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**SENATE COMMITTEE ON ENVIRONMENTAL QUALITY**

**Senator Blakespear, Chair**

**2025 - 2026 Regular**

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**Bill No:** AB 2549  
**Author:** Zbur  
**Version:** 5/22/2026  
**Urgency:** No  
**Consultant:** Alyssa Poletti

**Hearing Date:** 6/24/2026  
**Fiscal:** Yes

**SUBJECT:** Electronic Waste Recycling Act of 2003: manufacturer notices

**DIGEST:** This bill makes changes to various requirements for manufacturers and retailers for covered battery embedded products (CBEPs) under the Electronic Waste Recycling Act of 2003 (E-Waste Act).

**ANALYSIS:**

Existing law:

- 1) Establishes the E-waste Act, which enacts a comprehensive system for the reuse, recycling, and proper and legal disposal of covered electronic devices, as provided. (Public Resources Code (PRC) § 42460-42486)
- 2) Requires the Department of Resources, Recycling and Recovery (CalRecycle) to administer and enforce the E-waste Act in consultation with the California Department of Toxic Substances Control (DTSC). (PRC § 42475)
- 3) Creates the Hazardous Waste Control Law (HWCL) and provides DTSC with responsibility for overseeing the management of hazardous waste in California. (Health and Safety Code (HSC) § 25100 et seq.)
- 4) Defines "covered electronic device" to mean either of the following:
  - a) A video display device containing a screen greater than four inches, measured diagonally, that is identified in regulations adopted by DTSC; or,
  - b) Any covered battery-embedded product. (Public Resources Code (PRC) § 42463(g)(1))

This bill:

- 1) Defines:

- a) “discount store” as a retail establishment that is primarily engaged in the sale of general merchandise, household goods, apparel, seasonal goods, and other consumer products at “everyday low prices,” and that operates on a self-service, high-volume, low-margin retail model. Specifies that “discount store” does not include a general merchandise supercenter, hypermarket, warehouse club, membership club, or other big box retail format with a gross floor area exceeding 100,000 square feet or that devotes more than 10% of its sales floor area to grocery, food, or other consumable goods.
  - b) “thrift retail store” as a retail store and related donation facilities engaged primarily in the sale of secondhand clothing, shoes, apparel, toys, and standard household goods, including furniture, fixtures, and small household appliances, and the collection of those goods for resale. “Thrift store” does not include the sale of large household appliances such as refrigerators or stoves and does not include the sale of cars or anything automotive-related.
  - c) “universal product code” (UPC) as an all numeric code that represents a brand, size, type, and manufacturer
- 2) Requires a manufacturer of a CBEP to send a notice, that identifies the CBEP by brand, model number and UPC, to CalRecycle, and inform CalRecycle that the CBEP is regulated under the Act and is subject to a recycling fee, no later than March 1 of each year, according to the following schedule:
    - a) Within 60 days from the date of first sale to a retailer or purchaser in this state for any CBEP manufactured by that manufacturer that is subject to the Act; and,
    - b) Within 60 days from the date of first sale to a retailer or purchaser in this state for a CBEP manufactured by that manufacturer is exempt from the Act.
  - 3) Provides that a retailer shall have not less than 60 days from the date of receipt of the notice directly from a manufacturer, or the date the notice is first published in the online database maintained by CalRecycle, whichever is earlier, to begin collecting the fee required by the Act regarding the product identified in the notice.
  - 4) Requires CalRecycle:

- a) to develop a standardized online form for a manufacturer to send electronic notices, on or before March 1, 2027;
  - b) to develop a searchable database for notices sent by the manufacturer, on or before May 1, 2027;
  - c) to post the notices to the website within 60 days of the date of receipt of the notice; and
  - d) to consult with manufacturers and retailers to develop a standardized online upload process.
- 5) Exempts a thrift store that accepts a battery-embedded product as a donation from the following requirements:
- a) Collecting personal donor data;
  - b) Maintaining records identifying the donor of such products; and
  - c) Providing or transmitting donor-identifying information to any government entity, producer, stewardship organization, or third party.
- 6) Specifies that manufacturers are not required to send notices to thrift stores.
- 7) Delays implementation of this chapter (the Electronic Waste Recycling Act of 2003, PRC § 42460) for discount stores shall until January 1, 2028 after which discount stores shall comply with all applicable obligations under this chapter on the same terms as other retailers.
- 8) Specifies that complaints or information alleging a violation of this chapter relating to CBEPs may be submitted through the California EPA's environmental complaint system.
- a) The California EPA may refer complaints to CalRecycle for review, investigation, and enforcement.
- 9) Repeals:
- a) The July 1, 2027 date by which manufacturers of CBEP are required to comply with the Act, and replaces it with March 1 of each year.
  - b) The requirement that manufacturers of CBEP are required to provide a list of retailers, including, but not limited to, internet and catalog retailers, as specified.

## Background

- 1) *Electronic Waste*. Electronic waste (e-waste) refers to unwanted or waste consumer and business electronic equipment, including computers, printers, monitors, etc. As defined in California law, e-waste refers to any device with a screen that is more than 4-inches and any product with an embedded battery. Most e-waste includes components that render them hazardous under California's hazardous waste law, such as lithium-ion batteries.<sup>1</sup> Rapid advancements in technology as well as designed and perceived obsolescence have resulted in many electronic products becoming obsolete within a very short time period, creating a surplus of e-waste. California generates 200,000 tons of e-waste annually.<sup>2</sup> Disposing of e-waste in landfills poses a risk to human and environmental health.
  - a) *SB 20*. To meet the challenge of managing e-waste, California enacted the Electronic Waste Recycling Act (SB 20 (Sher), Chapter 526, Statutes of 2003) to establish 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, which are considered hazardous waste when discarded. The primary goals of SB 20 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. Since the enactment of SB 20, over 2.2 billion pounds (over 1 million tons) of e-waste has been collected and recycled.<sup>2</sup>
  - b) *SB 1215*. In 2022, California enacted SB 1215 (Newman, Chapter 370, Statutes of 2022), to include CBEPs, which include consumer products with embedded batteries that are not intended to be removed by the consumer. Like other forms of e-waste, batteries are considered hazardous and are not safe to dispose of in the municipal waste stream. Some batteries, particularly lithium-ion, are extremely flammable and can combust or explode if they are damaged. When these batteries enter the waste stream, they are likely to be damaged during normal solid waste handling activities. When that happens, the batteries can ignite, causing fires in solid waste vehicles and facilities and posing a risk to the health and safety of solid waste workers and the public.<sup>3</sup> Despite their hazardous

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<sup>1</sup> DTSC. *Universal Waste – Batteries*. <https://dtsc.ca.gov/universalwaste/universal-waste-for-residents-batteries/>

<sup>2</sup> Sunada Recycling. *Electronics Disposal in California: All You Need to Know to Avoid the Issues*. <https://www.sunadarecycling.com/blog/electronics-disposal-compliance>

<sup>3</sup> Sacramento County Waste Management and Recycling. *Recycle Batteries Properly to Prevent Fires*. <https://wmr.saccounty.gov/us/en/news-and-updates/recycle-batteries-properly-to-prevent-fires.html>

nature, many consumer products contain embedded batteries, from children's toys to power tools. Under SB 1215, CBEPs are subject to the Act beginning January 1, 2026.

### Comments

- 1) *Purpose of Bill.* 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."
- 2) *Discounting discount stores.* AB 2549 states legislative intent to exempt thrift stores from "the scope of" SB 20 and states legislative intent to "delay or suspend the implementation of certain provisions of" SB 20 for discount stores. Exempting thrift stores from SB 20 may make sense, as the products they sell have been previously sold and a recycling fee has likely already been collected for them. They also don't sell the volumes of CBEPs as many other stores. Discount stores, on the other hand, may sell large volumes of CBEPs, many of which are lower quality, less expensive options that are likely to have shorter useful lifespans and generate substantial quantities of e-waste. Unlike thrift stores, discount stores aren't selling previously sold merchandise. There is no available statistic on the number of electronics sold at discount stores, in part because there is no standard definition of a discount store. Therefore, it is unclear what impact delaying the implementation of SB 20 for discount stores will have on a successful e-waste recycling program.

Delaying implementation of SB 20 for discount stores could leave a significant percentage of CBEPs uncovered by the program. Not only would this result in less funding for electronic waste disposal, it shifts the cost of safe management to the product manufacturers that remain in the program and consumers and increases the likelihood of improper disposal of these products, and the risks that improper disposal pose. Understanding discount stores may have fewer resources to implement SB 20 or may have outdated sales systems, delaying implementation may be necessary. AB 2549 balances these concerns by only delaying implementation by 1 year.

- 3) *Noticing manufacturer notices.* Under AB 2549, retailers are not required to collect fees on covered products for 60 days after they have received notice from either the manufacturer or CalRecycle, whichever is earlier. Since manufacturers have 60 days to send notice and CalRecycle has 60 days to add the product to their database, 180 days could pass before a necessary fee is collected on covered products. Additionally, if a manufacturer never sends notice to CalRecycle or a retailer, a retailer is never obligated to collect fees on that product until a complaint is made to CalEPA. Enforcement on manufacturers to send notice may be difficult to levy against international manufacturers.

### **Related/Prior Legislation**

SB 568 (Newman, Chapter 308, Statutes of 2023) requires a person exporting covered electronic waste (e-waste) or a covered electronic device intended for recycling or disposal to include, in a report submitted to DTSC, a demonstration that before export, they attempted to locate an in-state covered e-waste recycler, and that the waste or device could not be managed by an in-state covered e-waste recycler.

SB 1215 (Newman, Chapter 370, Statutes of 2022) expands the E-waste Act to include CBEPs.

AB 2440 (Irwin, Chapter 351, Statutes of 2022) establishes the Responsible Battery Recycling Act of 2022, which establishes a stewardship program for the collection and recycling of certain batteries, as defined.

SB 20 (Sher, Chapter 526, Statutes of 2003) enacts the E-waste Act of 2003 to provide for the convenient recycling of covered electronic devices in California.

**SOURCE:** California Retailers Association

### **SUPPORT:**

Association of California Goodwills  
California Product Stewardship Council  
Californians Against Waste  
South Bayside Waste Management Authority (sbwma ) DbA Rethinkwaste

### **OPPOSITION:**

None received

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