

Legislative Analysis



REVISE DEFINITIONS OF MARIJUANA-RELATED TERMS

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4740 as introduced
Sponsor: Rep. Pat Outman

Analysis available at
<http://www.legislature.mi.gov>

House Bill 4741 as introduced
Sponsor: Rep. TC Clements

House Bill 4742 as introduced
Sponsor: Rep. Tenisha Yancey

House Bill 4743 as introduced
Sponsor: Rep. Julie Calley

House Bill 4745 as introduced
Sponsor: Rep. Jim Lilly

House Bill 4744 as introduced
Sponsor: Rep. Richard M. Steenland

House Bill 4746 as introduced
Sponsor: Rep. Roger Hauck

Committee: Regulatory Reform
Complete to 5-4-21

SUMMARY:

House Bills 4740 to 4746 would amend different acts to establish uniform definitions for certain terms relating to the medical and recreational marijuana industry by defining those terms as they are defined in the Michigan Regulation and Taxation of Marihuana Act (MRTMA), which regulates the recreational marijuana market. House Bill 4745 would also amend the definitions of the terms *bona fide physician-patient relationship* and *written certification* to remove the requirement that a “relevant medical evaluation” be in person.

House Bill 4740 would amend the Medical Marihuana Facilities Licensing Act to revise the definitions of *industrial hemp*, *marihuana*, *marihuana plant*, and *marihuana-infused product* to mean those terms as defined in section 3 of the MRTMA. (Note: The MRTMA does not currently define the term *marihuana plant*.)

MCL 333.27102

House Bill 4741 would amend the Industrial Hemp Growers Act to revise the definitions of *industrial hemp*, *marihuana*, and *THC* to mean those terms as defined in section 3 of the MRTMA. (A definition of *THC* would be added to the MRTMA by HB 4517.)

MCL 333.29103

House Bill 4742 would amend the Marihuana Tracking Act to revise the definition of *marihuana* to mean that term as defined in section 3 of the MRTMA.

MCL 333.27902

House Bill 4743 would amend the Public Health Code to delete the definitions of *marihuana* and *industrial hemp* and define those terms as defined in section 3 of the MRTMA.

MCL 333.7106

House Bill 4744 would amend the Industrial Hemp Research and Development Act to delete the definitions of *industrial hemp* and *THC* and define those terms as defined in section 3 of the MRTMA. (A definition of *THC* would be added to the MRTMA by HB 4517.)

MCL 286.842

House Bill 4745 would amend the Michigan Medical Marihuana Act to revise the definitions of *marihuana* and *marihuana plant* to mean those terms as defined in section 3 of the MRTMA. (Note: The MRTMA does not currently define the term *marihuana plant*.)

In addition, the definitions of the terms *bona fide physician-patient relationship* and *written certification* currently include completion of a “relevant, in-person, medical evaluation of the patient.” The bill would delete the requirement that the relevant medical evaluation of the patient be in person. The bill would also reference the Marijuana Regulatory Agency (MRA) instead of the Department of Licensing and Regulatory Affairs in several provisions and define MRA to mean the agency created under Executive Reorganization Order No. 2019-2.

MCL 333.26423

House Bill 4746 would amend the Michigan Liquor Control Code to revise the definition of *marihuana* to mean that term as defined in section 3 of the MRTMA.

MCL 436.1914b

FISCAL IMPACT:

The bills would not have a significant fiscal impact on the state or local units of government.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.