

### Arizona Marijuana Penalties

 drugged driving

		Incarceration	Fine
<b>Possession</b>			
less than 2 lbs	misdemeanor or felony	6 months - 1.5 years	\$750 - \$150,000
2 lbs to 4 lbs	misdemeanor or felony	9 months - 2 years	\$750 - \$150,000
4 lbs or more	felony	1.5 - 3 years	\$750 - \$150,000
Near school or bus	felony	additional 1 year	additional \$2000
Probation eligibility for first and second conviction with drug treatment and testing (exception with medical prescription)			
<b>Cultivation</b>			
Less than 2 lbs	misdemeanor or felony	9 months - 2 years	\$750 - \$150,000
2 lbs to 4 lbs	felony	1.5 - 3 years	\$750 - \$150,000
4 lbs or more	felony	2.5 - 7 years	\$750 - \$150,000
<b>Possession for Sale</b>			
Less than 2 lbs	felony	1.5 - 3 years	\$750 - \$150,000
2 lbs to 4 lbs	felony	2.5 - 7 years	\$750 - \$150,000
4 lbs or more	felony	4 - 10 years	\$750 - \$150,000
<b>Sale or Delivery for Sale</b>			
Less than 2 lbs	felony	2.5 - 7 years	\$750 - \$150,000
2 lbs or more	felony	4 - 10 years	\$750 - \$150,000
<b>Miscellaneous</b> (paraphernalia, license suspensions, drug tax stamps, etc... )			
Paraphernalia possession and sale	misdemeanor or felony	6 months - 1.5 years	up to \$150,000
<b>Details</b>			
<p>The possession of marijuana is a criminal offense. For possession of an amount less than two pounds the sentence can range from 6 mos. - 1.5 years and a fine of \$750 - \$150,000. Possession of two or more pounds but less than four pounds is punishable by 9 mos. - 2 years in jail and a fine of \$750 - \$150,000. Possession of four pounds or more is punishable by 1.5 - 3 years in prison and a fine of \$750 - \$150,000.</p> <p>Any person convicted of personal possession or use of marijuana is eligible for probation. The court is required to suspend the imposition or execution of the sentence. The person on probation is required to participate in an appropriate drug treatment or education program and may be required to attend a more stringent treatment program for a second offense. Persons convicted of a third or subsequent offense are not eligible for probation. Persons on probation must also submit to urine drug tests as a condition of their probation with the only exception being made for those who use marijuana under a prescription.</p> <p>The penalties of possession for sale of less than two pounds of marijuana are 1.5 - 3 years in prison and a \$750 - \$150,000 fine. For amounts of less than four pounds, the penalties increase to 2.5 - 7 years in prison and a \$750 - \$150,000 fine. Possession for sale of four pounds or more is punishable by 4 - 10 years in prison</p>			

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and a \$750 - \$150,000 fine.

Production or cultivation of less than two pounds of marijuana is punishable by 9 mos. - 2 years in jail and a \$750 - \$150,000 fine. For less than four pounds, the penalties increase to 1.5 - 3 years in prison and a \$750 - \$150,000 fine. Production or cultivation of four pounds or more is punishable by 2.5 - 7 years in prison and a \$750 - \$150,000 fine.

Sale or delivery for sale of less than two pounds of marijuana is punishable by 2.5 - 7 years in prison and a fine of \$750 - \$150,000. Sale or delivery of two pounds or more is punishable by 4 -10 years in prison and a fine of \$750 - \$150,000.

Possession or sale within 300 feet of a school, on any public property within 1000 feet of any school, at any school bus stop or on any bus transporting pupils to or from school adds an additional one year to the sentence and requires a minimum fine of \$2,000.

Possession and sale of paraphernalia is punishable by 6 mos - 1.5 years in jail and a fine of up to \$150,000



**Drugged driving:** This state has a per se drugged driving law enacted. In their strictest form, these laws forbid drivers from operating a motor vehicle if they have any detectable level of an illicit drug or drug metabolite (i.e., compounds produced from chemical changes of a drug in the body, but not necessarily psychoactive themselves) present in their bodily fluids above a specific threshold. For more information, see state DUID laws. [http://norml.org/index.cfm?Group\\_ID=6669](http://norml.org/index.cfm?Group_ID=6669)

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.

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- "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.)