

REFERENCE TITLE: marijuana; advertising; restrictions

State of Arizona  
House of Representatives  
Fifty-seventh Legislature  
First Regular Session  
2025

## **HB 2179**

Introduced by  
Representative Bliss

AN ACT

AMENDING SECTION 36-2859, ARIZONA REVISED STATUTES; RELATING TO MARIJUANA.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Subject to the requirements of article IV, part 1,  
3 section 1, Constitution of Arizona, section 36-2859, Arizona Revised  
4 Statutes, is amended to read:

5 36-2859. Advertising; restrictions; enforcement; civil  
6 penalty

7 A. ONLY A MARIJUANA ESTABLISHMENT OR NONPROFIT MEDICAL MARIJUANA  
8 DISPENSARY MAY MARKET, PROMOTE, SPONSOR, ADVERTISE OR AUTHORIZE  
9 ADVERTISING FOR MARIJUANA, PRODUCTS CONTAINING TETRAHYDROCANNABINOL,  
10 INTOXICATING CANNABINOIDS OR MARIJUANA PARAPHERNALIA IN ACCORDANCE WITH  
11 RESTRICTIONS IMPOSED BY THIS CHAPTER.

12 ~~A.~~ B. A marijuana establishment or nonprofit medical marijuana  
13 dispensary may engage in advertising BUT MAY NOT DO ANY OF THE FOLLOWING:

14 1. ADVERTISE MARIJUANA OR MARIJUANA PRODUCTS TO INDIVIDUALS WHO ARE  
15 UNDER TWENTY-ONE YEARS OF AGE, INCLUDING ADVERTISING:

16 (a) WITH NAMES THAT RESEMBLE OR IMITATE FOOD OR DRINK BRANDS THAT  
17 ARE MARKETED TO CHILDREN.

18 (b) WITH IMAGES OR LIKENESSES OF TOYS, CARTOONS OR ANIMATED OR  
19 FICTIONAL CHARACTERS, INCLUDING SANTA CLAUS, THAT ARE DESIGNED TO APPEAL  
20 TO OR ENCOURAGE INDIVIDUALS WHO ARE UNDER TWENTY-ONE YEARS OF AGE TO  
21 CONSUME MARIJUANA OR MARIJUANA PRODUCTS.

22 (c) WITH IMAGES OR VISUAL REPRESENTATIONS OF THE CONSUMPTION OF  
23 MARIJUANA OR MARIJUANA PRODUCTS.

24 (d) WITH THE POTENCY OR TETRAHYDROCANNABINOL LEVELS OF THE  
25 MARIJUANA OR MARIJUANA PRODUCT.

26 (e) IN A WAY THAT PRIMARILY APPEALS TO INDIVIDUALS WHO ARE UNDER  
27 TWENTY-ONE YEARS OF AGE SUCH THAT THE ADVERTISING HAS A SPECIAL  
28 ATTRACTIVENESS TO INDIVIDUALS WHO ARE UNDER TWENTY-ONE YEARS OF AGE BEYOND  
29 GENERAL ATTRACTIVENESS FOR INDIVIDUALS WHO ARE AT LEAST TWENTY-ONE YEARS  
30 OF AGE.

31 2. ADVERTISE AT, ON OR WITHIN AIRPORTS, PUBLIC TRANSPORTATION  
32 SHELTERS, PUBLIC BUSES, PUBLIC TRAINS, PUBLIC SHUTTLES OR PUBLIC TRAMS.

33 3. ADVERTISE ELECTRONICALLY, VIA SOCIAL MEDIA OR ON A WEBSITE,  
34 UNLESS AT LEAST 73.6 PERCENT OF THE AUDIENCE IS EXPECTED TO BE AT LEAST  
35 TWENTY-ONE YEARS OF AGE.

36 4. ADVERTISE ANY HEALTH-RELATED STATEMENT OR STATEMENT REGARDING  
37 THE EFFECTS OF MARIJUANA CONSUMPTION ON HEALTH THAT IS KNOWN TO BE UNTRUE.

38 5. UNLESS AT LEAST 73.6 PERCENT OF THE AUDIENCE IS EXPECTED TO BE  
39 AT LEAST TWENTY-ONE YEARS OF AGE, SPONSOR ANY SPORTING EVENT WITH  
40 ACKNOWLEDGMENT THAT INCLUDES IMAGES OF, VISUAL DEPICTIONS OF OR REFERENCES  
41 TO:

42 (a) MARIJUANA, INCLUDING THE LEAF OR BUD OF THE MARIJUANA PLANT.

43 (b) ANY MARIJUANA PRODUCT.

1 C. ALL ADVERTISING MUST CONTAIN THE FOLLOWING CONSPICUOUS AND  
2 LEGIBLE WARNING: "DO NOT USE MARIJUANA IF YOU ARE UNDER TWENTY-ONE YEARS  
3 OF AGE OR PREGNANT. KEEP MARIJUANA OUT OF REACH OF CHILDREN." ALL  
4 PRINTED WARNINGS MUST OCCUPY AT LEAST TEN PERCENT OF THE ADVERTISING AREA  
5 AND MUST BE IN BLACK FONT ON A WHITE BACKGROUND.

6 D. A BILLBOARD ADVERTISEMENT UNDER THIS SECTION IS PROHIBITED  
7 WITHIN ONE THOUSAND RADIAL FEET OF ANY CHILD CARE CENTER, CHURCH,  
8 SUBSTANCE ABUSE RECOVERY FACILITY, PUBLIC PARK, PUBLIC PLAYGROUND OR  
9 PUBLIC OR PRIVATE SCHOOL THAT PROVIDES INSTRUCTION TO STUDENTS IN  
10 PRESCHOOL OR KINDERGARTEN PROGRAMS OR ANY OF GRADES ONE THROUGH TWELVE. A  
11 PERSON THAT VIOLATES THIS SUBSECTION, ON NOTIFICATION BY THE ATTORNEY  
12 GENERAL'S OFFICE, HAS THIRTY DAYS TO COMPLY WITH THESE REQUIREMENTS. FOR  
13 CIRCUMSTANCES BEYOND THE CONTROL OF THE BILLBOARD OPERATOR THAT MAY  
14 PREVENT REMOVAL WITHIN THE PRESCRIBED TIME FRAME, THE ADVERTISEMENT MUST  
15 BE REMOVED AS SOON AS SAFELY AND LEGALLY PRACTICABLE. A PERSON THAT DOES  
16 NOT COMPLY WITH THIS SUBSECTION IS SUBJECT TO THE CIVIL PENALTIES AND  
17 DISCIPLINARY ACTION PRESCRIBED IN THIS SECTION.

18 ~~B.~~ E. An advertising platform may host advertising only if all of  
19 the following apply:

20 1. The advertising is authorized by a marijuana establishment or  
21 nonprofit medical marijuana dispensary.

22 2. The advertising accurately and legibly identifies the marijuana  
23 establishment or nonprofit medical marijuana dispensary responsible for  
24 the content of the advertising by name and license number or registration  
25 number.

26 3. THE ADVERTISING CONTAINS A PRINTED WARNING THAT COMPLIES WITH  
27 SUBSECTION C OF THIS SECTION.

28 ~~C.~~ F. Any advertising under this chapter involving direct,  
29 individualized communication or dialogue shall use a method of age  
30 affirmation to verify that the recipient is AT LEAST twenty-one years of  
31 age ~~or older~~ before engaging in that communication or dialogue. For the  
32 purposes of this subsection, that method of age affirmation may include  
33 user confirmation, birth date disclosure or other similar registration  
34 methods.

35 ~~D.~~ G. It is unlawful for an individual or entity other than a  
36 marijuana establishment or dual licensee to do any of the following in a  
37 manner that is not authorized by this chapter or rules adopted by the  
38 department pursuant to this chapter:

39 1. Facilitate the delivery of marijuana or marijuana products.

40 2. Solicit or accept orders for marijuana or marijuana products or  
41 operate a platform that solicits or accepts orders for marijuana or  
42 marijuana products.

43 3. Operate a listing service related to the sale or delivery of  
44 marijuana or marijuana products.

1 H. A MARIJUANA ESTABLISHMENT OR A NONPROFIT MEDICAL MARIJUANA  
2 DISPENSARY THAT VIOLATES THIS SECTION, ON NOTIFICATION BY THE DEPARTMENT  
3 OR ATTORNEY GENERAL'S OFFICE, HAS SEVEN DAYS TO COMPLY WITH THE  
4 REQUIREMENTS OF THIS SECTION.

5 ~~F.~~ I. A marijuana establishment that ~~violates~~ IS FOUND TO BE IN  
6 VIOLATION OF this section BY THE ATTORNEY GENERAL is subject to  
7 disciplinary action by the department pursuant to section 36-2854,  
8 subsection B. A nonprofit medical marijuana dispensary that ~~violates~~ IS  
9 FOUND TO BE IN VIOLATION OF this section BY THE ATTORNEY GENERAL is  
10 subject to disciplinary action by the department pursuant to section  
11 36-2816.

12 ~~F.~~ J. In addition to any other penalty imposed by law, an  
13 individual or entity other than a marijuana establishment or nonprofit  
14 medical marijuana dispensary that advertises marijuana or marijuana  
15 products in violation of this section or otherwise violates this section  
16 shall pay a civil penalty of \$20,000 per violation to the smart and safe  
17 Arizona fund established by section 36-2856.

18 K. This ~~subsection may~~ SECTION SHALL be enforced by the attorney  
19 general.

20 L. FOR THE PURPOSES OF THIS SECTION, ADVERTISING DOES NOT INCLUDE A  
21 COMMUNICATION THAT IS TARGETED ONLY TO THE ESTABLISHED CUSTOMER BASE OF A  
22 MARIJUANA ESTABLISHMENT OR NONPROFIT MEDICAL MARIJUANA DISPENSARY.

23 Sec. 2. Effective date

24 Section 36-2859, Arizona Revised Statutes, as amended by this act,  
25 is effective from and after June 30, 2026.

26 Sec. 3. Requirements for enactment; three-fourths vote

27 Pursuant to article IV, part 1, section 1, Constitution of Arizona,  
28 section 36-2859, Arizona Revised Statutes, as amended by this act, is  
29 effective only on the affirmative vote of at least three-fourths of the  
30 members of each house of the legislature.