§ 222.15 Personal cultivation and home possession of cannabis.

1. Except as provided for in section forty-one of the cannabis law, and unless otherwise authorized by law or regulation, no person may:

(a) plant, cultivate, harvest, dry, process or possess more than three mature cannabis plants and three immature cannabis plants at any one time; or

(b) plant, cultivate, harvest, dry, process or possess, within his or her private residence, or on the grounds of his or her private residence, more than three mature cannabis plants and three immature cannabis plants at any one time; or

(c) being under the age of twenty-one, plant, cultivate, harvest, dry, process or possess cannabis plants.

2. No more than six mature and six immature cannabis plants may be cultivated, harvested, dried, or possessed within any private residence, or on the grounds of a person's private residence.

3. The personal cultivation of cannabis shall only be permitted within, or on the grounds of, a person's private residence.

4. Any mature or immature cannabis plant described in paragraph (a) or (b) of subdivision one of this section, and any cannabis produced by any such cannabis plant or plants cultivated, harvested, dried, processed or possessed pursuant to paragraph (a) or (b) of subdivision one of this section shall, unless otherwise authorized by law or regulation, be stored within such person's private residence or on the grounds of such person's private residence. Such person shall take reasonable steps designed to ensure that such cultivated cannabis is in a secured place and not accessible to any person under the age of twenty-one.

5. Notwithstanding any law to the contrary, a person may lawfully possess up to five pounds of cannabis in their private residence or on the grounds of such person's private residence. Such person shall take reasonable steps designed to ensure that such cannabis is in a secured place not accessible to any person under the age of twenty-one.

6. A county, town, city or village may enact and enforce regulations to reasonably regulate the actions and conduct set forth in subdivision one of this section; provided that:

(a) a violation of any such a regulation, as approved by such county, town, city or village enacting the regulation, may constitute no more than an infraction and may be punishable by no more than a discretionary civil penalty of two hundred dollars or less; and

(b) no county, town, city or village may enact or enforce any such regulation or regulations that may completely or essentially prohibit a person from engaging in the action or conduct authorized by subdivision one of this section.

A violation of this section, other than paragraph (a) of subdivision six of this section, may be subject to a civil penalty of up to one hundred twenty-five dollars per violation.

7. The office of cannabis management shall issue regulations for the home cultivation of cannabis. The office of cannabis management shall enact, and may enforce, regulations to regulate the actions and conduct set forth in this section including requirements for, or restrictions and prohibitions on, the use of any compressed flammable gas solvents such as propane, butane, or other hexane gases for cannabis processing; or other forms of home cultivation, manufacturing, or cannabinoid production and processing, which the office determines poses a danger to public safety; and to ensure the home cultivation of cannabis is for personal use by an adult over the age of twenty-one in possession of cannabis plants, and not utilized for unlicensed commercial or illicit activity, provided any regulations issued by the office shall not completely or essentially prohibit a person from engaging in the action or conduct authorized by this section.

8. The office of cannabis management may issue guidance or advisories for the education and promotion of safe practices for activities and conduct authorized in subdivision one of this section.

9. Subdivisions one through five of this section shall not take effect until such a time as the office of cannabis management has issued

regulations governing the home cultivation of cannabis. The office shall issue rules and regulations governing the home cultivation of cannabis by certified patients as defined in section three of the cannabis law, no later than six months after the effective date of this article and shall issue rules and regulations governing the home cultivation of cannabis for cannabis consumers as defined by section three of the cannabis law no later than eighteen months following the first authorized retail sale of adult-use cannabis products to a cannabis consumer.