

Date of Hearing: May 6, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS
Buffy Wicks, Chair
AB 2635 (Celeste Rodriguez) – As Amended April 22, 2026

Policy Committee: Natural Resources

Vote: 11 - 2

Urgency: No

State Mandated Local Program: Yes

Reimbursable: Yes

SUMMARY:

This bill requires every large and medium air district, as defined, to offer commercial vouchers for zero-emission (ZE) small off-road equipment (SORE), prohibits a local government from adopting or enforcing an ordinance prohibiting the use of SORE unless the air district in which the local government is located offers SORE vouchers, and limits penalties for violations of local ordinances.

Specifically, this bill, among other things:

- 1) Requires each large and medium district, no later than January 1, 2028, to implement and maintain a commercial voucher program to support the transition to ZE SORE consistent with seven specified conditions; for example, the program must offer vouchers covering at least 85% of eligible costs for landscapers to transition to ZE equipment and unless the district is using funds appropriated specifically for purposes of implementing this bill, the district must ensure any existing district incentive funds used to implement this requirement achieve emission reductions that are cost-effective relative to other allowable uses of those funds.
- 2) Requires a non-public entity administering a SORE voucher program under contract with a large or medium district to explicitly agree to adhere to the above requirements, prohibits districts from collecting or disclosing specified information from applicants, and requires a small rural district or local government that adopts a SORE voucher program to comply with specified requirements.
- 3) Prohibits, on and after January 1, 2027, a local government from adopting or enforcing an ordinance that prohibits the use of SORE landscaping equipment unless the district in which the local government is located offers a commercial voucher pursuant to this bill or the local government implements an incentive voucher program that provides vouchers covering at least 85% of eligible costs for landscapers to transition to ZE SORE.
- 4) Provides that (a) a violation of an ordinance adopted by a local government governing the use of any SORE landscaping equipment shall not be punishable as an infraction or misdemeanor, (b) a person shall not be subject to arrest for an alleged violation of the ordinance, and (c) a violation of an ordinance is punishable only by a written warning for a first violation, an administrative fine not exceeding \$100 for a second violation within one year of the first violation, and an administrative fine not exceeding \$200 for each additional violation within one year of the first violation.

- 5) Requires an adjudicator, when assessing an administrative fine, to consider the person's ability to pay the fine; requires the local government to provide the person with notice of their right to request an ability-to-pay determination and make available instructions or other materials for requesting an ability-to-pay determination; authorizes the person to request an ability-to-pay determination at adjudication or while the judgment remains unpaid, including when a case is delinquent or has been referred to a comprehensive collection program; provides that if a person meets specified criteria in the Government Code, the local government must accept, in full satisfaction, 20% of the administrative fine imposed; and authorizes the local government to allow the person to complete community service in lieu of paying the total administrative fine, waive the administrative fine, or offer an alternative disposition.

FISCAL EFFECT:

- 1) By requiring local air districts to implement and maintain commercial voucher programs to support the transition to ZE SORE (without providing additional state funding) and requiring districts and local governments that adopt such programs to comply with specified requirements (such as providing language assistance when requested) in administering those programs, this bill imposes a state-mandated local program. These local costs are potentially reimbursable by the state, subject to a determination by the Commission on State Mandates. The magnitude of these costs is unknown but could be in the hundreds of thousands to millions of dollars annually (General Fund).

At least 16 of the 35 air districts in California offer SORE rebates for commercial equipment, which together comprise at least 70% of the state's population. While most districts require a minimum 15% cost-share for commercial applicants, districts may waive this requirement for public agencies and small businesses. Most districts follow guidelines for the Carl Moyer Program to administer SORE rebate programs, including the imposition of hard caps on incentive amounts depending on the type of equipment being purchased. For example, Sacramento Metropolitan Air Quality Management District imposes a \$50,000 cap per applicant per funding cycle, whereas Butte County Air Quality Management District imposes a \$25,000 cap.

Existing programs would likely require updates to meet the requirements of this bill. By adding administrative complexity and costs, plus minimum percentages for incentive amounts, this bill may reduce the number of SORE equipment deployed via rebates or vouchers. Current district programs are very popular and oversubscribed. If districts are forced to turn to existing funding sources (such as the Carl Moyer Program or the AB 617 Community Air Protection Program), this bill requires the districts to ensure those existing incentive funds used to implement this bill achieve emissions reductions that are cost-effective relative to other allowable uses of those funds (such as incentives for heavy-duty trucks and buses, school and transit buses, drayage trucks, emergency vehicles, ZE charging stations, and other project categories).

- 2) ARB may incur some near-term costs as a result of this bill. For its part, ARB argues that because most air district lawn and garden equipment incentives are funded with monies from the Carl Moyer Program (which is implemented as a partnership between ARB and air districts), ARB must update the program guidelines to reflect the criteria and conditions

outlined in the bill, thereby incurring costs of an unknown amount (Air Pollution Control Fund).

In 2021, the Legislature allocated \$30 million to provide incentives to sole proprietors and other small landscaping businesses to help them purchase ZE SORE. ARB established an incentive program for small businesses and sole proprietor professional landscapers through the Clean Off-Road Equipment Voucher Incentive Project – with 1,906 items from 23 manufacturers in a dozen equipment categories available for point-of-sale vouchers. This funding is almost fully exhausted.

The author has submitted a budget request for fiscal year 2026-7 for \$30 million in one-time funding for ARB to provide incentives to help small landscaping companies and sole proprietorships transition to ZE land and gardening equipment, including leaf blowers and lawn mowers.

COMMENTS:

1) **Purpose.** According to the author:

California has set ambitious clean air goals, but we must also be clear about what compliance means for the workers whose livelihoods are at stake. Landscapers are essential to our communities, yet many are low-wage workers being asked to transition to costly new equipment without consistent or accessible support. In some areas, incentive programs are not available, and in others, requirements such as business licenses can exclude informal workers. At the same time, local bans are imposing fines that can escalate quickly, even when workers lack the resources to comply. AB 2635 is intended to make this transition more equitable.

2) **Background.** ARB has regulated SORE emissions since the 1990s. Following the passage of AB 1346 (Berman), Chapter 753, Statutes of 2021, ARB adopted ZE standards for SORE; these standards apply only to manufacturers of new equipment for sale or import into California, not to the use of existing SORE equipment. These regulations require most newly manufactured small off-road engines such as those found in leaf blowers, lawn mowers, and other equipment be ZE starting in 2024. According to ARB, despite their small size, these engines are highly polluting. The volume of smog-forming emissions from this type of equipment has surpassed emissions from light-duty passenger cars and is projected to be nearly twice that of passenger cars by 2031. ARB asserts ZE equipment in the SORE sector is widely available.

On a separate track, local governments have adopted ordinances to ban or restrict the use of lawn and garden equipment, primarily leaf blowers, dating back to the 1970s, based on local concerns about noise and air pollution, including exhaust and evaporative emissions associated with gas equipment, as well as fugitive dust created by mechanical leaf blowers.

Writing in support, a coalition of organizations states that California has over 100,000 landscapers who are mostly immigrants or informal workers and who experience persistent and overlapping challenges. The coalition argues that existing SORE rebate programs are “insufficient, unevenly implemented, and inaccessible to many immigrant landscapers due to

requirements such as business licensing, language barriers, and high upfront costs,” leaving many workers without a viable pathway to a full and just transition that allows them to support their families and communities. In addition, the coalition argues, local jurisdictions have implemented ordinances restricting or prohibiting the use of gas-powered equipment to cut pollution and noise, and that without adequate access to transition assistance, these “enforcement mechanisms impose fines and fees that disproportionately impact immigrant and informal landscapers, creating cycles of debt, worsening economic instability, and slowing the transition to zero-emission equipment.”

Writing in opposition, a coalition of organizations argues this bill preempts local governments “from taking sensible steps to protect their residents from excessive pollution from lawn mowers and leaf blowers,” and that ZE lawn mowers and leaf blowers are widely available. The coalition writes, “We view the transition to zero-emission equipment for landscaping as necessary to eliminate harmful pollution to protect the health of workers and residents and support attainment of clean air standards.”

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