

CERTIFICATION OF ENROLLMENT

ENGROSSED SENATE BILL 5206

69th Legislature
2025 Regular Session

Passed by the Senate April 18, 2025
Yeas 38 Nays 10

President of the Senate

Passed by the House April 16, 2025
Yeas 72 Nays 23

**Speaker of the House of
Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SENATE BILL 5206** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

ENGROSSED SENATE BILL 5206

AS AMENDED BY THE HOUSE

Passed Legislature - 2025 Regular Session

State of Washington **69th Legislature** **2025 Regular Session**

By Senators MacEwen, Gildon, and Stanford

Prefiled 01/09/25. Read first time 01/13/25. Referred to Committee on Labor & Commerce.

1 AN ACT Relating to cannabis retailer advertising; amending RCW
2 69.50.369; and providing an effective date.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 69.50.369 and 2022 c 16 s 75 are each amended to
5 read as follows:

6 (1) No licensed cannabis producer, processor, researcher, or
7 retailer may place or maintain, or cause to be placed or maintained,
8 any sign or other advertisement for a cannabis business or cannabis
9 product, including useable cannabis, cannabis concentrates, or
10 cannabis-infused product, in any form or through any medium
11 whatsoever within one thousand feet of the perimeter of a school
12 grounds, playground, recreation center or facility, child care
13 center, public park, or library, or any game arcade admission (~~to~~
14 ~~which is not restricted to persons aged twenty-one years or older~~)
15 that allows admittance of persons under the age of 21.

16 (2) (a) Except for the use of trade name signs and billboards as
17 authorized under this section, licensed cannabis retailers may not
18 display any cannabis-related advertising signage (~~outside of~~) on
19 the licensed premises, other than (~~two signs identifying the retail~~
20 ~~outlet by the licensee's business or trade name, stating the location~~
21 ~~of the business, and identifying the nature of the business~~) four

1 signs affixed to the building of the licensed location on the side of
2 the building with the main entrance.

3 (b) Each advertisement sign must be no larger than one thousand
4 six hundred square inches and be ((permanently affixed to a building
5 or other structure)):

6 (i) Affixed on the building of the licensed location on the side
7 of the building with the main entrance; or

8 (ii) Hanging in the windows of the licensed location on the side
9 of the building with the main entrance.

10 (c) (i) Any advertising signs that are visible to the public from
11 the public right-of-way, whether on the building or through a window
12 of the building, will be considered advertising for the purposes of
13 this section.

14 (ii) Signs that are less than 512 square inches are not
15 considered advertising for purposes of this section if the sign does
16 not include any brand names, trade names, or images of any cannabis
17 product and only indicates information including, but not limited to:

18 (A) Hours of operation;

19 (B) Business is open or closed;

20 (C) The presence of an ATM machine;

21 (D) The word "welcome";

22 (E) Required signs or notices; and

23 (F) Community notices.

24 (3) (a) In addition to the four signs described in subsection (2)
25 of this section, licensed businesses may use up to two trade name
26 signs.

27 (b) Trade name signs must be limited to two signs and comply with
28 local authority regulations related to the size of signs for the
29 city, town, or county in which the licensed cannabis retailer is
30 located. The enforcement of the size of trade name signs and
31 billboards is the responsibility of the city, town, or county in
32 which the licensed cannabis retailer is located.

33 (c) Trade name signs may only reflect the trade name of the
34 licensed business and may not contain cannabis products or product
35 brand names.

36 (d) One of the two trade name signs may be a double-sided sign,
37 such as a pylon sign or monolith sign, that contains identical
38 content on each side. A double-sided sign that contains identical
39 content on each side is considered to be one trade name sign for
40 purposes of this section.

1 (4) All signage, advertising, and billboard content is prohibited
2 if the content portrays:

3 (a) Alcohol or its use;

4 (b) Tobacco or nicotine or its use; or

5 (c) Any association with a motor vehicle or operation of a motor
6 vehicle.

7 (5) Any cannabis-related advertising in any business licensed by
8 the board under chapter 70.345, 82.24, or 82.26 RCW is prohibited.

9 (6) The location and content of the retail cannabis signs
10 authorized under ((this)) subsection (2) of this section are subject
11 to all other requirements and restrictions established in this
12 section for indoor signs, outdoor signs, and other cannabis-related
13 advertising methods.

14 ~~((3))~~ (7) Nothing in this section prohibits the use of other
15 signage that does not represent cannabis or cannabis products, the
16 business trade name, nature of the business, or contains only general
17 information not related to the products or services of the cannabis
18 business.

19 (8) A cannabis licensee may not utilize transit advertisements
20 for the purpose of advertising its business or product line.
21 ~~("Transit advertisements" means advertising on or within private or~~
22 ~~public vehicles and all advertisements placed at, on, or within any~~
23 ~~bus stop, taxi stand, transportation waiting area, train station,~~
24 ~~airport, or any similar transit-related location.~~

25 ~~(4))~~ (9) A cannabis licensee may not engage in advertising or
26 other marketing practice that specifically targets persons residing
27 outside of the state of Washington.

28 ~~((5) All signs, billboards, or other print advertising))~~ (10)
29 Any advertisement for a cannabis ((businesses)) business or cannabis
30 products, regardless of the form of medium used, must contain text
31 ~~((stating that cannabis products may be purchased or possessed only~~
32 ~~by persons twenty-one)) indicating that only persons 21 years of age~~
33 or older may purchase or possess cannabis products. The text must be
34 of a reasonable size to be easily read by consumers. This subsection
35 does not apply to trade name signs.

36 ~~((6))~~ (11) A cannabis licensee may not:

37 (a) Take any action, directly or indirectly, to target youth in
38 the advertising, promotion, or marketing of cannabis and cannabis
39 products, or take any action the primary purpose of which is to

1 initiate, maintain, or increase the incidence of youth use of
2 cannabis or cannabis products;

3 (b) Use objects such as toys or inflatables, movie or cartoon
4 characters, or any other depiction or image likely to be appealing to
5 ~~((youth))~~ persons under 21 years of age, where such objects, images,
6 or depictions indicate an intent to cause youth to become interested
7 in the purchase or consumption of cannabis products; ~~((~~or~~))~~

8 (c) Use or employ a commercial mascot outside of, and in
9 proximity to, a licensed cannabis business ~~((~~A "commercial mascot"~~~~
10 ~~means live human being, animal, or mechanical device used for~~
11 ~~attracting the attention of motorists and passersby so as to make~~
12 ~~them aware of cannabis products or the presence of a cannabis~~
13 ~~business. Commercial mascots include, but are not limited to,~~
14 ~~inflatable tube displays, persons in costume, or wearing, holding, or~~
15 ~~spinning a sign with a cannabis-related commercial message or image,~~
16 ~~where the intent is to draw attention to a cannabis business or its~~
17 ~~products.~~

18 ~~((7))~~; or

19 (d) Advertise, offer for sale, or sell cannabis at less than
20 acquisition cost. This subsection does not apply to any sales made
21 for a product designated for medical cannabis use by qualifying
22 patients as defined in RCW 69.51A.010.

23 (12) A cannabis licensee that engages in outdoor advertising is
24 subject to the advertising requirements and restrictions set forth in
25 this subsection ~~((7))~~ and elsewhere in this chapter.

26 (a) All outdoor advertising signs, including billboards, are
27 limited to text that identifies the retail outlet by the licensee's
28 business or trade name, states the location of the business, and
29 identifies the type or nature of the business. Such signs may not
30 contain any depictions of cannabis plants, cannabis products, or
31 images that might be appealing to children. The board is granted
32 rule-making authority to regulate the text and images that are
33 permissible on outdoor advertising. Such rule making must be
34 consistent with other administrative rules generally applicable to
35 the advertising of cannabis businesses and products.

36 (b) Outdoor advertising is prohibited:

37 (i) On signs and placards in arenas, stadiums, shopping malls,
38 fairs that receive state allocations, farmers markets, and video game
39 arcades, whether any of the foregoing are open air or enclosed, but
40 not including any such sign or placard located in ~~((an adult only~~

1 ~~facility))~~ an age-restricted area classified by the board as off-
2 limits to persons under 21 years of age; and

3 (ii) Billboards that are visible from any street, road, highway,
4 right-of-way, or public parking area are prohibited, except as
5 provided in (c) of this subsection.

6 (c) Licensed retail outlets may use a billboard or outdoor sign
7 solely for the purpose of identifying the name of the business, the
8 nature of the business, and providing the public with directional
9 information to the licensed retail outlet. Billboard advertising is
10 subject to the same requirements and restrictions as set forth in (a)
11 of this subsection.

12 (d) Advertising signs within the premises of a retail cannabis
13 business outlet that are clearly visible to the public from outside
14 the premises must meet the signage regulations and requirements
15 applicable to outdoor signs as set forth in this section.

16 (e) The restrictions and regulations applicable to outdoor
17 advertising under this section are not applicable to:

18 (i) An advertisement inside a licensed retail establishment that
19 sells cannabis products that is not placed on the inside surface of a
20 window facing outward; or

21 (ii) An outdoor advertisement at the site of an event to be held
22 ~~((at an adult only facility))~~ in an area classified by the board as
23 off-limits to persons under 21 years of age that is placed at such
24 site during the period the facility or enclosed area ~~((constitutes an~~
25 ~~adult only facility))~~ is classified as age-restricted by the board,
26 but in no event more than fourteen days before the event, and that
27 does not advertise any cannabis product other than by using a brand
28 name to identify the event.

29 ~~((8) Merchandising))~~ (13) Placement of products within a retail
30 outlet is not advertising for the purposes of this section.

31 ~~((9))~~ (14) This section does not apply to a noncommercial
32 message.

33 (15) "Adopt-a-Highway" signs erected by the Washington state
34 department of transportation under a current valid sponsorship with
35 the department of transportation are not considered advertising for
36 the purposes of this section.

37 ~~((10))~~ (16)(a) The board must:

38 (i) Adopt rules implementing this section and specifically
39 including provisions regulating the billboards and outdoor signs
40 authorized under this section; and

1 (ii) Fine a licensee one thousand dollars for each violation of
2 this section until the board adopts rules prescribing penalties for
3 violations of this section. The rules must establish escalating
4 penalties including fines and up to suspension or revocation of a
5 cannabis license for subsequent violations.

6 (b) Fines collected under this subsection must be deposited into
7 the dedicated cannabis account created under RCW 69.50.530.

8 ~~((11))~~ (17) A city, town, or county may adopt rules of outdoor
9 advertising by licensed cannabis retailers that are more restrictive
10 than the advertising restrictions imposed under this chapter.
11 Enforcement of restrictions to advertising by a city, town, or county
12 is the responsibility of the city, town, or county.

13 (18) The definitions in this subsection apply throughout this
14 section unless the context clearly requires otherwise.

15 (a) "Commercial mascot" means a live human being, animal, or
16 mechanical device used for attracting the attention of motorists and
17 passersby so as to make them aware of cannabis products or the
18 presence of a cannabis business. Commercial mascots include, but are
19 not limited to, inflatable tube displays, persons in costume, or
20 wearing, holding, or spinning a sign with a cannabis-related
21 commercial message or image, where the intent is to draw attention to
22 a cannabis business or its products.

23 (b) "Trade name" means the name as it appears on the license
24 issued to the licensee.

25 (c) "Transit advertisements" means advertising on or within
26 private or public vehicles and all advertisements placed at, on, or
27 within any bus stop, taxi stand, transportation waiting area, train
28 station, airport, or any similar transit-related location.

29 NEW SECTION. Sec. 2. This act takes effect January 1, 2026.

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