



# NEW YORK STATE MARIJUANA LAWS

AS OF MARCH 31ST, 2021

Established under the New York State Cannabis Control Board under the Marijuana Regulation and Taxation Act

## WHAT DOES LEGALIZATION MEAN?

- ✿ Adults ages 21 and over are allowed to possess up to 3 ounces (85 g) of cannabis, or 0.85 ounces (24 g) of concentrated cannabis.
- ✿ At home, people will be permitted to store up to five pounds of cannabis, but they will have to take “reasonable steps” to make sure it is stored in a secure place.
- ✿ Marijuana is not subject to forfeiture.
- ✿ An officer is not allowed to use the smell of cannabis as justification to stop and search a pedestrian.
- ✿ It remains illegal to drive under the influence of marijuana. An officer can use the smell of burned cannabis as a reason to pull them over, but they are only allowed to search what is readily available to the driver.

## WHERE IS MARIJUANA ALLOWED?

- ✿ Public smoking of cannabis is allowed wherever cigarette smoking is permissible.
- ✿ Smoking cannabis is not permitted in schools, workplaces, public parks or in a car.

## WHAT ARE THE NEW PENALTIES?

- ✿ Smoking publicly where it is not permitted will subject people to a civil penalty of \$25 or up to 20 hours of community service.  
No fine for people giving to those 21 and up without compensation. Sale in any amount to anyone 18 and under is a class D felony with up to 7 years of imprisonment.
- ✿ Possession of marijuana in **excess of 3 oz is a class A misdemeanor** and is punishable by no more than 1 year of imprisonment and a fine not to exceed \$1,000; **8 oz- 16 oz a class E felony** and is punishable by no more than 4 years of imprisonment and a fine not to exceed \$5,000. Possession of marijuana in excess of **16 oz- 10 lbs** is a class D felony and is punishable by no more than 7 years of imprisonment and a fine not to exceed \$5,000. Possession excess of 10 lbs is a class C felony and is punishable by no more than 15 years of imprisonment and a fine not to exceed \$15,000.