



Alabama Laws & Penalties

- [Mandatory Minimum Sentence](#)
- [Medical CBD](#)
- [Tax Stamps](#)

Offense	Penalty	Incarceration	Max. Fine
Possession			
Personal Use			
Any amount	Misdemeanor	1 year	\$ 6,000
Other Than Personal Use			
Any amount	Felony	1 year and 1 day* - 10 years	\$ 15,000
* Mandatory minimum sentence and fine			
Sale			
Any amount	Felony	2* - 20 years	\$ 30,000
By a person over 18 to a minor	Felony	10 years - life	\$ 60,000

Within 3 mile radius of a school or a public housing project	Felony	5 years	\$ 0
* Mandatory minimum sentence and fine			
Trafficking			
In excess of 2.2 lbs - less than 100 lbs	Felony	3 years*	\$ 25,000
100 lbs - less than 500 lbs	Felony	5 years*	\$ 50,000
500 lbs - less than 1,000 lbs	Felony	15 years*	\$ 200,000
* Mandatory minimum sentence and fine			
Cultivation			
Manufacture 2nd Degree	Felony	2* - 20 years	\$ 30,000
Manufacture 1st Degree	Felony	10 years - life	\$ 60,000
* Mandatory minimum sentence and fine			
Hash & Concentrates			
Possession	Felony	1 year and 1 day - 10 years	\$ 15,000
Manufacture 2nd Degree	Felony	2 - 20 years	\$ 30,000
Manufacture 1st Degree	Felony	10 years - life	\$ 60,000
Paraphernalia			
Use or possession of paraphernalia with intent to use	Misdemeanor	1 year	\$ 6,000
Delivery or sale	Misdemeanor	1 year	\$ 6,000
Use, deliver, or sell, possess with intent to deliver or sell, or manufacture with intent to deliver or sell, or to possess with intent to use, drug paraphernalia to manufacture a controlled substance	Felony	1 year and 1 day - 10 years	\$ 15,000
Subsequent violation of delivery or sale	Felony	1 year and 1 day - 10 years	\$ 15,000
Delivery or sale to a minor	Felony	2 - 20 years	\$ 30,000
Miscellaneous			
A marijuana conviction will result in a 6 month driver's license suspension.			
Carly's Law is an affirmative and complete defense for the parent or caretaker of an individual who has a prescription for the possession and use of cannabidiol (CBD).			

Penalty Details

Possession for Personal Use

In Alabama, marijuana for "personal use only" is a Class A Misdemeanor, punishable by a maximum sentence of 1 year and a maximum fine of \$6,000.

Marijuana possessed for reasons other than "personal use," or if the offender has been previously convicted of marijuana possession for "personal use" only, is unlawful possession of marijuana in the first degree and is a Class C felony, punishable by a prison sentence of a minimum of one year in prison and a maximum sentence of 10 years in prison, along with a maximum fine of \$15,000.

See

- Code of Alabama §13A-5-6 [Web Search](#)
- Code of Alabama §13A-5-7 [Web Search](#)
- Code of Alabama § 13A-5-11 [Web Search](#)
- Code of Alabama §13A-5-12 [Web Search](#)
- Code of Alabama §13A-12-213 [Web Search](#)
- Code of Alabama §13A-12-214 [Web Search](#)
- Code of Alabama §13A-12-214.2 [Web Search](#)
- Code of Alabama Section §20-2-23 [Web Search](#)

Sale

Sale of a controlled substance in Alabama is a Class B felony punishable with a minimum sentence of 2 years and a maximum sentence of 20 years, along with a maximum fine of \$30,000.

The sale to a minor is a felony which is punishable by a sentence of 10 years-life imprisonment and a maximum fine of \$60,000.

Sale within 3 miles of a school or a public housing project is an additional felony punishable by an additional sentence of 5 years imprisonment.

* The imposition of the sentence will not be suspended and probation will not be granted.

See

- Code of Alabama §13A-5-6 [Web Search](#)
- Code of Alabama §13A-5-11 [Web Search](#)
- Code of Alabama §13A-12-211 [Web Search](#)
- Code of Alabama §13A-12-215 [Web Search](#)
- Code of Alabama §13A-12-250 [Web Search](#)
- Code of Alabama §13A-12-270 [Web Search](#)

Cultivation

Cultivation in Alabama is punished as either simple possession or as possession with intent to distribute, depending on the amount of marijuana being produced and other factors that may lead to the conclusion that the marijuana was being grown for reasons other than strict personal use. See the "Possession for Personal Use" section for further penalty details.

Unlawful manufacture of a controlled substance in the 2nd degree. The manufacturing of a controlled substance under Schedules I. Unlawful manufacture of a controlled substance in the second degree is a Class B felony.

See

- Code of Alabama §13A-12-217 [Web Search](#)

Unlawful manufacture of a controlled substance in the 1st Degree. Unlawful manufacture in the 2nd Degree AND any of the following two:

- Possession of a firearm.
- Use of a booby trap.
- Illegal possession, transportation, or disposal of hazardous or dangerous materials or while transporting or causing to be transported materials in furtherance of a clandestine laboratory operation, there was created a substantial risk to human health or safety or a danger to the environment.
- A clandestine laboratory operation was to take place or did take place within 500 feet of a residence, place of business, church, or school.
- A clandestine laboratory operation actually produced any amount of a specified controlled substance.

See

- Code of Alabama §13A-12-218 [Web Search](#)

Trafficking

The sale, cultivation, or manufacture of 2.2 lbs- 100 lbs. is considered trafficking and is a felony punishable by a mandatory minimum sentence of 3 years imprisonment and a possible sentence of 10-99 years, as well as a maximum fine of \$25,000.

The sale, cultivation, or manufacture of 100 lbs.- 500 lbs. is a felony punishable by a mandatory minimum sentence of 5 years and a maximum fine of \$50,000.

The sale, cultivation, or manufacture of 500 lbs.-1,000 lbs. is a felony punishable by a mandatory minimum sentence of 15 years and a maximum fine of \$200,000.

See

- Code of Alabama § 13A-12-231 [Web Search](#)

Hash & Concentrates

In Alabama, hashish and THC concentrates are Schedule 1 substances.

Possession of a Schedule I substance is a Class C felony. A conviction for a Class C felony results in a sentence of 1 year and one day to 10 years. This differs from Alabama's treatment of marijuana because with hashish there is no lesser penalty for personal use. Possession of hashish or concentrates in Alabama will be a Class C felony even if the compound would have been for personal use.

Manufacture of hashish and THC concentrates are considered manufacture of a controlled substance in the second degree which is punishable as a Class B felony. A Class B felony conviction is punishable by a term of imprisonment between 2 - 20 years and a fine no greater than \$30,000. The possession of equipment or materials with the intent to manufacture a controlled substance is included under the charge of manufacture.

Manufacture of a Schedule I substance is a Class A felony if two or more of these factors are met:

- The manufacture occurred within 500 feet of a school, church, place of business, or home;
- During the manufacture a person 17 years old or young was present;
- The manufacture produced any amount of a Schedule I substance;
- A firearm was present;
- There was the use of a booby trap;

- A danger was created during the transportation or delivery of dangerous materials necessary for the manufacture that posed a risk to human health or safety.

Class A felonies conviction is punishable by a term of imprisonment between 10 - 99 years and a fine no greater than \$60,000 or twice the value of manufacturing materials and products.

See

- Code of Alabama §13A-5-6 [Web Search](#)
- Code of Alabama §13A-5-11 [Web Search](#)
- Code of Alabama §13A-12-212 [Web Search](#)
- Code of Alabama §13A-12-217 [Web Search](#)
- Code of Alabama §13A-12-218 [Web Search](#)
- Code of Alabama §20-2-23 [Web Search](#)

Sale, furnishing, or giving a Schedule I substance by a person over 18 to a person under 18 is a Class A felony, punishable by a term of imprisonment between 10-99 years and a fine no greater than 60,000 or twice the value of the concentrate involved.

See

- Code of Alabama §13A-12-215 [Web Search](#)

Paraphernalia

Sale or possession of paraphernalia is a Class A misdemeanor punishable by a maximum sentence of 1 year imprisonment and a maximum fine of \$6,000.

Sale of paraphernalia to a minor 3 or more years younger than the seller is a Class B felony punishable by 2-20 years imprisonment and a maximum fine of \$30,000.

See

- Code of Alabama §13A-5-6 [Web Search](#)
- Code of Alabama §13A-5-7 [Web Search](#)
- Code of Alabama §13A-5-11 [Web Search](#)
- Code of Alabama §13A-5-12 [Web Search](#)
- Code of Alabama §13A-12-260 [Web Search](#)

Miscellaneous

A marijuana conviction will result in a 6 month driver's license suspension.

See

- Code of Alabama §13A-12-290 [Web Search](#)
- Code of Alabama §13A-12-291 [Web Search](#)

MANDATORY MINIMUM SENTENCE

When someone is convicted of an offense punishable by a mandatory minimum sentence, the judge must sentence the defendant to the mandatory minimum sentence or to a higher sentence. The judge has no power to sentence the defendant to less time than the mandatory minimum. A prisoner serving an MMS for a federal offense and for most

state offenses will not be eligible for parole. Even peaceful marijuana smokers sentenced to "life MMS" must serve a life sentence with no chance of parole.

MEDICAL CBD

This state has passed a [medical CBD](#) law allowing for the use of cannabis extracts that are high in CBD and low in THC to treat severe, debilitating epileptic conditions.

TAX STAMPS

This state has a marijuana [tax stamp](#) law enacted. This law mandates that those who possess marijuana are legally required to purchase and affix state-issued stamps onto his or her contraband. Failure to do so may result in a fine and/or criminal sanction. For more information, see NORML's report [Marijuana Tax Stamp Laws And Penalties](#).

Alabama CBD-Specific Marijuana Law

Status

2014

QUALIFYING CONDITIONS

- Debilitating epileptic conditions

PATIENT POSSESSION LIMITS

Possession of CBD by persons who are acting outside of state-sponsored clinical trials is not permitted under the law.

HOME CULTIVATION

No

STATE-LICENSED DISPENSARIES

No

CAREGIVERS

No

RECIPROCITY

No

CONTACT INFORMATION

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