

Date of Hearing: April 22, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 2143 (Irwin) – As Amended April 6, 2026

Policy Committee:	Agriculture	Vote:	8 - 0
	Privacy and Consumer Protection		15 - 0

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

SUMMARY:

This bill prohibits an online marketplace, as defined, from accepting payment for the purchase of a noxious weed for delivery to an address in the state and requires the California Department of Food and Agriculture (CDFA) to enforce this prohibition.

In addition, the bill authorizes CDFA, in lieu of prosecution, to levy an administrative penalty against any online marketplace that violates this bill as follows: \$25,000 for a first violation, \$50,000 for a second violation, and \$75,000 for a third or subsequent violation. The bill also authorizes CDFA, in addition to any penalties collected, to seek all reasonable costs associated with remediating damage caused by violations of this bill. The bill requires all moneys collected pursuant to this bill be deposited in the Noxious Weed Management Account.

FISCAL EFFECT:

While the movement of noxious weeds this bill seeks to prevent is already illegal in the state and subject to civil action and civil penalties, this bill creates additional regulatory liability for online marketplaces that accept payment for the purchase of a noxious weed for delivery to an address located in the state. To the extent CDFA must investigate and confirm payments for the purchase of noxious weeds on online marketplaces, the department notes it would need to establish and train a dedicated unit to investigate online sales and audit payment records for e-commerce corporations. CDFA notes, at minimum, an investigative unit would consist of one supervisor, two auditors, two special investigators, and two environmental scientists, with a minimum annual ongoing cost of approximately \$1.5 million. This cost may fluctuate depending on the volume and complexity of online marketplace transactions, compliance rates, frequency of violations, and other variables. CDFA is in the process of gathering data about the history and frequency of enforcement actions for the sale and movement of noxious weeds.

Although the bill authorizes fines for violations, it is unlikely the revenue collected from the fines (deposited into the Noxious Weed Management Account) would generate enough funding to support CDFA's ongoing implementation and enforcement costs. Accordingly, CDFA anticipates needing ongoing General Fund support.

The Noxious Weed Management Account is continuously appropriated within the Department of Food and Agriculture Fund but does not have an ongoing revenue stream. It is occasionally allocated General Fund moneys; for example, the 2023 state budget allocated \$10 million to the account, and the current fund balance is approximately \$8 million. Funds, when available, are typically used to support county-based weed management areas, CDFA's program costs (which

are currently one weed management coordinator position within the department), and other noxious weed management and control efforts.

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:

Invasive plants pose a profound threat to California's ecosystems and agricultural lands. Once established, invasive plants can kill existing native plants, reduce biodiversity, damage soil health, and sicken livestock. Although existing state law prevents the purchase of these plants, they remain remarkably easy to buy in California through online marketplaces like eBay, which connect buyers to third-party sellers who use the online marketplace purely as a facilitating platform. AB 2143 addresses this critical gap in the law by prohibiting online marketplaces from accepting payment for a noxious weed sale that would be delivered to a California address.

2) **Background. *Noxious Weeds.*** According to CDFA, invasive weeds can intensify drought impacts, increase fire hazards, decrease rangeland productivity, reduce water resources, raise nursery business costs, and diminish wildland diversity. Alien weeds spread to and invade approximately 700,000 hectares of U.S. wildlife habitat per year.

Existing law requires CDFA to prevent the introduction and spread of injurious insect or animal pests, plant diseases, and noxious weeds. CDFA regulations list noxious weed species that pose a substantial threat to the state's agriculture and environment and prohibit offering noxious weeds for sale. Despite this prohibition, the author contends, it is remarkably easy to purchase noxious weeds, most notably through online marketplaces or e-commerce websites.

Writing in support of this bill, a coalition of agricultural organizations writes:

AB 2143 is an important step in elevating this issue within the Legislature and recognizing the vulnerability of California's landscape to movement of noxious products through the increase in e-commerce. By adding e-commerce to the state's comprehensive pest prevention framework, the bill recognizes the urgent need for coordinated, science-based strategies to prevent, manage, and mitigate noxious species' impact statewide.

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