

HOUSE BILL NO. 4517

March 16, 2021, Introduced by Reps. Rabhi, Lilly and Hauck and referred to the Committee on Regulatory Reform.

A bill to amend 2018 IL 1, entitled
"Michigan Regulation and Taxation of Marihuana Act,"
by amending section 3 (MCL 333.27953), as amended by 2020 PA 208.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 3. As used in this act:
2 (a) "Cultivate" means to propagate, breed, grow, harvest, dry,
3 cure, or separate parts of the marihuana plant by manual or
4 mechanical means.
5 (b) "Department" means the department of licensing and

1 regulatory affairs.

2 (c) "Industrial hemp" means a plant of the genus *Cannabis* and
 3 any part of that plant, whether growing or not, with a delta-9
 4 tetrahydrocannabinol concentration of 0.3% or less on a dry-weight
 5 basis, ~~or per volume or weight of marihuana-infused product,~~ or for
 6 which the combined percent of delta-9-tetrahydrocannabinol and
 7 tetrahydrocannabinolic acid in any part of the plant, regardless of
 8 moisture content, is 0.3% or less. **Industrial hemp includes**
 9 **industrial hemp-infused products.**

10 (d) "Industrial hemp-infused product" means a topical
 11 formulation, tincture, beverage, edible substance, or similar
 12 product containing industrial hemp and other ingredients and that
 13 is intended for human consumption. The delta-9 tetrahydrocannabinol
 14 concentration of an industrial hemp-infused product must be
 15 measured based on the volume or weight of the industrial hemp-
 16 infused product.

17 (e) ~~(d)~~ "Licensee" means a person holding a state license.

18 (f) ~~(e)~~ "Marihuana" means all parts of the plant of the genus
 19 *Cannabis*, growing or not; the seeds of the plant; the resin
 20 extracted from any part of the plant; and every compound,
 21 manufacture, salt, derivative, mixture, or preparation of the plant
 22 or its seeds or resin, including marihuana concentrate and
 23 marihuana-infused products. Marihuana does not include any of the
 24 following:

25 (i) The mature stalks of the plant, fiber produced from the
 26 mature stalks, oil or cake made from the seeds of the plant, or any
 27 other compound, manufacture, salt, derivative, mixture, or
 28 preparation of the mature stalks.

29 (ii) Industrial hemp.

1 (iii) Any other ingredient combined with marihuana to prepare
2 topical or oral administrations, food, drink, or other products.

3 (g) ~~(f)~~—"Marihuana accessories" means any equipment, product,
4 material, or combination of equipment, products, or materials, that
5 is specifically designed for use in planting, propagating,
6 cultivating, growing, harvesting, manufacturing, compounding,
7 converting, producing, processing, preparing, testing, analyzing,
8 packaging, repackaging, storing, containing, ingesting, inhaling,
9 or otherwise introducing marihuana into the human body.

10 (h) ~~(g)~~—"Marihuana concentrate" means the resin extracted from
11 any part of the plant of the genus *Cannabis*.

12 (i) ~~(h)~~—"Marihuana establishment" means a marihuana grower,
13 marihuana safety compliance facility, marihuana processor,
14 marihuana microbusiness, marihuana retailer, marihuana secure
15 transporter, or any other type of marihuana-related business
16 licensed by the marijuana regulatory agency.

17 (j) ~~(i)~~—"Marihuana grower" means a person licensed to
18 cultivate marihuana and sell or otherwise transfer marihuana to
19 marihuana establishments.

20 (k) ~~(j)~~—"Marihuana-infused product" means a topical
21 formulation, tincture, beverage, edible substance, or similar
22 product containing marihuana and other ingredients and that is
23 intended for human consumption.

24 (l) ~~(k)~~—"Marihuana microbusiness" means a person licensed to
25 cultivate not more than 150 marihuana plants; process and package
26 marihuana; and sell or otherwise transfer marihuana to individuals
27 who are 21 years of age or older or to a marihuana safety
28 compliance facility, but not to other marihuana establishments.

29 (m) ~~(l)~~—"Marihuana processor" means a person licensed to obtain

1 marihuana from marihuana establishments; process and package
2 marihuana; and sell or otherwise transfer marihuana to marihuana
3 establishments.

4 **(n)** ~~(m)~~—"Marihuana retailer" means a person licensed to obtain
5 marihuana from marihuana establishments and to sell or otherwise
6 transfer marihuana to marihuana establishments and to individuals
7 who are 21 years of age or older.

8 **(o)** ~~(n)~~—"Marihuana secure transporter" means a person licensed
9 to obtain marihuana from marihuana establishments in order to
10 transport marihuana to marihuana establishments.

11 **(p)** ~~(o)~~—"Marihuana safety compliance facility" means a person
12 licensed to test marihuana, including certification for potency and
13 the presence of contaminants.

14 **(q)** ~~(p)~~—"Marijuana regulatory agency" means the marijuana
15 regulatory agency created under Executive Reorganization Order No.
16 2019-2, MCL 333.27001.

17 **(r)** ~~(q)~~—"Municipal license" means a license issued by a
18 municipality pursuant to section 16 that allows a person to operate
19 a marihuana establishment in that municipality.

20 **(s)** ~~(r)~~—"Municipality" means a city, village, or township.

21 **(t)** ~~(s)~~—"Person" means an individual, corporation, limited
22 liability company, partnership of any type, trust, or other legal
23 entity.

24 **(u)** ~~(t)~~—"Process" or "processing" means to separate or
25 otherwise prepare parts of the marihuana plant and to compound,
26 blend, extract, infuse, or otherwise make or prepare marihuana
27 concentrate or marihuana-infused products.

28 **(v)** ~~(u)~~—"State license" means a license issued by the
29 marijuana regulatory agency that allows a person to operate a

1 marihuana establishment.

2 **(w)** ~~(v)~~ "Unreasonably impracticable" means that the measures
3 necessary to comply with the rules or ordinances adopted pursuant
4 to this act subject licensees to unreasonable risk or require such
5 a high investment of money, time, or any other resource or asset
6 that a reasonably prudent businessperson would not operate the
7 marihuana establishment.

8 Enacting section 1. This amendatory act does not take effect
9 unless Senate Bill No. ____ or House Bill No. 4516 (request no.
10 02247'21) of the 101st Legislature is enacted into law.