Date:       June 26, 2019

TO:         Waste Management Authority

FROM:       Anu Natarajan, Legislative Affairs Manager

SUBJECT:    2019 Legislative Update

SUMMARY:
This is the first year of the 2019/2020 legislative session. As of the deadline on February 22, 2,576 bills were introduced (1,801 in Assembly, 775 in Senate). Working with Jason Schmelzer and Priscilla Quiros of Shaw Yoder Antwih, we are actively working with authors of priority bills, and tracking several bills in the legislative process as approved by the Board in April. The report below provides an update on the status of bills.

We will return to the WMA in October with another status update.

DISCUSSION:
In December 2018, the Waste Management Authority Board approved its legislative priorities for 2019, and emphasized plastic pollution prevention, contamination, climate change, organics to landfill and unsustainable consumption. In April 2019, the Board provided direction to staff on a set of bills to track.

Below is an update on those bills.

Plastic Pollution Prevention

AB 1080 (Gonzalez) /SB 54 (Allen, Skinner, Wiener, Wieckowski): California Circular Economy and Plastic Pollution Reduction Act
These two companion bills provide a comprehensive framework to address single use plastic packaging and products by requiring source reduction and recycling of 75% by 2030, and 100% recyclable and compostable on or after 2030. CalRecycle will develop a Scoping Plan by 2021 to develop criteria to achieve the stated goals and to select the top ten priority packaging products that contribute to the litter problem.

This remains one of our priority bills and we have been working with the authors’ staff along with our partners Californians Against Waste (CAW) and California Product Stewardship Council (CPSC). In addition
to providing technical input, we have focused our efforts to ensure that the impact to local jurisdictions with reporting requirements is minimized.

Position: Support (S1)
Status: Active/Committee Hearings
Link: [SB 54](#)

**AB 886 (Eggman): Plastic bags**

Current law requires an operator of a retail store to establish an in-store recycling program that provides customers the opportunity to return clean plastic carryout bags to that store by providing a collection bin located in a visible area. This law sunsets in January 2020. This bill would extend those requirements to January 1, 2021.

Position: Support (S1)
Status: Two year bill.
Link: [AB 886](#)

**AB 1672 (Bloom): Product Labeling: Flushable Products**

This bill prohibits a manufacturer from labeling products as safe to flush, safe for sewer systems or safe for septic systems unless they meet the International Water Services Flushability Group testing methods and criteria for flushability. The bill requires non-flushable products to be labeled clearly to communicate that they cannot be flushed.

Position: Support (S1)
Status: Two year bill
Link: [AB 1672](#)

**AB 619 (Chiu): Retail Food: Reusable Containers: Multiuse Utensils**

This bill promotes the use of reusable food containers by stipulating that clean consumer-owned containers provided or returned to the food facility for filling may be filled by either the employee or the owner of the container. The bill also includes requirements to minimize contamination and for the containers to be designed for reuse. The bill would require the food facility to prepare, maintain, and adhere to written procedures to prevent cross-contamination.

Position: Support (S2)
Status: Active Committee Hearings
Link: [AB 619](#)

**Recycling**

**SB 667 (Huezo): Organic Waste Infrastructure**

This bill focuses on funding for infrastructure and requires the State Air Resources Board to develop a 5-year investment strategy to drive innovation and infrastructure, in order to meet specified organic waste reduction and recycling targets.

The bill requires an unspecified amount to be appropriated from the Greenhouse Gas Reduction Fund to be transferred into the California Recycling Infrastructure Investment Account for a five-year period. It also requires coordination with the States of Nevada, Oregon, and Washington on infrastructure financing to
support the recycling needs of the region and to create an advisory stakeholder committee to support development of interstate recycling infrastructure and markets for recyclable materials.
Position: Support (S1)
Status: Active/Committee Hearings
Link: SB 667

**AB 792 (Ting): Recycling: Plastic Beverage Containers: Minimum Content Standards**
This bill sets minimum recycled content requirements to be phased in for all plastic beverage containers in order to encourage efficient use of recyclable plastics. It requires a minimum content of 25% in 2021 to no less than 75% after January 2030. The bill authorizes CalRecycle to assess penalties, and deposit the money in a Recycling Enhancement Penalty Account.
Position: Support (S1)
Status: Active/Committee Hearings
Link: AB 792

**AB 1583 (Eggman): The California Recycling Market Development Act**
This bill reauthorizes existing, and creates new recycling infrastructure development programs (including the 10 year extension of the Recycling Market Development Zone (RMDZ) program). It requires the state to develop a commission of private and public sector recyclers to develop strategies for education and to promote product design for recyclability. This bill eliminates the chasing arrows and the plastic resin number on plastic bottles and rigid plastic containers.
Position: Watch
Status: Active/Committee Hearings
Link: AB 1583

**Climate/Energy**

**SB 43 (Allen): Carbon Taxes**
This bill requires the State Air Resources Board to conduct a study with an assessment on retail products sold or used in the state based on the carbon intensity of the product to encourage the use of less carbon-intensive products. The bill requires the state board to revise the scoping plan by January 1, 2022 to reflect the carbon emission reduction benefits that may be realized through the imposition of the assessment based on carbon intensities of products.
Position: Support (S1)
Status: Active/Committee Hearings
Link: SB 43

**SB 739 (Stern): Climate change: research, development, and demonstration: financial assistance**
The bill requires the State Energy Resources Conservation and Development Commission to develop a new model for providing agile financial assistance for research, development, and demonstration of climate change mitigation technologies with transformational potential to meet the state’s energy goals.
Position: Support (S2)
Status: Two year bill
Link: SB 739
**AB 1276 (Bonta): Green New Deal**
This bill enacts legislation to develop and implement a Green New Deal with the objective of reaching specific environmental outcomes in a 10 year timeframe.
Position: Watch
Status: Two year bill
Link: [AB 1276](#)

**Extended Producer Responsibility (EPR)/Circular Economy**

**AB 1509 (Mullin, Bermen): Lithium-ion batteries**
This bill requires manufacturers of products with a non-removable rechargeable lithium-ion battery to provide disassembly information to recyclers of rechargeable consumer products for the purpose of ensuring safe removal of the battery, and would prohibit the sale or offer of sale of that product if the manufacturer does not provide that information.
Position: Support (S1)
Status: Active/Committee Hearings
Link: [AB 1509](#)

**AB 1163 (Eggman): California Right to Repair Act**
This bill requires manufacturers of electronics to make service literature and equipment or parts available to product owners and to regulated, independent repair shops at no charge.
Position: Two year bill
Status: Support (S1)
Link: [AB 1163](#)

**SB 424 (Jackson): Tobacco Products: Single-use and Multi-use Components**
This bill prohibits the use of single-use filters made of any material, an attachable and single-use plastic device meant to facilitate filtration of a tobacco product, and a single-use electronic cigarette or vaporizer device.
Position: S2
Status: Active Committee Hearings
Link: [SB 424](#)

**Other**

**AB 1216 (Bauer-Kahan): Solid Waste: Illegal Dumping**
This bill authorized a pilot program for the Counties of Alameda and Contra Costa to employ a law enforcement officer for each county solely for the purpose of dealing with illegal dumping and enforcing dumping laws in those counties.
Position: S2
Status: Two year bill
Link: [AB 1216](#)

**SB 726 (Caballero): Hazardous Waste: Materials Exchange Program**
The bill would authorize the operation of a hazardous waste collection facility to accept reusable household hazardous products or materials and providing those products or materials to recipients. The bill would require the determination as to which reusable household hazardous products or materials are suitable and acceptable for distribution to be made without regard as to whether the distribution would be to the public.

Position: S2
Status: Active
Link: SB 726

Bills to Watch
There are several bills that are on the “watch” list and are listed below.

Plastic Pollution Prevention
AB 129 (Bloom): Waste Management: Plastic Microfiber (Status: Active)
AB 1162 (Kalra): Single-Use Hotel Toiletries (Status: Active)
AB 1171 (Chen): Recycling: Grocery Store Food Packaging: Sustainability Standards (Status: 2 year bill)
SB 372 (Wieckowski): Single-use Plastic Products: Extended Producer Responsibility (Status: 2 year bill)

Recycling
AB 827 (McCarty): Solid waste: Commercial and Organic Waste: Recycling Bins (Status: Active)
SB 213 (Wieckowski): Litter: Receptacles (Status: Active)
AB 900 (Flora): Waste Management: City Source Reduction and Recycling Element (Status: Active)

Climate/Energy
SB 739 (Stern): Climate Change: Research, Development, and Demonstration: Financial Assistance (Status: Active)
AB 975 (Calderon): California Adaptation Leadership and Coordination Act of 2019 (Status: Active)
AB 660 (Levine): Building Energy Efficiency Standards (Status: Active)

Extended Producer Responsibility
SB 724 (Stern): The California Beverage Container Recycling and Litter Reduction Act (Status: Held in committee)
AB 729 (Chu): Carpet recycling: Carpet Stewardship Organizations (Status: Active)
AB 187 (Garcia, Cristina): Used Mattress Recovery and Recycling Act: Budget (Status: Active)

Budget Update
Listed below are allocations from the Governor’s budget proposal:
CalRecycle Waste Diversion: $25 million
Healthy Soils Program: $28 million
Transition to a Carbon Neutral Economy: $3 million
An assembly trailer bill directing CalRecyle to expend $5 million to provide assistance to certified recycling centers is still pending.

RECOMMENDATION

This item is for information only.