

Connecticut Cannabis Enforcement: A Statutory Guide

For municipal and state police, prosecutors, Department of Consumer Protection agents, probation, campus police and town officials. What each statute says in its own words, the penalty it carries, and the options the General Assembly already wrote into the law.

By Connecticut CannaTimes Editorial Staff · Statute text is quoted word for word; our analysis is labeled

At the scene: quick answers

The situations that come up most, with the short answer under the statute. Each links to the full text.

1. Odor of cannabis on a stop p. 15

Odor is not a basis to stop a car or search a person or vehicle, and evidence from such a search is inadmissible (§ 54-33p). Two narrow exceptions: an impairment test when impaired operation is reasonably suspected, and a stop for consuming while driving when the officer both sees the driver actively consuming and smells burnt cannabis (§ 53a-213a(c)).

2. Several small bags in the car, such as five 3.5-gram bags p. 11

Five 3.5 g bags total 17.5 g, about 0.62 oz, under the 1.5 oz limit. No statute requires an adult to keep cannabis in dispensary packaging or to carry receipts. Possession of 5 oz or less is not grounds for a search (§ 54-33p(a)(2)). Separate bags are consistent with separating strains or portions; intent to sell needs evidence of sale. Even if proven, under 8 oz is a fine of not more than \$500 for a first offense (§ 21a-278b(c)).

3. More than 1.5 oz in the passenger compartment p. 6

Up to 5 oz is legal in a locked glove box or trunk. Over the limit but under 5 oz (8 oz locked) is a \$100 fine for a first offense (§ 21a-279a(d)). An SUV or hatchback rear is not a "trunk."

4. Cash found near cannabis p. 11

\$500 or less near cannabis is not grounds for a stop or search (§ 54-33p(a)(3)). Cash alone does not establish a sale.

5. Scale, grinder, pipe, papers or grow equipment p. 12

The paraphernalia offense excludes cannabis (§ 21a-267). A scale is consistent with checking one's own purchases against the label.

6. Someone smoking or eating cannabis in a moving car p. 15

Driver: class C misdemeanor (§ 53a-213a). Passenger: class D misdemeanor (§ 53a-213b). Impaired driving is a separate offense under § 14-227a.

7. Plants visible from the street, or growing in a yard p. 7

A DCP home-grow rule violation, with no penalty in the rule itself. Count mature and immature plants. Over the count or outside the residence falls under § 21a-278b, a misdemeanor. Weigh harvested material dry; growing plants are not "cannabis plant material."

8. Pop-up market, paid-entry event or "donation" for cannabis p. 13

§ 21a-421hhh: \$1,000 per transaction or per day, plus town and tax penalties. Each person's share under 8 oz: fine of not more than \$500 for a first offense (§ 21a-278b(c)).

9. One friend giving another cannabis p. 13

Expressly not prohibited between people with a genuine social relationship, with nothing in return and no commercial transaction (§ 21a-421hhh(a)).

10. Person under 18 with cannabis p. 18

"No person may be arrested" (§ 21a-279a(b)(3)). First offense: written warning, possible youth services referral.

11. Person 18 to 20 with cannabis p. 18

Under 5 oz: health-effects statement and \$50 fine for a first offense (§ 21a-279a(c)).

12. Person says they are a medical patient p. 17

Police have access to the DCP patient registry to verify (§ 21a-408d(d)(1)). Registered patients 18+ may grow 3 mature and 3 immature plants.

13. Shop selling THC products without a license p. 18

Unlicensed sales violate § 21a-420c (unfair trade practice; towns may shut the business) and § 21a-278b. Whether a product is hemp or cannabis is a lab question.

14. Someone called for medical help after using cannabis p. 6

Evidence found because help was sought cannot support charges under § 21a-279a(b)–(e) or § 21a-278b (§ 21a-279c).

15. Smoking cannabis in a public park or on town property p. 18

A town regulation, if the town has one. Fines for individuals are capped at \$50 (§ 7-148(c)(7)(H)(xvi)).

Master index by suspected violation

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Why this exists. Since July 1, 2021, Connecticut has had a cannabis-specific penalty structure: fines and misdemeanors scaled to the amount and the conduct. Older, harsher drug statutes are still on the books, and people are still charged under them for conduct the newer law addresses directly. This guide puts the statute text next to the charging options so the choice is visible.

How to read it. Blocks marked **STATUTE** are quoted word for word from the official text published by the Connecticut General Assembly. Blocks marked **CANNATIMES ANALYSIS** are our reading of how the pieces fit, including conflicts and open questions. Analysis is not a court ruling. This guide is not legal advice; check the current statute before relying on it.

Penalty table

Adults 21 and older unless stated. "First offense" penalties shown. Full text and conditions are in the numbered sections.

Conduct	Controlling statute	What the law provides
Possess up to 1.5 oz on the person, and up to 5 oz locked at home or in a locked glove box or trunk	§ 21a-279a(a)	Legal
Plants and harvest from one's own compliant home grow	§ 21a-279a(a)	Not counted toward the possession limit
Over the limit, but under 5 oz (8 oz locked)	§ 21a-279a(d)	\$100 fine; \$250 for a subsequent offense
5 oz or more (8 oz or more locked)	§ 21a-279a(e)	\$500 fine; class C misdemeanor for a subsequent offense

Conduct	Controlling statute	What the law provides
Grow up to 3 mature and 3 immature plants at one's primary residence, 12 per household	§ 21a-278c; § 21a-408d(b) (patients 18+)	Legal; DCP rules require an indoor, locked area not visible from public view
Sell, give, manufacture or grow cannabis without a license	§ 21a-278b(b)	Class B misdemeanor; class A misdemeanor for a subsequent offense
Same conduct involving less than 8 oz	§ 21a-278b(c)	Fine of not more than \$500; class C misdemeanor for a subsequent offense
Cannabis transferred at a paid event, a club, for a donation, or as a giveaway	§ 21a-421hhh	\$1,000 per offense (state), plus municipal fine and tax penalty
Gift between people with a genuine social relationship, nothing in return	§ 21a-421hhh(a)	Expressly not prohibited
Cannabis pipes, grinders, scales, grow equipment	§ 21a-267	The paraphernalia offense excludes cannabis
Odor of cannabis; possession of 5 oz or less; \$500 or less in cash near cannabis	§ 54-33p	Not grounds for a stop or search; evidence found is inadmissible
Seeking medical help for cannabis-related distress	§ 21a-279c	Immunity from § 21a-279a(b)–(e) and § 21a-278b for evidence found as a result

Conduct	Controlling statute	What the law provides
Sale, or possession with intent to sell, of 1 kilogram or more of a "cannabis-type substance," by a person who is not drug-dependent	§ 21a-278(b)	5 to 20 years, 5-year mandatory minimum; court may depart under § 21a-283a

1. Personal possession limits

STATUTE C.G.S. § 21a-279a(a)

"Any person twenty-one years of age or older may possess, use and otherwise consume cannabis, provided the amount of all such cannabis does not exceed such person's possession limit of (1) one and one-half ounces of cannabis plant material and five ounces of cannabis plant material in a locked container at such person's residence or a locked glove box or trunk of such person's motor vehicle, (2) an equivalent amount of cannabis products, as provided in subsection (i) of this section, or (3) an equivalent amount of a combination of cannabis and cannabis products, as provided in subsection (i) of this section. On and after July 1, 2023, a person's personal possession limit does not include any live plant or cannabis plant material derived from any live plant cultivated by such person in accordance with the provisions of section 21a-278c."

Over the limit. Section 21a-279a sets two fine tiers above the legal limit, not a felony:

- **Subsection (d):** more than the limit but less than 5 oz (8 oz locked at home or in a locked glove box or trunk): "for a (A) first offense, be fined one hundred dollars, and (B) subsequent offense, be fined two hundred fifty dollars."
- **Subsection (e):** 5 oz or more (8 oz or more locked): "for a (i) first offense, be fined five hundred dollars, and (ii) subsequent offense, be guilty of a class C misdemeanor." Under (e)(2), the court shall evaluate the person and "may suspend prosecution" and order treatment if the person is drug-dependent.

STATUTE C.G.S. § 21a-279a(j)(2)

"As used in this section, 'cannabis plant material' means cannabis flower, cannabis trim and all parts of any plant or species of the genus cannabis, or any infra specific taxon thereof, excluding a growing plant, and the seeds thereof. 'Cannabis plant material' does not include hemp, as defined in section 22-611."

Equivalents (subsection (i)). One ounce of plant material equals 5 grams of concentrate or products containing up to 500 mg of THC. The 1.5 oz limit equals 7.5 g of concentrate or 750 mg THC. Five ounces equals 25 g of concentrate or 2,500 mg THC. Amounts are converted to plant-material equivalents and added together.

Other provisions officers should know. The officer issuing a complaint under (b)–(e) "shall seize all cannabis" for destruction (subsection (f)). A person fined under the section may attest to indigency and perform community service instead, one hour per \$25 of fine (subsection (h)). Good-faith overdose calls bar prosecution under (b)–(e) for evidence found as a result (subsection (k)).

CANNATIMES ANALYSIS

The homegrown exclusion has no weight cap. It applies only to cannabis the person grew "in accordance with" § 21a-278c, so a grower who exceeded the plant count, grew outside the primary residence, or did not secure the plants cannot rely on it for that harvest.

A growing plant is not "cannabis plant material" at all under (j)(2). None of the sections quoted in this guide says whether harvested material is weighed wet or dry. Freshly cut plants carry a large share of their weight in water, so a wet weight can put a small personal harvest into a higher tier. Recording plant counts and a dried, trimmed weight, with the method used, is the defensible practice.

2. Home cultivation

STATUTE C.G.S. § 21a-278c (adults 21+)

"Notwithstanding the provisions of section 21a-278b, any consumer may cultivate up to three mature cannabis plants and three immature cannabis plants in the consumer's primary residence, provided such plants are secure from access by any individual other than the consumer and no more than twelve cannabis plants may be grown at any given time per household."

STATUTE C.G.S. § 21a-408d(b) (registered patients 18+), as amended by P.A. 26-8, § 27

"Any qualifying patient who is eighteen years of age or older may cultivate up to three mature cannabis plants and three immature cannabis plants in the patient's primary residence at any given time, provided such plants are secure from access by any individual other than the patient or patient's caregiver and no more than twelve cannabis plants may be grown per household."

DCP POLICIES & PROCEDURES § 21a-421j-39, "Home Grow" (effective November 12, 2024)

"(a) Cannabis plants shall be kept in an indoor, locked area, secured from access by anyone other than the consumer or qualifying patient cultivating such cannabis plants, or such qualifying patient's caregiver; (b) A qualifying patient's caregiver may assist with the cultivation and preparation of the cannabis plants for use by the qualifying patient; (c) Cannabis plants shall not be visible from public view without use of optical aids; and (d) Immature cannabis plants shall be non-flowering, not taller than eight inches, and not wider than eight inches."

Are the DCP rules law? Yes, for now. Section 21a-421j(b) says DCP's policies and procedures "shall have the force and effect of law" until replaced by final regulations. Public Act 26-8, § 78 (effective July 1, 2026) set the expiration at the earlier of final regulations or **July 1, 2028**. The indoor-only and not-visible requirements come from these rules, not from § 21a-278c itself.

Penalties. Section 21a-278c sets no penalty. The P&P sets no penalty for a home-grow violation. Cultivation outside the authorization falls under § 21a-278b, whose heading covers "growing of cannabis," and whose prohibition covers anyone who may "manufacture" cannabis. Section 21a-240(28) defines "manufacture" to include "cultivation, growing, propagation." See section 3 for § 21a-278b's penalties.

CANNATIMES ANALYSIS

An adult who grows a few plants too many, or grows them in the yard, has violated the home-grow rules. The statute the General Assembly wrote for unlicensed cannabis cultivation is § 21a-278b: a class B misdemeanor for a first offense, or a fine of not more than \$500 when less than 8 oz is involved. Nothing in § 21a-278c or the P&P converts a home-grow violation into a sale offense. Intent to sell is a separate element that has to be proven with evidence of intent, not inferred from plant count or wet weight alone.

Before July 1, 2023, § 21a-278b(d) gave unauthorized home growers of up to six plants a written warning for a first offense and excluded evidence found during unrelated police activity. That subsection is a useful indicator of how the legislature viewed small personal grows.

3. Sale, intent to sell and manufacturing

Since July 1, 2021, Connecticut has a separate statute for unlicensed cannabis activity. The general sale statute, § 21a-277(b), expressly excludes cannabis.

STATUTE C.G.S. § 21a-277(b)(1)

"No person may manufacture, distribute, sell, prescribe, dispense, compound, transport with the intent to sell or dispense, possess with the intent to sell or dispense, offer, give or administer to another person, except as authorized in this chapter or chapter 420f, any controlled substance other than (A) a narcotic substance, or (B) a hallucinogenic substance, or (C) cannabis."

STATUTE C.G.S. § 21a-278b

"(a) No person may manufacture, distribute, sell, prescribe, dispense, compound, transport with the intent to sell or dispense, possess with the intent to sell or dispense, offer, give or administer to another person cannabis or cannabis products, except as authorized in chapter 420b or 420f or sections 21a-420n, 21a-420p, 21a-420r to 21a-420t, inclusive, or 21a-420w to 21a-420z, inclusive.

(b) (1) Except as provided in subsection (c) or (d) of this section, any person eighteen years of age or older who violates subsection (a) of this section (A) for a first offense, shall be guilty of a class B misdemeanor, and (B) for any subsequent offense, shall be guilty of a class A misdemeanor.

(c) Any person eighteen years of age or older who violates subsection (a) of this section by manufacturing, distributing, selling, prescribing, compounding, transporting with the intent to sell or dispense, possessing with the intent to sell or dispense, offering, giving or administering to another person less than eight ounces of cannabis plant material, as defined in section 21a-279a, or an equivalent amount of cannabis products or a combination of cannabis and cannabis products, as provided in subsection (i) of section 21a-279a, (1) for a first offense, shall be fined not more than five hundred dollars, and (2) for any subsequent offense, shall be guilty of a class C misdemeanor."

The older felony. Section 21a-278(b) still covers "one kilogram or more of a cannabis-type substance," with a first-offense sentence of "not less than five years or more than twenty years." It "shall not apply to a person who is, at the time of the commission of the offense, a drug-dependent person." Section 21a-240(7) defines "cannabis-type substances" to include the plant "whether growing or not." One kilogram is about 2.2 pounds.

Enhancements. Section 21a-278a adds a mandatory consecutive term for sales to a person under 18 by an adult at least two years older (two years), for intent to sell at a specific location in or within 200 feet of a school, public housing project or identified licensed child care center (three years), and for using a minor to sell (three years). The location enhancement requires intent to sell at that location, not mere presence nearby.

Two statutes now reach the same cannabis conduct. Section 21a-278b, enacted in 2021, is specific to cannabis and scales the penalty to the amount. Section 21a-278(b)(1)(D), an older provision, still uses the old term "cannabis-type substance" and carries a five-year mandatory minimum at one kilogram. When the amount is near that line, how the cannabis is weighed (wet or dry, whole plant or usable flower) and whose cannabis it was decide which statute is in play.

Section 21a-278(b) excepts conduct "authorized in this chapter or chapter 420f." Compliant home cultivation is authorized in both chapters (§ 21a-278c and § 21a-408d). We located no Connecticut appellate decision resolving how the kilogram provision applies to compliant homegrown harvest or to cannabis seized from several people at once. Aggregating multiple people's cannabis into one weight requires a legal basis for each person's responsibility.

4. Packaging, portions, scales and cash

Individually bagged cannabis, a scale or some cash are often treated as signs of dealing. Here is what the statutes say about each.

- **No packaging requirement for adults.** Nothing in § 21a-279a or the other statutes in this guide requires an adult to keep cannabis in the dispensary's container or to carry a receipt. The only original-container rule in the drug chapter, § 21a-257, applies to "any narcotic drug" that "has been prescribed, sold or dispensed by a physician, dentist, pharmacist or other person authorized," not to cannabis. Child-resistant and labeling rules bind licensed businesses, not consumers.
- **Amount, not packaging, sets the possession tier.** Section 21a-279a measures the total amount. Five 3.5-gram bags are 17.5 grams, about 0.62 ounces. The adult limit is 1.5 ounces (about 42.5 grams) on the person.
- **Small amounts cannot start a search.** Possession of 5 ounces or less, without evidence of more, "shall not constitute in part or in whole probable cause or reasonable suspicion" for a stop or search (§ 54-33p(a)(2)).
- **Cash.** Cash near cannabis is not grounds for a stop or search unless there is evidence it exceeds \$500 (§ 54-33p(a)(3)).
- **Scales and other equipment.** The paraphernalia offense in § 21a-267 excludes cannabis entirely.
- **Even a proven small sale is a fine.** Selling or possessing with intent to sell less than 8 ounces is, for a first offense, a fine of not more than \$500 (§ 21a-278b(c)).

CANNATIMES ANALYSIS

Dispensaries sell flower in fixed weights, and 3.5 grams (an eighth of an ounce) is a common unit. Adults routinely move cannabis out of bulky retail containers to separate strains, portion it, or save space, and the statutes put no limit on doing that. Several small bags of different strains, totaling far less than the limit, look like what they usually are: someone's personal supply in a more convenient form.

Intent to sell is an element the state has to prove. Packaging alone is ambiguous. Evidence that actually points to sale is different in kind: a buyer, an observed exchange, messages arranging a sale, a ledger, or quantities far beyond the possession limit. When there is no such evidence, the possession statute, not a sale statute, fits the facts.

Practical checks at the scene: Are the bags different strains or products? Does the total weight fall within the limit? Are there labels, a dispensary bag or a receipt in the car or on the person's phone? None of these is required by law, but each helps distinguish a consumer from a seller.

5. "Drug factory" and paraphernalia

STATUTE C.G.S. § 21a-277(c)

"No person may knowingly possess drug paraphernalia in a drug factory situation as defined by subdivision (20) of section 21a-240 for the unlawful mixing, compounding or otherwise preparing any controlled substance for purposes of violation of this chapter."

STATUTE C.G.S. § 21a-267(a)

"No person shall use or possess with intent to use drug paraphernalia, as defined in subdivision (20) of section 21a-240, to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain or conceal, or to ingest, inhale or otherwise introduce into the human body, any controlled substance, as defined in section 21a-240, other than cannabis."

CANNATIMES ANALYSIS

Subdivision (20) of § 21a-240, which § 21a-277(c) cites as the definition of a "drug factory situation," is the definition of "drug paraphernalia." The current text of § 21a-240 contains no definition of "drug factory situation." Section 21a-277(c) also states no penalty; by our reading it falls under the general penalty in § 21a-255(c): for a first offense, a fine of not more than \$3,500 or imprisonment of not more than two years, and a class C felony for a subsequent offense.

The legislature removed cannabis from the paraphernalia offense in § 21a-267 in 2021, and § 21a-277(c) is limited to preparing a controlled substance "for purposes of violation of this chapter." Charging a home grow as a drug factory relies on grow lights, pots and scales that the paraphernalia statute no longer treats as an offense when used for cannabis, under a provision whose key term has no current definition.

6. Events, clubs, donations and gifts

STATUTE C.G.S. § 21a-421hhh (P.A. 22-103, § 2)

"(a) Notwithstanding any provision of the general statutes, no person shall gift, sell or transfer cannabis to another person: (1) To induce, or in exchange for, any donation for any purpose, including, but not limited to, any charitable donation or any donation made to gain admission to any event; (2) at any location, other than a dispensary facility, retailer or hybrid-retailer, (A) where a consumer may purchase any item other than cannabis, a cannabis product or services related to cannabis, or (B) that requires consideration, including, but not limited to, membership in any club, in order to gain admission to such location; or (3) as part of any giveaway associated with attendance at any event, including, but not limited to, any giveaway made by way of a door prize, goodie bag or swag bag. The provisions of this subsection shall not be construed to prohibit any gift of cannabis between individuals with a bona fide social relationship, provided such gift is made without consideration and is not associated with any commercial transaction.

(b) Any person who violates the provisions of subsection (a) of this section shall, in addition to any other penalty provided by law: (1) Be subject to a fine imposed by a municipality under section 7-152f; (2) be fined one thousand dollars per offense, in accordance with the provisions of section 51-164n, by the Commissioner of Emergency Services and Public Protection; and (3) be subject to an administrative hearing held by the Commissioner of Revenue Services pursuant to chapter 54 for failure to pay taxes, which may result in a civil penalty of not more than one thousand dollars per violation. For the purposes of this subsection, 'per offense' and 'per violation' mean either per transaction or per day the violation continues, as determined by the Commissioner of Emergency Services and Public Protection for the purposes of subdivision (2) of this subsection or the Commissioner of Revenue Services for the purposes of subdivision (3) of this subsection."

CANNATIMES ANALYSIS

The General Assembly wrote this statute in 2022 for exactly the setting of pop-up markets, paid-entry events and "donation" schemes. Its penalty is a \$1,000 fine per transaction or per day, processed through the infractions bureau, plus municipal and tax penalties. It applies "in addition to any other penalty provided by law," so it does not bar criminal charges. But it shows the response the legislature built for event transfers, and for any vendor whose share is under 8 oz, § 21a-278b(c) sets a first-offense fine of not more than \$500. Charging event vendors under the kilogram felony generally requires combining cannabis from several tables or people into one weight; see section 3.

Other substances at the same event are a separate question. Psilocybin, for example, is a hallucinogenic substance covered by § 21a-277(a) and § 21a-278(b) regardless of cannabis law. Keeping the cannabis counts and the non-cannabis counts separate keeps the public record accurate. See our reporting: Cannabis and Psychedelic Mushrooms. Seven People. Twenty Felony Counts.

7. Vehicles, odor, stops and searches

STATUTE C.G.S. § 54-33p

"(a) Except as provided in subsection (c) of this section, the existence of any of the following circumstances shall not constitute in part or in whole probable cause or reasonable suspicion and shall not be used as a basis to support any stop or search of a person or motor vehicle: (1) The odor of cannabis or burnt cannabis; (2) The possession of or the suspicion of possession of cannabis without evidence that the quantity of cannabis is or suspected to be in excess of five ounces of cannabis plant material, as defined in section 21a-279a, or an equivalent amount of cannabis products or a combination of cannabis and cannabis products, as provided in subsection (i) of section 21a-279a; or (3) The presence of cash or currency in proximity to cannabis without evidence that such cash or currency exceeds five hundred dollars.

(b) Any evidence discovered as a result of any stop or search conducted in violation of this section shall not be admissible in evidence in any trial, hearing or other proceeding in a court of this state.

(c) A law enforcement official may conduct a test for impairment based on the odor of cannabis or burnt cannabis if such official reasonably suspects the operator of violating section 14-227a, 14-227m or 14-227n.

(d) The provisions of this section shall not apply to a probation officer supervising a probationer who, as a condition of probation, is prohibited from using or possessing cannabis."

CANNATIMES ANALYSIS

Odor supports an impairment test of a driver reasonably suspected of impaired operation. It does not support stopping a car, searching a person, or searching a vehicle, in whole or in part. Evidence found in a search that relied on odor is inadmissible in any Connecticut proceeding, not only a cannabis case.

Consuming cannabis in a vehicle, and impaired driving

STATUTE C.G.S. § 53a-213a (driver), as amended by P.A. 26-8, § 112

"(b) Smoking, otherwise inhaling or ingesting cannabis while operating a motor vehicle is a class C misdemeanor.

(c) No peace officer shall stop a motor vehicle for a violation of this section if such violation is the sole reason for such stop, unless such officer (1) observes active cannabis consumption by the operator of the motor vehicle, and (2) detects the odor of burnt cannabis."

STATUTE C.G.S. § 53a-213b (passenger), as amended by P.A. 26-8, § 113

"(b) Smoking or otherwise inhaling or ingesting cannabis in a motor vehicle is a class D misdemeanor."

Both offenses apply on public highways, certain private and association roads, school property, and parking areas for ten or more cars. A person cannot be convicted of both the consumption offense and possession of a controlled substance from the same transaction (§ 53a-213a(a), § 53a-213b(a)). Impaired operation is charged under § 14-227a, which prohibits operating "while under the influence of intoxicating liquor or any drug or both."

CANNATIMES ANALYSIS

Section 54-33p bars odor as a basis for a stop "except as provided in subsection (c)," which covers impairment testing. Section 53a-213a(c), added in 2025, permits a stop for consuming while driving only when the officer sees the driver actively consuming and also smells burnt cannabis. Odor alone, or cannabis visible in the car, is not enough. Possessing cannabis in a car within the limit is legal; consuming it there is the offense.

8. Medical patients and caregivers

Registered patients 18 and older may grow under § 21a-408d(b) (quoted in section 2), and caregivers may access and help tend a patient's plants. Section 21a-408d(d)(1) gives "state agencies, federal agencies and local law enforcement agencies" reasonable access to the patient registry "for the purpose of investigating or prosecuting a violation of law," so registration can be verified at the scene rather than assumed away. Section 21a-279a(d) and (e) apply "except as authorized in this chapter, chapter 420f or RERACA," and chapter 420f is the medical cannabis chapter.

Medical immunity under § 21a-408a carries its own five-ounce combined patient and caregiver condition, and the homegrown exclusion in § 21a-279a(a) cross-references only the adult statute, § 21a-278c. A patient 21 or older may also qualify as a "consumer." How those two routes interact for a patient's harvest has not been resolved by a Connecticut court. We cover this in detail in our home-grow possession reporting.

9. People under 21

- **Under 18, less than 5 oz** (§ 21a-279a(b)(1)): first offense, "a written warning," with possible referral to a youth services bureau; second offense, referral; subsequent offense, delinquency. Subdivision (b)(3): **"No person may be arrested for a violation of this subsection."**
- **Under 18, 5 oz or more** (§ 21a-279a(b)(2)): adjudicated delinquent. The no-arrest rule in (b)(3) covers the whole subsection.
- **18 to 20, less than 5 oz** (§ 21a-279a(c)(1)): view and sign a health-effects statement; \$50 fine, \$150 for a subsequent offense.
- **18 to 20, 5 oz or more** (§ 21a-279a(c)(2)): health-effects statement; \$500 fine; class D misdemeanor for a subsequent offense.
- **Under 18, sale or transfer** (§ 21a-278b(b)(2)): adjudicated delinquent.

10. Towns, public consumption and unlicensed shops

STATUTE C.G.S. § 7-148(c)(7)(H)(xvi), as amended by P.A. 26-8, § 2

A municipality may "[r]egulate, on any property owned by or under the control of the municipality, any activity deemed to be deleterious to public health, including the burning of a lighted cigarette, cigar, pipe or similar device, whether containing, wholly or in part, tobacco or cannabis ... and the use or consumption of cannabis ... If the municipality's population is greater than fifty thousand, such regulations shall designate a place in the municipality in which public consumption of cannabis is permitted. Such regulations may prohibit the smoking of cannabis and the use of electronic cannabis delivery systems and vapor products containing cannabis in the outdoor sections of a restaurant. Such regulations may prescribe penalties for the violation of such regulations, provided such fine does not exceed fifty dollars for a violation of such regulations regarding consumption by an individual or a fine in excess of one thousand dollars to any business for a violation of such regulations[.]"

A town's local consumption ordinance is capped at a \$50 fine for an individual. Towns may also impose fines for event and club transfers under § 21a-421hhh(b)(1), and a town's chief executive may act against businesses selling without a license under § 21a-420c(e), which treats unlicensed sales as an unfair trade practice.

11. Hemp

Hemp is not cannabis under these statutes. Section 21a-279a(j)(2) says "cannabis plant material" "does not include hemp, as defined in section 22-611." Section 21a-240(29), as rewritten by P.A. 26-8 (effective October 1, 2026), excludes from "cannabis" hemp "with a total THC concentration of not more than three-tenths per cent on a dry-weight basis" that "is not a high-THC hemp product." High-THC hemp products are included in "cannabis." Whether a product is hemp or cannabis is a laboratory question, measured on a dry-weight basis, and the answer decides which body of law applies.

12. Options after arrest: diversion, departure and erasure

- **Departure from mandatory minimums** (§ 21a-283a): for drug-chapter offenses with no force, injury or weapon, "the court may, upon a showing of good cause by the defendant, depart from the prescribed mandatory minimum sentence," once per defendant, with reasons stated in open court. It does not apply to § 21a-278a(a) or (c).

- **Drug-dependent exception** (§ 21a-278(b)(1)): the kilogram felony "shall not apply to a person who is, at the time of the commission of the offense, a drug-dependent person."
- **Pretrial drug education and community service** (§ 54-56i): available to "persons charged with a violation of section 21a-257, 21a-267, 21a-279, or 21a-279a." The court file is sealed on application.
- **Accelerated rehabilitation** (§ 54-56e): for crimes "not of a serious nature," for a defendant the court believes "will probably not offend in the future" and who has no prior conviction.
- **Treatment instead of prosecution** (§ 21a-279a(e)(2)): for 5 oz-plus possession, the court "may suspend prosecution" and order treatment for a drug-dependent person.
- **Community service instead of fines** (§ 21a-279a(h)): one hour per \$25 for a person who attests to indigency.
- **Erasure.** Section 54-142d allows a petition to erase a conviction for an offense later decriminalized. Section 54-142u provides automatic erasure of § 21a-279(c) possession convictions entered from January 1, 2000 through September 30, 2015.

13. Worked scenarios

An adult growing too many plants outdoors, no evidence of sales

- **Violations:** over the plant count in § 21a-278c; the P&P indoor and not-visible requirements.
- **Charge the statutes provide:** § 21a-278b for unlicensed cultivation. Class B misdemeanor for a first offense (up to six months and \$1,000); a fine of not more than \$500 if less than 8 oz of plant material is involved.
- **Possession limit:** the homegrown exclusion does not cover a noncompliant grow, so harvested material is measured against § 21a-279a's fine tiers. Growing plants are not "cannabis plant material."
- **Weight:** record plant counts and dried, trimmed weight with the method. Wet whole-plant weight overstates usable cannabis.
- **Intent to sell:** requires evidence of intent: sales, packaging for sale, ledgers, communications. Plant count is not that evidence.
- **"Drug factory":** see section 5. The paraphernalia statute excludes cannabis, and the cited definition does not exist in current text.
- **Options:** § 21a-278b's own tiers; accelerated rehabilitation under § 54-56e; seizure and destruction of the excess.

Vendors handing out or selling cannabis at a ticketed event

- **Statute written for this:** § 21a-421hhh, \$1,000 per transaction or per day, plus municipal and tax penalties.
- **Per-vendor amounts:** under 8 oz, § 21a-278b(c) fine of not more than \$500 for a first offense; otherwise § 21a-278b(b), class B misdemeanor.
- **Kilogram felony:** requires one kilogram attributable to the person charged. Aggregating several vendors' cannabis requires a legal basis for each person's responsibility.
- **Gifts:** a gift between people with a genuine social relationship, without consideration and unconnected to a commercial transaction, is expressly not prohibited.
- **Sales to minors and non-cannabis substances** are separate offenses with their own statutes and should be charged and reported separately.

Traffic stop, five 3.5-gram bags of different strains in the console

- **Total:** 17.5 g, about 0.62 oz. Within the 1.5 oz adult limit; legal for a driver 21 or older (§ 21a-279a(a)).
- **Search:** possession of 5 oz or less, and \$500 or less in cash, cannot support a stop or search (§ 54-33p(a)(2), (3)).
- **Packaging:** no statute requires dispensary containers or receipts. Repackaging by strain is lawful.
- **Sale:** requires evidence of sale beyond packaging. Even if proven, under 8 oz is a fine of not more than \$500 for a first offense (§ 21a-278b(c)).
- **If the driver is under 21:** 18 to 20 is a \$50 fine for a first offense; under 18, no arrest (§ 21a-279a(b), (c)).

Traffic stop, odor of cannabis

- Odor is not a basis for the stop or a search (§ 54-33p(a)(1)). Evidence found in such a search is inadmissible (§ 54-33p(b)).
- Odor may support an impairment test if the officer reasonably suspects impaired operation (§ 54-33p(c)).
- Up to 1.5 oz on the person, and up to 5 oz in a locked glove box or trunk, is legal for adults 21+. "Trunk" excludes the rear of a hatchback, SUV or open pickup bed (§ 21a-279a(j)(4)).
- A stop for consuming while driving requires both seeing active consumption by the driver and smelling burnt cannabis (§ 53a-213a(c)).

Penalty classes explained

Class	Maximum jail (§ 53a-36)	Maximum fine (§ 53a-42)
Class A misdemeanor	One year	\$2,000
Class B misdemeanor	Six months	\$1,000
Class C misdemeanor	Three months	\$500
Class D misdemeanor	30 days	\$250

An offense whose only penalty is a fine is a violation unless designated an infraction (§ 53a-27). Fine-only cannabis offenses in § 21a-279a and § 21a-278b(c) carry no jail term.

Sources

All statute text is quoted from the Connecticut General Assembly's published General Statutes (2025 revision and 2026 supplement) and from Public Act 26-8 as signed. Section links go to the current official text.

- Chapter 420b, Dependency-Producing Drugs (§§ 21a-240, 21a-255, 21a-257, 21a-267, 21a-277, 21a-278, 21a-278a, 21a-278b, 21a-278c, 21a-279a, 21a-279c, 21a-283a)
- Chapter 420f, Palliative Use of Cannabis (§§ 21a-408a, 21a-408d)
- Chapter 420h, Regulation of Adult-Use Cannabis (§§ 21a-420c, 21a-421j, 21a-421hhh)
- Chapter 959, Court Jurisdiction and Procedure (§ 54-33p)

- Chapter 960, Pretrial Procedure (§§ 54-56e, 54-56i)
- Chapter 961a, Criminal Records (§§ 54-142d, 54-142u)
- Chapter 952, Penal Code (§§ 53a-26, 53a-27, 53a-36, 53a-42, 53a-213a, 53a-213b)
- Chapter 248, Vehicle Highway Use (§ 14-227a)
- Public Act 26-8, An Act Concerning Cannabis, Hemp and Infused Beverage Regulation (2026)
- Department of Consumer Protection, Policies and Procedures (§ 21a-421j-39, Home Grow)

Found an error or a change in the law? **Tell us.** Corrections are logged on the [corrections page](#).