UNFINISHED BUSINESS

Bill No: SB 501
Author: Allen (D)
Amended: 8/17/26
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

SENATE FLOOR: 30-10, 1/27/26
AYES: 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
NOES: Alvarado-Gil, Choi, Dahle, Grove, Jones, Niello, Ochoa Bogh, Seyarto, Strickland, Valladares

ASSEMBLY FLOOR: 62-14, 8/24/26 - See last page for vote

SUBJECT: Responsible Battery Recycling Act of 2022: covered batteries

SOURCE: Author

DIGEST: This bill expands the Responsible Battery Recycling Act of 2022 (Act) to include medium format batteries.

Assembly Amendments expand CalRecycle's role and provide greater direction to program operators.

ANALYSIS:

Existing law:

1) Establishes the Hazardous Waste Control Law (HWCL) and requires the Department of Toxic Substances Control (DTSC) to oversee the management of hazardous waste. (Health & Safety Code (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) Categorizes all covered batteries under the Act as either a small format battery or a medium format battery.

2) Requires a program operator under the Act to annually demonstrate achievement of a minimum recycling efficiency rate of 60 percent for rechargeable batteries and 70 percent for non-rechargeable batteries.

3) Authorizes the Department of Toxic Substances Control (DTSC) to enter and inspect any collection site where hazardous wastes are stored, handled, processed, disposed of, or being treated to recover resources.

4) Requires that the stewardship plan under the Act consult with the department's Office of Environmental Justice, Tribal Relations, Education and Outreach instead of the Environmental Justice Task Force, and coordinate with California Native American Tribes.

5) Requires a stewardship plan to demonstrate that the stewardship organization has adequate financial responsibility and financial controls in place to ensure proper management of funds.

Background

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 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.

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:

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

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

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."

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.

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) adds 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.

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

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.

SUPPORT: (Verified 8/24/26)

7th Generation Advisors
Alameda County Board of Supervisors
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 Glendale
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
Long Beach; City of
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
San Jose; City of
Sea Hugger
Sierra Club California
Sierra Club of California
South Bayside Waste Management Authority (sbwma) Dba Rethinkwaste
The Last Plastic Straw
Upstream
Western Placer Waste Management Authority
Zero Waste Marin
Zero Waste Sonoma

OPPOSITION: (Verified 8/24/26)

American Chemistry Council
Building Owners and Managers Association of California
Cal Chamber
California Business Properties Association
California Chamber of Commerce
California Manufacturers & Technology Association
California Pool & Spa Association
California Retailers Associaiton
Can Manufacturers Institute

Chemical Industry Council of California
Croplife America
Household and Commercial Products Association
Naiop California
Naiop of California, the Commercial Real Estate Development Association
National Aerosol Association
Redwood Materials, INC.
Responsible Industry for a Sound Environment - Rise
Specialty Equipment Market Association
Western Plant Health Association
Western Wood Preservers Institute

Assembly Floor: 62 14 3
Ayes: Addis, Aguiar-Curry, Ahrens, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Connolly, Davies, Elhawary, Fong, Gabriel, Garcia, Gipson, Mark González, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lee, Lowenthal, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas
Noes: Castillo, Chen, DeMaio, Dixon, Ellis, Jeff Gonzalez, Hadwick, Johnson, Lackey, Macedo, Patterson, Sanchez, Ta, Tangipa
No Vote Recorded: Alanis, Flora, McKinnor

Prepared by: Brynn Cook / E.Q. / (916) 651-4108
11/5/26 15:21:01

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