

Religious Exception for Cannabis

Iowa is a peculiar state because it has a statutory religious exception for peyote and a statutory medical exception for cannabis. Someone with a religious claim for cannabis would need to get a law enacted to protect the activity.

Last year the state enacted a [Religious Freedom Restoration Act](#) (RFRA) which authorizes a private cause of action against the state for violation of religious freedom.

Carl Olsen has a religious claim from 1984 when the Iowa Supreme Court found that the First Amendment did not protect possession of cannabis with the intent to distribute. Because the court found that Mr. Olsen has a sincere religious belief, that left Mr. Olsen with a permanent injury without any redress.

In January 2025 Mr. Olsen sued the state under the RFRA asking the Iowa district court to enjoin enforcement of cannabis laws against his personal use of cannabis. The state filed a motion to dismiss claiming Mr. Olsen lacked an injury different from the public and was precluded from bringing the claim by collateral estoppel.

Today the court denied the State's motion to dismiss, finding that Mr. Olsen has standing to bring his claim for religious use of cannabis, and that he is not precluded by collateral estoppel because of his prior case in 1984. [Click here for a copy of the court's decision.](#)

Mr. Olsen is pro se and does not have an attorney. To the best of his knowledge the state will next file an answer to the complaint. The case is set for jury trial in August of 2026, but the order says the parties can negotiate a settlement agreement or file motions for summary judgment.

It would be impossible to settle a complaint like this one, because it would require either a new statute or a court injunction to remedy the injury. Summary judgment is appropriate if no facts are in dispute, but the state hasn't filed an answer yet. Mr. Olsen does not know if the state will dispute any of the facts alleged in the complaint.

All the documents from the case can be found at: <https://carl-olsen.com/rfra/olsen-iowa-rfra.html>

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