

**BACKGROUND**

In 2013, the legislature enacted the Used Mattress Recycle and Recovery Act. The Mattress Recycling Council (MRC), with oversight from CalRecycle, is the stewardship organization tasked with implementing California’s mattress recycling program. As part of the program the MRC collects a consumer fee on each mattress sold (roughly 40 million in 2018) from California consumers, which is used to implement the MRC’s recycling plan.

The MRC’s plan also requires the organization to increase the number of used mattresses diverted from landfills, reduce illegal dumping of mattresses and increase the quantity of used materials recovered and recycled for other uses.

Due to lack of data that could demonstrate the MRC’s compliance, Assemblymember Garcia requested that the State Auditor conduct an audit of the MRC to determine if funds were being used in accordance with the law and those funds were being used to accomplish the state’s mattress recycling goals.

The audit was completed in August of 2018 and found that:

- Failure to establish goals in consistency with the State’s overall approach to waste management.
- An accumulated net assets of more than $42 million not being fully utilized towards program implementation
- MRC lacked data to demonstrate that met key objectives of the mattress program.
- Lack of accessibility to drop-off site/pickup programs in rural areas

**THIS BILL**

AB 187 addresses governance issues, including:

- Limits MRO reserves to 60% unless authorized by Cal-Recycle and allows the current reserves to be spent down over 6 years.
- Mandatory review of the mattress recycling plan every five years.
- Increased access to drop off location for rural areas.
- A “bridge plan” in the event of decertification, with a trust account for fees.
- Requires online mattress sellers to offer pick up of used mattress by 2021.
- Prohibits the use of fees to pay for penalties or litigation against the State.
- Requires waste facilities receiving over 1000 mattresses to participate in the program.
- Requires Cal Recycle to set goals for consumer convenience.
- Requires the undertaking, discussion on progress and planned actions of projects within yearly report.

**PREVIOUS LEGISLATION**

SB-254 (Hancock) Solid waste: used mattresses: recycling and recovery of 2013 - This bill established the Used Mattress Recovery and Recycling Act (Act), which requires mattress manufacturers and retailers to develop a mattress stewardships program to increase the recovery and recycling of used mattresses to reduce illegal dumping.

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