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association[®]

Inspiring Generations of Play

2025 State Legislative Review

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Executive Summary

In 2025, state legislatures continued to play an increasingly influential role in shaping the regulatory environment for Toy Association members, with legislators advancing a wide-ranging set of bills that could have impacted everything from product packaging, data practices, product materials and design, and more. While relatively few high-impact bills were enacted, the volume, complexity, and momentum of state legislation underscore the key role of state legislative advocacy for The Toy Association. This need is likely to intensify in 2026.

Coming off the heels of the 2024 elections, states accelerated their policymaking priorities in 2025. While some state legislatures moved to assert themselves as contrary to the new presidential administration, other states went the opposite direction. Regardless of partisan politics, our goal remained consistent: to support state legislative policies that protect the work our members are already doing to ensure toy safety and sustainability, while steering lawmakers away from a fragmented patchwork of mandates that would drive up costs and add administrative compliance burdens that ultimately deliver little benefit to consumers. Through early intervention and informed advocacy, The Toy Association helped bring practical industry insight into the legislative conversation in all 50 states.

In 2025, all 50 state legislatures were active, and The Toy Association tracked a total of 329 bills. While fewer in number than in prior years, these 329 measures addressed some of the most consequential issues facing the industry, including extended producer responsibility and recycling programs, chemical safety, glitter and microplastics, data privacy and artificial intelligence, and stuffed toys.

The results speak to the impact of sustained engagement, and we are grateful for all the engagement, information, and advocacy from Toy Association members. Fewer than 10 percent of higher-priority bills were enacted in 2025. Even with that good news, some legislation did pass that will raise costs for our members and require additional work for implementation. The Toy Association's state government affairs team will remain engaged in those policies as rulemaking and implementation unfold.



Executive Summary (cont'd)

In 2025, Extended Producer Responsibility (EPR) remained one of the most consequential topics in state legislation. Dozens of bills have been introduced across the country in the last decade, and seven states have now enacted packaging EPR laws. Several states passed “needs assessment” laws in 2025 that will likely signal future legislative action and a push by legislators in those states to adopt packaging EPR programs in the future. Battery-specific EPR gained traction as well, even in typical “business-friendly” states.

Chemical regulation in 2025 primarily focused on per- and polyfluoroalkyl substances (PFAS). Several states considered bans on intentionally added PFAS, with varying definitions and timelines that raised implementation and compliance concerns. New Mexico adopted one of the broadest, most problematic approaches to date, which will necessitate rulemaking to be completed by summer 2026. PFAS and other chemical regulation bills will continue to be a significant issue nationwide in 2026, particularly in states such as Massachusetts, New York, and New Jersey.

Another area of chemical regulation seeing increasing attention is microplastics and glitter. A key piece of legislation in California would have banned microplastics in glitter in certain household products and was vetoed by the California Governor. Nevertheless, the state agency in California has now commenced potential rulemaking processes specifically targeting microplastics and glitter in toys, among other consumer products.

With increasing developments in artificial intelligence (AI), we saw a large number of bills regarding data privacy for children and AI. These legislative priorities were supported across party lines and proposed in red and blue states across the country. While no enacted laws explicitly targeted toys, several new statutes and pending bills establish stringent standards for the collection, use, and protection of personal data—particularly data related to minors. New York, Massachusetts, Maine, and Michigan are among the states advancing proposals that could significantly affect connected toys and digital play experiences in the coming year.

This report highlights where—and how—the Association engaged in 2025, demonstrating how proactive advocacy helped protect innovation, preserve toy safety, and ensure that new regulatory approaches remain practical, balanced, and workable for an industry built on creativity and play. ■

EPR

While the premise of “**extended producer responsibility (EPR)**” laws is focused on environmental stewardship, the reality for Toy Association members has been, and will continue to be, substantial increased costs and administrative compliance burdens, with little to no environmental benefits materializing to date.

Since 2018, more than 400 EPR bills have been filed in 33 states. Seven states now have full packaging EPR laws in effect or will be in the coming years:

There were **five states** in particular that passed notable EPR bills this year.

Maryland

In Maryland, [SB 901](#) (Chapter 431 of 2025) calls on the state to establish a producer responsibility program for paper and packaging products, which would bar “producers” from selling, distributing, or importing certain packaging materials after a certain date unless they (or their PRO) have an approved plan on file with the state.

Washington

Similar legislation in Washington ([HB 1150](#) / [SB 5284](#)) requires all producers of paper and packaging products in that state to join a producer responsibility organization (PRO) this year, register their products by March 1, 2026, and implement an EPR plan by July. Any company that is not members in good standing in a PRO would be barred from selling their products in the state.

Rhode Island

Rhode Island, too, considered an EPR law for paper and packaging products ([HB 6207](#) / [SB 996](#)), but just before enacting it rewrote it into a study (“needs assessment”) to be completed by the end of 2026. As such, we anticipate that packaging EPR will be considered again in 2027.

Hawaii

Similarly, Hawaii successfully passed a “needs assessment” bill ([HB 750](#)) that secured \$3 million for a needs assessment to be completed by December 31, 2027. This study will uniquely look at initiatives needed to reach conservative, moderate, and aggressive waste-reduction goal scenarios.

Maine

Maine, meanwhile, enacted [SP 579 \(LD 1423\)](#), which reforms a small portion of its existing packaging EPR program to bring certain definitions, such as “producer,” more in line with similar laws in other states.

Tracked EPR Bills 2019-2025



Enacted EPR Bills 2019-2025





EPR: Looking Ahead

The Toy Association anticipates several states will propose EPR bills in 2026. Among them:

■ New York

A “packaging reduction and recycling infrastructure act” ([SB 1464](#)) has already passed in its chamber of origin, in a form nearly identical to an EPR bill that passed the same chamber in 2024. It was sent to the Assembly for concurrence, where it was substituted for the Assembly’s own version ([AB 1749](#)) and appeared heading for passage. Fierce last-minute lobbying, by a coalition of which the Toy Association is a member, slowed the bill’s progress, however, and the Assembly failed to complete action on it before adjourning until 2026. This legislation will continue to be debated in 2026.

■ Massachusetts

[HB 926](#), which has been reported favorably from the joint committee and sent to the House Ways and Means, would create a packaging EPR program in which producers must join a single PRO selected by the state. Within a year following, those producers who are not registered with the PRO and in compliance with its requirements will be barred from selling packaged products in Massachusetts.

■ Vermont

[S. 139](#) calls for a needs assessment to be conducted regarding the reusability and recyclability of packaging materials and bans the use of advanced recycling technologies to reach any recycling goals. It will remain a topic of discussion in 2026.

■ Nebraska

[LB 607](#), which is also still in committee, dealt mainly with batteries (see below), but Sections 38 to 41 constitute an EPR “data collection” act for packaging and paper products. For the latter, producers would first need to register with the state, then by April 2027 compile an annual report on the amount of paper and packaging sold or distributed in the state. Other sections of the same bill (42-58) would set new rules for minimum recycled content in a variety of plastic products.

Battery EPR

One subset of EPR that bears special mention is that dealing with standalone and/or embedded batteries. In 2025, we saw 20 bills that we classified as battery EPR bills, plus another seven dealing more generally with battery recycling. Altogether, these **27 bills spanned 15 states**.

Of these, only **three were enacted**:

Nebraska

Nebraska's bill, [LB 36](#), was broad. Its first 17 sections defined what the bill called the Safe Battery Collection and Recycling Act, which bans, as of Jan. 1, 2028, the sale of batteries and products containing batteries unless the producer or retailer is a member of a battery stewardship organization authorized by the law. Such stewardship organizations will need to file battery stewardship plans by Jan. 1, 2027, which must state industry "performance goals," including target recycling efficiency rates of at least 60% for rechargeable batteries and 70% for all others.

Colorado

Colorado enacted very similar language in [SB 25-163](#), the "Battery Stewardship Act." It sets identical performance goals and employs similar definitions for such terms as "covered battery," but the Colorado bill applies only to producers, not retailers, unless the retailer is also the brand owner. Under the Colorado bill, producers must join a stewardship plan by August 1, 2027, and those that do not adhere cannot sell into the state after July 1, 2029.

Connecticut

Connecticut enacted [HB 5019](#), which is very similar to Colorado's bill but with even earlier deadlines: January 1, 2027, to join a stewardship organization, and January 1, 2028, for the ban on sales by other producers.





Battery EPR: Looking Ahead

It is very likely that more states will enact similar laws in 2026:

- In **Pennsylvania**, for example, [HB 1233](#) ended the year in a Senate committee after passing the House. HB 1233 is almost identical to Connecticut's HB 5019, except that for now, the ban on sales by those producers not in a stewardship organization would kick in immediately on Jan. 1, 2027.
- Similar legislation was also reported favorably from committee in **Iowa** ([SF 545](#)), **Massachusetts** ([SB 653](#)) and **Oregon** ([HB 2062](#)) – all states in which legislation carried over into 2026.
- In **Wisconsin**, [AB 713](#) & [SB 702](#) have already been pre-filed, which would create battery EPR programs similar to the laws that passed in Colorado and Connecticut in 2025.
- Another state to watch is **Florida**, where a 2025 Republican bill that would have restricted sales of battery-powered consumer products ([SB 800](#)) could be refiled in 2026.
- **Minnesota** is expected to introduce battery EPR legislation and revisions to its current electronic waste program. The Toy Association was invited to participate in a series of workgroup sessions over the last half of 2025 to work on developing the core issues for the legislation. Our participation allowed the industry to be fully represented and advocate for toys to be excluded from of the legislation.

PFAS



After years of increased public concern over contamination from **per- and polyfluoroalkyl substances (PFAS)**, we continue to see a large number of legislative proposals addressing PFAS. Much of the current legislation on PFAS in consumer products is modeled after **Minnesota's Chapter 60 of 2023**, **New Hampshire's Chapter 349 of 2024**, and **Rhode Island's Chapter 18.18**, all of which include provisions banning intentionally-added PFAS in juvenile products.

This year, The Toy Association followed approximately **60 pieces of state legislation** dealing with chemical content. Of these, nearly 90 percent dealt primarily with PFAS.

New Mexico

New Mexico's [HB 212](#) was a notable and concerning bill that was adopted in 2025: it not only banned the sale of juvenile products and toys containing intentionally-added PFAS as of January 2027, but it also forbids the sale of any product containing such PFAS as of January 2032, except in cases of unavoidable use. In this case, "intentionally-added" includes any situation where the continued presence of PFAS in a product is "desired or expected." As this legislation enters the regulatory implementation phase, important questions remain as to how the state will implement the law and address potentially unintended impacts arising from the bill's expansive definitions and provisions. The Toy Association will continue to engage in the rulemaking process and advocate to make this legislation as workable as possible for our members.

California

In California, a broader PFAS ban reached the governor's desk but was vetoed. [SB 682](#) would have applied to a narrower, stricter definition of "juvenile products" – one which generally does not include toys – but would have considered PFAS to be "intentionally added" if it merely had a "functional or technical "effect." In his veto letter, Gov. Gavin Newsom said he shared the sponsor's goal of phasing out PFAS, but he zeroed in on the effect the bill, as written, would have on the market for affordable cookware in particular.

Nevada

In Nevada, a similar bill came within a hair's breadth of passage. [SB 173](#) nearly passed in the second chamber before the clock ran out and forced the legislature to adjourn. Nevada's legislature does not generally convene in even-numbered years, so this issue will not be taken up again until 2027.



PFAS: Looking Ahead

PFAS is an issue that will not go away in 2026. Looking ahead, some of the biggest discussions around PFAS are here:

■ New York

Another set of companion bills is outstanding in New York, and both bills carry over into 2026. For the moment, neither [AB 7738](#) nor [SB 187](#) would impact toys or juvenile products – but that could easily change. New York’s legislative session runs through 2026.

■ Massachusetts

Two bills continue to advance through the Massachusetts legislature. [HB 2450](#) is a wide-ranging anti-PFAS bill, but Section 6 would apply to a broad range of “children’s products,” including toys, children’s jewelry, arts and crafts supplies, car seats, teething aids, and almost any product advertised as appropriate for use by children. Furthermore, the bill’s problematic definition of “intentionally-added” would encompass “any degradation by-products of PFAS or the use of PFAS or PFAS precursors as a processing agent, mold release agent, or the creation of PFAS via chemical reactions.” Another House bill that deals more generally with chemicals in children’s products ([HB 4357](#), see below) also contains nearly identical language targeting PFAS in toys. As in New York, the Massachusetts legislative session runs through 2026.

■ Other States

After the governor’s veto, **California’s** bill is bound to be refiled in some form in 2026. Like Massachusetts, **Ohio**, too, has a wide-ranging chemicals bill that will carry over into 2026; this bill, however, has Republican sponsors and appears to be inspired by the Make America Healthy Again movement championed by U.S. Health Secretary Robert F. Kennedy, Jr. Still, the bulk of [HB 272](#) deals with PFAS and would ban intentionally-added PFAS in all juvenile products, including toys.

Microplastics & Glitter

In 2025, there was increasing interest in legislative action banning or regulating microplastics and glitter. This includes both primary microplastics and glitter, such as those intentionally added to toys, and secondary microplastics resulting from the breakdown/degradation of products at the end of their life cycle.

California

In October, California Gov. Gavin Newsom unexpectedly vetoed [AB 823](#), which, as amended in April, would have expanded the state's microbeads law to also ban plastic glitter. Although the bill would have only affected personal care products, not toys, it surprised many by advancing quickly through the legislature with very little opposition.

Rhode Island

In Rhode Island, [HB 5492](#) and [SB 406](#) did not mention glitter per se, but would have banned the sale and distribution of all products containing intentionally-added "synthetic polymer microparticles." These bills were "held for further study" in committee, but are likely to be reintroduced and considered further during the 2026 legislative term.





Microplastics & Glitter: Looking Ahead

In addition to California and Rhode Island, we are closely monitoring developments around microparticles in other states:

■ Vermont

A bill that explicitly references glitter is Vermont's [H. 345](#), which would ban the sale or distribution of nonbiodegradable glitter that contains intentionally-added “synthetic polymer microplastics.” This bill did not advance out of committee in 2025, but the Vermont legislative session extends through 2026.

■ Michigan

Like Vermont, Michigan has a long freshwater shoreline, and concerns about microplastics contamination in the Great Lakes led to the filing of three sets of microplastics bills in 2025. [HB 4768](#) / [SB 504](#) addressed testing of drinking water, while [HB 4767](#) and [SB 505](#) called for the development of a statewide microplastics strategy. [HB 4766](#) and [SB 503](#) took specific aim at products containing “plastic microbeads,” which they defined broadly to include all “intentionally added solid plastic particle[s] generally measuring 5 millimeters or less in every dimension.” None of these bills made it out of committee in 2025, but the current legislative session runs for another year.



Other Chemicals: Looking Ahead

PFAS dominated the conversation in 2025, but a handful of states will likely continue consideration of other chemical regulations in 2026:

■ Massachusetts

[HB 4357](#), the “Toxic Free Kids” bill, deals more generally with chemicals in all products for children under age 12, not just PFAS in toys. It would require the state to create a database of chemicals identified as carcinogens, endocrine disruptors, neurotoxins, respiratory or skin irritants, and any other toxic substances known to be “persistent or bio-accumulative.” Within 180 days, manufacturers would then need to disclose in detail all use of such chemicals in children’s products, except in de minimis amounts, and would have to remove all such chemicals from these products within three years. This bill has already been vetted by a joint legislative committee and is being reviewed for fiscal impact by the House Ways and Means Committee. The Massachusetts legislative session runs through December 2026.

■ New York

[SB 2540](#) would ban the manufacture, distribution, and sale of any toys or child care products that contain phthalates. After being released from committee in May, it advanced to Third Reading in the Senate but will continue to be a potential discussion point in 2026.

■ New Jersey

[AB 3800](#) and [SB 1713](#) target children’s products, including toys, intended for use by children under six years old. It would make it illegal to knowingly sell, import, distribute, or market such products if they contain lead, mercury, or cadmium. Failure to immediately recall or destroy such products would be a crime punishable by imprisonment and/or fines. This bill passed the Assembly unanimously in 2024, but has not yet been taken up in the Senate.

■ Minnesota

[HF 1486](#) would ban 18 different chemicals from the packaging of any product. Under Minnesota law, the term “packaging” is particularly broad, including pallets, packing materials, strapping, coatings, closures, inks, dyes, pigments, and labels.

Privacy & AI

2025 was a big year for privacy legislation. Much of the growth in this category reflects a growing distrust of social media, the collection of individuals' personal data, and the use of artificial intelligence (AI). These concerns are particularly heightened for products designed to be used by children.

California (Vetoed)

California's [AB 1064](#) aimed to protect children from “companion chat-bots” that could cause them harm or encourage them to harm themselves. In vetoing the bill, Gov. Gavin Newsom said he supported its aims but felt its terms were so broad that it could “unintentionally” ban all such products.

Other

Altogether, 11 states enacted privacy bills this year, but none of these explicitly mentioned toys. **Arkansas** ([HB 1717](#)), **Nebraska** ([LB 504](#)), and **Vermont** ([S. 69](#)) enacted minimum standards for protecting minors using online services, while **New Hampshire** created a private right of action against providers engaged in “responsive open-ended generative communication” with children through the use of AI ([HB 143](#)). **California** also stepped up regulation of data brokers ([SB 361](#)).



Privacy & AI: Looking Ahead

Of the remaining 73 bills we followed in this category, 57 were introduced in 14 states where legislation carries over from 2025 into 2026.

- **Massachusetts:** The bill with the most momentum so far is [SB 2619](#), which passed the Senate in late September. Although toys are not mentioned, the bill would apply strict data privacy protections to most entities that hold the personal data of at least 60,000 consumers. A House version of this bill, [HB 4746](#), set that threshold higher (at 100,000 consumers).
- **Maine:** The privacy bill gaining traction, [HP 1220 \(LD 1822\)](#), would guarantee consumers a number of rights over their personal data, including the right to correct inaccuracies, compel deletion, obtain copies (including lists of third parties to whom the data has been sold), and opt out of further sales of information, targeted advertising and profiling. Like the Massachusetts House bill, it does not mention toys directly but would apply to entities holding personal data on at least 100,000 consumers. (That threshold drops to 25,000 consumers for companies deriving at least 25% of their income from the sale of personal data.)
- **New York:** [SB 6873](#), which applies to toys as well as to devices connected to the Internet, requires advance notice to consumers before recording the user's voice; it would also ban any recordings collected by such devices from being sold or used for advertising purposes. [SB 4600](#), the "Child Data Privacy and Protection Act," would require makers of online products "targeted toward child users" to conduct ongoing "data protection impact assessments" and to make them available to the state on demand with only five days' notice. It would also ban targeted advertising to children without advance parental consent. A third bill, a "digital fairness act" ([SB 4276](#)), would place tight restrictions on the use of biometric data, including voiceprints; it would also require companies provide "meaningful" short-form privacy notices in addition to any longer privacy statements.
- **Michigan:** [SB 359](#) was reported favorably from the Senate committee in June. It would limit all collection of personal data to "what is reasonably necessary and proportionate," while requiring advance consent before processing "sensitive" data, which by definition would include all personal data collected about a child. The sale of sensitive data would also be banned.
- **California:** [SB 867](#) was introduced in early 2026 and would prohibit the sale and manufacture of toys designed for children under age 12 that include an AI companion chatbot feature. The bill's prohibition would expire after January 1, 2031.
- **Other States:** Similar bills that carry over into 2026 can be found in **Illinois** ([HB 3041](#)), **North Carolina** ([HB 462](#)) and **Vermont** ([S. 93](#)).



Toy Safety

No bills were enacted in 2025 in this category, but four of particular concern were filed in New York that carry over into 2026:

New York

The only bill that dealt generally with toy safety was New York's [SB 4181](#), which remained in the Senate committee at the end of 2025. Of greater concern, however, were companion bills dealing with children's products that contain fiberglass. [SB 4181](#), which passed the Senate in 2025, was sent to the Assembly for concurrence, where its Assembly companion [AB 7912](#) was reverted to the Rules Committee after Assembly Consumer Affairs and Protection failed to act on it by its 2025 deadline. Both bills remain active going into the 2026 term.

Stuffed Toys

Stuffed toys and the prohibition of recycled material remained a priority for The Toy Association legislative advocacy team. While advocacy efforts were successful in Pennsylvania in previous years, work remains to be done to ensure regulators are following the new letter of the law and are not overreaching their authority.

Attention turned to **Ohio** in 2025 as it became the most egregious program in the country for prohibiting the use of recycled materials. Current state law effectively prohibits the use of recycled content in stuffed toys sold in Ohio. Throughout 2025, The Toy Association led advocacy efforts to modernize this statute by engaging with the Ohio Legislature and the Ohio Department of Commerce to allow the use of safe recycled materials in stuffed toys. While the legislature did not pass legislation in 2025, The Toy Association will remain focused on this issue for 2026.

Further, efforts in 2026 will also focus on **Massachusetts**, where state lawmakers are already showing interest in revising their outdated law.



Conclusion

Taken together, the developments of 2025 underscore both the growing complexity of the state legislative landscape and the importance of The Toy Association's sustained, informed engagement on behalf of the toy industry.

The breadth of issues under consideration, from EPR to chemical regulation to stuffed toys, demonstrates that state legislatures will continue their efforts towards increased state regulation. 2025 saw the enactment of a handful of significant pieces of state legislation that will impact the toy industry, and 2026 will likely continue our posture of largely defensive legislative advocacy.

The Toy Association's state legislative affairs team and safety standards team look forward to working with everyone in 2026 as we engage policymakers and advocate effectively across all 50 states. Your engagement through the State Government Affairs Committee will be critical as we work to shape practical policy outcomes and navigate an increasingly complex regulatory environment across the country.

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