



2023 Cannabis Policy Reform Legislation

Last updated: June 08, 2023

Because [less than half of U.S. states allow citizen-initiated ballot measures](#), in most states, the only way to reform cannabis laws is via the state's legislature. Polls show [over two-thirds of Americans support making cannabis use legal](#) and around [90% support allowing medical cannabis](#), but lawmakers lag far behind the public.

Only 23 states have legalized cannabis for adults, and only nine of those laws have been enacted by state legislatures (two additional states' legislatures referred the issue to voters). Meanwhile, 12 states are even further behind the times — lacking even a medical cannabis law. And 19 states continue to jail their residents for even simple possession of cannabis.

Legislatures across the country are considering cannabis-related bills this legislative session, and several have made it past the finish line. This year, Kentucky became the 38th medical cannabis state, while Delaware and Minnesota became the 22nd and 23rd adult-use legalization states. Other reforms in 2023 include Maryland lawmakers legalizing adult-use cannabis sales and Washington state lawmakers limiting discrimination against cannabis consumers in the hiring process. Several other bills are still moving through the process, including a medical cannabis bill in North Carolina.

Here is a list of states where bills have been proposed to legalize cannabis for adults, to decriminalize cannabis (i.e., issuing a fine-only ticket for simple possession), or to legalize medical cannabis. You can find additional cannabis policy bills — including to expand existing decrim and medical cannabis laws — at the bottom of each of our [state webpages](#), courtesy of BillTrack50.

Cannabis Legalization Legislation

States with proposed bills to legalize cannabis for adults: 20 — two of which are now law

- **Arkansas** — SJR 13 would have referred to voters a state constitutional amendment to legalize cannabis and home cultivation for “Arkansas residents of a certain age.” It did not advance before the legislature adjourned.
- **Delaware** — Companion legalization bills became law without Gov. John Carney's signature. HB 1 legalized simple possession of cannabis for adults 21 and older. HB 2 legalizes and regulates cannabis sales. The House approved HB 1 in a 28-13 vote on March 7. Two days later, representatives approved HB 2 in a 27-13 vote with one absent. On March 28, the Senate approved both bills (16-4 and 15-5). On April 21, Gov. John Carney (D) announced he will allow both bills to become law without his signature.
- **Florida** — SB 1576 would have legalized and regulated cannabis for adults. It died in the Senate Agriculture Committee without receiving a vote.
- **Georgia** — HB 388 would remove penalties for possession of less than an ounce of cannabis. The legislature adjourned for the year without advancing it, but it carries over to 2024.

- **Hawaii** — HB 1216, HB 1425, HB 237, SB 375, SB 1043, SB 464, and SB 669 would legalize and regulate cannabis for adults 21 and older. HB 452 would send voters an advisory referendum, if passed. The House bills did not advance before a legislative deadline to do so. SB 375 and SB 669 both passed their first Senate committee referrals. SB 669 was approved by the full Senate on March 7 in a 22-3 vote. It did not receive a House committee hearing in time to meet a deadline. All of the bills are now dead for the year. However, they will carry over to the second half of the legislative session, in 2024, and pick up where they left off.
- **Indiana** — HB 1039 would have legalized medical and adult-use cannabis. SB 70 would have decriminalized up to an ounce of cannabis. HB 1297 would have removed all penalties for up to two ounces of cannabis. SB 70 would have removed all penalties for up to two ounces of cannabis. HB 1356 would have removed all penalties for up to two ounces and five grams of cannabis, but would also set an unscientific 10 nanogram/ milliliter per se limit for driving with THC in one's system. None of the bills advanced before the crossover deadline.
- **Iowa** — SF 73 would legalize and regulate cannabis for adults. SB 70 would remove all penalties for possession of up to an ounce. None of the bills advanced before the crossover deadline, but they all carry over to the second half of the session in 2024.
- **Kansas** — HB 2367 would have legalized and regulated cannabis sales for adults. It did not advance before the crossover deadline.
- **Kentucky** — HB 22 and SB 51 would have legalized and regulated cannabis for adults. HB 47 would have legalized cannabis possession for adults. HB 48 proposed referring to voters a constitutional amendment to legalize cannabis for adults. None of the bills advanced before the crossover deadline.
- **Louisiana** — HB 17 would have regulated cannabis sales for adults. HB 24 would have removed penalties for possession of cannabis (synthetic cannabinoids were not included). Neither of these bills advanced past the committee hearings.
- **Minnesota** — Gov. Walz (D) signed H.F. 100 into law on May 30, 2023, after it passed the House in a bipartisan 73-57 vote and the Senate in a 34-32 party-line vote. HF 100 legalizes and regulates cannabis for adults 21+. The Senate companion was SF 73.
- **Mississippi** — HB 338 would have legalized and regulated cannabis for adults. SB 2097 would have legalized possession of up to 70 grams of cannabis for adults without setting up a regulatory system. SB 2771 would have also legalized cannabis without setting up a regulatory system. None of this legislation made it out of committee.
- **Nebraska** — LB 22 would have legalized possession and use of marijuana. LB 634 would have legalized and regulated cannabis. The legislature has adjourned. Neither bill received a vote in committee.
- **New Hampshire** — HB 639 would have legalized and regulated cannabis for adults, with private sales. HB 360 would have legalized cannabis for adults, without setting up a regulatory system. HB 344 would legalize simple possession and home cultivation only. HB 544 and HB 643 would legalize cannabis for adults and have a state monopoly on retail sales. On April 6, 2024, the House passed HB 639 (legalization with private sales) in a 272-109 (71%) vote, sending it to the Senate. On May 11, the Senate approved a Senate Judiciary Committee recommendation to defeat HB 639 in a 14-10 vote. The House passed HB 360 (full legalization with no regulation) on March 16 in a voice vote, sending it to the Senate, where the Senate unanimously voted to “lay it on the table” — effectively killing it. The other bills have stalled: HB 344 and HB 544 were retained by committee, while HB 643 was voted “inexpedient to legislate” in committee.

Gov. Chris Sununu came out in support of state-run stores on May 12, and the House Commerce & Consumer Affairs Committee expects to work on that bill (HB 544) during the off-session in the fall.

- **North Carolina** — S346 would legalize and regulate cannabis for adults. Automatic expungement

and home cultivation are included.

- **Ohio** — HB 382 and HB 498 would legalize and regulate cannabis for adults. Both bills received a committee hearing on February 28. A 2023 ballot initiative campaign is also underway in Ohio.
- **South Carolina** — S. 211 would legalize and regulate cannabis for adults. It did not advance before a crossover deadline. However, South Carolina has a two-year legislative session and it carries over to 2024.
- **Tennessee** — HB0085 and SB0168 would have set up the regulatory structure for cannabis for adults. They did not advance before adjournment. However, Tennessee has a two-year legislative session and the bills carry over to 2024.
- **Texas** — SB 209, HB 1937, HB 3652, and HB 1831 would have legalized and regulated cannabis for adults. SJR 22, HJR 91, and HJR 89 proposed referring a "constitutional amendment directing the legislature to authorize and regulate the possession, cultivation, and sale of cannabis" to voters on November 5, 2024. HJR 118 proposed a November 2023 constitutional amendment, which would have been referred to voters. SB 208 would have removed penalties for up to an ounce, and reduced other penalties. The legislature adjourned without any of these bills advancing.
- **West Virginia** — HB 2091, HB 2851, and SB 167 would have legalized and regulated cannabis for adults. HJR 21 would have referred to voters a state constitutional amendment to legalize cannabis. The legislature adjourned and all of the bills died.
- **Wisconsin** — The governor's budget proposals — AB 43 and SB 70 — include legalization.
- **U.S. Virgin Islands** — Bill No. 34-0345 legalizes and regulates cannabis for adults. The Senate passed a legalization bill by 11-1 and sent it to Gov. Albert Bryan Jr. (D), who signed it into law on January 18, 2023.

In addition, a legalization ballot measure fell short on the March 7, 2023 ballot in **Oklahoma**, where turnout was less than 25%. In Ohio, the first stage of signature gathering for a ballot measure is complete and the second phase of signature gathering is underway to put the measure on the November 2023 ballot. [Twenty-three states](#), Guam, the Northern Mariana Islands, and the U.S. Virgin Islands have already passed laws to legalize and regulate cannabis.

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

States with decriminalization bills: 6

- **Alabama** — SB42 would make a possession of under one ounce a civil fine only and reduce penalties for possession for an ounce or more. SB 42 also allows for expungement after five years with no criminal violations.

Georgia — SB 30 would have reduced penalties for possession of up to half an ounce of cannabis to a misdemeanor fine-only offense. The legislature adjourned without advancing it.

- **South Carolina** — H 3561 would reduce the penalty for up to an ounce of cannabis or 10 grams of hashish to a civil citation and make other drug policy reforms. It was referred to the House Judiciary Committee. H 3803 would reduce the penalty for possession of up to an ounce of cannabis, or up to 10 grams of hashish, to a fine-only offense, with a first offense carrying between \$100-200. Neither bill advanced before a crossover deadline. However, South Carolina has a two-year legislative

session and they carry over to 2024.

- **Texas** — HB 218 and HB 388 would have reduced the penalty for simple possession of cannabis to a fine-only, Class C misdemeanor. HB 218 would also have set up an expungement process. It passed out of the House Criminal Jurisprudence Committee on March 7. On April 27, the House of Representatives passed HB 218 in a 87-54 vote. It was never scheduled for a hearing in the Senate and died in committee.
- **Tennessee** — HB 309 and SB 1072 would have reduced the penalty for simple possession of cannabis to a civil fine of \$25 or community service. SB 1072 was defeated in Committee 2-7 on February 21; HB 309 was voluntarily withdrawn for consideration on February 28.
- **West Virginia** — SB 90 would have reduced the penalty for simple possession of cannabis to a violation. The legislature has adjourned and SB 90 died without even receiving a hearing in committee.

[Thirty-one states](#) and Washington, D.C. have decriminalized or legalized cannabis possession. Check out [MPP's report](#) on the 19 states that have not even stopped jailing cannabis consumers.

Effective Medical Cannabis Bills

States with bills to create comprehensive medical cannabis programs: 10 (one of which is now law)

- **Georgia** — HB 337 would establish a comprehensive medical program. The legislature adjourned without advancing it, but it will carry over to 2024.
- **Idaho** — H 370 would have created the Idaho Medical Cannabis Act. The legislature adjourned without advancing it.
- **Indiana** — HB 1039 would have legalized both medical and adult-use cannabis. HB 1263 and SB 0237 would have established comprehensive medical cannabis programs. None of the bills advanced before the crossover deadline.
- **Kansas** — SB 135 would establish a comprehensive medical cannabis program. The legislature adjourned without advancing it.
- **Kentucky** — The Senate passed a comprehensive medical cannabis bill — SB 47 — (26-11) and the House followed suit in a 66-33 vote on March 30. Gov. Beshear (D) promptly signed it into law, making Kentucky the 38th state with a comprehensive medical cannabis law.
- **Nebraska** — LB588 would have established a comprehensive medical cannabis program. The legislature has adjourned, without LB 588 advancing out of committee.
- **North Carolina** — S3 would establish a comprehensive medical cannabis program. The Senate passed it on second reading on February 28, in a 36-10 vote. On March 1, the Senate passed the bill on third reading, sending it to the House.
- **South Carolina** — H3226 and H3486 would establish comprehensive medical cannabis programs. Both have been referred to the House “3M” committee (Medical, Military, Public and Municipal Affairs). S 423 would establish a comprehensive medical cannabis program. On February 21, it was “polled out” of the Committee on Medical Affairs in a 9-8 vote, and is on the Senate floor. It did not receive a Senate floor vote before a crossover deadline. However, South Carolina has a two-year legislative session and the bill will pick up where it left off in 2024.
- **Tennessee** — HB 172, HB 172, SB 1104, and SB 1461 would establish a comprehensive medical

cannabis program. SB 1104 was defeated in a 3-6 vote in committee on February 28. The legislature adjourned for the year, but the other bills carry over to 2024. **Texas** — SB 121 and SB 127 would establish comprehensive medical cannabis programs. Neither legislation advanced in the session.

[Thirty-eight states](#), (including Kentucky which passed this year), D.C., Puerto Rico, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands have effective medical cannabis laws.

Don't see your state?

If you live in a state that still prohibits cannabis 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 cannabis policies. Take a few moments to email them in support of [medical cannabis](#), [decriminalization](#), or [legalizing and regulating cannabis](#).

If you live in a state that has already legalized and regulated cannabis for adults, check out the [state's page](#) to find out what bills are pending to improve (or undermine) the law.