

Lawsuit Claims Florida Undermined Cannabis Legalization Effort

Florida Officials Accused of Blocking Cannabis Legalization Effort Again

Smart & Safe Florida Files Lawsuit Alleging Election Officials Refuse Mandatory Duties

Florida elections officials are being accused of deliberately refusing their “indisputable ... mandatory and ministerial” responsibilities to block a marijuana legalization campaign from advancing toward the 2026 ballot.

The accusation comes from a lawsuit filed Oct. 30 in the state Supreme Court by Smart & Safe Florida, a campaign backed by major multistate cannabis operators pushing to legalize adult-use marijuana in the state.

Smart & Safe Florida Says Officials Are “Thwarting” the Ballot Process

Under Florida law, ballot initiative organizers must collect 880,062 valid signatures from registered voters to qualify for the November 2026 ballot.

Before reaching that point, once 25% of the required signatures are verified, the Florida Secretary of State must issue a letter confirming the milestone. That letter triggers a Florida Supreme Court review of the initiative’s language to ensure it complies with legal requirements.

However, Smart & Safe Florida alleges that Secretary of State Cord Byrd has refused to issue the confirmation letter — a move the group says is unlawful and politically motivated.

The lawsuit asserts that Byrd’s refusal violates his “mandatory ministerial duty” and constitutes an effort to “frustrate the constitutional order.”

Lawsuit Names Florida Election Officials as Defendants

The suit names both Secretary of State Cord Byrd and Elections Division Director Maria Matthews as defendants.

Smart & Safe Florida is asking the state Supreme Court to compel both officials to comply with their obligations and process the voter initiative as required by law.

“It is nonsensical, and contrary to the express constitutional and statutory mandates, to allow the Secretary and Director to indefinitely refuse to issue the (letter) and frustrate the constitutional order,” the suit states.

Delays Persist Despite Meeting Signature Threshold

Smart & Safe Florida says it submitted enough verified signatures in June to trigger the Supreme Court review process.

In August, the campaign sent a formal letter to election officials asking for clarification on the delay — but, according to the lawsuit, never received a response.

This marks the second lawsuit filed by the organization against the administration of Governor Ron DeSantis, a vocal opponent of marijuana legalization.

A Pattern of Resistance from Florida Officials

Earlier in October, Smart & Safe Florida filed a separate lawsuit accusing the Division of Elections of unlawfully instructing county officials to invalidate as many as 200,000 signatures over what the group called a “technicality.”

The campaign argues that such tactics represent a broader effort by state officials to undermine legalization efforts that are widely supported by Florida voters.

DeSantis has repeatedly stated his opposition to marijuana reform and criticized prior legalization attempts, framing them as a threat to “public safety and social order.”

Trulieve Cannabis Takes the Lead Again

Smart & Safe Florida is backed by Trulieve Cannabis, Florida’s largest medical marijuana operator.

Trulieve was also the lead sponsor of the 2024 legalization campaign, which ultimately failed after spending nearly \$150 million, most of which came from Trulieve itself.

The company has already contributed more than \$25.8 million to the current initiative, according to state campaign finance records.

Trulieve operates 162 dispensary locations across Florida — more than any other operator in the state — and continues to bet heavily on the potential for adult-use legalization.

According to the MJBiz Factbook, total annual cannabis sales in Florida could exceed \$1.8 billion this year.

Legalization Campaign Seeks Voter Support Amid Political Resistance

Despite mounting challenges from state officials, Smart & Safe Florida remains confident in its ability to collect the required signatures and secure a spot on the 2026 ballot.

If successful, the initiative would allow adults 21 and older to legally possess and use cannabis for recreational purposes, extending a regulated market beyond the state’s existing medical marijuana framework.

Polls have consistently shown that a majority of Florida voters support adult-use legalization — though state law requires a 60% supermajority for the measure to pass once it reaches the ballot.

For now, Smart & Safe Florida’s latest legal battle underscores the ongoing tension between cannabis reform advocates and Florida’s political establishment, setting the stage for another high-stakes fight over marijuana policy in one of the nation’s most influential states.

What's Next for Florida's Legalization Push

With nearly two years to go before the 2026 election, Smart & Safe Florida faces both logistical and legal challenges.

The group will continue gathering signatures while awaiting the Supreme Court's response to its lawsuit.

If the court orders Byrd and Matthews to issue the confirmation letter, the campaign's initiative will move forward to a judicial review, potentially clearing one of the last major hurdles before heading to the ballot.

Until then, Florida's cannabis industry and millions of voters who support legalization will be watching closely to see whether political roadblocks once again derail the state's path toward reform.

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