

Date of Hearing: May 6, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 1612 (Alanis) – As Amended April 7, 2026

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| Policy Committee: | Environmental Safety and Toxic Materials | Vote: | 7 - 0 |
| | Public Safety | | 9 - 0 |

Urgency: No State Mandated Local Program: No Reimbursable: No

SUMMARY:

This bill authorizes the Department of Justice (DOJ) to contract with a third party to dispose of all controlled substances received from a local police department, sheriff's office, or state law enforcement agency.

Specifically, this bill:

- 1) Authorizes DOJ, upon appropriation, to contract with a third party to dispose of all controlled substances (as defined) received from a local police department, sheriff's office, or state law enforcement agency.
- 2) Authorizes a local police department, sheriff's office, or state law enforcement agency in possession of a controlled substance, if the controlled substance has been held beyond the applicable retention period for an ongoing investigation or related proceedings and the department, office, or agency is otherwise authorized by law to destroy the controlled substance, to transport the controlled substance to DOJ for disposal.
- 3) Requires DOJ to promulgate regulations necessary to implement the provisions of this bill.

FISCAL EFFECT:

While DOJ did not have a cost estimate available at the time of the writing of this analysis, the committee anticipates ongoing General Fund cost pressures of an unknown but very significant amount, likely in the tens of millions of dollars annually, for DOJ to promulgate regulations and develop and implement a statewide system to dispose of controlled substances it receives from a local police department, sheriff's office, or state law enforcement agency. The magnitude of these costs will depend on the volume of substances DOJ receives annually, the geographic distribution of participating agencies, and the scope and complexity of the systems DOJ establishes to receive, track, store, and transport the contraband.

According to the California Commission on Peace Officer Standards and Training, there are about 600 state and local law enforcement agencies in the state. With the state's last two remaining solid waste incinerators shut down in 2024, DOJ will likely need to transport seized substances out-of-state – which may require highly specialized and protective equipment; secure facilities to receive and store substances (including environmental controls, surveillance systems, and chain-of-custody protocols); specialty vehicles and interstate transport; significant qualified personnel; ongoing training; information technology systems for tracking, accounting, and

auditing; insurance and liability coverage; regulations, guidance, and technical assistance; and other related tasks. Regardless of whether DOJ chooses to contract with a third-party vendor for this work or manage it in-house, ongoing costs will be significant.

The Legislative Analyst's Office recently warned of General Fund structural deficits of around \$35 billion per year in the 2027-28 fiscal year and ongoing.

COMMENTS:

1) **Purpose.** According to the author:

California law enforcement agencies are seizing increasing volumes of dangerous controlled substances like fentanyl, methamphetamine, and heroin, yet there is currently no uniform pathway for their disposal. Following the closure of California's last in-state incineration facilities, agencies have been forced into a patchwork of inadequate alternatives including prolonged storage that exposes officers to lethal substances, costly and risky out-of-state transport, or disposal methods that are less secure and more harmful to the environment.

AB 1612 addresses this gap by establishing a more coordinated, statewide approach to disposal through the Department of Justice, ensuring law enforcement is no longer left without guidance or support in handling these hazardous materials. This bill is about protecting officers, maintaining chain of custody, and providing a practical, responsible solution to a growing public safety challenge.

2) **Background.** According to the Environmental Safety and Toxic Materials Committee, it appears that several law enforcement agencies are unsure of the procedures for destroying seized controlled substances. In 2018, the U.S. Environmental Protection Agency issued a memorandum that provides law enforcement agencies with various options to transport and destroy household pharmaceuticals collected in take-back programs consistent with applicable regulations. However, there does not appear to be similar guidance for seized controlled substances.

Among other organizations and individuals in support of this bill, the California Police Chiefs Association (CPCA) notes that for decades, law enforcement agencies have relied on centralized incineration facilities to safely destroy seized narcotics and other hazardous contraband. CPCA notes, however, that the recent closure of California's remaining large-scale incineration facilities has created a significant gap in the state's ability to dispose of these materials and, "as a result, agencies are now left without a reliable in-state option for destruction, forcing departments to identify alternative methods that are often inefficient, costly, and potentially unsafe."

In the absence of local disposal capacity, CPCA asserts that many agencies are required to transport seized drugs and contraband over long distances, in some cases traveling across the state or even out-of-state to access appropriate facilities. This process requires significant coordination, including the use of sworn personnel, secure transport protocols, and extended time away from core public safety duties. These challenges, especially as the volume of

seized narcotics continues to increase, are particularly acute for smaller and mid-sized departments that lack the staffing and resources to absorb these additional responsibilities.

The Turlock Police Department argues this bill offers a “practical approach by creating a more structured process for transferring these materials to [DOJ] for disposal,” and that establishing a statewide pathway provides “clarity for agencies and help[s] reduce the uncertainty that currently exists.”

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