

Date of Hearing: April 7, 2026

Fiscal: Yes

ASSEMBLY COMMITTEE ON PRIVACY AND CONSUMER PROTECTION

Rebecca Bauer-Kahan, Chair

AB 2085 (Alanis) – As Amended March 16, 2026

SUBJECT: Weighing and measuring devices: indications: display

SYNOPSIS

County Sealers are responsible for ensuring that commercial weighing and measuring devices, such as gas pumps and scales at butcher shops, are accurate and free from fraud. Existing law requires retail scales to be positioned so that both the purchaser and the seller can see the scale to encourage trust and transparency. However, these laws only extend to retail trades and do not protect consumers who are operating as sellers, such as at scrap metal yards.

This bill aims to expand the positioning requirements for weighing and measuring devices to include scales used for any commercial purpose. At scrap metal yards and recycling centers, for instance, customers can sell their scrap metal by the pound and receive refunds through state-funded recycling programs. However, these exchanges are not typically classified as retail trades, meaning that the recyclers do not have to position the scale to be visible for both parties. This loophole in existing law exposes consumers to fraud and increases distrust, which this bill aims to rectify by issuing visibility requirements for all commercial purposes, not simply retail trades.

This bill is sponsored by the California Agricultural Commissioners and Sealers Association and is supported by the Office of the District Attorney of Orange County. It has no registered opposition.

EXISTING LAW:

- 1) Establishes in each county the office of county sealer of weights and measures. (Bus. & Prof. Code § 12200.)
- 2) Defines “commercial purposes” to include the determination of the weight, measure, or count of any commodity or thing that is sold on the basis of weight, measure, or count; or the determination of the weight, measure, or count of any commodity or thing upon which determination a charge for service is based. These devices include, but are not limited to, taximeters, odometers, timing devices, parcel scales, shipping scales, and scales used in the payment of agricultural workers. (Bus. & Prof. Code § 12500(e).)
- 3) Makes it a misdemeanor for a person, either by themselves or through another person, to:
 - a. Use, for commercial purposes, or have in their possession an incorrect weight or measure or weighing or measuring instrument. (Bus. & Prof. Code § 12510(a)(1).)
 - b. Use any condemned weight or measure or weighing or measuring instrument contrary to law. (Bus. & Prof. Code § 12510(a)(3).)

- c. Sell or use any device or instrument to be used or calculated to falsify any weight or measure. (Bus. & Prof. Code § 12510(a)(5).)
- d. So locates or positions a weighing or measuring device used *in retail trade*, except as used exclusively in the preparation of packages put up in advance of sale, that its indications cannot be accurately read by *the purchaser* under ordinary circumstances. (Bus. & Prof. Code § 12510(a)(6), emphasis added.)

THIS BILL: Expands the positioning requirements for a weighing or measuring device to be used for commercial purposes, as defined in 2) above, so that its indications can be read by both the customer and operator.

COMMENTS:

1) **Author’s statement.** According to the author:

The purpose of AB 2085 is to ensure that all commercial weighing and measuring devices are positioned so that both the customer and the operator can clearly see the results, regardless of whether the customer is buying or selling. By requiring full visibility of weights, measures, and prices, the bill promotes fairness, prevents fraud, and strengthens trust in everyday transactions.

2) **Background.** County Sealers are responsible for ensuring that all the commercial scaling and volumetric measuring devices used in a county provide accurate readings and are not installed and used to facilitate fraud. County Sealers certify that the pump at the local Exxon accurately dispenses seven gallons of gasoline after you purchased seven gallons, that the supermarket scale saying you are buying two pounds of turkey is actually measuring two pounds, and that the natural gas submeter in your apartment complex is providing the 2,000 cubic feet of gas that you were charged on your monthly utilities bill.

County Sealers aim to protect consumers and bring peace of mind that customers are paying for what they are getting. To that end, all weighing and measuring devices in retail spaces must be positioned so that both the purchaser and the retailer can see the readings. This act of trust is critical for consumers: being able to visualize the displays helps customers believe they are paying a fair price. However, existing law only requires that retail trades display the readings to purchasers. When the customer is the seller (and thus not technically a purchaser), this display criteria – and the trust that comes along with it – goes out the window.

California has a robust beverage container recycling program. Residents can bring aluminum, glass, plastic, or bi-metal beverage containers to a recycling center and receive a California Redemption Value (CRV) refund depending on the type of material and the weight.¹ Recycling centers rely on weighing scales similar to those at grocery stores to issue refunds in the form of

¹ Department of Resources Recycling and Recovery, “Notice: 2026 Recycling Program Rates Effective January 1, 2026,” *CalRecycle*, (Oct. 28, 2025), <https://www.bing.com/ck/a?!&&p=88e5d780ecc0744732f45b095d8b0cdc565ed4fe01d03c9f8818bca8a32d6416JmltdHM9MTc3NDU2OTYwMA&ptn=3&ver=2&hsh=4&fclid=2e95daf7-1619-6a46-331f-ce2d17706b33&psq=recycling+center+weight+tickets&u=a1aHR0cHM6Ly93d3cyLmNhbHJlY3ljbGUuY2EuZ292L0RvY3MvV2ViLzEzMjA3OA>.

weight tickets which can be redeemed for CRV credits.² However, recycling centers are not typically considered retail spaces as the consumer is also the seller, meaning that the scales do not have to be visible for consumers. This loophole for recycling centers has allowed them to shortchange customers looking to sell recyclables by claiming that the weight is lower than it actually is. Recycling companies have recently been ordered to pay millions in fines brought by the California Department of Justice for fraudulent weight tickets, demonstrating how this lack of transparency can cost California millions.³

3) This bill expands the positioning requirements for weighing devices to be visible for both operators and customers. County sealers are responsible for protecting consumer interests from fraudulent weighing and measuring devices. As part of the protections afforded to customers, customers must be able to view the display of the scale to ensure that they know what they are paying for. However, existing law only extends these requirements to purchasers, which does not include consumers who are selling to the scale operators. This oversight has allowed a small sector of businesses, such as recycling centers and scrap yards, to hide the display of their scales from sellers, resulting in underpayments and shortchanging customers who may rely on these refunds. According to the author's office:

People who rely on recycling or scrap sales for income are especially vulnerable to hidden measurements and underpayment. By ensuring customers can see results in real time, the bill improves fairness, builds trust, and helps prevent disproportionate financial harm, supporting more equitable treatment in everyday transactions.

ARGUMENTS IN SUPPORT: The California Agricultural Commissioners and Sealers Association (CACASA), sponsor of the bill, write in support:

Current law does not fully address situations where the customer is the seller, particularly in industries such as recycling. County Sealers have observed through routine inspections and undercover operations that when device displays are not visible to customers, the likelihood of underpayment and fraud increases. This lack of transparency undermines consumer confidence and creates opportunities for dishonest practices.

AB 2085 closes this gap by requiring operators to position commercial weighing and measuring devices so that results are visible to both the operator and the customer in all applicable transactions. In doing so, the bill promotes fairness, accountability, and consistency across industries. Additionally, the bill clarifies visibility requirements for point-of-sale pricing systems, further enhancing consumer protections.

REGISTERED SUPPORT / OPPOSITION:

Support

California Agricultural Commissioners & Sealers Association (Sponsor)
County of Orange, Through its Office of the District Attorney/public Administrator

² Land D Landfill, "Recycling Program," <https://www.landdlandfill.com/recycling-programs>.

³ CalRecycle, "Recycling fraud convicts ordered to pay California \$140 million for bottle and can smuggling scheme," (Feb 20, 2024), <https://calrecycle.ca.gov/2024/02/20/press-release-24-02/>.

Opposition

None on file.

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