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AB-851 Drug masking products. (2019-2020)

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Assembly Bill No. 851

CHAPTER 45

An act to add Chapter 1.2 (commencing with Section 24135) to Division 20 of the Health and Safety Code, relating to public health.

[Approved by Governor July 01, 2019. Filed with Secretary of State July 01, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

AB 851, Cooper. Drug masking products.

Existing law generally prohibits the unauthorized use, possession, and sale of controlled substances, and regulates programs and facilities that provide treatment and other services to persons affected by narcotic, alcohol, and other drug abuse. Under existing law, it is unlawful to deliver, furnish, or transfer, possess with intent to deliver, furnish, or transfer, or manufacture with intent to deliver, furnish, or transfer, drug paraphernalia, as defined, knowing, or under circumstances where a person reasonably should know, that it will be used to engage in specified acts relating to controlled substances.

This bill would prohibit a person from distributing, delivering, or selling, or possessing with intent to distribute, deliver, or sell, a drug masking product. The bill would define a "drug masking product" to mean synthetic urine, as defined, or any other substance designed to be added to human urine or hair for the purpose of defrauding an alcohol or drug screening test.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Chapter 1.2 (commencing with Section 24135) is added to Division 20 of the Health and Safety Code, to read:

CHAPTER 1.2. Drug Masking Products

24135. (a) Except as authorized by law, a person shall not distribute, deliver, or sell, or possess with intent to distribute, deliver, or sell, a drug masking product.

(b) For purposes of this section, the following definitions apply:

(1) "Drug masking product" means synthetic urine or any other substance designed to be added to human urine or human hair for the purpose of defrauding an alcohol or drug screening test.

(2) "Synthetic urine" means any substance that is designed to simulate the composition, chemical properties, physical appearance, or physical properties of human urine.