

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Streamline and Clarify Laws Pertaining to the Civil and Criminal Possession of Marijuana

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 17-A MRSA §1107-A, sub-§1, ¶F, as enacted by PL 2001, c. 383, §127 and affected by §156, is amended to read:

F. A schedule Z drug. Violation of this paragraph is a Class E crime: unless the drug is marijuana, in which case a violation of this paragraph is:

(1) For possession of over 4 ounces to 8 ounces of marijuana, a Class E crime;

(2) For possession of over 8 ounces to 16 ounces of marijuana, a Class D crime;

(3) For possession of over one pound to 20 pounds of marijuana, a Class C crime; and

(4) For possession of over 20 pounds of marijuana, a Class B crime.

Sec. 2. 22 MRSA §2383, sub-§1, as amended by PL 2005, c. 386, Pt. DD, §3, is further amended to read:

1. Marijuana. Except as provided in section 2383-B, subsection 5, a person may not possess marijuana.

A. A person who possesses a usable amount of marijuana commits a civil violation for which a fine of not less than \$350 and not more than \$600 must be adjudged for possession of up to 1 1/4 ounces of marijuana and a fine of \$700 must be adjudged for possession of over 1 1/4 ounces to 4 ounces of marijuana, none of which may be suspended.

B. A person who possesses a usable amount of marijuana after having previously violated this subsection within a 6-year period commits a civil violation for which a fine of \$550 must be adjudged for possession of up to 1 1/4 ounces of marijuana and a fine of \$1,000 must be adjudged for possession of over 1 1/4 ounces to 4 ounces of marijuana, none of which may be suspended.

SUMMARY

This bill changes the civil fines and the criminal penalties for possession of marijuana.