

AMENDED IN SENATE MARCH 13, 2025

SENATE BILL

No. 20

Introduced by Senator Menjivar

December 2, 2024

An act to add Chapter 2.2 (commencing with Section 6359.1) to Part 1 of Division 5 of the Labor Code, relating to occupational safety and health.

LEGISLATIVE COUNSEL'S DIGEST

SB 20, as amended, Menjivar. Occupational safety: fabrication activities on stone slab products.

Existing law establishes the Department of Industrial Relations in the Labor and Workforce Development Agency and requires the department to be conducted under the control of an executive officer known as the Director of Industrial Relations. Existing law states that the function of the department, among other things, is 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 and vests the department with responsibility for administering the state plan for the development and enforcement of occupational safety and health standards relating to issues covered by corresponding standards adopted pursuant to federal law.

Existing law establishes the Occupational Safety and Health Standards Board within the ~~Department of Industrial Relations~~ department to promulgate ~~and enforce~~ occupational safety and health standards for the state, including standards dealing with exposure to harmful airborne contaminants. Existing law requires the Division of Occupational Safety and Health within the department to enforce all occupational safety and

health standards, as specified. A violation of these standards and regulations under specific circumstances is a crime.

This bill would impose restrictions on specified fabrication activities on certain stone slab products that are used for countertop installation or customization. Specifically, a person or entity engaged in those fabrication activities would be prohibited from using dry methods, and would be required to use effective wet methods, as specified. The bill would make a violation of these provisions grounds for, among other disciplinary action, an immediate order by the ~~Division of Occupational Safety and Health~~ *division* prohibiting continued fabrication activities on those stone slab ~~products~~ *products, but would specify that violation is not a crime.*

~~Existing law establishes the State Department of Public Health, which is led by the State Public Health Officer, within the California Health and Human Services Agency. Existing law vests the department with certain duties, powers, functions, jurisdiction, and responsibilities over specified public health programs.~~

The bill would require, on or before July 1, 2026, the ~~State Department of Public Health~~ *department* to consult with representatives of approved apprenticeship programs to adopt a training curriculum regarding the safe performance of fabrication activities on stone slab products that meets specified requirements, including classroom instruction, and to certify an individual who has completed that curriculum. Beginning July 1, 2027, the bill would require certain individuals, including an owner or operator of a stone slab product fabrication shop, to be enrolled in or have completed the training curriculum, except as specified, before fabrication activity or employment begins, as described.

The bill would require, on or before January 1, 2027, the department to develop an application and certification process for fabrication shops to lawfully engage in stone slab product fabrication activities. The bill would authorize fabrication shops to engage in those fabrication activities during the pendency of the application development and ~~licensing~~ *certification* process. The bill would require the department to develop an initial deposit process for fabrication shops to, during the pendency of the application development and certification process, submit a deposit fee for the application and certification subject to specified requirements, including that the deposit amount goes towards the initial certification fee collected by the department. The bill would require the department to create a statewide tracking system to track the number of fabrication shops that have submitted a deposit subject

to specified requirements, including that the statewide tracking system is posted on the department's internet website and is made available to the public.

The bill would require, beginning January 1, 2027, the department to grant a 3-year certification to a fabrication shop that demonstrates satisfaction of specified criteria involving workplace safety conditions and precautions, and would authorize certification renewal, as specified. Among other conditions, the bill would establish certain regulatory fees in amounts to be determined and adjusted by the department, as specified, for the certification and renewal thereof. The bill would authorize the department to suspend or revoke a certification in certain cases, including for gross negligence, as specified. The bill would require the department, in consultation with the Division of Occupational Safety and Health, to track and keep a record of specified information on fabrication shops, including the number of ~~violations~~ *citations* issued to any of the fabrication shops for failure to comply with any temporary or future standards relating to respirable crystalline silica, as specified. The bill would prohibit a person or entity, or an employee thereof, from engaging in fabrication activities on stone slab products ~~unless the person or entity has~~ *without a certification. The bill would specify that a violation of that prohibition may be reported to the Division of Labor Standards Enforcement, but is not a crime.*

The bill would prohibit, beginning January 1, 2027, a person from supplying a slab solid surface product directly to a person or entity engaged in fabrication activities on those products if the person or entity does not have a valid certification. The bill would require a person ~~that, among other things,~~ *that* supplies a slab solid surface product to a person or entity engaged in fabrication activities on those products to verify the person or entity has a certification, as specified. The bill would require a person that supplies a slab solid surface product to a person or entity that is not engaged in fabrication activities to rely on written certification issued under penalty of perjury that, among other things, they will not directly engage in fabrication activities with the product without a certification. By expanding the scope of the crime of perjury, the bill would impose a state-mandated local program. *The bill would require a person that seeks services that require fabrication activities and enters into a contract with a person or entity to undertake fabrication activities to verify that the person or entity has a valid certificate before engaging with and providing slab solid surface products to that person or entity. The bill would specify that a violation*

of the above-described restrictions on supplying a slab solid surface product may be grounds for penalties as determined by the division, as specified, but is not a crime.

~~The bill would specify that a violation of any of the above-described provisions may be grounds for disciplinary action, as specified, but is not a crime. The~~

The bill would establish the Slab Fabrication Activity Account in the Occupational Safety and Health Fund in the State Treasury, and require all fees, penalties, or other moneys collected by the department under the above-described provisions to be deposited into the account. The bill would authorize moneys in the account to be expended by the department for the purposes of administering the above-described provisions, and would make that authorization contingent on an appropriation of funds for that express purpose.

~~The bill would require, beginning January 1, 2027, the State Public Health Officer~~ *Director of Industrial Relations* to maintain a publicly accessible database on the department's internet website that includes, among other things, information on any active orders issued by the department in the prior 12 months prohibiting an activity at a fabrication shop, as specified.

The bill would define various terms for these purposes. The bill would make findings and declarations related to these provisions.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

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

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

- 1 SECTION 1. (a) The Legislature finds and declares all of the
- 2 following regarding silicosis and its associated health impacts:
- 3 (1) According to the federal Centers for Disease Control and
- 4 Prevention (CDC), silicosis is an occupational lung disease caused
- 5 by the inhalation of respirable dust containing crystalline silica.
- 6 (2) According to the State Department of Public Health,
- 7 crystalline silica is in engineered stone, quartz, granite, and other
- 8 stones. Cutting, grinding, chipping, sanding, drilling, and polishing

1 these products can release hazardous levels of small silica particles
2 into the air that workers breathe.

3 (3) When small particles of silica get into the lungs, they can
4 cause permanent scarring and difficulty breathing and can also
5 cause lung cancer, kidney damage, and several autoimmune
6 diseases. Initial symptoms of silicosis can include shortness of
7 breath, cough, and fatigue. Workers can die from silica dust
8 overexposure.

9 (4) Many cases of incurable and fatal lung problems from
10 exposure to silica dust in stone fabrication workers have been
11 reported around the world and in the United States, including
12 several cases among relatively young workers in California.
13 Workers who cut, grind, and polish engineered stone slabs are at
14 risk.

15 (5) According to the Los Angeles County Department of Public
16 Health, silicosis is irreversible and can progress even if a person
17 is no longer exposed to silica dust, but with the right measures in
18 place, it is preventable. It can take a person 10 to 30 years to
19 develop silicosis, but a person who is exposed to high levels of
20 silica dust can develop silicosis faster.

21 (b) The Legislature finds and declares both of the following
22 regarding the increase in the number of cases of silicosis in
23 California:

24 (1) Since 2010, more than 1,000 cases of silicosis in workers
25 who fabricate countertops and other stone have been reported
26 worldwide. The first cases of silicosis were reported in Spain in
27 2010 and in Israel in 2012. The first case of silicosis reported in
28 the United States was in Texas in 2015.

29 (2) According to the State Department of Public Health, there
30 are 132 workers who fabricate, install, or fabricate and install
31 countertops and other stone products identified to date with silicosis
32 in California. At least 10 workers have died, most of whom were
33 30 to 40 years of age, inclusive, and at least 12 workers have
34 received lung transplants.

35 (c) The Legislature finds and declares all of the following
36 regarding the increased use of silica in products:

37 (1) Crystalline silica is a common mineral found in the earth's
38 crust. Materials like sand, stone, concrete, and mortar contain
39 crystalline silica. Stone slabs containing crystalline silica such as

1 quartz are becoming increasingly popular for kitchen countertops
2 and for use on a variety of surfaces.

3 (2) Workers who cut, polish, or grind products that contain
4 crystalline silica can be exposed to hazardous levels of silica dust.

5 (3) In 1938, United States Secretary of Labor Frances Perkins
6 declared that “silicosis can be prevented.”

7 (d) The Legislature finds and declares both of the following
8 regarding the impact of silicosis on undocumented workers:

9 (1) The demographic for workers contracting silicosis are
10 typically young, immigrant workers, are all males with a median
11 age of 45 years of age at diagnosis, with 98 percent originating
12 from Mexico or Central America, and are mostly reliant on public
13 insurance or uninsured.

14 (2) Physicians at Olive View-UCLA Medical Center in the
15 County of Los Angeles identified a cluster of patients with a rare
16 occupational lung disease called pulmonary silicosis and played
17 a key role in bringing their cases to light. The patients identified
18 are predominantly Mexican and Latin American immigrant men
19 who work as stonecutters in the San Fernando Valley, cutting
20 synthetic stone kitchen and bathroom countertops. According to
21 a State Department of Public Health directory, there are over 100
22 stone fabrication shops in the center’s catchment area in the San
23 Fernando Valley and over 1,000 within the state, and many other
24 at-risk workers in the County of Los Angeles and throughout the
25 state.

26 (e) The Legislature finds and declares both of the following
27 regarding the impact of silicosis worldwide:

28 (1) The New Zealand Council of Trade Unions (NZCTU) Te
29 Kauae Kaimahi advanced a call for a total ban on engineered stone
30 in New Zealand. According to the NZCTU President, Richard
31 Wagstaff, “the evidence of the harm caused by engineered stone
32 is overwhelming. It is clear to us that a ban on this product is the
33 only option.”

34 (2) On July 1, 2024, Australia became the first country to
35 institute a ban on engineered stone and follows a surge in hundreds
36 of workers developing silicosis from working on engineered stone,
37 a popular material mostly used for kitchen benches and bathroom
38 vanities. When the ban was announced, the Australian Council of
39 Trade Unions’ Assistant Secretary, Liam O’Brien, said,
40 “Engineered stone is a fashion product that is killing the workers

1 who make it. With alternatives readily available, why are we
2 risking the lives of tradies for a fashionable finish in our kitchens?"

3 (f) The Legislature finds and declares that California must use
4 the information described in these findings to determine the
5 cost-benefit ratio to workers and whether existing regulations
6 adequately protect workers from contracting silicosis.

7 (g) Therefore, it is the intent of the Legislature to enact
8 legislation that would help protect and prevent worker
9 overexposure to respirable crystalline silica by imposing all of the
10 following requirements:

11 (1) Prohibiting the undertaking of fabrication activities without
12 the use of effective wet methods that effectively suppress dust.

13 (2) Requiring a slab solid surface product fabrication activity
14 certification for fabrication shops to engage in fabrication activities
15 involving a stone slab solid surface product that contains crystalline
16 silica.

17 (3) Prohibiting a person or entity from directly or indirectly
18 supplying a slab solid surface product to a person or entity engaged
19 in fabrication activities that is not associated with a valid slab solid
20 surface product fabrication activity certification.

21 (4) Requiring the ~~State Department of Public Health~~ *Industrial*
22 *Relations* to maintain a publicly accessible database on its internet
23 website that includes, but is not limited to, a list of fabrication
24 shops and workplaces with any enforcement actions pending at
25 those workplaces.

26 SEC. 2. Chapter 2.2 (commencing with Section 6359.1) is
27 added to Part 1 of Division 5 of the Labor Code, to read:

28

29 CHAPTER 2.2. FABRICATION ACTIVITIES ON STONE SLAB
30 PRODUCTS

31

32 6359.1. For purposes of this chapter, the following definitions
33 apply:

34 (a) "Certification" means a slab solid surface product fabrication
35 activity certification to engage in fabrication activities that is issued
36 to a fabrication shop by the department pursuant to this chapter.

37 (b) "Department" means the ~~State Department of Public Health~~
38 *Industrial Relations*.

39 (c) "Director" means the ~~State Public Health Officer~~ *Director*
40 *of Industrial Relations*.

1 (d) “Division” means the Division of Occupational Safety &
2 Health.

3 (e) “Dry methods” means the undertaking of fabrication
4 activities without the use of effective wet methods that effectively
5 suppress dust.

6 (f) “Effective wet methods” means suppressing dust by one of
7 the methods identified below, which ensure that water covers the
8 entire surface of the work object where a tool, equipment, or
9 machine contacts the work object:

10 (1) Applying a constant, continuous, and appropriate volume
11 of running water directly onto the surface of the work object. When
12 water flow is integrated with a tool, machine, or equipment, water
13 flow rates shall equal or exceed manufacturer recommendations
14 and specifications to ensure effective dust suppression.

15 (2) Submersing the work object under water.

16 (3) Water-jet cutting or using high-pressure water to cut material.

17 (g) (1) “Fabrication activities” means machining, crushing,
18 cutting, drilling, abrading, abrasive blasting, grinding, chiseling,
19 carving, gouging, polishing, buffing, fracturing, intentional
20 breaking, or intentional chipping of slab solid surface products.

21 (2) “Fabrication activities” does not include onsite construction
22 work covered by Section 1532.3 of Title 8 of the California Code
23 of Regulations.

24 (h) (1) “Fabrication shop” means a location where fabrication
25 activities are undertaken.

26 (2) “Fabrication shop” does not include facilities where slab
27 solid surface products are manufactured, including, but not limited
28 to, quarries, concrete manufacturing facilities, or tile manufacturing
29 facilities.

30 (i) “Respirable crystalline silica” means quartz, cristobalite, or
31 tridymite contained in airborne particles that are determined to be
32 respirable by a sampling device designed to meet the characteristics
33 for respirable-particle-size-selective samplers specified in the Air
34 Quality – Particle Size Fraction Definitions for Health-Related
35 Sampling in Report 7708 completed by the International
36 Organization for Standardization in 1995.

37 (j) (1) “Slab solid surface product” means a hard stone-like
38 substance, including, but not limited to, artificial, engineered, or
39 natural stone, including granite or marble, that is used for
40 countertop installation or customization.

1 (2) For purposes of paragraph (1), “artificial stone” means any
2 reconstituted, artificial, synthetic, composite, engineered, or
3 manufactured stone. It is commonly made by binding crushed or
4 pulverized stone, quartz, porcelain, or other crystalline
5 silica-containing materials with adhesives, polymers, epoxies,
6 resins, or other binding materials to form a slab.

7 6359.15. (a) The Slab Fabrication Activity Account is hereby
8 created in the Occupational Safety and Health Fund, as established
9 pursuant to Section 62.5, in the State Treasury.

10 (b) All fees, penalties, or other moneys collected by the
11 department under this chapter shall be deposited in the Slab
12 Fabrication Activity Account.

13 (c) Upon appropriation by the Legislature for this express
14 purpose, moneys in the account may be expended by the
15 department for the purposes of administering this chapter.

16 6359.2. (a) A person or entity engaged in fabrication activities
17 shall not use dry methods in any fabrication activities.

18 (b) A person or entity engaged in fabrication activities shall use
19 effective wet methods in any fabrication activities.

20 (c) (1) A violation of this section shall be grounds for an
21 immediate order prohibiting continued fabrication activities by
22 the division and may be grounds for additional fines and penalties,
23 as determined by the division or the director to further the purposes
24 of this chapter.

25 (2) Notwithstanding any provision of this division to the
26 contrary, a violation of this section is not a crime.

27 (d) A violation of this section may be reported to the Division
28 of Labor Standards Enforcement.

29 6359.3. (a) On or before July 1, 2026, the department shall
30 consult with representatives of approved apprenticeship programs
31 to adopt a training curriculum regarding the safe performance of
32 fabrication activities.

33 (1) The training curriculum shall satisfy both of the following
34 requirements:

35 (A) The training curriculum shall cover applicable occupational
36 safety and health standards.

37 (B) The training curriculum shall include classroom instruction
38 and supervised hands-on activities.

39 (2) An approved apprenticeship program may provide the
40 training curriculum. The department shall approve alternative

1 providers if approved apprenticeship programs do not offer training
2 programs sufficient to meet the needs of the industry.

3 (3) It is the intent of the Legislature in enacting this subdivision
4 that the ~~Department of Industrial Relations~~ *department* shall enact
5 regulations or update existing regulations related to this chapter
6 to further develop the training program described in paragraph (1)
7 and shall consult and confer representatives of approved
8 apprenticeship programs, applicable trade associations, and affected
9 slab solid surface product producers, manufacturers, and fabricators
10 during the regulatory process.

11 (b) Beginning on July 1, 2027, an owner or operator of a
12 fabrication shop, any individual that will employ another individual
13 to perform work on the shop floor of a fabrication shop, and any
14 individual that will perform fabrication activities shall be enrolled
15 in or have completed the training curriculum described in this
16 section before that fabrication activity or employment begins.

17 (1) The owner or operator of a fabrication shop shall be
18 responsible for paying for the costs of the training curriculum of
19 its employees.

20 (2) The department shall certify an individual who has
21 completed the approved training curriculum immediately upon
22 completion.

23 (3) This subdivision shall not apply to an individual who is
24 enrolled in, or who has graduated from, an apprenticeship program
25 that covers fabrication activities and is approved by the Division
26 of Apprenticeship Standards.

27 6359.4. (a) (1) On or before January 1, 2027, the department
28 shall do all of the following:

29 (A) Develop an application and certification process for a “slab
30 solid surface product fabrication activity” certification to authorize
31 fabrication shops to engage in fabrication activities.

32 (B) Develop an initial deposit process for fabrication shops to,
33 during the pendency of the application development and
34 certification process, submit a deposit fee for the application and
35 initial certification subject to all of the following requirements:

36 (i) The deposit fee amount shall be in an amount as the
37 department deems necessary to implement this chapter and shall
38 not exceed the reasonable regulatory cost.

39 (ii) The deposit fee amount collected by the department shall
40 be used towards the initial certification fee collected pursuant to

1 subdivision (b), and the applicable amount shall be returned to a
2 fabrication shop if the deposit amount exceeds the initial
3 certification fee or if the application is denied.

4 (C) (i) Determine the initial certification fee and the renewal
5 fee to be collected pursuant to subdivision (b), which shall be in
6 amounts as the department deems necessary to implement this
7 chapter and shall not exceed the reasonable regulatory cost.

8 (ii) The department, in determining the fee amounts described
9 in clause (i), may establish different fees for large or small
10 fabrication shops in the state as the department deems necessary
11 for regulatory purposes. The department shall, in determining the
12 sizes of the fabrication shops and the fee amounts, consult with
13 relevant stakeholders, including owners and operators of fabrication
14 shops.

15 (D) Create a statewide tracking system to track the number of
16 and progress of fabrication shops that have submitted a deposit
17 for the application and certification process subject to all of the
18 following requirements:

19 (i) The statewide tracking system shall be posted on the
20 department's internet website and be made available to the public.

21 (ii) The statewide tracking system shall include, but not be
22 limited to, both of the following information:

23 (I) The names and total number of the fabrication shops that
24 have submitted a deposit for the application and certification
25 process.

26 (II) The status of the certification process for the fabrication
27 shops that have submitted a deposit for the application and
28 certification process.

29 (iii) The statewide tracking system shall not include any
30 identifiable personal information.

31 (iv) The department shall, to the extent feasible, update the
32 information described in clause (ii) to the statewide tracking system
33 when new information becomes available.

34 (2) (A) Notwithstanding any provision of this chapter to the
35 contrary, a fabrication shop may continue to engage in fabrication
36 activities during the pendency of the application development and
37 certification process.

38 (B) This paragraph shall become inoperative on January 1, 2027.

39 (b) (1) Commencing January 1, 2027, the department shall
40 accept an application for and grant a certification to a fabrication

1 shop that demonstrates to the department's satisfaction of all of
2 the following workplace safety conditions and precautions:

3 (A) Evidence of a legally obtained and valid business license
4 and applicable state contractor's license.

5 (B) Evidence of satisfactory workers' compensation insurance
6 coverage.

7 (C) Documentation of completion by applicable individuals of
8 the training curriculum required by Section 6359.3 within one year
9 of enrollment.

10 (2) The department, or a third party certified by the department
11 for this purpose, shall inspect a fabrication shop before the issuance
12 of the certification to verify that the equipment and procedures of
13 the fabrication shop are in compliance with any occupational safety
14 and health standards and orders that are promulgated by the
15 Occupational Safety and Health Standards Board pursuant to
16 Section 142.3.

17 (3) An applicant for a certification shall submit to the department
18 an initial certification application, including an application fee and
19 an initial certification fee in the amounts determined by the
20 department, which shall be deposited in the Slab Fabrication
21 Activity Account in the Occupational Safety and Health Fund for
22 the purposes of administering this chapter.

23 (4) Each certification granted by the department shall be for a
24 three-year period.

25 (5) (A) The department shall accept a renewal application for
26 and grant a certification renewal to a fabrication shop that
27 demonstrates to the department continued compliance with all of
28 the following workplace safety conditions and precautions:

29 (i) Evidence of compliance with the requirements of any
30 occupational safety and health standards and orders that are
31 promulgated by the Occupational Safety and Health Standards
32 Board pursuant to Section 142.3.

33 (ii) Documentation of certified air quality monitoring results
34 consistent with any occupational safety and health standards and
35 orders that are promulgated by the Occupational Safety and Health
36 Standards Board pursuant to Section 142.3 over the prior three
37 years.

38 (iii) Documentation of information related to employee-reported
39 silicosis cases.

1 (iv) Beginning July 1, 2027, documentation that all individuals
2 who perform fabrication activities or perform work on a shop floor
3 of a fabrication shop have been certified, or are exempt from
4 certification, pursuant to subdivision (b) of Section 6359.3.

5 (B) The department, or a third party certified by the department
6 for this purpose, shall inspect a fabrication shop before the issuance
7 of a certification renewal to verify that the equipment and
8 procedures of the fabrication shop are in compliance with any
9 occupational safety and health standards and orders that are
10 promulgated by the Occupational Safety and Health Standards
11 Board pursuant to Section 142.3.

12 (C) An applicant for a certification renewal shall submit to the
13 department a certification renewal fee in the amount determined
14 by the department, which shall be deposited in the Slab Fabrication
15 Activity Account in the Occupational Safety and Health Fund for
16 the purposes of administering this chapter.

17 (D) A fabrication shop with a previous certification may
18 continue to engage in fabrication activities during the pendency
19 of the certification renewal application.

20 (6) The department may suspend or revoke a certificate issued
21 pursuant to this section if the department finds that the fabrication
22 shop has engaged in gross negligence, gross incompetence, or
23 willful or repeated disregard of any emergency or other
24 occupational safety and health standards, occupational safety and
25 health standards orders, any provision of this chapter, or any other
26 related provision of law.

27 (7) (A) The department, in consultation with the division, shall
28 track and keep a record of information on fabrication shops
29 regarding all of the following:

30 (i) The number of ~~violations~~ *citations* issued to any of the
31 fabrication shops for failure to comply with any temporary or
32 future standards relating to respirable crystalline silica adopted by
33 the Occupational Safety and Health Standards Board, and the
34 geographic areas in the state with the highest numbers of those
35 ~~violations~~: *citations*.

36 (ii) The number of new cases of silicosis identified in any of
37 the fabrication shops since the passage of any temporary or future
38 standards relating to respirable crystalline silica adopted by the
39 Occupational Safety and Health Standards Board.

1 (iii) The number of notices issued to fabrication shops found to
2 be in noncompliance with department regulations relating to
3 respirable crystalline silica.

4 (B) The department shall provide the information described in
5 subparagraph (A) to the ~~Department of Industrial Relations~~
6 *division*.

7 (C) The department shall provide the information described in
8 subparagraph (A) to, or otherwise assist as applicable, local
9 prosecutors in seeking civil or criminal action against fabrication
10 shops in violation of any applicable provisions.

11 (D) The division may use the information described in
12 subparagraph (A) in seeking enforcement against fabrication shops
13 in violation of any applicable provisions.

14 (8) (A) A person or entity, or an employee of a person or entity,
15 shall not engage in fabrication activities without a certificate issued
16 by the department pursuant to this chapter.

17 (B) A violation of this paragraph may be reported to the Division
18 of Labor Standards Enforcement.

19 (C) Notwithstanding any provision of this division to the
20 contrary, a violation of this paragraph is not a crime.

21 (c) Commencing January 1, 2028, the department shall evaluate
22 the cost of implementation of this chapter and may adjust the
23 amounts of the initial certification fee and the renewal certification
24 fee, which shall be in reasonable amounts as the department deems
25 necessary to implement this chapter and shall not exceed the
26 reasonable regulatory cost.

27 6359.5. (a) A person shall not supply a slab solid surface
28 product directly to a person or entity engaged in fabrication
29 activities if the person or entity engaged in fabrication activities
30 does not have a valid certification.

31 (1) A person that supplies a slab solid surface product to a person
32 or entity engaged in fabrication activities shall verify that the
33 person or entity has a valid certificate before providing the slab
34 solid surface product to the person or entity.

35 (2) A person that supplies a slab solid surface product to a person
36 or entity that is not engaged in fabrication activities shall rely on
37 a written certification issued under penalty of perjury from the
38 person that the person will not directly engage in fabrication
39 activities on the product without a certificate and that, if the person

1 resells the product, the person will resell to a person or entity with
2 a certification.

3 (b) A person that seeks services that require fabrication activities
4 and enters into a contract with a person or entity to undertake
5 fabrication activities shall verify that the person or entity has a
6 valid certificate before engaging with and providing slab solid
7 surface products to that person or entity.

8 (c) (1) A violation of this ~~subdivision~~ *section* may be grounds
9 for penalties as determined by the division to further the purposes
10 of this chapter.

11 (2) Notwithstanding any provision of this division to the
12 contrary, a violation of this section is not a crime.

13 (d) This section shall become operative on January 1, 2027.

14 6359.6. Beginning January 1, 2027, the director shall maintain
15 a publicly accessible database on the department’s internet website
16 that includes all of the following:

17 (a) Information on any active orders issued by the department
18 in the prior 12 months prohibiting an activity at a fabrication shop
19 pursuant to this chapter.

20 (b) Information on fabrication shops in the state certified
21 pursuant to this chapter and on any pending enforcement actions
22 against those certified fabrication shops.

23 (c) An online tool to report suspected or alleged violations of
24 this chapter.

25 SEC. 3. No reimbursement is required by this act pursuant to
26 Section 6 of Article XIII B of the California Constitution because
27 the only costs that may be incurred by a local agency or school
28 district will be incurred because this act creates a new crime or
29 infraction, eliminates a crime or infraction, or changes the penalty
30 for a crime or infraction, within the meaning of Section 17556 of
31 the Government Code, or changes the definition of a crime within
32 the meaning of Section 6 of Article XIII B of the California
33 Constitution.