



**Brief Summary of Selected
Oregon Marijuana Laws
Effective April 21, 2017**

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Measure 91 Personal Allowances (for those 21 and over)

ORS 475B.245

Personal possession

Per household

Up to 4 plants, 8 oz bud/leaf, 16 oz solids, 16 oz concentrates, 72 oz liquids, and 1 oz extracts

In a public place

Up to 1 oz bud/leaf (instead of 8)

Delivery (homemade, for no consideration, to those 21 and over)

Up to 1 oz, 16 oz solids, 16 oz concentrates, and 72 oz liquids

Unlawful Possession

Person 21 or older

Over, but not > 2x

B Viol

2017 c.21 §3(3)(a)

> 2x but not > 4x

B Misd

2017 c.21 §3(3)(b)

> 16x at household

C Fel

2017 c.21 §3(3)(c)(A)

> 8 pounds in public place

C Fel

2017 c.21 §3(3)(c)(B)

Any unlawful extract

A Misd

2017 c.21 §3(2)

> ¼ oz of unlawful extract

C Fel

2017 c.21 §3(3)(c)(C)

All other

A Misd

2017 c.21 §3(2)

Person under 21

Up to what 21 or older could possess

B Viol

ORS 475B.260(3)(a)

Same while operating a motor vehicle

A Viol

ORS 475B.260(3)(b)

Over what 21 or older could possess

A Misd

2017 c.21 §4(2)

> 16x at household

C Fel

2017 c.21 §4(3)(a)

> 8 pounds in public place

C Fel

2017 c.21 §4(3)(b)

Any unlawful extract

A Misd

2017 c.21 §4(2)

> ¼ oz of unlawful extract

C Fel

2017 c.21 §4(3)(c)

All other

A Misd

2017 c.21 §4(2)

Unlawful Delivery

> 1 oz by person > 21 to > 21 for no consideration

B Misd

2017 c.21 §5(3)(a)

> 16 times personal allowance

C Fel

2017 c.21 §5(3)(b)(A)(i)

> 8 pounds in public place

C Fel

2017 c.21 §5(3)(b)(A)(ii)

> ¼ oz of unlawful extract

C Fel

2017 c.21 §5(3)(b)(A)(iii)

To person < 21, except if person < 24 to person

16 or older for no consideration

C Fel

2017 c.21 §5(3)(b)(B)

All other

A Misd

2017 c.21 §5(2)

Unlawful Manufacture

Over, but not > 8 plants (person 21 or older)

B Misd

2017 c.21 §6(3)(a)

> 12 plants

C Fel

2017 c.21 §6(3)(b)(A)

> 2x products or concentrates

C Fel

2017 c.21 §6(3)(b)(B)

Any extract

B Fel

2017 c.21 §6(3)(c)

All other

A Misd

2017 c.21 §6(2)

Arson Incident to Manufacture (e.g., BHO)

In the First Degree (sim to Arson 1)	A Fel	2017 c.21 §9
In the Second Degree (sim to Arson 2)	C Fel	2017 c.21 §9a

Importing and Exporting*

> personal allowance	A Misd	ORS 475B.185(4)(a)(A)
> 16x personal allowance	C Fel	ORS 475B.185(4)(b)(B)
Any unlawful extract	C Fel	ORS 475B.185(4)(b)(B)
By OLCC licensee		
For consideration	C Fel	ORS 475B.185(4)(b)(A)
For no consideration	A Misd	ORS 475B.185(4)(a)(A)
All other	B Viol	ORS 475B.185(3)

* NOTE: "Export" is complete when marijuana item is "placed in any mode of transportation for hire, such as luggage, mail or parcel delivery, even if the transportation of the marijuana item is intercepted prior to the marijuana item leaving this state." - ORS 475B.185(1)

Other

Causing another to ingest (sim to 475.908)	A/B Fel	2017 c.21 §11
Administering to person under 18 (sim to 475.910)	A Fel	2017 c.21 §12
Sale of paraphernalia to person under 21 (sim to 475.525)	B Viol	2017 c.21 §14
Use of marijuana in a motor vehicle	B Viol	2016 c.24 §49
Driving while under the influence of intoxicants	A Misd	ORS 813.010
	C Fel	ORS 813.010(5) ORS 813.011
Use of minor in manufacture, transport, or delivery		
< 1 oz for no consideration	A Misd	ORS 167.262(1)/(2)(b)
Other	A Fel	ORS 167.262(1)/(2)(a)
Producing, processing, or storing marijuana in public view	B Viol	ORS 475B.250
Using marijuana in public place	B Viol	ORS 475B.280
Proving false identification of age	A Misd	ORS 475B.265
Providing to visibly intoxicated person	A Misd	ORS 475B.270(1)
Allowing consumption by minor on property	A Misd	ORS 475B.270(2)
Processing extract into another product	A Misd	ORS 475B.255
Giving marijuana item as prize	A Misd	ORS 475B.275

NOTE: Oregon Medical Marijuana Act Allowances

Exemption from Unlawful Possession, Delivery or Manufacture (475B.475-475B.485; 475B.515)

Cardholder and caregiver may jointly have		
6 mature marijuana plants	ORS 475B.428(1)	
24 ounces	ORS 475B.430(1)	
Designated grower		
6 mature plants for up to 4 cardholders	ORS 475B.428(2)	
12 pounds per outdoor plant allowance	ORS 475B.430(3)(a)	
6 pounds per indoor plant allowance	ORS 475B.430(3)(b)	

NOTE: 2017 c.21 = [Enrolled 2017 Senate Bill 302](#) 2017 c.20 = [Enrolled 2017 SB 303](#)

DISCLAIMER

This brief summary was prepared by Rob Bovett, Special Prosecutor with the Lincoln County District Attorney's Office, for use in guiding Lincoln County law enforcement personnel in the implementation of new laws relating to marijuana offenses that went into effect on April 21, 2017. Any other law enforcement personnel should check with their own District Attorney before using this summary.