

SENATE THIRD READING

SB 501 (Allen)

As Amended June 1, 2026

Majority vote

SUMMARY

Expands the Responsible Battery Recycling Act of 2022 (Act) to include medium format batteries.

Major Provisions**COMMENTS**

Universal waste: Universal wastes are hazardous wastes that are widely produced by households and many different types of businesses. Universal wastes include televisions, computers, other electronic devices, batteries, fluorescent lamps, mercury thermostats, and other mercury containing equipment, among others.

The hazardous waste regulations (California Code of Regulations (CCR), Title 22, Division 4.5, Chapter 11, Section 66261.9) identify seven categories of hazardous wastes that can be managed as universal wastes. Any unwanted item that falls within one of these waste streams can be handled, transported, and recycled following the simple requirements set forth in the universal waste regulations (CCR, Title 22, Division 4.5, Chapter 23) versus the more stringent requirements for hazardous waste.

California's Universal Waste Rule allows individuals and businesses to transport, handle, and recycle certain common hazardous wastes, termed universal wastes, in a manner that differs from the requirements for most hazardous wastes. The more relaxed requirements for managing universal wastes were adopted to ensure that they are managed safely and are not disposed of in the trash. Universal waste requirements are also less complex and easier to comply with than the requirements in the state's Hazardous Waste Control Law (HWCL), thereby increasing compliance.

Regulation of batteries: The HWCL, prohibits the disposal of batteries in the trash or household recycling collection bins intended to receive other non-hazardous waste and/or recyclable materials. 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).

These batteries, sold individually, are "covered batteries" under the Act, which was established by AB 2440 (Irwin), Chapter 351, Statutes of 2022.

If batteries end up in the trash or a recycling bin, owners/operators of solid waste transfer stations, municipal landfills, and recycling centers who discover batteries in the waste or recyclable materials are required to remove and manage the batteries separately. The facility that removes the batteries from the municipal solid waste stream or recyclable materials becomes the

generator of the hazardous waste batteries and must comply with hazardous waste management regulations. Facilities that do not properly manage hazardous waste may be subject to regulatory enforcement and may be liable for monetary penalties.

Depending on the type of battery and applicable management requirements, batteries must be sent to a facility permitted to accept hazardous waste batteries, universal wastes, or spent lead acid batteries. Only facilities that have a Department of Toxic Substances Control (DTSC) permit or other type of authorization to treat, store, or dispose of hazardous wastes may accept hazardous waste batteries. Persons that do not have a DTSC permit may accept and store universal waste batteries and spent lead acid batteries if they operate according to the regulations specifically tailored for those types of batteries.

Responsible Battery Recycling Act of 2022: The Act requires producers of covered batteries to establish a stewardship organization (also known as producer responsibility organization or PRO) that will set up and run a stewardship program that will provide for the free and convenient collection of covered batteries from consumers.

Implementation of the Responsible Battery Recycling Act of 2022: Since enactment of the Act, the Department of Resources, Recycling, and Recovery (CalRecycle) has had several workshops including:

- 1) October 18, 2023 – Informational session on the Act
- 2) April 3, 2024 – Informal Regulatory Concept Workshop
- 3) July 11, 2024 – Informal Regulatory Concept Workshop
- 4) May 29, 2025 – Informal Rulemaking Workshop

As of the writing of this analysis, CalRecycle has not initiated a formal rulemaking to implement the Act.

This bill: SB 501 expands the Act to include medium format batteries. Since regulations for the Act have not been officially started, the addition of the medium format batteries is well-timed to fit within CalRecycle's future regulation.

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 e-bikes, 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. Enhanced Producer Responsibility (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."

Arguments in Support

According to the co-sponsors of the bill (the California Product Stewardship Council, Californians Against Waste, and Rethink Waste):

"The three signatories are the original co-sponsors and played an instrumental role in passing AB 2440 (Irwin), which created the Responsible Battery Recycling Act of 2022 and requires producers of covered batteries to establish a stewardship program for the collection and recycling of covered batteries.

We support the proposed language to expand the Responsible Battery Recycling Act of 2022 in a thoughtful manner. The addition of medium format batteries will improve the program to be more exhaustive of larger batteries on the market not currently included in the program that still pose a serious danger to the waste stream. We encourage safeguards and precautions for the collection infrastructure to ensure they are not burdened by size or volume from expanded collection. We also believe holding producers accountable for green design and reuse provisions will be key to driving circularity."

Arguments in Opposition

"On behalf of Redwood Materials, we write with urgent concerns regarding SB 501, the Household Hazardous Waste Producer Responsibility Act. While we support the bill's goal of promoting safe and responsible lithium-ion battery recycling, we believe it is impractical to include lithium-ion batteries within a broad, one-size-fits-all hazardous waste recycling program. This approach fails to fully utilize the expertise of advanced battery recyclers and California's well-established e-waste and metal recycling infrastructure.

As drafted, the bill risks stifling effective and innovative market-driven solutions by monopolizing battery collection to a single third-party, 501(c)(3) entity that does not actually recycle the materials they receive. We oppose this bill and believe that lithium-ion batteries should be excluded from this legislation's proposed requirements. The state should instead look to propose a different legislative program for such batteries, one that integrates market-based solutions, education and strengthens both California's recyclers and America's domestic battery recycling industry."

FISCAL COMMENTS

According to the Assembly Appropriations Committee, enactment of this bill could result in costs of \$285,000 in Fiscal Year 2027-2028 and ongoing annual costs thereafter of \$512,000 for CalRecycle, as well as cost pressures for DTSC to the extent the bill results in increased enforcement workload demands for DTSC.

VOTES**SENATE FLOOR: 30-10-0**

YES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Cortese, Durazo, Gonzalez, Grayson, Hurtado, Laird, Limón, McGuire, McNerney, Menjivar, Padilla, Pérez, Reyes, Richardson, Rubio, Smallwood-Cuevas, Stern, Umberg, Wahab, Weber Pierson, Wiener

NO: Alvarado-Gil, Choi, Dahle, Grove, Jones, Niello, Ochoa Bogh, Seyarto, Strickland, Valladares

ASM ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: 5-1-1

YES: Connolly, Bauer-Kahan, Lee, McKinnor, Papan

NO: Ellis

ABS, ABST OR NV: Castillo

ASM NATURAL RESOURCES: 10-2-2

YES: Bryan, Connolly, Garcia, Haney, Hoover, Kalra, Pellerin, Schultz, Wicks, Zbur

NO: Ellis, Macedo

ABS, ABST OR NV: Alanis, Muratsuchi

ASM APPROPRIATIONS: 12-3-0

YES: Wicks, Hoover, Arambula, Calderon, Caloza, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache

NO: Dixon, Ta, Tangipa

UPDATED

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