

SENATE BILL 859

J1

9lr2733

By: **Senator Zirkin**

Introduced and read first time: February 4, 2019

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Natalie M. LaPrade Medical Cannabis Commission – Advertisements**

3 FOR the purpose of requiring that all advertisements for medical cannabis, medical
4 cannabis products, or medical cannabis–related services be consistent with certain
5 federal regulations governing prescription drug advertising; prohibiting certain
6 advertisements from being false or misleading; requiring that all advertising for
7 medical cannabis or medical cannabis products include a certain statement; and
8 generally relating to medical cannabis advertisements.

9 BY adding to

10 Article – Health – General

11 Section 13–3313.1

12 Annotated Code of Maryland

13 (2015 Replacement Volume and 2018 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

15 That the Laws of Maryland read as follows:

16 **Article – Health – General**

17 **13–3313.1.**

18 **(A) ALL ADVERTISEMENTS FOR MEDICAL CANNABIS, MEDICAL CANNABIS**
19 **PRODUCTS, OR MEDICAL CANNABIS–RELATED SERVICES SHALL BE CONSISTENT**
20 **WITH THE FEDERAL REGULATIONS GOVERNING PRESCRIPTION DRUG ADVERTISING**
21 **AND MARKETING UNDER 21 C.F.R. 202.1.**

22 **(B) AN ADVERTISEMENT FOR A GROWER, A PROCESSOR, A DISPENSARY, AN**
23 **INDEPENDENT TESTING LABORATORY, A CERTIFYING PROVIDER, OR A**
24 **THIRD–PARTY VENDOR MAY NOT MAKE ANY STATEMENT THAT IS FALSE OR**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 MISLEADING IN ANY MATERIAL WAY OR IS OTHERWISE A VIOLATION OF §§ 13-301
2 THROUGH 13-320 OF THE COMMERCIAL LAW ARTICLE.

3 (C) ALL ADVERTISING FOR MEDICAL CANNABIS OR MEDICAL CANNABIS
4 PRODUCTS SHALL INCLUDE A STATEMENT THAT THE PRODUCT IS FOR USE ONLY BY
5 A QUALIFYING PATIENT.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2019.