

SB0859/388672/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 859  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, strike “all” and substitute “certain”; strike beginning with “consistent” in line 4 down through “advertising” in line 5 and substitute “supported by certain evidence or data and include certain information about side effects or risks associated with the use of cannabis”; in line 6, after “misleading;” insert “prohibiting certain advertisements from containing certain designs, illustrations, pictures, and representations;”; and in line 7, after “statement;” insert “requiring certain websites to employ a certain neutral age-screening mechanism; requiring that certain advertisements include a certain notification; prohibiting advertisements for medical cannabis, medical cannabis products, or medical cannabis-related services from being placed within a certain distance of certain locations; requiring the Natalie M. LaPrade Medical Cannabis Commission to adopt certain regulations;”.

AMENDMENT NO. 2

On page 1, strike in their entirety the lines 18 through 21, inclusive and substitute:

**“(A) ALL ADVERTISEMENTS FOR MEDICAL CANNABIS, MEDICAL CANNABIS PRODUCTS, OR MEDICAL CANNABIS-RELATED SERVICES THAT MAKE THERAPEUTIC OR MEDICAL CLAIMS SHALL:**

**(1) BE SUPPORTED BY SUBSTANTIAL CLINICAL EVIDENCE OR SUBSTANTIAL CLINICAL DATA; AND**

**(2) INCLUDE INFORMATION ON THE MOST SIGNIFICANT SIDE EFFECTS OR RISKS ASSOCIATED WITH THE USE OF CANNABIS.”.**

(Over)

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AMENDMENT NO. 3

On page 1, in line 24, strike “MAKE” and substitute “:

**(1) MAKE”.**

On page 2, in line 2, after “ARTICLE” insert “; OR

**(2) CONTAIN A DESIGN, AN ILLUSTRATION, A PICTURE, OR A REPRESENTATION THAT:**

**(I) ENCOURAGES OR REPRESENTS THE RECREATIONAL USE OF CANNABIS;**

**(II) TARGETS OR IS ATTRACTIVE TO MINORS, INCLUDING A CARTOON CHARACTER, A MASCOT, OR ANY OTHER DEPICTION THAT IS COMMONLY USED TO MARKET PRODUCTS TO MINORS;**

**(III) DISPLAYS THE USE OF CANNABIS, INCLUDING THE CONSUMPTION, SMOKING, OR VAPING OF CANNABIS;**

**(IV) ENCOURAGES OR PROMOTES CANNABIS FOR USE AS AN INTOXICANT; OR**

**(V) IS OBSCENE OR INDECENT”.**

AMENDMENT NO. 4

On page 2, after line 5, insert:

**“(D) (1) ANY WEBSITE OWNED, MANAGED, OR OPERATED BY A CERTIFYING PROVIDER, DISPENSARY, GROWER, OR PROCESSOR SHALL EMPLOY**

A NEUTRAL AGE-SCREENING MECHANISM THAT VERIFIES THE USER IS AT LEAST 18 YEARS OLD, INCLUDING AN AGE GATE, AGE SCREEN, OR AGE VERIFICATION MECHANISM.

(2) AN ADVERTISEMENT PLACED ON SOCIAL MEDIA OR A MOBILE APPLICATION SHALL INCLUDE A NOTIFICATION THAT:

(I) A PERSON MUST BE AT LEAST 18 YEARS OLD TO VIEW THE CONTENT; AND

(II) MEDICAL CANNABIS IS FOR USE BY CERTIFIED PATIENTS ONLY.

(E) ANY ADVERTISEMENT FOR MEDICAL CANNABIS, MEDICAL CANNABIS PRODUCTS, OR MEDICAL CANNABIS-RELATED SERVICES MAY NOT BE PLACED WITHIN 500 FEET OF:

(1) A SUBSTANCE ABUSE OR TREATMENT FACILITY;

(2) A PRIMARY OR SECONDARY SCHOOL IN THE STATE OR A CHILD CARE CENTER LICENSED OR A FAMILY CHILD CARE HOME REGISTERED UNDER TITLE 9.5 OF THE EDUCATION ARTICLE; OR

(3) A PLAYGROUND, RECREATION CENTER, LIBRARY, OR PUBLIC PARK.

(F) THE COMMISSION SHALL ADOPT REGULATIONS TO ESTABLISH:

(1) PROCEDURES FOR THE ENFORCEMENT OF THE SECTION; AND

(Over)

**(2) A PROCESS FOR AN INDIVIDUAL TO SUBMIT AN ADVERTISEMENT TO THE COMMISSION FOR AN ADVISORY OPINION ON WHETHER THE ADVERTISEMENT COMPLIES WITH THE RESTRICTIONS ON ADVERTISEMENTS FOR MEDICAL CANNABIS, MEDICAL CANNABIS PRODUCTS, AND MEDICAL CANNABIS-RELATED SERVICES.**