

Marijuana – Decriminalization



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JURISDICTION	STATUTE	AMOUNT	PENALTY	NOTES
Alaska	Case law only <i>Ravin v. State</i> , 537 P.2d 494 (Alaska 1975); and <i>Noy v. State</i> , 83 P.3d 545 (Alaska Ct. App. 2003)	Possession, use, and display of up to 4 ounces of marijuana in a private residence	None – protected by the Alaskan Constitution’s right to privacy	
California	Cal. Health and Safety Code § 11357	Possession of less than 28.5 grams of marijuana (other than concentrated cannabis)	Infraction punishable by a fine of not more than \$100	Anyone under 18 who possesses less than 28.5 grams of marijuana (other than concentrated cannabis) on the grounds of, or within, a school is guilty of a misdemeanor but may only be subject to a fine of not more than \$250 for a first offense and not more than \$500 or commitment to a juvenile hall for a subsequent offense.
Connecticut	Conn. Gen Stat. § 21-279a	Possession, or has under his/her control, of less than ½ ounce of a cannabis-type substance	Civil fine of \$150 for a first offense and between \$200 and \$500 for a second offense (for a third offense, in addition to a fine of between \$200-\$500, the person will be referred for participation in a drug education program at his/her own expense)	
Maine	22 Me Rev. Stat. Ann. § 2383	Possession of a “usable amount” of marijuana (up to 2½ ounces)	Civil fine of between \$350 and \$600 for up to 1¼ ounces and between \$700 and \$1,000 for up to 2½ ounces	

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Massachusetts	Mass. Gen. Laws Ann., ch 94C, § 32L-32N	Possession of up to 1 ounce of marijuana	Civil fine of \$100 and forfeiture of the marijuana	Anyone under 18 is subject to the same forfeiture and civil penalty provisions, but he/she also must complete a drug awareness program, and his/her parents or legal guardian must be notified. If the juvenile fails to complete a drug awareness program and the required community service and pay the civil penalty within 1 year of the offense, the civil penalty may increase to \$1,000.
Minnesota	Minn. Stat. Ann. § 152.027	Possession or “sale” (for no remuneration) small amount of marijuana, as defined in Minn. Stat. Ann. § 152.01 as 42.5 grams or less	Petty misdemeanor and may be required to participate in a drug education program	Anyone previously convicted of an unlawful “sale” (for no remuneration) of a small amount of marijuana and is subsequently convicted of an unlawful “sale” within 2 years of the original offense is guilty of a misdemeanor and must participate in a chemical dependency evaluation and treatment if an evaluation warrants such measures.
Mississippi	Miss. Code Ann. § 41-29-139	Possession of 30 grams or less of marijuana or synthetic cannabinoids	Civil fine of between \$100 and \$250 for a first offense and between 5 and 60 days in jail, mandatory participation in a drug education program, and a fine of \$250 for a second offense	Anyone previously convicted twice and is subsequently convicted again within 2 years of the first offense is guilty of a misdemeanor and must pay between \$250 and \$500 and must spend between 5 days and 6 months in jail.
Nebraska	Neb. Rev. Stat. § 28-416	Possession of 1 ounce or less of marijuana	Infraction, with a citation and a fine of up to \$300 and may be required to attend a drug education course, as defined in Neb. Rev. Stat. § 29-433	Anyone committing a second offense is guilty of a misdemeanor, receives a citation and is fined \$400, and may be spend up to 5 days in jail. For all subsequent offenses, the person is guilty of a misdemeanor, receives a citation, is fined \$500, and may spend up to 7 days in jail.

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Nevada	Nev. Rev. Stat. § 453.336	Possession of 1 ounce or less of marijuana	Misdemeanor, either punishable by a fine of up to \$600 for the first offense or required to attend a drug treatment and rehabilitation program if an evaluation determines that the offender is a drug addict; and a misdemeanor either punishable by a fine of up to \$1,000 or required to attend a drug treatment and rehabilitation program.	
New York	N.Y. Penal Law §§ 221.05 and 221.10	Possession of less than 25 grams of marijuana	Civil fine of up to \$100 for a first offense and \$200 for a second offense	Anyone committing a third offense must pay a fine of up to \$250 or spend up to 15 days in jail, or both.
North Carolina	N.C. Gen. Stat. § 90-95	Possession of up to ½ ounce of marijuana; 7 grams of a synthetic cannabinoid or any mixture containing such a substance; or 1/20 of an ounce of hashish	Misdemeanor with a fine of up to \$200, and if any jail sentence is imposed, it must be suspended	Anyone committing a second through fifth subsequent offense must pay a fine of up to \$200 and may be sentenced to up to 15 days in jail.
Ohio	Ohio Rev. Code Ann. § 2925.11	Possession of up to 100 grams of marijuana	Minor misdemeanor with a fine of up to \$150, as defined in Ohio Rev. Code Ann. § 2901.02	

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Oregon	Or. Rev. Stat. § 475.864	Possession of up to 1 ounce of marijuana	Civil fine of up to \$650	
Rhode Island	R.I. Gen. Laws § 21-28-4.01	Possession of up to 1 ounce of marijuana	Civil fine of \$150 and forfeiture of the marijuana for the first and second offenses; and for anyone under 18, in addition to the fine and forfeiture, he/she must complete a drug awareness program and community service as determined by the court (If the minor does not complete the drug awareness program and community service within 1 year of the offense, the fine increases to \$300	Anyone committing a third offense within 18 months of the last 2 offenses will be fined between \$200 and \$500, and spend up to 30 days in jail, or both.
Vermont	Vt. Stat. Ann., tit. 18, § 4230a-c	Possession of up to 1 ounce of marijuana or 5 grams of hashish; and anyone under 21	For anyone over 21 - civil fine of up to \$200 for the first offense, \$300 for the second offense and \$500 for the third or subsequent offense; and anyone under 21 – must be referred to the youth substance abuse safety program	Anyone under 21 who commits a third offense must spend up to 30 days in jail, be fined up to \$600, or both.

Note: A number of cities in Michigan have ordinances which decriminalize the personal possession and/or use of marijuana. They include: Ann Arbor (possession of a small amount carries a fine of \$25 for the first offense, \$50 for the second offense and \$100 for the third offense); Detroit (possession of less than one ounce on personal property); Ferndale (possession and transfer of up to one ounce); Flint (possession of less than one ounce); Grand Rapids (possession of less than one ounce on personal property); Jackson (possession and use of up to one ounce); Lansing (possession, use and transfer of up to one ounce) and Ypsilanti (possession and consumption of up to one ounce).