

Colorado Marijuana Penalties

🔒 conditional ✨ decriminalized + medical 🌿 hemp

		Incarceration	Fine
Possession			
2 oz or less	petty offense	none	\$100
2 oz or less - failure to appear	misdemeanor	6 months	\$500
Display or use in public	misdemeanor	15 days additional	none
2 to 8 oz	misdemeanor	6 - 18 months	\$500 - \$5,000 (\$600 surcharge)
More than 8 oz	felony	1 - 3 years	\$1,000 - \$100,000 (\$1,125 surcharge)
Subsequent convictions over 2 oz could double penalties. Medical use permitted with no more than 2 oz, or 6 plants, physician recommendation and state registration. 16 - 48 hours community service required with diverted prison sentence.			
Sale or Cultivation			
Less than 2 oz (without payment)	petty offense	none	\$100
Any amount (with payment)	felony	2 - 6 years	\$2,000 - \$500,000 (\$1,500 surcharge)
Transport more than 100 lbs	felony	8 - 24 years	\$5,000 - \$1,000,000
Transfer to a minor	felony	2 - 6 years	\$2,000 - \$500,000
Sale within 1,000 feet of school or public housing	felony	8 - 24 years	\$10,000 - \$1,000,000
Miscellaneous (paraphernalia, license suspensions, drug tax stamps, etc...)			
Paraphernalia possession or sale	petty offense	none	\$100
Any felony conviction causes driver's license suspension for 1 year.			
Details			
<p>Possession of two ounces or less of marijuana is a petty offense. The offender receives a summons to appear in court, and upon a promise to appear in court, the offender is to be released from detention. The maximum penalty for a violation is \$100. Failure to appear at the specified time and location results in the increase of the charges to a misdemeanor. Displaying or using the marijuana in public results in the added penalty of up to 15 days in jail. Possession of greater than two ounces is a misdemeanor, punishable by 6-18 months in jail and a fine of \$500 - \$5,000, plus a \$600 surcharge. Possession of greater than 8 ounces of marijuana is a felony, punishable by 1 - 3 years in prison and a fine of \$1,000 - \$100,000 and a surcharge of \$1,125. Generally, subsequent convictions of possession of over two ounces double the possible penalties.</p> <p>Transfer of less than two ounces of marijuana for no consideration is considered possession and is punished as such. Any other transfer, sale, manufacture or cultivation is a felony, punishable by 2 – 4 years in prison and a fine of \$2,000 - \$500,000 and a \$1,500 surcharge. Any transport of greater than 100 lbs. is punishable by 8 – 24 years in prison and a fine of \$5,000 - \$1,000,000. Any transfer to a minor is also a felony punishable by 2 – 4 years in prison and a fine of \$2,000 - \$500,000. Any sale within 1000 feet of a school or public housing area increases the penalties to 8 – 24 years in prison and a fine of \$10,000 to \$1,000,000.</p> <p>Patients who possess written documentation from their physician recommending the use of marijuana and are</p>			

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registered with the state and issued an identification card may legally possess no more than two ounces of marijuana or no more than six marijuana plants.


Any convictions for drug offenses that involve diversion from the prison system require a mandatory 16 - 48 hours of community service.


Any felony convictions involving possession or sale of marijuana also result in the suspension of the offender's driver's license for a period of up to one year.

Possession or sale of paraphernalia is a petty offense punishable by a fine of up to \$100.

 **Conditional release:** The state allows conditional release or alternative or diversion sentencing for people facing their first prosecutions. Usually, conditional release lets a person opt for probation rather than trial. After successfully completing probation, the individual's criminal record does not reflect the charge.

 **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

 **Hemp:** This state has an active hemp industry or has authorized research. Hemp is a distinct variety of the plant species *cannabis sativa L.* that contains minimal (less than 1%) amounts of tetrahydrocannabinol (THC), the primary psychoactive ingredient in marijuana. Various parts of the plant can be utilized in the making of textiles, paper, paints, clothing, plastics, cosmetics, foodstuffs, insulation, animal feed, and other products. For more information see NORML's Industrial Use section. http://norml.org/index.cfm?Group_ID=3377

Also see Federal Laws http://norml.org/index.cfm?wtm_view=&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).

Please note:

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- 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.

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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.)