

## Written Testimony of the American Trade Association for Cannabis and Hemp

Pennsylvania Senate Democratic Policy Committee

Hearing on Adult-Use Cannabis in Pennsylvania

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**Submitted by Chris Lindsey, Vice President of Policy and State Advocacy**

Chairman Miller, Senator Street, and members of the Committee:

Thank you for the opportunity to submit this testimony. My name is Chris Lindsey, and I am the Vice President of Policy and State Advocacy for the American Trade Association for Cannabis and Hemp (ATACH). ATACH is a 501(c)(6) trade association registered in Washington, DC, that represents state-regulated cannabis and hemp businesses around the United States. We were founded more than a decade ago to advocate for consumer safety for marijuana and hemp products, and we support businesses engaged in state-licensed medical and adult-use production and sale. ATACH supports the legalization of adult-use cannabis in Pennsylvania.

I have been in the regulated cannabis space for nearly 20 years: I started as a trial lawyer, got Crohn's disease and became a medical marijuana patient. I became a medical marijuana business owner in Montana, and then a federal defendant when the DEA raided that company and many others. For the past 16 years, I have worked on medical and adult-use legislation at the state and federal levels in many parts of the country. In Illinois, I worked on all three areas of cannabis reform: decriminalization, medical marijuana, and legalization.

This testimony addresses what legalization turns out to be in practice, and why it is so often misunderstood. Legalization is commonly viewed as a liberalization of the law, a sign of acceptance or even promotion of marijuana use. In practice, it works very differently.

Cannabis is already widely available in Pennsylvania to anyone who wants it, young or old, from every background and walk of life, and it has been for years. Adults buy it across a state line or online, or get it from a local dealer, a friend, or a relative. Where cannabis is already this available, legalization comes down to three things: Reform, rules, and revenue.

### Criminal Justice Reform

The criminal justice gains from legalization rarely get the attention they deserve, but they can be hugely impactful. Legalization creates the opportunity to clear old records and to stop arresting people for conduct most Pennsylvanians believe should be legal. When Illinois legalized, the state expunged nearly half a million cannabis arrest records and pardoned more than 20,000 low-level convictions within the law's first year.<sup>1</sup> For the people behind those

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<sup>1</sup>Office of the Governor of Illinois, "Pritzker Administration Announces Nearly 500,000 Cannabis Arrest Records to be Expunged Four Years Ahead of Schedule," press release, December 31, 2020 (reporting 492,129 arrest records expunged and more than 20,000 convictions pardoned).

records, that meant a fairer shot at jobs, loans, and school admissions. It is a real difference in many lives.

Legalization also changes the basic structure of the law. Today in Pennsylvania, adult-use cannabis is illegal for everyone for every reason, and the system has left it to law enforcement to sort out whom to enforce against. Legalization changes that direction: it recognizes that cannabis is an intoxicating product many adults want, treats it more like alcohol, and scales penalties to match. It shifts enforcement from criminal courts to administrative regulation.

## Rules

Legalization gives the Commonwealth four forms of control it lacks today:

1. **Control over who can buy, and where and when:** an ID check at 21, limits on quantity, hours, and location, and a retailer with a license that can be taken away if they break the rules.
2. **Control over who can sell, and under what conditions.** The state decides who enters the market through background checks, ownership disclosure, and financial review. It decides how many outlets there are and where they sit, with local zoning as part of that decision. Pennsylvania already runs this model for its medical patients, and the same authority can extend to every intoxicating cannabinoid product, whether derived from marijuana or hemp.
3. **Visibility into the market.** Today, the state knows almost nothing about the market it is trying to police. Under regulation, it can see sales volumes, potency trends, and product categories, and it can trace a contaminated product to its source and recall it.
4. **Certainty for consumers.** When the rules are unclear, ordinary Pennsylvanians pay the steepest price. Police in Pennsylvania still make more than 12,000 marijuana arrests a year,<sup>2</sup> and I suspect most Pennsylvanians could not say with confidence what is legal in the Commonwealth today and what is not. Clear rules let people know where they stand and protect them when they follow those rules. And for consumers of regulated products, they know they are getting products that have been tested, there is a label, and health and safety standards are met.

## Revenue

Revenue often drives the legalization debate, but I argue it is not the only or even most compelling reason to legalize, because it puts the focus in the wrong place.

The day before a legalization law takes effect, the entire market for adult-use cannabis is already being served unlawfully. In Pennsylvania, that means more than two million adults who

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<sup>2</sup>Federal Bureau of Investigation, Uniform Crime Reporting Program, 2025 arrest data (Crime Data Explorer), reporting 12,238 marijuana-related arrests in Pennsylvania, as compiled by NORML, August 31, 2026.

used cannabis in the past year, about 1.5 million of them in the past month.<sup>3</sup> Every one of them already has a place to get it.

Legalization, then, means building a legal system and convincing as many of those consumers as possible to use it. Real revenue depends on that conversion rate, from the unlicensed market to the licensed one. When revenue drives the discussion and it seeks immediate results, the program becomes a cookie jar before it is fully built, and that translates into fees that are too high and taxes that are too high, which drive up prices at the register. Consumers have a choice, and if the licensed market cannot offer them a better option than the one they already use, the system will fail. This was the lesson learned at the end of alcohol prohibition, where taxes were low to end the illicit market, and then were raised with deliberation over time. We understand that lesson is unlikely to be heeded given the dynamics of the political debate and the budget needs of the state.

That said, we know that revenue will be a big part of this discussion, as it has been in the past. As the process moves forward, I ask you to understand that a successful market conversion from the illicit market to a regulated is where the real revenue comes from, not from charging onerous fees or taxes that keep an illicit market thriving.

Once revenue arrives, it can do real good. It is a tax paid only by those who choose to consume the product. It can fund the program itself, cover the costs of criminal justice reform such as expungement, and support other key programs. The larger revenue comes from the longer game of integrating consumers into the regulated market, and that takes time. However, Pennsylvania is ready with a vast infrastructure - medical marijuana - that can be turned on quickly.

## Common Concerns

In every state discussion about legalization, there are concerns raised. These include sending the wrong message to teens and or making access easier, adult use increasing, and raising the threat of DUI. These are serious concerns, but studies and results are mixed, and the issues are not as straightforward as some make them out to be.

### Teen use

The most extensive recent analysis, published in JAMA Psychiatry in 2024, examined federal Youth Risk Behavior Survey data from 1993 through 2021 and found no evidence that adult-use laws were associated with increased marijuana use among high school students. Estimates tied

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<sup>3</sup>Substance Abuse and Mental Health Services Administration, 2022–2023 National Surveys on Drug Use and Health, State-Specific Tables: Pennsylvania, Table 87A (estimating 2,167,000 adults aged 18 or older with past-year use and 1,532,000 with past-month use).

to the opening of the first retail dispensary were similar.<sup>4</sup> The research literature is not unanimous, and some studies find modest effects.<sup>5</sup>

### Adult use

Studies comparing states that legalized with states that did not find that legalization is associated with a modest rise in adult use: roughly two to three additional adults in every hundred reporting use in the past year.<sup>6</sup> The increase is concentrated among adults 26 and older, with no comparable rise among adults 18 to 25.<sup>7</sup> Some of the change likely reflects adults who become more willing to report use once it is lawful. The adults who use cannabis in Pennsylvania today are consumers whether or not the Commonwealth licenses a market. The question legalization answers is whether their purchases take place under rules governing testing, labeling, potency, and age, or under no rules at all.

### Road safety

Research on road safety after legalization shows modest increases, generally in the range of 4 to 6 percent, in crash and fatality rates in some states,<sup>8</sup> and no significant change in others.<sup>9</sup> The risk deserves a serious response, and a legalization can mitigate some of this through a dedicated revenue source for trained drug-recognition officers, public education, and research on impairment testing.

Pennsylvania's choice is whether a market that already exists will operate under rules.

## Recommendations

ATACH respectfully recommends that the General Assembly:

1. Enact comprehensive adult-use legalization through a licensed and regulated market that builds on the testing, tracking, and oversight Pennsylvania already requires of its medical program.
2. Give a single regulatory authority jurisdiction over every intoxicating cannabinoid product sold in the Commonwealth, whether derived from marijuana or from hemp, so that products with the same effects are held to the same rules regardless of source.

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<sup>4</sup>D. Mark Anderson et al., "Recreational Marijuana Laws and Teen Marijuana Use, 1993–2021," *JAMA Psychiatry* (published online April 24, 2024), doi:10.1001/jamapsychiatry.2024.0698.

<sup>5</sup>Aditya K. S. Pawar et al., "Systematic Review and Meta-Analysis: Medical and Recreational Cannabis Legalization and Cannabis Use Among Youth in the United States," *Journal of the American Academy of Child & Adolescent Psychiatry* 63, no. 11 (2024): 1084–1113.

<sup>6</sup>"Gender Differences in Cannabis Outcomes After Recreational Cannabis Legalization: A United States Repeated Cross-sectional Study, 2008–2017," *International Journal of Mental Health and Addiction* (2024) (reporting increases in past-year use of 3.2 percentage points among women and 2.1 among men).

<sup>7</sup>Magdalena Cerdá et al., "Association Between Recreational Marijuana Legalization in the United States and Changes in Marijuana Use and Cannabis Use Disorder From 2008 to 2016," *JAMA Psychiatry* 77, no. 2 (2020): 165–171.

<sup>8</sup>Charles M. Farmer, Samuel S. Monfort, and Amber N. Woods, "Changes in Traffic Crash Rates After Legalization of Marijuana: Results by Crash Severity," *Journal of Studies on Alcohol and Drugs* 83, no. 4 (2022): 494–501; J. A. Acosta and I. Alvarado, "Recreational Cannabis Legalization and Traffic Fatality Rates in the United States, 2005–2024," *Cureus* 18, no. 5 (2026): e109759.

<sup>9</sup>Jayson D. Aydelotte et al., "Crash Fatality Rates After Recreational Marijuana Legalization in Washington and Colorado," *American Journal of Public Health* 107, no. 8 (2017): 1329–1331.

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3. Dedicate a share of licensing and tax revenue to enforcement against unlicensed sellers.
  4. Set taxes and fees at levels that allow licensed businesses to compete with the unlicensed market, so that consumers move into the accountable market.
  5. Include relief for people with prior convictions for conduct that legalization makes lawful.

Thank you for the opportunity to testify. ATACH welcomes the opportunity to serve as a resource to the Committee as this work continues.

Respectfully submitted,

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