



**Senate Fiscal Agency**  
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BILL ANALYSIS



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House Bill 4856 (Substitute H-3 as reported by the Committee of the Whole)  
Sponsor: Representative Ben Glardon  
House Committee: Judiciary  
Senate Committee: Judiciary

**CONTENT**

The bill would amend the Michigan Penal Code to restrict the transportation or possession of medical marihuana in or upon a vehicle designed for land travel.

Specifically, the bill would prohibit a person from transporting or possessing "usable marihuana", as defined in the Michigan Medical Marihuana Act (MMMA), in or upon a motor vehicle or any self-propelled vehicle designed for land travel unless the usable marihuana was enclosed in a case carried in the trunk of the vehicle. If the vehicle did not have a trunk, the marihuana would have to be enclosed in a case that was not readily accessible from the interior of the vehicle.

A violation of the bill would be a misdemeanor punishable by up to 93 days' imprisonment and/or a maximum fine of \$500.

(The MMMA defines "usable marihuana" as the dried leaves and flowers of the marihuana plant, and any mixture or preparation of the dried leaves and flowers. The term does not include the seeds, stalks, or roots of the plant.)

The bill would take effect on April 1, 2013.

Proposed MCL 750.474

Legislative Analyst: Patrick Affholter

**FISCAL IMPACT**

The bill would have an indeterminate fiscal impact on local units; the impact is indeterminate because there are no data to indicate how many individuals would be convicted of the proposed misdemeanor. To the extent that such convictions resulted, local costs for incarceration and/or community supervision could increase accordingly. Penal fine revenue of up to \$500 per violation would benefit public libraries.

Date Completed: 12-5-12

Fiscal Analyst: Dan O'Connor