

218A.1422 Possession of marijuana -- Penalty -- Maximum term of incarceration.

- (1) A person is guilty of possession of marijuana when he or she knowingly and unlawfully possesses marijuana, and the possession is not in compliance with, or otherwise authorized by, KRS Chapter 218B.
- (2) Possession of marijuana is a Class B misdemeanor, except that, KRS Chapter 532 to the contrary notwithstanding, the maximum term of incarceration shall be no greater than forty-five (45) days.
- (3) This section does not apply to:
 - (a) A cannabis business or a cannabis business agent, as defined in KRS 218B.010, when acting in compliance with KRS Chapter 218B; or
 - (b) A cardholder, as defined in KRS 218B.010, whose use of medicinal cannabis is in compliance with KRS Chapter 218B.

Effective: July 1, 2024

History: Amended 2023 Ky. Acts ch. 146, sec. 36, effective July 1, 2024. -- Amended 2011 Ky. Acts ch. 2, sec. 16, effective June 8, 2011. -- Created 1992 Ky. Acts ch. 441, sec. 19, effective July 14, 1992.

Legislative Research Commission Note (4/17/2024). The effective date of the amendments to this statute in 2023 Ky. Acts ch. 146, sec. 36, was changed from January 1, 2025, to July 1, 2024, in 2024 Ky. Acts ch. 195, sec. 24.