
**SENATE COMMITTEE ON
BUSINESS, PROFESSIONS AND ECONOMIC DEVELOPMENT**
Senator Dr. Aisha Wahab, Chair
2025 - 2026 Regular

Bill No:	AB 2667	Hearing Date:	June 22, 2026
Author:	Hadwick		
Version:	June 10, 2026		
Urgency:	No	Fiscal:	Yes
Consultant:	Elissa Silva		

Subject: Vape products: household hazardous waste: advertising

SUMMARY: 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 hazard waste facilities to mechanically disassemble vapes so that those facilities may separately process the components of the vapes. Prohibits anyone from selling, marketing, advertising, or distributing a vape product if the vape product imitates a food marketed to minors, such as candy; if the vape imitates school supplies commonly used by minors; uses branding that is known to appeal to minors; or, if the vape is constructed into clothing or accessories that could be marketed to minors.

NOTE: *This bill is triple referred. This bill was previously heard in the Senate Committee on Environmental Quality on June 17, 2026, and passed with a vote of 7-0. This bill is referred to the Senate Committee on Revenue and Taxation, third.*

Existing law:

- 1) Defines a “household hazardous waste collection facility” (waste facility) to mean a facility operated by a public agency, or its contractor, for the purpose of collecting, handling, treating, storing, recycling, or disposing of household hazardous waste. The operation of a household hazardous waste collection facility may include accepting hazardous waste from very small quantity generators if that acceptance is authorized, as specified. Household hazardous waste collection facilities include permanent household hazardous waste collection facilities, temporary household hazardous waste collection facilities, recycle-only household hazardous waste collection facilities, curbside household hazardous waste collection programs, door-to-door household hazardous waste collection program or household hazardous waste residential pickup service, and mobile household hazardous waste collection facilities. (Health and Safety Code (HSC) § 25218.1(e)).
- 2) Defines “household hazardous waste” to mean hazardous waste generated incidental to owning or maintaining a place of residence but does not include waste generated while operating a business at a residence. (HSC § 25218.1(d))
- 3) Defines “Very small quantity generator” or “VSQG” means a generator that meets the criteria as specified in the Section 262.13 of Title 40 of the Code of Federal Regulations. (HSC § 25218.2(q))

- 4) Establishes the Hazardous Waste Control law which provides for the Department of Toxic and Substance Controls (DTSC) to regulate the management of hazardous wastes in California. (HSC) §§ 25100 et seq.)
- 5) Permits the Department of Toxics and Substance Control (DTSC) to authorize a household hazardous waste collection facility to accept hazardous waste from a VSQG. (HSC § 25218.3(a))
- 6) Prohibits a household hazardous waste collection facility that is authorized to accept hazardous waste from a VSQG, as specified, from accepting more than 100 kilograms of hazardous waste, or 1 kilogram of extremely hazardous waste, from any one VSQG in a calendar month. Calculation of quantity may not include universal waste managed pursuant to regulations. (HSC § 25218.3(b)(1))
- 7) Specifies the entities authorized to transport hazardous waste to a household hazardous waste facility is limited to the following:
 - a) The individual or VSQG who generated the waste, or another person on behalf of the individual, as specified,
 - b) A curbside household hazardous waste collection program.
 - c) A mobile household hazardous waste collection facility, a temporary or permanent household hazardous waste collection facility, or a recycle-only household hazardous waste collection facility.
 - d) A door-to-door household hazardous waste collection program.
 - e) A household hazardous waste residential pickup service.
 - f) A registered hazardous waste transporter carrying hazardous waste generated by a VSQG.
 - g) A public agency, contractor of a public agency, or a registered hazardous waste transporter carrying hazardous waste from a solid waste facility or operation, including, but not limited to, a solid waste landfill loadcheck program or a transfer station loadcheck program, under agreement with the household hazardous waste collection facility.
 - h) A public agency, contractor of a public agency, or a registered hazardous waste transporter, under agreement with the household hazardous waste collection facility, operating under a contract with a public agency to transport hazardous wastes that were disposed of in violation of this chapter, and that are being removed by, or are being removed under the oversight of, the public agency, provided no more than 55 gallons or 500 pounds are being transported, and the hazardous wastes were not originally disposed of in violation of this chapter by that public agency. (HSC § 25218.5(a))

- 8) Requires a household hazardous waste collection facility to obtain a hazardous waste facilities permit, unless it is a recycle-only facility that meets specified conditions. (HSC § 25218.8)
- 9) Requires, effective October 1, 2016, all cartridges for electronic cigarettes and solutions for filling or refilling an electronic cigarette be in child-resistant packaging, as defined. (HSC § 119406)
- 10) Defines “Electronic cigarettes” to mean any device or delivery system sold in combination with nicotine which can be used to deliver to a person nicotine in aerosolized or vaporized form, including, but not limited to, an e-cigarette, e-cigar, e-pipe, vape pen, or e-hookah. Electronic cigarettes include any component, part, or accessory of such a device that is used during the operation of the device when sold in combination with any liquid or substance containing nicotine. Electronic cigarettes also include any liquid or substance containing nicotine, whether sold separately or sold in combination with any device that could be used to deliver to a person nicotine in aerosolized or vaporized form. Electronic cigarettes do not include any device not sold in combination with any liquid or substance containing nicotine, or any battery, battery charger, carrying case, or other accessories not used in the operation of the device if sold separately. Electronic cigarettes do not include any product that has been approved for sale as a tobacco cessation product or for other therapeutic purposes where that product is marketed and sold solely for such approved use, as specified. (Revenue and Taxation Code (RTC § 30121(c))

Current Federal Law establishes the procedures to determine whether a generator is a very small quantity generator, a small quantity generator, or a large quantity generator of hazardous waste for a particular month, as defined. (40 CFR § 262.13)

This bill:

- 1) Defines “vape pen and device” for purposes of this bill, to mean an electronic device that is powered by one or more removable or embedded batteries and that delivers solely, or a combination of, nicotine, cannabis, or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, hookah, or other delivery mechanism.
- 2) Allows VSQGs, for purposes of determining how many vape pens and devices may be accepted without exceeding more than 100 kilograms of hazardous waste or 1 kilogram of extremely hazardous waste, the following apply:
 - a) A waste facility may rely on United States Environmental Protection Agency guidance entitled “How to Safely Dispose of E-Cigarettes: Information for Schools and Small Businesses” unless the department withdraws or replaces that guidance or issues its own guidance or regulations on the matter.
 - b) For the extremely hazardous waste threshold, the nonacute hazardous waste may be counted separately from the acutely hazardous waste contained in those vape pens or devices.

- c) The amount of acutely hazardous waste contained in a vape pen and device is presumed to not exceed the maximum capacity of the cartridge contained in that vape pen and device, unless a VSQG or household hazardous waste collection facility can determine otherwise.
- 3) Allows for purposes of transporting hazardous waste to a waste facility to additionally be transported by a public agency, contractor of a public agency, or a registered hazardous waste transporter, transporting vape pens and devices from a school that were confiscated from students, pursuant to an agreement entered into between the school and local household hazardous waste collection facility.
- 4) Specifies that for 3) above, vape pens and devices transported pursuant to this subparagraph shall be transported in containers that clearly bear the school's Environmental Protection Agency identification number and subject to the current weight limit restrictions for accepting hazardous waste from a VSQG.
- 5) Requires 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, ensure the evaluation is consistent with RCRA, and identify recommendations that require future legislative action.
- 6) Allows a permanent household hazardous waste collection facility may, after consultation with the certified unified program agency and local fire authority 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.
- 7) States for purposes of 6) above, the following apply to any mechanical disassembly activities:
 - a) The activities are described in the operation plan of the facility that is available for review by the certified unified program agency and included in a permit-by-rule application authorized by the certified unified program agency.
 - b) Any personnel involved in the activities receive adequate training to ensure safe management and operations.
- 8) Prohibits a person from marketing, promoting, labelling, branding, advertising, distributing, offering for sale, or selling a vape product by doing either 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, including, imitating a food or brand of food product commonly marketed to minors, including candy, desserts, and beverages or school supplies commonly used by minors, including, but not limited to, erasers, highlighters, pens, and pencils, or constructing into clothing and accessories that could be marketed to minors.

- b) Including interactive videogame capabilities within a vape product.
- 9) Authorizes a city, county, a city and county, or the state to enforce the prohibition on vape products, as specified, and impose civil liability on a person or entity in violation of this section 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.
- 10) Authorizes a city, county, a city and county, or the state to impose civil liability on a distributor, as defined, who violates the prohibition on vape products, as specified, in the amount of \$50,000 per violation
- 11) Requires any civil penalties collected to be paid to the office of the city attorney, city prosecutor, district attorney, or Attorney General (AG), whichever office that brought the action.
- 12) Authorizes the penalties collected by the AG to be expended by the AG to enforce the prohibition on vape products, as specified, upon appropriation by the Legislature.
- 13) Makes a person in violation of these provisions is guilty of an infraction punishable by a fine of not more than \$500.
- 14) 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 these provisions, upon a second or subsequent violation.
- 15) Authorizes an enforcement agency to seize a product at a retail location or any other person's location if the enforcement agency discovers that a tobacco retailer or any of its agents or employees sells, offers for sale, or possess with the intent to sell or offer for sale a vape product prohibited by these provisions.

FISCAL EFFECT: According to the Assembly Committee on Appropriations, DTSC estimates ongoing annual costs of approximately \$440,000 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. 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 DCC anticipates a reduction in cannabis product license fee revenue as well as costs to the department of an unknown but potentially significant amount. 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 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. The Department of Justice reports minor and absorbable costs.

COMMENTS:

1. **Purpose.** The Rural County Representatives of California is the sponsor of this bill. 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.**

This bill seeks to address multiple regulatory issues related to "vapes". First this bill seeks to clarify the process by which vapes can be disposed given that these devices are considered hazardous waste. Second, this bill establishes a pathway for schools to dispose of confiscated vapes in a manner consistent with existing requirements for disposing of hazardous household waste. Third, this bill provides a prohibition on vapes that are disguised to resemble common items for purposes of deceiving teachers, parents or others by concealing a vape in the shape of a highlighter, a pen or pencil, or a food product that mimics desserts or candy, all intended to deceive the product's true identity. And fourth, this bill establishes robust penalties for violating the prohibition on deceptive vape devices.

Household Waste and Hazardous Household Waste. In California, the laws that govern household waste disposal are specified under the Hazardous Waste Control Law, of which the DTSC is responsible for oversight and administration. California's

regulation of hazardous waste relies on a combination of state and federal laws to ensure the safe disposal of potentially dangerous products which can be harmful to human health. Waste is considered hazardous waste if it is specified by either the federal government through the Resource Conservation and Recovery Act, specified in state regulations or if it exhibits any of the four characteristics of a hazardous waste which include ignitability, corrosivity, reactivity, and toxicity. Hazardous waste may not be disposed of in the trash and must be disposed of properly through authorized transport to a permitted facility. Household hazardous waste is generated around the home and can be generated from simple household activities like cleaning or auto maintenance. California has specific requirements for disposing of household hazardous waste.

Common household products such as batteries, drain cleaners, oven cleaners, pesticides, paints, used oil or solvents are considered hazardous waste and must be disposed of accordingly at a household waste facility. Such items are not to be disposed of in the regular trash. Vapes are handheld electronic devices, typically powered by lithium-ion batteries, that vaporize a liquid containing nicotine or cannabis products. Vapes may be disposable and single-use, rechargeable or pre-filled with refillable cartridges. According to information from the Centers for Disease Control (CDC), vapes may contain potentially harmful substances including nicotine, cancer-causing chemicals, heavy metals such as nickel, tin, and lead and other tiny particles that can be inhaled deep into the lungs. Under current federal law (RCRA), vapes are considered hazardous waste due both to the nicotine residual and the lithium-ion battery. As such, vapes are subject to household hazardous waste disposal requirements. Like batteries and paint, vapes must be disposed of properly. Cannabis vape products are required to prominently display in a clear and legible fashion: "Properly dispose of as household hazardous waste" on the label of an integrated cannabis vaporizer.

This bill helps establish a process to determine the number of vape pens and devices that can be disposed of by a VSQG without exceeding the federally defined weight limit of transactions to maintain status as a VSQR and additionally authorizes a waste facility to mechanically disassemble vapes after consultation with the respective certified unified program agency and the local fire authority.

Vapes and Youth. Both cannabis and tobacco are limited to those over 21. Pursuant to the Medicinal and Adult-Use Cannabis Regulation and Safety Act no person under the age of 21 is permitted to purchase cannabis or cannabis products. and the Stop Tobacco Access to Kids Enforcement Act prohibits furnishing tobacco products to individuals under the age of 21 and further specifies civil penalties on retail owners for violations. The CDC reported in 2024 that over 1.6 million youth reported currently using e-cigarettes and in 2016, nearly one in three of U.S. middle and high school students who had ever used an e-cigarette reported using marijuana in the device. Some e-cigarettes can look similar to common household or school items that teens frequently use such as USB flash drives, pens, smartphones, highlighters, toys, and other types of products. Additionally, it is reported that some of these vapes have digital display screens and can include games and reward systems for vaping, such as points and rankings, which may make the product more appealing to youth. This bill will specifically prohibit a person from marketing promoting or otherwise selling or offering to sell a product that looks

like a food item, school supplies, is clothing or accessory that would be marketed to minors or includes an interactive videogame. The provisions of this prohibition is applicable to both cannabis and tobacco vape products. This bill imposes civil penalties for violations.

Lastly, because vape use is prevalent amongst youth, this bill also aims to address challenges with schools who confiscate vape devices from students. In a recent Modesto Bee article from June 2, 2026, it was reported that at a junior high school, “More than 40 vape devices and other tobacco-related products have been confiscated at Turlock Junior High School during the just-ended school year, according to the Turlock Police Department¹.” It was reported that items collected included nicotine-related vaping devices, tobacco products and items containing THC or cannabis. As noted by the author, “Residents might be able to dispose of vape pens at household hazardous waste collection facilities (HHWCFs); however, it is far more difficult for school facilities to properly dispose of vape pens seized from students as contraband. It is also unclear whether a HHWCF can permissibly disassemble vapes to separate batteries and electronic components from cartridges/tanks to simplify and reduce management costs.” This bill establishes a streamlined approach to allow schools to more easily dispose of confiscated vape products under hazardous waste requirements.

3. **Arguments in Support.** A broad coalition of supporters note, “Assembly Bill 2667 seeks to protect children, young adults, and the public by: 1) banning disguised vapes and vapes containing video display devices, 2) providing an easier regulatory pathway for schools to properly dispose of vapes confiscated from students, and 3) improving the safe collection, management, and proper disposal of vapes by local household hazardous waste (HHW) collection facilities.

“Vapes are ubiquitous, commonly encountered in the waste stream, and must be managed as hazardous waste because they contain residual chemicals, batteries, and electronic components. Vapes create real public health and safety risks when disguised or improperly disposed. Local government household hazardous waste (HHW) collection programs are intended to provide safe and convenient ways for residents and small generators to dispose of hazardous waste like vapes.”

SUPPORT AND OPPOSITION:

Support:

Rural County Representatives of California (source)
 Alameda County Office of Education
 Association of California School Administrators
 California Product Stewardship Council
 Californians Against Waste
 County of Santa Barbara
 Del Norte Solid Waste Management Authority

¹ <https://www.modbee.com/news/local/article315978741.html#storylink=cpy>

League of California Cities
Los Angeles Unified School District
National Stewardship Action Council
Parents Against Vaping
Recology
Republic Services
Resource Recovery Coalition of California
Rethinkwaste
Rural Counties Environmental Services Joint Powers Authority
Stopwaste
Swana California Chapters Legislative Task Force
Tehama County Solid Waste Management Agency
Western Placer Waste Management Authority (WPWMA)
Yuba-Sutter Regional Waste Management Authority
Zero Waste Marin

Opposition:

None received

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