

## Alabama State Penalties

[mandatory](#) [tax stamps](#)

		Incarceration	Fine
<b>Possession</b>			
2.2 lbs or less	misdemeanor	0 - 1 year	\$6,000
2.2 lbs or less (second conviction)	felony	1 - 10 years	\$15,000
More than 2.2 lbs	felony	1 - 10 years	\$15,000
<b>Cultivation</b>			
2.2 lbs or less	felony	3 years MMS, possible 10 - 99 years	\$25,000
2.2 to 100 lbs	felony	5 years MMS*	\$50,000
100 to 500 lbs	felony	15 years MMS*	\$200,000
More than 1000 lbs	felony	life MMS*	
*Mandatory minimum sentence.			
<b>Sale</b>			
To minors	felony	10 years - life	
Within 3 miles of a school	felony	5 years**	
Within 3 miles of a public housing project	felony	5 years**	
**These sentences run consecutive to other sentences and cannot be probated.			
<b>Trafficking</b>			
1st offense	felony	25 years - life	\$50,000 - \$1,000,000
2nd offense	felony	life MMS*	
*Mandatory minimum sentence.			
<b>Miscellaneous</b> (paraphernalia, license suspensions, drug tax stamps, etc... )			
Paraphernalia possession or sale	misdemeanor	0 - 1 year	\$2,000
Paraphernalia sale to minor 3 or more years younger than the seller	felony	2 - 20 years	\$10,000

### Details

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Possession of marijuana is a criminal, arrestable offense. For possession of an amount of one kilogram (2.2 lbs) or less, the crime is a Class A Misdemeanor, punishable by up to one year in jail and a fine of up to \$6,000. A second offense for minor marijuana possession becomes a Class C felony, carrying a possible penalty of not more than 10 years and not less than one year and one day, nor more than a \$15,000 fine. For possession of any amount over one kilogram, the crime is a felony, punishable by 1 - 10 years in prison and a fine of up to \$15,000.

The sale, cultivation or manufacture of marijuana is a felony offense. If the amount is one kilogram or less, the mandatory minimum sentence is three years in prison and a fine of up to \$25,000. For an amount greater than one kilogram but less than 100 lbs, the sentence is a minimum of five years in prison and a fine of up to \$50,000. For an amount up to 500 lbs, the sentence is a minimum of 15 years in prison and a fine of up to \$200,000. Any amount of 1,000 lbs or greater is punishable by life without the possibility of parole.

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## Working to Reform Marijuana Laws

The penalties for sale of marijuana are enhanced if the sale takes place within a three-mile radius of a school or public housing project, adding five years to the sentence for the sale. Sale to minors (under 18) can increase the penalty by 10 years to life in prison, and no suspension or probation can be granted to this sentence.

The possession or sale of drug paraphernalia is a misdemeanor punishable by up to one year in jail and a fine of up to \$2,000. If the paraphernalia is sold to a minor at least three years younger than the seller, the penalty becomes a felony and is punishable by 2 - 20 years in prison and a fine of up to \$10,000.

Any conviction for possession, sale, manufacture or cultivation also results in the suspension of the offender's driver's license for a period of six months.

**Mandatory minimum sentence:** When someone is convicted of an offense punishable by a mandatory minimum sentence, the judge must sentence the defendant to the mandatory minimum sentence or to a higher sentence. The judge has no power to sentence the defendant to less time than the mandatory minimum. A prisoner serving an MMS for a federal offense and for most state offenses will not be eligible for parole. Even peaceful marijuana smokers sentenced to "life MMS" must serve a life sentence with no chance of parole.

**Marijuana tax stamps:** This state has a marijuana [tax stamp](#) law enacted. This law mandates that those who possess marijuana are legally required to purchase and affix state-issued stamps onto his or her contraband. Failure to do so may result in a fine and/or criminal sanction. For more information, see NORML's report [Marijuana Tax Stamp Laws And Penalties](#).

Also see [Federal Laws](#)

### 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.

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## Working to Reform Marijuana Laws

- "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.

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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.)