

DEPARTMENT OF FINANCE ENROLLED BILL REPORT

AMENDMENT DATE: September 2, 2005
RECOMMENDATION: Sign
SPONSOR: Californians Against Waste
ASSEMBLY: 48/29
SENATE: 26/14

BILL NUMBER: AB 1125
AUTHOR: F. Pavley

BILL SUMMARY: Rechargeable Battery Recycling Act

This bill will require certain retailers to establish a recycling collection facility for used rechargeable batteries by February 1, 2006 at no cost to the consumer. The bill also will prohibit the sale of a rechargeable battery after February 1, 2006 unless the retailer is in compliance with the bill's provisions, and will require the Department of Toxic Substances Control (Toxics) to annually post on its web site the estimated amount, by weight, of rechargeable batteries returned for recycling.

FISCAL SUMMARY

Toxics estimates minor absorbable costs to survey retailers and to post an estimate of the amount of rechargeable batteries returned for recycling on its website. Toxics indicates that the economic impact on the retail industry will be minimal because the Rechargeable Battery Recycling Corporation provides education and outreach materials to rechargeable battery collection facilities at no cost.

COMMENTS

Finance recommends signing this bill because it could reduce the amount of hazardous material being deposited into landfills at a negligible cost to the state.

Heavy metals contained in batteries can present significant risks to human health and the environment if they are disposed of in landfills. The recycling process removes the hazardous elements within a battery before the remaining parts are recycled or disposed of safely.

This bill will require retailers that sell rechargeable batteries to implement a system by July 1, 2006 for the acceptance and collection of used rechargeable batteries for recycling at no cost to the consumer. A retailer will be prohibited from selling rechargeable batteries after July 1, 2006 if it has not installed a collection system for rechargeable batteries as provided for in the bill. A retailer participating in an existing battery recycling program that includes rechargeable batteries will be exempt from these requirements. The provisions of the bill will not apply to grocery stores or retailers with less than \$1 million in annual gross sales.

Additionally, the bill will require Toxics to survey annually battery handling or recycling facilities and publish on its web site the estimated amount, by weight, of all types of rechargeable batteries returned for recycling during the previous calendar year.

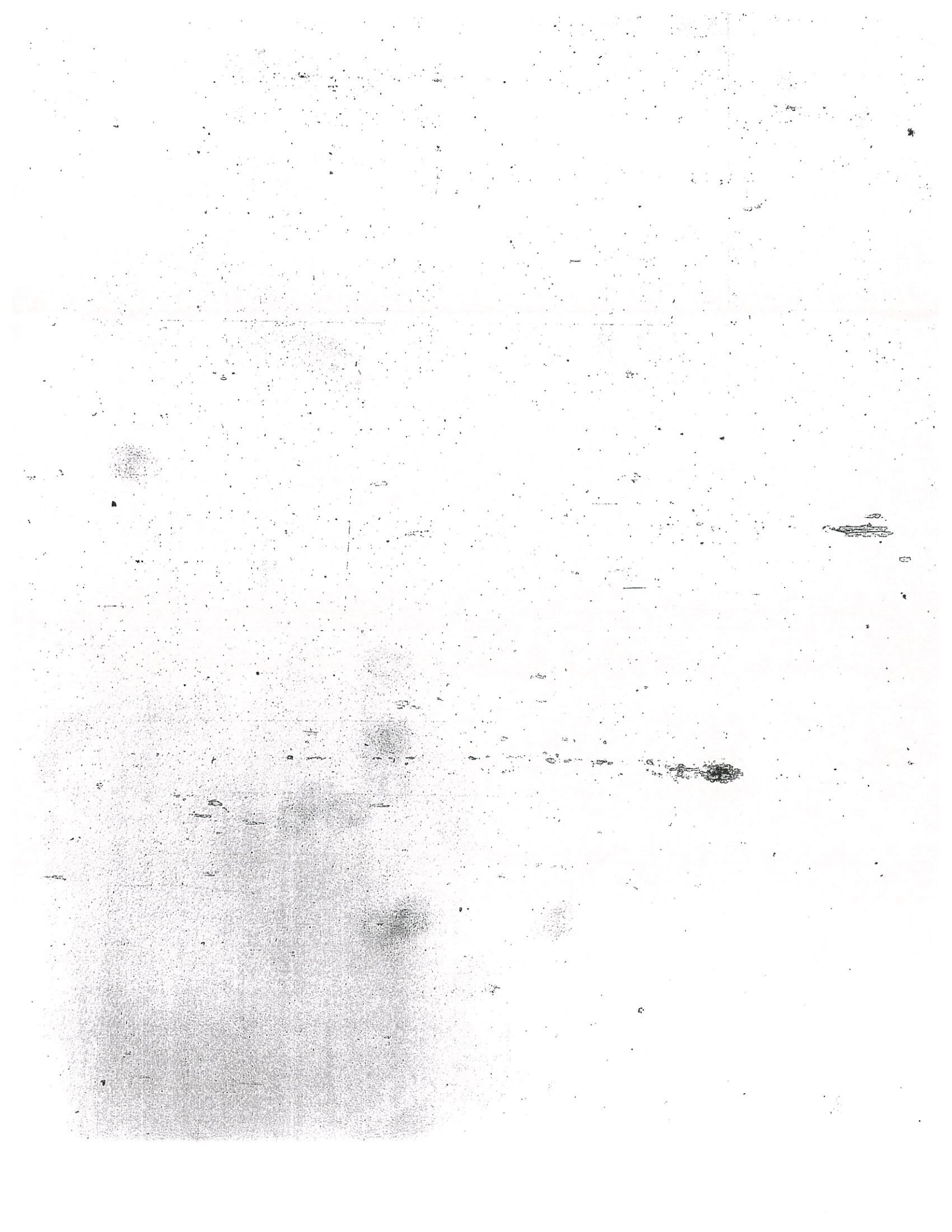
(Continued)

Analyst/Principal (0622) M. Almy Date Program Budget Manager Fred Klass Date

PS *[Signature]* 9/19/05

Department Director *[Signature]* Date 9/19/05

ENROLLED BILL REPORT Form DE-43 (Rev 03/05 Pink)



SUGGESTED VETO MESSAGE

AB 1125

(as amended September 2, 2005)

I am returning Assembly Bill No. 1125 without my signature.

This bill would require retailers to establish a recycling collection facility for used rechargeable batteries by February 1, 2006 at no cost to the consumer. The bill would prohibit the sale of a rechargeable battery after February 1, 2006 unless these conditions are met.

While I am in favor of reducing the amount of hazardous materials being deposited into the state's landfills, this bill could increase the costs of doing business in California. In addition, there is insufficient justification for making successful voluntary battery collection programs already in place at thousands of retail locations statewide mandatory.