

Status of State Cannabis Legalization: November 2023

This brief provides an update to the status of state cannabis laws in the United States, following the November 2023 election. Although cannabis remains illegal at the federal level, 38 states and the District of Columbia have now legalized medical cannabis use, with 25 of those jurisdictions also legalizing non-medical (i.e., recreational) cannabis use. Overall, almost 74% of U.S. residents now live in a state with legalized medical or non-medical cannabis use.

FIGURE 1. STATUS OF STATE CANNABIS LEGALIZATION: NOVEMBER 2023

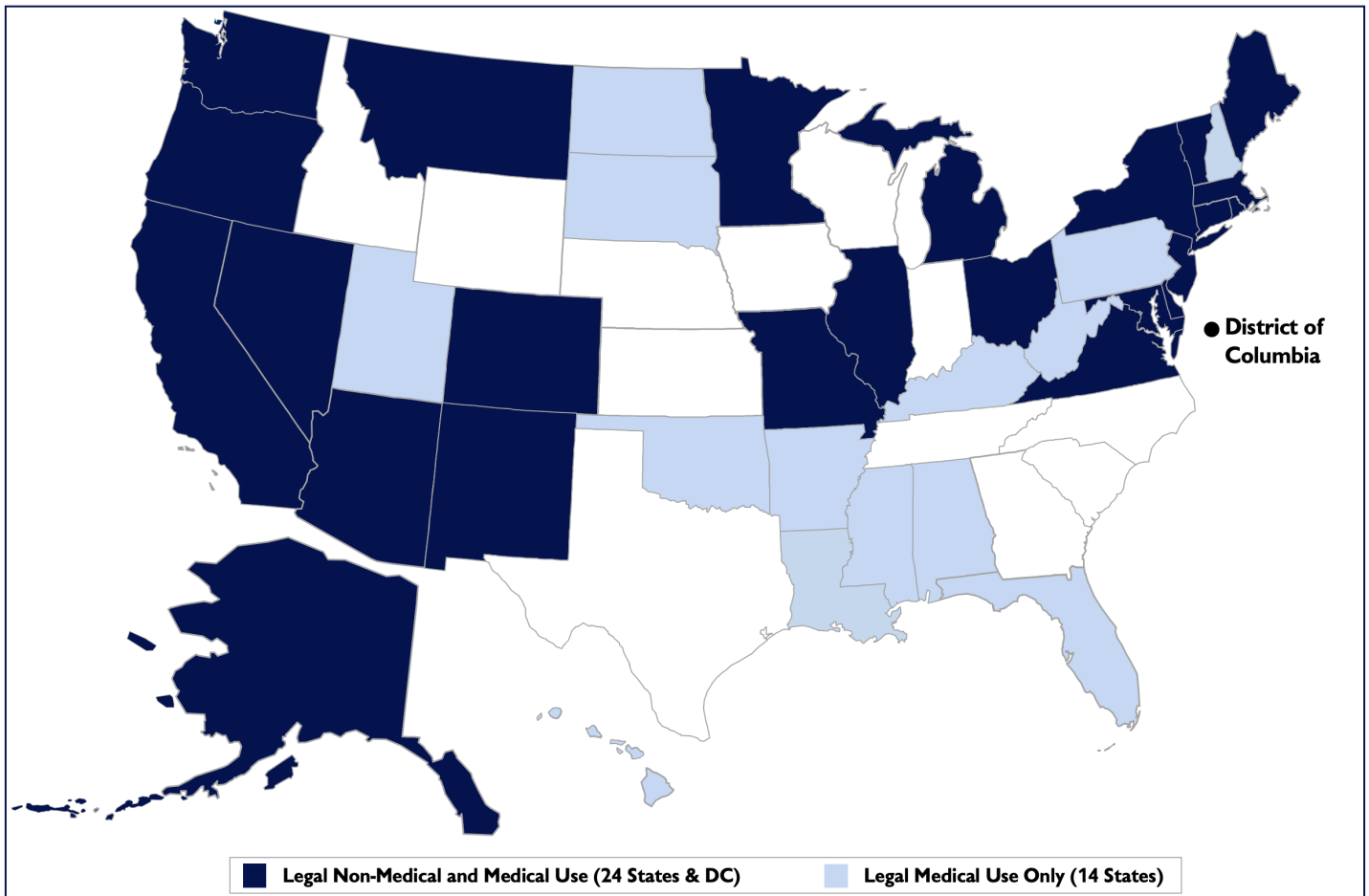
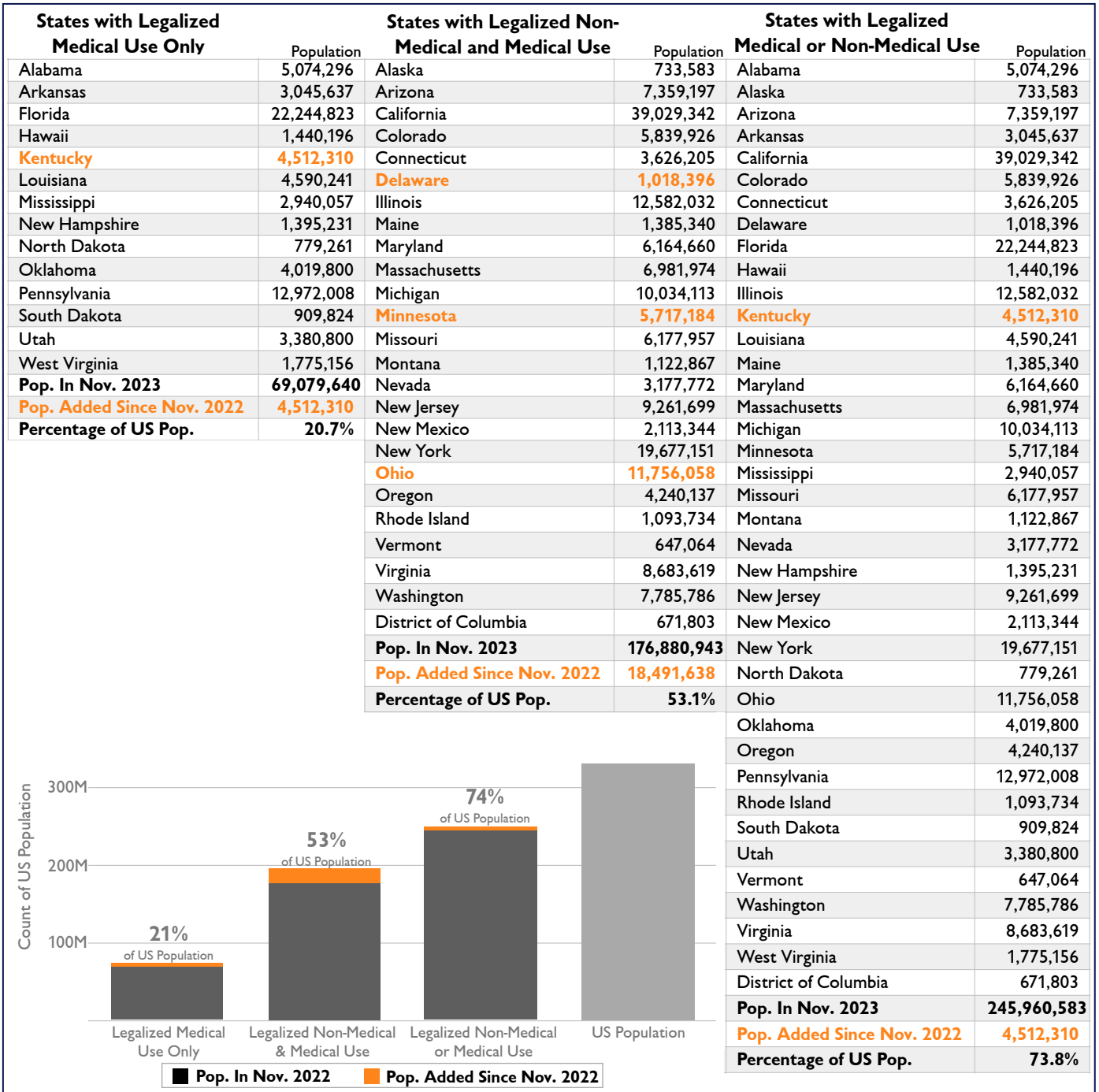


Figure 1 shows the current status of state cannabis laws. Overall, the total share of US residents living in a state with legalized non-medical use now stands at over 53%—up from roughly 48% in November 2022. One state legalized non-medical use by referendum in the November 2023 election, and another two states legalized non-medical use by legislative action in the past year.

Figure 2 depicts the number of states that have legalized in each category, the population affected, and the changes in each area since November 2022. For non-medical use, Ohio legalized via ballot referendum, whereas Delaware and Minnesota legalized via legislative action. For medical use, Kentucky legalized via legislative action.

Public opinion polling and recent elections show ever-growing support for cannabis legalization. Regardless of the wisdom of legalization, the ballot initiatives, actions by state legislatures and governors, and polls indicate that legalization is likely to continue. Cannabis stakeholders should be equipped with the information and tools they need to ensure that states can best optimize their approaches to protect public health and safety.

FIGURE 2. STATES AND POPULATION WITH LEGALIZED USE: NOVEMBER 2023^{1, 2}



NOTES:

¹ Population figures were obtained from the US Census, Population Estimates July 1, 2022, American Community Survey.

³ All states that have legalized recreational use have also prior legalized medical use.

This Info Brief is a publication of Carnevale Associates, LLC. Carnevale Associates brings strategic consulting solutions to governments, organizations, and communities as they confront the policy and program challenges of substance use, behavioral health, and criminal justice.

www.carnevaleassociates.com