

Nevada Marijuana Penalties

✳️ decriminalized ✚ medical 🚗 drugged driving 🏠 tax stamps

		Incarceration	Fine
Possession			
Less than 1 oz (first offense)	misdemeanor	rehabilitation/ treatment	\$600
Less than 1 oz (second offense)	misdemeanor	rehabilitation/ treatment	\$1,000
Less than 1 oz (third offense)	gross misdemeanor	1 year	\$2,000
Less than 1 oz (fourth offense)	class E felony	1 - 4 years	\$5,000
Medical use permitted if less than 1 oz or 3 to 4 plants.			
Sale or Cultivation			
Less than 100 lbs (first offense)	felony	1 - 6 years	\$20,000
Less than 100 lbs (second offense)	felony	2 – 10 years	\$20,000
Less than 100 lbs (subsequent offense)	felony	3 - 15 years	\$20,000
100 to 2,000 lbs	felony	5 years	\$25,000
2,000 to 10,000 lbs	felony	2 - 20 years	\$50,000
More than 10,000 lbs	felony	life*	\$200,000
To a minor (first offense)	felony	1 - 20 years	variable
To a minor (second offense)	felony	life	variable
Within 1,000 feet of school or other specified areas	felony	double penalty	double penalty
*Parole possible after 5 years. Medical use permitted if less than 1 oz (3 to 4 plants).			
Miscellaneous (paraphernalia, license suspensions, drug tax stamps, etc...)			
Paraphernalia possession	misdemeanor	6 months	\$1,000
Paraphernalia sale	felony	1 - 4 years	\$5,000
Details			
<p>Possession of marijuana is a misdemeanor and is punishable by a fine of \$600 or possible drug treatment. For a second offense, the fine increases to \$1,000. For a third offense, the punishment is up to one year in jail and a fine of up to \$2,000. A fourth offense changes the classification to a felony and is punishable by 1 - 4 years in prison and a fine of up to \$5,000.</p> <p>Cultivation, delivery or sale of less than 100 pounds of marijuana is punishable by 1 - 6 years in prison and a fine of up to \$20,000 for the first offense. For a second offense, the penalty increases to 2 - 10 years in prison and a fine up to \$20,000. For a third or subsequent offense, the penalty increases to 3 - 15 years in prison and a fine up to \$20,000. Cultivation, delivery or sale of 100 pounds or more is punishable by up to five years in prison and a fine up to \$25,000. For amounts of 2,000 pounds or greater, the penalty increases to 2 - 20 years in prison and a fine up to \$50,000. For amounts greater than 10,000 pounds the penalty can be up to life in prison, with the possibility for parole after a minimum of five years and a fine up to \$200,000.</p>			

Assembly Bill 453 allows for medical use of marijuana in Nevada and went into effect October 2001 (Word doc).


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It is an affirmative defense to any charge of possession, delivery or production of marijuana that the person is engaged in the medical use of marijuana if the amount is no more than one ounce of usable marijuana, three mature plants or four immature plants.


Any sale to a minor is punishable by 1 - 20 years in prison for the first offense, and up to life for a second offense. Sale within 1,000 feet of a school, video arcade, public pool or youth center doubles the possible penalty.

Possession of paraphernalia is punishable by up to six months in jail and a fine up to \$1,000. Sale of paraphernalia is punishable by 1 - 4 years in prison and a fine up to \$5,000.

 **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

 **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 NORML's Drugged Driving (DUID) report. http://norml.org/index.cfm?Group_ID=6492

 **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:

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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.)