

# HF1355 - Expanding cannabis decriminalization

*Produced by Minnesota NORML and Sensible Change Minnesota*

## What does HF1355 do?

- Reduces penalties for possession of a small personal amount (up to 8 grams) of non-flower THC products (edibles, wax, topicals, etc.) to a petty misdemeanor.
- Removes a drug education program requirement and driver's license revocations for those caught possessing or giving away a small amount of cannabis.
- Allows the expungement of records for individuals with felony records if the charge would no longer be a felony after this bill becomes law.
- Excludes possession of a small amount of marijuana from the definition of "crime of violence," and provides a path to restore second amendment rights to those convicted of personal cannabis possession.
- Reduces penalties for some first-time offenders possessing more than the petty misdemeanor limit.
- Creates an affirmative defense in court for medical cannabis patients who weren't actively signed up for Minnesota's medical cannabis program at the time of their arrest.
- Provides automatic expungement for petty misdemeanor cannabis-related offenses after a 1 year waiting period.

## Why these changes are needed:

Minnesota decriminalized bud/flower cannabis in the 1970s, but did not include any other forms of cannabis, like edibles and wax, meaning that individuals caught with these products face felony charges instead of petty misdemeanor tickets. This is increasingly problematic because the trends in MN's illicit market are shifting heavily toward non-flower cannabis, resulting in more felony charges instead of petty misdemeanor tickets. *In 2013, Minnesota's Drug Task Forces (VCETs) seized 353 grams of non-flower cannabis. In 2021, that number ballooned to 580,533 grams of edibles and wax and 91,461 THC vape cartridges.*

*Prison for a petty misdemeanor?* The feds think so. In *US v. Foote* (2013), a federal court sent the defendant to prison after counting a petty misdemeanor possession ticket in his criminal history score.

## Who supports HF1355?

Minnesota NORML

Minneapolis Students for Sensible Drug Policy

Minnesotans for Responsible Marijuana Regulation

Republicans Against Marijuana Prohibition

Twin Cities Cannabis

The Reason Foundation

Sensible Change Minnesota

Americans for Prosperity - Minnesota

Minnesota Republican Liberty Caucus

Minnesota Veterans for Cannabis

Law Enforcement Action Partnership

Minnesota Gun Owners Caucus (Sec. 13, lines 7.15-7.16 and Sec. 16 of the DE1 Amendment)