



Review of State Legalization and Regulation Laws

State	Age Limit	Personal Possession and Purchase Limits	Home Cultivation	Business Types Allowed and Restrictions on Numbers	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). There were no existing medical businesses to convert so all licensees were new.
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 from existing medical businesses began January 22, 2021 (two months after enactment). Social equity licenses were issued in April 2022.

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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	Allows secure cultivation of three mature and three immature plants at home. (This began two years after legalization, as part of the law.) 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 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.	Legalization became effective July 1, 2021. Retail sales began on January 10, 2023. Social equity lotteries for new licenses were held in early 2022, and preliminary approvals were given in November 2022. Some "equity joint ventures" have also been approved.
Delaware (2023)	21 and older	One ounce, 12 grams of concentrated cannabis, or products with 750 mg or less of delta-9 THC	Home cultivation is not allowed.	Retailers, cultivation facilities, product manufacturers, and laboratories. Limited by statute to 30 retailers, 60 cultivators (half for under 2,500 sq. feet and half for larger), 30 manufacturers, and five testing labs. After two years, the Commissioner may issue more if they are needed.	Legalization became effective April 26, 2023. The statute provides that the Commissioner will begin accepting applications for licensure within 13 months of the effective date, with cultivation facilities to be licensed within 15 months. Other licenses are to be issued within 19 months after the effective date.

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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 two social equity retail licenses were issued in November 2022. In June 2022, 192 new conditional social equity licenses were issued. The first two social equity retail licenses were issued in November 2022.
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.	Marijuana stores, cultivation facilities (four types plus nurseries), product manufacturing facilities, and testing facilities No state limits on the number of licenses, but localities may restrict their numbers or ban them. The maximum total plant canopy for cultivation licenses in the state is 800K square feet.	Legalization became effective January 30, 2017, and the first legal adult-use sales began on October 9, 2020 (three years and nine months enactment).
Maryland (2022 for legal possession and home cultivation, 2023 for legal, regulated sales)	21 and older	1.5 ounces of cannabis, 12 grams of concentrates, or products containing no more than 750 milligrams of THC.	Two plants	Dispensaries, growers, processors, transporters, and on-site consumption facilities. The Cannabis Administration will issue standard licenses, micro-licenses, and incubator space licenses. All licenses are dual-use, medical and adult-use. Regulators can issue no more than: *Growers: 75 standard licenses (up to 300,000 sq. ft of canopy indoors or 1.2 million outdoors, through some existing medical growers may be larger) and 100 micro (under 10,000 sq. ft. indoors/ 40,000 outdoors) * Processors: 100 standard licenses and 100 micro (<1,000 pounds/year). * Dispensaries: 300 standard licenses *Delivery: 10 licenses * 10 incubator spaces * 50 on-site consumption facilities.	The sales law went into effect immediately on May 4, 2023. The Cannabis Administration was required to approve existing medical cannabis businesses to also serve adult consumers if they paid a conversion fee. Sales from existing medical dispensaries began July 1, 2023 — less than two months after enactment. The first round of licenses for new applicants will be issued by January 1, 2024. It is exclusive to social equity applicants. The second round of licenses for new applicants will be issued by May 1, 2024, after a disparity study.

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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.
Minnesota (2023)	21 and older	<p>In public: Two ounces of cannabis, eight grams of concentrates, and products with up to 800 mg of THC</p> <p>At home: Up to 2 pounds</p>	Up to eight plants, with up to four flowering and mature	<p>Includes a variety of license types: retailers, cultivators, manufacturers, wholesale, transporters, testing, events, delivery, microbusinesses, mezzobusiness, in addition to medical cannabis businesses.</p> <p>Regulators will decide how many licenses to issue.</p>	Sales are anticipated in the first quarter of 2025.

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Missouri (2022)	21 and older	Three ounces of cannabis, and the equivalent of other forms	Six mature cannabis plants, with a non-commercial cultivation registration card	Manufacturers, dispensaries, and microbusiness facilities. Gives licensing priority to existing medical cannabis businesses. In October 2023, 48 microbusiness licenses will be issued by lottery to qualified applicants. In both 2024 and 2025, 48 additional microbusiness licenses will be issued.	The voter-enacted initiative took effect on December 8, 2022. Regulators immediately began accepting applications from existing medical cannabis dispensaries to serve adult-use customers immediately. Adult-use sales began less than two months after the effective date, on February 3, 2023.
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. Sales began one year later on January 1, 2022.
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. Starting on January 1, 2024, possession limits increase to 2.5 ounces of flower and eight grams of concentrates.	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 determine the total number of licenses issued. However, they 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. Legal sales from existing medical dispensaries began on April 21, 2022 (one year and two months later).

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New Mexico (2021)	21 and older	Two ounces of marijuana, up to 16 grams of concentrated marijuana, and 800 milligrams of edible cannabis	Six mature and six immature plants per adult, with a maximum of 12 mature plants per household	The Cannabis Control Division licenses 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. Legal sales began less than a year later, on 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 are awarding licenses to produce, process, test, dispense, distribute, and deliver marijuana. The number of licenses is not specified in the statute. It is determined by regulation. Vertical integration is restricted.	Legalization became effective March 31, 2021. Sales began on December 29, 2022, from a single retailer in New York City. As of June 12, 2023, 13 retail stores are open in the state, none of which are the state's medical cannabis dispensaries.
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. A moratorium on issuing new licenses was implemented in 2022.	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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Rhode Island (2022)	21 and older	One ounce of usable cannabis and up to five grams of concentrate; up to ten ounces of usable cannabis if stored in an individual's residence; possession of more than one but less than two ounces outside the home is subject to a civil fine.	Up to three mature plants and up to an additional three immature plants per residence (regardless of the number of adults living there)	<p>The law permits a total of 33 adult-use cannabis retail licenses, with six reserved for social equity businesses and six reserved for worker-owned cooperatives. For a period of two years after the Cannabis Control Commission has issued final rules, only existing medical cannabis cultivators may apply for and receive adult-use cannabis cultivation licenses (there are approximately 60 as of December 2022); licenses may also be issued for product manufacturers, wholesalers, and testing laboratories.</p> <p>The law gives the Cannabis Control Commission authority to study and provide recommendations to the legislature for the addition of other licenses, including for delivery and social consumption.</p>	Legalization became effective in May 2022. Sales through existing medical cannabis dispensaries that obtained a hybrid adult-use license began on Dec. 1, 2022. The Office of Cannabis Regulation, which maintained oversight over the legal cannabis industry prior to the Cannabis Control Commission being established in June 2024, issued five dual (retail and cultivation) licenses and two retail-only licenses. An additional 24 retail licenses are expected to be issued by the Commission in 2024 and 2025 (six are reserved for social equity applicants along with another six for worker-owned cooperatives). Once the Commission finalizes its rules and regulations for the industry, there is a two-year moratorium on the issuance of additional cultivation 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)	<p>Retailers, cultivators, cannabis propagation cultivators, product manufacturers, wholesalers, labs, and integrated licenses</p> <p>There is no numerical limit on license numbers.</p>	Legalization of simple possession became effective July 1, 2018. The legal sales bill became law on September 15, 2020. Applications were accepted in May 2022. The first sales began two years and two weeks after the legal sales law passed, on October 1, 2022.
Virginia (2021, personal possession/cultivation only, most legal sales provisions require re-enactment, which has not happened)	21 and older	Up to one ounce of cannabis, or the equivalent amount of cannabis products	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.	Unclear. A 2021 law that required partial reenactment, but has not been re-enacted, provided that 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.	Unclear. The 2021 bill said sales would begin January 1, 2024. However, large parts of the law require reenactment and have not been re-enacted.

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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.)	<p>Marijuana producers, processors, retailers, and transporters</p> <p>The state limits the number of retailers. In 2016, the original limit was increased to 556. Regulators have also limited the total square footage of canopy licensed for cultivation.</p>	Legalization became effective December 6, 2012, and the first adult-use stores opened in July 2014 (one year and seven months after enactment).

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Alaska (2014)	Marijuana 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>50% of the marijuana tax revenue goes to the Recidivism Reduction Fund for treatment in prisons, reentry support services, pretrial services and supervision, violence prevention programming, and crime victims' services. Another 25% is deposited into the Marijuana Education and Treatment Fund. The remaining 25% goes to the General 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 were available for qualified early applicants, and at least 26 licenses were reserved for social equity applicants.</p>

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California (2016)	The Department of Cannabis Control	<p>A 15% cannabis-specific sales tax; 7.25% standard state sales tax; and local taxes.</p> <p>Registered patients do not pay the standard state sales tax.</p>	<p>After covering regulatory costs, each year: \$50 million to community reinvestment in areas hit hard by the drug war, including job placement, mental health, reentry; \$10 million to universities to study the impacts of legalization (until FY 28- 29); \$2 million for medical cannabis research; and \$3 million (until FY 2023) 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.</p>	<p>Businesses can only operate if they are allowed under local ordinances. Localities may require permits, too.</p> <p>Opt-out: Municipalities could limit marijuana businesses by ordinance until 2019, then by popular vote.</p>	<p>Licensing priority was given to applicants who can demonstrate they acted in compliance with the Compassionate Use Act since September 1, 2016.</p>
Colorado (2012)	Department of Revenue, Marijuana Enforcement Division (MED)	<p>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.</p> <p>Medical patients pay a lower rate.</p>	<p>Wholesale e tax: 100% to Building Excellent Schools Today for school construction.</p> <p>Retail tax: 10% to local governments based on the percent of marijuana sales in their boundaries; 90% to the state for: 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.</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>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).</p>

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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>Beginning July 1, 2023, 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 may authorize allowing cannabis businesses.</p> <p>Localities can regulate signage, hours, and zoning; restrict density; and can have buffers to sensitive locations. They cannot implement host community agreements.</p>	<p>Some licenses are by lottery, with 50% reserved for social equity applicants, and the social equity lottery happening first.</p> <p>In addition, existing medical businesses could convert with a hefty fee that can be reduced if they host an equity joint venture.</p> <p>Finally, new cultivators are approved if they pay a \$3 million social equity fee and meet other requirements.</p>
Delaware (2023)	Marijuana Commissioner — A Marijuana Commissioner was appointed by the governor and confirmed by the Senate. A 15-member Marijuana Control Oversight Committee is also established.	A 15% tax is levied on retail sales. It does not apply to medical cannabis sales.	All cannabis taxes and fees go to a Marijuana Regulation Fund. After covering administrative costs and allocating 7% to the Justice Reinvestment Fund, the legislature decides how to appropriate the remainder of those funds. The Justice Reinvestment Fund will administer grants and services with a focus on: restorative justice, jail diversion, workforce development, and industry-specific technical assistance or mentoring services for economically disadvantaged persons in disproportionately impacted areas; addressing the underlying causes of crime, reducing drug-related arrests, and reducing the prison population in Delaware; and creating or developing technology to assist with the restoration of civil rights and expungement of records.	Localities may enact regulations governing the time, place, manner, and number of cannabis establishments or banning the businesses altogether.	<p>Businesses are licensed based on a competitive, scored process, which takes into account geographic diversity and population distribution.</p> <p>Medical cannabis compassion centers do not get a head start or automatically qualify as retailers, but they can apply for licensure.</p>

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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.	7% cultivation privilege tax, plus: <ul style="list-style-type: none"> • 10% for flower • 20% on products infused with cannabis, such as edibles • 25% for products with > 35% THC Also, 6.25% state sales tax rate, with up to 3.5% in local taxes. Medical cannabis is taxed at a lower rate.	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.	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.	Scored application process; 20% of the points are for whether the applicant is a social equity applicant.
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.

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Maryland (2022 for legal possession and home cultivation, 2023 for legal, regulated sales)	A standalone Cannabis Admin, which will work with a renamed "Alcohol, Tobacco, and Cannabis Commission" via a MOU. An Office of Social Equity is housed within the ATCC.	A 9% tax levied on retail sales. Medical cannabis is exempt.	35% to the Community Reinvestment and Repair Fund, until fiscal year 2033. 5% to the Cannabis Business Assistance Fund until 2028. 5% to counties, based on the percent of cannabis revenue generated from them; the counties in turn must allocate to municipalities within them half of the allocation attributable to sales generated within that municipality. 5% to the Cannabis Public Health Fund. The remainder to the General Fund.	Localities may establish reasonable zoning requirements. They may not impose "fees or requirements ... that are disproportionately greater or more burdensome than those imposed on other businesses with a similar impact." Localities cannot prohibit transportation or deliveries. Political subdivisions and special taxing districts may not "impose a tax on cannabis." On-site facilities could only operate if it is expressly allowed by the locality, and if the business has a local permit or license to do so.	Existing medical businesses are required to pay a conversion fee to also serve adult consumers. If they choose not to pay the fee, they will be required to either stop operating or sell/transfer their license to operators that will pay the fee and convert. The Cannabis Administration sets minimum criteria for applicants, all of which must be social equity applicants in the first round. All that pass the threshold will be entered into a lottery. These applications will include a detailed operational plan, a business plan, and a detailed diversity plan. Applicants may not be required to possess or own property before applying.
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.	Local governments may impose limits on where and when marijuana businesses are allowed to operate. Cities may also impose "host community agreements," getting certain benefits from cannabis businesses. The legislature reformed the process in 2022.	Applications were first accepted from priority applicants (social equity applicants and existing medical businesses). After that, they open to all qualified applicants.

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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 goes 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.
Minnesota (2023)	Office of Cannabis Management	Retail cannabis-specific tax of 10% (applied at the point of sale); standard sales tax of 6.875%, and generally applicable local taxes.	80% to the general fund and 20% to local government cannabis aid. The law creates several funds for social equity start-up, technical assistance, and training — including CanRenew, CanGrow, Can StartUp, CanNavigate, and CanTrain. It also includes Substance Use Disorder Treatment and Prevention grants.	Local governments can adopt reasonable restrictions on the time, place, and manner, including buffers from schools, parks, and other locations. Localities may limit the number of retail establishments but must allow at least one for every 12,500 residents.	Scored system, with 20% of points reserved for social equity status, and points for veteran status. This does not apply to “lower potency hemp edibles” (which includes beverages) manufacturers and retailers. They have much lower fees and no competitive licensing or social equity prioritization.
Missouri (2022)	Department of Health and Senior Services	6% retail tax on cannabis sales (in addition to standard state and local sales taxes)	After retaining no more than 2% of tax revenues, the Dept. of Revenue deposits the remainder into the “Veterans, Health, and Community Reinvestment Fund.” The fund initially covers any additional implementation costs, including the expungement of past cannabis convictions. The remainder is split evenly between three categories: veterans services, community grants related to treating substance use disorder and preventing drug overdose deaths, and the public defender system.	Starting in 2024, localities may opt to prohibit the operation of cannabis businesses through a local ballot question. Local governments may adopt ordinances not in conflict with the legalization law that govern the time and manner of operation of cannabis businesses as well as rules that govern the consumption of marijuana-infused products, such as in beverages and food from restaurants.	Medical cannabis facilities that were licensed as of Dec. 7, 2022, could apply for and receive a comprehensive medical/adult-use license if they comply with all relevant requirements. Microbusiness licenses are issued by lottery to qualified applicants, with the first licenses issued in October 2023.

State	Oversight Agency	Tax Rate and Method	Revenue Disposition	Local Role	How Licensees are Determined
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 is allocated for drug addiction treatment program; 20% goes toward conservation efforts; 4% or up to \$650,000 each goes to state parks, trails and recreational facilities, and wildlife protection; up to \$200,000 goes to veterans' services and improving veterans' cemeteries; \$300,000 was used for a one-time purchase of drug detection canines; \$150,000 funded a one-time police training; and the remaining money is allocated to the state's general fund.	In counties where most voters supported I-190, local governments may not ban businesses. Where most voters were opposed, legal sales need local government approval. Local regulations are allowed unless they are unduly burdensome. Local voters may ban retailers.	From Jan. 1 through June 30, 2023, only existing medical licensees could apply for and receive an adult-use license.
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.	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. On-site consumption licenses were issued by lottery, with half going to social equity applicants.

State	Oversight Agency	Tax Rate and Method	Revenue Disposition	Local Role	How Licensees are Determined
New Jersey (2020)	Cannabis Regulatory Commission	<p>Sales tax of 6.625%.</p> <p>Plus, “SEEF” excise fees as follows: For the first nine months of sales, 0.33% of average retail price Then, the Commission sets 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. The lowest fees are up to \$60/ounce when average retail prices drop below \$200/ounce. In 2003, the fee is \$1.52 per 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>SEEF 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.</p> <p>Applications are scored and reviewed based upon a point scale. Some applications are 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 is exempt.)</p> <p>Gross receipts taxes, which range from 5.125% to 8.8125% depending on the location in the state.</p> <p>(Medical is exempt.)</p>	<p>One-third of the cannabis excise tax revenue goes to the municipality where the sales were made. Another third of the cannabis excise tax revenue goes to the county where the sales were made. Currently, there are no specific earmarks for the state portion of the revenue. A 2023 bill to allocate the state funds to community reinvestment grants the substance use disorder prevention and treatment died.</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>Applicants must meet requirements as established by regulators. All qualified applicants are approved, provided they also comply with local law.</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	<p>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.</p> <p>Retail sales tax: 9% state tax and a 4% local tax</p>	<p>After regulatory and administrative costs, 40% of cannabis revenue goes 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.</p> <p>Of the local tax, 75% goes to municipalities and 25% to counties.</p>	Cities, towns, and villages could opt-out of allowing adult-use cannabis retail dispensaries or on-site consumption licenses by passing a local law by December 31, 2021.	<p>The New York State Cannabis Control Board reviews 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 was set of 50% of licenses going to social and economic equity applicants.</p> <p>For the first stage of applications, licensees must have at least 30% ownership by a justice-involved individual or be a qualifying non-profit. The Dormitory Authority is supposed to take an active role in securing locations for those applicants. However, many claim it has driven up costs. As of June 15, 2023, a total of 13 retailers are open and growers (mostly hemp farmers) have thousands of tons of cannabis they cannot sell.</p> <p>Medical cannabis licensees may enter the adult-use market in December 2023.</p>
Oregon (2014)	Oregon Liquor Control Commission (OLCC)	<p>There is a state-imposed 17% sales tax collected at the point of sale on marijuana and marijuana products. Local governments may impose a local sales tax not to exceed 3%.</p> <p>Medical cannabis is not taxed.</p>	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.	<p>Municipalities may enact time, place, and manner zoning ordinances. Some may ban under certain circumstances.</p> <p>If a municipality enacts an ordinance restricting the licensing of dispensaries, the ordinance must be submitted to voters for approval.</p>	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.

State	Oversight Agency	Tax Rate and Method	Revenue Disposition	Local Role	How Licenses are Determined
Rhode Island (2022)	Office of Cannabis Regulation within the Department of Business Regulation (during transition). Eventually the Cannabis Control Commission, will have sole authority.	10% excise sales tax and a 3% local sales tax, in addition to the normal sales tax rate of 7%.	Aside from the local sales tax revenue (which goes to the municipality in which the sale took place), cannabis excise tax revenue is deposited into a restricted receipt account within the state's general fund. The law stipulates that cannabis revenue be used (with no specific funding formula) to support: program administration; revenue collection and enforcement; substance use disorder prevention for adults and youth; education and public awareness campaigns, including awareness campaigns relating to driving under the influence of cannabis; treatment and recovery support services; public health monitoring, research, data collection, and surveillance; and law enforcement training and technology improvements, including grants to local law enforcement.	Cities and towns have authority to regulate cannabis businesses in some respects, including zoning and hours of operation. Municipalities had an opportunity to ban cannabis establishments via referendum in the 2022 election. Out of 33 municipalities that held a vote, 25 voted to approve cannabis businesses within their jurisdiction.	Existing medical cannabis businesses are allowed to obtain hybrid licenses if they comply with relevant requirements. New licenses are issued by the Cannabis Control Commission through a process that has not yet been established.
Vermont (2018 personal possession/ cultivation, 2020 regulated sales)	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 licenses only some applicants and prioritizes 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 personal possession/ cultivation only, most legal sales provisions require re-enactment, which hasn't happened))	Cannabis Control Authority	The 2021 law provided for a 21% retail excise tax, 5.3% standard sales tax, and up to 3% local tax. However, these provisions required re-enactment to take effect and they have not been reenacted.	The 2021 law provided 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%). However, these provisions required re-enactment to take effect and they have not been reenacted.	The 2021 law (most of which required reenactment) provided localities can determine hours and implement zoning and land use rules. They could also have opted out of retail by voter referendum.	The 2021 law (most of which required reenactment) was unclear but provided social equity applicants would be given preference from July 1, 2023, until January 1, 2024. It also included the following license caps — cultivation facilities: 450; manufacturing facilities: 60; wholesalers: 25; and retail stores: 400.

State	Oversight Agency	Tax Rate and Method	Revenue Disposition	Local Role	How Licensees are Determined
Washington (2012)	Washington State Liquor and Cannabis Control Board	<p>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.</p> <p>Registered patients are exempt from the standard sales taxes.</p>	<p>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.</p>	<p>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.</p>	<p>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 and in subsequent licensing.</p> <p>In Spring of 2023, the Board accepted applications from social equity applicants for 40 licenses that are no longer active. Also in 2023, the legislature passed a bill providing more social equity license opportunities.</p>

State	Expungement, Sealing, or Re-Sentencing?	Civil Penalty for Minors Possessing Cannabis?	Protections from Discrimination?	On-Site Consumption Allowed?	Delivery Allowed?
Alaska (2014)	No. Sealing bills passed a single chamber, but died in the other in 2018, 2022, and 2023.	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.	Not for adults-use consumers. The medical cannabis law includes protections for registered patients related to employment, child custody, schools, housing, and medical care (including organ transplants).	No, not specified.	Yes, but not yet. Delivery by agents of registered marijuana businesses should be allowed by January 1, 2025.
California (2016)	Yes. Expungement and/or resentencing for penalties that were reduced or eliminated by Prop. 64. Early release 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. A 2022 law set deadlines for the automatic expungement/sealing of records.	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.	Yes, related to employment. In 2022 the legislature and governor approved a bill to protect most employees who use cannabis while they're off the clock. It takes effect on Jan. 1, 2024.	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 possession of up to two ounces of cannabis, which the governor subsequently issued. A 2022 Clean Slate law includes petition-based sealing for many drug misdemeanors and felonies, with waiting periods. They become automatic in 2024.	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.	Yes, limited. In 2023, a bill was enacted to prohibit regulators from revoking or denying professional certifications for prior cannabis convictions for now-legal conduct. In 2022, Gov. Polis issued an executive order (D2022 34) to mandate state regulatory authorities refuse to cooperate with prohibition states' professional licensing boards efforts to sanction individuals for state-legal cannabis activities in Colorado.	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. On January 1, 2023, the law resulted in automatic erasures of 42,964 convictions from January 1, 2000, to September 15, 2015, for possession of fewer than four ounces.</p> <p>Also, 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>Other misdemeanors and felonies, including for cannabis, are eligible for expungement pursuant to a Clean Slate law after 7 or 10 years if the person committed no other offense.</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. Schools may not impose harsher discipline for cannabis offenses than similar alcohol ones.</p>	<p>Not initially. In late 2022, DCP reported with recommendations related to on-site and special events. It recommended that if the legislature allows on-site, it does so with "an endorsement option for existing retailer, hybrid retailer, and micro-cultivator licensees" with a new license type. The legislature did not act on on-site consumption during its 2023 legislative session.</p>	<p>Yes. Initially from retailers, later via stand-alone delivery services.</p> <p>Localities may not ban delivery.</p>
Delaware (2023)	<p>Yes, in both standalone bills and as part of an omnibus Clean Slate Act. 2018's SB 197 allows a single pre-decrim conviction for up to an ounce to be expunged with no waiting period. Under the Clean Slate Act, all misdemeanor cannabis possession convictions and some felonies are eligible for mandatory expungement after a 3-10 year waiting period. Starting August 1, 2024, the Clean Slate's expungement process becomes automatic.</p>	<p>Yes. Possession of up to an ounce of cannabis for those under 21 years old carries a civil penalty of a \$100 fine.</p>	<p>No.</p> <p>The medical cannabis law includes protections for registered patients related to employment, child custody, schools, housing, and medical care (including organ transplants).</p>	<p>Not allowed.</p>	<p>Not allowed.</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. Gov. Pritzker issued over 20,000 pardons pursuant to the law, and over 500,000 non-conviction records were expunged.</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, some. Includes protections from discrimination in medical care, including organ transplants, and related to parenting, fostering, and other child-related rights. No employment protections for adult-use consumers.</p>	<p>Yes. On-site consumption is allowed at retailers and/or at retail tobacco stores in localities that opt in.</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?
Maine (2016)	No. (However, possession of up to 2.5 ounces has been a civil offense since 1976, so there are less records than in some states.)	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.	Yes, limited. The voter-enacted law included protections for custody, medical care, and employment, but the legislature removed them. In 2023, the legislature added some protections related to parole/probation revocation to equalize treatment with alcohol. The medical cannabis law includes some protections for patients related to employment, child custody, and housing	No. Social use was allowed in the voter-initiative, but lawmakers rewrote the law.	No.
Maryland (2022 for legal possession and home cultivation, 2023 for legal, regulated sales)	Automatic expungement for cases where possession of cannabis was the only charge in the case and the charge was issued before July 1, 2023. The Department of Public Safety and Correctional Services must expunge the records by July 2024. Allows individuals incarcerated for possession to petition for release/resentencing. Provides that relief shall be granted unless they are serving a concurrent or consecutive sentence for another crime.	Yes. Possession of up to 1.5 ounces is punishable by a civil fine of up to \$100. (This penalty also applies to adults 21 and older until July 1, 2023.)	Yes, limited. In 2023, the legislature enacted a law providing that the use of cannabis by a person caring for a child does not qualify as neglect “unless, as a result of the use of cannabis: (i) the child’s health or welfare is harmed or placed at substantial risk of harm; or (ii) the child has suffered mental injury or been placed at substantial risk of mental injury.”	Yes, but not expected to be opened until 2025. They must be restricted to adults 21 and older. Smoking is prohibited indoors but is allowed in outdoors areas like patios. Vaping is allowed unless the municipality that authorizes the business does not allow it. On-site licensees cannot make cannabis-infused preparations or products themselves, cannot serve or allow the consumption of alcohol or tobacco products, and they cannot receive licenses to prepare food onsite.	Yes, but delivery from existing medical dispensaries must stop on July 1, 2024. Only a total of 10 micro-dispensary licenses (which are delivery only) will be issued.

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 can file a petition, which must be granted, to have their past records for decriminalized or legalized offenses (which includes possession and cultivation of legal amounts).	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 regarding medical care, including organ transplants.	The Cannabis Control Commission voted to allow on-site consumption licenses in September 2019, but they are still not being licensed. As of June 2023, the commission has abandoned a plan for a pilot in certain communities and is seeking input before a formal regulatory process.	Yes.
Michigan (2018)	<p>Since January 1, 2020, anyone with a conviction for a misdemeanor or local marijuana offense for conduct that is no longer a crime can petition for the conviction to be "set aside." There is a rebuttable presumption that any conviction for a misdemeanor marijuana offense would be legal post-Dec. 6, 2018, and that the petition should be granted. "Set aside" records are not public records, but state police will keep a non-public record.</p> <p>In addition, under Clean Slate, after a seven-year wait, an unlimited number of low-level misdemeanors, up to four more serious misdemeanors, and up to two non-violent felonies (excluding certain offenses) can be set-aside (marijuana-related or otherwise). Some are automatic, some are by petition. Clean Slate requires no pending charges and no convictions during the waiting period.</p> <p>Resentencing is also allowed if a set-aside marijuana conviction was part of the reason for a sentence.</p>	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, some. 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. Currently, retailers can get an add-on license for delivery.

State	Expungement, Sealing, or Re-Sentencing?	Civil Penalty for Minors Possessing Cannabis?	Protections from Discrimination?	On-Site Consumption Allowed?	Delivery Allowed?
Minnesota (2023)	<p>Automatic expungement for gifting or possession of 42.5 grams or less of cannabis and possession in a motor vehicle.</p> <p>Creates a Cannabis Expungement Board to review records for offenses where penalties were reduced or eliminated. If the offense is for conduct that is now legal or was downgraded, the board decides whether the conviction should be expunged and/or if the person should be released or have a reduced sentence. Expungements are presumed to be in the public interest unless there is clear and convincing evidence that an expungement or resentencing to a lesser offense would create a risk to public safety.</p>	No state penalty for minors possessing or using cannabis. Cities can impose penalties.	<p>Yes, some.</p> <p>Imposes some limits on when abstaining from cannabis may be a condition of parole/probation.</p> <p>Includes some employment protections. Allows random cannabis drug testing only for “safety-sensitive employees” and professional athletes whose collective bargaining agreement allows for it.</p> <p>The medical cannabis law includes protections for registered patients related to employment, child custody, schools, housing, and medical care (including organ transplants).</p>	<p>Yes.</p> <p>Lower potency hemp retailers and microbusinesses may get on-site endorsement for edibles/beverages. Smoking and vaping are not allowed.</p> <p>Events may have licensed on-site consumption with local approval. These events can allow smoking in locations where state law does not prohibit smoking.</p>	Yes. The law includes a separate delivery license.
Missouri (2022)	<p>By June 8, 2023, the constitutional amendment directed circuit courts to order the expungement of all records of individuals no longer under the supervision of the department of corrections for misdemeanor cannabis offenses. By Dec. 8, 2023, the courts are directed to expunge records for “any felony marijuana offenses and any marijuana offenses that would no longer be a crime,” if the individual is no longer under supervision.</p> <p>Those serving sentences for legalized offenses (up to three pounds, with exceptions) can petition for vacatur and release which will be granted “absent good cause for denial.”</p> <p>As of June 5, 2023, more than 44,000 cases were expunged, and efforts continue. Officials are unlikely to meet the deadline.</p>	Yes. Possession of up to an three ounces is punishable by a \$100 fine or a 4-hour drug education course or counseling in lieu of the fine.	Yes, some. Individuals may not be denied eligibility for public benefits, denied gun rights, or denied parental rights for lawful conduct.	Yes, localities may establish rules to allow for on-site consumption.	Yes, the department has authority to issue licenses for delivery of cannabis products. Delivery of adult-use cannabis began in February 2023.

State	Expungement, Sealing, or Re-Sentencing?	Civil Penalty for Minors Possessing Cannabis?	Protections from Discrimination?	On-Site Consumption Allowed?	Delivery Allowed?
Montana (2020)	Yes, conduct that is no longer criminal can be expunged or be eligible for resentencing. A special administrative judge is appointed to process petitions to expunge prior criminal records for cannabis-related activities that are permitted or decriminalized under the 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, some. Includes anti-discrimination protections for: organ transplant and health care; related to adoption, custody, or visitation rights; and professional licensing.	No. On-site consumption is not allowed.	Not for adult-use. Delivery is permitted for medical cannabis patients only.
Nevada (2016)	Yes, a 2019 law allows individuals to have their past convictions sealed if the conduct 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.	Yes, limited employment. Prohibits many employers from using the results of a pre-employment marijuana drug test to turn someone away.	Yes. Establishes 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.	Yes.
New Jersey (2020)	Yes, required the Court to develop a system for sealing records related to unlawful cannabis possession or distribution. Possession and distribution charges pending when law took effect were 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, could 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, some. Provides employment and child custody protections for cannabis consumers. 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.	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)	<p>A companion law to legalization (SB 2) set up a system for reviewing and expunging cannabis convictions for conduct that was legalized or downgraded. In 2023, the law was amended to limit automatic expungement to stand-alone cannabis convictions, without other charges. As of April 2023, courts have expunged about 14,000 cases and around 90,000 remain and could take 4-5 years according to the courts. Petition-based expungement is also available.</p> <p>The law also allows for post-conviction relief for those serving sentences for conduct that was legalized or downgraded.</p>	<p>Yes. Possession by those under 21 is subject to a \$50 civil fine.</p>	<p>Yes, some. 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 pretrial 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.</p>	<p>Yes. “Cannabis consumption areas” are allowed.</p>	<p>Yes. Creates a license category for “couriers.”</p>
New York (2021)	<p>The law provided legalized conduct would be automatically expunged within two years — by Spring, 2023. Other offenses can be expunged by petition.</p> <p>Officials say 107,633 convictions were expunged per the legalization law and 202,189 under a 2019 law. However, the New York Times reported that expungement is proceeding more slowly in felony cases — largely due to a typo — and cases with multiple charges.</p>	<p>Yes, possession by those under 21 is subject to a \$50 civil fine.</p>	<p>Yes, several. Includes protections for discrimination for state-legal cannabis activities by employers, landlords, schools, and child custody and visiting time. foster parent.</p>	<p>Yes, there will be on-site consumption licenses.</p>	<p>Yes. Retailers, microbusinesses, and delivery licensees are allowed to deliver to cannabis consumers.</p>

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 some past felony convictions. To qualify, three years must have passed post-conviction, among other limits. In 2022, then-Gov. Kate Brown pardoned 45,000 individuals for pre-legalization cannabis possession.	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.	No, not for adult-use consumers.	No.	Yes, with no more than a \$3,000 value in the vehicle.
Rhode Island (2022)	Yes. By July 1, 2024, the courts are directed to expunge misdemeanor or felony convictions for marijuana possession.	Yes, for first and second offenses involving possession of two ounces or less that occur within an 18-month period, individuals under 21 are subject to a civil penalty.	Yes, several. Lawful activities related to cannabis may not be grounds for denying employment (except in limited cases), parental rights, or organ transplants.	No, but the law authorizes the Cannabis Control Commission to study and make recommendations to the legislature regarding the creation of new licensing categories.	No, but the law authorizes the Cannabis Control Commission to study and make recommendations to the legislature regarding the creation of new licensing categories.
Vermont (2018) personal possession/ cultivation, 2020 regulated sales	Yes, automatic expungement for criminal records for two ounces of cannabis, 10 grams of hashish, four mature plants, and eight immature plants. The deadline for automatic expungement was January 1, 2022. If someone inquires about an expunged record, the entity will respond, "NO RECORD EXISTS."	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) personal possession/ cultivation only, most legal sales provisions require re-enactment, which hasn't happened)	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.	Yes, limited. 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. However, that could change during re-enactment.

State	Expungement, Sealing, or Re-Sentencing?	Civil Penalty for Minors Possessing Cannabis?	Protections from Discrimination?	On-Site Consumption Allowed?	Delivery Allowed?
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. He also issued pardons for individuals convicted of simple possession between 1998 and 2012.	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.	No, not for adult-use consumers.	No.	No.