

PRESS RELEASE

Wiley Rein Helps Craft Unprecedented California Battery Legislation

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Washington, DC—On September 26, California Governor Jerry Brown signed into law AB 2153, the “Lead-Acid Battery Recycling Act of 2016.” Wiley Rein attorneys helped our client, the Battery Council International (BCI), conceptualize and advocate for the passage of this legislation.

This unprecedented legislation imposes a tax on manufacturers of lead-acid batteries and a consumer recycling fee. The collected amounts go to a fund earmarked for paying for cleanups of contaminated lead-acid battery recycling sites. In contrast to prior laws that imposed “Superfund taxes” for similar purposes, the new statute provides that any manufacturer found responsible for cleanup costs because of its having “arranged” for treatment of used batteries will receive a credit against their liabilities equal to the taxes paid.

The new law also makes several revisions to existing California law to make the state’s existing “deposit in lieu of trade” lead battery recycling statute consistent with such statutes that BCI has advocated across the country.

Wiley Rein Environment & Safety Group chair David B. Weinberg and associate Roger H. Miksad worked closely with lobbyists in Sacramento and the legislation’s sponsor, Assembly member Cristina Garcia, in achieving this success.

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Practice Areas

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