

# STATE OF NEW YORK

7572

2023-2024 Regular Sessions

## IN SENATE

June 7, 2023

Introduced by Sen. COONEY -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the cannabis law, in relation to adult-use cannabis advertising and marketing

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

- 1 Section 1. Subdivision 4 of section 86 of the cannabis law is amended  
2 to read as follows:  
3 4. The board shall promulgate regulations requiring that:  
4 (a) all advertisements and marketing accurately and legibly identify  
5 the party or other business responsible for its content; ~~[and]~~  
6 (b) any broadcast, cable, radio, print and digital communications  
7 advertisements only be placed where seventy-five percent of the audience  
8 is reasonably expected to be twenty-one years of age or older, as deter-  
9 mined by commercially available reliable, up-to-date audience composi-  
10 tion data using local, regional or national data for the program or  
11 program format. If data is not commercially available, a licensee may  
12 rely on audience estimates from the media entity transmitting or broad-  
13 casting the advertisement. The burden of proving this requirement lies  
14 with the party that has paid for or facilitated the advertisement~~[-]~~;  
15 and  
16 (c) all requirements for warnings to be included in audio only adver-  
17 tisements shall not exceed more than fifteen percent of an advertise-  
18 ment's total time.  
19 § 2. This act shall take effect immediately.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets ~~[-]~~ is old law to be omitted.

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