



Kansas Marijuana Penalties

 conditional  tax stamps

		Incarceration	Fine
Possession (personal use)			
Any amount (first offense)	misdemeanor	1 year	\$2,500
Any amount (subsequent offense)	misdemeanor or felony	10 - 42 months	\$100,000
Cultivation			
Five or more plants	felony	138 - 204 months	variable
Sale (or possession with intent to sale)			
Any amount	felony	14 - 51 months	\$300,000
Within 1,000 feet of school	felony	46 - 83 months	\$300,000
Miscellaneous (paraphernalia, license suspensions, drug tax stamps, etc...)			
Paraphernalia possession for personal use	misdemeanor	1 year	\$2,500
Paraphernalia possession for cultivation of more than 5 plants	misdemeanor or felony	10 - 42 months	\$100,000
Details			
Possession of any amount of marijuana for personal use is punishable by up to one year in jail and a fine of up to \$2,500. For a second conviction the penalty increases to 10 - 42 months in jail and a fine of up to \$100,000.			
Possession with intent to sell or actual sale is punishable by 14 -51 months in jail and a fine of up to \$300,000. Probation is possible for sentences of less than 32 months. Sale or possession with intent within 1,000 feet of a school is punishable by 46 - 83 months in prison and a fine of up to \$300,000.			
Manufacture of a controlled substance is punishable by 138 - 204 months in prison.			
Possession of paraphernalia for personal use is punishable by up to one year in jail and a fine of up to \$2,500. Possession of paraphernalia that would be used for planting or growing more than five marijuana plants is punishable by 10 - 42 months in jail and a fine of up to \$100,000.			

 **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.

 **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



Working to Reform Marijuana 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).

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.

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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.)