

Legislative Analysis



PROHIBIT SALE OF MARIJUANA AND NICOTINE PRODUCTS CONTAINING VITAMIN E ACETATE

Phone: (517) 373-8080
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House Bill 5159 as introduced
Sponsor: Rep. Abdullah Hammoud

House Bill 5160 as introduced
Sponsor: Rep. Frank Liberati

House Bill 5161 as introduced
Sponsor: Rep. Joseph N. Bellino, Jr.

Committee: Regulatory Reform
Revised 1-13-20

SUMMARY:

House Bills 5159, 5160, and 5161 would amend the Medical Marijuana Facilities Licensing Act and the Michigan Regulation and Taxation of Marijuana Act and create a new act, respectively, to prohibit the sale of marijuana or tobacco products that contain vitamin E acetate.

House Bill 5159 would amend the Medical Marijuana Facilities Licensing Act to prohibit licensed marijuana processors from processing marijuana or marijuana-infused products that contain or have been combined with vitamin E acetate. In addition, the bill would prohibit marijuana provisioning centers from selling marijuana or marijuana-infused products that contain or have been combined with vitamin E acetate.

A processor or provisioning center that violated these prohibitions would be guilty of a misdemeanor punishable by a civil fine as follows:

- Up to \$100 for a first offense.
- Up to \$500 for a second offense.
- Up to \$2,500 for a third or subsequent offense.

MCL 333.27102 et seq.

House Bill 5160 would amend the Michigan Regulation and Taxation of Marijuana Act to prohibit a marijuana processor from processing, and prohibit a marijuana retailer from selling, marijuana that contains or has been combined with vitamin E acetate.

A processor or retailer that violated these prohibitions would be guilty of a misdemeanor punishable by a civil fine as follows:

- Up to \$100 for a first offense.
- Up to \$500 for a second offense.
- Up to \$2,500 for a third or subsequent offense.

MCL 333.27953 et seq.

House Bill 5161 would create a new act to prohibit the sale of vapor products (such as e-cigarettes) or alternative nicotine products (such as nicotine gum or patches) that contain vitamin E acetate or have been combined with vitamin E acetate.

A person who violated this prohibition would be guilty of a misdemeanor punishable by a fine as follows:

- Up to \$100 for a first offense.
- Up to \$500 for a second offense.
- Up to \$2,500 for a third or subsequent offense.

FISCAL IMPACT:

House Bills 5159 and 5160 would not have appreciable fiscal impacts on the Department of Licensing and Regulatory Affairs (LARA), excepting that fine revenues would be deposited to funds administered by the department.

House Bill 5161 would not have an appreciable fiscal impact on LARA or on any law enforcement entities.

Legislative Analyst: Nick Kelly
Fiscal Analysts: Marcus Coffin
Robin Risko

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.