
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Jesse Arreguín, Chair
2025 - 2026 Regular

Bill No: SB 1230 **Hearing Date:** April 7, 2026
Author: Valladares
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Urgency: No **Fiscal:** Yes
Consultant: ML

Subject: *Solid waste: illegal dumping: penalties: resources*

HISTORY

Source: Author

Prior Legislation: SB 1359 (Wilk), not heard in Assembly Public Safety, 2024
AB 659 (Mathis), not heard in Assembly Public Safety, 2022
AB 2374 (Bauer-Kahan), Ch. 784, Stats. of 2022
SB 409 (Wilk), held in Assembly Appropriations, 2019
AB 215 (Mathis) held in Assembly Appropriations, 2019
AB 1216 (Bauer-Kahan) held in Assembly Appropriations, 2019
AB 144 (Mathis), vetoed, 2015
AB 1992 (Canciamilla), Ch. 416, Stats. of 2006
AB 1802 (Bogh), Ch. 137, Stats. of 2004
AB 1799 (Migden), Ch. 50, Stats. of 1998

Support: California Association of Highway Patrolmen; Rural County Representatives of California; Solid Waste Association of North America's Legislative Task Force, California Chapters

Opposition: ACLU California Action; California Public Defenders Association

PURPOSE

The purpose of this bill is to increase the fines for the illegal dumping of waste matter for repeat offenders and to require the Department of Resources Recycling and Recovery (CalRecycle) to act as a resource for cities and counties to address illegal dumping through the creation of a website.

Existing law states that it is unlawful to dump or cause to be dumped waste matter in or upon a public or private highway or road, including any portion of the right-of-way thereof, or in or upon private property into or upon which the public is admitted by easement or license, or upon private property without the consent of the owner, or in or upon a public park or other public property other than property designated or set aside for that purpose by the governing board or body having charge of that property. (Pen. Code, § 374.3, subd. (a).)

Existing law provides it is unlawful to place, deposit, or dump, or cause to be placed, deposited, or dumped, rocks, concrete, asphalt, or dirt in or upon a private highway or road, including any

portion of the right-of-way of the private highway or road, or private property, without the consent of the owner or a contractor under contract with the owner for the materials, or in or upon a public park or other public property, without the consent of the state or local agency having jurisdiction over the highway, road, or property. (Pen. Code, § 374.3, subd. (b).)

Existing law states that a person violating dumping provisions is guilty of an infraction. Provides that each day that waste is placed, deposited, or dumped in violation of the law is a separate violation. (Pen. Code, § 374.3, subd. (c).)

Existing law provides that illegal dumping prohibitions do not restrict a private owner in the use of their own private property, unless the placing, depositing, or dumping of the waste matter on the property creates a public health and safety hazard, a public nuisance, or a fire hazard, as determined by a local health department, local fire department or district providing fire protection services, or the Department of Forestry and Fire Protection, in which case this section applies. (Pen. Code § 374.3, subd. (d).)

Existing law punishes a person convicted of dumping non-commercial quantities of waste by a mandatory fine of the following amounts:

- First offense: \$250-\$1,000
- Second offense: \$500-\$1,500
- Third offense: \$750-\$3,000. (Pen. Code, § 374.3, subd. (e).)

Existing law doubles the fines above if the court finds that the waste matter placed, deposited, or dumped was used tires. (Pen. Code, § 374.3, subd. (e).)

Existing law provides that the court may require, in addition to any fine imposed upon a conviction, that the person convicted remove, or pay the cost of removing, any waste matter which the convicted person dumped or caused to be dumped upon public or private property. (Pen. Code, § 374.3, subd. (f).)

Existing law states that the court may, in addition to the fine imposed upon a conviction, require that a person convicted of a violation described above pick up waste matter at a time and place within the jurisdiction of the court for not less than 12 hours. (Pen. Code, § 374.3, subd. (g).)

Existing law provides that a person who places, deposits, or dumps, or causes to be placed, deposited, or dumped, waste matter in violation of the provisions above in commercial quantities is guilty of a misdemeanor punishable by imprisonment in a county jail for not more than six months and by a fine. Provides that the fine is mandatory at the following amounts:

- First offense: \$1,000-\$3,000
- Second offense: \$3,000-\$6,000
- Third offense: \$6,000-\$10,000. (Pen. Code, § 374.3, subd. (h)(1).)

Existing law provides that if a person convicted for a violation of illegal dumping in commercial quantities per the immediately preceding provision is the owner or operator of the business involved in the illegal dumping, and that business employs more than 10 full-time employees, the mandatory fine is as follows:

- First offense: \$1,000-\$5,000
- Second offense: \$3,000-\$10,000
- Third offense: \$6,000-\$20,000 (Pen. Code, § 374.3, subd. (h)(2).)

Existing law states that the court shall require, in addition to the fine imposed upon a conviction, that a person convicted for illegal dumping in commercial quantities remove, or pay the cost of removing, any waste matter which the convicted person dumped or caused to be dumped upon the public or private property. (Pen. Code, § 374.3, subd. (h)(3).)

Existing law requires the court, if a person convicted for illegal dumping in commercial quantities holds a license or permit to conduct business that is substantially related to the illegal dumping for which the person was convicted, to notify the applicable licensing or permitting entity subject to the jurisdiction of the Department of Consumer Affairs of the conviction, as specified. (Pen. Code, § 374.3, subd. (h)(4)(A).)

Existing law requires the licensing or permitting entity to record and post the offense on the public profile of the license or permit holder on the internet website of the entity. (Pen. Code, § 374.3, subd. (h)(4)(B).)

Existing law defines “commercial quantities” as an amount of waste matter generated in the course of a trade, business, profession, or occupation, or an amount equal to or in excess of one cubic yard. Specifies that it does not apply to the dumping of household waste at a person’s own residence. (Pen. Code, § 374.3, subd. (h)(5).)

Existing law requires the court, when setting fines pursuant to the above violations, to consider the defendant’s ability to pay, including consideration of several specified factors. (Pen. Code, § 374.3, subd. (j).)

This bill increases the fine for the dumping of non-commercial amounts of waste to not less than \$1,500 nor more than \$3,000 for the second conviction, and to not less than \$3,000 nor more than \$5,000 for the third and any subsequent convictions.

This bill increases the fine for the dumping of commercial quantities of waste to not less than \$6,000 nor more than \$10,000 for the second conviction and to not less than \$10,000 nor more than \$15,000 for the third and any subsequent convictions.

This bill increases the fine for the dumping of commercial quantities of waste by a business that employs more than 10 employees to not less than \$6,000 nor more than \$10,000 for the second conviction and to not less than \$15,000 nor more than \$25,000 for the third and any subsequent convictions.

This bill requires Cal Recycle to be the lead state agency to act as a resource for cities and counties to address illegal dumping. Requires the department to create an internet website with resources to help cities and counties combat, prevent, and clean up illegal dumping, as specified. Provides that the website may include, but is not limited to, educational outreach materials, best practices, enforcement tools, and grant opportunities available to cities and counties. Allows the department to collaborate with other state agencies for the internet website.

COMMENTS

1. Need for This Bill

According to the author:

Illegal dumping is a persistent and costly problem affecting communities throughout California, particularly in rural, desert, and lower-income areas where enforcement resources are most limited. In Senate District 23, residents of the Victor Valley and surrounding high-desert communities have documented hundreds of unauthorized dump sites containing construction debris, household waste, plastics, and other discarded materials. These sites degrade natural habitats, create fire risks, and impose significant financial burdens on local governments that are often already stretched thin.

SB 1230 takes two targeted, practical steps to address this ongoing problem. First, it increases fines for repeat illegal dumping offenders under California Pen. Code, Section 374.3. The non-commercial repeat offender fine ranges and commercial minimum thresholds have not been substantively updated since AB 1802 in 2004. Although AB 2374 in 2022 raised maximum fines for larger businesses, it did not address the fine minimums or non-commercial infraction ranges, leaving those penalty floors unchanged for over two decades and well below the true cost of cleanup and environmental remediation. By raising the penalty thresholds, this bill creates a stronger deterrent for chronic violators, including those dumping in commercial quantities.

Second, SB 1230 designates the Department of Resources Recycling and Recovery (CalRecycle) as the lead state agency for supporting cities and counties in combating illegal dumping. It requires CalRecycle to create a publicly accessible website offering enforcement tools, best practices, educational outreach materials, and information on available grant funding. Cities and counties, particularly smaller and rural jurisdictions, currently lack a centralized state resource for this guidance. This bill provides that infrastructure without creating a new state mandate on local governments.

2. The Problem of Illegal Dumping

Illegal dumping is the unauthorized disposal of solid waste matter—commonly mattresses, tires, appliances, and construction debris—on public or private property. Often done out of convenience or for economic gain, illegal dumping generates significant social, environmental, and economic costs statewide. Illegal dumping issues are primarily the responsibility of local governments, which spend tens of millions of dollars each year to remove illegally disposed materials; private property owners also incur significant costs for the removal of illegally dumped waste.

In recent years, several urban areas have experienced an increase in illegal dumping activity. In Oakland, the amount of illegally dumped trash collected by the city has increased sixfold since 2015.¹ Los Angeles County's illegal dumping cleanup costs grew from \$2.3 million in FY 2019-

¹ Soumya Karlamangla, *How a City Awash in Garbage is Trying to Take Out the Trash*, New York Times (Oct. 8, 2025) <<https://www.nytimes.com/2025/10/08/us/oakland-california-trash-garbage.html>>.

2020 to \$6.8 million in FY 2023-2024, a nearly threefold increase.² Los Angeles County also projected a 15 percent increase in reported illegal dumping cases from 2023 to 2024, to over 15,800 cases.³

However, urban areas are not the only ones grappling with illegal dumping issues. There are reports of pervasive dumping in the desert of the Antelope Valley.⁴ Residents there say there are more than 100 dump sites scattered throughout the valley—from Lake Los Angeles to the Antelope Valley California Poppy Reserve and north to the Mojave—that they contend are unauthorized.⁵ For example, one site is alleged to contain more than 182,000 tons of debris left over from the processing of construction and demolition material.⁶

Illegal dump sites undermine the quality of life of nearby residents and are environmental and public health hazards. From 2020 to 2024, self-combustible wood chips and organic materials used to camouflage garbage as mulch have sparked 42 fires, costing taxpayers more than \$1.6 million to extinguish and exposing downwind Antelope Valley residents to toxic smoke, contaminated dust, and airborne particulates.⁷ The Bravo fire ignited in 2024, at an 80-acre dump site, cost the LA County Fire Department more than \$288,000, took four days to extinguish, and wafted toxic smoke over residences.⁸

Disposing of waste legally is often more costly than illegal dumping, due to the fees charged at waste disposal facilities. Some sources allege that waste haulers choose to pay as little as \$4 per ton to dump at an illegal site instead of \$60 to \$120 per ton at a licensed facility.⁹ With such incentives, local enforcement action may sometimes be insufficient to deter illegal dumping by repeat bad actors, such as some waste hauler companies.¹⁰

3. Existing Penalties for Illegal Dumping of Waste

Under existing law, it is a crime for a person to dump waste matter upon a public or private road, on private property accessible to the public by easement, on private property without the consent of the owner, or in a public park or other public property other than property designated for the

² Renee Eng & Cory Minderhout, *Major trash haulers accused of illegal dumping at a dozen Southern California sites: Investigation*, Spectrum News 1 (Apr. 3, 2025) <<https://spectrumnews1.com/ca/southern-california/public-safety/2025/03/19/illegal-dumping-concerns>> [hereafter Spectrum News Article].

³ *Ibid.*

⁴ Jacob Margolis, *Diapers, concrete and acres of construction debris—how illegal dumping in the desert got so bad*, LAist (May 19, 2025) <<https://laist.com/news/climate-environment/waste-dumping-antelope-valley-high-desert>> [hereafter LAist Article]; Susanne Rust, *Antelope Valley residents say they are fed up with rampant dumping, official inaction*, Los Angeles Times (May 11, 2025) <<https://www.latimes.com/science/story/2025-05-11/illegal-dumping-in-antelope-valley>> [hereafter LA Times Article].

⁵ LA Times Article, *supra*.

⁶ LAist Article, *supra*.

⁷ Scott Schwebke, *Antelope Valley residents waging battle against massive illegal dumping campaign*, Los Angeles Daily News (Aug. 17, 2025) <<https://www.dailynews.com/2025/08/17/antelope-valley-residents-waging-battle-against-massive-illegal-dumping/>> [hereafter Los Angeles Daily News Article].

⁸ *Ibid.*

⁹ *Ibid.*

¹⁰ LAist Article, *supra*.

purpose of dumping.¹¹ Existing law also prohibits dumping rocks, concrete, asphalt and dirt on those types of property.¹² Illegal dumping is punishable as an infraction, with increasing fines for a second, third, and subsequent offense:

- First offense: \$250-\$1,000
- Second offense: \$500-\$1,500
- Third offense: \$750-\$3,000¹³

Existing law imposes a misdemeanor with up to six months of jail time and higher fines for the illegal dumping of “commercial quantities” of waste matter:

- First offense: \$1,000-\$3,000
- Second offense: \$3,000-\$6,000
- Third offense: \$6,000-\$10,000¹⁴

“Commercial quantities” is defined as an “amount of waste matter generated in the course of a trade, business, profession, or occupation, or an amount equal to or in excess of one cubic yard.”¹⁵ If a person convicted of illegal dumping in commercial quantities holds a license or permit to conduct business that is substantially related to the illegal dumping for which the person was convicted, the licensing or permitting entity must post the offense on the public profile of the license or permitholder on its website.¹⁶ Additionally, there are higher penalties for dumping commercial quantities of waste if the offender is the owner or operator of the business involved in the illegal dumping and that business employs more than 10 employees:

- First offense: \$1,000-\$5,000
- Second offense: \$3,000-\$10,000
- Third offense: \$6,000-\$20,000¹⁷

A court is required to consider the ability of the defendant to pay when setting any fines under any of the above offenses.¹⁸ Each day waste is placed, deposited, or dumped in violation of the provisions above constitutes a separate violation.¹⁹ Further, in addition to these fines, a court may require that the person convicted remove, or pay the cost of removing, any waste matter which the convicted person dumped or caused to be dumped upon public or private property.²⁰ For purposes of this section, “person” means “an individual, trust, firm, partnership, joint stock company, joint venture, or corporation,” and any of those entities can be found guilty of the above offenses.²¹

¹¹ Pen. Code, §374.3, subd. (a).

¹² Pen. Code, §374.3, subd. (b).

¹³ Pen. Code, §374.3, subd. (e); also note that the fines for non-commercial quantities of waste are doubled if the waste dumped in question is used tires.

¹⁴ Pen. Code, §374.3, subd. (h)(1).

¹⁵ Pen. Code, § 374.3, subd. (h)(5).

¹⁶ Pen. Code, § 374.3, subd. (h)(4)(A).

¹⁷ Pen. Code, §374.3, subd. (h)(2).

¹⁸ Pen. Code, § 374.3, subd. (j).

¹⁹ Pen Code, §374.3, subd. (c).

²⁰ Pen. Code, § 374.3, subd. (f).

²¹ Pen. Code, §374.3, subd. (i).

4. Fine Increases Under This Bill

This bill would increase fines for repeat offenders of the illegal dumping offense above. The charts below show the fines under existing law (left) compared with the fines proposed under this bill (right):

Existing Fine for Non-Commercial Dumping (Infraction)²²	Fine Proposed in This Bill
First offense: \$250 - \$1,000	First offense: \$250 - \$1,000
Second offense: \$500 - \$1,500	Second offense: \$1,500 - \$3,000
Third offense: \$750 - \$3,000	Third offense: \$3,000 - \$5,000

Existing Fine for Commercial Dumping (Misdemeanor)²³	Fine Proposed in This Bill
First offense: \$1,000 - \$3,000	First offense: \$1,000 - \$3,000
Second offense: \$3,000 - \$6,000	Second offense: \$6,000 - \$10,000
Third offense: \$6,000 - \$10,000	Third offense: \$10,000 - \$15,000

Existing Fine for Commercial Dumping as a Business with More Than 10 Employees (Misdemeanor)²⁴	Fine Proposed in This Bill
First offense: \$1,000 - \$5,000	First offense: \$1,000 - \$5,000
Second offense: \$3,000 - \$10,000	Second offense: \$6,000 - \$10,000
Third offense: \$6,000 - \$20,000	Third offense: \$15,000 - \$25,000

For comparison, under existing law, littering on public or private property carries the same penalties for a first, second, and third offense as dumping non-commercial quantities of waste.²⁵ A person who disposes of hazardous waste at a facility which does not have a permit for such waste is guilty of a misdemeanor and can be fined \$5,000-\$100,000 per day and jailed for up to one year.²⁶

Proponents of the bill note that costs to dispose of waste legally at designated facilities have increased substantially in recent years, while the penalties for illegal dumping have not been

²² Pen. Code, §374.3, subd. (e).

²³ Pen. Code, §374.3, subd. (h)(1).

²⁴ Pen. Code, §374.3, subd. (h)(2).

²⁵ Pen. Code, § 374.4. “Litter” means the discarding, dropping, or scattering of small quantities of waste matter ordinarily carried on or about the person.

²⁶ Health & Saf. Code, § 25189.5.

updated for non-businesses or businesses with 10 or fewer employees since 2004.²⁷ Meanwhile, the average statewide fee to dispose of waste at legal disposal sites has increased from approximately \$30-\$45 per ton in the early 2000s to \$83.76 per ton in 2024,²⁸ representing an 86 percent increase. This may exacerbate incentives to engage in illegal dumping.

Importantly, however, the fines in statute provide a base figure, subject to statutorily-imposed penalty assessments, such as fees and surcharges. While the fines governing illegal dumping have not been increased since 2004, the penalty assessments have increased, thus increasing the amount that a person actually pays. Current penalty assessments total at least 240 percent of the initial fine plus \$79, so a fine of \$1,000 for a first offense, for instance, will actually cost an individual a total of \$3,479.²⁹

Furthermore, as discussed earlier in this analysis, each day that waste is left at a dumped location is a separate violation. Therefore, if someone dumps waste and leaves it for three days, on the third day, they would be eligible to be assessed the fines under the tier for third offenses outlined above. This raises concern because it opens the possibility that someone could be assessed with the highest penalties for taking no affirmative conduct beyond one act of illegal dumping. This provision also may create perverse incentives for enforcement authorities, who stand to collect higher fees the longer they wait to bring an enforcement action against an offender.

While increased financial penalties may be a necessary deterrent for serious and serial offenders, they also run the risk of being financially ruinous to individuals who are not serial offenders. For example, under this bill, someone who dumps a non-commercial amount of waste, such as a small piece of furniture or sleeping bag left out on the sidewalk, could accrue the following fines: up to \$1,000 for the first day, up to \$3,000 for the second day, and up to \$5,000 for the third day, totaling \$9,000 in fines. On top of this, they could be charged an additional 240 percent (\$21,600) in assessed penalties, plus \$79, which would be added to the original \$9,000 fine, meaning they could ultimately owe as much as \$30,679.

To prevent unduly punitive outcomes, the Committee may consider leaving the fines for individuals dumping non-commercial amounts of waste unchanged. If the Committee members are comfortable increasing the fines for such individuals, the Committee may consider modifying the provision of existing law that provides that each day that waste is left out is a separate violation of this section, particularly for non-commercial amounts of waste. The Committee could clarify that the person convicted would be eligible for the fine tier matching the number of incidents of affirmative conduct the person has actually performed, rather than the number of days the waste has been left out; thus, a person could not be fined under the third tier for just one act of conduct. With this change, fines would still accrue each day the waste is left out, just at the appropriate tier.

²⁷ AB 1802 (Bogh), Chapter 401, Statutes of 2004.

²⁸ CalRecycle, Landfill Tipping Fees in California (Feb. 2015) [as of Mar. 26, 2026] <<https://www2.calrecycle.ca.gov/Docs/Publications/Details/1520>>; Environmental Research & Education Foundation, 2024 Analysis of Municipal Solid Waste Landfill Tipping Fees (July 2025) <<https://erefdn.org/product/2024-analysis-of-municipal-solid-waste-msw-landfill-tipping-fees/>> [as of Mar. 26, 2026].

²⁹ Until the budget year 2002-2003, there was 170% in penalty assessments applied to every fine; the current penalty assessments are approximately 240% plus a flat fee of \$79. (See Pen. Code, § 1464; Pen. Code, § 1465.7; Pen. Code, § 1465.8; Gov. Code § 70373; Gov. Code § 76000 *et seq*; Gov. Code § 76104.6; Gov. Code § 76104.7.

5. Designation of CalRecycle as Lead Agency on Illegal Dumping

This bill separately designates CalRecycle to be the lead state agency to act as a resource for cities and counties to address illegal dumping. Under the bill, the department would be required to create a website with resources to help cities and counties combat, prevent, and clean up illegal dumping. The website may include, but is not limited to, educational outreach materials, best practices, enforcement tools, and grant opportunities available to cities and counties. The bill allows the department to collaborate with other state agencies for the creation of the website.

6. Prior Legislation

Most of the fines for illegal dumping have not been increased since 2004 by AB 1802 (Bogh).³⁰ However, in 2022, AB 2374 (Bauer-Kahan) created a separate fine schedule for dumping commercial quantities of waste by a business that employs more than 10 employees—increasing fines for that category of business.³¹

In 2024, SB 1359 (Wilk) attempted to change dumping of non-commercial quantities of waste from an infraction to a misdemeanor, with increased fines, among other provisions. That bill was held in Assembly Appropriations.

7. Argument in Support

The Rural County Representatives of California write:

Illegal dumping continues to be a serious problem in many parts of the state, especially in unincorporated rural areas. Local governments spend a considerable amount of money each year responding to and cleaning up illegally disposed waste. Illegal dumping is not confined to local government rights-of-way and private lands, but has become more and more of a problem on state and federal lands. SB 1230 seeks to address this problem by increasing the penalties for repeated violations of the state’s illegal dumping laws. Existing penalties are long-overdue for even inflation-related increases, as they were last adjusted in 2006. This means that the penalties are currently low enough for violators to consider it cheaper to offend the law than comply with it. Importantly, SB 1230 only increases penalties for the second or subsequent convictions, leaving intact the existing \$250-\$1000 fine for a first violation. Even so, the increased maximum fines contained in SB 1230 are only slightly higher than what the existing amounts would be if adjusted for inflation.

SB 1230’s provisions related to local assistance are complimentary to authority, CalRecycle is currently seeking through its “Landfill Support, Response and Enforcement” Budget Change Proposal (BCP). That BCP seeks funding to assist local governments, NGO’s (non-governmental organizations), and private landowners in addressing illegal dumping; to host a statewide illegal dumping conference; and to increase support for the Illegal Dumping Technical Advisory Committee that serves as a forum for local governments to work together to address illegal dumping.

³⁰ Chapter 401, Statutes of 2004.

³¹ Chapter 784, Statutes of 2022.

8. Argument in Opposition

California Public Defenders Association writes:

SB 1230 by double and tripling the fines for illegal dumping, does nothing to address the underlying problems. What it will do is further impoverish individuals who are already struggling under unsustainable amounts of debt.

It is well established that criminal defendants often become ensnared in a never-ending cycle of debt. The Legislature has been aware of how hard court-ordered debt hits poor people and has eliminated some court-ordered fines and fees over the past few years. Not only were 42 fines and fees repealed but specified fines and fees were rendered unenforceable and uncollectable.

In 2021, AB 177 (Committee on the Budget) in the Budget trailer bill explained how debt resulting from court ordered criminal fines and fees affected California communities.

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- (f) “According to a report by the Ella Baker Center for Human Rights, the average debt incurred for court-ordered fines and fees was roughly equal to the annual income for respondents in the survey.
- (g) A national survey of formerly incarcerated people found that families often bear the burden of fees, and that 83 percent of the people responsible for paying these costs are women.
- (h) Because these fees are often assigned to people who simply cannot afford to pay them, they make poor people, their families, and their communities poorer.
- (i) Criminal administrative fees have no formal punitive or public safety function. Instead, they undermine public safety because the debt they cause can limit access to employment, housing, education, and public benefits, which creates additional barriers to successful reentry. Research also shows that criminal administrative fees can push individuals into underground economies and can result in individuals turning to criminal activity or predatory lending to pay their debts.
- (j) Research shows that criminal administrative fees are difficult to collect and typically cost counties almost as much or more than they end up collecting in revenue.”

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