

STATE OF NEW YORK

9502

IN ASSEMBLY

March 14, 2024

Introduced by M. of A. PEOPLES-STOKES -- read once and referred to the Committee on Economic Development

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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