

Subject Thresholds for marijuana offenses

Authors Dehn

Analyst Ben Johnson (651-296-8957)

Date March 4, 2019

Overview

Under current law, possession of 42.5 grams or less of marijuana is a petty misdemeanor while possession of more than that amount is a felony. This bill creates misdemeanor and gross misdemeanor offenses for possession of certain amounts of marijuana.

Summary

Section	Description
1	Sale crimes. Strikes the existing provision relating to the sale of marijuana.
2	Possession and other crimes. Expands the existing exclusion to remove the possession of any amount of marijuana from the existing offense of possession of controlled substance in the fifth degree.
3	Controlled substance crime; marijuana. Establishes new penalties for possession or sale of marijuana. A person who sells more than 42.5 grams or possesses more than 250 grams of marijuana is guilty of a felony. A person who sells more than ten grams but less than 42.5 grams, or possesses more than 100 grams but not more than 250 grams is guilty of a gross misdemeanor. A person who sells more than five grams but not more than ten grams, or possesses more than 42.5 grams but not more than 100 grams is guilty of a misdemeanor. A person who sells five grams or less, or possesses 42.5 grams or less is guilty of a petty misdemeanor.