

### Alaska Marijuana Penalties


✱decriminalized ✚medical


		Incarceration	Fine
<b>Possession</b>			
1 oz or less in your residence or home	no penalty	N/A	N/A
1 oz to 4 oz	misdemeanor	90 days	\$1,000
More than 4 oz, or 25 or more plants	felony	5 years	\$50,000
Any amount within 500 feet of school grounds or rec. center*	felony	5 years	\$50,000
* If charged with possession of marijuana in a school zone, an affirmative defense may be raised in court that the conduct took place entirely within a private residence.			
<b>Sale or Cultivation</b>			
Sale less than 1 oz	misdemeanor	1 year	\$5,000
1 oz or more	felony	5 years	\$50,000
<b>Miscellaneous</b> (paraphernalia, license suspensions, drug tax stamps, etc...)			
Maintaining any structure or dwelling for keeping and distributing marijuana	felony	5 years	\$50,000
<b>Details</b>			
<p>Possession of one ounce or less of marijuana in the privacy of the home is legal. The status of possessing an amount between one ounce and four ounces is unclear, pending clarification by the courts. Possession of 4 ounces or more of marijuana is a felony punishable by up to five years in prison and a fine of up to \$50,000.</p> <p>Possession of less than 25 plants is protected under the Alaska Constitution's right to privacy (See <a href="#">Ravin v. Alaska</a>). Possession of 25 or more marijuana plants is "Misconduct involving a controlled substance in the fourth degree" and is punishable by a fine of up to \$50,000 or five years in prison.</p> <p>Any possession within 500 feet of school grounds or a recreation center or possession on any school bus is a felony punishable by up to five years in prison and a fine of up to \$50,000.</p> <p>Sale, delivery or manufacture of marijuana of less than one ounce is a misdemeanor and is punishable by up to one year in jail and a fine of up to \$5,000. For amounts of one ounce or greater, the crime is a felony which can be punished with a sentence of up to five years in prison and a fine of up to \$50,000.</p> <p>It is an affirmative defense to possession, manufacture or delivery that the offender is a patient or caregiver who is registered with the state for medical use of marijuana.</p> <p>Maintaining any structure or dwelling, including vehicles, to use for keeping and distributing marijuana, is a felony offense and punishable by up to five years in prison and a fine of up to \$50,000.</p>			

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## Working to Reform Marijuana Laws

 **Decriminalization:** The state has decriminalized marijuana to some degree. Typically, decriminalization means no prison time or criminal record for first-time possession of a small amount for personal consumption. The conduct is treated like a minor traffic violation.

 **Medical marijuana:** This state has medical marijuana laws enacted. Modern research suggests that cannabis is a valuable aid in the treatment of a wide range of clinical applications. These include pain relief, nausea, spasticity, glaucoma, and movement disorders. Marijuana is also a powerful appetite stimulant and emerging research suggests that marijuana's medicinal properties may protect the body against some types of malignant tumors, and are neuroprotective. For more information see NORML's Medical Marijuana section. [http://norml.org/index.cfm?Group\\_ID=3376](http://norml.org/index.cfm?Group_ID=3376)

Also see Federal Laws [http://norml.org/index.cfm?Group\\_ID=4575](http://norml.org/index.cfm?Group_ID=4575)

### About this Report

NORML's State Guide to Marijuana Penalties outlines most penalties for prohibited marijuana conduct in the 50 states, the District of Columbia, and under federal law. To view the list of prohibited conduct and penalties, click the map icon to the left to find your jurisdiction.

Marijuana laws and penalties change rapidly and are enforced and interpreted differently even in the same legal jurisdiction. Please consult a criminal defense lawyer if you have been busted or if you want to know how a particular conduct might be punished. If you spot an error or have information that should be included in NORML's State Guide to Marijuana Penalties, please inform the NORML Foundation ([foundation@norml.org](mailto:foundation@norml.org)).

Please note:

- The guide does not list penalties for every marijuana offense nor every enhanced sentence such as possessing marijuana near a school, involving a minor, and automatic driver's or professional license suspension. Your state may require an enhanced sentence even if the enhancement is not in the guide.
- Unless otherwise specified, please assume that listed penalties apply only to first convictions. Prior convictions often place a defendant in a higher penalty range, and convictions while on probation for a previous offense may result in revocation of probation.
- Except where indicated otherwise, a listed fine is the maximum fine for the conviction and the minimum fine is zero.
- "Possession" usually means "possessing marijuana only for personal use". If the government accuses you of possessing marijuana for other reasons, the accompanying penalties will probably exceed those for possessing marijuana for personal use. Possessing large amounts of marijuana frequently results in more serious charges of "possession with intent to distribute", "trafficking", and/or "sale".
- Many factors contribute to a defendant's sentence. Factors include level of involvement in the prohibited conduct, location, age, presence or absence of minors, use or presence of weapons, conduct for which a person has been acquitted, and many other things.
- If you are in trouble, please know your rights and hire an attorney.

Warning: The information contained in this report is for informational purposes only. Individuals are encouraged to confirm their state's laws before engaging in any particular behavior, or before going to court without a lawyer.

MAKE A DIFFERENCE: VOTE. JOIN NORML. <https://secure.norml.org/join/>

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The National Organization for the Reform of Marijuana Laws ([www.norml.org](http://www.norml.org))

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## Working to Reform Marijuana Laws

Metric units to United States units of measurements:

One ounce (oz.) = 28.35 grams

One pound (lb.) = 16 ounces = 453.59 grams

One kilogram (kg.) = 1,000 grams (g) = 2.2 pounds (lbs.)