

Date of Hearing: June 23, 2026

Counsel: Dustin Weber

ASSEMBLY COMMITTEE ON PUBLIC SAFETY

Nick Schultz, Chair

SB 1230 (Valladares) – As Introduced February 19, 2026

SUMMARY: Increases fines for illegal dumping violations and designates the Department of Resources Recycling and Recovery (CalRecycle) as the lead agency to work with localities in combatting illegal dumping. Specifically, **this bill:**

- 1) Increases the fine for illegal dumping of non-commercial quantities of waste from not less than \$500 nor more than \$1,500 to not less than \$1,500 nor more than \$3,000 for the second conviction.
- 2) Increases the fine for illegal dumping of non-commercial quantities of waste from not less than \$750 nor more than \$3,000 to not less than \$3,000 nor more than \$5,000 for the third and any subsequent convictions.
- 3) Increases the fine for illegal dumping of commercial quantities of waste from not less than \$3,000 nor more than \$6,000 to not less than \$6,000 nor more than \$10,000 for the second conviction.
- 4) Increases the fine for illegal dumping of commercial quantities of waste from not less than \$6,000 nor more than \$10,000 to not less than \$10,000 nor more than \$15,000 for the third and any subsequent convictions.
- 5) Increases the fine for the dumping of commercial quantities of waste by a business that employs more than 10 employees from not less than \$3,000 nor more than \$10,000 to not less than \$6,000 nor more than \$10,000 for the second conviction.
- 6) Increases the fine for the dumping of commercial quantities of waste by a business that employs more than 10 employees from not less than \$6,000 nor more than \$20,000 to not less than \$15,000 nor more than \$25,000 for the third and any subsequent convictions.
- 7) States that CalRecycle shall be the lead state agency to act as a resource for cities and counties to address illegal dumping.
- 8) Requires CalRecycle to create an internet website with resources to help cities and counties combat, prevent, and clean up illegal dumping.
- 9) Provides that the CalRecycle internet website may include, but shall not be limited to, educational outreach materials, best practices, enforcement tools, and grant opportunities available to cities and counties.

10) Provides that CalRecycle may collaborate with other state agencies for the internet website.

EXISTING LAW:

- 1) 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 for that purpose. (Pen. Code, § 374.3, subd. (a).)
- 2) 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).)
- 3) States that a person violating dumping provisions is guilty of an infraction. Each day that waste is placed, deposited, or dumped in violation the law is a separate violation. (Pen. Code, § 374.3, subd. (c).)
- 4) Provides that illegal dumping prohibitions do not restrict a private owner in the use of his or her 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).)
- 5) Punishes a person convicted of dumping shall by a mandatory fine of not less than \$250 nor more than \$1,000 upon a first conviction, by a mandatory fine of not less than \$500 nor more than \$1,500 upon a second conviction, and by a mandatory fine of not less than \$750 nor more than \$3,000 upon a third or subsequent conviction. If the court finds that the waste matter placed, deposited, or dumped was used tires, the fine prescribed in this subdivision shall be doubled. (Pen. Code, § 374.3, subd. (e).)
- 6) Provides that the court may require, in addition to any fine imposed upon a conviction, that, as a condition of probation the probationer 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).)
- 7) States that except when the court requires the convicted person to remove waste matter for which he or she is responsible for dumping as a condition of probation, the court may require the probationer to 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).)
- 8) States that a person who illegally dumps waste matter 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. The fine is mandatory and shall amount to not less than \$1,000 nor more than \$3,000 upon a first conviction, not less than \$3,000 nor more than \$6,000 upon a second

conviction, and not less than \$6,000 nor more than \$10,000 upon a third or subsequent conviction. (Pen. Code, § 374.3, subd. (h)(1).)

- 9) Provides that if the person is the owner or operator of a business involved in the illegal dumping and the business employs more than 10 full-time employees, higher fine ranges apply, increasing to up to \$5,000 for a first conviction, \$10,000 for a second conviction, and \$20,000 for a third or subsequent conviction. (Pen. Code, § 374.3, subd. (h)(2).)
- 10) 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. (Pen. Code, § 374.3, subd. (h)(5).)

FISCAL EFFECT: Unknown

COMMENTS:

- 1) **Sponsor:** Author-sponsored
- 2) **Author's Statement:** 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 Penal 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.”

- 3) **Effect of the Bill:** SB 1230 purports to address illegal dumping by increasing fines on violators. This bill also would make CalRecycle the lead agency for supporting localities in their efforts to stop illegal dumping.

Illegal dumping is the unauthorized disposal of solid waste matter on public or private property. Illegal dumping generates significant social, environmental, and economic costs. Remedying issues stemming from illegal dumping are primarily the responsibility of local governments. Private property owners are impacted, as well.

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 2019-2020 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

Urban areas, however, are not the only ones grappling with illegal dumping issues. There are reports of pervasive dumping in the Antelope Valley.⁴ Residents 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 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 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 exposed residents to toxic smoke.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

¹ Karlamangla, *How a City Awash in Garbage is Trying to Take Out the Trash*, N.Y. Times (Oct. 8, 2025) <<https://www.nytimes.com/2025/10/08/us/oakland-california-trash-garbage.html>> [as of June 11, 2026].

² Eng et al., *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>> [as of June 11, 2026].

³ *Ibid.*

⁴ 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>>; Rust, *Antelope Valley residents say they are fed up with rampant dumping, official inaction*, L.A. Times (May 11, 2025) <<https://www.latimes.com/science/story/2025-05-11/illegal-dumping-in-antelope-valley>> [as of June 11, 2026].

⁵ Rust, *supra*, at note 4.

⁶ Margolis, *supra*, at note 4.

⁷ Schwebke, *Antelope Valley residents waging battle against massive illegal dumping campaign*, L.A. Daily News (Aug. 17, 2025) <<https://www.dailynews.com/2025/08/17/antelope-valley-residents-waging-battle-against-massive-illegal-dumping/>> [as of June 11, 2026].

⁸ *Ibid.*

⁹ *Ibid.*

With such incentives, local enforcement action may sometimes be insufficient to deter illegal dumping by repeat bad actors.¹⁰

Another bill this year aimed to increase penalties for certain illegal dumping violators. AB 2310 (Carrillo), which would also increase penalties for illegal dumping violations, was passed out of the Assembly Public Safety Committee earlier this year. SB 1220 would amend illegal dumping laws in similar, though distinguishable ways from AB 2310. While AB 2310 focuses on increasing penalties for repeat offenders and more serious commercial offenders, SB 1220 largely increases financial penalties across the board, excepting a first offense for an individual. SB 1220's maximum penalties do not exceed those maximum penalties permitted by AB 2310 in terms of dollar amounts, however, unlike AB 2310, SB 1220 mostly would authorize higher fines for first, second, and third offenses. AB 2310 authorizes a greater cumulative penalty for individuals than SB 1220 but only upon a fourth offense. Greater cumulative penalties are additionally authorized by AB 2310 specifically for large-scale commercial violators, as well. AB 2310, however, does not authorize stacking penalties against individuals for a single act of dumping based on the days the illegally dumped waste goes undiscovered, while that provision remains in SB 1220. Ultimately, both AB 2310 and SB 1220 increase penalties for illegal dumping violators, however, AB 2310 seems targeted at specific offenders while SB 1220 appears directed at nearly all offenders.

- 4) **Intersection with Existing Law:** SB 1230 would increase fines for various acts of illegal dumping. While increased fines may be justified in some cases, there are potential concerns.

For example, each day that waste is left at a dumped location is a separate violation. (Pen. Code, § 374.3, subd. (c).) So, under this bill, if someone dumps waste and leaves it for three days, on the third day they would be immediately subject to the maximum fine for a single act of non-commercial dumping. This may create perverse incentives for enforcement authorities, who could collect higher fees the longer they wait to bring an enforcement action against an offender.

This intersection raises practical and legal concerns regarding fairness and the prohibition against excessive fines. (U.S. Const., 8th Amend.) The combination of new and existing laws quickly could subject a person to exorbitant fines. For example, 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 fines totaling \$9,000 the third day after the item is dumped. This is before any additional assessments.

- 5) **Deterrence:** SB 1230 would increase the fines available generally for illegal dumping. It is unclear whether increasing penalties has a deterrent effect. There is reliable evidence showing increased penalties generally fail to deter criminal behavior.¹¹ Data shows greater deterrent effects as the likelihood of being caught and the perception that one will get caught

¹⁰Margolis, *supra*, at note 4.

¹¹ National Institute of Justice, *Five Things About Deterrence* (May 2016) <<https://www.ojp.gov/pdffiles1/nij/247350.pdf>> [as of May 29, 2026].

This approach focuses on preventing illegal dumping before it happens, removing waste quickly when it does occur, and ensuring there are real consequences for those who violate the law. While progress has been made, current penalties remain outdated and too low to serve as an effective deterrent. In many cases, it is simply cheaper for bad actors to dump illegally than to dispose of waste properly. As a result, enforcement becomes more difficult, and prosecutors often deprioritize these cases given limited resources and minimal consequences.

“SB 1230 takes a practical and targeted approach to addressing this problem. The bill increases fines for repeat violations of illegal dumping laws, including stronger penalties for the dumping of commercial quantities of waste and for businesses with more than 10 employees that repeatedly violate these laws. These increased penalties create meaningful accountability and strengthen the enforcement component of the Three E’s framework. 1

“In addition to stronger penalties, SB 1230 would designate the Department of Resources Recycling and Recovery (CalRecycle) as the lead state agency to serve as a resource for cities and counties addressing illegal dumping. The bill also requires the creation of an online resource hub to provide local governments with tools, guidance, and best practices for prevention, cleanup, and enforcement efforts. This coordinated statewide approach will strengthen local capacity and improve consistency in how jurisdictions respond to illegal dumping challenges across California.”

- 7) **Argument in Opposition:** According to *Debt Free Justice California*, “we write to respectfully oppose SB 1230. DFJC is a statewide coalition focused on ending the ways in which the criminal legal system extracts wealth and resources from people and communities.

“Despite extensive research concluding that increasing the severity of punishment does little to deter crime while posing significant costs to California, and that fines are linked to higher recidivism rates, SB 1230 misguidedly increases incarceration and financial liability for individuals convicted of illegal dumping.

“SB 1230 will aggravate cycles of poverty for vulnerable Californians at a time when affordability and economic security are top priorities for constituents.

“SB 1230 exponentially increases the fines associated with illegal dumping. Of particular concern is the fine increase for dumping “commercial quantities” of waste for repeat offenses. “Commercial quantities” is defined in statute 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.” One cubic yard is roughly the size of a standard washing machine – in fact, quite small.

“Assessing a fine on a person convicted of illegal dumping is particularly cruel given that over 80 percent of the people in the criminal legal system were poor before they entered it. If they are incarcerated, they will lose many of their possessions and assets and if they work while incarcerated, they will earn pennies per hour. Once they exit, people with prior convictions face significant barriers to employment. Studies have found that criminal legal system debt compounds precarious finances and limits social mobility. These negative outcomes only make reentry harder. An analysis by researchers at U.C. Berkeley found criminal court debt can cause families to spend less on positive social goods, such as

education and preventative healthcare, which imposes long-term costs on families, communities, and society by prolonging and exacerbating poverty.

“Further, fines, like the fines included in SB 1230, are an ineffective and costly source of revenue. Counties net little to no revenue from fines. For example, from 2021 through 2024, the City of Oakland issued almost 3,000 illegal dumping citations, totaling \$1.3 million in fines, but collected only \$109,000 or 11%. Because of the high costs and low returns associated with trying to collect fines from low-income people, most of the revenue pays for administrative costs and collection activities.

“Instead, we urge the Legislature to invest into measures to prevent illegal dumping from occurring in the first place. Contra Costa County has published 22 preventative measures that the County is implementing in various phases – none of these prevention measures include increased criminal penalties. Instead, the County is planning on contracting with waste companies that offer bulk waste pick ups to residents, requiring certain businesses to accept products at the end of the product life, funding additional electronic waste options, launching free disposal days, establishing disposal vouchers in lieu of on-call bulk waste disposal, creating local disposal options for treated wood, creating disposal options for recreational vehicles, offering free mattress and boxspring recycling sites, and educating the public about these options. The Legislature can solve the issue of illegal dumping through target investments in the most affected communities.

“For these reasons, we are opposed to SB 1230 unless it is amended to specify that only commercial entities, and not individuals, may be charged with illegal dumping of commercial quantities of waste.”

8) **Related Legislation:** AB 2310 (Carrillo) would increase fines and penalties for defined acts of illegal dumping. AB 2310 is pending hearing in the Senate Public Safety Committee.

9) **Prior Legislation:**

- a) SB 1359 (Wilk), of the 2023-2024 Legislative Session, would have prohibited the dumping of waste matter and other specified materials on private property even with the owner’s consent if a permit or license was required and not obtained. The hearing on SB 1359 in this committee was canceled at the request of the author.
- b) AB 2374 (Bauer-Kahan), Chapter 784, Statutes of 2022, increased the maximum fine for the dumping of commercial quantities of waste by a business that employs more than 10 employees from \$3,000 to \$5,000 for the first conviction, from \$6,000 to \$10,000 for the second conviction, and from \$10,000 to \$20,000 for the third and any subsequent convictions.
- c) AB 215 (Mathis), 2019-2020 Legislative Session, would have made a fourth violation of illegal dumping on private property a misdemeanor punishable by up to 30 days in the county jail created a fine of not less than \$750 nor more than \$3,000. AB 215 was held in the Assembly Appropriations Committee.
- d) AB 1216 (Bauer-Kahan), 2019-2020 Legislative Session, would have created a pilot program to employ a single law enforcement officer in both Alameda and Contra Costa

counties to enforce laws prohibiting dumping. AB 1216 was held in the Assembly Appropriations Committee.

- e) SB 409 (Wilk), 2019-2020 Legislative Session, would have increased the fines for dumping of waste in non-commercial quantities and made it a crime to transport and dump waste. SB 409 was held in the Assembly Appropriations Committee.
- f) AB 144 (Mathis), 2015-2016 Legislative Session, would have made a fourth violation of illegal dumping on private property a misdemeanor punishable by up to 30 days in the county jail. AB 144 was vetoed by the Governor.
- g) AB 1992 (Canciamilla), Chapter 416, Statutes of 2006, imposed graduated penalties and increased fines for second and third violations of illegal dumping offenses.

REGISTERED SUPPORT / OPPOSITION:

Support

California Association of Highway Patrolmen
California Chapters of the Solid Waste Association of North America's Legislative Task Force
City of Hesperia
County of Alameda
Rural County Representatives of California (RCRC)
Shasta County Board of Supervisors

Oppose

ACLU California Action
All of US or None (HQ)
California Public Defenders Association
Debt Free Justice California
Indivisible CA Statestrong
Legal Services for Prisoners With Children

Analysis Prepared by: Dustin Weber / PUB. S. / (916) 319-3744