
UNFINISHED BUSINESS

Bill No: SB 236
Author: Weber Pierson (D)
Amended: 9/4/25 in Assembly
Vote: 21

SENATE ENVIRONMENTAL QUALITY COMMITTEE: 8-0, 4/23/25
AYES: Blakespear, Valladares, Dahle, Gonzalez, Hurtado, Menjivar, Padilla,
Pérez

SENATE JUDICIARY COMMITTEE: 13-0, 4/29/25
AYES: Umberg, Niello, Allen, Arreguín, Ashby, Caballero, Durazo, Laird, Stern,
Valladares, Wahab, Weber Pierson, Wiener

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

SENATE FLOOR: 38-0, 5/29/25
AYES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear,
Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez,
Grayson, Grove, Hurtado, Jones, Laird, McGuire, McNerney, Menjivar, Niello,
Ochoa Bogh, Padilla, Pérez, Richardson, Rubio, Seyarto, Smallwood-Cuevas,
Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener
NO VOTE RECORDED: Limón, Reyes

ASSEMBLY FLOOR: 78-0, 9/8/25 - See last page for vote

SUBJECT: Cosmetics: chemical hair relaxers

SOURCE: Author

DIGEST: This bill, known as the Combating Unsafe ReLaxers (C.U.R.L.) Act, creates compliance mechanisms with the Department of Toxic Substances Control

(DTSC) for the prohibition of specified chemicals in hair relaxer products and establishes the C.U.R.L. Act Fund.

Assembly Amendments of 9/4/25 authorize, instead of require, DTSC to publish testing methods; remove the registration process with DTSC; removes the authorization to receive reports of alleged violations; and make various technical and clarifying amendments.

ANALYSIS:

Existing federal law requires, pursuant to the federal Food, Drug & Cosmetic Act (FD&C Act), cosmetics produced or distributed for retail sale to consumers for their personal care to bear an ingredient declaration. (21 Code of Federal Regulations 701.3)

Existing state law:

- 1) Defines, pursuant to the Sherman Act, "cosmetic" as any article, or its components, intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to, the human body, or any part of the human body, for cleansing, beautifying, promoting attractiveness, or altering the appearance. Makes it unlawful for any person to manufacture, sell, deliver, hold, or offer for sale any cosmetic that is adulterated. Makes it unlawful for any person to adulterate any cosmetic. Makes it unlawful for any person to receive in commerce any cosmetic that is adulterated or to deliver or proffer for delivery any such cosmetic. (Health & Safety Code (HSC) § 109900)
- 2) Requires, pursuant to the Safe Consumer Cosmetic Act (Cosmetics Act), a manufacturer of a cosmetic that is subject to regulation by the federal Food and Drug Administration (FDA) to submit to the California Department of Public Health (CDPH) a list of its cosmetic products sold in California that contain any ingredient that is a chemical identified as causing cancer or reproductive toxicity. (HSC § 111792)
- 3) Prohibits, pursuant to the Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65), a person, in the course of doing business, from knowingly and intentionally exposing any individual to a chemical known to the state to cause cancer or reproductive toxicity without first giving clear and reasonable warning to such individual. (HSC § 25249.6)

- 4) Requires DTSC, under the state's Green Chemistry regulations, to establish a process to identify and prioritize chemicals or chemical ingredients in consumer products that may be considered a chemical of concern. (HSC § 25252)
- 5) Requires DTSC to develop and maintain a list of Candidate Chemicals that exhibit a hazard trait and/or an environmental or toxicological endpoint and is either 1) found on one or more of the statutorily specified authoritative lists or 2) is listed by DTSC using specified criteria. (California Code of Regulations § 69502.2 (b))
- 6) Prohibits, under AB 2762 (Muratsuchi, Chapter 314, Statutes of 2020), a person or entity from manufacturing, selling, delivering, holding, or offering for sale in commerce any cosmetic product that contains 24 specified intentionally added chemical ingredients commencing January 1, 2025. Further prohibits, under AB 496 (Friedman, Chapter 441, Statutes of 2023), a person or entity from manufacturing, selling, delivering, holding, or offering for sale in commerce any cosmetic product that contains 41 specified intentionally added chemical ingredients commencing January 1, 2027. (HSC § 108980)

This bill:

- 1) Requires DTSC to identify and publish appropriate third-party accreditations for laboratories for the testing of hair relaxer products for specified intentionally-added ingredients by January 1, 2028.
- 2) States that hair relaxer products are subject to the prohibition against the manufacture, sale, delivery, hold, or offer for sale in commerce any cosmetic product containing specified intentionally-added ingredients.
- 3) Requires DTSC to adopt regulations to implement, interpret, enforce, or make specific this chapter by January 1, 2030.
- 4) Defines “hair relaxer” to mean a cosmetic product sold as either an individual component or a kit with multiple components and is designed to permanently straighten curly, coiled, or tightly coiled hair by breaking the disulfide bonds within a person’s hair.
- 5) Authorizes DTSC to take enforcement actions including issuing notices of violation, assessing civil and administrative penalties, and requiring compliance through cease and desist orders.

- 6) Authorizes the Attorney General to bring an action in superior court upon violations of the proposed statute.
- 7) Establishes the C.U.R.L. Act Fund in the State Treasury, deposits any penalty issued into the Fund, and requires the moneys to be available for administrative costs for implementing these provisions upon appropriation by the Legislature.
- 8) States that the implementation of the proposed statute is contingent on sufficient funding from the Toxic Substances Control Account and an appropriation by the Legislature. Authorizes such funds be used as a loan until the C.U.R.L. Act Fund contains sufficient revenues to fund administrative costs and reimburse any outstanding loans.

Background

- 1) *The use of hair relaxers.* Hair relaxers are a type of hair straightening product that are designed to permanently straighten coiled hair by breaking and restructuring disulfide bonds within the hair. They contain harmful chemicals, several of which are considered Candidate Chemicals, including but not limited to formaldehyde, cyclosiloxanes, and parabens. These chemicals are associated with cancer, endocrine disruption, developmental and reproductive toxicity, dermal effects, environmental persistence and bioaccumulation.¹

Exposure to these chemicals is hypothesized to occur through inhalation and dermal uptake through the scalp during the application of hair relaxers.² Hair salon workers are also vulnerable to exposure as they face prolonged daily exposure. When rinsed down the drain, the harmful chemicals in hair relaxers contaminate wastewater, which when discharged to the environment could adversely impact water quality and wildlife.³

- 2) *Regulating cosmetics in California.* There are a few laws that regulate cosmetics to protect public health in California. The Sherman Act, which is administered by CDPH, prohibits the adulteration, or tampering, of cosmetics. It broadly defines a cosmetic as any article, or its components, intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise applied to, the human body, or any part of the human body, for cleansing, beautifying, promoting attractiveness, or altering the appearance.

¹ Department of Toxic Substances Control (2021). [Chemicals in hair straightening products background document](#).

² Hernandez, A. M., et. al. (2024). [Systematic Review of the Epidemiology of Hair Relaxer Use and Hormone-Sensitive Reproductive Outcomes Among Black Adult Women in the United States](#).

³ Department of Toxic Substances Control. (2021). [SCP Three Year Priority Product Work Plan \(2021-2023\)](#).

The Cosmetics Act, established by SB 484 (Migden, Chapter 729, Statutes of 2005), requires manufacturers of cosmetic products to provide CDPH a list of all cosmetic products that contain any ingredients known or suspected to cause cancer, birth defects, or other reproductive harm. CDPH maintains an active, publicly available database with all of the data collected from manufacturers. CDPH does not have any enforcement authority over the manufacturers that are covered, so not all manufacturers are complying and submitting their products' information. State law does not currently contain a mechanism that would allow the state to compel these manufacturers to comply.

- 3) *The unenforceable bans.* Over the past several years, the Legislature established two notable bans on cosmetic products. AB 2762 (Muratsuchi, Chapter 314, Statutes of 2020) and AB 496 (Friedman, Chapter 441, Statutes of 2023) prohibit the manufacture, sale, delivery, holding, or offering for sale in commerce any cosmetic product that contains any of the specified 65 intentionally-added ingredients.

Of the 65 banned ingredients, nine of them were identified in hair relaxers. The bans also cover certain types of chemicals within a group of chemicals, but not all the chemicals of concern within that group. For example, AB 2762 bans the endocrine disruptors isopropyl- and isobutylparaben, but methyl-, ethyl-, and butylparaben are not prohibited and are still found in hair relaxers. There remain many chemicals of concern in hair relaxers despite these statutes, and some with no safer alternatives identified.

These bans are established in Chapter 14 of Part 3 of Division 104 in the Health and Safety Code and are otherwise known as orphan codes, meaning there is no regulatory agency governing the provisions of these laws. The Attorney General has the right to enforce the bans, but they lack thorough oversight and enforcement. As a result, there have been recent reports of some of these chemicals still found in hair relaxers. This bill seeks to designate DTSC as the enforcing agency and create an enforcement mechanism to ensure that hair relaxers are rid of the banned ingredients.

- 4) *DTSC Safer Consumer Products Program.* DTSC administers the Safer Consumer Products Program (SCP, previously known as Green Chemistry), which aims to advance the design, development, and use of products that are chemically safer for people and the environment. DTSC's approach provides science-based criteria and procedures for identifying and evaluating

alternatives with the objective of replacing Candidate Chemicals and avoiding the use of substitute chemicals that pose equal or greater harm.

A Priority Product is a consumer product identified by DTSC that contains one or more Candidate Chemicals and that has the potential to contribute to significant or widespread adverse impacts on humans or the environment. SCP began evaluating products in the Beauty, Personal Care, and Hygiene Products categories under the 2018-2020 Priority Product Work Plan. Many products have been carried over to more recent work plans as the evaluation process continues. DTSC identified hair relaxers as Priority Products within the Beauty, Personal Care, and Hygiene Products category as their impacts tend to reach children, women of childbearing age, communities of color, workers, water quality, and aquatic life.³ As part of the work plan, DTSC produced a background document on chemicals in hair straightening products in 2021, to summarize preliminary findings and outline the public engagement process, which has been ongoing.

After a product has been listed as a Priority Product by DTSC, manufacturers of the Priority Product must submit an alternatives analysis which determines whether there are any safer alternatives to the Candidate Chemical in the product or if there are other ways to make a safer version of the product. The outcomes of the alternatives analysis could lead to alternative ingredients or product design or regulatory responses such as displaying product information or chemical restrictions.

There has yet to be a regulatory response from DTSC regarding hair straightening products because the SCP process is ongoing. It is likely that most of the chemicals requiring oversight in this bill may be part of the Candidate Chemicals evaluated through SCP for hair relaxers. These chemicals are already banned in statute, but there may not have been safer alternatives identified for them in hair relaxers. For formaldehyde, DTSC made the decision to stop work regarding the chemical in SCP, as AB 2762 banned formaldehyde and DTSC cannot duplicate existing regulations. However, there still exist chemicals in hair relaxers that release formaldehyde that have yet to be prohibited.⁴ There is more work in SCP to be done for these products, but for the chemicals that are no longer subject to SCP, they may lack the necessary regulation.

⁴ Department of Toxic Substances Control. (2024). Decision Document for Hair Straightening Products Containing Formaldehyde.

Because bans established in the orphan codes tend to rob product-chemical combinations of the appropriate enforcement and oversight mechanisms, this bill creates those mechanisms for a need recently found. Like AB 347 (Ting, Chapter 932, Statutes of 2024) that established an enforcing agency for products in the orphan codes containing per- and polyfluoroalkyl substances (PFAS), SB 236 fills a similar regulatory gap.

Comments

- 1) *Author's statement.* According to the author, “This bill strengthens enforcement of existing California law banning toxic chemicals in cosmetics—specifically those commonly found in chemical hair relaxers. Current enforcement relies on self-regulation and consumer-initiated legal action, leaving the potential for harmful legacy products to remain in the market. By requiring that the Department of Toxic Substances Control (DTSC) actively monitors and enforces compliance, we can ensure that we are not simply relying on consumer complaints or lawsuits for true protection for our California residents. Numerous studies, including large-scale cohort data from the Sister Study, have linked frequent use of chemical hair relaxers that contain carcinogens and endocrine-disrupting chemicals to significantly increased risks of breast, ovarian, and uterine cancers, as well as reproductive harm. These products are overwhelmingly marketed to and used by Black and Latina women. This, along with existing health disparities, makes it not only a public health issue, but a racial justice one. No community should face higher risks of hormone-related cancers due to exposure to toxic beauty products. By ensuring that banned chemicals are truly removed from these products, this bill seeks to elevate public health, advance equity, and affirm the state’s commitment to protect all residents.”
- 2) *Inequities in hair care.* Hair relaxers have historically been marketed towards women of color who wish to change the texture of their hair. People of color, particularly people of African descent, tend to have hair textures that are curly or coily. These groups have historically faced racially-motivated societal and workplace pressures to straighten their hair to adhere to European standards of beauty.^{2,5} Girls of African descent use chemical relaxers as early as 4 years old, increasing the likelihood of exposure to toxic chemicals during a critical development window.⁶ Black women are 80% more likely to change their

⁵ Zota, A. R., & Shamasunder, B. (2017). The environmental injustice of beauty: framing chemical exposures from beauty products as a health disparities concern.

⁶ Wright, D. R., et. al. (2011). Hair care practices and their association with scalp and hair disorders in African American girls.

natural hair to meet discriminatory norms and workplace expectations, including through the use of hair relaxers.⁷ To prohibit discrimination against hair type, textures, and styles in schools and workplaces, California established The CROWN Act with SB 188 (Mitchell, Chapter 58, Statutes of 2019). Still, there is a large disparity in the use of these products and exposure to their toxic chemicals between women of African descent and other women.^{5,8} This bill will ensure that these products do not contain the specified prohibited chemicals to protect the safety and health of those who still choose to use these products.

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

According to the Assembly Appropriations Committee, “DTSC will incur costs (TSCA and C.U.R.L Act Fund), likely ranging from the hundreds of thousands to low millions of dollars annually, to develop and implement regulations, compile test methods, establish a registration system, conduct enforcement, and otherwise implement and administer the provisions of this bill.”

“For its part, DTSC estimates costs of approximately \$5 million (phased in over five years) to hire 14 staff and to cover costs associated with its Environmental Chemistry Lab as well as IT upgrades. Staff workload includes developing regulations, publishing accepted test methods and third-party lab accreditations, project planning, system design, developing and implementing a registration system, and ongoing registration review to determine compliance and initiate enforcement.”

“DTSC notes it would require a loan from TSCA in the initial years of implementation, which would be repaid with monies in the Fund once sufficient registration fees and penalty revenues are generated. TSCA is supported by the Environmental Fee, which is annually adjusted by the Board of Environmental Safety at a rate sufficient to cover DTSC’s operations. DTSC contends this fee would need to be increased by approximately 4%, spread equally across all tiers, to generate sufficient revenues to support the increase in expenditures until the loan is repaid.”

SUPPORT: (Verified 9/8/25)

A Voice for Choice Advocacy
California Pan - Ethnic Health Network

⁷ JOY Collective. (2019). C.R.O.W.N. Research Study.

⁸ Eberle, C. E., et. al. (2020). Hair dye and chemical straightener use and breast cancer risk in a large US population of black and white women.

Center for Environmental Health
Cleaneearth4kids.org
Environmental Working Group

OPPOSITION: (Verified 9/8/25)

None received

ASSEMBLY FLOOR: 78-0, 9/8/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, 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: DeMaio, Nguyen

Prepared by: Taylor McKie / E.Q. / (916) 651-4108
9/8/25 19:42:31

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