



FEDERATION OF
STATE MEDICAL BOARDS

Medical Marijuana
State-by-State Overview

Document Summary:

- **Thirty-eight (38) states**, plus the District of Columbia, Puerto Rico, Guam, and the Virgin Islands permit the **medical** use of marijuana.
- **Twenty-four (24) states**, plus the District of Columbia, the Northern Mariana Islands, Guam, and the Virgin Islands have legalized the **recreational** use of marijuana for adults.
- **Nine (9) states** have enacted limited access marijuana product laws permitting **only low (or zero) Tetrahydrocannabinol (THC)** and high Cannabidiol (CBD) products to treat specific medical conditions.
- **Three (3) states** have **prohibited** all marijuana products, including those of low THC content and CBD products.

Key: state has medical marijuana. state has both medical and recreational marijuana.
 state permits limited access marijuana products (with low or zero) THC and/or high CBD

State	Legality	Enacted	Statutory Authority	References
AL	Medical	2014	Ala. Code § 13A-12-214.2 "Possession and use of cannabidiol"	(Link)
		2021	Alabama SB 46 "Darren Wesley "Ato" Hall Compassion Act"	
AK	Medical and Recreational	1998	AS § 17.37.10 et seq. "Medical Uses of Marijuana for Persons Suffering from Debilitating Medical Conditions Act"	(Link)
		2014	Alaska Ballot Proposition 2 of 2014 "An Act to Tax and Regulate the Production, Sale, and Use of Marijuana."	
AZ	Medical and Recreational	2010	ARST 36, Ch. 28.1, et seq. "Arizona Medical Marijuana Act"	(Link 1)
		2020	Prop 207 of 2020 "Relating to the Responsible Adult Use, Regulation, and Taxation of Marijuana"	(Link 2)
AR	Medical	2016	Arkansas Ballot Issue 6 "The Arkansas Medical Marijuana Amendment"	(Link)
CA	Medical and Recreational	1996	Cal. Health & Safety Code § 11357-11362.9 "Compassionate Use Act of 1996"	(Link)
		2016	California Ballot Proposition 64 "The Adult Use of Marijuana Act"	
CO	Medical and Recreational	2000	CRSA Const. Art. 18 § 14 A Constitutional Amendment to allow for the medical use of marijuana for persons suffering from debilitating medical conditions	(Link 1)
			CRSA § 25-1.5-106 "Medical Marijuana Program"	(Link 2)
CT	Medical and Recreational	2012	Colorado Amendment 64 "Use and Regulation of Marijuana"	(Link)
		2012	2012 Conn. Legis. Serv. P.A. 12-55 "The Palliative Use of Marijuana"	
		2021	Senate Bill 1201	

State	Legality	Enacted	Statutory Authority	References
			"An Act Concerning Responsible and Equitable Regulation of Adult-use Cannabis"	
DE	Medical and Recreational	2011	16 DE Code § 4920A "The Delaware Medical Marijuana Act"	(Link)
		2015 2019	HB 39 (2015) SB 45 (2019) "Decriminalization"	
		2023	HB 1 (2023) HB 2 (2023) "An Act amending Delaware code related to Marijuana" and "Creation of the Delaware Marijuana Control Act"	
DC	Medical and Recreational	2010	DC ST § 7-1671.01 et seq. "Legalization of Marijuana for Medical Treatment Amendment Act of 2010"	(Link)
		2014	DC Ballot Initiative 71 "Legalization of Home Cultivation and Possession of Minimal Amounts of Marijuana for Personal Use Act of 2014"	
FL	Medical	2016	Florida Ballot Amendment 2 "Use of Marijuana for Debilitating Medical Conditions"	(Link)
GA	Low-THC/high-CBD	2015	Ga. Code Ann. § 16-12-191 "Regulation of Low THC Oil"	(Link)
GU	Medical and Recreational	2014	Public Law 33-220 "Joaquin Concepcion II Compassionate Care Act"	(Link)
		2019	Bill No. 32-35 "Guam Cannabis Industry Act of 2019"	
HI	Medical	2000	HRS § 329-121 et seq. "Medical Use of Marijuana Act"	(Link 1)
		2020	HB 1383 (2020) "Marijuana; Decriminalization; Expungement"	(Link 2)
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IL	Medical and Recreational	2013	410 ILCS § 130 "Compassionate Use of Medical Cannabis Pilot Program Act"	(Link 1)
		2019	410 ILCS § 705 "Cannabis Tax and Regulation Act of 2019"	(Link 2)
IN	Low-THC/high-CBD	2017	Public Law 188 of 2017 "Cannabidiol and treatment resistant epilepsy"	(Link)
IA	Low-THC/high-CBD	2014	Iowa Code § 124D "Medical Cannabidiol Act"	(Link)
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KY	Medical	2014	K.R.S. § 218A.010 "Marijuana – Definition"	(Link)
		2022	Executive Order 2022-798 "Executive Action relating to Medical Cannabis"	
		2023	SB 47 (2023) "An Act relating to Medical Cannabis" * effective 2025	
LA	Medical	2015	La. Stat. Ann. § 40:1046 "Therapeutic Use of Marijuana"	(Link 1)
			La. Admin. Code tit. 46, § 7701 et seq. "Marijuana for Therapeutic Use by Patients Suffering from a Debilitating Medical Condition"	(Link 2)
ME	Medical and Recreational	1999	22 MRSA § 2421 et seq. "Maine Medical Use of Marijuana Act"	(Link 1)
		2016	Maine Ballot Question 1 "Marijuana Legalization Act"	(Link 2)

State	Legality	Enacted	Statutory Authority	References
MD	Medical and Recreational	2014	MD Code § 13-3301 et seq. “Natalie LaPrade Medical Marijuana Commission”	(Link)
		2022	Maryland Question 4 “Legalization of Adult Use and Possession of Cannabis”	
MA	Medical and Recreational	2013	M.G.L. 369 “For the Humanitarian Medical Use of Marijuana”	(Link)
		2016	Massachusetts Ballot Question 4 “Legalization, Regulation, and Taxation of Marijuana”	
MI	Medical and Recreational	2008	MCLA 333.26421 et seq. “Michigan Medical Marihuana Act”	(Link)
		2018	Proposal 18-1 “Michigan Regulation and Taxation of Marijuana Act”	
MN	Medical and Recreational	2014	M.S.L. 361 §§ 1-22 “Medical Cannabis (Marijuana) Registry Program Establishment”	(Link)
		2022	HF 4065 (2022) “A bill for an act relating to state government” Minn. Stat. §§152.22-152.37 Medical Cannabis Therapeutic Use Program * Legalizes Delta-8 THC, which is derived from hemp with less than 0.3 percent THC (Source)	
		2023	HF 1000 (2023) “Regulation of Adult Use Cannabis” * Legalizes recreational marijuana for adults ages 21 and up (Source). Creates Office of Cannabis Management (Source).	
MS	Medical	2014	Miss. Code Ann. § 41-29-136 “Harper Grace’s Law”	(Link)
		2020	Initiative 65 of 2020 (later ruled unconstitutional) “Medical Marijuana”	
		2022	S.B. 2095 “Mississippi Medical Cannabis Act”	
MO	Medical and Recreational	2014	Mo. Rev. Stat. § 192.945.1 “Registration Cards” Mo. Rev. Stat. § 195.207.1 “Use of Hemp Extract” *Note: RsMO 192.945 and 195.207 refer to Hemp Extract for epileptic patients and is legally distinct from medical marijuana based on THC content and not considered part of the Missouri Medical Marijuana Regulatory Program.	(Link)
		2014	Mo. Rev. Stat. § 261.265.1 “License Issuance”	
		2018	SB 491 (2014) “Decriminalization”	
		2022	Article XIV of Missouri Constitution (Amendment 2) “Right to Access Medical Marijuana” Missouri Constitutional Amendment 3 “Legalize Marijuana”	
MT	Medical and Recreational	2004	M.C.A. § 50-46-301 et seq. “Montana Marijuana Act”	(Link)
		2020	Initiative 190 of 2020 “Legalization of the possession and use of limited amounts of marijuana for adults over the age of 21”	
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State	Legality	Enacted	Statutory Authority	References
NV	Medical and Recreational	2000	NRS 453A.010 et seq. "Medical Use of Marijuana"	(Link 1)
		2016	Nevada Ballot Question 2 "Regulation and Taxation of Marijuana Act"	(Link 2) (Link 3)
NH	Medical	2013	RSA 126-X "Use of Cannabis for Therapeutic Purposes"	(Link)
		2017	HB 640 (2017) "Decriminalization"	
NJ	Medical and Recreational	2010	NJSA 24:6I-1 et seq. "New Jersey Compassionate Use Medical Marijuana Act"	(Link)
		2020	Public Question 1 of 2020 "Constitutional Amendment to Legalize Marijuana"	
NM	Medical and Recreational	2007	NMSA 1978 Section 26-2B-1 et seq. "Lynn and Erin Compassionate Use Act"	(Link)
		2021	N.M. Stat. § 7-43-47 "Cannabis Regulation Act"	
NY	Medical and Recreational	2014	NY Pub. Health L. § 3360 - 3369 "Compassionate Care Act"	(Link)
		2021	Senate Bill S854A "Marihuana Regulation and Taxation Act"	
NC	Low-THC/high-CBD	2014	N.C. Gen. Stat. §§ 90-113.100 – .106 "Epilepsy Alternative Treatment Act"	(Link)
ND	√	2016	North Dakota Initiated Statutory Measure 5 "Medical Marijuana"	(Link)
		2019	HB 1050 (2019) "Decriminalization"	
OH	Medical and Recreational	2016	House Bill 523 "Medical Marijuana Control Program"	(Link)
		2023	Ohio Issue 2 "Marijuana Legalization Initiative"	
OK	Medical	2015	Okla. Stat. tit. 2A §§ 2-801 – 805 "Clinical Trials – Definitions"	(Link)
		2018	State Question 78	
OR	Medical and Recreational	1998	ORS § 475.300 et seq. "Oregon Medical Marijuana Act"	(Link)
		2014	Oregon Legalized Marijuana Initiative, Measure 91 "Control, Regulation, and Taxation of Marijuana and Industrial Hemp Act of 2014"	
PA	Medical	2016	2016 Public Act 16 "Medical Marijuana"	(Link)
PR	Medical	2016	Regulation 155 "The Use, Cultivation, Manufacture, Production, Fabrication, Dispensing, Distribution, and Investigation of Medical Cannabis"	
RI	Medical and Recreational	2006	Gen. Laws 1956, § 21-28.6-1 et seq. "The Edward O. Hawkins and Thomas C. Slater Medical Marijuana Act"	(Link)
		2022	SB 2430 (Substitute) (2022) "The Rhode Island Cannabis Act"	
SC	Low-THC/high-CBD	2014	S.C. Code Ann. § 44-53-1820 "FDA approved clinical trials to treat patients who have certain forms of epilepsy with Cannabidiol"	(Link)
SD	Medical	2020	Initiated Measure 26 of 2020 "An initiated measure on legalizing marijuana for medical use"	(Link)
			Constitutional Amendment A of 2020 "An amendment to the South Dakota Constitution to legalize, regulate, and tax marijuana"	

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TN	Low-THC/high-CBD	2014	Tenn. Code Ann. § 39-17-402(16) "Marijuana – Definition"	(Link)
TX	Low-THC/high-CBD	2015	Tex. Health & Safety Code § 487 "Texas Compassionate-Use Act"	(Link)
UT	Medical	2014 2018	Utah Code § 26-56 "Hemp Extract Registration Act" Utah Code § 4-41b-101 "The Utah Medical Cannabis Act"	(Link)
VT	Medical and Recreational	2004	18 VSA § 4472 et seq. "Therapeutic Use of Cannabis" 18 VSA. § 4230 "Marijuana"	(Link)
VA	Medical and Recreational	2015 2021	Va. Code Ann. § 54.1-3408.3 "Certification for use of cannabidiol oil or THC-A oil to treat intractable epilepsy" Va. Code Ann. § 551 "Virginia Cannabis Control Act (CCA)"	(Link)
VI	Medical and Recreational	2019 2023	Bill No. 32-0135 "Virgin Islands Medicinal Cannabis Care Act" Act 8680 "Virgin Islands Cannabis Use Act"	(Link)
WA	Medical and Recreational	1998 2012	RCW 69.51a "Washington State Medical Use of Cannabis Act" Washington Initiative 502 "Washington Marijuana Legalization and Regulation"	(Link)
WV	Medical	2017	Senate Bill 386 "Medical Cannabis Act"	(Link)
WI	Low-THC/high-CBD	2014	Wis. Stat. §§ 961.14, 961.34, 961.38 "Controlled Substances Therapeutic Research"	
WY	Low-THC/high-CBD	2015	Wyo. Stat. Ann. § 35-7-1901 "Supervised Medical use of Hemp Extracts"	

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For informational purposes only: This document is not intended as a comprehensive statement of the law on this topic, nor to be relied upon as authoritative. Non-cited laws, regulation, and/or policy could impact analysis on a case-by-case or state-by-state basis. All information should be verified independently.

Questions, comments, or corrections? Please contact advocacy@fsmb.org