

Kimball, Tirey & St. John LLP

Legal Alert

State of Emergency Declarations

November 12, 2019

If a state of emergency is declared, and if the state of emergency results from an earthquake, flood, fire, riot, storm, or natural or manmade disaster, [California Penal Code §396](#) generally prohibits price gouging (i.e. price increases of more than 10%) for rental housing and consumer food items or goods, goods or services used for emergency cleanup, emergency supplies, medical supplies, home heating oil, building materials, transportation, freight, and storage services, or gasoline or other motor fuels for 30 days after the emergency is declared. The price gouging restrictions may be extended for additional time periods by state or local officials, boards or other governing bodies authorized to extend the restrictions.

Recent states of emergencies include the following:

- A state of emergency was declared **statewide** by the Governor of California on October 27, 2019. <https://www.gov.ca.gov/2019/10/27/governor-newsom-declares-statewide-emergency-due-to-fires-extreme-weather-conditions/>. This state of emergency will continue through November 26, 2019.
- A state of emergency was declared in **Sonoma** and **Los Angeles** counties by the Governor of California on October 25, 2019. <https://www.gov.ca.gov/2019/10/25/governor-newsom-declares-state-of-emergency-in-sonoma-and-los-angeles-counties-due-to-fires/>. This state of emergency will continue through November 24, 2019.
- A state of emergency was declared in **Riverside** and **Los Angeles** counties by the Governor of California on October 11, 2019. <https://www.gov.ca.gov/2019/10/11/governor-newsom-declares-state-of-emergency-in-los-angeles-and-riverside-counties-due-to-fires/>. This state of emergency will continued through November 10, 2019.

The state initially did **not** promptly update the website (at <https://www.caloes.ca.gov/cal-oes-divisions/legal-affairs/price-gouging>) with new states of emergency, but it now appears to have been updated and is current.

States of emergency continue through December 31, 2019 in Mendocino, Napa, Santa Barbara, Shasta, and Sonoma counties.

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