




North Dakota Marijuana Penalties

 conditional  hemp

		Incarceration	Fine
Possession			
Less than 1/2 oz*	misdemeanor	30 days	\$1,000
Less than 1/2 oz while operating a motor vehicle*	misdemeanor	1 year	\$1,000
1/2 to 1 oz*	misdemeanor	1 year	\$2,000
More than 1 oz	felony	5 years	\$5,000
*First convictions can be removed from the record after 2 years of no further criminal violations. Positive drug test is possession.			
Sale or Cultivation			
Less than 100 lbs	felony	10 years	\$10,000
100 lbs or more	felony	20 years	\$10,000
Within 1,000 feet of school	felony	increased penalty	increased penalty
Miscellaneous (paraphernalia, license suspensions, drug tax stamps, etc...)			
Any conviction requires offender to undergo a drug addiction evaluation.			
Details			
Possession of less than one-half ounce of marijuana is a misdemeanor, punishable by up to 30 days in jail and a fine of up to \$1,000. Possession of one half ounce or more is punishable by up to one year in jail and a fine of up to \$2,000. First convictions for possession of one ounce or less of marijuana can be expunged from the record after two years if no further criminal violations occur. Possession of greater than one ounce of marijuana is punishable by up to five years in prison and a fine up to \$5,000.			
Possession of less than one-half ounce while operating a motor vehicle is punishable by up to one year in jail and a fine of up to \$1,000.			
Sale, distribution or manufacture of less than 100 pounds of marijuana is punishable by up to ten years in prison and a fine up to \$10,000. For amounts of 100 pounds or more, the penalty increases to a possible 20 years in prison and a fine up to \$10,000.			
Penalties for sale or distribution increase if the sale occurs within 1,000 feet of a school.			
All convictions also require the offender to undergo a drug addiction evaluation.			

 **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.

 **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



Working to Reform Marijuana Laws

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.

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.)