

Timeline of Cannabis Policies in Minnesota

Eileen Delehanty, PhD, MPH

Cannabis Research Center, University of Minnesota

BACKGROUND

WHAT IS CANNABIS?

Cannabis is a plant native to Asia that can be cultivated for agricultural, fiber and medicinal purposes.¹ There is some contention about the number of cannabis species, however three species are widely recognized: *Cannabis sativa*, *Cannabis indica*, and *Cannabis ruderalis*.² All three of these species can interbreed with each other leading to hybridization. There are over 700 strains of cannabis hybrids.² Each hybrid has a different make up and concentration of cannabinoids. Cannabinoids are the structural compounds found in the cannabis plant that join to cannabinoid receptors in the body.³ The cannabis plant has over 80 cannabinoid compounds.³ The most widely known and recognized of them are delta-9- tetrahydrocannabinol (THC) which is intoxicating, and cannabidiol (CBD) which is non-intoxicating.

Cannabis has been cultivated in North America for hundreds of years, both before and since the founding of the United States.⁴ Hemp has historically been used as a term for a type of cannabis primarily grown for industrial purposes, such as making rope and textiles from the plant's fibers. It is characterized by low levels of delta-9 THC and is generally considered non-intoxicating.⁴ Production of hemp in the U.S. greatly declined since the 1800s as a result of various political, legal and economic factors.

EARLY FEDERAL AND STATE CANNABIS POLICIES

CANNABIS POLICIES PRIOR TO 1970

The first federal cannabis legislation in the US was the Marihuana Tax Act of 1937. This Act highly regulated the importation, cultivation, possession and distribution of cannabis.⁵ Soon after, all states including Minnesota made cannabis possession illegal.⁶

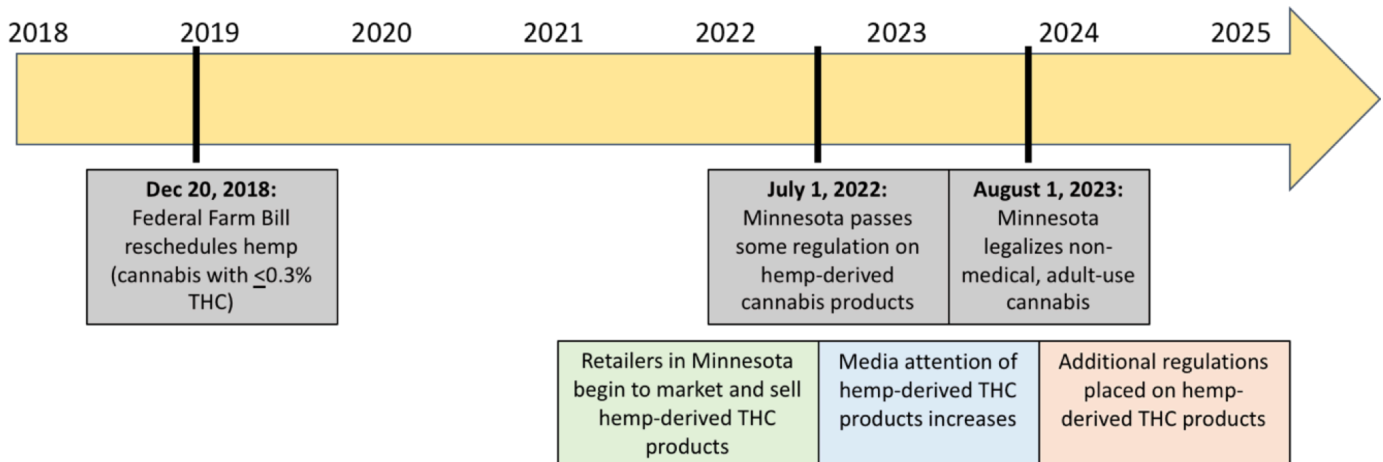
CONTROLLED SUBSTANCES ACT

On October 27, 1970 the Federal Comprehensive Drug and Abuse Prevention and Control Act of 1970, more commonly known as the Controlled Substance Act, became law.⁷ This act designated cannabis, including hemp, as a Schedule I substance, meaning that it has a high potential for abuse and dependence and has no federally recognized medical uses for treatment.⁸ As a Schedule I substance, the federal government prohibits the possession, use, and distribution of cannabis.

MINNESOTA LEGALIZES MEDICAL CANNABIS

On May 29, 2014 Minnesota legalized cannabis for specific state-approved medical purposes including cancer and terminal illness associated with severe pain and other specific complications, glaucoma, HIV/AIDS, seizures, severe and persistent muscle spasms, Tourette's syndrome, Crohn's disease and amyotrophic lateral sclerosis (ALS).⁹ Since that time, additional conditions such as chronic pain, post-traumatic stress disorder, and Alzheimer's disease have been added to the medical cannabis program.⁹

MINNESOTA NON-MEDICAL CANNABIS POLICIES TIMELINE



2018 FEDERAL FARM BILL

On December 20, 2018, the Agriculture Improvement Act of 2018 also known as the Federal Farm Bill was signed into law.¹⁰ This law separated hemp from other types of cannabis and rescheduled hemp as a non-controlled substance. It defined hemp as "...any cannabis plant, or derivative thereof, that contains not more than 0.3 percent delta-9 THC on a dry-weight basis."¹⁰ For the first time since 1970, hemp was legally allowed to be manufactured, distributed and dispensed commercially at the federal level.

Soon after the 2018 Farm Bill passed, manufacturers began to concentrate and infuse delta-9 THC from legal hemp into edible/beverage products. These products can produce intoxicating effects or a "high" similar to consuming non-hemp cannabis (cannabis with greater than 0.3% delta-9 THC concentration). Hemp-derived products with less common types of THC such as delta-8 and delta-10 also became available in Minnesota and other states.

Initially, intoxicating hemp-derived edibles/beverages were available in very select stores across Minnesota (e.g, smoke shops). There likely was still some confusion about whether the products were legal. There were no regulations such as age restrictions, licensing requirements, or limits on types of products.

MINNESOTA REGULATES HEMP-DERIVED THC PRODUCTS

Due to the lack of regulations on hemp-derived THC products at the federal level, the Minnesota state legislature passed a bill in July 2022 that included three primary restrictions:¹¹

1. Maximum amount of delta-9 THC per package (50mg)
2. Maximum amount of delta-9 THC per serving (5mg)
3. Prohibition of sales of hemp-derived THC products to anyone under 21 years of age

This 2022 legislation resulted in a large amount of media coverage. While hemp-derived THC products may have already been legal federally through the 2018 Federal Farm Bill, the 2022 legislation codified it at the state level. Perceptions among retailers and the public about the legality of these products appeared to change. What was once considered a questionably legal product was now available to sell by an array of retailers.

Although the legislation that passed in Minnesota in 2022 put some controls on hemp-derived THC products, the extent of this regulation was limited. For example, there was no regulation on which type of retailers could sell hemp-derived THC products and no licensing was required to sell the products.¹¹ As such, Minnesota was often referred to as the “wild west” of hemp-derived THC products, with many types of retailers, such as hardware stores, salons, gas stations and convenience stores, selling these products throughout the state.

MINNESOTA LEGALIZES NON-MEDICAL ADULT-USE CANNABIS

On August 1, 2023 Minnesota legalized non-medical cannabis for adults age 21 and older, becoming the 23rd state to do so.¹² This legislation allows the possession, consumption and sale of cannabis in Minnesota. As part of this legislation, restrictions were placed on hemp-derived THC products including requiring retailers to initially be registered, and then licensed to sell these products.¹²

Tribal governments have enacted their own cannabis policies. Red Lake Nation opened the first cannabis dispensary in August 2023. Other tribal nations have also opened cannabis dispensaries both on and off tribal lands.⁶

Applications for cannabis cultivation, distribution and retail licenses began in 2023 and the first retailers outside of tribal control are expected to open in late 2025.

IMPLICATIONS FOR RESEARCH

Understanding cannabis policies is critical to studying the public health implications of cannabis use, problems and benefits. Numerous policy changes and implementation of cannabis legalization over multiple years makes studying effects of cannabis legalization in Minnesota complicated. Full effects of legalization will not be possible until licensed retailers have been operating throughout the state.

CONCLUSIONS

The cannabis policy landscape in Minnesota is complex and rapidly changing. This summary provides a brief history of cannabis policy in Minnesota and provides context to the current cannabis environment.



UNIVERSITY OF MINNESOTA
Driven to Discover®

The University of Minnesota School of Public Health Cannabis Research Center (CRC) strives to understand the health implications of cannabis and be a trusted source of information to guide policy and practice related to cannabis use.

CONTACT INFORMATION

Email: cannabisrc@umn.edu

Web: z.umn.edu/CannabisResearchCenter

REFERENCES

1. Booth, M. (2005). *Cannabis: a history* (1st Picador ed.). Picador.
2. Gloss D. An Overview of Products and Bias in Research. *Neurotherapeutics*. 2015;12(4):731-734. doi:10.1007/s13311-015-0370-x
3. Cannabinoids - Alcohol and Drug Foundation. Accessed September 8, 2025.. <https://adf.org.au/drug-facts/cannabinoids/>
4. Rull, V. (2022). Origin, early expansion, domestication and anthropogenic diffusion of Cannabis, with emphasis on Europe and the Iberian Peninsula. *Perspectives in Plant Ecology, Evolution and Systematics*, 55, 125670.
5. Marijuana Tax Act of 1937, ch. 553, Pub. L. No. 75-238, 50 Stat. 551 (1937).
6. *Cannabis—Minnesota Issues Resources Guides*. (July 2025). Retrieved September 1, 2025, from <https://www.lrl.mn.gov/guides/guides?issue=cannabis>
7. Comprehensive Drug Abuse Prevention and Control Act of 1970, 21 U.S.C. § 801 et seq. (1970).
8. *Drug Scheduling*. (n.d.). Retrieved September 9, 2025, from <https://www.dea.gov/drug-information/drug-scheduling>
9. *Division of Medical Cannabis Key Dates*. (n.d.). Division of Medical Cannabis. Retrieved September 9, 2025, from <https://mn.gov/ocm/dmc/about-us/program-info/key-dates.jsp>
10. Rep. Conaway KM [R T 11. *H.R.2 - 115th Congress (2017-2018): Agriculture Improvement Act of 2018.*; 2018. Accessed January 22, 2024. <https://www.congress.gov/bill/115th-congress/house-bill/2>
11. Chapter 98 (H.F. 4065), 2022 Minn. Laws 1. Retrieved from <https://www.revisor.mn.gov/laws/2022/0/Session+Law/Chapter/98/>.
12. Chapter 63 (H.F. 100), 2023 Minn. Laws 1. Retrieved from <https://www.revisor.mn.gov/laws/2023/0/Session+Law/Chapter/63/>