

# 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.  
 Legalizes • Reduces penalties retroactively • Resentencing • Release from incarceration • Expunge records

## Proposition 64

California ballot, Nov. 8, 2016

### Adult cannabis activity

A No Vote means  
keep all penalties



Vote YES:  
Legalize & control

#### Current criminal penalties

#### Prop 64 penalty reductions

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 to 6 cannabis plants	16 months, two/ three years	Legalized
Process and keep entire harvest	16 months, two/ three years	Legalized
Smoking in unlicensed public site	\$100 ticket	\$100 ticket
Smoking where tobacco banned	\$100 ticket	\$250 ticket
Age 18 to 20: Possess cannabis	\$100 ticket	\$100 ticket
Offenses by minors up to age 18	Same as adults	Counseling, community service, drug education
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
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. \$500A1111.	Six months, \$500 or both
Possess excess concentrate	One year, \$500 or both	Six months, \$500 or both 1
Transport, give away over 1 ounce	Two/ three/ four years	Six months, \$500 or both
Sell cannabis (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 or aggravated* intent to sell	16 months, two/ three years	Wobbler
Third or aggravated* illegal sales	Two/ three/ four years	Wobbler
Sales involving minors under age 18	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.

[www.AUMA2016.com](http://www.AUMA2016.com) • Friends of Prop 64. Handy online guide to AUMA's text broken down by sections and tabbed at <http://chrisconrad.com/category/adult-use-act-2016/>  
 Chart by cannabis expert witness Chris Conrad. Support from: Californians for Responsible Marijuana Reform, Sponsored by Drug Policy Action, Yes on Prop. 64, Major Funding by Drug Policy Action

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