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House Bill 5871 (Substitute H-1 as passed by the House)
Sponsor: Representative Roger Hauck
House Committee: Regulatory Reform
Senate Committee: Regulatory Reform

Date Completed: 5-9-22

CONTENT

The bill would amend the Medical Marihuana Facilities Licensing Act to do the following:

- **Specify that a processor license would authorize, in addition to activities currently allowed, the purchase or transfer of marihuana from a provisioning center, or another processor and the sale or transfer to a grower.**
- **Specify that a provisioning center license would authorize, in addition to those activities currently allowed, the purchase or transfer of marihuana from another provisioning center and the sale or transfer to a grower, processor, or other provisioning center.**
- **Require transfers of marihuana from a provisioning center to a separate marihuana facility to be by means of a secure transporter and specify that transfers from a provisioning center to a facility that occupied the same location would not require a secure transporter under certain conditions.**

Under the Medical Marihuana Facilities Licensing Act a processor license authorizes purchase of marihuana only from a grower and sale of a marihuana-infused products or marihuana only to a provisioning center or another processor. Under the bill, a processor license would authorize purchase *or transfer* of marihuana from a grower, *provisioning center, or another processor* and sale *or transfer* of marihuana-infused products or marihuana only to a *grower, provisioning center, or another processor*.

The Act specifies that a provisioning center license authorizes the purchase or transfer of marihuana only from a grower or processor and sale or transfer to only a registered qualifying patient or registered primary caregiver. Under the bill, a provisioning center license also would authorize purchase or transfer of marihuana from another provisioning center and sale or transfer to a grower, processor, or other provisioning center.

Except as otherwise provided, all transfers of marihuana to a provisioning center from a separate marihuana facility must be by means of a secure transporter. The bill also would require transfers of marihuana from a provisioning center to a separate marihuana facility to be by means of a secure transporter.

The Act specifies that a transfer of marihuana to a provisioning from a facility that occupies the same location as the provisioning center does not require a secure transporter if the marihuana is transferred using only private real property without using public roadways.

Under the bill, this would apply to a transfer of marihuana from a provisioning center to a marihuana facility that occupied the same location as the provisioning center.

MCL 333.27502

Legislative Analyst: Eleni Lionas

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Elizabeth Raczkowski

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.