

Date of Hearing: April 22, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS
Buffy Wicks, Chair
AB 2667 (Hadwick) – As Introduced February 20, 2026

Policy Committee:	Environmental Safety and Toxic Materials	Vote:	7 - 0
	Business and Professions		19 - 0

Urgency: No State Mandated Local Program: Yes Reimbursable: No

SUMMARY:

This bill requires the Department of Toxic Substances Control (DTSC) to evaluate opportunities for the safe management of vape pens confiscated from students at a school, authorizes household hazardous waste (HHW) facilities to mechanically disassemble vapes, and bans disguised vapes and vapes with videogame capabilities.

Specifically, this bill, among other things:

- 1) Requires, until January 1, 2030, DTSC to evaluate opportunities to increase safety and convenience related to the management and disposal of vape pens and devices confiscated from students by a school; requires the evaluation to ensure consistency with the federal Resource Conservation and Recovery Act of 1976 (RCRA), as specified; and requires DTSC to identify any recommendations that require future legislative action.
- 2) Authorizes a permanent HHW collection facility, after consultation with the certified unified program agency and the entity responsible for fire protection, to mechanically disassemble vape pens and devices to separate batteries, valves, electronic components, and other parts containing liquids or gases, in a manner that does not result in the unauthorized release of hazardous materials and in accordance with other specified requirements.
- 3) Prohibits a person from marketing, promoting, labeling, branding, advertising, distributing, offering for sale, or selling a vape product in the state by doing any of the following: (a) imitating a product that is not a vape product to conceal the nature of the vape product from parents, teachers, or other adults, as specified, (b) using branding that is known to appeal to minors, as specified, and (c) including interactive videogame capabilities within a vape product.
- 4) Authorizes a city, a county, a city and county, or the state to enforce this bill and imposes civil liability on a person or entity in violation of this bill in the amount of \$1,000 for the first violation, \$2,500 for the second violation, and \$5,000 for the third and any subsequent violations; authorizes the same entities to impose civil liability on a distributor who violates this bill in the amount of \$50,000 per violation; requires any civil penalties collected to be paid to whichever office brought the action; allows penalties collected by the Attorney General (AG) to be expended by the AG, upon appropriation by the Legislature, to enforce this bill; and makes any person who violates this bill guilty of an infraction punishable by a fine of not more than \$500.

- 5) Requires the California Department of Tax and Fee Administration (CDTFA) to revoke or suspend a license to engage in the sale of cigarettes or tobacco products of any person with a license who is in violation of this bill, as specified, and requires the Department of Cannabis Control (DCC) to revoke or suspend a license issued by DCC of any person with a license to sell cannabis or a cannabis product who is in violation of this bill, as specified.
- 6) Authorizes an enforcement agency, if it discovers that a tobacco retailer, or any of retailer's agents or employees, sell, offer for sale, or possess with the intent to sell or offer for sale a vape product prohibited by this bill, to seize the product at the retail location or any other person's location, as specified.

FISCAL EFFECT:

- 1) DTSC estimates ongoing annual costs of approximately \$440,000 (Electronic Waste Recovery & Recycling Account) for two positions to evaluate opportunities for the collection and disposal of vapes confiscated from students by a school, identify legislative or regulatory recommendations, update its Permit by Rule regulation (which creates a process that allows generators of hazardous waste to treat certain wastes without having to go through the formal permitting process) to explicitly authorize vape disassembly, coordinate with and provide oversight to the state's Certified Unified Program Agencies (who administer the Permit by Rule program at the local level), coordinate with U.S. EPA, and other associated tasks.
- 2) CDTFA estimates ongoing annual costs ranging from \$50,00 to \$250,000 to notify licensees of the vape product prohibition in this bill, seize and destroy newly prohibited vape products that do not fall under CDTFA's existing authority for flavored tobacco products, suspend or revoke licenses, and handle appeals. CDTFA notes this bill may also result in a reduction in cannabis excise tax and cigarette and tobacco product tax revenues of an unknown amount due to a reduction in available vape products and an increase in untaxed black market sales of prohibited products, a reduction in electronic cigarette excise tax and sales and use tax revenues of an unknown amount due to seizures of prohibited vape products by enforcement agencies from tobacco retailers, and a reduction in licensing fee revenues due to an unknown number of suspensions or revocations of cigarette and tobacco products licenses for noncompliance with the vape product prohibition (Cannabis Tax Fund, Cigarette and Tobacco Products Compliance Fund, Cigarette and Tobacco Products Tax Funds, General Fund, Local Revenue Fund 2011, Local Revenue Fund 1991, and Public Safety Fund).

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

- 3) DCC anticipates a reduction in cannabis product license fee revenue as well as costs to the department of an unknown but potentially significant amount (Cannabis Control Fund). DCC notes the bill shifts the focus of enforcement from manufacturers, where DCC currently prioritizes its enforcement for violations related to products that are attractive to children, to retailers and distributors (among others), significantly expanding the pool of licensees subject to enforcement. A single noncompliant vape product may be distributed to numerous retailers; on average, one product may reach approximately 83 retail licensees, meaning for each product found to be in violation of this bill, over 80 licensed business (the manufacturer, the distributor, and all retailers) may require license suspension or revocation.

DCC contends this shift will significantly increase the department's workload across its enforcement, investigations, and legal divisions, as each violation requires case development, documentation, and adjudication support. The magnitude of these impacts is unknown at this time and will depend on the volume and complexity of violations, among other variables.

- 4) The Department of Justice reports minor and absorbable costs.

COMMENTS:

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

Manufacturers are deceptively designing and marketing vapes to children. These vapes are disguised as everyday items, like school supplies or clothing. Some have features intentionally designed to increase dependency and addiction, like built-in video games. Schools are increasingly confiscating these vapes, yet they lack practical options to safely manage and dispose of them. Similarly, local household hazardous waste facilities receiving these vapes are unable to identify them and disassemble them, increasing costs and fire hazards.

Assembly Bill 2667 cracks down on these dangerous devices by banning disguised and interactive vapes. It also gives schools and local governments the tools to safely manage and dispose of vape waste. This bill protects kids, supports schools, and ensures hazardous materials are handled responsibly.

- 2) **Background.** Many common household products that are hazardous become HHW when they are discarded. In California, HHW is prohibited from being disposed of in the trash, down the drain, or by abandonment, and must be disposed of through an HHW program. Most HHW programs are run by local government agencies such as a city or county.

Single-use and refillable vapes are commonly found in the waste stream and must be managed as hazardous waste because they contain residual chemicals, batteries, and electronic components and because they can cause fires. Schools often confiscate vape pens that students bring from home. This bill is sponsored by the Rural County Representatives of California (RCRC), which notes that while the student or parent can dispose of the vape as HHW at a HHW collection facility, schools are not considered "households" and often generate too much hazardous waste to be able to use local HHW collection facilities. Schools have few transporters and disposal opportunities available, which means it can be very expensive to properly manage and dispose of the contraband. To address this problem, this bill directs DTSC to evaluate opportunities to increase the safety and convenience for managing vapes confiscated from students by a school.

RCRC also contends vapes include multiple components, all of which have different hazardous traits. As such, they can be extremely expensive for local HHW programs to manage. While the batteries and circuitry have value and are recyclable, the fluid canister is often considered acutely hazardous waste. RCRC argues that vapes could be managed much more cost effectively if HHW collection facilities were authorized to safely disassemble them, as the cartridge (which is often the most expensive to manage) could be separated from the batteries and circuitry and each component could be managed separately. This bill allows

HHW collection facilities to safely disassemble vapes after consultation with local environmental health and fire agencies, provided the personnel receive proper training and the activities do not result in the unauthorized release of hazardous materials.

Finally, RCRC notes that vapes are increasingly designed and marketed to appeal to minors and young adults – often in ways that are deceptive or intended to increase the level of addiction. Disguised vapes are harder for educators to detect and also pose heightened fire risks for collection trucks and solid waste facilities. This bill bans the sale of disguised vapes and video game vapes.

- 3) **Related Legislation.** AB 998 (Hadwick) of the current legislative session, among other things, requires DTSC to evaluate opportunities to increase safety and convenience related to the management and disposal of vape pens confiscated from students by a school. AB 998 was held on the Senate Appropriations Committee's suspense file.

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