
SUBSTITUTE SENATE BILL 5330

State of Washington

69th Legislature

2025 Regular Session

By Senate Labor & Commerce (originally sponsored by Senators Dhingra, Holy, Wellman, Trudeau, Kauffman, Cortes, Riccelli, Cleveland, Hasegawa, Braun, Salomon, Slatter, Orwall, Lovelett, Nobles, Frame, Krishnadasan, Lovick, Stanford, Valdez, and C. Wilson)

READ FIRST TIME 02/18/25.

1 AN ACT Relating to protecting consumers from spiked drinks at
2 certain licensees of the liquor and cannabis board; adding a new
3 section to chapter 66.24 RCW; and providing an effective date.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 66.24
6 RCW to read as follows:

7 (1) In any service areas designated or classified by the licensee
8 as off-limits to any person under 21 years of age, excluding drink
9 preparation or storage areas, a licensee:

10 (a) Must offer drug testing devices for sale to the licensee's
11 customers;

12 (b) May charge the customer an amount that does not exceed a
13 reasonable amount based on the wholesale cost of the device;

14 (c) Must ensure that all testing devices offered to customers
15 have not exceeded their expiration date or recommended period of use,
16 according to the product label, product packaging, or otherwise
17 recommended by the manufacturer; and

18 (d) Must post a notice in a prominent and conspicuous location,
19 viewable to customers, indicating the drug test kits are available
20 for sale.

1 (2) This section does not prevent a licensee from offering drug
2 testing devices to customers free of charge.

3 (3) A licensee is not liable for a defective test or inaccurate
4 test result including, but not limited to, a false positive or false
5 negative test result.

6 (4) A violation of this section is not a violation of this title.

7 (5) The board must post on its internet website a link to a page
8 that contains information about the requirements of this section
9 including, but not limited to, the signage that is required to be
10 posted and the types of drug testing devices that are required to be
11 available at a tavern or nightclub.

12 (6) For the purposes of this section:

13 (a) "Controlled substances" includes, but is not limited to,
14 flunitrazepam, ketamine, and gamma hydroxybutyric acid, also known by
15 other names, including GHB, gamma hydroxybutyrate, 4-hydroxybutyrate,
16 4-hydroxybutanoic acid, sodium oxybate, and sodium oxybutyrate.

17 (b) "Drug testing devices" means test strips, stickers, straws,
18 and other devices designed to detect the presence of at least one
19 controlled substance in a drink.

20 (c) "Licensee" means a holder of any of the following temporary
21 or permanent licenses:

22 (i) Tavern license, pursuant to RCW 66.24.330;

23 (ii) Nightclub license, pursuant to RCW 66.24.600;

24 (iii) Hotel license, pursuant to RCW 66.24.590; or

25 (iv) Sports entertainment facility license, pursuant to RCW
26 66.24.570.

27 NEW SECTION. **Sec. 2.** This act takes effect January 1, 2026.

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