

CANNABIS

FACTS



NYC Criminal
Justice

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After years of advocacy, New York State legalized cannabis with passage of the New York State Marijuana Regulation and Taxation Act (MRTA). The MRTA includes provisions to seal and set aside certain cannabis convictions.

UNDER CERTAIN CIRCUMSTANCES, PEOPLE 21 AND OVER CAN NOW POSSESS, CONSUME, AND GIVE CANNABIS LEGALLY IN NEW YORK:

- Possess up to 3 oz of dried cannabis or up to 24 grams of concentrated cannabis
- Consume cannabis, including smoking—except in places where smoking is not allowed
- Give someone over 21 up to 3 oz of cannabis without accepting money

SOME RESTRICTIONS STILL APPLY:

- Possessing or consuming cannabis on federal property (e.g. military bases) remains illegal
- Smoking cannabis where smoking is not allowed is a violation of City and/or State law
- Possessing or consuming cannabis if under 21 years old remains illegal and can result in a civil ticket of up to \$50
- Smoking cannabis while in a car and/or driving while under the influence of cannabis remains illegal

CANNABIS FACTS

A new Office of Cannabis Management will set up rules for the legal production and sale of cannabis in New York. Once those rules are finalized, licensed businesses will be able to produce and sell cannabis legally. Until then, selling any amount of cannabis is illegal, but subject to lower penalties. For example, sale of up to 16 oz. of dried cannabis is now a misdemeanor, as opposed to a felony under the old law. It is still a felony to knowingly sell cannabis to anyone under 18 years of age.

IF YOU...	YOU COULD FACE...
Sell up to 3 oz. of cannabis	A criminal violation conviction; fines up to \$250
Sell 3-16 oz. of cannabis	A misdemeanor conviction; up to three months in jail
Sell between 16 oz and 5 lbs.	A felony conviction; up to four years in prison
Sell 5-100 lbs. of cannabis	A felony conviction; up to seven years in prison
Sell more than 100 lbs. of cannabis	A felony conviction; up to 15 years in prison
Sell any amount of cannabis to someone under 18 years of age	A felony conviction; up to four years in prison

EXISTING CANNABIS CONVICTIONS

New Yorkers convicted of most cannabis possession and some cannabis sale offenses will have their convictions automatically sealed and set aside by the NYS Office of Court Administration.

IMMIGRANT NEW YORKERS

There may still be immigration consequences for cannabis use, particularly for someone with past cannabis convictions. If you want to know more about how this law may affect your immigration case, talk to your lawyer, or call **ActionNYC (1-800-354-0365, M-F, 9am - 6pm)** for free, confidential, and safe immigration legal help.

RESPONSIBLE CANNABIS USE AND HEALTH EFFECTS

Cannabis consumption can have some short- and long-term side-effects. [You can read more about the health effects of cannabis use here.](#) If you need help in connection with drug use, call **1-888-NYC-WELL (1-888-692-9355) for 24 hour/seven days per week information and referral.**