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Michigan

Two legalization bills under consideration

Last update: March 7, 2016

Michigan lawmakers are now considering two bills that would legalize, tax, and regulate marijuana for adult consumers 21 years old and over. In the fall of 2015, Rep. Jeff Irwin introduced HB 4877 in the House, and **you can support his effort by clicking here (https://www.mpp.org/takeaction/urge-your-state-legislators-to-support-taxing-and-regulating-marijuana/)**. This year, Sen. Coleman Young II introduced a separate bill in the Senate, SB 813. Both of these bills would end marijuana prohibition in the state, not only stopping the harsh penalties for adults who choose a substance that is safer than alcohol, but also helping reduce the illicit marijuana trade and bringing much needed revenue — **estimated to be in the tens of millions of dollars (http://www.mlive.com/news/index.ssf/2016/02/medical_marijuana_sales_could.html)** — to state coffers.

Meanwhile, MILegalize continues to gather signatures in support of its effort to place a legalization and regulation measure before voters during the November 8, 2016 election. The organization, which includes a large contingent of marijuana activists and medical marijuana businesses throughout the state, has been gathering signatures since the summer of 2015. While outside the typical six-month signature gathering window, organizers are working with state officials in an effort to ensure every name will count.

On the medical front, several bills would together establish a regulatory system for medical cannabis production and distribution. These bills remain under consideration, but there have been few signs of movement since the start of the year. Rep. Mike Callton's HB 4209 would establish much-needed protections for Michigan's medical marijuana businesses, but the bill has been burdened with several unreasonable provisions. A second bill, HB 4210, sponsored by Rep. Lisa Lyons, would clearly allow extractions and the products made from them, such as edibles. A third related bill, Rep. Klint Kesto's HB 4827, would require an electronic "seed to sale" tracking system for cannabis plants and cannabis products. A regulatory system is overdue. There are far too many cases in which those who provide critical services to help the state's seriously ill patients are treated like criminals in Michigan.

The Michigan Medical Marihuana Program

Application forms (http://www.michigan.gov/lara/0,4601,7-154-35299_63294_63303_51869_52139---,00.html), along with the full text of the law and accompanying regulations (http://www.michigan.gov/lara/0,4601,7-154-35299_63294_63303_51869_52138---,00.html), can be found at the Michigan Department of Licensing and Regulatory Affairs website (http://www.michigan.gov/lara/0,4601,7-154-35299_63294_63303_51869---,00.html).

Under the MMMA, patients can choose to either cultivate their own medical marijuana in an enclosed, locked facility or to designate a caregiver to do so for them. Caregivers can assist no more than five patients. Also, note that in late 2012, the legislature passed several bills that changed the way the program works. While state law prohibits dispensaries from operating, many communities, including Lansing, Ann Arbor, and Jackson. Detroit enacted regulations in February 2016 that limit the total number and impose various restrictions on dispensaries, while still allowing them to operate in the city. Here's a **helpful summary** (/states/michigan/six-michigan-medical-marijuana-bills-passed-in-2012/) of those new laws.

Pending Legislation

Michigan 2015-2016 — 32 Bills

Number: MI [R] HB 4102 - Updated (Text 02/05/2016)
Sponsor: Rep. Al Pscholka (REP-MI)
Title: Appropriations; zero budget; supplemental appropriations bill; provide for. Creates appropriation act.
Status: Assigned pa 143'15 with immediate effect - 10/15/2015

Number: MI [R] HB 4106 - Updated (Text 02/05/2016)
Sponsor: Rep. Al Pscholka (REP-MI)
Title: Appropriations; zero budget; department of licensing and regulatory affairs; provide for fiscal year 2015-2016. Creates appropriation act.
Status: Conference report received - 05/28/2015

Number: MI [R] HB 4209 - Updated (Text 02/05/2016)
Sponsor: Rep. Mike Callton (REP-MI)
Title: Health; medical marihuana; state and local regulation of marihuana provisioning centers; provide for. Creates new act.
Status: Referred to committee on judiciary - 10/08/2015

Number: MI [R] HB 4210 - Updated (Text 02/05/2016)
Sponsor: Rep. Lisa Posthumus Lyons (REP-MI)
Title: Health; medical marihuana; marihuana-infused products; allow and regulate. Amends secs. 3, 4, 6, 7 & 8 of 2008 IL 1 (MCL 333.26423 et seq.) & adds sec. 4a.
Status: Referred to committee on judiciary - 10/08/2015

Number: MI [R] HB 4315 - Updated (Text 03/24/2016)
Sponsor: Rep. Al Pscholka (REP-MI)
Title: Appropriations; other; executive recommendation; provide for omnibus bill. Creates appropriation act.
Status: Printed bill filed 03/11/2015 - 03/11/2015

Number: MI [R] HB 4356 - Updated (New 12/23/2015)
Sponsor: Rep. Klint Kesto (REP-MI)
Title: Criminal procedure; sentencing guidelines; offense variable for operator ability affected by alcohol or drugs; create exception for certain level of THC in blood in definition of ""any amount of a controlled substance"". Amends sec. 48, ch. XVII of 1927 PA 175 (MCL 777.48). TIE BAR WITH: HB 4357'15
Status: Printed bill filed 03/19/2015 - 03/19/2015

Number: MI [R] HB 4357 - Updated (New 12/23/2015)
Sponsor: Rep. Peter Lucido (REP-MI)
Title: Controlled substances; marihuana; operation of a motor vehicle under the influence of marihuana; establish permissible level of THC in blood for certain individuals. Amends sec. 625 of 1949 PA 300 (MCL 257.625).
Status: Printed bill filed 03/19/2015 - 03/19/2015

Number: MI [R] HB 4508 - Updated (Text 02/05/2016)
Sponsor: Rep. Jeff Irwin (DEM-MI)
Title: Criminal procedure; forfeiture; forfeiture of vehicle used by individual to purchase or possess 1 ounce or less of marihuana; create exception. Amends sec. 7521 of 1978 PA 368 (MCL 333.7521).
Status: Referred to committee on judiciary - 06/09/2015

Number: MI [R] HB 4768 - Updated (Text 02/05/2016)
Sponsor: Rep. John Kivela (DEM-MI)
Title: Criminal procedure; sentencing guidelines; sentencing guidelines for crime of attempting to solicit another person to obtain ephedrine or pseudoephedrine; revise to reflect. Amends sec. 13m, ch. XVII of 1927 PA 175 (MCL 777.13m). TIE BAR WITH: HB 4767'15
Status: Referred to committee on judiciary - 10/29/2015

Number: MI [R] HB 4769 - Updated (Hearing 04/15/2016)
Sponsor: Rep. Ed McBroom (REP-MI)
Title: Crimes; controlled substances; penalties for manufacture of methamphetamine near a school or library; increase. Amends sec. 7410 of 1978 PA 368 (MCL 333.7410).
Status: Referred to committee on judiciary - 10/29/2015

Number: MI [R] HB 4827 - Updated (Text 02/05/2016)
Sponsor: Rep. Klint Kesto (REP-MI)
Title: Marihuana; administration; seed-to-sale tracking system for commercial marihuana; establish. Creates new act. TIE BAR WITH: HB 4209'15
Status: Referred to committee on judiciary - 10/08/2015

Number: MI [R] HB 4843 - Updated (Text 02/05/2016)
Sponsor: Rep. Al Pscholka (REP-MI)

Sponsor: Rep. Al Pscholka (REP-MI)

Title: Controlled substances; penalties; certain minors; exempt from minors using prescription drugs. Amends secs. 7403 & 7404 of 1978 PA 368 (MCL 333.7403 & 333.7404).

Status: Assigned pa 220'15 with immediate effect - 12/16/2015

Number: **MI [R] HB 4877** - Updated (New 12/23/2015)

Sponsor: Rep. Jeff Irwin (DEM-MI)

Title: Controlled substances; marihuana; cultivation, processing, and sale of marihuana; decriminalize and regulate. Creates new act.

Status: Printed bill filed 09/18/2015 - 09/22/2015

Number: **MI [R] HB 4931** - Updated (New 12/23/2015)

Sponsor: Rep. Sam Singh (DEM-MI)

Title: Health; controlled substances; prosecution of individual for certain controlled substance violations; prohibit if individual is seeking medical attention for himself, herself, or another person. Amends secs. 7403 & 7404 of 1978 PA 368 (MCL 333.7403 & 333.7404).

Status: Printed bill filed 10/02/2015 - 10/06/2015

Number: **MI [R] HB 5024** - Updated (Status 03/11/2016)

Sponsor: Rep. Peter Lucido (REP-MI)

Title: Crimes; intoxication or impairment; impaired driving safety commission; create. Creates & repeals new act.

Status: Referred to second reading - 03/01/2016

Number: **MI [R] HB 5161** - Updated (New 12/23/2015)

Sponsor: Rep. Sam Singh (DEM-MI)

Title: Labor; fair employment practices; termination of employment of medical marihuana patients; prohibit under certain circumstances. Amends sec. 4 of 2008 IL 1 (MCL 333.26424).

Status: Printed bill filed 12/16/2015 - 12/16/2015

Number: **MI [R] HB 5434** - Updated (Status 03/11/2016)

Sponsor: Rep. Al Pscholka (REP-MI)

Title: Appropriations; other; executive recommendation; provide for omnibus bill. Creates appropriation act.

Status: Bill electronically reproduced 03/08/2016 - 03/09/2016

Number: **MI [R] HB 5445** - Updated (Status 03/11/2016)

Sponsor: Rep. Leslie Love (DEM-MI)

Title: Health; medical marihuana; injunctive relief or damages against local governmental entities; prohibit to a marihuana dispensary operating in violation of local ordinances. Amends 2008 IL 1 (MCL 333.26421 - 333.26430) by adding sec. 9a.

Status: Bill electronically reproduced 03/09/2016 - 03/10/2016

Number: **MI [R] SB 72** - Updated (Text 02/05/2016)

Sponsor: Sen. Rick Jones (REP-MI)

Title: Health; medical marihuana; authorization of medical marihuana in certain places; restrict. Amends sec. 7 of 2008 IL 1 (MCL 333.26427).

Status: Referred to second reading - 04/21/2015

Number: **MI [R] SB 80** - Updated (New 12/23/2015)

Sponsor: Sen. Coleman Young (DEM-MI)

Title: Controlled substances; marihuana; possession or use of 1 ounce or less of marihuana; decriminalize under certain circumstances. Amends secs. 7403 & 7404 of 1978 PA 368 (MCL 333.7403 & 333.7404).

Status: Referred to committee on judiciary - 02/04/2015

Number: **MI [R] SB 94** - Updated (Hearing 02/19/2016)

Sponsor: Sen. Tonya Schuitmaker (REP-MI)

Title: Law enforcement; other; certain records of probation to be provided to the Michigan commission on law enforcement standards; require. Amends sec. 7411 of 1978 PA 368 (MCL 333.7411).

Status: Referred to committee on judiciary - 10/07/2015

Status: Referred to committee on judiciary - 10/07/2015

Number: MI [R] SB 133 - Updated (Text 02/05/2016)

Sponsor: Sen. Dave Hildenbrand (REP-MI)

Title: Appropriations; zero budget; omnibus budget appropriations bill; provide for. Creates appropriation act.

Status: Referred to committee on appropriations - 06/18/2015

Number: MI [R] SB 140 - Updated (Text 04/02/2016)

Sponsor: Sen. Mike Shirkey (REP-MI)

Title: Health; medical marihuana; marihuana-infused products; allow and regulate. Amends secs. 3, 4, 6, 7 & 8 of 2008 IL 1 (MCL 333.26423 et seq.) & adds sec. 4a.

Status: Referred to committee on judiciary - 02/18/2015

Number: MI [R] SB 141 - Updated (Text 04/02/2016)

Sponsor: Sen. Coleman Young (DEM-MI)

Title: Criminal procedure; sentencing guidelines; sentencing guidelines for selling marihuana in violation of registry identification card restrictions; update. Amends sec. 13n, ch. XVII of 1927 PA 175 (MCL 777.13n). TIE BAR WITH: SB 0140'15

Status: Referred to committee on judiciary - 02/18/2015

Number: MI [R] SB 142 - Updated (Text 04/02/2016)

Sponsor: Sen. David Knezek (DEM-MI)

Title: Health; medical marihuana; state and local regulation of marihuana provisioning centers; provide for. Creates new act.

Status: Referred to committee on judiciary - 02/18/2015

Number: MI [R] SB 202 - Updated (New 12/23/2015)

Sponsor: Sen. Dave Hildenbrand (REP-MI)

Title: Appropriations; other; executive recommendation; provide for omnibus bill. Creates appropriation act.

Status: Referred to committee on appropriations - 03/12/2015

Number: MI [R] SB 248 - Updated (Text 02/05/2016)

Sponsor: Sen. Joe Hune (REP-MI)

Title: Insurance; no-fault; coverage and benefits; make miscellaneous changes and create an insurance fraud prevention authority. Amends title & secs. 3101, 3104, 3107, 3107a, 3114, 3135, 3157, 3163, 3301, 3310, 3330, 4501 & 6107 of 1956 PA 218 (MCL 500.3101 et seq.) & adds sec. 3107c & ch. 63. TIE BAR WITH: SB 0249'15

Status: Referred to second reading - 04/23/2015

Number: MI [R] SB 346 - Updated (New 12/23/2015)

Sponsor: Sen. Coleman Young (DEM-MI)

Title: Insurance; no-fault; medical marihuana; require auto insurers to provide coverage for. Amends sec. 3107 of 1956 PA 218 (MCL 500.3107).

Status: Referred to committee on insurance - 05/21/2015

Number: MI [R] SB 424 - Updated (Text 02/05/2016)

Sponsor: Sen. Tom Casperson (REP-MI)

Title: Crimes; controlled substances; penalties for manufacture of methamphetamine near a school or library; increase. Amends sec. 7410 of 1978 PA 368 (MCL 333.7410).

Status: Referred to committee on criminal justice - 10/13/2015

Number: MI [R] SB 813 - Updated (Status 03/11/2016)

Sponsor: Sen. Coleman Young (DEM-MI)

Title: Controlled substances; marihuana; legalization of marihuana; provide for and regulate. Creates new act. TIE BAR WITH: SJR O'16

Status: Referred to committee on judiciary - 02/24/2016

Number: MI [R] SB 823 - Updated (Status 03/11/2016)