## HOUSE SUBSTITUTE FOR SENATE BILL NO. 72

A bill to amend 2008 IL 1, entitled "Michigan medical marihuana act,"

by amending section 7 (MCL 333.26427), as amended by 2016 PA 283.

## 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 this act.
- 5 (b) This act does not permit any person to do any of the
- 6 following:
- 7 (1) Undertake any task under the influence of marihuana, when
- 8 doing so would constitute negligence or professional malpractice.
- 9 (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 preschool or primary or secondary
- 4 school.
- 5 (C) In any correctional facility.
- 6 (3) Smoke marihuana at any of the following locations:
- 7 (A) On any form of public transportation.
- 8 (B) In any public place.
- 9 (4) Operate, navigate, or be in actual physical control of any
- 10 motor vehicle, aircraft, snowmobile, off-road recreational vehicle,
- 11 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.
- 17 (7) Separate plant resin from a marihuana plant by butane
- 18 extraction in a manner that demonstrates a failure to exercise
- 19 reasonable care or reckless disregard for the safety of others.
- (c) Nothing in this act shall be construed to require any of
- 21 the following:
- 22 (1) A government medical assistance program or commercial or
- 23 non-profit health insurer to reimburse a person for costs
- 24 associated with the medical use of marihuana.
- 25 (2) An employer to accommodate the ingestion of marihuana in
- 26 any workplace or any employee working while under the influence of
- 27 marihuana.

- 1 (3) A PRIVATE PROPERTY OWNER TO LEASE RESIDENTIAL PROPERTY TO
- 2 ANY PERSON WHO SMOKES OR CULTIVATES MARIHUANA ON THE PREMISES, IF
- 3 THE PROHIBITION AGAINST SMOKING OR CULTIVATING MARIHUANA IS IN THE
- 4 WRITTEN LEASE.
- 5 (d) Fraudulent representation to a law enforcement official of
- 6 any fact or circumstance relating to the medical use of marihuana
- 7 to avoid arrest or prosecution is punishable by a fine of \$500.00,
- 8 which is in addition to any other penalties that may apply for
- 9 making a false statement or for the use of marihuana other than use
- 10 undertaken pursuant to this act.
- 11 (e) All other acts and parts of acts inconsistent with this
- 12 act do not apply to the medical use of marihuana as provided for by
- 13 this act.
- 14 Enacting section 1. This amendatory act takes effect 90 days
- 15 after the date it is enacted into law.