

Ballot Losses Push Cannabis Advocates to Regroup for Recreation

Recreational Cannabis Legalization Efforts Face Setbacks Across Three States

The push to legalize recreational marijuana has hit significant resistance, with measures failing in all three states where it appeared on the ballot in 2024. Voters in Florida, North Dakota, and South Dakota rejected recreational cannabis initiatives, signaling potential challenges ahead for the movement and prompting advocates to reconsider their approach.

A Movement at a Crossroads: The Battle for Legalization

Over the last twelve years, the number of states legalizing recreational marijuana has surged from none to 24. However, this year's election results mark the first time in recent history that no new states have joined that list. Despite growing national support for recreational marijuana, the failed ballot initiatives highlight an uphill battle in certain parts of the country. In some states, entrenched opposition and complex legislative hurdles continue to stymie efforts.

Paul Armentano, deputy director of NORML, a cannabis advocacy group, noted that advancing legalization may become more challenging as efforts now shift to states where legislative action, rather than voter initiatives, is required. Many of the 26 states that have yet to legalize recreational marijuana do not allow citizen-driven ballot initiatives, leaving state legislatures—often resistant to change—as the primary avenue for reform.

Florida's Costly Campaign and Tight Margins

In Florida, the campaign to legalize recreational marijuana drew significant attention and funding, ultimately garnering a majority vote but failing to achieve the required 60% supermajority to amend the state constitution. Despite widespread support, the measure fell short due to Florida's high threshold for constitutional changes.

The campaign in Florida was one of the most expensive ballot initiatives of the year, with supporters raising a staggering \$153 million through October, largely funded by Trulieve, the state's largest medical marijuana operator. This financial backing underscores a recent trend in marijuana reform: established cannabis companies are now among the largest donors, as they stand to benefit from expanded markets.

The campaign faced formidable opposition from Republican Governor Ron DeSantis, who used state resources to run ads warning of potential risks associated with marijuana legalization. The opposition campaign's advocacy director, Jessica Spencer, commended DeSantis for his stance against what she referred to as "Big Weed." This substantial financial and political opposition ultimately kept recreational marijuana off the books in Florida for now.

Limited Support and Funding in the Dakotas

While Florida's marijuana campaign attracted significant resources, the efforts in North and South Dakota were comparatively underfunded, which may have contributed to their failure. Both North and South Dakota have a history of rejecting recreational marijuana, despite multiple attempts in recent years.

In North Dakota, this year's recreational marijuana measure was the third attempt to legalize cannabis in the state, following previous defeats in 2018 and 2022. Measure 5 would have allowed adults over 21 to possess, grow, and purchase cannabis, but it failed to gain enough support from voters. Meanwhile, South Dakota's recreational marijuana initiative also fell short, marking the third time the issue has been on the state's ballot. Although South Dakota voters approved a similar measure in 2020, it was later struck down by the state Supreme Court.

The minimal funding for the Dakota campaigns stood in sharp contrast to Florida, highlighting the challenges faced by marijuana advocacy groups in securing philanthropic support. According to Matthew Schweich, executive director of the Marijuana Policy Project and leader of the South Dakota campaign, many of these efforts are now heavily reliant on industry funding, as traditional donors shift focus to other social causes.

Nebraska Approves Medical Cannabis Amid Legal Challenges

While recreational marijuana efforts faltered, Nebraska took a notable step by approving medical marijuana, making it the 39th state to allow some form of legal cannabis. Nebraskans voted in favor of two measures that permit the medical use, production, and distribution of cannabis for qualifying patients. However, legal challenges are expected, which could delay or complicate implementation.

Nebraska's approval highlights a trend toward greater acceptance of medical marijuana, even in states where recreational use remains controversial. The medical marijuana initiative reflects shifting attitudes toward cannabis as a legitimate therapeutic option, even as full legalization remains politically contentious.

Federal Policy and Shifting National Attitudes

The state-level setbacks for recreational marijuana legalization come amid signs of potential change at the federal level. The U.S. Department of Justice recently proposed reclassifying marijuana from a Schedule I to a Schedule III controlled substance, which would acknowledge its lower abuse potential and allow for expanded medical research. Additionally, President-elect Donald Trump has signaled tentative support for the reclassification effort, a stance that could foster incremental progress toward federal cannabis reform.

According to AP VoteCast, a survey of over 120,000 U.S. voters, about 60% of Americans now support recreational marijuana legalization nationwide. However, support varied across states, with the Dakotas and Florida showing slightly lower enthusiasm. These results underscore a national trend toward favoring legalization, yet reveal persistent regional divides.

The Roadblocks Ahead: Legislative vs. Ballot-Driven Legalization

As the path to legalization becomes more complex in remaining states, advocacy groups may pivot their strategy away from ballot initiatives and toward lobbying state legislatures. States like New York and Connecticut have already achieved legalization through legislative action, suggesting that this approach may be viable for other states where public ballot initiatives are not allowed.

However, winning over state lawmakers presents its own set of challenges. Many of the states without legal recreational marijuana are conservative, where legislators are often reluctant to support legalization, fearing

political backlash or adverse social effects. This shift to legislative advocacy requires significant resources, as it involves extensive lobbying efforts, education campaigns, and often years of sustained pressure.

Trends in Funding: Industry-Backed Campaigns on the Rise

The role of cannabis industry players in financing legalization campaigns has become more prominent. Large operators, like Trulieve in Florida, have poured millions into campaigns that would allow them to expand from medical to recreational markets. However, this heavy reliance on industry funding has raised concerns about the influence of “Big Cannabis” on the reform movement.

In the past, philanthropic organizations and social justice groups were primary contributors to cannabis reform efforts. Now, as marijuana is increasingly viewed as a business opportunity, advocacy funding has shifted toward existing operators seeking market expansion. This transition could impact campaign messaging, potentially prioritizing market access over social justice aspects of legalization, such as expungement and equitable licensing.

Looking Forward: What’s Next for the Legalization Movement?

The 2024 ballot results may prompt marijuana advocates to recalibrate their strategies. Moving forward, the focus may shift toward building coalitions with sympathetic legislators, particularly in states where public opinion favors legalization but legislative hurdles remain. As more Americans express support for recreational use, advocates are likely to emphasize economic benefits, tax revenue, and job creation to gain traction with lawmakers.

At the federal level, marijuana rescheduling and banking access could provide the industry with much-needed legitimacy and financial stability, potentially accelerating state-level reform efforts. Federal action on marijuana could also influence resistant state legislatures by setting a precedent that nudges them toward policy alignment.

Despite these setbacks, national momentum remains strong, and advocates are optimistic that the legalization movement will continue to progress, albeit with new strategies and challenges.

The movement to legalize recreational marijuana faced significant obstacles in the 2024 election, as Florida, North Dakota, and South Dakota rejected legalization measures. These results underscore the challenges that lie ahead in states where citizen-driven ballot initiatives are not an option, pushing advocates to consider legislative approaches for future campaigns.

As public opinion and federal policy continue to shift, the legalization movement will likely evolve, focusing on new strategies and broader coalitions. While this election cycle may have slowed momentum, it also provides a blueprint for future efforts, reinforcing the need for flexibility and adaptability in the pursuit of comprehensive cannabis reform.

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