

INDUSTRIAL HEMP RESEARCH AND DEVELOPMENT ACT (EXCERPT)
Act 547 of 2014

286.842 Definitions.

Sec. 2.

As used in this act:

- (a) "Broker" means to engage or participate in the marketing of industrial hemp by acting as an intermediary or negotiator between prospective buyers and sellers.
- (b) "Cannabis" means the plant *Cannabis sativa* L. and any part of that plant, whether growing or not.
- (c) "Department" means the department of agriculture and rural development.
- (d) "Director" means the director of the department, or his or her designee.
- (e) "GPS coordinates" means latitude and longitude coordinates derived from a global positioning system.
- (f) "Grow" means to plant, propagate, grow, cultivate, or harvest live plants or viable seeds.
- (g) "Grower" means a person registered by the department under this act to grow industrial hemp.
- (h) "Handle" means to possess, store, or transport industrial hemp on premises owned, operated, or controlled by a registered grower or licensed processor-handler.
- (i) "Industrial hemp" means that term as defined in section 3 of the Michigan Regulation and Taxation of Marihuana Act, 2018 IL 1, MCL 333.27953.
- (j) "Licensing and registration fund" means the industrial hemp licensing and registration fund created in section 5.
- (k) "Location ID" means the unique identifier established by the applicant for each unique set of GPS coordinates where industrial hemp will be grown, handled, stored, processed, or brokered.
- (l) "Market" means to promote or sell industrial hemp or an industrial hemp commodity or product. Market includes, but is not limited to, efforts to advertise and gather information about the needs or preferences of potential consumers or suppliers.
- (m) "Nonviable seed" means seed that has been crushed, dehulled, heat treated, or otherwise rendered to have a 0.0% germination rate.
- (n) "Person" means an individual, partnership, corporation, association, or other legal entity.
- (o) "Plot" means a contiguous area in a field, greenhouse, or indoor growing structure containing the same variety of industrial hemp throughout the area.
- (p) "Process" means to convert raw industrial hemp into a marketable form.
- (q) "Processor-handler" means a person licensed by the department under this act to process, handle, broker, or market industrial hemp.
- (r) "Program" means the industrial hemp licensing and registration program established by this act.
- (s) "Propagule" means a plant or plant part that is utilized to grow a new plant.
- (t) "Research fund" means the industrial hemp research and development fund created in section 4.
- (u) "Testing facility" means a safety compliance facility licensed under the medical marihuana facilities licensing act, 2016 PA 281, MCL 333.27101 to 333.27801, or a testing facility approved by the department.
- (v) "THC" means that term as defined in section 3 of the Michigan Regulation and Taxation of Marihuana Act, 2018 IL 1, MCL 333.27953.
- (w) "Variety" means a subdivision of a species that has the following characteristics:
 - (i) The subdivision is uniform, in the sense that variations between the subdivision and other subdivisions in essential and distinctive characteristics are describable.
 - (ii) The subdivision is distinct, in the sense that the subdivision can be differentiated by 1 or more identifiable morphological, physiological, or other characteristics from all other known subdivisions.
 - (iii) The subdivision is stable, in the sense that the subdivision will remain uniform and distinct if reproduced.
- (x) "Viable seed" means seed that has a germination rate of greater than 0.0%.
- (y) "Volunteer cannabis plant" means a cannabis plant that is not intentionally planted and grows of its own accord from seeds or roots in the years following an intentionally planted cannabis crop.

History: 2014, Act 547, Imd. Eff. Jan. 15, 2015 ;-- Am. 2018, Act 641, Eff. Jan. 15, 2019 ;-- Am. 2021, Act 61, Eff. Oct. 11, 2021

Compiler's Notes: For the transfer of all authorities, powers, duties, functions, and responsibilities of the department of agriculture and rural development to license and regulate process handlers to the cannabis regulatory agency formerly known as the marijuana regulatory agency, see E.R.O. No. 2022-1, compiled at MCL 333.27002.

