

HOUSE BILL NO. 5547

February 25, 2020, Introduced by Reps. Filler, Brixie, Rabhi, Brann, LaGrand, Steven Johnson, Meerman, Hall, Marino, Crawford, Wittenberg, Cambensy, Chirkun, Hoadley, Greig, Hertel, Warren, Lasinski, Tate and Cherry and referred to the Committee on Government Operations.

A bill to amend 2016 PA 281, entitled
"Medical marihuana facilities licensing act,"
by amending section 501 (MCL 333.27501), as amended by 2018 PA 10.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 501. (1) A grower license authorizes the grower to grow
2 not more than the following number of marihuana plants under the
3 indicated license class for each license the grower holds in that
4 class:

5 (a) Class A - **1,500 marihuana plants, not more than 500 of**
6 **which may be flowering** marihuana plants.



1 (b) Class B - **3,000 marihuana plants, not more than 1,000 of**
2 **which may be flowering** marihuana plants.

3 (c) Class C - **4,500 marihuana plants, not more than 1,500 of**
4 **which may be flowering** marihuana plants.

5 (2) Except as otherwise provided in this subsection, a grower
6 license authorizes sale of marihuana plants to a grower only by
7 means of a secure transporter. A grower license authorizes the sale
8 or transfer of seeds, seedlings, or tissue cultures to a grower
9 from a registered primary caregiver or another grower without using
10 a secure transporter.

11 (3) A grower license authorizes a grower to transfer marihuana
12 ~~without using a secure transporter~~ to a processor or provisioning
13 center **without using a secure transporter** if both of the following
14 are met:

15 (a) The processor or provisioning center occupies the same
16 location as the grower and the marihuana is transferred using only
17 private real property without accessing public roadways.

18 (b) The grower enters each transfer into the statewide
19 monitoring system.

20 (4) A grower license authorizes sale of marihuana, other than
21 seeds, seedlings, tissue cultures, and cuttings, to a processor or
22 provisioning center.

23 (5) Except as otherwise provided in subsections (2) and (3)
24 and section 505, a grower license authorizes the grower to transfer
25 marihuana only by means of a secure transporter.

26 (6) To be eligible for a grower license, the applicant and
27 each investor in the grower must not have an interest in a secure
28 transporter or safety compliance facility.

29 (7) Until December 31, 2018, for a period of 30 days after the



1 issuance of a grower license and in accord with rules, a grower may
2 transfer any of the following that are lawfully possessed by an
3 individual formerly registered as a primary caregiver who is an
4 active employee of the grower:

5 (a) Marihuana plants.

6 (b) Seeds.

7 (c) Seedlings.

8 (8) A grower shall comply with all of the following:

9 (a) Until December 31, 2021, have, or have as an active
10 employee an individual who has, a minimum of 2 years' experience as
11 a registered primary caregiver.

12 (b) While holding a license as a grower, not be a registered
13 primary caregiver and not employ an individual who is
14 simultaneously a registered primary caregiver.

15 (c) Enter all transactions, current inventory, and other
16 information into the statewide monitoring system as required in
17 this act, rules, and the marihuana tracking act.

18 (9) A grower license does not authorize the grower to operate
19 in an area unless the area is zoned for industrial or agricultural
20 uses or is unzoned and otherwise meets the requirements established
21 in section 205(1).

22 **(10) As used in this section, "flowering marihuana plant"**
23 **means a marihuana plant that has visible calices, stigma, or**
24 **preflowers located at the node of a stem or branch.**

