

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-25-21

WHEREAS California has endured devastating and record-breaking wildfire seasons between 2017 and 2021, warranting the proclamation of numerous states of emergency; and

WHEREAS during these five wildfire seasons, wildfires destroyed more than 30,000 homes in addition to other structures, and in some instances, these wildfires destroyed entire towns; and

WHEREAS communities are continuing to recover from these devastating wildfires and require protections to effectively rebuild; 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 the states of emergency proclaimed triggered certain protections against price gouging set forth in Penal Code section 396; and

WHEREAS on December 30, 2020, I issued Executive Order N-85-20, extending price gouging protections for certain jurisdictions impacted by, and continuing to recover from, certain wildfires that occurred between 2017 and 2019; and

WHEREAS on October 20, 2021, I issued Executive Order N-20-21, extending price gouging protections for certain jurisdictions impacted by, and continuing to recover from, certain wildfires that occurred in 2021; and

WHEREAS on November 17, 2021, I issued Executive Order N-22-21, extending price gouging protections for certain jurisdictions impacted by, and continuing to recover from, certain wildfires that occurred in 2020; and

WHEREAS the circumstances necessitating protections against price gouging continue to exist in many areas impacted by these wildfires, and these circumstances are expected to continue as communities continue to recover from these wildfires; and

WHEREAS the recovery in certain other areas impacted by wildfires – including Alpine, Amador, Kern, Los Angeles, Nevada and Tuolumne counties – is now at a stage where it is appropriate to allow state-level protections against price gouging to lapse according to timelines established by statute or prior Executive Order, and local officials may enact similar price gouging protections in accordance with Penal Code section 396 if deemed necessary.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, and in particular, Government Code sections

8567, 8571, and 8627 do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1. The provisions of Penal Code section 396, subdivision (b), as it relates to building materials and housing, as well as subdivisions (c), (d), (e), and (f) will remain in effect until March 31, 2022, in Butte, El Dorado, and Plumas counties as impacted by fires covered by states of emergency proclaimed between 2017 and 2021. The time limitations under these subdivisions are hereby waived.
2. The provisions of Penal Code section 396, subdivision (b), as it relates to building materials, as well as subdivision (c), will remain in effect until March 31, 2022, in Fresno, Lake, Lassen, Mendocino, Monterey, Napa, Placer, Santa Cruz, Shasta, Siskiyou, Solano, Sonoma, Tehama, Trinity, Tulare, and Ventura counties as impacted by fires covered by states of emergency proclaimed between 2017 and 2021. The time limitations under these 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 proclamation.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 30th day of December 2021.



GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY WEBER, PH.D.
Secretary of State