

**TITLE 4: ECONOMIC RESOURCES**  
**DIVISION 5: BUSINESS REGULATION**

**§ 53006. Applicability of Certain Provisions of this Chapter to Homegrown Marijuana and Homemade Marijuana Products.**

(a) 4 CMC §§ 53011, 53013–53017, 53019–53027, 53031–53038, 53040–53044, 53048, 53050–53053, 53055–53056, 53065, and 53073–53076 do not apply:

(1) To the production, processing, keeping, or storage of homegrown marijuana at a household for non-commercial purposes by one or more persons 21 years of age and older, if the total of homegrown marijuana at the household or cultivation site does not exceed six (6) mature marijuana plants and no more than twelve (12) immature plants at any time. The marijuana produced by the person's marijuana plants must remain in the same secure location where the marijuana was cultivated or secured at a person's household and such person holds a homegrown marijuana registry card issued by the Commission.

(2) To the production, processing, keeping, or storage of useable marijuana at a household for non-commercial purposes by one or more persons 21 years of age and older, if the total amount of usable marijuana at the household or cultivation site does not exceed eight (8) ounces of useable marijuana at any time.

(3) To the production, processing, keeping, or storage of homegrown marijuana at a household for non-commercial purposes by a medical marijuana patient or the patient's caregiver who may exceed the six (6) mature marijuana plant limit but not more than twelve (12) mature plants and twenty-four (24) immature plants should the patient's physician deem it necessary and practical for the effective treatment of the medical marijuana patient; provided that any additional marijuana produced by the person's marijuana plants in excess of one (1) ounce of marijuana or eight (8) ounces of useable marijuana must remain in the same secure location where the marijuana was cultivated or secured at a person's household and such person holds a homegrown marijuana registry card issued by the Commission, and a document with a physician statement recommending the use of marijuana for medicinal use showing the name of the patient or the caregiver.

(4) To the making, processing, keeping, or storage of marijuana products at a household by one or more persons 21 years of age and older, that are properly identified and properly secured to ensure in an enclosed, locked space that persons under 21 years of age do not possess a key.

(5) To the delivery, possession, transport, or gifting of not more than one (1) ounce of any usable marijuana at any given time by a person 21 years of age and older to another person 21 years of age or older for non-commercial purposes.

(6) To the delivery, possession, transport, or gifting of not more than sixteen (16) ounces of any marijuana products in solid form at any given time

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by a person 21 years of age or older to another person 21 years of age or older for non-commercial purposes.

(7) To the delivery, possession, transport, or gifting of not more than seventy-two (72) ounces of any marijuana products in liquid form at any given time by a person 21 years of age or older to another person 21 years of age or older for non-commercial purposes.

(8) To the delivery, possession, transport, or gifting of not more than five (5) grams of marijuana extracts at any given time by a person 21 years of age or older to another person 21 years of age or older for non-commercial purposes.

(9) To the delivery, possession, transport, or gifting of not more than six (6) immature marijuana plants at any given time by a person 21 years of age or older to another person 21 years of age or older for non-commercial purposes.

(10) To the transportation of any amount of harvested homegrown marijuana from a person's cultivation site being directly transported to the person's household at any given time by one or more persons 21 years of age or older, whereas the harvested homegrown marijuana will be secured at the person's household.

(11) To the making, processing, keeping, or storage of homemade marijuana extracts or marijuana concentrates at a household by one or more persons 21 years of age and older if the marijuana extracts or concentrates were produced using only water or vegetable glycerin solvents or other forms of non-solvent extraction processing methods, as described in 4 CMC § 53057(a) of this chapter.

(b) This section is subject to the following terms:

(1) Marijuana plants shall be cultivated in a location where the plants are not subject to public view without the use of binoculars, aircraft, or other optical aids.

(2) A person who cultivates marijuana must take reasonable precautions to ensure the plants are secure from unauthorized access and access by a person under the age of 21. For purposes of illustration and not limitation, cultivating marijuana in an enclosed, locked space that persons under 21 years of age do not possess a key to constitutes reasonable precautions.

(3) Marijuana cultivation may only occur on property lawfully in possession, either by appropriate lease or actual ownership, of the cultivator or with the consent of the person in lawful possession of the property.

(4) A person may not sell homegrown marijuana or plants, marijuana products or marijuana items to any person for consideration.

(5) Any homegrown marijuana or plants, marijuana products or items that are delivered as a gift must be accepted by the recipient in order for the transfer to be complete.

(6) A person who violates this section while otherwise acting in compliance with this chapter is guilty of a violation punishable by a civil

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infraction punishable by a fine of \$100 for a first offense. If the person is found guilty of a second offense, then their marijuana will be confiscated and they will be fined \$500. If a person is found guilty of a third offense, their marijuana will be confiscated and then the person will be guilty of a misdemeanor punishable by a fine of up to \$1,000 and thirty (30) days of imprisonment, including revocation of their homegrown marijuana registry card.

**Source:** PL 20-66 § 2(106) (Sept. 21, 2018), modified.

**Commission Comment:** The Commission changed “Act” to “chapter” pursuant to 1 CMC § 3806(g). The Commission changed internal section references in (a) and (a)(11) to reflect section re-numbering pursuant to 1 CMC § 3806(c). The Commission changed “does not” to “do not” in (a) pursuant to 1 CMC § 3806(g). The Commission changed the capitalization of “NO MORE THAN TWELVE” in (a); “Sixteen” in (a)(6); and “Section” in (b) pursuant to 1 CMC § 3806(f). The Commission changed “noncommercial” to “non-commercial” pursuant to 1 CMC § 3806(g).