

HOUSE BILL 880

A3

5lr2820

By: **Delegates Smith and J. Lewis**

Introduced and read first time: January 30, 2025

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Cannabis – Prohibition on Outdoor Advertising – Repeal**

3 FOR the purpose of repealing a certain prohibition on certain outdoor advertising for
4 cannabis licensees, products, or services; and generally relating to advertising for
5 cannabis licensees, products, or services.

6 BY repealing and reenacting, with amendments,
7 Article – Alcoholic Beverages and Cannabis
8 Section 36–903
9 Annotated Code of Maryland
10 (2024 Replacement Volume)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
12 That the Laws of Maryland read as follows:

13 **Article – Alcoholic Beverages and Cannabis**

14 36–903.

15 (a) [(1)] An advertisement for a cannabis licensee, cannabis product, or
16 cannabis–related service may not:

17 [(i)] (1) violate Title 13, Subtitle 3 of the Commercial Law Article;

18 [(ii)] (2) directly or indirectly target individuals under the age of 21
19 years;

20 [(iii)] (3) contain a design, an illustration, a picture, or a
21 representation that:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 [1.] (I) targets or is attractive to minors, including a
2 cartoon character, a mascot, or any other depiction that is commonly used to market
3 products to minors;

4 [2.] (II) displays the use of cannabis, including the
5 consumption, smoking, or vaping of cannabis;

6 [3.] (III) encourages or promotes cannabis for use as an
7 intoxicant; or

8 [4.] (IV) is obscene; OR

9 [(iv)] (4) engage in advertising by means of television, radio,
10 Internet, mobile application, social media, or other electronic communication, event
11 sponsorship, or print publication, unless at least 85% of the audience is reasonably expected
12 to be at least 21 years old as determined by reliable and current audience composition
13 data[]; or

14 (v) except as provided in paragraph (2) of this subsection, engage in
15 advertising by means of placing an advertisement on the side of a building or another
16 publicly visible location of any form, including a sign, a poster, a placard, a device, a graphic
17 display, an outdoor billboard, or a freestanding signboard.

18 (2) A cannabis business may place exterior signage on the premises of the
19 business for the limited purpose of identifying the business to the public].

20 (b) (1) (i) Subject to subparagraph (ii) of this paragraph, each
21 cannabis-related website shall employ a neutral age-screening mechanism that verifies
22 that the user is at least 21 years old, including by using an age-gate, age-screen, or age
23 verification mechanism before the user may access or view any content and before the
24 website may collect the user's address, e-mail address, phone number, or contact
25 information to disseminate advertisements.

26 (ii) If a website is appropriate for a qualifying patient who is under
27 the age of 21 years, the website shall provide an alternative screening mechanism for the
28 qualifying patient.

29 (2) An advertisement placed on social media or a mobile application shall
30 include a notification that an individual must be at least 21 years old to view the content.

31 (3) The provisions of this subtitle applicable to cannabis licensees may not
32 be avoided by hiring or contracting with a third party, or outsourcing advertisements that
33 do not comply with this subtitle.

1 (4) A cannabis licensee may not allow the use of the licensee’s trademarks,
2 brands, names, locations, or other distinguishing characteristics for third-party use for
3 advertisements that do not comply with this subtitle.

4 (c) The Administration shall adopt regulations to establish procedures for the
5 enforcement of this section.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2025.