



General Assembly

Amendment

January Session, 2021

LCO No. 10443



Offered by:

SEN. SOMERS, 18th Dist.
SEN. MARTIN, 31st Dist.
SEN. CHAMPAGNE, 35th Dist.
SEN. BERTHEL, 32nd Dist.

To: Senate Bill No. 1118

File No.

Cal. No.

**"AN ACT CONCERNING RESPONSIBLE AND EQUITABLE
REGULATION OF ADULT-USE CANNABIS."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective from passage*) No licensed cannabis
4 establishment, as defined in section 1 of this act, shall make or
5 disseminate before the public, or cause to be made or disseminated
6 before the public, in any newspaper or other publication, through any
7 advertising device, or in any other manner, including, but not limited
8 to, through use of the Internet, any statement concerning cannabis that
9 is deceptive, whether by statement or omission. For purposes of this
10 section and section 502 of this act, advertising that is deceptive is
11 advertising that contains an intentional misrepresentation of a fact
12 related to cannabis.

13 Sec. 502. (NEW) (*Effective from passage*) (a) The Attorney General may
14 apply to any court of competent jurisdiction for injunctive relief to
15 compel compliance with the provisions of section 501 of this act and
16 correct the effects of the deceptive advertising, provided the Attorney
17 General gives written notice to the licensed cannabis establishment in
18 accordance with subsection (b) of this section. Any injunctive relief
19 ordered by the court may include requiring the licensed cannabis
20 establishment to:

21 (1) Pay for and disseminate appropriate corrective advertising in the
22 same form and using the same advertising device as used in the
23 deceptive advertising;

24 (2) Post a remedial notice that corrects the effects of the deceptive
25 advertising; or

26 (3) Provide such other narrowly tailored relief as the court deems
27 necessary to remedy the adverse effects of the deceptive advertising on
28 persons who may use or seek to use cannabis or cannabis products, each
29 as defined in section 1 of this act.

30 (b) Prior to commencing an action pursuant to subsection (a) of this
31 section, the Attorney General shall give written notice to the licensed
32 cannabis establishment of the violation of section 501 of this act and
33 allow the licensed cannabis establishment to cure such violation not
34 later than ten days after receipt of the written notice. The Attorney
35 General may file an action pursuant to subsection (a) of this section after
36 such ten-day period if the licensed cannabis establishment does not
37 respond to the written notice or refuses to cure the violation of section
38 501 of this act.

39 (c) Upon a finding by the court that a licensed cannabis establishment
40 has violated any provision of section 501 of this act, the state shall be
41 entitled to recover (1) civil penalties of not less than fifty dollars and not
42 more than five hundred dollars per violation, and (2) reasonable
43 attorney's fees and costs.

44 (d) Nothing in this section shall prohibit the state or any political
45 subdivision thereof from seeking any administrative, legal or equitable
46 relief permitted by law, including, but not limited to, relief permitted by
47 chapter 735a of the general statutes and the regulations adopted
48 thereunder."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>from passage</i>	New section
Sec. 502	<i>from passage</i>	New section