

Second Regular Session
Seventy-fifth General Assembly
STATE OF COLORADO

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 26-0505.01 Sarah Lozano x3858

HOUSE BILL 26-1135

HOUSE SPONSORSHIP

English and Joseph,

SENATE SPONSORSHIP

(None),

House Committees
Business Affairs & Labor

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING INCREASED TRANSPARENCY REGARDING CHEMICALS**
102 **USED IN THE PROCESSING OF CERTAIN HAIR PRODUCTS.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill creates the "Hair Product Transparency and Safety Act". On and after July 1, 2027, a manufacturer of a hair relaxer product or a synthetic hairpiece product (covered hair product) is prohibited from selling or distributing a covered hair product in the state that contains a carcinogen or reproductive toxicant unless the covered hair product has a warning label that notifies the consumer that the covered hair product

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

contains a carcinogen or reproductive toxicant. The warning label must comply with certain requirements depending on whether the covered hair product contains a carcinogen, a reproductive toxicant, or both.

A manufacturer that violates the prohibition or requirement set forth in the bill is subject to a civil penalty of no more than \$10,000 per violation.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1. Legislative declaration.** (1) The general assembly
3 finds that Coloradans deserve access to personal care products that are
4 safe, advertised transparently, and free from hidden health risks.

5 (2) The general assembly further finds that certain hair products,
6 including hair relaxers and synthetic hairpieces, are disproportionately
7 marketed to and used by communities that have historically faced
8 elevated exposure to harmful chemicals and related health disparities.

9 (3) The general assembly therefore determines that it is essential
10 to promote informed consumer choice, advance public health, and
11 encourage safer product formulation by ensuring clear disclosure when
12 hair relaxer products and synthetic hairpiece products contain chemicals
13 known to cause cancer or reproductive harm.

14 **SECTION 2.** In Colorado Revised Statutes, **add** 25-5-429 as
15 follows:

16 **25-5-429. Chemicals used in hair relaxers and synthetic hair**
17 **pieces - warning labels - deceptive trade practice - short title -**
18 **definitions.**

19 (1) THE SHORT TITLE OF THIS SECTION IS THE "HAIR PRODUCT
20 TRANSPARENCY AND SAFETY ACT".

21 (2) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE
22 REQUIRES:

1 (a) "CARCINOGEN" MEANS A CHEMICAL IDENTIFIED AS:

2 (I) A "GROUP 1 CARCINOGEN" OR "GROUP 2A CARCINOGEN" BY
3 THE INTERNATIONAL AGENCY FOR RESEARCH ON CANCER ESTABLISHED
4 BY THE WORLD HEALTH ORGANIZATION;

5 (II) A "KNOWN TO BE A HUMAN CARCINOGEN" OR "REASONABLY
6 ANTICIPATED TO BE A HUMAN CARCINOGEN" BY THE SECRETARY OF THE
7 FEDERAL DEPARTMENT OF HEALTH AND HUMAN SERVICES PURSUANT TO
8 THE FEDERAL "PUBLIC HEALTH SERVICE ACT", 42 U.S.C. SEC. 241 (b)(4);
9 OR

10 (III) A "GROUP A CARCINOGEN" OR "GROUP B CARCINOGEN" BY
11 THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY.

12 (b) "CHEMICAL" MEANS A SUBSTANCE WITH A DISTINCT
13 MOLECULAR COMPOSITION OR A GROUP OF STRUCTURALLY RELATED
14 SUBSTANCES AND INCLUDES THE BREAKDOWN PRODUCTS OF THE
15 SUBSTANCE OR SUBSTANCES THAT FORM THROUGH DECOMPOSITION,
16 DEGRADATION, OR METABOLISM.

17 (c) "COVERED HAIR PRODUCT" MEANS A HAIR RELAXER PRODUCT
18 OR A SYNTHETIC HAIRPIECE PRODUCT.

19 (d) "HAIR RELAXER PRODUCT" MEANS A PRODUCT TOPICALLY
20 APPLIED TO HAIR FOR THE PURPOSES OF WEAKENING THE STRUCTURE AND
21 CURLINESS OF THE HAIR FIBER AND ALLOWING FOR A STRAIGHTENING OF
22 THE HAIR.

23 (e) (I) "INTENTIONALLY ADDED" MEANS A CHEMICAL THAT IS
24 PURPOSEFULLY INTRODUCED TO A COVERED HAIR PRODUCT BY A
25 MANUFACTURER AND THAT REMAINS IN THE COVERED HAIR PRODUCT AS
26 SOLD, OFFERED FOR SALE, OR DISTRIBUTED IN THE STATE IN A
27 CONCENTRATION GREATER THAN ONE HUNDRED PARTS PER MILLION OR

1 ABOVE A THRESHOLD IDENTIFIED BY AN ENTITY DESCRIBED IN SUBSECTION
2 (2)(a) OR (2)(h) OF THIS SECTION AS INJURIOUS TO HUMAN HEALTH,
3 WHICHEVER IS LOWER.

4 (II) "INTENTIONALLY ADDED" DOES NOT INCLUDE THE INCIDENTAL
5 PRESENCE OF A CHEMICAL.

6 (f) "INCIDENTAL PRESENCE" MEANS THE UNINTENTIONAL
7 PRESENCE OF A CHEMICAL, AS A NONESSENTIAL RAW MATERIAL, A
8 BYPRODUCT OF A RAW MATERIAL, OR A PROCESSING AGENT, USED DURING
9 THE MANUFACTURING PROCESS OF A COVERED HAIR PRODUCT IF THE
10 CHEMICAL IS INHERENT TO OR RESULTS FROM THE MANUFACTURING
11 PROCESS.

12 (g) (I) "MANUFACTURER" MEANS A PERSON THAT MANUFACTURES
13 A COVERED HAIR PRODUCT OR WHOSE BRAND NAME IS AFFIXED TO A
14 COVERED HAIR PRODUCT.

15 (II) "MANUFACTURER" INCLUDES, IN THE CASE OF A COVERED HAIR
16 PRODUCT THAT IS IMPORTED INTO THE UNITED STATES, THE IMPORTER OR
17 FIRST DOMESTIC DISTRIBUTOR OF THE COVERED HAIR PRODUCT IF THE
18 PERSON THAT MANUFACTURES THE COVERED HAIR PRODUCT OR WHOSE
19 BRAND NAME IS AFFIXED TO THE COVERED HAIR PRODUCT DOES NOT HAVE
20 A PRESENCE IN THE UNITED STATES.

21 (h) "REPRODUCTIVE TOXICANT" MEANS A CHEMICAL IDENTIFIED
22 AS A REPRODUCTIVE OR A DEVELOPMENTAL TOXICANT BY THE CENTER
23 FOR THE EVALUATION OF RISKS TO HUMAN REPRODUCTION ESTABLISHED
24 BY THE NATIONAL TOXICOLOGY PROGRAM.

25 (i) "SYNTHETIC HAIRPIECE PRODUCT" MEANS A HAIR EXTENSION,
26 A WIG, OR OTHER HAIRPIECE PRODUCT THAT CONTAINS SYNTHETIC HAIR
27 EXTENSIONS, SYNTHETIC FIBERS, SYNTHETIC BLENDED FIBERS, OR

1 DECORATIVE HAIR ADORNMENTS OR THAT HAS BEEN MANUFACTURED OR
2 TREATED WITH A CHEMICAL.

3 (3) (a) ON AND AFTER JULY 1, 2027, A MANUFACTURER SHALL NOT
4 SELL, OFFER FOR SALE, OR DISTRIBUTE A COVERED HAIR PRODUCT IN THE
5 STATE, INCLUDING THROUGH AN INTERNET TRANSACTION, THAT CONTAINS
6 AN INTENTIONALLY ADDED CARCINOGEN OR A REPRODUCTIVE TOXICANT
7 UNLESS THE COVERED HAIR PRODUCT INCLUDES A CLEAR AND
8 CONSPICUOUS WARNING LABEL OR, IN THE CASE OF AN INTERNET
9 TRANSACTION, A CLEAR AND CONSPICUOUS ONLINE WARNING STATEMENT
10 THAT NOTIFIES THE CONSUMER AT THE TIME OF SALE THAT THE COVERED
11 HAIR PRODUCT CONTAINS AN INTENTIONALLY ADDED CARCINOGEN OR
12 REPRODUCTIVE TOXICANT.

13 (b) THE CLEAR AND CONSPICUOUS WARNING LABEL OR ONLINE
14 WARNING STATEMENT DESCRIBED IN SUBSECTION (3)(a) OF THIS SECTION
15 MUST BE PRINTED IN NO LESS THAN SIZE TWELVE-POINT FONT AND MUST
16 STATE:

17 (I) IF THE COVERED HAIR PRODUCT CONTAINS AN INTENTIONALLY
18 ADDED CARCINOGEN, "THIS PRODUCT CONTAINS A CHEMICAL KNOWN TO
19 CAUSE CANCER";

20 (II) IF THE COVERED HAIR PRODUCT CONTAINS AN INTENTIONALLY
21 ADDED REPRODUCTIVE TOXICANT, "THIS PRODUCT CONTAINS A CHEMICAL
22 KNOWN TO CAUSE BIRTH DEFECTS OR OTHER REPRODUCTIVE HARM"; OR

23 (III) IF THE COVERED HAIR PRODUCT CONTAINS BOTH AN
24 INTENTIONALLY ADDED CARCINOGEN AND AN INTENTIONALLY ADDED
25 REPRODUCTIVE TOXICANT, "THIS PRODUCT CONTAINS CHEMICALS KNOWN
26 TO CAUSE CANCER AND BIRTH DEFECTS OR OTHER REPRODUCTIVE HARM".

27 (4) A VIOLATION OF THIS SECTION BY A MANUFACTURER

1 CONSTITUTES A DECEPTIVE TRADE PRACTICE UNDER SECTION 6-1-105
2 (1)(qqqq).

3 SECTION 3. In Colorado Revised Statutes, 6-1-105, add
4 (1)(qqqq) as follows:

5 **6-1-105. Unfair or deceptive trade practices - definitions.**

6 (1) A person engages in a deceptive trade practice when, in the
7 course of the person's business, vocation, or occupation, the person:

8 (qqqq) VIOLATES SECTION 25-5-429.

9 SECTION 4. **Applicability.** This act applies to conduct occurring
10 on or after the effective date of this act.

11 SECTION 5. **Safety clause.** The general assembly finds,
12 determines, and declares that this act is necessary for the immediate
13 preservation of the public peace, health, or safety or for appropriations for
14 the support and maintenance of the departments of the state and state
15 institutions.