# Cannabis in Alabama

**1 language**

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**Cannabis in Alabama** is illegal for [recreational use](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States). First-time possession of personal amounts is a misdemeanor, punishable by up to a year in prison, a fine of up to $6000, and a [mandatory six months driver's license suspension](https://en.wikipedia.org/wiki/Solomon%E2%80%93Lautenberg_amendment). Repeat offenses and possession with intent to sell are felonies.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-norml-1)

[Medical use](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) was legalized in 2021 through a bill passed by the legislature and signed by Governor [Kay Ivey](https://en.wikipedia.org/wiki/Kay_Ivey). Previous bills enacted in 2014 (Carly's Law) and 2016 (Leni's Law) allowed only for the use of CBD oil to treat seizure disorders.

**History**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Alabama&action=edit&section=1)]

**Prohibition (1931)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Alabama&action=edit&section=2)]

Cannabis was banned in Alabama in 1931.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-Whitebread1974-2)

**Carly's Law for CBD trials (2014)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Alabama&action=edit&section=3)]

In April 2014, Governor [Robert Bentley](https://en.wikipedia.org/wiki/Robert_J._Bentley) signed Carly's Law, which permits the [University of Alabama at Birmingham](https://en.wikipedia.org/wiki/University_of_Alabama_at_Birmingham) to provide non-psychoactive [CBD](https://en.wikipedia.org/wiki/Cannabidiol) oil to children with debilitating seizures as a clinical study.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-3) The legislation provided an [affirmative defense](https://en.wikipedia.org/wiki/Affirmative_defense) for individuals or their caregivers to possess CBD oil of up to 3% [THC](https://en.wikipedia.org/wiki/Tetrahydrocannabinol).[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-cbd-4)

**Leni's Law to expand CBD allowance (2016)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Alabama&action=edit&section=4)]

Leni's Law was signed into law by Governor Bentley on May 4, 2016.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-5) It expanded the affirmative defense allowed under Carly's Law to include any individual who has a debilitating disease or condition involving seizures.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-cbd-4) As with Carly's Law, the THC content was not allowed to exceed 3%.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-cbd-4)

**Failed attempts to legalize medical marijuana**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Alabama&action=edit&section=5)]

In 2012, Representative Koven Brown, a Republican representing the state's 40th House District,[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-6)[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-7) introduced model legislation as "The Alabama Medical Marijuana Patients Rights Act," which would "authorize the medical use of marijuana only for certain qualifying patients who have been diagnosed by a physician as having a serious medical condition."[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-auto-8) In part, it enumerated 24 serious medical conditions, or any other "chronic or persistent medical symptom" that "substantially limits the ability of the person to conduct one or more major life activities as defined in the Americans with Disabilities Act of 1990 (Public Law 101-336)" which "if not alleviated, may cause serious harm to the patient's safety or physical or mental health."[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-auto-8)[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-9) The bill died in committee. Three years later, it was reintroduced with minor changes in the State Senate as SB326 and sponsored by State Senator Bobby Singleton.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-10)[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-11)

In 2015 state Senator Bobby Singleton proposed the Medical Marijuana Patient Safe Access Act, which would have allowed patients with 25 severe conditions to access medical cannabis. The bill was passed by the Senate Judiciary Committee with near-unanimous approval, but failed to reach the Senate floor.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-12) Senator [Jabo Waggoner](https://en.wikipedia.org/wiki/J._T._Waggoner), head of the Senate Rules Committee, blocked the bills further progress, stating: "It is bad legislation... We don't need that in Alabama." [*High Times*](https://en.wikipedia.org/wiki/High_Times) described the proposed bill as "the most impressive piece of legislation the South has seen in regards to establishing a statewide medical marijuana program".[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-13)

**Attempts to reduce penalties for non-medical use**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Alabama&action=edit&section=6)]

In 2019, a bill by [Bobby Singleton](https://en.wikipedia.org/wiki/Bobby_Singleton) to reduce cannabis penalties advanced in the state senate. It would have eliminated the felony charge for a second personal use possession offense, saying instead that a person commits first-degree possession when they have two ounces (57 g) or more, and that first-degree possession is not a felony until the third conviction. Also, second-degree possession would have been reduced from a misdemeanor to a violation.[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-14)

Also in 2019, a bill by [Patricia Todd](https://en.wikipedia.org/wiki/Patricia_Todd) to reduce the penalty for possession was voted down in the House Judiciary Committee. Her bill would have made possession of 1 ounce (28 g) or less punishable only as a violation. A nearly identical bill by [Dick Brewbaker](https://en.wikipedia.org/wiki/Dick_Brewbaker) advanced in the Senate Judiciary Committee by a 6-4 vote and moved to the Senate floor.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-15)

**Medical use legalized (2021)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Alabama&action=edit&section=7)]

On May 17, 2021, Governor [Kay Ivey](https://en.wikipedia.org/wiki/Kay_Ivey) signed into law Senate Bill 46, the Darren Wesley 'Ato' Hall Compassion Act.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-signed-16)[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-17) The bill allows the use of cannabis with a physician's recommendation for treatment of approximately 15 qualifying conditions listed in the bill.[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-details-18) Patients can only use cannabis if a physician certifies that traditional medications have failed to improve the patient's condition.[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-19) No sale of raw plant materials of food products such as cookies or candies are allowed.[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-details-18) A 9% tax on gross sales of medical cannabis products is also required.[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-details-18)

Senate Bill 46 passed the Senate on February 24, 2021, by a vote of 21–8,[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-20) then passed the House on May 6, 2021, by a vote of 68–34,[[21]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-21) after Republican lawmakers staged a filibuster for nine hours on the House floor.[[22]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-22) The Senate then voted 20–9 to approve changes that were made by the House.[[23]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-23) The bill was sponsored by [Tim Melson](https://en.wikipedia.org/wiki/Tim_Melson) (R-Florence) in the Senate and [Mike Ball](https://en.wikipedia.org/wiki/Mike_Ball) (R-Madison) in the House.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-signed-16)

***Gonzalez v. Raich* amicus**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Alabama&action=edit&section=8)]

Despite not allowing medical cannabis, on October 13, 2004, Alabama along with Mississippi and Louisiana filed an [amicus brief](https://en.wikipedia.org/wiki/Amicus_brief) protesting [*Gonzalez v. Raich*](https://en.wikipedia.org/wiki/Gonzalez_v._Raich), with Alabama stating: "The point is that, as a sovereign member of the federal union, California is entitled to make for itself the tough policy choices that affect its citizens."[[24]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-Riddle2011-24)

**Legal code**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Alabama&action=edit&section=9)]

Under Alabama Code, first-time "personal use" offenders can be charged with *Possession in the Second Degree*, § 13A-12-214. That offense is classified as a misdemeanor, and the maximum penalty authorized is a 1-year jail term (although it can be [suspended](https://en.wikipedia.org/wiki/Suspended_sentence) with [probation ordered](https://en.wikipedia.org/wiki/Probation)) and a $6,000 fine.

*Possession in the First Degree*, § 13A-12-213, is charged for non-"personal use" (i.e. intent to sell) and second and subsequent "personal use" offenses. This charge is a Class C felony punishable with imprisonment of 1-to-10 years (there is a [mandatory minimum](https://en.wikipedia.org/wiki/Mandatory_sentence) of 1-year-and-1-day to serve which cannot be suspended by the judge) and $15,000 fine.[[25]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-25)

Sale of any amount is a Class B felony punishable with a 2- to 20-year sentence (with the 2 years being a mandatory minimum) and maximum $30,000 fine. Sale to a minor is punishable by a sentence of 10 years to life imprisonment and a maximum fine of $60,000.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-norml-1)

As Alabama is a "[Smoke a joint, lose your license](https://en.wikipedia.org/wiki/Solomon%E2%80%93Lautenberg_amendment)" state,[[26]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-26) any conviction for a cannabis offense is punished with a mandatory six month driver's license suspension.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Alabama#cite_note-norml-1)

**References**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Alabama&action=edit&section=10)]

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Indoor cultivation facility in Alaska

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| show  **Chemistry** |
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**Cannabis in Alaska** is legal for [recreational use](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States) since 2014. It was first legalized by the court ruling [*Ravin v. State*](https://en.wikipedia.org/wiki/Ravin_v._State) in 1975, but later recriminalized by [Measure 2 in 1990](https://en.wikipedia.org/wiki/Alaska_Measure_2_(1990)). Ballot measures in 2000 and 2004 attempted (but failed) to legalize recreational use, until finally [Measure 2 in 2014](https://en.wikipedia.org/wiki/Alaska_Measure_2_(2014)) passed with 53.2% of the vote. [Medical use](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) was legalized by way of Measure 8 in 1998.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Alaska#cite_note-notable-1)

**History**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Alaska&action=edit&section=1)]

**Decriminalization (1975)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Alaska&action=edit&section=2)]

On May 16, 1975, Alaska became the second state in the U.S. to decriminalize cannabis. The law imposed a $100 fine (equivalent to $570 in 2023) for persons possessing cannabis, and became law without the governor's signature. It passed just a week before the Ravin ruling.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Alaska#cite_note-2)

***Ravin v. State* (1975)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Alaska&action=edit&section=3)]

[*Ravin v. State*](https://en.wikipedia.org/wiki/Ravin_v._State) was a 1975 decision by the [Alaska Supreme Court](https://en.wikipedia.org/wiki/Alaska_Supreme_Court) that held the [Alaska Constitution](https://en.wikipedia.org/wiki/Constitution_of_Alaska)'s [right to privacy](https://en.wikipedia.org/wiki/Right_to_privacy) protects an adult's ability to use and possess a small amount of marijuana in the home for personal use.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Alaska#cite_note-FOOTNOTEBrandeis2012175-3) The Alaska Supreme Court thereby became the first – and only – U.S. state or federal court to announce a constitutional right to privacy that protects some level of marijuana use and possession.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Alaska#cite_note-FOOTNOTEBrandeis2012175-3)

**Decriminalization (1982)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Alaska&action=edit&section=4)]

In 1982, following the Ravin decision, the state legislature decriminalized possession of up to four ounces (110 g) of cannabis in the home, or one ounce (28 g) outside the home.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Alaska#cite_note-Lippman2013-4)

**Recriminalization (1990)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Alaska&action=edit&section=5)]



Cured, trimmed Alaska-grown cannabis flower

In 1990, [Measure 2](https://en.wikipedia.org/wiki/Alaska_Measure_2_(1990)) to recriminalize cannabis passed with 54.3% of the vote. The measure imposed a penalty of up to 90 days in jail and a fine of up to $1000 for simple possession.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Alaska#cite_note-5)

**Medical legalization (1998)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Alaska&action=edit&section=6)]

In 1998, Measure 8 to legalize the medical use of cannabis passed with 58.7% of the vote.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Alaska#cite_note-6) The measure allowed patients with a doctor's recommendation to possess up to one ounce (28 g) of cannabis or grow six plants.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Alaska#cite_note-notable-1)

**Failed recreational legalization (2000)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Alaska&action=edit&section=7)]

In 2000, Measure 5 to legalize the recreational use of cannabis failed with 40.9% of the vote.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Alaska#cite_note-7)

**Recriminalization struck down (2003)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Alaska&action=edit&section=8)]

[*Noy v. State*](https://en.wikipedia.org/wiki/Noy_v._State) is a case decided by the [Alaska Court of Appeals](https://en.wikipedia.org/wiki/Alaska_Court_of_Appeals) in 2003. David S. Noy was convicted of possessing less than eight ounces (230 g) of marijuana by a jury. However, in 1975, the Alaska Supreme Court had ruled in [*Ravin v. State*](https://en.wikipedia.org/wiki/Ravin_v._State) that possessing less than four ounces (110 g) of marijuana in one's home is protected by the [Alaska Constitution](https://en.wikipedia.org/wiki/Alaska_Constitution)'s privacy clause. The amount possessed being over four ounces was highly in question on appeal. Thus, the Court of Appeals overturned Noy's conviction and struck down the part of the law that criminalized possession of less than four ounces of marijuana.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Alaska#cite_note-8)



U.S. Representative from Alaska [Don Young](https://en.wikipedia.org/wiki/Don_Young) tours a cannabis dispensary in October 2019

**Failed recreational legalization (2004)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Alaska&action=edit&section=9)]

In 2004, Measure 2 to legalize the recreational use of cannabis failed with 44.3% of the vote.[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Alaska#cite_note-9)

**Recriminalization (2006)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Alaska&action=edit&section=10)]

The state legislature passed a new law making possession of under one ounce (28 g) a misdemeanor punishable by up to 90 days in jail. Possession of one to four ounces (28–113 g) was made a misdemeanor punishable by up to a year in jail. Possession of over 4 ounces (110 g) was made a felony. The measure was pushed by Governor [Frank Murkowski](https://en.wikipedia.org/wiki/Frank_Murkowski).[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Alaska#cite_note-10)

**Recreational legalization (2014)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Alaska&action=edit&section=11)]



Alaska's THC Universal Symbol

In 2014, [Measure 2](https://en.wikipedia.org/wiki/Alaska_Measure_2_(2014)) to legalize the recreational use of cannabis passed with 53.2% of the vote.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Alaska#cite_note-11) The measure allows adults 21 and over to possess up to one ounce (28 g) of cannabis and cultivate six plants, effective February 24, 2015.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Alaska#cite_note-12) It also allows the sale of cannabis at state-licensed dispensaries, the first of which opened on October 29, 2016.[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Alaska#cite_note-13) The passage of Measure 2 made Alaska the third state to legalize the recreational use and sale of marijuana, preceded by Colorado and Washington in 2012.

**Business**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Alaska&action=edit&section=12)]



Portion of the vendor area at the [High Times](https://en.wikipedia.org/wiki/High_Times) Alaska Cup cannabis festival and competition outside of [Wasilla](https://en.wikipedia.org/wiki/Wasilla) in 2018

The state of Alaska collected its first full month of cannabis tax proceeds in November 2016, raising $80,000 for the state. Cannabis buds are taxed at $50/oz and stems and leaves are taxed at $15/oz.[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Alaska#cite_note-14) The state reported fiscal year 2017 marijuana tax revenue of $1,745,767 (cultivators only - not retail).[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Alaska#cite_note-15) In December 2016 and January 2017, widespread supply shortages were reported, causing many cannabis shops to temporarily cease operations until inventory was restored.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Alaska#cite_note-16) In January 2017, Anchorage Assemblyman Forrest Dunbar proposed legislation banning cannabis stores from advertising discounts to active-duty military, who are prohibited by federal policy from consuming cannabis.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Alaska#cite_note-17)

In 2020, the cannabis industry was hit by a decline in tourist traffic. Tourists make up nearly 20% of the state's wholesale cannabis market during the summer months, according to an interview with Brandon Emmett, chief operating officer of Alaska-based cannabis brand Good Titrations. He also added that it was not disastrous for the owners of the cannabis business, but they felt it.[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Alaska#cite_note-18)

**References**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Alaska&action=edit&section=13)]

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* [Jump up to:](https://en.wikipedia.org/wiki/Cannabis_in_Alaska#cite_ref-notable_1-0)
* [***a***](https://en.wikipedia.org/wiki/Cannabis_in_Alaska#cite_ref-notable_1-0) [***b***](https://en.wikipedia.org/wiki/Cannabis_in_Alaska#cite_ref-notable_1-1) Edge, Megan; Andrews, Laurel (September 28, 2016). ["Timeline: Notable moments in 40 years of Alaska's history with marijuana"](https://www.adn.com/cannabis-north/article/alaska-weed-history/2014/04/14/). *Anchorage Daily News*. Retrieved February 8, 2018.
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* [***a***](https://en.wikipedia.org/wiki/Cannabis_in_Alaska#cite_ref-FOOTNOTEBrandeis2012175_3-0) [***b***](https://en.wikipedia.org/wiki/Cannabis_in_Alaska#cite_ref-FOOTNOTEBrandeis2012175_3-1) [Brandeis 2012](https://en.wikipedia.org/wiki/Cannabis_in_Alaska#CITEREFBrandeis2012), p. 175.
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# Cannabis in Arizona

**1 language**

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**Cannabis in Arizona** is legal for [recreational use](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States). A 2020 initiative to legalize recreational use ([Proposition 207](https://en.wikipedia.org/wiki/2020_Arizona_Proposition_207), the Smart and Safe Act) passed with 60% of the vote. Possession and cultivation of recreational cannabis became legal on November 30, 2020, with the first state-licensed sales occurring on January 22, 2021.

[Medical use](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) was legalized in 2010 through the passage of [Proposition 203](https://en.wikipedia.org/wiki/2010_Arizona_Proposition_203) (approved with 50.1% of the vote), with the first licensed sales occurring in December 2012.

**Medical use**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Arizona&action=edit&section=1)]

**Proposition 200 (1996)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Arizona&action=edit&section=2)]

In 1996, 65% of Arizona voters approved Proposition 200 (the "Drug Medicalization, Prevention and Control Act"), a drug policy reform initiative that contained a provision allowing physicians to prescribe cannabis.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-1) The medical use provision was then essentially repealed by state legislators a few months later,[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-2) but the change was rejected by voters in a 1998 [veto referendum](https://en.wikipedia.org/wiki/Popular_referendum) (Proposition 300).[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-3) Ultimately the medical use provision was ineffective, however, due to language that created significant conflict with federal law (use of the word "prescribe" instead of "recommend").[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-4)

Former U.S. Senator and Republican presidential nominee [Barry Goldwater](https://en.wikipedia.org/wiki/Barry_Goldwater) was among the supporters of the initiative,[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-gerber-5) serving as honorary chairman of the Proposition 200 campaign.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-6) The main sponsor in support of the initiative was [University of Phoenix](https://en.wikipedia.org/wiki/University_of_Phoenix) founder [John Sperling](https://en.wikipedia.org/wiki/John_Sperling).[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-gerber-5)

**Proposition 203 (2002)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Arizona&action=edit&section=3)]

In November 2002, Proposition 203, a medical cannabis initiative that also sought to decriminalize recreational use, failed with 42.7% of the vote.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-7) Included in the initiative were requirements to: (a) allow patients to possess up to two ounces (57 g) of cannabis and grow 2 plants; (b) establish a state-run system for the distribution of medical cannabis to patients; (c) decriminalize up to 2 ounces (57 g) of cannabis for any use (punishable by a $250 fine); and (d) enact new sentencing reforms for non-violent drug offenses (expanding upon the 1996 reforms).[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-8)[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-stdw_2002-9)[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-10) Proposition 203 was opposed by the state's law enforcement community, both major party gubernatorial candidates (Democrat [Janet Napolitano](https://en.wikipedia.org/wiki/Janet_Napolitano) and Republican [Matt Salmon](https://en.wikipedia.org/wiki/Matt_Salmon)), and drug czar [John P. Walters](https://en.wikipedia.org/wiki/John_P._Walters) who traveled to the state to campaign against the initiative.[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-stdw_2002-9)

**Proposition 203 (2010)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Arizona&action=edit&section=4)]

*Main article:* [*2010 Arizona Proposition 203*](https://en.wikipedia.org/wiki/2010_Arizona_Proposition_203)

In November 2010, Proposition 203, an initiative seeking to legalize the medical use of cannabis, was approved with 50.1% of the vote.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-11) The initiative allowed patients with a doctor's recommendation to possess up to 2

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1⁄2 ounces (71 g) of cannabis for treatment of certain qualifying conditions.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-norml_2010-12)[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-13) It limited the number of dispensaries to 124 and specified that only patients who reside more than 25 miles (40 km) from a dispensary could cultivate their own cannabis.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-norml_2010-12)[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-cbsnews-14) Proposition 203 was approved despite opposition from Governor [Jan Brewer](https://en.wikipedia.org/wiki/Jan_Brewer), Attorney General [Terry Goddard](https://en.wikipedia.org/wiki/Terry_Goddard), all of the state's sheriffs and county prosecutors, and many other state politicians.[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-cbsnews-14)[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-15)

In May 2011, Brewer and Attorney General [Tom Horne](https://en.wikipedia.org/wiki/Tom_Horne) filed a lawsuit in federal court questioning some of the initiative's provisions.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-16) The lawsuit sought a ruling on whether state employees involved in implementing certain provisions were subject to federal prosecution.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-17)[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-18) Citing this uncertainty, the state also announced that it would suspend the issuance of licenses for medical cannabis dispensaries.[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-19) The lawsuit was dismissed in January 2012; a federal judge found that the issue was not [ripe](https://en.wikipedia.org/wiki/Ripeness) as there was no indication that the federal government would prosecute Arizona officials for implementing the act.[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-20) Brewer subsequently lifted the moratorium, allowing state officials to begin implementing the initiative.[[21]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-21)[[22]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-22) The first licensed dispensary opened to the public on December 6, 2012.[[23]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-23)[[24]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-24)

In May 2012, Brewer signed legislation that made illegal the possession of medical cannabis on college campuses.[[25]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-25) The [Arizona Supreme Court](https://en.wikipedia.org/wiki/Arizona_Supreme_Court) ruled in May 2018 that the law was unconstitutional, however.[[26]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-26)[[27]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-27)

**Recreational use**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Arizona&action=edit&section=5)]

**Proposition 205 (2016)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Arizona&action=edit&section=6)]



2016 Southwest Cannabis Conference & Expo in Phoenix

In November 2016, Proposition 205, an initiative to legalize the recreational use of cannabis, failed with 48.7% of the vote.[[28]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-ballotpedia_2016-28) The initiative would have allowed adults to possess up to one ounce (28 g) of cannabis and cultivate up to six plants for personal use.[[29]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-evt_2016-29) It also would have established a system for commercial distribution and taxation of cannabis, with excess tax revenues (after paying expenses) dedicated to funding public schools and substance abuse programs.[[29]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-evt_2016-29)

The campaign to defeat Proposition 205 raised more than $6 million,[[30]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-30) aided significantly by the fundraising efforts of Gov. [Doug Ducey](https://en.wikipedia.org/wiki/Doug_Ducey).[[31]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-31) Among the largest contributors to the opposition were [Discount Tire](https://en.wikipedia.org/wiki/Discount_Tire) ($1,000,000), [Arizona Chamber of Commerce and Industry](https://en.wikipedia.org/wiki/Arizona_Chamber_of_Commerce_and_Industry) ($918,000), [Sheldon Adelson](https://en.wikipedia.org/wiki/Sheldon_Adelson) ($500,000), and [Insys Therapeutics](https://en.wikipedia.org/wiki/Insys_Therapeutics) ($500,000).[[32]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-32) The top contributors in support of the initiative were [Marijuana Policy Project](https://en.wikipedia.org/wiki/Marijuana_Policy_Project) ($1,715,000), [Dr. Bronner's Magic Soaps](https://en.wikipedia.org/wiki/Dr._Bronner%27s_Magic_Soaps) ($550,000), and [Drug Policy Alliance](https://en.wikipedia.org/wiki/Drug_Policy_Alliance) ($350,000).[[28]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-ballotpedia_2016-28)

**Proposition 207 (2020)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Arizona&action=edit&section=7)]

*Main article:* [*2020 Arizona Proposition 207*](https://en.wikipedia.org/wiki/2020_Arizona_Proposition_207)

Recreational use of cannabis was legalized through the passage of Proposition 207 on November 3, 2020.[[33]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-AZCentralLegal-33)[[34]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-34) Organizing for the initiative began in August 2019 by the Arizona Dispensaries Association and Arizona Cannabis Chamber of Commerce.[[35]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-35)[[36]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-36)[[37]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-37) The Arizona Dispensaries Association filed a ballot initiative application on September 26, 2019, for the "Smart and Safe Act",[[38]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-38) seeking to obtain the necessary 237,645 signatures from registered Arizona voters by the July 2, 2020 deadline.[[39]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-39)[[40]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-Randazzo-40) The Smart and Safe Arizona campaign ultimately submitted more than 420,000 signatures to the [Secretary of State](https://en.wikipedia.org/wiki/Arizona_Secretary_of_State)'s Office.[[40]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-Randazzo-40)[[41]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-41) On August 11, 2020, the Secretary of State announced that the initiative had qualified for the November ballot as Proposition 207.[[42]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-42)

The Smart and Safe Act legalized adult recreational use of marijuana by allowing Arizona adults to possess up to 1 ounce (28 g) of marijuana (with no more than 5 grams being marijuana concentrate), and by allowing each adult to have up to 6 marijuana plants at their home (with up to 12 marijuana plants in households with two or more adult members).[[40]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-Randazzo-40) It directed the state [Department of Health Services](https://en.wikipedia.org/wiki/Arizona_Department_of_Health_Services) to set rules for retail marijuana sales by June 1, 2021, makes marijuana subject to [state and local sales taxes](https://en.wikipedia.org/wiki/Sales_taxes_in_the_United_States) like other retail items, and imposes an additional 16% [excise tax](https://en.wikipedia.org/wiki/Excise_tax) on marijuana products. The revenue is used to implement and enforce regulations related to the act; the remaining revenue is split between community colleges (33%), police and fire departments (31.4%), the state highway fund (25.4%), a justice reinvestment fund (10%), and the [state attorney general](https://en.wikipedia.org/wiki/Arizona_Attorney_General) for enforcement (0.2%).[[43]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-43) The initiative allows employers to adopt "drug-free workplace" policies and restrict employees' and applicants' use of marijuana, and does not permit the use of marijuana in any public spaces.[[40]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-Randazzo-40) The initiative established that the possession by an adult of more than an ounce, but less than 2.5 ounces, of marijuana, is a [petty offense](https://en.wikipedia.org/wiki/Petty_offense).[[40]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-Randazzo-40) It also prohibits the sale of marijuana products that resemble a "human, animal, insect, fruit, toy or cartoon" and sets forth penalties for possession of marijuana by minors (which, for a first offense for possession of under an ounce of marijuana, is a $100 fine and drug counseling).[[40]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-Randazzo-40)

The Arizona Chamber of Commerce and Industry opposed the ballot initiative, contending that it would lead to "an uptick in workplace accidents and lower overall workplace productivity".[[40]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-Randazzo-40) Opponents of the measure sought to exclude Proposition 207 from the ballot, asserting that the 100-word ballot statement was defective.[[44]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-yee-44) That claim was rejected unanimously by the [Arizona Supreme Court](https://en.wikipedia.org/wiki/Arizona_Supreme_Court).[[44]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-yee-44)

The Smart and Safe Act passed with 60% of the vote on November 3, 2020.[[33]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-AZCentralLegal-33) Possession and cultivation of cannabis became legal on November 30, 2020, when the results of the election were certified.[[45]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-faq-45) State-licensed sales of recreational cannabis began on January 22, 2021, making Arizona the quickest state in U.S. history to begin retail sales after recreational legalization.[[46]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-46)[[47]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-47)

**Advocacy**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Arizona&action=edit&section=8)]

In Arizona, [United States Air Force](https://en.wikipedia.org/wiki/United_States_Air_Force) Veteran Robert Deals, represented by the Last Prisoner Project, remains incarcerated for an 18-year cannabis sentence while recreational is legal in the state.[[48]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-48)

Arizona Supreme Court Justice and former Maricopa County Attorney [Bill Montgomery](https://en.wikipedia.org/wiki/Bill_Montgomery_(Arizona_politician)) has been a leading opponent of cannabis reform efforts in the state of Arizona.[[49]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-49) He has made a number of controversial comments on the subject, including telling a military veteran who spoke in support of legalization: "I have no respect for you ... because you're an enemy."[[50]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-50) Montgomery engaged in a multi-year legal battle seeking to overturn the state's medical cannabis law that was approved by voters in 2010.[[51]](https://en.wikipedia.org/wiki/Cannabis_in_Arizona#cite_note-51)

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# Cannabis in Arkansas

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**Appearance** hide

Text

* Small
* Standard
* Large

Width

* Standard
* Wide

Color (beta)

* Automatic
* Light
* Dark

From Wikipedia, the free encyclopedia



Arkansas's Medical Marijuana Universal Symbol

| Part of a series on |
| --- |
| [Cannabis](https://en.wikipedia.org/wiki/Cannabis) |
| Cannabis |
| show   * **Arts** * [**Culture**](https://en.wikipedia.org/wiki/Cannabis_culture) |
| show  **Chemistry** |
| show  **Pharmacology** |
| show  [**Consumption**](https://en.wikipedia.org/wiki/Cannabis_consumption) |
| show  **Economics** |
| show  [**Effects**](https://en.wikipedia.org/wiki/Effects_of_cannabis) |
| show  **Forms** |
| show  **Law** |
| show  **Variants** |
| show  **Related** |
| * [**Cannabis portal**](https://en.wikipedia.org/wiki/Portal:Cannabis) * [Medicine portal](https://en.wikipedia.org/wiki/Portal:Medicine) * [Agriculture portal](https://en.wikipedia.org/wiki/Portal:Agriculture) |
| * [v](https://en.wikipedia.org/wiki/Template:Cannabis_sidebar) * [t](https://en.wikipedia.org/wiki/Template_talk:Cannabis_sidebar) * [e](https://en.wikipedia.org/wiki/Special:EditPage/Template:Cannabis_sidebar) |

**Cannabis in Arkansas** is illegal for [recreational use](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States). First-time possession of up to four ounces (110 g) is punished with a fine of up to $2,500, imprisonment of up to a year, and a [mandatory six month driver's license suspension](https://en.wikipedia.org/wiki/Solomon%E2%80%93Lautenberg_amendment). [Medical use](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) was legalized in 2016 by way of a ballot measure to amend the state constitution.

**Prohibition**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Arkansas&action=edit&section=1)]

[Cannabis](https://en.wikipedia.org/wiki/Cannabis_(drug)) was criminalized in Arkansas in 1923; [New Mexico](https://en.wikipedia.org/wiki/New_Mexico), [Nevada](https://en.wikipedia.org/wiki/Nevada), [Oregon](https://en.wikipedia.org/wiki/Oregon), and [Washington](https://en.wikipedia.org/wiki/Washington_(state)) also banned cannabis in that year.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_note-Whitebread1974-1)[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_note-2)

**Legal penalties**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Arkansas&action=edit&section=2)]

The possession of under four ounces (110 g) of cannabis is a Class A misdemeanor under state law, carrying a fine of up to $2,500 and up to one year imprisonment. For those with two existing convictions, possession of over one ounce (28 g) is a Class D felony punishable by a fine of up to $6,000 and a maximum six years in prison.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_note-MPPAR-3)

As Arkansas is a "[Smoke a joint, lose your license](https://en.wikipedia.org/wiki/Solomon%E2%80%93Lautenberg_amendment)" state,[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_note-4) any conviction for a cannabis offense is punished with a mandatory six month driver's license suspension.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_note-5)

**Reforms**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Arkansas&action=edit&section=3)]

**Failed medical cannabis initiative (2012)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Arkansas&action=edit&section=4)]

In 2012, the Arkansas Medical Marijuana Act (Issue 5) qualified for vote on the statewide ballot. The act would have allowed non-profit organizations to grow and sell medical cannabis and additionally permitted patients who live over five miles from a legal dispensary to cultivate a small number of plants on their own property.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_note-6)[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_note-7) The act was defeated by a vote of 48.6% to 51.4%.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_note-8)

**Medical cannabis legalized (2016)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Arkansas&action=edit&section=5)]

On November 8, 2016, Arkansas voters approved Issue 6, the Arkansas Medical Marijuana Amendment,[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_note-Issue_6-9) to legalize the medical use of cannabis.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_note-10)[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_note-11) A separate measure, the [Arkansas Medical Cannabis Act](https://en.wikipedia.org/wiki/Arkansas_Medical_Cannabis_Act) (Issue 7),[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_note-12) was disqualified from the ballot 12 days before the election by the Arkansas Supreme Court.[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_note-13)[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_note-14)

The Arkansas Medical Marijuana Amendment passed by a vote of 53%–47% as an amendment to the state constitution.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_note-tfw-15) It allows patients who obtain a doctor's recommendation to possess up to 2

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1⁄2 ounces (71 g) of cannabis for treatment of any of 12 qualifying medical conditions.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_note-tfw-15) It also requires that between 20 and 40 cannabis dispensaries and 4 to 8 cultivators be licensed by the state.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_note-16) No allowance was made for patients to cultivate at home.[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_note-Issue_6-9)

Licensed sales did not begin until May 2019 when the first dispensary opened in [Hot Springs](https://en.wikipedia.org/wiki/Hot_Springs,_Arkansas).[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_note-17) The dispensary was one of 32 initially licensed by the state along with 5 cultivators.[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_note-18)

**Failed recreational cannabis initiative (2022)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Arkansas&action=edit&section=6)]

On September 22, 2022, the Supreme Court of Arkansas ruled that Issue 4, the Marijuana Legalization Initiative,[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_note-19) was valid for the November 2022 ballot after it was initially blocked by the Board of Election Commissioners.[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_note-20) If approved, the initiative would have:[[21]](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_note-21)

* allowed the possession of up to one ounce of cannabis for adults 21 and over
* allowed the sale of cannabis at dispensaries licensed by the state
* not allowed for any home cultivation
* allowed the state to impose a 10% tax on recreational cannabis sales, in addition to existing state and local sales taxes
* divided tax revenue up between law enforcement (15 percent), the University of Arkansas for Medical Sciences (10 percent), and the state drug court program (5 percent), with the remainder going to the state general fund

The initiative failed with 44% of the vote on November 8, 2022, however.[[22]](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_note-22)[[23]](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_note-23)

**Municipal reforms**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Arkansas&action=edit&section=7)]

In 2006, [Eureka Springs](https://en.wikipedia.org/wiki/Eureka_Springs,_Arkansas) residents voted 64%–36% to make enforcement of cannabis laws the lowest police priority.[[24]](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_note-24)[[25]](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_note-25) [Fayetteville](https://en.wikipedia.org/wiki/Fayetteville,_Arkansas) residents approved a similar initiative in 2008 by a 62%–38% margin.[[26]](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_note-26) However, a 2019 report by the Arkansas Justice Collective found that cannabis arrests actually increased by 44% in Fayetteville since the measure passed.[[27]](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_note-27)

In 2021, the [Little Rock](https://en.wikipedia.org/wiki/Little_Rock,_Arkansas) Board of Directors voted 7–3 to require that "investigations, citations, arrests, property seizures, etc. for adult misdemeanor marijuana offenses" be made the lowest law enforcement and prosecutorial priority when the amount of cannabis is deemed to be for personal use.[[28]](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_note-28)[[29]](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_note-29)

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* [***a***](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_ref-tfw_15-0) [***b***](https://en.wikipedia.org/wiki/Cannabis_in_Arkansas#cite_ref-tfw_15-1) ["How Medical Cannabis Will Be Implemented in Arkansas"](http://www.freeweekly.com/2016/11/16/how-medical-cannabis-will-be-implemented-in-arkansas/). *The Free Weekly*. November 16, 2016. Retrieved April 18, 2019.
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# Cannabis in California

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* [Talk](https://en.wikipedia.org/wiki/Talk:Cannabis_in_California)
* [Read](https://en.wikipedia.org/wiki/Cannabis_in_California)
* [Edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit)
* [View history](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=history)
* [Watch](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=watch)

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* [Related changes](https://en.wikipedia.org/wiki/Special:RecentChangesLinked/Cannabis_in_California)
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* [Permanent link](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&oldid=1253590995)
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**Appearance** hide

Text

* Small
* Standard
* Large

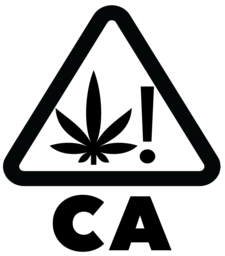
Width

* Standard
* Wide

Color (beta)

* Automatic
* Light
* Dark

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California's Cannabis Universal Symbol

| Part of a series on |
| --- |
| [Cannabis](https://en.wikipedia.org/wiki/Cannabis) |
| Cannabis |
| show   * **Arts** * [**Culture**](https://en.wikipedia.org/wiki/Cannabis_culture) |
| show  **Chemistry** |
| show  **Pharmacology** |
| show  [**Consumption**](https://en.wikipedia.org/wiki/Cannabis_consumption) |
| show  **Economics** |
| show  [**Effects**](https://en.wikipedia.org/wiki/Effects_of_cannabis) |
| show  **Forms** |
| show  **Law** |
| show  **Variants** |
| show  **Related** |
| * [**Cannabis portal**](https://en.wikipedia.org/wiki/Portal:Cannabis) * [Medicine portal](https://en.wikipedia.org/wiki/Portal:Medicine) * [Agriculture portal](https://en.wikipedia.org/wiki/Portal:Agriculture) |
| * [v](https://en.wikipedia.org/wiki/Template:Cannabis_sidebar) * [t](https://en.wikipedia.org/wiki/Template_talk:Cannabis_sidebar) * [e](https://en.wikipedia.org/wiki/Special:EditPage/Template:Cannabis_sidebar) |

| [**California law**](https://en.wikipedia.org/wiki/Law_of_California) |
| --- |
| [Great Seal of California](https://en.wikipedia.org/wiki/Great_Seal_of_California) |
| [**Constitution**](https://en.wikipedia.org/wiki/Constitution_of_California) |
| * [Propositions](https://en.wikipedia.org/wiki/California_ballot_proposition) ([list](https://en.wikipedia.org/wiki/Category:Amendments_to_the_Constitution_of_California)) * [Offices](https://en.wikipedia.org/wiki/List_of_California_state_constitutional_offices) |
| [**Codes**](https://en.wikipedia.org/wiki/California_Codes) |
| * [Civil](https://en.wikipedia.org/wiki/California_Civil_Code) * [Civil Procedure](https://en.wikipedia.org/wiki/California_Code_of_Civil_Procedure) * [Evidence](https://en.wikipedia.org/wiki/California_Evidence_Code) * [Health and Safety](https://en.wikipedia.org/wiki/California_Health_and_Safety_Code) * [Insurance](https://en.wikipedia.org/wiki/California_Insurance_Code) * [Labor](https://en.wikipedia.org/wiki/California_Labor_Code) * [Penal](https://en.wikipedia.org/wiki/California_Penal_Code) * [Vehicle](https://en.wikipedia.org/wiki/California_Vehicle_Code)   Note: There are 29 California codes. |
| [**Courts of record**](https://en.wikipedia.org/wiki/Courts_of_California) |
| * [Supreme Court](https://en.wikipedia.org/wiki/Supreme_Court_of_California) * [Courts of Appeal](https://en.wikipedia.org/wiki/California_Courts_of_Appeal) * [Superior courts](https://en.wikipedia.org/wiki/California_superior_courts) |
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| show  [**Civil rights law**](https://en.wikipedia.org/wiki/Civil_rights_law) |
| show  [**Criminal law**](https://en.wikipedia.org/wiki/Criminal_law) |
| show  **Laws concerning** [**political subdivisions**](https://en.wikipedia.org/wiki/Political_subdivisions) **of the state** |
| show  [**Environmental law**](https://en.wikipedia.org/wiki/Environmental_law) |
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| show  [**Family law**](https://en.wikipedia.org/wiki/Family_law) |
| show  [**Consumer protection law**](https://en.wikipedia.org/wiki/Consumer_protection_law) **and** [**building codes**](https://en.wikipedia.org/wiki/Building_codes) |
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| show  **Miscellaneous** |
| show  **Historical laws** |

**Cannabis in California** has been legal for [medical use](https://en.wikipedia.org/wiki/Medical_cannabis) since 1996, and for [recreational use](https://en.wikipedia.org/wiki/Recreational_drug_use) since late 2016. The state of [California](https://en.wikipedia.org/wiki/California) has been at the forefront of efforts to liberalize [cannabis laws in the United States](https://en.wikipedia.org/wiki/Legal_history_of_cannabis_in_the_United_States), beginning in 1972 with the nation's first ballot initiative attempting to legalize cannabis ([Proposition 19](https://en.wikipedia.org/wiki/California_Proposition_19_(1972))). Although it was unsuccessful, California would later become the first state to [legalize medical cannabis](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) through the [Compassionate Use Act of 1996](https://en.wikipedia.org/wiki/Compassionate_Use_Act_of_1996) (Proposition 215), which passed with 56% voter approval.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-BBC-1) In November 2016, California voters approved the [Adult Use of Marijuana Act](https://en.wikipedia.org/wiki/2016_California_Proposition_64) (Proposition 64) with 57% of the vote, which [legalized the recreational use of cannabis](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States).

As a result of recreational legalization, local governments (city and county) may not prohibit adults from growing, using, or transporting marijuana for personal use. Commercial activities can be regulated or prohibited by local governments although deliveries cannot be prohibited.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-LAT_2019-04-05-2)[[3]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-VCS_2019/06/02-3) Following recreational legalization, existing growers and suppliers of medical cannabis were required to register, comply with regulations, and apply for permits. Over half of the nonprofit [dispensaries legally providing medical marijuana](https://en.wikipedia.org/wiki/Cannabis_dispensaries_in_the_United_States) closed. Local agencies have been slow to approve retail stores selling cannabis for recreational purposes with most cities and counties banning retail with a wait and see approach. Many existing growers have been slow to apply for permits as it has been estimated that 60 percent or more of all cannabis consumed in the United States comes from northern California. The export of marijuana to other states remains illegal since the U.S. Drug Enforcement Administration considers it a Schedule I drug.

Reducing illegal activity is considered essential for the success of legal operations who pay the considerable taxes assessed by state and local authorities. Many people do not have nearby retail stores selling cannabis and continue to buy from unlicensed sellers. Illegal growing continues in remote rural areas. Raids and confiscation by law enforcement of illegal retail and grow operations has continued and in some cases stepped up after legalization.

California's main regulatory agencies were initially the [Bureau of Cannabis Control](https://en.wikipedia.org/wiki/Bureau_of_Cannabis_Control) (BCC), [Department of Food and Agriculture](https://en.wikipedia.org/wiki/California_Department_of_Food_and_Agriculture), and [Department of Public Health](https://en.wikipedia.org/wiki/California_Department_of_Public_Health).[[4]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-KSBY_2017-11-22-4)[[5]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Toast-5) Their responsibilities were merged under the Department of Cannabis Control in 2021.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-6)

**Current state and local regulation**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=1)]

Companies must be licensed by the local agency to grow, test, or sell cannabis within each jurisdiction.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-7) Cities and counties ([unincorporated areas](https://en.wikipedia.org/wiki/Unincorporated_area)) may license none or only some of these activities.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-LAT_2019-04-05-2) Deliveries by state-licensed firms cannot be prohibited by local jurisdictions as of January 2019 per BCC Regulation 5416.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-VCS_2019/06/02-3) A distributor company must work as a middleman between pot producers and retailers.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-8)

State agencies were consolidated into the [California Department of Cannabis Control](https://en.wikipedia.org/wiki/California_Department_of_Cannabis_Control) in July 2021.[[9]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-9)[[10]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-10) Formerly the industry was under three different state regulatory agencies. Retailers, distributors and testing labs were regulated by the [Bureau of Cannabis Control](https://en.wikipedia.org/wiki/California_Bureau_of_Cannabis_Control). Cultivators were under the [Department of Food and Agriculture](https://en.wikipedia.org/wiki/California_Department_of_Food_and_Agriculture)'s CalCannabis Cultivation Licensing Division. The [Department of Public Health](https://en.wikipedia.org/wiki/California_Department_of_Public_Health)'s Manufactured Cannabis Safety Branch dealt with product manufacturers.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-11)

Many communities have created zoning regulations to prohibit cannabis stores. This has led some state legislators to introduce bills that would force many local jurisdictions to allow some retail establishments, especially if a majority in the area voted in favor of legalizing cannabis for recreational purposes.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-LAT_2019-04-05-2) Local governments have been critical of the proposal and were joined by a May 2019 editorial in the [Los Angeles Times](https://en.wikipedia.org/wiki/Los_Angeles_Times) that was critical of this type of legislation.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-LAT_2019-05-18-12) State legislators argue that the lack of access to legal establishments is one reason the illegal sales continue.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-LAT_2019-04-05-2)

California prohibits the export of marijuana to other states since with the U.S. Drug Enforcement Administration considers it a Schedule I drug.[[13]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-LAT_2020-07-04-13)[[14]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-14) California grows up to five times more than its residents consume by some accounts. Others have estimated that 80% of the crop is shipped out of state. Exported cannabis not only escapes taxation or regulation by California but users in other states will pay a much higher price.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-15) The [Federal Bureau of Investigation](https://en.wikipedia.org/wiki/Federal_Bureau_of_Investigation) has investigated officials in several cities and counties.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-LAT_2020-11-09-16)

Unlicensed sales were not reduced as fast as many expected.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Yahoo_2019-09-01-17)[[18]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-LAT_2019-07-19-18) The growth of the legal market has been inhibited since the majority of cities and counties have not allowed the retail sale of cannabis.[[19]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-TG_2021-11-02-19) Due to the continued operation of much illegal activity, heavy taxation is an important issue for licensed operators.[[20]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-20) They are concerned about the perceived lack of sufficient enforcement against illegal activities.[[21]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-21)[[22]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-22) The legal market includes the cost of mandatory testing.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Yahoo_2019-09-01-17) Transitioning from a provisional, temporary license to a permanent license has also been difficult. As of April 2020, about 82% of the cannabis licenses were still provisional.[[23]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-23) Authorities warn that the illegal market may contain pesticide or other chemical residues and mold.[[18]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-LAT_2019-07-19-18) Other products sold illegally that have not been tested include [edible products](https://en.wikipedia.org/wiki/Cannabis_edibles)[[24]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-24) and [vaping pens](https://en.wikipedia.org/wiki/Electronic_cigarettes).[[25]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-LAT_2019-09-11-25)[[26]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-LAT_2019-04-16-26)[[27]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-LAT_2019-08-25-27)

**Possession**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=2)]

Local governments may not prohibit adults from growing, using or transporting marijuana for personal use. An appeals court ruled that inmates who possess small amounts of marijuana in prison are not guilty of a felony crime.[[28]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-28) Attorney General [Xavier Becerra](https://en.wikipedia.org/wiki/Xavier_Becerra)'s office had argued that possessing small amounts of marijuana is legally banned in prison which can result in significantly increasing a prisoner's sentence.[[29]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-29)

**Cultivation**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=3)]

Cannabis is estimated to be the largest cash crop in California with a value of more than $11 billion.[[30]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-CBS_2020-08-02-30) The state provided most of the cannabis consumed in the United States prior to legalization which was intended to provide a transition to legal, licensed growing. The [California Environmental Quality Act](https://en.wikipedia.org/wiki/California_Environmental_Quality_Act) (CEQA) requires a detailed [analysis of the environmental impact](https://en.wikipedia.org/wiki/Environmental_impact_assessment) of growers operations. Statewide, 208 growers had obtained regular, annual licenses by July 2019. At this point of some 18 months into legalization, 1,532 growers were still operating on provisional permits as they went through the CEQA process that requires extensive paperwork.[[31]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-31) Smaller farms were given five years to become established under legalization before larger growers were allowed to enter the market.[[32]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-32) Under the regulations set to expire in 2023, growers can have only one medium licence but there is no limit on the number of small licenses an individual grower can have. This [loophole](https://en.wikipedia.org/wiki/Loophole) has allowed larger growers to operate.[[33]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-VCS_2018/04/29-33)

[Humboldt](https://en.wikipedia.org/wiki/Humboldt_County,_California), [Mendocino](https://en.wikipedia.org/wiki/Mendocino_County), and [Trinity](https://en.wikipedia.org/wiki/Trinity_County,_California) counties have long been known as Northern California's [Emerald Triangle](https://en.wikipedia.org/wiki/Emerald_Triangle) as it is estimated that 60 percent or more of all cannabis consumed in the United States is grown there. Registering and applying for permits has not been an easy decision for many long time growers in these three counties.[[30]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-CBS_2020-08-02-30)

In [Santa Barbara County](https://en.wikipedia.org/wiki/Santa_Barbara_County), cannabis growing has taken over greenhouses that formerly grew flowers. In the first four months of legalization, the county had almost 800 permits issued for cultivators, the most of any county in the state.[[33]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-VCS_2018/04/29-33)

[Calaveras County](https://en.wikipedia.org/wiki/Calaveras_County,_California) registered more than seven hundred cultivators after county voters approved a tax in 2016.[[34]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-34)

**Trespass grows**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=4)]

Unlicensed growing continues in remote rural areas and has expanded according to law enforcement reports. Raids and confiscation of illegal grow operations by law enforcement has continued and in some cases stepped up after legalization.[[35]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-35)[[36]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-36)[[37]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-37) Authorities are constantly dealing with illegal cultivation in remote protected areas such as state parks and national forests.[[38]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-38)[[39]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-39)[[40]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-40) Illegal grows are partially responsible for record levels of water thefts during the [drought that began in 2020](https://en.wikipedia.org/wiki/Droughts_in_California).[[41]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-41)

**Pests and diseases**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=5)]

*See also:* [*Cannabis pests*](https://en.wikipedia.org/wiki/Cannabis_pests)*,* [*Cannabis diseases*](https://en.wikipedia.org/wiki/Cannabis_diseases)*,* [*Hemp pests*](https://en.wikipedia.org/wiki/Hemp_pests)*, and* [*Hemp diseases*](https://en.wikipedia.org/wiki/Hemp_diseases)

A large number of [insect pests](https://en.wikipedia.org/wiki/Insect_pest) are significant, along with some mammals: [Mice](https://en.wikipedia.org/wiki/Mice), [*Rattus rattus*](https://en.wikipedia.org/wiki/Rattus_rattus), [*Neotoma*](https://en.wikipedia.org/wiki/Neotoma) rat spp., [*Thomomys*](https://en.wikipedia.org/wiki/Thomomys) gopher spp., [black-tailed deer](https://en.wikipedia.org/wiki/Black-tailed_deer) (*Odocoileus hemionus columbianus*), and black bears ([*Ursus americanus*](https://en.wikipedia.org/wiki/Ursus_americanus)).[[42]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Ca-Dept-Pesti-Reg-2017-42) Powdery mildew [*Sphaerotheca macularis*](https://en.wikipedia.org/wiki/Sphaerotheca_macularis) and various Pythium root rots ([*Pythium*](https://en.wikipedia.org/wiki/Pythium) spp.) are important [diseases in this crop](https://en.wikipedia.org/wiki/List_of_hemp_diseases).[[42]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Ca-Dept-Pesti-Reg-2017-42) The [Department of Pesticide Regulation](https://en.wikipedia.org/wiki/Department_of_Pesticide_Regulation) provides legal guidance and treatment recommendations for all of these.[[42]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Ca-Dept-Pesti-Reg-2017-42)

**On-site consumption**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=6)]

In July 2019, [West Hollywood](https://en.wikipedia.org/wiki/West_Hollywood) approved a cannabis consumption license for [Lowell Herb Co](https://en.wikipedia.org/wiki/Lowell_Herb_Co), "the first of its kind in the nation". [Lowell Farms: A Cannabis Cafe](https://en.wikipedia.org/wiki/Lowell_Farms:_A_Cannabis_Cafe) opened in September 2019 with a menu of cannabis for consumption, THC-infused drinks and meals for cannabis-enhanced sense of taste and smell. It includes the expertise of cannabis [sommeliers](https://en.wikipedia.org/wiki/Sommelier), known as "[budtenders](https://en.wikipedia.org/wiki/Budtender)" on site.[[43]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-43)[[44]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-44) It has since been rebranded as the "Original Cannabis Cafe", separating itself from the Lowell Farms corporate brand. A retail establishment Seaweed On Ocean, was licensed in [Lompoc](https://en.wikipedia.org/wiki/Lompoc) for on site consumption in July 2018 and opened December 2019, claims to be the first between Los Angeles and San Francisco.[[45]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-45)

**Retail and delivery**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=7)]

Stores selling cannabis for recreational purposes have been banned from 80% of the 482 municipalities in California.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-LAT_2019-04-05-2) In September 2019, 873 cannabis sellers had been licensed by the state while the United Cannabis Business Assn. conducted an audit that estimated there are approximately 2,835 unlicensed dispensaries and delivery services based on advertising.[[25]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-LAT_2019-09-11-25) Legal retailers say the illegal market is larger than the legal market due to the high costs they pay in start-up permit costs and on-going taxes. They complain about the lack of effective enforcement against unlicensed shops.[[30]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-CBS_2020-08-02-30)

Prior to 2018, about 2,000 nonprofit dispensaries legally provided medical marijuana. Legalization introduced regulations that increased the cost of operation and more than 65% of dispensaries shut their doors.[[46]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-46) Recreational marijuana shops began to open in January 2018, with many districts beginning recreational sales on the first or fifth of January 2018.[[47]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-kpcc-47) In January, 2018, Los Angeles had no licensed retailers; the closest cities with licensed retail sales were [Santa Ana](https://en.wikipedia.org/wiki/Santa_Ana,_California) on January 1 and [West Hollywood](https://en.wikipedia.org/wiki/West_Hollywood) on January 2.[[48]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-48)[[49]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-49) As of September 2019, 187 dispensaries had temporary city approval in Los Angeles.[[25]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-LAT_2019-09-11-25) Los Angeles adopted an ordinance in 2018 to restrict some storefront and billboard advertising after research showed that young adults who lived near dispensaries that had storefront signage used marijuana more frequently than their peers and have more positive views about the drug.[[50]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-50)

Many dispensaries and delivery companies continued to operate under the [stay-at-home order](https://en.wikipedia.org/wiki/Stay-at-home_order) during the [COVID-19 pandemic](https://en.wikipedia.org/wiki/COVID-19_pandemic).[[51]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-51) With an executive order on March 22, Governor Gavin Newsom declared cannabis one of the enterprises to be considered an essential business.[[52]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-52)

**Special events**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=8)]

Organizers of cannabis festivals are required to get permission from state and local agencies. Under the permits, they can let anyone 21 and older buy and smoke weed at the festival.[[53]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-DB_2019-05-03-53)[[54]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-54) In 2019, [Outside Lands Music and Arts Festival](https://en.wikipedia.org/wiki/Outside_Lands_Music_and_Arts_Festival) in San Francisco became the first major music festival to offer legal cannabis for sale on site. The area was known as "Grass Lands" and sold more than $1 million in cannabis products such as edibles, vaping cartridges and joints over the three-day event.[[55]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-55)

**History**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=9)]

**Industrial hemp**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=10)]

[Cannabis](https://en.wikipedia.org/wiki/Cannabis) was cultivated for fiber and rope as early as 1795 in California, when cultivation began at [Mission San Jose](https://en.wikipedia.org/wiki/Mission_San_Jos%C3%A9_(California)) under the governorship of [Diego de Borica](https://en.wikipedia.org/wiki/Diego_de_Borica). Cannabis was grown in several regions of Southern California, with two-thirds of it being grown on the missions.[[56]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-ClarkeMerlin2013-56) California produced 13,000 pounds of hemp in 1807, and 220,000 pounds in 1810.[[57]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Incorporated2008-57) However, in 1810 Mexico began to rebel against the Spanish crown, and the subsidies for growing hemp were cut, leading to a near-disappearance of the crop. A few missions continued to grow it for local use, and the [Russian colonists](https://en.wikipedia.org/wiki/Russian_colonization_of_the_Americas) grew hemp at [Fort Ross](https://en.wikipedia.org/wiki/Fort_Ross) until the station was abandoned in 1841.[[56]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-ClarkeMerlin2013-56)

**Psychoactive cannabis**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=11)]

Among the early cultivators of cannabis for recreational use in California were Arabs, Armenians, and Turks who grew cannabis as early as 1895 to make [hashish](https://en.wikipedia.org/wiki/Hashish) for local consumption.[[58]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Duvall2014-58) Unlike in other states where fears of black or Hispanic use of cannabis drove new restrictions, California was an exception for its focus on South Asian immigrants. A California delegate to the Hague Convention wrote in 1911: *Within the last year we in California have been getting a large influx of Hindoos and they have in turn started quite a demand for cannabis indica; they are a very undesirable lot and the habit is growing in California very fast.*[[59]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Booth2015-59)

**Criminalization**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=12)]

The Poison Act was passed in California in 1907, and in 1913 an amendment[[60]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-60) was made to make possession of "extracts, tinctures, or other narcotic preparations of hemp, or loco-weed, their preparations and compounds" a misdemeanor.[[61]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-gieringer-61) There is no evidence that the law was ever used or intended to restrict pharmaceutical cannabis; instead it was a legislative mistake, and in 1915 another amendment[[62]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-62) forbade the sale or possession of "flowering tops and leaves, extracts, tinctures and other narcotic preparations of hemp or loco weed (*Cannabis sativa*), Indian hemp" except with a prescription.[[61]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-gieringer-61) Both bills were drafted and supported by the California State Board of Pharmacy.[[61]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-gieringer-61)

In 1914, one of the first cannabis drug raids in the nation occurred in the Mexican-American neighborhood of [Sonoratown](https://en.wikipedia.org/wiki/Sonoratown) in Los Angeles, where police raided two "dream gardens" and confiscated a wagonload of cannabis.[[63]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-63) In 1925, possession, which had previously been treated the same as distribution, became punishable by up to 6 years in prison, and black market sale, which had initially been a misdemeanor punishable by a $100–$400 fine and/or 50–180 days in jail for first offenders, became punishable by 6 months–6 years.[[61]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-gieringer-61) In 1927, the laws designed to target opium usage were finally extended to Indian hemp.[[61]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-gieringer-61) In 1929, second offenses for possession became punishable by sentences of 6 months–10 years.[[61]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-gieringer-61) In 1937, cannabis cultivation became a separate offense.[[61]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-gieringer-61)

By 1932, 60% of narcotics arrests in Los Angeles involved cannabis, which was considered "much less serious than the morphine cases."[[64]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-64) In 1954, penalties for marijuana possession were hiked to a minimum 1–10 years in prison, and sale was made punishable by 5–15 years with a mandatory 3 years before eligibility for parole; two prior felonies raised the maximum sentences for both offenses to life imprisonment.[[61]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-gieringer-61)

**Popularization**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=13)]

In the 1950s and 1960s, the beatnik and later hippie cultures experimented with cannabis, driving increased interest in the drug. In 1964, the first cannabis legalization group was formed in the U.S. when Lowell Eggemeier of San Francisco was arrested, and his attorney established LEMAR (LEgalize MARijuana) shortly afterwards.[[65]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Rosenthal2009-65) By the mid-1960s, the *Saturday Evening Post* was publishing articles estimating that half the college population of California had tried cannabis. One writer commented that usage was: *so widespread that pot must be considered an integral part of the generation's life experience.*[[66]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-May2002-66)

**Illicit cultivation**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=14)]

In the 1960s–1970s, people in California had developed the [*sinsemilla*](https://en.wikipedia.org/wiki/Sinsemilla) ("without seeds") method of producing cannabis, uprooting the male plants before they could pollinate the females, resulting a seedless and more potent cannabis. Around 1975, this technique arrived in Humboldt County, which was to become one of the nation's most famous centers of cannabis production. California growers received an unintentional advantage from the US government, which in the 1970s began spraying cannabis fields in Mexico with the herbicide [paraquat](https://en.wikipedia.org/wiki/Paraquat). Fears of contamination led to a drop in demand for cheaper Mexican cannabis, and a corresponding increase in demand for California-grown cannabis. By 1979, 35% of cannabis consumed in California was grown in-state. By 2010, 79% of cannabis nationwide came from California.[[67]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Brady2013-67)

**Decriminalization**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=15)]

*For broader coverage of this topic, see* [*Decriminalization of non-medical cannabis in the United States*](https://en.wikipedia.org/wiki/Decriminalization_of_non-medical_cannabis_in_the_United_States)*.*

**Moscone Act (1975)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=16)]

[Decriminalization](https://en.wikipedia.org/wiki/Decriminalization) of cannabis – which treats possession of small amounts as a civil (rather than a criminal) offense – was established in July 1975 when the state legislature passed Senate Bill 95, the Moscone Act.[[61]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-gieringer-61)[[68]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Anderson-68)[[69]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-69)[[70]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Crime-70) SB 95 made possession of one ounce (28 g) of marijuana a misdemeanor punishable by a $100 fine, with higher punishments for amounts greater than one ounce, for possession on school grounds, or for cultivation.[[71]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-NORML-71)

**"Smoke a joint, lose your license" expires (1999)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=17)]

*For broader coverage of this topic, see* [*Solomon–Lautenberg amendment*](https://en.wikipedia.org/wiki/Solomon%E2%80%93Lautenberg_amendment)*.*

In 1999, a state law was allowed to expire that mandated a six-month driver's license suspension for possession of cannabis or other illegal drugs.[[72]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-davis-72) The law was enacted in 1994 at the urging of Governor [Pete Wilson](https://en.wikipedia.org/wiki/Pete_Wilson), who argued that the policy kept unsafe drivers off the road and helped prevent illegal drug use.[[73]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-wilson-73) Critics argued that the punishment was excessive and often had nothing to do with the offense committed.[[73]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-wilson-73) The law resulted in as many as 100,000 license suspensions per year according to the [California Department of Motor Vehicles](https://en.wikipedia.org/wiki/California_Department_of_Motor_Vehicles).[[72]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-davis-72)

**Proposition 36 (2000)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=18)]

*Main article:* [*California Proposition 36 (2000)*](https://en.wikipedia.org/wiki/California_Proposition_36_(2000))

Proposition 36 (also known as the Substance Abuse and Crime Prevention Act of 2000) was approved by 61% of voters, requiring that "first and second offense drug violators be sent to drug treatment programs instead of facing trial and possible incarceration."[[74]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Prop36-74)

**Senate Bill 1449 (2010)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=19)]

On September 30, 2010, Governor [Arnold Schwarzenegger](https://en.wikipedia.org/wiki/Arnold_Schwarzenegger) signed into law CA State Senate Bill 1449, which further reduced the charge of possession of one ounce (28 g) of cannabis or less, from a misdemeanor to an infraction, similar to a traffic violation—a maximum of a $100 fine and no mandatory court appearance or criminal record.[[75]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-activatedirect1-75) The law became effective January 1, 2011.

**Medical cannabis legalization**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=20)]

**Early reform efforts (pre-1996)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=21)]

The movement to legalize medical cannabis in the U.S. sprang out of [San Francisco](https://en.wikipedia.org/wiki/San_Francisco) in the early 1990s, with efforts soon spreading statewide and eventually across the nation. Proposition P was approved by 79% of San Francisco voters in November 1991, calling on state lawmakers to pass legislation allowing the medical use of cannabis.[[76]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-76) The city board of supervisors additionally passed a resolution in August 1992 urging the police commission and district attorney to "make lowest priority the arrest or prosecution of those involved in the possession or cultivation of [cannabis] for medicinal purposes" and to "allow a letter from a treating physician to be used as [prima facia](https://en.wikipedia.org/wiki/Prima_facie) evidence that marijuana can alleviate the pain and suffering of that patient's medical condition".[[77]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-77) The resolution enabled the open sale of cannabis to AIDS patients and others within the city, most notably through the [San Francisco Cannabis Buyers Club](https://en.wikipedia.org/wiki/San_Francisco_Cannabis_Buyers_Club) which was operated by medical cannabis activist [Dennis Peron](https://en.wikipedia.org/wiki/Dennis_Peron) (who spearheaded Proposition P and later the statewide Proposition 215).[[78]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-78) Similar clubs appeared outside San Francisco in the ensuing years as other cities passed legislation to support the medical use of cannabis. The [Wo/Men's Alliance for Medical Marijuana](https://en.wikipedia.org/wiki/Wo/Men%27s_Alliance_for_Medical_Marijuana) was founded in 1993 after 75% of [Santa Cruz](https://en.wikipedia.org/wiki/Santa_Cruz,_California) voters approved Measure A in November 1992.[[79]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Heddleston-79) And the [Oakland Cannabis Buyers' Cooperative](https://en.wikipedia.org/wiki/Oakland_Cannabis_Buyers%27_Cooperative) was founded in 1995 shortly before the city council passed multiple medical cannabis resolutions.[[79]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Heddleston-79)

Following the lead of San Francisco and other cities in California, state lawmakers passed Senate Joint Resolution 8 in 1993, a non-binding measure calling on the federal government to enact legislation allowing physicians to prescribe cannabis.[[80]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Vitiello_215-80) In 1994, Senate Bill 1364 was approved by state legislators, to reclassify cannabis as a Schedule II drug at the state level.[[80]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Vitiello_215-80) And Assembly Bill 1529 was approved in 1995, to create a medical necessity defense for patients using cannabis with a physician's recommendation, for treatment of AIDS, cancer, glaucoma, or multiple sclerosis.[[80]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Vitiello_215-80) Both SB 1364 and AB 1529 were vetoed by Governor [Pete Wilson](https://en.wikipedia.org/wiki/Pete_Wilson), however, paving the way for the passage of Proposition 215 in 1996.[[80]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Vitiello_215-80)

**Proposition 215 (1996)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=22)]

*Main article:* [*1996 California Proposition 215*](https://en.wikipedia.org/wiki/1996_California_Proposition_215)

Frustrated by vetoes of medical cannabis bills in successive years, medical cannabis advocates in California took the issue directly to the voters, collecting 775,000 signatures for qualification of a statewide ballot initiative in 1996.[[81]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-81) Proposition 215 – the Compassionate Use Act of 1996 – was subsequently approved with 56% of the vote, legalizing the use, possession, and cultivation of cannabis by patients with a physician's recommendation, for treatment of cancer, anorexia, AIDS, chronic pain, spasticity, glaucoma, arthritis, migraine, or "any other illness for which marijuana provides relief".[[82]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Prop215_text-82) The law also allowed patient [caregivers](https://en.wikipedia.org/wiki/Caregiver) to cultivate cannabis, and urged lawmakers to facilitate the "safe and affordable distribution of marijuana".[[82]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Prop215_text-82)

**Senate Bill 420 (2003)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=23)]



Medical cannabis card in [Marin County](https://en.wikipedia.org/wiki/Marin_County,_California)

*Main article:* [*California Senate Bill 420*](https://en.wikipedia.org/wiki/California_Senate_Bill_420)

Vague wording became a major criticism of Proposition 215, though the law has since been clarified through state Supreme Court rulings and the passage of subsequent laws. The first such legislative solution came in January 2003 with the passage of Senate Bill 420 (colloquially known as the Medical Marijuana Program Act). Senate Bill 420 established an [identification card system for medical cannabis patients](https://en.wikipedia.org/wiki/Medical_cannabis_card), and allowed the formation of non-profit collectives for provision of cannabis to patients.

In 2006 [San Diego County](https://en.wikipedia.org/wiki/San_Diego_County,_California) filed a lawsuit over its required participation in the state ID card program,[[83]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-83) but the challenge was later struck down and the city was forced to comply.[[84]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Lee-84) In January 2010 the California Supreme Court ruled in [People v. Kelly](https://en.wikipedia.org/wiki/California_Senate_Bill_420#People_v._Kelly) that SB 420 did not limit the quantity of cannabis that a patient can possess. All possession limits were therefore lifted.

**Implementation and criticism**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=24)]

California was the first state to establish a medical cannabis program, enacted by Proposition 215 in 1996 and Senate Bill 420 in 2003. Proposition 215, also known as the Compassionate Use Act, allows people the right to obtain and use cannabis for any illness if they obtain a recommendation from a doctor. The [Supreme Court of California](https://en.wikipedia.org/wiki/Supreme_Court_of_California) has ruled there are no specified limits as to what a patient may possess in their private residence if the cannabis is strictly for the patient's own use.[[85]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-85) Medical cannabis identification cards are issued through the [California Department of Public Health](https://en.wikipedia.org/wiki/California_Department_of_Public_Health)'s Medical Marijuana Program (MMP). The program began in three counties in May 2005, and expanded statewide in August of the same year. 37,236 cards have been issued throughout 55 counties as of December 2009. However, cannabis dispensaries within the state accept recommendations, with an embossed license, from a doctor who has given the patient an examination and believes cannabis would be beneficial for their ailment.



Cannabis evaluations in [Venice Beach](https://en.wikipedia.org/wiki/Venice,_Los_Angeles#Venice_Beach)

Critics of California's medical cannabis program argued that the program essentially gave cannabis quasi-legality, as "anyone can obtain a recommendation for medical marijuana at any time for practically any ailment".[[86]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-History-86) Acknowledging that there were instances in which the system was abused and that laws could be improved, Stephen Gutwillig of the [Drug Policy Alliance](https://en.wikipedia.org/wiki/Drug_Policy_Alliance) insisted that what Proposition 215 had accomplished was "nothing short of incredible".[[86]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-History-86) Gutwillig argued that because of the law, 200,000 patients in the state had safe and affordable access to medical cannabis to relieve pain and treat medical conditions, without having to risk arrest or buy off the black market.[[86]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-History-86)

**Conflict with federal law**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=25)]

Although Proposition 215 legalized medical cannabis in California, at the federal level it remained a [Schedule I](https://en.wikipedia.org/wiki/Schedule_I_drugs) prohibited drug.[[87]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-87) Seeking to enforce this prohibition, the [Justice Department](https://en.wikipedia.org/wiki/United_States_Department_of_Justice) conducted numerous raids and prosecutions of medical cannabis providers throughout the state in subsequent years. Who grows marijuana and where it comes from were lightly regulated. Federal authorities claimed that these medical marijuana businesses were fronts for the black market. Also rather than growing medical marijuana in small batches for patients, they claimed the cannabis was coming from Mexico or large hidden grows in California.[[88]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-88) Some state and local officials strongly supported these enforcement efforts, in particular Attorney General [Dan Lungren](https://en.wikipedia.org/wiki/Dan_Lungren) who was a vocal opponent of Proposition 215 leading up to its passage.[[84]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Lee-84) Other officials, such as San Francisco District Attorney [Terence Hallinan](https://en.wikipedia.org/wiki/Terence_Hallinan), condemned the actions as a gross intrusion into the state's affairs.[[84]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Lee-84) The raids and prosecutions increased in frequency throughout the Bush and Obama years,[[89]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-WTC-89) until finally in December 2014 the [Rohrabacher–Farr amendment](https://en.wikipedia.org/wiki/Rohrabacher%E2%80%93Farr_amendment) was enacted at the federal level.

One of the raids that occurred was at the [Wo/Men's Alliance for Medical Marijuana](https://en.wikipedia.org/wiki/Wo/Men%27s_Alliance_for_Medical_Marijuana) in Santa Cruz in September 2002. WAMM was a non-profit collective set up to provide cannabis to seriously ill patients, and was working closely with local authorities to follow all applicable state and local laws.[[90]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-90) On the morning of September 5, DEA agents equipped with paramilitary gear and semiautomatic weapons stormed the premises, destroyed all the cannabis plants, and arrested the property owners Mike and Valerie Corral.[[84]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Lee-84)[[91]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-91) This prompted an angry response from nearby medical cannabis patients – some in wheelchairs – who gathered at the site to block federal agents from leaving, until finally after three hours later the Corrals were released.[[84]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Lee-84) The raid triggered a strong backlash from Santa Cruz city officials as well, who sanctioned an event two weeks later where cannabis was handed out to patients on the steps of city hall,[[92]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-92) attracting widespread media attention.[[79]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Heddleston-79) The DEA was "appalled" by the event,[[93]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-93) but took no further action.

Further pushback against federal enforcement efforts occurred in June 2003 following the jury trial conviction of [Ed Rosenthal](https://en.wikipedia.org/wiki/Ed_Rosenthal), who had been raided by the DEA in 2002 for growing more than 100 cannabis plants in an [Oakland](https://en.wikipedia.org/wiki/Oakland,_California) warehouse.[[94]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-rosenthal-94) Because cannabis remained a prohibited substance under federal law, jurors could not be informed that Rosenthal had been deputized by the city of Oakland to grow the cannabis, or even that the cannabis was being used for medical purposes only.[[84]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Lee-84) Rosenthal was easily convicted as a result; however, immediately following the trial, when jurors found out the true circumstances of the case, they publicly renounced the verdict they had just handed down and demanded a retrial.[[84]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Lee-84) Judge [Charles Breyer](https://en.wikipedia.org/wiki/Charles_R._Breyer), in part influenced by the extraordinary action of the jurors, sentenced Rosenthal to just one day in jail, of which he had already served.[[94]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-rosenthal-94)

In July 2007, a new tactic was adopted by the DEA of threatening landlords renting to medical cannabis providers.[[95]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-95) Letters were sent to a number of property owners in the Los Angeles area, informing them that they faced up to 20 years in prison for violating the "crack house statute" of the Controlled Substances Act, in addition to seizure of their properties. This tactic subsequently spread to other areas of California, while DEA raids continued to increase as well in the following years. In October 2011 an extensive and coordinated crackdown on California's cannabis dispensaries was announced by the chief prosecutors of the state's four federal districts.[[96]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-96)

Three major court cases originated in California that attempted to challenge the federal government's ability to enforce federal law in states that have legalized medical cannabis. [*Conant v. McCaffrey*](https://en.wikipedia.org/wiki/Conant_v._McCaffrey) was brought forth in response to various threats made by the federal government against doctors who recommend cannabis to patients. Decided in 2000, it upheld the right of physicians to recommend but not prescribe cannabis.[[97]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-mpp-97) In [*United States v. Oakland Cannabis Buyers' Cooperative*](https://en.wikipedia.org/wiki/United_States_v._Oakland_Cannabis_Buyers%27_Cooperative) (decided in 2001), it was argued that medical use of cannabis should be permitted as constituted by a "[medical necessity](https://en.wikipedia.org/wiki/Medical_necessity)" – but this argument was unsuccessful.[[97]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-mpp-97) In [*Gonzales v. Raich*](https://en.wikipedia.org/wiki/Gonzales_v._Raich) (decided in 2005), the constitutionality of the Controlled Substances Act was challenged based on the idea that cannabis grown and consumed in California does not qualify as [interstate commerce](https://en.wikipedia.org/wiki/Interstate_commerce) – but this argument was also found to be without merit.[[97]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-mpp-97)

**Recreational cannabis legalization**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=26)]

**Proposition 19 (1972)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=27)]

*Main article:* [*California Proposition 19 (1972)*](https://en.wikipedia.org/wiki/California_Proposition_19_(1972))

In 1972, California became the first state to vote on a ballot measure seeking to legalize cannabis. Proposition 19 – the California Marijuana Initiative – sought to legalize the use, possession, and cultivation of cannabis, but did not allow for commercial sales.[[68]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Anderson-68) The initiative was spearheaded by the group Amorphia, which was founded in 1969 (by Blair Newman) and financed its activities through the sale of hemp [rolling papers](https://en.wikipedia.org/wiki/Rolling_paper).[[98]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-98) It was ultimately defeated by a wide margin (33–67%), but supporters were encouraged by the results,[[99]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-99) which provided momentum to other reform efforts in California in subsequent years.[[79]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Heddleston-79) In 1974, Amorphia ran into financial difficulties and became the California chapter of [NORML](https://en.wikipedia.org/wiki/National_Organization_for_the_Reform_of_Marijuana_Laws).[[100]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-100)

**Marijuana Control, Regulation, and Education Act (2009)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=28)]

*Main article:* [*Marijuana Control, Regulation, and Education Act*](https://en.wikipedia.org/wiki/Marijuana_Control,_Regulation,_and_Education_Act)

In February 2009, [Tom Ammiano](https://en.wikipedia.org/wiki/Tom_Ammiano) introduced the Marijuana Control, Regulation, and Education Act, which would remove penalties under state law for the cultivation, possession, and use of marijuana for persons the age of 21 or older. When the Assembly Public Safety Committee approved the bill on a 4 to 3 vote in January 2010, this marked the first time in United States history that a bill legalizing marijuana passed a legislative committee. While the legislation failed to reach the Assembly floor, Ammiano stated his plans to reintroduce the bill later in the year, depending on the success of [Proposition 19](https://en.wikipedia.org/wiki/California_Proposition_19_(2010)), the Regulate, Control and Tax Cannabis Act.[[101]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-banks1-101) According to [*Time*](https://en.wikipedia.org/wiki/Time_(magazine)), California tax collectors estimated the bill would have raised about $1.3 billion a year in revenue.

Critics such as John Lovell, lobbyist for the California Peace Officers' Association, argued that too many people already struggle with alcohol and drug abuse, and legalizing another mind-altering substance would lead to a surge of use, making problems worse.[[102]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Time-102) Apart from helping the state's budget by enforcing a tax on the sale of cannabis, proponents of the bill argued that legalization would reduce the amount of criminal activity associated with the drug.

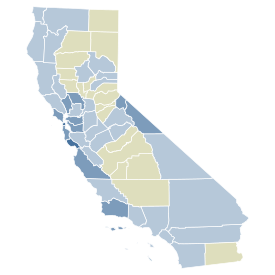
**Proposition 19 (2010)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=29)]

*Main article:* [*California Proposition 19 (2010)*](https://en.wikipedia.org/wiki/California_Proposition_19_(2010))

In November 2010, California voters rejected Proposition 19 (by a vote of 53.5% to 46.5%), an initiative that would have legalized the use, possession, and cultivation of cannabis for adults age 21 and over, and regulated its sale similar to alcohol.[[103]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-103) The initiative faced stiff opposition from numerous police organizations in the state, while many growers in the [Emerald Triangle](https://en.wikipedia.org/wiki/Emerald_Triangle) were strongly opposed due to fears that corporate megafarms would put them out of business.[[84]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Lee-84) The initiative was also undercut by the passage of [Senate Bill 1449](https://en.wikipedia.org/wiki/Cannabis_in_California#Senate_Bill_1449_(2010)) a month before the election.[[84]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Lee-84) Proposition 19 was spearheaded by [Richard Lee](https://en.wikipedia.org/wiki/Richard_Lee_(activist)), founder of [Oaksterdam University](https://en.wikipedia.org/wiki/Oaksterdam_University).[[84]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-Lee-84)

**Proposition 64 (2016)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=30)]

*Main article:* [*Adult Use of Marijuana Act*](https://en.wikipedia.org/wiki/Adult_Use_of_Marijuana_Act)

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[Proposition 64 (2016)](https://en.wikipedia.org/wiki/Adult_Use_of_Marijuana_Act) results by county. Counties with a majority of "yes" votes are in blue and counties with a majority of "no" votes are in yellow.

On November 8, 2016, Proposition 64 – the Adult Use of Marijuana Act – passed by a 57% to 43% vote, legalizing the use, sale, and cultivation of recreational cannabis in California for adults 21 and over. The initiative was certified for the ballot on June 28, 2016,[[104]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-104) after supporters handed in more than 600,000 raw signatures of the 365,000 certified signatures that were required.[[105]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-105) The initiative received the largest amount of support from Napster founder [Sean Parker](https://en.wikipedia.org/wiki/Sean_Parker) who contributed more than $8.6 million of the $25 million that was raised in support of the initiative.[[106]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-bp64-106) Lieutenant Governor [Gavin Newsom](https://en.wikipedia.org/wiki/Gavin_Newsom) was the highest-ranking official in the state to endorse the initiative;[[106]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-bp64-106) it was also endorsed by several of the state's major newspapers including the [Los Angeles Times](https://en.wikipedia.org/wiki/Los_Angeles_Times),[[107]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-107) [San Francisco Chronicle](https://en.wikipedia.org/wiki/San_Francisco_Chronicle),[[108]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-108) [San Diego Union-Tribune](https://en.wikipedia.org/wiki/San_Diego_Union-Tribune),[[109]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-109) [Orange County Register](https://en.wikipedia.org/wiki/Orange_County_Register),[[110]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-110) and [San Jose Mercury News](https://en.wikipedia.org/wiki/The_Mercury_News).[[111]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-111)

Immediately upon certification of the November 2016 ballot results, adults age 21 or older were allowed to:

* Possess, transport, process, purchase, obtain, or give away, without any compensation whatsoever, no more than one ounce of dry cannabis or eight grams concentrated cannabis to adults the age of 21 or older.
* Possess, plant, cultivate, harvest, dry, or process no more than six live plants and the produce of those plants in a private residence, in a locked area not seen from normal view, in compliance with all local ordinances.
* Smoke or ingest cannabis.
* Possess, transport, purchase, obtain, use, manufacture, or give away marijuana paraphernalia to peoples the age of 21 or older.

Users may not:

* Smoke it where tobacco is prohibited.
* Possess, ingest or smoke within 1,000 feet (300 m) of a day care, school, or youth center while children are present (except within a private residence and if said smoke is not detectable to said children).[[112]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-112)
* Manufacture concentrated cannabis using a volatile solvent without a license under Chapter 3.5 of Division 8 or Division 10 of the Business and Professions Code.
* Possess an open container or marijuana paraphernalia while in the driver or passenger seat of a vehicle used for transportation.
* Smoke or ingest marijuana while operating a vehicle used for transportation.
* Smoke or ingest marijuana while riding in the passenger seat or compartment of a vehicle.[[113]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-autogenerated1-113)

Licenses were issued to allow cultivation and business establishment beginning in 2018. Legal sales for non-medical use were allowed by law beginning January 1, 2018, following formulation of new regulations on retail market by the state's Bureau of Medical Cannabis Regulation (to be renamed Bureau of Marijuana Control).[[114]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-114)[[115]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-115)

Proposition 64 is not meant in any way to affect, amend, or restrict the statutes provided for medical cannabis in California under Proposition 215.[[113]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-autogenerated1-113)

In 2016, in response to Proposition 64, State Treasurer [John Chiang](https://en.wikipedia.org/wiki/John_Chiang_(California_politician)) set up a working group to explore access to financial services for legal marijuana-related businesses operating in California,[[116]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-116) as access to banking services has been a problem due to the additional burdens mandated by the [Financial Crimes Enforcement Network (FinCEN)](https://en.wikipedia.org/wiki/Financial_Crimes_Enforcement_Network) on financial institutions to assure that any marijuana related business clients are in compliance with all state laws.[[117]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-117)

**Post-legalization**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=31)]

**Cannabis Appellations Program (2021)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=32)]

After the adoption of Proposition 64, California has been pioneering[[118]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-118) the CalCannabis Appellations Project (CAP),[[119]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-119) to develop [appellations of origin](https://en.wikipedia.org/wiki/Appellation_of_origin) for cannabis products.[[120]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-120) The [California Department of Food and Agriculture](https://en.wikipedia.org/wiki/California_Department_of_Food_and_Agriculture) claims that the CAP will "promote regional cannabis goods and local businesses, prevent the misrepresentation of a cannabis good’s origin, and support consumer confidence about a cannabis good’s origin and characteristics."[[121]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-:0-121) A series of consultations are underway to develop the CAP.[[121]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-:0-121)

The benefits of this program:[[122]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-122)

1. Promoting the unique characteristics and qualities of cannabis grown in different regions, similar to how wine regions are known for specific varietals and styles.
2. Encouraging sustainable and responsible farming practices by requiring growers in designated regions to meet certain environmental and labor standards.[[123]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-123)
3. Supporting small farmers and preserving local agriculture by promoting and protecting the unique heritage of cannabis grown in specific regions.
4. Provide consumers with more information about the origin and quality of cannabis products, similar to how wine bottles are labeled with their region of origin.
5. Help to establish California as a leader in the cannabis industry[[124]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-124) by setting standards for high-quality cannabis production.
6. Create economic opportunities for rural communities and help them to diversify their income sources
7. Promote transparency, traceability, and accountability in the cannabis supply chain by providing a means to certify the origin and quality of cannabis products.

**September 2022 reforms**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=33)]

In September 2022, Governor Gavin Newsom signed into law a number of cannabis-related reforms, including bills to protect cannabis users from healthcare discrimination,[[125]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-125) require child welfare social workers to treat parental cannabis use the same as alcohol,[[126]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-126) prevent employees from being fired for cannabis use outside of work hours (with exceptions for federal employees or workers in safety-sensitive positions),[[127]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-ten-127) allow veterinarians to recommend medical cannabis for pets,[[127]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-ten-127) facilitate the sealing of records for certain cannabis offenses,[[127]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-ten-127) and allow interstate commerce for cannabis to and from California (provided that the federal government has first indicated that it will allow such activity).[[127]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-ten-127)

**Pesticide contamination**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=34)]

In June 2024, the [Los Angeles Times](https://en.wikipedia.org/wiki/Los_Angeles_Times) tested legally-sold cannabis products in California and uncovered large amounts of pesticides in many cannabis products. Twenty-five of 42 products contained pesticides exceeding the levels permitted by law. The investigation alleges that many testing laboratories fraudulently certified products as satisfying pesticide regulations, when in fact they did not meet the regulations. Owners of some private testing laboratories stated that they were forced out of business because they refused to falsify test results. The Department of Cannabis Control, which is responsible for regulating cannabis in California, refused to release the results of its own internal testing of cannabis products. In September 2024, a lawsuit was filed by a former employee of the Department of Cannabis Control, alleging that the head of the Department had ignored fraudulent testing, and that the Department fired the former employee when the employee attempted to publicize the fraud.[[128]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-tumult-128)[[129]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-secr-129)[[130]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-test-130)[[131]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-body-131) The same lawsuit also alleges that the potency displayed on the labels of many legal cannabis products in California are deliberately inflated by fraudulent testing laboratories.[[132]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-pogtent-132)[[133]](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_note-blo-133)

**See also**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_California&action=edit&section=35)]

* icon
* [***Cannabis portal***](https://en.wikipedia.org/wiki/Portal:Cannabis)
* ***flag***
* [***California portal***](https://en.wikipedia.org/wiki/Portal:California)
* [Drug policy of California](https://en.wikipedia.org/wiki/Drug_policy_of_California)
* [Legal history of cannabis in the United States](https://en.wikipedia.org/wiki/Legal_history_of_cannabis_in_the_United_States)
* [Law of California](https://en.wikipedia.org/wiki/Law_of_California)

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* [Jump up to:](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_ref-LAT_2019-04-05_2-0)
* [***a***](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_ref-LAT_2019-04-05_2-0) [***b***](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_ref-LAT_2019-04-05_2-1) [***c***](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_ref-LAT_2019-04-05_2-2) [***d***](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_ref-LAT_2019-04-05_2-3) [***e***](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_ref-LAT_2019-04-05_2-4) McGreevy, Patrick (April 5, 2019). ["California cities sue state over home deliveries of pot"](https://www.latimes.com/politics/la-pol-ca-california-sued-pot-deliveries-20190405-story.html). [*Los Angeles Times*](https://en.wikipedia.org/wiki/Los_Angeles_Times). Retrieved April 5, 2019.
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* [Jump up to:](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_ref-VCS_2019/06/02_3-0)
* [***a***](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_ref-VCS_2019/06/02_3-0) [***b***](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_ref-VCS_2019/06/02_3-1) Harris, Mike (June 2, 2019). ["Some local officials frustrated with eroding of local control by FCC and state pot bureau"](https://www.vcstar.com/story/news/local/communities/conejo-valley/2019/06/02/officials-frustrated-fcc-order-5-g-state-marijuana-deliveries/3694124002/). [*Ventura County Star*](https://en.wikipedia.org/wiki/Ventura_County_Star). [Archived](https://web.archive.org/web/20190607140940/https://www.vcstar.com/story/news/local/communities/conejo-valley/2019/06/02/officials-frustrated-fcc-order-5-g-state-marijuana-deliveries/3694124002/) from the original on June 7, 2019. Retrieved June 4, 2019.
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* [Jump up to:](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_ref-:0_121-0)
* [***a***](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_ref-:0_121-0) [***b***](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_ref-:0_121-1) ["CDFA - CalCannabis - CalCannabis Appellations Project"](https://www.cdfa.ca.gov/calcannabis/appellations.html). *www.cdfa.ca.gov*. Retrieved May 30, 2021.
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* [Jump up to:](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_ref-ten_127-0)
* [***a***](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_ref-ten_127-0) [***b***](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_ref-ten_127-1) [***c***](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_ref-ten_127-2) [***d***](https://en.wikipedia.org/wiki/Cannabis_in_California#cite_ref-ten_127-3) Jaeger, Kyle (September 18, 2022). ["California Governor Signs 10 Marijuana Bills, Including Interstate Commerce, Employment Protections And Record Sealing"](https://www.marijuanamoment.net/california-governor-signs-10-marijuana-bills-including-interstate-commerce-employment-protections-and-record-sealing/). *Marijuana Moment*. Retrieved September 28, 2022.
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# Cannabis in Colorado

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Text

* Small
* Standard
* Large

Width

* Standard
* Wide

Color (beta)

* Automatic
* Light
* Dark

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Colorado's Cannabis Universal Symbol

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In [Colorado](https://en.wikipedia.org/wiki/Colorado), [cannabis](https://en.wikipedia.org/wiki/Cannabis) has been legal for [medical use](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) since 2000 and for [recreational use](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States) since late 2012. On November 7, 2000, 54% of Colorado voters approved Amendment 20, which amended the Stateonstitution to allow the use of marijuana in the state for approved patients with written medical consent. Under this law, patients may possess up to 2 ounces (57 g) of medical marijuana and may cultivate no more than six marijuana plants (no more than three of these mature flowering plants at a time). Patients who were caught with more than this in their possession could argue "affirmative defense of medical necessity" but were not protected under state law with the rights of those who stayed within the guidelines set forth by the state.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-norml.org-1) The [Colorado Amendment 64](https://en.wikipedia.org/wiki/Colorado_Amendment_64), which was passed by voters on November 6, 2012, led to recreational legalization in December 2012 and state-licensed retail sales in January 2014.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-2) The policy has led to [cannabis tourism](https://en.wikipedia.org/wiki/Marijuana_tourism_in_the_United_States).[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-3) There are two sets of policies in Colorado relating to cannabis use: those for [medicinal cannabis](https://en.wikipedia.org/wiki/Medicinal_cannabis) and for [recreational drug use](https://en.wikipedia.org/wiki/Recreational_drug_use) along with a third set of rules governing [hemp](https://en.wikipedia.org/wiki/Hemp).[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-colorado.gov-4)

**History**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Colorado&action=edit&section=1)]

**Prohibition (1917) (1929) and (1937)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Colorado&action=edit&section=2)]

Amidst an early 20th century trend of limiting the drug, Colorado first restricted cannabis on March 30, 1917. This made the use and cultivation of cannabis a misdemeanor, which was subject to a fine of between $10 and $100 (equivalent to $200 and $2,400 in 2023) and up to a month in jail.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-Boslaugh2015-5)[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-6)[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-7) In 1929, the Colorado Legislature passed a law making the second offense of sale, possession and distribution of marijuana a felony by one to five years in prison.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-8)

Shortly after the [1937 Marihuana Tax Act](https://en.wikipedia.org/wiki/1937_Marihuana_Tax_Act) went into effect on October 1, 1937, the [Federal Bureau of Narcotics](https://en.wikipedia.org/wiki/Federal_Bureau_of_Narcotics) and [Denver Police Department](https://en.wikipedia.org/wiki/Denver_Police_Department) arrested Moses Baca for possession and [Samuel Caldwell](https://en.wikipedia.org/wiki/Samuel_R._Caldwell) for dealing. Baca and Caldwell's arrest made them the first marijuana convictions under U.S. federal law for not paying the marijuana tax. Judge Foster Symes sentenced Baca to 18 months and Caldwell to four years in [Leavenworth Penitentiary](https://en.wikipedia.org/wiki/Leavenworth_Penitentiary) for violating the 1937 Marihuana Tax Act.[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-9)

**Decriminalization (1975)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Colorado&action=edit&section=3)]

In 1975, during a short-lived wave of decriminalization in the country, Colorado decriminalized possession of cannabis of up to one ounce (28 g), which was made a petty offense with a maximum fine of $100 (equivalent to $566 in 2023). That amount was increased to two ounces (57 g) in 2010, still with a maximum fine of $100 (equivalent to $140 in 2023).[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-10)

A contributing factor in the favor of decriminalization was the work on behalf of NORML by Pitkin County Deputy District Attorney Jay Moore, who helped win over the legislature's Republican leadership with arguments as to money wasted on needless enforcement of marijuana laws.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-Anderson2015-11)

**Medical marijuana (2000)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Colorado&action=edit&section=4)]

On November 7, 2000, 54% of Colorado voters approved Amendment 20, which amended the State Constitution to allow the use of marijuana in the state for approved patients with written medical consent. Under this law, patients may possess up to 2 ounces (57 g) of medical marijuana and may cultivate no more than six marijuana plants (no more than three of these mature flowering plants at a time). Patients who are caught with more than this in their possession may argue "affirmative defense of medical necessity" but are not protected under state law with the rights of those who stay within the guidelines set forth by the state.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-norml.org-1) Furthermore, doctors, when making a patient recommendation to the state can recommend the rights to possess additional medicine and grow additional plants, because of the patient's specific medical needs. Conditions recognized for medical marijuana in Colorado include: [cachexia](https://en.wikipedia.org/wiki/Cachexia); [cancer](https://en.wikipedia.org/wiki/Cancer); [chronic pain](https://en.wikipedia.org/wiki/Chronic_pain); chronic [nervous system disorders](https://en.wikipedia.org/wiki/Nervous_system_disease); [epilepsy](https://en.wikipedia.org/wiki/Epilepsy) and other disorders characterized by [seizures](https://en.wikipedia.org/wiki/Seizure); [glaucoma](https://en.wikipedia.org/wiki/Glaucoma); [HIV](https://en.wikipedia.org/wiki/HIV) or [AIDS](https://en.wikipedia.org/wiki/AIDS); [multiple sclerosis](https://en.wikipedia.org/wiki/Multiple_sclerosis) and other disorders characterized by [muscle spasticity](https://en.wikipedia.org/wiki/Muscle_spasticity); and [nausea](https://en.wikipedia.org/wiki/Nausea). Additionally, patients may not use medical marijuana in public places or in any place where they are in plain view, or in any manner which may endanger others (this includes operating a vehicle or machinery after medicating). Colorado medical marijuana patients cannot fill [prescriptions](https://en.wikipedia.org/wiki/Medical_prescription) at a [pharmacy](https://en.wikipedia.org/wiki/Pharmacy) because under federal law, marijuana is classified as a schedule I drug. Instead, patients may get medicine from a recognized caregiver or a non-state-affiliated club or organization, usually called a [dispensary](https://en.wikipedia.org/wiki/Dispensary). Dispensaries in Colorado offer a range of marijuana strains with different qualities, as well as various "edibles" or food products that contain marijuana extracts. Certain dispensaries also offer patients seeds and "clones" for those who want to grow their own medicine.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-12)

In April 2013, the [Colorado Court of Appeals](https://en.wikipedia.org/wiki/Colorado_Court_of_Appeals) held in *Coats v. Dish Network* that since marijuana remains against federal law, employers can use that standard rather than state law as a rationale for banning off-the-job worker use, and are not bound by Colorado's Lawful Activities Statute:[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-13)[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-14)[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-15)

The primary question before us is whether federally prohibited but state-licensed medical marijuana use is "lawful activity" under section 24-34-402.5, [C.R.S.](https://en.wikipedia.org/wiki/Colorado_Revised_Statutes) 2012, Colorado's Lawful Activities Statute. If it is, employers in Colorado would be effectively prohibited from discharging an employee for off-the-job use of medical marijuana, regardless of the fact that such use was in violation of federal law.

On June 10, 2016, Governor [John Hickenlooper](https://en.wikipedia.org/wiki/John_Hickenlooper) signed House Bill 16–1359. This bill stated that the court shall not prohibit the use or possession of medical marijuana as a condition of probation unless the individual is sentenced to probation for a conviction under Article 43.3 of Title 12, C.R.S.; or if the court determines based upon any material evidence that such a prohibition is necessary and appropriate to accomplish the goals of sentencing stated in 18-1-102.5, C.R.S.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-16)

**Recreational marijuana (2012)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Colorado&action=edit&section=5)]



4:20 rally Denver, CO (2011)

Since the enactment of [Colorado Amendment 64](https://en.wikipedia.org/wiki/Colorado_Amendment_64) in November 2012, adults aged 21[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-17) or older can grow up to six marijuana plants (with no more than half being mature flowering plants) privately in a locked space, legally possess all marijuana from the plants they grow (as long as it stays where it was grown),[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-18) legally possess up to one ounce (28 g) of marijuana while traveling,[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-19) and give as a gift up to one ounce (28 g) to other citizens 21 years of age or older.

Any adult in Colorado's territory may possess up to one ounce (28 g) of marijuana at any time, regardless of whether they are an in-state resident or an out-of-state visitor, as of 2016. Retail concentrate/edible limits are as follows: 8 grams (1⁄4 oz) of retail concentrate will be equal to 1 ounce (28 g) of flower, and therefore 800 mg of THC in the form of retail edibles will be equal to 1oz of retail flower.[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-20) Consumption is permitted in a manner similar to [alcohol](https://en.wikipedia.org/wiki/Alcohol_(drug)), with equivalent offenses prescribed for driving.[[21]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-21) Consumption in public was recently passed in Denver under Ordinance 300 with a vote of 53% for legal public consumption, and a 46% vote against. Within 60 days the new rules will be written and should be similar to current public alcohol consumption rules and regulations.[[22]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-22)[[23]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-23)[[24]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-24) Amendment 64 also provides for licensing of cultivation facilities, product manufacturing facilities, testing facilities, and retail stores.[[25]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-25) Visitors and tourists in Colorado can use and purchase marijuana, but face prosecution if found in possession in any adjacent state. Denver airport has banned all possession of marijuana but admits it has not charged a single person with possession nor has the airport seized any marijuana since the ban went into effect.[[26]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-26)[[27]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-27)

News report from [Voice of America](https://en.wikipedia.org/wiki/Voice_of_America) about the business of cannabis in Colorado - published March 20, 2015

Governor Hickenlooper signed several bills into law on May 28, 2013, implementing the recommendations of the [Task Force on the Implementation of Amendment 64](https://en.wikipedia.org/wiki/Task_Force_on_the_Implementation_of_Amendment_64).[[28]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-28)[[29]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-29)[[30]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-30)[[31]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-31) On September 9, 2013, the [Colorado Department of Revenue](https://en.wikipedia.org/wiki/Colorado_Department_of_Revenue) adopted final regulations for recreational marijuana establishments, implementing the Colorado Retail Marijuana Code (HB 13–1317).[[32]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-32) On September 16, 2013, the [Denver](https://en.wikipedia.org/wiki/Denver) [City Council](https://en.wikipedia.org/wiki/Denver_City_Council) adopted an ordinance for retail marijuana establishments.[[33]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-33)[[34]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-open-34) The state prepared for an influx of tourists with extra police officers posted in Denver. Safety fears led to officials seeking to limit use of the drug in popular ski resorts.[[35]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-35) According to a Quinnipiac University poll released July 21, 2014, Coloradans continued to support the state's legalization of marijuana for recreational use by a margin of 54–43 percent. At the same time, the poll indicated 66 percent of voters there think marijuana use should be legal in private homes and in members-only clubs, but should not be legal in bars, clubs or entertainment venues where alcohol is served. Sixty-one percent of respondents also said laws regulating marijuana use should be as strict as laws regulating alcohol use.[[36]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-36)

During 2014, the first year of implementation of [Colorado Amendment 64](https://en.wikipedia.org/wiki/Colorado_Amendment_64), Colorado's legal marijuana market (both medical and recreational) reached total sales of $700 million.[[37]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-37) In September 2014, legislation was submitted by Alabama senator [Jeff Sessions](https://en.wikipedia.org/wiki/Jeff_Sessions) to ensure that [Electronic Benefit Transfer](https://en.wikipedia.org/wiki/Electronic_Benefit_Transfer) cards could not be used to purchase marijuana, as the [United States Department of Health and Human Services](https://en.wikipedia.org/wiki/United_States_Department_of_Health_and_Human_Services) stated that their usage in marijuana shops was not prohibited.[[38]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-38)

By April 2018, revenue from legalized marijuana only amounted to 2% of the state's education budget, with some calling it "a drop in a bucket."[[39]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-39) During this month, sales records showed that marijuana sales were flat and were about the same as they were the previous year.[[40]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-40)

In mid-2019, Governor [Jared Polis](https://en.wikipedia.org/wiki/Jared_Polis) signed a law that would allow licensed businesses to have social marijuana use areas.[[41]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-41)

**Regulation**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Colorado&action=edit&section=6)]

General regulations for the legal commercial production and vending of marijuana in the state, which continue to be updated by the General Assembly, are published through the Marijuana Enforcement Division of the [Department of Revenue](https://en.wikipedia.org/wiki/Colorado_Department_of_Revenue).[[42]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-42) In July 2021, the [Governor of Colorado](https://en.wikipedia.org/wiki/Governor_of_Colorado) established the Colorado Cannabis Business Office.[[43]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-43)

Hemp is defined as any form of the cannabis plant which has less than "3/10's of one percent" delta-9-[THC](https://en.wikipedia.org/wiki/THC_(disambiguation)). The state department of agriculture regulates hemp production.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-colorado.gov-4) Colorado was one of the first states to legalize marijuana which means they were very careful when outlining how they would regulate it. There are multiple forms of marijuana such as smoking the plant, concentrates and edible making it difficult for Colorado to regulate.[[44]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-:0-44) The Governors' office worked and is still working hand in hand with individuals involved in law enforcement, public and environmental health, human services, and education to find solutions.[[44]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-:0-44) Marijuana causes impaired judgment and lack of coordination making it unsafe to drive at certain levels. This is problematic due to the rest of the population being at risk on the roads. Colorado has created legislation that states it is unlawful for one to operate a vehicle when intoxicated at a blood THC level of 5 nanograms/milliliter or more.[[45]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-45) Colorado put in place legislation stating that only persons 21 and older can possess one ounce (28 g) of weed or less on hand.[[46]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-46) In May 2021 the lawful possession limit for adults was doubled to two ounces (57 g) per person.[[47]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-47)

**Impaired driving**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Colorado&action=edit&section=7)]

Like other states, [driving while impaired by any drug](https://en.wikipedia.org/wiki/Driving_under_the_influence) is illegal in Colorado, though it took the legislature six attempts and three years to pass marijuana intoxication measures.[[48]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-48) Ultimately the legislators decided on a nanogram limit in the bloodstream, though the number they picked was scoffed at by activists.[[49]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-49) Today Colorado law states that juries may convict a person of marijuana intoxication if they have five or more nanograms of THC per milliliter of blood, but defendants are allowed to argue that they were not intoxicated despite having such levels of THC in their bloodstream.[[50]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-50)

**Testing limitations**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Colorado&action=edit&section=8)]

Since the legalization of recreational Marijuana in the state of Colorado testing an individual's level of intoxication has proven to be a challenge. “There is no one blood or oral fluid concentration that can differentiate impaired and not impaired,” (Berger, 2018).

**Results**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Colorado&action=edit&section=9)]



The interior of a cannabis shop in Walsenburg, Colorado

The Colorado amendment 64, which was passed by voters on November 6, 2012, led to legalization in January 2014.[[51]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-CPR_2023-01-01-51)

The annual number of teenager (13 to 21 years old) visits to emergency rooms involving a cannabis related diagnostic code or positive for marijuana from a urine drug screen more than quadrupled during the decade (2005-2014) leading to the legalization. Two thirds of these cases involving marijuana were about mental health problems, and more than half of these cases also tested positive for other drugs.[[52]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-52)[[53]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-53)

A national survey conducted between 2014 and 2016 alleged that adolescent abuse of marijuana has fallen to the lowest level it has been in years after legalization.[[54]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-54) This has been attributed to both additional funding raised from taxation and law enforcement's increasing involvement in the oversight of production and sales.

The biannual Healthy Kids Colorado Survey provides data on marijuana usage and attitudes among public middle or high schools students. According to the 2015 survey, Colorado's youth marijuana use rate dipped slightly in 2015 and was lower than the national average.[[55]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-55) The percentage of teenagers who have "used marijuana one or more times during the past 30 days" had dropped to 21% in 2015, down from 25% in 2009.[[56]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-56) The 2019 survey showed that the percentage of students who had "used marijuana one or more times during the past 30 days" stayed stable, between 19.4 and 21.2 percent, from 2013 until 2019, and there was no clear trend.[[57]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-57)

In 2014, Colorado invested $2 million generated from marijuana sales tax revenue on campaigns aimed at anti-marijuana education of minors and the state has plans to spend double that amount, $4 million in 2015 (out of a total projected marijuana sales tax revenue of $125 million). The current campaigns provide information on marijuana laws, the impacts of youth use, the dangers of driving under the influence of any drug, and the harmful side effects of using marijuana.[[58]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-58)

In 2017, the government of Colorado collected over $247 million in taxes, fees, and licensing costs.[[59]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-revenuedata-59)

By 2018, there was $905 million in total recreational cannabis sales since the legalization in 2014.[[59]](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_note-revenuedata-59)

**See also**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Colorado&action=edit&section=10)]

* icon
* [***Cannabis portal***](https://en.wikipedia.org/wiki/Portal:Cannabis)
* ***flag***
* [***Colorado portal***](https://en.wikipedia.org/wiki/Portal:Colorado)
* [Colorado Amendment 44 (2006)](https://en.wikipedia.org/wiki/Colorado_Amendment_44_(2006))
* [Colorado Amendment 64 (2012)](https://en.wikipedia.org/wiki/Colorado_Amendment_64_(2012))
* [Law of Colorado](https://en.wikipedia.org/wiki/Law_of_Colorado)
* [Cannabis Law Reform](https://en.wikipedia.org/wiki/Cannabis_Law_Reform)
* [Prohibition of drugs](https://en.wikipedia.org/wiki/Prohibition_of_drugs)
* [Washington Initiative 502](https://en.wikipedia.org/wiki/Washington_Initiative_502)
* [Colorado Badged Network](https://en.wikipedia.org/wiki/Colorado_Badged_Network)

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* [***a***](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_ref-norml.org_1-0) [***b***](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_ref-norml.org_1-1) ["State-by-State Look at the Medical Necessity Defense"](https://norml.org/wp-content/uploads/pdf_files/brief_bank/NORML_Legal_Brief_Bank_Medical_Necessity_Defense_by_State.pdf) (PDF). [*NORML*](https://en.wikipedia.org/wiki/NORML). November 10, 2003. Retrieved April 20, 2011.
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* [Jump up to:](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_ref-colorado.gov_4-0)
* [***a***](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_ref-colorado.gov_4-0) [***b***](https://en.wikipedia.org/wiki/Cannabis_in_Colorado#cite_ref-colorado.gov_4-1) ["Industrial Hemp"](https://www.colorado.gov/pacific/agplants/industrial-hemp).
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* Standard
* Large

Width

* Standard
* Wide

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* Automatic
* Light
* Dark

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| show  **Chemistry** |
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| * [v](https://en.wikipedia.org/wiki/Template:Cannabis_sidebar) * [t](https://en.wikipedia.org/wiki/Template_talk:Cannabis_sidebar) * [e](https://en.wikipedia.org/wiki/Special:EditPage/Template:Cannabis_sidebar) |

**Cannabis in Connecticut** is legal for [recreational use](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States) since July 1, 2021. [Medical use](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) was legalized through legislation passed in 2012.

**Decriminalization (2011)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Connecticut&action=edit&section=1)]

In June 2011, [Governor](https://en.wikipedia.org/wiki/List_of_Governors_of_Connecticut) [Dannel Malloy](https://en.wikipedia.org/wiki/Dannel_Malloy) signed legislation that decriminalized cannabis possession. This followed a close vote in the Senate and 90–57 vote in the House. Governor Malloy stated:

"Let me make it clear - we are not legalizing the use of marijuana. In modifying this law, we are recognizing that the punishment should fit the crime, and acknowledging the effects of its application. There is no question that the state’s criminal justice resources could be more effectively utilized for convicting, incarcerating and supervising violent and more serious offenders."[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Connecticut#cite_note-1)

**Medical cannabis (2012)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Connecticut&action=edit&section=2)]

In June 2012, Governor Malloy signed into law a medical marijuana program for his state, following a 21–13 vote in the Senate.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Connecticut#cite_note-2)[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Connecticut#cite_note-3)[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Connecticut#cite_note-4)

**Recreational cannabis (2021)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Connecticut&action=edit&section=3)]

In April 2018, a recreational marijuana bill was approved to be sent to the [General Assembly](https://en.wikipedia.org/wiki/Connecticut_General_Assembly) in a 27–24 vote. The plan was to be sent to the General Assembly in October 2018,[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Connecticut#cite_note-5) though the effort ultimately stalled.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Connecticut#cite_note-6) All told, three separate bills were proposed but not approved. In March 2020, Governor [Ned Lamont](https://en.wikipedia.org/wiki/Ned_Lamont) proposed a bill that had legislative support, only for the state government to shut down due to the [COVID-19 pandemic](https://en.wikipedia.org/wiki/COVID-19_pandemic_in_Connecticut) two weeks later.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Connecticut#cite_note-auto-7)

Efforts to legalize recreational marijuana renewed in 2021, with Lamont vowing to make a push for legalization that would enable sales to begin in May 2022.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Connecticut#cite_note-8) A bill by Lamont narrowly passed the state Judiciary Committee by a 22–16 vote on April 6,[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Connecticut#cite_note-9)[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Connecticut#cite_note-10) and another competing bill, praised by the legislature's [progressives](https://en.wikipedia.org/wiki/Progressivism), had cleared the legislature's Labor and Public Employees Committee in a 9–4 vote just days earlier on March 25.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Connecticut#cite_note-11)[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Connecticut#cite_note-12) On April 14, several [Democratic](https://en.wikipedia.org/wiki/Democratic_Party_of_Connecticut) legislators, including [president pro tempore](https://en.wikipedia.org/wiki/Presidents_pro_tempore_of_the_Connecticut_Senate) [Martin Looney](https://en.wikipedia.org/wiki/Martin_Looney), said they would vote against the measure passed by the Judiciary, stating they were concerned about a lack of provisions for [social equity](https://en.wikipedia.org/wiki/Social_equity) within the bill.[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Connecticut#cite_note-13)

On June 22, 2021, Governor Lamont signed Senate Bill 1201 that legalized recreational cannabis. It states that possession of cannabis among adults age 21 and over will be legal in Connecticut beginning July 1, 2021. Adults cannot have more than 1

+

1⁄2 ounces (43 g) of cannabis on their person, and no more than 5 ounces (140 g) in their homes or locked in their car trunk or glove box. Retail sales of cannabis aim to begin in Connecticut by the end of 2022. The sale, manufacture, and cultivation of cannabis (aside from home grow) requires a license from the state. Products that contain delta-8-THC, delta-9-THC, or delta-10-THC are considered cannabis and may only be sold by licensed retailers. Individuals who are not licensed by the state may gift cannabis to others but may not sell it. Individuals may not gift cannabis to another individual who has “paid” or “donated” for another product. All adults age 21 and over will be permitted to grow six cannabis plants indoors within their homes beginning July 1, 2023.[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Connecticut#cite_note-14)

Outdoor [cannabis cultivation](https://en.wikipedia.org/wiki/Cannabis_cultivation) remains a felony.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Connecticut#cite_note-15)

**Low-level cannabis criminal records (2023)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Connecticut&action=edit&section=4)]

From January 1, 2023 thousands of low-level cannabis criminal records will be automatically "expunged or cleared" - with a new scheme implemented by the Governor of Connecticut.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Connecticut#cite_note-16)

**References**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Connecticut&action=edit&section=5)]

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**Cannabis in Delaware** is legal for medicinal and recreational use.

**Medical cannabis (2011)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Delaware&action=edit&section=1)]

In May 2011, [Governor](https://en.wikipedia.org/wiki/Governor_of_Delaware) [Jack Markell](https://en.wikipedia.org/wiki/Jack_Markell) signed legislation allowing patients 18 and older to possess up to six ounces if they had certain qualifying medical conditions such as [cancer](https://en.wikipedia.org/wiki/Cancer), [Alzheimer's disease](https://en.wikipedia.org/wiki/Alzheimer%27s_disease), [post-traumatic stress disorder](https://en.wikipedia.org/wiki/Post-traumatic_stress_disorder), and conditions that cause intractable [nausea](https://en.wikipedia.org/wiki/Nausea), severe pain or seizures, among others.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_note-1)[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_note-Baker-2)

State data on patients who received marijuana cards in 2015 showed that the primary medical conditions being treated for cardholders were [pain](https://en.wikipedia.org/wiki/Chronic_pain) (36.3%), [muscle spasms](https://en.wikipedia.org/wiki/Muscle_spasm) (21.6%), and cancer (9.3%).[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_note-ReyesRini-3)

The first medical marijuana clinic in Delaware opened in [Wilmington](https://en.wikipedia.org/wiki/Wilmington,_Delaware) in June 2015. As of that date, some 340 Delaware residents held cards from the Delaware Health and Social Services, allowing them to purchase marijuana in order to treat their medical conditions.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_note-Baker-2) However, as of 2016, medical-marijuana cardholders still struggled to obtain approved cannabis.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_note-ReyesRini-3)

The medical marijuana legislation provided that all three of the [state's counties](https://en.wikipedia.org/wiki/List_of_counties_in_Delaware) – [New Castle](https://en.wikipedia.org/wiki/New_Castle_County,_Delaware), [Kent](https://en.wikipedia.org/wiki/Kent_County,_Delaware), and [Sussex](https://en.wikipedia.org/wiki/Sussex_County,_Delaware) – must have a licensed dispensary - known in Delaware as a Compassion Center - by January 1, 2013.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_note-ReyesRini-3) However, only a single facility (the Wilmington facility in New Castle County) had opened as of 2016.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_note-ReyesRini-3)

**Decriminalization (2015)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Delaware&action=edit&section=2)]

In June 2015, Markell signed a law that decriminalized the possession of one ounce or less of marijuana by adults. Possession of marijuana remains a [civil infraction](https://en.wikipedia.org/wiki/Civil_infraction) that carries a $100 fine. The bill passed along [party lines](https://en.wikipedia.org/wiki/Party-line_vote), with all [Republican](https://en.wikipedia.org/wiki/Republican_State_Committee_of_Delaware) legislators opposing it.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_note-4) Under the legislation, it remains illegal for [minors](https://en.wikipedia.org/wiki/Minor_(law)) (persons under age 21) to possess cannabis.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_note-APDecrim-5) Additionally, smoking cannabis "in a moving vehicle, in public areas, or outdoors on private property within 10 feet [3 m] of a street, sidewalk or other area accessible to the public" is also a [misdemeanor](https://en.wikipedia.org/wiki/Misdemeanor).[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_note-APDecrim-5)

The decriminalization bill took effect in December 2015.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_note-APDecrim-5)

**Legalization proposals**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Delaware&action=edit&section=3)]

There have been a few attempts to legalize marijuana in Delaware, starting in 2017 by State Rep. [Helene Keeley](https://en.wikipedia.org/wiki/Helene_Keeley),[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_note-6) but such bills failed to receive the required number of votes in the [Delaware legislature](https://en.wikipedia.org/wiki/Delaware_legislature).[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_note-:0-7) Some [Democratic](https://en.wikipedia.org/wiki/Democratic_Party_(United_States)) colleagues abstained from the vote, citing concerns over the bill's cost.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_note-:0-7)

The most recent push to legalize Recreational marijuana in Delaware was picked up by State Rep. Ed Osienski, who attempted to get a bill passed during the 2020 general assembly session, but failed due to a lack of votes and because of the [COVID-19 pandemic](https://en.wikipedia.org/wiki/COVID-19_pandemic).[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_note-:1-8) Osienski reworked the bill to introduce it during the 2021 legislative session. Some of those changes included adding a '[social equity](https://en.wikipedia.org/wiki/Social_equity)' and [microbusiness](https://en.wikipedia.org/wiki/Micro-enterprise) license, through which Osienski says "they’ll get some additional help with applying and some reduction in fees."[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_note-:1-8)

**2022 Delaware General Assembly passage**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Delaware&action=edit&section=4)]

In May 2022, the [Delaware General Assembly](https://en.wikipedia.org/wiki/Delaware_General_Assembly) formally passed a bill to legalize cannabis for recreational use. On May 24, 2022, the Governor of Delaware, [John Carney](https://en.wikipedia.org/wiki/John_Carney_(Delaware_politician)), vetoed the bill.[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_note-9) On June 7, the Delaware House of Representatives failed to override Carney's veto.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_note-10)

**2023 Delaware General Assembly passage**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Delaware&action=edit&section=5)]

Delaware HB1, a legalization bill, and HB2, to regulate and tax sales, were introduced on January 20.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_note-11) HB1 was approved by the House on March 7,[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_note-12) and HB2 was approved on March 9.[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_note-13) The bills were approved by the senate on March 28, to be sent to the governor to become law.[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_note-14) HB 1 was transmitted to the governor on April 11, and HB2 on April 14.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_note-15) Carney released a statement on April 21 that both bills would come into effect as law with neither his signature nor veto. He stated that although he still opposes legalization, it is time to "move on" from the issue.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_note-16)[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_note-17) Legalization came into effect on April 23, 2023.[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_note-18)

**See also**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Delaware&action=edit&section=6)]

* [Legality of cannabis by U.S. jurisdiction](https://en.wikipedia.org/wiki/Legality_of_cannabis_by_U.S._jurisdiction)

**References**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Delaware&action=edit&section=7)]

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* [Jump up to:](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_ref-Baker_2-0)
* [***a***](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_ref-Baker_2-0) [***b***](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_ref-Baker_2-1) Baker, Karl (June 26, 2015). ["Delaware's first medical cannabis clinic opens"](https://www.delawareonline.com/story/news/local/2015/06/26/first-medical-cannabis-clinic-delaware-opens/29328325/). [*The News Journal*](https://en.wikipedia.org/wiki/The_News_Journal). [Archived](https://web.archive.org/web/20220924014347/https://www.delawareonline.com/story/news/local/2015/06/26/first-medical-cannabis-clinic-delaware-opens/29328325/) from the original on September 24, 2022.
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* [Jump up to:](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_ref-ReyesRini_3-0)
* [***a***](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_ref-ReyesRini_3-0) [***b***](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_ref-ReyesRini_3-1) [***c***](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_ref-ReyesRini_3-2) [***d***](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_ref-ReyesRini_3-3) Masulli Reyes, Jessica; Rini, Jen (September 4, 2016). ["Delaware medical marijuana patients in limbo"](https://www.delawareonline.com/story/news/local/2016/09/02/delaware-medical-marijuana-patients-limbo/89095904/). [*The News Journal*](https://en.wikipedia.org/wiki/The_News_Journal). [Archived](https://web.archive.org/web/20220117050109/https://www.delawareonline.com/story/news/local/2016/09/02/delaware-medical-marijuana-patients-limbo/89095904/) from the original on January 17, 2022.
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* [Jump up to:](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_ref-:0_7-0)
* [***a***](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_ref-:0_7-0) [***b***](https://en.wikipedia.org/wiki/Cannabis_in_Delaware#cite_ref-:0_7-1) Mueller, Sarah (June 27, 2018). ["Legislation legalizing recreational pot fails in Delaware House"](https://www.delawarepublic.org/post/legislation-legalizing-recreational-pot-fails-delaware-house). [Delaware Public Media](https://en.wikipedia.org/wiki/Delaware_Public_Media). [Archived](https://web.archive.org/web/20180628090831/http://delawarepublic.org/post/legislation-legalizing-recreational-pot-fails-delaware-house) from the original on June 28, 2018.
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# Cannabis in Washington, D.C.

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In [Washington, D.C.](https://en.wikipedia.org/wiki/Washington,_D.C.), [cannabis](https://en.wikipedia.org/wiki/Cannabis) is legal for both [medical use](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) and [recreational use](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States) for possession, personal use, cultivation, transportation and gifting, and for retail sale once a regulatory system is implemented following an affirmative vote by the residents on a 2014 ballot initiative.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-1)[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-wp.ada-2) The United States Congress exercises oversight over the [government of the District of Columbia](https://en.wikipedia.org/wiki/Government_of_the_District_of_Columbia), preventing the local government from regulating cannabis sales like other jurisdictions with authority derived from a [U.S. state](https://en.wikipedia.org/wiki/U.S._state).[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-wp.ada-2)

Although marijuana is legal under District law, the possession of marijuana is still illegal under federal law. Marijuana prohibition is enforced on [federal lands](https://en.wikipedia.org/wiki/Federal_lands), including [national parks](https://en.wikipedia.org/wiki/National_parks) and [military property](https://en.wikipedia.org/wiki/United_States_armed_forces). The federal government controls about 29% of the District's total land area, about 18 square miles (47 km2), including the [National Mall](https://en.wikipedia.org/wiki/National_Mall), [West Potomac Park](https://en.wikipedia.org/wiki/West_Potomac_Park), [Rock Creek Park](https://en.wikipedia.org/wiki/Rock_Creek_Park), and [Joint Base Anacostia–Bolling](https://en.wikipedia.org/wiki/Joint_Base_Anacostia%E2%80%93Bolling).[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-3)[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-Austermuhle-4)

**Restricted to prescription (1906)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Washington,_D.C.&action=edit&section=1)]

In 1906, Congress introduced *An act to regulate the practice of pharmacy and the sale of poisons in the District of Columbia, and for other purposes*, requiring that certain medicines, including cannabis, be limited to licensed pharmacists and prescribed.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-Delinquency1977-5)

**Medical cannabis**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Washington,_D.C.&action=edit&section=2)]

[Initiative 59](https://en.wikipedia.org/wiki/Initiative_59) was a 1998 [Washington, D.C.](https://en.wikipedia.org/wiki/Washington,_D.C.) voter-approved [ballot initiative](https://en.wikipedia.org/wiki/Ballot_initiative) that sought to legalize [medical cannabis](https://en.wikipedia.org/wiki/Medical_cannabis). The [short title](https://en.wikipedia.org/wiki/Short_title) of the initiative was "Legalization of Marijuana for Medical Treatment Initiative of 1998".[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-6) Though the initiative passed with 69% of the vote in November 1998, its implementation was delayed by Congress's passage of the Barr Amendment, which prohibited DC from using its funds in support of the program. This Amendment delayed the start of the medical marijuana program until it was effectively overturned in 2009, with the first DC customer legally purchasing medical cannabis at a dispensary in the District in 2013.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-7)

In May 2010, the [Council of the District of Columbia](https://en.wikipedia.org/wiki/Council_of_the_District_of_Columbia) passed a bill legalizing medical marijuana. The Congress did not overrule the measure within the 30-legislative-day period, and as a result medical cannabis became legal on January 1, 2011.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-8) Though carefully regulated through a lengthy permitting process, dispensaries began opening [[9]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-9) and cultivation centers were allowed.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-10)

**Decriminalization (2014)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Washington,_D.C.&action=edit&section=3)]

In a January 2014 poll by [*The Washington Post*](https://en.wikipedia.org/wiki/The_Washington_Post), roughly eight in 10 city residents supported legalizing or decriminalizing marijuana.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-WP.block-11) On March 4, 2014, the [Council of the District of Columbia](https://en.wikipedia.org/wiki/Council_of_the_District_of_Columbia) decriminalized possession of cannabis.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-12)[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-13)[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-DC_Law-14) The new law went into effect in July, following the mandatory 30-day congressional review period.

Congress sought to block D.C.'s decriminalization through another rider. On June 25, 2014, House Republicans, led by Maryland representative [Andy Harris](https://en.wikipedia.org/wiki/Andrew_P._Harris) blocked funding for the D.C. law.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-WP.block-11) The Harris amendment bans the D.C. government from spending any funds on efforts to lessen penalties for Schedule I federal drug crimes.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-Times-15) Harris argued that the D.C. law was "bad policy" assessing a fine of $25—a fraction of the $100 fine in Maryland. In response, activists launched the [Boycott of Maryland's 1st District](https://en.wikipedia.org/wiki/Boycott_of_Maryland%27s_1st_District), Harris' constituency.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-WP.boycott-16)

**Legalization (2015)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Washington,_D.C.&action=edit&section=4)]

[Initiative 71](https://en.wikipedia.org/wiki/2014_Washington,_D.C._Initiative_71) was a [Washington, D.C.](https://en.wikipedia.org/wiki/Washington,_D.C.) voter-approved [ballot initiative](https://en.wikipedia.org/wiki/Ballot_initiative) that legalized the [recreational](https://en.wikipedia.org/wiki/Recreational_use_of_drugs) use of [cannabis](https://en.wikipedia.org/wiki/Cannabis). The [short title](https://en.wikipedia.org/wiki/Short_title) of the initiative was *Legalization of Possession of Minimal Amounts of Marijuana for Personal Use Act of 2014*.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-dcmj-17) The measure was approved by 64.87% of voters on November 4, 2014 and went into full effect February 26, 2015.[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-dcboee-18)[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-19)

Under the legalization measure that went into effect in 2015, persons over the age of 21 in D.C. may possess up to two ounces (57 g) of marijuana, grow up to six plants of three mature and three immature marijuana plants in their homes, and gift up to one ounce (28 g) of marijuana to another individual. [Drug paraphernalia](https://en.wikipedia.org/wiki/Drug_paraphernalia), such as [bongs](https://en.wikipedia.org/wiki/Bong), were also legalized. The legalization measure allows for the sale of marijuana by licensed retailers but no regulatory system has been implemented due to Congressional opposition. However, the legalization of gifting up to one ounce of cannabis as outlined in Initiative 71, has created a gifting economy, where stores and businesses in D.C. exchange cannabis as a gift with the purchases of items such as t-shirts, stickers etc, which are actually being purchased by customers.[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-20) Public consumption of marijuana remains illegal.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-Austermuhle-4)

**Opposition in Congress**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Washington,_D.C.&action=edit&section=5)]

In mid-December 2014, Congress passed an [omnibus spending bill](https://en.wikipedia.org/wiki/Omnibus_spending_bill) (nicknamed the "CRomnibus"—a [portmanteau](https://en.wikipedia.org/wiki/Portmanteau) of omnibus and [continuing resolution](https://en.wikipedia.org/wiki/Continuing_resolution)[[21]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-21)[[22]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-22)) that ended the federal ban on [medical marijuana](https://en.wikipedia.org/wiki/Medical_marijuana), but that also included a [legislative rider](https://en.wikipedia.org/wiki/Legislative_rider) targeted at D.C.'s Initiative 71.[[23]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-23) The rider's final language barred the use of funds to "enact any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the [Controlled Substances Act](https://en.wikipedia.org/wiki/Controlled_Substances_Act) (21 [U.S.C.](https://en.wikipedia.org/wiki/United_States_Code) 801 [et seq.](https://en.wikipedia.org/wiki/Et_seq.)) or any tetrahydrocannabinols derivative for recreational purposes."[[24]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-24)[[25]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-25) The final language notably solely used the phrase "enact" rather than "enact or carry out." [Delegate](https://en.wikipedia.org/wiki/Delegate_(United_States_Congress)) [Eleanor Holmes Norton](https://en.wikipedia.org/wiki/Eleanor_Holmes_Norton) said that "she was told by Democratic budget negotiators that the omission was made on purpose to give city leaders a chance to argue that in moving forward, the District is only carrying out, and not enacting, the measure."[[26]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-26) Norton reiterated this point in an Initiative 71 [questions and answers](https://en.wikipedia.org/wiki/FAQ) section on her House Web site.[[27]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-norton-27)

Both [D.C. mayor](https://en.wikipedia.org/wiki/D.C._mayor) [Muriel Bowser](https://en.wikipedia.org/wiki/Muriel_Bowser) and the [Council of the District of Columbia](https://en.wikipedia.org/wiki/Council_of_the_District_of_Columbia) took the position that the voter-approved initiative became self-enacting.[[28]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-28)[[29]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-29) On January 13, 2015, D.C. Council Chairman [Phil Mendelson](https://en.wikipedia.org/wiki/Phil_Mendelson) sent the measure to [Congress](https://en.wikipedia.org/wiki/United_States_Congress) for a mandatory 30-day review period,[[30]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-30) in accordance with the [District of Columbia Home Rule Act](https://en.wikipedia.org/wiki/District_of_Columbia_Home_Rule_Act).[[27]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-norton-27)

On February 24, 2015, [Representatives](https://en.wikipedia.org/wiki/United_States_House_of_Representatives) [Jason Chaffetz](https://en.wikipedia.org/wiki/Jason_Chaffetz) and [Mark Meadows](https://en.wikipedia.org/wiki/Mark_Meadows_(North_Carolina_politician)) sent a letter to [Bowser](https://en.wikipedia.org/wiki/Muriel_Bowser) urging her to not move forward with Initiative 71.[[31]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-31)[[32]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-32) Congressional Republicans, including the omnibus rider author's [Andy Harris](https://en.wikipedia.org/wiki/Andy_Harris_(politician)), threatened prison time for the D.C. mayor and others involved, suggesting that they could be prosecuted by the [Justice Department](https://en.wikipedia.org/wiki/United_States_Department_of_Justice) under the [Antideficiency Act](https://en.wikipedia.org/wiki/Antideficiency_Act), which "imposes criminal penalties on government employees who knowingly spend public funds in excess of their appropriated budgets."[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-wp.ada-2)

**Marijuana arrest patterns**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Washington,_D.C.&action=edit&section=6)]

Between 2010 and 2015, the total number of marijuana-distribution arrests made by all police agencies in DC (the [Metropolitan Police Department](https://en.wikipedia.org/wiki/Metropolitan_Police_Department_of_the_District_of_Columbia), [Metro Transit Police Department](https://en.wikipedia.org/wiki/Metro_Transit_Police_Department), and federal agencies such as the [U.S. Park Police](https://en.wikipedia.org/wiki/U.S._Park_Police) and [U.S. Capitol Police](https://en.wikipedia.org/wiki/U.S._Capitol_Police)), declined by 80%. The number of arrests for marijuana distribution and marijuana possession with intent to distribute was 1,378 in 2010, and 234 in 2015.[[33]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-33)

In 2016, however, more than 400 people were arrested in D.C. for public consumption of marijuana, and numbers remained high in 2017. Arrests for marijuana distribution also sharply increased from 80 in 2015 to 220 in 2016.[[34]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-34)

**Protests**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Washington,_D.C.&action=edit&section=7)]

On [20 April](https://en.wikipedia.org/wiki/420_(cannabis_culture)) 2017, local activist [Adam Eidinger](https://en.wikipedia.org/wiki/Adam_Eidinger) and six other activists were arrested by [U.S. Capitol Police](https://en.wikipedia.org/wiki/U.S._Capitol_Police), during a public event where they handed out free cannabis cigarettes to anyone with a Congressional ID badge.[[35]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-35) Less than a week later, Eidinger was arrested again by Capitol Police on 24 April, along with three other activists, during a "smoke-in" protest on Capitol Hill.[[36]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-36)

**Events**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Washington,_D.C.&action=edit&section=8)]

Washington D.C. hosts a yearly event called the [National Cannabis Festival](https://en.wikipedia.org/wiki/National_Cannabis_Festival). The festival includes music concerts, an education pavilion, and vendor fair.[[37]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-37)

**Economy**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Washington,_D.C.&action=edit&section=9)]

*See also:* [*Gift economy*](https://en.wikipedia.org/wiki/Gift_economy)

The legalization of recreational cannabis with gifting up to one ounce (28 g) of cannabis as outlined in Initiative 71, has created a [gifting economy](https://en.wikipedia.org/wiki/Gift_economy) in which stores and businesses exchange cannabis as a gift for t-shirts or other items such as stickers etc, which are actually being purchased by customers, thereby creating a commercial market linked to selling other objects. This has flourished as an essentially unregulated gray market.[[38]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-38)[[39]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-39)[[40]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-40)

A number of cannabis "[pop-ups](https://en.wikipedia.org/wiki/Pop-up_retail)" have appeared in D.C., hosting events in which donations are accepted and cannabis distributed.[[41]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-41)

Although D.C. law prohibits the selling of cannabis, a number of entrepreneurs have sought to exploit the legal [gray area](https://en.wikipedia.org/wiki/Loophole) around the drug. [Kush Gods](https://en.wikipedia.org/wiki/Kush_Gods) is a local company which accepts donations and distributes cannabis, with a fleet of cars decorated with [vinyl wraps](https://en.wikipedia.org/wiki/Vinyl_wrap) of cannabis leaves, while stating that they are not selling cannabis. The owner of Kush Gods pleaded guilty in 2016 to two counts of distributing cannabis.[[42]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-42)

In January 2018, [D.C. police](https://en.wikipedia.org/wiki/D.C._police) raided the XO Lounge, where a number of vendors were distributing cannabis, and selling items such as stickers or football cards, with the cannabis being given out as a "gift" along with purchase. Twenty-two vendors were arrested and charged with possession with intent to distribute (a misdemeanor), but the charges were later dropped.[[43]](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_note-43)

**See also**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Washington,_D.C.&action=edit&section=10)]

* [Cannabis in Maryland](https://en.wikipedia.org/wiki/Cannabis_in_Maryland)
* [Cannabis in Virginia](https://en.wikipedia.org/wiki/Cannabis_in_Virginia)

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* [***a***](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_ref-wp.ada_2-0) [***b***](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_ref-wp.ada_2-1) [***c***](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_ref-wp.ada_2-2) Mike DeBonis and Aaron C. Davis (December 14, 2012). ["Bowser: Legal pot possession to take effect at midnight in the District"](https://www.washingtonpost.com/local/dc-politics/house-republicans-warn-dc-mayor-not-to-legalize-pot/2015/02/25/2f784a10-bcb0-11e4-bdfa-b8e8f594e6ee_story.html). *The Washington Post*. Retrieved February 28, 2015.
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* [***a***](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_ref-norton_27-0) [***b***](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.#cite_ref-norton_27-1) ["Frequently Asked Questions on Implementing D.C.'s Marijuana Legalization Initiative | Congresswoman Eleanor Holmes Norton"](http://norton.house.gov/initiative71). Norton.house.gov. December 12, 2014. Retrieved February 28, 2015.
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# Cannabis in Florida

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Text

* Small
* Standard
* Large

Width

* Standard
* Wide

Color (beta)

* Automatic
* Light
* Dark

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Florida's Medical Marijuana Universal Symbol

| Part of a series on |
| --- |
| [Cannabis](https://en.wikipedia.org/wiki/Cannabis) |
| Cannabis |
| show   * **Arts** * [**Culture**](https://en.wikipedia.org/wiki/Cannabis_culture) |
| show  **Chemistry** |
| show  **Pharmacology** |
| show  [**Consumption**](https://en.wikipedia.org/wiki/Cannabis_consumption) |
| show  **Economics** |
| show  [**Effects**](https://en.wikipedia.org/wiki/Effects_of_cannabis) |
| show  **Forms** |
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| show  **Variants** |
| show  **Related** |
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**Cannabis in Florida** is illegal for [recreational use](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States). Possession of up to 20 grams (3⁄4 oz) is a misdemeanor offense, punishable by up to a year in jail, a fine of up to $1000, and the [suspension of one's driver's license](https://en.wikipedia.org/wiki/Solomon%E2%80%93Lautenberg_amendment).[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-1) Several cities and counties have enacted reforms to apply lesser penalties, however.

[Medical use](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) was legalized in 2016 by way of a constitutional amendment. Appearing on the ballot as [Amendment 2](https://en.wikipedia.org/wiki/Florida_Amendment_2_(2016)), the initiative was approved with 71% of the vote.

**The Victor Licata case**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Florida&action=edit&section=1)]

*Main article:* [*Victor Licata*](https://en.wikipedia.org/wiki/Victor_Licata)

On October 16, 1933, 21-year-old [Victor Licata](https://en.wikipedia.org/wiki/Victor_Licata) used an axe to murder his parents, two brothers, and a sister while they were asleep. Despite evidence Licata had a pre-existing history of mental illness, police and the press made unattributed claims that he was "addicted" to marijuana. On October 17, 1933, the [*Tampa Bay Times*](https://en.wikipedia.org/wiki/Tampa_Bay_Times) wrote:

W. D. Bush, city chief detective, said he had made an investigation prior to the crime and learned the slayer had been addicted to smoking marihuana cigarettes for more than six months.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-2)

However, a day later the Chief of [Tampa Police Department](https://en.wikipedia.org/wiki/Tampa_Police_Department) downplayed the role the drug had in the murders, although he pledged himself to the cause of marijuana prohibition:

Maybe the weed only had a small indirect part in the alleged insanity of the youth, but I am declaring now and for all time that the increasing use of this narcotic must stop and will be stopped." (October 18, 1933) [[3]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-Sloman_62-3)

An October 20, 1933, editorial on page six of the [*Tampa Morning Tribune*](https://en.wikipedia.org/wiki/Tampa_Tribune) was entitled "Stop This Murderous Smoke".[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-4) The editorial writer called for the prohibition of marijuana:

... it may or may not be wholly true that the pernicious marijuana cigarette is responsible for the murderous mania of a Tampa young man in exterminating all the members of his family within his reach — but whether or not the poisonous mind-wrecking weed is mainly accountable for the tragedy its sale should not be and should never have been permitted here or elsewhere.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-Sloman_62-3)

**Medical use**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Florida&action=edit&section=2)]

**CBD oil legalized (2014)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Florida&action=edit&section=3)]

On June 16, 2014, Governor [Rick Scott](https://en.wikipedia.org/wiki/Rick_Scott) signed into law Senate Bill 1030 – the "Compassionate Medical Cannabis Act" – to allow the use of low-[THC](https://en.wikipedia.org/wiki/Tetrahydrocannabinol), high-[CBD](https://en.wikipedia.org/wiki/Cannabidiol) cannabis oil produced from the strain of cannabis known as [Charlotte's Web](https://en.wikipedia.org/wiki/Charlotte%27s_web_(cannabis)).[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-5)[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-6) Qualifying conditions allowed under the bill were [epilepsy](https://en.wikipedia.org/wiki/Epilepsy), [cancer](https://en.wikipedia.org/wiki/Cancer), and [amyotrophic lateral sclerosis](https://en.wikipedia.org/wiki/Amyotrophic_lateral_sclerosis).[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-7) It passed the House 111–7 and Senate 30–9.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-8)

**Failed Amendment 2 initiative (2014)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Florida&action=edit&section=4)]

*Main article:* [*2014 Florida Amendment 2*](https://en.wikipedia.org/wiki/2014_Florida_Amendment_2)

In 2013, supporters of a constitutional amendment to legalize medical cannabis began collecting signature to place the issue on the 2014 ballot. The group United for Care turned in 745,613 of the required 683,149 signatures, and on January 27, 2014, the Supreme Court of Florida ruled 4-3 that the initiative had successfully qualified.[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-9) Appearing on the ballot as Amendment 2, the initiative ultimately failed with 57.6% of the vote (this was short of the 60% supermajority required for constitutional amendments in Florida).[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-10) Contributing to its defeat was casino magnate [Sheldon Adelson](https://en.wikipedia.org/wiki/Sheldon_Adelson), who donated $5.5 million to the initiative's opposition campaign.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-11) The main sponsor in support of the initiative was attorney [John Morgan](https://en.wikipedia.org/wiki/John_Morgan_(lawyer)), who spent close to $4 million.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-12)

**Right to Try Act expanded (2016)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Florida&action=edit&section=5)]

House Bill 307 was signed into law by Governor Scott on March 25, 2016, to expand the state's [Right to Try Act](https://en.wikipedia.org/wiki/Right-to-try_law) to allow terminally ill patients to use cannabis.[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-13)[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-14) The bill also sought to address problems that had arisen with the implementation of the state's CBD law that was approved in 2014.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-15) House Bill 307 passed the House 99–16 and the Senate 28–11.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-16)

**Approved Amendment 2 initiative (2016)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Florida&action=edit&section=6)]

*Main article:* [*2016 Florida Amendment 2*](https://en.wikipedia.org/wiki/2016_Florida_Amendment_2)

In 2016, a second attempt was made to pass a constitutional amendment to legalize medical cannabis in Florida. Appearing on the ballot as Amendment 2, the initiative was approved on November 8, 2016, with 71.3% of the vote.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-17) The initiative legalized the use of cannabis with a doctor's recommendation for treatment of: [cancer](https://en.wikipedia.org/wiki/Cancer), [epilepsy](https://en.wikipedia.org/wiki/Epilepsy), [glaucoma](https://en.wikipedia.org/wiki/Glaucoma), positive status for human immunodeficiency virus ([HIV](https://en.wikipedia.org/wiki/HIV)), acquired immune deficiency syndrome ([AIDS](https://en.wikipedia.org/wiki/HIV/AIDS)), post-traumatic stress disorder ([PTSD](https://en.wikipedia.org/wiki/Posttraumatic_stress_disorder)), amyotrophic lateral sclerosis ([ALS](https://en.wikipedia.org/wiki/ALS)), [Crohn's disease](https://en.wikipedia.org/wiki/Crohn%27s_disease), [Parkinson's disease](https://en.wikipedia.org/wiki/Parkinson%27s_disease), [multiple sclerosis](https://en.wikipedia.org/wiki/Multiple_sclerosis), chronic nonmalignant pain caused by a qualifying medical condition or that originates from a qualified medical condition, or other comparable debilitating medical conditions.[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-:0-18)

Under Amendment 2, a patient can access medical cannabis if a physician determines that the benefits of the drug would likely outweigh the potential health risks. Initially, Florida regulations did not allow for smoking the medication; instead it could only be consumed by [vaping](https://en.wikipedia.org/wiki/Vaporizer_(inhalation_device)) or as oils, sprays, or pills.[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-:0-18) However, on May 25, 2018, [Leon County](https://en.wikipedia.org/wiki/Leon_County,_Florida) [Circuit Court](https://en.wikipedia.org/wiki/Second_Judicial_Circuit_Court_of_Florida) Judge Karen Gievers ruled that the ban on smoking was unconstitutional.[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-19) That ruling was appealed by the administration of Governor Rick Scott, but the administration of Governor [Ron DeSantis](https://en.wikipedia.org/wiki/Ron_DeSantis) dropped the appeal and asked for the legislature to lift the restriction.[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-20) A bill that removed the prohibition on smoking was signed into law in March 2019.[[21]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-21) In September 2020, sales of [edible products](https://en.wikipedia.org/wiki/Cannabis_edible) began shortly after the Florida Department of Health published regulations to allow such sales.[[22]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-22)[[23]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-23)

**Recreational use**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Florida&action=edit&section=7)]

**Invalidated 2022 initiatives**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Florida&action=edit&section=8)]

In April 2021, the Florida Supreme Court ruled 5–2 that an initiative to legalize recreational cannabis was "affirmatively misleading" and therefore would not appear on the 2022 ballot.[[24]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-24) Prior to the ruling, the group Make it Legal Florida had collected 556,049 valid signatures of 891,589 required to qualify for the ballot.[[25]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-25) The court invalidated the initiative because the summary, which was limited to 75 words, did not specify that cannabis would remain illegal under federal law.[[26]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-26) The challenge was brought before the court by Attorney General [Ashley Moody](https://en.wikipedia.org/wiki/Ashley_Moody).[[27]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-27)[[28]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-28)

A second initiative to legalize recreational cannabis, spearheaded by the group Sensible Florida, was struck down by the court in a 5–2 ruling in June 2021. The court again ruled that the summary was "affirmatively misleading", in agreement with a September 2019 challenge brought by Attorney General Moody.[[29]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-29)[[30]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-30)

**Adult Personal Use of Marijuana initiative (2024)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Florida&action=edit&section=9)]

*Main article:* [*2024 Florida Amendment 3*](https://en.wikipedia.org/wiki/2024_Florida_Amendment_3)

In August 2022, a proposed constitutional amendment was filed by the group Smart & Safe Florida to legalize recreational cannabis in Florida.[[31]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-31) In June 2023, the Florida Department of State confirmed that 967,528 valid signatures had been submitted of 891,523 required to qualify for the 2024 ballot.[[32]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-32) Later in June, Attorney General [Ashley Moody](https://en.wikipedia.org/wiki/Ashley_Moody) filed a 49-page legal brief urging the Florida Supreme Court to remove the initiative from the ballot.[[33]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-33) In April 2024, the court ruled 5–2 that the initiative was constitutional and would remain on the ballot.[[34]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-34)[[35]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-35)

If approved by voters on the November 5, 2024 ballot, Amendment 3, the Adult Personal Use of Marijuana initiative, would:[[36]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-36)[[37]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-37)

* allow adults 21 and over to possess up to three ounces of cannabis and five grams of concentrates
* allow the sale of cannabis at existing medical cannabis dispensaries
* allow, but not require, the legislature to approve cannabis sales at additional dispensaries
* allow the cultivation of cannabis for distribution at dispensaries, but make no allowance for the personal cultivation of cannabis at home

Passage of the initiative is opposed by Governor [Ron DeSantis](https://en.wikipedia.org/wiki/Ron_DeSantis) and the [Republican Party of Florida](https://en.wikipedia.org/wiki/Republican_Party_of_Florida).[[38]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-38)

**County and municipal reforms**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Florida&action=edit&section=10)]

**Miami-Dade County (2015)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Florida&action=edit&section=11)]

In June 2015, [Miami-Dade County](https://en.wikipedia.org/wiki/Miami-Dade_County,_Florida) commissioners approved by a 10–3 vote a plan to allow [civil citations](https://en.wikipedia.org/wiki/Civil_citation) to be issued for possession of up to 20 grams (¾ oz) of cannabis. Persons issued a citation are required to pay a $100 fine or perform two days of community service.[[39]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-39)

**Broward County (2015)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Florida&action=edit&section=12)]

In November 2015, [Broward County](https://en.wikipedia.org/wiki/Broward_County,_Florida) commissioners approved by a unanimous vote a plan to allow civil citations to be issued for possession of up to 20 grams (¾ oz) of cannabis. The penalty was set at $100 for a first offense, $250 for a second, and $500 for a third.[[40]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-40)

**Palm Beach County (2015)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Florida&action=edit&section=13)]

In December 2015, [Palm Beach County](https://en.wikipedia.org/wiki/Palm_Beach_County,_Florida) commissioners approved by a 4–1 vote a plan to allow civil citations to be issued for possession of up to 20 grams (¾ oz) of cannabis. First and second offenses are punishable by a $100 fine; a third offense cannot be cited.[[41]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-41) Instead of a fine, cited individuals can opt for 10 hours of community service.[[42]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-42)

**Tampa (2016)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Florida&action=edit&section=14)]

In March 2016, [Tampa](https://en.wikipedia.org/wiki/Tampa,_Florida) city council approved by a 5–1 vote a plan to allow civil citations to be issued for possession of up to 20 grams (¾ oz) of cannabis. The penalty was set at $75 for a first offense, $150 for a second, and $300 for a third.[[43]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-43)

**Orlando (2016)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Florida&action=edit&section=15)]

In May 2016, [Orlando](https://en.wikipedia.org/wiki/Orlando,_Florida) city council approved by a 4–3 vote a plan to allow civil citations to be issued for possession of up to 20 grams (¾ oz) of cannabis.[[44]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-Weiner-44) The penalty was set at $100 for a first offense and $200 for a second.[[44]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-Weiner-44) As an alternative, eight hours of drug education or community service can be substituted.[[45]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-Cordeiro-45) The program went into effect in October 2016.[[45]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-Cordeiro-45)

**Other**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Florida&action=edit&section=16)]

Other cities and counties that have approved decriminalization ordinances are: [Miami Beach](https://en.wikipedia.org/wiki/Miami_Beach,_Florida) (2015), [Hallandale Beach](https://en.wikipedia.org/wiki/Hallandale_Beach,_Florida) (2015), [Key West](https://en.wikipedia.org/wiki/Key_West) (2015), [West Palm Beach](https://en.wikipedia.org/wiki/West_Palm_Beach,_Florida) (2015), [Volusia County](https://en.wikipedia.org/wiki/Volusia_County,_Florida) (2016), [Osceola County](https://en.wikipedia.org/wiki/Osceola_County,_Florida) (2016), [Alachua County](https://en.wikipedia.org/wiki/Alachua_County,_Florida) (2016), [Port Richey](https://en.wikipedia.org/wiki/Port_Richey,_Florida) (2016), [Cocoa Beach](https://en.wikipedia.org/wiki/Cocoa_Beach,_Florida) (2019), and [Sarasota](https://en.wikipedia.org/wiki/Sarasota,_Florida) (2019).[[46]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-46)[[47]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-47)[[48]](https://en.wikipedia.org/wiki/Cannabis_in_Florida#cite_note-48)

**See also**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Florida&action=edit&section=17)]

* [Florida's Domestic Marijuana Eradication Program](https://en.wikipedia.org/wiki/Florida%27s_Domestic_Marijuana_Eradication_Program)

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**Cannabis in Georgia** is illegal for [recreational use](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States), but decriminalized in the cities of [Atlanta](https://en.wikipedia.org/wiki/Atlanta), [Savannah](https://en.wikipedia.org/wiki/Savannah,_Georgia), [Macon](https://en.wikipedia.org/wiki/Macon,_Georgia), [Athens](https://en.wikipedia.org/wiki/Athens,_Georgia), and others. Limited [medical use](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) is allowed in the form of cannabis oil containing less than 5% [THC](https://en.wikipedia.org/wiki/Tetrahydrocannabinol).

**Illicit trade**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Georgia_(U.S._state)&action=edit&section=1)]

In the 1970s and 1980s, a number of county sheriffs and deputies were prosecuted for their involvement in the drug trade, including Sheriff John David Davis, a former [moonshiner](https://en.wikipedia.org/wiki/Moonshine) who had been pardoned by [President Nixon](https://en.wikipedia.org/wiki/President_Nixon) and was convicted in 1984 of smuggling cannabis into south Georgia. Davis' case parallels that of a number of other former moonshiners who segued into the cannabis trade.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Georgia_(U.S._state)#cite_note-Coppola2008-1)

**1983 paraquat spraying**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Georgia_(U.S._state)&action=edit&section=2)]

In 1983, amidst controversy, the [Drug Enforcement Administration](https://en.wikipedia.org/wiki/Drug_Enforcement_Administration) conducted aerial spraying of illegal cannabis plots in the [Chattahoochee National Forest](https://en.wikipedia.org/wiki/Chattahoochee_National_Forest) in northern Georgia, using the herbicide [paraquat](https://en.wikipedia.org/wiki/Paraquat).[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Georgia_(U.S._state)#cite_note-2) Citizens and a congressman objected, noting paraquat's dangers, and a temporary restraining order was placed on further spraying. The federal Drug Abuse Policy Officer Pat McKelvey rebutted that paraquat is a safe and widely used herbicide, and alleged that the objections to the DEA spraying had been raised by cannabis growers and legalization advocates.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Georgia_(U.S._state)#cite_note-Information1983-3)

**Policy reforms**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Georgia_(U.S._state)&action=edit&section=3)]

**1980 medical legalization**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Georgia_(U.S._state)&action=edit&section=4)]

In February 1980, a 50-0 Senate vote and a 156-8 House vote passed Mona Taft's bill supporting legal medical marijuana in Georgia for people diagnosed with glaucoma and cancer patients undergoing chemotherapy and radiation. Members from both parties came together to support Taft, including then-state Sen. Paul Broun. According to a Feb. 14, 1980, Knight-Ridder wire report about the bill, Broun hugged Taft when the legislation passed the Senate. The bill's sponsor, Rep. Virlyn Smith, R-Fairburn, even told the widow that he'd recently given a constituent taking chemotherapy a recipe for marijuana-laced chocolate-chip cookies. Georgia's program had effectively ended without ever supplying a single patient with the medical marijuana promised. Subsequent Georgia governors had the authority to reappoint the board, but never acted. As a result, the law has lingered on the books for the last 30 years.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Georgia_(U.S._state)#cite_note-4)

**2015 medical legalization**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Georgia_(U.S._state)&action=edit&section=5)]

A measure to allow medical cannabis oil up to 5% [tetrahydrocannabinol](https://en.wikipedia.org/wiki/Tetrahydrocannabinol) (THC) passed the [Georgia House](https://en.wikipedia.org/wiki/Georgia_House_of_Representatives) in February 2015.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Georgia_(U.S._state)#cite_note-5) On April 16, 2015, the low-THC cannabis oil (rich in [cannabidiol](https://en.wikipedia.org/wiki/Cannabidiol), or CBD) was legalized for medical use in the state under HB 1,[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Georgia_(U.S._state)#cite_note-6) the *Haleigh’s Hope Act*.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Georgia_(U.S._state)#cite_note-7)[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Georgia_(U.S._state)#cite_note-8) The bill was immediately enacted after being signed by Governor [Nathan Deal](https://en.wikipedia.org/wiki/Nathan_Deal). The bill allowed possession of the oil for eight qualifying medical conditions but did not provide for cultivation or distribution within the state. A May 2017 expansion under SB 16 added six more conditions.[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Georgia_(U.S._state)#cite_note-9)[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Georgia_(U.S._state)#cite_note-10) In 2018, HB 65 added intractable pain and [posttraumatic stress disorder (PTSD)](https://en.wikipedia.org/wiki/Posttraumatic_stress_disorder).[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Georgia_(U.S._state)#cite_note-11) In April 2019 legislation was approved (House Bill 324) to allow in-state cultivation of cannabis and sale of the low-THC oil.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Georgia_(U.S._state)#cite_note-12)[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Georgia_(U.S._state)#cite_note-13) In 2021, SB 195 was approved to allow the sale of cannabis tinctures, transdermal patches, lotions, and capsules, while still prohibiting edible products and flower.[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Georgia_(U.S._state)#cite_note-14) On April 28, 2023, the first licensed sales began with the opening of dispensaries in Marietta and Macon.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Georgia_(U.S._state)#cite_note-15)

**Municipal level**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Georgia_(U.S._state)&action=edit&section=6)]

In October 2017, [Atlanta](https://en.wikipedia.org/wiki/Atlanta) City Council voted 15–0 to reduce the penalty for up to 1 ounce (28 g) of cannabis to a $75 fine.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Georgia_(U.S._state)#cite_note-16) [Savannah](https://en.wikipedia.org/wiki/Savannah,_Georgia) City Council followed in March 2018 by voting 8–1 to reduce the penalty to a $150 fine.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Georgia_(U.S._state)#cite_note-17) Other jurisdictions that have decriminalized or otherwise acted to reduce penalties include: [Clarkston](https://en.wikipedia.org/wiki/Clarkston,_Georgia) (2016),[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Georgia_(U.S._state)#cite_note-norml-18) [South Fulton](https://en.wikipedia.org/wiki/South_Fulton,_Georgia) (2018),[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Georgia_(U.S._state)#cite_note-norml-18) [Forest Park](https://en.wikipedia.org/wiki/Forest_Park,_Georgia) (2018),[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Georgia_(U.S._state)#cite_note-norml-18) [Kingsland](https://en.wikipedia.org/wiki/Kingsland,_Georgia) (2018),[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Georgia_(U.S._state)#cite_note-norml-18) [Statesboro](https://en.wikipedia.org/wiki/Statesboro,_Georgia) (2018),[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Georgia_(U.S._state)#cite_note-19) [Macon–Bibb County](https://en.wikipedia.org/wiki/Macon,_Georgia) (2019),[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Georgia_(U.S._state)#cite_note-20) [Augusta](https://en.wikipedia.org/wiki/Augusta,_Georgia) (2019),[[21]](https://en.wikipedia.org/wiki/Cannabis_in_Georgia_(U.S._state)#cite_note-21) [Chamblee](https://en.wikipedia.org/wiki/Chamblee,_Georgia) (2019),[[22]](https://en.wikipedia.org/wiki/Cannabis_in_Georgia_(U.S._state)#cite_note-22) [Tybee Island](https://en.wikipedia.org/wiki/Tybee_Island,_Georgia) (2021),[[23]](https://en.wikipedia.org/wiki/Cannabis_in_Georgia_(U.S._state)#cite_note-23) [Athens–Clarke County](https://en.wikipedia.org/wiki/Athens,_Georgia) (2022),[[24]](https://en.wikipedia.org/wiki/Cannabis_in_Georgia_(U.S._state)#cite_note-24) [Stonecrest](https://en.wikipedia.org/wiki/Stonecrest,_Georgia) (2022),[[25]](https://en.wikipedia.org/wiki/Cannabis_in_Georgia_(U.S._state)#cite_note-25) and [East Point](https://en.wikipedia.org/wiki/East_Point,_Georgia) (2023).[[26]](https://en.wikipedia.org/wiki/Cannabis_in_Georgia_(U.S._state)#cite_note-26)

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| show   * **Arts** * [**Culture**](https://en.wikipedia.org/wiki/Cannabis_culture) |
| show  **Chemistry** |
| show  **Pharmacology** |
| show  [**Consumption**](https://en.wikipedia.org/wiki/Cannabis_consumption) |
| show  **Economics** |
| show  [**Effects**](https://en.wikipedia.org/wiki/Effects_of_cannabis) |
| show  **Forms** |
| show  **Law** |
| show  **Variants** |
| show  **Related** |
| * [**Cannabis portal**](https://en.wikipedia.org/wiki/Portal:Cannabis) * [Medicine portal](https://en.wikipedia.org/wiki/Portal:Medicine) * [Agriculture portal](https://en.wikipedia.org/wiki/Portal:Agriculture) |
| * [v](https://en.wikipedia.org/wiki/Template:Cannabis_sidebar) * [t](https://en.wikipedia.org/wiki/Template_talk:Cannabis_sidebar) * [e](https://en.wikipedia.org/wiki/Special:EditPage/Template:Cannabis_sidebar) |

**Cannabis in Hawaii** is illegal for [recreational use](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States), but decriminalized for possession of three grams or less. [Medical use](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) was legalized through legislation passed in 2000, making Hawaii the first state to legalize medical use through state legislature rather than through ballot initiative.

**Medical cannabis (2000)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Hawaii&action=edit&section=1)]

In 2000, Hawaiian governor [Ben Cayetano](https://en.wikipedia.org/wiki/Ben_Cayetano) signed into law Act 228, allowing medical marijuana cardholders to grow their own cannabis or appoint a caretaker to do so. In signing the law, Hawaii became the 8th state to legalize medical cannabis and the first to do so through an act of state legislature. The law did not establish any legal market or dispensaries.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Hawaii#cite_note-1)

**Dispensary program (2015)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Hawaii&action=edit&section=2)]

In 2015, the Medical Marijuana Dispensary Program of Hawaii was created to require those who qualify for medical marijuana to register before using marijuana for medical purposes.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Hawaii#cite_note-2) To register, you must have a licensed physician certifying that the patient’s health condition can be benefited from medical marijuana. The patient will then receive a 329 Registration Card issued by the Department of Health. The goal of the Department of Health for issuing the 329 Registration Card is to issue it in a timely manner so that patients can continue or start to use medical marijuana legally.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Hawaii#cite_note-autogenerated1-3)

In July 2015, The Act 241 was passed. It states that the Hawaii Department of Health will administer the Medical Marijuana Dispensary Program by 2016 and dispensaries can begin to dispense medical and manufactured marijuana products as early as July 2016 assuming that the Department of Health grants approval to these dispensaries.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Hawaii#cite_note-autogenerated1-3)

To address legal acquisition of cannabis, in 2016 Senate Bill 321 established a dispensary system, allowing eight dispensaries in the state, designated by island.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Hawaii#cite_note-4) In August 2017, the first legal medical cannabis dispensary sale was made in Maui.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Hawaii#cite_note-5)

**Industrial hemp (2016)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Hawaii&action=edit&section=3)]

In July 2016, Governor [David Ige](https://en.wikipedia.org/wiki/David_Ige) signed Act 228, creating a [pilot program](https://en.wikipedia.org/wiki/Pilot_program) allowing the Hawaii Department of Agriculture to oversee the cultivation of industrial hemp for agricultural or academic research.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Hawaii#cite_note-6)

In February 2017, the [Hawaii House of Representatives](https://en.wikipedia.org/wiki/Hawaii_House_of_Representatives) Agricultural Committee passed legislation to remove criminal or civil sanctions for the "planting, growing, harvesting, possessing, processing, selling, or buying" of industrial hemp.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Hawaii#cite_note-7)

**Failed legalization attempt (2019)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Hawaii&action=edit&section=4)]

In February 2019, a bill was introduced to legalize recreational marijuana for adults 21 and over, however, it died in the House of Representatives the following month.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Hawaii#cite_note-8)[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Hawaii#cite_note-9)

**Decriminalization (2020)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Hawaii&action=edit&section=5)]

On July 1, 2019, Governor [David Ige](https://en.wikipedia.org/wiki/David_Ige) announced that he would let a legislature-passed bill to decriminalize small amounts of cannabis become law without him actually signing it. Beginning on January 11, 2020, this bill made possession of three grams or less of marijuana punishable by a $130 fine. Under the former law, possessing even a tiny amount of cannabis was punishable by up to 30 days in jail and a fine of up to $1,000.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Hawaii#cite_note-10)

**References**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Hawaii&action=edit&section=6)]

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* [**^**](https://en.wikipedia.org/wiki/Cannabis_in_Hawaii#cite_ref-2) health.hawaii.gov
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* [Jump up to:](https://en.wikipedia.org/wiki/Cannabis_in_Hawaii#cite_ref-autogenerated1_3-0)
* [***a***](https://en.wikipedia.org/wiki/Cannabis_in_Hawaii#cite_ref-autogenerated1_3-0) [***b***](https://en.wikipedia.org/wiki/Cannabis_in_Hawaii#cite_ref-autogenerated1_3-1) ["Medical Marijuana Program"](http://health.hawaii.gov/medicalmarijuana/). *health.hawaii.gov*. Retrieved April 18, 2017.
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# Cannabis in Idaho

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**Appearance** hide

Text

* Small
* Standard
* Large

Width

* Standard
* Wide

Color (beta)

* Automatic
* Light
* Dark

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**Cannabis in Idaho** is fully illegal for any use, whether recreational or medical. The laws on cannabis prohibition in Idaho are among the most severe in the United States, with possession of even small amounts of it a [misdemeanor](https://en.wikipedia.org/wiki/Misdemeanor) crime, and no legality of medical marijuana.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-1) As of 2018, support for the [legalization of medical cannabis](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) is broadly popular in the state, while [legalization of the drug recreationally](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States) remains a wedge issue.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-:3-2) Both the state's legislature as a whole and its governor, [Brad Little](https://en.wikipedia.org/wiki/Brad_Little), remain staunchly opposed to its legalization for medicinal or recreational purposes.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-:3-2)[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-:1-3)

In February 2021, [cannabidiol](https://en.wikipedia.org/wiki/Cannabidiol) with up to 0.1% [THC](https://en.wikipedia.org/wiki/Tetrahydrocannabinol) content was [descheduled](https://en.wikipedia.org/wiki/Controlled_Substances_Act) in the form of the prescription drug [Epidiolex](https://en.wikipedia.org/wiki/Epidiolex).[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-:4-4) Two months later, production and transport of hemp with a THC content of up to 0.3% was legalized.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-AP_Hemp-5)

**Prohibition**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Idaho&action=edit&section=1)]

*See also:* [*Legal history of cannabis in the United States*](https://en.wikipedia.org/wiki/Legal_history_of_cannabis_in_the_United_States)

In the early 20th century, amidst a nationwide trend of cannabis prohibition, Idaho outlawed the drug in 1927.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-Davenport-Hines2012-6) In the same period, the mayor of Boise noted his concerns:

The Mexican beet field workers have introduced a new problem-the smoking in cigarettes or pipes of marijuana or grifo. its use is as demoralizing as the use of narcotics. Smoking grifo is quite prevalent along the Oregon Short Line Railroad; and Idaho has no law to cope with the use and spread of this dangerous drug (WCTU, 1928: 3).[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-7)

In 2013, the Idaho Legislature preemptively approved a statement of their opposition to ever legalizing cannabis.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-8)[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-9)

On February 3, 2021, as a response to the [legalization of cannabis in surrounding states](https://en.wikipedia.org/wiki/Legality_of_cannabis_by_U.S._jurisdiction), the [Idaho Senate](https://en.wikipedia.org/wiki/Idaho_Senate) approved a [constitutional amendment](https://en.wikipedia.org/wiki/Constitutional_amendment) introduced by [C. Scott Grow](https://en.wikipedia.org/wiki/C._Scott_Grow) banning the legalization of cannabis – or any other [Schedule I](https://en.wikipedia.org/wiki/List_of_Schedule_I_drugs_(US)) or [Schedule II](https://en.wikipedia.org/wiki/List_of_Schedule_II_drugs_(US)) drug[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-10) – with a vote of 24–11.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-:0-11)[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-:2-12) On April 15, the amendment failed in the [Idaho House of Representatives](https://en.wikipedia.org/wiki/Idaho_House_of_Representatives), who voted 42–28 in favor of the amendment – falling five votes short of the required two-thirds [supermajority](https://en.wikipedia.org/wiki/Supermajority).[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-:1-3)[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-13) No [Democratic](https://en.wikipedia.org/wiki/Idaho_Democratic_Party) member of either chamber voted in favor of the amendment, and a handful of [Republicans](https://en.wikipedia.org/wiki/Idaho_Republican_Party) in both chambers voted in opposition as well.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-:0-11)[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-:1-3)

**Reform**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Idaho&action=edit&section=2)]

Attempts to field ballot initiatives to vote on medical cannabis failed in 2012 and 2014 due to insufficient signatures, and a 2016 attempt was withdrawn before the signatures were counted. In 2018 another attempt was drawn when its organizer had to quit to care for her ailing son.[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-14) In 2020, another effort to put medical marijuana on the ballot was suspended due to the [COVID-19 pandemic](https://en.wikipedia.org/wiki/COVID-19_pandemic_in_Idaho).[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-15)[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-16)

Senate Bill 1146a, which would have legalized CBD oil for persons with severe epilepsy, passed the Idaho Legislature following "lengthy and emotional" hearings, but was vetoed by Governor [Butch Otter](https://en.wikipedia.org/wiki/Butch_Otter) in April 2015.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-17)[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-18)

In his veto, Otter stated:

It ignores ongoing scientific testing on alternative treatments... It asks us to trust but not to verify. It asks us to legalize the limited use of cannabidiol oil, contrary to federal law. And it asks us to look past the potential for misuse and abuse with criminal intent.[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-19)[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-20)

The [Idaho Attorney General](https://en.wikipedia.org/wiki/Idaho_Attorney_General), in report 132–133,[[21]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-21) clarified in 2015 that CBD containing 0% THC is permissible as long as it is derived from one of the five identified (non-flower) parts of the cannabis plant.[[22]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-22)

On February 8, 2021, the Senate passed SB 1017 by a vote of 30–3, which included a provision for removing Epidiolex, a brand of prescription cannabidiol, from its [Schedule V](https://en.wikipedia.org/wiki/List_of_Schedule_V_drugs_(US)) listing and limiting its THC content to 0.1%.[[23]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-23) On February 19, it was passed by the House, and on February 26, Governor [Brad Little](https://en.wikipedia.org/wiki/Brad_Little) signed the bill into law.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-:4-4)

On April 16, after a 44–26 vote in the House and a 30–5 vote in the Senate, Little signed House Bill 126, legalizing the production and transport of [hemp](https://en.wikipedia.org/wiki/Hemp) with up to 0.3% THC content, making Idaho the final state to legalize the crop after it was [legalized federally in 2018](https://en.wikipedia.org/wiki/2018_United_States_farm_bill).[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-AP_Hemp-5)[[24]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-24)

**See also**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Idaho&action=edit&section=3)]

* [Legality of cannabis](https://en.wikipedia.org/wiki/Legality_of_cannabis)
* [Boise Hempfest](https://en.wikipedia.org/wiki/Boise_Hempfest)
* [Moscow Hemp Fest](https://en.wikipedia.org/wiki/Moscow_Hemp_Fest)

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* [Jump up to:](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_ref-:3_2-0)
* [***a***](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_ref-:3_2-0) [***b***](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_ref-:3_2-1) Brown, Nathan (October 7, 2018). ["As opinions shift, marijuana emerges as wedge issue"](https://www.postregister.com/news/government/as-opinions-shift-marijuana-emerges-as-wedge-issue/article_57a39240-389e-54bc-9a5f-0f5888359575.html). [*Post Register*](https://en.wikipedia.org/wiki/Post_Register). [Archived](https://web.archive.org/web/20190115072913/https://www.postregister.com/news/government/as-opinions-shift-marijuana-emerges-as-wedge-issue/article_57a39240-389e-54bc-9a5f-0f5888359575.html) from the original on January 15, 2019. Retrieved May 3, 2021.
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* [***a***](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_ref-:4_4-0) [***b***](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_ref-:4_4-1) ["SENATE BILL 1017 – Idaho State Legislature"](https://legislature.idaho.gov/sessioninfo/2021/legislation/s1017/). Retrieved April 25, 2021.
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# Cannabis in Idaho

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Text

* Small
* Standard
* Large

Width

* Standard
* Wide

Color (beta)

* Automatic
* Light
* Dark

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**Cannabis in Idaho** is fully illegal for any use, whether recreational or medical. The laws on cannabis prohibition in Idaho are among the most severe in the United States, with possession of even small amounts of it a [misdemeanor](https://en.wikipedia.org/wiki/Misdemeanor) crime, and no legality of medical marijuana.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-1) As of 2018, support for the [legalization of medical cannabis](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) is broadly popular in the state, while [legalization of the drug recreationally](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States) remains a wedge issue.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-:3-2) Both the state's legislature as a whole and its governor, [Brad Little](https://en.wikipedia.org/wiki/Brad_Little), remain staunchly opposed to its legalization for medicinal or recreational purposes.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-:3-2)[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-:1-3)

In February 2021, [cannabidiol](https://en.wikipedia.org/wiki/Cannabidiol) with up to 0.1% [THC](https://en.wikipedia.org/wiki/Tetrahydrocannabinol) content was [descheduled](https://en.wikipedia.org/wiki/Controlled_Substances_Act) in the form of the prescription drug [Epidiolex](https://en.wikipedia.org/wiki/Epidiolex).[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-:4-4) Two months later, production and transport of hemp with a THC content of up to 0.3% was legalized.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-AP_Hemp-5)

**Prohibition**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Idaho&action=edit&section=1)]

*See also:* [*Legal history of cannabis in the United States*](https://en.wikipedia.org/wiki/Legal_history_of_cannabis_in_the_United_States)

In the early 20th century, amidst a nationwide trend of cannabis prohibition, Idaho outlawed the drug in 1927.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-Davenport-Hines2012-6) In the same period, the mayor of Boise noted his concerns:

The Mexican beet field workers have introduced a new problem-the smoking in cigarettes or pipes of marijuana or grifo. its use is as demoralizing as the use of narcotics. Smoking grifo is quite prevalent along the Oregon Short Line Railroad; and Idaho has no law to cope with the use and spread of this dangerous drug (WCTU, 1928: 3).[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-7)

In 2013, the Idaho Legislature preemptively approved a statement of their opposition to ever legalizing cannabis.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-8)[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-9)

On February 3, 2021, as a response to the [legalization of cannabis in surrounding states](https://en.wikipedia.org/wiki/Legality_of_cannabis_by_U.S._jurisdiction), the [Idaho Senate](https://en.wikipedia.org/wiki/Idaho_Senate) approved a [constitutional amendment](https://en.wikipedia.org/wiki/Constitutional_amendment) introduced by [C. Scott Grow](https://en.wikipedia.org/wiki/C._Scott_Grow) banning the legalization of cannabis – or any other [Schedule I](https://en.wikipedia.org/wiki/List_of_Schedule_I_drugs_(US)) or [Schedule II](https://en.wikipedia.org/wiki/List_of_Schedule_II_drugs_(US)) drug[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-10) – with a vote of 24–11.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-:0-11)[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-:2-12) On April 15, the amendment failed in the [Idaho House of Representatives](https://en.wikipedia.org/wiki/Idaho_House_of_Representatives), who voted 42–28 in favor of the amendment – falling five votes short of the required two-thirds [supermajority](https://en.wikipedia.org/wiki/Supermajority).[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-:1-3)[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-13) No [Democratic](https://en.wikipedia.org/wiki/Idaho_Democratic_Party) member of either chamber voted in favor of the amendment, and a handful of [Republicans](https://en.wikipedia.org/wiki/Idaho_Republican_Party) in both chambers voted in opposition as well.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-:0-11)[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-:1-3)

**Reform**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Idaho&action=edit&section=2)]

Attempts to field ballot initiatives to vote on medical cannabis failed in 2012 and 2014 due to insufficient signatures, and a 2016 attempt was withdrawn before the signatures were counted. In 2018 another attempt was drawn when its organizer had to quit to care for her ailing son.[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-14) In 2020, another effort to put medical marijuana on the ballot was suspended due to the [COVID-19 pandemic](https://en.wikipedia.org/wiki/COVID-19_pandemic_in_Idaho).[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-15)[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-16)

Senate Bill 1146a, which would have legalized CBD oil for persons with severe epilepsy, passed the Idaho Legislature following "lengthy and emotional" hearings, but was vetoed by Governor [Butch Otter](https://en.wikipedia.org/wiki/Butch_Otter) in April 2015.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-17)[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-18)

In his veto, Otter stated:

It ignores ongoing scientific testing on alternative treatments... It asks us to trust but not to verify. It asks us to legalize the limited use of cannabidiol oil, contrary to federal law. And it asks us to look past the potential for misuse and abuse with criminal intent.[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-19)[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-20)

The [Idaho Attorney General](https://en.wikipedia.org/wiki/Idaho_Attorney_General), in report 132–133,[[21]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-21) clarified in 2015 that CBD containing 0% THC is permissible as long as it is derived from one of the five identified (non-flower) parts of the cannabis plant.[[22]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-22)

On February 8, 2021, the Senate passed SB 1017 by a vote of 30–3, which included a provision for removing Epidiolex, a brand of prescription cannabidiol, from its [Schedule V](https://en.wikipedia.org/wiki/List_of_Schedule_V_drugs_(US)) listing and limiting its THC content to 0.1%.[[23]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-23) On February 19, it was passed by the House, and on February 26, Governor [Brad Little](https://en.wikipedia.org/wiki/Brad_Little) signed the bill into law.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-:4-4)

On April 16, after a 44–26 vote in the House and a 30–5 vote in the Senate, Little signed House Bill 126, legalizing the production and transport of [hemp](https://en.wikipedia.org/wiki/Hemp) with up to 0.3% THC content, making Idaho the final state to legalize the crop after it was [legalized federally in 2018](https://en.wikipedia.org/wiki/2018_United_States_farm_bill).[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-AP_Hemp-5)[[24]](https://en.wikipedia.org/wiki/Cannabis_in_Idaho#cite_note-24)

**See also**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Idaho&action=edit&section=3)]

* [Legality of cannabis](https://en.wikipedia.org/wiki/Legality_of_cannabis)
* [Boise Hempfest](https://en.wikipedia.org/wiki/Boise_Hempfest)
* [Moscow Hemp Fest](https://en.wikipedia.org/wiki/Moscow_Hemp_Fest)

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# Cannabis in Illinois

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Text

* Small
* Standard
* Large

Width

* Standard
* Wide

Color (beta)

* Automatic
* Light
* Dark

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[Cannabis](https://en.wikipedia.org/wiki/Cannabis) is legal in [Illinois](https://en.wikipedia.org/wiki/Illinois) for both [medical](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) and [recreational](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States) use. Illinois became the [eleventh state in the US](https://en.wikipedia.org/wiki/Cannabis_in_the_United_States) to legalize recreational marijuana effective January 1, 2020.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-1)

With the passage of the [Illinois Cannabis Regulation and Tax Act](https://en.wikipedia.org/wiki/Illinois_Cannabis_Regulation_and_Tax_Act) in 2019, Illinois became the first state in the nation to legalize recreational sales by an act of the state legislature, as previous states had legalized sales by [voter initiatives](https://en.wikipedia.org/wiki/Popular_initiative). [Vermont](https://en.wikipedia.org/wiki/Cannabis_in_Vermont) legalized recreational use, but not sales, through its legislature (later legalizing sales after Illinois had already done so). At full maturity, Illinois is expected to generate between $2 and $4 billion in annual revenues from recreational sales.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-2) A first in the nation, Illinois will also expunge an estimated 700,000 marijuana-related police records and court convictions in a phased approach forecast to be completed by 2025.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-3) Retail sales from recreational cannabis in Illinois average an estimated $40 million in revenue each month since legalization and have allowed police to acquire an estimated $3 million from marijuana related civil asset forfeitures each year.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-4)

Since 2014, the Illinois Medical Cannabis Patient Program (MCPP) has also enrolled over 172,000 qualifying patients in the state's [medical cannabis](https://en.wikipedia.org/wiki/Medical_cannabis) and [opioid](https://en.wikipedia.org/wiki/Opioid) alternative programs across 110 [dispensaries](https://en.wikipedia.org/wiki/Cannabis_dispensary) offering a lower tax rate when compared to recreational transactions.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-5)[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-6)

In 2022, the 113 dispensaries across Illinois sold $1.5 billion worth of marijuana products.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-7)

**Prohibition (1931)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Illinois&action=edit&section=1)]

In 1931, Illinois prohibited recreational use of cannabis, as part of a nationwide trend across 29 states in the early 20th century.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-8)

**Cannabis Control Act (1978)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Illinois&action=edit&section=2)]

Illinois passed the Cannabis Control Act in 1978, which technically allows for medical marijuana. However, in order for it to become an actuality, action was required from two state departments: Human Services and the [State Police](https://en.wikipedia.org/wiki/Illinois_State_Police). Neither department took action.[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-chicago-reader-9)[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-ILGA-GOV-10)

**Medical cannabis (2013)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Illinois&action=edit&section=3)]

The [Illinois General Assembly](https://en.wikipedia.org/wiki/Illinois_General_Assembly) passed the Compassionate Use of Medical Cannabis Pilot Program Act in 2013 (MCPP).[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-11) The law legalizes the use of medical cannabis in tightly controlled circumstances.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-12) In August 2013, Governor [Patrick Quinn](https://en.wikipedia.org/wiki/Pat_Quinn_(politician)) signed into law the state's medical marijuana program, which would take effect on January 1 making it the 20th state to do so.[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-13)

Once a medical caregiver has certified their qualifying medical condition, "legally registered patients" may apply for an ID card that allows the use of cannabis for medical purposes. The law lists over 30 specific medical conditions that may be legally treated using cannabis, and allows the [Department of Public Health](https://en.wikipedia.org/wiki/Illinois_Department_of_Public_Health) to add other conditions to the list via administrative [rulemaking](https://en.wikipedia.org/wiki/Rulemaking). Applications for patients, growers, and vendors began in September 2014.[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-14)

As of October 2020, the Medical Cannabis Patient Program had significantly grown to over 143,000 qualifying patients participating in the state's medical cannabis and opioid alternative programs.

**Decriminalization (2016)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Illinois&action=edit&section=4)]

In July 2016, Illinois reduced punishment for under 10 grams of cannabis to a $100–200 fine; it was a [misdemeanor](https://en.wikipedia.org/wiki/Misdemeanor) previously. The law also sets the requirement for [DWI](https://en.wikipedia.org/wiki/DWI) at 5 nanograms/ml of [THC](https://en.wikipedia.org/wiki/THC) in the blood.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-15)[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-16)

**Proposed recreational use (2017)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Illinois&action=edit&section=5)]

On March 22, 2017, Illinois lawmakers proposed legalizing recreational marijuana in the state.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-17) The measure would also allow residents to possess up to 28 grams (1 oz) of cannabis and to grow five plants. Early estimates found that legalized marijuana would generate between $350 and $700 million in annual sales.[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-trib0322-18) The *Chicago Tribune* reported legislation was "widely expected to pass" in 2019, following election of pro-legalization governor [J. B. Pritzker](https://en.wikipedia.org/wiki/J._B._Pritzker) and a favorable state legislature.[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-19)

**Medical cannabis expansion (2018-2019)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Illinois&action=edit&section=6)]

On August 28, 2018, Illinois' medical cannabis program greatly expanded becoming available as an opioid painkiller replacement.[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-20) The legislation also eased the application process as applicants will no longer have to be fingerprinted or undergo criminal background checks. Some estimate the expansion could bring in up to 365,000 new patients into the medical marijuana program generating an additional $425 million in revenue for the state.[[21]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-21)

On August 12, 2019 Governor [J. B. Pritzker](https://en.wikipedia.org/wiki/J._B._Pritzker) signed into law legislation that once again expands Illinois' medical cannabis program and also makes it permanent.[[22]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-22) The new law adds an additional 11 conditions to the existing program including chronic pain, anorexia nervosa, autism, Irritable bowel syndrome, migraines, osteoarthritis, Ehlers-Danlos syndrome, Neuro-Behcet's autoimmune disease, neuropathy, polycystic kidney disease, and superior canal dehiscence syndrome. When recreational marijuana becomes legal in January 2020, taxation for medical cannabis products will remain at 1%.[[23]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-23)

**Recreational legalization (2019)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Illinois&action=edit&section=7)]

On May 31, 2019, the [Illinois General Assembly](https://en.wikipedia.org/wiki/Illinois_General_Assembly) passed the [Illinois Cannabis Regulation and Tax Act](https://en.wikipedia.org/wiki/Illinois_Cannabis_Regulation_and_Tax_Act) to legalize [recreational marijuana](https://en.wikipedia.org/wiki/Recreational_marijuana) use starting on January 1, 2020. The bill was signed by Governor [J. B. Pritzker](https://en.wikipedia.org/wiki/J._B._Pritzker) on June 25, 2019.[[24]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-24)[[25]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-25)[[26]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-26) Recreational-use revenue in Illinois is expected to reach an estimated $1.6 billion a year.[[27]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-27) Illinois became the first state in the nation to legalize cannabis for recreational sale through a state legislature rather than [ballot](https://en.wikipedia.org/wiki/Ballot) initiative.[[28]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-28) Overall, Illinois is the 11th state in the US to allow recreational marijuana.[[29]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-29)

An estimated 700,000 Illinoisans will qualify for the expungement of past marijuana-related convictions.[[30]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-30) The state, in partnership with the [Illinois State Police](https://en.wikipedia.org/wiki/Illinois_State_Police), expects to fully complete the process by 2025. To date, Illinois was the first state in the nation to include the social equity centric provision.

On January 1, 2020, the first day of legal recreational sales, over 77,000 customers spent $3.2 million in legal sales at dispensaries across Illinois.[[31]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-31) These figures were historic as no other state, [Oregon](https://en.wikipedia.org/wiki/Oregon) being second, has generated such significant first day recreational sales. Dispensaries saw long lines across the state with customers coming from across the Midwest and nation. On January 6, 2020, Governor Pritzker's office announced that in the first five full days of recreational adult-use sales, 271,169 individual transactions totaled over $10.8 million in sales statewide.[[32]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-32) Total sales for January 2020 approached $40 million, despite supply shortages.[[33]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-Marotti2020feb4-33)

In addition, more than 700 applications were submitted for the second round of newly awarded dispensary licenses, scheduled to be announced on May 1, 2020; over 600 were considered "social equity" applicants which meet certain criteria to benefit historically disenfranchised communities.

On December 31, 2020, Governor JB Pritzker announced that his administration granted pardons for 9,210 low-level cannabis convictions and the wiping of 492,000 non-felony cannabis-related arrest records.[[34]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-34)[[35]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-35)

**Cultivation**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Illinois&action=edit&section=8)]

Under the [Illinois Cannabis Regulation and Tax Act](https://en.wikipedia.org/wiki/Illinois_Cannabis_Regulation_and_Tax_Act), which took effect on January 1, 2020, stipulated that medical marijuana patients could grow up to five plants at a time in their home or on their property. However, recreational users cannot grow marijuana in their home nor on their premises at all. A violation of this stipulation is a civil penalty of 200 dollars. In regards to cultivating cannabis commercially, only Illinois' existing licensed medical marijuana facilities were able to grow the crop initially. However, in 2020 "craft growers" will be able to apply for licenses to cultivate cannabis for commercial use for no larger than 5,000 square feet (460 m2) of crop. [[36]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-WHAT_YOU_NEED_TO_KNOW_ABOUT_MARIJUANA_LEGALIZATION_IN_ILLINOIS-36)

**Waived and suspends transport license fees**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Illinois&action=edit&section=9)]

In December 2023, the Governor signed into law a bill that waivers and suspends transport licence fees - until January 1, 2027 for cannabis industry, corporation and business associates.[[37]](https://en.wikipedia.org/wiki/Cannabis_in_Illinois#cite_note-37)

**References**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Illinois&action=edit&section=10)]

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# Cannabis in Indiana

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**Cannabis in Indiana** is illegal for recreational use, with the exception of limited medical usage. Possession of any amount is a Class B misdemeanor, punishable by up to 180 days in prison and a fine of up to $1000.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Indiana#cite_note-1)

**History**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Indiana&action=edit&section=1)]

**Prohibition (1913)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Indiana&action=edit&section=2)]

In 1913, Indiana banned the sale of marijuana without a prescription.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Indiana#cite_note-Hamowy2008-2)

**Failed attempts to raise or lower penalties (2013)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Indiana&action=edit&section=3)]

In February 2013, a bill to decriminalize small amounts of marijuana was killed in committee. Following that, the [Senate](https://en.wikipedia.org/wiki/Indiana_Senate) offered an amendment to the previously-approved House Bill 1006, which had included decreased penalties for cannabis possession, with an amendment to instead raise certain types of possession from misdemeanors to [felonies](https://en.wikipedia.org/wiki/Felonies). Governor [Mike Pence](https://en.wikipedia.org/wiki/Mike_Pence) stated: "I think we need to focus on reducing crime, not reducing penalties."[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Indiana#cite_note-3)

**Marion County (2019)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Indiana&action=edit&section=4)]

On September 30, 2019, possession of 1 ounce (28 g) of marijuana or less was decriminalized in [Marion County](https://en.wikipedia.org/wiki/Marion_County,_Indiana).[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Indiana#cite_note-4)

**Attempts at Delta-8 regulation**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Indiana&action=edit&section=5)]

Under Indiana law, delta-9 products are illegal, but delta-8 products are not. State Senators Michael Young and Liz Brown introduced a bill during the 2022 session to outlaw delta-8 products, but it died in session due to concerns that it would outlaw CBD oil.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Indiana#cite_note-5)

**First Church of Cannabis**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Indiana&action=edit&section=6)]

Pending the 2015 passage of Indiana's [*Religious Freedom Restoration Act*](https://en.wikipedia.org/wiki/Religious_Freedom_Restoration_Act) (RFRA), Bill Levin created the [First Church of Cannabis](https://en.wikipedia.org/wiki/First_Church_of_Cannabis) in Indiana. The church was founded in March, and received its recognition as a religious non-profit entity on March 26, the same day that the governor signed the RFRA. Prior to the RFRA's taking effect, an Indiana police chief warned the church that the RFRA would not protect the church's use of sacramental marijuana.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Indiana#cite_note-6)

The church held its first service on July 1—the same day that the RFRA took effect—and promptly filed a lawsuit against the state, alleging that the state's marijuana laws infringe on the church's freedom of religion.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Indiana#cite_note-7)

**Medical cannabis**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Indiana&action=edit&section=7)]

**Failed attempts to legalize medical marijuana (2015)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Indiana&action=edit&section=8)]

In early 2015, bills were introduced both in the [House](https://en.wikipedia.org/wiki/Indiana_House_of_Representatives) and Senate to legalize medical cannabis for certain severe conditions with a doctor's recommendation, but the House Bill failed to advance, and the Senate bill did not receive a hearing.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Indiana#cite_note-8)[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Indiana#cite_note-9)

**CBD legalized for epilepsy (2017)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Indiana&action=edit&section=9)]

In April 2017, Governor [Eric Holcomb](https://en.wikipedia.org/wiki/Eric_Holcomb) signed legislation to allow the use of CBD oil (less than 0.3% [THC](https://en.wikipedia.org/wiki/THC)) for uncontrollable [seizures](https://en.wikipedia.org/wiki/Seizures).[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Indiana#cite_note-10)[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Indiana#cite_note-11) The new law went into effect July 1, 2017.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Indiana#cite_note-12)

**CBD legalized for any use (2018)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Indiana&action=edit&section=10)]

In March 2018, legislation was signed to allow the use and sale of CBD for any purpose (less than 0.3% THC), with additional requirement imposed for testing and labelling.[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Indiana#cite_note-13)

**Legislation**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Indiana&action=edit&section=11)]

Laws affecting possession, cultivation and sale of marijuana were amended to reduce the penalties for simple possession, but enhance the penalties for delivery, and possession with the intent to deliver, in certain circumstances (amendments effective on July 1, 2014, under IC 35-48-4).[[*citation needed*](https://en.wikipedia.org/wiki/Wikipedia:Citation_needed)]

Sale or cultivation of more than 10 lbs or within 1,000 feet of a school, or any other specialized area, will result in a minimum of 2–8 years and a $10,000 fine.[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Indiana#cite_note-14)

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# Cannabis in Iowa

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**Cannabis in Iowa** is illegal for recreational use if classified as marijuana but consumable hemp products including [CBD](https://en.wikipedia.org/wiki/Cannabidiol) products are legal for consumers to possess and registered retailers to sell.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Iowa#cite_note-1) Possession of even small amounts of marijuana is a misdemeanor crime.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Iowa#cite_note-2) The state has a medical program for patients with qualifying debilitating medical conditions that allows for the legal sale and possession of no more than 4.5g of [THC](https://en.wikipedia.org/wiki/Tetrahydrocannabinol) per patient every 90-day period. Allowed modes of consumption are oral and topical forms including, but not limited to; tablets and tinctures, [nebulizable inhalable forms](https://en.wikipedia.org/wiki/Nebulizer), suppositories, and vaporization.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Iowa#cite_note-3)

**Prohibition**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Iowa&action=edit&section=1)]

Amidst an early 20th century trend of limiting the drug, [Iowa](https://en.wikipedia.org/wiki/Iowa) prohibited cannabis in 1923.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Iowa#cite_note-Boslaugh2015-4) Other sources state 1921.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Iowa#cite_note-Davenport-Hines2003-5)

**Decriminalization attempts**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Iowa&action=edit&section=2)]

**Failed 1970s decriminalization attempts**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Iowa&action=edit&section=3)]

In the 1970s, Iowa introduced decriminalization legislation which failed.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Iowa#cite_note-AnalysisCo1977-6)[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Iowa#cite_note-Co1977-7)

**2014 failed decriminalization**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Iowa&action=edit&section=4)]

In early 2014, House File 2313 was proposed, which would have reduced the penalty for possession of under 42.5 grams (1

+

1⁄2 oz) to a fine of $300, and possession of under a kilogram. The bill failed to progress before the expiry of a procedural deadline, so it was rejected.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Iowa#cite_note-8)

**2015 failed deprioritization in Cedar Falls**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Iowa&action=edit&section=5)]

The city of [Cedar Falls](https://en.wikipedia.org/wiki/Cedar_Falls,_Iowa) proposed to deprioritize municipal police enforcement of marijuana offenses for possession under one ounce (28 g). The resolution was voted down in January 2015 by a majority of the city council, with one member stating: "We are a governing body tasked with making laws, not ignoring laws."[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Iowa#cite_note-9)

**Medical marijuana**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Iowa&action=edit&section=6)]

**1979-1981 precedents**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Iowa&action=edit&section=7)]

From late 1979 to mid-1981, Iowa's administrative rules allowed for medical use of [marijuana](https://en.wikipedia.org/wiki/Cannabis_(drug)) through a therapeutic research center.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Iowa#cite_note-10)

**2014: Legalization of CBD oil**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Iowa&action=edit&section=8)]

Introduced by a committee, placed on Ways and Means calendar, Senate Bill 2360 on April 23, 2014 passed in the Senate by a vote of 36-12 on April 24, 2014. Bill 2360 was read for the first time in the House, referred to the Public Safety Committee, and passed by a subcommittee on April 25, 2014; Committee reports recommended amendments be made as well as passage; committee amendments were filed on April 29, 2014. Senate Bill 2360 allows the possession or use of cannabidiol that has less than 3% tetrahydrocannabinol for the treatment of intractable epilepsy, through the written recommendation of a neurologist. The bill states that the cannabidiol must be obtained from an out-of-state source and "recommended for oral or transdermal administration", (smoked).[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Iowa#cite_note-O'Keefe,_Karen_2014-11)[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Iowa#cite_note-12)

In May 2014, Governor [Terry Branstad](https://en.wikipedia.org/wiki/Terry_Branstad) signed into law the *Medical Cannabidiol Act*, allowing possession of [CBD oil](https://en.wikipedia.org/wiki/CBD_oil) with a neurologist's recommendation for the treatment of intractable epilepsy in children, to go into effect at the end of January 2015. Observers criticized the new law, noting that it contained no provision for legally obtaining CBD oil, as it remains illegal to produce in Iowa or to transport across state lines. A policy advisor for the Iowa Department of Public Health noted: "There are still some very fundamental barriers to parents getting the oil."[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Iowa#cite_note-13)[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Iowa#cite_note-14)

**2017: Expansion of medical marijuana**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Iowa&action=edit&section=9)]

In May 2017, Branstad signed into law an expanded *Medical Cannabidiol Act*, which expanded the number for diseases for treatment. These diseases include [cancer](https://en.wikipedia.org/wiki/Cancer), [chronic pain](https://en.wikipedia.org/wiki/Chronic_pain), [multiple sclerosis](https://en.wikipedia.org/wiki/Multiple_sclerosis), [HIV/AIDS](https://en.wikipedia.org/wiki/HIV/AIDS), [Crohn's disease](https://en.wikipedia.org/wiki/Crohn%27s_disease), [Parkinson's disease](https://en.wikipedia.org/wiki/Parkinson%27s_disease), and more.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Iowa#cite_note-15)[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Iowa#cite_note-16)

**2020: Further expansion of medical marijuana**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Iowa&action=edit&section=10)]

On June 29, 2020 Governor of Iowa, [Kim Reynolds](https://en.wikipedia.org/wiki/Kim_Reynolds) approved House File 2589. This Act was an update to the existing legislation regarding the medical cannabidiol act and marijuana. The amendments included, but are not limited to further additions to the list of conditions for patients to qualify for medical cannabis and also a change to the maximum amount of THC which may be given to patients, replacing the 3% limit with a cap of 4.5 grams per patient in a 90 day period.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Iowa#cite_note-17)[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Iowa#cite_note-18)

**2023: Adult-use Marijuana Legalization**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Iowa&action=edit&section=11)]

On February 21, 2023 [Iowa House](https://en.wikipedia.org/wiki/Iowa_House_of_Representatives) democrats introduced senate bill SF73 which if passed, would legalize the regulated sale and possession for legal adult residents and non-residents 21 years of age or older of up to an amount not exceeding 30 grams of Marijuana flower, 5 grams of [concentrate](https://en.wikipedia.org/wiki/Cannabis_concentrate), and 500 mg of Tetrahydrocannabinol (THC) contained in a product infused with Marijuana. Non-residents 21 years of age or older with a valid ID showing proof of age may purchase and possess up to half of the total amount that legal residents are able to.[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Iowa#cite_note-19)[[*needs update*](https://en.wikipedia.org/wiki/Wikipedia:Manual_of_Style/Dates_and_numbers#Chronological_items)]

**Law enforcement CBD seizures**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Iowa&action=edit&section=12)]

In 2018 law enforcement in Iowa began seizing products that say they contain CBD without testing.[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Iowa#cite_note-20) Iowa's 124E Medical CBD law states that any *Medical CBD* must be treated as marijuana without licensing, but defines *Medical CBD* as "any pharmaceutical grade cannabinoid found in the plant Cannabis sativa L. or Cannabis indica or any other preparation thereof that has a tetrahydrocannabinol level of no more than three percent and that is delivered in a form recommended by the medical cannabidiol board, approved by the board of medicine, and adopted by the department pursuant to rule." The confusion comes from what would be considered pharmaceutical grade CBD and what would be considered a dietary supplement. Some of the products seized in Muscatine Iowa were sent to the state crime lab for test.[[21]](https://en.wikipedia.org/wiki/Cannabis_in_Iowa#cite_note-21) No analytical data of the concentrations of CBD, tetrahydrocannabinol, or other cannabinoids were provided.[[22]](https://en.wikipedia.org/wiki/Cannabis_in_Iowa#cite_note-22)

**Polling**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Iowa&action=edit&section=13)]

An early 2014 poll by [Iowa Poll](https://en.wikipedia.org/w/index.php?title=Iowa_Poll&action=edit&redlink=1) showed that Iowans favored legalizing medical marijuana 59%-31%, but opposed recreational marijuana 28%-69%.[[23]](https://en.wikipedia.org/wiki/Cannabis_in_Iowa#cite_note-23)

A poll in February 2019 showed that Iowans were equal in support of and in opposition to legalization of recreational marijuana (48%-48%). The same poll showed that Iowans are in favor of expansion of medical marijuana access (78%-18%).[[24]](https://en.wikipedia.org/wiki/Cannabis_in_Iowa#cite_note-24)

A poll in March 2020 showed another increase of support to recreational marijuana legalization (53%-41%) as well as expansion of medical marijuana access (81%-13%).[[25]](https://en.wikipedia.org/wiki/Cannabis_in_Iowa#cite_note-25)

**Feral hemp**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Iowa&action=edit&section=14)]

[Feral hemp](https://en.wikipedia.org/wiki/Feral_hemp), descended from plants once farmed for [industrial hemp](https://en.wikipedia.org/wiki/Industrial_hemp), grows wild in Iowa and many neighboring states. It is very low in tetrahydrocannabinol content.[[26]](https://en.wikipedia.org/wiki/Cannabis_in_Iowa#cite_note-Crime1970-26)

**Iowa Hemp Act**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Iowa&action=edit&section=15)]

In 2019, in response to the [2018 United States farm bill](https://en.wikipedia.org/wiki/2018_United_States_farm_bill), the Iowa Legislature passed and [Governor Reynolds](https://en.wikipedia.org/wiki/Kim_Reynolds) signed into law the Iowa Hemp Act that defined a plan to allow the growth of industrial hemp, defined as cannabis with 0.3% or less of THC. The [USDA](https://en.wikipedia.org/wiki/United_States_Department_of_Agriculture) approved the plan in March 2020.[[27]](https://en.wikipedia.org/wiki/Cannabis_in_Iowa#cite_note-27) On June 17, 2020 Governor Reynolds signed HF2581 which explicitly legalized the possession and sale of consumable hemp products including CBD.[[28]](https://en.wikipedia.org/wiki/Cannabis_in_Iowa#cite_note-28)[[29]](https://en.wikipedia.org/wiki/Cannabis_in_Iowa#cite_note-29) Iowa law classifies hemp products "intended to be introduced into the human body by any method of inhalation" as marijuana and are therefore illegal.[[30]](https://en.wikipedia.org/wiki/Cannabis_in_Iowa#cite_note-30)

**References**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Iowa&action=edit&section=16)]

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# Cannabis in Kansas

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Text

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* Standard
* Large

Width

* Standard
* Wide

Color (beta)

* Automatic
* Light
* Dark

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**Cannabis in Kansas** is fully illegal, and possession of even small amounts is a misdemeanor crime. Cannabis is only legal in Kansas in the form of [THC](https://en.wikipedia.org/wiki/Tetrahydrocannabinol) free [cannabidiol](https://en.wikipedia.org/wiki/Cannabidiol) oil, also known as CBD.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Kansas#cite_note-1)

**History**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Kansas&action=edit&section=1)]

**1927 prohibition**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Kansas&action=edit&section=2)]

In the early 20th century, most states west of the Mississippi enacted laws banning cannabis, with Kansas doing so in 1927.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Kansas#cite_note-Davenport-Hines2012-2)

**2013–2015 medical cannabis attempts**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Kansas&action=edit&section=3)]

Senate bill 9 was pre-filed by [David Haley](https://en.wikipedia.org/wiki/David_Haley) (D) on January 10, 2013. This cannabis compassion and care act will allow the use of medical marijuana for certain debilitating conditions. Patients would be allowed to own 12 plants or 6 ounces (170 g) of marijuana for therapeutic purposes.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Kansas#cite_note-medicalmarijuana.procon.org-3) During the 2015 legislative session, the equivalent bill was passed in the House in mid-2015, but stalled in the Senate, who intend to reopen discussion of the bill in 2016.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Kansas#cite_note-4) The bill would also decrease penalties for cannabis possession, and order a state study of [industrial hemp](https://en.wikipedia.org/wiki/Industrial_hemp).[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Kansas#cite_note-5)

**2015 Wichita decriminalization**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Kansas&action=edit&section=4)]

In April 2015, the city of Wichita voted to decriminalize cannabis municipally, with a vote of 54-45, reducing first time possession to a criminal infraction with a $50 fine, rather than a misdemeanor with fines up to $2500 and a year of jail time, as under state law. The Kansas Attorney General stated that he would sue the city if the measure passed, arguing the city does not have legal authority to reduce cannabis penalties.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Kansas#cite_note-6) The Kansas Attorney General subsequently sued the city to hold the initiative. The Wichita City Council later unanimously voted to approve a similar ordinance in 2017.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Kansas#cite_note-7)

**Shona Banda case**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Kansas&action=edit&section=5)]

*Main article:* [*Shona Banda*](https://en.wikipedia.org/wiki/Shona_Banda)

In March 2015, [Garden City](https://en.wikipedia.org/wiki/Garden_City,_Kansas) resident Shona Banda, who uses medical cannabis to treat her debilitating [Crohn's disease](https://en.wikipedia.org/wiki/Crohn%27s_disease), was arrested and charged with five felony counts in relation to cannabis. Banda's usage of medical cannabis had been discovered after her 11-year-old child spoke publicly of his mother's usage at school; the boy was removed from her home by Child Protective Services and later placed with Banda's ex-husband. Banda faced up to 30 years for her use and possession of cannabis.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Kansas#cite_note-8) In August 2017, she pleaded no contest to possession of drug paraphernalia with intent to manufacture and was sentenced to 12 months of "mail-in probation", allowing her to complete probation while living in Spokane, Washington.[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Kansas#cite_note-9)

**Lawsuit against Colorado**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Kansas&action=edit&section=6)]

In 2015, 10 sheriffs from Kansas and two other states [sued the state of Colorado](https://en.wikipedia.org/wiki/Colorado_Amendment_64#Interstate_lawsuit), alleging that the state's legalization of cannabis was placing an undue burden on law enforcement in neighboring states.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Kansas#cite_note-10)[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Kansas#cite_note-11) The states of Nebraska and Oklahoma joined the suit, and Colorado responded that "Nebraska and Oklahoma filed this case in an attempt to reach across their borders and selectively invalidate state laws with which they disagree." The U.S. Supreme Court refused to hear the case.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Kansas#cite_note-12)

**CBD oil**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Kansas&action=edit&section=7)]

On May 14, 2018, Governor [Jeff Colyer](https://en.wikipedia.org/wiki/Jeff_Colyer) signed SB 282 which exempted [CBD oil](https://en.wikipedia.org/wiki/Cannabidiol) from the definition of marijuana, which allowed the legalization of CBD oil.[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Kansas#cite_note-13)[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Kansas#cite_note-14)

**2021 medicinal bill**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Kansas&action=edit&section=8)]

On March 17, 2021, the Kansas State House introduced a medicinal marijuana bill. The bill would allow the sale of raw plant material (flower), oils, tinctures, patches, and edibles to patients with conditions including chronic pain, cancer, lupus, Alzheimer's, Parkinson's, among others. Smoking and using vaporizers (that come into "direct contact" with a heating element) would still be illegal under the bill.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Kansas#cite_note-15) The bill was referred to the Committee on Federal and State Affairs and did not progress. [[16]](https://en.wikipedia.org/wiki/Cannabis_in_Kansas#cite_note-16)

**Criminal penalties**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Kansas&action=edit&section=9)]

The first possession charge of less than 450 grams (16 oz) will result in a class-B misdemeanor with up to 6 month incarceration sentence and a $1,000 fine maximum. A subsequent offense for possessing any amount can result in a fine of up to $100,000 and a sentence of up to 3½ years. Sale or distribution of any amount can result in a $300,000 to $500,000 fine and an incarceration sentence depending on the quantity and severity of the offense.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Kansas#cite_note-17)

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# Cannabis in Kentucky

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Hemp harvest in Kentucky, *Popular Science*, 1898

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**Cannabis in Kentucky** is illegal for recreational use, and legal for medical use under executive order, with full medical legalization statute taking effect in 2025. Non-psychoactive [CBD oil](https://en.wikipedia.org/wiki/Cannabidiol) is also legal in the state, and Kentucky has a history of cultivating [industrial hemp](https://en.wikipedia.org/wiki/Industrial_hemp) for fiber since 1775.

**Industrial hemp**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Kentucky&action=edit&section=1)]

*Main article:* [*Hemp in Kentucky*](https://en.wikipedia.org/wiki/Hemp_in_Kentucky)

Hemp was first cultivated for fiber in Kentucky near [Danville](https://en.wikipedia.org/wiki/Danville,_Kentucky) in 1775, and cultivation there continued into the 20th century even though cultivation had diminished in other states.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Kentucky#cite_note-Agriculture1914-1): 292

A 1914 [USDA](https://en.wikipedia.org/wiki/USDA) report noted:

Practically all of the hemp grown in the United States is from seed produced in Kentucky. The first hemp grown in Kentucky was of European origin, the seed having been brought to the colonies, especially Virginia, and taken from there to Kentucky. In recent years there has been practically no importation of seed from Europe. Remnants of the European types are occasionally found in the shorter, more densely branching stalks terminating in thick clusters of small leaves. These plants yield more seed and mature earlier than the more desirable fiber types introduced from China[.] Nearly all of the hemp now grown in Kentucky is of Chinese origin. Small packets of seed are received from American missionaries in China. These seeds are carefully cultivated for two or three generations in order to secure a sufficient quantity for field cultivation, and also to acclimate the plants to Kentucky conditions. Attempts to produce fiber plants by sowing imported seed broadcast have not given satisfactory results. Seed of the second or third generation from China is generally regarded as most desirable. This Kentucky hemp of Chinese origin has long internodes, long, slender branches, opposite and nearly horizontal except the upper ones, large leaves usually drooping and not crowded, with the seeds in small clusters near the ends of the branches. Small, dark-colored seeds distinctly mottled are preferred by the Kentucky hemp growers. Under favorable conditions Kentucky hemp attains a height of 7 to 10 feet when grown broadcast for fiber and 9 to 14 feet when cultivated for seed.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Kentucky#cite_note-Agriculture1914-1): 302–303

**Appearance as a drug**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Kentucky&action=edit&section=2)]

It is unclear when cannabis first became popular as a drug in Kentucky, but *The Encyclopedia of Louisville* notes mention of the popularity of the drug in [*The Louisville Times*](https://en.wikipedia.org/wiki/The_Louisville_Times) in 1930:

Loco weed cigarettes, manufactured from a plant that has killed millions of animals are being sold to hunters who lack the price of morphine or opium shots. The cigarettes are known chiefly as 'muggles', 'bujees', or 'mariwanas'. Chief buyers are newspaper boys. The fags sell at thirty-five cents a piece or three for a dollar. There are sellers at Eighteenth and Jefferson, Third and Jefferson, and Second and Liberty Streets.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Kentucky#cite_note-Kleber2015-2)

**2014 legalization of CBD trials**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Kentucky&action=edit&section=3)]

In April 2014, Governor [Steve Beshear](https://en.wikipedia.org/wiki/Steve_Beshear) signed a law permitting patients to use non-psychoactive [cannabidiol](https://en.wikipedia.org/wiki/Cannabidiol) (CBD) derivatives with a physician's recommendation, under clinical trials at the University of Kentucky in the treatment of epilepsy, but the law did not include provisions to legally produce or sell CBD.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Kentucky#cite_note-kentucky1-3)

**2015 failed attempt to legalize medical cannabis**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Kentucky&action=edit&section=4)]

In 2015, House Bill 3 and Senate Bill 40 both proposed establishing a medical cannabis framework in Kentucky; both failed to pass out of committee. The anti-cannabis [National Marijuana Initiative](https://en.wikipedia.org/wiki/National_Marijuana_Initiative) and the [Kentucky Baptist Convention](https://en.wikipedia.org/wiki/Kentucky_Baptist_Convention) took credit for the defeat of the bills, and vowed to oppose medical cannabis bills in 2016. NMI coordinator Ed Shemelya stated: "The ultimate end game for proponents of – and I don't even like to call it medical marijuana – the proponents of marijuana as medicine is not to sanction marijuana as medicine but the outright legalization of recreational use of marijuana."[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Kentucky#cite_note-kentucky1-3)[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Kentucky#cite_note-4)

**2020 attempt to legalize medical cannabis**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Kentucky&action=edit&section=5)]

On February 20, 2020, House Bill 136 passed 65 to 30. It was the first time a medical marijuana bill has been taken up by the full House. The bill proposes restrictions on who can have medical marijuana and where it can be used, and prohibits smoking medical marijuana. It stalled in the Senate due to the [COVID-19 pandemic](https://en.wikipedia.org/wiki/COVID-19_pandemic). The sponsor, Representative [Jason Nemes](https://en.wikipedia.org/wiki/Jason_Nemes) of [Louisville](https://en.wikipedia.org/wiki/Louisville,_Kentucky), stated that he would be re-submitting the Bill for the 2021 General Assembly.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Kentucky#cite_note-5)

**2022 medical cannabis bill and executive action**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Kentucky&action=edit&section=6)]

Kentucky House Bill 136 was introduced on January 4, 2022.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Kentucky#cite_note-6) It passed the House Judiciary Committee 15–1 on March 10,[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Kentucky#cite_note-7) and was passed by the House 59–34 on March 17.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Kentucky#cite_note-8) The governor of Kentucky, [Andy Beshear](https://en.wikipedia.org/wiki/Andy_Beshear), said on April 7 that he was considering executive action to permit medical cannabis in his state if the bill was not approved in the state senate.[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Kentucky#cite_note-9) HB 136 did not receive a hearing in the Kentucky Senate by the end of the session on April 15,[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Kentucky#cite_note-10)[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Kentucky#cite_note-11) and days later, Beshear confirmed that executive actions would be forthcoming.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Kentucky#cite_note-12)

On June 14, Governor Beshear appointed a 17-member "Team Kentucky Medical Cannabis Committee" through executive order 2022-338 – noting "allowing Kentuckians diagnosed with certain medical conditions and receiving palliative care to cultivate, purchase, and/or use medical cannabis would improve the quality of their lives" and attendant economic benefits – with the purpose of holding public hearings. The committee had its first meeting on June 20.[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Kentucky#cite_note-13)[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Kentucky#cite_note-14) A public feedback website, medicalcannabis.ky.gov, was also created under the order.

On November 14, Beshear issued an executive order declaring cannabis legal to process for medical use but only if it is 8 ounces or less and was legally purchased in another state.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Kentucky#cite_note-15)[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Kentucky#cite_note-16)

**2023 medical cannabis bill**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Kentucky&action=edit&section=7)]

*Main article:* [*Kentucky Senate Bill 47*](https://en.wikipedia.org/wiki/Kentucky_Senate_Bill_47)

[Kentucky Senate Bill 47](https://en.wikipedia.org/wiki/Kentucky_Senate_Bill_47) authorizing medical cannabis in Kentucky was passed by the state legislature on March 30, 2023, and signed into law by Governor Beshear on March 31. The provisions of the bill become effective January 1, 2025.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Kentucky#cite_note-17)[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Kentucky#cite_note-18)

**See also**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Kentucky&action=edit&section=8)]

* [Hemp in Kentucky](https://en.wikipedia.org/wiki/Hemp_in_Kentucky)
* [Kentucky Marijuana Strike Force](https://en.wikipedia.org/wiki/Kentucky_Marijuana_Strike_Force)

**References**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Kentucky&action=edit&section=9)]

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* [***a***](https://en.wikipedia.org/wiki/Cannabis_in_Kentucky#cite_ref-kentucky1_3-0) [***b***](https://en.wikipedia.org/wiki/Cannabis_in_Kentucky#cite_ref-kentucky1_3-1) ["Lexington, KY local and state news by the Lexington Herald-Leader"](http://www.kentucky.com/2015/02/12/3691491/kentucky-lawmakers-discuss-medical.html). Kentucky.com. Retrieved August 25, 2015.
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* [**^**](https://en.wikipedia.org/wiki/Cannabis_in_Kentucky#cite_ref-12) Chelsea Jones (April 21, 2022). ["Beshear announces action on medical marijuana in Kentucky"](https://www.wkyt.com/2022/04/21/beshear-set-announce-action-medical-marijuana-kentucky/). Lexington: [WKYT-TV](https://en.wikipedia.org/wiki/WKYT-TV).
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# Cannabis in Louisiana

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**Cannabis in Louisiana** is legal only for medicinal use; recreational possession of 14 grams or less is decriminalized punishable by a fine of no more than $100. Medicinal use is allowed with a physician's written recommendation for any debilitating condition. Prior to statewide decriminalization, possession of small amounts of marijuana was first decriminalized in the cities of [New Orleans](https://en.wikipedia.org/wiki/New_Orleans), [Baton Rouge](https://en.wikipedia.org/wiki/Baton_Rouge), and [Shreveport](https://en.wikipedia.org/wiki/Shreveport).[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Louisiana#cite_note-:0-1)

**Legality**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Louisiana&action=edit&section=1)]

**Prohibition (1920s)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Louisiana&action=edit&section=2)]

Sources give varying dates for the prohibition of [cannabis](https://en.wikipedia.org/wiki/Cannabis) in [Louisiana](https://en.wikipedia.org/wiki/Louisiana), generally either 1924[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Louisiana#cite_note-Belenko2000-2) or 1927.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Louisiana#cite_note-Kandall1999-3)[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Louisiana#cite_note-Wilson2013-4)

Despite this law, and newspaper accounts of contemporaneous cannabis use in [New Orleans](https://en.wikipedia.org/wiki/New_Orleans), in 1930 there were only 30 marijuana convictions in the entire state.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Louisiana#cite_note-Studies2005-5)

**Reduction of criminal penalties**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Louisiana&action=edit&section=3)]

On June 30, 2015, Governor [Bobby Jindal](https://en.wikipedia.org/wiki/Bobby_Jindal) signed SB 143, which significantly reduced penalties for possession of cannabis. Under the bill, first time possession is punishable by a $300 fine and 15 days in jail, a second offense by up to a $1,000 fine and six months in jail, a third offense by up a $2,500 fine and up to two years in jail, and fourth or subsequent offenses by up to a $5,000 fine and eight years in prison.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Louisiana#cite_note-6)

**Decriminalization**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Louisiana&action=edit&section=4)]

On June 15, 2021, Governor [John Bel Edwards](https://en.wikipedia.org/wiki/John_Bel_Edwards) signed HB 652 which decriminalized possession of small amounts of marijuana statewide. Under the bill, possession of less than 14 grams of cannabis is punishable by a $100 fine and no threat of jail time for the first and every subsequent offense. The reduced penalties took effect August 1, 2021. Possession of more than 14 grams and illegal distribution still carry harsh penalties.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Louisiana#cite_note-7) Punishment for possession over 14 grams, distribution, and cultivation can range anywhere from 6 months to 30 years in prison, and $500 to $50,000 in fines.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Louisiana#cite_note-8)

According to Louisiana legislature, cannabis is described as any part of the cannabis plant that can be used to either grow more of the cannabis plant or any part that can be used as a drug. However, the legislature states that the stems of the plant are not illegal to have as long as the stems are being used for fiber production; the seeds are also allowed to be owned under government law as long as they are not fertile and not capable of growing a new plant.[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Louisiana#cite_note-9)

Despite medical marijuana being decriminalized, it is still possible to be arrested if you are operating a motor vehicle under the influence.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Louisiana#cite_note-Kane_343%E2%80%93349-10)

**Discriminatory bail amounts**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Louisiana&action=edit&section=5)]

In 1996, a study was performed that studied the bail amounts of white and non-white inmates who were arrested for possession of marijuana. The study took into account race, gender, amount of product on the persons when arrested, and what state the individual lived in. After conducting the study, Lee and Ruiz found that people of color had a much higher bail amount than white individuals who were arrested for the same crime.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Louisiana#cite_note-11)

**Medical cannabis (2015–present)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Louisiana&action=edit&section=6)]

On June 30, 2015, Governor [Bobby Jindal](https://en.wikipedia.org/wiki/Bobby_Jindal) signed HB 149, which sets up a framework for dispensing marijuana for medical purposes.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Louisiana#cite_note-12) On Tuesday, August 6, 2019, [medical cannabis](https://en.wikipedia.org/wiki/Medical_cannabis) was dispensed in the state for the first time, supplied by cannabis grower GB Sciences.[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Louisiana#cite_note-13) In August 2020, HB 819, signed by Governor [John Bel Edwards](https://en.wikipedia.org/wiki/John_Bel_Edwards), greatly expanded access to medical cannabis.[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Louisiana#cite_note-14) HB 819 allows any licensed doctor in good standing with the state to recommend cannabis for any condition the doctor "considers debilitating to an individual patient and is qualified through his medical education and training to treat." The bill expanded access to candidates with conditions not limited to, but including "neuro-degenerative diseases, traumatic brain injury, chronic pain, and any conditions requiring hospice or palliative care."[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Louisiana#cite_note-Kane_343%E2%80%93349-10) Louisiana does not assign medical marijuana cards to patients; a doctor's recommendation sent to the patient's local dispensary is the only requirement. Effective January 1st 2022, the law expanded to now allow raw flower marijuana to be purchasable through dispensaries. Possession of up to 2.5oz of cannabis flower will be legal for medicinal purposes.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Louisiana#cite_note-15) On June 6, 2022, Act 491 was signed by Governor [John Bel Edwards](https://en.wikipedia.org/wiki/John_Bel_Edwards) expanding dispensary access by allowing existing dispensaries to start an additional dispensary only in their respective region, if they meet a customer requirement of 3500.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Louisiana#cite_note-16) Currently, dispensaries in Louisiana can only operate in their respective region, assigned to them by the Louisiana Department of Health. As of July 2022, each of the nine regions has only one dispensary.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Louisiana#cite_note-17) Marijuana plants grown for recreational/medicinal purposes, outside of licensed growers, are not allowed in Louisiana.[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Louisiana#cite_note-18)

**Demographics of dispensary patients**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Louisiana&action=edit&section=7)]

A study was conducted of around 1200 people who frequented medical marijuana dispensaries around Louisiana; over 85% of them were of white descent, while only 11% were of black descent.[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Louisiana#cite_note-:1-19) The patients who were interviewed had an average age of 51 with around 65% of them having a history of smoking non-medically prescribed marijuana. These patients were also asked how they ingested the THC/CBD before they were prescribed medical marijuana, with the most common being smoking (no specific form) and the least common being topical cream. Men were also found to be three times more likely to be taking prescription opioids while taking medical marijuana than women. Their findings have also stated that women are much more likely to have suffered some form of psychosis in the past before their medical marijuana prescription.[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Louisiana#cite_note-:1-19)

**Cannabis and COVID-19**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Louisiana&action=edit&section=8)]

A study was conducted during the height of the COVID-19 pandemic studying how recreational marijuana usage is prevalent in college students. This study follows 727 individuals located in Louisiana. Louisiana was chosen to be the location of this study since it was one of the states with the highest COVID-19 cases and deaths.[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Louisiana#cite_note-20) The hypothesis of this study is that if people are recreationally smoking marijuana during the pandemic, they will start to attain psychosocial tendencies and lose the ability to function as normal. 184 of these individuals admitted to already having used marijuana recreationally before the pandemic. After conducting this study, the researchers found that these college students were starting to behave differently and started having trouble processing and understanding their own emotions. The marijuana was not said to cause these emotions on their own, but exacerbate the already underlying feelings.[[*citation needed*](https://en.wikipedia.org/wiki/Wikipedia:Citation_needed)]

**2023 Medical cannabis reforms and updates**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Louisiana&action=edit&section=9)]

In June 2023, several bills passed the [Louisiana Legislature](https://en.wikipedia.org/wiki/Louisiana_Legislature) to "reform and update" medical cannabis legislation. The [Governor of Louisiana](https://en.wikipedia.org/wiki/Governor_of_Louisiana) is yet to either sign or veto the bills.[[21]](https://en.wikipedia.org/wiki/Cannabis_in_Louisiana#cite_note-21) The [Governor of Louisiana](https://en.wikipedia.org/wiki/Governor_of_Louisiana) however signed a bill into law that implements the “expungement” of certain cannabis [criminal records](https://en.wikipedia.org/wiki/Criminal_record) of individuals - based under certain conditions and circumstances (i.e. up to 14g possession and being a first time offender).[[22]](https://en.wikipedia.org/wiki/Cannabis_in_Louisiana#cite_note-22)

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# Cannabis in Maine

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Text

* Small
* Standard
* Large

Width

* Standard
* Wide

Color (beta)

* Automatic
* Light
* Dark

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| show   * **Arts** * [**Culture**](https://en.wikipedia.org/wiki/Cannabis_culture) |
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**Cannabis in Maine** is legal for [recreational use](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States). It was originally prohibited in 1913. Possession of small amounts of the drug was decriminalized in 1976 under state legislation passed the previous year. The state's first [medical cannabis](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) law was passed in 1999,[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Maine#cite_note-1) allowing patients to grow their own plants.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Maine#cite_note-2) The [cities](https://en.wikipedia.org/wiki/List_of_cities_in_Maine) of [Portland](https://en.wikipedia.org/wiki/Portland,_Maine) and [South Portland](https://en.wikipedia.org/wiki/South_Portland,_Maine) decriminalized the possession and recreational use of marijuana in 2013 and 2014, respectively.

In 2016, a [ballot initiative](https://en.wikipedia.org/wiki/Ballot_initiative), Question 1, proposed the statewide legalization of marijuana use and sale. With all precincts reporting, the results showed a "Yes" vote passing by less than 1 percentage point.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Maine#cite_note-3) However, opponents of the measure sought a [recount](https://en.wikipedia.org/wiki/Election_recount).[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Maine#cite_note-4) Opponents of the measure conceded their effort on December 17, after the recount showed no change in the outcome and that the legalization of cannabis in Maine would go forward.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Maine#cite_note-5)

**History**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Maine&action=edit&section=1)]

**Prohibition (1913)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Maine&action=edit&section=2)]

As part of a larger trend of restricting marijuana in the early 20th century, Maine banned the drug in 1913; Massachusetts having been the first to ban sale without a prescription, in 1911.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Maine#cite_note-MarionOliver2014-6)

**Decriminalization (1976)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Maine&action=edit&section=3)]

In 1976, Maine decriminalized possession of small amounts of cannabis (following 1975 legislation), becoming the third state to do so.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Maine#cite_note-7)[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Maine#cite_note-8)

**Medical marijuana (1999)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Maine&action=edit&section=4)]

On November 2, 1999, Maine legalized medical marijuana when 62% of the populace voted yes on Question 2.[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Maine#cite_note-9)

**Decriminalization (2009)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Maine&action=edit&section=5)]

On May 1, 2009, Maine decriminalized marijuana when Governor [John Baldacci](https://en.wikipedia.org/wiki/John_Baldacci) signed legislation (LD 250) which made possession of 2

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1⁄2 ounces (71 g) or less a civil infraction.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Maine#cite_note-10)

**Municipal legalization (2013–2014)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Maine&action=edit&section=6)]

On November 5, 2013, voters in Portland passed Question 1 by 67% which legalized the possession of 2

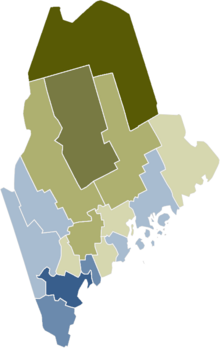
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1⁄2 ounces (71 g) within the city's limits.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Maine#cite_note-11)[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Maine#cite_note-12)

The separate municipality of South Portland voted to legalize marijuana in November 2014, succeeding with 6,326 to 5,755 in favor. During the same election, the city of Lewiston voted down legalization, 7,366 to 6,044 against.[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Maine#cite_note-13)

**Legalization (2016)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Maine&action=edit&section=7)]

*Main article:* [*Maine Question 1, 2016*](https://en.wikipedia.org/wiki/Maine_Question_1,_2016)

**

[Question 1 (2016)](https://en.wikipedia.org/wiki/Maine_Question_1,_2016) results by county:

| **For**  55%–57.49%  52.5%–54.99%  50%–52.49% | **Against**  52.51%–50.01%  55%–52.51%  60%–57.51%  65%–62.51% |
| --- | --- |

The Marijuana Legalization Act, which was to take effect within 40 days of November 8, 2016 permits adults who are not participating in the state's medical cannabis program to legally grow and to possess personal use quantities of cannabis while also licensing commercial cannabis production and retail sales. The law imposes a 10 percent tax on commercial marijuana sales. Under the law, localities have the authority to regulate, limit, or prohibit the operation of marijuana businesses. Onsite consumption is permitted under the law in establishments licensed for such activity.[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Maine#cite_note-14)[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Maine#cite_note-15) Retail sales were set to begin in February 2018, in order to allow agencies to form regulations for the new industry.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Maine#cite_note-16)

In November 2017, Governor LePage vetoed a bill to tax and regulate recreational cannabis sales, citing conflicts with federal law.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Maine#cite_note-17) LePage's veto was overturned by the state legislature on May 2, 2018, allowing the bill to become law.[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Maine#cite_note-18)

Sales were projected to begin in spring of 2020,[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Maine#cite_note-19) though the [COVID-19](https://en.wikipedia.org/wiki/COVID-19) pandemic delayed the timeline.[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Maine#cite_note-20)

After Maine citizens voted to legalize recreational cannabis in November 2016, Maine dispensaries were allowed to sell recreational cannabis products starting October 9, 2020. That year, Maine recorded over $111 million in medical marijuana sales. Currently adult use marijuana sales are taxed at 10 percent. [[21]](https://en.wikipedia.org/wiki/Cannabis_in_Maine#cite_note-21)[[*better source needed*](https://en.wikipedia.org/wiki/Wikipedia:NOTRS)]

**See also**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Maine&action=edit&section=8)]

* [Legality of cannabis by U.S. jurisdiction](https://en.wikipedia.org/wiki/Legality_of_cannabis_by_U.S._jurisdiction)

**References**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Maine&action=edit&section=9)]

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# Cannabis in Maryland

**1 language**

* [Article](https://en.wikipedia.org/wiki/Cannabis_in_Maryland)
* [Talk](https://en.wikipedia.org/wiki/Talk:Cannabis_in_Maryland)
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**Appearance** hide

Text

* Small
* Standard
* Large

Width

* Standard
* Wide

Color (beta)

* Automatic
* Light
* Dark

From Wikipedia, the free encyclopedia



Maryland's THC Universal Symbol

| Part of a series on |
| --- |
| [Cannabis](https://en.wikipedia.org/wiki/Cannabis) |
| Cannabis |
| show   * **Arts** * [**Culture**](https://en.wikipedia.org/wiki/Cannabis_culture) |
| show  **Chemistry** |
| show  **Pharmacology** |
| show  [**Consumption**](https://en.wikipedia.org/wiki/Cannabis_consumption) |
| show  **Economics** |
| show  [**Effects**](https://en.wikipedia.org/wiki/Effects_of_cannabis) |
| show  **Forms** |
| show  **Law** |
| show  **Variants** |
| show  **Related** |
| * [**Cannabis portal**](https://en.wikipedia.org/wiki/Portal:Cannabis) * [Medicine portal](https://en.wikipedia.org/wiki/Portal:Medicine) * [Agriculture portal](https://en.wikipedia.org/wiki/Portal:Agriculture) |
| * [v](https://en.wikipedia.org/wiki/Template:Cannabis_sidebar) * [t](https://en.wikipedia.org/wiki/Template_talk:Cannabis_sidebar) * [e](https://en.wikipedia.org/wiki/Special:EditPage/Template:Cannabis_sidebar) |

**Cannabis in Maryland** is legal for [medical use](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) and [recreational use](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States). Possession of up to 1.5 ounces and cultivation of up to 2 plants is legal for adults 21 years of age and older.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-auto5-1) In 2013, a state law was enacted to establish a state-regulated [medical cannabis](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) program.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-2) The program, known as the Natalie M. LaPrade Maryland Medical Cannabis Commission (MMCC) became operational on December 1, 2017.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-3)

A majority of voters approved the [2022 Maryland Question 4](https://en.wikipedia.org/wiki/2022_Maryland_Question_4) referendum to legalize recreational use of cannabis on November 8, 2022, with 67.2% of voters in favor and 32.8% against. It took effect on July 1, 2023. Under Question 4, adults 21 years of age and older are permitted to grow up to two cannabis plants out of public view, and possess no more than 1.5oz of recreational cannabis on their person. Possession of between 1.5-2.5 oz is punishable by a civil fine of up to $250, and over 2.5 oz is punishable by up to a $1000 fine and up to 6 months in jail. Additionally, a companion bill that was designed to be triggered upon passage of the referendum included a provision to automatically expunge all cases in which possession of cannabis was the only charge, as well as allow for individuals incarcerated for cannabis possession to petition for resentencing. [[4]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-auto4-4)[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-HT20221108-5)[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-Fox20221108-6)[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-auto1-7)

**Prohibition and decriminalization**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Maryland&action=edit&section=1)]

In 2010, Maryland had the fifth-highest overall arrest rate for marijuana possession in the United States, with 409 arrests per 100,000 residents. (The national rate was 256 per 100,000 people).[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-8) In that year, marijuana arrests made up 49.9% of all drug possession arrests in the state.[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-9) In Maryland, Black people were 2.9 times more likely than Whites to be arrested for marijuana possession.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-10)

In April 2014, [Governor](https://en.wikipedia.org/wiki/Governor_of_Maryland) [Martin O'Malley](https://en.wikipedia.org/wiki/Martin_O%27Malley) signed a law that decriminalized the possession of 10 grams or less of marijuana. Previously possessing less was a misdemeanor with a $500 fine and/or 90 days in jail.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-11) The measure made such possession a civil infraction, similar to a [traffic ticket](https://en.wikipedia.org/wiki/Traffic_ticket). The measure took effect on October 1, 2014.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-12)[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-WaPoEffect-13) Under the law, people over age 21 "who are accused of having less than 10 grams will have to pay a fine and attend a drug education program".[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-WaPoEffect-13)[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-14) The fine not exceeding $100 for first-time offenders, $250 for second-time offenders, and $500 for third or subsequent offenders.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-15)

In 2016, the [Maryland General Assembly](https://en.wikipedia.org/wiki/Maryland_General_Assembly), controlled by [Democrats](https://en.wikipedia.org/wiki/Democratic_Party_(United_States)), passed SB 517, which decriminalized the possession of [marijuana paraphernalia](https://en.wikipedia.org/wiki/Drug_paraphernalia) (such as [rolling papers](https://en.wikipedia.org/wiki/Rolling_paper), [pipes](https://en.wikipedia.org/wiki/Bowl_(smoking)) and [bongs](https://en.wikipedia.org/wiki/Bong)) and decriminalized the smoking of marijuana in public. The measure makes both civil offenses punishable by a fine of up to $500. Republican Governor [Larry Hogan](https://en.wikipedia.org/wiki/Larry_Hogan) [vetoed](https://en.wikipedia.org/wiki/Veto) the bill, but the Assembly [overrode the veto](https://en.wikipedia.org/wiki/Veto_override).[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-16)[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-17)[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-18)

In *Pacheco v. State* (2019), the [Maryland Court of Appeals](https://en.wikipedia.org/wiki/Maryland_Court_of_Appeals) determined that "the mere odor of marijuana coupled with possession of what is clearly less than ten grams of marijuana, absent other circumstances," is not sufficient [probable cause](https://en.wikipedia.org/wiki/Probable_cause) for police to arrest and search a person within the state.[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-auto2-19)[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-auto6-20)

From January 1, 2023, until June 30, 2023, decriminalization is temporarily expanded from possession of less than 1 oz (28 grams) to less than 1.5 oz (42 grams) to a [civil infraction](https://en.wikipedia.org/wiki/Civil_infraction) subject to $100 fine as provided by House Bill 837, prior to full legalized recreational use of 1.5 oz or less on July 1, 2023, due to the passage of the 2022 Maryland Question 4 referendum.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-auto5-1)[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-Fox20221108-6)[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-HT20221108-5)

**Recreational legalization**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Maryland&action=edit&section=2)]

In the 2010s, there were several efforts to legalize the recreational use of marijuana, but none were successful. However, support for legalization did increase in the state; *Washington Post*-[University of Maryland](https://en.wikipedia.org/wiki/University_of_Maryland) polls found that 54% of Marylanders supported legalization in 2014, and 61% supported legalization in 2016.[[21]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-StebbinsSuneson-21)

In 2017, legalization was introduced in the state legislature (sponsored by Democratic Delegate [Curt Anderson](https://en.wikipedia.org/wiki/Curt_Anderson), Democratic Senator [Richard Madaleno](https://en.wikipedia.org/wiki/Richard_Madaleno), and others) to legalize, tax, and regulate recreational marijuana in the state. The bills would have allowed persons 21 or older to lawfully possess up to one ounce (28 g) of marijuana and grow up to six marijuana plants and would impose a $30-per-ounce ($1.06/g) [excise tax](https://en.wikipedia.org/wiki/Excise_tax) for cultivators and a 9 percent sales tax for buyers (the same sales tax as for alcohol sales in Maryland). The legislation also contained a provision that would expunge prior convictions for possession of marijuana in those amounts or less.[[22]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-22) The legislation did not pass.[[21]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-StebbinsSuneson-21)

In 2019, a task force of the General Assembly, the Marijuana Legalization Workgroup, began to consider ways to possibly legalize the adult use of recreational marijuana in Maryland.[[23]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-23)

In 2021, Delegate [Jazz Lewis](https://en.wikipedia.org/wiki/Jazz_Lewis), a Democrat from [Prince George's County](https://en.wikipedia.org/wiki/Prince_George%27s_County,_Maryland), introduced H.B. 32, which would legalize the adult use of recreational marijuana and expunge prior cannabis related convictions.[[24]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-24)[[25]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-25) Another marijuana legalization bill that has been brought up in 2021, is SB 708, which has been introduced by State Senator [Brian Feldman](https://en.wikipedia.org/wiki/Brian_Feldman_(politician)), a Democrat from [Montgomery County](https://en.wikipedia.org/wiki/Montgomery_County,_Maryland). Feldman and Lewis are working to "harmonize" the two bills.[[26]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-26)

On July 16, 2021, [Maryland House of Delegates](https://en.wikipedia.org/wiki/Maryland_House_of_Delegates) Speaker [Adrienne A. Jones](https://en.wikipedia.org/wiki/Adrienne_A._Jones) announced that a referendum should decide whether to legalize recreational use of cannabis and that The House will pass legislation early next year to put this question before the voters. She also formed a bipartisan work group to work out the myriad details that such legalization would entail, from changes to criminal laws to the taxing structure.[[27]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-27)

**2022 referendum**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Maryland&action=edit&section=3)]

In February 2022, Maryland lawmakers filed a Cannabis Legalization Bill in anticipation of ballot referendum passing, where it would legalize recreational use of cannabis possession and use on or after July 1, 2023, if voters approve a ballot question in the November 2022 election to allow adults 21 and older to purchase and possess up to 1

+

1⁄2 ounces (43 g) of marijuana, decriminalize possession of amounts greater than that up to 2

+

1⁄2 ounces (71 g), and allows the General Assembly to set a tax rate on the sale of marijuana.[[28]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-28) This bill would also establish a Cannabis Business Assistance Fund to support equity initiatives for minority- and women-owned businesses. That fund would go toward incubator and educational programs to promote participation in the industry by people most impacted by criminalization. The bill would also automatically [expunge](https://en.wikipedia.org/wiki/Expungement_in_the_United_States) prior criminal convictions for conduct made legal under the proposed law.[[29]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-29)[[30]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-30)[[31]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-31)[[32]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-32)[[33]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-33)[[34]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-34)[[35]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-35)

In April 2022, the [Governor of Maryland](https://en.wikipedia.org/wiki/Governor_of_Maryland) allowed a bill to become law - with no action of a signature or veto to legalize cannabis recreationally within Maryland. Medicinal cannabis was already legal in Maryland. However, another bill that passed the [Maryland General Assembly](https://en.wikipedia.org/wiki/Maryland_General_Assembly) in April 2022, puts the very same cannabis policy straight onto the ballot box for Maryland voters to implement in the November 2022 election as an initiative ([2022 Maryland Question 4](https://en.wikipedia.org/wiki/2022_Maryland_Question_4)) without a governor's signature (a bypass mechanism).[[36]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-36)

Voters approved the [2022 Maryland Question 4](https://en.wikipedia.org/wiki/2022_Maryland_Question_4) referendum on November 8, 2022, with 67.2% of voters in favor. It took effect on July 1, 2023.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-auto4-4)[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-HT20221108-5)[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-Fox20221108-6) Under the new law, it is legal to possess up to 1.5 oz of cannabis for recreational use, as well as to grow and maintain no more than two cannabis plants out of public view; however, possession of between 1.5-2.5 oz is punishable by a civil fine of up to $250, and more than 2.5 oz is punishable by up to 6 months in jail, and a criminal fine not to exceed $1,000. Additionally, upon passage of the November 2022 Question 4 referendum, a companion bill was triggered which will automatically expunge all convictions in which cannabis possession was the only charge, and allow those currently incarcerated for cannabis possession to petition for resentencing. The law does not set up a framework for retail sales.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-auto1-7)

**2023 recreational cannabis retail sales process**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Maryland&action=edit&section=4)]

On 3 February 2023, The Maryland General Assembly filed a bill in anticipation of the state’s recreational cannabis bill, where if it passed, there aims be recreational cannabis dispensaries open for business on July 1, 2023. This also entails some existing licensed medical cannabis companies would be able to pay a “hefty fee” to convert to a license that would allow them to sell cannabis to recreational customers. But it’s not yet known how much or how soon companies would be able to convert.There also will be dozens of new licenses created.[[37]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-37)[[38]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-38) Both chambers reached a compromise bill with 9% tax and other provisions, and slated a vote for April 10, the last day of the legislative session.[[39]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-39) On April 8, 2023, The Maryland General Assembly established rules for recreational sale of cannabis, where under the new rules, people who are age 21 and older will be able to buy recreational cannabis in Maryland on July 1.[[40]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-auto3-40)[[41]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-auto-41) The legislation also addresses commerce-related issues such as the number and types of cannabis business licenses that will be available. It sets the amount of sales tax those businesses must charge as well. [[40]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-auto3-40)[[41]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-auto-41) The Governor of Maryland officially signed into law several bills to implement cannabis legalization and sales.[[42]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-42)

As of September 2023 the MCA has issued cannabis Dispensary licenses to 101 entities.[[43]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-43) In July 2023, Maryland's first month of regulated adult-use cannabis sales, retailers reported nearly $85 million in sales.[[44]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-44)

**Medical cannabis**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Maryland&action=edit&section=5)]

On May 22, 2003, Governor [Bob Ehrlich](https://en.wikipedia.org/wiki/Bob_Ehrlich) signed a bill into a law that took effect on October 1, 2003, that instituted a maximum fine of $100 for people using marijuana for pain relief. However the legislation did not protect users of medical marijuana from arrest and it did not establish a registry program.[[45]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-45)

In May 2013, Governor O'Malley signed legislation that established a medical marijuana program in Maryland. The legislation restricts cannabis distribution to [academic medical centers](https://en.wikipedia.org/wiki/Academic_medical_center), which will monitor patients.[[46]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-46) In April 2014, Governor O'Malley signed another legislation called House Bill 881, which took effect on June 1, 2014, and allowed for the creation of a medical marijuana infrastructure.[[47]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-47) By September 2016, Maryland state officials were considering more than 800 applications for prospective dispensaries; under the law, there is a cap of 94 dispensary licenses, two per [state Senate](https://en.wikipedia.org/wiki/Maryland_Senate) district.[[48]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-GreggNirappil-48)

In 2016, the Maryland Medical Cannabis Commission awarded 15 preliminary licenses to grow medical marijuana (out of a pool of almost 150 applicants) and a further 15 licenses to process medical marijuana "into pills, [oils](https://en.wikipedia.org/wiki/Cannabis_oil) and other medical products."[[48]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-GreggNirappil-48) The commission received almost 150 grower applications and 124 processor applications.[[48]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-GreggNirappil-48) Seven companies received licenses to both grow and process.[[48]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-GreggNirappil-48) The selection process was controversial because—although the selection process was blinded and applications were ranked by outside evaluators—many successful applicants had political connections.[[48]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-GreggNirappil-48) One unsuccessful grower applicant who ranked higher than some successful applicants sued the state, alleging that the commission's reshuffling was arbitrary.[[49]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-49)

Under Maryland's approach, physicians, [nurse practitioners](https://en.wikipedia.org/wiki/Nurse_practitioner), dentists, podiatrists and [nurse midwives](https://en.wikipedia.org/wiki/Nurse_midwife) may certify patients as eligible for medical marijuana.[[50]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-50) As of November 2016, just 172 of the state's practicing physicians (about 1% of the state's total number) registered to participate in Maryland's medical marijuana program. In addition, several large health systems in the state, citing the federal law against marijuana, said they would bar their doctors from recommending medical marijuana, including [LifeBridge Health](https://en.wikipedia.org/wiki/LifeBridge_Health) and [MedStar Health](https://en.wikipedia.org/wiki/MedStar_Health).[[51]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-51)

On December 1, 2017, after five years of delay, Maryland's medical marijuana program became operational and sales began.[[52]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-52) At that time, the Maryland Medical Cannabis Commission had authorized 14 growers, 12 processors and nine dispensaries in the state; 550 health-care providers were registered to certify patients as eligible; and 8,500 patients were certified by the commission to buy medical marijuana.[[53]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-53) Over the next two years, Maryland's medical marijuana sector expanded significantly; by September 2019, Maryland had 18 licensed growers, 82 licensed dispensaries, and 70,000 registered patients (slightly more than 1% of the state's total population).[[54]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-54)

**Legality**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Maryland&action=edit&section=6)]

By state statute, defendants who can prove medical necessity at trial face a maximum penalty of $100. Defendants in possession of one ounce (28 g) or less of marijuana are permitted to raise an affirmative defense to the possession charge if they can prove they suffer from a specific debilitating medical condition.[[55]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-55)

In *Pacheco v. State* (2019), the [Maryland Court of Appeals](https://en.wikipedia.org/wiki/Maryland_Court_of_Appeals) determined that "the mere odor of marijuana coupled with possession of what is clearly less than ten grams of marijuana, absent other circumstances," is not sufficient [probable cause](https://en.wikipedia.org/wiki/Probable_cause) for police to arrest and search a person within the state.[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-auto2-19)[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-auto6-20)

**Parent-protection legislation**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Maryland&action=edit&section=7)]

In May 2023, the [Governor of Maryland](https://en.wikipedia.org/wiki/Governor_of_Maryland) signed a bill into law that passed the Legislature (effective July 1) - to legally protect parents from child neglect penalties who lawfully use cannabis.[[56]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-56)

**Cannabis odors and probable cause**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Maryland&action=edit&section=8)]

Effective from July 1, under recently enacted legislation (the governor allowed to become law without a signature and passed by the Legislature) - cannabis odors are not whatsoever "probable cause or justifiable" to be pulled over and searched by police or law enforcement. Evidence of pot and money within vehicles can not be used against individuals as well under law.[[57]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-57)

**Business license applications**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Maryland&action=edit&section=9)]

From November 13, 2023, Maryland cannabis business licence applications will be accepted by the MCA - social equity ownership of at least 65% is required. [[58]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-58) Importantly, interested parties must complete the Business Interest Form before it closes on November 6. [[59]](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_note-59)

**See also**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Maryland&action=edit&section=10)]

* [Cannabis in Washington, D.C.](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.)
* [Cannabis in Virginia](https://en.wikipedia.org/wiki/Cannabis_in_Virginia)

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* [***a***](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_ref-auto3_40-0) [***b***](https://en.wikipedia.org/wiki/Cannabis_in_Maryland#cite_ref-auto3_40-1) ["Maryland lawmakers establish rules for the sale of recreational marijuana"](https://www.cbsnews.com/baltimore/news/maryland-lawmakers-establish-rules-for-the-sale-of-recreational-marijuana/). [*CBS News*](https://en.wikipedia.org/wiki/CBS_News). April 8, 2023. Retrieved April 11, 2023.
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# Cannabis in Massachusetts

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Text

* Small
* Standard
* Large

Width

* Standard
* Wide

Color (beta)

* Automatic
* Light
* Dark

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Massachusetts' THC Universal Symbol

| Part of a series on |
| --- |
| [Cannabis](https://en.wikipedia.org/wiki/Cannabis) |
| Cannabis |
| show   * **Arts** * [**Culture**](https://en.wikipedia.org/wiki/Cannabis_culture) |
| show  **Chemistry** |
| show  **Pharmacology** |
| show  [**Consumption**](https://en.wikipedia.org/wiki/Cannabis_consumption) |
| show  **Economics** |
| show  [**Effects**](https://en.wikipedia.org/wiki/Effects_of_cannabis) |
| show  **Forms** |
| show  **Law** |
| show  **Variants** |
| show  **Related** |
| * [**Cannabis portal**](https://en.wikipedia.org/wiki/Portal:Cannabis) * [Medicine portal](https://en.wikipedia.org/wiki/Portal:Medicine) * [Agriculture portal](https://en.wikipedia.org/wiki/Portal:Agriculture) |
| * [v](https://en.wikipedia.org/wiki/Template:Cannabis_sidebar) * [t](https://en.wikipedia.org/wiki/Template_talk:Cannabis_sidebar) * [e](https://en.wikipedia.org/wiki/Special:EditPage/Template:Cannabis_sidebar) |

**Cannabis in Massachusetts** is legal for [medical](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) and [recreational](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States) use. It also relates to the legal and cultural events surrounding the use of [cannabis](https://en.wikipedia.org/wiki/Cannabis_(drug)). A century after becoming the first U.S. state to criminalize [recreational cannabis](https://en.wikipedia.org/wiki/Recreational_cannabis), [Massachusetts](https://en.wikipedia.org/wiki/Massachusetts) voters elected to legalize it in 2016.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-1)

In 2008 Massachusetts voters decriminalized[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-2) the possession of small amounts of marijuana.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-abel-3) Massachusetts became the eighteenth state to legalize medical marijuana when voters passed a ballot measure in 2012,[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-altieri-4) even though the federal government still lists marijuana as a [Schedule 1 controlled substance](https://en.wikipedia.org/wiki/Controlled_Substances_Act) with no medical value. Recreational marijuana is legal in Massachusetts as of December 15, 2016, following [a ballot initiative](https://en.wikipedia.org/wiki/Massachusetts_Legalization,_Regulation_and_Taxation_of_Marijuana_Initiative) in November of that year.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-legal-5)

As of 2010 almost 10% of [Massachusetts](https://en.wikipedia.org/wiki/Massachusetts) residents over the age of 12 had used marijuana in the past month, and almost 16% had used marijuana within the past year.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-survey-6) The largest event for the support of the legalization of marijuana, the Boston [Freedom Rally](https://en.wikipedia.org/wiki/Freedom_Rally), which draws thousands of attendees from all over the region, takes place every year in September.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-cann-7)

**Legality**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Massachusetts&action=edit&section=1)]

Recreational marijuana is regulated and taxed but legal in Massachusetts, with retail sales from licensed dealers becoming legal on November 20, 2018. Legalization occurred in staging, with decriminalization followed by legal medical marijuana before full legalization.

**Restriction**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Massachusetts&action=edit&section=2)]

In 1911 (some sources state 1914[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-Hamowy2008-8)) Massachusetts became the first state to restrict cannabis on a state level, prohibiting the sale of "Indian hemp" without a prescription.[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-GieringerRosenthal2008-9)

**Decriminalization**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Massachusetts&action=edit&section=3)]

On November 4, 2008, [Massachusetts](https://en.wikipedia.org/wiki/Massachusetts) voters passed a ballot initiative that decriminalized the possession of small amounts of marijuana.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-abel-3) The [Massachusetts Sensible Marijuana Policy Initiative](https://en.wikipedia.org/wiki/Massachusetts_Sensible_Marijuana_Policy_Initiative) made the possession of less than one ounce (28 g) of marijuana punishable by a fine of $100 without the possessor being reported to the state's criminal history board.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-10) Minors also had to notify their parents, take a drug awareness program, and complete 10 hours of community service. Before decriminalization, people charged faced up to six months in jail and a $500 fine.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-gen-11)

The proponents of the change argued that:[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-crimaldi-12)

* The change would keep the existing policies regarding growing, trafficking, and driving under the influence of the drug, while protecting those caught from a tainted criminal record
* Massachusetts could save $130 million each year
* Convictions of less than one ounce (28 g) have been shown to have little or no impact on drug use

The opponents argued that the decriminalization would:[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-abel-3)

* Promote use of the drug and protect dealers
* Increase violence
* Create hazardous workplaces
* Increase car crashes

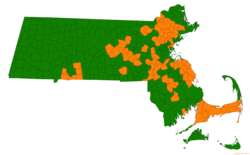
The law went into effect January 2009.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-gen-11)

**Medical marijuana**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Massachusetts&action=edit&section=4)]

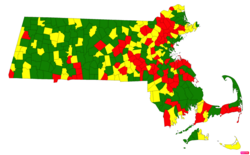
On November 6, 2012, 63% of Massachusetts voters approved Question 3, the [Massachusetts Medical Marijuana Initiative](https://en.wikipedia.org/wiki/Massachusetts_Medical_Marijuana_Initiative).[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-jaslow-13) The law took effect on January 1, 2013, eliminating criminal and civil penalties for the possessions and use of up to a 60-day supply of marijuana for patients possessing a state issued registration card.[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-KIF-14) With a recommendation by a physician, patients with cancer, glaucoma, and other medical conditions can receive a registration card.[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-KIF-14) The law allows for 35 state-licensed non-profit dispensaries. The [Massachusetts Department of Public Health](https://en.wikipedia.org/wiki/Massachusetts_Department_of_Public_Health) has until May 1, 2013 to issue further regulations. [Marijuana dispensaries](https://en.wikipedia.org/wiki/Marijuana_dispensaries) will not be able to open until after the regulations have been set.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-med-15) The [Massachusetts Medical Society](https://en.wikipedia.org/wiki/Massachusetts_Medical_Society) opposes the bill, saying there is no scientific proof that marijuana is safe and effective.[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-jaslow-13) After the law passed, towns attempted to ban dispensaries. Attorney General [Martha M. Coakley](https://en.wikipedia.org/wiki/Martha_M._Coakley) ruled that cities and towns cannot ban dispensaries, and can only regulate them. Complete bans would conflict with the law.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-stilts-16)

**Recreational cannabis**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Massachusetts&action=edit&section=5)]

**Overview**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Massachusetts&action=edit&section=6)]



[Question 4 (2016)](https://en.wikipedia.org/wiki/Massachusetts_Legalization,_Regulation_and_Taxation_of_Marijuana_Initiative) results by town. Towns with a majority of "yes" votes in green and towns with a majority of "no" votes in orange.



Legal status of recreational marijuana retail shops in Massachusetts by town as of October 29, 2018. Towns in red have implemented permanent bans, towns in yellow have implemented moratoriums, and towns in green have not implemented a permanent ban or a moratorium.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-Jarmanning_&_Fujiwara_6-28-2018-17)

In the November 8, 2016 election, Massachusetts voters passed a ballot initiative (Question 4) making recreational cannabis legal in the state.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-legal-5)

Provisions for home use and cultivation went into effect on December 15, 2016.[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-18) Individuals are allowed to possess and purchase up to one ounce (28 g) at a time, and if driving it must be locked up and not openly visible. Each household can grow up to six plants, or twelve for those with more than one adult, but the plants cannot be visible from the street. Households can store up to ten ounces (280 g), or more if harvested from a home crop.

Marijuana cultivators have a several tier system for the kind of licenses they can apply for, but have the added stipulation that they can only sell to marijuana establishments like dispensaries but cannot directly sell to customers.[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-Guidance_on_Types_of_Marijuana_Establishment_Licenses-19)

Smoking marijuana on public property, including parks and sidewalks, is illegal, as is smoking it while driving. An unlicensed sale (including barter) is illegal for the seller but not the buyer; giving away home-grown marijuana for free is allowed.

**Sales**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Massachusetts&action=edit&section=7)]

Governor [Charlie Baker](https://en.wikipedia.org/wiki/Charlie_Baker) signed legislation on December 30, 2016 extending the start date for legal licensed recreational cannabis sales by six months, to July 2018. The extended ban eventually lasted 8 months past the original effective date of the initiative. The law legalizing recreational cannabis in Massachusetts was signed into effect on July 28, 2017. It is codified at G.L. Ch. 94G. The law permits an individual to carry up to 1 ounce (28 g) on their person and have up to 10 ounces (280 g) in their home.

While the recreational marijuana industry in Massachusetts was initially overseen by the Department of Health, the Cannabis Control Commission took charge of the administration of the industry in December 2018. The Commission is responsible for promulgating regulations relating to marijuana, processing business applications and issuing licenses, and creating policies and procedures which "promote and encourage full participation in the regulated marijuana industry by people from communities that have previously been disproportionately harmed by marijuana prohibition and enforcement and to positively impact those communities."[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-20)

Cities and towns have the power to require permits, block recreational stores from locating in certain areas (through zoning bylaws) or from locating in the municipality at all. However, the law mandates that a ban must be approved by a local referendum if the majority of voters in the municipality were in favor of the statewide Question 4; otherwise, the city council can approve a ban on its own. Applicants must also hold a community meeting and negotiate an agreement with the host municipality in order to get a state license. As of March 2018, 59 municipalities had enacted a permanent ban, and 130 had enacted a temporary moratorium (all of which end sometime in 2018).[[21]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-21)

Retail and medical marijuana businesses must also negotiate a Community Host Agreement with the city or town in which it is located pursuant to Massachusetts Law. Cities and towns are permitted to assess a community impact fee of up to 3% of the businesses annual revenue. The agreement may be in place for no more than 5 years. However, towns and cities throughout Massachusetts have not followed these requirements.

Retail sales have a 10.75% excise tax on the marijuana, on top of the general 6.25% state sales tax, and up to a 3% local option tax, for a total of 17%–20% tax.[[22]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-22) Treasurer [Deborah Goldberg](https://en.wikipedia.org/wiki/Deb_Goldberg) unilaterally increased the excise tax to 10.75% from the 3.75% approved by voters in the language of ballot question.[[23]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-23)

The first recreational license for cultivation only was granted on Jun 21, 2018, so no sales occurred on the first day of legalization, July 1.[[24]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-24) New licensees have to wait for approval before planting, so existing medical dispensaries that expand to recreational sales have a competitive advantage, but must also wait for recreational approval.[[25]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-everything-25) Licensing of delivery services (other than for medical marijuana) was further delayed by the Cannabis Control Commission, as was that for on-site consumption.[[25]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-everything-25)

The first two stores opened on November 20, 2018, in [Northampton](https://en.wikipedia.org/wiki/Northampton,_Massachusetts) and [Leicester](https://en.wikipedia.org/wiki/Leicester,_Massachusetts), after testing labs had been approved and begun operations, and the stores received final sign-off.[[26]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-26) During the first week of sales, excluding Thanksgiving Day where both locations were closed, $2,217,621.13 in sales was sold between the two locations.[[27]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-27)

Between November 20, 2018 and January 20, 2019, consumers purchased nearly $24 million of recreational marijuana products and the state received about $4 million in tax revenue. As of late January 2019, the state had nine stores licensed to sell recreational marijuana.[[28]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-28) By the end of the year the number had increased to 33, with more intending to open in 2020.[[29]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-29)

**Charlie Baker administration (2015–2023)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Massachusetts&action=edit&section=8)]

*Main article:* [*Governorship of Charlie Baker*](https://en.wikipedia.org/wiki/Governorship_of_Charlie_Baker)

[Massachusetts Governor](https://en.wikipedia.org/wiki/Governor_of_Massachusetts) [Charlie Baker](https://en.wikipedia.org/wiki/Charlie_Baker), along with the [Speaker of the State House of Representatives](https://en.wikipedia.org/wiki/List_of_Speakers_of_the_Massachusetts_House_of_Representatives) [Robert DeLeo](https://en.wikipedia.org/wiki/Robert_DeLeo_(politician)),[[30]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-30) [State Attorney General](https://en.wikipedia.org/wiki/Massachusetts_Attorney_General) [Maura Healey](https://en.wikipedia.org/wiki/Maura_Healey),[[31]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-Levenson_March_2016-31) [State Treasurer](https://en.wikipedia.org/wiki/Treasurer_and_Receiver-General_of_Massachusetts) [Deb Goldberg](https://en.wikipedia.org/wiki/Deb_Goldberg),[[32]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-32) and [Boston Mayor](https://en.wikipedia.org/wiki/Mayor_of_Boston) [Marty Walsh](https://en.wikipedia.org/wiki/Marty_Walsh),[[31]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-Levenson_March_2016-31) opposed the [2016 ballot initiative to legalize the recreational use of marijuana in the state](https://en.wikipedia.org/wiki/Massachusetts_Legalization,_Regulation_and_Taxation_of_Marijuana_Initiative), but after its passage stated "Our view on this is the people spoke and we're going to honor that, but we need to make sure that we implement this in a way...[that protects] public safety and [ensures] that only those who are supposed to have access to these products will."[[33]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-33) The month following the ballot initiative's passage, Baker signed into law a six-month delay in the issuance of licenses for retailing marijuana in shops from January 2018 to July 2018,[[34]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-34) and in July 2017, signed into law a compromise bill that increased the [excise tax](https://en.wikipedia.org/wiki/Excise) on marijuana sales, expanded the size of the Cannabis Control Commission created by the ballot initiative, mandated background checks for Commission and marijuana shop employees, shifted control of the state's [medical cannabis](https://en.wikipedia.org/wiki/Medical_cannabis) program from the [Massachusetts Department of Public Health](https://en.wikipedia.org/wiki/Massachusetts_Department_of_Public_Health) to the Commission, and created rules for town governments to restrict or ban marijuana shops based on the results of the 2016 ballot initiative within their jurisdiction.[[35]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-35)

In August 2017, Baker appointed [State Senator](https://en.wikipedia.org/wiki/Massachusetts_Senate) [Jennifer Flanagan](https://en.wikipedia.org/wiki/Jennifer_Flanagan) to the Cannabis Control Commission and five members of the Cannabis Advisory Board that advises the Commission,[[36]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-36)[[37]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-37) and the following month, the Commission met for the first time.[[38]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-38) In January 2018, Baker proposed a $7.6 million budget for the Commission in his state budget proposal for fiscal year 2019.[[39]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-39) Also in January 2018, after [U.S. Attorney General](https://en.wikipedia.org/wiki/United_States_Attorney_General) [Jeff Sessions](https://en.wikipedia.org/wiki/Jeff_Sessions) rescinded the [Obama](https://en.wikipedia.org/wiki/Presidency_of_Barack_Obama) [Justice Department](https://en.wikipedia.org/wiki/United_States_Department_of_Justice)'s [Cole Memorandum](https://en.wikipedia.org/wiki/Cole_Memorandum),[[40]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-40) as well as making personal requests to congressional leaders to not renew the [Rohrabacher–Farr amendment](https://en.wikipedia.org/wiki/Rohrabacher%E2%80%93Farr_amendment) in the previous year,[[41]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-41) Baker expressed opposition to the rescission, with his administration stating that it "believes this is the wrong decision and will review any potential impacts from any policy changes by the local U.S. Attorney's Office", and Baker reiterated his support for implementing the legal and regulated recreational marijuana market as passed by voters on the 2016 ballot initiative.[[42]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-42) In addition, Baker has also expressed concerns about federal prosecutors creating confusion and uncertainty in [states where marijuana has been legalized for either medical](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) or [recreational usage](https://en.wikipedia.org/wiki/Decriminalization_of_non-medical_cannabis_in_the_United_States),[[43]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-43) and argued that the [Massachusetts U.S. Attorney's Office](https://en.wikipedia.org/wiki/United_States_District_Court_for_the_District_of_Massachusetts#U.S._Attorneys), instead of prosecuting local marijuana businesses, should focus its resources on resolving the [opioid epidemic](https://en.wikipedia.org/wiki/Opioid_epidemic_in_the_United_States) in the state (identifying [fentanyl](https://en.wikipedia.org/wiki/Fentanyl) in particular).[[44]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-44)

After meeting with the incoming U.S. Attorney [Andrew Lelling](https://en.wikipedia.org/wiki/Andrew_Lelling) in February 2018, Baker stated the following month that Lelling "made pretty clear his primary focus is going to be on fentanyl and [heroin](https://en.wikipedia.org/wiki/Heroin)", and that after speaking with governors in other states with legal recreational marijuana markets at a [National Governors Association](https://en.wikipedia.org/wiki/National_Governors_Association) meeting, Baker said that he "did not get the impression any of them felt there had been a significant change in their relationship with the U.S. attorneys in their states as a result of the change in the administration... because people are pretty focused on the opioid issue."[[45]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-45) Also in February 2018, Baker argued that the Cannabis Control Commission should create its regulatory framework in incremental steps by prioritizing marijuana shops over cafés, saying "that if they try to unwrap the entire package straight out of the gate, the role and responsibility they have as an overseer and as a regulator is going to be compromised", reiterating that the purpose of legalization was to create a "safe, reliable, legal market" in the state.[[46]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-46)

In March 2018, [*The Boston Globe*](https://en.wikipedia.org/wiki/The_Boston_Globe) reported that 189 of the 351 [Massachusetts cities and towns](https://en.wikipedia.org/wiki/List_of_municipalities_in_Massachusetts) had either indefinitely or temporarily banned retail marijuana stores.[[47]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-47) In June 2018, Baker, along with 11 other governors, wrote a letter to [Speaker of the U.S. House of Representatives](https://en.wikipedia.org/wiki/Speaker_of_the_United_States_House_of_Representatives) [Paul Ryan](https://en.wikipedia.org/wiki/Paul_Ryan), [U.S. House Minority Leader](https://en.wikipedia.org/wiki/Party_leaders_of_the_United_States_House_of_Representatives) [Nancy Pelosi](https://en.wikipedia.org/wiki/Nancy_Pelosi), [U.S. Senate Majority Leader](https://en.wikipedia.org/wiki/Party_leaders_of_the_United_States_Senate) [Mitch McConnell](https://en.wikipedia.org/wiki/Mitch_McConnell), and U.S. Senate Minority Leader [Chuck Schumer](https://en.wikipedia.org/wiki/Chuck_Schumer) urging the passage of the bipartisan [STATES Act](https://en.wikipedia.org/wiki/STATES_Act) sponsored by [Massachusetts Senator](https://en.wikipedia.org/wiki/List_of_United_States_Senators_from_Massachusetts) [Elizabeth Warren](https://en.wikipedia.org/wiki/Elizabeth_Warren) and [Colorado Senator](https://en.wikipedia.org/wiki/List_of_United_States_Senators_from_Colorado) [Cory Gardner](https://en.wikipedia.org/wiki/Cory_Gardner).[[48]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-48) In the same month, [Massachusetts Attorney General](https://en.wikipedia.org/wiki/Massachusetts_Attorney_General) [Maura Healey](https://en.wikipedia.org/wiki/Maura_Healey) ruled that municipalities with moratoriums on recreational marijuana sales would be allowed to extend them for another year.[[49]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-49)

Also in June 2018, with marijuana sales in the state scheduled to begin the following month and no recreational marijuana retail licenses having been issued, Cannabis Control Commission Chairman Steven Hoffman stated that "We have said from the start that July 1 is not a legislative mandate, it's our objective and we are going to try to meet that objective, but we are going to do it right", with other Commission regulators noting that only 53 of 1,145 applications for marijuana business licenses were complete and ready for review.[[50]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-50) On July 2, 2018, Baker praised the Commission's work in creating the regulatory framework for the recreational marijuana industry in the state, and expressed support for the Commission's decision to roll out the industry more slowly, stating "It's very clear that you only get one shot to roll this out, and it's very hard to change if you don't do what you think you should have done the first time."[[51]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-51)

On the same day, the Commission voted unanimously to grant the first recreational marijuana retail license to a medical dispensary in [Leicester](https://en.wikipedia.org/wiki/Leicester,_Massachusetts).[[52]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-52) In November 2018, after the Cannabis Control Commission approved their final business licenses the previous month,[[53]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-53) the state's first two retail marijuana shops opened in Leicester and [Northampton](https://en.wikipedia.org/wiki/Northampton,_Massachusetts) and the two shops recorded $2.2 million in sales of marijuana products during their first week.[[54]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-54)[[55]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-55) The following month, the Cannabis Control Commission approved licenses for retail stores in [Salem](https://en.wikipedia.org/wiki/Salem,_Massachusetts),[[56]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-56) [Easthampton](https://en.wikipedia.org/wiki/Easthampton,_Massachusetts),[[57]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-Young_12-17-2018-57) and [Wareham](https://en.wikipedia.org/wiki/Wareham,_Massachusetts),[[57]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-Young_12-17-2018-57) and Cannabis Control Commission Chair Steven Hoffman estimated that the state would begin to see four to eight new retail stores opening each month.[[58]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-58)

**Bans and moratoriums by town**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Massachusetts&action=edit&section=9)]

As of March 18, 2020, the following 106 towns had either a permanent ban (102) or a moratorium (4) currently in place on retail marijuana stores:[[59]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-59)

| * [Barnstable County](https://en.wikipedia.org/wiki/Barnstable_County,_Massachusetts) (6 bans)   + [Bourne](https://en.wikipedia.org/wiki/Bourne,_Massachusetts) (ban)   + [Chatham](https://en.wikipedia.org/wiki/Chatham,_Massachusetts) (ban)   + [Dennis](https://en.wikipedia.org/wiki/Dennis,_Massachusetts) (ban)   + [Falmouth](https://en.wikipedia.org/wiki/Falmouth,_Massachusetts) (ban)   + [Harwich](https://en.wikipedia.org/wiki/Harwich,_Massachusetts) (ban)   + [Sandwich](https://en.wikipedia.org/wiki/Sandwich,_Massachusetts) (ban lifted by vote, May 2022)[[60]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-60)   + [Yarmouth](https://en.wikipedia.org/wiki/Yarmouth,_Massachusetts) (ban) * [Berkshire County](https://en.wikipedia.org/wiki/Berkshire_County,_Massachusetts) (3 bans, 1 moratorium)   + [Florida](https://en.wikipedia.org/wiki/Florida,_Massachusetts) (moratorium till 6/30/2019, unknown as of 3/18/2020)   + [Monterey](https://en.wikipedia.org/wiki/Monterey,_Massachusetts) (ban)   + [Mount Washington](https://en.wikipedia.org/wiki/Mount_Washington,_Massachusetts) (ban)   + [New Marlborough](https://en.wikipedia.org/wiki/New_Marlborough,_Massachusetts) (ban) * [Bristol County](https://en.wikipedia.org/wiki/Bristol_County,_Massachusetts) (5 bans)   + [Acushnet](https://en.wikipedia.org/wiki/Acushnet,_Massachusetts) (ban)   + [Easton](https://en.wikipedia.org/wiki/Easton,_Massachusetts) (ban)   + [Freetown](https://en.wikipedia.org/wiki/Freetown,_Massachusetts) (ban)   + [Raynham](https://en.wikipedia.org/wiki/Raynham,_Massachusetts) (ban)   + [Westport](https://en.wikipedia.org/wiki/Westport,_Massachusetts) (ban) * [Essex County](https://en.wikipedia.org/wiki/Essex_County,_Massachusetts) (15 bans)   + [Andover](https://en.wikipedia.org/wiki/Andover,_Massachusetts) (ban)   + [Boxford](https://en.wikipedia.org/wiki/Boxford,_Massachusetts) (ban)   + [Danvers](https://en.wikipedia.org/wiki/Danvers,_Massachusetts) (ban)   + [Essex](https://en.wikipedia.org/wiki/Essex,_Massachusetts) (ban)   + [Groveland](https://en.wikipedia.org/wiki/Groveland,_Massachusetts) (ban)   + [Hamilton](https://en.wikipedia.org/wiki/Hamilton,_Massachusetts) (ban)   + [Lawrence](https://en.wikipedia.org/wiki/Lawrence,_Massachusetts) (ban)   + [Lynnfield](https://en.wikipedia.org/wiki/Lynnfield,_Massachusetts) (ban)   + [Merrimac](https://en.wikipedia.org/wiki/Merrimac,_Massachusetts) (ban)   + [Methuen](https://en.wikipedia.org/wiki/Methuen,_Massachusetts) (ban)   + [Middleton](https://en.wikipedia.org/wiki/Middleton,_Massachusetts) (ban)   + [North Andover](https://en.wikipedia.org/wiki/North_Andover,_Massachusetts) (ban)   + [Peabody](https://en.wikipedia.org/wiki/Peabody,_Massachusetts) (ban)   + [Topsfield](https://en.wikipedia.org/wiki/Topsfield,_Massachusetts) (ban)   + [Wenham](https://en.wikipedia.org/wiki/Wenham,_Massachusetts) (ban) * [Franklin County](https://en.wikipedia.org/wiki/Franklin_County,_Massachusetts) (2 moratoriums)   + [Hawley](https://en.wikipedia.org/wiki/Hawley,_Massachusetts) (moratorium till 12/31/2018, planning as of 3/18/2020)   + [Shutesbury](https://en.wikipedia.org/wiki/Shutesbury,_Massachusetts) (moratorium till 12/31/2018, unknown as of 3/18/2020) * [Hampshire County](https://en.wikipedia.org/wiki/Hampshire_County,_Massachusetts) (2 bans, 1 moratorium)   + [Goshen](https://en.wikipedia.org/wiki/Goshen,_Massachusetts) (moratorium till 12/31/2018, unknown as of 3/18/2020)   + [South Hadley](https://en.wikipedia.org/wiki/South_Hadley,_Massachusetts) (ban)   + [Westhampton](https://en.wikipedia.org/wiki/Westhampton,_Massachusetts) (ban) * [Hampden County](https://en.wikipedia.org/wiki/Hampden_County,_Massachusetts) (8 bans)   + [Agawam](https://en.wikipedia.org/wiki/Agawam,_Massachusetts) (ban)   + [East Longmeadow](https://en.wikipedia.org/wiki/East_Longmeadow,_Massachusetts) (ban)   + [Hampden](https://en.wikipedia.org/wiki/Hampden,_Massachusetts) (ban)   + [Longmeadow](https://en.wikipedia.org/wiki/Longmeadow,_Massachusetts) (ban)   + [Ludlow](https://en.wikipedia.org/wiki/Ludlow,_Massachusetts) (ban)   + [Southwick](https://en.wikipedia.org/wiki/Southwick,_Massachusetts) (ban)   + [West Springfield](https://en.wikipedia.org/wiki/West_Springfield,_Massachusetts) (ban)   + [Wilbraham](https://en.wikipedia.org/wiki/Wilbraham,_Massachusetts) (ban) | * [Middlesex County](https://en.wikipedia.org/wiki/Middlesex_County,_Massachusetts) (21 bans)   + [Acton](https://en.wikipedia.org/wiki/Acton,_Massachusetts) (ban)[[61]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-61)   + [Ashland](https://en.wikipedia.org/wiki/Ashland,_Massachusetts) (ban)   + [Bedford](https://en.wikipedia.org/wiki/Bedford,_Massachusetts) (ban)   + [Burlington](https://en.wikipedia.org/wiki/Burlington,_Massachusetts) (ban)   + [Carlisle](https://en.wikipedia.org/wiki/Carlisle,_Massachusetts) (ban)   + [Chelmsford](https://en.wikipedia.org/wiki/Chelmsford,_Massachusetts) (ban)   + [Concord](https://en.wikipedia.org/wiki/Concord,_Massachusetts) (ban)   + [Holliston](https://en.wikipedia.org/wiki/Holliston,_Massachusetts) (ban)   + [Hopkinton](https://en.wikipedia.org/wiki/Hopkinton,_Massachusetts) (ban)   + [Lexington](https://en.wikipedia.org/wiki/Lexington,_Massachusetts) (ban)   + [Lincoln](https://en.wikipedia.org/wiki/Lincoln,_Massachusetts) (ban)   + [North Reading](https://en.wikipedia.org/wiki/North_Reading,_Massachusetts) (ban)   + [Reading](https://en.wikipedia.org/wiki/Reading,_Massachusetts) (ban)   + [Stoneham](https://en.wikipedia.org/wiki/Stoneham,_Massachusetts) (ban)   + [Stow](https://en.wikipedia.org/wiki/Stow,_Massachusetts) (ban)   + [Wayland](https://en.wikipedia.org/wiki/Wayland,_Massachusetts) (ban)   + [Westford](https://en.wikipedia.org/wiki/Westford,_Massachusetts) (ban)   + [Weston](https://en.wikipedia.org/wiki/Weston,_Massachusetts) (ban)   + [Wilmington](https://en.wikipedia.org/wiki/Wilmington,_Massachusetts) (ban)   + [Winchester](https://en.wikipedia.org/wiki/Winchester,_Massachusetts) (ban)   + [Woburn](https://en.wikipedia.org/wiki/Woburn,_Massachusetts) (ban) * [Norfolk County](https://en.wikipedia.org/wiki/Norfolk_County,_Massachusetts) (16 bans)   + [Bellingham](https://en.wikipedia.org/wiki/Bellingham,_Massachusetts) (ban)   + [Braintree](https://en.wikipedia.org/wiki/Braintree,_Massachusetts) (ban)   + [Cohasset](https://en.wikipedia.org/wiki/Cohasset,_Massachusetts) (ban)   + [Dedham](https://en.wikipedia.org/wiki/Dedham,_Massachusetts) (ban)   + [Foxborough](https://en.wikipedia.org/wiki/Foxborough,_Massachusetts) (ban)   + [Medfield](https://en.wikipedia.org/wiki/Medfield,_Massachusetts) (ban)   + [Medway](https://en.wikipedia.org/wiki/Medway,_Massachusetts) (ban)   + [Milton](https://en.wikipedia.org/wiki/Milton,_Massachusetts) (ban)   + [Needham](https://en.wikipedia.org/wiki/Needham,_Massachusetts) (ban)   + [Norfolk](https://en.wikipedia.org/wiki/Norfolk,_Massachusetts) (ban)   + [Norwood](https://en.wikipedia.org/wiki/Norwood,_Massachusetts) (ban)   + [Stoughton](https://en.wikipedia.org/wiki/Stoughton,_Massachusetts) (ban)   + [Walpole](https://en.wikipedia.org/wiki/Walpole,_Massachusetts) (ban)   + [Wellesley](https://en.wikipedia.org/wiki/Wellesley,_Massachusetts) (ban)   + [Westwood](https://en.wikipedia.org/wiki/Westwood,_Massachusetts) (ban)   + [Weymouth](https://en.wikipedia.org/wiki/Weymouth,_Massachusetts) (ban) * [Plymouth County](https://en.wikipedia.org/wiki/Plymouth_County,_Massachusetts) (10 bans)   + [Bridgewater](https://en.wikipedia.org/wiki/Bridgewater,_Massachusetts) (ban)   + [Duxbury](https://en.wikipedia.org/wiki/Duxbury,_Massachusetts) (ban)   + [East Bridgewater](https://en.wikipedia.org/wiki/East_Bridgewater,_Massachusetts) (ban)   + [Hanover](https://en.wikipedia.org/wiki/Hanover,_Massachusetts) (ban)   + [Hingham](https://en.wikipedia.org/wiki/Hingham,_Massachusetts) (ban)   + [Hull](https://en.wikipedia.org/wiki/Hull,_Massachusetts) (ban)   + [Pembroke](https://en.wikipedia.org/wiki/Pembroke,_Massachusetts) (ban)   + [Scituate](https://en.wikipedia.org/wiki/Scituate,_Massachusetts) (ban)   + [West Bridgewater](https://en.wikipedia.org/wiki/West_Bridgewater,_Massachusetts) (ban)   + [Whitman](https://en.wikipedia.org/wiki/Whitman,_Massachusetts) (ban) * [Suffolk County](https://en.wikipedia.org/wiki/Suffolk_County,_Massachusetts) (1 ban)   + [Revere](https://en.wikipedia.org/wiki/Revere,_Massachusetts) (ban) * [Worcester County](https://en.wikipedia.org/wiki/Worcester_County,_Massachusetts) (14 bans)   + [Auburn](https://en.wikipedia.org/wiki/Auburn,_Massachusetts) (ban)   + [Barre](https://en.wikipedia.org/wiki/Barre,_Massachusetts) (ban)   + [Holden](https://en.wikipedia.org/wiki/Holden,_Massachusetts) (ban)   + [Lancaster](https://en.wikipedia.org/wiki/Lancaster,_Massachusetts) (ban)   + [Milford](https://en.wikipedia.org/wiki/Milford,_Massachusetts) (ban)   + [Northborough](https://en.wikipedia.org/wiki/Northborough,_Massachusetts) (ban)   + [Southborough](https://en.wikipedia.org/wiki/Southborough,_Massachusetts) (ban)   + [Southbridge](https://en.wikipedia.org/wiki/Southbridge,_Massachusetts) (ban)   + [Spencer](https://en.wikipedia.org/wiki/Spencer,_Massachusetts) (ban)   + [Sterling](https://en.wikipedia.org/wiki/Sterling,_Massachusetts) (ban)   + [Sutton](https://en.wikipedia.org/wiki/Sutton,_Massachusetts) (ban)   + [Upton](https://en.wikipedia.org/wiki/Upton,_Massachusetts) (ban)   + [Webster](https://en.wikipedia.org/wiki/Webster,_Massachusetts) (ban)   + [Westborough](https://en.wikipedia.org/wiki/Westborough,_Massachusetts) (ban) |
| --- | --- |

**Nantucket and Martha's Vineyard**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Massachusetts&action=edit&section=10)]

[Nantucket](https://en.wikipedia.org/wiki/Nantucket) and [Martha's Vineyard](https://en.wikipedia.org/wiki/Martha%27s_Vineyard) are islands which are separated from the mainland by [federal waters](https://en.wikipedia.org/wiki/Federal_waters). The state medical marijuana law requires a dispensary in every county; each island is its own county, but the problem of federal jurisdiction has created a legal hurdle to shipping mainland-grown product to the islands.[[62]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-cbs-62) State law requires marijuana grown on the island to be tested in state labs, which are located on the mainland, so crossing through federal jurisdiction is also a problem for growers.[[63]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-flight-63)

Though the [Steamship Authority](https://en.wikipedia.org/wiki/Steamship_Authority) is run by the state, anyone transporting marijuana by sea could be subject to arrest by the [United States Coast Guard](https://en.wikipedia.org/wiki/United_States_Coast_Guard).[[62]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-cbs-62) Similar problems exist in transporting marijuana to and from islands in Hawaii[[62]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-cbs-62) and Washington State,[[63]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-flight-63) but as of 2018 it appears the Coast Guard has not taken enforcement action against those legally possessing marijuana under state law, despite asserting it will do so.

The [Federal Aviation Administration](https://en.wikipedia.org/wiki/Federal_Aviation_Administration) could terminate the license of a pilot knowingly transporting marijuana, but there is some legal question as to whether air transport of marijuana authorized by state law is acceptable under an FAA regulation with ambiguous wording.[[63]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-flight-63) The [Transportation Security Administration](https://en.wikipedia.org/wiki/Transportation_Security_Administration) does not have the legal authority to enforce federal law, only to protect the security of aircraft. Illegal drugs found by TSA at airport security checkpoints (which are not in the scope of what they are searching for in the first place) are referred to local law enforcement; in Massachusetts possession of under one ounce (28 g) is legal, so state police will take no action.[[64]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-cleared-64) People transporting marijuana by plane are subject to arrest by the [Federal Bureau of Investigation](https://en.wikipedia.org/wiki/Federal_Bureau_of_Investigation), [Drug Enforcement Administration](https://en.wikipedia.org/wiki/Drug_Enforcement_Administration), [Federal Air Marshal Service](https://en.wikipedia.org/wiki/Federal_Air_Marshal_Service), though in practice minor violations are typically referred to local law enforcement.[[64]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-cleared-64)

**Public opinion**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Massachusetts&action=edit&section=11)]

| **Poll source** | **Date(s)**  **administered** | **Sample**  **size** | **Margin of**  **error** | **% support** | **% opposition** | **% Undecided/Don't Know** |
| --- | --- | --- | --- | --- | --- | --- |
| [Western New England University](http://www1.wne.edu/news/2016/11/z-polling_tables_FINAL_11_04_16.pdf) | October 23–November 2, 2016 | 417 LV | ± 4.5% | **61%** | 34% | 5% |
| [Suffolk University/The Boston Globe](https://www.bostonglobe.com/metro/2016/10/27/see-results-suffolk-university-boston-globe-poll/y3JmzmErgqUQBbYHwt5nOO/story.html) | October 24–26, 2016 | 500 LV | ± 4.4% | **48.8%** | 42.4% | 8.8% |
| [WBUR/MassINC Polling Group](http://d279m997dpfwgl.cloudfront.net/wp/2016/10/Topline-2016-10-WBUR-MA-General-2-Full.pdf) | October 13–16, 2016 | 502 LV | ± 4.4% | **55%** | 40% | 5% |
| [Western New England University](http://www1.wne.edu/news/2016/10/z-BallotQuestions_Tables100516.pdf) | September 24–October 3, 2016 | 403 LV | ± 5.0% | **52%** | 42% | 6% |
| 467 RV | ± 5.0% | **55%** | 39% | 6% |
| [WBZ/UMass Amherst](http://www.umass.edu/poll/pdfs/20160926_Toplines.pdf) | September 15–20, 2016 | 700 LV | ± 4.3% | **53%** | 40% | 7% |
| 800 RV | ± 4.1% | **51%** | 40% | 9% |
| [WBUR/MassINC Polling Group](http://d279m997dpfwgl.cloudfront.net/wp/2016/09/Topline-2016-09-WBUR-MA-Ballot-Questions.pdf) | September 7–10, 2016 | 506 LV | ± 4.4% | **50%** | 45% | 5% |
| [Gravis Marketing/Jobs First](https://www.bostonglobe.com/news/politics/2016/07/19/poll-shows-half-state-voters-oppose-marijuana-ballot-proposal/ueIoquM3ejnhnjhnzYwpkM/story.html) | July 12–13, 2016 | 901 RV | ± 3.3% | 41% | **51%** | 9% |
| [Suffolk University/The Boston Globe](https://www.bostonglobe.com/2016/05/08/results-boston-globe-poll-general-election/tgV5EHpKm3PMQMN1B7DbrN/story.html?p1=Article_Related_Box_Article) | May 2–5, 2016 | 500 LV | ± 4.4% | 43.0% | **45.8%** | 11% |
| [Western New England University](http://www1.wne.edu/assets/184/ma0416ballotquestables_04_14_16_2.pdf)[[*permanent dead link*](https://en.wikipedia.org/wiki/Wikipedia:Link_rot)] [[1]](http://www1.wne.edu/assets/179/MA0416MethodologyStatement_04_12_16.pdf)[[*permanent dead link*](https://en.wikipedia.org/wiki/Wikipedia:Link_rot)] | April 1–10, 2016 | 497 RV | ± 4% | **57%** | 35% | 7% |
| [UMass Amherst/WBZ](https://cbsboston.files.wordpress.com/2016/02/toplines_complete.pdf) | February 19–25, 2016 | 891 RV | ± 4.1% | **53%** | 40% | 7% |
| [Emerson College](http://media.wix.com/ugd/3bebb2_82a741918bee4d2aa3685dddc0aebff1.pdf) | October 16–18, 2015 | 629 RV | ± 3.9% | 40.5% | **47.6%** | 11.9% |
| [The Boston Globe](http://cache.boston.com/news/pdfs/0704pollresults.pdf?p1=Article_Related_Box_Article_More) | June 22–24/June 29-July 1, 2014 | 601 LV | ± 4% | **48%** | 47% | 5% |
| [WBUR/MassINC Polling Group](http://www.wbur.org/2014/05/21/poll-casino-vote) | May 16–18, 2014 | 504 LV | ± 4.4% | **49%** | 42% | 9% |
| [WBUR/MassINC Polling Group](http://www.wbur.org/2014/03/19/wbur-poll-casinos-marijuana) | March 14–16, 2014 | 500 LV | ± 4.4% | **48%** | 41% | 10% |
| [Boston Herald/Suffolk University](http://www.suffolk.edu/documents/SUPRC/2_4_2014_marginals.pdf) [Archived](https://web.archive.org/web/20150815004746/http://www.suffolk.edu/documents/SUPRC/2_4_2014_marginals.pdf) 2015-08-15 at the [Wayback Machine](https://en.wikipedia.org/wiki/Wayback_Machine) | January 29-February 3, 2014 | 600 LV | ± 4.0% | **53.17%** | 37.17% | 9.67% |
| [Western New England University](https://web.archive.org/web/20160505194513/http://www1.wne.edu/assets/112/WNE_Polling_-_Marijuana_%28Nov_2013%29_TABLES.pdf) | November 5-November 11, 2013 | 467 RV | ± 4.5% | 39% | **52%** | 9% |

**Culture**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Massachusetts&action=edit&section=12)]

**Usage**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Massachusetts&action=edit&section=13)]

Marijuana is the most common illegal drug used in the United States. A 2007 survey showed that over 100 million US citizens over the age of 12 have used marijuana. More teenagers are current users of marijuana than cigarettes.[[65]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-facts-65) The following chart shows percentages of Massachusetts' population's marijuana usage using data from the [Substance Abuse and Mental Health Services Administration](https://en.wikipedia.org/wiki/Substance_Abuse_and_Mental_Health_Services_Administration) based on surveys from 2010 and 2011.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-survey-6)

| **Ages** | **12+** | **12-17** | **18-25** | **26+** |
| --- | --- | --- | --- | --- |
| **Past Year** | 15.89 | 18.31 | 42.33 | 10.98 |
| **Past Month** | 9.96 | 11.32 | 28.42 | 6.56 |

**Cultivation**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Massachusetts&action=edit&section=14)]

Assessing the total cultivation of marijuana in the United States was difficult, and even more difficult by a statewide basis due to the now diminishing illegality of the drug. In the ballot of 2016, growing and cultivating the plant was legalized. In 2006 it was estimated that there was 22 million pounds of domestic crop. Including the imported crop from [Mexico](https://en.wikipedia.org/wiki/Mexico) and [Canada](https://en.wikipedia.org/wiki/Canada), Dr. [Jon Gettman](https://en.wikipedia.org/wiki/Jon_Gettman) estimates there is approximately $100 billion worth of crop available in the United States.[[66]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-econ-66) Gettman's study, Marijuana Production in the United States, shows that Massachusetts ranks 44th marijuana cultivation by state, producing 12,700 lbs. of marijuana worth $20 million, though this statistic was realized prior to the legalization of recreational marijuana and the large-scale commercial grow operations that supply the substantial recreational cannabis market that exists as of 2021.[[67]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-gettman-67)

**Events**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Massachusetts&action=edit&section=15)]



2008 Freedom Rally in Boston

The Boston [Freedom Rally](https://en.wikipedia.org/wiki/Freedom_Rally) is an annual event on the third Saturday in September. It is the second largest annual gathering demanding marijuana law reform in the United States. The [Massachusetts Cannabis Reform Coalition](https://en.wikipedia.org/wiki/Massachusetts_Cannabis_Reform_Coalition) organizes the event. The event began in 1989, and has been held on the [Boston Common](https://en.wikipedia.org/wiki/Boston_Common) since 1992. The city of Boston has tried to stop the event, but has been unable to do so.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-cann-7)

**2022 overhauls and reforms**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Massachusetts&action=edit&section=16)]

In August 2022, the [Governor of Massachusetts](https://en.wikipedia.org/wiki/Governor_of_Massachusetts) signed an extensive bill into law that overhauls and reforms the legal cannabis industry within Massachusetts - plus permanently implements the "Massachusetts Cannabis Control Commission". However the Governor item-line vetoed a study into medical cannabis usage by students within schools.[[68]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-68)[[69]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-69)[[70]](https://en.wikipedia.org/wiki/Cannabis_in_Massachusetts#cite_note-70)

**See also**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Massachusetts&action=edit&section=17)]

* icon
* [***Cannabis portal***](https://en.wikipedia.org/wiki/Portal:Cannabis)
* [Cannabis in Oregon](https://en.wikipedia.org/wiki/Cannabis_in_Oregon)
* [Cannabis in California](https://en.wikipedia.org/wiki/Cannabis_in_California)
* [Cannabis in the United States](https://en.wikipedia.org/wiki/Cannabis_in_the_United_States)
* [Massachusetts Medical Marijuana Initiative](https://en.wikipedia.org/wiki/Massachusetts_Medical_Marijuana_Initiative)
* [Massachusetts Sensible Marijuana Policy Initiative](https://en.wikipedia.org/wiki/Massachusetts_Sensible_Marijuana_Policy_Initiative)
* [Massachusetts Cannabis Reform Coalition](https://en.wikipedia.org/wiki/Massachusetts_Cannabis_Reform_Coalition)
* [Law of Massachusetts](https://en.wikipedia.org/wiki/Law_of_Massachusetts)

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# Cannabis in Michigan

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Text

* Small
* Standard
* Large

Width

* Standard
* Wide

Color (beta)

* Automatic
* Light
* Dark

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Michigan's Cannabis Universal Symbol

| Part of a series on |
| --- |
| [Cannabis](https://en.wikipedia.org/wiki/Cannabis) |
| Cannabis |
| show   * **Arts** * [**Culture**](https://en.wikipedia.org/wiki/Cannabis_culture) |
| show  **Chemistry** |
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**Cannabis in Michigan** is legal for [recreational use](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States). A 2018 initiative to legalize recreational use (the [Michigan Regulation and Taxation of Marihuana Act](https://en.wikipedia.org/wiki/2018_Michigan_Proposal_1)) passed with 56% of the vote. State-licensed sales of recreational cannabis began in December 2019.

[Medical use](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) was legalized in 2008 through the [Michigan Compassionate Care Initiative](https://en.wikipedia.org/wiki/Michigan_Compassionate_Care_Initiative). It passed with 63% of the vote.

**Prohibition**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Michigan&action=edit&section=1)]

Before cannabis was legalized in the state, possession of any amounts was a misdemeanor offense punishable by up to one year's incarceration and a $2,000 fine, while actual use was punishable by up to 90 days in jail and a $100 fine. If possession was in a public park, the sentence was at most two years and a $2,000 fine. Distributing cannabis without remuneration was a misdemeanor punishable by at most one year in jail and a $1,000 fine.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Michigan#cite_note-bare_url_g-1) The sale and cultivation of cannabis was a felony punishable by up to 15 years imprisonment and $10,000,000 in fines depending on the number of plants grown and the amount of usable cannabis sold.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Michigan#cite_note-bare_url_g-1)

After legalization, police in Michigan still have probable cause to search an occupied car if they smell of marijuana.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Michigan#cite_note-2) This is because certain prohibitions remain, for example it is still illegal to consume marijuana as the driver of a car, or smoke it as a passenger.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Michigan#cite_note-3)

**Municipal reforms**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Michigan&action=edit&section=2)]

Prior to statewide legalization, many cities in Michigan decriminalized cannabis or made enforcement of cannabis laws the lowest priority. Among the cities to enact such reforms were: [Ann Arbor](https://en.wikipedia.org/wiki/Ann_Arbor,_Michigan) (1972), [Kalamazoo](https://en.wikipedia.org/wiki/Kalamazoo,_Michigan) (2012), [Detroit](https://en.wikipedia.org/wiki/Detroit) (2012), [Flint](https://en.wikipedia.org/wiki/Flint,_Michigan) (2012), [Grand Rapids](https://en.wikipedia.org/wiki/Grand_Rapids,_Michigan) (2012), [Ypsilanti](https://en.wikipedia.org/wiki/Ypsilanti,_Michigan) (2012), [Ferndale](https://en.wikipedia.org/wiki/Ferndale,_Michigan) (2013), [Jackson](https://en.wikipedia.org/wiki/Jackson,_Michigan) (2013), [Lansing](https://en.wikipedia.org/wiki/Lansing,_Michigan) (2013), [Hazel Park](https://en.wikipedia.org/wiki/Hazel_Park,_Michigan) (2014), [Oak Park](https://en.wikipedia.org/wiki/Oak_Park,_Michigan) (2014), [Berkley](https://en.wikipedia.org/wiki/Berkley,_Michigan) (2014), [Huntington Woods](https://en.wikipedia.org/wiki/Huntington_Woods,_Michigan) (2014), [Mount Pleasant](https://en.wikipedia.org/wiki/Mount_Pleasant,_Michigan) (2014), [Pleasant Ridge](https://en.wikipedia.org/wiki/Pleasant_Ridge,_Michigan) (2014), [Port Huron](https://en.wikipedia.org/wiki/Port_Huron,_Michigan) (2014), [Saginaw](https://en.wikipedia.org/wiki/Saginaw,_Michigan) (2014), [East Lansing](https://en.wikipedia.org/wiki/East_Lansing,_Michigan) (2015), [Keego Harbor](https://en.wikipedia.org/wiki/Keego_Harbor,_Michigan) (2015), and [Portage](https://en.wikipedia.org/wiki/Portage,_Michigan) (2015).[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Michigan#cite_note-4)

**Ann Arbor**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Michigan&action=edit&section=3)]

*Main article:* [*Cannabis laws in Ann Arbor, Michigan*](https://en.wikipedia.org/wiki/Cannabis_laws_in_Ann_Arbor,_Michigan)

Since the 1970s, the college town of [Ann Arbor](https://en.wikipedia.org/wiki/Ann_Arbor,_Michigan) has enacted some of the most lenient laws on cannabis possession in the nation. These include a 1972 city council ordinance, a 1974 voter referendum making possession of small amounts a civil infraction subject to a small fine, and a 2004 referendum on the medical use of cannabis. Since state law took precedence over municipal law, the far-stricter state cannabis laws were still enforced on [University of Michigan](https://en.wikipedia.org/wiki/University_of_Michigan) property.

**Medical legalization (2008)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Michigan&action=edit&section=4)]

*Main article:* [*Michigan Compassionate Care Initiative*](https://en.wikipedia.org/wiki/Michigan_Compassionate_Care_Initiative)

Medical use of cannabis was legalized with the passage of Proposal 1, the Michigan Compassionate Care Initiative, on November 4, 2008.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Michigan#cite_note-5) The measure legalized the possession of up to 2

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1⁄2 ounces (71 g) of cannabis for patients with certain medical conditions and the approval of a physician.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Michigan#cite_note-dfp2008-6) Although it did not explicitly allow [dispensaries](https://en.wikipedia.org/wiki/Cannabis_dispensaries_in_the_United_States) to operate,[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Michigan#cite_note-7) it did allow patients or their caregivers to cultivate up to 12 cannabis plants.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Michigan#cite_note-dfp2008-6) The measure faced opposition from law enforcement officials and drug czar [John P. Walters](https://en.wikipedia.org/wiki/John_P._Walters),[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Michigan#cite_note-8) but it was ultimately approved by a 63–37 margin, making Michigan the 13th state to legalize medical use and the first [Midwestern](https://en.wikipedia.org/wiki/Midwestern_United_States) state to do so.[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Michigan#cite_note-9)

In February 2013, the Supreme Court of Michigan ruled that the 2008 initiative did not allow for the operation of medical cannabis dispensaries in the state. An estimated 75 to 100 dispensaries were operating under this legal gray area at the time.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Michigan#cite_note-10)

In September 2016, Gov. [Rick Snyder](https://en.wikipedia.org/wiki/Rick_Snyder) signed a package of bills that among other reforms: (a) allowed the operation and regulation of medical cannabis dispensaries; (b) set a taxation rate of 3% on medical cannabis; and (c) allowed the use of non-smokable forms such as topicals and edibles.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Michigan#cite_note-11)[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Michigan#cite_note-12)[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Michigan#cite_note-13)

**Recreational legalization (2018)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Michigan&action=edit&section=5)]

*Main article:* [*2018 Michigan Proposal 1*](https://en.wikipedia.org/wiki/2018_Michigan_Proposal_1)

In November 2017, legalization proponents submitted 365,000 signatures to put a cannabis legalization measure on the 2018 ballot.[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Michigan#cite_note-14) In April 2018, it was certified that supporters had turned in the requisite number of valid signatures.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Michigan#cite_note-15) In June 2018, state lawmakers declined the option to pass the measure themselves, sending it to the November ballot.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Michigan#cite_note-16) On November 6, 2018, Michigan voters approved Proposal 1 by a 56–44 margin, making Michigan the 10th state (and first in the Midwest) to legalize cannabis for recreational use.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Michigan#cite_note-forbes2018-17)

The Michigan Regulation and Taxation of Marihuana Act allows persons age 21 and over to possess up to 2

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1⁄2 ounces (71 g) of cannabis in public, up to 10 ounces (280 g) at home, and cultivate up to 12 plants at home.[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Michigan#cite_note-need_to_know-18) It also sets up a system for the state-licensed cultivation and distribution of cannabis, with sales subject to a 10% excise tax (in addition to the state's 6% sales tax).[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Michigan#cite_note-forbes2018-17) The law went into effect on December 6, 2018,[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Michigan#cite_note-19) and the first dispensaries opened to the public on December 1, 2019.[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Michigan#cite_note-20)

During fiscal year 2021, the state of Michigan collected $175 million from a 10% excise tax on recreational cannabis sales. That money was given back to counties, towns, cities, and townships, each municipality receiving over $56,000 for every recreational retail location in its boundaries.[[21]](https://en.wikipedia.org/wiki/Cannabis_in_Michigan#cite_note-21)

In October 2023, cannabis reform bills were signed into law by the Governor [Gretchen Whitmer](https://en.wikipedia.org/wiki/Gretchen_Whitmer), explicitly allowing tribal businesses easier access to cannabis commerce and trade, as well as other related purposes in and around tribal lands.[[22]](https://en.wikipedia.org/wiki/Cannabis_in_Michigan#cite_note-22)[[23]](https://en.wikipedia.org/wiki/Cannabis_in_Michigan#cite_note-23)

**Public opinion**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Michigan&action=edit&section=6)]

| **Poll source** | **Date(s)**  **administered** | **Sample**  **size** | **Margin of**  **error** | **% support** | **% opposition** | **% Undecided/Don't Know** |
| --- | --- | --- | --- | --- | --- | --- |
| Marketing Resource Group[[24]](https://en.wikipedia.org/wiki/Cannabis_in_Michigan#cite_note-24) | 2016 | 600 LV | ± 4.0% | **53%** | 42% | 5% |
| Marketing Resource Group[[25]](https://en.wikipedia.org/wiki/Cannabis_in_Michigan#cite_note-25) | September 9–14, 2015 | 600 LV | ± 4.0% | **46%** | **46%** | 8% |
| Marketing Resource Group[[26]](https://en.wikipedia.org/wiki/Cannabis_in_Michigan#cite_note-26) | April 13–17, 2015 | 600 LV | ± 4.0% | **51%** | 46% | 3% |
| EPIC-MRA[[27]](https://en.wikipedia.org/wiki/Cannabis_in_Michigan#cite_note-27) | December 10–14, 2014 | 600 LV | ± 4.0% | **50%** | 46% | 4% |
| Marketing Resource Group[[28]](https://en.wikipedia.org/wiki/Cannabis_in_Michigan#cite_note-28) | October 6–10, 2013 | 600 LV | ± 4.0% | 41% | **55%** | 4% |

Note: For polls after 2016, see [Michigan Regulation and Taxation of Marihuana Act](https://en.wikipedia.org/wiki/2018_Michigan_Proposal_1).

**References**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Michigan&action=edit&section=7)]

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# Cannabis in Minnesota

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Text

* Small
* Standard
* Large

Width

* Standard
* Wide

Color (beta)

* Automatic
* Light
* Dark

From Wikipedia, the free encyclopedia



[Governor](https://en.wikipedia.org/wiki/Governor_of_Minnesota) [Tim Walz](https://en.wikipedia.org/wiki/Tim_Walz) celebrates the signing of House File 100 to legalize recreational cannabis in Minnesota with lawmakers and former governor [Jesse Ventura](https://en.wikipedia.org/wiki/Jesse_Ventura) (May 2023).

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**Cannabis in Minnesota** is [legal for recreational use](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States) since August 2023. Governor [Tim Walz](https://en.wikipedia.org/wiki/Tim_Walz) signed House File 100 on May 30, 2023, legalizing the use, possession, and cultivation of cannabis within the state.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Minnesota#cite_note-1) The state's new Office of Cannabis Management will establish a regulatory framework for commercial cultivation and sales, with [exceptions for tribal nations](https://en.wikipedia.org/wiki/Cannabis_on_American_Indian_reservations).[[*citation needed*](https://en.wikipedia.org/wiki/Wikipedia:Citation_needed)]

Minnesota law permits adults who are 21 years of age or older to purchase and possess up to 2 pounds (900 g) of marijuana flower (2 ounces [57 g] in a public space), 8 grams of concentrate, and 800 mg of infused edibles in a private residence. Growing at home is permitted, as long as the plants cannot be seen from outside.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Minnesota#cite_note-2) Individuals may cultivate up to eight plants, with only four flowering at once. Adults who are 21 years of age or older may also gift each other any amount up to the legal limit.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Minnesota#cite_note-3)

**History**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Minnesota&action=edit&section=1)]

**Decriminalization**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Minnesota&action=edit&section=2)]

In 1976, during a short-lived wave of decriminalization in the United States, Minnesota reduced the penalty and decriminalized possession for 42.5 grams (1

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1⁄2 oz) or less to a petty misdemeanor of a maximum $200 fine (equivalent to $1,100 in 2023).[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Minnesota#cite_note-MacCounReuter2001-4)[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Minnesota#cite_note-5)

**Medical marijuana initiatives**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Minnesota&action=edit&section=3)]

The *Minnesota Medical Marijuana Act* creates a patient registry under the [Department of Health](https://en.wikipedia.org/wiki/Health_department) relating to the therapeutic use of medical cannabis. It authorizes the use of medical cannabis in limited forms for certain qualifying medical conditions and regulates the distribution and manufacture of medical cannabis. It also creates a task force to conduct an impact assessment on medical cannabis therapeutic research and provides for certain criminal and civil protections for parties involved in the registry program. This passed the Minnesota House 89–40 and the Minnesota Senate 46–16.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Minnesota#cite_note-6) In May 2014, Governor [Mark Dayton](https://en.wikipedia.org/wiki/Mark_Dayton) signed into law a bill legalizing marijuana for the treatment of nine severe medical conditions, including cancer, severe [epilepsy](https://en.wikipedia.org/wiki/Epilepsy), [HIV/AIDS](https://en.wikipedia.org/wiki/HIV/AIDS), [glaucoma](https://en.wikipedia.org/wiki/Glaucoma), [Tourette's syndrome](https://en.wikipedia.org/wiki/Tourette_syndrome), [ALS](https://en.wikipedia.org/wiki/Amyotrophic_lateral_sclerosis) and [Crohn's disease](https://en.wikipedia.org/wiki/Crohn%27s_disease).[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Minnesota#cite_note-7)

Registration for the program began on June 1, 2015, with actual distribution of medical marijuana beginning July 1, 2015. It is considered to be the most restrictive medical marijuana bill in the country,[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Minnesota#cite_note-8) due to the limited number of medical conditions that qualify, and the forms of cannabis that are legal. To qualify for the program, patients must be diagnosed with one of the following conditions: Cancer (with pain, nausea, vomiting, and/or wasting), glaucoma, HIV/AIDS, Tourettes, ALS (Lou Gehrig's disease), a seizure disorder, [multiple sclerosis](https://en.wikipedia.org/wiki/Multiple_sclerosis), Crohn's disease, or a painful terminal illness with less than a year to live.[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Minnesota#cite_note-conditions-9) For those individuals who meet the medical criteria, cannabis will only be legally available in liquid, pill or vaporized delivery method that does not require the use of dried leaves or plant form.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Minnesota#cite_note-10) In 2016, "intractable pain" was added to the list of qualifying conditions, with PTSD added August 1, 2017. Chronic pain and age-related [macular degeneration](https://en.wikipedia.org/wiki/Macular_degeneration) were also added to the list of qualifying conditions on December 1, 2019; the changes went into effect in August 2020.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Minnesota#cite_note-11)[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Minnesota#cite_note-conditions-9)[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Minnesota#cite_note-12)



Cannabis legalization advocates at Twin Cities Pride Parade, 2013

**Recreational-use cannabis legislation**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Minnesota&action=edit&section=4)]

On November 6, 2018, [Tim Walz](https://en.wikipedia.org/wiki/Tim_Walz) was elected [Governor of Minnesota](https://en.wikipedia.org/wiki/Governor_of_Minnesota). Walz argued that legalizing cannabis could bring in a new source of tax revenue if regulated properly, and it could reduce the number of people locked up for drug offenses: "I just think the time is here and we're seeing it across the country. Minnesota has always been able to implement these things right."[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Minnesota#cite_note-13)

On January 28, 2019, Senator [Melisa Franzen](https://en.wikipedia.org/wiki/Melisa_Franzen) (DFL-Edina), Senator [Scott Jensen](https://en.wikipedia.org/wiki/Scott_Jensen_(Minnesota_politician)) (R-Chaska), and Representative [Mike Freiberg](https://en.wikipedia.org/wiki/Mike_Freiberg) (DFL-Golden Valley) introduced a bill that would allow people over 21 to possess, grow, and purchase limited quantities of cannabis. In a statement from Senator Freiburg: "Our focus in drafting legislation to end the prohibition of cannabis in Minnesota is to ensure we have a responsible regulatory model for consumer access that still provides for public health, safety and welfare." he continued, "The time has come for us to have this debate."[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Minnesota#cite_note-14)

On March 8, 2019, [Republicans](https://en.wikipedia.org/wiki/United_States_Republican_Party) in the [Minnesota Senate](https://en.wikipedia.org/wiki/Minnesota_Senate) voted down a measure to legalize the recreational use of cannabis. Republicans also decided not to create a task-force to study the issue further. Sen. Melisa Franzen, who sponsored the measure, stated "We don't have a bill to move, so I think the debate is shut down in the Senate," noting that Governor Tim Walz could convene a task force of his own but chose to not do so. Several proposals remained under consideration in the House, including the creation of a task force, similar to what Franzen proposed, and a constitutional amendment to let voters decide the fate of legalizing, taxing and regulating the recreational use of cannabis.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Minnesota#cite_note-15)[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Minnesota#cite_note-16)

On July 1, 2022, food and beverages containing [tetrahydrocannabinol](https://en.wikipedia.org/wiki/Tetrahydrocannabinol) (THC) became legal in Minnesota if the chemical was derived from [hemp](https://en.wikipedia.org/wiki/Hemp).[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Minnesota#cite_note-:0-17) Packages were limited to a THC content of 50 mg total and 5 mg per serving. The legislation was enacted in part to address previously unregulated [delta-8-tetrahydrocannabinol](https://en.wikipedia.org/wiki/Delta-8-tetrahydrocannabinol) products. It is unclear if leaders of the Minnesota Senate understood that this legislation would legalize products with [delta-9-tetrahydrocannabinol](https://en.wikipedia.org/wiki/Delta-9-tetrahydrocannabinol).[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Minnesota#cite_note-:0-17)

Democrats took control of the Minnesota Senate in the [2022 election](https://en.wikipedia.org/wiki/2022_Minnesota_Senate_election) and made it clear that cannabis would be on their list of top legislative priorities. In January 2023, Representative [Zack Stephenson](https://en.wikipedia.org/wiki/Zack_Stephenson) (DFL-Coon Rapids) and Senator [Lindsey Port](https://en.wikipedia.org/wiki/Lindsey_Port) (DFL-Burnsville) introduced a bill to legalize recreational marijuana.[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Minnesota#cite_note-18)

On April 24, 2023, the bill HF100 was passed by the Minnesota House 71–59 and a 34–33 party-line vote in the Minnesota Senate.[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Minnesota#cite_note-19) After reconciling differences in the House and Senate versions of the bills, the updated legislation was reintroduced to the Minnesota House on May 18, where it passed with a 73–57 vote and transferred to the Senate the next day, passing with a 34–32 vote on May 20.[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Minnesota#cite_note-20) On May 30, 2023, Governor Tim Walz signed the bill into law.[[21]](https://en.wikipedia.org/wiki/Cannabis_in_Minnesota#cite_note-21) Recreational use of cannabis became legal on August 1, 2023.

**Implementation of legalized cannabis**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Minnesota&action=edit&section=5)]

Representative Zach Stephenson estimates that it will take at least a year to complete and implement the organized framework for recreational dispensaries, possession, sale, and cultivation after passage of HF100.[[22]](https://en.wikipedia.org/wiki/Cannabis_in_Minnesota#cite_note-:1-22)

A new "Office of Cannabis Management" was introduced for regulation and law-enforcement, the addition of more than 12 types of licenses for commercial growers, a 10% sales tax on all cannabis sales in addition to state taxes, multiple treatment programs for victims of drug abuse, and providing grants to those with high interest in joining the cannabis market.[[22]](https://en.wikipedia.org/wiki/Cannabis_in_Minnesota#cite_note-:1-22)

The bill also removes all penalties for cannabis possession and results in the expungement of all previous criminal convictions for first-time and subsequent cannabis possession offenses.[[22]](https://en.wikipedia.org/wiki/Cannabis_in_Minnesota#cite_note-:1-22) It also authorizes operation of paid cannabis delivery services.

**Native American dispensaries**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Minnesota&action=edit&section=6)]

Several tribes currently operate dispensaries on their Minnesota reservations, including:[[23]](https://en.wikipedia.org/wiki/Cannabis_in_Minnesota#cite_note-23)

* Sweetest Grass, [Leech Lake Band of Ojibwe](https://en.wikipedia.org/wiki/Leech_Lake_Band_of_Ojibwe)
* Waabigwan Mashkiki, [White Earth Nation](https://en.wikipedia.org/wiki/White_Earth_Nation)
* NativeCare, [Red Lake Indian Reservation](https://en.wikipedia.org/wiki/Red_Lake_Indian_Reservation)
* Island Peži, [Prairie Island Indian Community](https://en.wikipedia.org/wiki/Prairie_Island_Indian_Community)

**University of Minnesota**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Minnesota&action=edit&section=7)]

In November 2023, it was formally announced that the [University of Minnesota](https://en.wikipedia.org/wiki/University_of_Minnesota) would be immediately establishing a "research center" for cannabis.[[24]](https://en.wikipedia.org/wiki/Cannabis_in_Minnesota#cite_note-24)

**Banning cannabis odor vehicular searches**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Minnesota&action=edit&section=8)]

Effective August 1, 2024, Minnesota law bans police and law enforcement from vehicular searches based solely on cannabis odor.[[25]](https://en.wikipedia.org/wiki/Cannabis_in_Minnesota#cite_note-25)

**See also**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Minnesota&action=edit&section=9)]

* [Cannabis political parties of Minnesota](https://en.wikipedia.org/wiki/Cannabis_political_parties_of_Minnesota)
* [Minnesota NORML](https://en.wikipedia.org/wiki/Minnesota_NORML)

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# Cannabis in Mississippi

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**Cannabis in Mississippi** is legal for [medical use](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) and illegal for [non-medical use](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States). Possession of small amounts was decriminalized in 1978.

**Enforcement**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Mississippi&action=edit&section=1)]

While possession of small amounts is indeed decriminalized, it is still a misdemeanor and only decriminalized in the sense that one will not be jailed for a first offense. Under the Mississippi Code of 1979, possession of less than 30 grams (1.1 oz) of marijuana is a misdemeanor, with the first offense punishable by jail time up to 90 days and a $250 fine.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Mississippi#cite_note-1) However, probation is always given in lieu of a jail sentence following the 1978 decriminalization. One will likely be brought to jail when charged, but, at the discretion of the arresting officer, this can be avoided by both having acceptable identification and promising to appear in court to answer the charge. Subsequent offenses require a minimum 5 days in jail and graduating scale of fines. Possession of paraphernalia will result in up to 90 days in jail and a fine of up to $1,000.00.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Mississippi#cite_note-2) Again, probation is given instead of the jail sentence, and since 1978 there has never been a person sentenced to jail time for possession of paraphernalia in Mississippi. Simultaneous possession of under 30 grams and paraphernalia is punishable only with a possession of marijuana charge. In practice, if found with under 30 grams of marijuana, it is common to receive a paraphernalia charge for the container it was in, instead of a possession charge. This is done to save the state from having to pay testing costs for the marijuana.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Mississippi#cite_note-3)

Possession of between one and 30 grams kept in a vehicle is punishable of a fine up to $1,000 and up to 90 days in jail. This only applies to areas in the vehicle occupied by passengers and does not apply to a trunk.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Mississippi#cite_note-4) Additionally, any conviction will result in a 6 month suspension of driving privileges.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Mississippi#cite_note-5)

Possession of larger amounts are felonies, as is sale, cultivation and trafficking.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Mississippi#cite_note-6) For example, the sale of over 10 pounds of marijuana carries a life sentence without the possibility of parole.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Mississippi#cite_note-7) However, the penalty can be reduced if the person charged provides information on their supplier or other relevant persons to state authorities. Penalties for possession of hash and concentrates is more severe than for marijuana, with any amount greater than 0.1 grams a felony with mandatory sentencing on a graduating scale. First time possession of up to .1 grams can be punished as either a misdemeanor or a felony, at the discretion of the presiding judge.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Mississippi#cite_note-8) Possession of more than .1 gram but less than 2 grams carries a mandatory 2 years in jail. Trafficking any amount of hash or concentrates carries a mandatory 30 years in the state penitentiary. [[9]](https://en.wikipedia.org/wiki/Cannabis_in_Mississippi#cite_note-9)

**2014 legalization of CBD**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Mississippi&action=edit&section=2)]

House Bill 1231 was introduced by Representative Sam C. Mims (R) and referred to Judiciary Committee on January 2, 2014. It passed in the House by a vote of 119-0 on February 6, 2014 and was transmitted to the Senate on February 7, 2014 which then passed and was amended by a vote of 52-0 on March 6, 2014. The House and the Senate signed HB 1231 on March 30, 2014 which was Sent to Governor Bryant on April 1, 2014.

In April 2014, Governor [Phil Bryant](https://en.wikipedia.org/wiki/Phil_Bryant) signed into law HB1231, "Harper Grace's Act", following a house vote of 112-6 and Senate vote of 49-0. The [Daily Chronic](https://en.wikipedia.org/w/index.php?title=Daily_Chronic&action=edit&redlink=1) criticized the measure, noting that while it authorizes three research centers to produce high-CBD extracts, there is no assured means for patients to obtain the extracts.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Mississippi#cite_note-10)

This law allows "processed cannabis plant extract, oil or resin that contains more than fifteen percent (15%) cannabidiol (CBD) or a dilution of the resin that contains at least fifty (50) milligrams of cannabidiol per milliliter, but not more than one-half of one percent (.5%) of tetrahydrocannabinol [THC]. CBD oil may only be obtained by the order of a physician who is licensed to practice in Mississippi. Administering CBD oil to a patient must be done by or under the direction or direct supervision of a physician. The CBD oil must be obtained from or tested by the National Center for Natural Products Research at the University of Mississippi and dispensed by the Department of Pharmacy Services at the University of Mississippi Medical Center."

"Harper Grace's Law" would create more restrictive rules that exist in any of the states that currently have legal medical marijuana. House Bill 1231 only allows processed cannabis plant extract, oil or resin that contains more than 15% of cannabidiol (CBD) and no more than 0.5% THC.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Mississippi#cite_note-O'Keefe,_Karen_2014-11)

**Medical use (2020)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Mississippi&action=edit&section=3)]

On January 8, 2020, a citizen-initiated measure to legalize medical marijuana in the state qualified for the November ballot as measure 65.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Mississippi#cite_note-MM_65-12) Two months later, on March 12, 2020 the state legislature voted to place a competing measure, measure 65A, on the same ballot.[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Mississippi#cite_note-MM_65A-13) Both measure 65 and measure 65A called for legalizing medical marijuana but differed in the specifics, with the citizen-initiative measure 65 seen as creating a more detailed framework for legalization than the legislatively-referred measure 65A.[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Mississippi#cite_note-wkrgabby-14) On the ballot, voters were asked two separate questions: The first question asked them to choose between rejecting both of the measures and approving either of the measures, and the second question asked them to choose between measure 65 and 65A. In order for a measure to pass, the "either" option would need to get more votes than the "neither" option on the first question, the measure would need to receive the majority of the votes on the second question, and the measure would need to receive over 40% of the total votes cast.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Mississippi#cite_note-action_brandon-15) Mississippians for Compassionate Care, the group behind measure 65, accused the state legislature of intentionally trying to confuse voters by placing a second measure on the ballot.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Mississippi#cite_note-MM_confuse-16)

On November 3, 2020, voters voted to approve measure 65, effectively legalizing medical marijuana in the state.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Mississippi#cite_note-jimmie_from_mississippi-17) The initiative was overturned by the [Supreme Court of Mississippi](https://en.wikipedia.org/wiki/Supreme_Court_of_Mississippi) in a 6–3 majority decision released on May 14, 2021. The decision cited a fundamental flaw in the state's ballot initiative process that makes it impossible for any citizen-initiated measure to qualify for the ballot.[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Mississippi#cite_note-18)[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Mississippi#cite_note-19)

**Medical use (2022)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Mississippi&action=edit&section=4)]

Senate Bill 2095, the Mississippi Medical Cannabis Act, was a follow-up to the 2020 initiative and largely followed its provisions except for reducing the monthly purchase limit from five ounces to four.[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Mississippi#cite_note-20) It was introduced in the Senate on January 11;[[21]](https://en.wikipedia.org/wiki/Cannabis_in_Mississippi#cite_note-21) passed that chamber on January 16,[[22]](https://en.wikipedia.org/wiki/Cannabis_in_Mississippi#cite_note-22) and by the state House with amendments on January 19.[[23]](https://en.wikipedia.org/wiki/Cannabis_in_Mississippi#cite_note-23) The bill went to a bicameral committee for reconciliation and was passed by the Senate 46–4 and by the House 103–13 in a final vote on January 26.[[24]](https://en.wikipedia.org/wiki/Cannabis_in_Mississippi#cite_note-24) The bill was signed into law by state governor, [Tate Reeves](https://en.wikipedia.org/wiki/Tate_Reeves), on February 2, 2022.[[25]](https://en.wikipedia.org/wiki/Cannabis_in_Mississippi#cite_note-25) On January 25, 2023, the first legal sale of medical cannabis was made by Debbie McDermott at The Cannabis Company in Brookhaven, Mississippi. [[1]](https://www.leafly.com/news/politics/history-made-mississippis-first-medical-marijuana-dispensary-opens-for-business) In 2022, the state of Mississippi received a total of 2311[[26]](https://en.wikipedia.org/wiki/Cannabis_in_Mississippi#cite_note-26) applications for medical marijuana cards. Of those applications, 1321[[27]](https://en.wikipedia.org/wiki/Cannabis_in_Mississippi#cite_note-27) were approved. 242 new cannabis businesses have opened since 2022.[[28]](https://en.wikipedia.org/wiki/Cannabis_in_Mississippi#cite_note-28) These businesses range from cultivation facilities to dispensaries, and they provide patients with access to medical marijuana products. For patients, registering with the state costs anywhere from $50 to $100 annually.[[29]](https://en.wikipedia.org/wiki/Cannabis_in_Mississippi#cite_note-29)

Patients who suffer from a qualifying condition may qualify for medical marijuana in Mississippi.[[30]](https://en.wikipedia.org/wiki/Cannabis_in_Mississippi#cite_note-30)[[31]](https://en.wikipedia.org/wiki/Cannabis_in_Mississippi#cite_note-31)

**References**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Mississippi&action=edit&section=5)]

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# Cannabis in Missouri

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Text

* Small
* Standard
* Large

Width

* Standard
* Wide

Color (beta)

* Automatic
* Light
* Dark

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**Cannabis in Missouri** is legal for [recreational use](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States). A ballot initiative to legalize recreational use, [Amendment 3](https://en.wikipedia.org/wiki/2022_Missouri_marijuana_legalization_initiative), passed by a 53–47 margin on November 8, 2022. Possession for adults 21 and over became legal on December 8, 2022, with the first licensed sales occurring on February 3, 2023.

[Medical use](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) was legalized through the passage of a 2018 ballot measure by a 66–34 margin. The first licensed sales began in October 2020.

**State level reforms**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Missouri&action=edit&section=1)]

**Partial decriminalization (2014)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Missouri&action=edit&section=2)]

In May 2014, Senate Bill 491 was enacted which reduced penalties for certain cannabis offenses. In particular, it eliminated the threat of jail time for first-time possession of up to 10 grams.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-1) The bill also reduced penalties related to the sale and cultivation of cannabis, and eliminated the ban on probation or parole for third-time drug felony convictions.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-vallone-2) It passed the Senate by a 29–2 vote and the House 140–15, then became law without receiving the signature of Governor [Jay Nixon](https://en.wikipedia.org/wiki/Jay_Nixon).[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-3) SB 491 did not take effect until January 2017.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-vallone-2)

Although penalties for cannabis were reduced under SB 491, possession of small amounts was still treated as a [misdemeanor](https://en.wikipedia.org/wiki/Misdemeanor) crime. For this reason the [National Organization for the Reform of Marijuana Laws](https://en.wikipedia.org/wiki/National_Organization_for_the_Reform_of_Marijuana_Laws) considered Missouri to only have partially decriminalized cannabis.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-4)

**CBD oil legalized (2014)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Missouri&action=edit&section=3)]

In July 2014, Governor Nixon signed into law House Bill 2238 – the Missouri Medical Marijuana Bill – to legalize the use of [CBD oil](https://en.wikipedia.org/wiki/Cannabidiol) to treat persistent seizures. The legislation "allows the Department of Agriculture to grow industrial hemp for research purposes and allows the use of hemp extract to treat certain individuals with epilepsy". A neurologist must determine that the epilepsy does not respond to at least three treatment options in order for a person to be eligible. HB 2238 only allows hemp extract that contains at least 5% cannabidiol (CBD) and no more than 0.3% tetrahydrocannabinol (THC).[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-5)

In February 2015, the state issued licenses to two non-profits to grow cannabis to produce the oil.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-6)

**Medical cannabis legalized (2018)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Missouri&action=edit&section=4)]

In November 2018, Missouri residents approved with 66% of the vote a ballot measure (Amendment 2) to legalize the medical use of cannabis. The measure allows qualified patients to grow up to six cannabis plants and purchase an amount of cannabis per month to be determined by state regulators (required to be at least 4 ounces).[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-angell-7) The measure set a 4% tax rate on medical cannabis sales with proceeds to be earmarked for services for military veterans.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-marso-8) Although several qualifying conditions are specified, the law additionally allows cannabis to be recommended for any "chronic, debilitating or other medical condition" for which a physician determines there would be a benefit, as well as for any terminal illness.[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-9)

Also on the ballot with Amendment 2 were two other medical cannabis initiatives that were defeated. Amendment 3 contained a narrower set of qualifying conditions, a higher tax rate of 15 percent, and would not have allowed home cultivation. It failed with 32 percent of the vote.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-angell-7) A third measure, Proposition C, was a statutory change as opposed to a constitutional amendment. It set a two percent tax rate and also contained no home grow provision.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-marso-8) It failed with 44 percent of the vote.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-angell-7)

The first licensed sales of medical cannabis occurred on October 17, 2020.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-10)[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-11) By this time there were 192 licensed dispensaries in the state, most of which were expected to open by the end of the year.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-12)

**Recreational cannabis legalized (2022)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Missouri&action=edit&section=5)]

*Main article:* [*2022 Missouri marijuana legalization initiative*](https://en.wikipedia.org/wiki/2022_Missouri_marijuana_legalization_initiative)

On August 9, 2022, Secretary of State [Jay Ashcroft](https://en.wikipedia.org/wiki/Jay_Ashcroft) announced that an initiative would appear on the November 2022 ballot to legalize cannabis for recreational use.[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-13) Designated as Amendment 3 on the ballot, the initiative sought to:[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-14)[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-15)

* allow adults 21 and over to possess up to three ounces of cannabis
* allow home cultivation of six flowering cannabis plants, six nonflowering plants, and six clones for registered individuals who pay a $100 annual fee[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-16)
* allow the sale of cannabis at dispensaries licensed by the state with a 6% sales tax imposed
* divide tax revenue up between expunging non-violent cannabis offenses, providing healthcare for veterans, providing substance abuse treatment, and funding the state's public defender system
* allow local governments to assess a sales tax of up to 3%

On November 8, 2022, Missouri voters approved Amendment 3 by a 53–47 margin.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-17) Possession of cannabis for adults 21 and over became legal on December 8, 2022.[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-18) The first licensed sales of recreational cannabis occurred on February 3, 2023.[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-19)

**Municipal level reforms**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Missouri&action=edit&section=6)]

**Columbia (2004)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Missouri&action=edit&section=7)]

In November 2004, a ballot measure to decriminalize cannabis in [Columbia](https://en.wikipedia.org/wiki/Columbia,_Missouri) passed with 61% of the vote.[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-Moore-20) The measure stipulated that possession of up to 35 grams was to be processed in municipal court as a non-criminal offense, punishable by a maximum fine of $250.[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-Moore-20) Also passed with 69% of the vote was an initiative to allow the use of cannabis with a physician's approval.[[21]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-21)

A year earlier, in April 2003, a ballot measure to decriminalize cannabis in the city failed with 42% of the vote.[[22]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-22)

**Springfield (2012)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Missouri&action=edit&section=8)]

In August 2012, the city council of [Springfield](https://en.wikipedia.org/wiki/Springfield,_Missouri) voted 6–3 to enact (rather than let go to ballot) a citizen-led petition to decriminalize small amounts of cannabis.[[23]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-23)[[24]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-24) It was then repealed one month later, however, in effect blocking the proposal (which had obtained the requisite number of signatures) from appearing on the ballot.[[25]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-25)[[26]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-26) Since city council did not have this explicit power, organizers of the petition denounced the council's actions which they deemed to be illegal.[[27]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-27) A lawsuit was filed in federal court, and in April 2015 the city settled with the petition originators in the amount of $225,000.[[28]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-28)

**St. Louis (2013)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Missouri&action=edit&section=9)]

In April 2013, the [St. Louis](https://en.wikipedia.org/wiki/St._Louis) Board of Aldermen voted 22–3 to allow police to cite individuals instead of arresting them for small amounts of cannabis. Cited persons would be processed in municipal court (instead of state court) and subject to a fine in the range of 100 to 500 dollars. The law went into effect in June 2013.[[29]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-29)

Penalties were further reduced in February 2018 when the Board of Aldermen voted 24–0 to set a $25 fine for possession of up to 35 grams.[[30]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-30)[[31]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-31)

**Kansas City (2017)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Missouri&action=edit&section=10)]

In April 2017, [Kansas City](https://en.wikipedia.org/wiki/Kansas_City,_Missouri) residents approved with 75% of the vote a ballot measure to decriminalize up to 35 grams of cannabis.[[32]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-32) The measure eliminated the threat of jail time and reduced the penalty to a $25 fine.[[33]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-33) The penalty was later eliminated in July 2020 by a 9–4 city council vote.[[34]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-34)[[35]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-35)

**St. Louis (2021)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Missouri&action=edit&section=11)]

In November 2021, the St. Louis Board of Aldermen voted 23–0 to allow the possession of up to two ounces of cannabis and the cultivation of six plants under city law. The bill also prevents "adverse employer actions based on a positive drug test" for city employees who are medical cannabis patients and prohibits police from using the sight or smell of cannabis as the sole basis for police to stop someone.[[36]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-36)[[37]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-37)

**Implementation of reforms**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Missouri&action=edit&section=12)]

**Medical**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Missouri&action=edit&section=13)]

**Medical licenses**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Missouri&action=edit&section=14)]

After medical cannabis was legalized with Amendment 2, the scoring system used to award licenses was criticized. Some applicants received a score of zero for lengthy responses to questions, while others received different scores for similar answers. The state awarded the minimum number of licenses required by Amendment 2, causing many applicants to not get a license despite high scores.[[38]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-38) Many lawsuits were filed, with an unsuccessful challenge arguing the cap on licenses violated the right to farm in the state constitution.[[39]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-39) The [FBI](https://en.wikipedia.org/wiki/Federal_Bureau_of_Investigation) began an investigation into the awarding of licenses as part of a larger investigation into corruption around cannabis licenses in various states.[[40]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-40) Additionally, the state auditor launched an investigation into the awarding of licenses.[[41]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-41)

In response to lawsuits and investigations, the state awarded some additional licenses to applicants who were previously denied.[[42]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-42)

**Recreational**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Missouri&action=edit&section=15)]

**Taxes**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Missouri&action=edit&section=16)]

During the April 4, 2023 election, many counties and cities in Missouri approved the additional sales tax on recreational cannabis of 3%.[[43]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-43)[[44]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-44) It was initially unclear if city taxes and county taxes will stack.[[45]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-45) After many of the sales taxes went into effect that October, dispensaries sued to prevent stacking of city and county taxes. Amendment 3's drafters supported the position that taxes cannot stack, while the state's cannabis regulatory agency initially said the taxes could not stack before retracting their statement and offering no guidance.[[46]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-46)[[47]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-47) In May 2024, a Missouri district court ruled that cities and counties can both tax recreational cannabis.[[48]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-48)

After voters passed the 3% tax increase in [St. Louis](https://en.wikipedia.org/wiki/St._Louis), the city missed an administrative deadline, causing lost revenues of around $500,000. St. Louis filed the paperwork to begin collecting the tax in January 2024.[[49]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-49)[[50]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-50)

**2023 Recall**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Missouri&action=edit&section=17)]

In August 2023, the state recalled over 60,000 cannabis products (including [vape cartridges](https://en.wikipedia.org/wiki/Cannabis_vaporizer), [edibles](https://en.wikipedia.org/wiki/Cannabis_edible), and prerolls) manufactured by Delta Extraction LLC.[[51]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-51) No adverse reactions were reported due to use of recalled products.[[52]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-52) The recall stems from use of hemp-derived THC produced from sources outside Missouri, causing uncertainty regarding testing of harmful chemicals.[[53]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-53) Delta Extraction sued the state, arguing they created the products safely and that the state's cannabis regulatory agency did not have the authority to regulate hemp-derived THC.[[54]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-54)[[55]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-55)

**Microbusinesses**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Missouri&action=edit&section=18)]

In addition to normal cannabis business licenses, Missouri has a category of licenses designed for disadvantaged communities. These communities include low-income, those who have previous cannabis arrests, and disabled veterans.[[56]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-56) Rather than being awarded by a scoring system similar to how medical licenses were first awarded, these microbusiness licenses are awarded by lottery.[[57]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-57) Licenses are for dispensaries and wholesale facilities, which are able to grow 250 flowering plants. The first 48 microbusiness licenses were awarded from a pool of over 1,000 applicants in October 2023, with further rounds in 2024 and 2025. Each round of licensing includes two dispensaries and four wholesale facilities per congressional district.[[58]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-58)[[59]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-59)

Critics of the microbusiness licenses argue that the licenses will further limit minority entrepreneurship.[[60]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-60) The awarding of licenses was also criticized as some awardees were representatives from out-of-state companies who used eligible people to apply on their behalf. Some companies were awarded multiple microbusiness licenses.[[61]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-61) In response to these allegations, the state revoked 11 of the 48 awarded licenses in December 2023.[[62]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-62) Reporting from the [*Missouri Independent*](https://en.wikipedia.org/wiki/Missouri_Independent) describe cannabis businessman John Payne's involvement in Missouri's micro-business applications as possibly "predatory" in nature.[[63]](https://en.wikipedia.org/wiki/Cannabis_in_Missouri#cite_note-63)

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# Cannabis in Montana

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**Appearance** hide

Text

* Small
* Standard
* Large

Width

* Standard
* Wide

Color (beta)

* Automatic
* Light
* Dark

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Montana's THC Universal Symbol

| Part of a series on |
| --- |
| [Cannabis](https://en.wikipedia.org/wiki/Cannabis) |
| Cannabis |
| show   * **Arts** * [**Culture**](https://en.wikipedia.org/wiki/Cannabis_culture) |
| show  **Chemistry** |
| show  **Pharmacology** |
| show  [**Consumption**](https://en.wikipedia.org/wiki/Cannabis_consumption) |
| show  **Economics** |
| show  [**Effects**](https://en.wikipedia.org/wiki/Effects_of_cannabis) |
| show  **Forms** |
| show  **Law** |
| show  **Variants** |
| show  **Related** |
| * [**Cannabis portal**](https://en.wikipedia.org/wiki/Portal:Cannabis) * [Medicine portal](https://en.wikipedia.org/wiki/Portal:Medicine) * [Agriculture portal](https://en.wikipedia.org/wiki/Portal:Agriculture) |
| * [v](https://en.wikipedia.org/wiki/Template:Cannabis_sidebar) * [t](https://en.wikipedia.org/wiki/Template_talk:Cannabis_sidebar) * [e](https://en.wikipedia.org/wiki/Special:EditPage/Template:Cannabis_sidebar) |

**Cannabis in Montana** has been legal for both [medical](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) and [recreational](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States) use since January 1, 2021, when [Initiative 190](https://en.wikipedia.org/wiki/2020_Montana_Initiative_190) went into effect. Prior to the November 2020 initiative, marijuana was illegal for recreational use starting in 1929. Medical cannabis was legalized by ballot initiative in 2004. The [Montana Legislature](https://en.wikipedia.org/wiki/Montana_Legislature) passed a repeal to tighten Montana Medical Marijuana (MMJ) laws which were never approved by the governor. However, with the new provisions, providers could not service more than three patients. In November 2016 Bill I-182 was passed, revising the 2004 law and allowing providers to service more than three patients.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Montana#cite_note-1) In May 2023, numerous further bills on cannabis legalization and other related purposes passed the [Montana Legislature](https://en.wikipedia.org/wiki/Montana_Legislature). The [Governor of Montana](https://en.wikipedia.org/wiki/Governor_of_Montana) is yet to either sign or veto the bill.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Montana#cite_note-2)

**Background**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Montana&action=edit&section=1)]

**Prohibition (1929)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Montana&action=edit&section=2)]

Cannabis was banned in Montana in 1929, following a Health Committee meeting which was described in the local paper as "great fun", during which representative Dr Fred Fulsher[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Montana#cite_note-3) of Mineral County justified the ban due to marijuana's effects on Mexicans: "When some beet field peon takes a few rares of this stuff... he thinks he has just been elected president of Mexico so he starts out to execute all his political enemies."[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Montana#cite_note-Hardaway2003-4)

**Kurth Ranch case**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Montana&action=edit&section=3)]

In 1985, the Kurth family of [Fort Benton](https://en.wikipedia.org/wiki/Fort_Benton,_Montana) turned to growing cannabis to save their failing beef ranch. Their efforts were successful, and after reducing their debts they decided to scale back their cannabis business, but were then threatened by drug traffickers they had done business with. The ranch was attacked by criminals impersonating DEA agents who beat the owners and stole plants, and the couple was threatened with reporting their activities to the DEA if they did not pay extortion money. The extortionists did indeed report the ranch, and in October 1987 it was raided by the DEA, and the Kurths arrested.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Montana#cite_note-5)

Following their prosecution on drug charges, the Kurths were informed that they also owed tax on their cannabis proceeds to the Montana Department of Revenue. In the case of *Montana Department of Revenue v. Kurth Ranch* (1994), the [Supreme Court](https://en.wikipedia.org/wiki/Supreme_Court_of_the_United_States) concluded that Montana's 1987 Dangerous Drug Tax Act, passed just weeks before the Kurth's arrest, was a punitive tax rather than normal revenue generation, and that to tax their proceeds after the Kurths had already been punished for drug charges would be unconstitutional [double jeopardy](https://en.wikipedia.org/wiki/Double_jeopardy).[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Montana#cite_note-6)

**Medical cannabis**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Montana&action=edit&section=4)]

Measure I 148, the *Montana Medical Marijuana Act*, was a ballot initiative approved by 62% of the popular vote in 2004: 276,042 to 170,579.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Montana#cite_note-Williams2013-7)[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Montana#cite_note-8)

**2011 attempted repeal and limitations**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Montana&action=edit&section=5)]

In 2011, House Bill 161 to repeal I-148 was passed by both houses of the [Montana Legislature](https://en.wikipedia.org/wiki/Montana_Legislature), but vetoed by Governor [Brian Schweitzer](https://en.wikipedia.org/wiki/Brian_Schweitzer).[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Montana#cite_note-9) Following the veto, the Legislature instead placed strong restrictions on the medical program, but a number of the restrictions were blocked by state District Judge James Reynolds pending further review. The 2011 attempts at limitations were sparked by the rapidly growing number of medical marijuana cardholders in the state, growing from 2,000 in March 2009, to 31,000 by May 2011; following the restrictions, by November 2014 the number of cardholders had dropped to over 9,000.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Montana#cite_note-10)[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Montana#cite_note-11)

**2016 ballot initiatives**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Montana&action=edit&section=6)]

As of mid-2015, there were three proposed ballot initiatives for the November 2016 elections in Montana: I-182 a proposal to loosen the rules on quantities and recipients for medical cannabis including adding Post Traumatic Stress Disorder (PTSD) as a qualifying condition;[[*citation needed*](https://en.wikipedia.org/wiki/Wikipedia:Citation_needed)] Glendive journalist Anthony Varriano's proposal to legalize recreational cannabis for adults 21 and over; and Anti Cannabis group Safe Montana's proposal to require Montana's drug policy to follow federal policy, which would put an end to the state's medical marijuana program.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Montana#cite_note-12)[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Montana#cite_note-13) On November 6, 2016, Initiative I-182 passed with 58% approval.[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Montana#cite_note-14)

**2017 legislation**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Montana&action=edit&section=7)]

Montana’s Department of Public Health and Human Services (DPHHS) oversees the state’s medical marijuana program, and they opted to use the Marijuana Enforcement Tracking Regulation and Compliance system.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Montana#cite_note-15) In May 2017 Governor Steve Bullock signed into law SB333,[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Montana#cite_note-16) which further regulates the medical cannabis industry by adding mandatory testing and seed to sale tracking. SB 333 also imposes a 4% tax on medical marijuana beginning July 1, 2017 and decreases to 2% beginning on July 1, 2018.

**Adult use initiative (2020)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Montana&action=edit&section=8)]

In January 2020, marijuana activists associated with New Approach Montana submitted [Montana I-190](https://en.wikipedia.org/wiki/Montana_I-190), a ballot initiative to legalize cannabis in the state.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Montana#cite_note-17) On August 13, the state Secretary of State announced it had qualified for the November ballot.[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Montana#cite_note-18) On November 3, 2020, the bill passed.

Starting January 1, 2021, people of the age of 21 and over are allowed to possess and use up to one ounce (28 g) of marijuana. However, consumption and possession in public (including medical marijuana) and certain other locations is illegal, including on federal lands and waters (falling under federal law). Licensed Montana Medical Marijuana Program providers are allowed to sell marijuana products to registered cardholders in the program. An individual cardholder may possess up to 1 ounce (28 g) of marijuana, and purchase up to 5 ounces (140 g) per 30 day period, but not distribute to other people. Adult use sales became legal on January 1, 2022, in counties that voted yes on I-190. Counties that voted no are allowed to hold a local referendum later, and if approved by a majority of voters, can start adult use sales. Cultivation is legal as of July 1, 2023, before this date, only licensed medical marijuana providers were allowed. Adult use marijuana will be taxed at 20%.[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Montana#cite_note-19)

**References**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Montana&action=edit&section=9)]

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# Cannabis in Nebraska

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Text

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**Cannabis in Nebraska** is fully illegal, but first offense for possession of small amounts was reduced to a [civil infraction](https://en.wikipedia.org/wiki/Civil_infraction) in 1979.

**History**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Nebraska&action=edit&section=1)]

**Industrial hemp (1887)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Nebraska&action=edit&section=2)]

According to the USDA, the first crop of [industrial hemp](https://en.wikipedia.org/wiki/Industrial_hemp) in Nebraska was grown in [Fremont](https://en.wikipedia.org/wiki/Fremont,_Nebraska) in 1887 by men from Champaign, Illinois.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Nebraska#cite_note-Agriculture1914-1)

**Prohibition (1927) and partial decriminalization (1979)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Nebraska&action=edit&section=3)]

Amidst an early 20th century trend of limiting the drug, Nebraska first restricted cannabis in 1927.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Nebraska#cite_note-Davenport-Hines2012-2)

In 1969, Nebraska eased penalties for cannabis possession in the state, limiting the penalty for first-time possession to no more than 7 days in jail.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Nebraska#cite_note-Mitchell1990-3) Marijuana was decriminalized to a civil infraction for first-time offenders in 1978 or 1979.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Nebraska#cite_note-Tullis1991-4)

Testimony given by Nebraska prosecutors and local law enforcement officials before the [Nebraska Legislature](https://en.wikipedia.org/wiki/Nebraska_Legislature) Judiciary Committee in 2014 showed the different [counties](https://en.wikipedia.org/wiki/List_of_counties_in_Nebraska) in Nebraska respond to marijuana in significantly differing ways. Some county attorneys and sheriffs take an approach emphasizing strict enforcement, while others take an approach that deemphasizes prosecution for minor offenses.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Nebraska#cite_note-5)

**Unsuccessful lawsuit against Colorado**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Nebraska&action=edit&section=4)]

In 2013 and 2014, after the neighboring state of [Colorado](https://en.wikipedia.org/wiki/Colorado) [legalized the use of marijuana](https://en.wikipedia.org/wiki/Marijuana_in_Colorado), the marijuana arrest rate in Nebraska increased by 11 percent. The amount spent by Nebraska to enforce its marijuana laws also increased by 11 percent (to an estimated $10.2 million). Most of the increase in arrests and enforcement spent came in [western Nebraska](https://en.wikipedia.org/wiki/Western_Nebraska) (the "Nebraska Panhandle") next to the Colorado border, and particularly along [Interstate 80](https://en.wikipedia.org/wiki/Interstate_80_in_Nebraska) which traverses the entire state. Experts expressed uncertainty whether the spike was caused by the change in Colorado law, by increased enforcement by Nebraska police, or some combination of factors.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Nebraska#cite_note-6)

In December 2014, Nebraska and Oklahoma sought permission from the [Supreme Court of the United States](https://en.wikipedia.org/wiki/Supreme_Court_of_the_United_States) to file an [original action](https://en.wikipedia.org/wiki/Original_jurisdiction) against the [State of Colorado](https://en.wikipedia.org/wiki/State_of_Colorado), asking to Court to strike down Colorado's legalization of cannabis.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Nebraska#cite_note-IngoldDenver-7)[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Nebraska#cite_note-SCOTUSBlog-8) Nebraska and Oklahoma argued that it had resulted in a spillover of cannabis activity into their states, and thus increasing enforcement expenses and social harm.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Nebraska#cite_note-IngoldDenver-7) They argued that the Colorado legislation was "[preempted by federal law](https://en.wikipedia.org/wiki/Federal_preemption), and therefore unconstitutional and unenforceable under the [Supremacy Clause](https://en.wikipedia.org/wiki/Supremacy_Clause)."[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Nebraska#cite_note-SCOTUSBlog-8)

In March 2016, the Court denied Nebraska and Oklahoma's request to proceed with its suit. Justice [Clarence Thomas](https://en.wikipedia.org/wiki/Clarence_Thomas), joined by Justice [Samuel Alito](https://en.wikipedia.org/wiki/Samuel_Alito), dissented, writing that they would have heard the claim against Colorado.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Nebraska#cite_note-SCOTUSBlog-8)[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Nebraska#cite_note-9)

**Unsuccessful 2015 medical cannabis proposal**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Nebraska&action=edit&section=5)]

In 2015, LB643, the "Cannabis Compassion and Care Act," was proposed in the [unicameral](https://en.wikipedia.org/wiki/Unicameral_legislature) state legislature. The legislation would have allowed certain patients with prescriptions to use marijuana in liquid or pill form (but not smoked leaf form) for medical purposes. Patients would only be eligible if they suffered from certain serious illnesses, such as cancer, [glaucoma](https://en.wikipedia.org/wiki/Glaucoma), [HIV/AIDS](https://en.wikipedia.org/wiki/HIV/AIDS), and [hepatitis C](https://en.wikipedia.org/wiki/Hepatitis_C). Following an initial 27–12 vote in favor, the bill's sponsor, Senator Tommy Garrett of [Bellevue](https://en.wikipedia.org/wiki/Bellevue,_Nebraska) requested the bill be held until 2016, due to conflicting priorities as the senators dealt with the fallout from the legislature's 2015 prohibition of capital punishment.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Nebraska#cite_note-10)[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Nebraska#cite_note-11)

In 2016 the bill was blocked by a Senate filibuster, falling three votes short of the number failed to advance. The bill encountered the "stiff opposition" of [Governor](https://en.wikipedia.org/wiki/Governor_of_Nebraska) [Pete Ricketts](https://en.wikipedia.org/wiki/Pete_Ricketts) and [Attorney General](https://en.wikipedia.org/wiki/Nebraska_Attorney_General) [Doug Peterson](https://en.wikipedia.org/wiki/Doug_Peterson_(Nebraska_politician)).[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Nebraska#cite_note-12)



Marijuana growing wild in a ditch in [Buffalo County](https://en.wikipedia.org/wiki/Buffalo_County,_Nebraska)

**Unsuccessful 2020 medical cannabis ballot measure**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Nebraska&action=edit&section=6)]

A medical cannabis ballot measure was invalidated by the [Nebraska Supreme Court](https://en.wikipedia.org/wiki/Nebraska_Supreme_Court) for containing more than one question.[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Nebraska#cite_note-13)

**Botany**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Nebraska&action=edit&section=7)]

Nebraska is noted for the presence of feral hemp plants, low in psychoactive THC and generally known as "[ditch weed](https://en.wikipedia.org/wiki/Ditch_weed)" (or more rarely "Nebraska Nonsense").[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Nebraska#cite_note-Lee2013-14) A 1987 study noted that 12.4 million cannabis plants were eradicated in Nebraska annually.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Nebraska#cite_note-15) Hemp researcher David West recommended that farmers store feral hemp seed prior to legalization, in hopes of rebuilding a stock of [landrace](https://en.wikipedia.org/wiki/Landrace) strain of indigenous cannabis.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Nebraska#cite_note-Fine2014-16)

**References**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Nebraska&action=edit&section=8)]

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# Cannabis in Nevada

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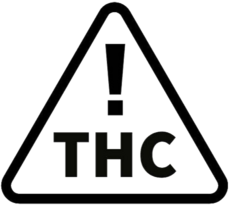
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| Part of a series on |
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| [Cannabis](https://en.wikipedia.org/wiki/Cannabis) |
| Cannabis |
| show   * **Arts** * [**Culture**](https://en.wikipedia.org/wiki/Cannabis_culture) |
| show  **Chemistry** |
| show  **Pharmacology** |
| show  [**Consumption**](https://en.wikipedia.org/wiki/Cannabis_consumption) |
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| * [v](https://en.wikipedia.org/wiki/Template:Cannabis_sidebar) * [t](https://en.wikipedia.org/wiki/Template_talk:Cannabis_sidebar) * [e](https://en.wikipedia.org/wiki/Special:EditPage/Template:Cannabis_sidebar) |

**Cannabis in Nevada** became legal for [recreational use](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States) on January 1, 2017, following the passage of Question 2 on the [2016 ballot](https://en.wikipedia.org/wiki/2016_United_States_elections) with 54% of the vote. The first licensed sales of recreational cannabis began on July 1, 2017.

[Medical use](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) was legalized after a pair of ballot measures passed in 1998 and 2000. Legislation to allow for licensed sales was approved separately in 2013. The first medical cannabis dispensary opened on July 31, 2015.

**Prohibition (1923)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Nevada&action=edit&section=1)]

Nevada first banned cannabis in 1923, during a nationwide trend of states limiting the drug between 1911 and 1933.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-Davenport-Hines2012-1)

**Reforms**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Nevada&action=edit&section=2)]

**Nevada Medical Marijuana Act (1998, 2000)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Nevada&action=edit&section=3)]

A ballot measure to legalize cannabis for medical use, the Nevada Medical Marijuana Act, passed with 59% of the vote in 1998.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-2) It passed for a second time in 2000 with 65% of the vote.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-3) The initiative was required to pass in two consecutive elections because it sought to amend the [state constitution](https://en.wikipedia.org/wiki/Constitution_of_Nevada).[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-4)

Medical use was officially legalized with the June 2001 passage of Assembly Bill 453, which took effect on October 1.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-defelonization-5)

**Defelonization (2001)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Nevada&action=edit&section=4)]

Assembly Bill 453 also contained a provision to make possession of up to one ounce a fine-only misdemeanor, only resulting in criminal charges for a third offense.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-defelonization-5)

Prior to the passage of AB 453, Nevada was the only state for which possessing any amount of cannabis was a felony.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-defelonization-5)

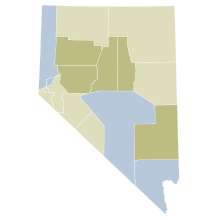
**Failed recreational use initiative – 2002**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Nevada&action=edit&section=5)]

A ballot measure to legalize cannabis for recreational use, Question 9, failed with 39% of the vote in 2002.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-6)[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-Gerber2004-7) Titled the Decriminalization of Marijuana Amendment, the measure would have legalized the possession of up to three ounces of cannabis and allowed it to be sold at dispensaries.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-8) The measure was opposed by drug czar [John P. Walters](https://en.wikipedia.org/wiki/John_P._Walters) who traveled to Nevada twice to campaign against its passage.[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-9)

**Failed recreational use initiative – 2006**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Nevada&action=edit&section=6)]

A second initiative to legalize cannabis for recreational use, the Regulation of Marijuana Initiative (Question 7), failed with 44% of the vote in 2006.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-10) It would have legalized the possession of up to an ounce of cannabis and allowed it to be sold at dispensaries, while also increasing penalties for some cannabis offenses.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-11)

**Initiative to Regulate and Tax Marijuana (2016)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Nevada&action=edit&section=7)]



2016 Question 2 results by county. Counties shaded in darker blue indicate higher support. Counties shaded in darker yellow indicate stronger opposition.

Recreational use of cannabis was legalized after the Initiative to Regulate and Tax Marijuana (Question 2) passed with 54% of the vote on November 8, 2016.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-12)[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-13) Possession of up to one ounce of cannabis became legal for adults 21 and over on January 1, 2017.[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-bp_2016-14)[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-15) The initiative also allows adults to cultivate up to six plants if they live more than 25 miles from a dispensary.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-16) The first dispensaries opened to the public on July 1, 2017.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-17)[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-18)

Question 2 was opposed by casino magnate [Sheldon Adelson](https://en.wikipedia.org/wiki/Sheldon_Adelson), who donated $3.35 million to the campaign to defeat the initiative.[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-19) Adelson also purchased the [*Las Vegas Review-Journal*](https://en.wikipedia.org/wiki/Las_Vegas_Review-Journal) in December 2015, after which the [editorial board](https://en.wikipedia.org/wiki/Editorial_board) reversed its earlier endorsement of the initiative.[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-Sullum-20) Prior to the flip-flop, the *Review-Journal* supported legalization as far back as 2002.[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-Sullum-20) The main sponsor in support of the initiative was [Marijuana Policy Project](https://en.wikipedia.org/wiki/Marijuana_Policy_Project).[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-bp_2016-14)

**Consumption lounges legalized (2021)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Nevada&action=edit&section=8)]

In June 2021, Governor [Steve Sisolak](https://en.wikipedia.org/wiki/Steve_Sisolak) signed Assembly Bill 341, allowing the operation of alcohol-free consumption lounges where adults can purchase and consume cannabis products. Lounges can be either stand-alone independent businesses or attached to existing dispensaries. The lounges offer tourists a venue to consume cannabis outside a private home.[[21]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-NevPubRadio2021jun10-21)[[22]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-Stapleton2021-22)

In November 2022, the Cannabis Compliance Board announced the issuance of 40 prospective licenses for consumption lounges.[[23]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-23) Of those, three were issued conditional licenses in June 2023.[[24]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-24)

The first lounge to open in the state was at Nuwu Cannabis Marketplace, operated by the [Las Vegas Pauite Tribe](https://en.wikipedia.org/wiki/Las_Vegas_Tribe_of_Paiute_Indians_of_the_Las_Vegas_Indian_Colony), in October 2019.[[25]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-25) The first to open on non-tribal land was Smoke and Mirrors lounge operated by THRIVE Cannabis Marketplace in February 2024. Clark County Commissioner [Tick Segerblom](https://en.wikipedia.org/wiki/Tick_Segerblom) became the first customer to consume cannabis on-site when he lit up a joint at [4:20](https://en.wikipedia.org/wiki/420_(cannabis_culture)) pm on opening day.[[26]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-26)

**Possession limit and licensing reforms (2023)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Nevada&action=edit&section=9)]

In June 2023, Governor [Joe Lombardo](https://en.wikipedia.org/wiki/Joe_Lombardo) signed into law a bill to increase possession limits from 1 ounce of flower to 2.5, and from 1/8 ounce of concentrate to 1/4, effective January 1, 2024. The bill also allowed recreational cannabis licenses to serve dually as medical cannabis licenses, and allowed people with felony convictions to obtain licenses if certain criteria are met.[[27]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-27)[[28]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-28)

**Medical cannabis implementation**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Nevada&action=edit&section=10)]

**Delays and permit process (2002–2013)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Nevada&action=edit&section=11)]

Following the establishment of NRS 453, broad language in the statute prevented the erection of a state licensure program for commercial businesses.[[29]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-29) Personal cultivation of marijuana for private medicinal use was the only available means of consumption, with a maximum of 12 plants allowed.[[*citation needed*](https://en.wikipedia.org/wiki/Wikipedia:Citation_needed)] Medical marijuana advocates and commercial business owners criticized the Nevada's slow handling of the legislative and regulatory process.[[30]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-30) One 42 year-old Las Vegas resident even filed a class-action lawsuit alleging that Nevada's medical marijuana registration program was unconstitutional for its excessive impedances and delays.[[31]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-31)

**First commercial operations (2013–2016)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Nevada&action=edit&section=12)]

It was not until June 12, 2013, when Senate Bill 374 was passed and signed into law by Governor [Brian Sandoval](https://en.wikipedia.org/wiki/Brian_Sandoval) that commercial distribution was made possible.[[32]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-32) The process, however, continued to take time. A contributing factor to the state's slow commercial license approval process was the limited availability of licenses and a lengthy scoring and ranking system.[[33]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-33) The first provisional certificates for legal commercial medical marijuana operations were limited to 372 businesses within the state: 182 for cultivation, 118 for production, 55 for dispensaries, and 17 for independent testing laboratories.[[34]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-34) Twelve licenses were initially awarded to dispensaries,[[35]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-barcottleafly-35) sparking "fierce competition" among applicants.[[35]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-barcottleafly-35) Journalist Bruce Barcott of [Leafly](https://en.wikipedia.org/wiki/Leafly) posited that the thorough vetting process created a favorable environment to patients of the dispensaries, as "applicants were graded in a host of categories — security, financing, environmental plan, etc. — and the most robust business plans won the coveted licenses. For patients, that means the dispensaries are well-financed, beautifully designed, and expertly managed."[[35]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-barcottleafly-35) The first dispensary opened on July 31, 2015, in [Sparks](https://en.wikipedia.org/wiki/Sparks,_Nevada).[[36]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-36)[[37]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-37)

The [Nevada Department of Health and Human Services](https://en.wikipedia.org/wiki/Nevada_Department_of_Health_and_Human_Services) states that there were 9,542 cardholding participating patients as of July 2015. 6716 of these patients were located within [Clark County](https://en.wikipedia.org/wiki/Clark_County,_Nevada).[[38]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-asofjuly2015-38) As of February 3, 2016, there are 5 laboratories, 19 cultivation facilities, 8 production facilities, and 15 licensed dispensaries operating in Clark County. Sales figures as of that time were not available, but one dispensary assistant manager estimates that they receive 50 to 70 patients a day on average, roughly 60% of which are tourists.[[39]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-medicalfilup-39) At the time, there were about "11,000 medical-card holders" living in southern Nevada.[[35]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-barcottleafly-35)

**Requirements for legal patient use**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Nevada&action=edit&section=13)]

The following are approved conditions for legal medical use of marijuana or marijuana products: [AIDS](https://en.wikipedia.org/wiki/AIDS), [cachexia](https://en.wikipedia.org/wiki/Cachexia), [cancer](https://en.wikipedia.org/wiki/Cancer), [glaucoma](https://en.wikipedia.org/wiki/Glaucoma), [post-traumatic stress disorder](https://en.wikipedia.org/wiki/Post-traumatic_stress_disorder) (PTSD), persistent [muscle spasms](https://en.wikipedia.org/wiki/Muscle_spasms) or [seizures](https://en.wikipedia.org/wiki/Seizures), and severe [nausea](https://en.wikipedia.org/wiki/Nausea) or pain. Other conditions are subject to approval.[[40]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-40)

The state of Nevada maintains strict control over the use of medical marijuana in certain situations.[[41]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-41) Consumption in a public place, at a detention or correctional facility, or during delivery of marijuana to another person is illegal.[[42]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-42) Performing certain recreational activities under the influence of marijuana is illegal (for instance, operating a water ski, surfboard, windsail or similar device). Possession of a firearm, licensed or unlicensed, while under the influence is illegal.[[43]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-43)

For operating a motor vehicle, the state maintains a permissible limit of 10 nanograms of THC per milliliter of urine and 2 nanograms per milliliter of blood. Violators will be penalized with a $400 fine, 2 days in jail, 48 – 96 hours of community service to $5000 fine and 1 – 6 years in prison depending on the first, second and third offence.[[44]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-44) Operating an aircraft while under the influence is also illegal.

**Legal possession amounts**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Nevada&action=edit&section=14)]

State law currently allows for the possession of 2.5 ounces of consumable marijuana in any 14-day period (NRS 453A.160). Twelve marijuana plants are permitted, irrespective of their maturity (NAC 453A.080). Consumable products are permitted with an equivalent content of psychoactive compounds such as THC (NRS 453A.112). The state of Nevada conducted a public workshop on February 4, 2016, in order to solidify proposed changes to NRS 453 defining serving sizes for edible products containing THC as well as clarifying language within the statute.[[*citation needed*](https://en.wikipedia.org/wiki/Wikipedia:Citation_needed)]

**Application process for an MMR card**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Nevada&action=edit&section=15)]

The process of obtaining a permit to consume medical marijuana in Nevada begins with the applicant paying the $25 application fee for their application packet. Upon receiving the packet, they must satisfy the needed documentation and return the packet to the state Division of Public and Behavioral Health. Needed materials include an attending physician's statement from a Nevada board-certified physician in good standing, a legal waiver, and proof of Nevada residency.

Applicants mail the application along with a $75 registration fee. The application is verified for completeness, and the applicant undergoes a background check for drug-related criminal history. If no felony charges for distribution or trafficking of controlled substances, the applicant will be approved for their MMR card subject to further approval by the Division. An approval letter is sent, which the patient may use for 14 days as a viable permit until their photo ID MMR card is received in the mail.

Registry cards must be renewed yearly.[[45]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-45) Anyone leaving the registry program must surrender their card to the state within 7 days.

**Reciprocity for other programs**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Nevada&action=edit&section=16)]

Nevada is a state which recognizes reciprocity for out-of-state marijuana card holders.[[46]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-leaflyguidelasvegas-46) For example, the state of Nevada recognizes MMR and MMJ cardholders from other states with regulated medical marijuana programs, such as [Colorado](https://en.wikipedia.org/wiki/Colorado) and [Washington](https://en.wikipedia.org/wiki/Washington_(state)).[[47]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-47) According to [Leafly](https://en.wikipedia.org/wiki/Leafly), permissive practices and a strong tourism industry in Las Vegas has made the city a viable test case for how reciprocity policies affect income for the medical marijuana and tourism industries.[[46]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-leaflyguidelasvegas-46) Some dispensaries estimate that around half of their business comes from out-of-state cardholders.[[35]](https://en.wikipedia.org/wiki/Cannabis_in_Nevada#cite_note-barcottleafly-35)

**See also**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Nevada&action=edit&section=17)]

* icon
* [***Cannabis portal***](https://en.wikipedia.org/wiki/Portal:Cannabis)
* ***flag***
* [***Nevada portal***](https://en.wikipedia.org/wiki/Portal:Nevada)
* [List of 2016 United States cannabis reform proposals](https://en.wikipedia.org/wiki/List_of_2016_United_States_cannabis_reform_proposals)
* [Cannabis in the United States](https://en.wikipedia.org/wiki/Cannabis_in_the_United_States)

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# Cannabis in New Hampshire

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Text

* Small
* Standard
* Large

Width

* Standard
* Wide

Color (beta)

* Automatic
* Light
* Dark

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**Cannabis in New Hampshire** is illegal for [recreational use](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States) and decriminalized for possession of up to three-quarters of an ounce (21 g) as of July 18, 2017. [Medical use](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) is legal through legislation passed in 2013.

**Medical cannabis (2013)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Hampshire&action=edit&section=1)]

In July 2013, New Hampshire Governor [Maggie Hassan](https://en.wikipedia.org/wiki/Maggie_Hassan) signed into law a bill allowing the use of medical cannabis for patients with "chronic or terminal diseases" and "debilitating medical conditions." The bill was noted as one of the stricter medical marijuana bills in the nation, allowing cannabis only after all other treatment methods have failed.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_New_Hampshire#cite_note-1) Hassan also modified the measure, prohibiting patients from growing their own cannabis.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_New_Hampshire#cite_note-2)

In July 2024, the Governor signed an extensive omnibus bill - that passed the legislature further enhanced reforms and expansion of medical cannabis and other related items. This does not include cannabis legalisation however, which failed.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_New_Hampshire#cite_note-3)

**Failed legalization (2014)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Hampshire&action=edit&section=2)]

On January 15, 2014, New Hampshire's legislature voted preliminarily 170 to 162 in favor of House Bill 492, based on [Colorado Amendment 64](https://en.wikipedia.org/wiki/Colorado_Amendment_64), which would have legalized the personal use of up to 1 ounce (28 g) of marijuana by those over 21 years old as well as production and sale by licensed facilities and dispensaries.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_New_Hampshire#cite_note-4)[[5]](https://en.wikipedia.org/wiki/Cannabis_in_New_Hampshire#cite_note-5)[[6]](https://en.wikipedia.org/wiki/Cannabis_in_New_Hampshire#cite_note-6)

**Decriminalization (2017)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Hampshire&action=edit&section=3)]

On July 18, 2017, New Hampshire decriminalized cannabis, replacing misdemeanor charges with a $100 fine for a first or second offense and $300 for a third offense. Four offenses within three years would result in misdemeanor charges.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_New_Hampshire#cite_note-7) Individuals who refuse to identify themselves to police could still be subject to arrest.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_New_Hampshire#cite_note-8)

**Legalization of cannabis policy**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Hampshire&action=edit&section=4)]

In May 2023, [Governor](https://en.wikipedia.org/wiki/Governor_of_New_Hampshire) [Chris Sununu](https://en.wikipedia.org/wiki/Chris_Sununu) said he supports, in principle, the legalization of cannabis[[9]](https://en.wikipedia.org/wiki/Cannabis_in_New_Hampshire#cite_note-9) with conditions - despite for years being completely surrounded by jurisdictions already with legalized cannabis in Vermont, Maine and Massachusetts - plus Canada to the north. The [New Hampshire House of Representatives](https://en.wikipedia.org/wiki/New_Hampshire_House_of_Representatives) passed several bills on cannabis legalization for years - but the [New Hampshire Senate](https://en.wikipedia.org/wiki/New_Hampshire_Senate) takes no action, tables or rejects the bills for years.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_New_Hampshire#cite_note-10)[[11]](https://en.wikipedia.org/wiki/Cannabis_in_New_Hampshire#cite_note-11)

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# Cannabis in New Jersey

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**Appearance** hide

Text

* Small
* Standard
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New Jersey's Cannabis Universal Symbol

| Part of a series on |
| --- |
| [Cannabis](https://en.wikipedia.org/wiki/Cannabis) |
| Cannabis |
| show   * **Arts** * [**Culture**](https://en.wikipedia.org/wiki/Cannabis_culture) |
| show  **Chemistry** |
| show  **Pharmacology** |
| show  [**Consumption**](https://en.wikipedia.org/wiki/Cannabis_consumption) |
| show  **Economics** |
| show  [**Effects**](https://en.wikipedia.org/wiki/Effects_of_cannabis) |
| show  **Forms** |
| show  **Law** |
| show  **Variants** |
| show  **Related** |
| * [**Cannabis portal**](https://en.wikipedia.org/wiki/Portal:Cannabis) * [Medicine portal](https://en.wikipedia.org/wiki/Portal:Medicine) * [Agriculture portal](https://en.wikipedia.org/wiki/Portal:Agriculture) |
| * [v](https://en.wikipedia.org/wiki/Template:Cannabis_sidebar) * [t](https://en.wikipedia.org/wiki/Template_talk:Cannabis_sidebar) * [e](https://en.wikipedia.org/wiki/Special:EditPage/Template:Cannabis_sidebar) |

**Cannabis in New Jersey** is legal for both [medical use](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) and [recreational use](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States). An amendment to the state constitution legalizing cannabis became effective on January 1, 2021, and enabling legislation and related bills were signed into law by governor [Phil Murphy](https://en.wikipedia.org/wiki/Phil_Murphy) on February 22, 2021.

The state legislature tried to legalize cannabis during its 2018-19 session, but was unsuccessful. Instead, the legislature placed the issue before the voters as a [referendum](https://en.wikipedia.org/wiki/Referendum) on the 2020 ballot. Known as [New Jersey Public Question 1](https://en.wikipedia.org/wiki/2020_New_Jersey_Public_Question_1), the referendum passed with 67% approval. As a follow-up to passage of Question 1, in December 2020 the legislature passed legislation creating a recreational marketplace.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-WSJournal-1)[[2]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-NBCNEWS-2)[[3]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-NJ.com-3)

Disagreements between the governor and legislature over the lack of underage penalties in the legislation decriminalizing cannabis led to the effective date of cannabis legalization being delayed from January 1 until February 22, and police continued to arrest residents for marijuana offenses regularly during that time period.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-4) On April 21, 2022, licensed sales of recreational cannabis began.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-theguardian.com-5)

**History**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Jersey&action=edit&section=1)]

**Criminalization**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Jersey&action=edit&section=2)]

In 2013, New Jersey police made 24,765 arrests for [possession](https://en.wikipedia.org/wiki/Drug_possession) of small amounts of marijuana, the highest in two decades. The number of 2013 arrests was double that of 1993, when the state's population was smaller. The spike in arrest rates was at odds with the national trend, beginning in 2007, that saw a decline in arrests for marijuana possession.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-Hefler2015-6) New Jersey arrested 34,500 people on cannabis offenses in 2017, more than any other state in the nation.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-7)

**Cannabis reform advocacy**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Jersey&action=edit&section=3)]

New Jersey United for Marijuana Reform is an [advocacy](https://en.wikipedia.org/wiki/Advocacy_group) coalition of "religious, civil rights, law enforcement and medical leaders" who support legalization of marijuana in the state.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-8)

A report by New Jersey United for Marijuana Reform and New Jersey Policy Perspective, issued in 2016, concluded that if New Jersey legalized marijuana, it could generate about $300 million annually in sales tax revenue for the state. (The report assumed a sales tax of 25% and annual in-state marijuana sales of $1.2 billion.)[[9]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-9)

[Perennial candidate](https://en.wikipedia.org/wiki/Perennial_candidate) [Ed Forchion](https://en.wikipedia.org/wiki/Ed_Forchion) – known as "NJ Weedman" – has been described by [NJ.com](https://en.wikipedia.org/wiki/NJ.com) as "one of New Jersey's best known marijuana legalization advocates."[[10]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-Shea-10) Since the 1990s, Forchion has advocated for marijuana-law reform in the state.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-Shea-10) In 2004, Forchion lost a bid to legally [change his name](https://en.wikipedia.org/wiki/Name_change) to "NJ Weedman" after prosecutors intervened.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-Shea-10) Forchion has been convicted of violating New Jersey's marijuana laws several times;[[10]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-Shea-10) in 2015, the [New Jersey Superior Court, Appellate Division](https://en.wikipedia.org/wiki/New_Jersey_Superior_Court,_Appellate_Division), affirmed one of his convictions, rejecting Forchion's contention that the criminalization of marijuana violated his constitutional rights under the [state](https://en.wikipedia.org/wiki/New_Jersey_Constitution) and [federal constitutions](https://en.wikipedia.org/wiki/United_States_Constitution).[[11]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-11)

**Public opinion**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Jersey&action=edit&section=4)]

Recent public opinion polls has found that New Jersey voters are split on the issue of legalization, with proponents having a slight edge. In 2015, [Rutgers](https://en.wikipedia.org/wiki/Rutgers_University) [Eagleton Institute of Politics](https://en.wikipedia.org/wiki/Eagleton_Institute_of_Politics) conducted a [public opinion](https://en.wikipedia.org/wiki/Public_opinion) poll of New Jerseyans, asking whether they supported legalizing, taxing, and regulating the use of marijuana. Among respondents, 33% "strongly supported" the idea, 26% "somewhat supported" the idea, 12% "somewhat opposed" the idea, and 27% "strongly opposed" the idea.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-12) A Reuters-Eagleton poll in 2018 showed similar results, with 58% supporting and 37% opposing the complete legalization of "the possession and personal use of recreational marijuana."[[13]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-13)

**Types of legal cannabis**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Jersey&action=edit&section=5)]

The legalization of cannabis typically falls into two sets of laws and regulations: the legalization of cannabis for medical purposes, and the legalization for recreational use.

**Medical use**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Jersey&action=edit&section=6)]

On January 18, 2010, outgoing governor [Jon Corzine](https://en.wikipedia.org/wiki/Jon_Corzine) signed a number of bills into law on his last day in office, including S. 119, the Compassionate Use Medical Marijuana Act, permitting the use of medical cannabis for persons with listed conditions: [cancer](https://en.wikipedia.org/wiki/Cancer), [glaucoma](https://en.wikipedia.org/wiki/Glaucoma), [multiple sclerosis](https://en.wikipedia.org/wiki/Multiple_sclerosis), [HIV/AIDS](https://en.wikipedia.org/wiki/HIV/AIDS), [seizure disorder](https://en.wikipedia.org/wiki/Seizure_disorder), [Lou Gehrig's disease](https://en.wikipedia.org/wiki/Lou_Gehrig%27s_disease), severe muscle spasms, [muscular dystrophy](https://en.wikipedia.org/wiki/Muscular_dystrophy), [inflammatory bowel disease](https://en.wikipedia.org/wiki/Inflammatory_bowel_disease), [Crohn's disease](https://en.wikipedia.org/wiki/Crohn%27s_disease) and any terminal illness (defined as an illness for which a physician certifies that the patient will die within one year). The law allows the [New Jersey health department](https://en.wikipedia.org/wiki/New_Jersey_Department_of_Health_and_Senior_Services) to [create rules](https://en.wikipedia.org/wiki/Rulemaking) to add other illnesses to the list. The law did not allow patients to [grow](https://en.wikipedia.org/wiki/Cannabis_cultivation) their own marijuana; instead, the plant must be acquired through "alternate treatment centers" licensed by the state. Caregivers for patients are permitted to collect marijuana on behalf of the patient, but the caregiver must be designated and cleared by a criminal [background check](https://en.wikipedia.org/wiki/Background_check).[[14]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-14)

Enrollment in the medical marijuana program was initially small, which was attributed to costs, the rigid limitations of the program, and "the small number of doctors willing to recommend patients," as well as resistance to the program by New Jersey Governor [Chris Christie](https://en.wikipedia.org/wiki/Chris_Christie), who in 2014 called the medical program a "front for legalization" of marijuana.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-Johnson-15) In 2011, New Jersey was described as having the strictest medical marijuana law among the 16 states that at the time permitted medical marijuana.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-P%C3%A9rez-Pe%C3%B1a-16)

In 2013, the parents of a two-year-old with [Dravet syndrome](https://en.wikipedia.org/wiki/Dravet_syndrome) confronted Christie, who signed a bill allowing access for sick children to medical marijuana[[17]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-Honan-17) in what was later dubbed the "pot for tots" controversy.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-Honan-17)[[18]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-MotherInvestigated-18)[[19]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-Jones-19)

As of 2015, 5,540 patients were registered as part of the program, along with 355 caregivers authorized to buy on behalf of ill patients.[[20]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-LivioFifthDispensary-20) As of 2017, there were 11,659 qualified patients in the state, mostly adults.[[21]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-HeflerPhilly-21)

Under New Jersey's medical-marijuana law, up to a maximum of six alternate treatment centers receive contracts from the state. These centers, which must be [nonprofit](https://en.wikipedia.org/wiki/Nonprofit_organization), have the exclusive right to produce and sell medical marijuana in New Jersey.[[20]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-LivioFifthDispensary-20)[[16]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-P%C3%A9rez-Pe%C3%B1a-16) The first dispensary opened in December 2012 in [Montclair](https://en.wikipedia.org/wiki/Montclair,_New_Jersey).[[22]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-22) By October 2015, four additional centers had opened, in [Egg Harbor Township](https://en.wikipedia.org/wiki/Egg_Harbor_Township,_New_Jersey), [Woodbridge](https://en.wikipedia.org/wiki/Woodbridge,_New_Jersey), [Bellmawr](https://en.wikipedia.org/wiki/Bellmawr,_New_Jersey), and [Cranbury](https://en.wikipedia.org/wiki/Cranbury,_New_Jersey).[[20]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-LivioFifthDispensary-20) In July 2017, the state issued a sixth and final permit, to the non-profit Harmony Foundation, allowing it to cultivate marijuana in [Secaucus](https://en.wikipedia.org/wiki/Secaucus,_New_Jersey);[[23]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-23) after receiving an additional permit, Harmony opened a dispensary in Secaucus in June 2018.[[24]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-24)

Christie generally opposed efforts by advocates and legislators to add new illnesses to the list of qualifying conditions, but nevertheless in 2016 Christie signed into law a measure, sponsored by state Senator [Joseph Vitale](https://en.wikipedia.org/wiki/Joseph_Vitale_(politician)), that added [post-traumatic stress disorder](https://en.wikipedia.org/wiki/Post-traumatic_stress_disorder) to the list of disorders making a patient eligible for the program.[[25]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-25)

In 2017, the state Medicinal Marijuana Review Panel, in a 5–1 vote, recommended that a number of conditions be added to the list of medical marijuana-qualifying conditions in New Jersey, including [migraines](https://en.wikipedia.org/wiki/Migraines), [Tourette syndrome](https://en.wikipedia.org/wiki/Tourette_syndrome), [autism](https://en.wikipedia.org/wiki/Autism)-related anxiety, and [Alzheimer's disease](https://en.wikipedia.org/wiki/Alzheimer%27s_disease)-related anxiety, as well as [chronic pain](https://en.wikipedia.org/wiki/Chronic_pain) if "related to a broad range of ailments, including [opioid use disorder](https://en.wikipedia.org/wiki/Opioid_use_disorder), [arthritis](https://en.wikipedia.org/wiki/Arthritis), back and neck pain, sciatica, diabetes, surgeries, injuries, neuropathy, [Lyme disease](https://en.wikipedia.org/wiki/Lyme_disease), lupus, fibromyalgia, [irritable bowel syndrome](https://en.wikipedia.org/wiki/Irritable_bowel_syndrome), pancreatitis, and others."[[21]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-HeflerPhilly-21) However, the Review Panel rejected proposals to add asthma and chronic fatigue to the list.[[21]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-HeflerPhilly-21) The final determination on additions to the list is made by the state Health Commissioner.[[21]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-HeflerPhilly-21)

In 2018, the Legislature considered a bill to expand access to [medical marijuana](https://en.wikipedia.org/wiki/Medical_marijuana) (S-10), edible forms of marijuana would be legalized for adult medical use; patients enrolled in New Jersey's medical marijuana program could possess up to 3 ounces (an increase from two ounces); and the permitting process for medical marijuana dispensaries, manufacturers, and cultivators would be expedited.[[26]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-DavisPugliese-26) The bill would have allowed [physician assistants](https://en.wikipedia.org/wiki/Physician_assistant) and [advanced practice registered nurses](https://en.wikipedia.org/wiki/Advanced_practice_registered_nurse) to prescribe medical marijuana to patients.[[27]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-HutchinsLanderganSutton-27)

Ultimately, a separate medical marijuana expansion measure, the [Jake Honig Compassionate Use Medical Cannabis Act](https://en.wikipedia.org/wiki/Jake%27s_Law), passed the legislature and was signed into law by Governor [Phil Murphy](https://en.wikipedia.org/wiki/Phil_Murphy) in July 2019. The legislation greatly expanded the number of slots for medical cannabis providers; created a Cannabis Regulatory Commission, which took over supervision of the medical cannabis program from the state Health Department; made it easier to patients to obtain medical cannabis by reducing the required frequency of medical eligibility verifications from four times a year to once a year; allowed patients to purchase more cannabis at any given point (increasing the limit from 2 ounces to 3 ounces for 18 months, with limitations to be thereafter determined by the Cannabis Regulatory Commission, and with no limit for terminally ill patients); authorized nursing homes and hospice centers to obtain cannabis from dispensaries on behalf of patients; and allowed medical cannabis patients from outside New Jersey to buy medicine while visiting New Jersey for up to six months.[[28]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-28) The legislation and subsequent amendments also phased out the state sales tax levied on purchases of medical cannabis by registered patients at dispensaries, while allowing municipalities to levy a local transfer tax of up to 2%, which no municipality has chosen to do.[[29]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-29)

Beginning July 1, 2022, the sales tax on medical cannabis products purchased at licensed dispensaries was fully repealed. A law signed in 2019 contained a provision that phased out the sales tax for cannabis products. [[30]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-30)

**Recreational use**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Jersey&action=edit&section=7)]

The state’s Cannabis Regulatory Commission held a meeting in April 2022, after being pushed by the legislature, in order to work through a backlog of applications. The commission approved seven businesses to begin to sell cannabis recreationally. Critics noted that the applications had been waiting for a while, as the state’s voters approved medical cannabis nearly two years prior to the approval in April. The seven businesses granted licenses by the commission were already in the medical cannabis business, known as "alternative treatment centers." *Financial Regulation News* noted that the state board still had a lot of work ahead of it, as they need to approve more companies to sell cannabis to meet what the state's expected demand.[[31]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-:4-31)

In April 2022, licensed recreational sales of cannabis began in New Jersey. Dispensaries began selling recreational cannabis on April 21, 2022.[[32]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-:0-32)

As of April 2022, the 13 dispensaries are located in Maplewood, Phillipsburg, Rochelle Park, Bloomfield, Paterson, Elizabeth, Lawrence Township, Egg Harbor Township, Williamstown, Deptford, Vineland, Bellmawr, and Edgewater Park.[[33]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-:1-33)

Under New Jersey state law, consumers are legally allowed to purchase up to one ounce of dried flower; 5 grams of concentrates, resins, and oils; and up to 1 gram total of edible cannabis products.[[33]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-:1-33)

Consumers must be 21 years of age or older to purchase legal cannabis.[[32]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-:0-32)

The rollout of the state's recreational cannabis program hasn't been without criticism. Industry stakeholders, including owners of cannabis companies belonging to minority groups, have complained about the state’s system for evaluating applications for licenses, calling the system unreliable and unfair. One of the companies, Pangea, said that the state’s method was overly complicated. For example, Pangea said that its application was reviewed by six people from various government departments and used a system with 1,000 possible points across 60 different measures.[[31]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-:4-31)

**2017-2019 legislative debate on legalization**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Jersey&action=edit&section=8)]

In May 2017, state Senator [Nicholas Scutari](https://en.wikipedia.org/wiki/Nicholas_Scutari), a Democrat from [Union](https://en.wikipedia.org/wiki/Union_County,_New_Jersey), introduced legislation to legalize marijuana in New Jersey for recreational purposes.[[34]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-Sullivan-34)[[35]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-Williams2017-35) Under Scutari's proposal, adults aged 21 and over in the state would be able to legally consume marijuana and to legally possess up to one ounce of marijuana flower, plus 16 ounces of solid cannabis-infused products (i.e., edibles); 72 ounces of "liquid marijuana tinctures, drinks and oils," and seven grams of marijuana concentrate.[[34]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-Sullivan-34)[[35]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-Williams2017-35) A state sales tax on marijuana products[[35]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-Williams2017-35) would go from 7% in the first year to 10% in the second year, progressively rising by 5% per year until the tax level reached 25%.[[34]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-Sullivan-34) "Unlike all of the eight states that already host recreational marijuana programs, New Jersey would not allow home cultivation."[[35]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-Williams2017-35) Christie strongly opposed any legalization of marijuana, calling the legislation "beyond stupidity" and "nothing more than crazy liberals who want to say everything's OK,"[[36]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-36) and said that he would [veto](https://en.wikipedia.org/wiki/Veto) any legalization bill.[[37]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-Hefler2018-37)

In 2018, after Christie left office, the Democratic-controlled state legislature again considered the Scutari legalization bill.[[38]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-38) However "at least 15 competing marijuana bills, each with a different flavor and vision, have been proposed in the Assembly."[[37]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-Hefler2018-37) Current governor [Phil Murphy](https://en.wikipedia.org/wiki/Phil_Murphy) supports legalization, and vowed to sign a legalization bill in a bid to raise $1.3 billion in revenue.[[39]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-39) and fulfill a campaign pledge to sign a legalization bill within the first 100 days of his administration.[[40]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-40)

Scutari introduced new legislation to legalize, regulate, and tax marijuana for recreational purposes, the New Jersey Marijuana Legalization Act, on June 7, 2018. [Stephen M. Sweeney](https://en.wikipedia.org/wiki/Stephen_M._Sweeney) is a consponsor.[[41]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-41) In November 2018, a joint panel of the [New Jersey Legislature](https://en.wikipedia.org/wiki/New_Jersey_Legislature) (composed of [assembly members](https://en.wikipedia.org/wiki/New_Jersey_General_Assembly) and [senators](https://en.wikipedia.org/wiki/New_Jersey_Senate)) passed S-2703, as well as separate legislation to expand the state's [expungement](https://en.wikipedia.org/wiki/Expungement) process, including for drug offenses (S-3205).[[26]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-DavisPugliese-26) Under S-2703, the possession of up to 1 ounce of marijuana, and the consumption of marijuana in the home or designated areas would become legal; a 12% state sales tax on marijuana would be imposed; and New Jersey municipalities would be given the power to choose to levy an additional 2% tax.[[26]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-DavisPugliese-26)

The progress of the legalization bill was slowed by legislative gridlock.[[42]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-42) Governor Murphy and Senate President Sweeney agreed that marijuana should be legalized, but disagree on details.[[43]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-CorasanitiNov28-43) A small number of state Senate Democrats opposed legalization,[[43]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-CorasanitiNov28-43) most vocally "a handful of African-American Democratic lawmakers who split with their party over legalization, arguing that it would be a public health menace to their communities."[[44]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-Collapse-44) Senator [Ronald Rice](https://en.wikipedia.org/wiki/Ronald_L._Rice) was a leading opponent of legalization.[[44]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-Collapse-44) As a result of their opposition, the proponents of the legislation needed every other Senate Democrat, and possibly several Senate Republicans, in order to secure passage.[[43]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-CorasanitiNov28-43)

Negotiations in December 2018 and January 2019 focused on the tax rate for marijuana sales and regulatory oversight.[[45]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-45) In March 2019, the effort to legalize marijuana in New Jersey collapsed, as Murphy and Sweeney were unable to persuade a majority of senators to back the legislation.[[44]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-Collapse-44)

**Local restrictions**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Jersey&action=edit&section=9)]

Although a legalization bill did not pass the state legislature in 2018, a number of [municipal governments in New Jersey](https://en.wikipedia.org/wiki/Local_government_in_New_Jersey) nevertheless enacted legislation in anticipation of legalization that would ban or restrict marijuana sales and use within those municipalities, including [Freehold Township](https://en.wikipedia.org/wiki/Freehold_Township,_New_Jersey), [Oceanport](https://en.wikipedia.org/wiki/Oceanport,_New_Jersey), [Cinnaminson Township](https://en.wikipedia.org/wiki/Cinnaminson,_New_Jersey), [Hazlet](https://en.wikipedia.org/wiki/Hazlet,_New_Jersey), [Middletown Township](https://en.wikipedia.org/wiki/Middletown_Township,_New_Jersey), [Brick](https://en.wikipedia.org/wiki/Brick,_New_Jersey), and [Toms River](https://en.wikipedia.org/wiki/Toms_River,_New_Jersey).[[46]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-Solis-46) Freehold, for example, banned the sale of all marijuana (recreational or medical),[[46]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-Solis-46) while [Oakland](https://en.wikipedia.org/wiki/Oakland,_New_Jersey) banned "retail stores, cultivation facilities, manufacturing, testing, social clubs, cultivation, possession, storing, testing, labeling, transport, delivery, dispensing and distribution" but exempted medical marijuana dispensaries and use.[[47]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-47)

**2020 referendum on recreational use**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Jersey&action=edit&section=10)]

*Main article:* [*2020 New Jersey Public Question 1*](https://en.wikipedia.org/wiki/2020_New_Jersey_Public_Question_1)

After the collapse of the 2018-19 efforts to legalize marijuana through the legislature, legislative leaders announced plans to place a marijuana [referendum](https://en.wikipedia.org/wiki/Referendum) on the 2020 ballot. In New Jersey, a referendum can be placed on the ballot when the legislature votes to do so by a simple majority in two consecutive years, or a supermajority (60% in both houses) in one year.[[27]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-HutchinsLanderganSutton-27)[[48]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-48) On December 16, 2019, the bill was passed in both houses with a supermajority, which put the referendum on the 2020 ballot. It passed in the Assembly by a vote of 49–24 (with one abstention) and in the Senate by a vote of 24–16.[[49]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-49)

On November 3, 2020, New Jersey voters approved New Jersey Public Question 1, an amendment to the state constitution to legalize the recreational use of cannabis by people ages 21 and older, with 67% voting yes and 33% voting no.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-WSJournal-1)[[2]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-NBCNEWS-2)[[3]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-NJ.com-3) The amendment provides for the state to establish a regulated market for the cultivation, distribution, and sale of cannabis.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-WSJournal-1)

**2020 and 2021 legislation**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Jersey&action=edit&section=11)]

NJ A21 (20R), a legalization and regulation bill, and NJ A1897 (20R), decriminalization, were sent to New Jersey governor [Phil Murphy](https://en.wikipedia.org/wiki/Phil_Murphy) on December 17. Murphy said he would [conditionally veto](https://en.wikipedia.org/wiki/Veto#Amendatory_veto) the bills if language on underage possession was not reconciled by January 30.[[50]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-50) An initial attempt at negotiations on a "clean-up bill" to address underage penalties collapsed due to strong opposition from the Black and Latino caucuses in the legislature, who opposed the legislation on the grounds that police would use the penalties to unfairly target minorities. To address these concerns, the final bill that was passed saw fines for people aged 18–20 caught with marijuana reduced to $50 (from the original $500 maximum fine) and "stationhouse adjustments" for minors replaced with written warnings from police.[[51]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-51)

On January 29, New Jersey A5342 was introduced in committee to address underage penalties in the legalization and decriminalization bills; this marked the second attempt at a clean-up bill.[[52]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-52)[[53]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-53)[[54]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-54) Clean-up bill S3454 was introduced on February 11 after the governor's veto threat[[55]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-55) and was approved by Senate Judiciary Committee at February 19 hearing,[[56]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-56)[[57]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-57)[[58]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-58) passed 22-12 by the Senate and 49-27 by the Assembly in a February 22 vote and was signed into law by the governor later the same day, along with the decriminalization and legalization bills.[[59]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-59)[[60]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-60)

**Clean-up bill controversy and amendment**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Jersey&action=edit&section=12)]

After the underage penalties bill was signed into law alongside the enabling legislation, police organizations and some lawmakers objected to a provision that prohibits police from informing the parents of minors about their child's first alcohol or cannabis possession offense. Under the law, police could only inform the parent or guardian of a person under 18's alcohol or cannabis possession upon their second offense. In response, legislators began working on a revision to the underage penalties statute that would allow police to notify a parent or guardian after a first possession offense. Governor Murphy expressed support for the legislation.[[61]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-61)

On March 25, 2021, both houses of the [New Jersey Legislature](https://en.wikipedia.org/wiki/New_Jersey_Legislature) unanimously passed an amendment to the underage penalties law requiring police to notify the parent or guardian of a minor about any alcohol or marijuana possession offenses. Murphy signed the legislation into law the following day.[[62]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-62)[[63]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-63)

**Current regulation**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Jersey&action=edit&section=13)]

|  | This article **needs additional citations for** [**verification**](https://en.wikipedia.org/wiki/Wikipedia:Verifiability). Please help [improve this article](https://en.wikipedia.org/wiki/Special:EditPage/Cannabis_in_New_Jersey) by [adding citations to reliable sources](https://en.wikipedia.org/wiki/Help:Referencing_for_beginners). Unsourced material may be challenged and removed.  *Find sources:* ["Cannabis in New Jersey"](https://www.google.com/search?as_eq=wikipedia&q=%22Cannabis+in+New+Jersey%22) – [news](https://www.google.com/search?tbm=nws&q=%22Cannabis+in+New+Jersey%22+-wikipedia&tbs=ar:1) **·** [newspapers](https://www.google.com/search?&q=%22Cannabis+in+New+Jersey%22&tbs=bkt:s&tbm=bks) **·** [books](https://www.google.com/search?tbs=bks:1&q=%22Cannabis+in+New+Jersey%22+-wikipedia) **·** [scholar](https://scholar.google.com/scholar?q=%22Cannabis+in+New+Jersey%22) **·** [JSTOR](https://www.jstor.org/action/doBasicSearch?Query=%22Cannabis+in+New+Jersey%22&acc=on&wc=on) *(November 2021) (*[*Learn how and when to remove this message*](https://en.wikipedia.org/wiki/Help:Maintenance_template_removal)*)* |
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On August 19, 2021, the [Cannabis Regulatory Commission](https://en.wikipedia.org/wiki/New_Jersey_Cannabis_Regulatory_Commission) (CRC) established the first set of rules and regulations regarding the recreational cannabis industry, as well as beginning the process of handing out licenses to businesses. The new rules covered several categories ranging from personal possession to business regulations.[[64]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-64)[[65]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-65)

**Personal consumption**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Jersey&action=edit&section=14)]

The following rules govern personal consumption of recreational cannabis in New Jersey:[[66]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-:2-66)

* Consumers at least 21 or older may purchase up to one ounce of cannabis and possess up to six ounces of cannabis, or an equivalent amount of cannabis products.
* Driving under the influence is prohibited.
* It is illegal for anyone under 21 to purchase, possess, or consume cannabis products.
* People and entities engaged in activities authorized by the statute and rules are protected from criminal prosecution.
* Home cultivation is prohibited.

**Equity**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Jersey&action=edit&section=15)]

The new rules established three types of cannabis businesses that will receive priority review and approval in application processes:[[67]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-:3-67)

* Social equity businesses - owned by those who live in economically disadvantaged areas, which are defined as zip codes whose average median household income is less than 80% of the state average, has a health uninsured rates that is at least 150% of the state rate, and has a poverty rate at least 150% of the statewide rate; or those who have had a previous conviction for a cannabis offense.
* Diversely owned businesses - minority-owned, woman-owned, disabled veteran-owned, or any combination of the three.
* Impact zone businesses - owned by those located in impact zones, which are defined as municipalities with a large population, high unemployment rate, or high numbers of crime or arrests for marijuana. The new rules set the age to 21 to participate in cannabis businesses.

The CRC also established a Social Equity Excise Fee, which is a fee on cultivation that is supposed to increase as consumer prices decrease, whose funds will go toward educational support, economic development, and social support services in Impact Zones.[[67]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-:3-67)

The bill also prioritizes small businesses, referred to as "microbusiness", as a way to allow greater integration from underrepresented communities into the cannabis industry. A microbusiness is defined as a store limited to 10 employees and 2,500 square feet.[[67]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-:3-67)

**Municipality authority**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Jersey&action=edit&section=16)]

The bill codifies the ordinances that municipalities are able to pass.[[67]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-:3-67)

* Authorize certain types of cannabis businesses.
* Set numerical limits to the number of types of businesses operating within their jurisdiction.
* Restrict hours of operation and locations of cannabis businesses, such as banning locations near school zones or places of worship.
* Create local licensing requirements and penalties.
* Restricting type of cultivation allowed.
* Establish a 2% transfer tax on cannabis products transferred within their jurisdiction.
* Communicate the municipality's preference for licensure to the Commission.

However, municipalities are not allowed to pass certain ordinances, such as restriction of cannabis delivery services or transportation.

**Municipal banning of marijuana shops**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Jersey&action=edit&section=17)]

Around 71%[[68]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-68) (roughly 400) of New Jersey municipalities have already declined or banned the opening of cannabis businesses within their jurisdictions. Municipalities were given until August 22 to determine if they wanted to "opt in" to cannabis businesses or "opt out", as municipalities who opt in are not allowed to opt out for a set number of years, while those who have opted out are allowed to reverse their decision at any point. Not all municipalities have opted out for political reasons, some want to hold off a bit before they allow marijuana businesses in their jurisdictions, such as [Camden](https://en.wikipedia.org/wiki/Camden,_New_Jersey) or [Princeton](https://en.wikipedia.org/wiki/Princeton,_New_Jersey).[[69]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-69)

**Business regulations**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Jersey&action=edit&section=18)]

**Safety**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Jersey&action=edit&section=19)]

People must be at least 21 to participate in the cannabis industry.[[66]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-:2-66) Advertising must be restricted to primarily those of legal age, with TV and radio ads only being allowed between 10PM and 6AM,[[70]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-70) as well as banning the promotion of overconsumption or making unproven claims. Businesses are required to mask odors and partake in local community discussion, and must have at least one staff member who can respond to any complaints from locals.

Within cannabis retail stores, employees are required to have educational materials for customers, which would include things such as the health effects of cannabis use, harm reduction, and indications of abuse. Products are required to be properly labeled with a list of health risks and a hotline to poison control. Packaging that might be appealing to children, such as the use of cartoons, candy, food, and trademarked images, are prohibited. Packaging must also be childproof. Edibles are only permitted in a few certain forms: syrups, pills, tablets, capsules, and chewable forms, while products resembling food like cookies or brownies are prohibited.

**Licensing**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Jersey&action=edit&section=20)]

There are no limits on licenses, with the exception of the retention of the 2 year cap on cultivator licenses at 37, which expires on February 22, 2023. Social Equity Businesses, Diversely-Owned Businesses, and Impact Zone Businesses are prioritized for licensing approval, regardless of when they submit applications. The bill also works to prevent predatory lending, regulating the framework of management services and financial services. There are several types of licenses with different requirements:

* Conditional licenses - Applicants are required to submit background information, a criminal background check, and must prove they make less than $200,000 annually ($400,000 for joint filers). If approved, applicants must then solidify a spot for their business, gain control of the property, and gain municipal approval. Once ready, license-holders must then submit things such as operating procedures for the business, an environmental impact plan, a workforce development plan, and a security plan.
* Annual licenses - Applicants are required to submit a more detailed application that includes details for the proposed site for the business, which must be owned or leased, municipal approval, zoning approval; and they must also submit an operating summary plan in which applicants detail their experience, history, and knowledge of critical pieces of operating a cannabis business. Microbusinesses are allowed to apply to convert to an annual license, as long as they have been established for at least one year.
* Expanded alternative treatment centers - Treatment centers will be able to expand their operations to include personal use cannabis subject to municipal approval. They must certify they have an adequate supply for patients, and the use of sales will not impact patient access.

Application fees are set at a low price to reduce barriers to entry, only applicants who are approved pay the full price for applying, paying only 20% of the fee at the time of application, and only paying the remaining 80% should they be approved, with applications starting as low as $100, with those who are approved having to pay between $500-$2,000. Annual license fees are connected to size, with microbusinesses paying as little as $1,000 per year, cultivators with a canopy of 150,000 sq feet paying $50,000 per year, and Alternative Treatment Centers will be required to pay a conversion fee of $300,000 - $1,000,000, depending on their size.

Cannabis business employees are required to register with the CRC and pay an annual $25 fee for a Cannabis Business ID Card, with employees being required to undergo a training course.

Cultivators are determined by the size of the facility.[[67]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-:3-67)

**Product regulations**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Jersey&action=edit&section=21)]

Cannabis manufacturing is restricted to secure, enclosed facilities. There is a ban on additives that are deemed harmful, as well as a restriction on percentages of how much additives are allowed. Terpenes are only allowed in vapes in concentrations found naturally. There is a restriction on what types of cannabis products are allowed to be produced:

* Cannabis concentrates including extracts and resins
* Vaporized formulations
* Drops, tinctures, and other sublabial and sublingual forms
* Oral lozenges and other buccal forms
* Edibles that can only be in the form of syrups, pills, tablets, capsules, and chewables
* Topical formulations and transdermal forms

Packaging and labeling must be childproof, have a universal warning symbol, have required warning labels, a summary of product testing results, list of ingredients used in cultivation or production, and serving size. Cannabis flower must include potency testing results, indicate if it is high-, moderate-, or low-THC, and whether it is high-, moderate-, or low-CBD. Warning labels will include things such as avoiding use of heavy machinery, avoiding use while pregnant or breastfeeding, and noting that high-potency products may affect mental health. Labels must not have any false information or advertising on it. Labels must not be appealing to children whatsoever.

Regulators must pick a date for sales at least 180 days in advance.

**"Gifting" loophole**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Jersey&action=edit&section=22)]

In New Jersey, there is a legal loophole referred to as "gifting". When "gifting" occurs, a company sells a negligible product (like a box of cookies) to a customer at an astronomical price, such as $50. Then when the company delivers the product it offers a "free gift" of cannabis as a thank-you for the purchase of the cookies. This scheme was believed to have started in Washington, DC after it [legalized cannabis](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.) but didn't yet have any licensed dispensaries set up yet.[[71]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-:5-71)

The gifting loophole undermines the regulatory framework that governs the sale and possession of cannabis in the state. The few license holders that do exist in New Jersey have paid hundreds of thousands or even millions of dollars to the license to cultivate and sell cannabis.[[71]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-:5-71)[[72]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-:6-72) In June 2021, the New Jersey Attorney General sent warning letters to companies taking advantage of the gifting loophole. Four companies were specifically targeted for the cease and desist letters for committing gifting: Four Sky High Munchies, Slumped Kitchen LLC, NJGreenDirect.com LLC and West Winds Wellness.[[72]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-:6-72) At least one gifting company, Bud Hub, was shut down by Ocean County Police.[[73]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-auto-73) In October 2021, the owner was charged with possession, possession with intent to distribute, distribution of marijuana, and second-degree money laundering. Police also seized marijuana, paraphernalia, his Bud hub branded Jeep, and over $400,000 in cash. Budhub was openly operating out of [Holiday City](https://en.wikipedia.org/wiki/Holiday_City-Berkeley,_New_Jersey).[[73]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-auto-73)

**Cannabis Media In New Jersey**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Jersey&action=edit&section=23)]

Cannabis news is an important and hot topic in New Jersey. Independent media organizations such as Heady NJ and mainstream outlet NJ Cannabis Insider are two of the leading cannabis sites in New Jersey. Both websites were founded in 2017 when cannabis was expected to be legalized by Gov. Phil Murphy. [[74]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-74)[[75]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-75)

**Effective date**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Jersey&action=edit&section=24)]

On April 21, 2022, New Jersey cannabis sales legislation went into effect after the passage of the November 2020 ballot initiative.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-theguardian.com-5) Nearly $2 million of cannabis was sold on the first day.[[76]](https://en.wikipedia.org/wiki/Cannabis_in_New_Jersey#cite_note-76)

**See also**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Jersey&action=edit&section=25)]

* [Jake's Law](https://en.wikipedia.org/wiki/Jake%27s_Law)
* [New Jersey Cannabis Regulatory Commission](https://en.wikipedia.org/wiki/New_Jersey_Cannabis_Regulatory_Commission)
* [New Jersey Department of Health](https://en.wikipedia.org/wiki/New_Jersey_Department_of_Health)

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# Cannabis in New Mexico

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**Appearance** hide

Text

* Small
* Standard
* Large

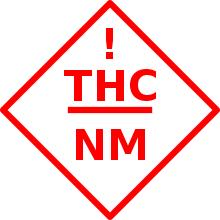
Width

* Standard
* Wide

Color (beta)

* Automatic
* Light
* Dark

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New Mexico's Cannabis Universal Symbol

| Part of a series on |
| --- |
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| Cannabis |
| show   * **Arts** * [**Culture**](https://en.wikipedia.org/wiki/Cannabis_culture) |
| show  **Chemistry** |
| show  **Pharmacology** |
| show  [**Consumption**](https://en.wikipedia.org/wiki/Cannabis_consumption) |
| show  **Economics** |
| show  [**Effects**](https://en.wikipedia.org/wiki/Effects_of_cannabis) |
| show  **Forms** |
| show  **Law** |
| show  **Variants** |
| show  **Related** |
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| * [v](https://en.wikipedia.org/wiki/Template:Cannabis_sidebar) * [t](https://en.wikipedia.org/wiki/Template_talk:Cannabis_sidebar) * [e](https://en.wikipedia.org/wiki/Special:EditPage/Template:Cannabis_sidebar) |

**Cannabis in New Mexico** is legal for [recreational use](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States) as of June 29, 2021. A bill to legalize recreational use – House Bill 2, the Cannabis Regulation Act – was signed by Governor [Michelle Lujan Grisham](https://en.wikipedia.org/wiki/Michelle_Lujan_Grisham) on April 12, 2021. The first licensed sales of recreational cannabis began on April 1, 2022.

[Medical use](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) was legalized in 2007 through a bill signed by Governor [Bill Richardson](https://en.wikipedia.org/wiki/Bill_Richardson). A 1978 law also allowed for medical use, but only through a federally-approved research program. It was the first medical cannabis law enacted by any state.

**State policy**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Mexico&action=edit&section=1)]

**Prohibition (1923)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Mexico&action=edit&section=2)]

In 1923, [New Mexico](https://en.wikipedia.org/wiki/New_Mexico) banned the cultivation, importation, and sale of cannabis. [*The Santa Fe New Mexican*](https://en.wikipedia.org/wiki/The_Santa_Fe_New_Mexican) noted:[[1]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-1)

The Santa Fe representative, however, had better luck with his bill to prevent sale of marihuana, cannabis indica, Indian hemp or hashish as it is variously known. This bill was passed without any opposition. Marihuana was brought into local prominence at the penitentiary board's investigation last summer when a convict testified he could get marihuana cigarettes anytime he had a dollar. The drug produces intoxication when chewed or smoked. Marihuana is the name commonly used in the Southwest and Mexico.

**Controlled Substances Therapeutic Research Act (1978)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Mexico&action=edit&section=3)]

In 1978 New Mexico became the first state to pass legislation allowing the medical use of cannabis in some form.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-Randall-2) Known as the Controlled Substances Therapeutic Research Act, the bill allowed the use of cannabis through a research program approved by the [Food and Drug Administration](https://en.wikipedia.org/wiki/Food_and_Drug_Administration), using cannabis supplied by the [National Institute on Drug Abuse](https://en.wikipedia.org/wiki/National_Institute_on_Drug_Abuse).[[3]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-Grinspoon-3) The bill was spurred by the efforts of cancer patient Lynn Pierson, who found relief from using cannabis and pleaded his case to state lawmakers that he should be allowed to use the drug.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-Anderson-4) His efforts were rewarded in February 1978 when the bill was signed into law, following its passage in both chambers of the legislature by wide margins.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-Randall-2)[[4]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-Anderson-4) However, the program still required federal approval, which would not come until August 1978, shortly after Pierson died due to his illness.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-Grinspoon-3) The approval was then rescinded a few weeks later, but in November 1978 the final go-ahead was given, and cannabis was delivered to the state two months later.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-Grinspoon-3) Between 1978 and 1986, approximately 250 cancer patients received either cannabis or [THC](https://en.wikipedia.org/wiki/Tetrahydrocannabinol) through the Lynn Pierson Therapeutic Research Program (named in honor of Pierson after his death).[[3]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-Grinspoon-3)[[5]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-5)

**Governor Johnson endorses legalization (1999)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Mexico&action=edit&section=4)]

In 1999, Republican Governor [Gary Johnson](https://en.wikipedia.org/wiki/Gary_Johnson) set off a political firestorm in the state when he endorsed the policy of drug legalization.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-6) In particular, Johnson called for the legalization of cannabis and said that the drug's dangers had been significantly exaggerated.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-7)[[8]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-8) His comments regarding legalization were soon condemned by various law enforcement officials, the [lieutenant governor](https://en.wikipedia.org/wiki/Lieutenant_Governor_of_New_Mexico), and the Republican Party.[[9]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-9) [Darren White](https://en.wikipedia.org/wiki/Darren_White_(politician)), the secretary of the [New Mexico Department of Public Safety](https://en.wikipedia.org/wiki/New_Mexico_Department_of_Public_Safety), resigned in protest.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-10) Drug czar [Barry McCaffrey](https://en.wikipedia.org/wiki/Barry_McCaffrey) made a special trip to Albuquerque to denounce the governor's comments which he called "astonishing" and "embarrassing".[[11]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-11) Johnson did not back down, however, and continued to advocate for legalization as he finished out his second term.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-12) He became the highest-ranking elected official in the country to endorse such a position.[[13]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-13)

**Medical use legalized (2007)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Mexico&action=edit&section=5)]

In April 2007, Governor [Bill Richardson](https://en.wikipedia.org/wiki/Bill_Richardson) signed into law Senate Bill 523, the Lynn and Erin Compassionate Use Act.[[14]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-reuters_mmj-14) The bill allowed the use of cannabis with a physician's recommendation for treatment of certain medical conditions such as [HIV/AIDS](https://en.wikipedia.org/wiki/HIV/AIDS), [cancer](https://en.wikipedia.org/wiki/Cancer), [glaucoma](https://en.wikipedia.org/wiki/Glaucoma), [multiple sclerosis](https://en.wikipedia.org/wiki/Multiple_sclerosis), and [epilepsy](https://en.wikipedia.org/wiki/Epilepsy).[[14]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-reuters_mmj-14) In later years the list of qualifying conditions was expanded,[[15]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-15) and an allowance for cultivation by patients was added as well.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-16) Senate Bill 523 passed the Senate by a vote of 32–3 and the House by a vote of 36–31,[[17]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-17) making New Mexico the 12th state to legalize medical use and the 4th to do so through an act of state legislature.[[18]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-18)

**House approves legalization (2019)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Mexico&action=edit&section=6)]

In March 2019, [House Bill 356](https://en.wikipedia.org/wiki/New_Mexico_House_Bill_356) was approved by the House of Representatives by a 36–34 vote.[[19]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-house-19) The bill sought to legalize the recreational use of cannabis and establish a system for the distribution of cannabis through dispensaries run by the state.[[20]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-20) After passing in the House it stalled in the Senate Finance Committee,[[21]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-21) but Governor Lujan Grisham announced that she would add the issue to the legislative agenda for the upcoming year.[[22]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-22) The passage of the bill marked the first time that either chamber of the legislature had voted to legalize recreational cannabis.[[19]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-house-19)

**Decriminalization (2019)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Mexico&action=edit&section=7)]

In April 2019, Senate Bill 323 was signed into law by Governor Lujan Grisham.[[23]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-huffpost-23) It made first-time possession of up to 1⁄2 ounce (14 g) of cannabis a petty misdemeanor offense, punishable by a $50 fine.[[24]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-24) It also decriminalized possession of drug paraphernalia, making New Mexico the first state to do so.[[25]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-25) SB 323 passed the House by a 44–20 vote and the Senate 30–8.[[26]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-26) It went into effect on July 1, 2019.[[23]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-huffpost-23)

**Medical program expansion (2019)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Mexico&action=edit&section=8)]

In April 2019, Governor [Michelle Lujan Grisham](https://en.wikipedia.org/wiki/Michelle_Lujan_Grisham) signed into law Senate Bill 406, the first major change to the Lynn and Erin Compassionate Use Act since it was enacted in 2007.[[27]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-27) The bill included reforms to allow the medical use of cannabis in public schools, protect medical cannabis patients from losing custody of their children, provide employment protections for patients in non-safety sensitive positions, allow patients to renew their [medical cannabis card](https://en.wikipedia.org/wiki/Medical_cannabis_card) every three years instead of one, allow medical cannabis cardholders from other states to use cannabis, allow the consumption of medical cannabis at [dispensaries](https://en.wikipedia.org/wiki/Cannabis_dispensaries_in_the_United_States), and prevent denial of an organ transplant due to being a medical cannabis patient.[[28]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-28) A similar bill passed the legislature in 2017 but was vetoed by Governor [Susana Martinez](https://en.wikipedia.org/wiki/Susana_Martinez).[[29]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-29)

**Cannabis Legalization Working Group (2019)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Mexico&action=edit&section=9)]

In June 2019, Governor Lujan Grisham announced the formation of the Cannabis Legalization Working Group to determine the best path forward for legalization during the 2020 legislative session.[[30]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-Boyd062819-30) Said Grisham: "This group will ensure we begin the next session with a credible, equitable, and cohesive legalization proposal that will incorporate all public safety concerns, workplace regulations, labeling requirements that protect underage children, and all manner of other issues."[[31]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-31) The working group consisted of over 20 individuals from varying backgrounds including state lawmakers, cabinet secretaries, law enforcement officials, and medical cannabis executives.[[30]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-Boyd062819-30)[[32]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-32)

The Cannabis Legalization Working Group released a report detailing its recommendations in October 2019.[[33]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-33) "Through more than 30 hours of public meetings across the state, and with the help of more than 200 pages of public comment, the members explored every aspect of legalization, both good and bad," said the chair of the working group, Albuquerque City Councilor Pat Davis.[[34]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-34)

**Recreational use legalized (2021)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Mexico&action=edit&section=10)]



[Cannabis edible](https://en.wikipedia.org/wiki/Cannabis_edible) purchased recreationally from a store in [Eldorado at Santa Fe](https://en.wikipedia.org/wiki/Eldorado_at_Santa_Fe,_New_Mexico)

House Bill 2, the Cannabis Regulation Act, was signed into law by Governor Lujan Grisham on April 12, 2021.[[35]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-35)[[36]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-36) It passed the House 38–32 and the Senate 22–15 during a special legislative session called by the governor, after the legislature failed to legalize cannabis during the regular 2021 session.[[37]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-37)[[38]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-38) House Bill 2, along with a separate bill dealing with expungements (Senate Bill 2), legalized cannabis with the following conditions:[[39]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-39)[[40]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-40)

* Possession of cannabis for adults 21 and over will become legal on June 29, 2021. No possession limit will apply at home while a two ounce limit will apply outside the home.
* Personal cultivation of six mature plants and six immature plants will be allowed per person, with a limit of 12 mature plants per residence.
* Retail sales of cannabis will begin by April 1, 2022. A 12% excise tax will apply in addition to regular sales taxes. The excise tax will increase 1% each year beginning in 2025, until reaching 18% in 2030.
* There will be no limit on the number of retail licenses issued by the state. Local governments will be allowed to limit the number of dispensaries or restrict where they are located, but will not be allowed to ban them entirely.
* Public consumption will remain illegal, but businesses will be allowed to offer on-site consumption if certain requirements are met.
* Any arrests or convictions for acts made legal by the bill will automatically be expunged.

In compliance with the deadline imposed by the Cannabis Regulation Act, the first licensed sales of recreational cannabis began on April 1, 2022.[[41]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-41)[[42]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-42) Governor Lujan Grisham visited a dispensary in Albuquerque to mark the occasion.[[43]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-43)

**County and municipal policy**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Mexico&action=edit&section=11)]

**Santa Fe decriminalization (2014)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Mexico&action=edit&section=12)]

In August 2014, the [Santa Fe](https://en.wikipedia.org/wiki/Santa_Fe,_New_Mexico) City Council voted 5–4 to enact (rather than let go to ballot) a citizen-led petition to decriminalize small amounts of cannabis.[[44]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-44)[[45]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-45) The law allows police to issue a $25 civil citation for possession of up to an ounce,[[46]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-46) and requires that minor cannabis offenses be made the lowest police priority.[[47]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-47)

**Bernalillo and Santa Fe county referendums (2014)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Mexico&action=edit&section=13)]

In November 2014, voters in [Bernalillo](https://en.wikipedia.org/wiki/Bernalillo_County,_New_Mexico) and [Santa Fe](https://en.wikipedia.org/wiki/Santa_Fe_County,_New_Mexico) counties approved ballot measures expressing support for "county, city, and statewide efforts to decriminalize possession of one ounce or less of marijuana".[[48]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-bc-48)[[49]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-sfc-49) Initially the referendums were blocked from the ballot by Secretary of State [Dianna Duran](https://en.wikipedia.org/wiki/Dianna_Duran) (who claimed that state law did not allow for non-binding questions), but the Supreme Court of New Mexico overruled her in September 2014.[[50]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-50)[[51]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-51) The measures passed with 60% and 73% support respectively.[[48]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-bc-48)[[49]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-sfc-49)

**Albuquerque decriminalization (2018)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Mexico&action=edit&section=14)]

In April 2018, the [Albuquerque](https://en.wikipedia.org/wiki/Albuquerque,_New_Mexico) City Council voted 5–4 to allow police to issue a $25 civil citation for possessing up to an ounce of cannabis.[[52]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-52)[[53]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-53) Previous efforts to decriminalize through a city council vote (in 2015)[[54]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-54) and a ballot measure vote (in 2014)[[55]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-55)[[56]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-56) were vetoed by the prior mayor [Richard Berry](https://en.wikipedia.org/wiki/Richard_J._Berry).

**Santa Fe legalization resolution (2018)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Mexico&action=edit&section=15)]

In December 2018, the Santa Fe City Council approved a resolution calling on state lawmakers to "enact legislation related to the legalization ... of cannabis and cannabis-related products for recreational use".[[57]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-57)[[58]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-58) The resolution was introduced by Mayor [Alan Webber](https://en.wikipedia.org/wiki/Alan_Webber) and passed by a 6–1 vote.[[59]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-59)[[60]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-60)

**Las Cruces legalization resolution (2020)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_Mexico&action=edit&section=16)]

In February 2020, the [Las Cruces](https://en.wikipedia.org/wiki/Las_Cruces,_New_Mexico) City Council approved a resolution urging the state legislature to pass the Cannabis Regulation Act to legalize recreational cannabis in New Mexico.[[61]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-61)[[62]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-62) The resolution passed 6–1 with Mayor [Ken Miyagishima](https://en.wikipedia.org/wiki/Ken_Miyagishima) casting the only opposing vote.[[63]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-63)[[64]](https://en.wikipedia.org/wiki/Cannabis_in_New_Mexico#cite_note-64)

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# Cannabis in New York

**1 language**

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**Appearance** hide

Text

* Small
* Standard
* Large

Width

* Standard
* Wide

Color (beta)

* Automatic
* Light
* Dark

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New York's Cannabis Universal Symbol

| Part of a series on |
| --- |
| [Cannabis](https://en.wikipedia.org/wiki/Cannabis) |
| Cannabis |
| show   * **Arts** * [**Culture**](https://en.wikipedia.org/wiki/Cannabis_culture) |
| show  **Chemistry** |
| show  **Pharmacology** |
| show  [**Consumption**](https://en.wikipedia.org/wiki/Cannabis_consumption) |
| show  **Economics** |
| show  [**Effects**](https://en.wikipedia.org/wiki/Effects_of_cannabis) |
| show  **Forms** |
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| show  **Variants** |
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**Cannabis in New York** has been legal for [medical](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) purposes under New York law since 2016, and [recreational](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States) purposes since 2021. As of 2022, recreational cannabis is for sale legally in the state (including Native American reservations), only through state-approved dispensaries.

Adults aged 21 and older are allowed to possess up to 3 ounces (85 g) of cannabis and 0.85 ounces (24 g) of concentrated cannabis. In addition, home cultivation of up to three mature and three immature cannabis plants per individual will be permitted, with a maximum of twelve plants per household, once regulations for home grow are in place.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-1)

On March 30, 2021, both houses of the New York State Legislature approved legislation to legalize recreational marijuana. The bill was signed into law by former New York Governor [Andrew Cuomo](https://en.wikipedia.org/wiki/Andrew_Cuomo) on March 31, 2021.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-:0-2)[[3]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-:1-3)[[4]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-4) The law also resulted in previous marijuana-related criminal records in the state of New York being [expunged](https://en.wikipedia.org/wiki/Expungement).[[5]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-expunged-5) As of October 2021, New York State prohibited employers from testing both prospective and current employees for cannabis use or otherwise discriminating against employees who use cannabis outside of work hours.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-6)[[7]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-7)

**History**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_York&action=edit&section=1)]

**Prohibition (1927)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_York&action=edit&section=2)]

In 1914, New York first began to restrict cannabis by requiring a prescription to obtain the drug. In an amendment to the [Boylan Bill](https://en.wikipedia.org/wiki/Boylan_Bill), they added "*Cannabis indica*, which is the Indian hemp from which the East Indian drug called hashish is manufactured," to the city's list of restricted drugs. The *New York Times* on the following day commented: "Devotees of hashish are now hardly numerous enough here to count, but they are likely to increase as other narcotics become harder to obtain." In their study of the history of marijuana prohibition, Richard J. Bonnie & Charles H. Whitebread note that "only four articles about marijuana appeared in the major New York newspaper during the entire period from 1914 until 1927." In 1927, New York removed the medical purposes and restricted cannabis completely.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-8)

In New York City, there were more than 19,000 kg (41,000 lb) of marijuana growing like weeds throughout the boroughs until 1951, when the "White Wing Squad", headed by the Sanitation Department General Inspector John E. Gleason, was charged with destroying the many pot farms that had sprouted up across the city. The [Brooklyn Public Library](https://en.wikipedia.org/wiki/Brooklyn_Public_Library) reports: this group was held to a high moral standard and was prohibited from "entering saloons, using foul language, and neglecting horses." The Squad found the most weed in Queens but even in Brooklyn dug up "millions of dollars" worth of the plants, many as "tall as Christmas trees". Gleason oversaw incineration of the plants in [Woodside, Queens](https://en.wikipedia.org/wiki/Woodside,_Queens).[[9]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-9)

**La Guardia Committee (1939–1944)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_York&action=edit&section=3)]

*Main article:* [*LaGuardia Committee*](https://en.wikipedia.org/wiki/LaGuardia_Committee)

In 1939, New York Mayor [Fiorello LaGuardia](https://en.wikipedia.org/wiki/Fiorello_LaGuardia) assigned a committee to investigate the issue of cannabis in his city. The committee released its report in 1944, concluding that the "gateway theory" was largely false, and that cannabis was not widely associated with addiction, school children, or juvenile delinquency. The report infuriated [Harry Anslinger](https://en.wikipedia.org/wiki/Harry_Anslinger), commissioner of the [Federal Bureau of Narcotics](https://en.wikipedia.org/wiki/Federal_Bureau_of_Narcotics), who branded it unscientific.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-druglibrary.net-10)

**Rockefeller Drug Laws (1973)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_York&action=edit&section=4)]

*Main article:* [*Rockefeller Drug Laws*](https://en.wikipedia.org/wiki/Rockefeller_Drug_Laws)

In 1973, New York governor [Nelson Rockefeller](https://en.wikipedia.org/wiki/Nelson_Rockefeller) signed legislation increasing the penalty for selling two ounces (57 g) or more of heroin, morphine, "raw or prepared opium," cocaine, or cannabis or possessing four ounces (110 g) or more of the same substances, was a minimum of 15 years to life in prison, and a maximum of 25 years to life in prison.[[*citation needed*](https://en.wikipedia.org/wiki/Wikipedia:Citation_needed)]

**Partial decriminalization (1977)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_York&action=edit&section=5)]

In 1977, New York decriminalized possession of 25 grams (7⁄8 oz) or less of marijuana, to an infraction with a $100 fine (equivalent to $500 in 2023). However, possession in public view remained a misdemeanor, and civil rights advocates stated that this was used as a loophole to unfairly arrest. A *New York Times* editorial noted in 2012:

Marijuana arrests declined after passage of the 1977 law, but that changed in the 1990s. Between 1997 and 2010, the city arrested 525,000 people for low-level, public-view possession, according to a legislative finding.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-11)

**New York City further decriminalization (2014)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_York&action=edit&section=6)]

In response to the continued arrests for marijuana possession, in 2014, New York City mayor [Bill de Blasio](https://en.wikipedia.org/wiki/Bill_de_Blasio) directed the NYPD to cease arrests, and instead issue tickets, for small possession even in cases where the 1977 law might allow an arrest, such as cannabis entering "public view" during a stop-and-frisk.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-12) However, the *Village Voice* noted in 2016 that despite a sudden drop following de Blasio's direction, arrests have "gone back up just as quickly."[[13]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-13)

In 2018 the Manhattan and Brooklyn district attorneys announced that they would continue reducing the set of offenses that they would prosecute.[[14]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-14)

**Medical cannabis legalization (2014)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_York&action=edit&section=7)]



A New York medical cannabis prescription

In July 2014, New York Governor [Andrew Cuomo](https://en.wikipedia.org/wiki/Andrew_Cuomo) signed legislation permitting the use of cannabis for medical purposes, following a "lengthy, emotional debate" in the issue in the Senate and 49–10 Senate vote. Cuomo's signing began an 18-month window for the state Department of Health to enact a medical marijuana program to provide non-smoked methods of cannabis consumption to patients. The legislation awarded five contracts to private marijuana growers who would each be allowed to operate four dispensaries.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-15) As of December 2021, the program has 3,455 practitioners and 151,284 patients.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-16)

**State law as of 2016**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_York&action=edit&section=8)]

Offenses related to the possession or sale of marijuana and "concentrated cannabis", outside those allowed by the state's [medical marijuana](https://en.wikipedia.org/wiki/Medical_marijuana) statute, are defined in Article 221 of the [New York State Penal Law](https://en.wikipedia.org/wiki/Consolidated_Laws_of_New_York).[[17]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-Article_221-17) The former term is defined in the state's Public Health Law as "all parts of the plant of the genus *Cannabis*, whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin." Stalks from the mature plant, fiber, oil and cake made from it, sterilized seeds and compounds or preparations from them are not considered marijuana. "Concentrated cannabis", meant primarily to refer to [hashish](https://en.wikipedia.org/wiki/Hashish), refers to the plant's "separated resin, whether crude or purified" and any substance, whether derived from the plant or not, containing more than 2.5% by weight of [delta-9-Tetrahydrocannabinol](https://en.wikipedia.org/wiki/Tetrahydrocannabinol) (THC), delta-8 dibenzopyran, delta-1-THC or delta-1 (6) [monoterpene](https://en.wikipedia.org/wiki/Monoterpene), an [isomer](https://en.wikipedia.org/wiki/Isomer) of the last compound.[[18]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-NYS_PHL_Section_3302-18)

Possession of less than 25 grams (7⁄8 oz) of marijuana, in any form, is unlawful possession of marijuana, punishable by a fine of no more than $100 if the defendant has no convictions for the offense within the last three years. Those who do can be fined up to $200; on the third conviction within that time period the maximum fine rises to $250 with the possibility of a 15-day jail sentence as well. The offense is considered a violation, the lowest level of offense defined in state law, and thus does not show up on a criminal record.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-Article_221-17)

If the marijuana is burning or in public view, no matter the amount, or is between 25 and 57 grams (7⁄8–2 oz), it is fifth-degree criminal possession of marijuana, a Class B [misdemeanor](https://en.wikipedia.org/wiki/Misdemeanor),[[17]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-Article_221-17) carrying a possible three-month sentence.[[19]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-NYS_Penal_Law_70.15-19) Amounts in the 2–8 ounces (57–227 g) range are fourth-degree criminal possession of marijuana, a Class A misdemeanor[[17]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-Article_221-17) for which offenders can receive up to six months in jail. Convictions for these offenses will result in a criminal record.[[19]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-NYS_Penal_Law_70.15-19)

Amounts higher than 8 ounces (230 g) are [felonies](https://en.wikipedia.org/wiki/Felony), all of which carry a minimum prison term of three years in New York. Third-degree criminal possession of marijuana, a Class E felony[[17]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-Article_221-17) with up to four years as a possible punishment,[[20]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-NYS_Penal_Law_70-20) applies to amounts between 8 and 16 ounces (230–450 g), or one pound. Those convicted of second-degree criminal possession of marijuana, a Class D felony[[17]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-Article_221-17) with a maximum sentence of seven years, will have been in possession of up to 10 pounds (4.5 kg) and can expect to serve up to seven years at most.[[20]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-NYS_Penal_Law_70-20) First-degree criminal possession of marijuana applies to those with more than 10 pounds,[[17]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-Article_221-17) a Class C felony for which offenders may spend 15 years in prison.[[20]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-NYS_Penal_Law_70-20)

Offenses related to the sale of marijuana start with fifth-degree criminal sale of marijuana, a class B misdemeanor that covers amounts less than 2 grams (0.071 oz). Fourth-degree criminal sale of marijuana, a class A misdemeanor, covers sales between that amount and 25 grams (7⁄8 oz). Amounts up to 4 ounces (110 g) are third-degree criminal sale of marijuana, a Class E felony.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-Article_221-17)

Sales in the 4–16 ounces (110–450 g) range get the offender a conviction for second-degree criminal sale of marijuana, a Class D felony. That offense also applies to any sale of a lesser amount to a minor. Sales of more than a pound are considered first-degree criminal sale of marijuana, a Class C felony.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-Article_221-17)

**Legalization study (2018)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_York&action=edit&section=9)]

In his 2018 State of the State address Governor Cuomo urged the [New York State Legislature](https://en.wikipedia.org/wiki/New_York_State_Legislature) to fund a study on the effects of legalizing marijuana for recreational use. The proposed study would be conducted by the [Department of Health](https://en.wikipedia.org/wiki/New_York_State_Department_of_Health) to examine a wide variety of issues, including the legal, economic, and social ramifications recreational marijuana could have on New York.

The Department of Health completed its study and recommended the legalization of marijuana in New York, citing economic, public health, and public safety benefits.[[21]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-21) Cuomo stated that New York should "legalize the adult use of recreational marijuana once and for all," and that his marijuana legalization proposal would be including the state's 2019 budget plan.[[22]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-22) The study was followed by an amended [Marijuana Regulation and Taxation Act](https://en.wikipedia.org/wiki/Marijuana_Regulation_and_Taxation_Act) bill, which would legalize and regulate cannabis in the state.

**Additional reforms with further decriminalization in the State of New York (2019)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_York&action=edit&section=10)]

In July 2019, New York enacted legislation signed into law by Governor [Andrew Cuomo](https://en.wikipedia.org/wiki/Andrew_Cuomo) on July 29, 2019 that further expanded the decriminalization of recreational use of cannabis in the State of New York, but did not legalize it.[[23]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-23) This measure would treat possession of up to two ounces of marijuana as a violation instead of a crime, with fines dropping to as low as $50.[[24]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-24)

**Recreational legalization (2021)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_York&action=edit&section=11)]

Between 2018 and 2021, New York lawmakers repeatedly attempted to legalize recreational cannabis via the legislative process, but disagreements over allocation of tax revenue from cannabis sales (and in the case of the 2020 session, the [COVID-19 pandemic](https://en.wikipedia.org/wiki/COVID-19_pandemic)) prevented legislation from moving forward. Legalization was included in the 2021 state budget proposal as the [Cannabis Regulation and Taxation Act](https://en.wikipedia.org/wiki/New_York_Cannabis_Regulation_and_Taxation_Act). Members of the New York State Assembly objected to some provisions of the bill, with some expressing a preference to pass their own legislation independent of the governor's office, the [Marijuana Regulation and Taxation Act](https://en.wikipedia.org/wiki/Marijuana_Regulation_and_Taxation_Act) (MRTA).

Negotiations between the governor's office and the legislature over the final cannabis legalization bill were successful and the MRTA was passed in the New York State Assembly and Senate on March 30, 2021 by votes of 94-56 and 40-23, respectively.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-:0-2)[[3]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-:1-3) Governor [Andrew Cuomo](https://en.wikipedia.org/wiki/Andrew_Cuomo) signed the bill into law the following day. This legislation legalized recreational cannabis where adults aged 21 and over are allowed to possess up to 3 ounces (85 g) of cannabis or 0.85 ounces (24 g) of concentrated cannabis. Adults 21 and older are allowed to possess up to 5 pounds (2.3 kg) individually in their own homes. In addition, home cultivation of up to three mature and three immature cannabis plants per individual will be permitted, with a maximum of twelve plants per household, once regulations for home grow are in place.[[25]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-25) On April 9, 2021, marijuana-related criminal records in the state of New York which previously resulted in losses of jobs, homes and licenses were confirmed to have been expunged by the law as well.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-expunged-5)



Cannabis dispensary in [East Village](https://en.wikipedia.org/wiki/East_Village,_Manhattan), New York City

Aside from driving under the influence, the [NYPD](https://en.wikipedia.org/wiki/NYPD) no longer lists any other crime related to marijuana.[[26]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-26)

As of October 2021, New York State prohibited employers from testing both prospective and current employees for cannabis use or otherwise discriminating against employees who use cannabis outside of work hours.[[27]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-27)[[28]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-28)

Licensed sale of recreational cannabis in New York is expected to begin by 2023.[[29]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-29) The state has set up a new campaign so cannabis consumers know if they are purchasing from a licensed facility.[[*citation needed*](https://en.wikipedia.org/wiki/Wikipedia:Citation_needed)]

As of April 2022, 52 recreational cannabis cultivation licenses have been granted and approved within New York State.[[30]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-30)

The first legal purchase of recreational cannabis was made in a dispensary operated by [Housing Works](https://en.wikipedia.org/wiki/Housing_Works) in [Greenwich Village, Manhattan](https://en.wikipedia.org/wiki/Greenwich_Village) on 29 December 2022.[[31]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-31)

**2022 New York State hemp farmers bill**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_York&action=edit&section=12)]

In February 2022, a bill signed into law by the Governor [Kathy Hochul](https://en.wikipedia.org/wiki/Kathy_Hochul) legally allows New York State hemp farmers to start growing cannabis crops. The law also promotes equity for minorities and other related purposes.[[32]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-32)

**New York State tax breaks**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_York&action=edit&section=13)]

In April 2022, the [New York Legislature](https://en.wikipedia.org/wiki/New_York_Legislature) passed a comprehensive omnibus Budget Bill - with provisions that explicitly legally allows cannabis related businesses and/or dispensaries to have "tax breaks" within New York State itself (not federally, due to cannabis still being illegal federally). [[33]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-33) On April 9th 2022, the [Governor of New York](https://en.wikipedia.org/wiki/Governor_of_New_York) passed the FY2023 budget and signed into law Senate Bill S8009C, which amended the state tax code related to cannabis businesses.[[34]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-34) [[35]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-35) This bill specifically created paragraphs to the state tax code to add back "the amount of any federal deduction disallowed pursuant to Section 280e of the IRC related to the production and distribution of adult-use cannabis products, as defined by Article 20C of this chapter, not used as the basis for any other tax deduction, exemption, or credit, and not otherwise required" in the computation of entire net income and of New York adjusted gross income. The final state budget includes provisions for licensed cannabis businesses to take ordinary tax deductions for tax years beginning in 2023. For now, businesses operating within New York City will still be impacted by 280e, although Senate Bill S7508 is set to pass and would mimic the state level changes. [[36]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-36)[[37]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-37)

**Further New York regulations approved**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_York&action=edit&section=14)]

In April 2022, further regulations were approved by state boards - to allow cultivation of medical cannabis on certain licensed farms within New York.[[38]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-38)

**March 2023 Update to New York Medical Cannabis Program**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_York&action=edit&section=15)]

As of March 2023, there was a significant update to the [New York Medical Cannabis Program](https://cannabis.ny.gov/). The update streamlined the process for patients seeking medical marijuana. Now, when a healthcare provider certifies a patient for medical cannabis, the patient is automatically registered in the program. The medical cannabis certification provided by the healthcare provider contains a [registry ID number](https://cannabis.ny.gov/system/files/documents/2023/08/patient-and-caregiver-registry-id-guide.pdf), which can be used alongside a valid government-issued ID to purchase medical cannabis at registered dispensaries. This change eliminated the need for patients to separately register for a medical marijuana card after receiving certification from a healthcare provider.

**Curbing illegal and illicit cannabis markets**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_York&action=edit&section=16)]

In May 2023, the Governor of New York State signed into law an "omnibus budget bill" (that recently passed the Legislature) that explicitly curbs illegal and illicit markets of cannabis and other related purposes.[[39]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-39)

**Farmers markets**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_York&action=edit&section=17)]

In July 2023, New York State commenced new policies and rules on officially accepting applications regarding cannabis within farmers markets - by the Cannabis Control Board.[[40]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-40)

**New York City explicit local protections**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_New_York&action=edit&section=18)]

In November 2023, the Governor of New York State signed into law a bill to explicitly legally protect New York City from overburdened business taxes at a state level - by "keeping cannabis regulations at a local autonomous issue" and providing needed relief to individuals and businesses within New York City local area enacted itself.[[41]](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_note-41)

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* [***a***](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_ref-:0_2-0) [***b***](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_ref-:0_2-1) Mendez, Rich (March 30, 2021). ["New York State Senate passes bill to legalize recreational weed"](https://www.cnbc.com/2021/03/30/new-york-state-senate-passes-bill-to-legalize-recreational-weed.html). *CNBC*. [Archived](https://web.archive.org/web/20210331024147/https://www.cnbc.com/2021/03/30/new-york-state-senate-passes-bill-to-legalize-recreational-weed.html) from the original on March 31, 2021. Retrieved March 31, 2021.
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* [***a***](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_ref-:1_3-0) [***b***](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_ref-:1_3-1) Pereira, Ivan (March 30, 2021). ["New York legalizes recreational marijuana, expunges former pot convictions"](https://abcnews.go.com/US/york-legalizes-recreational-marijuana-expunges-pot-convictions/story?id=76775175). *ABCNews*. [Archived](https://web.archive.org/web/20210331024852/https://abcnews.go.com/US/york-legalizes-recreational-marijuana-expunges-pot-convictions/story?id=76775175) from the original on March 31, 2021.
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* [Jump up to:](https://en.wikipedia.org/wiki/Cannabis_in_New_York#cite_ref-expunged_5-0)
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**Cannabis in North Carolina** is illegal for any use except for very limited [medical usage](https://en.wikipedia.org/wiki/Medical_cannabis), though [decriminalized](https://en.wikipedia.org/wiki/Decriminalization) for possession of 0.5 ounces or less for individuals with three or fewer misdemeanor convictions.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_North_Carolina#cite_note-1)

**Decriminalization (1977)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_North_Carolina&action=edit&section=1)]

In 1977, during a short-lived [wave of decriminalization in the country](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States#Decriminalization_efforts_materialize_(1970s)), North Carolina reduced the penalty and decriminalized possession of small amounts of cannabis with 0.5 ounces or less to a maximum of a $200 fine.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_North_Carolina#cite_note-MacCounReuter2001-2)[[3]](https://en.wikipedia.org/wiki/Cannabis_in_North_Carolina#cite_note-3) Possession of less than half an ounce is still a Class 3 misdemeanor, the lowest level of misdemeanor, while possession of up to 1.5 ounces is a Class 1 misdemeanor, and more than 1.5 ounces is a Class I felony (the lowest level of felony).

**Failed medical legalization (2014-2023)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_North_Carolina&action=edit&section=2)]

A medical marijuana bill was introduced in May, 2014, but was killed by the [House](https://en.wikipedia.org/wiki/North_Carolina_House_of_Representatives) Committee in March, 2015. Additionally, the House Committee issued an "unfavorable report", which blocks the House from considering bills with medical marijuana components for the next two years. Non-psychoactive cannabis has essentially become legalized, but special seeds of very specific low [THC](https://en.wikipedia.org/wiki/THC) strains ([industrial hemp](https://en.wikipedia.org/wiki/Industrial_hemp)) and licensing must be purchased from the state.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_North_Carolina#cite_note-4)

Sen. [Bill Rabon](https://en.wikipedia.org/wiki/Bill_Rabon) reintroduced legislation in 2021, which passed the [Senate](https://en.wikipedia.org/wiki/Senate_of_North_Carolina) in 2022 as SB 711, but failed to pass the House. The Senate again passed a medical legalization bill in 2023 as SB 3, but as of July, the House has yet to vote on the legislation, with the Speaker announcing there were no plans to bring it to the floor.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_North_Carolina#cite_note-5)

**Legalization of CBD (2015)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_North_Carolina&action=edit&section=3)]

In 2015, Governor [Pat McCrory](https://en.wikipedia.org/wiki/Pat_McCrory) signed into law HB766, allowing those with [intractable epilepsy](https://en.wikipedia.org/wiki/Intractable_epilepsy) to use [CBD](https://en.wikipedia.org/wiki/Cannabidiol) oil. His endorsement followed a House vote of 112–22 and Senate vote of 47–0.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_North_Carolina#cite_note-6)[[7]](https://en.wikipedia.org/wiki/Cannabis_in_North_Carolina#cite_note-7) The law does not establish any infrastructure for which potential patients may legally purchase CBD within the state.

**Legalization of hemp (2017)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_North_Carolina&action=edit&section=4)]

*Main article:* [*Hemp in North Carolina*](https://en.wikipedia.org/wiki/Hemp_in_North_Carolina)

**Eastern Band of Cherokee Indians Referendum (2023)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_North_Carolina&action=edit&section=5)]

*Main article:* [*2023 Eastern Band of Cherokee Indians Marijuana Legalization Measure*](https://en.wikipedia.org/wiki/2023_Eastern_Band_of_Cherokee_Indians_Marijuana_Legalization_Measure)

In September 2023, the Eastern Band of Cherokee Indians, whose laws supersede those of North Carolina, voted to legalize cannabis in a ballot measure by a vote of 70% to 30%. While this does not legalize cannabis in all of North Carolina, it makes the Qualla Boundary, the EBCI's land trust, the first location in the state in which cannabis is legal for recreational use—however, cannabis remains illegal under North Carolina law outside of the area. Major media outlets in the state noted the potential for the referendum to impact the entirety of North Carolina as it relates to the issue of cannabis.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_North_Carolina#cite_note-8)[[9]](https://en.wikipedia.org/wiki/Cannabis_in_North_Carolina#cite_note-9)[[10]](https://en.wikipedia.org/wiki/Cannabis_in_North_Carolina#cite_note-10)[[11]](https://en.wikipedia.org/wiki/Cannabis_in_North_Carolina#cite_note-11)

**References**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_North_Carolina&action=edit&section=6)]

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* [**^**](https://en.wikipedia.org/wiki/Cannabis_in_North_Carolina#cite_ref-3) ["North Carolina Laws and Penalties"](https://norml.org/laws/north-carolina-penalties-2/#:~:text=Possession%20of%20an%20extract%20of,sentence%20that%20must%20be%20suspended.). Retrieved June 25, 2021.
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# Cannabis in North Dakota

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* Standard
* Large

Width

* Standard
* Wide

Color (beta)

* Automatic
* Light
* Dark

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**Cannabis in North Dakota** is legal for [medical use](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) but illegal for [recreational use](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States). Since 2019 however, possession under a 1/2 ounce has been decriminalized in the sense that there is no threat of jail time, though a criminal infraction fine up to $1,000 still applies.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_North_Dakota#cite_note-1) The cultivation of [hemp](https://en.wikipedia.org/wiki/Hemp) is currently legal in North Dakota.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_North_Dakota#cite_note-2) In November 2018, the state's voters voted on recreational marijuana legalization, along with [Michigan](https://en.wikipedia.org/wiki/Cannabis_in_Michigan);[[3]](https://en.wikipedia.org/wiki/Cannabis_in_North_Dakota#cite_note-3) the measure was rejected 59% to 41%.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_North_Dakota#cite_note-auto-4) Two groups attempted to put marijuana legalization measures on the June 2020 Primary and the November 2020 elections, but were prevented from doing so by the [COVID-19 pandemic](https://en.wikipedia.org/wiki/COVID-19_pandemic).[[5]](https://en.wikipedia.org/wiki/Cannabis_in_North_Dakota#cite_note-5)

After a failed attempt in 2021 to legislatively legalize recreational cannabis, activates successfully placed an initiative on the November 2022 ballot.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_North_Dakota#cite_note-6)[[7]](https://en.wikipedia.org/wiki/Cannabis_in_North_Dakota#cite_note-7) This attempt at legalization failed when a majority of voters rejected the measure.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_North_Dakota#cite_note-8)

**Prohibition**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_North_Dakota&action=edit&section=1)]

[Marijuana](https://en.wikipedia.org/wiki/Marijuana) was made illegal in North Dakota in 1933; [Oklahoma](https://en.wikipedia.org/wiki/Oklahoma) made it illegal the same year, and South Dakota in 1931.[[9]](https://en.wikipedia.org/wiki/Cannabis_in_North_Dakota#cite_note-Whitebread1974-9) In May 2019, penalties were reduced in the state, with possession resulting in a fine instead of jail time, however possession of any amount of hashish or concentrates is still a felony, with punishment up to 5 years in prison.

**Medical marijuana**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_North_Dakota&action=edit&section=2)]

**Failed attempts (2015)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_North_Dakota&action=edit&section=3)]

In 2015, House Bill 1430 attempted to establish a medical marijuana framework, but was voted down at 26-67 in February. Members of the House [Human Services](https://en.wikipedia.org/wiki/Human_services) Committee stated: “We just felt that the concerns and the risks at this point in time outweigh the potential benefits … for a small group that feels that none of the currently available drugs work".[[10]](https://en.wikipedia.org/wiki/Cannabis_in_North_Dakota#cite_note-10) Following the bill's failure, a [Fargo](https://en.wikipedia.org/wiki/Fargo,_North_Dakota) resident began the process of preparing a ballot initiative to legalize medical marijuana for the 2016 general election.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_North_Dakota#cite_note-11)

**Medical legalization (2016)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_North_Dakota&action=edit&section=4)]

In 2016, North Dakota voters approved Measure 5, establishing a medical cannabis program for their state.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_North_Dakota#cite_note-12) In 2017, both houses of the state legislature passed changes to Measure 5, including removal of a provision allowing medical users to grow their own marijuana. The changes also required that a medical professional specifically recommend smoking as a method of using marijuana in some cases. Some backers of the ballot initiative were displeased with the legislation, saying that some of the regulations were not justifiable.[[13]](https://en.wikipedia.org/wiki/Cannabis_in_North_Dakota#cite_note-13) The bill passed both houses of the ND State Legislature with the required two-thirds majority. As of July 10, 2018, the [North Dakota Department of Health](https://en.wikipedia.org/w/index.php?title=North_Dakota_Department_of_Health&action=edit&redlink=1) has opened an application window for medical cannabis dispensary licenses in the Bismarck and Fargo areas.[[14]](https://en.wikipedia.org/wiki/Cannabis_in_North_Dakota#cite_note-14)

**Medical Marijuana Program**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_North_Dakota&action=edit&section=5)]

Effective April 18, 2017, the North Dakota Department of Health established and implemented a medical marijuana program to allow the production, processing, sale, dispensing, and medical use of marijuana by qualifying patients and caregivers.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_North_Dakota#cite_note-15) In May 2018, [Pure Dakota LLC](https://en.wikipedia.org/w/index.php?title=Pure_Dakota_LLC&action=edit&redlink=1) and [Grassroots Cannabis](https://en.wikipedia.org/w/index.php?title=Grassroots_Cannabis&action=edit&redlink=1) were selected to run the two manufacturing facilities allowed under the program's rules.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_North_Dakota#cite_note-16)

**Recreational Marijuana**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_North_Dakota&action=edit&section=6)]

**Recreational Referendum 2018 (Failed)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_North_Dakota&action=edit&section=7)]

North Dakota residents voted on an initiative to legalise recreational marijuana at the same time as the 2018 midterms. The measure was rejected 59% to 41%.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_North_Dakota#cite_note-17)

**Decriminalization (2019)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_North_Dakota&action=edit&section=8)]

In May 2019, Governor [Doug Burgum](https://en.wikipedia.org/wiki/Doug_Burgum) signed HB 1050, which eliminated the threat of jail time for adults over 21 that possess up to half an ounce of cannabis, although the maximum allowable fine was not modified. The bill also reduced penalties for possession of larger amounts.[[18]](https://en.wikipedia.org/wiki/Cannabis_in_North_Dakota#cite_note-18)

**Recreational Referendum 2020 (Not on the ballot)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_North_Dakota&action=edit&section=9)]

The North Dakota Freedom of Cannabis Act would have legalized recreational marijuana in the North Dakota for those 21 and older. It would also allow North Dakotans to grow a small number of plants at home, but it would have specifically barred public consumption. The measure needed a minimum of 27,000 valid signatures. The sponsoring committee was about 3,000 signatures short.[[19]](https://en.wikipedia.org/wiki/Cannabis_in_North_Dakota#cite_note-19)

**Recreational Referendum 2022**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_North_Dakota&action=edit&section=10)]

New Approach ND lead the signature-gathering process, turning in signatures in July 2022.[[20]](https://en.wikipedia.org/wiki/Cannabis_in_North_Dakota#cite_note-20) The initiative would allow adults 21 years or older to possess up to one ounce of cannabis, four grams of concentrate, and grow up to three plants for personal use. In the November 2022 election, voters rejected legalization with 54.94% voting no.[[21]](https://en.wikipedia.org/wiki/Cannabis_in_North_Dakota#cite_note-21)

**Polling**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_North_Dakota&action=edit&section=11)]

A late-2014 poll conducted by the [University of North Dakota](https://en.wikipedia.org/wiki/University_of_North_Dakota) found that North Dakotans favored medical marijuana 47-41, but were against legalizing recreational marijuana, 24-68.[[22]](https://en.wikipedia.org/wiki/Cannabis_in_North_Dakota#cite_note-22) A 2018 poll showed that North Dakotans favored the recreational marijuana ballot initiative 46-39 with 15 percent undecided.[[23]](https://en.wikipedia.org/wiki/Cannabis_in_North_Dakota#cite_note-23)

**Legislation**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_North_Dakota&action=edit&section=12)]

Personal use possession of less than 1⁄2 of an ounce (14 g) is a Class B [misdemeanor](https://en.wikipedia.org/wiki/Misdemeanor) punishable by a maximum sentence of 30 days imprisonment and a maximum fine of $1,000. Personal use possession of less than half an ounce while operating a motor vehicle is a Class A misdemeanor punishable by a maximum sentence of 1 year imprisonment and a maximum fine of $1,000. Personal use possession of 1⁄2–1 ounce (14–28 g) is a Class A misdemeanor punishable by a maximum sentence of 1 year imprisonment and a maximum fine of $1,000.[[24]](https://en.wikipedia.org/wiki/Cannabis_in_North_Dakota#cite_note-24)

In 2021, the North Dakota legislature attempted to legalize marijuana when state representative Jason Dockter (R-Bismarck) introduced legislation to allow adults 21 and older to possess and purchase up to 1 ounce of marijuana for personal use. The legislation prohibited home cultivation and required that purchases be tracked and limited to the legal amount. Dockter and other Republicans supported the bill despite their personal opposition to legalization in order to prevent a more permissive voter-sponsored legalization measure from appearing on the ballot in 2022.[[25]](https://en.wikipedia.org/wiki/Cannabis_in_North_Dakota#cite_note-25) Although it was approved by the state house, the state senate rejected the proposal in a 10-37 vote on March 25, 2021; activists subsequently pledged to move forward with their own ballot initiative.[[26]](https://en.wikipedia.org/wiki/Cannabis_in_North_Dakota#cite_note-26)

**References**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_North_Dakota&action=edit&section=13)]

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* [**^**](https://en.wikipedia.org/wiki/Cannabis_in_North_Dakota#cite_ref-2) ["Revolution, Hemp Style Now"](http://cannabisnews.com/news/15/thread15717.shtml). Cannabis News.
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# Cannabis in Ohio

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Text

* Small
* Standard
* Large

Width

* Standard
* Wide

Color (beta)

* Automatic
* Light
* Dark

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Ohio's Cannabis Universal Symbol

| Part of a series on |
| --- |
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| Cannabis |
| show   * **Arts** * [**Culture**](https://en.wikipedia.org/wiki/Cannabis_culture) |
| show  **Chemistry** |
| show  **Pharmacology** |
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**Cannabis in Ohio** is legal for recreational use. [Issue 2](https://en.wikipedia.org/wiki/2023_Ohio_Issue_2), a ballot measure to [legalize recreational use](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States), passed by a 57–43 margin on November 7, 2023. Possession and personal cultivation of cannabis became legal on December 7, 2023. The first licensed sales started on August 6, 2024.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-1) Prior to legalization, Ohio decriminalized possession of up 100 grams in 1975, with several of the state's major cities later enacting further reforms.

[Medical use](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) was legalized in 2016 through a bill passed by the state legislature. The first licensed sales of medical cannabis began on January 16, 2019.

**Decriminalization (1975)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Ohio&action=edit&section=1)]

On August 22, 1975, Governor [James Rhodes](https://en.wikipedia.org/wiki/Jim_Rhodes) signed a bill decriminalizing cannabis, making Ohio the sixth state to do so.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-2)

Under Ohio law, the possession of up to 100 grams (3½ oz) of marijuana is a "minor [misdemeanor](https://en.wikipedia.org/wiki/Misdemeanor)" which carries a maximum fine of $150. Possession of more than 100 grams (3½ oz) but less than 200 grams (7 oz) of marijuana is a misdemeanor punishable by up to thirty days in jail and a $250 fine.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-3)[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-BorchardtNotPriority-4)

The [FBI](https://en.wikipedia.org/wiki/FBI)'s [Uniform Crime Reports](https://en.wikipedia.org/wiki/Uniform_Crime_Reports) report that in 2013, 17,000 arrests for marijuana possession were made in Ohio.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-BorchardtNotPriority-4) A 2013 report by the [ACLU](https://en.wikipedia.org/wiki/ACLU) found that in Ohio, African Americans were 4.1 times more likely than Caucasians to be arrested for marijuana possession.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-5)

**Issue 3: Failed recreational use initiative (2015)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Ohio&action=edit&section=2)]

In 2015, a ballot measure to legalize recreational use of cannabis was defeated on the November ballot.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-Saker6Reasons-6) The measure, which appeared on the ballot as Issue 3, would have: (a) legalized the use and sale of cannabis by persons age 21 and older; (b) allowed the commercial-scale [cultivation of cannabis](https://en.wikipedia.org/wiki/Cannabis_cultivation), but only at ten pre-designated sites chosen by the measure's sponsors; (c) allowed persons age 21 and older to possess of up to 1 ounce of commercially-purchased cannabis and up to 8 ounces of home-cultivated cannabis; and (d) allowed home cultivation of up to four flowering cannabis plants for Ohioans who held a $50 license.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-BorchardtNotPriority-4) The initiative was sponsored by a group of investors that included boy band singer [Nick Lachey](https://en.wikipedia.org/wiki/Nick_Lachey), NBA Hall of Famer [Oscar Robertson](https://en.wikipedia.org/wiki/Oscar_Robertson), NFL defensive end [Frostee Rucker](https://en.wikipedia.org/wiki/Frostee_Rucker), and fashion designer [Nanette Lepore](https://en.wikipedia.org/wiki/Nanette_Lepore).[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-7)

Support for Issue 3 was weaker than overall support for legalization, as the measure was criticized for its plan to create a [monopoly](https://en.wikipedia.org/wiki/Monopoly) of cannabis producers.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-Saker6Reasons-6) The initiative failed to receive the endorsement of the [Drug Policy Alliance](https://en.wikipedia.org/wiki/Drug_Policy_Alliance) and [Marijuana Policy Project](https://en.wikipedia.org/wiki/Marijuana_Policy_Project), and received only a "tepid endorsement" from [NORML](https://en.wikipedia.org/wiki/NORML). Issue 3 was defeated by a 65–35 margin on November 3, 2015.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-8)

**Legalization of medical cannabis (2016)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Ohio&action=edit&section=3)]

On June 8, 2016, Governor [John Kasich](https://en.wikipedia.org/wiki/John_Kasich) signed House Bill 523 to legalize the [medical use of cannabis](https://en.wikipedia.org/wiki/Medical_cannabis) in Ohio.[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-9) The bill, sponsored by Representative Stephen Huffman, was approved by an 18-15 vote in the [Senate](https://en.wikipedia.org/wiki/Ohio_Senate) and a 67-29 vote in the [House](https://en.wikipedia.org/wiki/Ohio_House_of_Representatives).[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-Provance-10)

The bill set up a [rulemaking](https://en.wikipedia.org/wiki/Rulemaking) process under which a "state-run or licensed system of growing facilities, testing labs, physician certification, patient registration, processors, and retail dispensaries" was established.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-Provance-10)[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-11) It also required the number of dispensaries needed in each dispensary district to be re-evaluated every two years based on the distribution and number of patients.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-:0-12) The system was required to be fully operational by September 2018, with the [Ohio Department of Commerce](https://en.wikipedia.org/wiki/Ohio_Department_of_Commerce) to make rules for cultivators by May 6, 2017, to issue rules and regulations for cultivators, and the remainder of rules to be promulgated by October 2017.[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-13) In the interim, patients with one of 21 qualifying conditions were permitted to go to Michigan or another state with legalized medical cannabis, legally acquire cannabis there, and bring it back to Ohio for use in accordance with Ohio law.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-Provance-10)

The state announced the awarding of the first 56 dispensary licenses on June 4, 2018,[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-14) and the first licensed sales of cannabis at dispensaries occurred on January 16, 2019.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-15) As of September 2021, Ohio had 58 medical cannabis dispensaries, only 9 of which were owned by persons of color.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-:1-16) The Ohio Board of Pharmacy announced in September 2021 another 73 planned licenses would be awarded via lottery, in part to allow equity of access.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-:1-16) As of September 2021, Ohio had licensed 20 cultivators to grow up to 25,000 square feet of cannabis and 15 to grow up to 3,000 square feet.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-:2-17) As of July 2021, there were 125,000 registered medical cannabis patients in Ohio,[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-:2-17) and by December 2023 the number had grown to 410,565.[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-18)

The twenty-one qualifying conditions listed in the bill were: [AIDS/HIV](https://en.wikipedia.org/wiki/AIDS/HIV), [Alzheimer's disease](https://en.wikipedia.org/wiki/Alzheimer%27s_disease), [amyotrophic lateral sclerosis](https://en.wikipedia.org/wiki/Amyotrophic_lateral_sclerosis) (ALS), [cancer](https://en.wikipedia.org/wiki/Cancer), [chronic traumatic encephalopathy](https://en.wikipedia.org/wiki/Chronic_traumatic_encephalopathy) (CTE), [Crohn's disease](https://en.wikipedia.org/wiki/Crohn%27s_disease), [epilepsy](https://en.wikipedia.org/wiki/Epilepsy) (or other [seizure disorder](https://en.wikipedia.org/wiki/Seizure_disorder)), [fibromyalgia](https://en.wikipedia.org/wiki/Fibromyalgia), [glaucoma](https://en.wikipedia.org/wiki/Glaucoma), [hepatitis C](https://en.wikipedia.org/wiki/Hepatitis_C), [inflammatory bowel disease](https://en.wikipedia.org/wiki/Inflammatory_bowel_disease), [multiple sclerosis](https://en.wikipedia.org/wiki/Multiple_sclerosis), "pain that is either [chronic](https://en.wikipedia.org/wiki/Chronic_pain) and severe or intractable," [Parkinson's disease](https://en.wikipedia.org/wiki/Parkinson%27s_disease), [post-traumatic stress disorder](https://en.wikipedia.org/wiki/Post-traumatic_stress_disorder), [sickle cell anemia](https://en.wikipedia.org/wiki/Sickle_cell_anemia), [spinal cord disease](https://en.wikipedia.org/wiki/Spinal_cord_disease) or [injury](https://en.wikipedia.org/wiki/Spinal_cord_injury), [Tourette's syndrome](https://en.wikipedia.org/wiki/Tourette%27s_syndrome), [traumatic brain injury](https://en.wikipedia.org/wiki/Traumatic_brain_injury), [ulcerative colitis](https://en.wikipedia.org/wiki/Ulcerative_colitis), and "any other disease or condition added by the state medical board."[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-19) Home cultivation and ingestion by way of [smoking](https://en.wikipedia.org/wiki/Cannabis_smoking) are prohibited under the law, which permits use only in [edible](https://en.wikipedia.org/wiki/Cannabis_edibles), [oil](https://en.wikipedia.org/wiki/Cannabis_oil), [vapor](https://en.wikipedia.org/wiki/Vaporizer_(inhalation_device)), [patch](https://en.wikipedia.org/wiki/Dermal_patch), [tincture](https://en.wikipedia.org/wiki/Tincture_of_cannabis), or plant matter form.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-Provance-10)

**"Smoke a joint, lose your license" repealed (2016)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Ohio&action=edit&section=4)]

*Further information:* [*Solomon–Lautenberg amendment*](https://en.wikipedia.org/wiki/Solomon%E2%80%93Lautenberg_amendment)

Senate Bill 204 was signed into law by Governor Kasich on June 13, 2016.[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-20) It repealed a requirement in state law that possession of cannabis or any other illegal drug be punished with a mandatory six month driver's license suspension (instead, the bill made the suspensions optional).[[21]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-21)[[22]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-22) The policy was originally enacted in the early 1990s in response to the passage of the Solomon–Lautenberg amendment at the federal level.[[23]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-23) Senate Bill 204 was sponsored by [Republican](https://en.wikipedia.org/wiki/Republican_Party_(United_States)) State Senator [Bill Seitz](https://en.wikipedia.org/wiki/Bill_Seitz),[[24]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-24) passing with only two opposing votes in the House and unanimously in the Senate.[[25]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-25)

**Issue 2: Recreational use legalized (2023)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Ohio&action=edit&section=5)]

*Main article:* [*2023 Ohio Issue 2*](https://en.wikipedia.org/wiki/2023_Ohio_Issue_2)

In July 2021, a group seeking to legalize cannabis for recreational use, known as the Coalition to Regulate Marijuana Like Alcohol, submitted 1,000 signatures to the Ohio Attorney General, seeking to qualify an initiated statute for the 2022 ballot.[[26]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-26) After receiving approval to proceed in August,[[27]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-27) the campaign submitted 206,943 signatures for approval in December 2021 and an additional 29,918 signatures in January 2022.[[28]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-28)[[29]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-29) In January 2022, the state certified that 136,729 valid signatures had been submitted (of a required 132,887) to force the state legislature to consider the measure.[[30]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-30) After the legislature failed to pass the proposal, the petitioners were required to collect an additional 124,000 valid signatures in order to place the proposal on the November ballot.[[31]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-31) However, in May 2022, the campaign announced that it had reached a settlement with the state to abandon the effort for 2022 (due to a technicality that could prevent it from appearing on the ballot) while also allowing all of the signatures that had already been submitted to go towards putting the proposal on the 2023 ballot.[[32]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-32) On August 16, 2023, after the campaign submitted an additional 127,772 valid signatures, the Ohio Secretary of State announced that the measure would appear on the 2023 ballot.[[33]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-33)

The initiative appeared as Issue 2 on the November 7, 2023 ballot, and was approved by voters by a 57–43 margin.[[34]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-34)[[35]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-35) It makes the following changes to Ohio law:[[36]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-36)[[37]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-37)

* Legalizes the possession of up to 2.5 ounces of cannabis and 15 grams (½ oz) of concentrate for adults 21 and over.
* Allows the cultivation of six plants for personal use, with a maximum of 12 plants per home.
* Allows the sale of cannabis at licensed dispensaries, with a 10 percent sales tax imposed.
* Divides tax revenue up between social equity and jobs programs (36 percent), localities that allow dispensaries to operate (36 percent), education and substance abuse programs (25 percent), and administrative costs (3 percent).

Possession and personal cultivation of cannabis became legal on the initiative effective date, December 7, 2023. The first licenses for growers, processors, and dispensaries must be issued within 9 months of the effective date.[[38]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-38)[[39]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-39)[[40]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-40) Leading up to and following the initiative's passage, top Republican leaders in Ohio indicated the possibility of making changes to some of the initiative's provisions.

The first licensed sales of recreational cannabis started on August 6, 2024.

**Municipal reforms**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Ohio&action=edit&section=6)]

In September 2015, [Toledo](https://en.wikipedia.org/wiki/Toledo,_Ohio) residents voted by a 70–30 margin to depenalize misdemeanor cannabis offenses,[[41]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-41) with no fines and no jail time for possession or cultivation of under 200 grams (7 oz), possession of hashish under 10 grams (⅓ oz), possession of paraphernalia, and gifts of under 20 grams (⅔ oz). Some provisions of the ordinance were later struck down in court, however.[[42]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-42)

In November 2018, [Dayton](https://en.wikipedia.org/wiki/Dayton,_Ohio) residents voted by a 73–27 margin to approve an advisory referendum urging city leaders to decriminalize cannabis.[[43]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-43) City commissioners then voted unanimously in January to eliminate all penalties for possession of up to 100 grams (3½ oz).[[44]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-44)

In June 2019, [Cincinnati](https://en.wikipedia.org/wiki/Cincinnati) City Council voted 5–3 to eliminate all penalties for possession of up to 100 grams (3½ oz) of cannabis except in cases of public use.[[45]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-45)[[46]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-46)

In July 2019, [Columbus](https://en.wikipedia.org/wiki/Columbus,_Ohio) City Council voted unanimously to reduce the penalty to a $10 fine for possession of up to 100 grams (3½ oz) and a $25 fine for between 100 and 200 grams (3½ and 7 oz). Possession of paraphernalia was also reduced to a $10 fine.[[47]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-47)

In January 2020, [Cleveland](https://en.wikipedia.org/wiki/Cleveland) City Council voted 15–2 to eliminate penalties for possession of up to 200 grams (7 oz) of cannabis.[[48]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-48)[[49]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-49)

Other jurisdictions in Ohio that have approved decriminalization ordinances include [Bellaire](https://en.wikipedia.org/wiki/Bellaire,_Ohio) (2016),[[50]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-norml-50) [Logan](https://en.wikipedia.org/wiki/Logan,_Ohio) (2016),[[50]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-norml-50) [Newark](https://en.wikipedia.org/wiki/Newark,_Ohio) (2016),[[50]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-norml-50) [Roseville](https://en.wikipedia.org/wiki/Roseville,_Ohio) (2016),[[50]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-norml-50) [Athens](https://en.wikipedia.org/wiki/Athens,_Ohio) (2017),[[50]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-norml-50) [Fremont](https://en.wikipedia.org/wiki/Fremont,_Ohio) (2018),[[51]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-five-51) [Norwood](https://en.wikipedia.org/wiki/Norwood,_Ohio) (2018),[[51]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-five-51) [Oregon](https://en.wikipedia.org/wiki/Oregon,_Ohio) (2018),[[51]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-five-51) [Windham](https://en.wikipedia.org/wiki/Windham,_Ohio) (2018),[[51]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-five-51) [Bremen](https://en.wikipedia.org/wiki/Bremen,_Ohio) (2019),[[52]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-three-52) [Nelsonville](https://en.wikipedia.org/wiki/Nelsonville,_Ohio) (2019),[[52]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-three-52) [Northwood](https://en.wikipedia.org/wiki/Northwood,_Ohio) (2019),[[52]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-three-52) [Plymouth](https://en.wikipedia.org/wiki/Plymouth,_Ohio) (2020),[[53]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-53) [Adena](https://en.wikipedia.org/wiki/Adena,_Ohio) (2020),[[54]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-decrim2020-54) [Glouster](https://en.wikipedia.org/wiki/Glouster,_Ohio) (2020),[[54]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-decrim2020-54) [Jacksonville](https://en.wikipedia.org/wiki/Jacksonville,_Ohio) (2020),[[54]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-decrim2020-54) [Trimble](https://en.wikipedia.org/wiki/Trimble,_Ohio) (2020),[[54]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-decrim2020-54) [Martins Ferry](https://en.wikipedia.org/wiki/Martins_Ferry,_Ohio) (2021),[[55]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-decrim2021-55) [Murray City](https://en.wikipedia.org/wiki/Murray_City,_Ohio) (2021),[[55]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-decrim2021-55) [New Lexington](https://en.wikipedia.org/wiki/New_Lexington,_Ohio) (2021),[[55]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-decrim2021-55) [New Straitsville](https://en.wikipedia.org/wiki/New_Straitsville,_Ohio) (2021),[[55]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-decrim2021-55) [Rayland](https://en.wikipedia.org/wiki/Rayland,_Ohio) (2021),[[55]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-decrim2021-55) [Tiltonsville](https://en.wikipedia.org/wiki/Tiltonsville,_Ohio) (2021),[[55]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-decrim2021-55) [Yorkville](https://en.wikipedia.org/wiki/Yorkville,_Ohio) (2021),[[55]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-decrim2021-55) [Fostoria](https://en.wikipedia.org/wiki/Fostoria,_Ohio) (2022),[[56]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-56) [Forest Park](https://en.wikipedia.org/wiki/Forest_Park,_Ohio) (2022),[[57]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-57) [Corning](https://en.wikipedia.org/wiki/Corning,_Ohio) (2022),[[58]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-2022_cities-58) [Hemlock](https://en.wikipedia.org/wiki/Hemlock,_Ohio) (2022),[[58]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-2022_cities-58) [Kent](https://en.wikipedia.org/wiki/Kent,_Ohio) (2022),[[58]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-2022_cities-58) [Laurelville](https://en.wikipedia.org/wiki/Laurelville,_Ohio) (2022),[[58]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-2022_cities-58) [Rushville](https://en.wikipedia.org/wiki/Rushville,_Ohio) (2022),[[58]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-2022_cities-58) [Shawnee](https://en.wikipedia.org/wiki/Shawnee,_Perry_County,_Ohio) (2022),[[58]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-2022_cities-58) and [Helena](https://en.wikipedia.org/wiki/Helena,_Ohio) (2023).[[59]](https://en.wikipedia.org/wiki/Cannabis_in_Ohio#cite_note-59)

**See also**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Ohio&action=edit&section=7)]

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# Cannabis in Oklahoma

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Text

* Small
* Standard
* Large

Width

* Standard
* Wide

Color (beta)

* Automatic
* Light
* Dark

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Oklahoma's Medical Marijuana Universal Symbol

| Part of a series on |
| --- |
| [Cannabis](https://en.wikipedia.org/wiki/Cannabis) |
| Cannabis |
| show   * **Arts** * [**Culture**](https://en.wikipedia.org/wiki/Cannabis_culture) |
| show  **Chemistry** |
| show  **Pharmacology** |
| show  [**Consumption**](https://en.wikipedia.org/wiki/Cannabis_consumption) |
| show  **Economics** |
| show  [**Effects**](https://en.wikipedia.org/wiki/Effects_of_cannabis) |
| show  **Forms** |
| show  **Law** |
| show  **Variants** |
| show  **Related** |
| * [**Cannabis portal**](https://en.wikipedia.org/wiki/Portal:Cannabis) * [Medicine portal](https://en.wikipedia.org/wiki/Portal:Medicine) * [Agriculture portal](https://en.wikipedia.org/wiki/Portal:Agriculture) |
| * [v](https://en.wikipedia.org/wiki/Template:Cannabis_sidebar) * [t](https://en.wikipedia.org/wiki/Template_talk:Cannabis_sidebar) * [e](https://en.wikipedia.org/wiki/Special:EditPage/Template:Cannabis_sidebar) |

**Cannabis in Oklahoma** is illegal for [recreational use](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States), but legal for [medical use](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) with a state-issued license, while CBD oil derived from industrial hemp is legal without a license.

**History**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Oklahoma&action=edit&section=1)]

As part of a larger trend nationwide to restrict cannabis, Oklahoma banned the drug in 1933.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Oklahoma#cite_note-Davenport-Hines2003-1) Through the decades, Oklahoma authorities actively prosecuted cannabis users, sellers and growers including through the use of helicopter patrols. [[2]](https://en.wikipedia.org/wiki/Cannabis_in_Oklahoma#cite_note-2)[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Oklahoma#cite_note-3)[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Oklahoma#cite_note-4)

In April 2015, The Governor signed HB 2154 allowing the Sale of [CBD oil](https://en.wikipedia.org/wiki/Cannabidiol) with less than 0.3% [THC](https://en.wikipedia.org/wiki/Tetrahydrocannabinol) under specified restrictions. The use of CBD oil manufactured from [industrial hemp](https://en.wikipedia.org/wiki/Industrial_hemp) (which was sold over the counter, without restrictions) became widespread in Oklahoma during the mid-late 2010s.[[*citation needed*](https://en.wikipedia.org/wiki/Wikipedia:Citation_needed)] Later in 2015, Green the Vote announced that they were beginning a new petition drive to place medical legalization on the 2016 ballot.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Oklahoma#cite_note-5) The initiative gathered the required number of signatures, but backers alleged that Attorney General [Scott Pruitt](https://en.wikipedia.org/wiki/Scott_Pruitt) had changed the verbiage of the initiative in a misleading way. After Oklahomans for Health sued over the ballot rewrite, the Oklahoma Supreme Court ordered the original language be restored. As result of the legal dispute, the vote for the initiative was pushed back to 2018.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Oklahoma#cite_note-6)[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Oklahoma#cite_note-7) Governor Mary Fallin established a ballot date on January 4, 2018, of June 26, 2018 as a referendum initiative.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Oklahoma#cite_note-8)

The referendum ([State Question 788](https://en.wikipedia.org/wiki/2018_Oklahoma_State_Question_788)) ultimately passed 57%-43%, making Oklahoma the 30th US state to legalize medical use of cannabis. This approval by popular vote was noteworthy as it happened during a primary election rather than in a general election.[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Oklahoma#cite_note-9) SQ 788 instructed the state to promulgate a regulatory scheme for Marijuana online within 30 days and begin licensing by August 25. 2018; however, on July 10, 2018, the Oklahoma Board of Health voted 5-4 to ban smokable marijuana products at dispensaries and to require licensed pharmacists to be on-site at dispensaries. After two lawsuits were filed these regulations were dropped.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Oklahoma#cite_note-10)[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Oklahoma#cite_note-11) Some local jurisdictions have tried to further regulate licensed cannabis use but such efforts have largely failed under judicial review.[[*citation needed*](https://en.wikipedia.org/wiki/Wikipedia:Citation_needed)]

The state created the Oklahoma Medical Marijuana Authority (OMMA) under the state Board of Health to regulate licenses for growers and patients, and its first director was appointed in October 2018.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Oklahoma#cite_note-12)

On August 1, 2018, many of the original rules promulgated by the Oklahoma Board of Health (OBH) were rescinded with the support of Oklahoma State Attorney general Mike Hunter who stated that the OBH rules overreached and did not meet the intent of SQ 788. Oklahoma City adopted the "simple possession" rule in their city code on October 26, 2018 and additionally lowered the maximum fine for possession of marijuana paraphernalia to $50.[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Oklahoma#cite_note-13)

**Medical use regulations**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Oklahoma&action=edit&section=2)]

The statewide regulator for marijuana is the Oklahoma Medical Marijuana Authority.

Under SQ 788, an individual who obtains a Medical Marijuana License from the state of Oklahoma may consume marijuana legally and may legally possess up to:

* 3 ounces (85 g) of marijuana
* 6 mature marijuana plants (defined as plants that are in the budding stage)
* 6 seedling plants (defined as plants that are in the vegetative stage and are not yet budding)
* 1 ounce (28 g) of concentrated marijuana
* 72 ounces (2,000 g) of edible marijuana
* 8 ounces (230 g) of marijuana in their residence

Smokable forms of medical marijuana can be legally consumed by license holders in any place that allows the smoking of tobacco products, while edible forms of medical marijuana can be consumed anywhere. All forms of medical marijuana are still deemed to be illegal under federal law; consequently Oklahoma medical marijuana license holders are not exempt from federal prosecution for cannabis possession when they are present on federal lands in Oklahoma (including military posts and lands administered by the National Park Service or the Department of Agriculture), as well as on tribal trust land.[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Oklahoma#cite_note-14)

**CBD clinical trials**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Oklahoma&action=edit&section=3)]

In April 2015, Governor [Mary Fallin](https://en.wikipedia.org/wiki/Mary_Fallin) signed into law a bill which allows clinical trials of CBD oil; Fallin emphasized to the press that she does not condone the full legalization of cannabis.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Oklahoma#cite_note-15)

**Prosecution for non-licensed use**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Oklahoma&action=edit&section=4)]

Unlicensed simple possession of up to 1

+

1⁄2 ounces (43 g) is now punishable by a misdemeanor conviction and a $400 fine.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Oklahoma#cite_note-16)

Since October 1, 2013, DUI (driving under intoxication) penalties include being jailed for no less than 10 days or more than 1 year if: A person "has any amount of a Schedule I chemical or controlled substance, as defined in Section 2-204 of Title 63 of the Oklahoma Statutes, or one of its metabolites or analogs in the person’s blood, saliva, urine or any other bodily fluid at the time of a test of such person's blood, saliva, urine or any other bodily fluid administered within two (2) hours after the arrest of such person." A second offense will have longer sentencing as well as require an ignition interlock device that can only detect alcohol even if person is not a user of alcohol.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Oklahoma#cite_note-17)[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Oklahoma#cite_note-18)

Non-licensed making of [hashish](https://en.wikipedia.org/wiki/Hashish) (including through the use of a simple grinder) or making [brownies](https://en.wikipedia.org/wiki/Cannabis_foods) is still restricted.[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Oklahoma#cite_note-19)[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Oklahoma#cite_note-20) Licensed medical users can make and possess these products.

**Feral hemp research**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Oklahoma&action=edit&section=5)]

In 2018 Hempyre Genetics was hired to research strains of [feral cannabis](https://en.wikipedia.org/wiki/Feral_cannabis) growing at undisclosed locations in Oklahoma, in order to advise legal hemp farmers as to what genetic traits were thriving in the state.[[21]](https://en.wikipedia.org/wiki/Cannabis_in_Oklahoma#cite_note-21)

**2022–2023 legalization initiative**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Oklahoma&action=edit&section=6)]

[Oklahoma State Question 820](https://en.wikipedia.org/wiki/Oklahoma_State_Question_820) was a voter initiative to legalize adult purchasing, possession and consumption of cannabis in Oklahoma, but it was rejected by the majority of voters after appearing as the only statewide issue on the ballot in a March 7, 2023 [special election](https://en.wikipedia.org/wiki/By-election).[[22]](https://en.wikipedia.org/wiki/Cannabis_in_Oklahoma#cite_note-22)[[23]](https://en.wikipedia.org/wiki/Cannabis_in_Oklahoma#cite_note-23) It would have placed the Oklahoma Medical Marijuana Authority in charge of business regulation.

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**External links**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Oklahoma&action=edit&section=8)]

* [Oklahoma Medical Marijuana Authority](http://omma.ok.gov/)
* [Oklahoma Medical Marijuana Card Online](https://420doctorsoklahoma.us/)

# Cannabis in Oregon

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Width

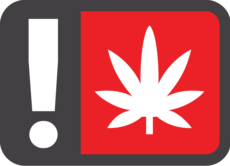
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Oregon's Cannabis Universal Symbol

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**Cannabis in Oregon** is legal for both [medical](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) and [recreational](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States) use. In recent decades, the U.S. state of [Oregon](https://en.wikipedia.org/wiki/Oregon) has had a number of legislative, legal and cultural events surrounding the use of [cannabis](https://en.wikipedia.org/wiki/Cannabis_(drug)) (marijuana, [hashish](https://en.wikipedia.org/wiki/Hashish), [THC](https://en.wikipedia.org/wiki/THC), [kief](https://en.wikipedia.org/wiki/Kief), etc.). Oregon was the first state to [decriminalize](https://en.wikipedia.org/wiki/Decriminalization) the [possession](https://en.wikipedia.org/wiki/Drug_possession) of small amounts of cannabis and authorize its use for [medical purposes](https://en.wikipedia.org/wiki/Medical_cannabis). An attempt to recriminalize the possession of small amounts of cannabis was turned down by Oregon voters in 1997.

From 1999 through 2005, the ratio of Oregonians using cannabis outpaced the general [United States](https://en.wikipedia.org/wiki/United_States) population by 32–45%. In surveys conducted in 1974 and 1975—one and two years after decriminalization—it was found that 2% of respondents said they did not use marijuana or cannabis because it was unavailable, 4% for legal or law enforcement reasons, 53% reported lack of interest, and 23% cited health dangers. The remaining 19% were using or had used it at one time.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-blachly-1)

[Measure 91](https://en.wikipedia.org/wiki/Oregon_Ballot_Measure_91_(2014)) was approved in 2014 by 56% of the vote, legalizing non-medical cultivation and uses of marijuana.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-KPTV-2) It followed perennial and unsuccessful efforts to legalize marijuana by ballot initiative, including in 1986 and in [2012](https://en.wikipedia.org/wiki/Oregon_Ballot_Measure_80_(2012)) which made it to the ballot, but voters rejected.

In 2015, Oregon Governor [Kate Brown](https://en.wikipedia.org/wiki/Kate_Brown) signed an emergency bill declaring marijuana sales legal to recreational users from [dispensaries](https://en.wikipedia.org/wiki/Marijuana_dispensary) starting October 1, 2015. State officials began working on establishing a regulatory structure for sales of marijuana, and taxing of such sales, restructuring the existing Oregon Liquor Control Commission into the [Oregon Liquor and Cannabis Commission](https://en.wikipedia.org/wiki/Oregon_Liquor_and_Cannabis_Commission) (OLCC) to oversee it. Effective January 1, 2017, dispensaries were no longer permitted to sell cannabis for recreational use unless they applied for, and received, an OLCC license for such sales. During the one-month span from early December 2016 to early January 2017, the number of retailers licensed to sell recreational marijuana grew from 99 to 260, and hundreds more applications were received and being processed.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-bizjournal-2017jan9-3)

**Cannabis culture**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Oregon&action=edit&section=1)]

|  | This section needs to be **updated**. The reason given is: This sections is written as if cannabis were still illegal under state law. Please help update this article to reflect recent events or newly available information. *(December 2017)* |
| --- | --- |

**Usage**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Oregon&action=edit&section=2)]

According to the [Drug Enforcement Administration](https://en.wikipedia.org/wiki/Drug_Enforcement_Administration) (DEA), cannabis is readily available in Oregon.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-DEA-4) According to a 2006 report by the [Substance Abuse and Mental Health Services Administration](https://en.wikipedia.org/wiki/Substance_Abuse_and_Mental_Health_Services_Administration), in 2003–2004, Oregon ranked in the top fifth of states for cannabis usage in three age categories: 12 to 17, 18 to 25, and 26 and older.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-5) In 2005, while most states that had passed [medical marijuana](https://en.wikipedia.org/wiki/Medical_marijuana) bills over the past decade saw marijuana use among teenagers decline faster than the national average (a 43% decrease). Oregon, [Nevada](https://en.wikipedia.org/wiki/Nevada), and [Maine](https://en.wikipedia.org/wiki/Maine) saw smaller decreases than the average.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-6)

The Substance Abuse and Mental Health Services Administration estimates and publishes the number of people to have used cannabis in the previous 30 days, as compiled by the Oregon chapter of the [National Organization for the Reform of Marijuana Laws](https://en.wikipedia.org/wiki/National_Organization_for_the_Reform_of_Marijuana_Laws) (NORML):[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-7)

| **Year** | **Recent Oregon**  **users** | **Recent U.S.**  **users** | **Oregon vs. U.S.**  **recent users** |
| --- | --- | --- | --- |
| 1999 | 6.60% | 4.7% | +40% |
| 2000 | 6.53% | 4.8% | +36% |
| 2001 | 7.19% | 5.4% | +33% |
| 2002 | 8.96% | 6.2% | +45% |
| 2003 | 8.88% | 6.2% | +43% |
| 2004 | 8.03% | 6.1% | +32% |
| 2005 | 8.36% | 6.0% | +38% |

**Cultivation**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Oregon&action=edit&section=3)]



Indoor *Cannabis* cultivation

Large indoor and outdoor growing operations have been discovered on private, state, and forest lands, with plants numbering in thousands. Allegedly, large outdoor growing operations run by Mexican cartels [drug trafficking](https://en.wikipedia.org/wiki/Illegal_drug_trade) were assumed to be operating in remote locations. Highly potent cannabis grown in Oregon is consumed locally, and distributed to other parts of the U.S.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-DEA-4)

In 1988, due to the success of the DEA's Campaign against Marijuana Planting in [California](https://en.wikipedia.org/wiki/California), Oregon rivaled California nationally in cannabis production.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-8) In the 1990s, Oregon was a national leader in indoor [cannabis cultivation](https://en.wikipedia.org/wiki/Cannabis_cultivation), along with California, [Washington](https://en.wikipedia.org/wiki/Washington_(U.S._state)), [Kentucky](https://en.wikipedia.org/wiki/Kentucky) and [South Florida](https://en.wikipedia.org/wiki/South_Florida_metropolitan_area).[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-9)[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-10) For the decade ending in 1991, the DEA considered Oregon the "nation's cradle of indoor marijuana growing."[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-11) In 2006, Oregon was the fourth largest indoor cannabis producing state, and the tenth largest cannabis producing state overall.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-12)

In Oregon, medical cannabis patients are allowed to grow up to six mature plants and 12 non-flowering plants in their residences. Designated growers in Oregon can cultivate up to six mature plants, 12 immature plants that are 24 inches or taller, and 36 immature plants below 24 inches for each patient they are responsible for. However, designated growers must acquire a marijuana grow site registration card for each patient. It's important to note that individuals with multiple convictions of Class A or Class B felonies are prohibited from growing marijuana in Oregon, as stated in Section 475C.792 of the Oregon Medical Marijuana Act.[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-13)

**Events and attitudes**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Oregon&action=edit&section=4)]

*See also:* [*Portland Hempstalk Festival*](https://en.wikipedia.org/wiki/Portland_Hempstalk_Festival) *and* [*Vortex I*](https://en.wikipedia.org/wiki/Vortex_I)

According to Nick Budnick of the [*Willamette Week*](https://en.wikipedia.org/wiki/Willamette_Week), medical marijuana has "helped legitimize pot culture in Oregon." In 2005, [Multnomah County](https://en.wikipedia.org/wiki/Multnomah_County,_Oregon) Circuit Judge Doug Beckman said "I think there's a broader social acceptance for users of marijuana. And gradually there's increasing public pressure, I think, to decriminalize marijuana."[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-14)



Festival goers at the 2007 Hempstalk in Portland, Oregon playing [Hackey Sack](https://en.wikipedia.org/wiki/Hacky_Sack)

In 2007, nearly 20,000 people attended the third annual [Hempstalk Festival](https://en.wikipedia.org/wiki/Portland_Hempstalk_Festival) at [Sellwood Riverfront Park](https://en.wikipedia.org/wiki/Sellwood_Riverfront_Park) in [Portland, Oregon](https://en.wikipedia.org/wiki/Portland,_Oregon).[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-WWHempstalk-15) While organizers insisted smoking would not be tolerated, the smell of marijuana lingered in the air and some festival goers chose to consume various forms of [cannabis foods](https://en.wikipedia.org/wiki/Cannabis_foods).[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-WWHempstalk-15) No festival attendees were arrested.

The first International Cannabis Business Conference (ICBC) took place in Portland, on September 13 and 14, 2014, at the Oregon Convention Center. The conference brought together entrepreneurs, professionals and advocates from across the globe, with the goal to further mainstream the global cannabis industry. The ICBC is a collaboration between veteran activists Anthony Johnson, Alex Rogers and Debby Goldsberry. Johnson has served as chief petitioner of statewide cannabis reforms and is currently Director of the Oregon Cannabis Industry Association; Rogers is CEO of Northwest Alternative Health and lead producer of the Oregon Medical Marijuana Business Conference; Goldsberry is a co-founder of the [Berkeley Patients Group](https://en.wikipedia.org/wiki/Berkeley_Patients_Group) and serves as an ambassador for Magnolia Wellness. The ICBC further cements Portland as a prominent locale for cannabis activism.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-16)

**Legal history**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Oregon&action=edit&section=5)]

**Prohibition**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Oregon&action=edit&section=6)]

Amidst a nationwide trend of cannabis prohibition, the State of Oregon outlawed cannabis in 1923.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-Davenport-Hines2012-17) In 1935, the State of Oregon passed the [Uniform State Narcotic Drug Act](https://en.wikipedia.org/wiki/Uniform_State_Narcotic_Drug_Act), bringing Oregon's laws regarding cannabis in line with the majority of states.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-blachly-1)

**Decriminalization**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Oregon&action=edit&section=7)]

*See also:* [*Decriminalization of non-medical cannabis in the United States*](https://en.wikipedia.org/wiki/Decriminalization_of_non-medical_cannabis_in_the_United_States)

… the solution is not to toss youthful offenders into jail or prisons. We long ago recognized alcoholism to be a disease, and abandoned efforts to treat alcoholics simply by locking them up.

— Oregon Governor [Tom McCall](https://en.wikipedia.org/wiki/Tom_McCall), who signed the nation's first legislation decriminalizing certain marijuana offenses in 1973.[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-18)

In 1973, Oregon became the first state to decriminalize cannabis.[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-schlosser-19) Possession of 28.35 grams (1 ounce) or less is a violation (not a crime) punishable by a $500 to $1,000 fine; stricter punishments exist for sale or cultivation. Possession of 1 ounce to 110 grams is a class B [felony](https://en.wikipedia.org/wiki/Felony) punishable by 10 years in prison, and possession of more than 110 grams is a felony with punishment depending on the defendant's prior record.[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-norml_oregonlaw-20)

The Oregon Decriminalization Bill of 1973 abolished criminal penalties for possession of small amounts of marijuana. As a result, possession of up to an ounce of marijuana in Oregon was a violation (not a crime), punishable only by a fine of $500 to $1000.[[21]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-21) There is one exception, however, which is: if possession of such an amount occurs in a public place within 1000 feet of a school attended by minors, the person committing the offense is guilty of a Class C [misdemeanor](https://en.wikipedia.org/wiki/Misdemeanor) instead. Possession of more than one ounce, no matter the proximity to a school, was a Class B [felony](https://en.wikipedia.org/wiki/Felony) until July 3, 2013, at which point it became a Class B misdemeanor.[[22]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-22) The actual *use* of marijuana in private, and being under the influence of marijuana, are not punishable offenses under Oregon law. However, public use, and also [driving under the influence of intoxicants](https://en.wikipedia.org/wiki/Driving_under_the_influence_of_intoxicants) are punishable offenses.

Intentionally growing even one marijuana plant (Unlawful manufacture of marijuana), was a Class A felony in Oregon (ORS 475.856, 475.858) until July 1, 2015. Selling or giving away marijuana was an offense (Unlawful delivery of marijuana) that varied in severity and penalty depending on the amount of marijuana involved in the transaction, whether or not [consideration](https://en.wikipedia.org/wiki/Consideration) was involved, the relative ages of the people involved, and the proximity of the transaction to nearby schools attended by minors (ORS 475.860, 475.862). Giving away five grams (approx. 0.18oz) of marijuana or less by an adult to another adult for no payment at a location at least 1000 feet from the closest school was only a violation, punishable by a fine of $500 to $1000. However, if greater amounts of marijuana were involved, if any payment at all were involved, if delivery was by an adult to a minor, and/or if delivery occurred within 1000 feet of a school (even if both parties are adults), the severity of the offense ranged from Class C misdemeanor to Class A felony with increasing penalties.

In 1986, Oregon's Ballot Measure 5 sought to legalize cannabis. The Oregon Marijuana Initiative spent about $50,000 promoting the proposition, and collected the 87,000 signatures necessary to place it on the ballot. In 1986, by some estimates, cannabis was Oregon's largest [cash crop](https://en.wikipedia.org/wiki/Cash_crop),[[23]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-23) estimated in 1985 at between $1 billion and $1.15 billion.[[24]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-24) The ballot measure was rejected by Oregon voters[[25]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-25) with 279,479 "Yes" and 781,922 "No" votes, or 26.33% support.[[26]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-26)

In 1995, Oregon House Bill 3466, which would have recriminalized marijuana in Oregon, died. According to bill sponsor [Jerry Grisham](https://en.wikipedia.org/wiki/Jerry_Grisham) ([R](https://en.wikipedia.org/wiki/Oregon_Republican_Party)–[Beavercreek](https://en.wikipedia.org/wiki/Beavercreek,_Oregon)), HB 3466 was meant to counter a circulating initiative petition called *The Oregon Cannabis Tax Act* of 1997, which would have allowed state liquor stores to sell marijuana and permitted [hemp](https://en.wikipedia.org/wiki/Hemp) production for paper, fabric, oil, and protein. Taxes on these products would go to schools to replace funding allegedly lost by [Measure 5](https://en.wikipedia.org/wiki/Oregon_Ballot_Measure_5_(1990)). The petition was sponsored by a political action committee named Pay for Schools by Regulating Cannabis.[[27]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-psrc-27) Cannabis activists [Paul Stanford](https://en.wikipedia.org/wiki/Paul_Stanford) and Chris Iverson were the chief petitioners for the Oregon Cannabis Tax Act of 1997.[[28]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-28)[[29]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-29)

HB 3466 would have increased penalties for possession of under an ounce of marijuana from an infraction (traffic ticket-like offense) to a Class A [misdemeanor](https://en.wikipedia.org/wiki/Misdemeanor), the worst non-felony offense, with a fine of $100 to $1,000 per gram, up to a maximum of $5,000. The bill also would have created a new crime—being under the influence of marijuana—punishable by a fine of up to $5,000.[[27]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-psrc-27) The bill would have passed according to the positions of state senators, but was blocked on a technical basis which prevented it from coming to the floor the same day it was read—which allows public input—unless overridden by a vote.[[27]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-psrc-27)

In 1997, the [Oregon Legislature](https://en.wikipedia.org/wiki/Oregon_Legislature) passed House Bill 3643, making the possession of less than an ounce of marijuana a Class C misdemeanor,[[30]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-30) which added a possible jail sentence of up to 30 days. According to [Eric Schlosser](https://en.wikipedia.org/wiki/Eric_Schlosser) of [*Rolling Stone*](https://en.wikipedia.org/wiki/Rolling_Stone), [John Kitzhaber](https://en.wikipedia.org/wiki/John_Kitzhaber), then Oregon's governor, signed the bill because he did not want to appear soft on crime.[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-schlosser-19) Activists opposing HB 3643 collected twice as many signatures as were required to force a [referendum](https://en.wikipedia.org/wiki/Referendum) on the bill. [John Sperling](https://en.wikipedia.org/wiki/John_Sperling), [Peter Lewis](https://en.wikipedia.org/wiki/Peter_Lewis_(businessman)), and [George Soros](https://en.wikipedia.org/wiki/George_Soros) were the principal financial backers of the referendum signature drive.[[31]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-31) Measure 57, which would have upheld HB 3643, was turned down by a margin of 2–1.[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-schlosser-19)[[32]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-32)

The Oregonians For Cannabis Reform 2010 hoped to make cannabis products legal and available in a retail environment by enacting the [Oregon Cannabis Tax Act](https://en.wikipedia.org/wiki/Oregon_Cannabis_Tax_Act) of 2010 (OCTA), but the effort failed to collect the minimum 83,000 signatures by the July 2 deadline to qualify for the 2010 ballot.[[33]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-SalemNewsOCTA-33) Backers of the initiative said 90% of the proceeds from the state's sale of marijuana would have gone to Oregon's general fund (as much as $300 million[[34]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-LegalPotBacker-34)), lowering the state tax burden, while 10% of the revenue would have been used to fund drug abuse education and treatment programs.[[33]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-SalemNewsOCTA-33) Advocates claimed the marijuana market would be removed from the [underground economy](https://en.wikipedia.org/wiki/Underground_economy), where young people and drug abusers often take control, and place it in liquor stores regulated by the [Oregon Liquor Control Commission](https://en.wikipedia.org/wiki/Oregon_Liquor_Control_Commission) (OLCC) so that the minimum age of 21 could be enforced. According to Madeline Martinez, Executive Director of NORML's Oregon chapter, [U.S. Congressman](https://en.wikipedia.org/wiki/United_States_House_of_Representatives) [Barney Frank](https://en.wikipedia.org/wiki/Barney_Frank) ([D](https://en.wikipedia.org/wiki/Democratic_Party_(United_States))–[Massachusetts](https://en.wikipedia.org/wiki/Massachusetts)) endorsed the idea, though support from Oregon state officials had been limited.[[34]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-LegalPotBacker-34)

**Medical cannabis**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Oregon&action=edit&section=8)]

*Main article:* [*Oregon Ballot Measure 67 (1998)*](https://en.wikipedia.org/wiki/Oregon_Ballot_Measure_67_(1998))

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Cannabis dispensary in Portland

Oregon marijuana law is further complicated due to the existence of Oregon's [medical marijuana program](https://en.wikipedia.org/wiki/Oregon_Medical_Marijuana_Act). The Oregon Medical Marijuana Program allows individuals with a medical history of one or more qualifying illnesses and a doctor's recommendation to apply for registration with the program. Accepted applicants are issued a [Medical Marijuana Card](https://en.wikipedia.org/wiki/Medical_Marijuana_Card), which entitles them to different treatment under the law. Essentially, medical marijuana patients are allowed to possess, without fear of citation, arrest, or penalty, up to 1.5 pounds of marijuana at a time. Possession of a greater amount, however, does become punishable by law. In addition to legal possession, cardholders may also legally grow, without fear of citation, arrest, or penalty, up to 18 immature cannabis plants and 6 mature ones at a single time. Cardholders are also allowed to designate a primary caregiver and a grower of their choice, if so inclined. These people enjoy the same freedoms, in regard to possession, as the cardholder as long as they remain officially registered. The above limits of legal possession apply to the total combined property of the cardholder, caregiver, and grower. If a grower is growing plants for more than one cardholder, he or she may possess up to 18 immature plants per cardholder. A grower may not grow plants for more than four cardholders at a time.[[35]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-35) Also, in addition to legal possession and manufacture as outlined above, cardholders, caregivers, and growers may legally deliver marijuana to each other, and to other cardholders, so long as the delivery is made without consideration. The privileges which normally protect cardholders, caregivers, and growers from citation, arrest, and penalty do not excuse possession, manufacture, or delivery in cases where they are simultaneously guilty of certain offenses listed in ORS 475.316, such as driving under the influence of marijuana or using marijuana in public.

In 1994, Portland cannabis activist Chris Iverson, who was chairman of the NW Hemp Foundation opened the first cannabis buyers club in Oregon.[[36]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-36) Mr. Iverson was quoted as saying "Sure, working within the system is the best way. But we've been robbed of this resource for too many years."

The Oregon Medical Marijuana Act was established by Ballot Measure 67, a citizens' initiative, in November 1998, the same election as the referendum Measure 57. It modified [state law](https://en.wikipedia.org/wiki/Oregon_Revised_Statutes) to allow the cultivation, possession, and use of marijuana by prescription by patients with certain medical conditions. The ballot measure passed by a margin of 54.6% to 45.4%.[[37]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-37) The Act does not affect [federal](https://en.wikipedia.org/wiki/Federal_government_of_the_United_States) law, which still prohibits the cultivation and possession of marijuana. Bernie Hobson, spokesman for the DEA's [Seattle](https://en.wikipedia.org/wiki/Seattle) regional office, said "From a federal standpoint, there is no such thing as medical marijuana."[[38]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-38) Four other western states ([Alaska](https://en.wikipedia.org/wiki/Alaska), [Arizona](https://en.wikipedia.org/wiki/Arizona), Nevada and Washington) and the [District of Columbia](https://en.wikipedia.org/wiki/Washington,_D.C.) passed similar measures legalizing the use of marijuana for medical purposes in the same election.[[39]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-39)

The act created "The Oregon Medical Marijuana Program," which administers the Medical Marijuana Act approved by the public in November 1998.[[40]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-OMMPAboutUs-40) The Oregon Medical Marijuana Program administers the program within the [Oregon Department of Human Services](https://en.wikipedia.org/wiki/Oregon_Department_of_Human_Services). As of April 1, 2009, there were 20,974 patients registered, with 10,626 caregivers holding cards for these patients.[[41]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-OMMPStatistics-41) Virtually all patients benefiting from the program (18,000+) suffer from [severe pain](https://en.wikipedia.org/wiki/Chronic_pain) and more than 3,200 from [nausea](https://en.wikipedia.org/wiki/Nausea). The other conditions are given as [epilepsy](https://en.wikipedia.org/wiki/Epilepsy), [HIV](https://en.wikipedia.org/wiki/HIV)/[AIDS](https://en.wikipedia.org/wiki/AIDS), [cancer](https://en.wikipedia.org/wiki/Cancer), [cachexia](https://en.wikipedia.org/wiki/Cachexia), chronic [glaucoma](https://en.wikipedia.org/wiki/Glaucoma) and [tremors](https://en.wikipedia.org/wiki/Tremor) caused by [Alzheimer's disease](https://en.wikipedia.org/wiki/Alzheimer%27s_disease).[[41]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-OMMPStatistics-41) Multiple states have requested information on Oregon's program to use as a model for their own medical marijuana initiatives and registration systems.[[40]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-OMMPAboutUs-40)

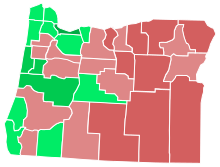
In 2004, an Oregon ballot measure that would have increased the amount of cannabis a patient can legally possess to six pounds was defeated by Oregon voters.[[42]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-42) In 2005, the Oregon Medical Marijuana Program brought in more than $900,000 to the state's budget for the Department of Human Services.[[34]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-LegalPotBacker-34)

In June 2010, the [Oregon Board of Pharmacy](https://en.wikipedia.org/w/index.php?title=Oregon_Board_of_Pharmacy&action=edit&redlink=1) reclassified marijuana from a [Schedule I](https://en.wikipedia.org/wiki/List_of_Schedule_I_drugs_(US)) drug to a [Schedule II](https://en.wikipedia.org/wiki/List_of_Schedule_II_drugs_(US)) drug.[[43]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-43) According to a press release from the board, "The Board of Pharmacy's action to reschedule marijuana on the state list does not supersede federal law or create a direct conflict with federal law. It simply does not address federal law," and, "Marijuana or products containing any amount of marijuana will not be available by prescription in Oregon unless they have been approved by the FDA."[[44]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-44) News reports noted that this reclassification makes Oregon the "first state in the nation to make marijuana anything less serious than a Schedule I drug."[[45]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-45) (*See also* [*Removal of cannabis from Schedule I of the Controlled Substances Act*](https://en.wikipedia.org/wiki/Removal_of_cannabis_from_Schedule_I_of_the_Controlled_Substances_Act))

A [ballot measure](https://en.wikipedia.org/wiki/Oregon_elections,_2010#Measure_74) of the November 2010 election would have established a state licensing system for marijuana producers and dispensaries, allowed the sale of marijuana from the dispensaries to medical marijuana patients, provide low income assistance for those patients, and set up a research program to evaluate the effects of the new law.[[46]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-46) It was defeated with 43.85% support and 56.15% opposition.[[47]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-47) However, the state legislature legalized medical dispensaries a few years later during its 2013 legislative session.[[48]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-48)

**Recreational use**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Oregon&action=edit&section=9)]

The [Oregon Cannabis Tax Act](https://en.wikipedia.org/wiki/Oregon_Cannabis_Tax_Act) qualified for the [November 2012 state ballot](https://en.wikipedia.org/wiki/Oregon_state_elections,_2012), with the petition having 88,887 valid signatures. If approved, it would have legalized marijuana for recreational adult use, regulated and taxed the cultivation and sale of marijuana, and legalized the production, use, and sale of hemp. It appeared as Measure 80 on the ballot, but was defeated by a margin of approximately 53%-47%.[[49]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-49)



Results by county of Ballot Measure 91; green counties voted yes and red counties voted no.

[Measure 91](https://en.wikipedia.org/wiki/Oregon_Ballot_Measure_91_(2014)) was approved in 2014, legalizing non-medical cultivation and uses of marijuana in Oregon starting July 1, 2015.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-KPTV-2) Measure 91's success legitimized the marijuana reform movement and added to the momentum built from Initiative 502 in Washington and Amendment 64 in Colorado, which passed in 2012. While polls in late 2013 showed high support for Measure 91, support waned as the media raised concerns over the practicality of recreational cannabis. This lead the [Drug Policy Alliance](https://en.wikipedia.org/wiki/Drug_Policy_Alliance) to spend more money on raising public opinion of Measure 91. [Ethan Nadelmann](https://en.wikipedia.org/wiki/Ethan_Nadelmann), Drug Policy Alliance Executive Director, said in a 2015 talk, "If I hadn't raised over $2 million last year for Oregon, a tiny fraction of it from people in Oregon, [Measure 91] would have lost. I think it would have lost. You know, these things don't legalize themselves, and it takes real money from people not just in the state and not just in the industry."[[50]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-50)

In September 2014, some of the municipalities revealed intention to apply sales tax on recreational use, ahead of it being legalized. Measure 91 only allows the state to tax marijuana, so local governments are hoping they'll be able to get their taxes grandfathered in if they pass them now.[[51]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-51)



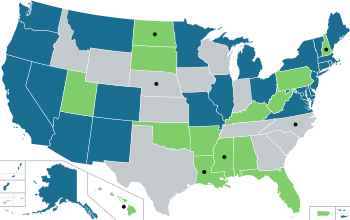
A cannabis shop in a suburb of Portland in 2017

In 2015, Oregon Governor [Kate Brown](https://en.wikipedia.org/wiki/Kate_Brown) signed an emergency bill declaring marijuana sales legal to recreational users from [dispensaries](https://en.wikipedia.org/wiki/Marijuana_dispensary) starting October 1, 2015, during an "early sales" period, through the end of 2016. Additional legislation signed into law by Governor Brown in March 2016 allowed the sale of medical and recreational marijuana from the same outlets.[[52]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-ptld-trib-2016mar30-52) Effective January 1, 2017, marijuana can be sold for recreational use only by businesses that have obtained a "recreational license" from the OLCC; such businesses can also sell for medical use.[[53]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-OPB-2016dec28-53) Medical marijuana dispensaries that had not obtained a recreational license were no longer permitted to sell for recreational use after 2016. In mid-December 2016, there were fewer than 100 Oregon businesses licensed to sell recreational marijuana, whereas there were more than 300 medical-marijuana dispensaries[[53]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-OPB-2016dec28-53) (down from a peak of 425).[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-bizjournal-2017jan9-3) However, the number of applications for recreational licenses jumped sharply in the last months of 2016, and the number of licensed retailers grew from 99 to 260 in the one-month span from early December 2016 to early January 2017.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-bizjournal-2017jan9-3)

According to the [Oregon Department of Revenue](https://en.wikipedia.org/wiki/Oregon_Department_of_Revenue), state and local recreational marijuana sales/excise taxes generated $78 million in tax revenue in 2017, up from $60 million in 2016.[[54]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-54) A 2019 audit of the City of Portland's distribution of its citywide 3% marijuana tax revenue found that "most of the collected taxes have gone toward shortages in the city’s general fund and specifically to police and transportation programs."[[55]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-:0-55)

Tax revenue of $3.6 million in the 2018 fiscal year and $4.6 million in 2019 primarily went toward public safety. Small business/prohibition effects received only 16% of the revenue and drug and alcohol programs received 5%." Further, "cannabis business owners and community members have not been involved in budget decisions and the city has not reported on how it has used those tax revenues, according to the audit."[[55]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-:0-55)

**Conflict with federal drug law**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Oregon&action=edit&section=10)]



**Legality of cannabis in the United States**

Legal for recreational use

Legal for medical use

No comprehensive medical program

● Decriminalized

Notes:

**·** Reflects laws of states and territories, including laws which have not yet gone into effect. Does not reflect federal, tribal, or local laws.

**·** Map does not show state legality of [hemp](https://en.wikipedia.org/wiki/Hemp)-derived [cannabinoids](https://en.wikipedia.org/wiki/Cannabinoids) such as [CBD](https://en.wikipedia.org/wiki/Cannabidiol) or [delta-8-THC](https://en.wikipedia.org/wiki/%CE%94-8-Tetrahydrocannabinol), which have been legal at federal level since enactment of the [2018 Farm Bill](https://en.wikipedia.org/wiki/2018_United_States_farm_bill).

* [v](https://en.wikipedia.org/wiki/Template:Legality_of_cannabis_by_US_state)
* [t](https://en.wikipedia.org/wiki/Template_talk:Legality_of_cannabis_by_US_state)
* [e](https://en.wikipedia.org/wiki/Special:EditPage/Template:Legality_of_cannabis_by_US_state)

**Physician liability**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Oregon&action=edit&section=11)]

Physicians cannot have their licenses revoked for recommending or supporting marijuana according to a September 7, 2000 decision by the [U.S. District Court](https://en.wikipedia.org/wiki/U.S._District_Court). The case, [*Dr. Marcus Conant, et al., v. McCaffrey et al.*](https://en.wikipedia.org/wiki/Dr._Marcus_Conant,_et_al.,_v._McCaffrey_et_al.), arose from two events: the November 1996 passage of [California Proposition 215](https://en.wikipedia.org/wiki/California_Proposition_215_(1996)) which authorized medical marijuana, and a December 30, 1996 response to the law by the director of the [Office of National Drug Control Policy](https://en.wikipedia.org/wiki/Office_of_National_Drug_Control_Policy) which said:

A practitioner's action of recommending or prescribing Schedule I controlled substances is not consistent with the 'public interest' (as that phrase is used in the federal Controlled Substances Act) and will lead to administrative action by the [Drug Enforcement Administration](https://en.wikipedia.org/wiki/Drug_Enforcement_Administration) to revoke the practitioner's registration.[[56]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-conant-56)

The statement accompanied authorization for the U.S. Inspector General for Health and Human Services to exclude individuals from participation in Medicare and Medicaid programs, such as physicians who recommend marijuana to patients for medical purposes. Clarification two months later affirmed that mere discussion of any drugs with a patient was not grounds for sanction, but affirmed that physicians "may not intentionally provide their patients with oral or written statements in order to enable them to obtain controlled substances in violation of federal law." The court's decision acknowledged that the government has a legitimate concern that physicians might recommend marijuana in bad faith. However, physicians in good faith using honest medical judgment should not fear DEA sanctions.[[56]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-conant-56) Furthermore,

Given the doctrine of constitutional doubt, the government's construction of the Controlled Substances Act cannot stand. The government should be permanently enjoined from (i) revoking any physician class member's DEA registration merely because the doctor makes a recommendation for the use of medical marijuana based on a sincere medical judgment and (ii) from initiating any investigation solely on that ground. The injunction should apply whether or not the doctor anticipates that the patient will, in turn, use his or her recommendation to obtain marijuana in violation of federal law.[[56]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-conant-56)

The government appealed the decision to the Ninth Circuit Court of Appeals, which agreed with the lower court on October 29, 2002, and expanded the grounds for the injunction to include free speech.[[57]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-57) The government appealed again to the Supreme Court which declined to hear it October 14, 2003,[[*citation needed*](https://en.wikipedia.org/wiki/Wikipedia:Citation_needed)] reaffirming the California Circuit Court's injunction.

**Law enforcement**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Oregon&action=edit&section=12)]

In November 2007, a California appeals court ruled that "it is not the job of the local police to enforce the federal drug laws." The [U.S. Supreme Court](https://en.wikipedia.org/wiki/United_States_Supreme_Court) denied an appeal by the city of [Garden Grove](https://en.wikipedia.org/wiki/Garden_Grove,_California) in December 2008, upholding the decision. The case began in June 2005 with a medical marijuana patient from Garden Grove being pulled over by city police and cited for possession of marijuana, despite his immediate display of proper medical marijuana documentation. The charge against him was later dismissed, but the city refused to return his confiscated eight grams of marijuana, even after being instructed by [Orange County](https://en.wikipedia.org/wiki/Orange_County,_California) Superior Court. The Supreme Court ruling affects 13 U.S. states with medical marijuana laws.[[58]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-58)

Police departments throughout Oregon decline to press charges, or charges have been dropped for possessing and growing marijuana, even for convicted drug dealers. [Salem](https://en.wikipedia.org/wiki/Salem,_Oregon) police estimated they received 30 or 40 calls for marijuana activity in 2007 which were not pursued because the grow operations were legal, even one next to a high school. One grower, a previously convicted felon, was found with evidence of making [hash oil](https://en.wikipedia.org/wiki/Honey_oil), which is not protected, though a grand jury did not indict him.[[59]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-59)

**Thermal imaging searches**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Oregon&action=edit&section=13)]

*Main article:* [*Kyllo v. United States*](https://en.wikipedia.org/wiki/Kyllo_v._United_States)

After a federal agent from the [Department of the Interior](https://en.wikipedia.org/wiki/Department_of_the_Interior) used a thermal imaging device to determine that Danny Lee Kyllo was using [grow lamps](https://en.wikipedia.org/wiki/Grow_light) to grow marijuana in his Florence, Oregon home, the [Supreme Court of the United States](https://en.wikipedia.org/wiki/Supreme_Court_of_the_United_States) determined that the use of a thermal imaging device from a public vantage point to monitor the radiation of heat from a person's home was a "search" within the meaning of the Fourth Amendment, and thus required a warrant. Because the police in this case did not have a warrant, the Court reversed Kyllo's conviction for growing marijuana.

**Interstate commerce**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Oregon&action=edit&section=14)]

Since May 2023, along the whole west coast of the United States (namely [California](https://en.wikipedia.org/wiki/California), [Oregon](https://en.wikipedia.org/wiki/Oregon) and [Washington State](https://en.wikipedia.org/wiki/Washington_(state))) has implemented "interstate commerce" of cannabis and marijuana protection legislation.[[60]](https://en.wikipedia.org/wiki/Cannabis_in_Oregon#cite_note-60)

**See also**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Oregon&action=edit&section=15)]

* [Alcoholic beverages in Oregon](https://en.wikipedia.org/wiki/Alcoholic_beverages_in_Oregon)
* [Burnside Burn](https://en.wikipedia.org/wiki/Burnside_Burn), an event held on Portland's Burnside Bridge the night Oregon Ballot Measure 91 went into effect
* [Cannabis in the United States](https://en.wikipedia.org/wiki/Cannabis_in_the_United_States)
* [Drug policy of Oregon](https://en.wikipedia.org/wiki/Drug_policy_of_Oregon)
* [History of Oregon](https://en.wikipedia.org/wiki/History_of_Oregon)
* [Legal history of cannabis in the United States](https://en.wikipedia.org/wiki/Legal_history_of_cannabis_in_the_United_States)
* [Oregon NORML](https://en.wikipedia.org/wiki/Oregon_NORML)
* [Politics of Oregon](https://en.wikipedia.org/wiki/Politics_of_Oregon)
* [World Famous Cannabis Cafe](https://en.wikipedia.org/wiki/World_Famous_Cannabis_Cafe)

**References**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Oregon&action=edit&section=16)]

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**External links**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Oregon&action=edit&section=18)]



Wikimedia Commons has media related to [***Cannabis in Oregon***](https://commons.wikimedia.org/wiki/Category:Cannabis_in_Oregon).

* [http://marijuana.oregon.gov](http://marijuana.oregon.gov/) State of Oregon website about recreational marijuana
* [CNBC Gallery of Medical Marijuana](https://www.cnbc.com/id/28561896/): types, applications, estimated prices for various strains of marijuana

# Cannabis in Pennsylvania

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Text

* Small
* Standard
* Large

Width

* Standard
* Wide

Color (beta)

* Automatic
* Light
* Dark

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[Pennsylvania State Capitol](https://en.wikipedia.org/wiki/Pennsylvania_State_Capitol) lit green to celebrate passage of medical cannabis legislation by the House of Representatives (March 16, 2016)



Governor Tom Wolf signs Senate Bill 3 to legalize medical cannabis in Pennsylvania (April 17, 2016)

**Cannabis in** [**Pennsylvania**](https://en.wikipedia.org/wiki/Pennsylvania) is illegal for [recreational use](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States), but possession of small amounts is decriminalized in several of the state's largest cities. [Medical use](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) was legalized in 2016 through a bill passed by the state legislature.

**Medical use legalized (2016)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Pennsylvania&action=edit&section=1)]

On April 17, 2016, Governor [Tom Wolf](https://en.wikipedia.org/wiki/Tom_Wolf) signed Senate Bill 3 to legalize the medical use of [cannabis](https://en.wikipedia.org/wiki/Cannabis_(drug)).[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-pl-1) The bill allowed the use of cannabis with a physician's approval for treatment of 17 qualifying conditions listed in the bill.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-2) It also set up a state-licensed system for the distribution of cannabis to patients, with the requirement (later eliminated in 2018)[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-3) that only non-smokable forms be sold.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-4) A 5% tax rate was imposed on sales between growers, processors, and dispensaries.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-5) No allowance for home [cultivation](https://en.wikipedia.org/wiki/Cannabis_cultivation) was made.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-lnp-6)

Senate Bill 3 passed the House by a 149-46 vote and the Senate 42–7.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-lnp-6) Upon its enactment, Pennsylvania became the 24th state to legalize cannabis for medical use.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-7) The first licensed sales occurred on February 15, 2018.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-8)[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-9)

**Pennsylvania Democratic Party resolution (2017)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Pennsylvania&action=edit&section=2)]

In September 2017, the Pennsylvania Democratic State Committee approved a platform position stating that "cannabis is safe enough, and ubiquitous enough in society, that it does not need to be restricted or prohibited by the [Controlled Substances Act](https://en.wikipedia.org/wiki/Controlled_Substances_Act)".[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-10) The resolution urged the state Democratic Party to "support Democratic candidates and policies which promote the full repeal of cannabis prohibition by its removal from the Controlled Substances Act, and to support the creation of new laws which regulate it in a manner similar to other culturally accepted commodities".[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-11) The resolution specified a number of reasons for supporting legalization, including the racist and unscientific reasons for its original prohibition, the lack of fitting the criteria to be placed in Schedule I of the Controlled Substance Act, and Auditor General [Eugene DePasquale](https://en.wikipedia.org/wiki/Eugene_DePasquale)'s support for legalization to save criminal justice costs and earn revenue via taxed sales.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-12)

**"Smoke a joint, lose your license" repealed (2018)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Pennsylvania&action=edit&section=3)]

House Bill 163 was signed into law by Governor Wolf on October 24, 2018.[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-aclupa-13) It repealed a policy known as "[Smoke a joint, lose your license](https://en.wikipedia.org/wiki/Solomon%E2%80%93Lautenberg_amendment)" under which possession of cannabis or any other illegal drug was punished with a mandatory six month driver's license suspension.[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-14) Under the policy, approximately 149,000 licenses were suspended for non-driving drug offenses from 2011 to 2016, according to [Equal Justice Under Law](https://en.wikipedia.org/wiki/Equal_Justice_Under_Law_(civil_rights_organization)), a nonprofit civil rights organization.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-15) House Bill 163 was sponsored by State Representative [Rick Saccone](https://en.wikipedia.org/wiki/Rick_Saccone),[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-16) passing with only one opposing vote in the House and unanimously in the Senate.[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-aclupa-13)

**Statewide listening tour (2019)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Pennsylvania&action=edit&section=4)]

In December 2018, during a Q&A session with constituents on Twitter, Governor Wolf tweeted: "I think it is time for Pennsylvania to take a serious and honest look at legalizing recreational marijuana."[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-17) One month later, Wolf announced a statewide tour by Lieutenant Governor [John Fetterman](https://en.wikipedia.org/wiki/John_Fetterman) to gather public input on the idea.[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-18) He stated: "We could choose to ignore what's going on in the world and just pretend that nothing has happened, nothing has changed, or we can actually open our eyes and ears and say, 'let's go out and ask—let's find out.'"[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-19) The 70-stop tour, spanning all 67 counties in the state, kicked off February 11 in [Harrisburg](https://en.wikipedia.org/wiki/Harrisburg,_Pennsylvania) and ended May 19 in [Philadelphia](https://en.wikipedia.org/wiki/Philadelphia).[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-20)[[21]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-tour_report-21)



Wolf and Fetterman discuss the results of the statewide listening tour which gathered input on cannabis legalization (September 25, 2019)

At a press conference on September 25, 2019, Wolf and Fetterman announced that of the more than 10,000 people that attended the listening tour, 68% were in favor of recreational legalization and there was near unanimous support for decriminalization.[[21]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-tour_report-21)[[22]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-22) Also, the governor announced his support for legalizing recreational use for the first time.[[23]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-23) With the release of the listening tour report, the governor and lieutenant governor called for three actions to be taken by the state legislature:[[24]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-24)

1. Passage of legislation to decriminalize possession of small amounts of cannabis.
2. Passage of legislation to expunge prior cannabis convictions.
3. Debate and consideration of legislation to legalize cannabis for recreational use.

**Governor's push for legalization (2020)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Pennsylvania&action=edit&section=5)]

On September 3, 2020, Wolf and Fetterman held a press conference to reiterate their call for the legislature to take up a cannabis legalization bill.[[25]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-25)[[26]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-26) Wolf stated: "Now more than ever, especially right in the middle of a pandemic, we have a desperate need for the economic boost that the legalization of cannabis could provide."[[27]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-millions-27) Fetterman added: "I would pitch this as a jobs bill as much as anything. Legalizing marijuana would create tens of thousands of jobs that require no subsidy, no kind of guidance other than to rewrite the law and allow this business to flourish in Pennsylvania."[[27]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-millions-27) Also speaking at the press conference in support of legalization was State Senator [Sharif Street](https://en.wikipedia.org/wiki/Sharif_Street).[[28]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-28)

On September 16, 2020, Wolf, Fetterman, and a representative from [NORML](https://en.wikipedia.org/wiki/National_Organization_for_the_Reform_of_Marijuana_Laws) held a press conference to further call for the legislature to act.[[29]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-29)[[30]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-30) Wolf stated: "New Jersey citizens are going to vote [on a cannabis legalization referendum], and if they vote to legalize it, we will have given up the opportunity to gain the revenue that will definitely go across the border to New Jersey."[[31]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-farmers-31) Fetterman added that "40 percent of our population will live within a 30-minute drive or less of legal marijuana", and that Pennsylvania should reap the economic benefits of these consumers, "not New Jersey".[[31]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-farmers-31)

On October 13, 2020, Wolf held a press conference in [Monroe County](https://en.wikipedia.org/wiki/Monroe_County,_Pennsylvania) to make a third call for legalization in the state.[[32]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-32)[[33]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-33) He was joined at the press conference by a local [hemp](https://en.wikipedia.org/wiki/Hemp) farmer and State Representative [Maureen Madden](https://en.wikipedia.org/wiki/Maureen_Madden).[[34]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-34)[[35]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-35)

**Municipal reforms**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Pennsylvania&action=edit&section=6)]

Jurisdictions in the below table have revised their municipal ordinances to lessen penalties for cannabis offenses. Police still retain the ability to charge individuals under state law, however. In [Allentown](https://en.wikipedia.org/wiki/Allentown,_Pennsylvania) and part of [Bethlehem](https://en.wikipedia.org/wiki/Bethlehem,_Pennsylvania), police officials have said they will enforce state law only per the directive of [Lehigh County](https://en.wikipedia.org/wiki/Lehigh_County,_Pennsylvania) District Attorney Jim Martin.[[36]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-36)[[37]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-37)[[38]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-bethlehem-38)

| **Municipality** | **Date** | **Policy reform** |
| --- | --- | --- |
| [Philadelphia](https://en.wikipedia.org/wiki/Philadelphia) | September 2014 | City council voted 13–3 to decriminalize up to 30 grams, punishable by a $25 fine.[[39]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-39) |
| [Pittsburgh](https://en.wikipedia.org/wiki/Pittsburgh) | December 2015 | City council voted 7–2 to decriminalize up to 30 grams, punishable by a $25 fine.[[40]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-40) |
| [Harrisburg](https://en.wikipedia.org/wiki/Harrisburg,_Pennsylvania) | July 2016 | City council voted unanimously to decriminalize small amounts, punishable by a $75 fine.[[41]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-41) |
| [State College](https://en.wikipedia.org/wiki/State_College,_Pennsylvania) | August 2016 | City council voted 5–2 to decriminalize up to 30 grams, punishable by a $250 fine.[[42]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-42) |
| [York](https://en.wikipedia.org/wiki/York,_Pennsylvania) | July 2017 | City council voted 4–1 to decriminalize up to 30 grams, punishable by a $100 fine.[[43]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-43) |
| [Erie](https://en.wikipedia.org/wiki/Erie,_Pennsylvania) | January 2018 | City council voted unanimously to decriminalize up to 30 grams, punishable by a $25 fine.[[44]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-44) |
| [Allentown](https://en.wikipedia.org/wiki/Allentown,_Pennsylvania) | May 2018 | City council voted 4–3 to decriminalize up to 30 grams, punishable by a $25 fine for a first offense.[[45]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-45) |
| [Bethlehem](https://en.wikipedia.org/wiki/Bethlehem,_Pennsylvania) | June 2018 | City council voted unanimously to decriminalize up to 30 grams, punishable by a $25 fine for a first offense.[[38]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-bethlehem-38) |
| [Lancaster](https://en.wikipedia.org/wiki/Lancaster,_Pennsylvania) | September 2018 | City council voted 6–1 to decriminalize small amounts, punishable by a $25 fine for a first offense.[[46]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-46) |
| [Steelton](https://en.wikipedia.org/wiki/Steelton,_Pennsylvania) | March 2019 | Borough council voted unanimously to decriminalize up to 30 grams for a first offense, punishable by a $25–$100 fine.[[47]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-47) |
| [Delaware County](https://en.wikipedia.org/wiki/Delaware_County,_Pennsylvania) | November 2020 | County council voted unanimously to decriminalize up to 30 grams, punishable by a $50 fine.[[48]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-48)[[49]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-49) |
| [Carlisle](https://en.wikipedia.org/wiki/Carlisle,_Pennsylvania) | December 2020 | Borough council voted to decriminalize up to 30 grams, punishable by a $25 fine.[[50]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-50)[[51]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-51) |
| [Doylestown](https://en.wikipedia.org/wiki/Doylestown,_Pennsylvania) | April 2021 | Borough council voted 8–1 to decriminalize up to 30 grams, punishable by a $25 fine.[[52]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-52) |

On January 20, 2015, Constable Ed Quiggle, Jr. of [Sunbury](https://en.wikipedia.org/wiki/Sunbury,_Pennsylvania) signed the Compassionate Medical Cannabis Reform Resolution, making it official policy for the Office of Constable for the 9th Ward of the City to not enforce or cooperate in the enforcement of any acts which prohibit, penalize, or criminalize the possession, cultivation, or use of medical cannabis, hemp, cannabinoids, and other illegal or experimental drugs, becoming the first law enforcement agency in Pennsylvania, and perhaps the first in the United States, to enact such a policy.[[53]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-53)[[54]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-54)[[55]](https://en.wikipedia.org/wiki/Cannabis_in_Pennsylvania#cite_note-55)

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# Cannabis in Rhode Island

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Rhode Island's THC Universal Symbol

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**Cannabis in Rhode Island** is legal for medical and [adult use](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States). [Medical use](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) was legalized through legislation approved in 2006, and adult use in 2022.

**Prohibition**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Rhode_Island&action=edit&section=1)]

Rhode Island first banned the sale of cannabis without a prescription in 1918.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Rhode_Island#cite_note-Delinquency1977-1): 475

As of 2012, Rhode Island had some of the strictest [mandatory minimums](https://en.wikipedia.org/wiki/Mandatory_minimum) for large-scale cannabis possession in the United States. Possession of more than 5 kg results in a sentence of 20 years' imprisonment and fines of between $25,000 and $100,000.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Rhode_Island#cite_note-CaulkinsHawken2012-2)

**Legalization proposals**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Rhode_Island&action=edit&section=2)]

Bills to legalize marijuana have been introduced in the [Rhode Island General Assembly](https://en.wikipedia.org/wiki/Rhode_Island_General_Assembly) every year since 2011, but have to date been "held for further study" with no action.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Rhode_Island#cite_note-DemandVote-3)

The group Regulate Rhode Island (the state affiliate of the [Marijuana Policy Project](https://en.wikipedia.org/wiki/Marijuana_Policy_Project)) advocates for legalization.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Rhode_Island#cite_note-DemandVote-3)

Following the success of recreational cannabis ballot initiatives in four states and the District of Columbia in 2012 and 2014, advocates in Rhode Island, where there is no public ballot initiative process, pressed their legislature to allow a public vote on legalizing recreational cannabis. In 2016 advocates cited a recent [Brown University](https://en.wikipedia.org/wiki/Brown_University) poll showing 55% of state residents support legalization.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Rhode_Island#cite_note-DemandVote-3) A February 2017 poll showed 59% of Rhode Islanders in favor of full legalization.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Rhode_Island#cite_note-4)

Bills legalizing any adult use, establishing legal sales, and expunging past offenses were signed into law on May 25, 2022. The bill was celebrated for its policies focused on promoting equity, including offering priority store licenses to low-income applicants and worker co-ops and the "automatic," state-initiated expungement of past marijuana convictions in rather than requiring people to petition the court for an expungement.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Rhode_Island#cite_note-5)

**Medical marijuana**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Rhode_Island&action=edit&section=3)]

In 2006 Rhode Island legalized medical marijuana, becoming the eleventh state to do so.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Rhode_Island#cite_note-Gitlow2007-6) The legislation was passed the year in 2005, winning approval in the [state House](https://en.wikipedia.org/wiki/Rhode_Island_House_of_Representatives) by a vote of 52-10 and the [state Senate](https://en.wikipedia.org/wiki/Rhode_Island_Senate) by a vote of 33–1.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Rhode_Island#cite_note-7) Republican Governor [Don Carcieri](https://en.wikipedia.org/wiki/Don_Carcieri) [vetoed](https://en.wikipedia.org/wiki/Veto) the legislation,[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Rhode_Island#cite_note-8) but the Legislature overrode the veto, by a vote of 59–13 in the state House[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Rhode_Island#cite_note-Gitlow2007-6) and 28–6 in the state Senate.[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Rhode_Island#cite_note-9)

Under Rhode Island law, "Approved Qualifying Debilitating Medical Conditions" for medical marijuana are: [cancer](https://en.wikipedia.org/wiki/Cancer), [glacoma](https://en.wikipedia.org/wiki/Glacoma), [HIV/AIDS](https://en.wikipedia.org/wiki/HIV/AIDS), [hepatitis C](https://en.wikipedia.org/wiki/Hepatitis_C), or a "chronic or debilitating disease or medical condition or its treatment that produces one or more of the following": [cachexia](https://en.wikipedia.org/wiki/Cachexia) (wasting syndrome); "severe, debilitating, [chronic pain](https://en.wikipedia.org/wiki/Chronic_pain)"; "severe nausea"; [epilepsy](https://en.wikipedia.org/wiki/Epilepsy) or other [seizures](https://en.wikipedia.org/wiki/Seizure_disorder); "severe and persistent [muscle spasms](https://en.wikipedia.org/wiki/Muscle_spasm), including but not limited to those characteristic of [multiple sclerosis](https://en.wikipedia.org/wiki/Multiple_sclerosis) or [Crohn's disease](https://en.wikipedia.org/wiki/Crohn%27s_disease)"; and [Alzheimer's disease](https://en.wikipedia.org/wiki/Alzheimer%27s_disease)-related agitation.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Rhode_Island#cite_note-10)

In June 2009, Rhode Island introduced a [cannabis dispensary](https://en.wikipedia.org/wiki/Cannabis_dispensary) system, making them the second state nationwide (after California) to do so.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Rhode_Island#cite_note-Morgan2010-11)

In October 2016, there were 15,470 patients in Rhode Island, along with three dispensaries (which are permitted to grow marijuana for their patients' use).[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Rhode_Island#cite_note-12)

As of 2019, there are three medical cannabis dispensaries in Rhode Island: Thomas C. Slater Compassion Center in [Providence](https://en.wikipedia.org/wiki/Providence,_Rhode_Island), Summit Medical Compassion Center in [Warwick](https://en.wikipedia.org/wiki/Warwick,_Rhode_Island), and Greenleaf Compassion Center in [Portsmouth](https://en.wikipedia.org/wiki/Portsmouth,_Rhode_Island).[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Rhode_Island#cite_note-13)

**Religious use**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Rhode_Island&action=edit&section=4)]

The [Healing Church in Rhode Island](https://en.wikipedia.org/wiki/Healing_Church_in_Rhode_Island) is a Rhode Island–based religious sect whose adherents believe that marijuana is a "holy herb" and [use it in religious rituals](https://en.wikipedia.org/wiki/Entheogenic_use_of_cannabis).[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Rhode_Island#cite_note-CannabisChurch-14)

**See also**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Rhode_Island&action=edit&section=5)]

* [Rhode Island Patient Advocacy Coalition](https://en.wikipedia.org/wiki/Rhode_Island_Patient_Advocacy_Coalition)

**References**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Rhode_Island&action=edit&section=6)]

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* [***a***](https://en.wikipedia.org/wiki/Cannabis_in_Rhode_Island#cite_ref-Gitlow2007_6-0) [***b***](https://en.wikipedia.org/wiki/Cannabis_in_Rhode_Island#cite_ref-Gitlow2007_6-1) Gitlow, Stuart (2007). [*Substance Use Disorders: A Practical Guide*](https://books.google.com/books?id=rbrSdWVerBUC&pg=PA192). Lippincott Williams & Wilkins. p. 192. [ISBN](https://en.wikipedia.org/wiki/ISBN_(identifier)) [978-0-7817-6998-3](https://en.wikipedia.org/wiki/Special:BookSources/978-0-7817-6998-3).
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# Cannabis in South Carolina

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**Cannabis in South Carolina** is illegal for recreational use. Use of low-[THC](https://en.wikipedia.org/wiki/Tetrahydrocannabinol) [CBD oil](https://en.wikipedia.org/wiki/CBD_oil) is allowed for certain medical conditions. But [THC-A](https://en.wikipedia.org/wiki/Tetrahydrocannabinolic_acid) hemp is federally legal, per [2018 farm bill](https://en.wikipedia.org/wiki/Agriculture_Improvement_Act_of_2018).

**Industrial Hemp**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_South_Carolina&action=edit&section=1)]

The cultivation of industrial hemp in South Carolina dates back to at least the 18th century. In 1733, an act was passed in the colony to encourage the growth of hemp for its "useful manufacture to his Majesty's Royal Navy".[[1]](https://en.wikipedia.org/wiki/Cannabis_in_South_Carolina#cite_note-Carolina1839-1) The cultivation of industrial hemp was greatly limited nationwide as a result of the federal [1937 Marihuana Tax Act](https://en.wikipedia.org/wiki/1937_Marihuana_Tax_Act).

In 2017, South Carolina re-legalized the growing of industrial hemp, under the auspices of the federal [2014 Farm Bill](https://en.wikipedia.org/wiki/Agricultural_Act_of_2014). The new legislation permits up to 20 cultivators to hold state licenses for 20 acres (8.1 ha) each, expanding to 50 licenses and 50 acres (20 ha) for 2018.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_South_Carolina#cite_note-2)

**2014 legalization of CBD**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_South_Carolina&action=edit&section=2)]

In June 2014, Republican governor [Nikki Haley](https://en.wikipedia.org/wiki/Nikki_Haley) signed into law Senate Bill 1035, "Julian's Law", following a unanimous Senate vote and a 92–5 House vote. The law allows children with severe epilepsy to be treated with CBD oil if recommended by a physician.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_South_Carolina#cite_note-3)

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# Cannabis in South Dakota

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Text

* Small
* Standard
* Large

Width

* Standard
* Wide

Color (beta)

* Automatic
* Light
* Dark

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South Dakota's Medical Marijuana Universal Symbol

**Cannabis in South Dakota** is legal for [medical](https://en.wikipedia.org/wiki/Medical_cannabis) use as of July 1, 2021, having been legalized by a ballot initiative on November 3, 2020.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_South_Dakota#cite_note-1)[[2]](https://en.wikipedia.org/wiki/Cannabis_in_South_Dakota#cite_note-2) Prior to then, cannabis was fully illegal, with [South Dakota](https://en.wikipedia.org/wiki/South_Dakota) being the only U.S. state which outlawed ingestion of controlled substances.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_South_Dakota#cite_note-3) [Testing](https://en.wikipedia.org/wiki/Drug_test) positive for cannabis can be a misdemeanor offense.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_South_Dakota#cite_note-4) South Dakota would have become the first state in US history to legalize recreational and medical cannabis simultaneously, but [an amendment legalizing recreational marijuana](https://en.wikipedia.org/wiki/2020_South_Dakota_Amendment_A) that was approved in the same election was struck down as unconstitutional the following February. The challenge claimed the amendment violated Amendment Z, the "Single-Subject Rule". The decision was appealed to the South Dakota Supreme Court, which upheld the lower court's decision on November 24, 2021.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_South_Dakota#cite_note-5)

Attempts to delay the implementation of the medical marijuana program to January 2022 failed due to disagreements in the South Dakota state legislature; medical marijuana therefore became legal in July 2021 under the timeframe established in [Initiated Measure 26](https://en.wikipedia.org/wiki/2020_South_Dakota_Measure_26).[[6]](https://en.wikipedia.org/wiki/Cannabis_in_South_Dakota#cite_note-6)[[7]](https://en.wikipedia.org/wiki/Cannabis_in_South_Dakota#cite_note-7)

South Dakota has one of the harshest cannabis laws in the United States. Possession of any amounts of [edibles](https://en.wikipedia.org/wiki/Cannabis_edible), [hash](https://en.wikipedia.org/wiki/Hashish), and [concentrates](https://en.wikipedia.org/wiki/Cannabis_concentrate) is a Class 5 [felony](https://en.wikipedia.org/wiki/Felony), punishable by up to 5 years in prison and a fine of up to $10,000.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_South_Dakota#cite_note-8)[[9]](https://en.wikipedia.org/wiki/Cannabis_in_South_Dakota#cite_note-9)[[10]](https://en.wikipedia.org/wiki/Cannabis_in_South_Dakota#cite_note-10)

**History**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_South_Dakota&action=edit&section=1)]

**Prohibition (1931)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_South_Dakota&action=edit&section=2)]

As part of a larger trend nationwide to restrict cannabis, South Dakota banned the drug in 1931.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_South_Dakota#cite_note-Davenport-Hines2003-11)

**Decriminalization and repeal (1977)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_South_Dakota&action=edit&section=3)]

In 1977, during a short-lived wave of decriminalization in the country, South Dakota decriminalized cannabis, but repealed that law "almost immediately" afterward.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_South_Dakota#cite_note-Bewley-Taylor2012-12)

**Reform**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_South_Dakota&action=edit&section=4)]

**Medical cannabis attempts (2006–2015)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_South_Dakota&action=edit&section=5)]

[Ballot initiatives](https://en.wikipedia.org/wiki/Ballot_initiative) to legalize medical marijuana appeared on the 2006 and 2010 election ballots in South Dakota, but failed both times. The 2006 initiative lost 52%-47%, while the 2010 initiative lost 63%-36%.[[13]](https://en.wikipedia.org/wiki/Cannabis_in_South_Dakota#cite_note-13)[[14]](https://en.wikipedia.org/wiki/Cannabis_in_South_Dakota#cite_note-14) Cannabis activist Emmett Reistroffer commented that the decrease of support in 2010 was due in part to the rise of the [Tea Party movement](https://en.wikipedia.org/wiki/Tea_Party_movement) and the presence of an anti-cigarette smoking bill on the same ballot.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_South_Dakota#cite_note-15)

In mid-2015, there was an effort to place yet another ballot initiative on the 2016 election to legalize medical marijuana, but unlike in 2006 and 2010, the [Marijuana Policy Project](https://en.wikipedia.org/wiki/Marijuana_Policy_Project) did not anticipate financially supporting the initiative due to strong cannabis campaigns in other states requiring attention for that election.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_South_Dakota#cite_note-16)

**Decriminalization attempt**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_South_Dakota&action=edit&section=6)]

In mid-2015, South Dakotans Against Prohibition (SDAP) began circulating petitions to put decriminalization of marijuana on the November 2016 ballot, reclassifying possession of 1 ounce (28 g) or less a civil, rather than criminal, infraction, and remove penalties for paraphernalia and consumption.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_South_Dakota#cite_note-17) However, SDAP failed to gather the 13,871 signatures necessary to place an initiated measure on the ballot[[18]](https://en.wikipedia.org/wiki/Cannabis_in_South_Dakota#cite_note-18) and stated it would withdraw its petition.[[19]](https://en.wikipedia.org/wiki/Cannabis_in_South_Dakota#cite_note-19)

**2018 medical cannabis ballot initiative**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_South_Dakota&action=edit&section=7)]

In November 2017, activists turned in over 15,000 signatures, narrowly meeting valid signature requirements, in order to place medical cannabis on the 2018 ballot.[[20]](https://en.wikipedia.org/wiki/Cannabis_in_South_Dakota#cite_note-20) The initiative failed to make the ballot due to an insufficient number of valid signatures. [[21]](https://en.wikipedia.org/wiki/Cannabis_in_South_Dakota#cite_note-21)

**2020 cannabis ballot initiative**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_South_Dakota&action=edit&section=8)]

[South Dakota Initiated Measure 26](https://en.wikipedia.org/wiki/South_Dakota_Initiated_Measure_26) was certified by the [South Dakota Secretary of State](https://en.wikipedia.org/wiki/South_Dakota_Secretary_of_State) for the 2020 ballot on December 19, 2019.[[22]](https://en.wikipedia.org/wiki/Cannabis_in_South_Dakota#cite_note-22)

A vote on [South Dakota Constitutional Amendment A](https://en.wikipedia.org/wiki/2020_South_Dakota_Constitutional_Amendment_A) was also held in 2020, which would have legalized the use of recreational marijuana in South Dakota.[[23]](https://en.wikipedia.org/wiki/Cannabis_in_South_Dakota#cite_note-23)

Both measures, coming in effect on July 1, 2021, were passed by voters with a 69.9% margin in favor for Initiated Measure 26 and 54.2% for Constitutional Amendment A, respectively. South Dakota therefore would have become the first state to go from a prohibition state to a legalization state, leapfrogging their way around many obstacles that other states go through to legalize cannabis.[[24]](https://en.wikipedia.org/wiki/Cannabis_in_South_Dakota#cite_note-24)

However, on February 8, 2021, a judge ruled in favor of a lawsuit that argued Amendment A was unconstitutional due to violating the state's single-subject rule for ballot measures. This prevented the legalization of recreational marijuana in South Dakota from going into effect, pending a higher court's decision.[[25]](https://en.wikipedia.org/wiki/Cannabis_in_South_Dakota#cite_note-auto-25) The case was subsequently appealed to the [South Dakota Supreme Court](https://en.wikipedia.org/wiki/South_Dakota_Supreme_Court), and the defendants submitted their initial arguments on March 10, 2021.[[26]](https://en.wikipedia.org/wiki/Cannabis_in_South_Dakota#cite_note-26)

On November 24, 2021, the South Dakota Supreme Court ruled 4-1 that the Amendment A was unconstitutional, striking down recreational legalization. This decision was reached because of the state's rule requiring proposed constitutional amendments to be single-subject only.[[27]](https://en.wikipedia.org/wiki/Cannabis_in_South_Dakota#cite_note-27)

**2022 cannabis ballot initiative**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_South_Dakota&action=edit&section=9)]

In May 2022, pro-legalization activists in South Dakota collected and submitted enough signatures to put legalization on the November ballot ([South Dakota Initiated Measure 27](https://en.wikipedia.org/wiki/South_Dakota_Initiated_Measure_27)). The group South Dakotans for Better Marijuana Laws (SDBML) organized the petition drive.[[28]](https://en.wikipedia.org/wiki/Cannabis_in_South_Dakota#cite_note-28) In the November 2022 election, the initiative was rejected with 52.92% voting no.[[29]](https://en.wikipedia.org/wiki/Cannabis_in_South_Dakota#cite_note-29)

**Recreational legalization on the Flandreau Santee Sioux Tribe reservation**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_South_Dakota&action=edit&section=10)]

*Main article:* [*Cannabis on American Indian reservations § Flandreau Santee Sioux Tribe*](https://en.wikipedia.org/wiki/Cannabis_on_American_Indian_reservations#Flandreau_Santee_Sioux_Tribe)

In mid-2015, the [Flandreau Santee Sioux Tribe](https://en.wikipedia.org/wiki/Flandreau_Santee_Sioux_Tribe), located in eastern South Dakota, stated their intent to begin growing cannabis on one authorized site on their reservation, and commenced selling the product on 1 January 2016, following a vote of tribal authorities which decided 5–1 to legalize cannabis.[[30]](https://en.wikipedia.org/wiki/Cannabis_in_South_Dakota#cite_note-30) Facing legal uncertainties, the tribe destroyed millions of dollars worth of marijuana on November 7, 2015.[[31]](https://en.wikipedia.org/wiki/Cannabis_in_South_Dakota#cite_note-31)

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# Cannabis in Tennessee

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**Cannabis in Tennessee** is illegal for most use, with the exception of limited medical purposes. Possession of even small amounts is a criminal [misdemeanor](https://en.wikipedia.org/wiki/Misdemeanor), but there are limited legal allowances for non-psychoactive [CBD oil](https://en.wikipedia.org/wiki/CBD_oil) as [medical cannabis](https://en.wikipedia.org/wiki/Medical_cannabis), and the authorities have not been able to enforce the law.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Tennessee#cite_note-1)

**2015 legalization of CBD oil**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Tennessee&action=edit&section=1)]

In May 2015, Tennessee governor [Bill Haslam](https://en.wikipedia.org/wiki/Bill_Haslam) signed Senate Bill 280 into law, against his earlier opposition. The bill legalized the possession and use of marijuana to treat a limited number of severe conditions, including epilepsy. The bill has no provisions for legal sale, thus requiring patients to acquire the drug outside the state of Tennessee; possession of CBD oil without proof that it was obtained legally outside of Tennessee was a misdemeanor.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Tennessee#cite_note-2)

**Municipal decriminalization**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Tennessee&action=edit&section=2)]

At the start of 2015 the Tennessee chapter of the [National Organization for the Reform of Marijuana Laws](https://en.wikipedia.org/wiki/National_Organization_for_the_Reform_of_Marijuana_Laws) launched a petition to place a referendum on the November ballot for [Davidson County](https://en.wikipedia.org/wiki/Davidson_County,_Tennessee) to defund local law enforcement prosecution against possession of small amounts of marijuana.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Tennessee#cite_note-3) The measure failed to reach the ballot, as by the 6 August deadline the movement had only collected about 4,000 of the required 6,845 signatures to get the measure onto the ballot.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Tennessee#cite_note-4)

In 2016, both [Nashville](https://en.wikipedia.org/wiki/Nashville,_Tennessee) and [Memphis](https://en.wikipedia.org/wiki/Memphis,_Tennessee) succeeded in decriminalizing possession of small amounts of cannabis, with Memphis reducing punishment to a $50 fine.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Tennessee#cite_note-dailyhelmsman1-5) Seven months later, however, a repeal was signed into Tennessee law. This repeal also prevented local governments from creating their own drug possession sanctions in the future.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Tennessee#cite_note-6)

In July 2020, Nashville partially decriminalized cannabis possession, with the district attorney dropping all charges of marijuana possession under 1⁄2 ounce (14 g).[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Tennessee#cite_note-7)

**Enforcement**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Tennessee&action=edit&section=3)]

In 2016 the *Daily Helmsman* noted that Tennessee spent $43 million in 2010 on prosecuting the 42% of their drug arrests which were for 1⁄2 ounce (14 g) marijuana or less.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Tennessee#cite_note-dailyhelmsman1-5)

**2021 failed medical legalization**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Tennessee&action=edit&section=4)]

On March 3, 2021 a bill was filed by representatives [Janice Bowling](https://en.wikipedia.org/wiki/Janice_Bowling) and [Iris Rudder](https://en.wikipedia.org/wiki/Iris_Rudder) that would legalize medicinal cannabis to treat severe medical conditions.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Tennessee#cite_note-8) On March 23, 2021 the bill however later died in the state senate.[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Tennessee#cite_note-9)

**See also**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Tennessee&action=edit&section=5)]

* [Tennessee Governor's Task Force on Marijuana Eradication](https://en.wikipedia.org/wiki/Tennessee_Governor%27s_Task_Force_on_Marijuana_Eradication)

**References**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Tennessee&action=edit&section=6)]

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# Cannabis in Texas

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2012 pro-cannabis protest in Austin



The 2017 Houston, Texas Cannabidiol Superbowl Conference. A panel of scientists, along with 7 ex-NFL players presented a case for using CBD products.

**Cannabis in Texas** is illegal for [recreational use](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States). Possession of up to two ounces is a class B [misdemeanor](https://en.wikipedia.org/wiki/Misdemeanor), punishable by up to 180 days in prison and a fine of up to $2000.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-1)[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-2)[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-3) Several of the state's major municipalities have enacted reforms to apply lesser penalties or limit enforcement, however.

[Medical use](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) is allowed only in the form of low-[THC](https://en.wikipedia.org/wiki/Tetrahydrocannabinol) cannabis oil, less than 1% THC with a doctor's approval and less than 0.3% THC without. Legislation allowing for medical use was first approved in 2015.

Prior to 1973, Texas had the harshest cannabis laws of any state in the nation, with possession of any amount classified as a [felony](https://en.wikipedia.org/wiki/Felony) offense punishable by two years to life in prison. Possession was banned statewide in 1931.

**History**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=1)]

**Early history**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=2)]

[John Gregory Bourke](https://en.wikipedia.org/wiki/John_Gregory_Bourke) described the use of "mariguan", which he identifies as *Cannabis indica* or Indian hemp, by Mexican residents of the [Rio Grande](https://en.wikipedia.org/wiki/Rio_Grande) region of [Texas](https://en.wikipedia.org/wiki/Texas) in 1894. He described its uses for the treatment of asthma, to expedite delivery, to keep away witches, and as a love-philtre. He also wrote that many Mexicans added the herb to their cigarritos or [mescal](https://en.wikipedia.org/wiki/Mezcal), often taking a bite of sugar afterward to intensify the effect. Bourke wrote that because it was often used in a mixture with [toloachi](https://en.wikipedia.org/wiki/Toloachi) (which he inaccurately describes as [*Datura stramonium*](https://en.wikipedia.org/wiki/Datura_stramonium)), mariguan was one of the several plants known as "[loco weed](https://en.wikipedia.org/wiki/Loco_weed)". Bourke compared mariguan to hasheesh, which he called "one of the greatest curses of the East", citing reports that users "become maniacs and are apt to commit all sorts of acts of violence and murder", causing degeneration of the body and an idiotic appearance, and mentioned laws against sale of hasheesh "in most Eastern countries".[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-4)[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-5)[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-6)

**1915 El Paso ban**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=3)]

The Texas city of [El Paso](https://en.wikipedia.org/wiki/El_Paso) was the first American city to individually restrict cannabis, in 1915. The scene for this city ban was set in 1913, when a man killed a police officer in neighboring [Ciudad Juarez](https://en.wikipedia.org/wiki/Ciudad_Juarez), Mexico, while chasing an El Paso couple.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-7) Chief Deputy Stanley Good of the El Paso Sheriff's Department noted over several media statements:

*One under its influence is devoid of fear and as reckless of consequences or results. There are instances where the drug crazed victim has been placed in jail, but in many cases officers have been compelled to slay the fiend in order to save their own lives. ... A large percentage of the crimes committed are by men saturated with the drug... Most Mexicans in this section are addicted to the habit, and it is a growing habit among Americans.*[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-8)

**1919 Sale restricted**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=4)]

In 1919, legislation was enacted to prohibit the transfer of narcotics, including cannabis, for non-medical use.[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-Davenport-Hines2003-9) Transfer of cannabis in this manner was made a misdemeanor crime;[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-ngccpra-10) however, possession of the drug still remained legal.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-shafer-11)

**1923 Further restrictions**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=5)]

In 1923, legislation was enacted to prohibit the possession of narcotics, including cannabis, with intent to sell.[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-Davenport-Hines2003-9) As a result of this law, cannabis could no longer be purchased [over-the-counter](https://en.wikipedia.org/wiki/Over-the-counter) at pharmacies (only by prescription).[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-shafer-11)

**1931 Prohibition**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=6)]



2015 Border Patrol seizure of cannabis in the Rio Grande Valley

Possession of cannabis was banned statewide in 1931,[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-shafer-11) making it a felony.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-12) Until 1973, it would remain classified as a [narcotic](https://en.wikipedia.org/wiki/Narcotic) with the possibility of life sentences imposed for possession of small amounts.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-ngccpra-10)

**Reforms**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=7)]

**State level**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=8)]

**House Bill 447 (1973)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=9)]

In June 1973, House Bill 447 was signed into law to significantly reduce penalties for cannabis offenses.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-ngccpra-10)[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-13) Prior to its passage Texas had the harshest cannabis laws of any state in the nation, with possession of any amount classified as a felony offense punishable by two years to life in prison.[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-stroup_rs-14)[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-anderson-15) With the passage of the bill, possession of up to two ounces was reduced to a class B misdemeanor, punishable by a $1000 fine and prison sentence of no more than 180 days.[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-stroup_rs-14) The bill passed the Senate by a 24–7 vote and the House 84–58.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-ngccpra-10)

House Bill 447 also contained a provision allowing persons serving time for cannabis offenses to be resentenced under the new law.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-anderson-15) The resentencing provision was later ruled to be unconstitutional; however, by May 1974 Governor [Dolph Briscoe](https://en.wikipedia.org/wiki/Dolph_Briscoe) had granted clemency to 95 of these prisoners.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-ngccpra-10)

**House Bill 2391 (2007)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=10)]

In June 2007, House Bill 2391 was signed into law by Governor [Rick Perry](https://en.wikipedia.org/wiki/Rick_Perry).[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-HB2391-16) Under the law, police can "cite and release" for certain [misdemeanor](https://en.wikipedia.org/wiki/Misdemeanor) crimes instead of subjecting offenders to immediate arrest (though the same penalties still apply).[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-17) Among the offenses for which a citation can be issued is possession of up to 4 ounces of cannabis.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-HB2391-16) Many police departments announced they would continue to arrest for minor cannabis offenses, however.[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-18)

**Proposed recreational legalization (2015)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=11)]

In 2015 State Representative [David Simpson](https://en.wikipedia.org/wiki/David_Simpson_(Texas_politician)) introduced House Bill 2165 to legalize the use of cannabis for recreational purposes. A [Tea Party](https://en.wikipedia.org/wiki/Tea_Party_movement)-backed conservative, Simpson made a religious case for cannabis, stating: "I don't believe that when God made marijuana, he made a mistake that government needs to fix." In May 2015, Simpson's bill gained a majority of support in the House Criminal Jurisprudence Committee, but was not accepted to make it further on the House floor in the limited time remaining in the legislative session.[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-19)[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-20)

**Limited medical use legalized (2015)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=12)]

In June 2015, Governor [Greg Abbott](https://en.wikipedia.org/wiki/Greg_Abbott) signed Senate Bill 339 – the Texas Compassionate Use Act – to allow the use of low-THC cannabis oil (less than 0.5% THC) for the treatment of epilepsy.[[21]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-21)[[22]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-22) Abbott caveated his support: "I remain convinced that Texas should not legalize marijuana, nor should Texas open the door for conventional marijuana to be used for medicinal purposes."[[23]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-23) The bill passed by a 26–5 vote in the Senate and 96–34 in the House.[[24]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-24)[[25]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-25)

**House approves reduced penalties (2019)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=13)]

In April 2019, the House of Representatives voted 98–43 to approve House Bill 63.[[26]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-26) It sought to make possession of up to one ounce of cannabis a Class C (rather than a Class B) misdemeanor, eliminate the threat of jail time, and reduce the fine to $500.[[27]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-27) The day after its passage in the House, however, Lieutenant Governor [Dan Patrick](https://en.wikipedia.org/wiki/Dan_Patrick_(politician)) announced that he would not allow a vote on it in the Senate.[[28]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-28)

**Legalization of hemp cultivation and delta-8-THC (2019)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=14)]

In June 2019, House Bill 1325 was signed into law by Governor Abbott to legalize the cultivation of industrial hemp (cannabis containing less than 0.3% THC).[[29]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-29) It also legalized possession and sale of hemp-derived CBD products without need for a doctor's approval.[[30]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-30) HB 1325 passed the Senate 31–0 and the House 140–3.[[31]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-McCullough071619-31)

The enactment of HB 1325 also caused an outcome that legislators did not intend. Because it changed the legal definition of marijuana from cannabis in general to cannabis containing greater than 0.3% THC,[[31]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-McCullough071619-31) many marijuana possession charges across the state were soon dropped due to a shortage of THC testing equipment available.[[32]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-32) Prosecutors in the counties of [Harris](https://en.wikipedia.org/wiki/Harris_County,_Texas), [Tarrant](https://en.wikipedia.org/wiki/Tarrant_County,_Texas), [Bexar](https://en.wikipedia.org/wiki/Bexar_County,_Texas), [Travis](https://en.wikipedia.org/wiki/Travis_County,_Texas), [Williamson](https://en.wikipedia.org/wiki/Williamson_County,_Texas), and several others soon announced the dismissal of hundreds of marijuana cases and a moratorium on pursuing new charges.[[33]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-33)[[34]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-34)

The enactment of HB 1325 also caused the psychoactive cannabinoid [delta-8-THC](https://en.wikipedia.org/wiki/Delta-8-Tetrahydrocannabinol) to become legal when produced from legally cultivated hemp. The [Texas Department of State Health Services](https://en.wikipedia.org/wiki/Texas_Department_of_State_Health_Services) later classified the drug as an illegal substance in October 2021,[[35]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-35)[[36]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-36) but a November 2021 injunction from a district court judge prevented the prohibition from taking effect, until a final ruling on the matter can be made.[[37]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-37)

**Qualifying conditions expanded (2019)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=15)]

In June 2019, Governor Abbott signed House Bill 3703 which increased the number of qualifying conditions eligible for treatment under the state's low-THC medical cannabis program.[[38]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-38) Previously limited to epilepsy only, the bill added terminal cancer, autism, multiple sclerosis, amyotrophic lateral sclerosis (ALS), seizure disorders, and incurable neurological disorders such as Alzheimer's, Parkinson's, and Huntington's Disease.[[39]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-39)

**Smokable hemp banned (2020)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=16)]

In 2020, Texas regulators issued a ban on the manufacture, processing, distribution, and sale of hemp for smoking purposes only.[[40]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-40)[[41]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-41) In response, local companies protested the ban and filed a lawsuit seeking to have it overturned.[[42]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-42)[[43]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-43) In September 2020, Travis County District Judge Lora Livingston granted a temporary [injunction](https://en.wikipedia.org/wiki/Injunction) lifting the ban until the case went to trial in 2021.[[44]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-44)[[45]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-45) The ban was ruled unconstitutional by Judge Livingston in August 2021;[[46]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-46) however, in June 2022 the [Texas Supreme Court](https://en.wikipedia.org/wiki/Texas_Supreme_Court) upheld the ban on the manufacturing and processing (but not sale) of smokable hemp.[[47]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-47)

**"Smoke a joint, lose your license" repealed (2021)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=17)]

In May 2021, SCR 1 was signed by Governor Abbott to declare that Texas had formally opted out of the requirements of the [Solomon–Lautenberg amendment](https://en.wikipedia.org/wiki/Solomon%E2%80%93Lautenberg_amendment).[[48]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-48) In June 2021, SB 181 was signed to eliminate a requirement in state law that any drug conviction be penalized with a six-month driver's license suspension,[[49]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-49) instead allowing judges to waive suspensions for misdemeanor offenders who do not have a drug conviction in the prior 36 months.[[50]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-50) SB 181 took effect on September 1, 2021.[[51]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-51)

**Medical program expansion (2021)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=18)]

In June 2021, HB 1535 was signed into law to raise the THC limit from 0.5% to 1% and expand coverage to include all forms of cancer and post-traumatic stress disorder (PTSD), effective September 1.[[52]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-52) A version of the bill that passed the House allowed for a 5% THC limit, but it was lowered to 1% in the Senate.[[53]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-53)

**House approves medical program expansion (2023)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=19)]

House Bill 1805 that would expand covered medical conditions and define a per-dose THC limit instead of a percentage limit was passed by the House of Representatives on April 11, 2023.[[54]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-54)[[55]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-55)

**House approves reduced penalties (2023)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=20)]

On April 27, 2023, the House of Representatives passed HB 218 by a 87–59 vote. The bill would make possession of up to one ounce of marijuana a Class C misdemeanor with a maximum fine of $500 and no jail time.[[56]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-56)[[57]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-57)

**County and municipal level**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=21)]

**El Paso drug legalization resolution (2009)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=22)]

In January 2009, the city council of [El Paso](https://en.wikipedia.org/wiki/El_Paso,_Texas) voted 8–0 in favor of a resolution sponsored by councilman [Beto O'Rourke](https://en.wikipedia.org/wiki/Beto_O%27Rourke) calling for a national debate regarding the legalization of drugs as a way to reduce drug cartel violence.[[58]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-58) The resolution was then vetoed by the mayor, however,[[59]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-59) and an attempt to override the veto one week later failed by a 4–4 vote.[[60]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-60) Members of the council had been swayed by pressure from Rep. [Silvestre Reyes](https://en.wikipedia.org/wiki/Silvestre_Reyes) and several state lawmakers who warned that future allocation of federal funds to the city could be affected.[[61]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-61)

**Austin cite-and-release (2009)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=23)]

In February 2009, the [Austin](https://en.wikipedia.org/wiki/Austin,_Texas) Police Department instituted a policy of cite-and-release for possession of small amounts of cannabis.[[62]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-Austin_2009-62)[[63]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-63) The [Travis County](https://en.wikipedia.org/wiki/Travis_County,_Texas) Sheriff's Office, which encompasses a large part of the Austin metro area, had already been operating under such a policy since the end of 2007.[[62]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-Austin_2009-62)

**Harris County First Chance Intervention Program (2014)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=24)]

In October 2014, [Harris County](https://en.wikipedia.org/wiki/Harris_County,_Texas) District Attorney Devon Anderson announced the launch of the First Chance Intervention Program. Under the program, persons possessing less than two ounces of cannabis would still be subject to arrest, but could avoid a criminal conviction by attending drug education classes or performing [community service](https://en.wikipedia.org/wiki/Community_service).[[64]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-64) In January 2016 the program was expanded so that a citation was given instead of arrest, and all law enforcement agencies within the county were required to comply.[[65]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-65)

**Harris County Misdemeanor Marijuana Diversion Program (2017)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=25)]

In February 2017, Harris County District Attorney [Kim Ogg](https://en.wikipedia.org/wiki/Kim_Ogg) announced the launch of the Misdemeanor Marijuana Diversion Program that further expanded upon the reforms of the First Chance Intervention Program. Under the new program, persons possessing less than four ounces of cannabis would not face criminal charges or even be issued a citation as long as they agreed to attend a four-hour drug education class.[[66]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-Rogers-66) The new program also differed in that persons who had committed previous cannabis offenses would still be eligible to participate.[[66]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-Rogers-66) The program went into effect in March 2017.[[67]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-67)

**Dallas cite-and-release (2017)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=26)]

In April 2017 the [Dallas](https://en.wikipedia.org/wiki/Dallas) City Council voted 10–5 to adopt a cite-and-release policy for possession of less than 4 ounces of cannabis.[[68]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-68) In October 2017 county commissioners 4–1 voted to approve the plan,[[69]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-69) and it went into effect in December 2017.[[70]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-70)

**Bexar County cite-and-release, diversion (2017)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=27)]

In September 2017, [Bexar Country](https://en.wikipedia.org/wiki/Bexar_County,_Texas) District Attorney [Nico LaHood](https://en.wikipedia.org/wiki/Nico_LaHood) announced a new cite-and-release policy for persons caught with less than 4 ounces of cannabis.[[71]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-71) The program also allowed cited individuals to avoid criminal charges by attending a class, paying a fine, and performing community service.[[72]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-72) The policy went into effect for the Bexar County Sheriff's Office in January 2018.[[73]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-73)

**El Paso County First Chance Program (2017)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=28)]

In October 2017, [El Paso County](https://en.wikipedia.org/wiki/El_Paso_County,_Texas) commissioners voted unanimously to allow people caught with less than 4 ounces of cannabis to pay a $100 fine and perform 8 hours of community service in lieu of facing criminal charges. Named the First Chance Program, it only applies to people that are not caught with any other drugs.[[74]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-74)

**Travis County diversion program (2017)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=29)]

In December 2017, [Travis County](https://en.wikipedia.org/wiki/Travis_County) commissioners unanimously approved a plan to allow persons cited for less than two ounces of cannabis to take a four-hour educational course (at the cost of $45) rather than being subject to criminal charges.[[75]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-75) The policy went into effect in January 2018.[[76]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-76)

**Dallas County limited enforcement, diversion (2019)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=30)]

In April 2019, [Dallas County](https://en.wikipedia.org/wiki/Dallas_County,_Texas) District Attorney John Creuzot announced that individuals caught possessing misdemeanor amounts of cannabis would no longer be prosecuted for first-time offenses. Individuals who commit subsequent offenses would be offered diversionary courses to avoid a criminal conviction.[[77]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-77)

**Bexar County expanded cite-and-release, limited enforcement (2019)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=31)]

In May 2019, Bexar County District Attorney [Joe Gonzales](https://en.wikipedia.org/wiki/Joe_Gonzales_(attorney)) announced that an expanded version of cite-and-release would be implemented during the summer and apply to [San Antonio](https://en.wikipedia.org/wiki/San_Antonio) Police Department as well.[[78]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-kabb-78) Additionally, Gonzales announced that his office would no longer prosecute possession of less than one ounce of cannabis.[[78]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-kabb-78)

**Austin depenalization (2020)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=32)]

In January 2020, Austin City Council voted 9–0 in favor of a resolution that effectively eliminates penalties for possessing up to 4 ounces of cannabis and directs the city manager to "take the steps necessary and appropriate to eliminate, to the furthest extent allowable under state law ... the use of arrest or other enforcement action for cannabis-related possession offenses".[[79]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-79)[[80]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-80) In July 2020 Austin Police Department announced that it had revised its enforcement policies to comply with the resolution.[[81]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-81) The resolution along with banning the use of [no-knock warrants](https://en.wikipedia.org/wiki/No-knock_warrant) was formalized via local ballot measure Proposition A in May 2022.[[82]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-82)

**El Paso cite-and-release (2020)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=33)]

In May 2020, [El Paso](https://en.wikipedia.org/wiki/El_Paso,_Texas) City Council voted 7–0 to adopt a cite-and-release policy for possession of less than 4 ounces of cannabis.[[83]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-83) The measure directed the city manager to devise a plan to put the policy in effect by September 1.[[84]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-84)

**Dallas limited enforcement (2021)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=34)]

In March 2021, the [Dallas](https://en.wikipedia.org/wiki/Dallas,_Texas) Police Department announced that they would cease charging people for possession of less than 2 ounces of cannabis, although under certain circumstances an individual would still be charged such as if there are any signs of intent to sell or if in possession of a firearm.[[85]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-85)[[86]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-86)

**Plano decriminalization (2021)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=35)]

In April 2021, the [Plano](https://en.wikipedia.org/wiki/Plano,_Texas) Police Department announced that they would no longer arrest people caught with less than 2 ounces of cannabis. Instead, they may issue tickets for Possession of Drug Paraphernalia, a Class C misdemeanor.[[87]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-87)

**Austin and other city reforms (2022)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=36)]

In May 2022, Austin voters approved Proposition A by a 85–15 margin to prevent the enforcement of cannabis laws in most circumstances in the city (though police can still confiscate the drug).[[88]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-88)[[89]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-89) In November 2022, voters approved similar measures in the cities of [Killeen](https://en.wikipedia.org/wiki/Killeen,_Texas), [Denton](https://en.wikipedia.org/wiki/Denton,_Texas), [San Marcos](https://en.wikipedia.org/wiki/San_Marcos,_Texas), [Harker Heights](https://en.wikipedia.org/wiki/Harker_Heights,_Texas), and [Elgin](https://en.wikipedia.org/wiki/Elgin,_Texas).[[90]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-90) However, in January 2024, Attorney General [Ken Paxton](https://en.wikipedia.org/wiki/Ken_Paxton) sued the cities of Austin, Killeen, Denton, San Marcos, and Elgin to block the ordinances, saying in a press release that the cities had adopted "amnesty and non-prosecution policies that violate Texas laws concerning marijuana possession and distribution".[[91]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-91)[[92]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-92)

**Advocacy**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=37)]

**Republican Party of Texas**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=38)]

In June 2018, delegates at the [Republican Party of Texas](https://en.wikipedia.org/wiki/Republican_Party_of_Texas) 2018 convention voted to approve a set of platform planks endorsing cannabis policy reform.[[93]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-93)[[94]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-94) The following were approved by delegates:

* A plank calling for "a change in the law to make it a civil, and not a criminal, offense for legal adults only to possess one ounce or less of marijuana for personal use, punishable by a fine of up to $100, but without jail time" (passed with 81% of the vote).
* A plank calling for the Texas Legislature to "improve the 2015 Compassionate Use Act to allow doctors to determine the appropriate use of cannabis to certified patients" (passed with 90% of the vote).
* A plank calling for Congress to "remove cannabis from the list of Schedule 1 and move to Schedule 2" (passed with 82% of the vote).
* A plank calling for the Texas Legislature to "pass legislation allowing cultivation, manufacture, and sale of industrial hemp and hemp products" (passed with 83% of the vote).

In June 2022, the Texas Republican Party approved platform planks again supporting the rescheduling of cannabis but also opposing the legalization of cannabis for recreational purposes. Planks were approved that read as follows:[[95]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-95)[[96]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-96)

* Marijuana Remains Illegal: Oppose the legalization of recreational marijuana and offer opportunities for drug treatment before penalties for its illegal possession, use, or distribution
* Cannabis Classification: Congress should remove cannabis from the list of Schedule 1 and move to Schedule 2.
* Reduce Business Regulations: We believe that the following businesses should be minimally regulated at all levels… Use of hemp as an agricultural commodity.
* Addiction: We oppose legalization and decriminalization of illicit natural and/or illegal synthetic drugs, and we support the exercise of a zero-tolerance policy with maximum penalty for illegal drug manufacturers and distributors. We also oppose any needle exchange programs. Faith-based rehabilitation programs should be considered as a part of an overall rehabilitation program.

**Texas Democratic Party**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=39)]

In June 2018, delegates at the [Texas Democratic Party](https://en.wikipedia.org/wiki/Texas_Democratic_Party) 2018 convention voted to approve a set of platform planks endorsing the legalization of cannabis for medical and recreational purposes.[[97]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-97)[[98]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-98) The following were approved by delegates:

* A plank calling for legislation in Texas to "legalize possession and use of cannabis and its derivatives and to regulate its use, production and sale as is successfully done in Colorado, Washington and other States".
* Planks calling for the "immediate legalization of medical cannabis" and "federal legislation to remove cannabis as a Schedule 1 Controlled Substance".
* A plank calling for the "immediate release of individuals incarcerated for possession of cannabis and expungement of criminal records of persons convicted or receiving Deferred Adjudication for misdemeanor cannabis offenses".
* A plank calling for the "legalization of hemp for agricultural purposes".

**Other**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=40)]

Marijuana Lobby Day was first held in Austin in 2011, when 25 people showed up to press the issue to the legislature (which meets once every two years). In 2013, 50 people attended, in 2015 there were 300, and in 2017 there were 375.[[99]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-99)

[Mark Stepnoski](https://en.wikipedia.org/wiki/Mark_Stepnoski), former All-Pro offensive lineman for the [Dallas Cowboys](https://en.wikipedia.org/wiki/Dallas_Cowboys) and [Houston Oilers](https://en.wikipedia.org/wiki/History_of_the_Houston_Oilers), served as president of the Texas chapter of the National Organization for the Reform of Marijuana Laws ([Texas NORML](https://en.wikipedia.org/wiki/Texas_NORML)) during the early 2000s.[[100]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-100)[[101]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-101)

[Texas Cannabis Collective](https://en.wikipedia.org/wiki/Texas_Cannabis_Collective), a pro-legalization group, was founded in 2016.[[102]](https://en.wikipedia.org/wiki/Cannabis_in_Texas#cite_note-102)

**See also**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Texas&action=edit&section=41)]

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# Cannabis in Utah

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Text

* Small
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* Large

Width

* Standard
* Wide

Color (beta)

* Automatic
* Light
* Dark

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**Cannabis in Utah** is illegal for [recreational use](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States). Possession of small amounts is punishable as a misdemeanor crime.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Utah#cite_note-1)[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Utah#cite_note-2) [Medical use](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) was legalized by ballot measure in November 2018, after a CBD-only law was passed in 2014 and a limited "right to try" law was passed in March 2018.

**Prohibition (1915)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Utah&action=edit&section=1)]

Utah is frequently cited as the first state to explicitly ban cannabis, which they did in 1915, though other scholars state that California was actually the first, in 1913, and that Utah's claim to be first is based on a misunderstanding of California's earlier law and the lack of public attention its passing received.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Utah#cite_note-3) Scholar David E. Newton notes that Utah law is an area of controversy among cannabis historians: some scholars believe the law was a reaction to cannabis usage by [Mormon returnees from Mexico](https://en.wikipedia.org/wiki/Mormon_colonies_in_Mexico) following the 1910 revolution, and based on an [August 1915 prohibition](https://en.wikipedia.org/wiki/Cannabis_and_Latter-Day_Saints#Early_prohibitions) on cannabis by [the Church of Jesus Christ of Latter-day Saints](https://en.wikipedia.org/wiki/The_Church_of_Jesus_Christ_of_Latter-day_Saints) (LDS Church). Other scholars however note that cannabis was simply not an issue of public attention in Utah during that period, and submit that Utah simply banned cannabis as part of a larger anti-drug legislation based on earlier California law, rather than as a response to any cannabis situation in Utah.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Utah#cite_note-Ph.D.2013-4)

**CBD legalization (2014)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Utah&action=edit&section=2)]

In March 2014, House Bill 105 was signed by Governor [Gary Herbert](https://en.wikipedia.org/wiki/Gary_Herbert), legalizing possession and use of low-THC CBD oil by registered patients with a physician's recommendation and intractable epilepsy. However, the bill included no provision for patients to legally acquire the oil.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Utah#cite_note-5)

**Medical cannabis legislation**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Utah&action=edit&section=3)]

**2015**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Utah&action=edit&section=4)]

Senate Bill 259[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Utah#cite_note-6) was a proposed by Senator [Mark B. Madsen](https://en.wikipedia.org/wiki/Mark_B._Madsen) (Republican, Saratoga Springs) with eight working days left in the legislative session. Under the bill, those with AIDS, Alzheimer's disease, amyotrophic lateral sclerosis, an autoimmune disorder, cachexia or physical wasting, nausea, or malnutrition associated with chronic disease, cancer, Crohn's disease, epilepsy, or a condition that causes debilitating seizures, glaucoma, multiple sclerosis or a similar condition that causes persistent and debilitating muscle spasms, post-traumatic stress disorder, or severe, chronic pain would be able to use medical marijuana legally.

The bill was defeated in the Senate on a 15–14 vote, with several senators citing the relative rush behind the bill as the reason for their no vote.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Utah#cite_note-7) Madsen stated that he would try again in the 2016 session.

**2016**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Utah&action=edit&section=5)]

In 2016, Senator Madsen again attempted to pass legislation legalizing the use of medical cannabis through Senate Bill 73.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Utah#cite_note-8) The legislation would have allowed medicinal use for a host of ailments including HIV, AIDS, Alzheimer's disease, amyotrophic lateral sclerosis, cancer, cachexia, or such condition manifest by physical wasting, nausea, or malnutrition associated with chronic disease, Crohn's disease or a similar gastrointestinal disorder, epilepsy or a similar condition that causes debilitating seizures, multiple sclerosis or a similar condition that causes persistent and debilitating muscle spasms, post-traumatic stress disorder related to military service; and chronic pain in an individual. The legislation also put into place a more robust cultivation, tracking, distribution, and enforcement models in direct response to this lacking information in the 2015 bill and advocated for whole plant usage.

During debate on the bill in the Senate, Madsen made several concessions and amendments. The bill eventually passed the Senate 17-12. The House Health and Human Services Committee, however, failed to pass the bill out of committee along a 4-8 vote.

Madsen did not attempt to revive the legislation, and he chose not to run for reelection in 2016.

Also during 2016, Senator [Evan Vickers](https://en.wikipedia.org/wiki/Evan_Vickers) (Republican, Cedar City) proposed Senate Bill 89.[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Utah#cite_note-9) Vickers' legislation would expand the use of low-THC CBD oil (as opposed to whole plant use) to additional illnesses and also put into place cultivation, tracking, distribution, and enforcement models, but would also include provisions for product testing and research. The legislation would pass the Senate 18-8 and the House Health and Human Services Committee by a vote of 7-5. The full House, however, did not consider the bill.

Finally, Senator [Brian Shiozawa](https://en.wikipedia.org/wiki/Brian_Shiozawa) (Republican, Salt Lake City) successfully passed Senate Concurrent Resolution 11.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Utah#cite_note-10) This non-binding resolution unanimously passed the Senate and House and urges Congress to reclassify marijuana as a Schedule II drug, thereby allowing study of the drug for medicinal purposes.

**2018**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Utah&action=edit&section=6)]

In February 2018, the [Utah House of Representatives](https://en.wikipedia.org/wiki/Utah_House_of_Representatives) passed HB 195, a bill to legalize the "right to try" and grow [medical marijuana](https://en.wikipedia.org/wiki/Medical_cannabis) plants for terminally ill patients.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Utah#cite_note-11) On March 7, the bill was passed "easily" by the state senate,[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Utah#cite_note-12)[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Utah#cite_note-13) and on March 21, the governor signed it into law.[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Utah#cite_note-14)

On November 6, 2018, The [Utah Medical Cannabis Act](https://en.wikipedia.org/wiki/Utah_Medical_Cannabis_Act_initiative) was passed as ballot Proposition 2. Provisions must be set by the state for dispensaries to open by January 2021.

On December 3, 2018, the Utah Legislature passed HB3001, amending the Utah Medical Cannabis Act as passed through Proposition 2. The Governor signed HB3001 into law later the same day, causing it to go into immediate effect.

**2016 gubernatorial race**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Utah&action=edit&section=7)]

In April 2016, police visited the home of Democratic gubernatorial candidate [Mike Weinholtz](https://en.wikipedia.org/wiki/Mike_Weinholtz), and seized medical marijuana belonging to his wife Donna. This occurred days before Weinholtz's acceptance of his party's nomination. Local authorities opted to pursue misdemeanor possession charges against Donna Weinholtz, and federal authorities chose not to pursue charges. Donna Weinholtz used medical marijuana to treat pain from arthritis and a degenerative spinal condition[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Utah#cite_note-15) In October 2016, she pled guilty to misdemeanor possession, agreeing to a fine and probation. During a news conference, Mike Weinholtz called for reform of Utah's medical marijuana system.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Utah#cite_note-16)

**See also**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Utah&action=edit&section=8)]

* [Cannabis and Latter-day Saints](https://en.wikipedia.org/wiki/Cannabis_and_Latter-day_Saints)

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**Cannabis in Vermont** as of May 2004 is legal for [medical use](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States), and legal for [recreational use](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States) as of July 1, 2018.

**History**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Vermont&action=edit&section=1)]

**Prohibition (1915)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Vermont&action=edit&section=2)]

As part of a larger trend of restricting [cannabis](https://en.wikipedia.org/wiki/Cannabis_(drug)) in the early 20th century, Vermont banned the drug in 1915.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Vermont#cite_note-MarionOliver2014-1)

**Medical use (2004)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Vermont&action=edit&section=3)]

On May 19, 2004, Vermont legalized [medical cannabis](https://en.wikipedia.org/wiki/Medical_cannabis) when [Governor James Douglas](https://en.wikipedia.org/wiki/Jim_Douglas) announced he would allow Senate Bill 76 to pass without his signature.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Vermont#cite_note-2) The law was further expanded in June 2007 when Senate Bill 7 passed without Governor Douglas' signature once again.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Vermont#cite_note-3)

**Decriminalization (2013)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Vermont&action=edit&section=4)]

On June 6, 2013, Governor [Peter Shumlin](https://en.wikipedia.org/wiki/Peter_Shumlin) signed HB200 which decriminalized the possession of 1 ounce or less to a [civil infraction](https://en.wikipedia.org/wiki/Civil_infraction).[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Vermont#cite_note-4)

**Legalization**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Vermont&action=edit&section=5)]

Vermont has taken legalization plans into consideration as early as 2014. With no [initiative](https://en.wikipedia.org/wiki/Popular_initiative) process in Vermont, legalization efforts went through the state legislature and had to either be approved by the governor, or be veto-proof.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Vermont#cite_note-Ring2018-5)

**2014**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Vermont&action=edit&section=6)]

In 2014, Governor Shumlin stated his support for a tax-and-regulate system for cannabis.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Vermont#cite_note-Shumlin_Short-6) A [Rand Corporation](https://en.wikipedia.org/wiki/Rand_Corporation) study commissioned by the state in May 2014 and released in January 2015 stated that Vermont could gain $20 million and $75 million a year in tax revenue, but noted too that these sums would be vulnerable to either federal interference, or market competition if a neighboring state were also to legalize; in the latter case, Rand stated, "It is not clear that Vermont has any long-run comparative advantage in hosting the industry."[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Vermont#cite_note-7)

**2015**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Vermont&action=edit&section=7)]

In April 2015, as a form of [political theater](https://en.wikipedia.org/wiki/Guerrilla_theater), two state representatives facetiously introduced HB502, which would re-illegalize alcohol, giving it penalties equivalent to those for cannabis.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Vermont#cite_note-8)

In 2015, Senate Bill 95 and House bill 277 were submitted, proposing a regulated system of legal recreational cannabis sales, however neither bill passed during the 2015 legislative session.[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Vermont#cite_note-9)

**2017–2018**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Vermont&action=edit&section=8)]

In May 2017, the [Vermont House](https://en.wikipedia.org/wiki/Vermont_House_of_Representatives) approved a bill to allow personal possession, use, and cultivation of cannabis but not commercial sales by a 74–68 vote, while the [Vermont Senate](https://en.wikipedia.org/wiki/Vermont_Senate) in April approved a broader bill allowing cannabis commercial sale by a 21-9 vote. On May 10, 2017, a joint bill formerly concerning [fentanyl](https://en.wikipedia.org/wiki/Fentanyl) was amended to legalize cannabis, and approved by the entire state legislature, for the first time in U.S. history.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Vermont#cite_note-10) The bill, titled S.22 "An act relating to increased penalties for possession, sale, and dispensation of fentanyl", was amended to allow possession of an ounce of cannabis under title 18 of the [Vermont Statutes Annotated](https://en.wikipedia.org/wiki/Vermont_Statutes_Annotated).[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Vermont#cite_note-11)[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Vermont#cite_note-12) On May 24, Governor [Phil Scott](https://en.wikipedia.org/wiki/Phil_Scott) vetoed the bill, and reconsideration was blocked in June by the minority party during a one-day "[veto session](https://en.wikipedia.org/wiki/Veto_session)" of the legislature.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Vermont#cite_note-Ring2018-5)[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Vermont#cite_note-13)

The state house voted on January 4, 2018 to pass H.511, an amended version of the 2017 bill.[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Vermont#cite_note-14)[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Vermont#cite_note-15)[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Vermont#cite_note-16) The bill legalized adult personal possession of one ounce of cannabis and allows individuals to cultivate two plants.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Vermont#cite_note-Kinzel20170109-17) The senate passed the bill by [voice vote](https://en.wikipedia.org/wiki/Voice_vote) on January 10, 2018, and Governor Phil Scott allowed it to pass on January 22, by neither signing nor vetoing, becoming "An act relating to eliminating penalties for possession of limited amounts of marijuana by adults 21 years of age or older"; its provisions have taken effect as of July 1, 2018.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Vermont#cite_note-Ring2018-5)[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Vermont#cite_note-18)[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Vermont#cite_note-Wallace20180122-19)

**Regulated sales**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Vermont&action=edit&section=9)]

The 2018 act has no sales or revenue provisions. Some legislators said they would move towards a future tax-and-regulate plan which is being studied by the governor's Marijuana Advisory Commission with a report due in 2019.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Vermont#cite_note-Kinzel20170109-17) The legislature failed to create a tax-and-regulate system in the 2018 session.[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Vermont#cite_note-20)[[21]](https://en.wikipedia.org/wiki/Cannabis_in_Vermont#cite_note-21) Regulated sales entered into law in October 2020 when S.54 went into effect.[[22]](https://en.wikipedia.org/wiki/Cannabis_in_Vermont#cite_note-22) State licensed medical cannabis dispensaries began selling to adults on May 1, 2022, and retailers began selling to adults in October 2022.[[23]](https://en.wikipedia.org/wiki/Cannabis_in_Vermont#cite_note-23)

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# Cannabis in Virginia

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**Cannabis in Virginia** is legal for [medical use](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) and [recreational use](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States). The first medical marijuana dispensary opened in August 2020,[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-Coghill2020-1) and adult recreational use became legalized in July 2021.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-april7npr-2)[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-Politico20210227-3)

In April 2020, Virginia Governor [Ralph Northam](https://en.wikipedia.org/wiki/Ralph_Northam) approved a bill to [decriminalize simple marijuana possession](https://en.wikipedia.org/wiki/Decriminalization_of_non-medical_cannabis_in_the_United_States), which took effect July 2020. In February 2021, both houses of Virginia's General Assembly passed legislation to fully legalize cannabis, with an effective date of 2024.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-4)[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-Politico20210227-3) The law allows adults aged 21 and over to possess up to 1 ounce (28 g) of marijuana, to cultivate up to four plants per household, as well as sharing of marijuana where there is no commercial transaction.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-april7npr-2) Virginia is the first state in the [southern United States](https://en.wikipedia.org/wiki/Southern_United_States) to legalize cannabis.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-5)

**Legislation and history**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Virginia&action=edit&section=1)]

In the 1990s, the [Virginia General Assembly](https://en.wikipedia.org/wiki/Virginia_General_Assembly) tightened the laws on [cannabis](https://en.wikipedia.org/wiki/Cannabis_(drug)), but added a provision allowing its use and distribution for [cancer](https://en.wikipedia.org/wiki/Cancer) and [glaucoma](https://en.wikipedia.org/wiki/Glaucoma).[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-6) There is currently a provision in the law, § 18.2-251, which allows a case to be dismissed if the offender goes through [probation](https://en.wikipedia.org/wiki/Probation) and treatment.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-7) In the 1990s, Virginia also had some of the lightest penalties for cultivation in the [United States](https://en.wikipedia.org/wiki/United_States); cultivation of any amount for personal use counted as simple possession (otherwise it carried [felony](https://en.wikipedia.org/wiki/Felony) penalties of up to 35 years imprisonment).

Before July 2020 in the [Commonwealth of Virginia](https://en.wikipedia.org/wiki/Commonwealth_of_Virginia), possession of cannabis as a first offense was an unclassified misdemeanor, with a maximum penalty of 30 days in jail and/or $500 fine (or both), and loss of driving privileges. However, with a change in the law as of July 1, 2017, the loss of driving privileges was then optional for adults (depending upon the judge's discretion) while still mandatory for juveniles.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-8) A subsequent offense was previously a Class 1 misdemeanor, with a maximum penalty of 12 months in confinement and a $2,500 fine (or both), plus loss of driving privileges. A first offense under this system qualified for a deferred disposition resulting in dismissal. This option required a drug assessment, classes, community service, and either loss of driving privileges for six months or a larger amount (50 hours) of community service. The first-offender program was controversial, because it could affect immigration status and did not allow the defendant to qualify for expungement, and as a result, remained on the individual's record for life.[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-9)[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-10)

As of July 1, 2020, possession of less than 1 ounce (28 g) was decriminalized to a [civil offense](https://en.wikipedia.org/wiki/Civil_penalty) punishable by a $25 fine.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-11) One year later, personal use became legal.

**Medical cannabis in Virginia**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Virginia&action=edit&section=2)]

In 1979, Virginia passed legislation allowing doctors to recommend cannabis for glaucoma or the side effects of chemotherapy.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-InciardiHarrison1999-12)[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-:0-13) In 1997, repeal of the medical cannabis law seemed certain, but did not actually happen. For many years, though, the medical cannabis law was non-functioning[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-14) because prescriptions were disallowed by federal law, given cannabis's status under the [Controlled Substances Act](https://en.wikipedia.org/wiki/Controlled_Substances_Act) as a Schedule I controlled substance with no accepted medical use. In 1998, the [Virginia General Assembly](https://en.wikipedia.org/wiki/Virginia_General_Assembly) tightened the laws on medical [cannabis](https://en.wikipedia.org/wiki/Cannabis_(drug)) use and added a provision allowing its use and distribution for [cancer](https://en.wikipedia.org/wiki/Cancer) and [glaucoma](https://en.wikipedia.org/wiki/Glaucoma).[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-15)

In March 2015, Governor [Terry McAuliffe](https://en.wikipedia.org/wiki/Terry_McAuliffe) signed House Bill 1445 and Senate Bill 1235, creating affirmative defense against a possession charge that [cannabidiol oil](https://en.wikipedia.org/wiki/Cannabidiol_oil) (also known as CBD oil) and [THC-A oil](https://en.wikipedia.org/wiki/THC-A_oil) for patients who have a doctor's recommendation for those substances for treatment of [epilepsy](https://en.wikipedia.org/wiki/Epilepsy).[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-16)[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-17)[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-18) The bill had passed Virginia's Senate with a vote of 37–1 in February.[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-19)[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-20)

In September 2018, the Virginia State Board of Pharmacy approved the applications for five companies to open [medical cannabis](https://en.wikipedia.org/wiki/Medical_cannabis) dispensaries across the Commonwealth.[[21]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-21)[[22]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-22) As of September 2023, 1,051 doctors in Virginia have registered with the state to write medical cannabis recommendations.[[23]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-23) Starting July 1, 2023, doctors, osteopaths, physician assistants, and nurse practitioners licensed in Virginia no longer need to register with the Board of Pharmacy before prescribing medical cannabis for treatment or symptom relief. [[24]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-24) Also legislation passed in 2019 allowing doses to contain up to 10 mg of THC to patients.[[25]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-25)[[26]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-26) There are currently 21 medical cannabis dispensaries open throughout the state. [[27]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-27)

**2015 failed attempt to decriminalize**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Virginia&action=edit&section=3)]

In 2015, the [Virginia Senate](https://en.wikipedia.org/wiki/Virginia_Senate)'s Courts of Justice committee rejected bills to decriminalize cannabis[[28]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-28) and remove the [smoke a joint, lose your license](https://en.wikipedia.org/wiki/Smoke_a_joint,_lose_your_license) provision in the Virginia Code.[[29]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-29)

**2020 reform measures on decriminalization**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Virginia&action=edit&section=4)]

Following the [2019 Virginia elections](https://en.wikipedia.org/wiki/2019_Virginia_elections), in which Democrats won control of both houses of the General Assembly, [Virginia Attorney General](https://en.wikipedia.org/wiki/Attorney_General_of_Virginia) [Mark Herring](https://en.wikipedia.org/wiki/Mark_Herring) called for cannabis to be eventually legalized; he scheduled a Cannabis Summit for December 2019 to address the issues of decriminalization of marijuana, social equity, regulating CBD and hemp products, and pathways towards legalization through legislative efforts.[[30]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-30)[[31]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-31)

In February 2020, the House of Delegates voted 64–34 in favor of Delegate [Charniele Herring](https://en.wikipedia.org/wiki/Charniele_Herring)'s HB972 to decriminalize personal possession of marijuana.[[32]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-32) The next day the Senate voted 27–13 in favor of Senator [Adam Ebbin](https://en.wikipedia.org/wiki/Adam_Ebbin)'s SB 2 with a similar decriminalization scope.[[33]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-33) Virginia was to become the 27th state to remove the threat of jail time for low-level marijuana possession.[[34]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-Lopez2020feb11-34) On March 8, 2020, the Virginia House of Delegates and Senate passed legislation on a marijuana decriminalization plan.[[35]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-35) In April 2020, this bill to decriminalize simple marijuana possession was approved by Virginia Governor [Ralph Northam](https://en.wikipedia.org/wiki/Ralph_Northam), and the bill took effect on July 1, 2020.[[36]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-36) This legislation decriminalized cannabis per possession of less than 1 ounce (28 g) of, which carries the presumption of personal use, carrying a $25 [civil fine](https://en.wikipedia.org/wiki/Civil_fine).[[37]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-37)

As part of HB 972, which was signed by Governor Ralph Northam on May 21, 2020, four members of the Governor’s Cabinet (the Secretaries of Agriculture and Forestry, Finance, Health and Human Resources, and Public Safety and Homeland Security) were chosen to lead a group of government officials, policy experts, healthcare professionals, and community leaders that would examine the effects of legalizing the sale and personal use of marijuana in Virginia. The group was told to submit a report by November 30, 2020.[[38]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-38)

A report by JLARC or the Joint Legislative Audit & Review Commission found that the retail sales from a legal marijuana market would produce substantially more revenue than the associated state costs. The report found that the state of Virginia would spend approximately $10-$16 million annually on a state regulatory agency, public health programs, and social equity programs.[[39]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-:1-39) Additionally, the retail sales of marijuana would likely begin in as little as two years. Before this time the state could raise several millions of dollars in licensing fees that would likely offset the majority of the cost.[[39]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-:1-39) After the retail sales of marijuana began, the sales tax from the sales would likely offset the remaining cost of legalization. If the sales tax was set to 25 percent, the estimated net tax revenue would be between $177-$300 million after operatorial costs.[[39]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-:1-39)

On November 16, 2020, Governor Northam announced that he would introduce and support legislation to legalize marijuana in the Commonwealth of Virginia.[[40]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-:2-40) Governor Northam stated that the proposed legislation would need to addresses five different areas of concern, those include: social equity,[[41]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-41) racial equity, and economic equity, public health, protections for young people, upholding the Virginia Indoor Clean Air Act, and data collection.[[40]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-:2-40)

Other bills in the General Assembly addressing legalization of simple possession, including [Lee J. Carter](https://en.wikipedia.org/wiki/Lee_J._Carter)'s HB 87[[42]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-42) and [Steve Heretick](https://en.wikipedia.org/wiki/Steve_Heretick)'s HB 269,[[43]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-43) have been deferred to the 2021 session.

**2021 legalization of recreational use**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Virginia&action=edit&section=5)]

On January 22, Virginia SB 1406, "Marijuana; legalization of simple possession, penalties", sponsored by senators [Adam Ebbin](https://en.wikipedia.org/wiki/Adam_Ebbin) and [Louise Lucas](https://en.wikipedia.org/wiki/Louise_Lucas), was advanced by the state Senate Rehabilitation and Social Services Committee.[[44]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-44)[[45]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-45)

On February 3, SB 1406 and corresponding HB 2312 each were passed by the final committee prior to a floor vote in the Senate and House.[[46]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-46) Both bills passed on February 5, legalizing the use and personal cultivation of cannabis by adults ages 21 and older, as well as establish a regulatory framework for commercial cannabis production, manufacturing, testing, and retail sales by 2024.[[47]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-47)[[48]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-48)[[49]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-norml-49)

Governor Northam said he would sign the bills into law if they reached his desk.[[50]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-50) Substitute Senate Bill 1406 was passed by the House General Laws Committee on February 11.[[51]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-51) On February 16, the House passed a substitute Senate bill 55-42 and the Senate passed its bill 23-15, requiring a conference committee to resolve the differences.[[52]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-52) The vote was said by regional media to ensure that cannabis can be legally purchased in Virginia in 2024, but a conference committee needed to reconcile the Senate's date for legalization of possession (July 1, 2021) and the House's 2024 legalization date.[[53]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-53) The conference committee reached agreement on a bill on February 27 regarding legalization (including cultivation, retail sales and possession) on January 1, 2024, and the Assembly passed it the same day and sent it to Governor Northam for approval.[[54]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-54)[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-Politico20210227-3)

As originally proposed, Virginia would have become the second state (after [Illinois](https://en.wikipedia.org/wiki/Cannabis_in_Illinois)) to simultaneously legalize marijuana possession and retail sales; other states have legalized possession before the beginning of state-licensed sales. Instead, advocates successfully pressured Northam to amend the legislation to legalize possession on July 1, 2021, arguing that delaying the date of legalization perpetuates injustice.[[55]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-55)

On March 25, still not having signed the bill, Northam indicated that he was in favor of such a change to the implementation date; he subsequently sent back an amended version of the bill to the Virginia assembly on March 31.[[56]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-56) On April 7, the legislature took up the governor's recommended amendments in a one-day reconvened session.[[57]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-57)[[58]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-58) Both houses of the legislature (including [Lt. Gov.](https://en.wikipedia.org/wiki/Lieutenant_Governor_of_Virginia) [Justin Fairfax](https://en.wikipedia.org/wiki/Justin_Fairfax)'s tiebreaking vote in the Senate) approved the governor's entire recommendation verbatim;[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-april7npr-2)[[59]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-april7ga-59) as a result, under Article V, Section 6, subsections (b)(iii) and (c)(iii) of the Constitution of Virginia, the bill became law on July 1, 2021.[[60]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-april7con-60) The law legalized adult recreational use where adults ages 21 and over can possess 1 ounce (28 g) or less of marijuana and also allows for the growth of up to four cannabis plants per household.[[61]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-61)[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-april7npr-2)[[62]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-62) Retail sales and the opening of recreational cannabis dispensaries was scheduled to begin on January 1, 2024, but a re-enactment clause requiring the Virginia legislature to re-approve the sales provision was not taken up following the Republican takeover of the House of Delegates in 2021.[[63]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-:3-63)[[64]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-:4-64)

**2022–2024 Youngkin Administration**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Virginia&action=edit&section=6)]

Governor [Glenn Youngkin](https://en.wikipedia.org/wiki/Glenn_Youngkin) has not voiced support for recreational sales, and has left the decision up to the state legislature.[[65]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-65) During the 2023 session of the General Assembly, all bills to begin recreational sales failed to pass with the split Republican run House of Delegates and the Democratic run State Senate.[[66]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-66)[[67]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-67)[[68]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-68) Governor Youngkin pushed for revisions to the sale of hemp derived products, including Delta-8, that would allow them to exceed a two milligram THC cap as long as there is a 25:1 CBD to THC ratio.[[69]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-69)[[70]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-70)

Separate marijuana legislation signed by Youngkin in 2022 allows patients to purchase [medical marijuana](https://en.wikipedia.org/wiki/Medical_cannabis) immediately upon receiving a certificate to do so from a registered medical provider. Previously, patients were required to register with the State Board of Pharmacy before they could make such a purchase. This reform was enacted due to long wait times occurring during the registration process.[[71]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-71)[[72]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-72)[[73]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-73) The General Assembly also passed a law in 2022 banning the sale of THC edible products shaped like animals, humans, vehicles, or fruits.[[74]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-74)

A 2023 report by New Frontier Data estimated that $2.4 billion worth of cannabis would be sold in Virginia, but 99% of that will be sold illegally, due to the lacking recreational sales.[[75]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-75) In July, 2023, the commissioner of the Virginia Department of Agriculture and Consumer Services, stated that the Youngkin administration was "not interested in any further moves towards legalization of adult recreational use marijuana".[[76]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-76)

In 2024, following Democrats taking control of the state legislature in the [2023 elections](https://en.wikipedia.org/wiki/2023_Virginia_elections), they introduced legislation to begin recreational sales. The proposed legislation would allow medical dispensaries to begin recreational sales on July 1, 2024, with broader sales beginning July 1, 2025. However, the bill would need to survive a veto by Governor Youngkin.[[77]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-77) In January, Youngkin again stated that he did not have "a lot of interest in pressing forward with marijuana legislation."[[78]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-78)

The House and the Senate passed a bill to allow legal recreational sales to commence on May 1, 2025 with a tax rate of 11.625%.[[79]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-79) Governor Youngkin vetoed the bill on March 28, 2024, saying it "endangers Virginians' health and safety."[[80]](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_note-80)

**See also**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Virginia&action=edit&section=7)]

* [*Taylor v. United States (2016)*](https://en.wikipedia.org/wiki/Taylor_v._United_States_(2016))
* [Cannabis in Washington, D.C.](https://en.wikipedia.org/wiki/Cannabis_in_Washington,_D.C.)
* [Cannabis in Maryland](https://en.wikipedia.org/wiki/Cannabis_in_Maryland)

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* [Jump up to:](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_ref-april7npr_2-0)
* [***a***](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_ref-april7npr_2-0) [***b***](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_ref-april7npr_2-1) [***c***](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_ref-april7npr_2-2) [***d***](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_ref-april7npr_2-3) Paviour, Ben (April 7, 2021). ["Virginia 16th State To Legalize Recreational Pot, Latest To Emphasize 'Social Equity'"](https://www.npr.org/2021/04/07/985014557/virginia-16th-state-to-legalize-recreational-pot-latest-to-emphasize-social-equi). [*National Public Radio*](https://en.wikipedia.org/wiki/National_Public_Radio). Retrieved April 9, 2021.
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* [Jump up to:](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_ref-Politico20210227_3-0)
* [***a***](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_ref-Politico20210227_3-0) [***b***](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_ref-Politico20210227_3-1) [***c***](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_ref-Politico20210227_3-2) Mona Zhang (February 27, 2021). ["Virginia joins 15 other states in legalizing marijuana"](https://www.politico.com/news/2021/02/27/virginia-legalizes-marijuana-471840). [*Politico*](https://en.wikipedia.org/wiki/Politico).
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* [**^**](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_ref-77) Adlin, Ben (January 10, 2024). ["Virginia Bills Would Legalize Recreational Marijuana Sales In 2024, Though Threat Of Governor's Veto Looms Large"](https://web.archive.org/web/20240111033627/https://www.marijuanamoment.net/virginia-bills-would-legalize-recreational-marijuana-sales-in-2024-though-threat-of-governors-veto-looms-large/). *Marijuana Moment*. Archived from [the original](https://www.marijuanamoment.net/virginia-bills-would-legalize-recreational-marijuana-sales-in-2024-though-threat-of-governors-veto-looms-large/) on January 11, 2024. Retrieved January 15, 2024.
* [**^**](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_ref-78) Times-Dispatch, ERIC KOLENICH Richmond (January 26, 2024). ["Democrats advance marijuana commercialization, but Youngkin stands in the way"](https://richmond.com/news/local/government-politics/virginia-marijuana-sales-youngkin-general-assembly/article_07e0cf0a-bb97-11ee-8703-eb3adadc8168.html). *Richmond Times-Dispatch*. Retrieved January 26, 2024.
* [**^**](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_ref-79) RANKIN, SARAH (February 28, 2024). ["Legislation allowing recreational marijuana sales in Virginia heads to GOP Gov. Glenn Youngkin"](https://apnews.com/article/virginia-marijuana-retail-sales-legalized-general-assembly-glenn-youngkin-434c6c8c77433d3ad1c9e4048fa39f7a). *AP.com*.
* [**^**](https://en.wikipedia.org/wiki/Cannabis_in_Virginia#cite_ref-80) Zhang, Mona (March 28, 2024). [> "Virginia governor vetoes marijuana market bill"](https://www.politico.com/news/2024/03/28/virginia-governor-vetoes-marijuana-bill-00149638). *Politico.com*.

**External links**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Virginia&action=edit&section=9)]

* [Impact on the Commonwealth of Legalizing the Sale and Personal Use of Marijuana](https://www.governor.virginia.gov/media/governorvirginiagov/governor-of-virginia/pdf/Final-Report-on-Marijuana-Legalization-11.30.20.pdf) (November 30, 2020) report to Virginia General Assembly and Governor of Virginia

# Cannabis in Washington (state)

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Text

* Small
* Standard
* Large

Width

* Standard
* Wide

Color (beta)

* Automatic
* Light
* Dark

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Washington's Cannabis Universal Symbol

| Part of a series on |
| --- |
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| Cannabis |
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| show  **Chemistry** |
| show  **Pharmacology** |
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| show  **Economics** |
| show  [**Effects**](https://en.wikipedia.org/wiki/Effects_of_cannabis) |
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| show  **Law** |
| show  **Variants** |
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| * [v](https://en.wikipedia.org/wiki/Template:Cannabis_sidebar) * [t](https://en.wikipedia.org/wiki/Template_talk:Cannabis_sidebar) * [e](https://en.wikipedia.org/wiki/Special:EditPage/Template:Cannabis_sidebar) |

**Cannabis in Washington** relates to a number of legislative, legal, and cultural events surrounding the use of [cannabis](https://en.wikipedia.org/wiki/Cannabis_(drug)) (marijuana,[[a]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-1) [hashish](https://en.wikipedia.org/wiki/Hashish), [THC](https://en.wikipedia.org/wiki/THC), [kief](https://en.wikipedia.org/wiki/Kief), etc.). On December 6, 2012, [Washington](https://en.wikipedia.org/wiki/Washington_(U.S._state)) became the first U.S. state to [legalize recreational use of marijuana](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States) and the first to allow recreational marijuana sales, alongside [Colorado](https://en.wikipedia.org/wiki/Colorado).[[b]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-6) The state had previously [legalized medical marijuana](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) in 1998. Under state law, cannabis is legal for medical purposes and for any purpose by adults over 21.

**Legal history**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Washington_(state)&action=edit&section=1)]

**Prohibition**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Washington_(state)&action=edit&section=2)]

Washington was among many states to criminalize cannabis in the 1920s. The [Washington State Legislature](https://en.wikipedia.org/wiki/Washington_State_Legislature) passed House Bill 3 in 1923, which defined "*cannabis americana*" and "*cannabis indica*" as [narcotic](https://en.wikipedia.org/wiki/Narcotic) drugs. Possession was punishable by one to 10 years in prison.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-spokesman-7) Nevertheless, enforcement of the law was rare, as cannabis use was not common in the state.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-historylink-8) In western states such as Washington, cannabis prohibition was largely motivated by the drug's association with the growing number of [Mexican American](https://en.wikipedia.org/wiki/Mexican_American) immigrants. As racial and [anti-immigrant](https://en.wikipedia.org/wiki/Opposition_to_immigration) tensions rose, newspapers published sensationalized stories of the drug causing Mexicans to go insane and commit violent crimes.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-9)[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-Sanna2014-10)

After [cannabis use](https://en.wikipedia.org/wiki/Cannabis_consumption) became more common during the 1960s, the state began to relax its marijuana laws. In 1971, the state legislature reduced the crime of possession of 40 grams or less to a misdemeanor, and no longer considered the drug to be an "opiate" or "narcotic."[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-historylink-8)[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-11) However, marijuana remained a [Schedule I drug](https://en.wikipedia.org/wiki/List_of_Schedule_I_drugs_(US)) under both the federal [Controlled Substances Act of 1970](https://en.wikipedia.org/wiki/Controlled_Substances_Act) and Washington's own Controlled Substance Act of 1971, which deem the drug to have a "high potential for abuse" and "no currently accepted medical use."[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-spokesman-7)

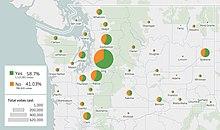
**Medical marijuana**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Washington_(state)&action=edit&section=3)]

Despite its Schedule I status, in 1979, the [Washington Court of Appeals](https://en.wikipedia.org/wiki/Washington_Court_of_Appeals) recognized there was a medical necessity defense for cannabis possession. In the case of State v. Diana, a [Spokane](https://en.wikipedia.org/wiki/Spokane,_Washington) man with [multiple sclerosis](https://en.wikipedia.org/wiki/Multiple_sclerosis) appealed his conviction of possession of a controlled substance on the grounds that the drug was necessary to treat his medical condition. The court held that the medical defense exists, but only in very specific circumstances.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-12)

Medical marijuana patients, however, had no legal way of obtaining the drug. In the 1990s, cannabis buyers clubs and cooperatives began providing the drug to patients in several cities across the US. These dispensaries operated in defiance of state and federal law, but were rarely targeted by law enforcement.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-latimes-13)

In 1995, the Green Cross Patient Co-op of [Bainbridge Island](https://en.wikipedia.org/wiki/Bainbridge_Island,_Washington) became the first buyers club in the country to be raided by law enforcement. The cooperative, run by Joanna McKee and Ronald L. (Stich) Miller, provided cannabis at little or no cost to over 70 patients with diseases such as [AIDS](https://en.wikipedia.org/wiki/AIDS), [cancer](https://en.wikipedia.org/wiki/Cancer), and multiple sclerosis. Both McKee and Miller were arrested, and around 130 cannabis plants were seized.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-latimes-13) The case was later dismissed when a [Kitsap County](https://en.wikipedia.org/wiki/Kitsap_County,_Washington) judge ruled that the search warrant used to execute the raid was invalid. McKee and Miller moved the co-op to [Seattle](https://en.wikipedia.org/wiki/Seattle) and resumed operations.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-14)

In reaction to the raid against the Green Cross Patient Co-op, an attorney from [Tacoma](https://en.wikipedia.org/wiki/Tacoma,_Washington) named Ralph Seeley sued the state of Washington, seeking to have cannabis rescheduled as a [Schedule II drug](https://en.wikipedia.org/wiki/List_of_Schedule_II_drugs_(US)). This would have allowed doctors to write prescriptions for medical marijuana. Seeley, who had been diagnosed with a rare bone cancer in 1986, used cannabis obtained from the co-op to treat the side effects of his [chemotherapy](https://en.wikipedia.org/wiki/Chemotherapy).[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-15) A [Pierce County](https://en.wikipedia.org/wiki/Pierce_County,_Washington) Superior Court judge ruled in Seeley's favor, but the decision was overturned by the [Washington Supreme Court](https://en.wikipedia.org/wiki/Washington_Supreme_Court) by an 8-1 margin.[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-seattleweekly-16)



[Initiative 692](https://en.wikipedia.org/wiki/Washington_Initiative_692) results by county, with number of votes shown by size, yes in green and no in orange:

Yes

No

Following the ruling, two separate [ballot initiatives](https://en.wikipedia.org/wiki/Popular_initiative) were filed to decriminalize medical marijuana in the state. Both were sponsored by physician Rob Killian.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-Gerber2004-17) Initiative 685, which appeared on the 1997 general ballot, would have allowed doctors to prescribe any Schedule I drug, if scientific research supported medical use. It would have also [paroled](https://en.wikipedia.org/wiki/Parole) drug prisoners.[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-seattleweekly-16) The initiative failed, with 60.4% of voters rejecting it.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-18) The following year, [Initiative 692](https://en.wikipedia.org/wiki/Washington_Initiative_692) was filed, which was limited only to decriminalizing medical marijuana. The initiative was endorsed by [*The Seattle Times*](https://en.wikipedia.org/wiki/The_Seattle_Times), marking one of the first times a major newspaper in the U.S. backed a medical marijuana initiative.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-Gerber2004-17) I-692 was approved by a margin of 59.0% to 41.0%.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-19)

The passage of I-692 allowed physicians to recommend medical marijuana to patients with terminal or debilitating illnesses including: "[chemotherapy-related nausea and vomiting](https://en.wikipedia.org/wiki/Chemotherapy-induced_nausea_and_vomiting) in cancer patients; [AIDS](https://en.wikipedia.org/wiki/HIV/AIDS) wasting syndrome; severe muscle spasms associated with multiple sclerosis and other [spasticity](https://en.wikipedia.org/wiki/Spasticity) disorders; [epilepsy](https://en.wikipedia.org/wiki/Epilepsy); acute or chronic [glaucoma](https://en.wikipedia.org/wiki/Glaucoma); and some forms of [intractable pain](https://en.wikipedia.org/wiki/Intractable_pain)."[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-i692-20) The initiative also allowed the state to add new illnesses to the list as necessary.[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-i692-20) Qualifying patients with a note from their doctor were permitted to possess a sixty-day supply of cannabis, which was later defined to be "twenty-four ounces of usable marijuana and no more than fifteen plants."[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-21)

Although the law did not explicitly allow [dispensaries](https://en.wikipedia.org/wiki/Cannabis_dispensaries_in_the_United_States), many were established and often went ignored by law enforcement. By 2011, there were around 75 storefront dispensaries open in Seattle and 55 in Spokane.[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-martin-22) That same year, the state legislature passed an overhaul of medical marijuana laws, which would have created a system of state-licensed growers, processors and dispensaries. Governor [Christine Gregoire](https://en.wikipedia.org/wiki/Christine_Gregoire), however, vetoed most of the new legislation, explaining that she would "not subject [...] state employees to federal prosecution."[[21]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-23)

In April 2011, [United States Attorney](https://en.wikipedia.org/wiki/United_States_Attorney) for the [Eastern District of Washington](https://en.wikipedia.org/wiki/United_States_District_Court_for_the_Eastern_District_of_Washington) [Michael C. Ormsby](https://en.wikipedia.org/wiki/Michael_C._Ormsby) ordered all dispensaries operating in Spokane to cease operations. Most complied, but several owners who refused to close their stores were arrested.[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-martin-22) Later that year, federal raids on medical marijuana dispensaries also occurred in western Washington. 15 dispensaries were targeted in cities including Seattle, Tacoma, [Olympia](https://en.wikipedia.org/wiki/Olympia,_Washington), [Puyallup](https://en.wikipedia.org/wiki/Puyallup,_Washington), [Lacey](https://en.wikipedia.org/wiki/Lacey,_Washington) and [Rochester](https://en.wikipedia.org/wiki/Rochester,_Washington).[[22]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-24)

**Legalization**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Washington_(state)&action=edit&section=4)]

In spite of federal prohibition, public support in the state for marijuana reform continued to grow. In 2003, Seattle passed an initiative making adult marijuana possession the lowest priority of law enforcement agencies in the city.[[23]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-25) Tacoma passed a similar initiative in 2011.[[24]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-26) A 2010 poll by the [University of Washington](https://en.wikipedia.org/wiki/University_of_Washington) found that 52% of Washington voters supported removing criminal and civil penalties for marijuana possession.[[25]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-27)

In early 2010, the [Washington House of Representatives](https://en.wikipedia.org/wiki/Washington_House_of_Representatives) considered two bills regarding cannabis. One would have allowed cannabis sales in state liquor stores, and the other would have [decriminalized](https://en.wikipedia.org/wiki/Decriminalization) possession of forty grams or less. Both bills died in committee.[[26]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-kover-28) Cannabis activists responded by filing [Initiative 1068](https://en.wikipedia.org/wiki/Washington_Initiative_1068), which would have removed all state-level criminal and civil penalties for cannabis use or possession by adults over the age of 18. Despite an endorsement by the [Washington State Democratic Party](https://en.wikipedia.org/wiki/Washington_State_Democratic_Party), the campaign received little fundraising and failed to gather enough signatures to secure a spot on the ballot.[[27]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-29)



Initiative 502 results by county, with number of votes shown by size, yes in orange and no in blue:

Yes

No

The following year, a separate group of activists filed [Initiative 502](https://en.wikipedia.org/wiki/Washington_Initiative_502), which proposed to legalize the use of cannabis for adults over the age of 21. The bill would also allow the [Washington State Liquor Control Board](https://en.wikipedia.org/wiki/Washington_State_Liquor_and_Cannabis_Board) to regulate and tax cannabis production and sales, and set new limits on blood THC (tetrahydrocannabinol) levels for [driving under the influence](https://en.wikipedia.org/wiki/Driving_under_the_influence).[[28]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-i502-30) In December 2011, the initiative received enough signatures to be sent to the state legislature. In April 2012, when the legislature adjourned without acting, the initiative advanced to the 2012 general ballot.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-historylink-8)

Early supporters of the measure included Seattle's [*The Stranger*](https://en.wikipedia.org/wiki/The_Stranger_(newspaper))[[29]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-31) and Spokane's [*The Spokesman-Review*](https://en.wikipedia.org/wiki/The_Spokesman-Review).[[30]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-32) I-502 was also endorsed by the Washington State Democratic Party,[[31]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-33) the mayor and entire city council of Seattle,[[32]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-martin2-34) and the sheriff of [King County](https://en.wikipedia.org/wiki/King_County,_Washington).[[33]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-martin3-35) National support came from the [National Organization for the Reform of Marijuana Laws](https://en.wikipedia.org/wiki/National_Organization_for_the_Reform_of_Marijuana_Laws) (NORML),[[34]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-36) the [NAACP](https://en.wikipedia.org/wiki/NAACP),[[35]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-37) [Law Enforcement Action Partnership](https://en.wikipedia.org/wiki/Law_Enforcement_Action_Partnership) (LEAP) and the [American Civil Liberties Union](https://en.wikipedia.org/wiki/American_Civil_Liberties_Union) (ACLU).[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-historylink-8)

The initiative faced little organized opposition.[[33]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-martin3-35)[[36]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-38) The most vocal opponents were medical marijuana advocates, who claimed the new DUI provisions were too strict and that recreational dispensaries would hurt the medical marijuana industry.[[37]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-39) Police groups such as the Washington Association of Sheriffs and Police Chiefs also opposed the initiative, but did little fundraising or campaigning against it.[[33]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-martin3-35)

On November 6, 2012, I-502 was approved by a vote of 55.7% to 44.3%[[38]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-secstate-40) Possession of up to 1 ounce (28 g) of marijuana by adults became legal under state law on December 6, however cultivation, sale and even gifting remained illegal.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-myers-3) Laws regarding medical marijuana remained unchanged.[[39]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-41) After I-502 went into effect, the Washington State Liquor Control board began establishing regulations for the new recreational cannabis industry, with a deadline of December 1, 2013 set by the initiative.[[40]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-42)

In August 2013, the [United States Department of Justice](https://en.wikipedia.org/wiki/United_States_Department_of_Justice) announced that it would not interfere with state-level legalization, as long as distribution and sales were strictly regulated by the state.[[41]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-43) On November 18, 2013, the state began accepting applications for marijuana businesses including growers, processors and retail outlets. The Liquor Control Board initially planned to allow 334 retail stores and 2,000,000 square feet (190,000 m2) of growing space statewide.[[42]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-44) The first recreational cannabis stores in Washington opened to the public on July 8, 2014.[[43]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-45)

The possession for cannabis extractions for recreational use is 7 grams in Washington. However, the allowed limit of any hashish for medical use is 21 grams. The concentrated form of cannabis has significantly higher amounts of THC content that can reach a purity of 99%.[[44]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-46)

**Hemp legislation**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Washington_(state)&action=edit&section=5)]

In accordance with the Federal [2014 Farm Bill](https://en.wikipedia.org/wiki/Agricultural_Act_of_2014), the state legislature passed ESSB 6206 in 2016, creating the Industrial Hemp Research Pilot (IHRP).[[45]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-WashingtonAg-47) The state's first post-Prohibition hemp crop was planted at [Moses Lake](https://en.wikipedia.org/wiki/Moses_Lake,_Washington) in 2017, and a total of 180 acres (73 ha) was planted that year.[[46]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-Jenkins2018-48)

**Nomenclature**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Washington_(state)&action=edit&section=6)]

On March 11, 2022 the [Revised Code of Washington](https://en.wikipedia.org/wiki/Revised_Code_of_Washington) was amended to replace "marijuana" with "cannabis" via House Bill 1210.[[47]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-49)[[48]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-50)

**Production and distribution**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Washington_(state)&action=edit&section=7)]

**Black market**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Washington_(state)&action=edit&section=8)]

Even before the establishment of state-licensed growers and retail stores, cannabis was easily obtainable. Much of the state's supply was grown locally or imported from the neighboring [Canadian](https://en.wikipedia.org/wiki/Canada) province of [British Columbia](https://en.wikipedia.org/wiki/British_Columbia) or from [Mexico](https://en.wikipedia.org/wiki/Mexico).[[49]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-DEA-51) According to the [Drug Enforcement Administration](https://en.wikipedia.org/wiki/Drug_Enforcement_Administration), the state was among the top five producers of indoor-grown cannabis in 1996, the last year the agency published estimated crop sizes by state. About 80% of the cannabis seized in the Seattle area was grown indoors. In 1998, NORML published a report claiming cannabis was Washington's fifth most valuable [cash crop](https://en.wikipedia.org/wiki/Cash_crop).[[50]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-52)

After the increase in security at the [United States–Mexico border](https://en.wikipedia.org/wiki/Mexico%E2%80%93United_States_border), due in part to the [September 11 attacks](https://en.wikipedia.org/wiki/September_11_attacks) of 2001, Mexican cartels increasingly began to grow cannabis within the United States rather than export it from Mexico.[[51]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-Camden2009-53) The cartels utilized the favorable climate of [Eastern Washington](https://en.wikipedia.org/wiki/Eastern_Washington) to establish large scale outdoor-growing operations in remote areas of national parks and tribal reservations.[[49]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-DEA-51) In 2010, around 82,000 cannabis plants were seized on tribal lands in the state, accounting for almost a quarter of all plants seized by law enforcement that year.[[52]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-Harris-54) These clandestine growers cause significant damage to the environment by [diverting](https://en.wikipedia.org/wiki/Diversion_dam) streams, clearing trees, using [pesticides](https://en.wikipedia.org/wiki/Pesticide), [poaching](https://en.wikipedia.org/wiki/Poaching) animals and leaving behind [litter](https://en.wikipedia.org/wiki/Litter) and [human waste](https://en.wikipedia.org/wiki/Human_waste).[[51]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-Camden2009-53)[[52]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-Harris-54)

Although the state began regulating the cannabis industry in 2014, unlicensed production continued.[[53]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-55) In 2017, a drug bust organized by multiple counties seized over 33,000 cannabis plants which were suspected to be part of an illegal growing operation run by [Chinese](https://en.wikipedia.org/wiki/China) nationals.[[54]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-56)

**State-licensed businesses**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Washington_(state)&action=edit&section=9)]

Washington's legal cannabis industry is regulated by the state's [Liquor and Cannabis Board](https://en.wikipedia.org/wiki/Washington_State_Liquor_and_Cannabis_Board) (formerly known as the Washington State Liquor Control Board). The state offers separate [business licenses](https://en.wikipedia.org/wiki/Business_license) to cannabis growers, processors and retailers.[[55]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-USAToday-57) Grower and processor licenses can be held simultaneously, but retailers cannot obtain either grower or processor licenses.[[56]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-CCSA-58): 8 Growers may only legally sell cannabis to licensed processors or retailers—not directly to consumers.[[55]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-USAToday-57) Unlike other states that have legalized recreational cannabis, Washington does not allow unlicensed [cultivation](https://en.wikipedia.org/wiki/Cannabis_cultivation) for personal use.[[57]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-59)

In May 2014, the Liquor and Cannabis Board held a lottery to award licenses to qualified applicants.[[56]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-CCSA-58): 4 Retail sales began in July 2014. As retailers only had two months to establish storefronts and acquire inventory, stores experienced supply issues during the summer of 2014.[[55]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-USAToday-57)[[56]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-CCSA-58): 4 This caused limited availability and inflated prices for consumers.[[56]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-CCSA-58): 10 During the first several months of legal sales, prices exceeded [US$](https://en.wikipedia.org/wiki/United_States_dollar)20 per gram.[[58]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-OFM-60): 28 Due in part to a strong harvest of outdoor-grown cannabis in the fall of 2014, supply levels increased and the state's licensed marijuana industry had stabilized by early 2015.[[59]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-61)[[60]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-62) By August 2015, the average price had fallen to a low of $8 per gram.[[58]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-OFM-60): 28

**Sales and taxation**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Washington_(state)&action=edit&section=10)]

During the first 11 months of licensed retail sales, total sales amounted to US$260 million.[[56]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-CCSA-58): 8 Sales increased to $486 million in 2015, and $1.1 billion in 2016;[[61]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-63) sales/excise tax revenue has risen in tandem, increasing from $65 million in 2015FY to $315 million in 2017FY.[[62]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-64)

Retail sales are taxed at 37%, which accounts for the majority of the state's marijuana tax revenue.[[63]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-65) The allocation of tax revenue was dictated by Initiative 502. The majority of the money goes towards public health programs such as [Medicaid](https://en.wikipedia.org/wiki/Medicaid), [community health centers](https://en.wikipedia.org/wiki/Community_health_center) and [substance abuse prevention](https://en.wikipedia.org/wiki/Substance_abuse_prevention) efforts. The remaining funds go towards the Liquor and Cannabis Board, local governments, and the state general fund.[[64]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-66)

**Culture**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Washington_(state)&action=edit&section=11)]

**Usage**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Washington_(state)&action=edit&section=12)]

According to the [Substance Abuse and Mental Health Services Administration](https://en.wikipedia.org/wiki/Substance_Abuse_and_Mental_Health_Services_Administration), as of 2015–2016, 19.5% of Washington adults aged 18 or older have used cannabis within the past year, relative to the national average, which was estimated at 13.9% by the same survey.[[65]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-67)

A 2016 survey by the [Washington State Department of Health](https://en.wikipedia.org/wiki/Washington_State_Department_of_Health) found that adolescent usage in the state has remained stable over the past decade despite the introduction of retail stores in 2014.[[66]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-68) According to [Monitoring the Future](https://en.wikipedia.org/wiki/Monitoring_the_Future), between 2010–2012 and 2014–2016, marijuana usage by eighth and 10th graders increased by 2.0% and 4.1% respectively.[[67]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-69) Both surveys found that the perceived harm associated with use has declined among adolescents since legalization.

**Events**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Washington_(state)&action=edit&section=13)]



[Seattle Hempfest](https://en.wikipedia.org/wiki/Seattle_Hempfest), 2007

Since 1991, Washington has hosted the annual [Seattle Hempfest](https://en.wikipedia.org/wiki/Seattle_Hempfest), a protest festival which advocates the reform of cannabis laws. The event is held in [Seattle](https://en.wikipedia.org/wiki/Seattle) city parks and features speakers (including politicians and activists) as well as live music. Attendance has grown from around 500 people in its first year to 200,000 at the 2003 festival.[[68]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-70) Following the passage of I-502, the event still draws over 100,000 attendees annually.[[69]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-71) [Olympia](https://en.wikipedia.org/wiki/Olympia,_Washington) has also hosted a similar event beginning in 2004, the [Olympia Hempfest](https://en.wikipedia.org/wiki/Olympia_Hempfest).

The Cannabis Farmers Market in [Seattle](https://en.wikipedia.org/wiki/Seattle) was founded in 2010, the first-ever legal [medical cannabis](https://en.wikipedia.org/wiki/Medical_cannabis) [farmers' market](https://en.wikipedia.org/wiki/Farmers%27_market) in the world,[[70]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-HTMM112-72)[[71]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-73) and the largest and most attended market of its kind.[[72]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-74)[[73]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-75)[[74]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-76) The market was featured on the cover of [*High Times*](https://en.wikipedia.org/wiki/High_Times) [*Medical Marijuana*](https://en.wikipedia.org/wiki/Medical_Marijuana_News_%26_Reviews) magazine,[[70]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-HTMM112-72) and [G4 TV](https://en.wikipedia.org/wiki/G4_(U.S._TV_channel))'s [*Attack of the Show!*](https://en.wikipedia.org/wiki/Attack_of_the_Show!)[[75]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-77)

The market originally opened in Tacoma but moved to Seattle in 2013.[[76]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-78)[[77]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-79)

The monthly enclosed market features medical cannabis and is free and open to all [legal medical marijuana patients](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States). The Cannabis Farmers Market has inspired others in [Olympia](https://en.wikipedia.org/wiki/Olympia,_Washington) and [Seattle](https://en.wikipedia.org/wiki/Seattle,_Washington), Washington,[[78]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-80)[[79]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-81) and several other states.[[80]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-82) A similar event scheduled in [Vancouver, Washington](https://en.wikipedia.org/wiki/Vancouver,_Washington) was cancelled in November 2012 at the request of local police.

**Washington State Supreme Court legalized simple drug possession**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Washington_(state)&action=edit&section=14)]

In February 2021, the [Washington State Supreme Court](https://en.wikipedia.org/wiki/Washington_State_Supreme_Court) made a ruling that legalized simple drug possession, or mere possession without intent.[[81]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-83)

**State interstate commerce laws of 2023**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Washington_(state)&action=edit&section=15)]

In May 2023, the Governor of Washington State signed into law a bill that passed the state legislature - to explicitly allow the state to fully implement "interstate commerce" of cannabis and/or other related purposes on marijuana. The new legislation goes into legal effect after 90 days. Both [California](https://en.wikipedia.org/wiki/California) and [Oregon](https://en.wikipedia.org/wiki/Oregon) have adopted and implemented similar interstate commerce laws on cannabis or marijuana.[[82]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-84)

**Job protection laws**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Washington_(state)&action=edit&section=16)]

In May 2023, the Governor signed a bill into law after passing the Legislature - effective immediately, that "legally protects" home or in private usage/consumption cannabis users (outside of workplace hours for example) from getting fired, denied promotions and/or being discriminated against within Washington State. Along side with embedded protections with "race, disability, hairstyles, religion, sex, gender identity and sexual orientation, etc".[[83]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-85)

**Notes**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Washington_(state)&action=edit&section=17)]

* [**^**](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_ref-1) This article uses the terms "cannabis" and "marijuana" interchangeably. No distinction is intended.
* [**^**](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_ref-6) Both Washington and [Colorado](https://en.wikipedia.org/wiki/Cannabis_in_Colorado) voted to legalize recreational cannabis on November 6, 2012, but the new laws took effect on December 6 in Washington and December 10 in Colorado.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-2)[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-myers-3)[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-bbc-4) However, adult-use retail sales of cannabis did not start in Washington until July 2014, while Colorado adult-use retail sales started effective January 1, 2014, making Colorado the first state to allow retail sales.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_note-5)

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* [Jump up to:](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_ref-myers_3-0)
* [***a***](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_ref-myers_3-0) [***b***](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_ref-myers_3-1) Myers, Laura L. (December 5, 2012). ["Marijuana goes legal in Washington state amid mixed messages"](https://www.reuters.com/article/us-usa-marijuana-washington/marijuana-goes-legal-in-washington-state-amid-mixed-messages-idUSBRE8B506L20121206). *Reuters*. Retrieved December 3, 2017.
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* [***a***](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_ref-spokesman_7-0) [***b***](https://en.wikipedia.org/wiki/Cannabis_in_Washington_(state)#cite_ref-spokesman_7-1) Camden, Jim (April 20, 2017). ["Marijuana making its way around circle from legal to illegal to legal"](http://www.spokesman.com/stories/2017/apr/20/marijuana-making-its-way-around-circle-from-legal-/). *The Spokesman-Review*. Retrieved November 20, 2017.
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* [Washington State Liquor and Cannabis Board](https://lcb.wa.gov/), Official website
* [Marijuana Regulation in Washington State](http://mrsc.org/Home/Explore-Topics/Legal/Regulation/Marijuana-Regulation-in-Washington-State.aspx), [Municipal Research and Services Center](https://en.wikipedia.org/wiki/Municipal_Research_and_Services_Center)
* [Washington I-502 Marijuana Sales Data](https://502data.com/)
* ["Marijuana Legalization in Washington"](http://www.historylink.org/File/10268), [HistoryLink](https://en.wikipedia.org/wiki/HistoryLink) essay by John Caldbick

# Cannabis in West Virginia

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Governor Jim Justice signs the Medical Cannabis Act on April 19, 2017.

**Cannabis in West Virginia** is illegal for [recreational use](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States), but partially decriminalized in the city of [Morgantown](https://en.wikipedia.org/wiki/Morgantown,_West_Virginia).[[1]](https://en.wikipedia.org/wiki/Cannabis_in_West_Virginia#cite_note-1) Possession of small amounts is a [misdemeanor](https://en.wikipedia.org/wiki/Misdemeanor) crime.[[2]](https://en.wikipedia.org/wiki/Cannabis_in_West_Virginia#cite_note-2) [Medical use](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) was legalized in 2017 through legislation signed by Governor [Jim Justice](https://en.wikipedia.org/wiki/Jim_Justice).

**Medical cannabis**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_West_Virginia&action=edit&section=1)]

[Medical cannabis](https://en.wikipedia.org/wiki/Medical_cannabis) bills were introduced in [West Virginia](https://en.wikipedia.org/wiki/West_Virginia) in each year between 2010 and 2015,[[3]](https://en.wikipedia.org/wiki/Cannabis_in_West_Virginia#cite_note-3) when Senate Bill 546 and House Bill 2909 sought to legalize [cannabis](https://en.wikipedia.org/wiki/Cannabis_(drug)) for medical use, but failed to advance prior to the end of the legislative session on March 14.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_West_Virginia#cite_note-4)

In 2017, Senate Bill 386 was passed, legalizing medical cannabis for specific chronic medical conditions. Governor Justice signed it into law on April 19, 2017, and it went into effect in July 2018.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_West_Virginia#cite_note-5)[[6]](https://en.wikipedia.org/wiki/Cannabis_in_West_Virginia#cite_note-6) However, dhhr.wv.gov states it wasn't until July 1, 2019, that effects of the law would allow the state to "issue the patient and caregiver identification cards necessary to obtain medical cannabis."

**References**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_West_Virginia&action=edit&section=2)]

* [**^**](https://en.wikipedia.org/wiki/Cannabis_in_West_Virginia#cite_ref-1) [West Virginia Local Decriminalization](https://norml.org/laws/local-decriminalization/west-virginia-local-decriminalization-2/)
* [**^**](https://en.wikipedia.org/wiki/Cannabis_in_West_Virginia#cite_ref-2) [West Virginia Laws & Penalties](http://norml.org/laws/item/west-virginia-penalties-2)
* [**^**](https://en.wikipedia.org/wiki/Cannabis_in_West_Virginia#cite_ref-3) ["Parkersburg officials not interested in marijuana decriminalization"](http://www.newsandsentinel.com/page/content.detail/id/613473/Parkersburg-officials-not-interested-in-marijuana-decriminalization.html?nav=5061). *Parkersburg News and Sentinel*. August 15, 2015. Retrieved August 27, 2015.
* [**^**](https://en.wikipedia.org/wiki/Cannabis_in_West_Virginia#cite_ref-4) Madalyn LaMastro; Nick Villano; Steven Laks; Samantha Valentine (April 29, 2015). ["Despite new highs, medical Marijuana doesn't pass in West Virginia — this year"](http://www.theet.com/prestoncountyjournal/lifestyles/despite-new-highs-medical-marijuana-doesn-t-pass-in-west/article_9fedf14e-f8af-5f18-9ee2-0dbf2be6c3cd.html). *The Exponent Telegram*. Retrieved August 27, 2015.
* [**^**](https://en.wikipedia.org/wiki/Cannabis_in_West_Virginia#cite_ref-5) ["Senate passes medical marijuana bill"](http://wvmetronews.com/2017/03/29/senate-passes-medical-marijuana-bill/). West Virginia MetroNews Network. Retrieved March 31, 2017.
* [**^**](https://en.wikipedia.org/wiki/Cannabis_in_West_Virginia#cite_ref-6) ["WV governor signs medical marijuana into law"](http://www.wvgazettemail.com/news-politics/20170419/wv-governor-signs-medical-marijuana-into-law). *Charleston Gazette-Mail*. Retrieved April 20, 2017.

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# Cannabis in Wisconsin

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**Cannabis in Wisconsin** is illegal for [recreational use](https://en.wikipedia.org/wiki/Legalization_of_non-medical_cannabis_in_the_United_States). Possession of any amount is punishable by up to 6 months in prison and a $1000 fine for a first offense. A second offense is punished as a felony with up to 3.5 years in prison and up to a $10,000 fine. At the local level, however, numerous municipalities and counties have decriminalized cannabis or lessened penalties for minor possession offenses. [Medical use](https://en.wikipedia.org/wiki/Medical_cannabis_in_the_United_States) is legal only in the form of low-[THC](https://en.wikipedia.org/wiki/Tetrahydrocannabinol) cannabis oil ([CBD](https://en.wikipedia.org/wiki/Cannabidiol) oil).

Wisconsin was the nation's leading [hemp](https://en.wikipedia.org/wiki/Hemp) producer during the 1940s and home to the nation's last hemp-producing company ([Rens Hemp Company](https://en.wikipedia.org/wiki/Rens_Hemp_Company)) prior to federal prohibition. A 2017 law reauthorized hemp cultivation in the state.

**Industrial hemp**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Wisconsin&action=edit&section=1)]

Industrial [hemp](https://en.wikipedia.org/wiki/Hemp) was grown experimentally in Wisconsin as early as 1908 on state farms under the direction of the Wisconsin Agricultural Experiment Station.[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-Engineering1908-1)[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-Agriculture1910-2) By 1917 there were 7,000 acres dedicated to hemp farming in the state, and by the 1940s Wisconsin led the nation in industrial hemp production.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-3)

The [Rens Hemp Company](https://en.wikipedia.org/wiki/Rens_Hemp_Company) of [Brandon, Wisconsin](https://en.wikipedia.org/wiki/Brandon,_Wisconsin), closed in 1958, was the last legal hemp producer in the U.S. following World War II.[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-4) Prior to its 1958 shutdown, Rens had been the primary provider of [hemp rope](https://en.wikipedia.org/wiki/Hemp_rope) for the United States Navy.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-Roulac1997-5)

In November 2017, Governor [Scott Walker](https://en.wikipedia.org/wiki/Scott_Walker_(politician)) signed a law legalizing the cultivation of industrial hemp (containing under 0.3% THC), following unanimous passage of the bill in the Wisconsin legislature.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-6)[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-7)

**Prohibition**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Wisconsin&action=edit&section=2)]

The 1939 legislation "161.275 Possession and use of marijuana; penalty" stated that the penalty for "growing, cultivating, mixing, compounding, having control of, preparing, possessing, using, prescribing, selling, administering or dispensing marijuana or hemp" would be no less than one year and no more than two years in the state prison.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-Wisconsin1939-8) Currently, possession of any amount (first offense) is a misdemeanor, punishable by up to 6 months in prison and a $1,000 fine. Possession of any amount for a subsequent offense is a felony, punishable by up to 3.5 years in prison and a $10,000 fine, which is also the penalty for selling 200 grams (7 oz) or less.[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-9)

State law allows possession of less than 25 grams (9/10 oz) to be prosecuted as an ordinance violation at the municipal and county level, permitting those entities to issue a penalty of monetary forfeiture (fines) with no jail time if the amount specified by the ordinance is received.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-10)[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-11) In practice, numerous counties and municipalities have such ordinances.

**Reforms**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Wisconsin&action=edit&section=3)]

**State level**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Wisconsin&action=edit&section=4)]

**CBD oil legalization (2014, 2017)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Wisconsin&action=edit&section=5)]

In April 2014, Wisconsin Act 267 (2013 Assembly Bill 726) was enacted. The legislation nominally legalized the use of [cannabidiol](https://en.wikipedia.org/wiki/Cannabidiol) (CBD) in the state for treatment of [seizure disorders](https://en.wikipedia.org/wiki/Seizure_disorder). It was passed by a [voice vote](https://en.wikipedia.org/wiki/Voice_vote) in the Assembly and a unanimous 33–0 vote in the Senate. It was renamed "Lydia's Law" by an act a month later in honor of a seven-year-old girl who suffered from a rare form of epilepsy; the girl's parents had pushed for CBD legislation in the state.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-12) The bill was criticized as being largely symbolic, as in order to gain support for passage in the Senate, its sponsors added a clause specifying that CBD oil must have FDA approval to be prescribed; prior to that clause the bill had support in the Assembly but was stalled in the Senate. Because CBD did not yet have FDA approval, and because a complex series of steps were required to allow trial usage, Wisconsin doctors were not allowed to prescribe CBD.[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-13) As a result, CBD advocates stated that they could not find a doctor in Wisconsin willing to prescribe CBD. In mid-2015, state Sen. [Van Wanggaard](https://en.wikipedia.org/wiki/Van_H._Wanggaard) proposed an amendment to remove penalties for possession of CBD oil, negating prescription requirements, but the amendment still would not provide a legal way to create or obtain CBD oil.[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-14)

In 2017, Governor Scott Walker signed into law a bill that amended Lydia's Law to legalize access to CBD oil for people whose doctors certify that the oil is used to treat a medical condition. Prior to that, access to CBD oil had been limited in Wisconsin. With the exception of one state senator, every other legislator in the Senate and Assembly voted for the bill.[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-15)[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-16)[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-17)[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-18)[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-19)

**Other reforms proposed**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Wisconsin&action=edit&section=6)]

In 2013 and 2015 state Representative [Melissa Sargent](https://en.wikipedia.org/wiki/Melissa_Sargent) (D-Madison) introduced bills to fully legalize cannabis in the state, with no success.[[20]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-20)[[21]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-21) In 2017 another such bill was introduced.[[22]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-22)

In February 2019, newly-elected governor [Tony Evers](https://en.wikipedia.org/wiki/Tony_Evers) announced that his upcoming budget would include a proposal to legalize the use of cannabis for medical purposes, decriminalize for any use possession of up to 25 grams (9/10 oz), and establish an expungement procedure for convictions involving less than 25 grams (9/10 oz).[[23]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-23)[[24]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-24) Evers has also previously spoken in support of legalizing the recreational use of cannabis,[[25]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-25) though this was not included in the proposal. Evers has since added legalization of cannabis into every one of his budgets.

**Lower-level jurisdictions**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Wisconsin&action=edit&section=7)]

**Madison decriminalization (1977)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Wisconsin&action=edit&section=8)]

In April 1977, [Madison](https://en.wikipedia.org/wiki/Madison,_Wisconsin) voters approved a ballot measure to allow the possession of up to 112 grams (4 oz) of cannabis in a private area. For possession in public, offenders would be subject to a $109 fine unless used under the care of a doctor. The law was one of the earliest municipal decriminalization ordinances passed in the nation.[[26]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-26)

**Milwaukee (1997)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Wisconsin&action=edit&section=9)]

In May 1997, [Milwaukee](https://en.wikipedia.org/wiki/Milwaukee) Mayor John Norquist signed a bill to make the first-time possession of up to 25 grams (9/10 oz) of cannabis a non-criminal offense, punishable by a fine ranging from $250 to $500 or imprisonment of up to 20 days.[[27]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-NORML-27) The legislation also allowed offenders the option to perform community service or take drug education classes.[[27]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-NORML-27) In 2015 the penalty for possession of up to 25 grams (9/10 oz) was further reduced to a $50 fine.[[28]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-28)[[29]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-29)

**Dane County (2014)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Wisconsin&action=edit&section=10)]

On April 1, 2014, residents of [Dane County](https://en.wikipedia.org/wiki/Dane_County,_Wisconsin) voted on a non-binding referendum to indicate whether or not state lawmakers should pass legislation to allow the recreational use of cannabis. The measure passed with 64.5% of the vote.[[30]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-30)[[31]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-31)

**Menominee Indian Reservation (2015)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Wisconsin&action=edit&section=11)]

*Main article:* [*Cannabis on American Indian reservations*](https://en.wikipedia.org/wiki/Cannabis_on_American_Indian_reservations)

In August 2015, members of the [Menominee Indian Reservation](https://en.wikipedia.org/wiki/Menominee_Indian_Reservation) ([conterminous](https://en.wikipedia.org/wiki/Coterminous_municipality) with [Menominee County](https://en.wikipedia.org/wiki/Menominee_County,_Wisconsin)) voted 677 to 499 to legalize cannabis for recreational use and 899 to 275 to legalize cannabis for medical use.[[32]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-32)[[33]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-33) The Menonimee are uniquely positioned in the state, as the only Indian reservation that falls solely under the jurisdiction of federal law (rather than under Wisconsin [Public Law 280](https://en.wikipedia.org/wiki/Public_Law_280) like all other reservations in the state), meaning that the state of Wisconsin cannot prevent legal changes within the sovereign reservation.[[34]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-34)

**2018 advisory referenda**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Wisconsin&action=edit&section=12)]

In November 2018, voters in eleven Wisconsin counties approved non-binding referendums expressing support for legalizing medical cannabis, and voters in six counties approved non-binding referendums expressing support for legalizing recreational cannabis.[[35]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-35)[[36]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-36) The support for medical cannabis ranged from 67.1% in [Clark County](https://en.wikipedia.org/wiki/Clark_County,_Wisconsin) to 88.5% in [Kenosha County](https://en.wikipedia.org/wiki/Kenosha_County,_Wisconsin), while support for recreational cannabis ranged from 60.2% in [Racine county](https://en.wikipedia.org/wiki/Racine_County,_Wisconsin) to 76.4% in [Dane County](https://en.wikipedia.org/wiki/Dane_County,_Wisconsin).[[37]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-madison-37) The 16 counties that weighed in accounted for over half the state's population.[[37]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-madison-37)

**Eau Claire (2018)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Wisconsin&action=edit&section=13)]

In November 2018, [Eau Claire](https://en.wikipedia.org/wiki/Eau_Claire,_Wisconsin) city council members approved a resolution setting a $1 fine for first-time possession of up to 25 grams (9/10 oz) of cannabis (though with court costs included the total comes to $138).[[38]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-38) The resolution came a few weeks after voters in [Eau Claire County](https://en.wikipedia.org/wiki/Eau_Claire_County,_Wisconsin) approved a non-binding referendum expressing support for legalizing the recreational use of cannabis.[[39]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-39)

**Madison legalization (2020)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Wisconsin&action=edit&section=14)]

In November 2020, [Madison Common Council](https://en.wikipedia.org/wiki/Madison_Common_Council) approved legislation to allow individuals 18 and older to possess up to 28 grams (1 oz) of cannabis and consume it in public and private places.[[40]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-40) Use within 1000 feet of a school, where tobacco smoking is prohibited, or without the consent of the property owner remain illegal under the law (reduced to a $1 fine).[[41]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-41)[[42]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-42) The ordinance passed with only one opposing vote.[[43]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-43)

**Milwaukee County (2021)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Wisconsin&action=edit&section=15)]

In March 2021, the [Milwaukee County](https://en.wikipedia.org/wiki/Milwaukee_County,_Wisconsin) Board of Supervisors voted 16–1 to reduce the penalty for possession of up to 25 grams (9/10 oz) of cannabis to $1 (not including court costs). Previously the fine was $275.[[44]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-44)[[45]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-45)

**Oshkosh (2021)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Wisconsin&action=edit&section=16)]

In September 2021, the [Oshkosh](https://en.wikipedia.org/wiki/Oshkosh,_Wisconsin) City Council voted 6-1 to lower the municipal fine for first offense possession of cannabis from $200 to $75.[[46]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-46)

**Green Bay (2022)**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Wisconsin&action=edit&section=17)]

In March 2022, [Green Bay](https://en.wikipedia.org/wiki/Green_Bay,_Wisconsin) City Council voted unanimously to eliminate the fine for possessing up to 28 grams (1 oz) of cannabis so that only court costs would apply ($61). The fine for possession of paraphernalia was also similarly eliminated.[[47]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-47)[[48]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-48)

**2022 advisory referendums**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Wisconsin&action=edit&section=18)]

In November 2022, voters in three counties and five municipalities approved non-binding referendums expressing support for the legalization of recreational cannabis.[[49]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-49) The measures were approved in the counties of [Dane](https://en.wikipedia.org/wiki/Dane_County,_Wisconsin), [Eau Claire](https://en.wikipedia.org/wiki/Eau_Claire_County,_Wisconsin), and [Milwaukee](https://en.wikipedia.org/wiki/Milwaukee_County,_Wisconsin), and the municipalities of [Appleton](https://en.wikipedia.org/wiki/Appleton,_Wisconsin), [Kenosha](https://en.wikipedia.org/wiki/Kenosha,_Wisconsin), [Racine](https://en.wikipedia.org/wiki/Racine,_Wisconsin), [Stevens Point](https://en.wikipedia.org/wiki/Stevens_Point,_Wisconsin), and [Superior](https://en.wikipedia.org/wiki/Superior,_Wisconsin).[[50]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-50) Support ranged from 69% in Eau Claire County to 82% in Dane County.[[51]](https://en.wikipedia.org/wiki/Cannabis_in_Wisconsin#cite_note-51)

**See also**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Wisconsin&action=edit&section=19)]

* [Legality of cannabis by U.S. jurisdiction](https://en.wikipedia.org/wiki/Legality_of_cannabis_by_U.S._jurisdiction)
* [Wisconsin NORML](https://en.wikipedia.org/wiki/Wisconsin_NORML)

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# Cannabis in Wyoming

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* Light
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| show  **Variants** |
| show  **Related** |
| * [**Cannabis portal**](https://en.wikipedia.org/wiki/Portal:Cannabis) * [Medicine portal](https://en.wikipedia.org/wiki/Portal:Medicine) * [Agriculture portal](https://en.wikipedia.org/wiki/Portal:Agriculture) |
| * [v](https://en.wikipedia.org/wiki/Template:Cannabis_sidebar) * [t](https://en.wikipedia.org/wiki/Template_talk:Cannabis_sidebar) * [e](https://en.wikipedia.org/wiki/Special:EditPage/Template:Cannabis_sidebar) |

Cannabis is strictly illegal in [Wyoming](https://en.wikipedia.org/wiki/Wyoming). The state has some of the strictest [cannabis laws in the United States](https://en.wikipedia.org/wiki/Legality_of_cannabis_by_U.S._jurisdiction).[[1]](https://en.wikipedia.org/wiki/Cannabis_in_Wyoming#cite_note-1)[[2]](https://en.wikipedia.org/wiki/Cannabis_in_Wyoming#cite_note-2) Cannabis itself is not allowed for medical purposes, but a 2015 law allows limited use of non-psychoactive [Cannabidiol](https://en.wikipedia.org/wiki/Cannabidiol). An effort was made to place two [initiatives](https://en.wikipedia.org/wiki/Initiatives_and_referendums_in_the_United_States) on the [2022 ballot](https://en.wikipedia.org/wiki/2022_Wyoming_elections), one to legalize medical cannabis, and the other to decriminalize personal use.

Possession of under three ounces (85 g) of cannabis is a misdemeanor that can be punished with up to a year in jail and a $1000 fine; possession of over three ounces is a felony.[[3]](https://en.wikipedia.org/wiki/Cannabis_in_Wyoming#cite_note-3)

**Prohibition**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Wyoming&action=edit&section=1)]

Wyoming passed laws banning cannabis in the early 20th century, though sources differ as to the exact date: 1913[[4]](https://en.wikipedia.org/wiki/Cannabis_in_Wyoming#cite_note-Boslaugh2015-4) or 1929.[[5]](https://en.wikipedia.org/wiki/Cannabis_in_Wyoming#cite_note-Davenport-Hines2012-5)

**Medical use**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Wyoming&action=edit&section=2)]

In July 2015, a law took effect allowing the use of cannabidiol to treat [seizures](https://en.wikipedia.org/wiki/Seizure). The law is narrow and does not provide for in-state access.[[6]](https://en.wikipedia.org/wiki/Cannabis_in_Wyoming#cite_note-6)

**Attempts to change legality**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Wyoming&action=edit&section=3)]

In 2015, the Wyoming chapter of the [National Organization for the Reform of Marijuana Laws](https://en.wikipedia.org/wiki/National_Organization_for_the_Reform_of_Marijuana_Laws) (NORML) gathered signatures to place legal medical marijuana on the [2016 election](https://en.wikipedia.org/wiki/United_States_elections,_2016) ballot as a [ballot initiative](https://en.wikipedia.org/wiki/Ballot_initiative). Wyoming has some of the most stringent ballot initiative requirements in the country, due to which the state has not seen a public initiative reach the ballot since 1991.[[7]](https://en.wikipedia.org/wiki/Cannabis_in_Wyoming#cite_note-7)

In 2016, legislation in the [Wyoming House of Representatives](https://en.wikipedia.org/wiki/Wyoming_House_of_Representatives) to decriminalize possession of one ounce (28 g) or less of marijuana (sponsored by State Representative James Byrd of [Cheyenne](https://en.wikipedia.org/wiki/Cheyenne,_Wyoming)) failed for the third year in a row.[[8]](https://en.wikipedia.org/wiki/Cannabis_in_Wyoming#cite_note-8)[[9]](https://en.wikipedia.org/wiki/Cannabis_in_Wyoming#cite_note-9)

In 2017, supporters sought 25,000 signatures to put the *Peggy A. Kelley Wyoming Cannabis Act of 2016* on the 2018 ballot as a public initiative, but failed to gather the required signatures by the February 14 deadline.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Wyoming#cite_note-wyomingpublicmedia1-10)

In 2021, a bill was filed by lawmakers that would legalize cannabis both for recreational and medical use. The bill however later died in the Wyoming House of Representatives after it was missing a deadline.[[11]](https://en.wikipedia.org/wiki/Cannabis_in_Wyoming#cite_note-11)

**2022 initiatives**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Wyoming&action=edit&section=4)]

On June 11, 2021, two [ballot initiatives](https://en.wikipedia.org/wiki/Initiatives_and_referendums_in_the_United_States) were introduced by the [Libertarian Party of Wyoming](https://en.wikipedia.org/wiki/Libertarian_Party_of_Wyoming), one to legalize cannabis for medical use, and another to decriminalize personal use.[[12]](https://en.wikipedia.org/wiki/Cannabis_in_Wyoming#cite_note-12) On August 11, after the certification of an initial 100 signatures, the [secretary of state of Wyoming](https://en.wikipedia.org/wiki/Secretary_of_state_of_Wyoming) approved the start of general signature-gathering for the initiatives. 41,776 signatures will be required to place each initiative on the [2022 general election](https://en.wikipedia.org/wiki/2022_Wyoming_elections) ballot.[[13]](https://en.wikipedia.org/wiki/Cannabis_in_Wyoming#cite_note-13) Libertarian [State Representative](https://en.wikipedia.org/wiki/Wyoming_House_of_Representatives) [Marshall Burt](https://en.wikipedia.org/wiki/Marshall_Burt), who co-sponsored the failed effort to legalize cannabis through an act of the legislature, is supporting the initiatives. Speaking alongside patient advocates and [Libertarian National Committee](https://en.wikipedia.org/wiki/Libertarian_National_Committee) Chair [Joe Bishop-Henchman](https://en.wikipedia.org/wiki/Joe_Bishop-Henchman) on the steps of the [Wyoming Capitol](https://en.wikipedia.org/wiki/Wyoming_Capitol) prior to delivering the initiatives to the secretary of state, he said "the Legislature knows that this is coming", and expressed confidence that organizers would be able to collect enough signatures to place the initiatives on the ballot. If the efforts are successful, these would be the first initiatives to appear on a Wyoming ballot in three decades.[[14]](https://en.wikipedia.org/wiki/Cannabis_in_Wyoming#cite_note-14)[[15]](https://en.wikipedia.org/wiki/Cannabis_in_Wyoming#cite_note-15)

**2023 and 2024 ballot**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Wyoming&action=edit&section=5)]

In 2023, two major efforts failed. First, it was announced that enough signatures had been collected for the 2024 ballot, but did not qualify based on geographical location.[[16]](https://en.wikipedia.org/wiki/Cannabis_in_Wyoming#cite_note-16) Second, in Cheyenne, there was an effort to decriminalize but it also failed.[[17]](https://en.wikipedia.org/wiki/Cannabis_in_Wyoming#cite_note-17)

On September 19, 2023 a Joint Judiciary meeting was held and the topic of lessening penalties for cannabis was mentioned. [Rachel Rodriguez-Williams](https://en.wikipedia.org/wiki/Rachel_Rodriguez-Williams) cited the high potency of modern THC and regarding current Wyoming cannabis laws stated “I think this is pretty lenient compared to other states throughout the nation.“[[18]](https://en.wikipedia.org/wiki/Cannabis_in_Wyoming#cite_note-18)

**Polling**[[edit source](https://en.wikipedia.org/w/index.php?title=Cannabis_in_Wyoming&action=edit&section=6)]

An October 2014 poll of Wyoming residents conducted by the [University of Wyoming](https://en.wikipedia.org/wiki/University_of_Wyoming) found that 35% supported legalizing the use of marijuana by adults, while 60% opposed such a measure.[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Wyoming#cite_note-UWStudy-19) However, a large majority favored allowing adults to use marijuana if prescribed by a physician (72% support, 25% oppose).[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Wyoming#cite_note-UWStudy-19) Compared to a previous survey in 2000, the 2014 results showed a modest increase in support for legalized personal marijuana use and no change in support of medical marijuana use.[[19]](https://en.wikipedia.org/wiki/Cannabis_in_Wyoming#cite_note-UWStudy-19) A 2016 study by the University of Wyoming showed that 81 percent of Wyoming residents supported legalizing prescribed medical cannabis.[[10]](https://en.wikipedia.org/wiki/Cannabis_in_Wyoming#cite_note-wyomingpublicmedia1-10)

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