

# SENATE BILL REPORT

## SB 5785

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As of February 15, 2019

**Title:** An act relating to marijuana.

**Brief Description:** Concerning outdoor advertising of marijuana.

**Sponsors:** Senators Rivers, Conway and Palumbo.

**Brief History:**

**Committee Activity:** Labor & Commerce: 2/18/19.

**Brief Summary of Bill**

- Revises the provisions regarding signs outside of marijuana retail outlets.
- Allows local governments to adopt rules for outdoor advertising by marijuana retail outlets, subject to specified conditions.
- Limits the use of billboards by marijuana retail outlets to those areas approved by local government ordinances.
- Allows enforcement actions on marijuana billboards by a local government or the Liquor and Cannabis Board.

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### SENATE COMMITTEE ON LABOR & COMMERCE

**Staff:** Richard Rodger (786-7461)

**Background:** All marijuana licensees' outdoor advertising, including billboards, are limited to text that identifies the business or trade name, the nature of the business, and its location. All licensed marijuana businesses are prohibited from placing any sign or other advertisement for a marijuana business or marijuana product within 1000 feet of the perimeter of a school grounds, playground, recreation center or facility, child care center, public park, or library, or any game arcade admission to which is not restricted to persons aged twenty-one years or older.

All signs, billboards, or other print advertising for marijuana businesses or marijuana products must contain text stating that marijuana products may be purchased or possessed

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only by persons 21 years of age or older. Advertising signs may not contain any depictions of marijuana plants, marijuana products, or images that might be appealing to children.

Licensed marijuana retailers may display two outdoor signs that are no larger than 1600 square inches, which must be permanently affixed to a building or other structure.

Local governments may adopt rules for marijuana retailers that have more restrictive provisions for outdoor marijuana advertising. The local governments are responsible for the enforcement of their advertising restrictions.

**Summary of Bill:** The bill as referred to committee not considered.

**Summary of Bill (Proposed Substitute):** The two signs outside of the marijuana retail outlets are no longer limited to 1600 square inches. Local governments may adopt rules for outdoor advertising that are less restrictive than the statutory requirements, so long as the rules are consistent with the signage requirements for other businesses. Local governments may not alter the restrictions concerning advertising that is appealing to children or the restrictions on location of signs near schools, parks, playgrounds, and other similar entities. Marijuana retailer outlets may have a reader board outside of the premises.

Licensed retail outlets may only advertise on a billboard if:

- the local government with jurisdiction over the outlet has adopted an ordinance or resolution authorizing the use of billboards by outlets located within its jurisdictional boundaries; and
- the local government where the billboard is located has adopted an ordinance or resolution authorizing advertising by licensed retail outlets on billboards within its jurisdictional boundaries.

Enforcement actions regarding the restrictions on billboards may be taken by an affected local government or by the Liquor and Cannabis Board.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** The bill takes effect on January 1, 2020.