

Kentucky Marijuana Penalties

 hemp  tax stamps

		Incarceration	Fine
Possession			
Less than 8 oz (first offense)	misdemeanor	1 year	\$500
Less than 8 oz (subsequent offense)	felony	1 - 5 years	\$1,000 - \$10,000
8 oz or more	see Sale or Trafficking		
Cultivation			
Less than 5 plants (first offense)	misdemeanor	1 year	\$500
Less than 5 plants (subsequent offense)	felony	1 - 5 years	\$1,000 - \$10,000
5 plants or more (first offense)	felony	1 - 5 years	\$1,000 - \$10,000
5 plants or more (subsequent offense)	felony	5 - 10 years	\$1,000 - \$10,000
Sale or Trafficking			
Less than 8 oz	misdemeanor	1 year	\$500
8 oz to 5 lbs	felony	1 - 5 years	\$1,000 - \$10,000
5 lbs or more	felony	5 - 10 years	\$1,000 - \$10,000
Sale to minor (first offense)	felony	5 - 10 years	\$1,000 - \$10,000
Sale to minor (subsequent offense)	felony	10 - 20 years	\$1,000 - \$10,000
Within 1,000 yards of school	felony	1 - 5 years	\$1,000 - \$10,000
Miscellaneous (paraphernalia, license suspensions, drug tax stamps, etc...)			
Paraphernalia possession	misdemeanor	1 year	\$1,000
Any first conviction of a minor causes driver's license suspension for 1 year. Any subsequent conviction of a minor causes driver's license suspension for 2 years.			
Details			
Possession of less than eight ounces of marijuana is a misdemeanor, punishable by up to one year in jail and a fine of up to \$500. For subsequent offenses, the penalties increase to 1 - 5 years in jail and a fine of \$1,000 - \$10,000. Possession of eight ounces or more is considered possession with intent to sell and is charged as trafficking.			
Sale or delivery (trafficking) of less than eight ounces is punishable by up to one year in jail and a fine of up to \$500. The penalties for sale or delivery of eight ounces or greater are 1 - 5 years in prison and a fine of \$1,000 - \$10,000. Sale or delivery of five pounds or more is punishable by 5 - 10 years in prison and a fine of \$1,000 - \$10,000.			
Any sale to a minor is punishable by 5 - 10 years in prison and a fine of \$1,000 - \$10,000 for a first offense, and 10 - 20 years in prison and a fine of \$1,000 - \$10,000 for a second or subsequent offense.			
Any sale within 1,000 yards of a school is punishable by 1 - 5 years in prison and a fine of \$1,000 - \$10,000.			
Cultivation of less than five plants is punishable by up to one year in jail and a fine of up to \$500. For subsequent offenses, the penalties increase to 1 - 5 years in prison and a fine of \$1,000 - \$10,000. For cultivation of five plants or more, the penalties are 1 - 5 years in prison and a fine of \$1,000 - \$10,000. For			


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subsequent offenses the penalties increase to 5 - 10 years in prison and fines of \$1,000 - \$10,000.

Possession of paraphernalia is a misdemeanor, punishable by up to one year in jail and a fine of up to \$1000.

Minors convicted of drug offenses are also subject to suspension of their driver's licenses for one year for the first offense and two years for the second offense.

 **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

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

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:

- 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.

The National Organization for the Reform of Marijuana Laws (www.norml.org)

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- 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.)