

Date of Hearing: August 20, 2025

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

SB 793 (Archuleta) – As Amended March 24, 2025

Policy Committee:	Emergency Management	Vote:	7 - 0
	Judiciary		12 - 0

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

**SUMMARY:**

This bill prohibits a person from selling or distributing a lighter that does not comply with certain American Society for Testing and Materials (ASTM) International standards or that infringes on certain intellectual property rights.

**FISCAL EFFECT:**

- 1) Possible costs to the Department of Justice (DOJ) of an unknown amount (Unfair Competition Law Fund). Although this bill does not contain express language about enforcement, a violation of the prohibition is an unlawful business practice enforceable by DOJ under the Unfair Competition Law (UCL). DOJ reports no fiscal impact from this bill, indicating DOJ does not anticipate pursuing enforcement actions as a result of this bill. However, if conditions change and DOJ does undertake enforcement actions, DOJ will incur related staff workload costs, potentially in cumulative excess of \$150,000.
- 2) Cost pressures (General Fund (GF) or Trial Court Trust Fund (TCTF)) of an unknown amount, potentially in cumulative excess of \$150,000, to the courts in additional workload by creating a new prohibition enforceable under the UCL. A claim under the UCL may be brought by either a public prosecutor or a person who lost money or property as the result of the unlawful conduct. It is unclear how many actions may be filed statewide, but the estimated workload cost of one hour of court time is \$1,000. Although courts are not funded on the basis of workload, increased pressure on staff and the TCTF may create a demand for increased court funding from the GF to perform existing duties. The Budget Act of 2025 provides \$82 million ongoing GF to the TCTF for court operations.

**COMMENTS:**

- 1) **Purpose.** According to the author:

More than 300 million imported lighters entered the U.S. in just 2017 alone, with 70% of third party lighters tested failing ASTM International standards. These unregulated items have led to thousands of injuries, millions of dollars in damages, and hundreds of deaths including children. Without federal action to protect the public from these dangerous imported products, California must follow states like Wisconsin and Connecticut who have proactively banned the sale or distribution of non-ASTM compliant lighters.

This bill is supported by lighter manufacturers and local government and public safety associations.

- 2) **Counterfeit or Unsafe Lighters.** Existing law directs the State Fire Marshal to adopt regulations to ensure lighter manufacturers include safety features in their lighters to deter accidental ignitions. However, counterfeit and unsafe lighters that do not include such features, largely imported from abroad and sold through online retailers, are beginning to proliferate in the state. This bill prohibits the sale or distribution of “counterfeit” or “unsafe” lighters. This bill defines a counterfeit lighter as one that infringes on an intellectual property right of a U.S. citizen or a person protected by federal or state intellectual property law, and an unsafe lighter as one that does not comply with specified ASTM International standards.

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