

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.

20 (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.