

# Pennsylvania Democrats Push Cannabis Legalization Through House

## Pennsylvania House Passes Partisan Cannabis Legalization Bill by Narrow Margin

In a historic yet highly contentious move, the Pennsylvania House of Representatives passed a sweeping adult-use cannabis legalization bill on May 6 by the narrowest of margins—102 to 101. The vote, carried entirely along party lines, saw Democrats push the bill through without a single Republican in support.

House Bill 1200, sponsored by Rep. Rick Krajewski (D-Philadelphia) and Rep. Dan Frankel (D-Allegheny), proposes a bold and unconventional model for cannabis sales, establishing a state-run dispensary system under the oversight of the Pennsylvania Liquor Control Board (PLCB).

### Groundbreaking Proposal Introduced and Passed in Just Three Days

H.B. 1200 was introduced during a non-voting session on Sunday, May 4. Within 48 hours, it was advanced by the House Health Committee—chaired by co-sponsor Frankel—and then swiftly passed on a second reading on May 6. The bill must still undergo a third and final reading before it can be officially transmitted to the Senate.

The speed of the legislative process drew sharp criticism from Republican lawmakers. Rep. Charity Krupa (R-Fayette) denounced the fast-tracked proceedings as “a slap in the face” to the legislative process.

### Key Provisions: Possession, Cultivation, and a State-Controlled Retail System

If enacted, H.B. 1200 would allow adults 21 and older in Pennsylvania to possess up to:

42.5 ounces of cannabis flower

5 grams of concentrate

500 milligrams of THC in infused products

In addition, home cultivation would be permitted with a \$100 annual permit, allowing two mature and two immature cannabis plants per household.

Perhaps the most distinctive element of the bill is the proposed state-run dispensary model, where the PLCB would oversee cannabis retail operations. This approach is a departure from other U.S. states that have legalized adult-use cannabis through private retail markets.

### Restrictions and Safety Measures: Limits on THC and Marketing Rules

To promote public safety and responsible consumption, the legislation imposes strict potency caps:

25% THC for flower

200 milligrams per package of concentrates

5 milligrams per serving and 25 milligrams per package for edibles and other products

Additional regulations include marketing restrictions, mandatory child-resistant packaging, and bans on retail locations within 1,000 feet of schools and daycare centers.

## **Criminal Justice Reform and Economic Equity Are Central to the Bill**

Krajewski emphasized the social justice focus of the bill. Key pillars include:

Automatic expungement of nonviolent cannabis offenses

Reinvestment of cannabis tax revenue into disproportionately impacted communities

Priority licensing and contracting opportunities for minority and local entrepreneurs

## **Projected Revenues Could Exceed \$500 Million Annually**

Supporters of the bill estimate the hybrid state-and-private model could generate over \$500 million annually. The bill includes a 12% excise tax on adult-use cannabis sales, in addition to program fees and product pricing.

Funds collected would be allocated as follows:

50% to a Communities Reimagined and Reinvestment Fund

10% to substance abuse prevention and treatment

5% to cannabis business development

2.5% to minority business support

2% to fund expungements

Remaining proceeds to Pennsylvania's General Fund

## **Licensing Framework: Tiered System with Focus on Equity and Local Business**

H.B. 1200 outlines an expansive licensing framework for the private sector to handle production and logistics, while the state manages retail. License categories include:

50 Category I cultivators (up to 125,000 sq. ft.)

50 Category II micro-cultivators (up to 14,000 sq. ft.)

50 processors and 50 micro-processors

50 transporters

On-site consumption lounges

Worker cooperatives

Social equity applicants would receive scoring advantages in the Category I application process, while lotteries would be used for other license types.

## **Civil Penalties for Public Use and Federal Legal Concerns Remain**

The bill maintains civil penalties for public cannabis consumption, including:

\$100 fine for a first offense

Up to \$200 fine for repeated violations

Despite the bill's state legality, federal prohibition continues to pose legal risks—particularly regarding the state-run retail model.

## **Cannabis Arrests Still High Under Current Law Despite Decriminalization in Some Cities**

Under existing state law, cannabis possession—even in small amounts—remains a criminal offense. More than 11,000 arrests occurred in 2023 for cannabis possession in Pennsylvania, according to national law enforcement data.

Penalties range from a \$500 fine and up to 30 days in jail for possession of less than 30 grams, to one year in jail and a \$5,000 fine for larger quantities.

## **Governor Shapiro Backs Legalization but Proposes a Higher Tax Rate**

Governor Josh Shapiro, a Democrat, has expressed strong support for cannabis legalization in his last two budget addresses. In February 2025, he proposed a 26% excise tax, more than double the rate included in H.B. 1200.

Shapiro warned that neighboring states with legal cannabis are already reaping tax revenue while Pennsylvania lags behind: “We’re losing out on revenue that could be helping us right here.”

## **Senate Republicans Hold the Keys as Bipartisan Bill Emerges in the Upper Chamber**

While H.B. 1200 may pass the House, its future in the Republican-controlled Senate remains highly uncertain. With a 27-23 GOP majority, partisan bills face long odds unless they secure bipartisan backing.

However, a bipartisan legalization bill is in development in the Senate, co-sponsored by Sen. Sharif Street (D-Philadelphia) and Sen. Dan Laughlin (R-Erie)—the latter being a rare Republican advocate for adult-use cannabis reform.

Laughlin's involvement signals that compromise may still be possible in the upper chamber, but significant policy differences—especially over the state-run model will need to be reconciled.

## **A Bold Yet Polarizing Step Toward Cannabis Reform in Pennsylvania**

With the passage of H.B. 1200 in the Pennsylvania House, the state has taken a significant—if controversial—step toward legalizing adult-use cannabis. The bill blends progressive justice reforms with an experimental retail model unseen elsewhere in the U.S.

As it heads to a more skeptical Senate, the legislation's fate now rests on whether bipartisan cooperation can overcome ideological divides and whether lawmakers are ready to make Pennsylvania a pioneer in state-run cannabis retail.

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