

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-22-21

WHEREAS the 2020 wildfire season was the most destructive in California history, during which nearly 10,000 wildfires 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 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 wildfires, 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 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), (c), (d), (e), and (f), prohibiting price gouging in times of emergency, will remain in effect until December 31, 2021, in Butte, Napa, Santa Cruz, and Sonoma counties as impacted by fires covered by my August and September 2020 State of Emergency proclamations. 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 December 31, 2021, in Fresno, Lassen, Mendocino, Monterey, Shasta, Siskiyou, Solano, Trinity, and Tulare counties as impacted by fires covered by my August and

September 2020 State of Emergency proclamations. 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.

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 17th day of November 2021.



A handwritten signature in blue ink, appearing to read "Gavin Newsom", is written over a horizontal line.

GAVIN NEWSOM
Governor of California

ATTEST:

A handwritten signature in blue ink, appearing to read "Shirley Weber", is written over a horizontal line.

SHIRLEY WEBER, PH.D.
Secretary of State