



Review of State Legalization and Regulation Laws

State	Age Limit	Personal Possession, Cultivation, and Purchase Limits	Home Cultivation	Business Allowed and Restrictions on Numbers of Each	Licensing Timeline
Alaska (2014)	21 and older	One ounce of cannabis, seven grams of cannabis concentrate, plus all cannabis produced by personal cultivation in the same secure location where cultivation occurred	Six plants (three mature); no more than 12 plants per household The cultivation site must not be in public view.	Marijuana cultivation facilities, product manufacturing facilities, testing facilities, and stores There are no statewide restrictions on the number of licenses issued per business type, except a licensed marijuana testing facility may not have any licensee, employee, or agent who holds any type of marijuana establishment license other than a testing facility license. Localities may restrict or ban cannabis businesses entirely.	Legalization became effective February 24, 2015, the state began accepting applications one year later, and legal sales began in October 2016 (one year and eight months after enactment).
Arizona (2020)	21 and older	One ounce of cannabis, including no more than five grams of concentrates, plus all marijuana produced by personal cultivation in the same secure location where cultivation occurred	Six plants at the individual's primary residence; no more than 12 plants per household	Vertically integrated marijuana establishments that can operate as retail, cultivation, and/or processing. Generally limited to one establishment for every 10 pharmacies (which is identical to medical limits), plus 26 for social equity applicants. DHS may also license up to two establishments in counties without a licensed medical cannabis business and one in counties with a licensed medical cannabis business. Arizona has 15 counties.	Legalization became effective November 30, 2020, and legal sales began January 22, 2021 (two months after enactment). Social equity licenses are supposed to be issued by early December 2021.

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California (2016)	21 and older	28.5 grams (about an ounce, including eight grams of concentrate), plus any cannabis grown from an adult's plants; anything over 28.5 grams must be possessed at a secure location at home	Six plants per household	Cultivators (14 types), retailers (2 types), distributors, testing labs, manufacturers (2 types), microbusinesses No state limits on the numbers of licenses, but localities may restrict their numbers or ban.	Legalization became effective November 9, 2016, and the first retail marijuana stores began operating on January 1, 2018 (one year and two months after enactment).
Colorado (2012)	21 and older	Two ounces, plus all cannabis produced by personal cultivation in the same secure location where cultivation occurred	Six plants (three flowering)	Cultivation facilities, product manufacturers, testing labs, transporters, and retail stores No state limits on the number of licenses, but localities may restrict their numbers or ban them.	Legalization became effective December 10, 2012, and the first retailers opened on January 1, 2014 (one year and one month after enactment).
Connecticut (2021)	21 and older	1.5 ounces, or its equivalent, on one's person Five ounces, or its equivalent, in a locked container at home or locked in glove box or trunk Equivalency: One ounce = five grams concentrate or 500 milligrams of THC in cannabis products	Starting July 1, 2023, allows secure cultivation of three mature and three immature plants at home. Decriminalizes first and second offense cultivation of three mature and three immature plants before July 1, 2023. First offense carries a warning. Household cap of 12 plants.	Retailers, hybrid retailers (which sell both adult-use and medical cannabis), cultivators (which cultivate 15,000 square feet or more), micro-cultivators (which start between 2,000 and 10,000 square feet and can sell at retail), product manufacturers, food and beverage manufacturers, product packagers, delivery services, and transporters Regulators will set numbers for each license type. Initially, no more than one retailer and one micro-cultivator are allowed per 25,000 people in a municipality.	Lotteries will open no later than 30 days after the Social Equity Council identifies criteria for social equity applicants. This should be by late 2021. Final licenses must be in place within 16 months. Existing medical businesses can convert with hefty fees starting sometime in 2021, with a medical preservation plan. Sales are expected to begin in May 2022.
Illinois (2019)	21 and older	Illinois residents: 30 grams (just over an ounce), five grams of concentrates, infused products with up to 500 milligrams of THC Non-residents: Half those amounts	Not allowed, other than for registered patients (\$200 fine for adult-use consumers to cultivate up to five plants)	Dispensaries, infusers, transporters, craft growers, and cultivation centers Licenses are awarded in phases, with no limits on transporters. The total number of retailers cannot exceed 500.	Legalization became effective and medical cannabis businesses began adult-use sales on January 1, 2020. The first new licenses were scheduled for May 1, 2020 but have been delayed.

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Maine (2016)	21 and older	2.5 ounces (including up to five grams concentrate), plus all cannabis produced by personal cultivation in the same secure location where cultivation occurred	Three flowering plants, 12 immature plants, and unlimited seedlings; plants must be tagged with the grower's name, ID number, and the property owner's name	<p>Marijuana stores, cultivation facilities (four types plus nurseries), product manufacturing facilities, and testing facilities</p> <p>No state limits on the number of licenses, but localities may restrict their numbers or ban them. Cultivation licenses will be limited such that the maximum total plant canopy in the state is 800K square feet.</p>	Legalization became effective January 30, 2017, and the first legal adult-use sales began on October 9, 2020 (three years and nine months enactment).
Massachusetts (2016)	21 and older	One ounce (including up to five grams concentrate); in a locked location at one's home: 10 ounces and any cannabis grown from an adult's plants	Up to six plants per person, with no more than 12 plants on the premises	<p>Cultivation facilities, craft cannabis cooperatives, product manufacturers, testing labs, research labs, transporters, stores, and microbusinesses; more types may be available later</p> <p>No state limits on the number of licenses, but localities may restrict their numbers or ban them.</p>	Legalization became effective December 15, 2016. Applications were first accepted in Spring 2018 from priority applicants (social equity applicants and existing medical businesses), and legal sales began November 20, 2018 (one year and 11 months after enactment).
Michigan (2018)	21 and older	2.5 ounces and 15 grams of concentrates (up to 10 ounces may be kept in the home, so long as any amount over 2.5 ounces is kept under lock and key)	Home cultivation is permitted. An adult may cultivate up to 12 plants (with no more than 12 plants on the premises).	<p>Growers, safety compliance facilities, processors, microbusinesses (limited to 150 plants or less; can sell directly to consumers), retailers, and secure transporters</p> <p>The act forbids regulators from establishing a limit on the number of any type of state licenses that may be granted. The act allows regulators to issue other types of licenses, including licenses for onsite consumption, consumption for special events, and research.</p>	Legalization became effective December 6, 2018, and the first legal sales occurred on December 1, 2019 (one year after enactment). For the first two years after the department began accepting applications, licenses could only be issued to existing medical marijuana facilities.

State	Age Limit	Personal Possession, Cultivation, and Purchase Limits	Home Cultivation	Businesses Allowed and Restrictions on Numbers of Each	Licensing Timeline
Montana (2020)	21 and older	One ounce of cannabis, eight grams of concentrates, plus any cannabis grown from an adult's plants in a secure location	Two mature plants and two seedlings	Retailers, infused product manufacturers, cultivators, and labs Cultivators are divided into at least 10 tiers, based on the canopy size, and may move tiers. There are no numerical restrictions on licenses.	Legalization became effective January 1, 2021, and the department will begin accepting applications on January 1, 2022. It has 30 days to process applications from existing medical providers, who will be the only licensees for the first 18 months. It will have 90 days to process new applicant licenses.
Nevada (2016)	21 and older	One ounce (including 1/8 ounce of concentrate), plus any cannabis grown from an adult's plants in a secure location	Home cultivation is permitted only for persons living at least 25 miles from a retail marijuana store. A person may grow up to six plants, in a secure location, but no more than 12 plants per household.	Cultivation facilities, testing facilities, manufacturers, distributors, and stores Maximum number of retail stores, unless the locality requests more: (1) 80 per county with a population greater than 700,000; (2) 20 per county of 100,000-699,999; (3) four per county with 55,000 to 99,999 residents; (4) two per county with under 55,000 residents	Legalization became effective January 1, 2017. Applications from existing medical marijuana businesses were initially accepted in May 2017. Adult-use sales began on July 1, 2017 (six months after enactment). In September 2018, the state held an application process for applicants that were not medical marijuana licensees.
New Jersey (2020)	21 and older	Six ounces or less of cannabis, 17 grams or less of hashish	Home cultivation is not allowed.	Cannabis cultivators, manufacturers, wholesalers, distributors, retailers, onsite consumption, and delivery For most types of licenses, regulators will determine the total number of licenses issued. However, it may license no more than 37 cannabis cultivators, including existing medical businesses (ATCs) to operate at one time. The cap does not apply to microbusiness cultivators.	Legalization became effective February 22, 2021, and legal sales have not yet begun. The Cannabis Regulatory Commission will begin accepting and processing applications for licenses and conditional licenses 30 days after the commission's initial rules and regulations have been adopted.

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New Mexico (2021)	21 and older	After June 29, 2021, two ounces of marijuana, up to 16 grams of concentrated marijuana, and 800 milligrams of edible cannabis	After June 29, 2021, six mature and six immature plants per adult, with a maximum of 12 mature plants per household	The Cannabis Control Division will license 10 types of cannabis businesses: couriers, producers (growers), manufacturers, retailers, microbusinesses, cannabis consumption areas, vertically integrated establishments, research laboratories, testing laboratories, and integrated microbusinesses. The number of licenses is not specified in the statute.	Legalization became effective on April 12, 2021. By September 1, 2021, the Cannabis Control Division will start accepting applications for producers, microbusiness producers, and from medical cannabis businesses. Rules are due by January 1, 2022. By January 1, 2022, the Division will accept applications for all other license types, including for cannabis education and training programs. Legal sales will begin on a date set by the Division, which can be no later than April 1, 2022.
New York (2021)	21 and older	Three ounces and 24 grams of cannabis concentrate	Allowed within 18 months of the first adult-use sales, after rules have been crafted. Three mature and three immature plants, with a household cap of double that.	Regulators will award licenses to produce, process, test, dispense, distribute, and deliver marijuana. The number of licenses that will be determined is not specified in the statute. It will apparently be determined by regulation. Vertical integration is restricted.	Legalization became effective March 31, 2021. Licensing will begin after the Office of Cannabis Management (OCM) issues and implements regulations establishing the application process for different license types. The timeline in the bill is unclear, but the absolute earliest legal sales can begin is April 1, 2022.
Oregon (2014)	21 and older	One ounce of usable cannabis; 16 ounces of cannabis-infused solids; 72 ounces of cannabis-infused liquids, five grams of extracts/concentrates; also up to eight ounces in a residence if it was grown in the home	Four plants, with a limit of four plants per residence	Marijuana producers (growers), processors (extract and product manufacturers), wholesalers, and retailers. There are no set limits, but regulators may refuse to grant a license based on supply and demand, or if doing so in the locality set out in the application is not demanded by public interest or convenience.	Legalization became effective July 1, 2015, and as an interim measure, medical dispensaries were allowed to sell cannabis to adults beginning October 1, 2015 (three months after enactment). The Oregon Liquor Control Commission began accepting applications for marijuana businesses on January 4, 2016, which opened in October 2016.

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South Dakota (2020)	21 and older	One ounce of cannabis, including up to eight grams of concentrates, plus all cannabis produced by personal cultivation in the same secure location where the cultivation occurred	Three plants if there are no retail stores in the local jurisdiction. Localities with retailers can opt-in to allowing home cultivation. Six plants per household cap.	Retailers, cultivators, wholesalers, distributors, and testing facilities. Details may be fleshed out by the legislature.	Legalization becomes effective July 1, 2021, but on February 8, 2021, a circuit court judge ruled in favor of a lawsuit that argued Amendment A was unconstitutional. This prevents legalization from going into effect, pending a higher court's decision. The department must issue rules by April 1, 2022. It then has no more than 90 days to approve or reject applications for licenses.
Vermont (2018 personal possession/cultivation, 2020 regulated sales)	21 and older	Up to one ounce, five grams of hashish	Two mature and four immature plants (same limit for entire residence)	Retailers, cultivators, product manufacturers, wholesalers, labs, and integrated licenses	Legalization became effective July 1, 2018. By May 1, 2022, licenses will begin being issued for small cultivators, integrated licensees, and testing labs, and integrated licensees may begin selling to adult consumers. The first larger cultivation licenses will be issued by June 1, 2022; licensing for product manufacturers and wholesalers begins by August 1, 2022; and retail licensing begins October 1, 2022.
Virginia (2021)	21 and older	Starting on July 1, 2021, up to one ounce of cannabis, or the equivalent amount of cannabis products	Starting on July 1, 2021, up to four cannabis plants. The four-plant cap also applies to households. Each plant must have a tag with identifying information on the grower.	The Cannabis Control Authority would establish the number of licensees, which could not exceed 400 retailers, 25 wholesalers, 450 cultivators, and 60 product manufacturers. Those figures would not count existing medical cannabis businesses and hemp processors. It would also approve labs. Details could change upon reenactment in 2022.	Legalization becomes effective July 1, 2021, and sales would begin no earlier than January 1, 2024.
Washington (2012)	21 and older	Up to an ounce of cannabis, 16 ounces of cannabis-infused solids, and 72 ounces of cannabis-infused liquids	Home cultivation is not allowed. (Medical cannabis patients, however, are allowed to cultivate.)	Marijuana producers, processors, retailers, and transporters The state limits the number of retailers. In 2016, the original limit was increased to 556.	Legalization became effective December 6, 2012, and the first adult-use stores opened in July 2014 (one year and seven months after enactment).

State	Oversight Agency	Tax Rate and Method	Revenue Disposition	Local Role	How Licensees are Determined
Alaska (2014)	Marijuana Control Board (previously, the Alcohol Control Board)	<p>\$50/ounce excise tax on marijuana flower sold at wholesale; \$15/ounce on trim</p> <p>Immature or abnormal bud is taxed at \$25 per ounce; trim is taxed at \$15 per ounce; and clones are taxed at a flat rate of \$1 per clone</p>	<p>The Tax Division deposits all revenue from the marijuana tax into the General Fund. In 2016, the Alaska Legislature created a sub-fund within the General Fund, the Recidivism Reduction Fund, and directed the Alaska Department of Administration to separately account for 50% of the marijuana tax collected and deposit it into the Recidivism Reduction Fund for treatment in prisons, reentry support services, pretrial services and supervision, violence prevention programming, and crime victims' services. The Legislature may use the annual estimated balance in the fund to make appropriations to the departments of Corrections, Public Safety, and Health and Social Services for recidivism programs. Beginning October 2018, 25% of marijuana tax revenue is deposited into the Marijuana Education and Treatment Fund.</p>	<p>Municipal governments may enact ordinances that govern the time, place, manner, and number of marijuana businesses that can operate.</p> <p>Opt-out: Local governments may also ban marijuana businesses altogether through an ordinance or by voter initiative.</p>	<p>Applicants must meet minimum requirements as established in rules adopted by the Marijuana Control Board. All qualified applicants are approved, provided they are allowed under local law. Once you can demonstrate possession of a suitable property or a lease or rental agreement, you may begin the application process.</p>
Arizona (2020)	Department of Health Services	<p>16% retail excise tax, plus Transaction Privilege Tax, which is currently 5.6%</p> <p>The rates would be reduced if cannabis is legalized federally, and the total tax burden would otherwise exceed 30%.</p>	<p>After covering costs of administration, including for expungement: 33% to community college districts for job training and STEM; 31.4% to municipal police, sheriff, and fire departments (fire districts based on enrollees in retirement); 25.4% to the state's Highway User Revenue Fund; 10% for a new Justice Reinvestment Fund; and 0.2% to the AG for enforcement of the chapter.</p>	<p>Local regulation, zoning, and licensing are allowed, as are local bans, including of delivery. Localities may limit the time, place, and number of marijuana businesses, and they may also regulate signage.</p>	<p>Existing medical cannabis businesses licensed first; other licenses issued via "random selection." Only an individual who is at least 21 years of age and has passed a criminal record check for an excluded felony offense may be a principal officer or board member on an application for a cannabis dispensary registration certificate. Overall, 145 licenses are available for qualified early applicants, and at least 26 licenses are reserved for social equity applicants.</p>

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California (2016)	Primarily the Bureau of Cannabis Control in the Department of Consumer Affairs; also, the Department of Food and Agriculture (cultivation) and the Department of Public Health (cannabis-infused products)	A cultivation tax of \$9.25 per ounce for flowers, \$2.75 per ounce for leaves, and \$1.29 per ounce of fresh cannabis plant; 15% cannabis-specific sales tax; 7.25% standard state sales tax; and automatic local sales tax of up to 1%. Registered patients do not pay the standard state sales tax.	After covering regulatory costs, each year: \$10 million to community reinvestment in areas hit hard by the drug war, including job placement, mental health, reentry (increases to \$50 million starting FY 22-23); \$10 million to universities to study the impacts of legalization (until FY 28-29); \$2 million for medical cannabis research; and \$3 million for road safety including DUID protocols. Of the remainder, 60% to youth treatment, prevention, and early intervention; 20% to restore environmental damage from cannabis grows; and 20% to the State and Local Government Law Enforcement Fund. (In FY 19-20, allocations included \$140.8 million for childcare for low-income workers.)	Businesses can only operate if they are allowed under local ordinances. Localities may require permits, too. Opt-out: Municipalities can limit marijuana businesses by ordinance until 2019, then by popular vote.	Licensing priority is given to applicants who can demonstrate they have acted in compliance with the Compassionate Use Act since September 1, 2016.
Colorado (2012)	Department of Revenue, Marijuana Enforcement Division (MED)	A 15% excise tax is levied at the wholesale level and a separate 15% special sales tax applies to retail sales. Local sales taxes typically apply. Medical patients pay a lower rate.	Excise tax: Since mid-2019: 90% or the first \$40 million, whichever is greater, to capital construction for schools. The remainder goes to the Public School Fund. Sales tax: 10% to local governments based on the percent of marijuana sales in their boundaries. Of the remainder: 15.56% percent to the General Fund, 12.5% to school districts, and 71.8% to the Marijuana Tax Cash Fund for health care, monitoring marijuana health effects, health education, substance abuse prevention and treatment programs, and law enforcement.	Cities and counties are allowed to prohibit marijuana establishments or limit their number. They may also enact ordinances restricting the time, place, and manner of business.	Initially, only licensed medical marijuana businesses could apply. Now, any qualified applicant may be licensed, although local governments may limit the number. In that event, the Marijuana Enforcement Division (MED) decides who to license, while considering the locality's preference. All applications include deep criminal and financial background checks, and each application must come with detailed and accurate floor plans of the potential retail operation. All owners, officers, managers, and employees of a retail operation must be Colorado residents(owners must be residents for at least two years prior to application).

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Connecticut (2021)	Department of Consumer Protection, with a Social Equity Council overseeing social equity-related issues	<p>Potency-based at retail: * \$0.00625/mg of THC in flower cannabis * \$0.0275/ mg in edibles * \$0.009/ mg for all else</p> <p>Tax not levied on medical.</p> <p>3% tax to the host municipality, and 6.35% standard sales tax</p>	<p>During the fiscal year ending June 30, 2022, 100% of the excise tax would be directed to the Cannabis Regulatory and Investment Account. From June 30, 2022 until July 1, 2023, 100% of the excise tax revenues go to the General Fund. After that, of the potency tax:</p> <ul style="list-style-type: none"> • 25% to Prevention and Recovery Services • 60% to 75% to Social Equity and Innovation Fund (increases over time) • Initially 15% goes to the General Fund but reduces to 0% starting July 2028. <p>Municipal taxes can be used for specific purposes such as re-entry services, mental health or addiction services, youth services bureaus, and streetscape improvements near retailers.</p>	<p>Localities can ban brick and mortar stores but not home delivery. Voter initiatives authorize on allowing cannabis businesses.</p> <p>Localities can regulate signage, hours, and zoning; restrict density; and can have buffers to sensitive locations.</p> <p>No host community agreements (which harm equity).</p>	<p>The vast majority of licenses are by lottery, with 50% reserved for social equity applicants, and the social equity lottery happening first.</p> <p>The bill also allows existing medical businesses to convert with a hefty fee that can be reduced if they host an equity joint venture.</p> <p>The bill allows some new cultivators with a \$3 million social equity fee and other requirements.</p>
Illinois (2019)	Hybrid: The Cannabis Regulation Oversight Office coordinates with the Dept. of Professional and Financial Regulation (regulates retailers), the Dept. of Agriculture (regulates growers, product manufacturers, and transporters), and the Dept. of Health.	<p>7% cultivation privilege tax, plus:</p> <ul style="list-style-type: none"> • 10% for flower • 20% on products infused with cannabis, such as edibles • 25% for products with more than 35% THC <p>Also, 6.25% state sales tax rate, with up to 3.5% in local taxes.</p> <p>Medical cannabis is taxed at a lower rate.</p>	<p>After covering the costs of administration and expungement: 35% to the General Revenue Fund; 25% to the Recover, Reinvest, and Renew (3R) Program; 20% to mental health services and substance abuse programs; 10% to pay unpaid bills; 8% for prevention and training for local law enforcement; and 2% to public education and safety campaigns.</p>	<p>Cities and counties are allowed to prohibit marijuana establishments or limit their number. They may also enact ordinances restricting the time, place, and manner of business.</p>	<p>Scored application process; 2% of the points will be for whether the applicant is a social equity applicant. Eligibility to receive 50 points (out of 250 possible total) from IDFPR on their dispensary license application score or receive 200 points (out of 1,000 possible total) from Illinois Department of Agriculture on their craft grower, infuser, or transporter license application score.</p>

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Maine (2016)	Department of Administrative and Financial Services in consultation with Depts. of Agriculture, Conservation and Forestry and Public Safety	Wholesale: \$335 per pound for flowers and mature plants; \$94 per pound for trim; \$1.50 per immature plant or seeding; and \$0.35 per marijuana seed 10% cannabis-specific point of sale tax: 10%. Statewide 5.5% sales tax. Medical cannabis is taxed at a lower rate of 5.5%, except edibles which are taxed at 8%.	For both the excise and the sales tax, 88% goes to the General Fund and 12% goes to the Adult Use Marijuana Public Health and Safety Fund. Of that 12%, half goes to public health and safety awareness campaigns related to marijuana and half goes to marijuana-related law enforcement training.	Opt-in: Can only operate in localities with ordinances allowing that type of business. Localities may issue regulations, limit numbers, and/or require a local license.	Maine has a three-step licensing process: first a conditional license, then a local authorization, and finally active licensure.
Massachusetts (2016)	The Cannabis Control Commission, a five-member board	Retail cannabis-specific sales tax of 10.75%; standard sales tax of 6.25%; local governments may impose a local sales tax not to exceed 3%. Medical marijuana is not taxed.	The legislature can appropriate funds from the Marijuana Regulation Fund to the Cannabis Control Commission, for economic equity for communities hard-hit by the war on drugs, public and behavioral health, public safety, or local police training. In FY 19-20, out of the \$78.8 million that was spent, \$20.7 million was used for the Cannabis Control Commission and \$53.8 million went to the Division of Alcoholism Administration.	Cities and towns will have the authority to impose limits on where and when marijuana businesses are allowed to operate without consent from voters.	Applications were first accepted from priority applicants (social equity applicants and existing medical businesses). After that, they're open to all qualified applicants.
Michigan (2018)	Department of Licensing and Regulatory Affairs	Retail cannabis-specific excise tax of 10% (applied at the point of sale); standard sales tax of 6%. The 10% excise tax does not apply to medical marijuana.	After covering regulatory costs, for at least two years, \$20 million will go to clinical trials on the efficacy of cannabis for veterans' issues. The remainder is divided as follows: 15% to municipalities with retailers; 15% to counties with retailers; 35% for K-12 education; and 35% to repair bridges and roads.	Municipalities may regulate, ban, or limit the number of marijuana businesses in their boundaries. Individuals may petition to initiate an ordinance to provide for the number of establishments or completely prohibit them. Municipalities may charge annual fees of up to \$5,000 to defray enforcement costs.	The law directs the department to approve all qualified applicants who are compliant with the law, provided the municipality allows them. Requirements to apply for license: must be at least 21 years old; no felony within 10 years; no misdemeanors involving controlled substances within five years; no local ordinance violations within five years; no past issues with law enforcement or legal violations, not including traffic violations.

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Montana (2020)	Department of Revenue	20% statewide excise tax; Local governments may impose an additional tax of up to 3% on the sale price of cannabis products; medical marijuana sales are taxed at 4%	Of the state revenue generated by sales, \$6 million annually would go towards a drug addiction treatment program; 20% would go toward conservation efforts; 4% or up to \$650,000 each would go to state parks, trails and recreational facilities, and wildlife protection; up to \$200,000 would go to veterans' services and improving veterans' cemeteries; \$300,000 would go toward a one-time purchase of drug detection canines; \$150,000 would fund a one-time police training; and the remaining money would enter the state's general fund.	In counties where most voters supported I-190, local governments may not ban businesses. Where a most voters were opposed, need local government approval. Local regulations allowed unless unduly burdensome. Local voters may ban retailers.	For the first 18 months of sales, only existing medical licensees are allowed to serve adult-use consumers.
Nevada (2016)	Department of Taxation	15% excise tax on wholesale; 10% cannabis-specific sales tax; 4.6% statewide sales tax; and local sales taxes also apply The 10% retail sales tax is waived for registered medical patients.	Since 2020, after covering state and local regulatory costs, all of the remaining revenue has gone to the State Education Fund. In the previous two years, the retail sales tax went to the Rainy Day Fund, while excise taxes went to education.	Local governments have the ability to adopt and enforce local marijuana control measures pertaining to zoning and land use for marijuana establishments.	For at least the first 18 months, medical marijuana establishments receive priority in license applications.

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New Jersey (2020)	Cannabis Regulatory Commission	<p>Sales tax of 6.625%.</p> <p>Plus, excise fees as follows: For the first nine months of legal sales, 33% of one percent of average retail price per ounce. Then, the Commission will set fees annually, which increase as the average retail price per ounce falls. Fees can be up to \$10/ounce if average retail prices are at least \$350/ ounce; fees increase to up to \$30/ounce when retail prices fall below \$350/ ounce; up to \$40/ounce when real prices are below \$250/ounce, and up to \$60/ounce when average retail prices drop below \$200/ounce.</p> <p>Local taxes of up to 2% of receipts from a cannabis manufacturer; 1% of receipts from each wholesaler; and 2% of receipts from retailers.</p>	<p>Sales tax disposition: 70% is used for investment in municipalities described as “impact zones” and for financial assistance to qualifying persons residing therein; 30% to pay for the Cannabis Regulatory Commission’s costs, to reimburse related local expenses, and for Drug Recognition Expert training.</p> <p>Excise fee disposition: 100% to invest in the health and well-being of communities and individuals. It can be used for grants, loans, and financial assistance via profit and non-profit organizations and public entities, as well as direct financial assistance to individuals to create, expand, or promote educational and economic opportunities and activities.</p>	<p>Local governments can regulate cannabis businesses, including their number, location, manner, and times of operation. However, only the Commission can regulate delivery services.</p> <p>Localities wanting to ban businesses other than delivery must do so within 180 days of A.21’s enactment. If a municipality does not enact such legislation within the period, a business is permitted to operate there for a period of five years.</p>	<p>ATCs can convert to serve adult-use consumers by application once the Commission adopts rules and regulations.</p> <p>Applications would be scored and reviewed based upon a point scale. Some applications would be prioritized, including based on “impact zones,” residency, and labor peace.</p> <p>25% of the total licenses issued must be issued to three-year-plus residents of impact zones or to businesses that plan to employ at least 25% of employees who reside in impact zones.</p> <p>10% of total licenses issued for each class, and at least 25% of the overall total licenses, are reserved for “microbusinesses.”</p>
New Mexico (2021)	Cannabis Control Division	<p>Excise tax at retail: 12% until July 1, 2025, and then increases by one percentage point per year, maxing out at 18% on July 1, 2030. (Medical exempted.)</p> <p>Gross receipts taxes, which range from 5.125% to 8.8125% depending on the location in the state. (Medical exempted.)</p>	<p>One-third of the cannabis excise tax revenue will go to the municipality where the sales were made. Another third of the cannabis excise tax revenue will go to the county where the sales were made. Future budget bills will include additional revenue distribution. They are expected to include funding for community reinvestment.</p>	<p>Municipalities and counties may adopt time, place, and manner rules, including to reasonably limit density. Local jurisdictions may not completely ban cannabis businesses.</p>	<p>Proposed rules: three types of cultivation licenses will range from 201 plants up to 4,500 (nearly triple the current 1,750-plant limit for medical marijuana growers). Growers with more than 3,500 mature plants will pay an annual per-plant fee of \$22 versus \$18 for smaller farms. Licensees will be able to increase their counts in 500-plant increments through an annual application process. Applicants must prove they have valid water rights and explain any past criminal convictions, and they cannot operate within 300 feet of schools or day care centers.</p>

State	Oversight Agency	Tax Rate and Method	Revenue Disposition	Local Role	How Licensees are Determined
New York (2021)	Office of Cannabis Management, overseen by a Cannabis Control Board	Potency-based at the point of distributors: 0.5 cents per milligram of THC for flower, 0.8 cents per milligram of THC for concentrates, and 3 cents per milligram of THC for edibles. Retail sales tax: 9% state tax and a 4% local tax	After regulatory and administrative costs, 40% of cannabis revenue will go to community grants reinvestment, 40% to education, and 20% to drug treatment facilities, prevention, and public education programs, including for a youth-focused public health education and prevention campaign, a statewide public health campaign on the health effects of cannabis, and for substance use disorder treatment. Of the local tax, 75% would go to municipalities and 25% to counties.	Cities, towns, and villages may opt-out of allowing adult-use cannabis retail dispensaries or on-site consumption licenses by passing a local law by December 31, 2021, or nine months after the effective date of the legislation.	The New York State Cannabis Control Board will review all applications to cultivate, process, distribute, deliver, or dispense cannabis. Licenses are valid for two years and then must be renewed. Applicants must maintain a labor peace agreement with a bona fide labor organization. A goal is set of 50% of licenses going to social and economic equity applicants.
Oregon (2014)	Oregon Liquor Control Commission (OLCC)	There is a state-imposed 17% sales tax collected at the point of sale on all marijuana and marijuana products. Local governments may impose a local sales tax not to exceed 3%. Medical cannabis is not taxed.	Per a 2020 drug decriminalization initiative, all revenue above \$11.25 million per quarter goes to the Drug Treatment and Recovery Services Fund. The first \$11.25 million per quarter is distributed per the 2014 initiative, first covering regulatory costs, then 40% for education, 20% for mental health treatment or for alcohol and drug abuse prevention, 15% to state law enforcement, 10% to cities, based on population and number of licensees, 10% to counties, based on local cultivation, and 5% to the Oregon Health Authority for alcohol and drug abuse prevention and treatment.	Municipalities may enact time, place, and manner zoning ordinances. Some may ban under certain circumstances. If a municipality enacts an ordinance restricting the licensing of dispensaries, the ordinance must be submitted to voters for approval.	Applicants must apply according to OLCC criteria and provide evidence of their ability to meet public health and safety standards and industry best practices. Everyone who meets state standards may be licensed, in communities that allow them. As of November 16, 2020, OLCC reached out to all applicants who submitted their applications prior to the licensing pause of June 15, 2018 to inquire about their readiness to complete the licensing process.
South Dakota (2020)	South Dakota Department of Revenue	15% gross receipts tax on retail sales; 4.5% statewide sales tax	First, revenue will cover costs of administration. Of the remainder, half will go to public schools and half will go to the General Fund.	Localities may enact ordinances or regulations governing the time, place, manner, and number of licensees. A local government may ban the establishment of licensees or any category of licensee.	To be determined by the Department of Revenue

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Vermont (2018, 2020)	Cannabis Control Board	20% tax (a 14% cannabis excise tax, plus Vermont's 6% sales tax). Tax does not apply to medical sales.	The sales tax is allocated to start or expand after-school and summer learning programs, with a focus on underserved areas. Up to 30% of the cannabis tax revenue (up to \$10 million per year) goes to substance misuse prevention programming. The remainder is not earmarked.	Localities must opt in to having cannabis retailers or integrated licenses, via an annual or special meeting. They may also refer the question to voters. Localities could not choose to prohibit other types of cannabis businesses. Localities may also develop regulations and municipal licensing requirements.	The Board will license only some applicants and will prioritize applicants that are medical cannabis dispensaries; have environmentally sustainable plans; are owned by minorities or women; have plans to recruit and promote minorities, women, and those disproportionately impacted by cannabis prohibition; and/or have plans to pay living wages and offer benefits. It must also promote a fair geographic distribution.
Virginia (2021)	Cannabis Control Authority	21% retail excise tax 5.3% standard sales tax Up to 3% local tax	After regulatory costs: pre-K for at-risk children (40%); a Cannabis Equity Reinvestment Fund (30%); substance abuse treatment and prevention (25%); and public health programs (5%).	Localities can determine hours and implement zoning and land use rules. They can opt out of retail by voter referendum.	Unclear, but social equity applicants will be given preference from July 1, 2023 until January 1, 2024. License caps — cultivation facilities: 450; manufacturing facilities: 60; wholesalers: 25; and retail stores: 400
Washington (2012)	Washington State Liquor and Cannabis Control Board	37% excise tax collected at the point of sale to adult-use consumers on all marijuana and marijuana products, plus standard state and local sales taxes Registered patients are exempt from the standard sales taxes.	Numerous specific allocations, including youth health survey, reports on legalization, public info on cannabis health risks, and technical assistance and competitive grants for social equity applicants. Of the remainder, 50% goes to the state basic health plan trust, up to 15% to substance abuse treatment and prevention, 10% for a cannabis public health program, and 5% to community health services. 30% to localities based on retailers and population.	By statute, localities' advice is given "substantial weight" by the board when it makes a decision to grant a license, and the state supreme court found that local communities may ban marijuana businesses.	If there are more qualified applicants in a city or county than allotted, the state selects licensees by lottery, as it did with retailer licenses in 2013.

State	Expungement, Sealing, or Re-Sentencing?	Civil Penalty for Minors Possessing Cannabis?	Protections from Discrimination?	On-Site Consumption Allowed?	Delivery Allowed?
Alaska (2014)	No. A sealing bill passed the House but died in the Senate in 2018.	No. Possession of marijuana by a minor is still a Class B misdemeanor punishable by up to 90 days and/or a fine of up to \$2,000.	No.	Yes. Regulators approved rules in late 2018.	No.
Arizona (2020)	Yes. Allows expungement for possession of up to 2.5 ounces of cannabis and for cultivation of up to six plants. Prosecutors and the Attorney General can file expungement on behalf of individuals.	Yes, for a first offense. A first offense carries a civil fine of up to \$100 and possible drug education or counseling. A second offense is a petty offense that is criminal but doesn't carry jail time. A third offense is a misdemeanor that can include jail time.	No.	No, not specified.	Yes. Delivery by agents of registered marijuana businesses allowed starting sometime between January 1, 2023 and January 1, 2025.
California (2016)	Yes. Expungement and/or resentencing for penalties that were reduced or eliminated by Prop. 64. Early release is only available if it would not pose an unreasonable risk. In 2018, then-Gov. Brown signed a bill making expungement automatic. It clears low-level cannabis offenses from a person's penal record.	Yes. Minors who possess up to an ounce must complete four hours of drug education and up to 10 hours of community service for a first offense, with higher requirements for subsequent ones.	No, not for adult-use consumers.	Yes, if it is allowed by the locality. Tobacco and alcohol cannot be sold or consumed on-site, and the area must be restricted to those 21 and older.	Yes. Retailers may deliver to consumers, including retailers with no storefronts.
Colorado (2012)	Yes. In 2017, lawmakers enacted a law for expungement of prior misdemeanor convictions. In 2020, lawmakers passed a bill allowing for mass pardons for low-level cannabis convictions, which the governor subsequently issued.	Yes. A first offense is an unclassified petty offense that carries a civil fine of up to \$100 and/or completion of a substance abuse education program.	No, not for adult-use consumers.	Yes. The legislature and governor approved a law to allow on-site cannabis "hospitality" in 2019.	Yes. The legislature and governor approved a law to allow delivery in 2019.

State	Expungement, Sealing, or Re-Sentencing?	Civil Penalty for Minors Possessing Cannabis?	Protections from Discrimination?	On-Site Consumption Allowed?	Delivery Allowed?
Connecticut (2021)	<p>Yes, starting July 1, 2022, individuals can petition at no cost for erasure of prior convictions for possession, drug paraphernalia, and sale and manufacture of four or fewer ounces or six or fewer plants.</p> <p>Beginning January 1, 2023, the bill provides for automatic erasures of convictions from January 1, 2000 to September 15, 2015 for possession of fewer than four ounces.</p>	<p>Yes. Penalties for those 18-20 with under five ounces: 1st offense - \$50 fine; 2nd or subsequent - \$150 fine. Indigent persons can instead perform community service with a charity (one hour = \$25 equivalent). Also, 60-day suspension of the driver's license. Must sign a statement acknowledging the health effects of cannabis on young people.</p> <p>Penalties for those under 18: 1st offense - written warning and possible referral to youth services; 2nd offense - referral to youth services; additional offense - juvenile court as delinquent.</p>	<p>Yes, several. Prohibits landlords from discriminating for a past low-level cannabis conviction or possession of four ounces or less. Landlords must allow non-inhaled cannabis use. Prevents many employers from action based on metabolites. Prohibits discrimination in medical care/organ transplants and action being taken by the Department of Children and Families, absent a risk of harm to the child. Protects students from discrimination. Starting January 2022, schools may not impose harsher discipline for cannabis offenses than similar alcohol ones.</p>	<p>Not initially. By January 1, 2023, DCP will report with recommendations related to on-site and special events.</p>	<p>Yes. Initially from retailers, later via stand-alone delivery services.</p> <p>Localities may not ban delivery.</p>
Illinois (2019)	<p>Yes. Automatic for up to 30 grams, via the governor's clemency process. For amounts of 30-500 grams, the state's attorney or the individual can petition the court to vacate the conviction.</p>	<p>Yes. Possession of up to 10 grams is a civil offense carrying a fine of between \$100 and \$200. If a minor is found to be in possession of marijuana in a motor vehicle, their driver's license may be suspended or revoked.</p>	<p>Yes. Includes protections from discrimination in medical care, including organ transplants, and related to parenting, fostering, and other child-related rights.</p>	<p>Yes. On-site consumption will be allowed at retailers for those localities that opt in.</p>	<p>No.</p>
Maine (2016)	<p>No. (However, possession of up to 2.5 ounces was already a civil offense.)</p>	<p>Yes. Possession of up to 1.25 ounce by someone who is 18 to 20 carries a civil fine of \$350-600 for a first offense. Those under 17 go to juvenile court.</p>	<p>No, not for adult-use consumers. The voter-enacted law included protections for custody, medical care, and employment, but the legislature removed them. Employers may not discriminate against applicants or employees based purely on off-duty marijuana use.</p>	<p>No. Social use was allowed in the voter-initiative, but lawmakers rewrote the law.</p>	<p>No.</p>

State	Expungement, Sealing, or Re-Sentencing?	Civil Penalty for Minors Possessing Cannabis?	Protections from Discrimination?	On-Site Consumption Allowed?	Delivery Allowed?
Mass. (2016)	Yes. Individuals may be eligible to immediately have their past records for marijuana possession sealed. A separate law includes a provision expunging the criminal records of those convicted of certain prior marijuana offenses.	Yes. Possession of up to an ounce is punishable by a \$100 fine and, for those under 18, a drug awareness course.	Yes, some. Protections against discrimination related to child custody, visitation, and similar rights and regarding medical care, including organ transplants.	Yes, jurisdictions can set up their own rules around cafes, smoke rooms, or other options for social consumption.	Yes, the commission approved allowing standalone recreational marijuana retailers without storefronts to deliver products to customers' doorsteps.
Michigan (2018)	In 2020, Michigan's governor signed a bill to "set aside" convictions. They will not be public records, but state police will keep a non-public record. Individuals can petition to expunge past marijuana misdemeanors. In addition, after seven years, up to four misdemeanor convictions can be set aside (marijuana or not), along with up to two non-violent felonies (excluding certain offenses.)	Yes. First offense possession of up to 2.5 ounces of cannabis by someone between 18 and 20 years of age carries a fine of up to \$100. For those under 18, the penalty also includes possible community service and up to four hours of drug education. Fines and the amount of community service or drug education increase for a subsequent offense.	Yes, state-legal marijuana-related conduct and testing positive for marijuana may not form the sole or primary basis for negative actions related to child custody, visitation, or similar rights unless there is clear evidence that the person's actions related to marijuana created an unreasonable danger to the minor's safety.	Yes. The law gives the regulating department authority to issue additional types of licenses, including those for social consumption and consumption at special events. The DCE license is available to any applicant; no other licenses are required. The DCE license is also open to marijuana retailers, microbusinesses, or anyone wanting to operate a "bring-your-own-cannabis" model.	Yes. Retailers are allowed to transport marijuana, and the law gives regulators authority to issue additional types of licenses, including those for delivery services. Regulations for delivery have not been issued yet.
Montana (2020)	Yes, conduct that is no longer criminal can be expunged or be eligible for resentencing. A special administrative judge will be appointed to process petitions to expunge prior criminal records for cannabis-related activities that are permitted or decriminalized under the legalization law.	Yes, possession of up to an ounce by a minor carries the minor's choice of a civil fine of up to \$100 or up to 4 hours of drug education or counseling.	Yes, includes anti-discrimination protections for: organ transplant and health care; related to adoption, custody, or visitation rights; those on parole, probation, or pre-trial release; and professional licensing.	TBD — The department may allow on-site consumption.	Delivery is permitted for medical cannabis patients; it is not yet clear if home delivery will be allowed for the adult-use market.

State	Expungement, Sealing, or Re-Sentencing?	Civil Penalty for Minors Possessing Cannabis?	Protections from Discrimination?	On-Site Consumption Allowed?	Delivery Allowed?
Nevada (2016)	Yes, in 2019, Gov. Sisolak signed a bill that allows individuals to have their past convictions sealed if the conduct — such as marijuana possession — has been legalized or decriminalized. In June 2020, the Nevada State Board of Pardons Commissioners passed a resolution, recommended by the governor, to summarily pardon those convicted of possession of one ounce or less of marijuana from January 1986 to January 2017 in Nevada, covering more than 15,000 people. Convictions can be pardoned upon application.	Yes. A first offense is a misdemeanor punishable by a fine of up to \$600 or a drug evaluation and possible treatment.	Prohibits many employers from using the results of a pre-employment marijuana drug test to turn someone away.	Adults can purchase and consume adult-use cannabis products at licensed cannabis consumption lounges. The measure establishes regulations for two distinct types of cannabis consumption lounges: one group reserved for existing marijuana dispensary license holders, and the other for new, independent businesses to apply for a license to operate an “independent cannabis consumption lounge,” which is not attached to or adjacent to an existing retailer. Local governments can enact policies restricting access to cannabis consumption lounges.	Yes.
New Jersey (2020)	Yes, requires the Court to develop a system for sealing records related to unlawful cannabis possession or distribution. Possession and distribution charges pending when law takes effect must be dismissed. Convictions for unlawful distribution, possession, being under the influence, and possession of drug paraphernalia are eligible for no-cost, post-conviction relief. Prior sentences, convictions, or court order settlements imposed for possession and distribution are deemed to not have occurred. Persons incarcerated, on probation, parole, or other forms of community supervision, may move to have their sentences reviewed by the court at no charge.	Yes, underage possession of up to one ounce (28.35 grams) of cannabis or hashish carries a \$50 civil fine for persons between 18 and 20 years of age. For larger amounts, it carries a \$100 civil fine. For persons under age 18, a first offense results in a “point of violation” warning or “juvenile intervention.” A second or subsequent offense can be a crime of the fourth degree punishable by up to 18 months’ imprisonment, a fine of \$10,000, or both.	Yes, a person may not be deprived of rights or privileges based on a cannabis possession or distribution conviction. This includes discrimination related to a driver’s license and other professional licenses, housing assistance, social services, parental custody rights, and approval or disapproval to serve as a foster parent. Illegally disclosing a person’s cannabis possession or distribution arrest or conviction is a disorderly persons offense.	Yes. A licensed cannabis retailer may operate a cannabis consumption area. Customers can buy the cannabis from the retailer or bring their own.	Yes, the Cannabis Regulatory Commission will promulgate regulations. Retailers must seek permission from local municipalities

State	Expungement, Sealing, or Re-Sentencing?	Civil Penalty for Minors Possessing Cannabis?	Protections from Discrimination?	On-Site Consumption Allowed?	Delivery Allowed?
New Mexico (2021)	A companion law to legalization (SB 2) sets up a system for reviewing and expunging cannabis convictions for conduct that was legalized or downgraded. It also allows for post-conviction relief for those currently serving sentences for conduct that was legalized or downgraded.	Yes. Possession by those under 21 is subject to a \$50 civil fine.	Yes. A person cannot be denied parental rights based on their lawful cannabis activities, but the state may still act in the “best interests of the child.” Public benefits and health care cannot be denied due to legal cannabis conduct, unless federal law requires doing so. Parole, probation, and pre-trial release cannot be revoked for cannabis, unless the use of cannabis is a specific condition of their release. Discrimination for legal cannabis activities is not allowed in professional and occupational licensing.	Yes. “Cannabis consumption areas” are allowed.	Yes. Creates a license category for “couriers.”
New York (2021)	Legalized conduct will be automatically expunged.	Yes, possession by those under 21 is subject to a \$50 civil fine.	Yes, a person may not be deprived of rights or privileges based on a cannabis possession or distribution conviction, or for operating or working at a cannabis establishment. This includes discrimination related to a driver’s license and other professional licenses, housing assistance, social services, parental custody rights, serving as an organ donor, rental applications, and approval to serve as a foster parent.	Yes, there will be on-site consumption licenses.	Yes. Retailers, microbusinesses, and delivery licensees are allowed to deliver to cannabis consumers.

State	Expungement, Sealing, or Re-Sentencing?	Civil Penalty for Minors Possessing Cannabis?	Protections from Discrimination?	On-Site Consumption Allowed?	Delivery Allowed?
Oregon (2014)	Yes. In 2015, Oregon lawmakers expanded when expungement is available for marijuana convictions and included even some past felony convictions. To qualify, three years must have passed post-conviction, among other limits.	Yes, a minor in possession of marijuana typically is a Class B violation, carrying a presumptive fine of \$265. The presumptive fine is \$435 if the person is operating a motor vehicle at the time.	Not for adult-use consumers.	No.	Yes, with no more than a \$3,000 value in the vehicle.
South Dakota (2020)	Not included in the constitutional amendment. The legislature could do so in implementation.	Not included in the constitutional amendment. The legislature could do so in implementation.	Not included in the constitutional amendment. Could be included in legislative implementation.	Not included in the constitutional amendment. Could be included in legislative implementation or permitted by regulators.	Not specified in the constitutional amendment. The legislature or regulators could allow it.
Vermont (2018, 2020)	Yes, automatic expungement for criminal records for two ounces of cannabis, 10 grams of hashish, four mature plants, and eight immature plants.	Yes. Individuals under 21 who possess up to an ounce face a civil violation and are referred to a Youth Substance Abuse Safety Program. If they fail to complete it, they face a civil penalty and a short-term suspension of their driver's license.	No.	No.	No.
Virginia (2021)	Automatically shields from public inspection records of misdemeanor cannabis convictions.	Yes. Minors possessing cannabis are subject to a civil fine of up to \$25 plus a required substance abuse education program.	Employers, landlords, insurance companies, and educational institutions generally may not require an applicant to disclose information for any automatically shielded charge. Individuals need not disclose any shielded conviction.	No.	No, it is prohibited.
Washington (2012)	Yes, Gov. Inslee signed a bill in 2019 that allows any person who was convicted of a misdemeanor marijuana offense when they were 21 or older to apply for and be granted expungement.	No, possession of marijuana by a minor is a misdemeanor. It generally carries a minimum of 24 hours in jail (unless there is overcrowding in jail) and a fine of at least \$250.	Not for adult-use consumers.	No.	No.