

SENATE RULES COMMITTEE

Office of Senate Floor Analyses

(916) 651-4171

CONSENT

Bill No: AB 1982
Author: Lowenthal (D), et al.
Amended: 8/3/26 in Senate
Vote: 21

SENATE GOVERNMENTAL ORG. COMMITTEE: 13-0, 6/9/26**AYES:** Rubio, Valladares, Archuleta, Ashby, Blakespear, Cervantes, Dahle,
Ochoa Bogh, Padilla, Richardson, Smallwood-Cuevas, Wahab, Weber Pierson**NO VOTE RECORDED:** Alvarado-Gil, Hurtado**SENATE JUDICIARY COMMITTEE:** 13-0, 6/23/26**AYES:** Umberg, Niello, Allen, Ashby, Caballero, Durazo, Laird, Reyes, Stern,
Valladares, Wahab, Weber Pierson, Wiener**SENATE APPROPRIATIONS COMMITTEE:** Senate Rule 28.8**ASSEMBLY FLOOR:** 76-0, 4/23/26 - See last page for vote

SUBJECT: On-sale general public premises: drink lids and drug testing devices**SOURCE:** Author

DIGEST: This bill repeals the January 1, 2027, sunset date on the requirement for Type 48 licensees (Bar, Night club) to provide or sell to their customers a drink lid or drug testing device and post specified notices about the availability of drink lids and drug testing devices.

ANALYSIS:

Existing law:

- 1) Establishes the Department of Alcoholic Beverage Control (ABC) and grants it exclusive authority to administer the provisions of the ABC Act in accordance

with laws enacted by the Legislature. This involves licensing individuals and businesses associated with the manufacture, importation, and sale of alcoholic beverages and the collection of license fees for this purpose.

- 2) Provides, under the ABC Act, for the issuance of various alcoholic beverage licenses, including the imposition of fees, conditions, and restrictions in connection with the issuance of those licenses.
- 3) Defines an “on-sale” license as authorizing the sale of all types of alcoholic beverages; namely, beer, wine, and distilled spirits, for consumption on the premises (such as restaurants or bar). An “off-sale” license authorizes the sale of all types of alcoholic beverages for consumption off the premises in original sealed containers.
- 4) Establishes the Responsible Beverage Service (RBS) Training program that requires the Department of ABC to develop, implement, and administer a curriculum for an RBS training program for servers of alcohol and their managers, as specified. Alcohol servers are required to successfully complete an RBS training course offered or authorized by the Department of ABC.
- 5) Requires, beginning on January 1, 2027, RBS training to include best practices on how to prevent or protect a person from drink spiking and best practices if a person has been drugged from drink spiking, as defined.
- 6) Requires on-sale public premises (Type 48 – Bar, Night club) licensees, until January 1, 2027, to offer for sale to their customers drug testing devices at a cost not to exceed a reasonable amount based on the wholesale cost of those devices, as specified and to, upon, request, provide a lid with a customer’s drink, as defined.
- 7) Requires on-sale public premises (Type 48 – Bar, Night club) licensees to contact and provide specified information to law enforcement or emergency medical services when they are notified by a customer that the customer or another customer believes they have been a victim of drink spiking.
- 8) Requires that certain licensees, including Type 48 licensees, must maintain a sign reading, “No Person Under 21 Allowed” at or near each public entrance. The sign must be visible from the exterior. In addition, a sign of like size and content must be posted at a prominent place inside the licensed premises.

This bill repeals the January 1, 2027, sunset date on the requirement for Type 48 licensees (Bar, Night club) to provide or sell to their customers a drink lid or drug testing device and post specified notices about the availability of drink lids and drug testing devices.

Background

Author Statement. According to the author's office, "drink spiking remains one of the most insidious threats facing Californians today. Unlike other dangers, it is invisible – you cannot see it, taste it, or smell it. Victims have no warning, and by the time they realize what has happened, the harm is already done – leaving them vulnerable to assault, sexual violence, and other serious crime. AB 1013 and AB 2375 took direct aim at this threat, requiring bars and nightclubs to make drug testing strings and lids available on site. Both bills passed each legislative chamber without a single no vote – a testament to how seriously Californians take this issue. AB 1982 ensures the progress endures. Allowing these protections to sunset would be moving backward, leaving Californians more vulnerable than before."

Type 48 Alcohol License. A Type 48 alcohol license, also known as an "On-Sale General Public Premises" license allows for the sale of beer, wine, and distilled spirits for consumption on the premises. These types of licenses are generally used for bars or nightclubs. Food service is not required and minors are not allowed to enter and remain. According to the Department of ABC's website there are approximately 2,421 Type 48 licenses in the state.

Drink Spiking. According to information provided by the author's office and various media outlets, it's difficult to find comprehensive, up-to-date statistics on the prevalence of drink-spiking/drugging but various state officials and police departments from across the country have stated that it is a problem that needs to be addressed. For example, the Boston Police Department (BPD) has issued various statements warning the public to be mindful of alcohol consumption while in the city's bars and clubs. This was after the department said it's "become aware of numerous social media posts from various individuals who state that they were victims of drink spiking at local area bars." These drugs can cause disorientation, confusion, and temporary paralysis or loss of consciousness, according to the BPD. The drugs can also make potential victims vulnerable to the intentions of a suspect. BPD officials reminded anyone going out to bars or clubs in the city to be aware of where your drink is at all times, never leaving it unattended. They also suggest making sure a drink is served directly by the bartender or server.

In California, the Long Beach Department received, on average, about 25 reports per year from people who felt they had been drugged, while out with friends, possibly by something slipped into their drink. In response to these reports, in 2023 the City of Long Beach launched a pilot program named SipSafe Long Beach that will provide residents with a free test strip that can identify specific drugs in a beverage. Distribution of drug detection test strips and educational outreach are both part of the pilot program. The test strip user drops a small amount of drink fluid onto the test strip, which changes color to a specific shade if a drug is present. The distribution of the strips and other details are still being worked out. The city's Health Department is in charge of managing the program.

Following reports of people feeling as though they had been drugged (or "roofied") at West Hollywood nightlife establishments, the City of West Hollywood has also launched a similar program that included outreach and distribution of disposable test kits that check for illegal substances in drinks. Numerous locations (restaurants, bars, clubs, etc.) have received more than 12,000 test kits, according to reports. The test strips are free, and some bars leave containers of them out for patrons to use.

It should be noted that over the years, the Department of ABC has developed community-oriented policing approaches involving local merchants in deterring crime. It is designed in a manner that fosters and protects the health, safety, welfare, and economic well-being of the people of the State of California.

New Requirements on Type 48 Licensees. In 2023, Governor Newsom signed AB 1013 (Lowenthal, Chapter 253, Statutes of 2023) which requires on-sale public premises (Type 48 – Bar, Night club) licensees, until January 1, 2027, to offer for sale to their customers drug testing devices, upon request. The drug testing devices shall be available for sale to customers, at a price not to exceed a reasonable amount based on the wholesale cost. Alternatively, they may be given to customers free of charge. The bill also required licensee to post the following notice in a prominent and conspicuous location: “Don’t get roofied! Drink spiking drug test kits available here. Ask a staff member for details.”

The law impacted approximately 2,400 businesses statewide. A licensee is not liable for a defective test or inaccurate test result. Failure to make those products available could result in possible fines and violations by ABC. While the department generally takes an educational approach, including multiple warnings to licensees before any fines and violations are issued, licensees would nonetheless

be responsible for ensuring these products are always available for purchase. The Department of ABC will not sell or provide kits, and does not recommend or endorse any specific company that does.

Two years ago, the Governor also signed AB 2375 (Lowenthal, 2024, Chapter 714, Statutes of 2024) requiring on-sale public premises (Type 48 – Bar, Night Club) licensees, until January 1, 2027, to, upon, request, provide a lid with a customer's drink, as defined.

This bill removes the January 1, 2027, sunset dates for both bills, thereby making their provisions permanent.

Drink Spiking Prevention Lids. Drink spiking prevention lids are specially designed covers or seals for drink containers designed to safeguard beverages from being tampered with, specifically to prevent the authorized addition of dangerous substances.

There are various designs. For example, some are sealed lids that completely cover the drink's opening, with or without a small hole for a straw. There are also stretchable covers, which are generally elastic covers that can be stretched over different sizes of cups or glasses. While some are quite simple, having the same design as a sticker that attaches to the top of a glass, others can have advanced features. For example, some have detection mechanisms whereby the lid can detect the presence of foreign substances and change color or trigger an alert.

Prior/Related Legislation

AB 668 (Lowenthal, 2025) would have required, beginning July 1, 2026, and until January 1, 2029, any person who obtains a catering authorization or daily on-sale license for the sale of alcoholic beverages at a large outdoor event to offer drug testing devices, provide drink lids upon request, and comply with notification and signage requirements related to drink spiking, as specified. (Held in the Senate Appropriations Suspense File)

AB 1524 (Lowenthal, Chapter 679, Statutes of 2024) requires the California State University and each community college district and encourages the University of California, independent institutions, and private postsecondary education institutions, to stock drug testing devices in the health center located on each campus, free of cost.

AB 2375 (Lowenthal, Chapter 714, Statutes of 2024) requires on-sale general public premises (Type 48 – Bar, Nightclub) licensees to offer for sale to their customers, upon request, a lid with a customer’s drink.

AB 2389 (Lowenthal, Chapter 310, Statutes of 2024) requires on-sale public premises (Type 48 – Bar, Night club) licensees to contact and provide specified information to law enforcement or emergency medical services when they are notified by a customer that the customer or another customer believes they have been victim of drink spiking.

AB 2402 (Lowenthal, Chapter 829, Statutes of 2024) the bill requires the Responsible Beverage Services training courses, on or before July 1, 2027, to include best practices on how to prevent or protect a person from drink spiking, as specified.

AB 1013 (Lowenthal, Chapter 353, Statutes of 2023) requires on-sale general public premises (Type 48 – Bar, Night club) licensees to offer for sale to their customers drug testing devices at a cost not to exceed a reasonable amount based on the wholesale cost of those devices)

AB 1221 (Gonzalez Fletcher, Chapter 847, Statutes of 2017) establishes the RBS Training Act of 2027, and requires the Department of ABC, on or before January 1, 2020, to develop, implement, and administer a curriculum for an RBS training program, as specified. Additionally, the bill requires, beginning July 1, 2021, an alcohol server, as defined, to successfully complete an RBS training course offered or authorized by the Department of ABC.

SB 1182 (Galgiani, Chapter 893, Statutes of 2016) provides that the possession of gamma hydroxybutyric acid (GHB), flunitrazepam (Rohypnol), or ketamine with the intent to commit a sex crime, as defined, is a felony, punishable for 16 months, two years, or three years.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee, staff notes that the Department of ABC’s activities are funded by regulatory and license fees and generally the department does not receive support from the General Fund. New legislative mandates, although modest in scope, may in totality create new cost pressures and impact the department’s operating costs and future budget requests.

SUPPORT: (Verified 8/3/26)

Alcohol Justice

The Night's Watch

Sexual Harassment & Assault Prevention + Prevention

OPPOSITION: (Verified 8/3/26)

None received

ARGUMENTS IN SUPPORT: According to the Night's Watch, "drink spiking and drug-facilitated sexual assault remain persistent and underreported threats in nightlife spaces. These incidents not only cause serious, long-term harm to individuals, but also impact the public's perception of nightlife safety and undermine public confidence in nightlife spaces and the broader nighttime economy. As the state of California continue to emphasize nightlife as essential to downtown revitalization & economic recovery, it is essential that the state provides clear standards and prevention tools to reduce the risks of sexual violence perpetration in these spaces."

ASSEMBLY FLOOR: 76-0, 4/23/26

AYES: Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wilson, Zbur, Rivas

NO VOTE RECORDED: Addis, Gabriel, Celeste Rodriguez, Wicks

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**** **END** ****