

Michigan Regulation and Taxation of Marihuana Act (MCL 333.27965) - Misdemeanors

<u>Infraction</u>	<u>MCL</u>	<u>Penalty</u>
More than 2.5 oz up to 5 oz, or in own residence more than 10 oz up to 20 oz (unless from own plants) or 13 to 24 plants 21 and older – 3 rd offense	333.27965(2)(c)	Misdemeanor, \$2000 fine, forfeiture of marihuana
More than 5 oz, or in own residence more than 20 oz (unless from own plants) or 24 plants 21 and older	333.27965(4)	Misdemeanor, but shall not be subject to imprisonment unless the violation was habitual, willful, and for a commercial purpose or the violation involved violence

Michigan Regulation and Taxation of Marihuana Act Criminal Offenses under Preexisting Statutes

1. MCL 333.27954(1)(a) - OWI where the operator is “under the influence” due to marihuana, contrary to MCL 257.625 (1)(a)
2. MCL 333.27954(1)(b) - Any delivery to an individual under 21, contrary to MCL 333.7401(2)(d)
3. MCL 333.27954(1)(c) – Consumption by an individual under 21, contrary to MCL 333.7404(2)(d)
4. MCL 333.27954(1)(d) – Manufacture when there is separation of plant resin by butane extraction or a similar method in a public place, car, or at a residence, contrary to MCL 333.7401(2)(d)
5. MCL 333.27954(1)(g) – Consumption while in control of a vehicle or smoking within the passenger area, contrary to MCL 333.7404(2)(d)
6. MCL 333.27954(1)(h) – Possession or consumption while on school grounds if age 21 or over, contrary to MCL 333.7403(2)(d) and MCL 333.7404(2)(d)
7. MCL 333.27955(1)(d) - Any delivery for remuneration, contrary to MCL 333.7401(2)(d)
8. MCL 333.27965(2) – Possession with intent to deliver, cultivation, or delivery without remuneration over the allowed amounts when there is any violation of Section 4 of the MRTMA, contrary to MCL 333.7401(2)(d)
9. MCL 333.27965(2) - Possession over the allowed amounts when there is any violation of Section 4 of the MRTMA, contrary to MCL 333.7403(2)(d)
10. MCL 333.27965(4) - Possession with intent to deliver over twice the allowed amounts- MCL 333.7401(2)(d)



This material was developed through a project funded by the Michigan Office of Highway Safety Planning and the U.S. Department of Transportation.