

Sources | Drugs on the Ballot: 2022

State	Medical Marijuana Legalized	Adult-use Legalization Year	Ballot Measure	CJ Provisions	Social Equity	Home Cultivation
Alabama	2021	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable
Alaska	1998	2014	Alaska Medical Marijuana Act, Measure 8 and Alaska Legalize Marijuana Initiative, Measure 2 and Alaska Marijuana Legalization, Ballot Measure 2	Not Applicable	Not Applicable	Yes - "AS 17.38.020 allows for the in-home production and possession of marijuana for personal use. AS 17.38.020 specifies it will be lawful; possessing, growing, processing, or transporting not more than six marijuana plants, with three or fewer being mature, flowering plants, and possession of the marijuana produced by the plants on the premises where the plants were grown, except that not more than 12 marijuana plants, with six or fewer being mature, flowering plants, may be present in a single dwelling regardless of the number of persons 21 years of age or older residing in the dwelling."

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Arizona	2010	2020	Arizona Medical Use of Schedule 1 Drugs, Proposition 300 ; Arizona Marijuana Legalization, Proposition 203 and Arizona Medical Marijuana Question, Proposition 203 and Arizona Marijuana Legalization, Proposition 205 and Arizona Proposition 207, Marijuana Legalization Initiative	Yes - the Marijuana Legalization Initiative enacted provisions to allow individuals to petition for expunging marijuana-related convictions. "Proposition 207 also allowed anyone convicted of certain marijuana-related crimes related to possession, consumption, cultivation, and transportation to petition for the expungement of their criminal record starting on July 12, 2021."	Yes - the Marijuana Legalization Initiative created the Social Equity Ownership Program and required that "twenty-six adult-use Marijuana Establishment licenses will be issued to applicants who qualify under the social equity ownership program."	Yes - "Possessing, transporting, cultivating or processing not more than six marijuana plants for personal use at the individual's primary residence, and possessing, processing and manufacturing by manual or mechanical means, including sieving or ice water separation but excluding chemical extraction or chemical synthesis, the marijuana produced by the plants on the premises where the marijuana plants were grown if all of the following apply:"
Arkansas	2016	Not Applicable	Arkansas Medical Marijuana Question, Issue 5 and Arkansas Medical Marijuana Amendment, Issue 6 and Arkansas Recreational Marijuana Initiative	Not Applicable	Not Applicable	Not Applicable

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California	1996	2016	California Proposition 215, Medical Marijuana Initiative and California Proposition 19, Marijuana Legalization Initiative and California Proposition 64, Marijuana Legalization	Yes - Proposition 64 created provisions for "resentencing and destruction of records for past marijuana convictions." The law required these records to be sealed and passed a bill in 2019 which created "automatic sealing" for past-marijuana convictions.	Yes - In 2018, the legislature passed the California Cannabis Equity Act (SB 1294)...creating the social equity program.	Yes - "You can grow up to 6 cannabis plants at home if you're at least 21 years old."
Colorado	2000	2012	Colorado Medical Use of Marijuana, Initiative 20 and Colorado Marijuana Possession, Initiative 44 and Colorado Marijuana Legalization Initiative, Amendment 64	Yes - not automatic. 2017, Governor Jared Polis signed HB 1266 into law "allowing persons who were convicted of misdemeanors for marijuana-related behaviors that are no longer illegal to petition for the sealing of criminal records relating to such convictions." Then in 2022 Governor Polis signed SB 99, "[which] further expands and streamlines the state's automatic record sealing process for those convicted of certain marijuana-related convictions and infractions, as well as other eligible crimes."	Yes - the legislature enacted SB 21-111 in 2021 which provides "Grants to social equity licensees to support innovation and job creation and organizations that support marijuana businesses to be used to support innovation and job creation of social equity licensees; and Technical assistance for marijuana business owners, prioritizing social equity licensees who have been awarded a loan or grant through the program."	Yes - "Up to six plants are allowed per Colorado resident over age 21, with as many as three plants flowering at one time."

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Connecticut	2012	2021	Not Applicable	Yes - legalization bill includes provisions for "Provides for automatic erasures of convictions from January 1, 2000 through September 15, 2015 for possession of fewer than four ounces. Allows individuals to petition for expungement and release for possession, sale, and cultivation convictions of the legal amounts at no cost to the individual. Prohibits state-legal cannabis possession or use from being grounds for revoking parole, special parole, or probation except in cases where there is an individualized basis for finding that the person's cannabis use would pose a danger."	Yes - The legalization "law takes a comprehensive approach to promoting social equity, focused on the neighborhoods most impacted by the War on Drugs. It provides for expungement of past cannabis-related crimes and reserves half of all cannabis business licenses for people from impacted neighborhoods. In addition, more than half of the revenue from cannabis sales will be dedicated to a new equity fund which will be invested in those neighborhoods."	Yes - Not until 2023 for adults 21 and over..."Medical marijuana patients 18 years and older will be able to grow up to 3 mature and 3 immature plants at home starting October 1, 2021, with a cap of 12 total plants per household. All adults over age 21 will be able to grow under the same rules starting July 1, 2023. Plants must be grown indoors and must not be visible from the street. People who choose to grow their own plants must do so in their primary residence and where individuals under 21 can not access the plants."
Delaware	2011	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable
Florida	2016	Not Applicable	Florida Right to Medical Marijuana Initiative, Amendment 2 and Florida Medical Marijuana Legalization, Amendment 2	Not Applicable	Not Applicable	Not Applicable
Hawaii	2000	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable

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Illinois	2013	2019	Not Applicable	Yes - the Cannabis Regulation and Tax Act created a process for automatic expungements in 2019	Yes - the Cannabis Regulation and Tax Act created the social equity program and defined the social equity applicant.	Yes - "A dwelling, residence, apartment, condominium unit, enclosed, locked space, or piece of property not divided into multiple dwelling units shall not contain more than 5 plants at any one time."
Louisiana	2015	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable
Maine	1999	2016	Maine Medical Marijuana for Specific Illnesses, Question 2 and Maine Marijuana Legalization, Question 1	Not Applicable	Not Applicable	Yes - "Mainers can grow cannabis for personal use. As many as three mature, 12 immature plants, and an unlimited number of seedlings are allowed per resident 21 years of age or older."
Maryland	2014	2022	Maryland Question 4, Marijuana Legalization Amendment	Not Applicable	Not Applicable	Not Applicable
Massachusetts	2012	2016	Massachusetts Medical Marijuana Initiative, Question 3 and Massachusetts Marijuana Legalization, Question 4	Yes - Not automatic and S. 2371 was signed in April 2018 stating, "[A] court may order the expungement of a record created as a result of a criminal court appearance ... if the court determines based on clear and convincing evidence that the record was created as a result of ... an offense at the time of the creation of the record which at the time of expungement is no longer a crime."	Yes - Social equity program was created via the initiative in 2016	Yes - "You can only grow up to 6 plants in your home. If there's more than one person over 21 living in the home who wants to grow at home, the maximum number of plants that may be grown in a home is 12 plants"

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Michigan	2008	2018	Michigan Medical Marijuana Initiative, Proposal 1 and Michigan Proposal 1, Marijuana Legalization Initiative	Yes - In 2020, HB 4982 was signed by Governor Whitmer which "explicitly permits those convicted of one or more misdemeanor marijuana offenses to file a petition with the court to have their criminal record set aside." In the same package, HB 4980 was signed and "automate the record clearing process for many low-level misdemeanor and felony offenses, including certain marijuana offenses, after a specified waiting period."	Yes - the initiative required regulators to create a social equity program. "a plan to promote and encourage participation in the marihuana industry by people from communities that have been disproportionately impacted by marihuana prohibition and enforcement and to positively impact those communities"	Yes - "within the person's residence, possessing, storing, and processing not more than 10 ounces of marihuana and any marihuana produced by marihuana plants cultivated on the premises and cultivating not more than 12 marihuana plants for personal use, provided that no more than 12 marihuana plants are possessed, cultivated, or processed on the premises at once;"
Minnesota	2014	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable
Mississippi	2022	Not Applicable	Mississippi Ballot Measure 1, Initiative 65 and Alternative 65A, Medical Marijuana Amendment	Not Applicable	Not Applicable	Not Applicable

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Missouri	2018	Not Applicable	Missouri Amendment 2, Medical Marijuana and Veteran Healthcare Services Initiative (Approved) and Missouri Amendment 3, Medical Marijuana and Biomedical Research and Drug Development Institute Initiative (Failed) and Missouri Proposition C, Medical Marijuana and Veterans Healthcare Services, Education, Drug Treatment, and Public Safety Initiative (Failed) and Missouri Amendment 3, Marijuana Legalization Initiative	Not Applicable	Not Applicable	Not Applicable

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Montana	2004	2020	Montana Medical Marijuana Allowance, I-148	Yes - the legalization initiative, I-190, "I-190 allows a person currently serving a sentence for an act permitted by I-190 to apply for resentencing or an expungement of the conviction."	Not Applicable	Yes - "Adults may cultivate up to two mature marijuana plants and two seedlings for private use in a private residence, subject to certain restrictions. The plants may not be visible to the public."
Nevada	2000	2016	Nevada Medical Marijuana Act, Question 9 (1st Attempt) and Nevada Medical Marijuana Act, Question 9 and Nevada Marijuana Initiative, Question 7 and Nevada Marijuana Legalization, Question 2	Yes - In 2019 Governor Sisolak signed Assembly Bill 192 which "facilitates the sealing of criminal records specific to cannabis-related activities that are no longer illegal"	Not Applicable	Yes - "Up to 6 plants per person, but no more than 12 plants per household"
New Hampshire	2013	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable

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New Jersey	2010	2020	New Jersey Public Question 1, Marijuana Legalization Amendment	<p>Yes - In 2021, AB 1897 was enacted and codified expungement relief for certain marijuana-related convictions.</p> <p>"The Marijuana Decriminalization Law, L. 2021, c. 19, codified in relevant part at N.J.S.A. 2C:35-23.1 and N.J.S.A. 2C:52-6.1, provides for the dismissal, vacating, and expungement of certain marijuana and hashish cases involving specified offenses as defined in that legislation. The Administrative Office of the Courts has determined that approximately 360,000 cases in the Superior Court (Criminal and Family) and the Municipal Courts potentially fall within that statutory direction. In accordance with N.J.S.A. 2C:35-23.1(a), the automated processes set forth in this Order apply only to cases involving the following specific marijuana or hashish offenses, including attempts or conspiracies to commit these specific offenses:</p>	<p>Yes - In 2021, the CREAMM Act enacted provisions establishing a social equity program that included "impact zones", licensing opportunities, and the Office of Minority, Disabled Veterans, and Women Cannabis Business Development.</p>	Not Applicable

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				N.J.S.A. 2C:35-5(b)(2) - Distribution of less than one ounce of marijuana or less than 5 grams of hashish (fourth degree); N.J.S.A. 2C:35-10(a)(3) - Possession of more than 50 grams of marijuana or more than 5 grams of hashish (fourth degree); N.J.S.A. 2C:35-10(a)(4)- Possession of 50 grams or less of marijuana or 5 grams or less of hashish (disorderly persons offense)."		

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New Mexico	2007	2021	Not Applicable	<p>Yes - "The expungement measure (Senate Bill 2) stipulates that those with past convictions for offenses made legal under this act are eligible for automatic expungement of their records. Those currently incarcerated for such offenses are eligible for a dismissal of their sentence. It's estimated that over 150,000 New Mexico residents are eligible for automatic expungement under this measure, according to the Department of Public Safety."</p>	<p>Yes - HB 2, the Cannabis Regulation Act, establishes "procedures that promote and encourage full participation in the cannabis industry governed by the Cannabis Regulation Act by representatives of communities that have been disproportionately harmed by rates of arrest through the enforcement of cannabis prohibitions, rural communities likely to be impacted by cannabis production and agricultural producers from economically disadvantaged communities." And, "The Cannabis Control Division will develop a certification for cannabis produced by microbusinesses or licensees that are owned by someone from a community that was disproportionately harmed by cannabis prohibition."</p>	<p>Yes - "A single adult 21 years of age or older can grow up to 12 plants at their residence at any one time, but no more than six plants can be mature, flowering plants. If there are two or more adults 21 and over in a household, the limit is 24 plants with no more than 12 of them flowering at any one time."</p>

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New York	2014	2021	Not Applicable	<p>Yes - In 2019, Governor Andrew Cuomo signed legislation decriminalizing marijuana possession and allowing prior marijuana-related convictions to be expunged. This was later expanded and additional legislation established a process to destroy marijuana convictions. Then MRTA expands expungement opportunities.</p>	<p>Yes - the Marijuana Regulation and Taxation Act of 2021 "The MRTA establishes a robust social and economic equity program to prioritize and provide resources to members of communities who have been disproportionately impacted by the policies of cannabis prohibition, to participate in the new industry through the implementation of a social and economic equity plan. The MRTA establishes the role of a Chief Equity Officer within the OCM, who will be responsible for overseeing the social and economic equity initiatives of the Office. The MRTA establishes a goal to award 50% of all adult-use licenses to social and economic equity applicants. Social and economic equity applicants include individuals who have lived in communities disproportionately impacted by the War on Drugs and other underrepresented groups including minority and women owned businesses, distressed farmers, and service-disabled veteran-owned businesses</p>	<p>Yes - "New Yorkers 21 years and older can grow up to six plants in their home for personal use (3 mature plants and 3 immature plants) and a maximum of twelve plants per household (6 mature plants and 6 immature plants), even if there are three or more adults over the age of 21 in the residence. "</p>

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North Dakota	2016	Not Applicable	North Dakota Medical Marijuana Legalization, Initiated Statutory Measure 5 and North Dakota Measure 3, Marijuana Legalization and Automatic Expungement Initiative and North Dakota Marijuana Legalization Initiative, Measure 2	Not Applicable	Not Applicable	Not Applicable
Ohio	2016	Not Applicable	Ohio Marijuana Legalization Initiative, Issue 3	Not Applicable	Not Applicable	Not Applicable
Oklahoma	2018	Not Applicable	Oklahoma State Question 788, Medical Marijuana Legalization Initiative	Not Applicable	Not Applicable	Not Applicable

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Oregon	1998	2014	Oregon Medical Marijuana, Measure 67 and Oregon Cannabis Tax Act Initiative, Measure 80 and Oregon Legalized Marijuana Initiative, Measure 91	Yes - SB 420 was signed into law in 2019 for expunging past convictions. Not automatic.	Not Applicable	Yes - "Yes, with limits. As of July 1, 2015, Oregonians can home grow of up to four plants per residence, regardless of how many people live in the residence. Four adults in one residence does not mean 16 plants. The limit is four per residence."
Pennsylvania	2016	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable
Rhode Island	2006	2022	Not Applicable	Yes - "Governor Dan McKee today signed into law the Rhode Island Cannabis Act, legalizing and safely regulating recreational adult-use cannabis in the state. The Act includes automatic expungement of prior civil or criminal marijuana possession charges, a key provision in the Governor's original cannabis proposal to the General Assembly." "12-1.3-5. Expungement of marijuana records." - section in act	Yes - the Rhode Island Cannabis Act establishes a social equity program that includes provisions for license opportunities, business assistance, and social equity assistance fund.	Yes - "(2) Within any residence, possessing, cultivating or processing not more than a total of three (3) mature cannabis plants and up to a total of three (3) immature cannabis plants per dwelling unit for personal use and as long as all security requirements as promulgated by the commission are complied with. These limits shall apply no matter how many persons reside at the premises"

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South Dakota	2020	Not Applicable	South Dakota Medical Marijuana, Initiative 4 and South Dakota Medical Marijuana, Initiative 13 and South Dakota Constitutional Amendment A, Marijuana Legalization Initiative (Overturned) and South Dakota Initiated Measure 27, Marijuana Legalization Initiative and South Dakota Initiated Measure 26, Medical Marijuana Initiative (Approved) and	Not Applicable	Not Applicable	Not Applicable
Utah	2018	Not Applicable	Utah Proposition 2, Medical Marijuana Initiative	Not Applicable	Not Applicable	Not Applicable

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Vermont	2004	2018	Not Applicable	Yes - In 2020, Governor Phill Scott signed S. 234, enacting provisions for automatic expungements.	Yes - S. 25 was passed in 2021 and assists individuals impacted by increased enforcement with licensing fees. S.25 also establishes the Cannabis Business Development fund to assist equity applicants.	Yes - "Except as otherwise provided in this section, a person 21 years of age or older who cultivates no more than two mature cannabis plants and four immature cannabis plants shall not be penalized or sanctioned in any manner by the State or any of its political subdivisions or denied any right or privilege under State law."
Virginia	2020	2021	Not Applicable	Yes - In 2021, the legislature approved HB 2113 which "establish[ed] a process for the automatic expungement of past criminal records for certain marijuana convictions." and The legalization bill(s), HB 2312 and SB 1406, also "Eliminates criminal penalties for simple possession of marijuana, modifies several other criminal penalties related to marijuana, and provides for an automatic expungement process for those convicted of certain marijuana-related crimes."	Yes - The legalization bill(s), HB 2312 and SB 1406, establishes a social equity program and includes provisions for reduced fees, prioritizing equity applicants, and license preferences.	Yes - "Notwithstanding the provisions of subdivision (c) of § 18.2-248.1, a person 21 years of age or older may cultivate up to four marijuana plants for personal use at their place of residence; however, at no point shall a household contain more than four marijuana plants."

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Washington	1998	2012	Washington Medical Marijuana, Initiative 692 and Washington Marijuana Legalization and Regulation, Initiative 502	Yes - Signed May 13, 2019..."Under Senate Bill 5605, those convicted of marijuana possession in Washington state can apply to have those misdemeanor convictions vacated from their record, as long as they were 21 or older at the time of the offense."	Yes - Social equity program was created in 2020 via HB 2870. HB 2870 was signed on March 31, 2020.	Not Applicable
West Virginia	2017	Not Applicable	Not Applicable	Not Applicable	Not Applicable	Not Applicable