

SENATE BILL REPORT

SB 5330

As of January 24, 2025

Title: An act relating to protecting consumers from spiked drinks at certain licensees of the liquor and cannabis board.

Brief Description: Protecting consumers from spiked drinks.

Sponsors: Senators Dhingra, Holy, Wellman, Trudeau, Kauffman, Cortes, Riccelli, Cleveland, Hasegawa, Braun, Salomon, Slatter, Orwall, Lovelett, Nobles, Frame, Krishnadasan, Lovick, Stanford, Valdez and Wilson, C..

Brief History:

Committee Activity: Labor & Commerce: 1/27/25.

Brief Summary of Bill

- Requires specified on-premises liquor licensees to offer drug testing devices, such as test strips, for sale to customers to detect the presence of controlled substances in a drink.
- Allows a licensee to charge the customer an amount that does not exceed a reasonable amount based on the wholesale cost of the drug testing device.

SENATE COMMITTEE ON LABOR & COMMERCE

Staff: Marlon Llanes (786-7423)

Background: The Liquor and Cannabis Board (LCB) issues various types of retail liquor licenses, including those for restaurants, wineries, and nightclubs.

A person serving alcohol at a licensed location must complete a mandatory alcohol server training program. The training program is required to cover certain subjects, including the

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physiological effects of alcohol and the effects of alcohol in combination with drugs.

In 2023, California passed Assembly Bill 1013 which requires an applicant or existing holder of specified liquor licenses to offer drug testing devices to customers for sale. The price of the devices may not exceed a reasonable amount based on the wholesale cost the licensee pays for the devices.

Summary of Bill: A licensee must offer drug testing devices for sale to the licensee's customers. A licensee may charge the customer an amount that does not exceed a reasonable amount based on the wholesale cost of the device. A licensee must ensure that all devices offered to customers have not exceeded their expiration date or recommended period of use, and post a notice in a prominent location that reads as follows, "Don't get roofied! Drink spiking drug kits available here. Ask a staff member for details."

A licensee is not liable for a defective test or inaccurate test result.

LCB is required to post on its website a link to a page that contains information about the requirements of the bill.

A licensee is the holder of any of the following licenses:

- tavern;
- nightclub;
- theater;
- hotel or motel;
- private club;
- public house;
- sports entertainment facility; or
- VIP airport lounge operator.

Drug testing devices means test strips, stickers, straws, and other devices designed to detect the presence of controlled substances in a drink.

Appropriation: None.

Fiscal Note: Requested on January 23, 2025.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill takes effect on January 1, 2026.