

MICHIGAN SUPREME COURT DECISION

Ter Beek v. City of Wyoming, Mich ; NW2d (2014):

Issue: Whether the immunity provisions of the MMMA are preempted by the Federal Controlled Substances Act, and therefore, a municipality can enact an ordinance that prohibits growing, possessing or using medical marijuana in compliance with the MMMA

Holding: The Michigan Supreme Court held as follows: The immunity provisions of the MMMA are not preempted by the Federal Controlled Substances Act, and that a municipality cannot enact an ordinance that prohibits growing, possessing or using medical marijuana in compliance with the MMMA

preempt - take action in order to prevent (an anticipated event) from happening; forestall.