



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

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**Updated January 31, 2018
(to add ORS numbers)**

Measure 91 Personal Allowances (for those 21 and over)		ORS 475B.301
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	ORS 475B.337(3)(a)
> 2x but not > 4x	B Misd	ORS 475B.337(3)(b)
> 16x at household	C Fel	ORS 475B.337(3)(c)(A)
> 8 pounds in public place	C Fel	ORS 475B.337(3)(c)(B)
Any unlawful extract	A Misd	ORS 475B.337(2)
> ¼ oz of unlawful extract	C Fel	ORS 475B.337(3)(c)(C)
All other	A Misd	ORS 475B.337(2)
Person under 21		
Up to what 21 or older could possess	B Viol	ORS 475B.316(3)(a)
Same while operating a motor vehicle	A Viol	ORS 475B.316(3)(b)
Over what 21 or older could possess	A Misd	ORS 475B.341(2)
> 16x at household	C Fel	ORS 475B.341(3)(a)
> 8 pounds in public place	C Fel	ORS 475B.341(3)(b)
Any unlawful extract	A Misd	ORS 475B.341(2)
> ¼ oz of unlawful extract	C Fel	ORS 475B.341(3)(c)
All other	A Misd	ORS 475B.341(2)
Unlawful Delivery		
> 1 oz by person > 21 to > 21 for no consideration	B Misd	ORS 475B.346(3)(a)
> 16 times personal allowance	C Fel	ORS 475B.346(3)(b)(A)(i)
> 8 pounds in public place	C Fel	ORS 475B.346(3)(b)(A)(ii)
> ¼ oz of unlawful extract	C Fel	ORS 475B.346(3)(b)(A)(iii)
To person < 21, except if person < 24 to person 16 or older for no consideration	C Fel	ORS 475B.346(3)(b)(B)
All other	A Misd	ORS 475B.346(2)
Unlawful Manufacture		
Over, but not > 8 plants (person 21 or older)	B Misd	ORS 475B.349(3)(a)
> 12 plants	C Fel	ORS 475B.349(3)(b)(A)
> 2x products or concentrates	C Fel	ORS 475B.349(3)(b)(B)
Any extract	B Fel	ORS 475B.349(3)(c)
All other	A Misd	ORS 475B.349(2)

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

In the First Degree (sim to Arson 1)	A Fel	ORS 475B.359
In the Second Degree (sim to Arson 2)	C Fel	ORS 475B.363

Importing and Exporting*

> personal allowance	A Misd	ORS 475B.227(4)(a)(A)
> 16x personal allowance	C Fel	ORS 475B.227(4)(b)(B)
Any unlawful extract	C Fel	ORS 475B.227(4)(b)(B)
By OLCC licensee		
For consideration	C Fel	ORS 475B.227(4)(b)(A)
For no consideration	A Misd	ORS 475B.227(4)(a)(A)
All other	B Viol	ORS 475B.227(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.227(1)

Other

Causing another to ingest (sim to 475.908)	A/B Fel	ORS 475B.367
Administering to person under 18 (sim to 475.910)	A Fel	ORS 475B.371
Sale of paraphernalia to person under 21 (sim to 475.525)	B Viol	ORS 475B.376
Use of marijuana in a motor vehicle	B Viol	ORS 811.482
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.306
Using marijuana in public place	B Viol	ORS 475B.381
Proving false identification of age	A Misd	ORS 475B.321
Providing to visibly intoxicated person	A Misd	ORS 475B.329(1)
Allowing consumption by minor on property	A Misd	ORS 475B.329(2)
Processing extract into another product	A Misd	ORS 475B.311
Giving marijuana item as prize	A Misd	ORS 475B.333

NOTE: Oregon Medical Marijuana Act Allowances

Exemption from Unlawful Possession, Delivery or Manufacture (475B.907-475B.919; 475B.943)

Cardholder and caregiver may jointly have		
6 mature marijuana plants		ORS 475B.831(1)
24 ounces		ORS 475B.834(1)
Designated grower		
6 mature plants for up to 4 cardholders		ORS 475B.831(2)
12 pounds per outdoor plant allowance		ORS 475B.834(3)(a)
6 pounds per indoor plant allowance		ORS 475B.834(3)(b)

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.