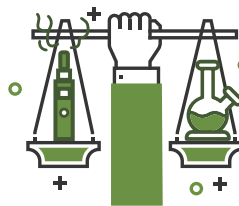


- Fully Legalized
- Medical Only
- CBD/Low THC Program
- Fully Prohibited

Info above as of April 2026. For up-to-date details and more on cannabis laws by state, head to: <https://www.ncsl.org/health/state-medical-cannabis-laws>



Immigration officials are known to ask individuals if they have ever possessed or used marijuana. If they answer yes, **they can be found inadmissible, denied entry into the United States, or have their application for lawful status or naturalization denied.** Depending on the circumstances, **it can even make a lawful permanent resident deportable.**



Recreational use of cannabis is **legalized** in

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states, D.C., the Northern Mariana Islands, U.S. Virgin Islands, and Guam. Additionally, **48 states and all territories except for American Samoa** currently have, at a minimum, legalized either medical marijuana or CBD/Low THC.

Cannabis & Immigration

Even though states are legalizing cannabis, under federal law, cannabis remains a controlled substance. But, on April 23, 2026 the federal government rescheduled medical marijuana as a Schedule III controlled substance, meaning it is legal with a prescription. **Nonetheless using recreational marijuana, or even working in the legalized non-medical marijuana industry, can be very dangerous for noncitizens.**

Tips for Noncitizens:

- If possible, **avoid cannabis in any form until you are a U.S. citizen.** This might seem unfairly restrictive, but it is the best guarantee against immigration consequences. Remember, **it doesn't matter that marijuana is permitted under state law** – it's still dangerous for immigrants.
- **Do not work in the marijuana industry.** Although business is booming in this area, it may not be worth it if you are looking to qualify for some benefit in the future, which includes gaining your citizenship.
- If you have a medical need and there is no good substitute for medical cannabis, **seek a legal consult first.** This will help to at least weigh your options against your risks.
- **Never leave your house carrying:** marijuana, a medical marijuana card, paraphernalia (like pipe or marijuana vape pen), or accessories like marijuana apparel.
- **Do not have marijuana-related photos on your phone or share any on social media.** With the growing Homeland Security surveillance apparatus, this content is best kept off the internet.
- Never discuss marijuana use or possession **with any immigration or border official,** unless you receive expert legal advice that this is ok. If an officer presses you on it, say that you do not want to talk to them, and you want to speak to a lawyer. Remember, you always have the right to remain silent. **Once you admit to anything, you cannot take it back.**