

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

FILED SENATE
May 4, 2026
S.B. 1072
PRINCIPAL CLERK

S

D

SENATE BILL DRS15458-NIy-186

Short Title: Constitutional Amendments - Cannabis. (Public)

Sponsors: Senators Smith, Theodros, and Lowe (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE FOR
3 THE QUALIFIED DECRIMINALIZATION AND MEDICAL USE OF CANNABIS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1.(a) Article I of the North Carolina Constitution reads as rewritten:

6 "ARTICLE I

7 "DECLARATION OF RIGHTS

8
9 "That the great, general, and essential principles of liberty and free government may be
10 recognized and established, and that the relations of this State to the Union and government of
11 the United States and those of the people of this State to the rest of the American people may be
12 defined and affirmed, we do declare that:

13 ...

14 **Section 39. Right to possession of limited amounts of cannabis for personal use.**

15 The possession of limited amounts of cannabis for personal use shall not be a criminal offense
16 in this State. The General Assembly shall enact general laws governing the possession of limited
17 amounts of cannabis for personal use consistent with this section."

18 SECTION 1.(b) The amendment set out in Section 1(a) of this act shall be submitted
19 to the qualified voters of the State at the statewide general election to be held on November 3,
20 2026, which election shall be conducted in accordance with the laws governing elections at that
21 time. The question to be used in the voting systems and ballots shall be:

22 "[] FOR [] AGAINST

23 Constitutional amendment allowing the possession of limited amounts of cannabis for
24 personal use subject to certain conditions enacted by the General Assembly."

25 SECTION 1.(c) The State Board of Elections shall certify the results of the
26 referendum conducted under Section 1(b) of this act. If a majority of votes cast on the question
27 are in favor of the amendment set out in Section 1(a) of this act, the Secretary of State shall enroll
28 the amendment among the permanent records of that office. If a majority of votes cast on the
29 question are against the amendment set out in Section 1(a) of this act, the amendment shall have
30 no effect.

31 SECTION 1.(d) If the certification from the State Board of Elections under Section
32 1(c) of this act reflects that a majority of votes cast on the question are in favor of the amendment
33 set out in Section 1(a) of this act, the amendment set out in Section 1(a) of this act is effective
34 upon certification.

35 SECTION 2.(a) Article I of the North Carolina Constitution reads as rewritten:

36 "ARTICLE I



"DECLARATION OF RIGHTS

"That the great, general, and essential principles of liberty and free government may be recognized and established, and that the relations of this State to the Union and government of the United States and those of the people of this State to the rest of the American people may be defined and affirmed, we do declare that:

...

Section 39. Right to medical use of cannabis.

The possession of limited amounts of cannabis for medical use by patients with qualifying conditions shall not be a criminal offense in this State. The General Assembly shall enact general laws governing the possession of cannabis for medical use consistent with this section."

SECTION 2.(b) The amendment set out in Section 2(a) of this act shall be submitted to the qualified voters of the State at the statewide general election to be held on November 3, 2026, which election shall be conducted in accordance with the laws governing elections at that time. The question to be used in the voting systems and ballots shall be:

"[] FOR [] AGAINST

Constitutional amendment allowing the possession of cannabis for medical use by patients with qualifying conditions subject to certain conditions enacted by the General Assembly."

SECTION 2.(c) The State Board of Elections shall certify the results of the referendum conducted under Section 2(b) of this act. If a majority of votes cast on the question are in favor of the amendment set out in Section 2(a) of this act, the Secretary of State shall enroll the amendment among the permanent records of that office. If a majority of votes cast on the question are against the amendment set out in Section 2(a) of this act, the amendment shall have no effect.

SECTION 2.(d) If the certification from the State Board of Elections under Section 2(c) of this act reflects that a majority of votes cast on the question are in favor of the amendment set out in Section 2(a) of this act, the amendment set out in Section 2(a) of this act is effective upon certification.

SECTION 3. Except as otherwise provided, the remainder of this act is effective when it becomes law.