
UNFINISHED BUSINESS

Bill No: SB 20
Author: Menjivar (D), et al.
Amended: 9/2/25
Vote: 21

SENATE LABOR, PUB. EMP. & RET. COMMITTEE: 5-0, 3/26/25
AYES: Smallwood-Cuevas, Strickland, Cortese, Durazo, Laird

SENATE APPROPRIATIONS COMMITTEE: 6-0, 5/23/25
AYES: Caballero, Seyarto, Cabaldon, Grayson, Richardson, Wahab
NO VOTE RECORDED: Dahle

SENATE FLOOR: 38-0, 6/2/25
AYES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener
NO VOTE RECORDED: Hurtado, Reyes

ASSEMBLY FLOOR: 77-0, 9/8/25 - See last page for vote

SUBJECT: Occupational safety: high-exposure trigger tasks on artificial stone

SOURCE: State Building and Construction Trades Council of California

DIGEST: This bill addresses, among other things, worker safety in the artificial stone fabrication industry by 1) prohibiting a person or entity engaged in “high-exposure trigger tasks” from using dry methods when engaging in those tasks; 2) requiring an owner or operator of a fabrication shop, or any individual who employs another individual to perform high-exposure trigger tasks in a fabrication shop, to ensure that any employee who performs those tasks receives training and to provide to Cal/OSHA a written attestation of that training, as specified; and 3) requiring the State Department of Public Health (CDPH) to conduct outreach.

Assembly Amendments:

- Strike provisions of the bill that: established the Slab Fabrication Activity Account, directed the Department of Industrial Relations to develop and adopt a training curriculum, created an application and certification process for fabrication shops, prohibited the supply of a slab solid surface product to an uncertified person, entity, or business, and required DIR and CDPH to track fabrication shops.
- Include silicosis and silica-related lung cancer in the list of conditions that constitute a “serious injury or illness” and in the definition of “serious physical harm.”
- Align the bill’s definitions with those used in the Respirable Crystalline Silica Standard (CCR §5204).
- Require the owner or operator of a fabrication shop, or any individual who employs another individual to perform high-exposure trigger tasks in a fabrication shop, to ensure that any employee who performs those tasks receives training and to provide to Cal/OSHA a written attestation of that training, as specified.
- Require Cal/OSHA and CDPH to collaborate to report, track, and investigate silicosis cases, as specified.
- Authorize CDPH to share deidentified confidential silicosis information to entities conducting scientific research, if specified conditions are met.
- Require CDPH to identify businesses engaged in high-exposure trigger tasks, conduct outreach about silicosis, and provide technical assistance to local health jurisdictions engaged in silicosis surveillance and prevention activities.

Existing law:

- 1) Requires, under the California Occupational Safety and Health Act, an employer to:
 - a. Furnish employment and a place of employment that is safe and healthful.
 - b. Furnish and use safety devices and safeguards, as well as adopt and use practices, means, methods, operations, and processes that are reasonably adequate to render employment and the place of employment safe and healthful.

- c. Do everything reasonably necessary to protect the life, safety, and health of employees. (Labor Code §6300 et seq.)
- 2) Establishes the Department of Industrial Relations (DIR) in the Labor and Workforce Development Agency (LWDA) and vests it with various powers and duties to foster, promote, and develop the welfare of the wage earners of California, to improve their working conditions, and to advance their opportunities for profitable employment. (Labor Code §50.5)
- 3) Establishes the Division of Occupational Safety and Health (known as Cal/OSHA) within DIR to, among other things, propose, administer, and enforce occupational safety and health standards. (Labor Code §6300 et seq.)
- 4) Establishes the Occupational Safety and Health Standards Board (Board), within DIR, to promote, adopt, and maintain reasonable and enforceable standards that will ensure a safe and healthful workplace for workers. (Labor Code §140-147.6)
- 5) Requires the Board to adopt standards for carcinogens at least as restrictive as the federal requirements for use of carcinogens promulgated under Section 6 of the Occupational Safety and Health Act of 1970. (Labor Code §9020)
- 6) Requires covered employers to develop, among other things, exposure controls, a written exposure control plan, employee communication and training, respirator protection, and employee exposure monitoring to protect employees from respirable crystalline silica (RCS). (CCR, Title 8, §5204)

This bill:

- 1) Makes various findings and declarations regarding silicosis and its associated health impacts.
- 2) Defines the following terms:
 - a. “Artificial stone” as any reconstituted, artificial, synthetic, composite, engineered, or manufactured stone product. It is commonly made by combining natural stone or other crystalline silica-containing materials with adhesives, polymers, epoxies, resins, or other binding materials to form a slab. Fired ceramic and porcelain tiles and panels are not artificial stone.
 - b. “Department” as the Department of Industrial Relations (DIR) and provides that “Director” is the Director of DIR.

- c. “Division” as the Division of Occupational Safety and Health (Cal/OSHA).
 - d. “Dry Methods” as the undertaking of high-exposure trigger tasks without the use of wet methods that effectively suppress dust.
 - e. “Fabrication shop” as a person, entity, business, or location where high-exposure trigger tasks are undertaken. Fabrication shop does not include quarries, concrete and cement manufacturing facilities, or fired ceramic or fired porcelain tiles or panels manufacturing facilities that do not manufacture, fabricate, or finish artificial stone products.
 - f. “High-exposure trigger task” as machining, crushing, cutting, drilling, abrading, abrasive blasting, grinding, chiseling, carving, gouging, polishing, buffing, fracturing, intentional breaking, or intentional chipping of artificial stone that contains more than 0.1 percent by weight crystalline silica, or other silica containing products, including natural stone, that contain more than 10 percent by weight crystalline silica. High-exposure trigger tasks also include clean up, disturbing, or handling of wastes, dusts, residues, debris, or other materials created during the above-listed tasks. High-exposure trigger tasks do not include tasks other than the fabrication of countertops, backsplashes, walls, flooring, waterfall countertop edges, and other products from slabs or panels.
 - g. “Respirable crystalline silica” as quartz, cristobalite, or tridymite contained in airborne particles that are determined to be respirable by a sampling device designed to meet the characteristics for respirable-particle-size-selective samplers specified in the International Organization for Standardization (ISO) 7708:1995 Air Quality — Particle Size Fraction Definitions for Health-Related Sampling.
 - h. “Wet methods” as effectively suppressing dust by one of the methods listed below, such that exposures do not exceed the action level at any time. Regardless of the method used, water must cover the entire surface of the work object where a tool, equipment, or machine contacts the work object.
 - i. Applying a constant, continuous, and appropriate volume of running water directly onto the surface of the work object. When water flow is integrated with a tool, machine, or equipment, water flow rates shall equal or exceed manufacturer recommendations and specifications to ensure effective dust suppression. Any water that is recycled must be filtered to remove silica prior to reuse.
 - ii. Submersing the work object underwater.
 - iii. Water jet cutting or the use of high-pressure water to cut material.
- 3) Prohibits a person or entity engaged in high-exposure trigger tasks from using dry methods when engaging in any high-exposure trigger tasks.

- 4) Requires a person or entity engaged in high-exposure trigger tasks to use effective wet methods when engaging in any high-exposure trigger tasks.
- 5) Provides that a violation of 3) and 4), above, is grounds for an immediate order prohibiting use by Cal/OSHA and is grounds for further penalties, as specified.
- 6) Requires the owner or operator of a fabrication shop, or any individual who will employ another individual to perform high-exposure trigger tasks in a fabrication shop, to do both of the following:
 - a. Ensure that any employee who performs high-exposure trigger tasks receives training as required pursuant to Section 5204 of Title 8 of the California Code of Regulations.
 - b. Beginning on July 1, 2026, and annually thereafter, provide to Cal/OSHA through electronic submission a written attestation that each employee who performs high-exposure trigger tasks has received training as required pursuant to Section 5204 of Title 8 of the California Code of Regulations.
- 7) Provides that it is unlawful for any person to make a false statement, representation, or certification on the written attestation described in 6), above.
- 8) Requires Cal/OSHA to enforce the provisions in 3) through 7), above, by issuing a citation alleging a violation and a notice of civil penalty, as specified. Any person who receives a citation and penalty may appeal to the Occupational Safety and Health Appeals Board.
- 9) Provides that these provisions, or any related health and safety standard, do not prevent or limit an employer, contractor, or fabrication shop from adopting stricter standards.
- 10) Requires the CDPH to consider a report of silicosis related to occupational exposure to artificial stone as a serious illness and to report that case to Cal/OSHA within three business days of receiving the report. The report shall include, if available, the name and contact information for the worker with silicosis and the name and address of their workplace or workplaces.
- 11) Requires Cal/OSHA to consider a report of silicosis related to artificial stone from CDPH as a complaint from a government agency representative charging a serious violation and to initiate an investigation within three business days, as specified.

- 12) Requires Cal/OSHA to notify CDPH of any cases of silicosis related to artificial stone identified through enforcement activities within five business days of case identification. The notification shall include, if available, the name and contact information for the worker with silicosis and the name and address of their workplace or workplaces.
- 13) Requires Cal/OSHA to share results of silica exposure assessments performed as part of its enforcement activities and the names and addresses of fabrication shops where the assessments were conducted and associated silica sampling data, including information about the composition of the slabs that were being fabricated during sampling. Silica exposure assessment results shall be shared by Cal/OSHA with CDPH within 30 days of receipt of the results by the division.
- 14) Provides that information shared pursuant to these provisions regarding individual cases of silicosis, including personal information contained in assessment results, is confidential, shall be exempt from disclosure pursuant to the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code), and shall be used by the receiving party only for surveillance, investigation, or case management.
- 15) Authorizes CDPH to share confidential information with the appropriate local health officer only for the purposes of surveillance, investigation, or case management.
- 16) Authorizes CDPH to share deidentified confidential information to entities conducting scientific research, if the request for information is approved by the Committee for the Protection of Human Subjects (CPHS) for the California Health and Human Services Agency, the requesting entity provides documentation to CDPH that demonstrates, to CDPH's satisfaction, that the entity has established the procedures and ability to maintain the confidentiality of the information, and the requesting entity has agreed, in writing, to maintain the confidentiality of the information.
- 17) Requires CDPH to conduct all of the following activities to address silicosis risk exposure in fabrication shops:
 - a. Identify businesses that conduct high-exposure trigger activities.
 - b. Provide outreach and education about silicosis prevention and diagnosis to workers, employers, and healthcare providers.
 - c. Provide technical assistance to local health jurisdictions engaged in silicosis surveillance and prevention activities.

- 18) Includes silicosis and silica-related lung cancer in the list of conditions that constitute a “serious injury or illness” and in the definition of “serious physical harm,” as used in Division 5, Part 1 of the Labor Code.

Background

Silica is a common mineral found in soil, sand, granite, and most other types of rock. In its crystalline form, the mineral is hazardous and creates a respirable dust that is easy to inhale. Artificial stone, used for countertops, contains more than 93 percent crystalline silica, in combination with adhesives and pigments. When artificial stone is cut or manipulated, RCS releases into the air. Prolonged exposure to RCS produces an aggressive form of silicosis, a progressive, disabling, and often fatal lung disease. RCS particles travel deep into the lungs where they cause inflammation and eventually scarring. This scarring in turn makes breathing difficult. Ultimately, silicosis is incurable and typically leads to an early death.

Although silicosis is centuries old, the disease is just now surging across the United States and in California. Approximately 2.3 million workers in the U.S. are exposed to RCS in the workplace each year. In California, the number of reported silicosis cases began increasing in 2019, with the Department of Health and the Occupational Health Branch describing the rise as an epidemic. DIR estimates that stone fabrication shops employ around 4,040 workers in the state. Based on a silicosis prevalence rate of 12 percent to 21 percent and a fatality rate of 19 percent, Cal/OSHA estimates that between 500 and 850 cases of silicosis will occur among these workers, and between 90 to 160 will likely die. Prior to the adoption of an emergency temporary standard by the Board, discussed below, an existing standard did regulate occupational exposure to RCS. However, when Cal/OSHA examined the slab fabrication industry in 2019 and 2020, it found that 72 percent of shops were in violation of silica regulations.

The troubling rise in silicosis cases can be traced to the increasing popularity of artificial stone countertops. Artificial stone has dominated the market in the last 10 to 15 years primarily because of its affordability, low maintenance, and high resistance to scratches, stains, and heat. In 2021, it surpassed all other materials to become the predominant countertop product in the U.S. for residential and commercial applications, with a market size of \$17.7 billion. Demand for artificial stone countertops is expected to continue growing at 9.6 percent annually through 2026, solidifying the material's position as the most popular type of countertop in the country.

Cal/OSHA Updated Permanent Regulation on Respirable Crystalline Silica (RCS)

On December 19, 2024, the Board approved updated permanent standards on RCS. These standards became effective on February 5, 2024 and replaced emergency temporary standards. Prior to the emergency standards, the existing standard was designed to monitor silicosis in large industries. This made its application to the slab fabrication industry, which primarily consists of small shops, difficult. Additionally, the old standard contained three loopholes, 1) it allowed employers to avoid implementing key protections by claiming they were infeasible; 2) it allowed employers to exempt themselves by claiming RCS exposure was below the allowable level; and 3) it allowed employers to conduct air monitoring on a single day and exempt themselves from the standard if the results showed exposures below the allowable level.

The updated permanent RCS standard (CCR §5204) includes important revisions to protect workers. Most importantly, the standard applies to high-exposure trigger tasks regardless of employee exposures, exposure assessments, or objective data. Below is a brief overview of the updated requirements.

[Note: Please see the Senate Labor, Public Employment and Retirement Committee analysis for more information.]

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: Yes

According to the Assembly Appropriations Committee:

- 1) Costs of an unknown amount to Cal/OSHA to provide enforcement for violations of high-exposure trigger task restrictions and training requirements and investigate a workplace following a report of silicosis.
- 2) Costs of an unknown amount to CDPH to report silicosis cases to Cal/OSHA and conduct specified activities to address silicosis risk exposure in fabrication shops (GF).

SUPPORT: (Verified 9/8/25)

State Building and Construction Trades Council of California (Source)
American Lung Association in California
Breathe California
California Federation of Labor Unions
California Latino Legislative Caucus
Insurance Commissioner Ricardo Lara / California Department of Insurance
Latino Legislative Caucus
Western Occupational & Environmental Medical Association

OPPOSITION: (Verified 9/8/25)

None received

ARGUMENTS IN SUPPORT: According to the sponsors, the State Building and Construction Trades:

“SB 20 is a step in the right direction to assist regulators in preventing workers from catching silicosis. This bill strengthens this framework by codifying a ban on dry cutting of artificial stone and requiring the use of effective wet methods to suppress silica dust during fabrication. It requires fabrication shop owners to provide annual attestations that employees performing high-risk tasks have received Cal/OSHA-compliant training, and it gives Cal/OSHA new enforcement tools, including the ability to issue immediate stop-work orders and penalties against violators. The bill improves reporting and surveillance by directing the Department of Public Health to treat silicosis as a serious illness, to report cases to Cal/OSHA within three business days, and to coordinate with regulators by sharing exposure data and workplace information. It also expands outreach and education so workers, employers, and healthcare providers can better recognize hazardous practices and diagnose silicosis early, and it formally classifies silicosis and silica-related lung cancer as serious illnesses under the Labor Code to ensure stronger enforcement and accountability for bad actors.”

ASSEMBLY FLOOR 9/8/25:

Ayes: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

No Vote Recorded: Castillo, Lackey, Nguyen

Prepared by: Emma Bruce / L., P.E. & R. / (916) 651-1556
9/8/25 19:46:27

**** END ****

