

HOUSE BILL NO. 5135

October 23, 2025, Introduced by Reps. McKinney, St. Germaine, Pavlov, Fox, Schriver, Bierlein and Bruck and referred to Committee on Regulatory Reform.

A bill to amend 2016 PA 281, entitled
"Medical marihuana facilities licensing act,"
by amending sections 102 and 206 (MCL 333.27102 and 333.27206),
section 102 as amended by 2021 PA 57 and section 206 as amended by
2020 PA 207, and by adding section 506.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 102. As used in this act:

2 (a) "Advisory panel" or "panel" means the ~~marijuana~~**cannabis**
3 regulatory agency.

4 (b) "Affiliate" means any person that controls, is controlled

1 by, or is under common control with; is in a partnership or joint
2 venture relationship with; or is a co-shareholder of a corporation,
3 a co-member of a limited liability company, or a co-partner in a
4 limited liability partnership with a licensee or applicant.

5 (c) "Applicant" means a person who applies for a state
6 operating license. Applicant includes, with respect to disclosures
7 in an application, for purposes of ineligibility for a license
8 under section 402, or for purposes of prior ~~marijuana~~**cannabis**
9 regulatory agency approval of a transfer of interest under section
10 406, and only for applications submitted on or after January 1,
11 2019, a managerial employee of the applicant, a person holding a
12 direct or indirect ownership interest of more than 10% in the
13 applicant, and the following for each type of applicant:

14 (i) For an individual or sole proprietorship: the proprietor
15 and the proprietor's spouse.

16 (ii) For a partnership and limited liability partnership: all
17 partners and their spouses. For a limited partnership and limited
18 liability limited partnership: all general and limited partners,
19 not including a limited partner holding a direct or indirect
20 ownership interest of 10% or less and who does not exercise control
21 over or participate in the management of the partnership, and their
22 spouses. For a limited liability company: all members and managers,
23 not including a member holding a direct or indirect ownership
24 interest of 10% or less and who does not exercise control over or
25 participate in the management of the company, and their spouses.

26 (iii) For a privately held corporation: all corporate officers
27 or persons with equivalent titles and their spouses, all directors
28 and their spouses, and all stockholders, not including those
29 holding a direct or indirect ownership interest of 10% or less, and

1 their spouses.

2 (iv) For a publicly held corporation: all corporate officers or
3 persons with equivalent titles and their spouses, all directors and
4 their spouses, and all stockholders, not including those holding a
5 direct or indirect ownership interest of 10% or less, and their
6 spouses.

7 (v) For a multilevel ownership enterprise: any entity or
8 person that receives or has the right to receive more than 10% of
9 the gross or net profit from the enterprise during any full or
10 partial calendar or fiscal year.

11 (vi) For a nonprofit corporation: all individuals and entities
12 with membership or shareholder rights in accordance with the
13 articles of incorporation or the bylaws and the spouses of the
14 individuals.

15 (d) **"Billboard" means that term as defined in section 2 of the**
16 **highway advertising act of 1972, 1972 PA 106, MCL 252.302.**

17 (e) ~~(d)~~—"Board" means the ~~marijuana~~**cannabis** regulatory
18 agency.

19 (f) **"Cannabis regulatory agency" means the marijuana**
20 **regulatory agency created under Executive Reorganization Order No.**
21 **2019-2, MCL 333.27001, renamed the cannabis regulatory agency under**
22 **Executive Reorganization Order No. 2022-1, MCL 333.27002.**

23 (g) ~~(e)~~—"Cutting" means a section of a lead stem or root stock
24 that is used for vegetative asexual propagation.

25 (h) ~~(f)~~—"Department" means the department of licensing and
26 regulatory affairs.

27 (i) **"Digital billboard" means that term as defined in section**
28 **2 of the highway advertising act of 1972, 1972 PA 106, MCL 252.302.**

29 (j) ~~(g)~~—"Grower" means a licensee that is a commercial entity

1 located in this state that cultivates, dries, trims, or cures and
2 packages marihuana for sale to a processor, provisioning center, or
3 another grower.

4 (k) ~~(h)~~—"Industrial hemp" means that term as defined in
5 section 3 of the Michigan Regulation and Taxation of Marihuana Act,
6 2018 IL 1, MCL 333.27953.

7 (l) ~~(i)~~—"Industrial hemp research and development act" means
8 the industrial hemp research and development act, 2014 PA 547, MCL
9 286.841 to 286.859.

10 (m) ~~(j)~~—"Licensee" means a person holding a state operating
11 license.

12 (n) ~~(k)~~—"Marihuana" means that term as defined in section 3 of
13 the Michigan Regulation and Taxation of Marihuana Act, 2018 IL 1,
14 MCL 333.27953.

15 (o) ~~(l)~~—"Marihuana facility" means a location at which a
16 licensee is licensed to operate under this act.

17 (p) ~~(m)~~—"Marihuana plant" means any plant of the species
18 *Cannabis sativa* L. Marihuana plant does not include industrial
19 hemp.

20 (q) ~~(n)~~—"Marihuana-infused product" means that term as defined
21 in section 3 of the Michigan Regulation and Taxation of Marihuana
22 Act, 2018 IL 1, MCL 333.27953.

23 (r) ~~(o)~~—"Marihuana tracking act" means the marihuana tracking
24 act, 2016 PA 282, MCL 333.27901 to 333.27904.

25 (s) ~~(p)~~—"Marijuana regulatory agency" means the marijuana
26 regulatory agency created under Executive Reorganization Order No.
27 2019-2, MCL 333.27001.

28 (t) ~~(q)~~—"Michigan medical marihuana act" means the Michigan
29 Medical Marihuana Act, 2008 IL 1, MCL 333.26421 to 333.26430.

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

2 **(v)** ~~(s)~~—"Paraphernalia" means any equipment, product, or
3 material of any kind that is designed for or used in growing,
4 cultivating, producing, manufacturing, compounding, converting,
5 storing, processing, preparing, transporting, injecting, smoking,
6 ingesting, inhaling, or otherwise introducing into the human body,
7 marihuana.

8 **(w)** ~~(t)~~—"Person" means an individual, corporation, limited
9 liability company, partnership, limited partnership, limited
10 liability partnership, limited liability limited partnership,
11 trust, or other legal entity.

12 **(x)** ~~(u)~~—"Plant" means any living organism that produces its
13 own food through photosynthesis and has observable root formation
14 or is in growth material.

15 **(y)** ~~(v)~~—"Processor" means a licensee that is a commercial
16 entity located in this state that purchases marihuana from a grower
17 and that extracts resin from the marihuana or creates a marihuana-
18 infused product for sale and transfer in packaged form to a
19 provisioning center or another processor.

20 **(z)** ~~(w)~~—"Provisioning center" means a licensee that is a
21 commercial entity located in this state that purchases marihuana
22 from a grower or processor and sells, supplies, or provides
23 marihuana to registered qualifying patients, directly or through
24 the patients' registered primary caregivers. Provisioning center
25 includes any commercial property where marihuana is sold at retail
26 to registered qualifying patients or registered primary caregivers.
27 A noncommercial location used by a registered primary caregiver to
28 assist a qualifying patient connected to the caregiver through the
29 department's marihuana registration process in accordance with the

1 Michigan Medical Marihuana Act is not a provisioning center for
2 purposes of this act.

3 **(aa)** ~~(x)~~—"Registered primary caregiver" means a primary
4 caregiver who has been issued a current registry identification
5 card under the Michigan Medical Marihuana Act.

6 **(bb)** ~~(y)~~—"Registered qualifying patient" means a qualifying
7 patient who has been issued a current registry identification card
8 under the Michigan Medical Marihuana Act or a visiting qualifying
9 patient as that term is defined in section 3 of the Michigan
10 Medical Marihuana Act, MCL 333.26423.

11 **(cc)** ~~(z)~~—"Registry identification card" means that term as
12 defined in section 3 of the Michigan Medical Marihuana Act, MCL
13 333.26423.

14 **(dd)** ~~(aa)~~—"Rules" means rules promulgated under the
15 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to
16 24.328, by the ~~marijuana~~**cannabis** regulatory agency to implement
17 this act.

18 **(ee)** ~~(bb)~~—"Safety compliance facility" means a licensee that
19 is a commercial entity that takes marihuana from a marihuana
20 facility or receives marihuana from a registered primary caregiver,
21 tests the marihuana for contaminants and for tetrahydrocannabinol
22 and other cannabinoids, returns the test results, and may return
23 the marihuana to the marihuana facility.

24 **(ff)** ~~(cc)~~—"Secure transporter" means a licensee that is a
25 commercial entity located in this state that stores marihuana and
26 transports marihuana between marihuana facilities for a fee.

27 **(gg)** ~~(dd)~~—"Seed" means the fertilized, ungerminated, matured
28 ovule, containing an embryo or rudimentary plant, of a marihuana
29 plant that is flowering.

1 **(hh)** ~~(ee)~~ "Seedling" means a marihuana plant that has
2 germinated and has not flowered and is not harvestable.

3 **(ii)** ~~(ff)~~ "State operating license" or, unless the context
4 requires a different meaning, "license" means a license that is
5 issued under this act that allows the licensee to operate as 1 of
6 the following, specified in the license:

7 (i) A grower.

8 (ii) A processor.

9 (iii) A secure transporter.

10 (iv) A provisioning center.

11 (v) A safety compliance facility.

12 **(jj)** ~~(gg)~~ "Statewide monitoring system" or, unless the context
13 requires a different meaning, "system" means an internet-based,
14 statewide database established, implemented, and maintained by the
15 department under the marihuana tracking act, that is available to
16 licensees, law enforcement agencies, and authorized state
17 departments and agencies on a 24-hour basis for all of the
18 following:

19 (i) Verifying registry identification cards.

20 (ii) Tracking marihuana transfer and transportation by
21 licensees, including transferee, date, quantity, and price.

22 (iii) Verifying in commercially reasonable time that a transfer
23 will not exceed the limit that the patient or caregiver is
24 authorized to receive under section 4 of the Michigan Medical
25 Marihuana Act, MCL 333.26424.

26 **(kk)** ~~(hh)~~ "Tissue culture" means a marihuana plant cell,
27 cutting, tissue, or organ, that is kept under a sterile condition
28 on a nutrient culture medium of known composition and that does not
29 have visible root formation. A tissue culture is not a marihuana

1 plant for purposes of a grower.

2 (II) ~~(ii)~~ "Usable marihuana" means the dried leaves, flowers,
3 plant resin, or extract of the marihuana plant, but does not
4 include the seeds, stalks, and roots of the plant.

5 Sec. 206. The ~~marijuana~~ **cannabis** regulatory agency shall
6 promulgate rules and emergency rules as necessary to implement,
7 administer, and enforce this act. The rules must ensure the safety,
8 security, and integrity of the operation of marihuana facilities,
9 and must include rules to do the following:

10 (a) Set appropriate standards for marihuana facilities and
11 associated equipment.

12 (b) Subject to section 408, establish minimum levels of
13 insurance that licensees must maintain.

14 (c) Establish operating regulations for each category of
15 license to ensure the health, safety, and security of the public
16 and the integrity of marihuana facility operations.

17 (d) Establish qualifications and restrictions for persons
18 participating in or involved with operating marihuana facilities.

19 (e) Establish testing standards, procedures, and requirements
20 for marihuana sold through provisioning centers.

21 (f) Provide for the levy and collection of fines for a
22 violation of this act or rules.

23 (g) Prescribe use of the statewide monitoring system to track
24 all marihuana transfers, as provided in the marihuana tracking act
25 and this act, and provide for a funding mechanism to support the
26 system.

27 (h) Establish quality control standards, procedures, and
28 requirements for marihuana facilities.

29 (i) Establish chain of custody standards, procedures, and

1 requirements for marihuana facilities.

2 (j) Establish standards, procedures, and requirements for
3 waste product disposal and storage by marihuana facilities.

4 (k) Establish chemical storage standards, procedures, and
5 requirements for marihuana facilities.

6 (l) Establish standards, procedures, and requirements for
7 securely and safely transporting marihuana between marihuana
8 facilities.

9 (m) Establish standards, procedures, and requirements for the
10 storage of marihuana by marihuana facilities.

11 (n) Establish labeling and packaging standards, procedures,
12 and requirements for marihuana sold or transferred through
13 provisioning centers, including, but not limited to:

14 (i) A prohibition on labeling or packaging that is intended to
15 appeal to or has the effect of appealing to minors.

16 (ii) A requirement that all marihuana sold through provisioning
17 centers include on the exterior of the marihuana packaging the
18 following warning printed in clearly legible type and surrounded by
19 a continuous heavy line:

20 WARNING: USE BY PREGNANT OR BREASTFEEDING WOMEN, OR BY
21 WOMEN PLANNING TO BECOME PREGNANT, MAY RESULT IN FETAL
22 INJURY, PRETERM BIRTH, LOW BIRTH WEIGHT, OR DEVELOPMENTAL
23 PROBLEMS FOR THE CHILD.

24 (o) Establish daily and monthly purchasing limits at
25 provisioning centers for registered qualifying patients and
26 registered primary caregivers to ensure compliance with the
27 Michigan Medical Marihuana Act.

28 (p) ~~Establish~~ **Subject to section 506, establish** marketing and
29 advertising restrictions for marihuana products and marihuana

1 facilities.

2 (q) Establish maximum tetrahydrocannabinol levels for
3 marihuana-infused products sold or transferred through provisioning
4 centers.

5 (r) Establish health standards to ensure the safe preparation
6 of products containing marihuana that are intended for human
7 consumption in a manner other than smoke inhalation.

8 (s) Establish restrictions on edible marihuana-infused
9 products to prohibit shapes that would appeal to minors.

10 (t) Establish standards, procedures, and requirements for the
11 sale of industrial hemp from a provisioning center to a registered
12 qualified patient. ~~The rules promulgated under this subdivision~~
13 ~~must be promulgated before March 1, 2019.~~

14 (u) Establish informational pamphlet standards for
15 provisioning centers including, but not limited to, a requirement
16 to make available to every patron at the time of sale a pamphlet
17 measuring 3.5 inches by 5 inches that includes safety information
18 related to marihuana use by minors and the poison control hotline
19 number.

20 (v) Establish procedures and standards for approving an
21 appointee to operate a marihuana facility under section 206a.

22 **Sec. 506. A person shall not advertise any of the following on**
23 **a billboard or digital billboard that is located in this state:**

24 (a) **Marihuana.**

25 (b) **A marihuana-infused product.**

26 (c) **A marihuana product.**

27 (d) **A marihuana facility.**

28 (e) **A licensee.**