
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Jesse Arreguín, Chair
2025 - 2026 Regular

Bill No: AB 2310 **Hearing Date:** June 23, 2026
Author: Carrillo
Version: May 18, 2026
Urgency: No **Fiscal:** Yes
Consultant: ML

Subject: *Illegal dumping*

HISTORY

Source: Los Angeles County District Attorney's Office

Prior Legislation: SB 1359 (Wilk), not heard in Assembly Public Safety, 2024
AB 659 (Mathis), not heard in Assembly Public Safety, 2022
AB 2374 (Bauer-Kahan), Ch. 784, Stats. of 2022
SB 409 (Wilk), held in Assembly Appropriations, 2019
AB 215 (Mathis) held in Assembly Appropriations, 2019
AB 1216 (Bauer-Kahan) held in Assembly Appropriations, 2019
AB 144 (Mathis), vetoed, 2015
AB 1992 (Canciamilla), Ch. 416, Stats. of 2006
AB 1802 (Bogh), Ch. 137, Stats. of 2004
AB 1799 (Migden), Ch. 50, Stats. of 1998

Support: Alameda County Board of Supervisors; California Association of Highway Patrolmen; California Chapters of the Solid Waste Association of North America's Legislative Task Force; California District Attorneys Association; Californians Against Waste; Los Angeles County Sheriff's Department; Mayor Todd Gloria, City of San Diego; Rural County Representatives of California

Opposition: ACLU California Action; California Public Defenders Association; Californians United for a Responsible Budget

Assembly Floor Vote: 75 - 0

PURPOSE

The purpose of this bill is to increase penalties for a fourth or subsequent illegal dumping offense from an infraction to a misdemeanor, with a fine of up to \$5,000, and to increase penalties for commercial quantities of illegal dumping with fines of up to \$50,000.

Existing law states that it is unlawful to dump or cause to be dumped waste matter in or upon a public or private highway or road, including any portion of the right-of-way thereof, or in or upon private property into or upon which the public is admitted by easement or license, or upon private property without the consent of the owner, or in or upon a public park or other public property other than property designated or set aside for that purpose by the governing board or body having charge of that property. (Pen. Code, § 374.3, subd. (a).)

Existing law provides that it is unlawful to place, deposit, or dump, or cause to be placed, deposited, or dumped, rocks, concrete, asphalt, or dirt in or upon a private highway or road, including any portion of the right-of-way of the private highway or road, or private property, without the consent of the owner or a contractor under contract with the owner for the materials, or in or upon a public park or other public property, without the consent of the state or local agency having jurisdiction over the highway, road, or property. (Pen. Code, § 374.3, subd. (b).)

Existing law states that a person violating dumping provisions is guilty of an infraction. Provides that each day that waste is placed, deposited, or dumped in violation of the law is a separate violation. (Pen. Code, § 374.3, subd. (c).)

Existing law provides that illegal dumping prohibitions do not restrict a private owner in the use of their own private property, unless the placing, depositing, or dumping of the waste matter on the property creates a public health and safety hazard, a public nuisance, or a fire hazard, as determined by a local health department, local fire department, or a district providing fire protection services, or the Department of Forestry and Fire Protection, in which case this section applies. (Pen. Code § 374.3, subd. (d).)

Existing law punishes a person convicted of dumping non-commercial quantities of waste by a mandatory fine of the following amounts:

- First offense: \$250-\$1,000
- Second offense: \$500-\$1,500
- Third offense: \$750-\$3,000. (Pen. Code, § 374.3, subd. (e).)

Existing law doubles the fines above if the court finds that the waste matter placed, deposited, or dumped was used tires. (Pen. Code, § 374.3, subd. (e).)

Existing law provides that the court may require, in addition to any fine imposed upon a conviction, that the person convicted remove, or pay the cost of removing, any waste matter that the convicted person dumped or caused to be dumped upon public or private property. (Pen. Code, § 374.3, subd. (f).)

Existing law states that the court may, in addition to the fine imposed upon a conviction, require that a person convicted of a violation described above pick up waste matter at a time and place within the jurisdiction of the court for not less than 12 hours. (Pen. Code, § 374.3, subd. (g).)

Existing law provides that a person who places, deposits, or dumps, or causes to be placed, deposited, or dumped, waste matter in violation of the provisions above in commercial quantities is guilty of a misdemeanor punishable by imprisonment in a county jail for not more than six months and by a fine. Provides that the fine is mandatory at the following amounts:

- First offense: \$1,000-\$3,000
- Second offense: \$3,000-\$6,000
- Third offense: \$6,000-\$10,000. (Pen. Code, § 374.3, subd. (h)(1).)

Existing law provides that if a person convicted for a violation of illegal dumping in commercial quantities per the immediately preceding provision is the owner or operator of the business involved in the illegal dumping, and that business employs more than 10 full-time employees, the mandatory fine is as follows:

- First offense: \$1,000-\$5,000
- Second offense: \$3,000-\$10,000
- Third offense: \$6,000-\$20,000 (Pen. Code, § 374.3, subd. (h)(2).)

Existing law states that the court shall require, in addition to the fine imposed upon a conviction, that a person convicted for illegal dumping in commercial quantities remove, or pay the cost of removing, any waste matter which the convicted person dumped or caused to be dumped upon the public or private property. (Pen. Code, § 374.3, subd. (h)(3).)

Existing law requires the court, if a person convicted for illegal dumping in commercial quantities holds a license or permit to conduct business that is substantially related to the illegal dumping for which the person was convicted, to notify the applicable licensing or permitting entity subject to the jurisdiction of the Department of Consumer Affairs of the conviction, as specified. (Pen. Code, § 374.3, subd. (h)(4)(A).)

Existing law requires the licensing or permitting entity to record and post the offense on the public profile of the license or permit holder on the internet website of the entity. (Pen. Code, § 374.3, subd. (h)(4)(B).)

Existing law defines “commercial quantities” as an amount of waste matter generated in the course of a trade, business, profession, or occupation, or an amount equal to or in excess of one cubic yard. Specifies that it does not apply to the dumping of household waste at a person’s own residence. (Pen. Code, § 374.3, subd. (h)(5).)

Existing law requires the court, when setting fines pursuant to the above violations, to consider the defendant’s ability to pay, including consideration of several specified factors. (Pen. Code, § 374.3, subd. (j).)

This bill increases the penalty for a fourth or subsequent offense of illegal dumping to a misdemeanor, punishable by imprisonment in the county jail for no more than six months and by a mandatory fine of no more than \$5,000. States that if the court finds that the waste matter, rocks, concrete, asphalt, dirt, or other construction debris placed, deposited, dumped, or transported was used tires, the fine shall be doubled.

This bill provides that a person who places, deposits, or dumps, or causes to be placed, deposited, or dumped, or transports for the purpose of placing, depositing, or dumping waste matter, concrete, asphalt, dirt, or other construction debris in commercial quantities in excess of 25 cubic yards shall be punished by imprisonment in a county jail for not more than one year and by a fine. States that the fine is mandatory and shall amount to \$25,000 for each conviction.

This bill states that if the commercial quantity is in excess of 50 cubic yards, the person may be punished by imprisonment in county jail for up to one year or by imprisonment in state prison for 16 months, two years, or three years. States that the fine is mandatory and shall amount to \$50,000 for each conviction.

This bill prohibits a private owner, including any person with the private owner's permission, from placing, depositing, dumping or transporting waste matter, rocks, concrete, asphalt, dirt, or construction debris on their property if the placing, depositing, dumping, or transporting of those materials requires a permit or license from a state or local agency and one was not obtained.

This bill expands the entities that can declare placed, deposited, dumped, or transported materials on private property a public health and safety hazard, a public nuisance, or a fire hazard, to include the state or local agency with jurisdiction over the property.

This bill provides that the court shall require a person convicted of illegal dumping to remove, or pay the cost of removing, waste matter, rocks, concrete, asphalt, dirt, or other construction debris that the convicted person placed, deposited, or dumped, caused to be placed, deposited, or dumped, or transported for these purposes if both of the following circumstances are met:

- The person convicted is the owner of the property where the placing, depositing, dumping, or transporting of waste matter, rocks, concrete, asphalt, dirt, or other construction debris occurred.
- The placing, depositing, dumping, or transporting of waste matter, rocks, concrete, asphalt, dirt, or other construction debris requires a permit or license from a state or local agency and one was not obtained, or creates a public health and safety hazard, a public nuisance, or a fire hazard, as defined.

This bill expands the illegal dumping prohibitions to include the dumping of construction debris, and to include the transport for the purpose of dumping specified materials.

This bill makes conforming changes.

COMMENTS

1. Need for This Bill

The author writes:

Illegal dumping has become an increasingly serious issue across the Antelope Valley, including Lancaster, Palmdale, and neighboring communities in Los Angeles County. These operations endanger public health, increase fire risk, and damage the quality of life in our neighborhoods while forcing local governments and residents to shoulder expensive cleanup efforts. AB 2310 strengthens California's ability to address these illegal activities by equipping law enforcement and local agencies with stronger enforcement tools and the authority to intervene sooner. By targeting large-scale commercial dumping operations, this bill responds directly to the concerns raised by High Desert communities and helps safeguard our environment and public safety.

2. The Problem of Illegal Dumping

Illegal dumping is the unauthorized disposal of solid waste matter—commonly mattresses, tires, appliances, and construction debris—on public or private property. Often done out of convenience or for economic gain, illegal dumping generates significant social, environmental, and economic costs statewide. Illegal dumping issues are primarily the responsibility of local governments, which spend tens of millions of dollars each year to remove illegally disposed materials; private property owners also incur significant costs for the removal of illegally dumped waste.

In recent years, several urban areas have experienced an increase in illegal dumping activity. In Oakland, the amount of illegally dumped trash collected by the city has increased sixfold since 2015.¹ Los Angeles County’s illegal dumping cleanup costs grew from \$2.3 million in Fiscal Year 2019-2020 to \$6.8 million in Fiscal Year 2023-2024, a nearly threefold increase.² Los Angeles County also projected a 15 percent increase in reported illegal dumping cases from 2023 to 2024, to more than 15,800 cases.³

However, urban areas are not the only ones grappling with illegal dumping issues. There are reports of pervasive dumping in the desert of the Antelope Valley.⁴ Residents there say there are more than 100 dump sites scattered throughout the valley—from Lake Los Angeles to the Antelope Valley California Poppy Reserve and north to the Mojave—that they contend are unauthorized.⁵ For example, one site is alleged to contain more than 182,000 tons of debris left over from the processing of construction and demolition material.⁶

Illegal dump sites undermine the quality of life of nearby residents and are environmental and public health hazards. From 2020 to 2024, self-combustible wood chips and organic materials used to camouflage garbage as mulch have sparked 42 fires, costing taxpayers more than \$1.6 million to extinguish and exposing downwind Antelope Valley residents to toxic smoke, contaminated dust, and airborne particulates.⁷ The Bravo fire, ignited in 2024 at an 80-acre dump site, cost the Los Angeles County Fire Department more than \$288,000, took four days to extinguish, and wafted toxic smoke over residences.⁸

¹ Soumya Karlamangla, *How a City Awash in Garbage is Trying to Take Out the Trash*, New York Times (Oct. 8, 2025) <<https://www.nytimes.com/2025/10/08/us/oakland-california-trash-garbage.html>>.

² Renee Eng & Cory Minderhout, *Major trash haulers accused of illegal dumping at a dozen Southern California sites: Investigation*, Spectrum News 1 (Apr. 3, 2025) <<https://spectrumnews1.com/ca/southern-california/public-safety/2025/03/19/illegal-dumping-concerns>> [hereafter Spectrum News Article].

³ *Ibid.*

⁴ Jacob Margolis, *Diapers, concrete and acres of construction debris—how illegal dumping in the desert got so bad*, LAist (May 19, 2025) <<https://laist.com/news/climate-environment/waste-dumping-antelope-valley-high-desert>> [hereafter LAist Article]; Susanne Rust, *Antelope Valley residents say they are fed up with rampant dumping, official inaction*, Los Angeles Times (May 11, 2025) <<https://www.latimes.com/science/story/2025-05-11/illegal-dumping-in-antelope-valley>> [hereafter LA Times Article].

⁵ LA Times Article, *supra*.

⁶ LAist Article, *supra*.

⁷ Scott Schwebke, *Antelope Valley residents waging battle against massive illegal dumping campaign*, Los Angeles Daily News (Aug. 17, 2025) <<https://www.dailynews.com/2025/08/17/antelope-valley-residents-waging-battle-against-massive-illegal-dumping/>> [hereafter Los Angeles Daily News Article].

⁸ *Ibid.*

Disposing of waste legally is often more costly than illegal dumping, due to the fees charged at waste disposal facilities. Some sources state that waste haulers choose to pay as little as \$4 per ton to dump at an illegal site instead of \$60 to \$120 per ton at a licensed facility.⁹ With such incentives, local enforcement action may sometimes be insufficient to deter illegal dumping by repeat bad actors, such as some waste hauler companies.¹⁰

3. Existing Penalties for Illegal Dumping of Waste

Under existing law, it is a crime for a person to dump waste matter upon a public or private road, on private property accessible to the public by easement, on private property without the consent of the owner, or in a public park or other public property other than property designated for the purpose of dumping.¹¹ Existing law also prohibits dumping rocks, concrete, asphalt and dirt on those types of property.¹² Illegal dumping is punishable as an infraction, with increasing fines for a second, third, and subsequent offense:

- First offense: \$250-\$1,000
- Second offense: \$500-\$1,500
- Third offense: \$750-\$3,000¹³

Existing law imposes a misdemeanor with up to six months of jail time and higher fines for the illegal dumping of “commercial quantities” of waste matter:

- First offense: \$1,000-\$3,000
- Second offense: \$3,000-\$6,000
- Third offense: \$6,000-\$10,000¹⁴

“Commercial quantities” is defined as an “amount of waste matter generated in the course of a trade, business, profession, or occupation, or an amount equal to or in excess of one cubic yard.”¹⁵ If a person convicted of illegal dumping in commercial quantities holds a license or permit to conduct business that is substantially related to the illegal dumping for which the person was convicted, the licensing or permitting entity must post the offense on the public profile of the license or permit holder on its website.¹⁶ Additionally, there are higher penalties for dumping commercial quantities of waste if the offender is the owner or operator of the business involved in the illegal dumping and that business employs more than 10 employees:

- First offense: \$1,000-\$5,000
- Second offense: \$3,000-\$10,000
- Third offense: \$6,000-\$20,000¹⁷

⁹ *Ibid.*

¹⁰ LAist Article, *supra*.

¹¹ Pen. Code, § 374.3, subd. (a).

¹² Pen. Code, § 374.3, subd. (b).

¹³ Pen. Code, § 374.3, subd. (e); also note that the fines for non-commercial quantities of waste are doubled if the waste dumped in question is used tires.

¹⁴ Pen. Code, § 374.3, subd. (h)(1).

¹⁵ Pen. Code, § 374.3, subd. (h)(5).

¹⁶ Pen. Code, § 374.3, subd. (h)(4)(A).

¹⁷ Pen. Code, § 374.3, subd. (h)(2).

Importantly, the fines in statute provide a base figure, subject to statutorily imposed penalty assessments, such as fees and surcharges. While the fines governing illegal dumping have not been increased since 2004, the penalty assessments have increased, thus increasing the amount that a person actually pays. Current penalty assessments total at least 310 percent of the initial fine plus \$70, so a fine of \$1,000 for a first offense, for instance, will actually cost an individual a total of \$4,170.¹⁸

Example: Penalty assessments and fees on a base fine of \$1,000:

Pen. Code, § 1464 state penalty on fines:	1,000 (\$10 for every \$10)
Pen. Code, § 1465.7 state surcharge:	200 (\$2 for every \$10)
Pen. Code, § 1465.8 court operation assessment:	40 (\$40 fee per criminal offense)
Gov. Code, § 70372 court construction penalty:	500 (\$5 for every \$10)
Gov. Code, § 70373 assessment:	30 (\$30 for felony or misdemeanor)
Gov. Code, § 76000 penalty:	700 (\$7 for every \$10)
Gov. Code, § 76000.5 EMS penalty:	200 (\$2 for every \$10)
Gov. Code, § 76104.6 DNA fund penalty:	100 (\$1 for every \$10)
Gov. Code, § 76104.7 additional DNA fund penalty:	400 (\$4 for every \$10)

Total Fine with Assessments: \$4,170

A court is required to consider the ability of the defendant to pay when setting any fines under any of the above offenses.¹⁹ Each day waste is placed, deposited, or dumped in violation of the provisions above constitutes a separate violation.²⁰ Therefore, if someone dumps waste and leaves it for three days, on the third day, they would be eligible to be assessed the fines under the tier for third offenses outlined above. Further, in addition to these fines, a court may require that the person convicted remove, or pay the cost of removing, any waste matter which the convicted person dumped or caused to be dumped upon public or private property.²¹ For purposes of this section, “person” means “an individual, trust, firm, partnership, joint stock company, joint venture, or corporation,” and any of those entities can be found guilty of the above offenses.²²

4. Effect of This Bill

a. Non-Commercial Quantities of Waste

This bill escalates penalties by making a fourth or subsequent violation of dumping non-commercial quantities of waste a misdemeanor punishable by up to six months in county jail, a fine of up to \$5,000, or both.

¹⁸ Until the budget year 2002-2003, there was 170% in penalty assessments applied to every fine; the current penalty assessments are approximately 310% plus a flat fee of \$70. (See Pen. Code, § 1464; Pen. Code, § 1465.7; Pen. Code, § 1465.8; Gov. Code, § 70372; Gov. Code § 70373; Gov. Code § 76000 *et seq*; Gov. Code, § 76000.5; Gov. Code § 76104.6; Gov. Code § 76104.7.

¹⁹ Pen. Code, § 374.3, subd. (j).

²⁰ Pen Code, §374.3, subd. (c).

²¹ Pen. Code, § 374.3, subd. (f).

²² Pen. Code, §374.3, subd. (i).

The Committee may consider eliminating the provision that makes a fourth violation of dumping non-commercial quantities of waste a misdemeanor. This provision risks being used to jail unhoused individuals who can be repeatedly cited for dumping because their belongings exist on the street.

Criminal fines can rapidly balloon into unpayable amounts for most of the population, which create downstream economic consequences for impacted individuals and society. Unsurprisingly, the judicial branch reported that \$8.6 billion in fines and fees remained unpaid at the end of 2019-2020.²³

With evidence also showing that growing criminal fines increase felony recidivism, specifically among a population that historically has faced disproportionate punishment in the criminal justice system,²⁴ it is possible increasing criminal punishment and fines, as this bill does, would not produce the desired impact.

b. Commercial Quantities of Waste

Additionally, the bill substantially increases penalties for commercial dumping when dumping 25 cubic yards or greater of waste. Existing law treats illegal dumping of greater than one cubic yard of waste a misdemeanor subject to fines of up to \$10,000 (Pen. Code, § 374.3, subds. (h)(1)-(2).). This bill creates new penalty tiers based on volume, including mandatory fines of \$25,000 for dumping in excess of 25 cubic yards and \$50,000 for dumping in excess of 50 cubic yards. This bill also makes dumping in excess of 50 cubic yards of waste an alternate felony/misdemeanor punishable by up to three years in jail.

The bill further states that any person who completes an illegal act of dumping during the course of the person's employment that was done at the direction of their employer, if the person did not have ownership, managerial, or decisionmaking authority over the business responsible for the illegal dumping, may not be charged with the new penalty for dumping 25 cubic yards or more of waste. This measure is intended to protect laborers and workers from the significant penalties imposed in this bill.

This is the first offense that would create a felony in California for illegal dumping, in this case, in quantities greater than 50 cubic yards. For comparison, a person who disposes of *hazardous* waste at a facility which does not have a permit for such waste is guilty of a misdemeanor and can be fined \$5,000 to \$100,000 per day and jailed for up to one year.²⁵ The Committee may consider whether it wants to elevate this offense to a felony, given that doing so can result in a jail sentence of up to three years. A mandatory fine of \$50,000, along with a misdemeanor conviction punishable by up to six months in jail, may be sufficient to achieve the goals of the bill.

²³ Legislative Analyst's Office, *Overview of Criminal Fine and Fee System* (May 13, 2021) <<https://lao.ca.gov/Publications/Detail/4427>> [as of Apr. 2, 2026].

²⁴ Wellesley College, *The Government Revenue, Recidivism, and Financial Health Effects of Criminal Fines and Fees* (Sept. 9, 2023) <<http://dx.doi.org/10.2139/ssrn.4568724>> [as of Apr. 2, 2026].

²⁵ Health & Saf. Code, § 25189.5.

There is reliable evidence showing increased penalties generally fails to deter criminal behavior.²⁶ Data shows greater deterrent effects as the likelihood of being caught and the perception that one will get caught rises.²⁷ In contrast, the act of punishment and the length of punishment largely do not increase deterrence.²⁸

c. Other Provisions

The bill also redefines the offense of illegal dumping to include the “transport for the purpose of dumping” of waste. The fact that a person is operating a vehicle with actual or apparent rocks, concrete, asphalt, dirt, or other construction debris in their vehicle does not in itself constitute reasonable suspicion to stop or detain the person, or probable cause to arrest the person.

This bill eliminates the provision of existing law that provides that each day that waste remains dumped is a separate violation of the statute.

Finally, this bill makes it a violation for a private property owner to dump waste on their own property when they were required to possess a solid waste facility permit or license from a state or local agency and one was not obtained.

5. Argument in Support

Californians Against Waste write:

AB 2310 would meaningfully address the ongoing illegal dumping of green waste in the Antelope Valley by targeting the key drivers of this activity and strengthening enforcement at every stage. By prohibiting the transport of waste for the purpose of illegal dumping, the bill enables earlier intervention and helps disrupt the long-distance hauling operations that often bring green waste from urban areas into remote desert communities. Its increased penalties for large-scale dumping directly respond to the commercial quantities frequently observed in the region, helping to deter profit-driven actors who currently view illegal disposal as a cheaper alternative to proper composting.

Importantly, the bill also closes a longstanding loophole by holding landowners accountable when dumping on their property requires a permit or creates a public health, safety, or fire hazard, preventing the misuse of “beneficial reuse” claims to justify harmful practices. Together, these provisions would improve accountability for repeat and commercial offenders, better equip local agencies to take enforcement action, and help mitigate the significant environmental and public health impacts that illegal green waste dumping has imposed on Antelope Valley communities.

²⁶ National Institute of Justice, *Five Things About Deterrence* (May 2016) <<https://www.ojp.gov/pdffiles1/nij/247350.pdf>> [as of Apr. 2, 2026].

²⁷ *Ibid.*

²⁸ *Ibid.*

6. Argument in Opposition

ACLU California Action writes:

While the goal of encouraging people to seek appropriate permits and licenses to deposit waste, matter, rocks, concrete, asphalt, dirt, or construction debris on private property may be worthwhile, failure to do so does not rise to the level of a crime. Such failures are more appropriately addressed through professional regulations, and in fact are so regulated under existing law.

This punitive approach will not actually address or deter the behavior contemplated by this bill. Instead, criminal convictions and mandatory fines may needlessly fall on well-intentioned property owners, and innocent low-wage workers who cannot afford the fines and whose inability to pay the fines will have lasting consequences for them and their families.

Ultimately, this proposal undermines a great amount of study and evidence surrounding the efficacy behind longer criminal sentencing and its impact on crime deterrence. Evidence indicates that applying longer criminal sentences has failed to deter crime. The federal Department of Justice shared a paper discouraging increasing existing punishments. Other studies support this evidence, finding that the severity of punishment does not generally have an increased effect on deterrence. Rather, studies have concluded that certainty of punishment — that someone will be punished for a particular crime — has a greater deterrence effect than the severity of the punishment itself. Increasing criminal penalties of existing crimes will incur an additional \$133,100 cost per person incarcerated each additional year they are sentenced.

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