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“We change laws.”

Rhode Island’s New Law Reducing Penalties for Marijuana Possession

On April 1, 2013, Rhode Island’s “decriminalization” law went into effect, replacing criminal penalties for possession of up to one ounce of marijuana with a \$150 civil fine similar to a traffic ticket. S 2253/ H 7092 was sponsored by Sen. Josh Miller and Rep. John “Jay” Edwards and was signed into law by Gov. Lincoln Chafee in June 2012. Rhode Island joins 13 other states around the country that have adopted marijuana "decriminalization" laws. Voters in two additional states, Washington and Colorado, approved measures to regulate and tax marijuana like alcohol for adults 21 and older.

Before S 2253/H 7092 went into effect, Rhode Island penalized possession of up to an ounce of marijuana with a criminal misdemeanor charge that carried a sentence of up to a year in jail and/or a fine of up to a \$500. S 2253/H 7092 changed Rhode Island law as follows.

How S 2253/H 7092 Changed the Penalty for Possession of Marijuana

- Individuals over the age of 18: Possession of up to an ounce of marijuana for individuals 18 and older is now penalized with a \$150 civil offense and forfeiture of the marijuana for the first and second offenses within 18 months.
- Individuals under the age of 18: Possession of up to an ounce of marijuana by individuals under 18 subjects these minors to the same \$150 civil fine as adults for a first or second offense within 18 months. The minor offender must also attend a drug education course and perform community service.
- Failure to provide identification or to honestly give name: Law enforcement may arrest an individual found in possession of up to an ounce of marijuana if he or she fails to produce picture identification when requested or if he or she fails to honestly provide his or her name.
- Failure to pay fines: The civil fine doubles to \$300 if it is not paid within 30 days of issuance and doubles again to \$600 if it has not been paid within 90 days.
- Civil violations for marijuana possession are not grounds for revocation of parole or probation.
- Subsequent offenses: For all individuals found in possession of up to an ounce of marijuana, a third offense within 18 months is a misdemeanor punishable by up to 30 days in jail and/or a fine of up to \$500.