

# California penalties now as compared to Adult Use of Marijuana Act

This comparison chart applies to non-medical adults at age 21. State medical marijuana laws are preserved.

<i>Adult cannabis use activity</i>	<i>Current criminal penalties</i>	<i>AUMA 2016 voter initiative</i>
Possess < 1 ounce of cannabis	\$100 ticket	Legal
Possess < 8 grams concentrate	One year, \$500 or both	Legal
Transport < 1 ounce / 8 grams	\$100 misdemeanor	Legal
Give away < 1 ounce / 8 grams	\$100 misdemeanor	Legal
Homegrow 1 cannabis plant	16 months, two/ three years	Legal
Homegrow < 6 cannabis plants	16 months, two/ three years	Legal
Harvest > 1 ounce and keep it	16 months, two/ three years	Legal
Smoking where tobacco banned	\$100 ticket	\$250 ticket
Public smoking <u>or</u> Underage use	\$100 ticket	\$100 ticket
Age 18-20 grow < 6 plants	16 months, two/ three years	\$100 ticket
Age 18-20 < 4 grams concentrate	One year, \$500 or both	\$100 ticket
Offenses by minors < age 18	Same as adults	Counseling, community service, drug education
Age 18 and up grow > 6 plants	16 months, two/ three years	Six months, \$500 or both
Possess > 1 ounce cannabis	Six months, \$500 or both	Six months, \$500 or both
Possess > 4 / 8 g. concentrate	One year, \$500 or both	Six months, \$500 or both
Transport, give away > 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 > 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:	<b>Felony</b>	<b>Wobbler: Felony or Misdemeanor</b>	<b>Misdemeanor</b>	<b>Infraction</b>	<b>Legal</b>
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