

New Marijuana Legislation

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The following is a summary of marijuana-related bills signed by Governor Whitmer on July 13th, 2021.

Most notable change: As of October 11, 2021, businesses in Michigan can no longer sell Delta-8 without a license from the MRA.

House Bill 4516

- Prohibits the sale of marijuana to (1) a minor; or (2) an individual displaying obvious, objective, and visible evidence of intoxication.
- Creates a cause of action for harm caused by those individuals.
- The marijuana business would have the right to full indemnification from the minor or alleged visibly intoxicated individuals for all damages awarded against it.
- Require a licensee to maintain related insurance coverage of at least \$50,000.

House Bill 4517

- Amends the Michigan Regulation and Taxation of Marihuana Act (MRTMA) to define "THC" and modify the definitions of "industrial hemp" and "marihuana."
- This legislation empowers the Marijuana Regulatory Agency (MRA) to place THC limits on products intended for consumption.
- The MRA can exclude certain tetrahydrocannabinol (more commonly known as THC) from the definition of TCH if certain factors indicated there was no potential for abuse with that product.

House Bill 4745

- Amends the Michigan Medical Marihuana Act (MMMA) definitions of "bona fide physician-patient relationship" and "written certification" to no longer require that patient evaluations occur in person.
- Adds a definition for the Marijuana Regulatory Agency (MRA) and shifts some authority from the Department of Licensing and Regulatory Affairs to the MRA.

House Bill 4740

- Amends the Medical Marihuana Facilities Licensing Act (MMFLA) to modify the definitions of "industrial hemp," "marihuana," and "marihuana-infused product."
- The new definitions are the same as House Bill 4517. As a result, the terms in the MMFLA and the MRTMA will now be the same.

House Bill 4741

- Amends the Industrial Hemp Growers Act to modify the definitions of "industrial hemp," "marihuana," and "THC" to align with those of the MRTMA.
- The new definitions as described in House Bill 4517.

House Bill 4742

- Amends the Marihuana Tracking Act to revise the definition of marihuana to match the MRTMA.

House Bill 4743

- Amends the Public Health Code to delete the definitions of "marihuana" and "industrial hemp" and references the definitions found in the MRTMA.

House Bill 4744

- Amends the Industrial Hemp Research and Development Act to delete the definitions of "industrial hemp" and "THC." The Act now references the definitions found in the MRTMA.

House Bill 4746

- Amends the Michigan Liquor Control Code to revise the definition of "marihuana" to mean the term as defined by the MRTMA.