

## 21 YEARS OR OLDER AT TIME OF THE OFFENSE

CRIME DESCRIPTION	Age Limits	≤ 28.5 g marijuana	> 28.5 g marijuana	≤ 4 g concentrated cannabis	> 4 g concentrated cannabis	≤ 8 g concentrated cannabis	> 8 g concentrated cannabis
<b>Simple Possession</b>  (HS §11357; HS §11362.1)		Legal  (HS11362.1) Seal & Destroy Record	Misdemeanor	Legal  (HS11362.1) Seal & Destroy Record	Legal if ≤ 8 g  (HS11362.1) Seal & Destroy Record	Legal  (HS11362.1) Seal & Destroy Record	Misdemeanor
<b>Cultivation</b>  (HS §11358)		Six plants or less is legal (Seal and Destroy Records)  More than six plants is a misdemeanor, but may still be a felony if: (1) you have a prior “super strike,” or (2) you were required to register as a sex offender under PC290(c) at the time you committed the marijuana related offense, or (3) you have two or more prior convictions under this subsection, or (4) you diverted public waters or polluted the environment.					
<b>Possession with the Intent to Sell</b>  (HS §11359)		Misdemeanor unless one or more of the following exceptions apply (then it may be a felony): (1) you have a prior “super strike,” or (2) you were required to register as a sex offender under PC290(c) at the time you committed the marijuana related offense, or (3) you have two or more prior convictions under this subsection, or (4) you were selling or attempting to sell to someone under the age of 18, or (5) you are 21 or older and you knowingly hire, employ, or use a persons under 21 in unlawfully cultivating, selling, etc. marijuana or concentrated cannabis.					
<b>Transports</b>  (HS §11360; HS §11362.1)		Legal  (HS11362.1) Seal & Destroy Record	See Transport for Sale	See Transport for Sale	See Transport for Sale	Legal  (HS11362.1) Seal & Destroy Record	See Transport for Sale
<b>Transports for Sale</b> (offers/attempts to transport for sale)  (HS §11360)		Infraction	Misdemeanor BUT  Felony if: (1) you have a prior “super strike,” or  (2) you were required to register as a sex offender under PC290(c) at the time you committed the	Misdemeanor BUT  Felony if: (1) you have a prior “super strike,” or  (2) you were required to register as a sex offender under PC290(c) at the time you committed the	Misdemeanor BUT  Felony if: (1) you have a prior “super strike”, or  (2) you were required to register as a sex offender under PC290(c) at the time you committed the	Misdemeanor BUT  Felony if: (1) you have a prior “super strike,” or  (2) you were required to register as a sex offender under PC290(c) at the time you committed the	Misdemeanor BUT  Felony if: (1) you have a prior “super strike,” or  (2) you were required to register as a sex offender under PC290(c) at the time you committed the

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			marijuana related offense, or (3) you have two or more prior convictions under this subsection, or (4) you were transporting out of the state.	marijuana related offense, or (3) you have two or more prior convictions under this subsection.	marijuana related offense, or (3) you have two or more prior convictions under this subsection, or (4) you were transporting out of the state.	marijuana related offense, or (3) you have two or more prior convictions under this subsection.	marijuana related offense, or (3) you have two or more prior convictions under this subsection.
<b>Imports</b> (or offers/attempts to import) <b>into the State</b>  (HS §11360)		Misdemeanor BUT  Felony if: (1) you have a prior “super strike,” or  (2) you were required to register as a sex offender under PC290(c) at the time you committed the marijuana related offense, or  (3) you have two or more prior convictions under this subsection.	Felony	Misdemeanor BUT  Felony if: (1) you have a prior “super strike,” or  (2) you were required to register as a sex offender under PC290(c) at the time you committed the marijuana related offense, or  (3) you have two or more prior convictions under this subsection.	Felony	Felony unless amount is ≤ 4 g	Felony
<b>Give Away</b> (or offers to give away) <b>for No Compensation</b>  (HS § 11360)	To person < 18  To person 18-20	Felony (HS § 11361)					
		Infraction	Misdemeanor unless one or more of the following exceptions apply (then it may be a felony): (1) you have a prior “super strike,” or (2) you were required to register as a sex offender under PC290(c) at the time you committed the marijuana related offense, or (3) you have two or more prior convictions under this subsection.				

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	To person 21+	Legal (HS11362.1) Seal & Destroy Record	Misdemeanor  BUT  Felony if: (1) you have a prior "super strike," or  (2) you were required to register as a sex offender under PC290(c) at the time you committed the marijuana related offense, or  (3) you have two or more prior convictions under this subsection.	Legal (HS11362.1) Seal & Destroy Record	Misdemeanor  BUT  Felony if: (1) you have a prior "super strike," or  (2) you were required to register as a sex offender under PC290(c) at the time you committed the marijuana related offense, or  (3) you have two or more prior convictions under this subsection.	Legal (HS11362.1) Seal & Destroy Record	Misdemeanor  BUT  Felony if: (1) you have a prior "super strike," or  (2) you were required to register as a sex offender under PC290(c) at the time you committed the marijuana related offense, or  (3) you have two or more prior convictions under this subsection.
<b>Sells or Offers to Sell</b>  (HS §11360)	To person < 18	Felony (HS § 11361)					
	To person 18 +	Misdemeanor unless one or more of the following exceptions apply (then it may be a felony): (1) you have a prior "super strike," or (2) you were required to register as a sex offender under PC290(c) at the time you committed the marijuana related offense, or (3) you have two or more prior convictions under this subsection.					