

# SENATE BILL No. 974

February 16, 2012, Introduced by Senators JONES, MARLEAU, BOOHER, SCHUITMAKER and MEEKHOF and referred to the Committee on Judiciary.

A bill to amend 2008 IL 1, entitled "Michigan medical marihuana act," by amending section 7 (MCL 333.26427).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           7. Scope of Act.

2           Sec. 7. (a) The medical use of marihuana is allowed under  
3 state law to the extent that it is carried out in accordance with  
4 the provisions of this act.

5           (b) This act ~~shall~~**DOES** not permit any person to do any of the  
6 following:

7           (1) Undertake any task under the influence of marihuana, when  
8 doing so would constitute negligence or professional malpractice.

9           (2) Possess marihuana, or otherwise engage in the medical use  
10 of marihuana **AT ANY OF THE FOLLOWING LOCATIONS:**

11           (A) ~~in~~**IN** a school bus.†

1 (B) ~~en~~**ON** the grounds of any preschool or primary or secondary  
2 school. ~~or~~

3 (C) ~~in~~**IN** any correctional facility.

4 (D) **ON PRIVATE PROPERTY, IN VIOLATION OF A PROHIBITION**  
5 **ESTABLISHED BY THE PROPERTY OWNER.**

6 (3) Smoke marihuana **AT ANY OF THE FOLLOWING LOCATIONS:**

7 (A) ~~en~~**ON** any form of public transportation. ~~or~~

8 (B) ~~in~~**IN** any public place, **WHICH INCLUDES ANY PORTION OF**  
9 **PRIVATE PROPERTY THAT IS OPEN TO THE PUBLIC.**

10 (C) **ON PRIVATE PROPERTY, IN VIOLATION OF A PROHIBITION**  
11 **ESTABLISHED BY THE PROPERTY OWNER.**

12 (4) Operate, navigate, or be in actual physical control of any  
13 motor vehicle, aircraft, or motorboat while under the influence of  
14 marihuana.

15 (5) Use marihuana if that person does not have a serious or  
16 debilitating medical condition.

17 (c) Nothing in this act shall be construed to require:

18 (1) A government medical assistance program or commercial or  
19 non-profit health insurer to reimburse a person for costs  
20 associated with the medical use of marihuana.

21 (2) An employer to accommodate the ingestion of marihuana in  
22 any workplace or any employee working while under the influence of  
23 marihuana.

24 (d) Fraudulent representation to a law enforcement official of  
25 any fact or circumstance relating to the medical use of marihuana  
26 to avoid arrest or prosecution ~~shall be~~**IS** punishable by a fine of  
27 \$500.00, which ~~shall be~~**IS** in addition to any other penalties that

1 may apply for making a false statement or for the use of marihuana  
2 other than use undertaken pursuant to this act.

3 (e) All other acts and parts of acts inconsistent with this  
4 act do not apply to the medical use of marihuana as provided for by  
5 this act.