



Legislative Fiscal Office
83rd Oregon Legislative Assembly
2026 Regular Session

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Bill Title: Relating to batteries.

Government Unit(s) Affected: Department of Environmental Quality, Employment Department, Judicial Department, Counties, Cities

Summary of Fiscal Impact:

2025-27 Biennium	General Fund	Lottery Funds	Other Funds	Federal Funds	Total Funds	Positions	FTE
Department of Environmental Quality	\$ -	\$ -	\$ 142,317	\$ -	\$ 142,317	1	0.50
Total Fiscal Impact	\$ -	\$ -	\$ 142,317	\$ -	\$ 142,317	1	0.50

2027-29 Biennium	General Fund	Lottery Funds	Other Funds	Federal Funds	Total Funds	Positions	FTE
Department of Environmental Quality	\$ -	\$ -	\$ 290,348	\$ -	\$ 290,348	1	1.00
Total Fiscal Impact	\$ -	\$ -	\$ 290,348	\$ -	\$ 290,348	1	1.00

Measure Description

This measure directs the Department of Environmental Quality (DEQ) to oversee the implementation of a statewide battery producer responsibility program, requiring producers of portable and medium format batteries to join a producer responsibility organization. These organizations must submit plans to DEQ for approval, detailing how they will manage the collection, transportation, and responsible recycling of covered batteries. Plans must include provisions for public education, performance targets, equitable statewide collection access, and financial structures to support program operations. DEQ reviews initial and revised plans, enforces compliance, approves program changes, and may suspend or revoke plans that fail to meet statutory requirements.

The Environmental Quality Commission is directed to set administrative fees by rule, with all revenue deposited into a newly established Battery Producer Responsibility Fund to support program implementation. DEQ is authorized to inspect facilities, issue civil penalties, and require that records be maintained for at least three years. Civil penalties range from \$500 to \$10,000 per day, depending on the violation. The measure provides antitrust immunity for producer collaboration, protects confidential information, prohibits battery disposal in municipal waste, and requires programs to be operational by July 1, 2029. DEQ must also report to the legislature by May 30, 2028, on whether additional battery types should be regulated.

Fiscal Analysis

The fiscal impact to DEQ is a permanent full-time position (0.50 FTE) and \$142,317 Other Funds in the 2025-27 biennium and a permanent full-time position (1.00 FTE) and \$290,348 Other Funds in the 2027-29 biennium.

The measure directs DEQ to establish and oversee a statewide battery producer responsibility program. DEQ's responsibilities include rulemaking, review and approval of producer responsibility organization plans, establishment of administrative fees, and enforcement of program requirements. The measure authorizes DEQ to inspect facilities, assess civil penalties, maintain program records, coordinate with producer organizations on plan implementation and reporting, and submit a legislative report by May 30, 2028, evaluating studies from other states on expanding battery regulation.

To carry out these duties, DEQ plans to hire a Program Analyst 3 position to lead rulemaking, stakeholder engagement, program development, ongoing oversight, and preparation of the legislative report. Initial program startup costs will be loaned from existing Land Quality Division resources and repaid through administrative fees established by rule and deposited into the Battery Producer Responsibility Fund.

Other entities

A minimal fiscal impact is anticipated for the Employment Department, Office of Administrative Hearings and the Judicial Department.

No fiscal impact is estimated for cities, counties, and the Department of Energy.

Relevant Dates

A battery producer responsibility organization must submit a program plan to DEQ by September 1, 2028.

No later than May 30, 2028, DEQ shall submit a report to the interim committees of the Legislative Assembly related to the environment.

The measure takes effect on January 1, 2027.