152.0264 CANNABIS SALE CRIMES.

Subdivision 1. **Sale of cannabis in the first degree.** An adult is guilty of the sale of cannabis in the first degree and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than $10,000, or both, if the adult unlawfully sells more than two ounces of cannabis flower; more than eight grams of cannabis concentrate; or edible cannabis products, lower-potency hemp edibles, or hemp-derived consumer products infused with more than 800 milligrams of tetrahydrocannabinol:

(1) to a minor and the defendant is more than 36 months older than the minor;

(2) within ten years of two or more convictions under subdivision 2 or 3; or

(3) within ten years of a conviction under this subdivision.

Subd. 2. **Sale of cannabis in the second degree.** An adult is guilty of sale of cannabis in the second degree and may be sentenced to imprisonment for not more than 364 days or to payment of a fine of not more than $3,000, or both, if the adult:

(1) unlawfully sells more than two ounces of cannabis flower; more than eight grams of cannabis concentrate; or edible cannabis products, lower-potency hemp edibles, or hemp-derived consumer products infused with more than 800 milligrams of tetrahydrocannabinol:

(i) in a school zone, a park zone, or a drug treatment facility; or

(ii) within ten years of a conviction under subdivision 1, 2, or 3; or

(2) unlawfully sells cannabis flower, cannabis concentrate, edible cannabis products, lower-potency hemp edibles, or hemp-derived consumer products to a minor.

Subd. 3. **Sale of cannabis in the third degree.** An adult is guilty of sale of cannabis in the third degree and may be sentenced to imprisonment for not more than 90 days or to payment of a fine of not more than $1,000, or both, if the adult unlawfully sells:

(1) more than two ounces of cannabis flower;

(2) more than eight grams of cannabis concentrate; or

(3) edible cannabis products, lower-potency hemp edibles, or hemp-derived consumer products infused with more than 800 milligrams of tetrahydrocannabinol.

Subd. 4. **Sale of cannabis in the fourth degree.** (a) An adult is guilty of a petty misdemeanor if the adult unlawfully sells:

(1) not more than two ounces of cannabis flower;

(2) not more than eight grams of cannabis concentrate; or

(3) edible cannabis products, lower-potency hemp edibles, or hemp-derived consumer products infused with not more than 800 milligrams of tetrahydrocannabinol.

(b) A sale for no remuneration by an individual over the age of 21 to another individual over the age of 21 is not an unlawful sale under this subdivision.

Subd. 5. **Sale of cannabis by a minor.** (a) A minor is guilty of a petty misdemeanor if the minor unlawfully sells:

(1) not more than two ounces of cannabis flower;

(2) not more than eight grams of cannabis concentrate; or

(3) edible cannabis products, lower-potency hemp edibles, or hemp-derived consumer products infused with not more than 800 milligrams of tetrahydrocannabinol.

(b) A minor is guilty of a misdemeanor if the minor unlawfully sells:

(1) more than two ounces of cannabis flower;

(2) more than eight grams of cannabis concentrate; or

(3) edible cannabis products, lower-potency hemp edibles, or hemp-derived consumer products infused with more than 800 milligrams of tetrahydrocannabinol.

History: *2023 c 52 art 6 s 16; 2023 c 63 art 4 s 20*