

Legislative Analysis



EXPAND ELIGIBILITY FOR STATE OPERATING LICENSE

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House Bill 5700 as introduced
Sponsor: Rep. Julie Alexander
Committee: Judiciary
Complete to 5-12-20

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

SUMMARY:

House Bill 5700 would amend the Medical Marijuana Facilities Licensing Act to allow issuance of a state operating license to an applicant whose spouse holds an elected office or is a governmental employee, with certain exceptions. In addition, the bill would replace references to the Medical Marijuana Licensing Board with those to the Marijuana Regulatory Agency, which replaced the board.

A state operating license allows a licensee to operate as a grower, processor, secure transporter, provisioning center, or safety compliance facility in the commercial medical marijuana market. Currently, an applicant is not eligible for a license if he or she (or his or her spouse) holds an elective office of a governmental unit of this or any other state or of the federal government, is a member of or employed by a regulatory body of a governmental unit of this or any other state or of the federal government, or is employed by a governmental unit of this state. However, this disqualification does not apply if the applicant or spouse is an elected officer or employee of a federally recognized Indian tribe or is an elected precinct delegate.

The bill would allow a state operating license to be issued to an applicant whose spouse holds an elective office or is a governmental employee as described above, except for an applicant whose spouse's position is within the *Marijuana Regulatory Agency* or whose spouse's position would otherwise create a conflict of interest.

Marijuana Regulatory Agency would mean the Marijuana Regulatory Agency created by Executive Reorganization Order No. 2019-2.¹

MCL 333.27102 and 333.27402

FISCAL IMPACT:

House Bill 5700 would not have an appreciable fiscal impact on the Department of Licensing and Regulatory Affairs or on any other unit of state or local 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.

¹ ERO 2019-2 (MCL 333.27001): <https://www.legislature.mi.gov/documents/mcl/pdf/mcl-E-R-O-No-2019-2.pdf>