

SENATE RULES COMMITTEE

Office of Senate Floor Analyses

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UNFINISHED BUSINESS

Bill No: SB 753
Author: Cortese (D)
Amended: 9/4/25 in Assembly
Vote: 21

SENATE LOCAL GOVERNMENT COMMITTEE: 6-0, 5/7/25

AYES: Durazo, Choi, Arreguín, Cabaldon, Laird, Wiener

NO VOTE RECORDED: Seyarto

SENATE FLOOR: 39-0, 5/27/25

AYES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear,
Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez,
Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar,
Niello, Ochoa Bogh, Padilla, Pérez, Richardson, Rubio, Seyarto, Smallwood-
Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

NO VOTE RECORDED: Reyes

ASSEMBLY FLOOR: 55-2, 9/11/25 – Roll call not available.

SUBJECT: Special business regulations: shopping carts

SOURCE: City of San Jose
City of San Jose, Councilmember Bien Doan
City of San Jose, Councilmember Pam Foley
Mayor Matt Mahan, City of San Jose
Mayor Todd Gloria, City of San Diego

DIGEST: This bill expands the authority for cities and counties to recover costs for retrieving shopping carts and returning them to their owners.

Assembly Amendments of 9/4/25 allow a city or county to only retrieve and return a shopping cart to a retailer and recover its actual costs if it has adopted an ordinance that meets specified criteria, cap the actual costs at \$100, reduce the fine from \$150 to \$100 for failing to retrieve a shopping cart, and make other changes.

ANALYSIS:

Existing law:

- 1) Declares the retrieval of abandoned shopping carts by local agencies and issue of statewide importance.
- 2) Prevents local officials from retrieving wayward shopping carts until they notify the cart's owner. If the owner does not retrieve the cart within three days, then local officials may retrieve and impound it. When a cart owner collects an impounded cart, the local agency may charge them for the actual retrieval and impounding costs. If no one has collected an impounded cart after 30 days, the local agency may sell or dispose of it. After a local agency impounds more than three carts from a single owner in a six-month period, it may also charge a \$50 fine for each cart it impounds.
- 3) Allows cities and counties to immediately impound misplaced shopping or laundry carts. Local officials must notify the owner within 24 hours of the location where the cart owner can collect the previously wayward cart.
- 4) Requires cities and counties to give the owner of the cart three business days to collect the cart at no cost. After three days, local officials can charge the owner of the cart a fine or fee, if applicable, for the actual cost of the retrieval and impounding.
- 5) Protects local regulation of shopping cart removal from the shopping premises or parking area of a shopping center as long as those local ordinances do not conflict with state law.

This bill:

- 1) Changes the statewide regulations for shopping cart retrieval. For shopping carts that are located outside the premises or parking area of a retail establishment, cities and counties can either:
 - a) Pursuant to an ordinance adopted by a city or county, retrieve and return the shopping cart to the parking area of premises of the owner or retailer identified on the sign; or
 - b) Impound the shopping cart if the retailer does not retrieve the cart within three business days from the date the owner or retailer receives notice from the city or county.

- 2) Allows cities and counties to immediately retrieve or impound the shopping cart if the shopping cart will impede emergency services.
- 3) Increases to \$100 the fine that a city or county can charge an owner of a shopping cart for each occurrence in excess of three during a six-month period for failing to retrieve shopping carts.
- 4) Specifies that a city or county shall only retrieve and return a shopping cart that is located outside the premises or parking area of a retail establishment to the parking area or premises of the owner or retailer identified on the sign affixed to it and recover its actual costs, if the city or county adopts an ordinance subject to the following requirements:
 - a) The ordinance includes criteria for determining that a shopping cart is inaccessible for retrieval by the shopping cart owner, or their agent.
 - b) The ordinance includes an explanation of how the actual costs for retrieving and returning a shopping cart will be determined.
 - c) The ordinance provides for at least 48 hours' actual notice to the owner of the shopping cart, or their designated agent, of the shopping cart's location before the city or county retrieves the cart.
 - d) The ordinance provides that the city or county may recover its actual costs for the retrieval and return from the owner of the shopping cart, except those determined to be inaccessible, subject to the explanation of the actual costs described in ordinance and not to exceed more than \$100 per shopping cart.
- 5) Provides that the ordinance described in 4), above, may require the owner of the shopping cart, or their designated agent, to follow procedures for receiving actual notice.
- 6) Specifies that if the location of a shopping cart will impede emergency services or pose a substantial threat to health and safety, including imminent hazard, a city or county can immediately retrieve and return the shopping cart.
- 7) Provides that this bill does not prohibit a city or county from being able to retrieve and return shopping carts for no reimbursement.
- 8) Defines an "occurrence" to mean a failure of retrieving a cart within three business days from when the owner received notice from the city or county.

- 9) Requires a city or county to retain proof that it delivered the notice to the owner of the cart, which can include mail, phone, or electronic transmission with delivery confirmation. The city or county must maintain a record of that proof of delivery.

Comments

- 1) *Purpose of this bill.* According to the author, “SB 753 addresses a growing public safety and environmental concern across California: the widespread abandonment of shopping carts in our communities. Current state law is outdated and inefficient, requiring cities to store abandoned carts at impound lots and wait for retailers to retrieve them—a burdensome and costly process, especially for larger cities. The bill modernizes California law by allowing cities to immediately collect abandoned shopping carts, return them directly to retailers without a three-day waiting period, and recover the actual costs associated with managing cart recovery programs. SB 753 ensures a more efficient process that reduces street and sidewalk obstructions, protects waterways from pollution and flooding hazards, and strengthens collaboration and support for both local governments and retailers.”
- 2) *Same old song and dance.* Shopping cart theft has been a problem in California for decades. To bring some consistency to the fees local agencies charged retailers for cart recovery, efforts in the 1990s created some statewide regulation, which benefitted retailers facing inconsistent regulations. It also gave retailers a three-day grace period to retrieve their carts from the local agency. However, these statewide regulations only allowed local agencies to impound carts and take them to an impound lot if the local agency wanted to charge the retailer for their efforts. If a local agency returns the cart to the retailer instead, they cannot recover their costs. SB 753 tilts the balance back in the favor of local governments by removing the \$50 limit on cost recovery, and creating a new process for recovering costs when the local agency returns the cart directly to its owner. In some ways, this takes the matter back to before the 1990s when costs could vary across jurisdictions, leading to higher costs for retailers. In other ways this helps local agencies manage abandoned shopping carts in a less costly way than taking them to an impound lot, which could make the problem easier to manage. However, many local agencies already have processes in place to collect shopping carts. Some have contracts with private entities to collect carts. SB 753 may allow them to charge more for something they are already doing by increasing the \$50 cap and allowing local agencies to recover some of their costs. The Legislature may wish to consider whether SB

753 adequately balances the flexibility for local agencies with cost pressures on retailers.

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

SUPPORT: (Verified 9/9/25)

City of San Jose (Co-Sponsor)
City of San Jose, Councilmember Bien Doan (Co-Sponsor)
City of San Jose, Councilmember Pam Foley (Co-Sponsor)
Mayor Matt Mahan, City of San Jose (Co-Sponsor)
Mayor Todd Gloria, City of San Diego (Co-Sponsor)
California Contract Cities Association
California State Association of Counties
California State Association of Counties
City of Concord
City of Cupertino
City of Downey
City of Norwalk
City of Oakland
League of California Cities
Los Angeles County
Santa Clara Valley Water District

OPPOSITION: (Verified 9/9/25)

None received

Prepared by: Anton Favorini-Csorba / L. GOV. / (916) 651-4119
9/11/25 10:47:42

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