

# HOUSE BILL NO. 5107

October 22, 2025, Introduced by Reps. Hoadley, Aragona, Borton, Fairbairn, Wozniak and Neyer and referred to Committee on Regulatory Reform.

A bill to amend 2018 IL 1, entitled  
"Michigan Regulation and Taxation of Marihuana Act,"  
by amending sections 5 and 15 (MCL 333.27955 and 333.27965).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 5. **(1)** ~~1.~~—Notwithstanding any other law or provision of  
2 this act, and except as otherwise provided in section 4, ~~of this~~  
3 ~~act,~~ the following acts by a person **who is** 21 years of age or older  
4 are not unlawful, are not an offense, are not grounds for seizing  
5 or forfeiting property, are not grounds for arrest, prosecution, or  
6 penalty in any manner, are not grounds for search or inspection,

1 and are not grounds to deny any other right or privilege:

2 (a) ~~except as permitted by~~ **Subject to** subdivision (b),  
 3 possessing, using or consuming, internally possessing, purchasing,  
 4 transporting, or processing 2.5 ounces or less of marihuana, except  
 5 that not more than 15 grams of **the** marihuana may be in the form of  
 6 marihuana concentrate. †

7 (b) ~~within~~ **All of the following within** the person's residence:  
 8 ~~, possessing,~~

9 (i) **Possessing**, storing, and processing not more than 10 ounces  
 10 of marihuana, ~~and any~~ **except that not more than 200 grams of the**  
 11 **marihuana may be in the form of marihuana concentrate.**

12 (ii) **Possessing, storing, and processing not more than 2.5**  
 13 **kilograms of** marihuana produced by marihuana plants cultivated on  
 14 the premises, **except that not more than 200 grams of the marihuana**  
 15 **may be in the form of marihuana concentrate.** ~~and cultivating~~

16 (iii) **Cultivating** not more than 12 marihuana plants for personal  
 17 use, provided that ~~no~~ **not** more than 12 marihuana plants are  
 18 possessed, cultivated, or processed on the premises at ~~one~~ **the**  
 19 **same time.**

20 (c) ~~assisting~~ **Assisting** another person who is 21 years of age  
 21 or older in any of the acts described in this section. † ~~and~~

22 (d) ~~giving~~ **Giving** away or otherwise transferring without  
 23 remuneration up to 2.5 ounces of marihuana, except that not more  
 24 than 15 grams of marihuana may be in the form of marihuana  
 25 concentrate, to a person **who is** 21 years of age or older, as long  
 26 as the transfer is not advertised or promoted to the public.

27 (2) ~~2.~~ Notwithstanding any other law or provision of this act,  
 28 except as otherwise provided in section 4, ~~of this act,~~ the use,  
 29 manufacture, possession, and purchase of marihuana accessories by a

1 person **who is** 21 years of age or older and the distribution or sale  
 2 of marihuana accessories to a person **who is** 21 years of age or  
 3 older is authorized, is not unlawful, is not an offense, is not  
 4 grounds for seizing or forfeiting property, is not grounds for  
 5 arrest, prosecution, or penalty in any manner, and is not grounds  
 6 to deny any other right or privilege.

7 **(3) 3.** ~~A person shall~~**must** not be denied custody of or  
 8 visitation with a minor for conduct that is permitted by this act,  
 9 unless the person's behavior ~~is such that it~~ creates an  
 10 unreasonable danger to the minor that can be clearly articulated  
 11 and substantiated.

12 Sec. 15. A person who commits any of the following acts, and  
 13 **who** is not otherwise authorized by this act to ~~conduct such~~  
 14 ~~activities,~~**commit the acts,** may be punished only as provided in  
 15 this section and is not subject to any other form of punishment or  
 16 disqualification, unless the person consents to another disposition  
 17 authorized by law:

18 **(a) 1.** ~~Except for a person who engaged in conduct described in~~  
 19 ~~sections~~**section** 4(1)(a), 4(1)(b), 4(1)(c), 4(1)(d), 4(1)(g), or  
 20 4(1)(h), ~~(b), (c), (d), (g), or (h),~~ a person who possesses not  
 21 more than the amount of marihuana allowed by section 5, cultivates  
 22 not more than the amount of marihuana allowed by section 5,  
 23 delivers without receiving any remuneration to a person who is ~~at~~  
 24 ~~least~~ 21 years of age **or older** not more than the amount of  
 25 marihuana allowed by section 5, or possesses with intent to deliver  
 26 not more than the amount of marihuana allowed by section 5, is  
 27 responsible for a civil infraction and may be punished by a fine of  
 28 not more than ~~\$100~~**\$100.00** and forfeiture of the marihuana.

29 **(b) 2.** ~~Except for a person who engaged in conduct described in~~

1 section 4, a person who possesses not more than ~~twice~~ **2 times** the  
 2 amount of marihuana allowed by section 5, cultivates not more than  
 3 ~~twice~~ **2 times** the amount of marihuana allowed by section 5,  
 4 delivers without receiving any remuneration to a person who is ~~at~~  
 5 ~~least~~ 21 years of age **or older** not more than ~~twice~~ **2 times** the  
 6 amount of marihuana allowed by section 5, or possesses with intent  
 7 to deliver not more than ~~twice~~ **2 times** the amount of marihuana  
 8 allowed by section 5, **may be punished as follows:**

9 (i) ~~(a) for~~ **For** a first violation, **the person** is responsible  
 10 for a civil infraction and may be punished by a fine of not more  
 11 than ~~\$500~~ **\$500.00** and forfeiture of the marihuana. †

12 (ii) ~~(b) for~~ **For** a second violation, **the person** is responsible  
 13 for a civil infraction and may be punished by a fine of not more  
 14 than ~~\$1,000~~ **\$1,000.00** and forfeiture of the marihuana. †

15 (iii) ~~(c) for~~ **For** a third or subsequent violation, **the person** is  
 16 guilty of a misdemeanor and may be punished by a fine of not more  
 17 than ~~\$2,000~~ **\$2,000.00** and forfeiture of the marihuana.

18 (c) ~~3.~~ Except for a person who engaged in conduct described ~~by~~  
 19 **in** section 4(1) (a), ~~4(1) (d), or 4(1) (g),~~ **(d), or (g),** a person  
 20 ~~under~~ **younger than** 21 years of age who possesses not more than 2.5  
 21 ounces of marihuana or ~~who~~ cultivates not more than 12 marihuana  
 22 plants **may be punished as follows:**

23 (i) ~~(a) for~~ **For** a first violation, **the person** is responsible  
 24 for a civil infraction and may be punished as follows:

25 (A) ~~(1) if~~ **If** the person is ~~less~~ **younger** than 18 years of age,  
 26 by a fine of not more than ~~\$100~~ **\$100.00** or community service,  
 27 forfeiture of the marihuana, and completion of 4 hours of drug  
 28 education or counseling. †~~or~~

29 (B) ~~(2) if~~ **If** the person is ~~at least~~ 18 years of age **or older,**

1 by a fine of not more than ~~\$100~~ **\$100.00** and forfeiture of the  
2 marihuana.

3 **(ii)** ~~(b) for~~ **For** a second violation, **the person** is responsible  
4 for a civil infraction and may be punished as follows:

5 **(A)** ~~(1) if~~ **If** the person is ~~less~~ **younger** than 18 years of age,  
6 by a fine of not more than ~~\$500~~ **\$500.00** or community service,  
7 forfeiture of the marihuana, and completion of 8 hours of drug  
8 education or counseling. ~~;~~

9 **(B)** ~~(2) if~~ **If** the person is ~~at least~~ 18 years of age **or older**,  
10 by a fine of not more than ~~\$500~~ **\$500.00** and forfeiture of the  
11 marihuana.

12 **(d)** ~~4.~~ Except for a person who engaged in conduct described in  
13 section 4, a person who possesses more than ~~twice~~ **2 times** the  
14 amount of marihuana allowed by section 5 **but less than 10 kilograms**  
15 **of marihuana or less than 1 kilogram of marihuana concentrate**,  
16 cultivates more than ~~twice~~ **2 times** the amount of marihuana allowed  
17 by section 5 **but fewer than 50 marihuana plants**, or delivers  
18 without receiving any remuneration to a person who is ~~at least~~ 21  
19 years of age **or older** more than ~~twice~~ **2 times** the amount of  
20 marihuana allowed by section 5, ~~shall be~~ **is** responsible for a  
21 misdemeanor, ~~but shall~~ **is** not be subject to imprisonment unless  
22 the violation was habitual, willful, and for a commercial purpose  
23 or the violation involved violence.

24 Enacting section 1. This amendatory act does not take effect  
25 unless House Bill No. 5105 (request no. H04432'25) of the 103rd  
26 Legislature is enacted into law.