

HOUSE BILL No. 5845

April 19, 2018, Introduced by Reps. Marino, Cole and Bellino and referred to the Committee on Law and Justice.

A bill to amend 2008 IL 1, entitled
"Michigan medical marihuana act,"
by amending section 7 (MCL 333.26427), as amended by 2016 PA 546.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 7. Scope of Act.

2 Sec. 7. (a) The medical use of marihuana is allowed under
3 state law to the extent that it is carried out ~~in accordance with~~
4 ~~the provisions of~~ **PURSUANT TO** this act.

5 (b) This act does not permit ~~any~~ **A** person to do any of the
6 following:

7 (1) Undertake ~~any~~ **A** task under the influence of marihuana ~~7~~
8 ~~when~~ **IF** doing so would constitute negligence or professional
9 malpractice.

10 (2) Possess marihuana, or otherwise engage in the medical use

1 of marihuana at any of the following locations:

2 (A) In a school bus.

3 (B) On the grounds of ~~any~~**A** preschool or primary or secondary
4 school.

5 (C) In ~~any~~**A** correctional facility.

6 (3) Smoke marihuana at any of the following locations:

7 (A) On any form of public transportation.

8 (B) In ~~any~~**A** public place.

9 (4) Operate, navigate, or be in actual physical control of ~~any~~
10 **A** motor vehicle, aircraft, snowmobile, off-road recreational
11 vehicle, or motorboat while under the influence of marihuana.

12 (5) Use marihuana if that person does not have a serious or
13 debilitating medical condition.

14 (6) Separate plant resin from a marihuana plant by ~~butane~~
15 ~~extraction in any public place or motor vehicle, or inside or~~
16 ~~within the curtilage of any residential structure.~~**CHEMICAL**
17 **EXTRACTION.**

18 ~~—— (7) Separate plant resin from a marihuana plant by butane~~
19 ~~extraction in a manner that demonstrates a failure to exercise~~
20 ~~reasonable care or reckless disregard for the safety of others.~~

21 (c) ~~Nothing in this~~**THIS** act shall be construed to ~~DOES NOT~~
22 require any of the following:

23 (1) A government medical assistance program or commercial or
24 non-profit health insurer to reimburse a person for costs
25 associated with the medical use of marihuana.

26 (2) An employer to accommodate the ingestion of marihuana in
27 ~~any~~**A** workplace or ~~any~~**AN** employee working while under the

1 influence of marihuana.

2 (3) A private property owner to lease residential property to
3 ~~any~~ **A** person who smokes or cultivates marihuana on the premises ~~7~~
4 if ~~the~~ **A** prohibition against smoking or cultivating marihuana is in
5 the written lease.

6 (d) ~~Fraudulent representation to a law enforcement official of~~
7 ~~any~~ **FRAUDULENTLY REPRESENTING A** fact or circumstance ~~relating~~
8 **RELATED** to the medical use of marihuana to **A LAW ENFORCEMENT**
9 **OFFICIAL TO** avoid arrest or prosecution is punishable by a fine of
10 \$500.00, which is in addition to any other ~~penalties~~ **PENALTY** that
11 may apply for making a false statement or for the use of marihuana
12 other than **A** use undertaken pursuant to this act.

13 (e) All other acts and parts of acts inconsistent with this
14 act do not apply to the medical use of marihuana as provided for by
15 this act.

16 Enacting section 1. This amendatory act takes effect 90 days
17 after the date it is enacted into law.