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 increasingly getting the message that constituents want them to act on sensible and humane marijuana policies.

Many state legislatures have not yet convened for their 2021 legislative sessions, but lawmakers have already introduced dozens of bills to improve cannabis policies. 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 thousand 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 desperately need the good jobs, small businesses, and hundreds of millions in tax revenue that come with marijuana legalization.

Marijuana Legalization Legislation

States with bills to legalize — and in most cases regulate — marijuana for adults: 11

- **Indiana** — HB 1154 and SB 87 would legalize and regulate cannabis for adults; SB 223 would legalize possession only; HB 1117 appears to remove penalties for possession or cultivation of up to two ounces of marijuana.
- **Maryland** — HB 32 would legalize and regulate cannabis for adults.
- **Mississippi** — SB 2164 would legalize and regulate cannabis for adults.
- **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** — 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.
- **New Jersey** — A. 21, S. 21, and A. 1897 would implement legalization (which more than two-thirds of voters approved in November 2020). The bills passed the legislature in 2020, but as of
January 10, 2021, they have not been signed by Gov. Murphy due to issues with them not penalizing cannabis possession by minors.

- **New York** — A. 1248 and S. 854 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.
- **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** — HB 1815, HB 269, and HB 87 would legalize and regulate cannabis for adults; meanwhile, HB 1507 would legalize possession only, leaving sales illegal and unregulated.

Meanwhile, 15 states have already passed laws to legalize and regulate cannabis: Alaska, Arizona, California, Colorado, Illinois, Maine, Massachusetts, Michigan, Montana, Nevada, New Jersey, Oregon, South Dakota, Vermont, and Washington. All but two — Illinois and Vermont — were by ballot initiative.

**Bills to Remove Possible Jail Time — Often Imposing a Fine — for Simple Possession (“Decriminalization”)**

States with decriminalization bills: 3

- **Indiana** — HB 1028 makes up to 30 grams a Class D infraction.
- **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).
- **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).

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: 5

- **Indiana** — HB 1026, HB 1214
- **Kentucky** — HB 136, SB 92
- **South Carolina** — S. 150, H. 3361
- **Tennessee** — SB 25
- **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.

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. And wherever you live, please ask your member of Congress and U.S. senators to support legislation to protect individuals who are complying with state medical marijuana and legalization laws.