§702. Signs, advertising and marketing

1. Prohibitions. Signs, advertising and marketing used by or on behalf of a licensee:

A. May not be misleading, deceptive or false; [PL 2017, c. 409, Pt. A, §6 (NEW).]

B. [PL 2023, c. 396, §14 (RP).]

C. May not be placed or otherwise used within 1,000 feet of the property line of a preexisting public or private school, except that, if a municipality by ordinance or other regulation, or, in the case of a town, plantation or township located in the unorganized and deorganized areas, the Maine Land Use Planning Commission, chooses to prohibit the placement or use of signs or advertising by or on behalf of a cannabis establishment at distances greater than or less than 1,000 feet but not less than 500 feet from the property line of a preexisting public or private school, that greater or lesser distance applies. As used in this paragraph, "school" has the same meaning as in section 402, subsection 2, paragraph A; and [PL 2017, c. 409, Pt. A, §6 (NEW); PL 2021, c. 669, §5 (REV).]

D. May not violate any other requirement or restriction on signs, advertising and marketing imposed by the office by rule pursuant to subsection 2. [PL 2023, c. 679, Pt. B, §123 (AMD).]
[PL 2023, c. 679, Pt. B, §123 (AMD).]

2. Rules on signs, advertising and marketing. The office may adopt rules regarding the placement and use of signs, advertising and marketing by or on behalf of a licensee, which may include, but are not limited to:

A. A prohibition on health or physical benefit claims in advertising or marketing, including, but not limited to, health or physical benefit claims on the label or packaging of adult use cannabis or an adult use cannabis product; [PL 2017, c. 409, Pt. A, §6 (NEW); PL 2021, c. 669, §5 (REV).]

B. A prohibition on unsolicited advertising or marketing on the Internet, including, but not limited to, banner advertisements on mass-market websites; [PL 2017, c. 409, Pt. A, §6 (NEW).]

C. A prohibition on opt-in advertising or marketing that does not permit an easy and permanent opt-out feature; [PL 2023, c. 396, §15 (AMD).]

D. A prohibition on advertising or marketing directed toward location-based devices, including, but not limited to, cellular telephones, unless the marketing is a mobile device application installed on the device by the owner of the device who is 21 years of age or older and includes a permanent and easy opt-out feature; and [PL 2023, c. 396, §16 (AMD).]

E. Limitations on signs, advertising and marketing specifically designed to target minors regarding adult use cannabis and adult use cannabis products. [PL 2023, c. 679, Pt. B, §124 (AMD).]
[PL 2023, c. 679, Pt. B, §124 (AMD).]

3. Restrictions on signs, advertising and marketing. A licensee may advertise or market the promotion of the licensee's business and adult use cannabis and adult use cannabis products sold by the licensee, including the display of a sign on the licensed premises and off the licensed premises on the exterior of a motor vehicle in accordance with this section.
[PL 2023, c. 396, §18 (NEW).]

4. Voluntary sign, advertising and marketing approval. A licensee may submit to the office a request for approval of any sign, advertisement or marketing materials the licensee intends to use. The request must include the following information as applicable:

A. A digital or physical sample of the sign, advertisement or marketing materials for which approval is requested; and [PL 2023, c. 679, Pt. B, §125 (NEW).]

B. Any additional information required on the sign, advertisement or marketing materials approval request form provided by the office and available on the office's publicly accessible website. [PL 2023, c. 679, Pt. B, §125 (NEW).]

The office may not refuse to review any voluntary request for approval. The office may deny any sign, advertisement or marketing materials it determines do not comply with this chapter or the rules adopted pursuant to this chapter. Within 30 days of submission of the request, the office shall issue a written decision either approving or denying the request, including the reason for denial, if applicable. If the request is approved, the office may not take any enforcement action of any kind against the licensee solely for using the approved sign, advertisement or marketing materials.
[PL 2023, c. 679, Pt. B, §125 (NEW).]

SECTION HISTORY

PL 2017, c. 409, Pt. A, §6 (NEW). PL 2021, c. 669, §5 (REV). PL 2023, c. 396, §§14-18 (AMD). PL 2023, c. 679, Pt. B, §§123-125 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 132nd Maine Legislature and is current through October 1, 2026. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.