

EXCLUDE INDUSTRIAL HEMP FROM MARIHUANA DEFINITION IN FACILITIES LICENSING ACT

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

House Bill 6380 as introduced
Sponsor: Rep. Dan Lauwers
Committee: Agriculture
Complete to 10-2-18

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

SUMMARY:

House Bill 6380 would amend the Medical Marihuana Facilities Licensing Act to exclude industrial hemp from the definition of marihuana plant for purposes of the Act. The bill would also require the Department of Licensing and Regulatory Affairs (LARA) to promulgate rules, by March 1, 2019, that would establish standards, procedures, and requirements for the sale of industrial hemp from a provisioning center to a registered qualified patient under the Act.

Currently, for purposes of the Act, *marihuana plant* is defined as any plant of the species *Cannabis sativa* L. The bill would add that *marihuana plant* does not include *industrial hemp* as that term is defined in the Public Health Code. That definition would be modified by House Bill 6331 as follows:

Industrial hemp means the plant *Cannabis sativa* L. and any part of that plant, including the viable seeds of that plant and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3% on a dry weight basis. Industrial hemp includes industrial hemp commodities and products and topical or indigestible animal and consumer products derived from the plant *Cannabis sativa* L. with a delta-9 tetrahydrocannabinol concentration of not more than 0.3% on a dry weight basis.

However, HB 6380 is not tie-barred to HB 6331, and if it were enacted without HB 6331 also being enacted, the exclusion of industrial hemp would instead refer instead to the definition of industrial hemp as it currently exists in the Public Health Code.¹

The bill is tie-barred to House Bill 6330, which means that it cannot take effect unless HB 6330 is also enacted. House Bill 6330 amends the Industrial Hemp Research Act.

The bill would take effect 90 days after being enacted.

MCL 333.27102 and 333.27206

¹ See <http://legislature.mi.gov/doc.aspx?mcl-333-7106>

FISCAL IMPACT:

House Bill 6380 would not impact expenditures or revenues for any unit of state or local government.

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■ 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.