

## Guidance on Home Cultivation for Adult Use

The following is not legal advice. Please consult an attorney if you have any questions regarding the law regarding marijuana for adult use.

### Can I grow my own marijuana in my home?

- Yes. The law allows an individual over 21 years of age to grow up to six plants in their home.

### Important Restrictions

- A home cultivator must be at least 21 years old;
- A home cultivator may only grow up to six plants in their home;
- If there is more than one individual over 21 years of age living in the residence who wish to grow at home, the maximum number of plants that may be grown in a residence is 12 plants;
- The plants must be grown in an area that is equipped with a lock or security device;
- The plants cannot be visible from a public place without the use of binoculars, aircraft or other optical aids;
- An individual cannot manufacture at home marijuana or hemp by means of any liquid or gas, other than alcohol, that has a flashpoint below 100 degrees Fahrenheit; and
- A violation of the law regarding home cultivation is subject to a fine of up to \$300 and forfeiture of the marijuana.

<i>Penalties for Unauthorized Cultivation Under State Law</i>	
<b>Description of Violation</b>	<b>Penalty</b>
Home cultivation visible from a public place without the use of binoculars, aircraft or other optical aids.	Civil penalty of no more than \$300 + Forfeiture of the marijuana
An individual 21 years or older found cultivating more than 6 marijuana plants, but not exceeding 12 plants.	Civil penalty of not more than \$100 + Forfeiture of the unauthorized amount of marijuana
An individual 18-20 years old (unless a patient with a registration card for medical use of marijuana) found cultivating 12 marijuana plants or less.	Civil penalty of not more than \$100 + Completion of a drug awareness program

<i>Penalties for Unauthorized Cultivation Under State Law</i>	
<b>Description of Violation</b>	<b>Penalty</b>
An individual 18-20 years old (unless a patient with a registration card for medical use of marijuana) found cultivating 12 marijuana plants or less.	Civil penalty of not more than \$100 + Completion of a drug awareness program
An individual under 18 years old found cultivating 12 marijuana plants or less.	Civil penalty of not more than \$100 + Completion of a drug awareness program + Notification of parent or legal guardian
An individual under 17 years old found cultivating 12 marijuana plants or less.	Civil penalty of not more than \$100 + completion of a drug awareness program + notification of parent or legal guardian  <b>Failure to complete drug awareness program within 1 year of offense may be basis for delinquency proceedings</b>

**Questions?** If you have additional questions, please contact the Commission at (617) 701-8400 or CannabisCommission@State.MA.US.