

SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2025-2026 Regular Session

AB 1749 (Dixon)
Version: June 17, 2026
Hearing Date: June 30, 2026
Fiscal: Yes
Urgency: No
AM

SUBJECT

Interfering with wildfire suppression and emergency responses with drone

DIGEST

This bill prohibits a person from operating or using an unmanned aerial vehicle, remote-piloted aircraft, or drone to knowingly or recklessly interfere with a wildfire suppression, law enforcement or emergency response efforts related to a wildfire suppression, or an emergency response related to an incident for which a temporary flight restriction has been issued by the Federal Aviation Administration. A violation of this prohibition may be punished by a civil penalty.

EXECUTIVE SUMMARY

In January 2025, a number of deadly wildfires in Los Angeles, including the Palisades and Eaton fires, collectively burned over 39,000 acres,¹ caused at least 30 deaths,² destroyed over 16,000 structures, and resulted in property damage estimates ranging from \$28 to \$53.8 billion.³ There was at least one reported incident of a drone colliding with firefighting aircraft, which forced the aircraft to be taken out of commission for repairs, hampering the efforts of first responders.⁴ This bill seeks to prohibit a person from using or operating any drone or other unmanned aerial vehicle at the scene of an emergency thereby impeding emergency personnel in the performance of their duties. This bill is substantially similar to AB 426 (Dixon, 2025), which passed this Committee on a vote of 12 to 0, but was ultimately held in the Senate Appropriations Committee.

¹ Governor's Exec. Order No. N-4-25 (Jan. 12, 2025).

² Jesus Jiménez, *L.A. Fires Death Toll Rises to 30 After Remains Are Found*, L.A. Times, (Apr. 3, 2025), available at <https://www.nytimes.com/2025/04/03/us/la-fires-death-toll.html>.

³ *Palisades and Eaton wildfires caused up to \$53.8 billion in property damage, study finds*, The Orange County Register, (Feb. 27, 2025), available at <https://www.ocregister.com/2025/02/27/palisades-and-eaton-wildfires-caused-up-to-53-8-billion-in-property-damage-study-finds/>.

⁴ See Comment 2, below.

The bill is author sponsored and supported by the Peace Officers' Research Association of California (PORAC), the California Special Districts Association, and the California State Sheriffs' Association. This bill passed the Senate Emergency Management Committee on a vote of 9 to 0.

PROPOSED CHANGES TO THE LAW

Existing federal law:

- 1) Provides that an individual who operates an unmanned aircraft and knowingly or recklessly interferes with a wildfire suppression, or law enforcement or emergency response efforts related to a wildfire suppression, is liable for a fine as defined or imprisonment for up to two years, or both. (18 U.S.C. § 40a.)

Existing state law:

- 1) Exempts a local public entity and local public employees from liability for damage caused to an unmanned aircraft if the damage was caused while providing emergency services, as specified, and the unmanned aircraft interfered, as specified. (Gov. Code § 853.)
- 2) Declares each person at the scene of an emergency with the intention to view the emergency, as specified, that impedes the emergency response personnel in responding to the emergency, as specified, including the operation of an unmanned aerial vehicle or drone, is guilty of a misdemeanor. (Pen. Code § 402.)
- 3) Exempts an emergency responder from liability for damage caused to an unmanned aircraft if the damage was caused while the emergency responder was providing emergency services, as specified, and the unmanned aircraft interfered, as specified. (Civ. Code § 43.101.)
- 4) Defines unmanned aircraft and unmanned aircraft systems as follows:
 - a) "Unmanned aircraft" means an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft;
 - b) "Unmanned aircraft system" means an unmanned aircraft and associated elements, including, but not limited to, communication links and the components that control the unmanned aircraft that are required for the pilot in command to operate safely and efficiently in the national airspace system. (Gov. Code § 853.5.)

This bill:

- 1) Prohibits a person from operating or using an unmanned aerial vehicle, remote-piloted aircraft, or drone to knowingly or recklessly interfere with a wildfire

suppression, or law enforcement or emergency response efforts related to a wildfire suppression or an emergency response related to an incident for which a temporary flight restriction has been issued by the Federal Aviation Administration.

- 2) Authorizes the Attorney General, a county counsel, or a city attorney to bring a civil action to enforce the prohibition and authorizes a prevailing plaintiff to recover civil penalty not exceeding \$75,000 for each violation; injunctive relief; and reasonable attorney's fees and costs.

COMMENTS

1. Stated need for the bill

The author writes:

AB 1749 is a simple, commonsense piece of legislation to provide additional protection to our first responders when responding to a wildfire emergency. By creating a civil penalty when an individual knowingly or recklessly interferes with wildfire suppression or an emergency response related to a wildfire, we disincentivize unlawful activity that could hamper an effective wildfire response. Additionally, this legislation avoids unnecessary criminalization by simply creating a civil penalty.

According to the FAA, in recent years, there have been more than 100 documented cases of unauthorized drones flying near wildfires. In fact, during the Palisades wildfire response a super scooper aircraft was grounded for multiple days due to damage caused by a collision with an unauthorized drone. This legislation will protect firefighters and ensure uninterrupted wildfire response efforts from our first responders.

2. This bill seeks to provide more deterrence against a person flying drones over emergencies

In January 2025, a number of deadly wildfires in Los Angeles, including the Palisades and Eaton fires, collectively burned over 39,000 acres,⁵ caused at least 30 deaths,⁶ destroyed over 16,000 structures, and resulted in property damage estimates ranging from \$28 to \$53.8 billion.⁷ In one instance, a man flew a drone over the Pacific Palisades,

⁵ Governor's Exec. Order No. N-4-25 (Jan. 12, 2025).

⁶ Jesus Jiménez, *L.A. Fires Death Toll Rises to 30 After Remains Are Found*, L.A. Times, (Apr. 3, 2025), available at <https://www.nytimes.com/2025/04/03/us/la-fires-death-toll.html>.

⁷ *Palisades and Eaton wildfires caused up to \$53.8 billion in property damage, study finds*, The Orange County Register, (Feb. 27, 2025), available at <https://www.ocregister.com/2025/02/27/palisades-and-eaton-wildfires-caused-up-to-53-8-billion-in-property-damage-study-finds/>.

which collided with a Super Scooper plane conducting firefighting activities.⁸ The impact of the drone with the Super Scooper caused an “approximately 3-inch-by-6-inch hole in the left wing” that resulted in repair costs of at least \$65,169. Additionally, this incident rendered an important firefighting tool out of commission. The man in this instance has pled guilty to recklessly operating a drone in violation of federal law. The acting U. S. Attorney for the case, Joseph T. McNally stated the “damage caused to the Super Scooper is a stark reminder that flying drones during times of emergency poses an extreme threat to personnel trying to help people and compromises the overall ability of police and fire to conduct operations.” This bill seeks to prevent situations like the one above by providing further deterrence for persons from flying drones or other unmanned aerial vehicles over emergency responses to wildfires. The bill authorizes the Attorney General, county counsel, or city attorney to bring a civil action to enforce the prohibition and authorizes a prevailing plaintiff to recover civil penalty not exceeding \$75,000 for each violation; injunctive relief; and reasonable attorney’s fees and costs.

3. Statements in support

The Peace Officers’ Research Association of California (PORAC) writes in support stating:

AB 1749 strengthens protections for emergency responders by prohibiting individuals from knowingly or recklessly operating drones in a manner that interferes with wildfire suppression efforts or related law enforcement and emergency response activities. As California continues to face increasingly dangerous wildfire conditions, it is critical that first responders are able to perform their duties without unnecessary interference.

Unauthorized drone activity near wildfire incidents can create serious safety hazards for both ground personnel and aerial firefighting operations. By clarifying that reckless or intentional drone interference with wildfire response efforts is prohibited, AB 1749 helps ensure that emergency personnel can respond effectively and safely during these high-risk incidents.

SUPPORT

California Special Districts Association
California State Sheriffs’ Association
Peace Officers’ Research Association of California (PORAC)

⁸ U.S. Att. Off., Cent. Dist. of Cal., Press Release, *Culver City Man Agrees to Plead Guilty to Recklessly Crashing Drone into Super Scooper Firefighting Aircraft During Palisades Fire*, (Jan, 31, 2025), available at <https://www.justice.gov/usao-cdca/pr/culver-city-man-agrees-plead-guilty-recklessly-crashing-drone-super-scooper>.

OPPOSITION

None received

RELATED LEGISLATION

Pending Legislation: None known.

Prior Legislation: AB 426 (Dixon, 2025) would have prohibited a person from operating or using an unmanned aerial vehicle, remote piloted aircraft, or drone at the scene of an emergency and thereby impeding firefighters, peace officers, medical personnel, military personnel, or other emergency personnel in the performance of their fire suppression, law enforcement, or emergency response, and makes a person who violates the prohibition subject to a civil penalty not to exceed \$75,000 for each violation. AB 426 died in the Senate Appropriations Committee.

PRIOR VOTES

Senate Emergency Management Committee (Ayes 9, Noes 0)
Assembly Floor (Ayes 77, Noes 0)
Assembly Appropriations Committee (Ayes 15, Noes 0)
Assembly Judiciary Committee (Ayes 12, Noes 0)
Assembly Emergency Management Committee (Ayes 6, Noes 0)
