

AMENDED IN SENATE JANUARY 14, 2026

AMENDED IN SENATE JANUARY 5, 2026

AMENDED IN SENATE APRIL 7, 2025

AMENDED IN SENATE MARCH 24, 2025

SENATE BILL

No. 501

Introduced by Senator Allen

February 19, 2025

An act to amend ~~Section 42420.1~~ *Sections 42420.1, 42420.4, 42422.1, and 42424.1* of the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

SB 501, as amended, *Allen. Responsible Battery Recycling Act of 2022*: covered batteries.

Existing law, the Responsible Battery Recycling Act of 2022 (battery recycling act), establishes a stewardship program, administered by the Department of Resources Recycling and Recovery, with the Department of Toxic Substances Control, as provided, for the collection, transportation, and recycling, and the safe and proper management, of covered batteries in the state in an economically efficient and practical manner. The battery recycling act defines a “covered battery” to mean a device consisting of one or more electrically connected electrochemical cells designed to receive, store, and deliver electric energy. Existing law defines a “covered battery” to include a loose battery that is designed to be easily removed from a product by the user of the product with no more than common household tools. Existing law excludes from the definition of a covered battery a primary battery weighing over 2 kilograms. Existing law defines a “primary battery” for this purpose to mean a nonrechargeable battery, including, but not limited to, alkaline,

carbon-zinc, and lithium metal batteries. Existing law also excludes from the definition of a “covered battery” *covered battery* a rechargeable battery weighing over 5 kilograms and having a watt-hour rating of more than 300 watt-hours.

This bill would revise the description of a loose battery, for purposes of the definition of a covered battery, by providing that a key, application, or other locking device provided to the consumer by the producer of the product or battery that is warranted by the producer of the product or battery to serve solely to prevent theft of the battery or tampering by persons other than the consumer and not to inhibit the consumer’s ability to remove, replace, or recycle the battery would not prevent a battery from being considered designed to be easily removed from a product by the user of the product with no more than common household tools. ~~The bill would instead exclude from the definition of a covered battery a primary battery weighing over 25 pounds and any rechargeable battery weighing over 25 pounds, regardless of the watt-hour rating.~~ *remove the exclusions from the definition of a covered battery for a primary battery and a rechargeable battery, described above. The bill would categorize all covered batteries as either a small format battery or a medium format battery. The bill would define a “small format battery” to include a rechargeable battery weighing no more than 11 pounds with a rating of no more than 300 watt-hours and a nonrechargeable battery weighing no more than 4.4 pounds. The bill would define a “medium format battery” to include a rechargeable battery weighing more than 11 pounds but no more than 25 pounds, a rechargeable battery with a rating of more than 300 watt-hours but no more than 2,000 watt-hours, and a nonrechargeable battery weighing more than 4.4 pounds but fewer than 25 pounds.*

The act requires a producer of covered batteries, individually or through a stewardship organization, to develop and implement a stewardship plan for the collection, transportation, and recycling, and the safe and proper management, of covered batteries in the state. The act requires the stewardship plan to describe how the producer or stewardship organization will provide a certain number of collection sites for covered batteries in each county, as provided.

This bill would instead require the stewardship plan to describe how the producer or stewardship organization will provide a certain number of collection sites for small format batteries and medium format batteries, as specified.

The battery recycling act requires all reports and records provided to the department to be provided under penalty of perjury.

By expanding the scope of the act, the bill would expand the scope of the crime of perjury, thereby imposing a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 42420.1 of the Public Resources Code
2 is amended to read:

3 42420.1. For purposes of this chapter, the following terms have
4 the following meanings:

5 (a) “Brand” means a trademark, including both a registered
6 trademark and an unregistered trademark, a logo, a name, a symbol,
7 a word, an identifier, or a traceable mark that identifies a covered
8 battery and identifies the owner or licensee of the brand.

9 (b) “Collection site” means a permanent or temporary location
10 at which covered batteries are collected and prepared for transport
11 in accordance with the requirements of this chapter.

12 (c) “Consumer” means an owner of a covered battery, including
13 a person, business, corporation, limited partnership, nonprofit
14 organization, or governmental entity, and includes the ultimate
15 purchaser, owner, or lessee of a covered battery, who is not, as to
16 that covered battery, the distributor, importer, producer, recycler,
17 retailer, or stewardship organization.

18 (d) (1) “Covered battery” means a device consisting of one or
19 more electrically connected electrochemical cells designed to
20 receive, store, and deliver electric energy. A covered battery
21 includes *only a small format battery and a medium format battery*
22 that is any of the following:

23 (A) A loose battery that is either sold separately from a product
24 or that is designed to be easily removed from a product by the user
25 of the product with no more than common household tools. A key,

1 application, or other locking device provided to the consumer by
2 the producer of the product or battery that is warranted by the
3 producer of the product or battery to serve solely to prevent theft
4 of the battery or tampering by persons other than the consumer
5 and not to inhibit the consumer's ability to remove, replace, or
6 recycle the battery shall not prevent a battery from being considered
7 designed to be easily removed from a product by the user of the
8 product with no more than common household tools.

9 (B) A battery that is packed with, but not installed in, the product
10 that the battery is intended to power, when the product is offered
11 for sale by the producer.

12 (2) "Covered battery" does not include any of the following:

13 ~~(A) A primary battery weighing over 25 pounds. For purposes~~
14 ~~of this subparagraph, "primary battery" means a nonrechargeable~~
15 ~~battery, including, but not limited to, alkaline, carbon-zinc, and~~
16 ~~lithium metal batteries.~~

17 ~~(B) A rechargeable battery weighing over 25 pounds.~~

18 ~~(C)~~

19 (A) A lead-acid battery, as defined in subdivisions (a) and (b)
20 of Section 42440.

21 ~~(D)~~

22 (B) (i) A battery contained in a motor vehicle. For purposes of
23 this subparagraph, "motor vehicle" has the same meaning as set
24 forth in Section 415 of the Vehicle Code.

25 (ii) Notwithstanding any other law, the exclusion in clause (i)
26 does not apply to a battery contained in any of the following:

27 (I) A motorized scooter.

28 (II) A motorized skateboard.

29 (III) A motorized hoverboard.

30 (IV) A device intended to propel or move upon a highway only
31 one individual person or property.

32 ~~(E)~~

33 (C) A fuel cell electrical generating facility. For purposes of
34 this subparagraph, "fuel cell electrical generating facility" has the
35 same meaning as "eligible fuel cell electrical generating facility,"
36 as defined in Section 2827.10 of the Public Utilities Code.

37 ~~(F)~~

38 (D) (i) A Class I device as defined in Section 360c of Title 21
39 of the United States Code, and either of the following applies:

- 1 (I) It is a device described in Section 414.202 of Title 42 of the
2 Code of Federal Regulations.
- 3 (II) Either of the following applies:
- 4 (ia) The device is predominantly used in a health care setting
5 by a provider.
- 6 (ib) The device is predominantly prescribed by a health care
7 provider.
- 8 (ii) A Class II or Class III device as defined in Section 360c of
9 Title 21 of the United States Code.
- 10 (~~G~~)
- 11 (E) A battery that has been recalled.
- 12 (e) “Department” means the Department of Resources Recycling
13 and Recovery or a successor agency.
- 14 (f) “Distributor” means a company that has a contractual
15 relationship with one or more producers to market and sell covered
16 batteries to retailers.
- 17 (g) “Electrochemical cell” means a system consisting of an
18 anode, a cathode, and an electrolyte, plus electrical or mechanical
19 connections needed to allow the cell to deliver or receive electric
20 energy.
- 21 (h) “Importer” means either of the following:
- 22 (1) A person qualifying as an importer of record for purposes
23 of Section 1484(a)(2)(B) of Title 19 of the United States Code
24 with regard to the import of a covered battery that is sold,
25 distributed for sale, or offered for sale in or into the state that was
26 manufactured or assembled by a company outside of the United
27 States.
- 28 (2) A person importing into the state for sale, distributing for
29 sale, or offering for sale in the state a covered battery that was
30 manufactured or assembled by a company physically located
31 outside of the state.
- 32 (i) *Medium format battery means all of the following:*
- 33 (1) *A rechargeable battery weighing more than 11 pounds but*
34 *no more than 25 pounds.*
- 35 (2) *A rechargeable battery with a rating of more than 300*
36 *watthours but less than 2,000 watthours.*
- 37 (3) *A nonrechargeable battery, including, but not limited to,*
38 *alkaline, carbon-zinc, and a lithium metal battery, weighing at*
39 *least 4.4 pounds but no more than 25 pounds.*
- 40 (i)

1 (j) “Person” has the same meaning as set forth in Section 40170.

2 ~~(j)~~

3 (k) (1) “Producer” means a person who manufactures a covered
4 battery and who owns or is the licensee of the brand or trademark
5 under which that covered battery is sold, offered for sale, or
6 distributed for sale in or into the state.

7 (2) If there is no person in the state who is the producer for
8 purposes of paragraph (1), the producer of the covered battery is
9 the owner of a brand or trademark or, if the owner is not in the
10 state, the exclusive licensee of a brand or trademark under which
11 the covered battery is sold, imported for sale, offered for sale, or
12 distributed for sale in or into the state. For purposes of this
13 subdivision, an exclusive licensee is a person holding the exclusive
14 right to use a trademark or brand in the state in connection with
15 the manufacture, sale, or distribution for sale in or into the state
16 of the covered battery.

17 (3) If there is no person in the state who is the producer for
18 purposes of paragraph (1) or (2), the producer of the covered
19 battery is the person who sells, offers for sale, or is the importer
20 or distributor of the covered battery in or into the state for sale in
21 or into the state.

22 (4) For purposes of this chapter, the sale of a covered battery
23 shall be deemed to occur in the state if the covered battery is
24 delivered to the purchaser in the state.

25 (5) “Producer” does not include an admitted insurer possessing
26 a certificate of authority from the Insurance Commissioner pursuant
27 to Section 700 of the Insurance Code, nor does it apply to a
28 placement of insurance that was made in full compliance with
29 Section 1765.1 or 1765.2 of the Insurance Code.

30 ~~(k)~~

31 (l) “Program operator” means a producer, or a stewardship
32 organization on behalf of a group of producers, that is responsible
33 for implementing a stewardship program in accordance with the
34 requirements of this chapter.

35 ~~(l)~~

36 (m) (1) “Rechargeable battery” means a battery that contains
37 one or more voltaic or galvanic cells, electrically connected to
38 produce electric energy, and that is designed to be recharged.

39 (2) “Rechargeable battery” does not include either of the
40 following:

- 1 (A) A battery that contains electrolytes as a free liquid.
- 2 (B) A battery that employs lead-acid technology, unless that
- 3 battery is sealed and contains no free liquid electrolytes.
- 4 ~~(m)~~
- 5 (n) “Recycler” means a person who changes the physical or
- 6 chemical composition of covered batteries.
- 7 ~~(n)~~
- 8 (o) “Recycling” has the same meaning as set forth in subdivision
- 9 (a) of Section 25121.1 of the Health and Safety Code. “Recycling”
- 10 does not include any of the following:
- 11 (1) Combustion.
- 12 (2) Incineration.
- 13 (3) Energy generation.
- 14 (4) Fuel production.
- 15 (5) Beneficial reuse in the construction and operation of a solid
- 16 waste landfill, including use of alternative daily cover.
- 17 (6) Other forms of disposal, as defined in subdivision (b) of
- 18 Section 40192.
- 19 ~~(o)~~
- 20 (p) “Recycling efficiency rate” means the ratio of the weight of
- 21 covered battery components recycled by a program operator from
- 22 covered batteries to the weight of those covered batteries collected
- 23 by the program operator.
- 24 ~~(p)~~
- 25 (q) “Retailer” means a person who sells or offers for sale
- 26 covered batteries in or into the state to a person through any means,
- 27 including, but not limited to, sales outlets, catalogs, the telephone,
- 28 the internet, or any electronic means.
- 29 (r) “*Small format battery*” means both of the following:
- 30 (1) *A rechargeable battery weighing no more than 11 pounds*
- 31 *that has a rating of no more than 300 watthours.*
- 32 (2) *A nonrechargeable battery, including, but not limited to,*
- 33 *alkaline, carbon-zinc, and a lithium metal battery, weighing no*
- 34 *more than 4.4 pounds.*
- 35 ~~(q)~~
- 36 (s) “Stewardship organization” means an organization exempt
- 37 from taxation under Section 501(c)(3) of the federal Internal
- 38 Revenue Code of 1986 (26 U.S.C. Sec. 501(c)(3)) that is
- 39 established by a group of producers in accordance with this chapter
- 40 to develop and implement a stewardship program.

1 ~~(t)~~
 2 (t) “Stewardship plan” or “plan” means a plan developed by a
 3 program operator pursuant to this chapter for the collection,
 4 transportation, and recycling, and the safe and proper management,
 5 of covered batteries.

6 ~~(s)~~
 7 (u) “Stewardship program” means a program established by a
 8 program operator pursuant to this chapter for the free at drop off,
 9 convenient, and safe collection, transportation, recycling, and
 10 otherwise proper management of covered batteries.

11 SEC. 2. Section 42420.4 of the Public Resources Code is
 12 amended to read:

13 42420.4. (a) (1) A program operator shall include as a
 14 collection site under its stewardship program any entity that offers
 15 in writing to participate in the stewardship program, complies with
 16 all applicable state, federal, and municipal laws and regulations,
 17 complies with any program operator requirements that are
 18 consistent with that program operator’s approved stewardship plan,
 19 and is judged by the program operator to have sufficient staff and
 20 resources to reliably comply, even if the minimum thresholds
 21 described in subdivision (d) of Section 42422.1, as applicable,
 22 have been achieved.

23 (2) A program operator shall include as a collection site under
 24 its stewardship program any household hazardous waste collection
 25 facility, as defined in Section 25218.1 of the Health and Safety
 26 Code, that offers in writing to participate in the stewardship
 27 program, complies with all applicable state, federal, and municipal
 28 laws and regulations, and complies with any program operator
 29 requirements that are consistent with that program operator’s
 30 approved stewardship plan, even if the minimum thresholds
 31 described in subdivision (d) of Section 42422.1, as applicable,
 32 have been achieved.

33 (b) A program operator shall include the offering entity as a
 34 collection site in the stewardship program within 90 days of
 35 receiving the written offer to participate, confirming that the
 36 offering entity will comply with all applicable state and federal
 37 laws and regulations, and confirming that the offering entity has
 38 sufficient staff and resources to comply with any program operator
 39 requirements that are consistent with that program operator’s
 40 approved stewardship plan, even if the minimum thresholds

1 described in subdivision (d) of Section 42422.1, as applicable,
2 have been achieved. The program operator shall not be required
3 to respond to offers pursuant to this paragraph until the program
4 operator's stewardship plan has been approved by the department.

5 (c) A program operator may suspend or terminate a collection
6 site or service that does not comply with all applicable state,
7 federal, or municipal laws and regulations or adhere to the rules
8 and conditions imposed by the program operator pursuant to
9 paragraph~~(3)~~ (4) of subdivision (d) of Section 42422.1.

10 (d) A collection site shall be operated to ensure that covered
11 batteries, as applicable, are collected safely and handled in
12 accordance with all applicable state, federal, and municipal laws
13 and regulations and the rules and conditions of the stewardship
14 plan.

15 (e) This section does not exempt the program operator from
16 meeting the minimum thresholds described in subdivision (d) of
17 Section 42422.1.

18 *SEC. 3. Section 42422.1 of the Public Resources Code is*
19 *amended to read:*

20 42422.1. A stewardship plan for covered batteries shall include
21 all of the following:

22 (a) The names of producers, as defined in subdivision~~(j)~~ (k) of
23 Section 42420.1, and brands of covered batteries covered under
24 the stewardship plan.

25 (b) A description of the process by which the program operator
26 consulted with the advisory body created pursuant to Section
27 42422.4 to receive advice on the development and implementation
28 of the stewardship plan.

29 (c) A description of methodologies for measuring, and meeting
30 or exceeding, the established minimum recycling efficiency rate
31 for primary and rechargeable batteries to meet the annual report
32 requirement in subdivision (i) of Section 42424.1.

33 (d) A description of how the program operator will provide for
34 a free at drop off and convenient collection system for covered
35 batteries in each county of the state that meets all of the following
36 requirements:

37 (1) ~~A~~ *For small format batteries, a minimum of 10 collection*
38 *sites per county or one collection site per 15,000 people, whichever*
39 *is greater, except as identified below:*

1 (A) A county with a population of 18,000 and under, as reported
2 annually by the Department of Finance, shall have a minimum of
3 three collection locations.

4 (B) A county with a population of between 18,001 and 50,000,
5 as reported annually by the Department of Finance, shall have a
6 minimum of four collection locations.

7 (C) A county with a population between 50,001 and 100,000,
8 as reported annually by the Department of Finance, shall have a
9 minimum of eight collection locations.

10 (2) *For medium format batteries, a minimum of five collection*
11 *sites per county or one collection site per 30,000 people, whichever*
12 *is greater.*

13 ~~(2)~~

14 (3) The collection sites required by this subdivision shall not
15 be required to collect covered batteries that are damaged, defective,
16 or recalled.

17 ~~(3)~~

18 (4) The collection sites in each county shall be spread throughout
19 the county to facilitate widespread access and convenience. This
20 paragraph does not authorize the department to require more than
21 the minimum number of collection sites required pursuant to
22 paragraph (1) or the regulations adopted by the department pursuant
23 to Section 42420.2.

24 (e) A description of how collection sites will be authorized and
25 managed, including both of the following:

26 (1) An explanation of the process by which the program operator
27 will, upon request, provide to a household hazardous waste
28 collection facility as defined in Section 25218.1 of the Health and
29 Safety Code, at no cost, and to all other collection sites, at cost,
30 packaging consistent with the requirements found in the United
31 States Department of Transportation's hazardous materials
32 regulations and the necessary forms and instructions for the safe
33 collection and transportation of damaged or defective covered
34 batteries.

35 (2) An explanation of the process by which the program operator
36 will provide for the collection and transport of covered batteries
37 from the collection sites to a recycler and how shipments will be
38 documented. A program operator shall maintain these records and
39 make them available to the department upon request.

1 (f) A program operator shall allow a consumer to drop off at a
2 collection site, at no charge at drop off, covered batteries.

3 (g) A description of how the program operator will provide
4 collection sites at no cost to the collection sites with appropriate
5 containers for covered batteries subject to its program, training,
6 signage, safety guidance, and educational materials.

7 (h) All handling, collection, transport, and recycling of covered
8 batteries undertaken as part of a stewardship program under this
9 chapter shall comply with all applicable state and federal laws and
10 regulations, but the department may not take enforcement action
11 under this chapter against a program operator for failure to comply
12 with those state and federal laws and regulations unless the program
13 operator is first determined to have violated the applicable state
14 or federal law or regulation by the governing body with jurisdiction
15 to enforce the state or federal law or regulation.

16 (i) A retailer with five or more locations in the state shall make
17 all locations serve as permanent collection sites for ~~covered~~ *small*
18 *format* batteries, and shall comply with the rules and conditions
19 of the program in which it participates, as part of a stewardship
20 program.

21 (j) No program operator shall be required, as a condition of
22 approval of its plan or program or otherwise, to accept damaged,
23 defective, or recalled batteries at sites served by the program
24 operator. Program operators shall provide to sites participating in
25 their programs, information for persons seeking to recycle damaged
26 or defective batteries informing those persons of the requirements
27 for doing so and of the closest location at which damaged or
28 defective batteries may be accepted. Program operators shall
29 provide to sites participating in their programs information for
30 persons seeking to recycle recalled batteries informing those
31 persons of instructions to contact any entity recalling batteries to
32 determine the appropriate handling of those batteries.

33 (k) (1) A description of the method to establish and administer
34 a means for fully funding the stewardship program in a manner
35 that equitably distributes the stewardship program's costs among
36 the producers that are part of the stewardship organization. For
37 producers that elect to meet the requirements of this chapter
38 individually, without joining a stewardship organization, a
39 description of the proposed method to establish and administer a
40 means for fully funding the stewardship program.

1 (2) The stewardship plan shall include a stewardship program
2 budget, for the next three calendar years, that includes a funding
3 level and anticipated revenues and costs sufficient to cover the
4 budgeted costs, including, but not limited to, administrative costs,
5 operational costs, and capital costs, to operate the stewardship
6 program in a prudent and responsible manner. Administrative costs
7 shall include the department's and the Department of Toxic
8 Substances Control's anticipated actual, reasonable, and direct
9 regulatory costs to implement and enforce this chapter as the
10 criteria for all the costs are defined in the regulations adopted
11 pursuant to Section 42420.2. For purposes of this paragraph,
12 stewardship program implementation begins once the department
13 approves a program operator's stewardship plan, except the
14 department's and the Department of Toxic Substances Control's
15 costs shall include actual, reasonable, and direct regulatory
16 development costs and other startup regulatory costs incurred prior
17 to stewardship plan submittal and approval.

18 (l) A description of the process by which covered batteries will
19 be processed and recycled following collection at collection sites,
20 including all of the following:

21 (1) A description of how covered batteries will be handled and
22 recycled, including how covered batteries will not be disposed of
23 by the program operator and a description of how the recycling of
24 all covered batteries will be maximized.

25 (2) A description of how discarded covered battery residual
26 materials will, to the extent economically and technically feasible,
27 be recycled and a description of how contracts with service
28 providers will require that this be done and how the contractor will
29 accomplish this.

30 (3) A description of how the program operator will prioritize
31 the use of recycling facilities located closer to the point of
32 generation to minimize transportation emissions and increase
33 accountability.

34 (m) Coordination with, and a description of the efforts and
35 methods used to coordinate activities with, all of the following
36 entities who are responsive to a request from the program operator:

37 (1) Other program operators.

38 (2) Existing battery collection and recycling programs, including
39 electronic waste recyclers and dismantlers.

1 (3) Community-based organizations that contact the program
2 operator and that are qualified to run or support collection events.

3 (n) Consultation with the California Environmental Protection
4 Agency’s Environmental Justice Task Force regarding methods
5 to supplement those of the program operator to collect covered
6 batteries for recycling in areas and communities that face unique
7 challenges associated with proper waste management, such as
8 poverty, language barriers, and illegal disposal.

9 (o) A comprehensive statewide education and outreach program
10 designed to educate consumers and promote participation in the
11 collection and recycling program offered by the program operator.
12 At a minimum, the comprehensive statewide education and
13 outreach program shall include all of the following:

14 (1) A description of the education and communications strategy
15 being implemented to effectively promote participation in the
16 approved covered battery stewardship program and provide the
17 information necessary for effective participation of consumers,
18 retailers, and others.

19 (2) An internet website that publicizes the location of collection
20 sites and provides information to consumers on the free at drop
21 off and convenient network of collection sites offered by the
22 stewardship program and any other information reasonably
23 necessary to safely and conveniently access the collection and
24 recycling services offered in the state.

25 (3) All signage and materials required for collection sites by
26 the program operator, and the method by which collection sites
27 can access replacement materials at no cost to the collection site.

28 (4) A description of efforts to support participation by all
29 California communities, including a description of efforts to
30 communicate with consumers in languages other than English, as
31 described in subdivision (n).

32 (5) A description of goals and metrics used to determine the
33 success of the statewide education and outreach program.

34 (6) The statewide education and outreach program shall promote
35 the safe and proper management of covered batteries.

36 (7) The statewide education and outreach program shall not
37 promote the disposal of covered batteries in a manner inconsistent
38 with the services offered by the stewardship plan.

1 (8) The statewide education and outreach plan shall include
2 information for consumers about how to avoid improper disposal
3 of covered batteries.

4 (9) A description of how the program operators will annually
5 assess and evaluate the efficacy of the comprehensive statewide
6 education and outreach program and periodically adjust strategies
7 to maximize participation in the stewardship program.

8 (10) (A) Any program operator serving more than one producer
9 shall coordinate with other program operators on the education
10 and outreach programs that they implement pursuant to this
11 subdivision.

12 (B) The department may approve multiple program operators
13 sharing, on an equitable basis, the costs of implementing elements
14 of the program that benefit all approved plans serving more than
15 one producer and the program operators sponsoring them, except
16 those costs specified in paragraphs (2) and (9).

17 (p) Developing strategies in coordination with other program
18 operators to develop and implement proper labeling of covered
19 batteries to ensure proper collection and recycling, by identifying
20 the chemistry of the covered battery and including an indication
21 that the covered battery should not be disposed of as household
22 waste.

23 (q) A contingency plan in the event the stewardship plan expires,
24 is disapproved, or is revoked. The contingency plan shall describe
25 how the stewardship plan objectives can be carried out in the
26 absence of a plan, either by the program operator or through an
27 entity such as an escrow company.

28 *SEC. 4. Section 42424.1 of the Public Resources Code is*
29 *amended to read:*

30 42424.1. A program operator shall annually submit to the
31 department, in the form and manner, and by the date, determined
32 by the department, an annual report, which the department shall
33 make publicly available that includes all of the following
34 information for the preceding calendar year:

35 (a) The program operator's costs and revenues.

36 (b) An estimate of the quantity of covered batteries sold in or
37 into the state by the producers covered by the program operator's
38 stewardship plan, as determined by the best available commercial
39 information, potentially including the application of California
40 population data to the national sales information and the discarded

1 covered batteries collected for recycling through the stewardship
2 program.

3 (c) A list of the stewardship program’s collection sites, by name,
4 location, and type.

5 (d) The total weight of primary and rechargeable batteries,
6 respectively, that were collected.

7 (e) A list of each battery recycling facility used by the
8 stewardship program, by name and location.

9 (f) An updated list of the names and corporate mailing addresses
10 of producers, as defined in subdivision ~~(j)~~ (k) of Section 42420.1
11 and brands of covered batteries covered under the stewardship
12 plan.

13 (g) The total weight and number of covered batteries sold in or
14 into the state attributed to a producer, who is a registered participant
15 of the program operator’s plan, that are collected in the state and
16 recycled by the program operator during the preceding calendar
17 year, including a description of the methodology and information
18 used to determine and calculate these values.

19 (h) The recycling efficiency rate of rechargeable and primary
20 batteries that were recycled.

21 (i) Beginning January 1, 2027, a minimum recycling efficiency
22 rate of 60 percent for rechargeable batteries and 70 percent for
23 primary batteries shall be achieved. The weight of recovered
24 materials from covered batteries counted towards the satisfaction
25 of the recycling efficiency rate requirement shall be used.

26 (j) A description of methods used to collect, transport, and
27 recycle covered batteries by the program operator.

28 (k) A description of outreach efforts and education, including,
29 but not limited to, education and outreach provided to consumers,
30 collection sites, manufacturers, distributors, and retailers by the
31 program operator for the purpose of promoting the collection and
32 recycling of covered batteries.

33 (l) (1) A report on coordination activities with other program
34 operators, including covered battery collection and recycling
35 programs and electronic waste recyclers, with regard to the proper
36 management or recycling of collected covered batteries, for
37 purposes of providing the efficient delivery of services and
38 avoiding unnecessary duplication of effort and expense.

1 (2) A description of efforts undertaken by a program operator
2 to implement the required labeling of covered batteries pursuant
3 to Section 42422.1.

4 (m) Findings from the evaluation of the comprehensive statewide
5 education and outreach program required by paragraph (9) of
6 subdivision (o) of Section 42422.1.

7 (n) A description of any consultation with the California
8 Environmental Protection Agency's Environmental Justice Task
9 Force and other relevant stakeholders for collecting covered
10 batteries for recycling in areas and communities that face unique
11 challenges.

12 (o) A demonstration of actions taken by the program operator
13 to comply with the requirements established pursuant to Section
14 42422.1.

15 (p) (1) A report on activities the program operator has
16 undertaken in relation to all of the following:

17 (A) Meeting the requirements established pursuant to Section
18 42422.1.

19 (B) Making progress on meeting the requirements established
20 pursuant to Section 42422.1.

21 (C) Making progress on planned efforts to meet the requirements
22 established pursuant to Section 42422.1.

23 (2) Factors to be considered for purposes of paragraph (1) may
24 include, but are not limited to, availability of takeback options and
25 no-cost local curbside collections services, proximity to recyclers
26 and no-cost collection points and events, and the state of current
27 recycling technology.

28 (q) A report on activities the program operator has undertaken
29 to prioritize the use of recycling facilities located closer to the
30 point of generation to minimize transportation emissions and
31 increase accountability.

32 (r) If the program operator determines during a particular year
33 that any of the activities undertaken to implement subdivision (q)
34 were unsuccessful, the program operator shall identify the problems
35 with the current activities, make modifications pursuant to the
36 requirement in Section 42422.3, and report on other activities
37 undertaken and progress made, in the following year's annual
38 report.

39 (s) An electronic copy in the form and manner determined by
40 the department, and specified in the regulations adopted by the

1 department pursuant to Section 42420.2 of any annual report,
2 which shall include a brief explanation of how the program operator
3 anticipates the activities may benefit the stewardship program.
4 The program operator shall make these reports publicly available
5 free of charge. If the report contains trade secret, proprietary, or
6 confidential information protected under existing law, the program
7 operator shall provide the department the report marked as trade
8 secret, proprietary, confidential, and aversion of the report with
9 that information redacted, and post the redacted report on its
10 internet website.

11 (t) The progress toward attaining the goals included in the
12 program operator's stewardship plan.

13 (u) Any modifications or revisions to the stewardship plan,
14 including those required pursuant to Section 42422.3, which are
15 subject to review under Section 42422.5, intended to achieve the
16 requirements established pursuant to Section 42422.1.

17 (v) Any other information deemed relevant by the program
18 operator for the department to determine compliance with the
19 approved stewardship plan.

20 ~~SEC. 2.~~

21 *SEC. 5.* No reimbursement is required by this act pursuant to
22 Section 6 of Article XIII B of the California Constitution because
23 the only costs that may be incurred by a local agency or school
24 district will be incurred because this act creates a new crime or
25 infraction, eliminates a crime or infraction, or changes the penalty
26 for a crime or infraction, within the meaning of Section 17556 of
27 the Government Code, or changes the definition of a crime within
28 the meaning of Section 6 of Article XIII B of the California
29 Constitution.