
MEMORANDUM

To: City of Palo Alto
From: Townsend Public Affairs
Date: March 22, 2024
Subject: **Bill Analysis: SB 903 (Skinner)**

The official text of SB 903 can be found [here](#).

Summary

SB 903 prevents the sale and use of products containing per- and polyfluoroalkyl substances — commonly known as “PFAS” — unless the use of PFAS in the product is necessary and there is not a safer alternative available. Specifically, SB 903:

- Prohibits a person from distributing, selling, or offering for sale a product that contains intentionally added PFAS by 2030
- Provides a narrow exemption if the Department of Toxic Substances Control has made a determination that the use of PFAS in the product is currently unavoidable, the prohibition is preempted by federal law, or the product is used.
- Requires the Department of Toxic Substances Control to maintain on its internet website a list of each determination of currently unavoidable use, when each determination expires, and the products and uses that are exempt from the prohibition.
- Imposes a civil penalty for a violation of the prohibition. Additionally establishes the PFAS Penalty Account and requires all civil penalties received to be deposited into that account and, upon appropriation by the Legislature, to be used for the administration and enforcement of the provisions.
- Requires the Department of Toxic Substances Control to adopt regulations to implement the provisions of the bill by 2027.

Status

SB 903 has been referred to the Senate Environmental Committee with a hearing date set for April 3.

Author's Statement

“PFAS are used in a wide range of products because of their stain- and water-resistant and nonstick properties. Forever chemicals are used in clothing, packaging, plastic food ware, cleaning products, ski waxes, menstrual products, metal products, paints, propellants, coatings, and much more.

According to a new data report by the Natural Resources Defense Council (NRDC), PFAS has been found in water systems serving at least 25.4 million Californians. A study commissioned by the Centers for Disease Control and Prevention identified PFAS in the breast milk, umbilical cord blood, or bloodstreams of 98% of participants. A 2023 report by the U.S. Geological Survey estimated that nearly half of the nation's tap water is contaminated with forever chemicals. In addition to being associated to higher rates of kidney and testicular cancer, exposure to PFAS has been linked to high cholesterol and harmful impacts on the liver, kidneys, and immune, nervous, and reproductive systems.

Toxic PFAS chemicals have contaminated our water, air, food, and even our bodies. PFAS can cause harm at vanishingly low levels — and yet we continue to pump out vast new quantities of them into the world. This bill is a sensible and comprehensive approach to phase out unnecessary uses of PFAS so that we stop adding to an already enormous problem.”

Support and Opposition

SB 903 is sponsored by the California Association of Sanitation Agencies, Breast Cancer Prevention Partners, Clean Water Action, and Environmental Working Group. The release of the measure's first policy committee analysis will reveal more.

Recommended Position

Support

This bill could result in public health benefits and resource and cost savings associated with removing PFAS from public water utilities.