

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

## **An Act To Prohibit Prescription Drug Advertising**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 22 MRSA §2700-A, sub-§2**, as enacted by PL 2005, c. 392, §1, is amended to read:

**2. Regulated advertisement prohibition.** ~~Beginning October 15, 2005~~ Beginning January 1, 2020, a manufacturer may not present or cause to be presented in the State a regulated advertisement, ~~unless that advertisement meets the requirements concerning misbranded drugs and devices and prescription drug advertising of federal law and regulations under 21 United States Code, Sections 331 and 352(n) and 21 Code of Federal Regulations, Part 202 and state rules.~~ A violation of this subsection is a violation of the Maine Unfair Trade Practices Act. Each day a manufacturer is in violation of this subsection is considered a separate violation.

**Sec. 2. Effective date.** This Act takes effect on January 1, 2020.

### **SUMMARY**

This bill amends current law, which allows the advertising of prescription drugs only if the advertisement is not misleading, to ban completely, beginning January 1, 2020, the advertising of prescription drugs, either by broadcast by a television or radio station in this State, over the Internet from a location in this State or in a magazine or newspaper printed, distributed or sold in this State. A violation is a violation of the Maine Unfair Trade Practices Act.