

ASSEMBLY THIRD READING

AB 2549 (Zbur)

As Amended May 22, 2026

Majority vote

SUMMARY

Makes changes to various requirements for manufacturers and retailers of covered battery embedded products (CBEPs) under the Electronic Waste Recycling Act of 2003 (E-Waste Act).

Major Provisions

- 1) *Requires a manufacturer of a CBEP to send a notice, that identifies the CBEP by brand, model number, and the Universal Product Code (UPC), to the Department of Resources, Recycling and Recovery (CalRecycle), and inform CalRecycle that the CBEP is regulated under the E-Waste Act and is subject to a recycling fee under the E-Waste Act.*
- 2) *Requires the manufacturer of a CBEP to send each notice to CalRecycle according to a specified schedule, and no later than March 1 of each year.*
- 3) *Requires, on or before March 1, 2027, CalRecycle to develop a standardized online form for a manufacturer to send electronic notices to CalRecycle pursuant to this bill.*
- 4) *Requires on or before March 1, 2027, CalRecycle to create and maintain a searchable online database for the notices sent by a manufacturer pursuant to this bill and to post that information on its internet website within 60 days from the date of receipt of the notice required by this bill.*
- 5) *Authorizes complaints or information alleging a violation relating to CBEPs to be made through the California Environmental Protection Agency's (CalEPA's) environmental complaint system. Additionally, authorizes CalEPA to refer CBEP related complaints to CalRecycle for review, investigation, or enforcement.*

COMMENTS

What is electronic waste (e-waste)? According to the Department of Toxic Substances Control (DTSC), "e-waste" refers to any unwanted electronic device or cathode ray tube. E-waste frequently contains hazardous materials, predominantly lead and mercury, and is produced by households, businesses, governments, and industries. Typical e-waste devices include televisions, computers, printers, VCRs, portable DVD players, cell phones, and radios.

Although e-waste is hazardous waste, DTSC has adopted regulations designating e-waste as a type of universal waste, which can be handled and transported under more relaxed rules because they pose lower immediate risk to people and the environment when managed properly. The more relaxed requirements were adopted to increase compliance and ensure that universal wastes are managed safely and not disposed of in the trash.

The E-waste Act and the regulation of e-waste: Due to ongoing technological advancement, many electronic products become obsolete within a very short time period, creating a large surplus of e-waste. Disposing of e-waste in landfills has the potential to cause severe risk to human and environmental health. To meet the challenge of managing e-waste, California

enacted the E-waste Act through SB 20 (Sher, Chapter 526, Statutes of 2003) which established a program for consumers to return, recycle, and ensure the safe and environmentally sound disposal of video display devices (or "covered electronic devices"), such as televisions and computer monitors, that are deemed hazardous waste when discarded. The primary aims of the E-waste Act are to limit the amount of toxic substances (such as lead, mercury, cadmium, and hexavalent chromium) in certain electronic products sold in the state, and to establish a funding system for the collection and recycling of discarded covered electronic devices. In 2022, California expanded the E-waste Act through SB 1215 (Newman) Chapter 370, Statutes of 2022 to include CBEPs.

Recent addition to E-waste Act: SB 1215 expanded the E-waste Act to include CBEPs. That bill did the following:

- 1) Defines CBEPs as a new or refurbished product containing a battery that is not intended to be removed from the product by the consumer.
- 2) Provides that CBEP does not include a medical device (as defined), a covered electronic device, an energy storage system, or an electronic nicotine delivery system.
- 3) Requires, on and after January 1, 2026, a consumer to pay a covered electronic waste recycling fee upon the purchase of a new or refurbished CBEP.
- 4) Requires the Department of Resources, Recycling and Recovery (CalRecycle), on or before October 1, 2025, and annually thereafter, to establish a covered electronic waste recycling fee for CBEPs based on the reasonable regulatory costs of administering the covered electronic waste recycling program.
- 5) Requires a retailer to collect the covered electronic waste recycling fee from the consumer and remit it to the California Department of Tax and Fee Administration (CDTFA).
- 6) Prohibits, on and after January 1, 2026, a person from selling or offering for sale in California a new or refurbished CBEP unless the product is labeled with the name of the manufacturer or the manufacturer's brand label.
- 7) Requires a manufacturer of a CBEP to provide a notice to any retailer that sells the CBEP and CalRecycle. Requires the notice to identify the CBEP by brand and model number and inform the retailer that the CBEP is subject to the electronic waste recycling fee.

This bill: AB 2549 makes changes to various requirements for manufacturers and retailers for CBEPs under the E-Waste Act. *This bill requires, by March 1, 2027, CalRecycle to develop an online form for manufacturers to send CBEP electronic notices required under the E-Waste Act and requires, by March 1, 2027, CalRecycle to develop a searchable database of these notices.* Additionally, the bill states legislative intent to exempt thrift stores from the E-waste Act and to delay implementation for discount stores for certain provisions of the E-waste Act. *AB 2549 authorizes complaints or information alleging a violation relating to CBEPs to be made through CalEPA's environmental complaint system and authorizes CalEPA to refer CBEP related complaints to CalRecycle for review, investigation, or enforcement.*

According to the Author

"Reporting requirements are critical to tracking progress and ensuring compliance with our state's environmental standards and laws. AB 2549 provides necessary improvements to California's Covered Battery-Embedded Product (CBEP) Program, which was established to help with the management and recycling of battery-embedded products. In order to advance California's environmental goals, this bill is essential for ensuring compliance with the CBEP program by streamlining the regulatory notification process to CalRecycle, while also achieving critical cost-savings to consumers, businesses and the state."

Arguments in Support

According to the California Retailers Association (CRA),

"CRA is sponsoring this measure to provide critical fixes to California's Battery Embedded Product (CBEP) Program, which expanded the Electronic Waste Recycling Act of 2003 to include products with batteries that cannot be easily removed with common household tools. CBEP, created by the passage of SB 1215 (Newman) [Chapter 270, Statutes of 2022], began implementation January 1, 2026. Leading up to that program start date and throughout the rulemaking process, CRA worked with CalRecycle and our retail members to identify several areas needed for statutory improvement to ensure the product stewardship program works for California in achieving the state's environmental sustainability goals while also keeping products affordable.

"AB 2549 makes important, practical improvements to California's CBEP program by streamlining the notification and reporting process for manufacturers, retailers, and CalRecycle. Current implementation of the program has created unnecessary compliance burdens and liability exposure for retailers, while increasing costs for products that fall within the program's scope. AB 2549 addresses these issues by requiring Universal Product Codes in manufacturer notices, standardizing notice templates and file formats, and clarifying CalRecycle's role as the single source of truth for product scope."

"These changes will help ensure the program functions as intended while reducing confusion in the marketplace and avoiding unintended costs for consumers and businesses."

Arguments in Opposition

None on file.

FISCAL COMMENTS

According to the Assembly Appropriations Committee, enactment of this bill could cost CalRecycle approximately \$400,000 per year and CDTFA approximately \$250,000 to \$1 million per year.

VOTES**ASM ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: 7-0-0**

YES: Connolly, Ellis, Bauer-Kahan, Castillo, Lee, McKinnor, Papan

ASM NATURAL RESOURCES: 14-0-0

YES: Bryan, Ellis, Alanis, Connolly, Garcia, Haney, Hoover, Kalra, Macedo, Muratsuchi, Pellerin, Schultz, Wicks, Zbur

ASM APPROPRIATIONS: 14-0-1

YES: Wicks, Hoover, Aguiar-Curry, Calderon, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Tangipa

ABS, ABST OR NV: Ta

UPDATED

VERSION: May 22, 2026

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