

SENATE, No. 353

STATE OF NEW JERSEY 220th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2022 SESSION

Sponsored by:

Senator VIN GOPAL

District 11 (Monmouth)

Senator TROY SINGLETON

District 7 (Burlington)

Co-Sponsored by:

Senators Diegnan, Turner, Stanfield and Zwicker

SYNOPSIS

Legalizes growing or possessing up to six marijuana plants for personal recreational use, and up to 10 plants for personal medical use, by persons aged 21 or older.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 3/3/2022)

1 AN ACT concerning marijuana and amending various parts of the
2 statutory law.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. N.J.S.2C:35-4 is amended to read as follows:

8 2C:35-4. a. Except as authorized by P.L.1970, c.226 (C.24:21-1
9 et seq.), any person who knowingly maintains or operates any
10 premises, place or facility used for the manufacture of
11 methamphetamine, lysergic acid diethylamide, phencyclidine,
12 gamma hydroxybutyrate, flunitrazepam, **[marijuana in an amount**
13 **greater than five pounds or ten plants]** or any substance listed in
14 Schedule I or II, or the analog of any such substance, or any person
15 who knowingly aids, promotes, finances or otherwise participates in
16 the maintenance or operations of such premises, place or facility, is
17 guilty of a crime of the first degree and shall, except as provided in
18 N.J.S.2C:35-12, be sentenced to a term of imprisonment which shall
19 include the imposition of a minimum term which shall be fixed at,
20 or between, one-third and one-half of the sentence imposed, during
21 which the defendant shall be ineligible for parole. Notwithstanding
22 the provisions of subsection a. of N.J.S.2C:43-3, the court may also
23 impose a fine not to exceed \$750,000.00 or five times the street
24 value of all controlled dangerous substances, controlled substance
25 analogs, gamma hydroxybutyrate or flunitrazepam at any time
26 manufactured or stored at such premises, place or facility,
27 whichever is greater**[.]**;

28 b. As set forth in this subsection, growing or possessing
29 marijuana plants for personal recreational use or personal medical
30 use by a person aged 21 or older is not subject to any punishment,
31 as this possession is not a crime, offense, act of delinquency, or
32 civil violation of law. This subsection applies under the following
33 circumstances:

34 (1) A person aged 21 or older may grow or possess up to six
35 marijuana plants for personal recreational use, with a maximum of
36 12 plants per household; and

37 (2) A qualifying patient as defined in section 3 of P.L.2009,
38 c.307 (C.24:6I-3), aged 21 or older, or a designated caregiver, as
39 defined in section 3 of P.L.2009, c.307 (C.24:6I-3), aged 21 or
40 older, on behalf of the qualifying patient, may grow or possess up to
41 10 marijuana plants for personal medical use, with a maximum of
42 12 plants per household.

43 (cf: P.L.1999, c.133, s.2)

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

