

Sectional Analysis

An act relating to possession of marijuana; and relating to misconduct involving controlled substances.

Section 1: This section removes the language that makes it a Class C felony to possess any amount of marijuana within 500 feet of a school, on school buses, or within 500 feet of youth centers.

Section 2: This section makes it a Class A misdemeanor to possess more than one ounce of marijuana within 500 feet of a school, on school buses, or within 500 feet of youth centers, in line with the standard penalties for possession in this quantity.

Section 3: This section makes it a Class B misdemeanor to possess up to one ounce of marijuana within 500 feet of a school or on school buses. Note that outside of these restricted areas, it is a Class B misdemeanor for minors to possess up to one ounce and it is legal for adults to possess up to one ounce.

Section 4: This section establishes an affirmative defense. Adults with up to one ounce of marijuana are legally allowed to possess the marijuana in their private residence, even if that residence is within 500 feet of school grounds.

Section 5: This section brings the statute in line with the changes in other sections of the bill by removing inconsistent language that would make it a Class B misdemeanor for adults to possess up to an ounce of marijuana in a place where it is legal.

Section 6: The changes in the bill apply to offenses committed on or after the effective date, so the lower sentencing would not impact cases currently being adjudicated.