# CARNEVALE ASSOCIATES LLC

### **INFO BRIEF**

## Status of State Marijuana Legalization

This brief presents the status of state marijuana laws in the United States as of May 2020. Although marijuana remains illegal at the federal level, 33 states and the District of Columbia have legalized medical marijuana, with twelve (12) of those jurisdictions also legalizing recreational marijuana use.

FIGURE 1. STATUS OF STATE MARIJUANA LEGALIZATION

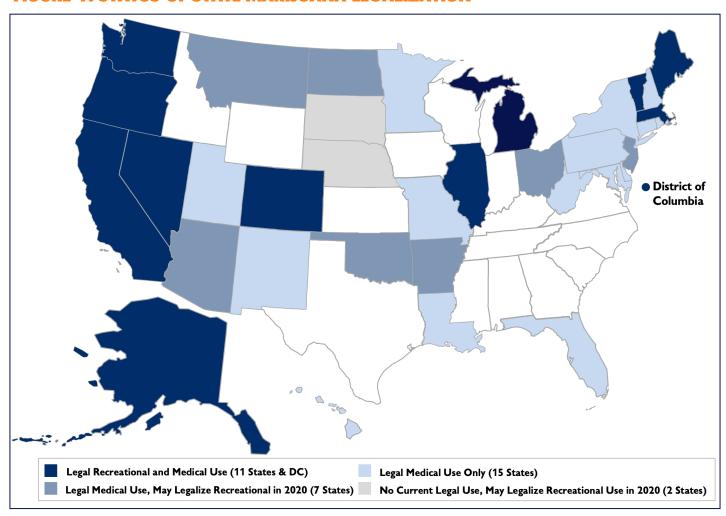


Figure 1 shows the current status of state marijuana laws and the potential changes that may occur in 2020.

Overall, nearly 68% of U.S. residents live in a state with legalized medical or recreational marijuana use, and roughly 28% of residents live in one of the 12 jurisdictions that permit recreational use. Efforts are currently underway to add ballot initiatives during the November 2020 election that would potentially legalize recreational use in

another nine (9) states. Though the fate of those initiatives remains uncertain, if all were adopted and approved, recreational use would expand to another 12% of residents, for a total of 40% of the US population spanning 21 jurisdictions.

There are a few evident trends in state legalization efforts, though it is too early to know if they will prove predictive in 2020. So far, every state

that has legalized recreational use has legalized medical use first, with an average of 13 years from the enactment of medical use to the enactment of recreational use. But that trend could change in 2020. Nebraska and South Dakota both have ballot initiative efforts underway to legalize recreational use, but have yet to legalize medical use. Meanwhile, among the other seven (7) states with potential ballot initiatives for

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recreational use, an average of only seven years has passed since enacting medical use laws – nearly half the historical lag time. Together, Figures 2 and 3 depict the length of time between state-specific legislation

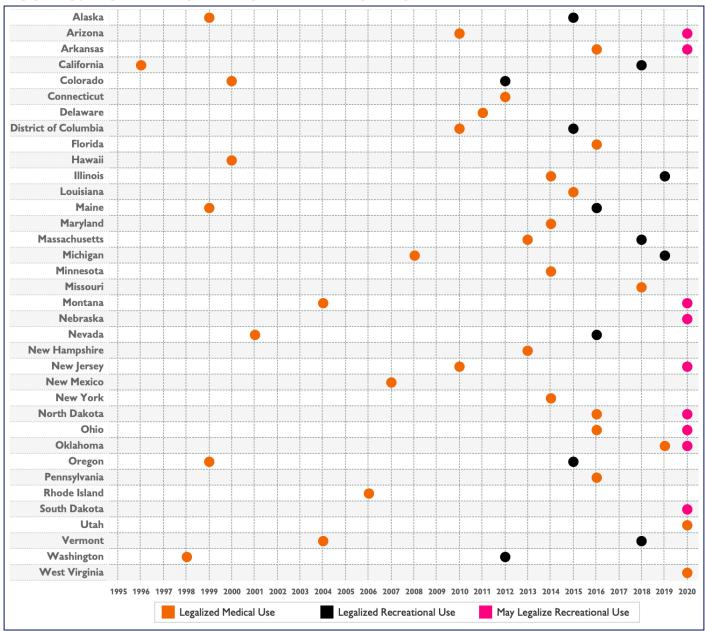
enactments, the temporal relationship between the states and their enactment dates, and the total population in each relevant legislation status. Despite the uncertainties of the 2020 election, public opinion polling also shows ever-growing support for marijuana legalization. From September 2016 to September 2019, support for recreational legalization

### FIGURE 2. ENACTMENT DATES AND POPULATION OF STATES WITH LEGALIZED USE<sup>1</sup>

States with Legalized	States with Legalized		States with 2020 Ballot Initiatives to Legalize		
Medical Use <sup>2, 3</sup>	Population	Recreational Use	Population	Recreational Use	
Alaska (1999)	731,545	Alaska (2015)	731,545	Arizona	7,278,717
Arizona (2010)	7,278,717	California (2018)	39,512,223	Arkansas	3,017,804
Arkansas (2016)	3,017,804	Colorado (2012)	5,758,736	Montana	1,068,778
California (1996)	39,512,223	Illinois (2019)	12,671,821	Nebraska	1,934,408
Colorado (2000)	5,758,736	Maine (2016)	1,344,212	New Jersey	8,882,190
Connecticut (2012)	3,565,287	Massachusetts (2018)	6,892,503	North Dakota	762,062
Delaware (2011)	973,764	Michigan (2019)	9,986,857	Ohio	11,689,100
Florida (2016)	21,477,737	Nevada (2016)	3,080,156	Oklahoma	3,956,971
Hawaii (2000)	1,415,872	Oregon (2015)	4,217,737	South Dakota	884,659
Illinois (2014)	12,671,821	Vermont (2018)	623,989	Total Population	39,474,689
Louisiana (2015)	4,648,794	Washington (2012)	7,614,893	% of US Population	12.0%
Maine (1999)	1,344,212	District of Columbia (2015)	705,749	70 of OD 1 opulation	121070
Maryland (2014)	6,045,680	Total Population	93,140,421		
Massachusetts (2013)	6,892,503	% of US Population	28.4%		
Michigan (2008)	9,986,857	70 Of O3 Fopulation	20.7/0		
Minnesota (2014)	5,639,632				
Missouri (2018)	6,137,428				
Montana (2004)	1,068,778				
Nevada (2001)	3,080,156				
New Hampshire (2013)	1,359,711				
New Jersey (2010)	8,882,190				
New Mexico (2007)	2,096,829				
New York (2014)	19,453,561				
North Dakota (2016)	762,062				
Ohio (2016)	11,689,100				
Oklahoma (2019)	3,956,971				
Oregon (1999)	4,217,737				
Pennsylvania (2016)	12,801,989				
Rhode Island (2006)	1,059,361				
Utah (2020)	3,205,958				
Vermont (2004)	623,989				
Washington (1998)	7,614,893				
West Virginia (2020)	1,792,147				
Washington DC (2010)	705,749				
Total Population	221,469,793				
% of US Population	67.5%				
					S Population 28,239,523
Legalized Medical Use 221,469,793	Legalized Recreational Use 93,140,421 28.4%		May Legalize Recreational Use 39,474,689 12.0%		

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FIGURE 3. LEGALIZATION ENACTMENT DATES BY STATE



among US adults rose from 49% to 59%, whereas support for continued criminalization declined from 15% to 8%. 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.

### **NOTES:**

- <sup>1</sup> 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.
- <sup>2</sup> Dates show the year medical or recreational marijuana laws were enacted rather than their original approval date.
- <sup>3</sup> All states with legalized recreational use previously legalized medical use. There was an average wait of 13 years between the legalization of medical use and the legalization of recreational use.
- <sup>4</sup> The New Jersey and South Dakota initiatives have obtained ballot access. Initiatives in all other states are still pending access. It is unknown whether exceptions to signature gathering requirements will be granted in all states due to COVID-19.

<sup>5</sup> Pew Research Center (2019). American Trends Panel Wave 53 September: Final Topline.

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.

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