Comparing Arizona's 2016 Marijuana Legalization Initiatives

	AZFMR Initiative	MPP Initiative
Initiative Number	**I-14-2016**	**I-08-2016**
Campaign Name	Campaign to Legalize and Regulate Marijuana	Campaign to Regulate Marijuana Like Alcohol
Legalized Possession Limits	1 Ounce of Marijuana or 1 Ounce of Marijuana Concentrates is legal.	1 Ounce of Marijuana is legal. Only 5 grams may be in the form of Marijuana Concentrates.
Grow Rights	Allowed to grow 12 marijuana plants per adult, NO limit per household. Possession of ANY marijuana produced by the plants.	Allowed to grow 6 marijuana plants per adult, max 12 plants per household. Possession of ANY marijuana produced by the plants.
Local Government Control (City & County)	Localities can NOT prohibit home growing for any reason. Localities may enact zoning regulations for marijuana establishments, but can NOT limit the amount of Marijuana Establishments.	Localities can prohibit home growing if they feel it is a nuisance or dangerous. Localities may enact zoning regulations for marijuana establishments AND they can limit the amount of Marijuana Establishments.
Possession of Marijuana - <u>Penalties</u>	Possession of Marijuana involving more than 1 Ounce but less than 2 and ½ Ounces is a Petty Offense. Possession of more than 2 and ½ Ounces but less than 8 ounces is a Misdemeanor.	Possession of Marijuana involving more than 1 Ounce but less than 2 and ½ Ounces is a Petty Offense. Possession of more than 2 and ½ Ounces is a Felony.

Paid for by the *Campaign to Legalize and Regulate Marijuana, YES on I-14-2016*
(www.LegalizeMarijuanaInArizona.org)

Possession of Marijuana Concentrates - Penalties	Possession of Marijuana Concentrates involving more than 1 Ounce but less than 2 and ½ Ounces is a Petty Offense. Possession of more than 2 and ½ Ounces but less than 8 ounces is a Misdemeanor.	Possession of Marijuana Concentrates beyond 5 grams is a Class 4 Felony.
Possession of Marijuana FOR SALE - Penalties	Possession of Marijuana For Sale involving less than 8 Ounces is a Misdemeanor.	Possession of Marijuana For Sale involving ANY AMOUNT of marijuana is a Class 4 Felony.
Cultivation of Marijuana - Penalties	Cultivation of Marijuana involving more than 12 marijuana plants, but less than 99 plants is a Misdemeanor.	Cultivation of Marijuana involving more than 6 marijuana plants, is a Class 4 Felony, including a MANDATORY Prison sentence.
MEDICAL Marijuana Program	The Medical Marijuana Program stays with AZDHS. The Medical Marijuana Program Regulations and the rights of a Medical Marijuana patient are 100% unaffected.	The Medical Marijuana Program will be transferred from AZDHS to the Department of Marijuana Licenses and Control. The regulations can be amended by the Department.
Amount of Marijuana Retailer Licenses	Equal to the amount of Series 9 Liquor Licenses issued in Arizona. (1,600+ licenses)	Up-to 10% of the amount of Series 9 Liquor Licenses issued in Arizona. (Up to 160 licenses)
Amount of Marijuana Cultivator Licenses	Unlimited.	Any City or County can decide how many of each type of Marijuana Establishment may exist in their jurisdiction.
Amount of Marijuana Product Manufacturer Licenses	Unlimited.	Any City or County can decide how many of each type of Marijuana Establishment may exist in their jurisdiction.
Amount of Marijuana Testing Facility Licenses	Unlimited.	Any City or County can decide how many of each type of Marijuana Establishment may exist in their jurisdiction.
Regulation of Marijuana Accessories	The Department of Marijuana is NOT allowed to regulate businesses that sell "Marijuana Accessories" (Pipes, bongs, grow equipment, etc.)	The Department of Marijuana is allowed to regulate ANY businesses that sell "Marijuana Accessories" (Pipes, bongs, grow equipment, etc.)

Marijuana Retail Tax	10% Tax on Marijuana sales.	15% Tax on Marijuana sales.
Driving Under the Influence (DUI)	Automatic DUI is removed. Driving while impaired by Marijuana remains illegal. A person is not "impaired by marijuana" based on metabolites.	Driving a motor vehicle while impaired by Marijuana remains illegal. No definition of what defines someone as "impaired by marijuana."
Employee Workplace Protections	An Employer may prohibit employees from using Marijuana AT WORK, but may not prohibit marijuana use outside of the workplace. An Employer may NOT fire an employee for using Marijuana outside of the workplace.	An Employer may prohibit employees from using Marijuana, even outside of the workplace. An Employer can fire an employee for using marijuana outside of the workplace.
Raid and Search Protections	The odor of Marijuana or Marijuana Plants is no longer "probable cause" for a Police Officer or K9 Officer to search a person or their property.	No Raid and Search Protections.
Post-Conviction Relief	An adult who was previously sentenced for a Marijuana Offense prior to this initiative may ask a Court to be resentenced based on the provisions of our initiative.	No Post-Conviction Relief.
Public Marijuana Use	An adult may legally "Consume," and "Vaporize" marijuana or marijuana products in public. "Smoking" marijuana in Public is a Petty Offense with a $300 fine.	"Smoking" marijuana, "Vaporizing" marijuana, or even consuming Marijuana Products (edibles, topicals) in Public is a Petty Offense with a $300 fine.
Protection of Rights	A person who is accused of violating the Marijuana law does not automatically lose the remaining legal protections under this initiative.	A person who is accused of violating the Marijuana law immediately loses all of the remaining legal protections under this initiative.