



December 16, 2022

**To:** 2022 Special Committee on Medical Marijuana

**From:** Kate Smeltzer, Research Analyst

**Re:** Limitations on Possession of Usable Medical Marijuana

This memorandum provides information in response to requests regarding possession limitations of usable marijuana made during the December 9, 2022, meeting of the Special Committee on Medical Marijuana.

### **Usable Marijuana Possession Limitations**

In many states, the term “usable marijuana” generally means the dried leaves and flowers of the cannabis plant and cannabis-derived products, including concentrates, but not including seeds, stalks, or roots of the plant. The term is used in the context of defining the amount of marijuana products a registered patient is allowed to buy. However, certain states differentiate between smokable and usable medical marijuana products. Below is a list of states that have usable marijuana possession limitations.

- Michigan: A registered patient may possess a combined total of 2.5 ounces of raw medical marijuana and usable marijuana equivalents.
- Mississippi: A qualified patient is allowed no more than 3.5 ounces of cannabis flower, 1 ounce of cannabis concentrate, or 2.8 grams of tetrahydrocannabinol (THC) contained in cannabis-infused products.
- Missouri: According to Missouri’s Department of Health, a qualifying patient’s physician may certify the patient to possess up to a 60 day supply (or 8 ounces) of dried, unprocessed marijuana, or its equivalent.
- Nevada: A patient is allowed to obtain edible marijuana products and marijuana-infused products in an amount that is equivalent to 2.5 ounces of usable marijuana and does not exceed 10,000 milligrams of THC per patient per 14-day period.
- Oklahoma: A patient is allowed no more than 72 ounces of edible marijuana products, 72 ounces of topical marijuana, 8 ounces of marijuana in the residence, and 1 ounce of concentrated marijuana.

- Rhode Island: A patient is permitted to obtain 2.5 ounces of usable marijuana, or its equivalent. Patients are also allowed an unspecified amount of “wet marijuana,” defined in Rhode Island Gen. Law § 21-28.6-4 as “harvested leaves and flowers of the marijuana plant before they have reached a dry usable state. Marijuana that has been dried to a usable state shall be assumed to have a yielded twenty percent (20%) of the weight of the wet marijuana as defined in Appendix A of these Regulations”.
- Virginia: A patient is allowed to obtain more than one cannabis product (cannabidiol oil or botanical cannabis) at a time. However, a patient cannot have more than 4 ounces of botanical cannabis per 30-day period, and any botanical cannabis is calculated into the total 90-day supply of medical cannabis products that may be obtained by a patient.
- Washington: For qualifying patients, a single transaction is limited to 3 ounces of usable cannabis, 48 ounces of cannabis-infused product meant to be eaten or swallowed in solid form; 21 grams of cannabis-infused extract or cannabis concentrate for inhalation, and 216 ounces of cannabis-infused product in liquid form meant to be eaten or swallowed.

For additional information on medical marijuana possession limits and THC limits, please refer to previously provided memorandums regarding possession and potency limitations.