

## **Proposition 207 – Smart and Safe Marijuana Amounts: Legal/Illegal and Sentencing**

### **LEGAL:**

Persons **at least 21 years of age** can. . .

- Possess, consume, purchase, process, manufacture by mechanical, or transport:
  - **One ounce or less** of marijuana, except **not more than five grams** of marijuana may be in the form of marijuana concentrate
- Possess, transport, cultivate, or process:
  - Not more than **six marijuana plants** for personal use at the individual's primary residence, and possessing, processing, and manufacturing by manual or mechanical means the marijuana produced by the plants on the premises where the marijuana plants were grown:
    - **Not more than 12 plants are produced** at a single residence where two or more individuals who are at least 21 reside at one time
    - Cultivation occurs in a closet, room, greenhouse, or other enclosed area on the grounds of the residence equipped with a lock or other security device that prevents minors
    - Cultivation occurs where the marijuana plants are not visible from public view
- Transfer:
  - **One ounce or less** of marijuana, of which **not more than five grams** may be in the form of marijuana concentrate, to an individual who is 21 or older if the transfer is without remuneration and not advertised or promoted to the public
  - **to six marijuana plants** to an individual who is 21 and the transfer is without remuneration and not advertised or promoted to the public
- Assist another individual who is at least 21 years of age with any of the activities listed above
- Acquire, possess, manufacture, use, purchase, sell, or transport **paraphernalia related to marijuana**.

### **ILLEGAL & SENTENCING:**

For **all persons** it is a petty offense to. . .

- **Possess greater than 1 oz** of marijuana, **but not more than 2.5oz** of which **not more than 12.5 grams** is in the form of marijuana concentrate
- Smoke marijuana in a public place or open space

**For persons under 21 years of age it is illegal to. . .**

- Possess, transport or transfer without remuneration **1 oz or less** of marijuana (which not more than **five grams** is in the form of marijuana concentrate)
  - The first violation is a civil penalty of not more than \$100 to the Smart and Safe Arizona fund and court has discretion to order up to four hours of drug education or counseling
  - The second violation is a petty offense, and court discretion may order up to eight hours of drug education or counseling
  - The third or subsequent violation is a class 1 misdemeanor
- Misrepresent the person's age with a fraudulent written identification with the intent to induce a person to sell or otherwise transfer the marijuana product to the person who is under 21 years of age
  - First violation is a petty offense
  - Second or subsequent violation is a class 1 misdemeanor
- Solicit another person to purchase marijuana or marijuana product in violation of this chapter
  - First violation is a petty offense
  - Second or subsequent violation is a class 3 misdemeanor
- Acquire, possess, manufacture, use, purchase, sell, or transport **paraphernalia related to marijuana.**
  - Civil violation

Other offenses. . .

**Any unlicensed person** who cultivates marijuana plants where they are visible from public view:

- First violation is a petty offense
- Second or subsequent violation is a class 3 misdemeanor

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