

# Current California Penalties vs. Prop 64: Adult Use of Marijuana Act

Chart applies to non-medical adults age 21 and up: Prop 215 CUA medical marijuana defense will still apply.

Legalize • Reduce penalties retroactively • Resentencing • Release from incarceration • Expunge records

## Proposition 64

California ballot, Nov. 8, 2016

A No Vote means  
keep all penalties



Vote YES:  
Legalize & control

### Adult cannabis use activity

### Current criminal penalties

### AUMA 2016 voter initiative

Possess up to 1 ounce of cannabis	\$100 ticket	Legalized
Possess up to 8 grams concentrate	One year, \$500 or both	Legalized
Transport up to 1 ounce / 8 grams	\$100 misdemeanor	Legalized
Give away up to 1 ounce / 8 grams	\$100 misdemeanor	Legalized
Homegrow 1 cannabis plant	16 months, two/ three years	Legalized
Homegrow up to 6 cannabis plants	16 months, two/ three years	Legalized
Keep entire harvest at home	16 months, two/ three years	Legalized
Smoking where tobacco banned	\$100 ticket	\$250 ticket
Public smoking <u>or</u> Underage use	\$100 ticket	\$100 ticket
Age 18-20 grow up to 6 plants	16 months, two/ three years	\$100 ticket
Age 18-20 up to 4 g. concentrate	One year, \$500 or both	\$100 ticket
Offenses by minors up to age 18	Same as adults	Counseling, community service, drug education
Age 18 and up grow over 6 plants	16 months, two/ three years	Six months, \$500 or both
Possess over 1 ounce cannabis	Six months, \$500 or both	Six months, \$500 or both
Possess over 4 / 8 g. concentrate	One year, \$500 or both	Six months, \$500 or both
Transport, give away over 1 ounce	Two/ three/ four years	Six months, \$500 or both
Sales without a license	Two/ three/ four years	Six months, \$500 or both
Possess with intent to sell	16 months, two/ three years	Six months, \$500 or both
Third or aggravated over 6 plants*	16 months, two/ three years	Wobbler
Third <u>or</u> aggravated intent to sell*	16 months, two/ three years	Wobbler
Third <u>or</u> aggravated sales*	Two/ three/ four years	Wobbler
Sales involving minors	Three to seven years	Three to seven years

\* Such as involving minors, gross negligence, toxic / hazardous substances, watershed / environmental harm, prior super strike, registered sex offender.

Chart prepared by cannabis expert witness Chris Conrad.

For an indexed online guide to the text of AUMA broken down by sections and separately tabbed, see <http://chrisconrad.com/category/adult-use-act-2016/>

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Key: **Felony** **Wobbler: Felony or Misdemeanor** **Misdemeanor** **Infraction** **Legalized**