

2020 PRESIDENTIAL CANDIDATES ON MARIJUANA


STANCES + POLICY PROVISIONS

about this document

Drawing from public statements, policy proposals, and support for existing bills, this infographic aims to illuminate the complexity of the marijuana policy positions of 2020 presidential candidates active in the race as of Super Tuesday.

The document is not intended to rate or grade candidates. It is intended to help the public identify which candidates' positions best map onto their own policy preferences regarding marijuana reform.

candidates stances



Joe Biden
47th Vice President of the United States

Biden supports decriminalizing marijuana at the federal level but would leave it to states to decide whether to enact full, adult-use legislation. His plan would reschedule marijuana to Schedule I substance, which would permit research into marijuana's effects for users and patients. Under a Biden presidency, all prior cannabis use convictions would automatically be expunged and medical marijuana would be legal.

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Michael Bloomberg
108th Mayor of New York City

Bloomberg's plan would allow states to legalize marijuana, but he does not explicitly support legislation of full, adult-use at the federal level. He supports federally decriminalizing marijuana and rescheduling prior to state-level convictions. His marijuana agenda would continue existing sentences and propose a new federal sentencing structure prohibiting overly punitive measures for marijuana sentencing.


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Tulsi Gabbard
Member of the U.S. House of Representatives from Hawaii's 2nd district

Gabbard's marijuana platform comprises numerous federal proposals she has sponsored or cosponsored. Under Gabbard's plan, marijuana would be fully legalized and removed from the CSA, prior marijuana-related convictions would be expunged, and affected individuals could have their sentences reviewed and commuted. Communities disproportionately impacted by aggressive marijuana enforcement would receive additional funding and states could be punished if they maintain inequitable enforcement. Gabbard also supports increasing medical marijuana research for veterans.

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Bernie Sanders
United States Senator from Vermont

Sanders plans to legalize marijuana within his first 100 days in office using an Executive Order. His cannabis reform agenda includes removing marijuana from the CSA, enabling adequate access to financial services, prohibiting corporate takeover, and implementing safety standards. Sanders intends to expunge and commute past convictions and assist communities disproportionately impacted by marijuana enforcement. He also has co-sponsored legislation protecting state-level medical marijuana programs and access for veterans.

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Donald Trump
45th President of the United States

Trump has been positive on marijuana reform during his tenure as president. However, he has indicated his likely support for the STATES Act which would incentivize states to adopt their own legislation laws. Under the STATES Act, businesses and banks would receive federal protection and transactions would no longer be considered unlawful activity. Trump has not explicitly stated his support for medical marijuana but indicated it could benefit communities impacted by the opioid epidemic.


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Elizabeth Warren
United States Senator from Massachusetts

Warren's marijuana plan focuses on reducing inequities associated with disproportionate marijuana enforcement. Her strategy for full legalization involves a multi-tiered approach using proposed legislation, executive authority, and collaborating with Congress. Warren would decriminalize and declassify marijuana, reschedule and decriminalize, and reform marijuana sentencing. Warren supports state autonomy and enabling equal access to financial services for marijuana businesses, along with protecting banking entities serving the industry.

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Bill Weld
68th Governor of Massachusetts

Weld does not have a distinct plan for cannabis reform but has publicly voiced his support for full legalization. Weld supports decriminalizing marijuana and the STATES Act. He has also been a long time proponent of medical marijuana legislation. Weld previously held a position on Avenue Holdings Board of Directors, which specializes in increasing access and developing marijuana-related businesses.

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marijuana reform legislation

The most recent versions of leading federal marijuana reform bills publicly supported by candidates during their campaigns are presented here. Senate and House versions were merged where applicable.

STATES Act
(Strengthening the Tenth Amendment Through Entrusting States)

The STATES Act gives States autonomy to implement marijuana laws without federal intervention. The act amends the CSA to allow States to legally regulate marijuana-related conduct and protects states with operating medical marijuana programs from federal intervention. The act includes guardrails to ensure States comply with federal provisions and that legal conduct within one state doesn't encroach on a neighboring state. The Act includes age restrictions for employment and purchase. The bill addresses some of the financial issues by decriminalizing transactions in compliance with the bill lawful and no longer to be considered trafficking.

SPONSORS:
Senate Version (S. 3032) Sponsor: Sen. Elizabeth Warren
House Version (H.R. 6048) Sponsor: Rep. David Joyce

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The MORE Act
(Marijuana Opportunity Reinvestment and Expungement Act of 2019)

The MORE Act would decriminalize marijuana and allow States to enact legislation applicable for their own constitutions. Both the Senate and the House version of the Act remove marijuana from the CSA and apply this retroactively to any marijuana-related convictions. Federal marijuana convictions could be expunged or resentenced. Both bills create opportunities for small businesses and a trust fund for community reinvestment into areas most impacted by the War on Drugs.

SPONSORS:
House Version (H.R. 3884) Sponsor: Rep. Jerrold Nadler
Senate Version (S. 2227) Sponsor: Sen. Kamala Harris

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Marijuana Justice Act of 2019

The Marijuana Justice Act, introduced in both chambers, would remove marijuana from the CSA and incentivize States to alter their marijuana laws using federal funding. Federal marijuana convictions and records would be automatically expunged and incarcerated individuals could petition for resentencing. Both bills establish a community reinvestment fund for communities affected by the War on Drugs for programs related to job training, reentry services, community centers, expungement efforts and more.

SPONSORS:
Senate Version (S. 597) Sponsor: Sen. Cory Booker
House Version (H.R. 1666) Sponsor: Rep. Barbara Lee

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Marijuana Freedom and Opportunity Act

The Marijuana Freedom and Opportunity Act, introduced in both chambers, decriminalizes marijuana and strikes marijuana from the CSA. The federal government would provide States and local government with grants to incentivize programs for expunging or sealing marijuana convictions. The bills also focus on small business support by assisting women and socially and economically disadvantaged individuals. The bills include provisions to prevent marketing campaigns aimed at youth, similar to restrictions for the tobacco industry.

SPONSORS:
Senate Version (S. 1952) Sponsor: Sen. Charles Schumer
House Version (H.R. 2848) Sponsor: Rep. Hakeem Jeffries

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VA Medicinal Cannabis Research Act of 2019

The VA Medicinal Cannabis Research Act, introduced in both chambers, enjoys bipartisan support. The purpose of the Act is to facilitate clinical trials by the Department of Veterans Affairs into the effects of medical-grade marijuana on the health outcomes for veterans that have been diagnosed with post-traumatic stress disorder and/or chronic pain.

SPONSORS:
House Version (H.R. 712) Sponsor: Rep. Luis Correa
Senate Version (S. 179) Sponsor: Sen. Jon Tester

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SAFE Banking Act of 2019

The Safe Banking Act, introduced in both chambers, has garnered bipartisan support. Under the Act, banks would no longer be acting unlawfully if they were to engage in marijuana-related business with state-sanctioned legal entities. Banks would be able to provide financial services and process transactions involving proceeds from marijuana-related businesses while being protected under federal law. Financial institutions are also given the authority to report suspicious transactions from marijuana-related businesses.

SPONSORS:
Senate Version (S. 1205) Sponsor: Sen. Jeff Merkley
House Version (H.R. 1595) Sponsor: Rep. Ed Perlmutter

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policy provisions

The list of policy provisions and their descriptions presented here are not meant to be exhaustive. Provisions were only included in this accounting if, at the time of release, more than one active candidate had voiced their support.

FULL LEGALIZATION

Candidate has voiced support for or has proposed policies for full, adult-use legalization of marijuana at the federal level. Plans consist of issuing an executive order, working with Congress, and emphasizing state autonomy.

DECRIMINALIZATION

Candidate has voiced support for or has proposed policies for decriminalization of marijuana at the federal level. Some candidates do not support this policy, opting to support full legalization only.

MEDICAL USE

Candidate has voiced support for or has proposed policies for marijuana for medical use. Support may also include a call to remove the barriers preventing federal research into medical marijuana and its potential benefits and drawbacks.

STATE-LEVEL LEGISLATION

Candidate has voiced support for or has proposed policies for states' right to implement their own laws in respect to marijuana legalization.

SENTENCING REFORM

Candidate has voiced support for or has proposed policies for reforming of marijuana sentencing laws at the federal level to minimize incarceration for marijuana offenses.

EXPUNGEMENT/CLEMENCY

Candidate has voiced support for or has proposed policies for expungement of past marijuana-related offenses and/or resentencing/clemency for marijuana-related convictions for individuals currently incarcerated.

SOCIAL JUSTICE/SOCIAL EQUITY

Candidate has voiced support for or has proposed policies aimed at rejuvenating communities and assisting individuals disproportionately impacted by past marijuana enforcement.

BUSINESS STRUCTURING

Candidate has voiced support for or has proposed policies to prohibit corporate takeover or institute market share and franchise caps.

BANKING

Candidate has voiced support for or has proposed policies to ensure bank access for cannabis establishments and protections from law enforcement intervention.

SAFETY/HEALTH STANDARDS

Candidate has voiced support for or has proposed policies restricting youth access and maintaining strong packaging, advertising, and pesticide regulations.

CSA DE/RESCHEDULING

Candidate has voiced support for or has proposed policies to remove (deschedule), amend, or reschedule marijuana under the provisions of the Controlled Substances Act.

VETERANS

Candidate has voiced support for or has proposed policies focused on increasing access to medical marijuana for veterans and engaging in research assessing marijuana's effect on veteran-specific health needs.

learn more

An introduction, details and other resources can be found online.

go.osu.edu/2020-Candidates-Marijuana