



ANDY BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2026-361
June 11, 2026

RELATING TO EXECUTIVE ORDER 2022-798

The American Dream we are reigniting in Kentucky means our citizens should have access to high quality, safe and affordable health care

Across the Commonwealth, our citizens who suffer from serious medical conditions deserve safer treatment options that can deliver relief.

Since December 2019, one of our healthcare priorities was ensuring Kentuckians with serious medical conditions have the medical freedom and access to choose safe, tested medical cannabis as an alternative to addictive opioids.

Medical cannabis is a term for derivatives of the Cannabis sp. plant that are used to control and ease symptoms caused by certain serious medical conditions. Cannabis sp. contains many active compounds. The best known are delta-9 tetrahydrocannabinol (THC) and cannabidiol (CBD).

To ensure Kentuckians have healthcare options, on November 15, 2022, I issued Executive Order 2022-798 to provide a full, complete, and conditional pardon to any person who after January 1, 2023, is accused of possession of marijuana under KRS 218A.1422, if they meet all of the conditions detailed in that Executive Order. To be eligible for the pardon, individuals were required to have a written certification or prescription for the serious medical conditions listed in the Order, including terminal illness, sickle cell anemia, Amyotrophic Lateral Sclerosis (ALS); Parkinson's Disease, Human Immunodeficiency Virus (HIV), and Acquired Immunodeficiency Syndrome (AIDS).

On March 31, 2023, I signed into law Senate Bill 47 to legalize medical cannabis for Kentuckians beginning on January 1, 2025.

To ensure more Kentuckians understand if they qualify for medical cannabis, on June 2, 2026, I issued Executive Order 2026-318 to clarify the definition of "qualifying medical condition" in KRS 218B.010(26). This means Kentuckians will qualify if they need treatment for conditions that are generally recognized as having at least one underlying symptom that the statute defines as a "qualifying medical condition."

I also directed the Office of Medical Cannabis to file emergency and ordinary administrative regulations to clarify that the statutory definition of "qualifying medical condition" may encompass additional medical conditions if an underlying symptom of those conditions is within the statutory definition and a medical cannabis practitioner provides or confirms a proper diagnosis.

These serious medical conditions include terminal illness, sickle cell anemia, Amyotrophic Lateral Sclerosis (ALS); Parkinson's Disease, Human Immunodeficiency Virus (HIV), Acquired Immunodeficiency Syndrome (AIDS), and Huntington's Disease. They were recommended for express inclusion in the statutory definition by unanimous vote of the Kentucky Board of Physicians and Advisors that was created by statute and whose members were appointed by the state medical licensing boards and confirmed by the Senate. These are also the serious medical conditions listed in Executive Order 2022-798.



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Since 2023, the Kentucky Office of Medical Cannabis worked to implement Senate Bill 47, establishing a fair and fully transparent process for licensing for cultivators, processors and dispensaries, creating a clear path to access to safe treatment for Kentuckians who qualify and providers who treat them, and educating law enforcement about the law. Because of Team Kentucky's hard work, there are now 11 cultivators, 4 processors, 2 testing labs, and 17 dispensaries operating in the Commonwealth.


As I stated in Executive Order 2022-798 and many times publicly, Kentuckians throughout the Commonwealth suffer from a multitude of medical conditions from which they deserve relief, and allowing those diagnosed with certain medical conditions and those receiving palliative care to purchase, possess and/or use medical cannabis would improve the quality of their lives and help reduce abuse of other more dangerous and addictive medications like opiates.

The medical cannabis program is now up and running, and Kentuckians no longer need to travel out of state to obtain medical cannabis for their serious qualifying conditions.

NOW, THEREFORE, I, Andy Beshear, Governor of the Commonwealth of Kentucky, in consideration of the foregoing, and by virtue of the authority vested in me by Section 77 and related provisions of the Kentucky Constitution, do hereby rescind Executive Order 2022-798, effective July 1, 2026.

This rescindment shall be prospective only and shall not apply to any individual who qualified under Executive Order 2022-798 and was accused of possession of marijuana under KRS 218A.1422 prior to July 1, 2026.

This Order shall be effective July 1, 2026.


ANDY BESHEAR, Governor
Commonwealth of Kentucky

MICHAEL G. ADAMS
Secretary of State