



Marijuana in the SRPMIC

Frequently Asked Questions

- **When was the legalization of medical marijuana enacted:** October 19, 2022.
- **When was the legalization of recreational marijuana enacted:** Approved on March 29, 2023 with an enactment date of May 1, 2023.
- **Are the laws surrounding personal possession and use of marijuana consistent with the State Laws of Arizona:** Yes.
- **Is personal cultivation of marijuana allowed within the SRPMIC:** Yes under certain conditions and guidelines.
- **Is the commercial growing, manufacturing or selling of marijuana allowed in the SRPMIC:** No. At this time, the marijuana business industry aspects are not permitted within the SRPMIC.
- **How old does an individual have to be in order to possess / use marijuana for recreational purposes:** 21.
- **How old does an individual have to be in order to possess / use marijuana for medical purposes:** 18.
- **How old does an individual have to be in order to cultivate marijuana for personal use:** 21.
- **How much marijuana is allowed for possession or use for recreational purposes:** 1 ounce, of which not more than 5 grams is in the form of marijuana concentrate.
- **How much marijuana is allowed for possession or use for medical purposes:** 2 ½ ounces, of which not more than 12 ½ grams is in the form of marijuana concentrate.
- **How much marijuana can be grown for personal cultivation:** No more than 6 plants by a single individual and not more than 12 plants at a single residence where 2 or more individuals reside who are at least 21 years old.
- **How does an individual qualify as legitimate medical user of marijuana:** An individual must have a valid, unexpired medical marijuana card, also known as a registry identification card, issued by the State of Arizona.
- **What medical conditions qualify for under the medical marijuana card provisions in the State of Arizona:** Alzheimer's Disease, Lou Gehrig's Disease, Cachexia or Wasting Syndrome, Cancer, Chronic Pain, Crohn's Disease, Glaucoma, Hepatitis C, HIV or Aids, Nausea, Persistent Muscle Spasms, PTSD and Seizures.
- **Where can an individual cultivate marijuana for personal use:** Only at the individual's primary residence.
- **Where within a primary residence can cultivation of marijuana occur:** Within a closet, room, greenhouse or other enclosed area and that is equipped with a lock or other security device that prevents access by minors.
- **What other restrictions are there regarding personal cultivation of marijuana:** Cultivation can only take place in an area where the marijuana plants are not visible from the public view.
- **What is the criminal penalty if an individual is convicted of possession or use of marijuana in excess of the allowed amounts for recreational and medical uses:** Possession of marijuana is

a Class C offense which carries a maximum penalty of 6 months in jail and/or a fine up to \$1,000.

- **Is it illegal to possess paraphernalia such as pipes, rolling papers, vape pens when used for the smoking or administration of marijuana:** Possession of drug paraphernalia is illegal under 6-123 of the Code of Ordinances except when the item(s) is used for the smoking or administration of marijuana under the guidelines for legal use.
- **What is the criminal penalty for sale/trafficking of marijuana:** Sale of drugs, including marijuana is a Class A offense which carries a maximum penalty of 3 years in jail and a fine up to \$15,000.
- **If the sale of marijuana is illegal in the SRPMIC, how/where can an individual purchase marijuana for legal use:** Marijuana must be purchased by a marijuana establishment (dispensary) licensed by the State of Arizona.
- **Can marijuana be given from one individual to another if both are of legal age:** No, the "transfer" of marijuana is illegal under 6-128 of the Code of Ordinances under sale or manufacture of marijuana. Each individual user will need to legally purchase their own marijuana.
- **Can an individual use marijuana in a public place within the SRPMIC:** Use of marijuana is not allowed in any public place, any Community building or facility, or at any Community event.
- **Does the legalization of marijuana protect an individual from getting charged or convicted with other criminal offenses:** No. There are other criminal offenses that may come into play such as driving while impaired and under the influence of marijuana, child abuse, contributing to the delinquency of a minor, etc...
- **Does the laws on legalization of marijuana dictate employment policies on the same subject:** No. The law expressly allows the Community, its enterprises and businesses within the Community to develop and maintain a drug and alcohol free workplace.
- **What will the Community's drug and alcohol workplace policy look like:** The Human Resources Department is in the final stages of amending the drug and alcohol workplace policy that is consistent with the legalization of medical and recreational marijuana. That policy will be introduced and implemented May 2023.

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For questions and clarifications, please reach out to the Office of General Counsel:

