SENATE COMMITTEE ON APPROPRIATIONS
Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 1744 (Addis) - Environmental advertising: sunscreen

Version: April 9, 2026
Urgency: No
Hearing Date: August 3, 2026

Policy Vote: JUD. 11 - 0, E.Q. 7 - 0
Mandate: Yes
Consultant: Bob Franzoia

Bill Summary: AB 1744 would prohibit a person from representing in advertising or on the label or container of any sunscreen product sold in the state that the product is “reef safe,” “reef friendly,” “ocean safe,” “marine safe,” ocean friendly,” “marine conscious,” “reef conscious,” or a similar term or phrase likely to cause a reasonable consumer to believe that the product does not harm marine ecosystems unless the product does not contain any chemical ultraviolet filters. A violation of the bill would be a misdemeanor.

Fiscal Impact: Minor to significant court cost pressure if the Attorney General (AG) brings civil actions for violations against any person who engages in a deceptive act or practice. Actual costs will depend on the number of actions filed and the amount of time needed to adjudicate each case. Jury trials would be few.

Potentially significant court cost pressure as the UCL permits private plaintiffs to bring an action in court. Although courts are not funded based on workload, increased pressure on the Trial Court Trust Fund may create a demand for increased funding for courts. The proposed FY 2026-07 Governor’s budget would provide $70 million General Fund support (Trial Court Trust Fund, General Fund).

Unknown costs to the counties to incarcerate if a six month misdemeanor sentence is imposed. Incarceration for this misdemeanor appears unlikely. The average annual cost to incarcerate one person in county jail is approximately $80,000. In 2021 Los Angeles County budgeted $1.3 billion for jail costs with $90,000 per incarcerated person. Actual incarceration costs to counties will depend on the number of convictions and the length of each sentence. Generally, county incarceration costs are not reimbursable state mandates pursuant to Proposition 30 (2012).

Background: The Unfair Competition Law (UCL) provides a statutory cause of action for any unlawful, unfair, or fraudulent business act or practice and unfair, deceptive, untrue, or misleading advertising, including over the internet.

Proposed Law: A violation of environmental representation is a misdemeanor punishable by imprisonment in the county jail not to exceed six months, or by a fine not to exceed two thousand five hundred dollars ($2,500), or by both (Business and Professions Codes 17580-17581).

Staff Comments: Unlike the AG, who may seek significant civil penalties for UCL violations, the remedies available to private plaintiffs are more limited. They may seek neither penalties nor damages to compensate for injuries caused by the violation. Instead, private plaintiffs may seek an injunction to halt the unfair, unlawful or fraudulent practice and restitution of any gains obtained as a result of the violation. As injunctions and restitution are equitable remedies that do not require submission to a jury, private UCL actions are tried before a judge, who has the sole discretion to determine if the alleged wrongful act is an unfair, fraudulent, or unlawful business practice and to determine the appropriate equitable remedy. A court may order restitution in a UCL action without individual proof of injury if it determines that such a remedy is necessary to prevent the unfair practice.