

# HOUSE BILL NO. 4504

April 25, 2019, Introduced by Rep. Lilly 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), as amended by 2016 PA 546.

**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.



1 (b) This act does not permit any person to do any of the  
2 following:

3 (1) Undertake any task under the influence of marihuana, ~~when~~  
4 **if** doing so would constitute negligence or professional  
5 malpractice.

6 (2) Possess marihuana, or otherwise engage in the medical use  
7 of marihuana at any of the following locations:

8 (A) In a school bus.

9 (B) On the grounds of any preschool or primary or secondary  
10 school.

11 (C) In any correctional facility.

12 (3) Smoke marihuana at any of the following locations:

13 (A) On any form of public transportation.

14 (B) In any public place.

15 (4) Operate, navigate, or be in actual physical control of any  
16 motor vehicle, aircraft, snowmobile, off-road recreational vehicle,  
17 or motorboat while under the influence of marihuana.

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

20 (6) Separate plant resin from a marihuana plant by butane  
21 extraction in any public place or motor vehicle, or inside or  
22 within the curtilage of any residential structure.

23 (7) Separate plant resin from a marihuana plant by butane  
24 extraction in a manner that demonstrates a failure to exercise  
25 reasonable care or reckless disregard for the safety of others.

26 **(8) Violate either of the following:**

27 **(A) Section 5k(2) of 1927 PA 372, MCL 28.425k.**

28 **(B) Section 237(1)(c) of the Michigan penal code, 1931 PA 328,**  
29 **MCL 750.237.**



1 (c) Nothing in this act ~~shall be construed to require~~ **requires**  
 2 any of the following:

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

6 (2) An employer to accommodate the ingestion of marihuana in  
 7 any workplace or any employee working while under the influence of  
 8 marihuana.

9 (3) A private property owner to lease residential property to  
 10 any person who smokes or cultivates marihuana on the premises, if  
 11 the prohibition against smoking or cultivating marihuana is in the  
 12 written lease.

13 (d) Fraudulent representation to a law enforcement official of  
 14 any fact or circumstance relating to the medical use of marihuana  
 15 to avoid arrest or prosecution is punishable by a fine of \$500.00,  
 16 which is in addition to any other penalties that may apply for  
 17 making a false statement or for the use of marihuana other than use  
 18 undertaken pursuant to this act.

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

22 Enacting section 1. This amendatory act does not take effect  
 23 unless all of the following bills of the 100th Legislature are  
 24 enacted into law:

25 (a) Senate Bill No. \_\_\_\_ or House Bill No. 4501 (request no.  
 26 02174'19).

27 (b) Senate Bill No. \_\_\_\_ or House Bill No. 4502 (request no.  
 28 02174'19 a).

29 (c) Senate Bill No. \_\_\_\_ or House Bill No. 4503 (request no.



1 02174'19 b).

