

Amendment No. 49

Senate Amendment to Senate Bill No. 49	(BDR 56-268)
Proposed by: Senate Committee on Health and Human Services	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.



SENATE BILL NO. 49—COMMITTEE ON
HEALTH AND HUMAN SERVICES

(ON BEHALF OF THE CANNABIS COMPLIANCE BOARD)

PREFILED NOVEMBER 18, 2020

Referred to Committee on Health and Human Services

SUMMARY—Revises provisions relating to cannabis. (BDR 56-268)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to cannabis; authorizing the Cannabis Compliance Board to employ the services of persons the Board considers necessary for the purposes of hearing disciplinary proceedings; authorizing the Executive Director of the Board to serve a complaint on a respondent who is subject to a disciplinary proceeding; authorizing the Chair of the Board to grant one or more extensions to certain deadlines for holding a hearing; removing authorization for the ~~Cannabis Compliance~~ Board to take testimony by deposition in hearings before the Board; revising provisions governing a regulatory waiver to the registration requirement for holders of an ownership interest of less than 5 percent in a cannabis establishment; changing the labeling requirement for cannabis products; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law grants the Cannabis Compliance Board certain powers. (NRS 678A.440) Section 1 of this bill authorizes the Board to employ the services of such persons it considers necessary for the purposes of hearing disciplinary proceedings. Existing law requires the Board to serve the complaint upon a respondent that is subject to a disciplinary proceeding. (NRS 678A.520) Section 1.3 of this bill authorizes the Executive Director of the Board to serve the respondent with such a complaint. Existing law requires a disciplinary hearing to be held within 45 days after receiving the respondent’s answer to a complaint unless an expedited hearing is determined to be appropriate by the Board. (NRS 678A.520) Section 1.3 authorizes the Chair of the Board to grant one or more extensions to the 45-day requirement pursuant to a request of a party or an agreement by both parties.

Existing law allows for testimony provided by witnesses appearing at a hearing before the ~~Cannabis Compliance~~ Board to be taken by deposition in the manner provided by the Nevada Rules of Civil Procedure. (NRS 678A.530) Section ~~1.1~~ 1.7 of this bill removes the authorization for the Board to take the testimony of a witness by deposition in hearings before the Board.

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Existing law requires a person who owns an ownership interest in a cannabis establishment of less than 5 percent to register with the Board. (NRS 678B.340) Existing law authorizes the Board to waive the registration requirement for such persons pursuant to policies and procedures adopted by regulation. (NRS 678A.450) Existing regulations of the Board establish the policies and procedures for waiving this requirement. (Nevada Cannabis Compliance Regulation 5.125) **Section 2** of this bill clarifies existing law to reflect the authority of the Board to adopt policies and procedures that waive the registration requirement. (NRS 678A.450)

Existing law requires each cannabis establishment to ensure that all cannabis products offered for sale are labeled with the words "THIS IS A MEDICAL CANNABIS PRODUCT" or "THIS IS A CANNABIS PRODUCT." (NRS 678B.520) **Section 3** of this bill changes the labeling requirement to ensure that all cannabis products offered for sale are labeled with the words "THIS PRODUCT CONTAINS CANNABIS."

**THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:**

Section 1. NRS 678A.440 is hereby amended to read as follows:

678A.440 In addition to any other powers granted by this title, the Board has the power to:

1. Enter into interlocal agreements pursuant to NRS 277.080 to 277.180, inclusive.
2. Establish and amend a plan of organization for the Board, including, without limitation, organizations of divisions or sections with leaders for such divisions or sections.
3. Appear on its own behalf before governmental agencies of the State or any of its political subdivisions.
4. Apply for and accept any gift, donation, bequest, grant or other source of money to carry out the provisions of this title.
5. Execute all instruments necessary or convenient for carrying out the provisions of this title.
6. Prepare, publish and distribute such studies, reports, bulletins and other materials as the Board deems appropriate.
7. Refer cases to the Attorney General for criminal prosecution.
8. Maintain an official Internet website for the Board.
9. Monitor federal activity regarding cannabis and report its findings to the Legislature.

10. Employ the services of such persons the Board considers necessary for the purposes of hearing disciplinary proceedings.

Sec. 1.3. NRS 678A.520 is hereby amended to read as follows:

678A.520 1. If the Board proceeds with disciplinary action pursuant to NRS 678A.510, the Board **or the Executive Director** shall serve a complaint upon the respondent either personally, or by registered or certified mail at the address of the respondent that is on file with the Board. Such complaint must be a written statement of charges and must set forth in ordinary and concise language the acts or omissions with which the respondent is charged. The complaint must specify the statutes and regulations which the respondent is alleged to have violated, but must not consist merely of charges raised in the language of the statutes or regulations. The complaint must provide notice of the right of the respondent to request a hearing. The Chair of the Board may grant an extension to respond to the complaint for good cause.

1 2. Unless granted an extension, the respondent must answer within 20 days
2 after the service of the complaint. In the answer the respondent:

3 (a) Must state in short and plain terms the defenses to each claim asserted.

4 (b) Must admit or deny the facts alleged in the complaint.

5 (c) Must state which allegations the respondent is without knowledge or
6 information to form a belief as to their truth. Such allegations shall be deemed
7 denied.

8 (d) Must affirmatively set forth any matter which constitutes an avoidance or
9 affirmative defense.

10 (e) May demand a hearing. Failure to demand a hearing constitutes a waiver of
11 the right to a hearing and to judicial review of any decision or order of the Board,
12 but the Board may order a hearing even if the respondent so waives his or her right.

13 3. Failure to answer or to appear at the hearing constitutes an admission by
14 the respondent of all facts alleged in the complaint. The Board may take action
15 based on such an admission and on other evidence without further notice to the
16 respondent. If the Board takes action based on such an admission, the Board shall
17 include in the record which evidence was the basis for the action.

18 4. The Board shall determine the time and place of the hearing as soon as is
19 reasonably practical after receiving the respondent's answer. The Board shall
20 deliver or send by registered or certified mail a notice of hearing to all parties at
21 least 10 days before the hearing. The hearing must be held within 45 days after
22 receiving the respondent's answer unless an expedited hearing is determined to be
23 appropriate by the Board, in which event the hearing must be held as soon as
24 practicable. The Chair of the Board may grant one or more extensions to the 45-
25 day requirement pursuant to a request of a party or an agreement by both parties.

26 ~~[Section 1.]~~ **Sec. 1.7.** NRS 678A.530 is hereby amended to read as follows:

27 678A.530 ~~[[]]~~ Before a hearing before the Board, and during a hearing upon
28 reasonable cause shown, the Board shall issue subpoenas and subpoenas duces
29 tecum at the request of a party. All witnesses appearing pursuant to subpoena, other
30 than parties, officers or employees of the State of Nevada or any political
31 subdivision thereof, are entitled to receive fees and mileage in the same amounts
32 and under the same circumstances as provided by law for witnesses in civil actions
33 in the district courts. Witnesses entitled to fees or mileage who attend hearings at
34 points so far removed from their residences as to prohibit return thereto from day to
35 day are entitled, in addition to witness fees and in lieu of mileage, to the per diem
36 compensation for subsistence and transportation authorized for state officers and
37 employees for each day of actual attendance and for each day necessarily occupied
38 in traveling to and from the hearings. Fees, subsistence and transportation expenses
39 must be paid by the party at whose request the witness is subpoenaed. The Board
40 may award as costs the amount of all such expenses to the prevailing party.

41 ~~[[2.— The testimony of any material witness residing within or without the State~~
42 ~~of Nevada may be taken by deposition in the manner provided by the Nevada Rules~~
43 ~~of Civil Procedure.]]~~

44 **Sec. 2.** NRS 678B.340 is hereby amended to read as follows:

45 678B.340 1. Except as otherwise provided in ~~[this section.]~~ **any policies**
46 **and procedures adopted by the Board pursuant to paragraph (e) of subsection 1**
47 **of NRS 678A.450**, a person shall not hold an ownership interest in a cannabis
48 establishment of less than 5 percent, volunteer or work at, contract to provide labor to
49 or be employed by an independent contractor to provide labor to a cannabis
50 establishment as a cannabis establishment agent unless the person is registered with
51 the Board pursuant to this section.

1 2. A person who wishes to volunteer or work at a cannabis establishment shall
2 submit to the Board an application on a form prescribed by the Board. The
3 application must be accompanied by:

4 (a) The name, address and date of birth of the prospective cannabis
5 establishment agent;

6 (b) A statement signed by the prospective cannabis establishment agent
7 pledging not to dispense or otherwise divert cannabis to any person who is not
8 authorized to possess cannabis in accordance with the provisions of this title;

9 (c) A statement signed by the prospective cannabis establishment agent
10 asserting that he or she has not previously had a cannabis establishment agent
11 registration card revoked;

12 (d) The application fee, as set forth in NRS 678B.390; and

13 (e) Such other information as the Board may require by regulation.

14 3. A person who wishes to contract to provide labor to or be employed by an
15 independent contractor to provide labor to a cannabis establishment shall submit to
16 the Board an application on a form prescribed by the Board for the registration of
17 the independent contractor and each employee of the independent contractor who
18 will provide labor as a cannabis establishment agent. The application must be
19 accompanied by:

20 (a) The name, address and, if the prospective cannabis establishment agent has
21 a state business license, the business identification number assigned by the
22 Secretary of State upon compliance with the provisions of chapter 76 of NRS;

23 (b) The name, address and date of birth of each employee of the prospective
24 cannabis establishment agent who will provide labor as a cannabis establishment
25 agent;

26 (c) A statement signed by the prospective cannabis establishment agent
27 pledging not to dispense or otherwise divert cannabis to, or allow any of its
28 employees to dispense or otherwise divert cannabis to, any person who is not
29 authorized to possess cannabis in accordance with the provisions of this title;

30 (d) A statement signed by the prospective cannabis establishment agent
31 asserting that it has not previously had a cannabis establishment agent registration
32 card revoked and that none of its employees who will provide labor as a cannabis
33 establishment agent have previously had a cannabis establishment agent registration
34 card revoked;

35 (e) The application fee, as set forth in NRS 678B.390; and

36 (f) Such other information as the Board may require by regulation.

37 4. ~~[A]~~ *Except as otherwise provided in any policies and procedures adopted*
38 *by the Board pursuant to paragraph (e) of subsection 1 of NRS 678A.450, a*
39 *person who wishes to hold an ownership interest in a cannabis establishment of less*
40 *than 5 percent shall submit to the Board an application on a form prescribed by the*
41 *Board. The application must be accompanied by:*

42 (a) The name, address and date of birth of the prospective cannabis
43 establishment agent;

44 (b) A statement signed by the prospective cannabis establishment agent
45 pledging not to dispense or otherwise divert cannabis to any person who is not
46 authorized to possess cannabis in accordance with the provisions of this title;

47 (c) A statement signed by the prospective cannabis establishment agent
48 asserting that he or she has not previously had a cannabis establishment agent
49 registration card revoked;

50 (d) Any information required by the Board to complete an investigation into
51 the background of the prospective cannabis establishment agent, including, without
52 limitation, financial records and other information relating to the business affairs of
53 the prospective cannabis establishment agent;

1 (e) The application fee, as set forth in NRS 678B.390; and

2 (f) Such other information as the Board may require by regulation.

3 5. The Board may conduct any investigation of a prospective cannabis
4 establishment agent and, for an independent contractor, each employee of the
5 prospective cannabis establishment agent who will provide labor as a cannabis
6 establishment agent, that the Board deems appropriate. In connection with such an
7 investigation, the Board may:

8 (a) Conduct or accept any background check the Board determines to be
9 reliable and expedient to determine the criminal history of the prospective cannabis
10 establishment agent or the employee;

11 (b) Require a prospective cannabis establishment agent, if a natural person, and
12 each employee of a prospective cannabis establishment agent who will provide
13 labor as a cannabis establishment agent to submit to the Board a complete set of
14 fingerprints and written permission authorizing the Board to forward the
15 fingerprints to the Central Repository for Nevada Records of Criminal History for
16 submission to the Federal Bureau of Investigation for its report; and

17 (c) If the Board imposes the requirement described in paragraph (b), submit the
18 fingerprints of the prospective cannabis establishment agent and each employee of
19 the prospective cannabis establishment agent who will provide labor as a cannabis
20 establishment agent to the Central Repository for Nevada Records of Criminal
21 History for submission to the Federal Bureau of Investigation for its report.

22 6. A cannabis establishment shall notify the Board within 10 business days
23 after a cannabis establishment agent ceases to hold an ownership interest in the
24 cannabis establishment of less than 5 percent, be employed by, volunteer at or
25 provide labor as a cannabis establishment agent to the cannabis establishment.

26 7. A person who:

27 (a) Has been convicted of an excluded felony offense;

28 (b) Is less than 21 years of age; or

29 (c) Is not qualified, in the determination of the Board pursuant to NRS
30 678B.200,

31 shall not serve as a cannabis establishment agent.

32 8. The provisions of this section do not require a person who is an owner,
33 officer or board member of a cannabis establishment to resubmit information
34 already furnished to the Board at the time the establishment was licensed with the
35 Board.

36 9. If an applicant for registration as a cannabis establishment agent satisfies
37 the requirements of this section, is found to be qualified by the Board pursuant to
38 NRS 678B.200 and is not disqualified from serving as such an agent pursuant to
39 this section or any other applicable law, the Board shall issue to the person and, for
40 an independent contractor, to each person identified in the independent contractor's
41 application for registration as an employee who will provide labor as a cannabis
42 establishment agent, a cannabis establishment agent registration card. If the Board
43 does not act upon an application for a cannabis establishment agent registration
44 card within 45 days after the date on which the application is received, the
45 application shall be deemed conditionally approved until such time as the Board
46 acts upon the application. A cannabis establishment agent registration card expires
47 2 years after the date of issuance and may be renewed upon:

48 (a) Resubmission of the information set forth in this section; and

49 (b) Payment of the renewal fee set forth in NRS 678B.390.

50 10. A person to whom a cannabis establishment agent registration card is
51 issued or for whom such a registration card is renewed shall submit to the Board on
52 the date of the first anniversary of the issuance or renewal an affidavit attesting that
53 in the preceding year there has been no change in the information previously

1 provided to the Board which would subject the person to disciplinary action by the
2 Board.

3 11. A cannabis establishment agent registration card issued pursuant to this
4 section to an independent contractor or an employee of an independent contractor
5 authorizes the independent contractor or employee to provide labor to any cannabis
6 establishment in this State.

7 12. A cannabis establishment agent registration card issued pursuant to this
8 section to a person who wishes to volunteer or work at a medical cannabis
9 establishment authorizes the person to volunteer or work at any cannabis
10 establishment in this State for which the category of the cannabis establishment
11 agent registration card authorizes the person to volunteer or work.

12 13. Except as otherwise prescribed by regulation of the Board, an applicant
13 for registration or renewal of registration as a cannabis establishment agent is
14 deemed temporarily registered as a cannabis establishment agent on the date on
15 which a complete application for registration or renewal of registration is submitted
16 to the Board. A temporary registration as a cannabis establishment agent expires 45
17 days after the date upon which the application is received.

18 **Sec. 3.** NRS 678B.520 is hereby amended to read as follows:

19 678B.520 1. Each cannabis establishment shall, in consultation with the
20 Board, cooperate to ensure that all cannabis products offered for sale:

21 (a) Are labeled clearly and unambiguously:

22 (1) As cannabis ~~[for medical cannabis]~~ with the words ~~[“THIS IS A~~
23 ~~MEDICAL CANNABIS PRODUCT” or “THIS IS A CANNABIS PRODUCT,” as~~
24 ~~applicable.]~~ **“THIS PRODUCT CONTAINS CANNABIS”** in bold type; and

25 (2) As required by the provisions of this chapter and chapters 678C and
26 678D of NRS.

27 (b) Are not presented in packaging that contains an image of a cartoon
28 character, mascot, action figure, balloon or toy, except that such an item may
29 appear in the logo of the cannabis production facility which produced the product.

30 (c) Are regulated and sold on the basis of the concentration of THC in the
31 products and not by weight.

32 (d) Are packaged and labeled in such a manner as to allow tracking by way of
33 an inventory control system.

34 (e) Are not packaged and labeled in a manner which is modeled after a brand
35 of products primarily consumed by or marketed to children.

36 (f) Are labeled in a manner which indicates the amount of THC in the product,
37 measured in milligrams, and includes a statement that the product contains cannabis
38 and its potency was tested with an allowable variance of the amount determined by
39 the Board by regulation.

40 (g) Are not labeled or marketed as candy.

41 2. A cannabis production facility shall not produce cannabis products in any
42 form that:

43 (a) Is or appears to be a lollipop.

44 (b) Bears the likeness or contains characteristics of a real or fictional person,
45 animal or fruit, including, without limitation, a caricature, cartoon or artistic
46 rendering.

47 (c) Is modeled after a brand of products primarily consumed by or marketed to
48 children.

49 (d) Is made by applying concentrated cannabis, as defined in NRS 453.042, to
50 a commercially available candy or snack food item other than dried fruit, nuts or
51 granola.

52 3. A cannabis production facility shall:

1 (a) Seal any cannabis product that consists of cookies or brownies in a bag or
2 other container which is not transparent.

3 (b) Affix a label to each cannabis product which includes without limitation, in
4 a manner which must not mislead consumers, the following information:

- 5 (1) The words “Keep out of reach of children”;
- 6 (2) A list of all ingredients used in the cannabis product;
- 7 (3) A list of all allergens in the cannabis product; and
- 8 (4) The total content of THC measured in milligrams.

9 (c) Maintain a hand washing area with hot water, soap and disposable towels
10 which is located away from any area in which cannabis products are cooked or
11 otherwise prepared.

12 (d) Require each person who handles cannabis products to restrain his or her
13 hair, wear clean clothing and keep his or her fingernails neatly trimmed.

14 (e) Package all cannabis products produced by the cannabis production facility
15 on the premises of the cannabis production facility.

16 4. A cannabis establishment shall not engage in advertising that in any way
17 makes cannabis or cannabis products appeal to children, including, without
18 limitation, advertising which uses an image of a cartoon character, mascot, action
19 figure, balloon, fruit or toy.

20 5. Each cannabis sales facility shall offer for sale containers for the storage of
21 cannabis and cannabis products which lock and are designed to prohibit children
22 from unlocking and opening the container.

23 6. A cannabis sales facility shall:

24 (a) Include a written notification with each sale of cannabis or cannabis
25 products which advises the purchaser:

- 26 (1) To keep cannabis and cannabis products out of the reach of children;
- 27 (2) That cannabis products can cause severe illness in children;
- 28 (3) That allowing children to ingest cannabis or cannabis products or
29 storing cannabis or cannabis products in a location which is accessible to children
30 may result in an investigation by an agency which provides child welfare services
31 or criminal prosecution for child abuse or neglect;

32 (4) That the intoxicating effects of edible cannabis products may be
33 delayed by 2 hours or more and users of edible cannabis products should initially
34 ingest a small amount of the product, then wait at least 120 minutes before
35 ingesting any additional amount of the product;

36 (5) That pregnant women should consult with a physician before ingesting
37 cannabis or cannabis products;

38 (6) That ingesting cannabis or cannabis products with alcohol or other
39 drugs, including prescription medication, may result in unpredictable levels of
40 impairment and that a person should consult with a physician before doing so;

41 (7) That cannabis or cannabis products can impair concentration,
42 coordination and judgment and a person should not operate a motor vehicle while
43 under the influence of cannabis or cannabis products; and

44 (8) That ingestion of any amount of cannabis or cannabis products before
45 driving may result in criminal prosecution for driving under the influence.

46 (b) Enclose all cannabis and cannabis products in opaque, child-resistant
47 packaging upon sale.

48 7. A cannabis sales facility shall allow any person who is at least 21 years of
49 age to enter the premises of the cannabis sales facility.

50 8. If the health authority, as defined in NRS 446.050, where a cannabis
51 production facility or cannabis sales facility which sells edible cannabis products is
52 located requires persons who handle food at a food establishment to obtain

1 certification, the cannabis production facility or cannabis sales facility shall ensure
2 that at least one employee maintains such certification.

3 9. A cannabis production facility may sell a commodity or product made
4 using hemp, as defined in NRS 557.160, or containing cannabidiol to a cannabis
5 sales facility.

6 10. In addition to any other product authorized by the provisions of this title, a
7 cannabis sales facility may sell:

8 (a) Any commodity or product made using hemp, as defined in NRS 557.160;

9 (b) Any commodity or product containing cannabidiol with a THC
10 concentration of not more than 0.3 percent; and

11 (c) Any other product specified by regulation of the Board.

12 11. A cannabis establishment:

13 (a) Shall not engage in advertising which contains any statement or illustration
14 that:

15 (1) Is false or misleading;

16 (2) Promotes overconsumption of cannabis or cannabis products;

17 (3) Depicts the actual consumption of cannabis or cannabis products; or

18 (4) Depicts a child or other person who is less than 21 years of age
19 consuming cannabis or cannabis products or objects suggesting the presence of a
20 child, including, without limitation, toys, characters or cartoons, or contains any
21 other depiction which is designed in any manner to be appealing to or encourage
22 consumption of cannabis or cannabis products by a person who is less than 21 years
23 of age.

24 (b) Shall not advertise in any publication or on radio, television or any other
25 medium if 30 percent or more of the audience of that medium is reasonably
26 expected to be persons who are less than 21 years of age.

27 (c) Shall not place an advertisement:

28 (1) Within 1,000 feet of a public or private school, playground, public park
29 or library, but may maintain such an advertisement if it was initially placed before
30 the school, playground, public park or library was located within 1,000 feet of the
31 location of the advertisement;

32 (2) On or inside of a motor vehicle used for public transportation or any
33 shelter for public transportation;

34 (3) At a sports event to which persons who are less than 21 years of age are
35 allowed entry; or

36 (4) At an entertainment event if it is reasonably estimated that 30 percent
37 or more of the persons who will attend that event are less than 21 years of age.

38 (d) Shall not advertise or offer any cannabis or cannabis product as “free” or
39 “donated” without a purchase.

40 (e) Shall ensure that all advertising by the cannabis establishment contains
41 such warnings as may be prescribed by the Board, which must include, without
42 limitation, the following words:

43 (1) “Keep out of reach of children”; and

44 (2) “For use only by adults 21 years of age and older.”

45 12. Nothing in subsection 11 shall be construed to prohibit a local
46 government, pursuant to chapter 244, 268 or 278 of NRS, from adopting an
47 ordinance for the regulation of advertising relating to cannabis which is more
48 restrictive than the provisions of subsection 11 relating to:

49 (a) The number, location and size of signs, including, without limitation, any
50 signs carried or displayed by a natural person;

51 (b) Handbills, pamphlets, cards or other types of advertisements that are
52 distributed, excluding an advertisement placed in a newspaper of general
53 circulation, trade publication or other form of print media;

1 (c) Any stationary or moving display that is located on or near the premises of
2 a cannabis establishment; and

3 (d) The content of any advertisement used by a cannabis establishment if the
4 ordinance sets forth specific prohibited content for such an advertisement.

5 13. If a cannabis establishment engages in advertising for which it is required
6 to determine the percentage of persons who are less than 21 years of age and who
7 may reasonably be expected to view or hear the advertisement, the cannabis
8 establishment shall maintain documentation for not less than 5 years after the date
9 on which the advertisement is first broadcasted, published or otherwise displayed
10 that demonstrates the manner in which the cannabis establishment determined the
11 reasonably expected age of the audience for that advertisement.

12 14. In addition to any other penalties provided for by law, the Board may
13 impose a civil penalty upon a cannabis establishment that violates the provisions of
14 subsection 11 or 13 as follows:

15 (a) For the first violation in the immediately preceding 2 years, a civil penalty
16 not to exceed \$1,250.

17 (b) For the second violation in the immediately preceding 2 years, a civil
18 penalty not to exceed \$2,500.

19 (c) For the third violation in the immediately preceding 2 years, a civil penalty
20 not to exceed \$5,000.

21 (d) For the fourth violation in the immediately preceding 2 years, a civil
22 penalty not to exceed \$10,000.

23 15. As used in this section, "motor vehicle used for public transportation"
24 does not include a taxicab, as defined in NRS 706.124.

25 **Sec. 4.** This act becomes effective upon passage and approval.