

Prop 215 vs. Prop 64

Chart compares non-medical penalties for adults age 21 and up to Prop 64 penalties and current Prop 215 allowances. Don't be misled by charts that gloss over the rights Prop 215 patients will be losing under AUMA! State fines include commercial sales evasion fines, loss of medical records

	A NO vote leaves these current criminal penalties in place	A YES vote means medical patients lose many rights and risk jail time	A NO vote leaves these medical Prop 215 rights in place
	Current Criminal Penalties	AUMA Allowances and Penalties	Current Rights Under Prop 215
Possess up to 1 ounce of cannabis	\$100 infraction	Legal	Allowed with doctor recommendation
Possess up to 4 grams of concentrate	One year, \$500 fine or both	Legal * They say you can possess up to 8 grams of concentrate. Not true. See page 56 of AUMA	Allowed with doctor recommendation
Transport up to 1 ounce/4 grams	\$100 misdemeanor	Legal * They say you can possess up to 8 grams of concentrate. Not true. See page 56 of AUMA	Allowed with doctor recommendation
Give away up to 1 ounce/4 grams (even if underage)	\$100 misdemeanor	Legal if not involving a person 20 years old or younger, otherwise, possible felony and subject to life in prison under the three strikes rule * They say you can possess up to 8 grams of concentrate. Not true. See page 56 of AUMA	Allowed with doctor recommendation
Grow 1 cannabis plant	16 months or up to life if a 3rd strike	INDOOR ONLY, Legal outdoors ONLY IF allowed by local law (see section 11362.2 of AUMA)	Allowed with doctor recommendation
Grow up to 6 cannabis plants	16 months or up to life if a 3rd strike	INDOOR ONLY, Legal outdoors ONLY IF allowed by local law (see section 11362.2 of AUMA)	Allowed with doctor recommendation
Keep entire harvest at home	16 months in jail if more than 1 ounce	INDOOR ONLY, Legal outdoors ONLY IF allowed by local law (see section 11362.2 of AUMA)	Allowed with doctor recommendation
Smoking where tobacco banned	\$100 ticket	\$250 ticket	\$100 ticket
Public smoking	\$100 ticket	\$100 ticket	\$100 ticket
Underage use	\$100 ticket	\$100 ticket	Allowed with doctor recommendation
Age 18 to 20 grow up to 6 plants	16 months or up to life if a 3rd strike	\$100 ticket plus possible local fines	Allowed with doctor recommendation
Age 18 to 20 up to 4 grams of concentrate	1 year, \$500 or both	\$100 ticket plus possible local fines	Allowed with doctor recommendation
Offenses by minors up to age 18 (NOT MEDICAL)	Counseling, community service, education, misdemeanor, Juvenile detention or fine	Counseling, community service, drug education	N/A
Age 18 and up grow over 6 plants	16 months or up to life if a 3rd strike	Six months, \$500 or both or up to life if a third offense plus state fines up to \$thousands and possible local fines	Allowed with doctor recommendation
Possess over 1 ounce of cannabis	6 months, \$500 or both	Six months, \$500 or both	Allowed with doctor recommendation
Possess over 4 grams of concentrate	One year, \$500 or both	Six months, \$500 or both	Allowed with doctor recommendation
Transport, give away over 1 ounce (EVEN IF FOR FREE)	2, 3 or 4 years in jail or life if a 3rd strike	Six months, \$500 or both, or up to life if a 3rd offense, EVEN IF FOR FREE plus state fines up to \$thousands	Allowed with doctor recommendation
Sales without a license	2, 3 or 4 years in jail or life if a 3rd strike	Six months, \$500 or both, or up to life subject to 3 strikes rule if a 3rd offense plus state fines up to \$thousands	Allowed with doctor recommendation IF sale is compensation for cost of growing
Possess with intent to sell (NOT MEDICAL)	16 months, 2/3 years, or life if a 3rd strike	Six months, \$500 or both, or up to life subject to 3 strikes rule if a 3rd offense plus state fines up to \$thousands	N/A
* Third or aggravated over 6 plants (NOT MEDICAL)	16 months, 2/3 years, or life if a 3rd strike	Misdemeanor or felony up to life, depending on three strikes rule plus state fines up to \$thousands and possible local fines	N/A
* Third or aggravated intent to sell (NOT MEDICAL)	16 months, 2/3 years, or life if a 3rd strike	Misdemeanor or felony up to life, depending on three strikes rule plus state fines up to \$thousands	N/A
* Third or aggravated sales (NOT MEDICAL)	16 months, 2/3 years, or life if a 3rd strike	Misdemeanor or felony up to life, depending on three strikes rule plus state fines up to \$thousands	N/A
Sales involving minors (18 to 20 is considered minor)	3 to 7 years, or life if a 3rd strike	3 to 7 years or up to life, depending on three strikes rule plus state fines up to \$thousands	Compensation for qualified caregiver production cost allowed even if 18 -21 years old or younger Otherwise, felony
* Aggravated offenses consist of incidences such as those involving minors, gross negligence, toxic/hazardous substances, watershed/ environmental harm, prior super strike, registered sex offender.			
Key:	Felony	Misdemeanor or felony	Misdemeanor
		Infraction	"Legalized" or already currently allowed by doctor recommendation