SENATE THIRD READING
SB 615 (Allen)
As Amended September 02, 2025
Majority vote

SUMMARY

Requires battery suppliers to ensure the responsible end-of-life management of a vehicle traction battery (which are primarily lithium-ion batteries) under specified circumstances; adhere to a battery management hierarchy set forth in the bill; fully fund the cost of collection of a vehicle traction battery for which they are responsible; and report specified information about the sale, transfer, or receipt of vehicle traction batteries to the Department of Toxic Substances Control (DTSC). Requires DTSC to adopt regulations to implement and enforce the requirements of this bill.

Major Provisions

COMMENTS

California Hazardous Waste Control Law (HWCL): The HWCL is the state's program that implements and enforces federal hazardous waste law in California and directs DTSC to oversee and implement the state's HWCL. Any person who stores, treats, or disposes of hazardous waste must obtain a permit from DTSC. The HWCL covers the entire management of hazardous waste, from the point that hazardous waste is generated to management, transportation, and ultimately disposal of waste into a state or federally-authorized facility.

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. 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. Lithium-ion vehicle traction batteries can be managed as a universal waste.

Regulation of batteries: The HWCL prohibits the disposal of all 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).

All batteries in California that are intended for disposal must be recycled, or taken to a household hazardous waste disposal facility, a universal waste handler (e.g., a storage facility or broker), or an authorized recycling facility.

Lithium-ion batteries: Lithium-ion batteries, widely used in portable electronics like laptops, smart phones, digital cameras, game consoles, and cordless power tools, are also widely used as vehicle batteries in zero emission vehicles (ZEVs).

Fire risks: Because Lithium-ion batteries contain hazardous and corrosive materials, they also pose a fire risk if not stored or disposed of properly. Therefore, any program to manage used Li-ion batteries needs to account for this possible fire risk.

Lithium-ion battery waste: According to a presentation to DTSC from Occupational Knowledge International at a DTSC workshop in 2017, it is estimated by 2028, roughly eight million kilotons of waste Li-ion batteries from ZEVs will be generated; by 2038, the estimate is 55 million kilotons.

Lithium-ion Car Battery Recycling Advisory Group (Advisory Group): In 2018, AB 2832 (Dahle, Chapter 822, Statutes of 2018) required the convening of the Lithium-Ion Battery (LIB) Recycling Advisory Group. AB 2832 mandated that the LIB Recycling Advisory Group submit policy recommendations to the Legislature to ensure "that as close to 100% as possible of lithium-ion batteries in the state are reused or recycled at end-of-life."

Recommended policies of the Advisory Group: Two policy proposals that define end-of-life (EOL) management responsibility rose to the level of majority support of the LIB Advisory Group members: core exchange with a vehicle backstop, and producer take-back. These policies complement, and do not replace, current warranty regulations and programs that require the vehicle manufacturer to properly reuse, repurpose, or recycle a removed EOL battery that is still under warranty. The core exchange and vehicle backstop policy garnered the most support from the LIB Advisory Group at 93% of voting members. It builds on existing industry standards and policies for other vehicle components, specifically a core exchange and product take-back.

The other policy proposal that received majority support at 67% of those that voted is a producer take-back policy, wherein the auto manufacturer is responsible for ensuring proper repurposing, reuse, or recycling of its electric vehicle (EV) traction batteries by a licensed facility at no cost to the consumer, if and when they are no longer wanted by the owner, and in the event that no other entity has taken possession of the battery.

This bill: SB 615 sets up a framework to ensure that vehicle traction batteries are safely collected, transported, and then reused, repurposed, remanufactured, or recycled. This bill requires battery suppliers (anyone that sells or distributes vehicle traction batteries into the state) to be responsible for the end-of-life management of these batteries. The major goal of this bill is to encourage and promote the recycling of these batteries as part of the circular economy. The timing of this bill is important as well. While there are a number of EVs on the road, the volume of these batteries nearing end-of-life is still rather low, making this a great opportunity to solidify and improve the safe collection and recycling of vehicle traction batteries.

According to the Author

"California is home to the fastest growing electric vehicle (EV) market in the nation. However, as the number of EVs on the road increases and the market matures, so does the number of EV batteries reaching the end of their useful life. California is beginning to see piecemeal development of a market and infrastructure designed to capture the value imbedded in these batteries once removed from a vehicle; including high-value critical materials such as lithium, cobalt, nickel, natural graphite, and manganese. Recycling batteries to capture this material reduces demand for raw materials, thereby avoiding the negative social and environmental impacts of mining, and potentially catalyzing a domestic supply as demand for critical materials increases. However, our nascent system relies on the expectation that the value of the material will drive proper management. California lacks a

policy framework to encourage reuse, repair, and repurposing, or ensure that batteries are recycled when no longer useful. SB 615 will establish a program to ensure EV batteries are properly managed at every stage of their lives, including mechanisms to hold producers accountable for end-of-life management, and establish clear responsibilities for entities throughout the value chain."

Arguments in Support
According to a coalition of organizations including the Coalition for Clean Air, Plug In America, Natural Resources Defense Council and the Union of Concerned Scientists,

"Our organizations support SB 615 (Allen) and respectfully request your aye vote on this important bill. This bill seeks to ensure that all electric vehicle (EV) batteries are repurposed or recycled at the end of their useful life.

Today, there are a relatively small number of EVs retiring and a strong incentive to recycle those due to the valuable minerals they contain. However, over the next decade, we will see the wave of retirements begin. This wave will include batteries that are not profitable to recycle, and without policy intervention, they will slip through the cracks—which will likely result in hazardous waste landfill disposal or an even less desirable fate.

This bill is the result of a robust stakeholder process convened by Senator Allen that included environmental organizations, labor groups, vehicle manufacturers, dismantlers, battery recyclers, and battery repurposes. This bill:

1) Ensures that all EV batteries are repurposed or recycled at the end of their useful life with an Extended Producer Responsibility policy that clarifies what entity is responsible in every scenario.

2) Defines recycling in a way that disallows the most environmentally impactful technologies and encourages lithium, cobalt, and nickel to be recovered.

3) Requires robust tracking and reporting of retired EV batteries as well as reporting of the material recovered from batteries so we can improve the policy in the future if necessary."

Arguments in Opposition
According to Tesla, Rivian, and Lucid,

"The bill, in its current form, remains complex and establishes a redundant mandate that will result in unnecessary, additional costs for consumers at a time of economy-wide uncertainty. Given that the industry is already effectively managing EV batteries without state intervention, we express our opposition to SB 615.

SB 615 seeks to proactively establish extensive regulations on the handling, processing, transportation, and liability of electric vehicle (EV) batteries at end-of-life without evidence that a widespread problem exists.

One of the most concerning aspects of SB 615 is the lack of an appropriate transfer of responsibility and liability for batteries modified by secondary handlers. This would result in

significant safety risks for EV manufacturers and third parties who engage in the management of end-of-life batteries on their behalf.

Beyond the compliance costs that battery providers face under SB 615, the proposed text assigns unknown and uncapped agency enforcement costs to OEMs and provides no clarity in how these costs will be allocated. The proposed funding mechanism adds further uncertainty to automakers' operating costs at an unprecedented time for supply chain volatility, which will increase the cost of EVs and undermine the state's electrification goals. We urge the committee to consider all options to minimize the cost burden to OEMs under this program."

FISCAL COMMENTS

According to the Assembly Appropriations Committee, enactment of this bill could result in costs of $5.9 million to DTSC to hire 24 staff to implement provisions of this bill, including regulation development, system development, information technology contract and licensing costs, and oversight and enforcement activities. These costs would be phased in over several years.

VOTES

SENATE FLOOR: 28-6-6
YES: Allen, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Cortese, Durazo, Gonzalez, Grayson, Hurtado, Laird, McGuire, McNerney, Menjivar, Padilla, Pérez, Richardson, Rubio, Smallwood-Cuevas, Stern, Umberg, Wahab, Weber Pierson, Wiener
NO: Choi, Grove, Jones, Ochoa Bogh, Seyarto, Strickland
ABS, ABST OR NV: Alvarado-Gil, Dahle, Limón, Niello, Reyes, Valladares

ASM ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: 5-1-1
YES: Connolly, Bauer-Kahan, Lee, McKinnor, Papan
NO: Castillo
ABS, ABST OR NV: Ellis

ASM NATURAL RESOURCES: 10-1-3
YES: Bryan, Connolly, Garcia, Haney, Hoover, Kalra, Muratsuchi, Pellerin, Schultz, Zbur
NO: Ellis
ABS, ABST OR NV: Alanis, Flora, Wicks

ASM APPROPRIATIONS: 11-3-1
YES: Wicks, Arambula, Calderon, Caloza, Elhawary, Fong, Mark González, Ahrens, Pacheco, Pellerin, Solache
NO: Sanchez, Dixon, Ta
ABS, ABST OR NV: Tangipa

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