

Federal Cannabis Laws

Federal law may still restrict broadcast stations from accepting cannabis advertising from licensed cannabis businesses in New York. Since federal drug laws remain on the books, stations may place their federal broadcast license at risk by accepting cannabis advertisements. This is the case even though the ads are being purchased by an authorized and licensed cannabis distributor. Each station must make its own decision, and we urge stations to consult their own counsel.

Federal legislation has been introduced to allow stations to accept cannabis advertisements consistent with the law of the state in which they are licensed. Given that New York has approved adult-use cannabis, this would allow stations licensed to communities in New York to accept adult-use cannabis advertisements. However, this legislation has **not** passed. Until there is a change in federal law, a station may risk its license by accepting these advertisements.

It is important to look at the specifics of the advertisements. For example, New York State created a series of cannabis PSAs. These PSAs appear to be ok as they are not advertising cannabis per se.