

(Words in **boldface and underlined** indicate language being added; words [CAPITALIZED AND BRACKETED] indicate language being deleted.)

3 AAC 306.015(e)(1) is amended to read:

(e) In this section,

(1) "direct or indirect financial interest" means

(A) a legal or equitable interest in the operation of a business licensed

under this chapter;

(B)) does not include a person's right to receive

(i) rental charges on a graduated [OR PERCENTAGE] lease-rent

agreement for real estate leased to a licensee; or

(ii) consulting fee from a licensee for services that are allowed

under this chapter;

(Eff. 2/21/2016, Register 217, am __/__/____, Register ____)

Authority: AS 17.38.010 AS 17.38.150 AS 17.38.200

3 AAC 306.360 is repealed:

3 AAC 306.360. Restriction on advertising of marijuana and marijuana products

Repealed. (Eff. 2/21/2016, Register 217; repealed __/__/____, Register____)

3 AAC 306 is amended by adding a new subsection in Article 7 to read:

3 AAC 306.7xx. Restriction on advertising of marijuana and marijuana products

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

(b) An advertisement 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.

(c) A licensed marijuana business may not place an advertisement for marijuana or a marijuana product;

(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;

- (2) on or in a public transit vehicle or public transit shelter;
- (3) on or in a publicly owned or operated property;
- (4) within 1,000 feet of a substance abuse or treatment facility; or
- (5) on a campus for postsecondary education.

(d) A licensed marijuana business may not encourage the sale of marijuana or marijuana products

- (1) by using giveaway coupons as promotional materials;
- (2) by conducting games or competitions; or
- (3) by tying give-away items to the purchase of marijuana or marijuana products.

(e) All advertising for marijuana or any marijuana product must contain each of the following warnings, which must be plainly visible and at least half the font size of an advertisement on a sign, and no smaller than size 9 font when the advertisement is in printed form. Audio advertisements warnings must be understandable and played at the same speed as the advertisement.

- (1) “Marijuana has intoxicating effect 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.”

3 AAC 306 is amended by adding a new subsection in Article 7 to read:

3 AAC 306.7xx. Restriction on advertising of a marijuana business

(a) A licensed marijuana business may have not more than three signs, visible to the general public from the public right-of-way. A sign may only be placed in the marijuana business' window or attached to the outside of the licensed premises. The size of each sign may not exceed 4,800 square inches.

(b) A licensed marijuana business may place advertisements that include its name, logo, business type, contact information, location, and hours of operation.

(c) A licensed marijuana business may not place a business advertisement, except as provided in (a) of this section,

(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;

(2) on or in a public transit vehicle or public transit shelter;

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

(4) within 1,000 feet of a substance abuse or treatment facility; or

(5) on a campus for postsecondary education.

(Eff. __/__/____. 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		

