

TITLE 4: ECONOMIC RESOURCES
DIVISION 5: BUSINESS REGULATION

§ 53045. Prohibition Against Importing and Exporting Marijuana.

(a) A person may not import marijuana items into the Commonwealth or export marijuana items from the Commonwealth.

(b) Marijuana items may not be imported into this Commonwealth or exported from this Commonwealth by any licensee or licensee representative unless permitted by the Commission. The Commission may not pass a regulation permitting the importation or exportation of marijuana items unless the Attorney General certifies to the Commission that the importation and exportation of marijuana items will not violate federal law.

(c) For purposes of this chapter, “export” includes placing a marijuana item in any mode of transportation for hire, such as luggage, mail, or parcel delivery, even if the transportation of the marijuana item is intercepted prior to the marijuana item leaving the Commonwealth.

(d) Except as provided in subsection (e), a violation of this section is punishable by a fine of \$250 for the first offense, or \$1,000 for a second and subsequent offense.

(e) A violation of this section is:

(1) Punishable by imprisonment of not more than five (5) years and a fine of not less than \$5,000, or both, if the importation or exportation:

(i) Is not for consideration and the person holds a license as a producer, processor, wholesaler, retailer, or marijuana lounge issued pursuant to this chapter; or

(ii) Concerns an amount of marijuana items that exceeds the applicable maximum amount specified in 4 CMC § 53071(a)(1)–(7).

(2) Punishable by imprisonment of not more than ten (10) years and fine of \$25,000, or both, if the importation or exportation:

(i) Is for consideration and the person holds a license as a producer, processor, wholesaler, retailer, or marijuana lounge issued pursuant to this chapter; or

(ii) Concerns an amount of marijuana items that exceeds 16 times the applicable maximum amount specified in 4 CMC § 53071(a)(1)–(7).

Source: PL 20-66 § 2(145) (Sept. 21, 2018), modified.

Commission Comment: The Commission changed “Act” to “chapter” in (c) and (e)(1)(i) pursuant to 1 CMC § 3806(g). The Commission inserted a comma after “mail” in (c); after “\$5,000” in (e)(1); after “retailer” in (e)(1)(i); and after “retailer” in (e)(2)(i); and struck “of this section” in (d) pursuant to 1 CMC § 3806(g). The Commission re-numbered the subsections of (e)(1) and (e)(2) pursuant to 1 CMC § 3806(a). The Commission changed “Section 171 (a)(1)-(7) of this Act” to “4 CMC § 53071(a)(1)–(7)” in (e)(1)(ii) and (e)(2)(ii) pursuant to 1 CMC § 3806(c) and (g).