
HOUSE BILL 1466

State of Washington

66th Legislature

2019 Regular Session

By Representatives Klippert, Kirby, Jenkins, Davis, and Kilduff

Read first time 01/22/19. Referred to Committee on Commerce & Gaming.

1 AN ACT Relating to banning marijuana billboards; and amending RCW
2 69.50.369.

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

4 **Sec. 1.** RCW 69.50.369 and 2017 c 317 s 14 are each amended to
5 read as follows:

6 (1) (a) No licensed marijuana 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 marijuana business or marijuana
9 product, including useable marijuana, marijuana concentrates, or
10 marijuana-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 (b) No licensed marijuana business may place or maintain, or
16 cause to be placed or maintained, any billboard in this state
17 advertising the licensee's business, marijuana, or any marijuana
18 product.

19 (2) (~~Except for the use of billboards as authorized under this~~
20 ~~section,~~) Licensed marijuana retailers may not display any signage
21 outside of the licensed premises, other than two signs identifying

1 the retail outlet by the licensee's business or trade name, stating
2 the location of the business, and identifying the nature of the
3 business. Each sign must be no larger than one thousand six hundred
4 square inches and be permanently affixed to a building or other
5 structure. The location and content of the retail marijuana signs
6 authorized under this subsection are subject to all other
7 requirements and restrictions established in this section for indoor
8 signs, outdoor signs, and other marijuana-related advertising
9 methods.

10 (3) A marijuana licensee may not utilize transit advertisements
11 for the purpose of advertising its business or product line. "Transit
12 advertisements" means advertising on or within private or public
13 vehicles and all advertisements placed at, on, or within any bus
14 stop, taxi stand, transportation waiting area, train station,
15 airport, or any similar transit-related location.

16 (4) A marijuana licensee may not engage in advertising or other
17 marketing practice that specifically targets persons residing outside
18 of the state of Washington.

19 (5) All signs(~~(, billboards,)~~) or other print advertising for
20 marijuana businesses or marijuana products must contain text stating
21 that marijuana products may be purchased or possessed only by persons
22 twenty-one years of age or older.

23 (6) A marijuana licensee may not:

24 (a) Take any action, directly or indirectly, to target youth in
25 the advertising, promotion, or marketing of marijuana and marijuana
26 products, or take any action the primary purpose of which is to
27 initiate, maintain, or increase the incidence of youth use of
28 marijuana or marijuana products;

29 (b) Use objects such as toys or inflatables, movie or cartoon
30 characters, or any other depiction or image likely to be appealing to
31 youth, where such objects, images, or depictions indicate an intent
32 to cause youth to become interested in the purchase or consumption of
33 marijuana products; or

34 (c) Use or employ a commercial mascot outside of, and in
35 proximity to, a licensed marijuana business. A "commercial mascot"
36 means live human being, animal, or mechanical device used for
37 attracting the attention of motorists and passersby so as to make
38 them aware of marijuana products or the presence of a marijuana
39 business. Commercial mascots include, but are not limited to,
40 inflatable tube displays, persons in costume, or wearing, holding, or

1 spinning a sign with a marijuana-related commercial message or image,
2 where the intent is to draw attention to a marijuana business or its
3 products.

4 (7) A marijuana licensee that engages in outdoor advertising is
5 subject to the advertising requirements and restrictions set forth in
6 this subsection (7) and elsewhere in this chapter.

7 (a) All outdoor advertising signs (~~(, including billboards,)~~) are
8 limited to text that identifies the retail outlet by the licensee's
9 business or trade name, states the location of the business, and
10 identifies the type or nature of the business. Such signs may not
11 contain any depictions of marijuana plants, marijuana products, or
12 images that might be appealing to children. The state liquor and
13 cannabis board is granted rule-making authority to regulate the text
14 and images that are permissible on outdoor advertising. Such rule
15 making must be consistent with other administrative rules generally
16 applicable to the advertising of marijuana businesses and products.

17 (b) Outdoor advertising is prohibited:

18 (i) On signs and placards in arenas, stadiums, shopping malls,
19 fairs that receive state allocations, farmers markets, and video game
20 arcades, whether any of the foregoing are open air or enclosed, but
21 not including any such sign or placard located in an adult only
22 facility; and

23 (ii) (~~(Billboards that are visible from any street, road,~~
24 ~~highway, right-of-way, or public parking area are prohibited, except~~
25 ~~as provided in (c) of this subsection)) On any billboard in this
26 state.~~

27 (c) Licensed retail outlets may use an an (~~(billboard or)~~) outdoor
28 sign solely for the purpose of identifying the name of the business,
29 the nature of the business, and providing the public with directional
30 information to the licensed retail outlet. (~~(Billboard advertising is~~
31 ~~subject to the same requirements and restrictions as set forth in (a)~~
32 ~~of this subsection.)~~)

33 (d) Advertising signs within the premises of a retail marijuana
34 business outlet that are visible to the public from outside the
35 premises must meet the signage regulations and requirements
36 applicable to outdoor signs as set forth in this section.

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

1 (i) An advertisement inside a licensed retail establishment that
2 sells marijuana products that is not placed on the inside surface of
3 a window facing outward; or
4 (ii) An outdoor advertisement at the site of an event to be held
5 at an adult only facility that is placed at such site during the
6 period the facility or enclosed area constitutes an adult only
7 facility, but in no event more than fourteen days before the event,
8 and that does not advertise any marijuana product other than by using
9 a brand name to identify the event.

10 (8) Merchandising within a retail outlet is not advertising for
11 the purposes of this section.

12 (9) This section does not apply to a noncommercial message.

13 (10)(a) The state liquor and cannabis board must:

14 (i) Adopt rules implementing this section and specifically
15 including provisions regulating the (~~billboards and~~) outdoor signs
16 authorized under this section; and
17 (ii) Fine a licensee one thousand dollars for each violation of
18 this section until the state liquor and cannabis board adopts rules
19 prescribing penalties for violations of this section. The rules must
20 establish escalating penalties including fines and up to suspension
21 or revocation of a marijuana license for subsequent violations.

22 (b) Fines collected under this subsection must be deposited into
23 the dedicated marijuana account created under RCW 69.50.530.

24 (11) A city, town, or county may adopt rules of outdoor
25 advertising by licensed marijuana retailers that are more restrictive
26 than the advertising restrictions imposed under this chapter.
27 Enforcement of restrictions to advertising by a city, town, or county
28 is the responsibility of the city, town, or county.

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