

STATEMENT TO
[First Reprint]
SENATE, No. 3723

with Assembly Floor Amendments
(Proposed by Assemblyman MCKEON)

ADOPTED: DECEMBER 7, 2023

These floor amendments would:

(1) add definitions for "authorized propulsion battery recycler" and "authorized propulsion battery transporter" to the bill, and modify the definition of "producer";

(2) provide that propulsion batteries would be required to include a label that conforms to rules and regulations adopted by the Department of Environmental Protection (DEP), rather than to the provisions of the California Low Emission Vehicle Program, and clarify other provisions of the labelling requirement;

(3) require the DEP to carry out a needs assessment to determine the availability of authorized propulsion battery recyclers and other infrastructure necessary to implement the bill's provisions;

(4) provide that the bill's prohibitions on the disposal of propulsion batteries would take effect 3 years after the bill's enactment, and authorize the DEP to authorize exceptions to these prohibitions;

(5) require battery management plans be submitted 180 days after the completion of the needs assessment by the DEP (rather than 180 days after the bill's effective date);

(6) clarify that battery management plans are to identify, and delineate the roles of, any authorized propulsion battery recyclers, authorized propulsion battery transporters, and vehicle recyclers utilized under the plan;

(7) remove a requirement that battery management plans utilize existing recycling infrastructure to the extent practicable;

(8) provide that each person or entity that manages a used propulsion battery does so pursuant to an approved battery management plan;

(9) provide that any organization formed for the purposes of allowing a group of producers to submit a combined battery management plan must be a tax-exempt, nonprofit organization, submit a battery management plan that achieves program goals established by the DEP, and submit an annual audit report and annual budget to the DEP;

(10) require the DEP to approve or disapprove a battery management plan one year after receipt (rather than 120 days after receipt);

(11) provide that producers may provide redacted versions of battery management plans, for the purposes of being posted on the DEP's website;

(12) provide that persons may discard a propulsion battery at an authorized propulsion battery recycler only if the employees of the recycler have undergone safety training, and authorize the DEP to require, develop, or select appropriate safety training modules;

(13) require each producer of propulsion batteries to register with the DEP within 12 months after the bill's enactment;

(14) require each producer of propulsion batteries to file an annual report with the DEP beginning 24 months after the bill's enactment;

(15) provide that all sections of the bill would take effect immediately; and

(16) make other technical and clarifying changes.