

# Legislative Analysis

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## **MEDICAL MARIHUANA: ALLOW TO PROHIBIT IN LEASE**

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<http://www.house.mi.gov/hfa>

**Senate Bill 72 (Substitute S-1 as passed by Senate)**  
**Sponsor: Sen. Rick Jones**  
**House Committee: Judiciary**  
**Senate Committee: Judiciary**  
**Complete to 3-23-15**

Analysis available at  
<http://www.legislature.mi.gov>

### **SUMMARY:**

The bill would allow landlords to include a prohibition on growing or smoking medical marihuana in the lease of rental properties.

The Michigan Medical Marihuana Act authorizes the possession and use of limited amounts of marihuana by individuals suffering from certain conditions, and authorizes licensed caregivers to cultivate limited amounts of marihuana for specific medical marihuana patients, as specified in the act.

Senate Bill 783 would amend the MMMA (MCL 333.26427) to do the following:

- Specify that the act would not permit any person to smoke marihuana on private property in violation of a prohibition established by the property owner.
- Specify that nothing in the act could be construed to require a private property owner to lease residential property to any person who smokes or cultivates marihuana on the premises, if the prohibition against smoking or cultivating marihuana is in the written lease.

The bill would take effect 90 days after enactment. (The bill is a reintroduction of SB 783 of last session; it was reported from House committee toward the end of the 2013-2014 Legislative Session but failed to see House floor action before the Session ended.)

### **FISCAL IMPACT:**

The bill would have no significant fiscal impact on the state or local units of government.

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