

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).

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 ~~shall~~**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
10 of marihuana **AT ANY OF THE FOLLOWING LOCATIONS:**

1 (A) ~~in~~**IN** a school bus. ~~+~~

2 (B) ~~on~~**ON** the grounds of any preschool or primary or secondary
3 school. ~~+~~~~or~~

4 (C) ~~in~~**IN** any correctional facility.

5 (3) Smoke marihuana **AT ANY OF THE FOLLOWING LOCATIONS:**

6 (A) ~~on~~**ON** any form of public transportation. ~~+~~~~or~~

7 (B) ~~in~~**IN** any public place.

8 (C) **ON PRIVATE PROPERTY, IN VIOLATION OF A PROHIBITION**
9 **ESTABLISHED BY THE PROPERTY OWNER.**

10 (4) Operate, navigate, or be in actual physical control of any
11 motor vehicle, aircraft, or motorboat while under the influence of
12 marihuana.

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

15 (c) Nothing in this act shall be construed to require **ANY OF**
16 **THE FOLLOWING:**

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

20 (2) An employer to accommodate the ingestion of marihuana in
21 any workplace or any employee working while under the influence of
22 marihuana.

23 (3) **A PRIVATE PROPERTY OWNER TO LEASE RESIDENTIAL PROPERTY TO**
24 **ANY PERSON WHO SMOKES OR CULTIVATES MARIHUANA ON THE PREMISES, IF**
25 **THE PROHIBITION AGAINST SMOKING OR CULTIVATING MARIHUANA IS IN THE**
26 **WRITTEN LEASE.**

27 (d) Fraudulent representation to a law enforcement official of

1 any fact or circumstance relating to the medical use of marihuana
2 to avoid arrest or prosecution ~~shall be~~ **IS** punishable by a fine of
3 \$500.00, which ~~shall be~~ **IS** in addition to any other penalties that
4 may apply for making a false statement or for the use of marihuana
5 other than use undertaken pursuant to this act.

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

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