

Date of Hearing: April 22, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS
Buffy Wicks, Chair
AB 1965 (Sharp-Collins) – As Introduced February 13, 2026

Policy Committee: Business and Professions Vote: 19 - 0

Urgency: No State Mandated Local Program: No Reimbursable: No

SUMMARY:

This bill requires a cannabis licensee to provide the certificate of analysis (COA) associated with cannabis or a cannabis product (collectively, cannabis product) held or offered for retail sale, upon request of the customer or the Department of Cannabis Control (DCC). The bill authorizes DCC to conduct off-the-shelf laboratory testing of any cannabis products offered for retail sale and requires DCC to develop criteria for re-testing batches of cannabis products. The bill also authorizes DCC to subject testing laboratories to performance testing and makes other changes related to laboratory testing of cannabis products.

Specifically, this bill:

- 1) Requires a cannabis licensee authorized to engage in retail sales of cannabis products to provide, upon request of the customer or DCC, the COA associated with a cannabis product.
- 2) Requires a cannabis licensee authorized to engage in retail sales of cannabis products to allow DCC to access any cannabis products held or offered for retail sale for off-the-shelf laboratory testing, as specified.
- 3) Requires DCC to develop criteria to determine which batches must be retested.
- 4) Specifies that a testing laboratory may be subject to performance testing by DCC to ensure consistency of results across laboratories.
- 5) States that “performance testing” may include, but is not limited to, blind proficiency testing, round robin testing, and any other type of programs that may be used to demonstrate competent performance of a testing laboratory.
- 6) Authorizes a testing laboratory to retest a sample when a test result falls outside the allowed specifications if either: (a) the testing laboratory notifies DCC that the test was compromised due to equipment malfunction or staff error, or other allowed circumstances, or DCC requires the retesting, or (b) DCC authorizes the testing laboratory to retest the sample.
- 7) Repeals a requirement that testing conducted by a testing laboratory for state or local law enforcement, a prosecuting agency, or a regulatory agency not be arranged or overseen by DCC and instead requires a licensed testing laboratory to comply with DCC’s request to evaluate the laboratory’s testing practices, as determined in DCC regulations.

FISCAL EFFECT:

Costs of an unknown amount to DCC; however, based on an analysis of AB 1027 (Sharp-Collins), of the current legislative session, costs would likely be in the low to mid hundreds of thousands of dollars per year (Cannabis Control Fund).

COMMENTS:

- 1) **Purpose.** This bill is sponsored by California Cannabis Operators Association (CaCOA). According to the author:

Reports show that we are failing to deliver on the promise we made to provide safe and non-toxic cannabis. Instead, we are seeing documented pesticides and potency discrepancies, putting Californians' health at risk. [This bill] creates the necessary protections and gives authority to [DCC] to regulate testing labs and perform oversight. Changing the current procedure of cannabis testing increases public health and restores public trust in a safe legal cannabis market.

- 2) **Background.** Cannabis products must be tested before sale to ensure they are free of contaminants such as pesticides and accurately labeled with amounts of cannabinoids and residual solvents and processing chemicals, pesticides, heavy metals, microbial impurities, mycotoxins, moisture content and water activity, and foreign material. DCC regulations require laboratories to test for 66 pesticides and further stipulate that laboratories analyze a minimum of 0.5 grams of the representative sample to determine the presence of residual pesticides. Testing results are reported on a COA, which states whether the batch of cannabis product passes or fails for each substance. A laboratory may issue a COA only after completing all tests and is prohibited from altering the COA once issued. Changes require DCC approval. The laboratory must upload the COA to DCC's California Cannabis Track and Trace system and email a copy directly to DCC within one business day of finishing testing. Cannabis goods that fail testing must be destroyed by the distributor or remediated by a manufacturer.

The Los Angeles Times recently reported an investigation showing that more than half of 42 legal cannabis products tested had pesticide concentrations exceeding legal limits or federal standards for tobacco. Vapes from five popular brands were reported to have pesticide levels so high that a single exposure could be harmful. The investigation resulted in numerous product recalls and increased scrutiny over DCC's oversight of cannabis testing laboratories.

The Santa Cruz County Board of Supervisors passed a resolution in 2025 calling on the governor and the Legislature to transfer responsibility for pesticides in cannabis products from DCC to the Department of Pesticide Regulation, and that accreditation of cannabis testing laboratories be placed under the purview of the State Water Resources Control Board. Additionally, the resolution asked that the state require cannabis goods to be screened for 24 additional pesticides.

- 3) **Related and Prior Legislation.**

AB 1027 is substantially similar to this bill. AB 1027 was held on suspense in the Senate Appropriations Committee.

AB 1610 (Jones-Sawyer), of the 2023-24 Legislative Session, would have required DCC to maintain a record of recall orders on its website; required testing for cannabigerolic acid and heavy metals; authorized a testing laboratory to deviate from the standard test method under specified conditions; subjected testing laboratories to in-person audits by DCC every two years; and authorized random quality assurance reviews for labeling and packaging; among other changes. AB 1610 was held on suspense in the Senate Appropriations Committee.

SB 544 (Laird), Chapter 547, Statutes of 2021, required DCC to establish standardized cannabinoid test methods for all testing laboratories by January 1, 2023.

Analysis Prepared by: Allegra Kim / APPR. / (916) 319-2081