

# STATE OF NEW YORK

5270

2025-2026 Regular Sessions

## IN SENATE

February 20, 2025

Introduced by Sens. BAILEY, ADDABBO, FERNANDEZ -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to public display or advertisements of cannabis products

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

1 Section 1. Section 1399-dd-1 of the public health law, as added by  
2 section 13 of part EE of chapter 56 of the laws of 2020, is amended to  
3 read as follows:

4 § 1399-dd-1. Public display of tobacco product and electronic ciga-  
5 rette advertisements and smoking paraphernalia prohibited. 1. For  
6 purposes of this section:

7 (a) "Advertisement" means words, pictures, photographs, symbols,  
8 graphics or visual images of any kind, or any combination thereof, which  
9 bear a health warning required by federal statute, the purpose or effect  
10 of which is to identify a brand of a tobacco product, electronic ciga-  
11 rette, or vapor product intended or reasonably expected to be used with  
12 or for the consumption of nicotine, a trademark of a tobacco product,  
13 electronic cigarette, or vapor product intended or reasonably expected  
14 to be used with or for the consumption of nicotine ~~[or]~~, a trade name  
15 associated exclusively with a tobacco product, electronic cigarette, or  
16 vapor product intended or reasonably expected to be used with or for the  
17 consumption of nicotine or to promote the use or sale of a tobacco prod-  
18 uct, electronic cigarette, or vapor product intended or reasonably  
19 expected to be used with or for the consumption of nicotine, or words,  
20 pictures, photographs, symbols, graphics or visual images of any kind,  
21 or any combination thereof which are associated with cannabis use or  
22 cannabis products as defined in section three of the cannabis law and  
23 which are intended or reasonably expected to promote the sale of such  
24 products.

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

LBD00447-01-5

1 (b) "Smoking paraphernalia" means any pipe, water pipe, hookah, roll-  
2 ing papers, electronic cigarette, vaporizer or any other device, equip-  
3 ment or apparatus designed for the inhalation of tobacco or nicotine.

4 (c) "Vapor product" means any vapor product, as defined by section  
5 thirteen hundred ninety-nine-aa of this article, intended or reasonably  
6 expected to be used with or for the consumption of nicotine.

7 (d) "Tobacco products" shall have the same meaning as in subdivision  
8 five of section thirteen hundred ninety-nine-aa of this article.

9 (e) "Electronic cigarette" shall have the same meaning as in subdivi-  
10 sion thirteen of section thirteen hundred ninety-nine-aa of this arti-  
11 cle.

12 2. (a) No person, corporation, partnership, sole proprietor, limited  
13 partnership, association or any other business entity may place, cause  
14 to be placed, maintain or to cause to be maintained, smoking paraper-  
15 nalia or advertisements for any tobacco product, electronic cigarette,  
16 or vapor product intended or reasonably expected to be used with or for  
17 the consumption of nicotine [~~advertisements~~] in a store front or exteri-  
18 or window or any door which is used for entry or egress by the public to  
19 the building or structure containing a place of business within one  
20 thousand five hundred feet of a school, provided that within New York  
21 city such prohibitions shall only apply within five hundred feet of a  
22 school.

23 (b) Any person, corporation, partnership, sole proprietor, limited  
24 partnership, association or any other business entity in violation of  
25 this section shall be subject to a civil penalty of not more than five  
26 [~~hundred~~] thousand dollars for a first violation and not more than [~~one~~]  
27 ten thousand dollars for a second or subsequent violation.

28 3. An enforcement officer, or the department where no enforcement  
29 officer has been designated, shall conduct random inspections on a quar-  
30 terly basis of each retail dealer licensed to sell cigarettes, tobacco  
31 products, or vapor products at establishments located within the juris-  
32 isdiction of such enforcement officer or office, to determine compliance  
33 with the provisions of this section.

34 § 2. This act shall take effect on the thirtieth day after it shall  
35 have become a law.