


Indiana Marijuana Penalties


 conditional  drugged driving  tax stamps


		Incarceration	Fine
Possession			
30 g or less	misdemeanor	1 year*	\$5,000
More than 30 g	misdemeanor or felony	6 months - 3 years	\$10,000
*Possible conditional discharge on first offense.			
Sale or Cultivation			
30 g or less	misdemeanor	1 year	\$5,000
30 g to 10 lbs	felony	6 months - 3 years	\$10,000
10 lbs or more	felony	2 - 8 years	\$10,000
Sale within 1,000 feet of school, or other specified areas	felony	2 - 8 years	\$10,000
Sale to minor	felony	6 months - 3 years	\$10,000
Miscellaneous (paraphernalia, license suspensions, drug tax stamps, etc...)			
Paraphernalia possession (first offense)	civil fine	none	\$10,000
Paraphernalia possession or sale (subsequent offense)	felony	6 months - 3 years	\$10,000
Present where knowledge of drug activity occurs	misdemeanor	6 months	\$1,000
Possession, sale or distribution conviction causes driver's license suspension for 6 months to 2 years.			
Details			
<p>The possession of 30 grams or less of marijuana is a misdemeanor punishable by up to one year in jail and a fine of up to \$5,000. For first offenders, the court may consider a conditional discharge. For possession of more than 30 grams, the penalties range from 6 months - 3 years in prison and a fine of up to \$10,000.</p> <p>The cultivation, delivery or sale of 30 grams or less is a misdemeanor, punishable by up to one year in jail and a fine of up to \$5,000. Cultivation or delivery of more than 30 grams is a felony, punishable by six months - three years in prison and a fine of up to \$10,000. For cultivation or delivery of any amount of ten pounds or more the penalties range from 2 - 8 years in prison and a fine of up to \$10,000.</p> <p>Any sale within 1,000 feet of a school, public park or a family housing complex, or any sale on a school bus is punishable by 2 - 8 years in prison and a fine of up to \$10,000. Sale to a minor is punishable by 6 months - 3 years in prison and a fine of up to \$10,000.</p> <p>Possession of paraphernalia can be a misdemeanor if it is committed "recklessly", and is punishable by imprisonment for a fixed term of not more than one year and a fine of not more than \$5,000. There is no mention in the statute of what "recklessly" means. Possession of paraphernalia can be a felony if the person has a previous judgment or conviction under the statute, and is punishable by imprisonment for a fixed term of one and one-half years and a fine of not more than \$10,000.</p> <p>Knowingly visiting a place where drugs are used is a misdemeanor, punishable by up to six months in jail and a fine of up to \$1,000.</p> <p>A person convicted of dealing or possessing marijuana will have his operator's license suspended, his existing motor vehicle registration suspended, and his ability to register motor vehicles to be suspended.</p>			

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 **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.

 **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

 **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. http://www.norml.org/index.cfm?Group_ID=6670

Also see Federal Laws 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).

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.

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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.)