Only 23 states allow citizen-initiated ballot initiatives, meaning in most states the only way to reform marijuana laws is via the legislature. With polls showing that 68% of Americans support making marijuana use legal and around 90% support allowing medical marijuana, lawmakers are finally starting to get the message that constituents want them to act on sensible and humane marijuana policies.

Three states have already legalized cannabis in 2021 via the legislative process — New York, Virginia, and New Mexico — while Alabama legalized medical cannabis this year. As many as three other states could still legalize cannabis for adults this year — Connecticut, Delaware, and Rhode Island. Click on the state names below to learn more about efforts in your state and to take action in support of marijuana policy reform.

The crises our country is grappling with underscore the urgent need to end cannabis prohibition. As part of our national reckoning with racism and violent policing, it is essential that we end the war on cannabis, which includes hundreds of thousands of arrests each year and even more traumatizing searches based on the real or alleged smell of cannabis. Despite nearly identical use rates, Black Americans are 3.6 times as likely to be arrested for cannabis as whites.

In addition, in times of this pandemic, it is all the more apparent that finite government resources shouldn’t be wasted on cannabis prohibition. In these challenging times, states need the good jobs, small businesses, and hundreds of millions in tax revenue that come with marijuana legalization.

**Marijuana Legalization Legislation**

States where 2021 bills were proposed to legalize marijuana for adults: 31, including three that are now law:

- **Connecticut** — S.B. 888 is Gov. Lamont’s bill to legalize and regulate cannabis for adults. It was amended to improve equity provisions and advanced out of the Judiciary Committee on April 6 in a 22-16 vote. It is headed to the Senate floor, but it could be referred to another committee. H.B. 6377 is a shorter bill focused on equity and labor peace in legalization. It advanced out of the Labor and Public Employees Committee and has been referred to Judiciary.
- **Delaware** — HB 150 would legalize and regulate cannabis for adults. On March 24, the House Health and Human Development Committee approved HB 150 in a 10-5 vote. It is now in the House Appropriations Committee.
- **Florida** — H 291, H 343, H 1361, H 1597, S 664, S 1916, and S 710 would legalize and regulate cannabis for adults. The legislature’s regular session adjourned without the bills being taken up.

- **Georgia** — SB 263 would have legalized and regulated cannabis for adults; HR 281 and SR 165 would have referred a constitutional amendment on legalizing cannabis to voters. None advanced before the crossover deadline.

- **Hawaii** — SB 767, HB 1202, HB 238, SB 1376, SB 704, and HB 7 would legalize and regulate cannabis for adults. The Senate approved SB 767 in a 20-5 vote on March 9 but included an effective date more than 100 years in the future. However, the chair of the House Health, Human Services, & Homelessness Committee failed to grant the bill a hearing before a legislative deadline, thus killing it for the year. The bills carry over to 2022.

- **Indiana** — HB 1154 and SB 87 would have legalized and regulated cannabis for adults; SB 223 would have legalized possession only; and HB 1117 would have removed penalties for possession or cultivation of up to two ounces of marijuana. None advanced before the crossover deadline.

- **Iowa** — SF 83 would legalize adults' possession of up to an ounce; HF 751 would legalize and regulate cannabis and expunge convictions.

- **Kansas** — HB 2430 would have legalized and regulated cannabis for adults. It did not advance before a crossover deadline, but it carries over to 2022.

- **Kentucky** — HB467 and HB461 would have legalized and regulated cannabis for adults. The legislature adjourned without acting on the bills.

- **Louisiana** — HB 699 (formerly HB 524) would legalize and regulate cannabis for adults 21 and older. It advanced out of the Committee on Administration of Criminal Justice on April 27 in a bipartisan vote. It was pulled from consideration on the House floor after a companion tax bill (HB 434) was voted down. Another legalization bill, HB 243, also advanced out of the Committee on Administration of Criminal Justice in April. It is pending on the House floor.

- **Maryland** — HB 32 and SB 708 would have legalized and regulated cannabis for adults. HB 32 received a hearing in the House Judiciary Committee on February 16, and SB 708 received a hearing in Senate Finance on March 4, but neither advanced before a legislative deadline.

- **Minnesota** — SF 757, HF 151, and HF 600 would legalize and regulate cannabis for adults. On May 13, 2021, the House approved HF 600 to legalize cannabis in a 72-61 vote. The legislature’s regular session has ended, but the bill will carry over to 2022.

- **Mississippi** — SB 2768 would have legalized and regulated cannabis for adults; SB 2164 would have legalized cannabis; and SB 2585 would have legalized possession of up to 2.5 ounces. The legislature adjourned without acting on the bills.

- **Missouri** — HB 325 and HB 263 would legalize and regulate cannabis for adults; HJR 30 would refer a constitutional amendment on legalizing cannabis to voters.

- **Nebraska** — LB5 46 would legalize and regulate cannabis for adults; LR2CA, if approved by the legislature, would refer a constitutional amendment on legalizing cannabis to voters.

- **New Hampshire** — HB 237 would legalize and regulate cannabis for adults; HB 629 would legalize personal possession and cultivation of cannabis. On January 27, 2021, the Criminal Justice and Public Safety Committee recommended retaining both bills, which would kill them for the year.

- **New Jersey** — A. 21, S. 21, and A. 1897 implement legalization (which more than two-thirds of voters approved in November 2020). The bills were signed by Gov. Murphy on February 22, 2021, along with a companion bill to set penalties for minors in possession of cannabis.

- **New Mexico** — HB 2 (special session), HB 12, HB 17, SB 13, SB 288, and SB 363 — On March 31, the Senate and the House both approved HB 2 (22-15 and 38-32), which legalizes and regulates marijuana for adults 21 and older. Gov. Michelle Lujan Grisham signed the bills into
law on April 12.


- **North Carolina** — H576, H617, and S646 would legalize and regulate cannabis for adults.

- **North Dakota** — HB 1420 would have legalized and regulated cannabis for adults; HCR 3031, if approved by the legislature, would refer a constitutional amendment on legalizing cannabis to voters. The House of Representatives approved HB 1420 in a 56-38 vote on February 23, but the Senate voted the bill down, 10-37, on March 25.

- **Oklahoma** — HB 1961, if approved by the legislature, would have referred a constitutional amendment on legalizing cannabis to voters. It did not advance before crossover.

- **Ohio** — HB 210 would legalize personal possession of marijuana and cultivation of up to 12 plants.

- **Pennsylvania** — HB1180 would legalize and regulate cannabis for adults.

- **Rhode Island** — S0568 would legalize and regulate cannabis for adults.

- **South Carolina** — S 335 would legalize and regulate cannabis for adults; also, S 268 would create an advisory referendum on legalization in 2022. It did not advance before crossover, but the legislative session carries over to 2022.

- **Tennessee** — HB 413 and SB 1439 would have removed all penalties for possession of up to an ounce of cannabis. They would not have legalized sales or manufacture. The legislature adjourned without acting on the bills.

- **Texas** — HB 447, SB 140, and SB 269 would legalize and regulate cannabis for adults; SJR 16 and HJR 13, if approved by the legislature, would refer a constitutional amendment on legalizing cannabis to voters.

- **Virginia** — SB 1406, HB 2312, SB 1243, HB 1815, and HB 269 would legalize and regulate cannabis for adults; SB 1406 and HB 2312 passed both chambers in their final form on February 27. Gov. Northam has formally requested amendments — including moving up legal possession and cultivation to July 1, 2021 instead of 2024. The legislature accepted them on April 7, and the bill is now law.

- **West Virginia** — HB 2291 and HB 2912 would legalize and regulate cannabis for adults. They did not advance before a crossover deadline, but they carry over to 2022.

- **Wisconsin** — AB68 and SB111 are budget bills that include the governor’s legalization proposals.

- **Wyoming** — HB 209 would have legalized and regulated cannabis for adults. It advanced out of the House Judiciary Committee in a 6-3 vote but did not get a House floor vote before a deadline.

Eighteen states have already passed laws to legalize and regulate cannabis (three of which did so this year): Alaska, Arizona, California, Colorado, Illinois, Maine, Massachusetts, Michigan, Montana, Nevada, New Jersey, New Mexico, New York, Oregon, South Dakota, Vermont, Virginia, and Washington. All but five — Illinois, New Mexico, New York, Vermont, and Virginia — were by ballot initiative.

**Bills to Remove Possible Jail Time — Often Imposing a Fine — for Simple Possession (“Decriminalization”)**
States with decriminalization bills: 12

- **Alabama** — SB 149 would have reduced the penalty for cannabis possession to a fine; for up to two ounces, the penalty would have been a civil fine of up to $250; it advanced out of the Senate Judiciary Committee on March 3. The legislature adjourned without the bill receiving a floor vote.

- **Arkansas** — SB 499 would have reduced the penalty for up to an ounce to a $200 fine. The legislature adjourned without acting on the bill.

- **Florida** — H 1215 would have imposed a civil fine of $100 or 10 hours of community service, plus court costs, for possession of up to 20 grams. The legislature adjourned without acting on the bill.

- **Georgia** — SB 77 would have reduced the penalty for possession of less than a half-ounce of marijuana to a fine of up to $300. The legislature adjourned without acting on the bill.

- **Indiana** — HB 1028 would have made up to 30 grams a Class D infraction. It did not advance before a crossover deadline.

- **Iowa** — HF 648 would have removed jail time for possession but would have imposed a misdemeanor conviction and a hefty fine of between $105 and $855; SB 407 would have reduced various penalties involving cannabis, including reducing the penalty for adults 21 and older possessing up to a half ounce of cannabis to a $100 civil fine. The legislature adjourned without acting on the bills.

- **Louisiana** — HB 652 would reduce the penalty for up to 14 grams of cannabis to a fine of up to $100; the House approved the bill in a 68-25 vote, and it has been referred to the Senate Judiciary Committee.

- **Pennsylvania** — SB 107 would reclassify possession of a small amount of marijuana from a misdemeanor to a summary offense carrying a $25 fine. Public use would be a $100 fine.

- **South Carolina** — H 3228 (civil citation for up to 28 grams) and H 3571 (civil citation for up to 28 grams, penalty decrease for other drug offenses). The bills did not advance before a crossover deadline, but they carry over to 2022.

- **Texas** — HB 169 and HB 99 (make possession of up to two ounces a fine-only misdemeanor not subject to arrest); HB 585 and HB 616 (make possession of up to two ounces a fine-only misdemeanor not subject to arrest, unless it’s a fourth or subsequent offense in 24 months); HB 441 and HB 498 (make possession of up to an ounce a fine-only misdemeanor). On April 30, the House of Representatives approved HB 441 in an 88-40 vote; it now heads to the Senate.

- **West Virginia** — SB 26 would have reduced the maximum penalty for possession of marijuana to no more than $1,000 without confinement. It did not advance before a crossover deadline, but it carries over to 2022.

- **Wisconsin** — AB 130 and SB 164 would reduce the penalty for up to 10 grams of cannabis to a fine of up to $100.

Thirty-one states and Washington, D.C. have decriminalized or legalized marijuana possession.

**Effective Medical Marijuana Bills**

States with bills to create comprehensive medical cannabis programs: 13, one of which is now law

- **Alabama** — SB 46; the Senate approved the bill on February 24 in a 21-8 vote; the House followed suit on May 6 in a 68-34 vote, and the Senate concurred with the House’s changes. On
May 17, 2021, Gov. Ivey signed the bill into law.

- **Georgia** — HB 738, SB 264; the legislature adjourned without action on either bill.
- **Indiana** — HB 1026, HB 1214, HB 1547, and SB 321; the bills did not advance before crossover.
- **Kansas** — SB 92, HB 2184, and SB 287; on March 29, the House Federal and State Affairs Committee advanced HB 2184 in a 13-8 vote. The House approved a bill that had been amended to be a medical cannabis bill (SB 158) on May 6 in a 79-42 vote. The legislature has adjourned, but the bill carries over to 2022.
- **Kentucky** — HB 136 and SB 92 did not advance. The legislature adjourned without the bills even being assigned to committee.
- **Nebraska** — LB 474; the Judiciary Committee advanced the bill in a 5-2 vote on March 30, sending it to the floor of the unicameral legislature. The bill effectively died on the floor when the legislature came two votes shy of the 33 needed to stop a filibuster.
- **North Carolina** — S 669, S 711
- **South Carolina** — S. 150, H. 3361; on March 18, the Senate Medical Affairs Committee advanced S. 150 to the floor in a 9-5 vote. Sen. Hembree contested the bill on the floor, which puts it on the contested calendar and delays a vote. The legislature has adjourned, but the bill will carry over to 2022.
- **Tennessee** — SB 25, HB 601, HB 621, HB 666, SB 25, and SB 854; on March 4, the Senate Government Operations Committee advanced SB 854 in a 6-2 vote. On March 23, SB 854 was defeated in committee. On May 4, the Senate approved a bill (SB 118) to expand the CBD program and to create a commission to look into medical cannabis. The Senate followed suit on May 5, and the bill is now on the governor’s desk.
- **Texas** — HB 43, HB 809, HB 94, SB 250, SB 90; also HJR 11 and HJR 28, if enacted by the legislature, would refer constitutional amendments on medical cannabis to voters. The House did advance a more limited bill (HB 1535) to expand the state’s low-THC medical cannabis law to include up to 5% THC and to expand qualifying conditions, including by adding PTSD and chronic pain. HB 1535 has been referred to the State Affairs Committee.
- **Wisconsin** — AB 68 and SB 111 are the governor’s budget bills, which propose a medical cannabis program.
- **Wyoming** — HB 209 would have legalized and regulated cannabis both for adults and for medical use. It advanced out of the House Judiciary Committee in a 6-3 vote but did not get a House floor vote before a deadline.

**Thirty-six states**, D.C., Puerto Rico, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands have effective medical marijuana laws. Three additional states — Georgia, Iowa, and Texas — have more limited laws that allow regulated access to low-THC medical cannabis preparations.

**Don't see your state?**

If you live in a state that still prohibits marijuana and no lawmakers have taken the lead to change that, send your state legislators a note to ask them to stand up for humane and sensible marijuana policies. Take a few moments to email them in support of [medical marijuana](#), [decriminalization](#), or [legalizing and regulating marijuana](#).