

“LEGAL-NESS” OF MARIJUANA UNDER ALASKA STATE LAW

	BEFORE BM2	AFTER BM2
ACTIVITY		
Public Consumption	Illegal ¹ - <i>Penalty: B Misdemeanor</i>	Illegal ² - <i>Penalty: Noncriminal violation; Max \$100 fine</i>
DUI-Marijuana	Illegal ³	Illegal (no change)
Simple Possession –Marijuana (Non-Plant)		
Up to 1 ounce	Illegal ⁴ - <i>Penalty: B Misdemeanor</i> * <i>Adults over 18 may possess up to four ounces of marijuana in the privacy of the home for personal use under Ravin v. State</i> ** <i>The Alaska Medical Marijuana Law permits possession of up to one ounce of marijuana for registered users.</i>	Legal ⁵ - <i>Adults over 21 only</i> * <i>The provisions of Ravin v. State and the Alaska Medical Marijuana Law remain in effect.</i>

¹ AS 11.71.060(a)(1)

² AS 17.38.040

³ AS 28.35.030

⁴ AS 11.71.060(a)(2)

⁵ AS 17.38.020(a)

More than 1 ounce	<p>Illegal⁶</p> <p>- <i>Penalty: A Misdemeanor</i></p> <p><i>*Adults over 18 may possess up to four ounces of marijuana in the privacy of the home for personal use under Ravin v. State.</i></p>	<p>Illegal⁷</p> <p>- <i>Penalty: A Misdemeanor</i></p> <p><i>*Adults over 21 may possess all of the marijuana produced by lawfully-possessed marijuana plants on the premises where the plants were grown.</i></p> <p><i>**Adults over 18 may possess up to four ounces of marijuana in the privacy of the home for personal use under Ravin v. State.</i></p>
More than 4 ounces	<p>Illegal⁸</p> <p>- <i>Penalty: C Felony</i></p>	<p>Illegal</p> <p>- <i>Penalty: C Felony</i></p> <p><i>*Adults over 21 may possess all of the marijuana produced by lawfully-possessed marijuana plants on the premises where the plants were grown.</i></p>
Simple Possession – Marijuana Plants		
Up to six plants	<p>Illegal</p> <p><i>*The Alaska Medical Marijuana Law permits registered users to possess up to six marijuana plants (three of which may be flowering).</i></p> <p><i>**Adults over 18 may possess up to four ounces of marijuana (whether in plant or other form) in the privacy of the home for personal use under Ravin v. State.</i></p>	<p>Legal</p> <p>-<i>Only three plants may be flowering at any time</i></p> <p>-<i>The provisions of Ravin v. State and the Alaska Medical Marijuana Law remain in effect.</i></p>
25 or more plants	<p>Illegal⁹</p> <p>- <i>Penalty: C Felony</i></p>	<p>Illegal (no change)</p> <p>- <i>Penalty: C Felon</i></p>

⁶ AS 11.71.050(a)(2)(E)

⁷ AS 11.71.050(a)(2)(E)

⁸ AS 11.71.040(a)(3)(F)

⁹ AS 11.71.040(a)(3)(G),(d)

Manufacture, Delivery, Possession with Intent to Manufacture or Deliver <i>[Excluding marijuana establishments licensed under AS 17.38]</i>		
Up to 1 ounce	Illegal ¹⁰ <i>-Penalty: A misdemeanor</i>	Illegal <i>- Penalty: A misdemeanor</i> <i>*Adults over 21 may transfer up to 1 ounce of marijuana (and up to six plants) to another person over 21 without remuneration. AS 17.38.020(c)</i>
More than 1 ounce	Illegal ¹¹ <i>- Penalty: C Felony</i>	Illegal (no change)
Personal Home Grow	Legal* <i>*Adults over 18 may possess up to four ounces of marijuana (whether in plant or other form) in the privacy of the home for personal use under Ravin v. State. Possession of more than 25 plants is a felony, regardless of weight.</i>	Legal* <i>*BM2 and the Alaska Medical Marijuana Law permit possession of up to six marijuana plants (three of which may be flowering)</i> <i>*Failure to comply with the statutory requirements for personal grow operations is punishable by a fine of up to \$750.¹²</i>
Non-Personal Grow	Illegal	Illegal

¹⁰ AS 11.71.050(a)(1)

¹¹ AS 11.71.040(a)(2)

¹² AS 17.38.030(b)