Marijuana Series: The Latest Updates On The Efforts To Legalize Marijuana In New Jersey

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There were a number of significant developments during the week of March 12, 2018, in the world of New Jersey politics concerning marijuana. The biggest event was Governor Murphy's clear and unequivocal support for legalization in his Budget Address on March 13, but another significant development was Senate President Stephen Sweeney's statement that he was opposed to the bi-partisan legislation in the Senate that would decriminalize marijuana. Since then, there has continued to be additional reaction to Governor Murphy's Budget Address, as well as new developments.

For example, Senator Cory Booker, who has been a vocal advocate for legalization and who sponsored the Marijuana Justice Act of 2017 in Congress, which would legalize marijuana at the federal level, expressed his appreciation for Governor Murphy's position. The day after the Governor's Budget Address, Senator Booker tweeted the following message: "Thank you governor. Marijuana prohibition in NJ is bias against low income communities and communities of color. Prohibition has devastated lives and families. Economically harmed communities and wasted so many tax dollars. I applaud your leadership and support your efforts."

At the state level, Assemblyman Tim Eustace, a Democrat who has sponsored legalization legislation and bills to expand the state's medicinal marijuana program, authored an op-ed on insidernj.com titled, "Curbing the Opioid Crisis with Legalized Cannabis." After recounting the effect that legalization of marijuana had on opioid addiction in other states, Assemblyman Eustace opined that "[w]hile there are many more positive[] impacts legalization would have on our state including more funding for our schools, property tax relief, reducing mass incarceration, alleviating the strain on our jails and court systems, I believe that saving our friends and neighbors should be one of the top considerations. I look forward to working with the Legislature and with Governor Murphy on passing a safe, comprehensive bill to correct this overdue issue and finally legalize cannabis."

As we recounted in one of our recent updates, such a comprehensive bill was introduced on March 12 in the Assembly by Assemblyman Reed Gusciora. Assemblymen Gusciora and Eustace also sponsored A.3437, which would revise various aspects of the state's medicinal marijuana program, including an expansion of the program's qualifying conditions. That bill is scheduled to be considered by the Assembly Health and Senior Services Committee ("Committee") on March 22. In addition, the Committee is also scheduled to consider A.3740, a bill sponsored by Assemblyman Herb Conaway. That bill would authorize medicinal marijuana for any diagnosed condition. Assemblyman Conaway is the Chair of the Committee, Assemblyman Eustace is the Vice-Chair, and Assemblyman Gusciora is a member of the Committee.

The last item to note is the release of a poll by Quinnipiac University of New Jersey voters on a host of issues, including legalization of marijuana. The poll, released on March 13, 2018, found that voters supported adults being able to possess small amounts of marijuana by a margin of 59%-37%. This result is noteworthy because on February 1, 2018, Fairleigh Dickinson University released the results of a poll of New Jerseyans that found that 42% of respondents favored legalization; 27% favored the current status of marijuana laws whereby medicinal marijuana is legal and recreational use is not; and 26% favored decriminalization.

This is not to suggest that support for legalization of marijuana has greatly increased in New Jersey over the past month, but the Quinnipiac results are certainly encouraging for advocates of legalization. It will be interesting to monitor similar polls in the future to ascertain whether the debate playing out in Trenton impacts voters' views on this issue and whether increases -- or decreases -- in support for legalization will be used by advocates to support their position and attempt to sway legislators.