

FAMILY ISSUE FACT SHEET

NO. 2021-11 (FEBRUARY 2021)

HB 2809 DHS; MARIJUANA; ADVERTISING; LABELING; SIGNAGE; SALE

EXECUTIVE SUMMARY

Arizona voters legalized recreational marijuana use in November 2020. The state legislature has the obligation to protect minors, prevent dangerous impaired behaviors, and limit access within the constraints of the new law. To that end, HB 2809 sets limits on sales and advertising that puts vulnerable minors at undue risk. It also warns pregnant women of the dangers of consuming or inhaling THC; and it prohibits marijuana establishments from serving impaired customers.

Arizona's Voter Protection Act prohibits the state legislature from changing any part of the recreational marijuana law because it was approved by voters. The only exceptions are to advance the purpose of the law or to address issues the law leaves to the state.

BILL DETAILS

In the wake of a misguided push to market marijuana to treat morning sickness in pregnant women,ⁱ the bill requires marijuana establishments to display signs warning pregnant women of the potential danger to preborn babies when the mother consumes or inhales marijuana. The U.S. Department of Health and Human Services issued a warning on its website detailing the various risks to preborn babies. These include potential damage to the baby's brain development and low birth weight.ⁱⁱ The warning required in HB 2809 must include the clear statement, "Should not be used by women who are pregnant or breastfeeding."

The bipartisan bill also:

- Prohibits free samples at marijuana retail stores
- Prohibits advertisements that use graphics designed to attract minors
- Prohibits advertising within one mile of any K-12 school
- Prohibits marijuana establishments from sponsoring social events or teams
- Prohibits marijuana establishments from selling marijuana to those who are "obviously intoxicated"

TALKING POINTS

1. **State lawmakers have an obligation to establish commonsense restrictions on the use and advertising of marijuana – within the confines of the law. These restrictions are not sufficient to protect all Arizonans from the dangers of high-potency pot, but they do address potential problems associated with the sale of an impairing drug.**

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2. **Many in the marijuana industry have been selling THC as an appropriate treatment for morning sickness. HB 2809 refutes that dangerous claim with well-established science from federal health officials. This will help inform pregnant women and protect their preborn babies.**

This bill, with commonsense regulations on recreational marijuana, is a bipartisan effort to protect minors from the lure of targeted advertising and proximity to their schools. It is truly a bill we can all support.

CONCLUSION

HB 2809 addresses some of the potential problems associated with legalizing recreational marijuana - within the confines of the law. It protects minors, warns pregnant women, and curbs sales to impaired customers. It has the support of both Republicans and Democrats making it a bill all should be able to support.

ⁱ <https://www.deccanchronicle.com/lifestyle/health-and-wellbeing/110518/yes-we-cannabis-study-finds-marijuana-treats-morning-sickness-in-preg.html> (last accessed 2/2021)

ⁱⁱ HHS website <https://www.hhs.gov/surgeongeneral/reports-and-publications/addiction-and-substance-misuse/advisory-on-marijuana-use-and-developing-brain/index.html> (last accessed 2/2021)