
THIRD READING

Bill No: SB 501
Author: Allen (D)
Amended: 1/14/26
Vote: 21

SENATE ENVIRONMENTAL QUALITY COMMITTEE: 6-0, 4/2/25

AYES: Blakespear, Gonzalez, Hurtado, Menjivar, Padilla, Pérez

NO VOTE RECORDED: Valladares, Dahle

SENATE JUDICIARY COMMITTEE: 11-0, 4/22/25

AYES: Umberg, Allen, Arreguín, Ashby, Caballero, Durazo, Laird, Stern, Wahab,
Weber Pierson, Wiener

NO VOTE RECORDED: Niello, Valladares

SENATE ENVIRONMENTAL QUALITY COMMITTEE: 5-2, 1/13/26

AYES: Blakespear, Gonzalez, Menjivar, Pérez, Reyes

NOES: Valladares, Dahle

NO VOTE RECORDED: Hurtado

SENATE APPROPRIATIONS COMMITTEE: 5-2, 1/22/26

AYES: Caballero, Cabaldon, Grayson, Richardson, Wahab

NOES: Seyarto, Dahle

SUBJECT: Responsible Battery Recycling Act of 2022: covered batteries

SOURCE: Author

DIGEST: This bill adds medium-format batteries, as defined, to the existing extended producer responsibility (EPR) program for batteries, the Responsible Battery Recycling Act of 2022.

ANALYSIS:

Existing law:

- 1) Establishes the Hazardous Waste Control Law (HWCL) and requires the Department of Toxic Substance Control to oversee the management of hazardous waste. (HSC §§25100 et seq.)
- 2) Establishes the Integrated Waste Management Act and requires the Department of Resources Recycling and Recovery (CalRecycle) to oversee the management of solid waste. (Public Resources Code (PRC) §§40050 et seq.)
- 3) Establishes the Rechargeable Battery Recycling Act, which requires every retailer to have a system in place, on or before July 1, 2006, for the acceptance and collection of used rechargeable batteries for reuse, recycling, or proper disposal. (PRC §§42451-42456)
- 4) Establishes the Electronic Waste Recycling Act (EWRA) to create a program for consumers to return, recycle, and ensure the safe and environmentally-sound disposal of “covered devices” that are hazardous wastes when discarded. The EWRA specifically includes embedded battery products (PRC §§42460 et seq.)
- 5) Establishes the Responsible Battery Recycling Act of 2022, which requires producers of small household batteries to establish a stewardship program for the collection and recycling of covered batteries. (PRC § 4240 et seq.).

This bill:

- 1) Adds to the definition of ‘loose’ battery that is covered in the Responsible Battery Recycling Act of 2022 to specify that it includes batteries that can be easily removed using common household tools.
- 2) Expands the scope of the Responsible Battery Recycling Act to include batteries up to 25lbs, striking existing language that excludes batteries weighing over two kilograms and rechargeable batteries over five kilograms and having more than 300 Watt-hours.

Background

- 1) *California’s waste goals and EPR.* Under the IWMA, CalRecycle is tasked with reducing the amount of waste that gets landfilled in California. The IWMA establishes a goal that 75% of solid waste generated in the state be diverted from landfills through source reduction, recycling, and composting by 2020. However, in 2021, the state’s recycling rate was just 41%, falling far

short of the state's goal.¹ To advance California's recycling goals, the Legislature has directed CalRecycle to establish several EPR programs. EPR is a strategy that places shared responsibility for end-of-life product management on producers and all entities involved in the product chain, instead of on the general public and local governments. EPR programs rely on industry, often via a producer responsibility organization (PRO), to develop and implement approaches to create a circular economy with oversight and enforcement provided by the government. EPR programs have traditionally been used to improve the recapture and recycling rate for challenging-to-recycle materials that can pose a risk to the waste stream, like pharmaceuticals and sharps, paints, and batteries.

- 2) *Managing battery waste.* The state's Hazardous Waste Control Law prohibits the disposal of batteries in the trash or household recycling collection bins. Many types of batteries, regardless of size, exhibit hazardous characteristics and are considered hazardous waste when they are discarded. These include single use alkaline and lithium batteries and rechargeable lithium metal, nickel cadmium, and nickel metal hydride batteries of various sizes (AAA, AA, C, D, button cell, 9-Volt) and small sealed lead-acid batteries.

There are two key state laws that dictate how batteries should be managed at the end of their lives: AB 2440 (Irwin, Chapter 351, Statutes of 2022), which covers small loose batteries (e.g. not bicycle or larger batteries for some household appliances), and SB 1215 (Newman, Chapter 370, Statutes of 2022), which covers batteries embedded in products.

- a) *AB 2440.* AB 2440 created the Responsible Battery Recycling Act, an EPR program for producers of small format batteries. In broad strokes, the EPR program operates by requiring a PRO to develop a stewardship plan for the collection, transportation, recycling, and safe and proper management of covered products in the state. The stewardship plan must be approved by CalRecycle and DTSC; CalRecycle is currently developing the regulations for this program in consultation with DTSC. The program is funded through reimbursement provided by producers and stewardship organization or organizations. That fund is used to cover the costs that CalRecycle and DTSC take on to implement and enforce the program.
- b) *SB 1215.* Many batteries are sold within products, such as lithium-ion batteries, which are widely used in portable electronics like laptops, smart phones, digital cameras, game consoles, and cordless power tools. These

¹ [State of Disposal and Recycling for CY 22_for pub \(2\).pdf](#)

products are considered "covered battery-embedded products" under SB 1215, if the battery is not designed to be removed from the product by the consumer.

SB 1215 added covered battery-embedded products to the electronic waste recycle act (EWRA) and requires CalRecycle to establish a fee, paid by consumers on new or refurbished covered battery-embedded products, that covers the reasonable regulatory costs to properly manage and recycle the covered battery-embedded products and to administer the EWRA.

- 3) *Fire risk from batteries*: California's Statewide Commission on Recycling Markets and Curbside Recycling (Commission) weighed in on fire risks posed by HHW: "There is an urgent need to reduce the fire risks posed by HHW considering the extended duration and increasing severity of California's fire season. In October 2019, a trash truck caught fire in the foothills of the San Bernardino Mountains. When the driver unloaded the truck to try to extinguish the flames, winds spread the fire quickly to the surrounding hillsides, soon encompassing 500 acres. Within minutes the fire had spread to a mobile home community, leading to the deaths of two people and the destruction of dozens of homes, burning over 1,000 acres. Though the source of the fires is under investigation, this Commission believes that action is required to reduce known sources of fires including lithium-ion batteries.

"Additionally, the South Bayside Waste Management Authority had a 4-alarm fire at their Recycling Processing Center (80,000 tons per year) in San Carlos, California which they believe was directly caused by an (almost) expired lithium-ion battery. This incident resulted in over \$8.5M in damages. This facility was closed for four months, 50+ employees were furloughed, and the building was not fully operational for a year. They were extremely fortunate to report that no facility workers or any of the 100 firefighters were injured in this incident. They may not be so fortunate in future incidents."

Comments

- 1) *Purpose of Bill*. According to the author, "SB 501 expands California's extended producer responsibility program for batteries to include medium-format batteries, such as those found in ebikes, outdoor lawn equipment, and portable power systems. Batteries continue to be one of the most problematic sources of household hazardous waste due to their ability to cause fires or explosions when improperly managed, and the high costs of proper disposal to local governments. However, the number of batteries entering end-of-life each

year is rapidly increasing. EPR programs can help address problems with safe collection and shift the cost burden of managing these products from local cities and counties, and ultimately ratepayers, to the producers designing the products. SB 501 builds on California's extensive experience with EPR programs while taking advantage of the efficiencies of expanding existing programs."

- 2) *Closing a medium-sized loophole.* The existing laws to manage batteries are for small batteries (AB 2440) and for batteries embedded in products (SB 1215). This leaves a significant loophole in California's current programs: medium-format batteries, such as those found on ebikes, appliances or outdoor power equipment, which are still likely to be removed and/or replaced by the consumer are not covered under either program. Creating a pathway for responsible end of life management for these mid-sized batteries is especially important as sales of ebikes and other battery-powered appliances are on the rise. SB 501 is a sensible approach to ensure that medium sized batteries have a safe end of life option that is managed by the producers of those batteries, instead of leaving those batteries to be managed by local governments or mistakenly ending up in landfills.
- 3) *Should medium batteries be treated the same as small batteries?* Adding medium sized batteries to the existing EPR program for small batteries will ensure better management for medium batteries: however, there are innate differences in these types of batteries and their markets. This includes differences in how and where medium vs. small batteries are sold and used, and how many medium vs. small batteries are in use. This may necessitate policies specific for medium-sized batteries.

Related/Prior Legislation

AB 2240 (Irwin, Chapter 351, Statutes of 2022) enacted the Responsible Battery Recycling Act of 2022, which requires producers of covered [household] batteries to establish a stewardship program for the collection and recycling of covered batteries.

SB 1215 (Newman, Chapter 370, Statutes of 2022) added covered battery-embedded products to the EWRA and requires CalRecycle to establish a fee, paid by consumers on new or refurbished covered battery-embedded products, that covers the reasonable regulatory costs to properly manage and recycle the covered battery-embedded products and to administer the EWRA.

SB 615 (Allen, 2025) requires producers of electric vehicle (EV) batteries to ensure the safe end of life management of those batteries. The bill is scheduled to be heard today in the Senate Environmental Quality Committee.

SB 1143 Allen (Chapter 989, Statutes of 2024) made changes to the state's paint product stewardship program to expand the number of products covered in the program by January 1, 2028, at the latest and to require manufacturers of paint products to review their stewardship plan and submit any amendments to CalRecycle for review on a five-year basis.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

SUPPORT: (Verified 1/22/26)

7th Generation Advisors

Atrium 916

Ban Sup (single Use Plastic)

California Product Stewardship Council

California Professional Firefighters

California Resource Recovery Association

California State Association of Counties

California Teamsters Public Affairs Council

Californians Against Waste

Center for Environmental Health

City and County of San Francisco

City of Cupertino

City of Roseville

City of San Jose

City of Santa Maria

Cleanearth4kids.org

Climate Reality Project Riverside County Chapter

Climate Reality Project San Diego

Climate Reality Project San Francisco Bay Area Chapter

Climate Reality Project, Los Angeles Chapter

Climate Reality Project, Orange County

Climate Reality Project, San Fernando Valley

County of Humboldt

County of Los Angeles Board of Supervisors

County of Mendocino

County of Santa Barbara

Del Norte Solid Waste Management Authority

Facts Families Advocating for Chemical and Toxics Safety
Facts: Families Advocating for Chemical & Toxics Safety
Friends Committee on Legislation of California
League of California Cities
Mendocino County Department of Transportation
Merced County Regional Waste Management Authority
Napa Recycling & Waste Services
Napa Recycling and Waste Services
National Stewardship Action Council
Northern California Recycling Association
Plastic Pollution Coalition
Product Stewardship Institute
Recology
Republic Services INC.
Resource Recovery Coalition of California
Rethink Waste
Rural County Representatives of California
Sea Hugger
Sierra Club California
Sierra Club of California
South Bayside Waste Management Authority DbA Rethinkwaste
The Last Plastic Straw
Upstream
Western Placer Waste Management Authority
Zero Waste Marin
Zero Waste Sonoma

OPPOSITION: (Verified 1/22/26)

Redwood Materials, INC.

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