

Are We Making Recreational Weed More Complicated Than It Is?

Pennsylvania Lawmakers Urged to Prioritize Cannabis Decriminalization and Expungement Before Year's End

As Pennsylvania legislators work to legalize recreational cannabis, advocates are calling for immediate action on cannabis decriminalization and expungement. With support for legalization growing among voters, many are wondering if lawmakers can take meaningful steps before the year's end.

Momentum for Legalization

At the beginning of 2024, efforts to legalize recreational marijuana, or “adult-use,” in Pennsylvania appeared to be gaining momentum. A Franklin & Marshall poll revealed that 63% of Pennsylvania voters support legalization, a three-point increase since the last survey. Governor Josh Shapiro emphasized the issue during his budget address, and some Republican lawmakers expressed optimism about reaching a bipartisan agreement.

However, seven months later, no bill has been sent to Shapiro's desk, and budget negotiations have not included funding for legalized cannabis. As the year draws to a close, concerns are mounting about the future of legalization, particularly with key supporters like Republican Senator Mike Regan preparing to step down.

The Need for Consensus

What is holding up a vote? The main issue appears to be a lack of consensus among Democrats on the details of the proposed legislation. Key aspects of a potential adult-use program—including licensing for growers and sellers, regulatory measures, and addressing the consequences of past marijuana convictions—remain contentious.

State Senator Sharif Street, a co-author of previous legalization legislation, acknowledges the delays but remains “cautiously optimistic.” He believes Pennsylvania has the potential to get it right, despite the complexities of creating a comprehensive bill that promotes social equity.

Advocates Demand Action

In addition to the logistical challenges of crafting a legalization bill, advocates have voiced concerns about social equity. Members of the Legislative Black Caucus recently insisted that lawmakers “do not legalize until you equalize,” urging a focus on reparative measures for communities most impacted by the war on drugs.

[Efforts to ensure social equity](#) could include granting licenses to individuals previously incarcerated for nonviolent marijuana offenses, as well as those from communities disproportionately affected by cannabis

prohibition. Advocates like Kristal Bush argue that expunging records for low-level marijuana offenses should not have to wait for adult-use legalization. “We don’t need to wait for adult-use to roll out in order to expunge people’s records,” she stated.

Historical Context of Cannabis Prohibition

The push for cannabis reform is rooted in a long history of racial disparities and punitive laws. For decades, marijuana was vilified, leading to mass incarceration, particularly among Black men. Despite advancements—like Pennsylvania’s 2016 medical marijuana program—simple possession remains a misdemeanor, resulting in thousands of arrests annually.

Former state representative Tony Payton Jr. believes that while legalization is inevitable, the details of the bill and its benefits for marginalized communities are still uncertain. “What it looks like, and if it’s good for people who have been over-policed, is an open question,” he said.

Learning from Other States

Other states’ experiences with cannabis legalization serve as cautionary tales. New York’s ambitious social equity program faced numerous challenges, including legal disputes and a flood of unlicensed shops that undermined market stability.

Pennsylvania legislators aim to avoid similar pitfalls by establishing a stable funding source for social equity programs, with plans to allocate 30% of tax revenue from recreational sales to support entrepreneurs from impacted communities. However, the state’s existing medical marijuana market is largely dominated by multi-state corporations, raising concerns about equity and access for smaller, local businesses.

A Call for Immediate Action

With time running out, advocates argue that Pennsylvania has a unique opportunity to lead the nation in equitable cannabis legislation. “You have enough votes in the Senate to pass strong criminal justice reform measures,” Payton Jr. suggested. “Let’s start there—let my people go. Then we can pass something sensible for retail opportunities.”

As negotiations continue, the question remains: can Pennsylvania lawmakers reach a consensus and take meaningful action on cannabis reform before the year ends? The stakes are high, and advocates are hopeful that the state can pave the way for a more equitable approach to cannabis legalization.

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