

ASSEMBLY THIRD READING

AB 643 (Wilson)

As Amended January 14, 2026

Majority vote

SUMMARY

This bill allows a local jurisdiction to count organic material used as a beneficial agricultural amendment toward its recovered organic waste procurement target if the material meets specified conditions.

Major Provisions

- 1) Authorizes a local jurisdiction to count organic material used as a beneficial agricultural amendment toward its recovered organic waste procurement target if the following conditions are met:
 - a) The material is processed at a facility authorized by the Department of Resources Recycling and Recovery (CalRecycle) using technologies approved pursuant to specified statutory criteria and regulations.
 - b) The material is licensed for end use as an agricultural fertilizer by the California Department of Food and Agriculture (CDFA), as specified.
 - c) The material is not derived from, or processed using, activities that constitute "solid waste disposal," "disposal," or "transformation," as specified.
- 2) Specifies that the amount of the procured materials be calculated using the dry weight of the materials.

COMMENTS

An estimated 35 million tons of waste are disposed of in California's landfills annually. More than half of the materials landfilled are organics. CalRecycle's 2021 waste characterization study found that 34% of disposed waste is organic waste. According to University of California Los Angeles Center for Health Policy Research, more than a third of Californians (39%) can't afford enough food. In spite of widespread food insecurity, 11.2 billion pounds of food is disposed of annually in the state.

SB 1383 (Lara), Chapter 395, Statutes of 2016, requires ARB to approve and implement a comprehensive SLCP strategy to achieve, from 2013 levels, a 40% reduction in methane, a 40% reduction in hydrofluorocarbon gases, and a 50% reduction in anthropogenic black carbon, by 2030. In order to accomplish these goals, the law specifies that the methane emission reduction goals include targets to reduce the landfill disposal of organic waste, including food, 50% by 2020 and 75% by 2025 from the 2014 level. SB 1383 also requires that by 2025, 20% of edible food that would otherwise be sent to landfills is redirected to feed people. Specifically, the law requires: jurisdictions to establish food recovery programs and strengthen existing food recovery networks; food donors to arrange to recover the maximum amount of edible food; and, food recovery organizations and services that participate in SB 1383 to maintain specified records. To achieve this, California's waste management infrastructure is going to have to process and recycle much higher quantities of organic materials, involving significant investments in additional processing infrastructure. Organic waste is primarily recycled by composting the

material, which generates compost that can be used in gardening and agriculture as a soil amendment and engineering purposes for things like slope stabilization. Anaerobic digestion is also widely used to recycle organic wastes. This technology uses bacteria to break down the material in the absence of oxygen and produces biogas, which can be used as fuel, and digestate, which can also be used as a soil amendment. Tree trimmings and prunings can also be mulched. In order to ensure that there are adequate markets for the state's increasing quantities of products made from organic waste, like mulch, compost, and digestate, CalRecycle established procurement requirements for local jurisdictions. The procurement targets are based on the average amount of organic waste generated by Californians annually multiplied by the population of a jurisdiction. Jurisdictions can meet the target by procuring, giving away, or arranging for the use of the material through contracts with direct service providers. Eligible materials include compost, mulch, biomass electricity, or renewable gas, as specified. Compliance with SB 1383 requirements is particularly challenging for less-populous areas of the state. Implementing the kinds of collection and recycling systems that work well in urban areas is infeasible in more rural areas. Altogether, the 19 counties that are currently eligible for the rural exemption have fewer than 600,000 residents; in some areas the population density drops below 10 per square mile. In higher elevations, roads can become impassable for collection trucks due to snow. These challenges make compliance disproportionately high for these communities.

This bill broadens the types of materials that local jurisdictions can use to meet the state's ambitious procurement targets to include "beneficial agricultural amendments."

According to the Author

The Legislature has heard from many communities across the state that they are concerned they will struggle to meet their procurement targets under SB 1383. Increasing the eligibility of procurement products made from diverted organics will assist in jurisdictions in meeting their goals, provide positive impacts to the State's climate change objectives, and provides the agricultural community another tool to continue growing crops in our state.

Arguments in Support

California Association of Sanitation Agencies states:

Following the passage of SB 1383, the regulatory development process to implement SB 1383 deemed biosolids as an organic waste that counted towards the amount of organic material landfilled and is subject to organics diversion requirements. Therefore, it is important to identify and diversify end-use pathways for these materials. One pathway is to refine it into a nutrient-rich and highly regulated fertilizer material licensed by CDFA. Expanding the procurement eligibility to these materials would benefit public agencies that choose to seek this higher classification for their materials and would allow procurement entities more opportunities to meet their procurement targets by utilizing these locally-sourced and sustainable resources.

Arguments in Opposition

Waste Management states:

The nascent compost market is still dependent on procurement, and the industry's ability to make SB 1383 financially feasible depends on keeping procurement to what it was intended for - building markets for the compost that is required to be produced. While well-intentioned, this measure will undermine the objectives of SB 1383, hamper the development of the composting industry, and undercut efforts to meet the state's diversion and methane reduction goals. For these reasons, we must respectfully oppose AB 643.

FISCAL COMMENTS

According to the Assembly Appropriations Committee, implementation costs to CalRecycle are likely absorbable. Like this bill, AB 2902 (Wood), Chapter 421, Statutes of 2024, and AB 2346 (Lee), Chapter 712, Statutes of 2024, give jurisdictions greater flexibility to adjust procurement targets and expand the recovered organic waste products that are eligible procurement options under SB 1383 (Lara), Chapter 395, Statutes of 2016. The 2025-26 state budget approved four new permanent positions for CalRecycle (Greenhouse Gas Reduction Fund) to implement these bills. The workload associated with this bill – including any necessary regulatory updates, guidance development, and technical assistance to local jurisdictions – is likely absorbable within these recently approved resources.

In addition, as part of the Governor's January budget proposal for fiscal year 2026-27, CalRecycle is requesting one permanent position (and \$188,000 from the Integrated Waste Management Fund) to implement AB 1046 (Bains), Chapter 719, Statutes of 2025, to complete the full Administrative Procedure Act process for regulations on statewide mandatory organic waste collection, pursuant to SB 1383.

VOTES

ASM NATURAL RESOURCES: 12-1-1

YES: Bryan, Alanis, Connolly, Ellis, Garcia, Haney, Hoover, Kalra, Muratsuchi, Pellerin, Schultz, Zbur

NO: Macedo

ABS, ABST OR NV: Wicks

ASM APPROPRIATIONS: 14-1-0

YES: Wicks, Hoover, Stefani, Calderon, Caloza, Dixon, Fong, Mark González, Krell, Bauer-Kahan, Pacheco, Pellerin, Solache, Ta

NO: Tangipa

UPDATED

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