



KNOW YOUR RIGHTS

420 EDITION

ACLU

Nevada

Cannabis has been enshrined in the Nevada Constitution since 1998, when Nevada voters chose to adopt the Nevada Medical Marijuana Act, which amended our constitution to legalize cannabis for medical use.

Our state has made great strides for cannabis law reform and regulation, but nevertheless, there are still specific guidelines and limitations that Nevadans should be aware of when it comes to the substance.

IS CANNABIS LEGAL FOR RECREATIONAL USE IN NEVADA?

YES!

HOW DO I GET A MEDICAL MARIJUANA CARD?

- **Before submitting an application, the first step is to obtain a medical marijuana recommendation from a state-authorized health care provider**
- **To request a medical marijuana application, you can visit the Department of Health and Human Services Nevada Division of Public and Behavioral Health website and request an application online, by e-mail, or mail.**

BUYING CANNABIS

HOW CAN I BUY CANNABIS IN NEVADA?

- The only legal way to buy cannabis in Nevada is from a state-licensed retail store. It is illegal to buy cannabis from any other source.
- Customers purchasing retail cannabis will have to show proper identification proving they are 21 or older, just like for alcohol purchases.
- There are recreational cannabis dispensaries throughout the state, which are different from medical marijuana dispensaries.

HOW MUCH CANNABIS CAN I BUY?

- For recreational use, you can purchase up to 2.5 ounces of marijuana flower or $\frac{1}{4}$ of an ounce of cannabis concentrate.
- For those with a medical marijuana card, you can purchase 2.5 ounces (about 70 grams) of marijuana every two weeks.

WHAT IF I'M UNDER 21?

- Unless you are a Nevada Medical Marijuana Cardholder, it is illegal to possess, cultivate, buy, or sell cannabis and is considered a misdemeanor.
- Yes, a minor under the age of 18 can get a medical marijuana card if their parent or legal guardian agrees to be their caregiver. The parent or legal guardian must apply on behalf of the minor and sign the "minor release" forms during the application process.
- While minors can use medical marijuana cards, they cannot purchase, possess, or grow it.

CONSUMING CANNABIS

- Cannabis can only be consumed on private property and if the property owner has not prohibited it. Private property owners may restrict the smoking, cultivation, processing, manufacture, sale, delivery, or transfer of cannabis on their property.
- You cannot use cannabis in a public place.
- Nevada's cannabis laws allow certain individuals and entities to restrict the recreational use of cannabis in some situations.
- Cannabis is still illegal on federal land such as national parks, national monuments, and national forests.

CAN I HAVE CANNABIS IN MY CAR?

- Yes, you can have cannabis in your car as long as it is not above 2.5 ounces of cannabis or $\frac{1}{4}$ an ounce of concentrated cannabis.
- You cannot consume cannabis while driving or drive while under the influence of cannabis, even if you are a passenger in a car.
- Nevada law prohibits driving while impaired by cannabis use.
- Nevada law also prohibits driving with more than two nanograms of cannabis per milliliter of blood OR five nanograms of cannabis metabolite per milliliter of blood even if you are not impaired.

CAN I OWN A GUN IF I CONSUME CANNABIS?

Under state law it is unlawful to possess a firearm if you are an "unlawful user of, or addicted to, any controlled substance." As cannabis is still on the Nevada's list of controlled substances and its use is illegal under federal law, it is unclear whether this prohibition applies to cannabis use.

CAN I GROW CANNABIS AT HOME?

Adults 21 years and older can legally grow cannabis for personal use if they do not live within a 25-mile radius of a licensed retail cannabis store. The following rules apply:

- Up to 6 plants per person, no more than 12 per household
- Must be grown inside a closet, room, greenhouse, or other enclosed area that has a lock or security device
- Plants must not be visible from a public space
- Grower must own the property or have permission of the property owner

To grow medical marijuana, a cardholder must meet one of the following criteria:

- Lives outside 25-mile radius of operating dispensary or there is no dispensary within their county of residence
- The dispensaries that are within a 25-mile radius of the cardholders home does not provide the specific strain of cannabis needed
- There was no dispensary within the 25-mile radius of the home when they applied for the medical card and had maintained registration since then
- The cardholder does not have the means to travel to a local dispensary
- The cardholder is ill and cannot visit a local dispensary

A cardholder who meets any of the criteria can grow up to 12 plants in their home in an enclosed space hidden from public view.

CAN I TAKE CANNABIS FROM NEVADA OUT OF STATE?

No, it is illegal to take cannabis across state lines, even if it was purchased legally.



EMPLOYMENT

CAN AN EMPLOYER NOT HIRE ME IF I TEST POSITIVE FOR MARIJUANA?

No. Assembly Bill 132 prohibits an employer in Nevada from refusing to hire a prospective employee who submitted to a drug screening and tests positive for marijuana. However, this does not apply to prospective employees seeking employment for certain safety sensitive positions such as firefighters, emergency medical technicians, or federally licensed drivers.

CAN I BE FIRED FOR CONSUMING CANNABIS ON MY DAYS OFF?

Yes because cannabis consumption is still illegal under federal law.

WHAT DO I TELL MY EMPLOYER IF I AM A CARDHOLDER AND SUBJECTED TO A DRUG TEST?

Per the Nevada Medical Marijuana Act, employers are not required to accommodate employees who use medical marijuana