Date of Hearing: August 5, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS
Buffy Wicks, Chair
SB 501 (Allen) – As Amended June 1, 2026

Policy Committee:	Environmental Safety and Toxic Materials	Vote:	5 - 1
	Natural Resources		10 - 2

Urgency: No   State Mandated Local Program: Yes   Reimbursable: No

SUMMARY:

This bill adds "medium format batteries" to the Responsible Battery Recycling Act of 2022 (Act).

Specifically, this bill, among other things:

1) Revises the definition of "covered battery" in the Act – established by AB 2440 (Irwin), Chapter 351, Statutes of 2022 – to include small format and medium format batteries and further defines those and related terms.

2) Repeals exemptions from the Act for primary batteries weighing over two kilograms and rechargeable batteries weighing over five kilograms and having a rating of more than 300 watthours.

3) Revises the Act's collection requirements to specify that 10 collection sites per county or one collection site per 15,000 people, whichever is greater, applies only to small format batteries.

4) Establishes the following collection requirements for medium format batteries:

    a) For a county with a population of 50,000 or more, a minimum of five collection sites per county or one collection site per 30,000 people, whichever is greater.

    b) For a county with a population of 18,001 to 50,000, a minimum of two collection sites.

    c) For a county with a population of 18,000 or fewer, a minimum of one collection site.

5) Specifies that if a stewardship plan for covered batteries does not include a brand of small format batteries sold in the state, the stewardship plan is not required to have collection sites for small format batteries – and includes the same provision for medium format batteries.

6) Clarifies that the Act's retailer take-back requirement applies only to small format batteries.

FISCAL EFFECT:

1) The Department of Resources Recovery and Recycling (CalRecycle) estimates implementation costs of $285,000 in fiscal year (FY) 2027-28 for two positions and annual costs of $512,000 in FY 2028-29 and ongoing for three positions (Covered Battery Recycling Fund (CBRF)) to conduct research on medium format batteries; support the inclusion of

medium format batteries in the current extended producer responsibility (EPR) program; coordinate with the Department of Toxic Substances Control (DTSC) and other relevant state agencies on compliance-related issues; undertake additional enforcement actions resulting from a larger universe of regulated entities; and support the overall enforcement, planning, and implementation of the updated EPR program.

The FY 2023-24 budget provided CalRecycle with 18 permanent positions with total ongoing costs of about $3 million to implement the Act. According to CalRecycle, it has established all 18 positions and filled 16. The positions are supported by a loan from the Electronic Waste Recovery and Recycling Account, which will be reimbursed by the CBRF once the EPR program is up and running. CalRecycle is undertaking informal rulemaking for the Act and recently hosted a public workshop to solicit feedback from stakeholders on CalRecycle's informal draft regulatory text. CalRecycle plans to initiate formal rulemaking for the Act this fall.

CalRecycle has not yet finalized regulations to implement the Act and has received ongoing funding to implement the Act. Nonetheless, CalRecycle argues it will need additional resources if it is to regulate disposal of medium format batteries, which CalRecycle contends differ from other battery types in their application, removal, collection, and management.

2) Potential cost pressure of an unknown amount (Hazardous Waste Control Account) to DTSC to the extent the bill results in increased enforcement workload for DTSC. While CalRecycle is the lead agency for the Act, DTSC has primary authority to regulate hazardous waste and plays a key role in ensuring the safe handling and management of end-of-life covered batteries in compliance with hazardous waste control laws and regulations. Therefore, it is reasonable to expect this bill might increase DTSC's workload.

   The FY 2026-27 budget includes one permanent position and $216,000 ongoing (initially a loan from the Toxic Substances Control Account) for DTSC's administration of the Act, including overseeing stewardship program plan submissions to DTSC and ensuring compliance with hazardous waste control laws.

   The Act – which this bill amends – requires producers and stewardship organizations to reimburse CalRecycle and DTSC for their actual and reasonable regulatory costs to implement and enforce the Act. However, DTSC argues there is ambiguity in statute about whether the department can recover its costs related to enforcing violations at collection sites utilizing its enforcement authorities under the Hazardous Waste Control Law. DTSC interprets the cost recovery language in AB 2440 as applying only to its workload related to stewardship plan review. The author may wish to work with the department to address this ambiguity.

COMMENTS:

1) **Purpose.** 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 amount 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.

2) **Background.** There are two key state laws that dictate how batteries should be managed at the end of their lives – AB 2440 (the Act), which covers small loose batteries, and SB 1215 (Newman, Chapter 370), Statutes of 2022, which covers batteries embedded in products.

AB 2440 created the Act and called for the creation of an EPR program for producers of small format batteries. Broadly, the EPR program operates by requiring a "producer responsibility organization" 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. As noted earlier, CalRecycle is developing the regulations for this program in consultation with DTSC.

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 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 Recycling 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.

According to the author and bill supporters, medium format batteries, like those used in e-bikes, scooters, and hoverboards, are much larger than conventional batteries but are not covered under the stewardship and recycling programs established by AB 2440 or SB 1215 even though they pose a significant fire risk if disposed of improperly. Local governments and the solid waste industry have no control over which products will be introduced into the marketplace, and the coalition in support of this bill argues the bill ensures that manufacturers of these larger batteries bear financial responsibility for the management and disposal of the products they introduce into the stream of commerce. The coalition writes, "Now is the perfect time to add medium format batteries to the regulations implementing AB 2440 before they are finalized, further saving money by increasing efficiencies."

Writing in an oppose-unless-amended position, the Motorcycle Industry Council, the Specialty Vehicle Institute of America, and the Recreational Off-Highway Vehicle Association argue the bill could apply to certain electric youth off-highway vehicles (OHVs), whose batteries fall within the "medium format" size range. Some of these OHV batteries are swappable, which could lead to their classification as "easily removable" and therefore subject to the stewardship program. The opposition argues this creates uncertainty regarding whether and how the program would apply to OHVs. The coalition writes, "to avoid any ambiguity, we request a specific exclusion for OHVs in the legislation, similar to the explicit exclusion of all-terrain vehicles in the comparable Illinois law."

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