

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-05-21

WHEREAS the 2020 wildfire season was the most destructive in California history, during which nearly 10,000 fires scorched more than 4.25 million acres of land and destroyed or damaged over 10,000 structures, including more than 5,000 homes; and

WHEREAS in August and September 2020, I proclaimed several States of Emergency in response to numerous wildfires impacting California, and recovery is still underway in communities impacted by these wildfires; and

WHEREAS the Legislature has declared its intent to protect individuals from price gouging during states of emergency, and has enacted statutes consistent with that purpose; and

WHEREAS my State of Emergency proclamations triggered certain protections against price gouging set forth in Penal Code section 396; and

WHEREAS on September 25, 2020, I issued Executive Order N-81-20, which extended price gouging protections for certain counties impacted by 2020 wildfires, and on March 24, 2021, I issued Executive Order N-04-21 further extending these protections; and

WHEREAS recovery from the 2020 wildfires is well underway, but the circumstances necessitating protections against price gouging continue to exist in many areas impacted by these fires, and these circumstances are expected to continue as communities continue to recover from the wildfires; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations as specified in this Order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of these wildfires.

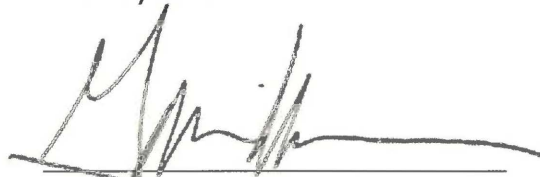
NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the Constitution and statutes of the State of California, and in particular, Government Code sections 8567 and 8571, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

- 1) The provisions of Penal Code section 396, subdivisions (b), (c), (d), (e), and (f), prohibiting price gouging in times of emergency, will remain in effect through September 22, 2021, in Butte, Napa, Santa Cruz, and Sonoma counties. The time limitations under those subdivisions are hereby waived.
- 2) The provisions of Penal Code section 396, subdivisions (b) and (c), prohibiting price gouging in times of emergency, will remain in effect through September 22, 2021, in Fresno, Lassen, Mendocino, Monterey, Shasta, Siskiyou, Solano, Trinity, and Tulare counties. The time limitations under those subdivisions are hereby waived.

I FURTHER DIRECT that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

IN WITNESS WHEREOF I have
hereunto set my hand and caused
the Great Seal of the State of
California to be affixed this 20th day
of May 2021.



GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY N. WEBER, PH.D.
Secretary of State