

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 76 Session of 2025

INTRODUCED BY STREET, LAUGHLIN, BARTOLOTTA, SAVAL, KEARNEY,
TARTAGLIONE AND KANE, JANUARY 22, 2025

REFERRED TO LAW AND JUSTICE, JANUARY 22, 2025

AN ACT

1 Amending the act of April 17, 2016 (P.L.84, No.16), entitled "An
2 act establishing a medical marijuana program; providing for
3 patient and caregiver certification and for medical marijuana
4 organization registration; imposing duties on the Department
5 of Health; providing for a tax on medical marijuana
6 organization gross receipts; establishing the Medical
7 Marijuana Program Fund; establishing the Medical Marijuana
8 Advisory Board; establishing a medical marijuana research
9 program; imposing duties on the Department of Corrections,
10 the Department of Education and the Department of Human
11 Services; and providing for academic clinical research
12 centers and for penalties and enforcement," in patients,
13 providing for cultivating cannabis for personal use.

14 The General Assembly of the Commonwealth of Pennsylvania
15 hereby enacts as follows:

16 Section 1. The act of April 17, 2016 (P.L.84, No.16), known
17 as the Medical Marijuana Act, is amended by adding a section to
18 read:

19 Section 511. Cultivating cannabis for personal use.

20 A patient who is 21 years of age or older and has been a
21 resident of this Commonwealth for a period of at least 30 days
22 may cultivate cannabis for personal use subject to the
23 following:

1 (1) A patient may cultivate up to six cannabis plants,
2 which may be more than five inches tall, and in a vegetative
3 or fruiting or flowering phase.

4 (2) Cannabis cultivation must take place in an enclosed
5 and locked space.

6 (3) A patient may purchase cannabis seeds from a
7 dispensary for the purpose of home cultivation. Seeds may not
8 be given or sold to any other person.

9 (4) Cannabis plants may not be stored or placed in a
10 location where the plants are subject to ordinary public
11 view. A patient who cultivates cannabis under this section
12 shall take reasonable precautions to ensure that the plants
13 are secure from unauthorized access, including unauthorized
14 access by an individual under 21 years of age.

15 (5) Cannabis cultivation may occur only on residential
16 property lawfully in the patient's possession or with the
17 consent of the person in lawful possession of the property.
18 An owner or lessor of residential property may prohibit the
19 cultivation of cannabis by a lessee.

20 (6) Cannabis plants may only be tended to by:

21 (i) A patient who resides at the residence, or their
22 authorized agent attending to the residence for brief
23 periods, including when the patient is temporarily away
24 from the residence.

25 (ii) The caregiver of a patient who is physically
26 unable to tend to the plants.

27 (7) A patient who cultivates more than the allowable
28 number of cannabis plants, or who sells or gives away
29 cannabis plants, cannabis or cannabis-infused products
30 produced under this section, shall be liable for penalties as

1 provided by law in addition to loss of home cultivation
2 privileges under this section.
3 Section 2. This act shall take effect in 60 days.