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SB-14 State agencies: solid waste diversion: single-use plastic bottles. (2025-2026)

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AMENDED IN ASSEMBLY JULY 09, 2025

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CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

SENATE BILL

NO. 14

Introduced by Senator Blakespear

December 02, 2024

An act to ~~add~~ *amend* Section ~~12405 to~~ *12203 of* the Public Contract Code, and to amend Sections 42920 and 42926 of the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

SB 14, as amended, Blakespear. State agencies: solid waste diversion: single-use plastic bottles.

(1) The California Integrated Waste Management Act of 1989, which is administered by the Department of Resources Recycling and Recovery, establishes an integrated waste management program. The act requires each state agency to divert at least 50% of all solid waste through source reduction, recycling, and composting activities. "State agency" is defined, for purposes of these requirements, to include the California Community Colleges. The act requires each state agency to develop and adopt an integrated waste management plan to reduce solid waste, reuse materials whenever possible, recycle recyclable materials, and procure products with recycled content in all state agency offices and facilities, including any leased locations, as provided. The act requires each state agency to submit an annual report to the department summarizing its progress in reducing solid waste by at least 50%, as provided.

This bill would require a state agency to include in its integrated waste management plan descriptions of actions to be taken to source reduce certain materials, as specified. The bill would require, on or before July 15, 2027, each state agency to submit an adopted integrated waste management plan to the department for review and approval, and would, on or before January 1, 2028, require the department to complete its review of the plans, as specified. The bill would require a state agency's annual report to include summaries of the state agency's compliance with the requirement to reduce solid waste by 50% and the requirements

relating to the adoption of an integrated waste management plan. By imposing new duties on community colleges, the bill would impose a state-mandated local program.

This bill would require the department to provide advice to help state agencies and facilities reduce solid waste by at least 50%. The bill would, on or before January 1, 2027, require the department to publish on its internet website a list of products available for purchase by state agencies that would reduce the overall amount of plastic or paper waste generated.

~~(2) Existing law generally governs the state procurement of materials, supplies, equipment, and services. Existing law also provides various procedures and requirements pertaining to the purchase of recycled items by the state, including minimum content requirements for recycled plastic products. Existing law requires the Department of General Services, in consultation with specified parties, to provide state agencies with information and assistance regarding environmentally preferable purchasing, including, but not limited to, the promotion of environmentally preferable purchasing and the development and implementation of a strategy to increase environmentally preferable purchasing.~~

~~This bill would, with certain exceptions, prohibit state agencies from entering into, modifying, amending, or renewing a contract, on or after January 1, 2026, to purchase single-use plastic bottles, as defined, made of less than 90% recycled plastic for internal use or resale and would require state agencies to take appropriate steps to replace the use of single-use plastic bottles at food service facilities with nonplastic, recyclable, and reusable alternatives, as specified. The bill would require the Department of General Services to ensure that any new, modified, or renewed agreements, contracts, or procurement undertaken by a food service facility as part of a contract or agreement with the Department of General Services comply with the bill, as specified. The bill would require state agencies to submit a report, on or before January 1, 2027, to the Joint Legislative Budget Committee, confirming its compliance with these requirements. The bill would define a state agency for these purposes to include various agencies.~~

(2) Existing law requires plastic beverage containers sold by a beverage manufacturer, as specified, to contain a specified average percentage of postconsumer recycled plastic. Between January 1, 2025, and December 31, 2029, inclusive, existing law requires that percentage to be no less than 25% postconsumer recycled plastic per year, and on and after January 1, 2030, no less than 50% postconsumer recycled plastic per year.

This bill would require, on and after January 1, 2026, reportable purchases by state agencies of plastic beverage containers to be of plastic beverage containers with no less than those above-referenced percentages of postconsumer recycled plastic per year.

(3) 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, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 12405 is added to the Public Contract Code, immediately following Section 12404, to read:

~~12405.(a)(1) Except as provided in paragraph (4), a state agency shall not enter into, modify, amend, or renew a contract to purchase single-use plastic bottles made of less than 90 percent recycled plastic for internal use or resale.~~

~~(2) The Legislature encourages every state agency to install and maintain at least one, or maintain at least one existing, water bottle refill station located to ensure maximum access by all visitors and to allow visitors to bring their own reusable beverage bottle for use at water bottle refill stations.~~

~~(3) A state agency shall take appropriate steps to replace the use of single-use plastic bottles at food service facilities with nonplastic, recyclable, and reusable alternatives, including, but not limited to, glass bottles, aluminum cans, water fountains, or water bottle refill stations for reusable or refillable beverage containers.~~

~~(4)(A) A state agency may enter into or renew a contract to purchase single-use plastic bottles made of less than 90 percent recycled plastic only when reasonably necessary to protect the general health, safety, and welfare in preparing for or responding to an emergency.~~

~~(B) The Department of Corrections and Rehabilitation may enter into or renew a contract to purchase single-use plastic bottles made of less than 90 percent recycled plastic for either of the following reasons:~~

~~(i) To provide single-use plastic bottles for sale in a canteen pursuant to Section 5005 of the Penal Code.~~

~~(ii) To provide bottled water as required by, or for the purposes of, Sections 3408 and 4023.8 of the Penal Code.~~

~~(5)(A)The Department of General Services shall ensure that any new, modified, or renewed agreements, contracts, or procurement undertaken by a food service facility as part of a contract or agreement with the Department of General Services complies with the requirements of this section.~~

~~(B)The Department of General Services shall take appropriate steps, including, but not limited to, revising relevant state contracting and procurement rules and procedures, in order to fulfill the requirements of subparagraph (A).~~

~~(b)(1)On or before January 1, 2027, a state agency shall submit a report to the Joint Legislative Budget Committee confirming its compliance with this section.~~

~~(2)The report shall be submitted in conformance with Section 9795 of the Government Code.~~

~~(c)This section applies only to contracts entered into, modified, amended, or renewed on or after January 1, 2026.~~

~~(d)This section does not limit the duties of a state agency under a collective bargaining agreement entered into or renewed before January 1, 2026.~~

~~(e)For purposes of this section, the following definitions apply:~~

~~(1)"Food service facility" means an operation or business that is located in a state owned facility, operating on or acting as a concessionaire on state property, or under contract to provide food service to a state agency and that stores, serves, vends, or offers for sale bottled beverages. "Food service facility" may include, but is not limited to, a cafeteria, commissary, restaurant, deli, store, shop, market, or mobile food unit.~~

~~(2)"Plastic" has the same meaning as in subdivision (t) of Section 42041 of the Public Resources Code.~~

~~(3)"Reusable" has the same meaning as in subdivision (af) of Section 42041 of the Public Resources Code.~~

~~(4)"Single use plastic bottle" means a beverage in a sealed plastic bottle with a capacity of less than 24 fluid ounces, but does not include milk or 100 percent fruit juice.~~

~~(5)"State agency" has the same meaning as set forth in subdivision (m) of Section 12200, but does not include the California State University.~~

~~(6)"Water bottle refill station" means a bottle filler that dispenses potable drinking water downward that complies with Section 116875 of the Health and Safety Code, applicable standards under the federal Americans with Disabilities Act of 1990 (P.L. 101-336; 42 U.S.C. 12101 et seq.), and accessibility requirements applicable to drinking fountains under the California Building Standards Code.~~

SECTION 1. *Section 12203 of the Public Contract Code is amended to read:*

12203. Each state agency shall ensure each of the following:

(a) (1) Before January 1, 2020, at least 50 percent of reportable purchases are recycled products.

(2) **(A)** On and after January 1, 2020, at least 75 percent of reportable purchases are recycled products, except for paint, antifreeze, and tires.

(B) On and after January 1, 2026, plastic beverage containers subject to the California Redemption Value, pursuant to Chapter 5 (commencing with Section 14560) of Division 12.1 of the Public Resources Code, shall meet or exceed the postconsumer recycled content requirements established by Section 14547 of the Public Resources Code.

(3) On and after January 1, 2020, at least 50 percent of reportable purchases of paint, antifreeze, and tires are recycled products.

(b) The requirements specified in this article apply to all reportable purchases of goods by state agencies for product categories listed in this article.

(c) The reportable purchases of state agencies shall meet each requirement for, and be applied to the total dollar amount of, each specified product category as defined in this article. The purchase of a recycled product from one category may not be applied toward the requirements for, or the total dollar amount of, any other category listed in this article.

(d) Each state agency shall require the businesses with whom it contracts to use, to the maximum extent economically feasible in the performance of the contract work, recycled products.

SEC. 2. Section 42920 of the Public Resources Code is amended to read:

42920. (a) The department shall adopt a state agency model integrated waste management plan for source reduction, recycling, and composting activities.

(b) (1) Each state agency shall develop and adopt, in consultation with the department, an integrated waste management plan, in accordance with the requirements of this chapter. The plan shall build upon existing programs and measures, including the state agency model integrated waste management plan adopted by the department pursuant to subdivision (a), that will reduce solid waste, reuse materials whenever possible, recycle recyclable materials, and procure products with recycled content in all state agency offices and facilities, including any leased locations. It is the intent of the Legislature that the local jurisdiction and the state agency or large state facility located within that jurisdiction work together to implement the state agency integrated waste management plan.

(2) An integrated waste management plan shall include a description of actions to be taken to source reduce materials, including, but not limited to, all of the following:

(A) Actions to achieve 50-percent reusable options for foodware, including utensils and containers.

(B) Actions to source reduce organic material waste and single-use plastics at state facilities.

(C) Actions to reduce paper purchasing relative to 2024 levels by at least 30 percent by 2030.

(D) Actions to divert solid waste in accordance with Section 42921.

(E) Actions to provide adequate educational tools to inform occupants of each facility under its purview on best practices for recycling and composting to achieve higher composting and recycling outcomes.

(F) Actions to have recyclable and organic material reach responsible end markets.

(G) (i) *Actions to promote the use of water bottle refill stations for reusable or refillable beverage containers.*

(ii) For purposes of this subparagraph, "water bottle refill station" means a bottle filler that dispenses potable drinking water downward that complies with Section 116875 of the Health and Safety Code, applicable standards under the federal Americans with Disabilities Act of 1990 (P.L. 101-336; 42 U.S.C. 12101 et seq.), and accessibility requirements applicable to drinking fountains under the California Building Standards Code.

(3) Each state agency shall submit an adopted integrated waste management plan to the department for review and approval on or before July 15, 2027. The department shall adopt procedures for reviewing and approving those integrated waste management plans. The department shall complete its plan review process on or before January 1, 2028.

(4) If a state agency has not submitted an adopted integrated waste management plan or the model integrated waste management plan with revisions to the department by January 1, 2028, or if the department has disapproved the plan that was submitted, then the model integrated waste management plan, as revised by the department in consultation with the agency, shall take effect on that date, or on a later date as determined by the department, and shall have the same force and effect as if adopted by the state agency.

(c) Notwithstanding subdivision (e) of Section 12217 of the Public Contract Code, at least one solid waste reduction and recycling coordinator shall be designated by each state agency. The coordinator shall perform the duties imposed pursuant to this chapter using existing resources. The coordinator shall be responsible for implementing the integrated waste management plan and shall serve as a liaison to other state agencies and coordinators.

(d) (1) The department shall provide technical assistance to a state agency for the purpose of implementing an integrated waste management plan.

(2) The department shall provide advice to help state agencies and facilities comply with Section 42921.

(e) On or before January 1, 2027, the department shall publish on its internet website a list of products available for purchase by state agencies that would reduce the overall amount of plastic or paper waste generated.

SEC. 3. Section 42926 of the Public Resources Code is amended to read:

42926. (a) In addition to the information provided to the department pursuant to Section 12167.1 of the Public Contract Code, each state agency shall submit an annual report to the department summarizing its progress in reducing solid waste as required by Section 42921. The annual report shall be due on or before May 1 of each year. The information in this report shall encompass the previous calendar year.

(b) A state agency's annual report to the department shall, at a minimum, include all of the following:

(1) Calculations of annual disposal reduction.

(2) Information on the changes in waste generated or disposed of due to increases or decreases in employees, economics, or other factors.

(3) A summary of progress made in implementing the integrated waste management plan, including, but not limited to, efforts and progress made regarding recycling and composting within state buildings.

(4) The extent to which the state agency intends to utilize programs or facilities established by the local agency for the handling, diversion, and disposal of solid waste. If the state agency does not intend to utilize those established programs or facilities, the state agency shall identify sufficient disposal capacity for solid waste that is not source reduced, recycled, or composted.

(5) A summary of the state agency's compliance with the requirements specified in Sections 42920 and 42921 and subdivisions (c) and (d) of Section 42924.5.

(6) A summary of the state agency's compliance with Chapter 12.8 (commencing with Section 42649) and Chapter 12.9 (commencing with Section 42649.8), if applicable.

(7) Other information relevant to compliance with Section 42921.

(c) The department shall use, but is not limited to the use of, the annual report in the determination of whether the agency's integrated waste management plan needs to be revised.

(d) For purposes of this section, the meaning of "state agency" does not include a district agricultural association, as defined in Section 3951 of the Food and Agricultural Code.

SEC. 4. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.