
SENATE COMMITTEE ON APPROPRIATIONS

Senator Anna Caballero, Chair
2025 - 2026 Regular Session

AB 509 (Flora) - Alcoholic beverages: minors

Version: June 16, 2025

Urgency: No

Hearing Date: August 18, 2025

Policy Vote: G.O. 15 - 0

Mandate: No

Consultant: Janelle Miyashiro

Bill Summary: AB 509 provides that the use of “active age verification software or an age verification device” that fails to identify a false identification card be considered evidence in related legal proceedings against a person or licensee that provides alcohol to a person under 21 years of age, as specified.

Fiscal Impact: The Department of Alcoholic Beverage Control (ABC) notes it may require IT technical expertise to provide support to enforcement and legal staff in preparation for and testimony during administrative hearings regarding accusations filed against a licensee. The Department of ABC estimates:

- One-time cost of \$23,000 for staff operating expenses and equipment.
- Ongoing annual costs of \$189,000 for an Information Technology Specialist II.
- Minor and absorbable costs to adopt regulations.

Background: Except as otherwise provided in the ABC Act, every person who sells, furnishes, or gives any alcoholic beverage to any person under the age of 21 years is guilty of a misdemeanor. Any on-sale licensee who knowingly permits a person under the age of 21 to consume any alcoholic beverage, whether or not the licensee has knowledge that the person is under the age of 21, is guilty of a misdemeanor.

Under the ABC Act, bona fide evidence of majority and identity of the person is any of the following:

1. A document issued by a federal, state, county, or municipal government, or subdivision or agency thereof, including, but not limited to, a valid motor vehicle operator’s license, that contains the name, date of birth, description, and picture of the person.
2. A valid passport issued by the United States or by a foreign government.
3. A valid identification card issued to a member of the Armed Forces that includes a date of birth and a picture of the person.

The ABC Act provides that if the licensee, or his or her employee, was shown any of these documents, and that licensee or employee relied on that identification as proof of the individual’s age, then that shall be a defense to any criminal prosecution or to any proceedings for the suspension or revocation of their license.

Proposed Law:

- Provides that the use of an active age verification software or an age verification device to establish the age of a purchaser of alcoholic beverages, that fails to identify a false identification card, shall be considered evidence, provided that the

identification is bona fide evidence of majority and identify, as established in current law, and was physically inspected, seemingly legitimate, and matches the physical appearance of the customer.

- Defines “use of an active age verification software or an age verification device” to mean scanning the magnetic strip or the barcode on the bona fide evidence of majority and identity to verify data on the identification document.

Related Legislation: SB 1371 (Bradford, Chapter 606, Statutes of 2024) made reliance upon a system that reviews bona fide evidence of majority and biometrics to determine age and identify of a person before admittance into a premises where alcoholic beverages may be lawfully purchased a defense to any criminal prosecution or proceedings against a licensee.

AB 3117 (Wilson, 2024) would have made a mobile or digital driver’s license or identification card a bona fide evidence of majority and identity of a person provided the Department of Motor Vehicles or Department of ABC, authorizes the use of those licenses or identification cards without the possession of a physical driver’s license or identification card, as specified. AB 3117 was held on the Assembly Appropriations Committee Suspense File.

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