



## Q & A: Massachusetts Recreational Marijuana Law

The Massachusetts Legislature officially certified the recreational marijuana law on December 14, 2016 and the law became effective on December 15, 2016. Personal possession, cultivation and private use provisions take effect immediately. Sale of marijuana is prohibited until 2018.

### A few instances where marijuana is legal:

- Outside the home, adults 21 or older can possess up to 1 ounce of marijuana and no more than 5 grams of marijuana concentrate.
  - According to Question 4, marijuana concentrate is the resin extracted from any part of a Cannabis plant (see Section 7g).
- Inside the home, adults 21 or older may possess up to 10 ounces of marijuana. A single individual may cultivate up to 6 marijuana plants for personal use. Up to 12 plants per household are allowed if more than one adult lives on the premises.
- An adult 21 or older can give away up to one ounce of marijuana to another adult as long as the transfer is not for money, and not advertised or promoted to the public.

### A few instances where marijuana is illegal:

- Using marijuana is illegal in any public place. You cannot, for example, walk down the street smoking marijuana the way you would a cigarette.
- Using marijuana in any place where tobacco is banned. In Cambridge, this includes all bars, restaurants, indoor workplaces, outdoor restaurant patios, sidewalk restaurant seating areas, and smaller parks.
- Recreational marijuana cannot be sold in any form in Massachusetts without a retail license. A Cannabis Control Commission, yet to be named, will be responsible for issuing retail licenses.
- Marijuana cannot be possessed, purchased, grown, or used by anyone under age 21 (unless they have a valid medical marijuana permit).
- It's against the law to give away marijuana to someone under 21.



- Laws against operating cars and other vehicles under the influence of marijuana are unchanged.
- Growing marijuana at home must be done discreetly and securely. Marijuana plants cannot be visible from the street or any public area. In addition, plants must be cultivated someplace where there is a security device.
- Tenants cannot grow or smoke marijuana if their landlord has a rule against it. Smoke-free leases and covenant agreements may apply to marijuana smoke as well as tobacco smoke. Rental agreements, however, cannot prohibit tenants from consuming marijuana by means other than smoking.

### **More information:**

#### **Massachusetts Recreational Marijuana law (full text):**

<http://www.mass.gov/ago/docs/government/2015-petitions/15-27.pdf>

#### **WBUR Radio (Recreational Marijuana Q and A)**

<http://www.wbur.org/morningedition/2016/12/14/recreational-marijuana-massachusetts-questions>

#### **WBUR Radio (Recreational Marijuana Do's & Don'ts)**

<http://www.wbur.org/news/2016/12/11/recreational-marijuana-legal-do-donts>

#### **Boston Globe (Recreational Marijuana: Can Do & Cannot Do)**

<https://www.bostonglobe.com/metro/2016/12/12/here-what-you-can-and-cannot-when-pot-becomes-legal-thursday/zXhyt6uDx365NPRaNCjCL/story.html>