

HOUSE BILL 841

By Cooper B

AN ACT to amend Tennessee Code Annotated, Title 39,  
Chapter 17, Part 4, relative to possession of  
marijuana.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-17-418(a), is amended by deleting the language "It is an offense" and by substituting the language "Except as provided by subsection (g), it is an offense."

SECTION 2. Tennessee Code Annotated, Section 39-17-418(c), is amended by deleting the language "(d) and (e), " and by substituting the language "(d), (e) and (g),".

SECTION 3. Tennessee Code Annotated, Section 39-17-418, is amended by adding the following as a new subsection (g):

(g)

(1) It is an offense for a person who is at least age eighteen (18) but younger than age twenty-two (22) to knowingly possess a small amount of marijuana not in excess of one-half ( $\frac{1}{2}$ ) ounce (14.175 grams).

(2) A violation of this subsection (g) is a Class C misdemeanor punishable only as provided in this subsection(g). For a first offense under this subsection (g), an offender shall be punished only by probation and may not be incarcerated unless the offender violates the terms of probation. Probation shall be conditioned to require good behavior and shall prohibit offenders from entering establishments open to the public where liquor, wine or other alcoholic beverages, as defined in § 57-3-101(a)(1)(A), or beer, as defined in § 57-6-102(1), are served for consumption on the premises. To the extent resources reasonably permit, the board of probation and parole shall refer offenders to job training or substance abuse programs when appropriate.

(3) For second or subsequent offenses under this subsection (g), subsection (e) shall apply.

(4) If a person knowingly possesses an amount of marijuana in excess of one-half ( $\frac{1}{2}$ ) ounce (14.175 grams) it shall be an offense under subsection (a) of this section.

SECTION 4. This act shall take effect July 1, 2011, the public welfare requiring it.