

HB 1095 -- MARIJUANA-RELATED OFFENSES

SPONSOR: Dogan

Currently, the offense of possession of a controlled substance except 35 grams or less of marijuana is a class D felony. This bill removes the amount requirement for marijuana and excepts marijuana concentrate. The offense of possession of 10 grams or less of marijuana is currently a D misdemeanor. This bill specifies that the offense of possession of 100 grams or less of marijuana or an amount equivalent to 100 grams or less of marijuana concentrate is an infraction.

Currently, the offense of delivery of a controlled substance except 35 grams or less of marijuana is a class C felony. This bill removes the amount requirement for marijuana and excepts marijuana concentrate. The offense of delivery of 35 grams or less of marijuana is a class E felony. This bill specifies that the offense of delivery of more than 100 grams but less than 30,000 grams of marijuana or an amount equivalent to more than 100 grams but less than 30,000 grams of marijuana concentrate is a class A misdemeanor.

The offense of delivery of 100 grams or less of marijuana or synthetic cannabinoid or an amount equivalent to 100 grams or less of marijuana concentrate is an infraction.

Currently, the offense of delivery of 35 grams or less of marijuana to a person under 17 who is at least two years younger than the defendant is a class C felony. This bill changes it to 100 grams or less of marijuana or an amount equivalent to 100 grams or less of marijuana concentrate and it changes the penalty to a D felony.

The offense of delivery of a controlled substance is a class C felony if the delivery or distribution is more than 100 grams but less than 30,000 grams of marijuana or synthetic cannabinoid or an amount equivalent to more than 100 grams but less than 30,000 grams of marijuana concentrate to a person under 17 who is at least two years younger than the defendant.

Currently, 35 grams or less of marijuana is excepted from the offense of distribution of a controlled substance in a protected location. This bill increases the amount excepted to 100 grams or less and excepts an amount equivalent to 100 grams or less of marijuana concentrate. The offense is committed if the distribution, delivery, or sale is committed within 2,000 feet of certain places, and this bill reduces the distance to 1,000 feet. Additionally, the distribution, delivery, or sale must take place between the hours of 6 AM and 10 PM.