

# CANNABIS IN VIRGINIA

## WHAT'S LEGAL?



- Medical cannabis sold by a licensed pharmaceutical processor or dispensing facility.
- Possession in your private residence of cannabis for personal use.
- Possession in public of up to one ounce of cannabis for personal use.
- Home cultivation of up to four cannabis plants.
- "Adult sharing"- the private transfer of one ounce or less of marijuana between people 21 years or older without exchanging anything else of value.

### HOME CULTIVATION

Plants must be labeled with the person's name, driver's license or ID number, and a note that the plant is being grown "for personal use as authorized under Virginia code section § 4.1-1101."

Home cultivators should only grow in private spaces, be familiar with safe growing practices, and be sure to keep plants away from children and pets. Landlords may specify in rental agreements that tenants may not grow or use cannabis on the rental property.

*Growing more than four cannabis plants at home can result in penalties ranging from a civil fine or misdemeanor to a felony.*

## ADULT SHARING DOES NOT INCLUDE "GIFTING" SCHEMES

Transactions that include a "gift" of cannabis along with the sale of other goods or services are illegal. Examples of such schemes include:

- A vendor selling a small novelty item for money and "gifting" cannabis at the same time to the person who bought the novelty.
- Advertising that a "gift" of cannabis will be available at an event, such as a concert or farmer's market.
- Including a "gift" of cannabis as part of a paid class about cannabis home cultivation.



For additional educational resources, visit: [cca.virginia.gov](https://cca.virginia.gov)

This document is not a comprehensive guide to Virginia cannabis laws. For detailed guidance, please consult the Code of Virginia and/or a legal professional.

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# CANNABIS IN VIRGINIA

## WHAT'S ILLEGAL?



- Selling or purchasing adult-use marijuana. "Pop-up shops" or other limited-time markets violate the law.
- Growing plants that are visible to members of the public.
- Cultivating more than four plants at home.
- Driving under the influence of marijuana.
- Carrying cannabis while providing transportation services, such as driving a cab or for Uber or Lyft.

## LEGAL CONSEQUENCES

Possession of cannabis outside of your personal residence can result in legal consequences. The penalty differs based on the amount of cannabis:

- More than one ounce and up to four ounces of cannabis can result in a \$25 civil fine.
- More than four ounces and up to one pound of cannabis on one's person or in a public place is a criminal offense and can be a class 2 or class 3 misdemeanor.
- Over one pound of cannabis is considered a felony and can result in a prison sentence of one to ten years and a fine of up to \$250,000.

## OPEN CONTAINER RESTRICTIONS APPLY TO CANNABIS

Cannabis cannot be stored so that it is open and accessible to the passenger area of a vehicle. The "passenger area" includes:

- Any area within reach of the driver
- An unlocked glove compartment
- The area where passengers are seated
- The living area of a motor home

Passengers of vehicles should not access cannabis while the car is in use. It is illegal for the driver or the passenger of a vehicle to use cannabis on a public highway.



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