

Status of State Marijuana Legalization: November 2020

This brief provides an update to the status of state marijuana laws in the United States, following the November 2020 election. Although marijuana remains illegal at the federal level, 35 states and the District of Columbia have now legalized medical marijuana, with sixteen (16) of those jurisdictions also legalizing recreational marijuana use. Overall, nearly 69% of U.S. residents now live in a state with legalized medical or recreational marijuana use

FIGURE 1. STATUS OF STATE MARIJUANA LEGALIZATION: NOVEMBER 2020

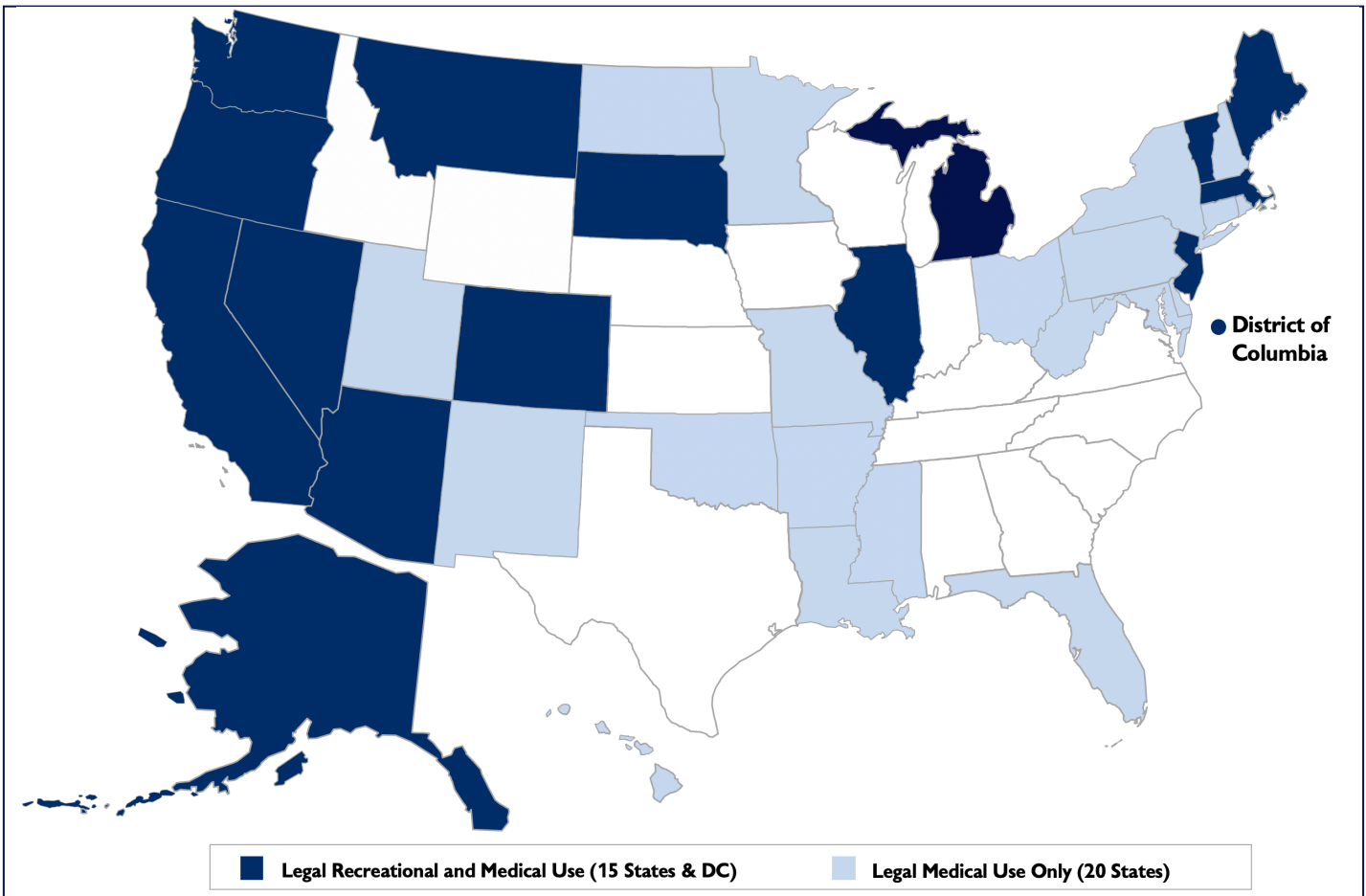


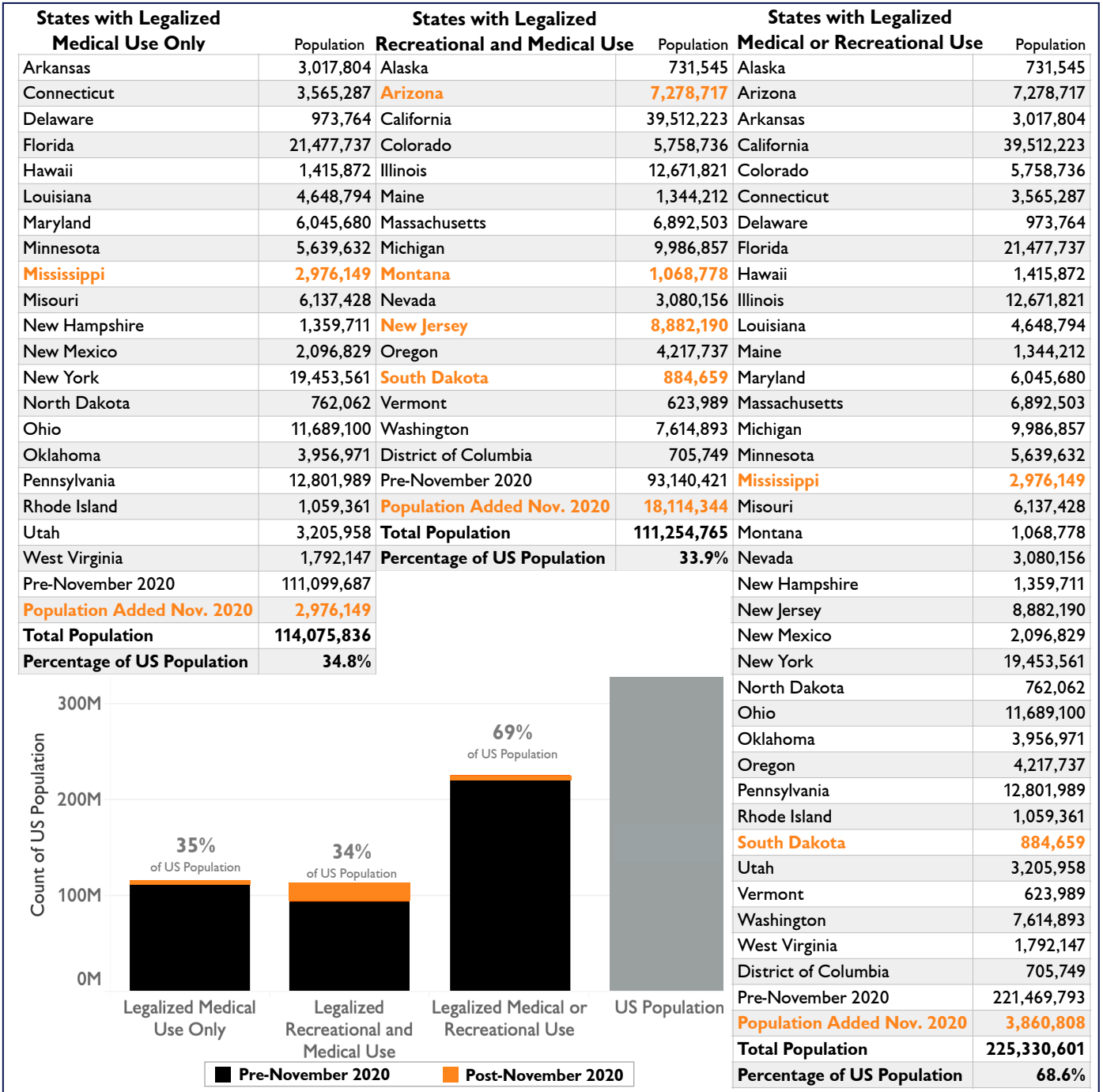
Figure 1 shows the current status of state marijuana laws after the November 2020 election. Though the total share of U.S. residents now living in a state with legalized medical or recreational marijuana use increased only slightly, roughly 34% of residents now live in one of the 16 jurisdictions that permit recreational use – up from 28% before November’s election.

Figure 2 depicts the number of states that have legalized in each category, the population affected, and the changes in

each area during November 2020. Four states legalized recreational use via ballot initiative in November: Arizona, Montana, New Jersey, and South Dakota, adding over 18 million people who now reside in jurisdictions with legalized recreational marijuana. South Dakota and Mississippi legalized medical use. And South Dakota became the first state to legalize medical use and recreational use at the same time, transitioning directly from prohibition to full state legalization.

Public opinion polling and recent elections show ever-growing support for marijuana legalization. Regardless of the wisdom of legalization, the ballot initiatives and polls indicate that recreational legalization is likely to continue. Marijuana 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 2020^{1, 2}



NOTES:

¹ Population figures were obtained from the US Census Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2019. Estimates are for 2019.

² All states that have legalized recreational use have also legalized medical use. South Dakota legalized medical and recreational use simultaneously in November 2020. In all other states, medical legalization preceded recreational legalization.

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