	Modified Liability	Modified Damages	Payment Fund or Bond Authorization
AZ	Law	Law	Law	
CA	Law	Law		Law
HI	Commission Order	Law		
ID	Law	Law	Clarification of Law	
KS			Law	
MT	Law	Law	Law	
ND	Law	Law		
NV	Law			
OR	Law		Law	
TX	Law	Law		
UT	Law	Law	Law	Law
WA	Law			
WY	Law	Law	Law	

The legislative approach to linking WMPs to modified liability and damages varies by state with no clear pattern.

Six states require WMPs as a component of qualifying for reduced risk or reduced damages.

Other states limit liability or damages by statute without linkage to WMP requirements.

In states where the WMP is linked to modified liability and damages there is also no clear pattern on whether the Plan must be *approved* or *filed* to qualify for the benefit.

New Mexico, Oklahoma, Oregon, and South Dakota proposed 2025 legislation that did not pass.

Laws or commission order
 Not addressed

Timeframes for Special Provisions

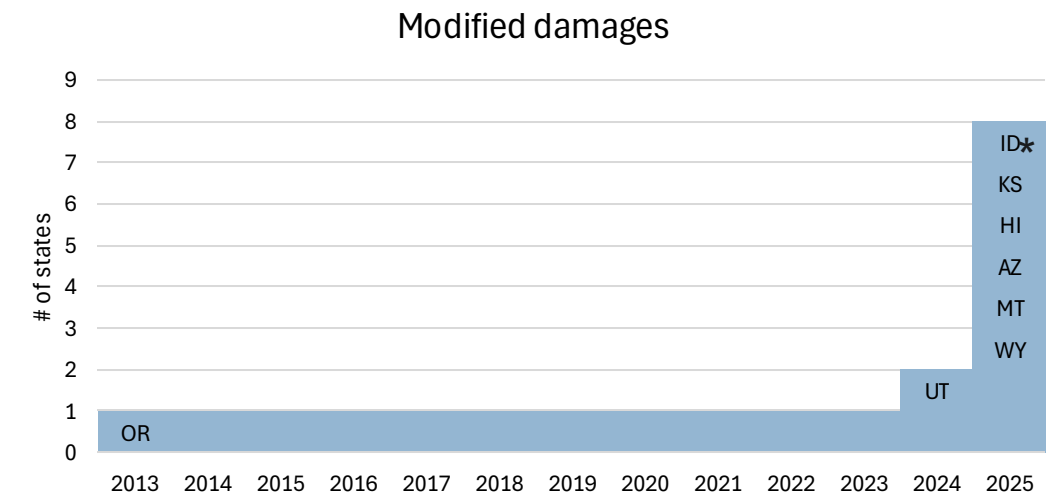
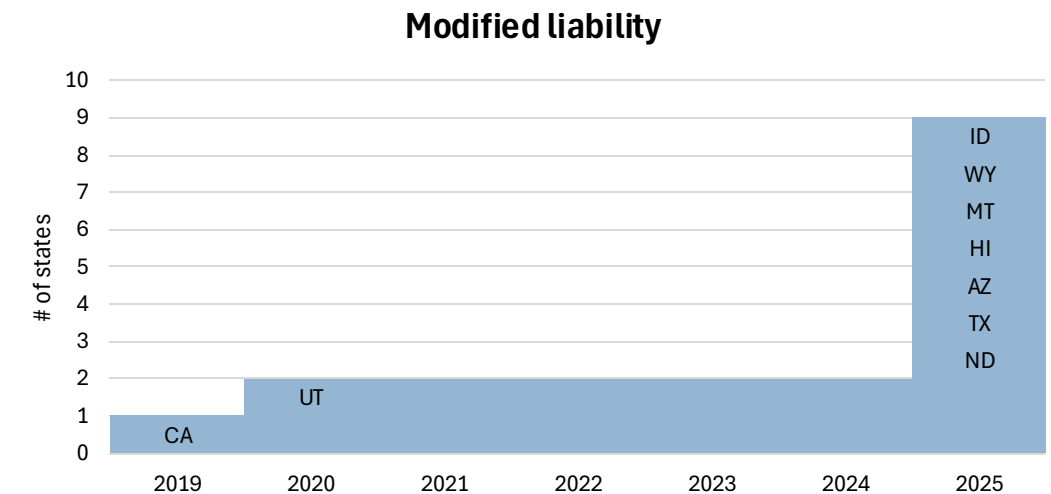
Unlike the gradual adoption of WMP legislation from 2019 to the present, states saw a rapid acceleration in liability and damages modifications in 2025.

In some cases, WMP legislation is tied to legal protections for utilities.

- Arizona, Idaho, Montana, Utah, and Wyoming have passed legislation conferring a modified liability standard to utilities with a WMP that has been approved by state regulators.
- Similar legislation has been introduced in New Mexico.

States have also passed legislation modifying liability without WMP requirements.

- Oregon was the first state to adopt modified damages, doing so without any WMP requirements.
- Utah adopted WMP requirements and modified damages in separate bills.
- North Dakota passed a bill in 2025 which allows for optional submission of WMPs, but WMPs are not required for the liability modifications.



* ID law clarifies application of existing statute to utilities.

Citation, Contacts, and Project Links

Please cite this slide deck as:

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For more information,
contact wildfire@pnnl.gov

All WMPs used in this analysis can be found at:

<https://wildfire.pnnl.gov/mitigationPlans>

Thank you