



Types of Cannabis Policy Reform Laws

More than 70% of Americans live in states with medical marijuana laws, decriminalization laws, or laws to legalize and regulate marijuana. Several other states have improved their marijuana policies — for example, by passing laws that recognize one or more cannabinoids’ medical value, but are limited to low-THC preparations.

Medical Marijuana Laws

A significant number of states recognize the medical value of marijuana — or one or more cannabinoids’ medical value — but do not meet MPP’s definition of a “medical marijuana state.” Generally, those laws only include strains of marijuana that include very little or no THC, and often they fail to provide an in-state way to access those medical cannabis preparations.

MPP defines a state as having a workable medical marijuana law if the state has enacted a law that meets the following three criteria:

- 1) qualifying patients are allowed to possess and use cannabis without breaking state law;
 - 2) there is some realistic means for patients to access cannabis in-state that does not rely on federal cooperation (typically through private, state-regulated dispensaries and/or home cultivation); and
 - 3) patients may use a variety of strains of marijuana, or extracts of marijuana, including both strains with higher and lower amounts of THC.
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Decriminalization Laws

MPP defines a state as having a “decriminalization” law if the state has enacted a law that imposes penalties other than jail time for possession of marijuana, at a minimum, for a first offense.

Some of the states MPP considers “decriminalization” states continue to classify marijuana possession as a crime, but they punish possession with penalties other than jail. In addition, a state may impose jail for subsequent offenses and still be counted as a “decriminalization” state by MPP. MPP’s model decriminalization bill imposes a civil fine for possession (or, at the discretion of the individual, community service), with drug education and community service for minors.

Legalization and Regulation Laws

MPP considers a state to have legalized and regulated marijuana if it makes it legal for adults who are 21 and older to use marijuana and allows for legal sales and purchases of marijuana.
