

Date of Hearing: April 22, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 2310 (Carrillo) – As Amended April 9, 2026

Policy Committee: Public Safety

Vote: 9 - 0

Urgency: No

State Mandated Local Program: Yes

Reimbursable: No

SUMMARY:

This bill increases penalties for illegal dumping, creates new penalty tiers for large-scale commercial dumping, and expands the scope of illegal dumping prohibitions to include transportation for the purpose of dumping and construction debris.

Specifically, this bill:

- 1) Makes a fourth or subsequent illegal dumping offense punishable by a fine of up to \$5,000 or up to six months in county jail, or both, escalating from the current infraction penalties for repeat offenses.
- 2) Creates a new penalty tier for commercial dumping exceeding 25 cubic yards: up to one year in county jail and a mandatory fine of \$25,000 per conviction.
- 3) Creates a new penalty tier for commercial dumping exceeding 50 cubic yards: up to one year in county jail or 16 months, two years, or three years in state prison, and a mandatory fine of \$50,000 per conviction.
- 4) Expands the dumping prohibitions to include transporting waste or construction debris for the purpose of dumping, and adds construction debris to the list of prohibited materials.
- 5) Prohibits private property owners from dumping waste or construction debris on their own property if a required solid waste facility permit was not obtained or if the dumping creates a public health hazard, nuisance, or fire hazard.
- 6) Provides that the presence of debris or construction materials in a vehicle does not, by itself, constitute reasonable suspicion or probable cause for a stop, detention, or arrest.
- 7) Exempts employees who acted at their employer's direction and lacked ownership, managerial, or decision-making authority from the enhanced commercial dumping penalties for quantities exceeding 25 cubic yards.
- 8) Requires courts to order property owner defendants to remove or pay the cost of removing illegally dumped materials under specified circumstances.

FISCAL EFFECT:

- 1) Unknown, likely minor state prison costs (General Fund) for a new felony authorizing imprisonment for 16 months, two years, or three years for illegal dumping of commercial quantities exceeding 50 cubic yards. The Legislative Analyst's Office estimates the average annual cost to incarcerate one person in state prison is \$128,000. CDCR estimates the annual cost is \$135,921. If even one person serves 16 months in prison because of this bill, the resulting incarceration costs to CDCR would exceed this committee's suspense threshold. Actual costs will depend on the number of relevant offenses and judicial discretion, but the overall effect will be an increase in incarceration costs.
- 2) Unknown, likely minor costs to county jails for new misdemeanor penalties, including up to six months for a fourth or subsequent dumping offense and up to one year for commercial dumping exceeding 25 cubic yards. The average annual cost to incarcerate one person in county jail is approximately \$29,000, though costs are higher in larger counties. County incarceration costs are not subject to reimbursement by the state. However, overcrowding in county jails creates cost pressure on the General Fund because the state has historically granted new funding to counties to offset overcrowding resulting from public safety realignment.
- 3) Unknown, likely minor costs to the courts (Trial Court Trust Fund) for processing new misdemeanor and felony charges. Sentencing proceedings for the new commercial dumping penalties may be more complex than typical misdemeanors given the substantial mandatory fines (\$25,000 and \$50,000), as the bill requires courts to consider the defendant's ability to pay when setting fines, including an assessment of the defendant's present and foreseeable financial position.
- 4) Potential offsetting revenue from mandatory fines of \$25,000 and \$50,000 for large-scale commercial dumping would be distributed to the state and counties through existing penalty assessment formulas. The collectability of large criminal fines is uncertain; the judicial branch has reported billions of dollars in outstanding court-ordered debt statewide.

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

COMMENTS:

- 1) **Purpose.** According to the author, illegal dumping has become an increasingly serious problem in the Antelope Valley and surrounding communities in Los Angeles County, endangering public health, increasing fire risk, and forcing local governments and residents to shoulder expensive cleanup costs. The bill targets large-scale commercial dumping operations with stronger enforcement tools.
- 2) **Background.** Existing law treats illegal dumping as an infraction with graduated fines up to \$3,000 for a third or subsequent offense. Dumping in commercial quantities — defined as waste generated in a trade or business, or one cubic yard or more — is a misdemeanor with fines up to \$10,000 for a third offense, or \$20,000 for businesses with more than ten employees. This bill creates two new volume-based penalty tiers for commercial dumping: a mandatory \$25,000 fine for quantities exceeding 25 cubic yards and a mandatory \$50,000 fine for quantities exceeding 50 cubic yards, with the latter carrying potential state prison time. The bill includes several safeguards: it clarifies that the presence of construction materials in a vehicle does not constitute reasonable suspicion or probable cause for a stop; it

exempts employees acting under an employer's direction who lacked ownership or decision-making authority from the enhanced commercial penalties; and it requires courts to consider the defendant's ability to pay when setting fines.

- 3) **Prior Legislation.** AB 2374 (Bauer-Kahan), Chapter 784, Statutes of 2022, increased fines for commercial-quantity dumping by larger businesses.

AB 215 (Mathis), of the 2019–20 session, would have made a fourth dumping violation a misdemeanor with up to 30 days in county jail. AB 215 was held on this committee's suspense file.

SB 409 (Wilk), of the 2019–20 session, would have increased fines for non-commercial dumping and criminalized transporting waste for dumping. SB 409 was also held in suspense.

AB 144 (Mathis), of the 2015–16 session, would have made a fourth dumping violation a misdemeanor. AB 144 was vetoed by the Governor.

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