

The House Committee on Regulated Industries offers the following substitute to HB 342:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 9 of Chapter 12 of Title 16 of the Official Code of Georgia Annotated,
2 relating to access to medical cannabis, so as to repeal certain advertising restrictions on
3 licensees; to provide for rules and regulations; to provide for related matters; to repeal
4 conflicting laws; and for other purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 9 of Chapter 12 of Title 16 of the Official Code of Georgia Annotated, relating to
8 access to medical cannabis, is amended by revising Code Section 16-12-215, relating to
9 limitation on locations, advertising or marketing prohibited, and information available to
10 physicians, as follows:

11 "16-12-215.

12 (a) No licensee shall operate in any location, whether for cultivation, harvesting, and
13 processing of marijuana or for processing, manufacturing, packaging, or distributing low
14 THC oil or products, within a 3,000 foot radius of a covered entity, measured from
15 property boundary to property boundary. No dispensing licensee may operate in any
16 location within a 1,000 foot radius of a covered entity, measured from property boundary

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17 to property boundary. Notwithstanding the provisions of this subsection, local
18 governments may, via use of existing zoning powers otherwise provided by law, allow
19 dispensing licensees only to locate in places other than those provided in this subsection
20 so long as such modification is needed to allow retail outlets to be established to service
21 registered patients residing within such local jurisdiction. As used in this subsection, the
22 term 'covered entity' means a public or private school; an early care and education program
23 as defined in Code Section 20-1A-2; or a church, synagogue, or other place of public
24 religious worship, in existence prior to the date of licensure of such licensee by the
25 commission or State Board of Pharmacy.

26 (b)(1) Licensees ~~No licensee shall be permitted to advertise or market low THC oil or~~
27 ~~products to registered patients or and the public; provided, however, that a licensee shall~~
28 ~~be authorized to provide information regarding its low THC oil and products directly to~~
29 ~~physicians in accordance with the rules and regulations promulgated by the commission~~
30 ~~pursuant to paragraph (2) of this subsection.~~

31 (2) The commission shall promulgate rules and regulations governing the advertising or
32 marketing of low THC oil or products by licensees to ensure that such marketing or
33 advertising:

34 (A) Does not include medical claims that are unsupported by reliable scientific
35 evidence; and

36 (B) Is not otherwise harmful to the public."

37 **SECTION 2.**

38 All laws and parts of laws in conflict with this Act are repealed.