

Date of Hearing: January 22, 2026

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 634 (Jeff Gonzalez) – As Amended January 16, 2026

Policy Committee: Health  
Judiciary

Vote: 15 - 0  
12 - 0

Urgency: No

State Mandated Local Program: No

Reimbursable: No

**SUMMARY:**

This bill prohibits the manufacture, distribution, or offering for sale of a product containing tianeptine.

Specifically, this bill:

- 1) Prohibits a person or entity from manufacturing, distributing, or offering for sale in this state a product that contains tianeptine.
- 2) Provides that every product containing tianeptine manufactured, distributed, or offered for sale constitutes a violation.
- 3) Authorizes the Attorney General (AG), a city attorney, or a county counsel to bring a civil action to seek civil penalties for a violation of item 1, above.
- 4) Provides that a party found liable for a violation of item 1, above, is liable for a civil penalty of \$2,500 for a first violation and \$5,000 for subsequent violations.
- 5) Authorizes a plaintiff that prevails in an action brought pursuant to item 3, above, to recover reasonable attorney's fees and costs.

**FISCAL EFFECT:**

- 1) Possible cost pressures of an unknown but potentially significant amount to the courts in increased workload to adjudicate cases filed as a result of this bill. Although courts are not funded on the basis of workload, increased pressure on the Trial Court Trust Fund may create a demand for increased funding for courts from the General Fund (Trial Court Trust Fund, General Fund).
- 2) The Department of Justice estimates no significant costs.

**COMMENTS:**

- 1) **Purpose.** This bill is sponsored by the California Narcotic Officers' Association. According to the author:

[This bill] aims to combat the growing threat posed by Tianeptine, also known as "gas station heroin."...Tianeptine has been increasingly misused, particularly by individuals seeking an opioid-like effect, despite its unregulated status and the severe risks it poses to the public. The opioid epidemic continues to ravage communities across the nation, and Tianeptine has become a disturbing new threat in this ongoing crisis. This bill seeks to address this emerging danger and prevent further harm to vulnerable populations, especially those already at risk due to the opioid crisis... With AB 641, California will strengthen its response to the opioid epidemic by closing a dangerous loophole and taking decisive action to safeguard public health and safety.

- 2) **Background.** Tianeptine is an antidepressant drug approved for the treatment of major depressive disorder in some countries in Europe, Asia, and Latin America, but is not approved by the federal Food and Drug Administration (FDA) for any use in the U.S. According to a 2023 review article in Pain and Therapy, tianeptine is a full opioid receptor agonist, producing a euphoric high, and carrying a significant risk of overdose. High levels of tianeptine can lead to serious side effects, including sedation, slowed breathing, agitation, irregular heartbeat, and coma or death. Further, tianeptine's short half-life can lead to rapid withdrawal and increases the drug's potential for addiction.

Under federal law, tianeptine is considered an unsafe food additive. FDA has issued multiple consumer advisories and warnings about products with tianeptine as being linked to serious harm, overdose, and death. FDA has also issued warnings to companies distributing and selling tianeptine products as dietary supplements and unapproved drugs, and issued import alerts to detain tianeptine shipments at borders. Despite these efforts, tianeptine is sold in convenience stores, gas stations, and online.

According to information provided by the author, 13 states restrict access to tianeptine. In California, the Sherman Law gives the California Department of Public Health (CDPH) authority to enforce food safety requirements. Thus, CDPH already has the authority to address the illegal sale of tianeptine, and may investigate complaints about tianeptine and share findings with relevant authorities, including local health jurisdictions. Local environmental health agencies may request stores voluntarily remove products containing tianeptine and may impound such products. This bill expressly prohibits the manufacture, distribution, or offering for sale of tianeptine in commerce and creates an additional civil penalty structure.

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