

**§1117. Cultivating marijuana**

1. Except as provided in subsection 4, a person is guilty of cultivating marijuana if:

A. The person intentionally or knowingly grows or cultivates marijuana. Violation of this paragraph is a Class E crime; or [PL 2009, c. 631, §2 (AMD); PL 2009, c. 631, §51 (AFF).]

B. The person violates paragraph A and the number of marijuana plants is:

(1) Five hundred or more. Violation of this subparagraph is a Class B crime;

(2) One hundred or more but fewer than 500. Violation of this subparagraph is a Class C crime;

(3) More than 5 but fewer than 100. Violation of this subparagraph is a Class D crime; or

(4) Five or fewer. Violation of this subparagraph is a Class E crime. [PL 2001, c. 383, §148 (NEW); PL 2001, c. 383, §156 (AFF).]

[PL 2009, c. 631, §2 (AMD); PL 2009, c. 631, §51 (AFF).]

2.

[PL 2001, c. 383, §148 (RP); PL 2001, c. 383, §156 (AFF).]

3. It is an affirmative defense to prosecution under this section that the substance cultivated or grown is hemp.

[PL 2019, c. 12, Pt. B, §11 (AMD).]

4. A person is not guilty of cultivating marijuana if the conduct is expressly authorized by Title 22, chapter 558-C or Title 28-B.

[PL 2017, c. 409, Pt. B, §10 (AMD).]

**SECTION HISTORY**

PL 1999, c. 374, §5 (NEW). PL 2001, c. 383, §148 (RPR). PL 2001, c. 383, §156 (AFF). PL 2003, c. 61, §9 (AMD). PL 2009, c. 631, §§2, 3 (AMD). PL 2009, c. 631, §51 (AFF). PL 2017, c. 409, Pt. B, §10 (AMD). PL 2019, c. 12, Pt. B, §11 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the Second Regular Session of the 131st Maine Legislature and is current through January 1, 2025. The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.