

# Legislative Analysis



## **MEDICAL MARIJUANA FACILITIES: ONE-YEAR LICENSE INELIGIBILITY FOR OPERATING WITHOUT A LICENSE**

Phone: (517) 373-8080  
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**House Bill 4440 as introduced**  
**Sponsor: Rep. Jim Lilly**  
**Committee: Government Operations**  
**Complete to 4-9-19**

### **SUMMARY:**

House Bill 4440 would amend the Medical Marijuana Facilities Licensing Act (MMFLA) to add operating a marijuana facility without a license to the list of circumstances that make an applicant ineligible for a license.

The MMFLA regulates such medical marijuana facilities as growers, processors, secure transporters, provisioning centers, and safety compliance facilities and requires that these facilities obtain a license under the act to operate in this state. The act contains a list of circumstances that make an applicant ineligible to receive such a license, including such things as holding elective office or having certain criminal convictions.

Under the bill, an applicant would be ineligible to receive a license if the Department of Licensing and Regulatory Affairs (LARA) determined that the applicant, at any time after the bill took effect, held itself out as operating a marijuana facility and did not have a license to operate the facility or had a license that was suspended, revoked, lapsed, void, fraudulently obtained, or transferred to the applicant without the prior approval of the Medical Marijuana Licensing Board. The ineligibility would apply for one year after the date of LARA's determination.

MCL 333.27402

### **FISCAL IMPACT:**

House Bill 4440 could result in an indeterminate temporary reduction in revenues for LARA. To the extent that the bill may result in applicants being ineligible for licensure for a one-year period, the bill may result in diminished revenues that may have been realized from those entities. Given that the ineligibility period would be one year, the bill would be unlikely to cause significant long-term impacts.

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