(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted. Complete new sections are not in boldface or underlined.)

Draft for ease of readability.

Short description: This project proposed to reduce the requirements relating to advertising, marketing, and audience demographics at events.

Line Items 85, 109

Proposed changes: (no conforming changes)

3 AAC 306.770(g) repeals warnings that must appear in an advertisement
3 AAC 306.770(i) repeals restrictions on marketing (cell phone devices and the like)
3 AAC 306.770(j) repeals restrictions on sponsoring/promoting events

3 AAC 306.770(g) is repealed:
3 AAC 306.770(i) is repealed:
3 AAC 306.770(j) is repealed:

3 AAC 306.770. Signs, merchandise, advertisements, and promotions.

(a) Business cards and merchandise, including t-shirts, hats, and stickers, that are distributed by a licensed marijuana establishment and contain only the business name and logo, license name, and location and contact information, are not advertising or promotions.

(b) A licensed marijuana establishment operating within the boundary of a local government shall comply with the local government's laws regarding the size, number, and placement of any sign displayed at the licensed premises. In areas without a local government, a licensed marijuana establishment sign may not violate AS 19.25.075 – 19.25.160. A sign meeting these requirements is not advertising or promotions.

(c) An advertisement for a licensed marijuana establishment and for marijuana or a marijuana product must include the business name and license number.

(d) An advertisement for a licensed marijuana establishment is exempt from providing the warning statement in (g) of this section if

(1) the advertisement contains only the business name, logo, business type, contact information, location, and hours of operation; and

(2) the advertisement does not contain any written information about marijuana or

a marijuana product or any photographic or illustrative depictions of marijuana or a marijuana product, other than depictions contained within the established business name font and logo.

(e) A logo or an advertisement for a licensed marijuana establishment and for marijuana or a marijuana product may not contain a statement or illustration that

(1) is false or misleading;

(2) promotes excessive consumption;

(3) represents that the use of marijuana has curative or therapeutic effects;

(4) depicts a person under 21 years of age consuming marijuana; or

(5) includes any object or character, including a toy, a cartoon character, or any other depiction that appeals to a person under 21 years of age.

(f) An advertisement for a licensed marijuana establishment and for marijuana or a marijuana product may not be placed

(1) within 1,000 feet of the perimeter of any child-centered facility, including a school, a child care facility or other facility providing services to children, a playground or recreation center, a public park, a library, or a game arcade that is open to persons under 21 years of age, except when included in an established publication intended for general readership;

(2) on or in a publicly owned or operated property; or

(3) within 1,000 feet of a substance abuse or treatment facility.

(g) Repealed. [~~EACH OF THE FOLLOWING WARNINGS MUST APPEAR IN AN ADVERTISEMENT FOR MARIJUANA OR ANY MARIJUANA PRODUCT WITH VISUAL CONTRAST FOR PRINT ADVERTISEMENTS AND INTELLIGIBLE AUDIO FOR AUDIO ADVERTISEMENTS:~~

~~(1) "MARIJUANA HAS INTOXICATING EFFECTS AND MAY BE HABIT FORMING AND ADDICTIVE.";~~

~~(2) "MARIJUANA IMPAIRS CONCENTRATION, COORDINATION, AND JUDGMENT. DO NOT OPERATE A VEHICLE OR MACHINERY UNDER ITS INFLUENCE.";~~

~~(3) "THERE ARE HEALTH RISKS ASSOCIATED WITH CONSUMPTION OF MARIJUANA."';~~

~~(4) "FOR USE ONLY BY ADULTS TWENTY-ONE AND OLDER. KEEP OUT OF THE REACH OF CHILDREN.";~~

~~(5) "MARIJUANA SHOULD NOT BE USED BY WOMEN WHO ARE PREGNANT OR BREAST FEEDING."]~~

(h) A licensed marijuana establishment that advertises by means of a web page must utilize appropriate measures to ensure that individuals visiting the web page are 21 years of age or older.

(i) Repealed. ~~[A LICENSED MARIJUANA ESTABLISHMENT MAY NOT ENGAGE IN ADVERTISING BY MEANS OF MARKETING DIRECTED TOWARDS LOCATION-BASED DEVICES, INCLUDING CELLULAR PHONES, UNLESS THE MARKETING IS A MOBILE DEVICE APPLICATION INSTALLED ON THE DEVICE BY THE OWNER OF THE DEVICE WHO IS 21 YEARS OF AGE OR OLDER AND THE APPLICATION INCLUDES A PERMANENT AND EASY OPT-OUT FEATURE.]~~

(j) Repealed. [~~AS LONG AS NO MORE THAN 30 PERCENT OF THE EVENT'S PARTICIPANTS AND AUDIENCE IS REASONABLY EXPECTED TO BE UNDER 21 YEARS OF AGE, A LICENSED MARIJUANA ESTABLISHMENT MAY SPONSOR~~

~~(1) AN INDUSTRY TRADE SHOW;~~

~~(2) A CHARITABLE EVENT;~~

~~(3) A SPORTS EVENT OR COMPETITION;~~

~~(4) A CONCERT; OR~~

~~(5) ANY OTHER EVEN APPROVED IN ADVANCE BY THE BOARD.]~~

(k) A licensed marijuana establishment may not encourage the sale of marijuana or a marijuana product

(1) by conducting games or competitions related to the consumption of marijuana or a marijuana product; or

(2) by providing promotional materials or activities of a manner or type that would be especially appealing to children. (Eff. 10/17/2018, Register 228; am 10/8/2023, Register 248)

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3 AAC 306.770(g) is repealed:

(g) Repealed ____/____/_____.

3 AAC 306.770(i) is repealed:

(i) Repealed ____/____/_____.

3 AAC 306.770(j) is repealed:

(j) Repealed ____/____/_____.

(Eff. 10/17/2018, Register 228; am 10/8/2023, Register 248; am ____/____/_____, Register _____)

Authority: AS 17.38.010 AS 17.38.150 AS 17.38.200
AS 17.38.070 AS 17.38.190 AS 17.38.900
AS 17.38.121