

**Michigan Office of Administrative Hearings and Rules**  
**Administrative Rules Division (ARD)**

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Lansing, MI 48909  
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**REQUEST FOR RULEMAKING (RFR)**

**1. Department:**

Licensing and Regulatory Affairs

**2. Bureau:**

Marijuana Regulatory Agency

**3. Promulgation type:**

MCL 24.244 (1)

**4. Title of proposed rule set:**

Industrial Hemp Rules for Marihuana Businesses

**5. Rule numbers or rule set range of numbers:**

R 420.1001 - R 420.1004

**6. Estimated time frame:**

3 months

**Name of person filling out RFR:**

JESSICA FOX

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**Phone number of person filling out RFR:**

517-282-8640

**Address of person filling out RFR:**

2407 North Grand River Avenue, Lansing Michigan

**7. Describe the general purpose of these rules, including any problems the changes are intended to address.**

To update the rules as required by 2021 PA 56, which amends the Michigan Regulation and Taxation of Marihuana Act; 2021 PA 57, which amends the Medical Marihuana Facilities Licensing Act; 2021 PA 59, which amends the Marihuana Tracking Act; and 2021 PA 62, which amends the Michigan Medical Marihuana Act, to change the definitions of both industrial hemp and marijuana and requires the Marijuana Regulatory Agency to promulgate rules under the acts.

**8. Please cite the specific promulgation authority for the rules (i.e. department director, commission, board, etc.).**

The Executive Director of the Agency is authorized to promulgate these rules.

**A. Please list all applicable statutory references (MCLs, Executive Orders, etc.).**

The Executive Director of the Agency is authorized to promulgate these rules based upon Section 5 of the Michigan Medical Marihuana Act, 2008 IL 1, MCL 333.26425; Section 206 of the Medical Marihuana Facilities Licensing Act, 2016 PA 281, MCL 333.27206; Sections 7 and 8 of the Michigan Regulation and Taxation of Marihuana Act, 2018 IL 1, MCL 333.27957 and 333.27958; The Marihuana Tracking Act, 2016 PA 282, MCL 333.27901 to 333.27904; and Executive Reorganization Order No. 2019-2, MCL 333.27001.

**B. Are the rules mandated by any applicable constitutional or statutory provision? If so, please explain.**

Yes. The rules are required by 2021 PA 56, 2021 PA 57, 2021 PA 59, and 2021 PA 62.

**9. Please describe the extent to which the rules conflict with or duplicate similar rules, compliance requirements, or other standards adopted at the state, regional, or federal level.**

The rules do not conflict with, duplicate, or exceed any other regulations. There are no existing compliance standards for marihuana other than our rules.

**10. Is the subject matter of the rules currently contained in any guideline, handbook, manual, instructional bulletin, form with instructions, or operational memoranda?**

No.

**11. Are the rules listed on the department's annual regulatory plan as rules to be processed for the current year?**

No.

**12. Will the proposed rules be promulgated under Section 44 of the Administrative Procedures Act, 1969 PA 306, MCL 24.244, or under the full rulemaking process?**

MCL 24.244 (1)

**A. Explain why the rules are being promulgated under 24.244.**

The amended statutes require the agency to specifically promulgate a limit that will determine what is marijuana and what is industrial hemp, that is the only requirement to comply with the amendment to the statutes. This has been prioritized by the State of Michigan due to products currently on the market which are currently unregulated.