

1 STATE OF OKLAHOMA

2 2nd Session of the 59th Legislature (2024)

3 SENATE BILL 1945

By: Hamilton

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5
6 AS INTRODUCED

7 An Act relating to medical marijuana; amending 63
8 O.S. 2021, Section 427.21, as amended by Section 2,
9 Chapter 329, O.S.L. 2022 (63 O.S. Supp. 2023, Section
10 427.21), which relates to advertising restrictions;
11 expanding certain restrictions; updating statutory
12 reference; and providing an effective date.

13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 63 O.S. 2021, Section 427.21, as
15 amended by Section 2, Chapter 329, O.S.L. 2022 (63 O.S. Supp. 2023,
16 Section 427.21), is amended to read as follows:

17 Section 427.21. A. A medical marijuana business shall not
18 engage in advertising that is deceptive, false or misleading.

19 B. Medical marijuana advertising shall not contain any
20 statement or illustration that:

21 1. Promotes overconsumption;

22 2. Represents that the use of marijuana has curative or
23 therapeutic effects or the ingestion of marijuana is safe or
24 harmless; ~~or~~

1 3. Advertises or markets flavored medical marijuana products in
2 a way that suggests they are healthier alternatives to medical
3 marijuana; or

4 4. Depicts a child or other person under legal age to consume
5 marijuana, or includes:

6 a. objects such as toys or cartoon or other characters,
7 which suggest the presence of a child, or any other
8 depiction designed in any manner to be especially
9 appealing to children or other persons under legal age
10 to consume marijuana including, but not limited to,
11 flashing signs, flags, banners, or tube men on the
12 premises of the dispensary, or

13 b. any manner or design that would be especially
14 appealing to children or other persons under eighteen
15 (18) years of age including, but not limited to,
16 depictions of improved social status, physical
17 appearance, or athletic performance, or

18 c. discounts or coupons for the purchase of medical
19 marijuana products.

20 C. ~~Upon the effective date of this act~~ November 1, 2022, all
21 medical marijuana commercial grower licensees shall be required to
22 post signage at the site of the commercial grow operation. Signage
23 shall be located at the perimeter of the property with dimensions
24 measuring no less than eighteen (18) inches by twenty-four (24)

1 inches with a font size of no less than two (2) inches. Information
2 required to be displayed on the sign shall be in black standardized
3 font on a white background. The Oklahoma Medical Marijuana
4 Authority shall promulgate rules as necessary regarding the size,
5 placement, issuance and specifications of the required signage. The
6 following information shall be included on the required signage:

- 7 1. Business name;
- 8 2. Physical address of the licensed business;
- 9 3. Phone number of the licensed business; and
- 10 4. Medical marijuana business license number.

11 The required signage shall also comply with county regulations
12 and local ordinances related to the real property where the
13 commercial grow operation is located. Failure to erect the proper
14 signage within sixty (60) days after the renewal of each application
15 for a medical marijuana commercial grower license in accordance with
16 the provisions of this subsection shall result in the immediate
17 revocation of the medical marijuana commercial grower license. Upon
18 issuance of a temporary license, all medical marijuana commercial
19 grower licensees shall be required to comply with the provisions of
20 this subsection prior to the prelicensure inspection conducted by
21 the Authority.

22 SECTION 2. This act shall become effective November 1, 2024.
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