



Differences Between PA's Legalization Bills

Pennsylvania lawmakers have proposed several bills to legalize, regulate, and tax cannabis for adults 21 and older. Reps. Rick Krajewski (D) and Dan Frankel's (D) state-run stores bill, HB 1200, passed the House in a party-line vote on May 7, 2025, and was killed in the Senate Law and Justice Committee five days later. In July 2025, Senate Law and Justice Committee Chairman Dan Laughlin (R) and Sen. Sharif Street (D) introduced a bipartisan cannabis legalization bill, SB 120, and Rep. Amen Brown (D) introduced companion bill HB 1735. Shortly after, Reps. Emily Kinkead (D) and Abby Major (R) introduced their bipartisan legalization bill, HB 20. All of the bills include expungement and release, but they also have several differences.

Here are some ways the bills differ:

Topic	SB 120 & HB 1735 Laughlin/Street & Brown	HB 20 Kinkead/Major	HB 1200 Krajewski/Frankel
Privately Run or State-Run Stores?	Privately run, state-regulated	Privately run, state-regulated	State-run (Federal preemption and other issues may make this non-viable)
Legal Possession Date	180 days after passage	90 days after passage	It appears 90 days after the Liquor Control Board announces its intent to start sales
Possession Limit	30 grams (just over one ounce) of flower, five grams of concentrate, 1,000 mg THC in infused products	2.5 ounces of flower, 15 grams of concentrate, 1,000 mg of THC in infused products	42.524 grams of flower (just under 1.5 ounces), five grams of concentrate, 500 mg of THC in infused products
Home Grow	Only for registered patients. Patients who are 21+ may discreetly and securely grow up to two mature and one immature plant.	Only for registered patients. Patients who are 21+ may discreetly and securely grow up to five plants that are over five inches tall.	Adults 21+ can get a permit to discreetly and securely grow two mature and two immature plants in an enclosed and secure space for \$100 per year.
Adult-Use THC Limits	10 milligrams of THC per serving, 1,000 mg per package	500 milligrams of THC per package	Flower: 25% THC cap Concentrates: 200 mg of THC per package Other products: 5 mg per serving; 25 mg per package

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Tax Rate	14% at retail (6% sales and 8% excise)	13% at retail (8% sales and 5% excise)	12% at retail in state taxes; up to 3% municipal tax on cannabis sold from on-site consumption
Taxes Medical?	Yes, it appears both the taxes apply to medical cannabis	Yes, it appears both the taxes apply to medical cannabis	All purchases from state stores would be subject to the full 12% tax
Expunge-ment	State-initiated expungement and release from incarceration applies to many non-violent cannabis offenses	State-initiated expungement and release from incarceration applies to many non-violent drug offenses	State-initiated expungement and release applies to cannabis offenses for where no mandatory minimum sentence was imposed
Dispensary Permits: Medical Cannabis Dispensaries	Within 180 days of passage, existing medical dispensaries can convert to dual-use for a \$100,000 fee per permit, which includes three dispensaries for most permits, and up to six for clinical registrants	Within 90 days of passage, licensed medical cannabis dispensaries can convert to dual-use for a \$100,000 fee per permit, which includes three dispensaries for most permits, and up to six for clinical registrants	N/A — The Liquor Control Board would run all cannabis stores
Dispensary Permits: New Licenses	Regulators may issue up to 30 dispensary permits for a single location: up to 15 disproportionately impacted area applicants and up to 15 small business applicants Application fees are \$50,000. There is no deadline for these permits to be issued. Additional licenses may be issued after a market analysis.	Regulators may initially issue up to 60 dispensary permits for a single location to social equity applicants. They may also issue 12 more new permits. Regulators will set fees There is no deadline for these permits to be issued. Additional licenses may be issued after market analyses.	N/A — The Liquor Control Board would run all adult-use cannabis stores

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Cultivation Permits: Existing Medical Grower/Processors	Within 90 days of passage, existing medical cannabis grower/processors can convert to dual-use and get a second location for a \$250,000 fee.	Within 90 days of passage, licensed medical cannabis grower/processors can convert to dual-use for a \$250,000 fee.	Regulators may allow existing medical grower/processors to serve the adult-use market if needed “due to exigent circumstances.” They would pay a \$15,000 application fee for each cultivation and processor license and for \$20 million per license.
Cultivation and Processing Permits: New Licensees	Regulators may issue up to 15 microcultivation permits. Their plant canopy must be 3,000 square feet or less. There is no deadline for these permits to be issued. No new larger cultivation permits can be issued before a market analysis. Then, a maximum of three new cultivation permits can be issued. Larger cultivators could make infused products, but microcultivators do not seem to be allowed to. There are no separate processing permits. Microcultivators pay a non-refundable application fee of \$5,000. The Board would set fees for larger cultivators.	Regulators may issue up to 10 microcultivation permits initially. Their plant canopy must be 3,000 sq. ft. or less. There is no deadline for these permits to be issued. No new larger cultivation permits can be issued before a market analysis. Larger cultivators and microcultivators could make infused products. There are no separate processing permits. The number of microcultivation and cultivation permits can change after a market analysis. The Board would set fees. Permitting and application fees may be waived for some social equity applicants, based on net wealth of the applicant and investors.	The LCB would license: up to 50 cultivators (for up to 125,000 square feet of canopy); 50 microcultivators (5,000 to 14,000 sq. ft.); 50 processors; and 50 microprocessors. Licenses would be tiered. Non-refundable application fees: \$5,000 for larger cultivators and processors; \$2,500 for microcultivators and microprocessors. Licensing fees, growers: \$1.50 per sq. ft. for larger cultivators; \$0.50 per sq. ft. for microcultivators. Licensing fees: \$50,000 for processors, \$15,000 for microprocessors. Fees may be waived for social equity applicants. Otherwise, their licensing and renewal fees are reduced by 50%.
On-Site Cannabis Consumption	Not allowed.	Local governments can authorize on-site consumption, which must be at or in licensed dispensaries.	Allows up to 100 on-site consumption licenses in municipalities that authorize them. They cannot allow indoor smoking. They may also sell up to 10% THC flower for off-premises consumption. Their application fees are \$5,000. License fees are \$10,000.

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Other License Types	The board would also permit testing laboratories and warehousing and distribution businesses. Warehousing and distribution applicants would pay a \$2,500 non-refundable application fee.	The Authority would also permit testing laboratories and warehousing and distribution businesses. Warehousing and distribution applicants would pay a \$2,500 non-refundable application fee.	LCB would also issue testing and transporter permits. It would license up to 50 cannabis transporters. Transporter application fees are \$5,000, and licensing fees are \$10,000.
Renewals	Most permits and staff ID cards must be renewed every two years, and the Board would set the renewal fees. However, warehousing/distribution permits are renewable annually for \$5,000.	Permits are renewed every four years. The listed renewal fees are: Dual-use grower processors: \$10,000, which covers all its locations Dual-use dispensary permits (which may apply to 3-6 sites for medical conversions): \$5,000 Warehousing and distribution: \$5,000	Permits are renewed every three years. Renewal fees are: Cultivators: \$0.75 per square foot for "category 1"; \$0.25 per square foot for microcultivators Processors: \$25,000 for "category 1"; \$7,500 for microprocessors Transporters: \$2,500 On-site: \$5,000
Licensing Process	Automatic conversion for medical businesses if they pay fees and apply. Merit-based, scored process for most new licensees.	Automatic conversion for medical businesses if they pay fees and apply. Merit-based, scored process for most new licensees.	Merit-based, scored system for larger cultivators and processors. Lottery and pass/fail grade for microcultivator and microprocessor licenses, transporters, and on-site consumption licenses.
Public Smoking	Smoking and vaping is prohibited in public spaces. A first violation carries a civil fine of up to \$250. A subsequent offense carries a civil fine of up to \$1,000.	Public smoking is not permitted. The penalty is unclear. Vaping is permitted where cigarette smoking is allowed.	Cannabis consumption is prohibited in public spaces, other than non-smoked consumption at licensed on-site facilities. A first violation carries a civil fine of up to \$100. A subsequent offense carries a civil fine of up to \$200.

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Privacy Protection	Does not include language to protect cannabis consumers' privacy.	Includes language to protect consumers' privacy. Dispensaries cannot record consumers' personal information without their consent.	Regulations would include privacy and confidentiality requirements relating to cannabis consumers.
Employment Protections or Lack Thereof	Does not include protections to prevent adult-use consumers from being fired for using cannabis off-hours. Weakens medical cannabis patients' existing employment protections. Allows employers to require employees to disclose that they are registered patients if they apply for a safety-sensitive position. Defines being under the influence as including having 15 ng/mL of THC in urine, which can last for weeks.	Includes protection from employees being fired for testing positive for off-hours cannabis use after a random drug test, with possible exceptions for safety-sensitive positions (including driving, childcare, direct patient care, and firefighting) and collective bargaining agreements.	Makes it unlawful to discriminate against workers for using cannabis outside of work hours, or for failing a drug test for cannabis. However, there is an exception that seems to swallow the rule. It may not be construed to "prevent an employer from ... terminating employment ... for violating an employer's ... workplace drug policy if the policies were disclosed to the employee."
Requiring Dispensaries to Check a Blacklist Before Sales	Does not include HB 20's blacklist provision, which would require dispensaries to check against a list before every sale.	Anyone who transfers cannabis to someone under 21 can be disqualified from buying cannabis. Regulators would create a list, and notify dispensaries of it. They may not sell to anyone on the list, which would require staff to check the list before every sale.	Does not include the provision, which would require dispensaries to check a list before each sale.
Second Amendment	Does not include firearms protections	Adult-use consumers and patients cannot be denied the right to own firearms	Individuals cannot be denied the right to own firearms for state-legal cannabis-related activity

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Rules Related to Cannabis in a Vehicle	No one can possess cannabis in a moving vehicle unless it is reasonably inaccessible. This likely makes taking a train or bus home from a cannabis store impossible.	No one can possess cannabis in a moving vehicle “not open to the public” unless it is reasonably inaccessible. (The “open to the public” language would make it possible to ride a bus home from a cannabis store.)	Does not include the requirement that cannabis be reasonably inaccessible in a vehicle.
Penalty for Minors Possessing Cannabis	First offense: a fine of up to \$250 A subsequent offense: a fine of up to \$1,000 Possibly adjudication alternatives or a preadjudication disposition. In the case of minors under the age of 18, a parent or guardian will also be notified.	First offense: a fine of up to \$500 A subsequent offense: a fine of up to \$1,000 Possibly adjudication alternatives or a preadjudication disposition. In the case of minors under the age of 18, a parent or guardian will also be notified.	First offense: a warning, a fine of up to \$25, or a diversionary program Second offense: a fine of up to \$100 and a diversionary program A subsequent offense: a fine of up to \$250 and a diversionary program.
Prevents Revocation of Parole and Probation Absent a Specific Finding	No, it does not seem to prevent abstaining from cannabis being a general condition of parole, probation, or pre-trial release. On the contrary, it includes language to protect law enforcement from liability if they prevent a person on parole or mandatory supervised release from using cannabis.	No, it does not seem to prevent abstaining from cannabis being a general condition of parole, probation, or pre-trial release. On the contrary, it includes language to protect law enforcement from liability if they prevent a person on parole or mandatory supervised release from using cannabis.	Yes, abstaining from cannabis cannot be a condition of parole or probation unless its inclusion is “reasonably related to the underlying crime.”
Home Delivery	Allows home delivery from dispensaries, cultivators, and microcultivators	Allows home delivery from dispensaries	Unclear if it would be allowed from state-run stores

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Regulatory Agency	Cannabis Control Board A new seven-member board with executive director and staff. Each caucus in the legislature would appoint a member and the governor would appoint three.	Keystone Cannabis Authority A new seven-member board with executive director and staff. One of the governor's appointees would represent labor and one would represent individuals involved in social and economic equity.	Liquor Control Board Adds two members to the LCB, who are appointed by the governor, one with expertise in cannabis markets and one with expertise in public health.
Revenue Allocations	10% to host municipalities 10% to host counties with cannabis businesses in unincorporated areas 80% to the Cannabis Regulation Fund Of that 80%, after repaying start-up costs: — 40% to the Board for its operations, including outreach and other projects — 15% for medical cannabis-related assistance — 10% for distribution to local police departments — 10% to the Department of Drug and Alcohol Programs — “Any other purpose specified under this act” — The remainder, up to 25% (of 80%), to the General Fund	One provision says 2% is for regulatory costs and the remainder is for the General Fund. Another provision allocates: — 30% to the Community Opportunity Fund to help social and economic equity applicants (with 5% for the Agricultural Innovation Grant Program) — 20% to the General Fund — 5% for medical cannabis-related assistance — 10% to host municipalities — 10% for program administration and community investment — 10% to the Department of Drug and Alcohol Programs — 10% for local police departments, 5% to fund indigent defense — 5% to preserve farmland and for agricultural innovation	After allocations for implementation, including by the board, Department of Revenue, courts, AG, and Office of Social Equity: 50% to the Communities Reimagined and Reinvestment fund 10% to substance use prevention/treatment 5% to the Cannabis Business Development Fund 2.5% to the PA Minority Business Development Authority 2% to the Administrative Office of Pennsylvania Courts for expungement The remainder (~30%) to the General Fund

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Labor Peace	Does not include a labor peace requirement (an agreement between a union and a business, which requires union members to “refrain from actions intended to or having the effect of interrupting ... services”	Requires labor peace agreements for new dispensaries and microcultivation centers and makes labor peace agreements “an ongoing material condition” of licensure	A labor peace agreement is an ongoing material condition of licensure for private businesses (growers, processors, transporters)
Office of Social Equity	Does not create an Office of Social Equity	Creates an Office of Social Equity in the Keystone Cannabis Authority	Creates an Office of Social and Economic Equity within the board; its director must have at least five years of experience in civil rights or social justice
Social Equity Assistance and Community Reinvestment	The Department of Community and Economic Development must establish grant and loan programs for providing financial assistance, grants, loans and technical assistance to disproportionately impacted area and small business applicants. It does not specifically allocate a set percent of revenue to social equity or hard-hit communities, but revenue can be used for any approved purpose. It does not allocate the Medical Marijuana Program Fund or conversion fees to ensure technical assistance and grants are available at the outlets.	Creates a Community Opportunity Fund to make grants to provide social equity applicants with low- and no-interest loans and grants; provide technical training, assistance, and outreach; perform studies on participation in the cannabis industry by minorities, women, veterans, or individuals with disabilities, and barriers to their participation; assist community organizations, reentry programs, workforce development, and other community or advocacy programs in disproportionately impacted areas. Allocates 80% of the Medical Marijuana Program Fund to the Community Opportunity Fund, along with all conversion fees from medical to dual-use businesses.	Creates a Communities Reimagined and Reinvestment account to make grants to reinvest in historically impacted communities or other identified communities. Sets up an advisory committee to recommend grantees. Grants will be used to support services including job placement, mental health and behavioral health, housing, substance abuse treatment, financial literacy, community banking, nutrition services, after school and childcare, system navigation, and linkages to medical care. Allocates 50% of revenue to the account.