

AMENDED IN SENATE MARCH 17, 2026

SENATE BILL

No. 1046

Introduced by Senators Blakespear and Padilla

February 11, 2026

An act to add Section 6726 to the Labor Code, relating to occupational safety.

LEGISLATIVE COUNSEL'S DIGEST

SB 1046, as amended, Blakespear. Occupational ~~safety~~: *safety: transboundary pollution.*

Existing law, the California Occupational Safety and Health Act of 1973, exists for the purpose of assuring safe and healthful working conditions for all California workers by authorizing the enforcement of effective standards, assisting and encouraging employers to maintain safe and healthful working conditions, and providing for research, information, education, training, and enforcement in the field of occupational safety and health. Existing law establishes the Occupational Safety and Health Standards Board within the Department of Industrial Relations for the adoption of occupational safety and health standards and establishes the Division of Occupational Safety and Health in that department for the enforcement of those occupational safety and health standards, as prescribed.

~~This bill would state the intent of the Legislature to enact legislation to direct the Occupational Safety and Health Standards Board to develop standards or guidelines for the exposure of workers to contaminated transboundary flows.~~

This bill would require the division, on or before January 1, 2030, to propose to the board for its review and adoption, a standard that protects the health and safety of employees who risk high or prolonged

exposure to transboundary pollution, as defined, in outdoor occupational environments, as specified. The bill would require the board to consider identifying an exposure threshold for hydrogen sulfide at which acute or chronic health effects occur to reference in the standards and may consider exposure thresholds for other relevant pollutants. The bill would authorize the board to develop the standards in consultation with other specified groups. The bill would authorize the board to adopt emergency regulations to implement these provisions.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. The Legislature finds and declares all of the*
 2 *following:*
 3 *(a) Transboundary pollution consisting of untreated sewage*
 4 *and industrial wastewater, containing toxic chemicals, fecal matter*
 5 *bacteria, and pathogens, frequently crosses the border from Baja*
 6 *California as a result of population growth, sewage infrastructure*
 7 *inadequacies, and wet weather events.*
 8 *(b) In the County of San Diego, transboundary pollution enters*
 9 *into the Tijuana River Valley and through northward-flowing*
 10 *ocean currents, leading to the contamination of state waters and*
 11 *air, and creating conditions that are hazardous to the environment*
 12 *and public health.*
 13 *(c) Workers in outdoor occupational environments in the Tijuana*
 14 *River Valley and county beaches risk higher exposure to*
 15 *transboundary pollution through direct and indirect contact and*
 16 *have experienced and reported adverse health impacts, including*
 17 *headaches, fatigue, nausea, and bloody noses. Long-term exposure*
 18 *to known contaminants may lead to gastrointestinal illness, skin*
 19 *infections, and respiratory and neurological disorders.*
 20 *(d) While binational solutions are underway at the federal level*
 21 *to address the majority of pollution that crosses the border, the*
 22 *hazardous environmental conditions created by transboundary*
 23 *pollution are expected to continue for years. Furthermore, the*
 24 *increasing frequency and intensity of wet weather events will*
 25 *exacerbate hazardous conditions, even after binational solutions*
 26 *are in place.*

1 (e) *The employers of workers in outdoor occupational*
2 *environments currently lack the guidance to provide adequate*
3 *safeguards to protect the health and safety of employees or tools*
4 *to measure the impacts of the outdoor working environment.*

5 (f) *Thus, the Legislature recognizes a need for occupational*
6 *safety and health standards to ensure a level of protection for*
7 *workers exposed to transboundary pollution in outdoor*
8 *occupational environments.*

9 SEC. 2. *Section 6726 is added to the Labor Code, immediately*
10 *following Section 6725, to read:*

11 6726. (a) *For purposes of this section, the following definitions*
12 *apply:*

13 (1) *“Lifeguard” means a person actively employed as a*
14 *lifeguard by a city, county, city and county, district, or other public*
15 *or municipal corporation or political subdivision, or a person*
16 *actively employed as a state lifeguard by the Department of Parks*
17 *and Recreation.*

18 (2) *“Park ranger” means a person that enforces park rules and*
19 *regulations and is actively employed as a park ranger by a city,*
20 *county, city and county, district, or other public or municipal*
21 *corporation or political subdivision, or is actively employed as a*
22 *state park ranger by the Department of Parks and Recreation.*

23 (3) *“Transboundary pollution” means environmental pollutants*
24 *or toxins contaminating state water or air that originate from Baja*
25 *California and threaten the health and safety of the public or*
26 *environment.*

27 (b) *On or before January 1, 2030, the Division of Occupational*
28 *Safety and Health shall propose to the Occupational Safety and*
29 *Health Standards Board for its review and adoption, a standard*
30 *that protects the health and safety of employees who risk high or*
31 *prolonged exposure to transboundary pollution in outdoor*
32 *occupational environments. The standard shall apply to lifeguards,*
33 *park rangers, and other employees that the division determines*
34 *are at high risk.*

35 (c) *The standard adopted pursuant to subdivision (b) shall*
36 *include all of the following:*

37 (1) *Personal protective equipment, which may include, but not*
38 *be limited to, respiratory protection and protective attire.*

- 1 (2) *Medical surveillance, which may include, but not be limited*
2 *to, medical examination rights, medical procedures, and reporting*
3 *requirements.*
- 4 (3) *Hazard communication, which may include, but not be*
5 *limited to, notice of anticipated wet weather or other high-exposure*
6 *events and any available data on pollution exposure conditions.*
- 7 (4) *Reporting and recordkeeping practices. In developing these*
8 *practices, the standards board shall consider, at minimum, both*
9 *of the following:*
- 10 (A) *Incident or exposure report forms for use by employees.*
- 11 (B) *Maintaining data on exposure threshold exceedances as*
12 *described in subdivision (e), health-related symptoms developed*
13 *following job duties, sick leave related to exposure incidents, and*
14 *weather events exacerbating transboundary pollution.*
- 15 (5) *Training for employees and supervisors that includes, but*
16 *is not limited to, all of the following:*
- 17 (A) *Information on the regional environmental conditions.*
- 18 (B) *Potential health effects of exposure to transboundary*
19 *pollution, including related symptoms.*
- 20 (C) *Use of personal protective equipment.*
- 21 (D) *Reporting practices.*
- 22 (d) *In addition to the standards described in subdivision (c),*
23 *the standards board may consider any other standard for adoption*
24 *that will provide protection or safeguards for employees exposed*
25 *to transboundary pollution in an outdoor working environment.*
- 26 (e) *The standards board shall consider identifying an exposure*
27 *threshold for hydrogen sulfide at which acute or chronic health*
28 *effects occur to reference in the standards and may consider*
29 *exposure thresholds for other relevant pollutants.*
- 30 (f) *The standards board may develop the standards described*
31 *in subdivisions (c) and (d) in consultation with lifeguards, park*
32 *rangers, trade and labor unions, cities, counties, private and public*
33 *sector employers, air districts, local environmental and public*
34 *health agencies, universities and academic institutions, the*
35 *Department of Parks and Recreation, the State Air Resources*
36 *Board, the State Water Resources Control Board, regional water*
37 *quality control boards, and the Office of Environmental Health*
38 *Hazard Assessment.*
- 39 (g) *The standards board may adopt emergency regulations to*
40 *implement this section. Any emergency regulation adopted pursuant*

1 *to this section shall be adopted in accordance with the*
2 *Administrative Procedure Act (Chapter 3.5 (commencing with*
3 *Section 11340) of Part 1 of Division 3 of Title 2 of the Government*
4 *Code), and, for purposes of that chapter, including Section 11349.6*
5 *of the Government Code, the adoption of the regulation is an*
6 *emergency and shall be considered by the Office of Administrative*
7 *Law as necessary for the immediate preservation of public peace,*
8 *health, safety, or general welfare.*

9 ~~SECTION 1. It is the intent of the Legislature to enact~~
10 ~~legislation to direct the Occupational Safety and Health Standards~~
11 ~~Board to develop standards or guidelines for the exposure of~~
12 ~~workers to contaminated transboundary flows.~~