

Date of Hearing: August 20, 2025

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 20 (Menjivar) – As Amended May 23, 2025

Policy Committee: Labor and Employment

Vote: 6 - 0

Urgency: No

State Mandated Local Program: Yes

Reimbursable: No

SUMMARY:

This bill requires the Department of Industrial Relations (DIR) to develop a certification process for stone slab product fabrication shops and imposes restrictions on fabrication activities.

Specifically, this bill:

- 1) Establishes the Slab Fabrication Activity Account in the Occupational Safety and Health Fund in the State Treasury for fees, penalties, and other moneys collected by DIR under the below-described provisions, and authorizes, upon appropriation, the expenditure of account funds by DIR to administer these provisions.
- 2) Prohibits the use of dry methods and requires the use of effective wet methods in fabrication activities. A violation constitutes grounds for the Division of Occupational Safety and Health (Cal/OSHA) to issue an immediate order prohibiting continued fabrication activities and may lead to additional fines and penalties.
- 3) Requires, by July 1, 2026, DIR to adopt a training curriculum regarding the safe performance of fabrication activities, which may be provided by an apprenticeship program approved by the Division of Apprenticeship Standards. DIR must approve alternative training providers if there are not sufficient apprenticeship programs offering the training to meet industry needs. Beginning July 1, 2027, fabrication shop operators and workers must be enrolled in or have completed the training curriculum.
- 4) Requires DIR to develop, by January 1, 2027, and implement, by July 1, 2027, an application and certification process to authorize a fabrication shop to engage in fabrication activities, including a deposit fee, initial certification fee, and renewal fee not to exceed the reasonable regulatory cost. DIR must inspect a fabrication shop before certification to verify the equipment and procedures of the shop comply with occupational safety and health standards. A person is prohibited from engaging in fabrication activities or supplying a slab solid surface product to an entity engaged in fabrication activities unless such activity is conducted at a shop that is certified or undergoing certification.
- 5) Requires DIR to consult with Cal/OSHA and the Department of Public Health (CDPH) to track and record information regarding the number of citations and notices issued to a fabrication shop for failure to comply with silica standards and the number of new cases of silicosis identified in fabrication shops. DIR must assist and provide this information to local prosecutors seeking civil or criminal action against fabrication shops violating the law.

FISCAL EFFECT:

- 1) Costs of approximately \$35 million in the first year and \$32.2 million annually thereafter across DIR's divisions to develop and implement a training curriculum, certification process, and data tracking system for fabrication activities (various special funds). DIR notes that the fee structure outlined in this bill is insufficient to cover the costs of implementation.
- 2) Annual costs of approximately \$739,000 to CDPH for three positions to conduct silicosis surveillance (GF, with ongoing activity funded by fees deposited into the Slab Fabrication Activity Account once sufficient revenue is collected).
- 3) Annual cost pressures (General Fund (GF) or Trial Court Trust Fund (TCTF)) of an unknown, but potentially significant amount, to the courts in additional workload by requiring DIR to track specified information and report the information to local prosecutors to help enforce fabrication activity requirements, which may result in an increased number of civil or criminal actions. It is unclear how many additional actions may be filed statewide, but the estimated workload cost of one hour of court time is \$1,000. Although courts are not funded on the basis of workload, increased pressure on staff and the TCTF may create a demand for increased court funding from the GF to perform existing duties. The Budget Act of 2025 provides \$82 million ongoing GF to the TCTF for court operations.

COMMENTS:

- 1) **Purpose.** According to the author:

Even after Cal/OSHA adopted new permanent rules, [silicosis] cases continue to be on the rise and while my district is the epicenter of this crisis, we know this issue is spreading all throughout California. Shameful industry practices neglect to protect workers or even educate them on safety standards, exploit those who cannot afford to leave their jobs, and callously puts undue strain on our local community health clinics and hospitals. While silicosis is fatal, it is also fully preventable. That is why it is imperative to adopt the common sense standards outlined in SB 20 to truly ensure safety for all fabrication workers in California.

This bill is sponsored by the State Building and Construction Trades Council of California and supported by other labor organizations, the California Latino Legislative Caucus, and public health groups.

- 2) **Silicosis.** Silica is a naturally occurring substance that is commonly found in quartz and used in a variety of products, such as bricks, glass, plaster, and granite. Thus, silica is commonly found in countertops for residential properties. However, silica can be dangerous to a worker who cuts and manufactures these countertops when the dust produced by cutting into the stone is inhaled and embeds into the worker's lungs.

In January 2019, Cal/OSHA initiated a Special Emphasis Program in the artificial stone fabrication industry to enforce compliance with regulations regarding occupational exposures to respirable crystalline silica. As part of this effort, Cal/OSHA interviewed over 150 workers at 33 shops and identified significant employer non-compliance with the exposure

standard. On December 14, 2023, the Occupational Safety and Health Standards Board amended the Respirable Crystalline Silica standard on an emergency temporary basis to include additional employer obligations to protect employees from occupational silica, such as employee communication and training, respirator protection, and employee exposure monitoring. The standard was made permanent in January 2025. This bill proposes a framework to further regulate the silica industry, including a prohibition on dry fabrication, safety training curriculum for workers, certification of fabrication shops, and reporting requirements to monitor health and safety outcomes.

- 3) **Prior Legislation.** AB 3043 (Luz Rivas), of the 2023-24 Legislative Session, was similar to this bill, except AB 3043 would have required DIR to establish a licensing program instead of certification, included different data reporting requirements, and required the payment of prevailing wage to a fabrication worker. AB 3043's hearing in the Senate Labor, Public Employment, and Retirement Committee was canceled at the request of the author.

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