Pacific Northwest
NATIONAL LABORATORY

Laws and Legislation for Wildfire Mitigation Plans

PNNL-SA-211619

July 2025

WILDFIRE RISK & RESILIENCE
@PNNL

U.S. DEPARTMENT of ENERGY BATTELLE

PNNL is operated by Battelle for the U.S. Department of Energy

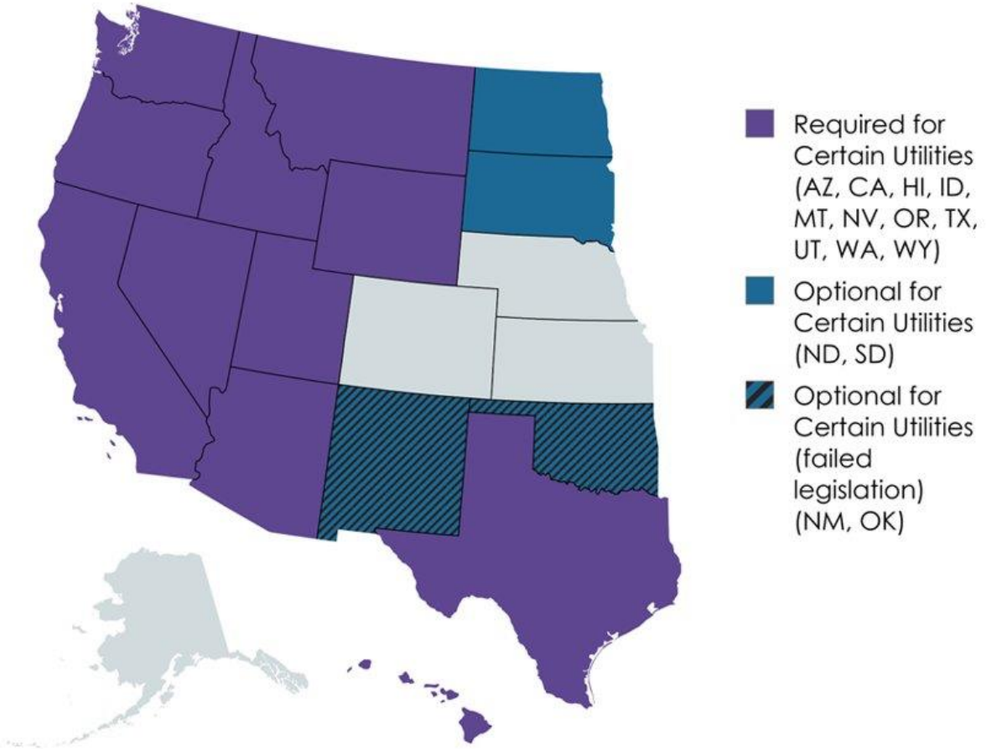
Background

- 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.



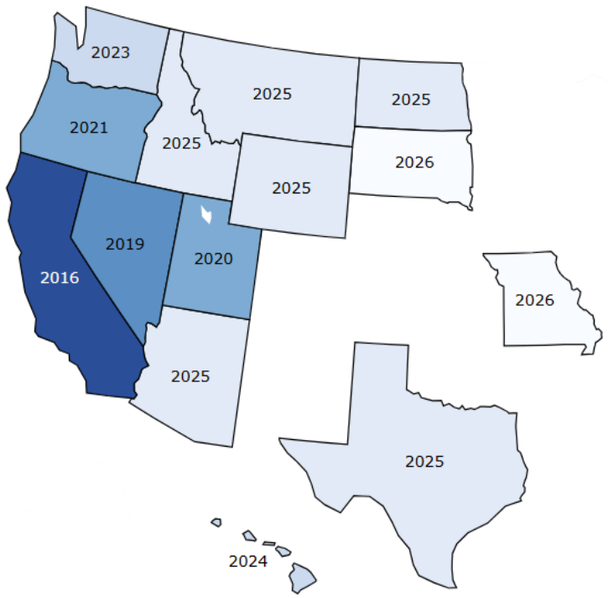
Included information is the result of a survey of publicly available information as of May of 2026 on enacted laws or introduced legislation between 2019 and 2026.

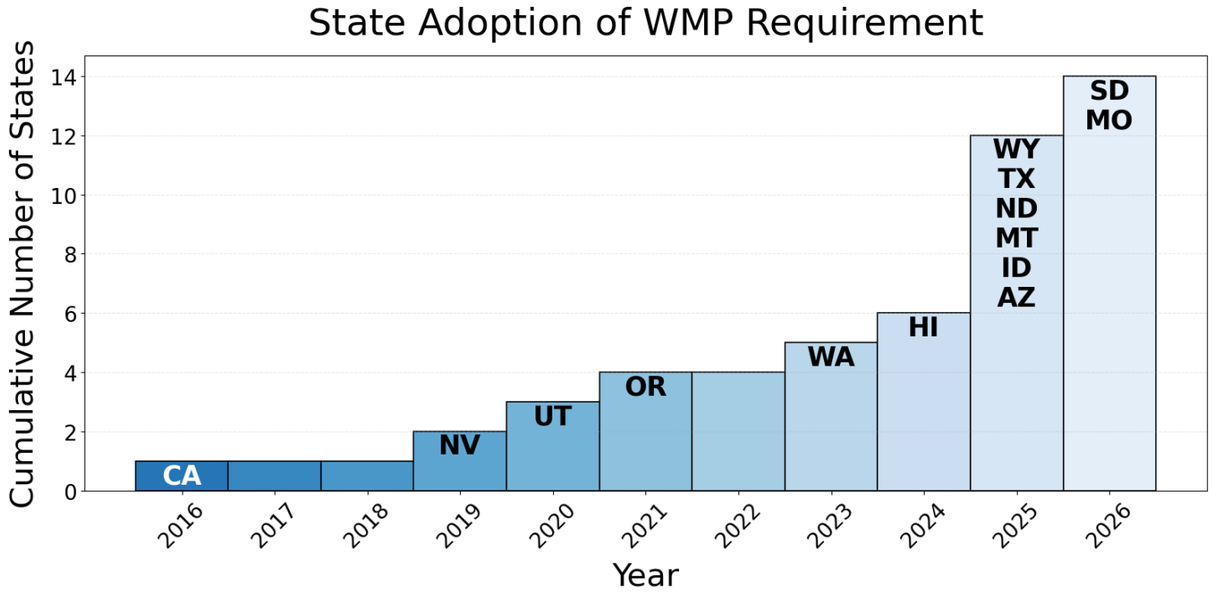
Timeframes for WMP Requirements

California introduced the first legislation requiring Wildfire Mitigation or Wildfire Protection Plans (WMPs) in 2016. Since then, **thirteen additional states have enacted legislation pertaining to WMPs**.

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.

Year of First WMP Requirement Policy by State





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.

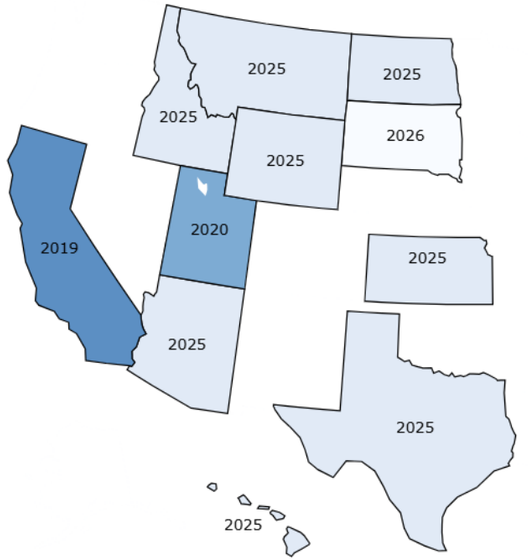
Special Provisions Connected to WMPs

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

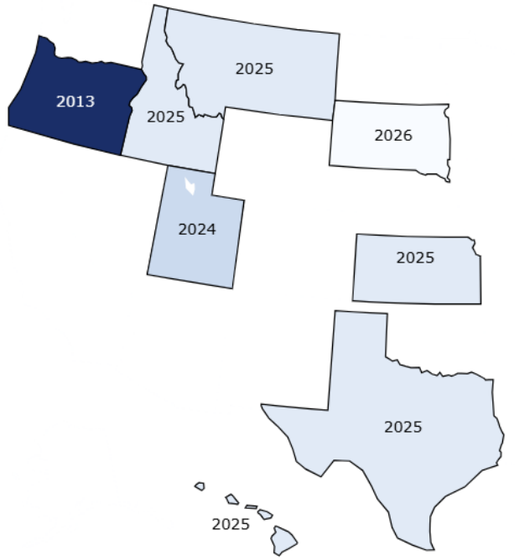
Some states require WMPs as a component of qualifying for reduced risk or reduced damages. Other states limit liability or damages by statute without linkage to WMP requirements. In states where the WMP is linked to modified liability and damages there is also no clear pattern on whether the Plan must be *approved* or *filed* to qualify for the benefit.

For a detailed review of state-by-state policy legislation and rules, consult the Utility Wildfire Risk and Liability Legislation and Rules Tracker on wildfire.pnnl.gov/mitigationplans/pages/analysis

Year of First Modified Liability Policy by State



Year of First Modified Damages Policy by State



Timeframes for Special Provisions

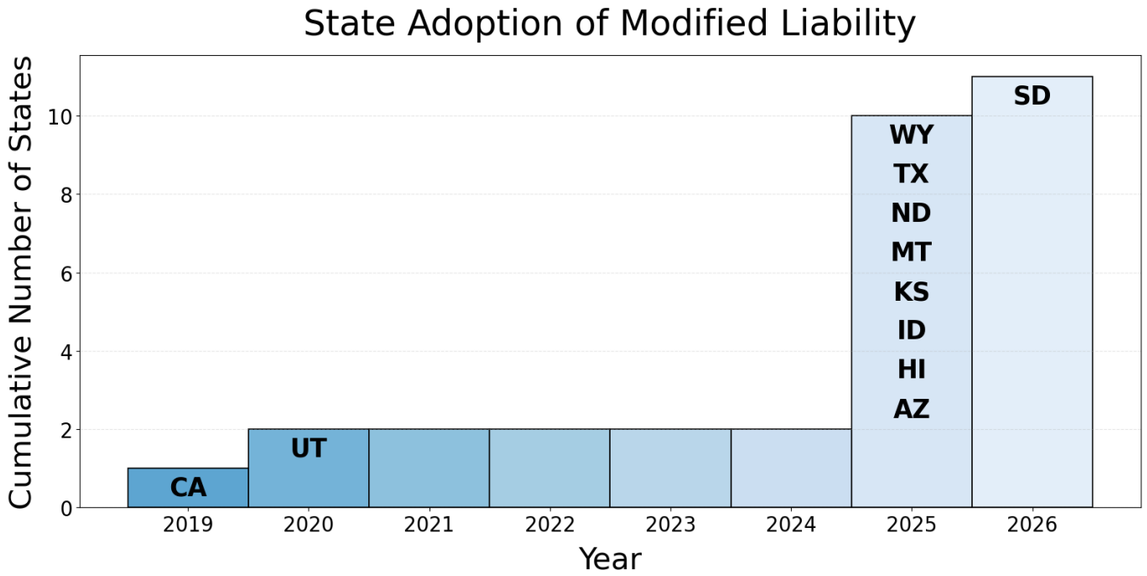
Unlike the gradual adoption of WMP legislation from 2019 to the present, states saw a rapid acceleration in liability and damages modifications in 2025.

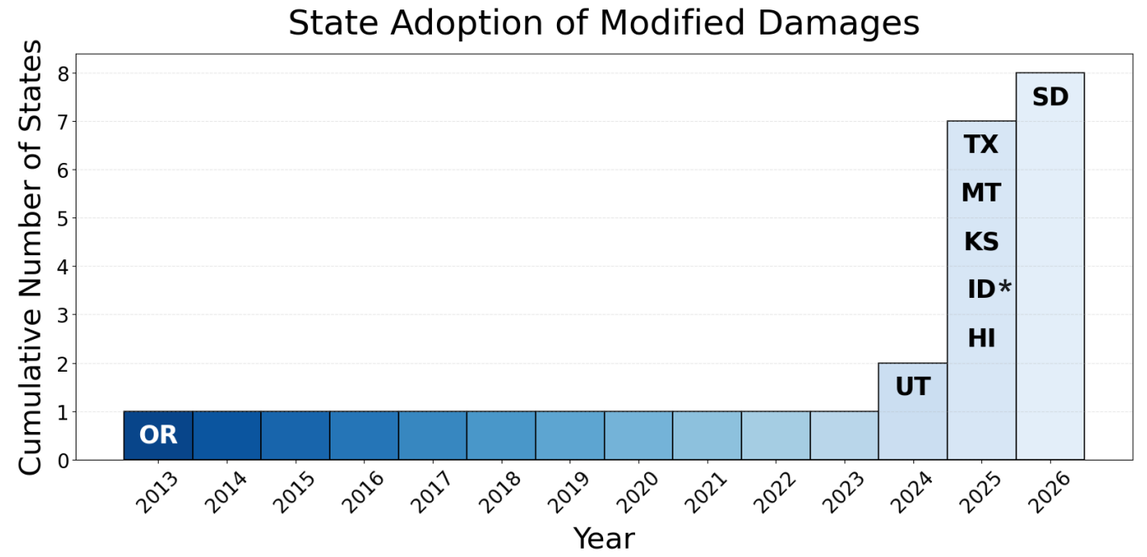
In some cases, WMP legislation is tied to legal protections for utilities.

- 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

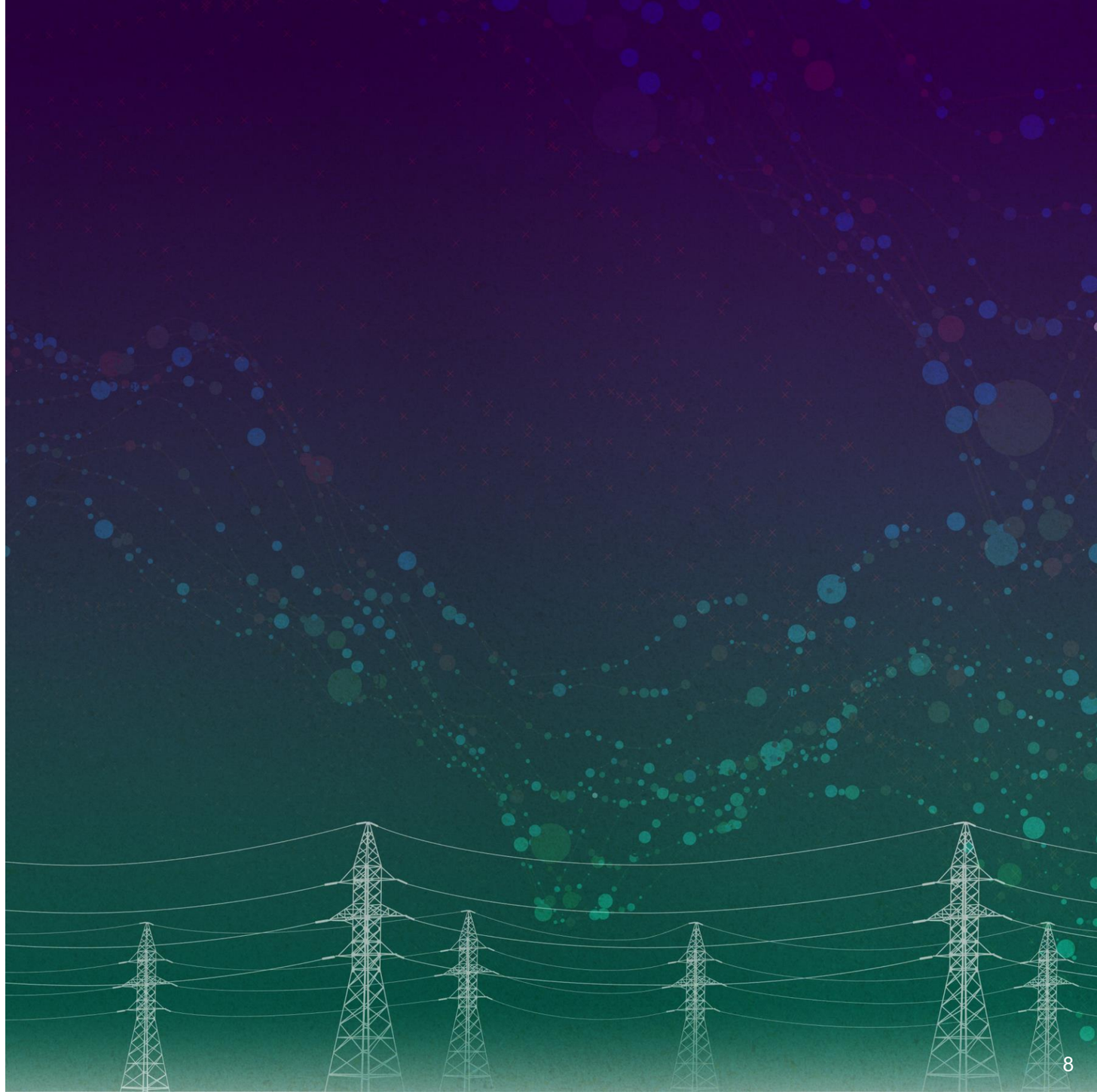
Please cite this slide deck as:

Barlow J.T., D.W. Powell, J.B. Kincaid, K.G. Abernethy-Cannella, and D.S. Boff. "Utility wildfire industry trends review." Pacific Northwest National Laboratory, 2025. PNNL-SA-211619.

All WMPs used in this analysis can be found at:

https://wildfire.pnnl.gov/mitigationPlans

For more information, contact wildfire@pnnl.gov

Pacific Northwest
NATIONAL LABORATORY

Thank you