SENATE COMMITTEE ON LOCAL GOVERNMENT
Senator María Elena Durazo, Chair
2025 - 2026 Regular

Bill No:	AB 2635	**Hearing Date:**	7/1/26
Author:	Celeste Rodriguez	**Fiscal:**	Yes
Version:	5/18/26	**Consultant:**	Peterson

AIR POLLUTION: SMALL OFF-ROAD ENGINES: VOUCHER PROGRAMS: LOCAL REGULATION

Enacts the Just Transition for Landscapers Act, which prohibits local agencies from adopting ordinances that prohibit the use of small off-road engine landscaping equipment unless its air district, or the local agency itself, offers a voucher program.

Background

Police power. The California Constitution allows a city to "make and enforce within its limits, all local, police, sanitary and other ordinances and regulations not in conflict with general laws." It is from this fundamental power (commonly called the police power) that local governments derive their authority to regulate behavior to preserve the health, safety, and welfare of the public.

Local ordinances. Existing law provides that a city or county legislative body, such as a city council or county board of supervisors, can impose fines, penalties, and forfeitures for violations of local ordinances**.** In general, every ordinance violation that is determined to be an infraction is punishable by:

- A fine not more than $100 for a first violation;
- A fine not more than $200 for a second violation of the same ordinance within one year; and
- A fine not more than $500 for each additional violation of the same ordinance within one year.

As an exception to the general limits on fines for infractions, a violation of local building and safety codes determined to be an infraction is punishable by:

- A fine not more than $130 for a first violation;
- A fine not more than $700 for a second violation of the same ordinance within one year;
- A fine not more than $1,300 for each additional violation of the same ordinance within one year; and
- A fine not exceeding $2,500 for each additional violation of the same ordinance within two years of the first violation if the property is a commercial property that has an existing building at the time of the violation, and the violation is due to failure by the owner to remove visible refuse or failure to prohibit unauthorized use of the property.

A local agency can make any violation of any of its ordinances subject to an administrative fine or penalty (SB 814, Alquist, 1995). Administrative fines and penalties are subject to the same maximum fine limits that state law generally applies for ordinance violations determined to be an infraction. The local agency must adopt an ordinance specifying the administrative procedures that govern the imposition, enforcement, collection, and administrative review of the fines or penalties. The administrative procedures must grant a reasonable time to remedy a continuing violation before the imposition of administrative fines or penalties when the violation pertains to building, plumbing, electrical, or other similar structural and zoning issues that do not create an immediate danger to health or safety. Within 20 days after service of a final administrative order or decision regarding administrative fines or penalties, a person contesting that final administrative order or decision may appeal in Superior Court. Local agencies must go through a civil court proceeding to collect unpaid fines and penalties. They may also impose fines and penalties through civil or criminal proceedings, which are limited to $1,000 per violation and six months of imprisonment.

California Air Resources Board. California's efforts to protect the public from the harmful effects of air pollution and help prepare the state for the effects of climate change involves federal, state, and local governments. The California Air Resources Board (CARB) works with the federal Environmental Protection Agency (EPA) and spearheads the state's non-vehicular air pollution efforts through 35 air pollution control districts and air quality management districts (air districts). CARB is comprised of 16 members, including 12 members the Governor appoints and the Senate confirms. Five of these members serve on local air districts, four are experts in fields that shape air quality rules, two are members of the public, and one serves as the CARB chair. The remaining four members include two members who represent environmental justice communities (one each appointed by the Senate and the Assembly) and two non-voting members for Legislative oversight (also one each appointed by the Senate and the Assembly). AB 197 (Eduardo Garcia, 2016) established staggered six-year terms for CARB's voting members.

Local air districts. CARB oversees the state's 35 air districts, who adopt and enforce rules and regulations to achieve and maintain state and federal air quality standards affected by businesses and facilities, ranging from oil refineries to auto body shops to dry cleaners. State law spells out the membership of these local air districts' governing boards, but there are many variations. Some are county-specific, while others are regional entities with representation from more than one county, and some have their own specific governing statutes. While governance structures vary, each district appoints an air pollution control officer, whose responsibilities include enforcing all orders, regulations, and rules the district board prescribes.

Air districts generally receive funding from grants, subventions, permit fees, penalties, and/or a surcharge or fee on motor vehicles registered in the district. If these funding sources do not provide the district with sufficient revenues to meet its expenses, an air district can levy an annual per capita assessment on the cities that have agreed to have a member on the district board and on the county or counties included within the district. Any annual per capita assessment imposed on the cities and/or counties included in a district must be imposed on an equitable per capita basis.

There are five different types of air district boards, specifically:

- Eleven single-county districts where the air district board consists only of the five members of the county board of supervisors;
- Eleven single-county districts where the air district board consists of elected officials from cities and members of the county board of supervisors;

- Eight unified air districts where the air district board consists of city councilmembers or city mayors, members of a county board of supervisors, and may include public members;
- Four air districts that consist of multi-county or single county air districts, each with an individual statute specifying their exact membership; and
- The Antelope Valley AQMD where the air district board consists of four city councilmembers, two members of the Los Angeles County board of supervisors, and one public member.

Small off-road engines (SORE). SORE emissions have been regulated since 1990, when CARB first adopted exhaust and evaporative emission standards for SORE. Following passage of AB 1346 (Berman, 2021), CARB adopted zero emission standards for SORE. These standards apply only to manufacturing of new equipment for sale or import into California, not the use of existing SORE equipment. In 2021, the Legislature appropriated $30 million to CARB to provide incentives to small business, professional landscapers. CARB distributed funds through its Clean Off-Road Equipment Voucher Incentive Project (CORE). As of March 1, 2026, CARB has distributed essentially all voucher funds. At least 16 of the 35 air districts offer SORE rebates for commercial equipment. Local governments in California 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, but also air pollution, including exhaust and evaporative emissions associated with gas equipment, as well as fugitive dust created by all mechanical leaf blowers, gas and electric.

In an effort to ensure that landscapers have resources necessary to transition to electric SORE equipment, the author wants to require air districts to offer voucher programs.

Proposed Law

Assembly Bill 2635 enacts the Just Transition for Landscapers Act (the Act), which, starting on January 1, 2027, and until January 31, 2032, prohibits local agencies from adopting or enforcing ordinances that prohibit the use of SORE landscaping equipment unless the air district where the local agency is located, or the local agency itself, offers a voucher program.

Local ordinances. Local agencies cannot punish violations of a SORE landscaping equipment ordinance with an infraction or misdemeanor, and cannot subject a violator to arrest. Ordinances can only punish an individual as follows:

- 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.

When assessing fines, the adjudicator must take into consideration the individual's ability to pay. The local agency must notify the individual of their right to request an ability-to-pay determination, and must make instructions and other information regarding that request available. The individual may request an ability-to-pay determination at adjudication or while the judgment remains unpaid, including when referred to a comprehensive collection program. The Act requires that individuals receiving specified government assistance programs or meeting specified income thresholds only have to pay 20% of a fine. The Act allows a local government to accept community service in lieu of the fine, can waive fines, or offer alternative disposition.

Voucher programs. The Act requires that, no later than January 1, 2028, and to extent that funding is available, large and medium districts to implement and maintain a commercial voucher program to support the transition to zero-emission SORE consistent with the following:

- The district must recognize and accept alternative forms of documentation in place of a business license to verify eligibility for the voucher program, as specified;
- The district cannot require that a business hold a business license for a minimum period of time before submitting an application to the voucher program;
- The district must establish low-burden procedures to review and verify required documentation that is equitable for landscapers, and must provide language assistance when requested;
- The district must not inquire into or collect information about an individual's immigration status, citizenship status, or place of birth;
- The district must not inquire into or collect information regarding an individual's criminal history, and cannot require an applicant to submit fingerprints or a background check as part of their application;
- Unless the district uses funds appropriated specifically for purposes of implementing the Act, it must ensure that existing district incentive funds achieve emissions reductions that are cost effective relative to other allowable uses of those funds;
- Unless required by state or federal law, a district must not provide voluntary consent to any individual to access, review, or obtain records in connection to a voucher program without a subpoena or judicial warrant, which the Act allows to be challenged; and
- The district must not disclose personally identifiable information of any voucher participant except as required by a subpoena.

If a small rural district or local government decides to adopt a voucher program, it must comply with these requirements. On and after January 1, 2028, a contract between a private entity and a large or medium district must require the private entity to explicitly agree to adhere to these requirements, and the contract must be immediately terminated if the private entity violates this requirement.

AB 2635 defines small rural, medium, and large air districts to mean the following:

- Small rural districts are air districts with a population of less than 1 million that is designated as rural by the California Air Pollution Control Officers Association and has limited staffing and administrative capacity relative to medium and large districts;
- Medium districts are air districts with a population of less than 1 million that is not a small rural district; and
- Large districts are air districts with a population of 1 million or more.

The measure defines its terms, and makes findings and declarations to further its intent.

Comments

1. Purpose of the bill. 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. It requires air districts to provide voucher programs covering 85–100% of the cost of zero-emission equipment, removes barriers that limit access to those programs, and ensures enforcement does not outpace available support. It also establishes a clear, time-limited transition framework that provides workers with a realistic path to compliance. This approach aligns the state's clean air goals with the realities facing workers being asked to transition to costly alternatives within a short timeframe."

2. Home rule. The police power allows cities and counties to "make and enforce within its limits, all local, police, sanitary and other ordinances and regulations not in conflict with general laws." AB 2635 removes the ability for a city or county to adopt or enforce an ordinance that prohibits the use SORE landscaping equipment unless it is located in an air district that offers commercial vouchers or the local government implements an incentive voucher program for landscapers to transition to zero-emission small off-road equipment. AB 2635 requires air districts that are not small and rural to implement a voucher program, but only if funding is available. This means that local agencies have no guarantee air districts will implement a voucher program, leaving them to develop their own voucher program without state resources if they want to continue to enforce their ordinances. Local agencies adopt and enforce these ordinances for a variety of purposes, including local concerns about noise, but also air pollution. AB 2635 disregards these local determinations. The Committee may wish to consider whether decisions regarding local regulation of SORE landscaping equipment are better left in the hands of local governments.

3. Fine by me. AB 2635 places limits on the fines local agencies can apply. Specifically, the first violation must be a warning, then the second violation is $100, and each subsequent violation is $200. Without clearer rules, some local agencies may adopt different fine policies. For example, one local agency could impose fines on a per person basis, a per equipment basis, or charge the same individual multiple times for the same violation in a single day. Without further specification, fines could pile up. The Committee may wish to consider amending the bill to specify what constitutes a violation subject to fines.

4. The times they are a changin'. The Senate Committee on Rules has ordered a double referral of AB 2635: first to the Committee on Environmental Quality, which approved AB 2635 at its June 24th hearing on a vote of 7-0, and second to the Committee on Local Government. At its hearing, the Committee on Environmental Quality approved the measure with committee amendments to:

- Make air district requirements contingent on additional funding; and
- Eliminate prohibition on local governments from adopting or enforcing an ordinance that prohibits the use SORE landscaping equipment unless it is located in an air district that offers commercial vouchers or the local government implements an incentive voucher program for landscapers to transition to zero-emission small off-road equipment.

Due to timing, the Committee on Environmental Quality requested that these amendments be taken as committee amendments in the Committee on Local Government.

5. Mandate. Because AB 2635 imposes new duties on local agencies in terms of these voucher program requirements, Legislative Counsel says it imposes a new state mandate. The measure states that if the Commission on State Mandates determines that the bill imposes a reimbursable mandate, then reimbursement must be made pursuant to existing statutory provisions.

6. Charter city. The California Constitution allows cities that adopt charters to control their own "municipal affairs." In all other matters, charter cities must follow the general, statewide laws. Because the Constitution doesn't define "municipal affairs," the courts determine whether a topic is a municipal affair or whether it's an issue of statewide concern. AB 2635 says that it applies to all cities, including charter cities. To support this assertion, the bill includes a legislative finding and declaration that the regulation of the use of gas-powered landscaping equipment is a matter of statewide concern and is not a municipal affair.

Assembly Actions

Assembly Natural Resources Committee:	11-2
Assembly Appropriations Committee:	12-2
Assembly Floor:	62-12

Support and Opposition (6/26/26)

Support: California Immigrant Policy Center (Co-Sponsor)
Inclusive Action (Co-Sponsor)
National Day Laborer Organizing Network (NDLON) (Co-Sponsor)
Alliance for a Better Community
Alliance San Diego
Altcap California
Asociacion De Emprendedor@s
Border Angels
Buen Vecino
California Coalition for Community Investment
California Electric Transportation Coalition
California Environmental Justice Alliance (CEJA)
California Latino Legislative Caucus
Cameo Network
Central American Resource Center of California (CARECEN-LA)
Central Valley Immigrant Integration Collaborative
Centro Community Hispanic Association (centro Cha Inc.)
Centro Laboral De Graton
Cielo
Coalition for Humane Immigrant Rights
Coalition for Humane Immigrant Rights (CHIRLA)
First Community Capital, INC.
Five Rivers Loan Fund, INC.
Immigrants Rising
Inclusive Action for the City
Inland Coalition for Immigrant Justice
Inner City Struggle
Innercity Struggle

Kiwa
LA Forward Institute
Latino Coalition for a Healthy California
Lift
Los Angeles Alliance for a New Economy (LAANE)
Los Angeles Economic Equity & Access Forward
Moreno Seeds Foundation
Multicultural Institute
Nuevo Sol Day Labor & Domestic Worker Center
Orale: Organizing Rooted in Abolition, Liberation, and Empowerment
Our Future Los Angeles
Pacific Community Ventures
Pasadena Community Job Center
Pilipino Workers Center of Southern California
Pomona Economic Opportunity Center
Public Counsel
Salva
San Diego Immigrant Rights Consortium
Somos Familia Valle
South Asian Network
St. John's Community Health
Street Level Health Project
T.r.u.s.t. South LA
Thai Community Development Center
The Los Angeles Tool Library
The Translatin@ Coalition
Urban Visionaries
Vera California
Worksafe

Opposition: 350 Humboldt
7th Generation Advisors
Ban Gas Leaf Blowers San Jose
California Air Pollution Control Officers Association
Coalition for Clean Air
Quiet Clean Alliance
Tri-valley Air Quality Climate Alliance
Union of Concerned Scientists
One individual

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