

HOUSE BILL No. 6422

October 3, 2018, Introduced by Rep. Kesto and referred to the Committee on Law and Justice.

A bill to amend 2016 PA 282, entitled "Marihuana tracking act," by amending sections 2 and 4 (MCL 333.27902 and 333.27904).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2. As used in this act:

2 (a) "Department" means the department of licensing and
3 regulatory affairs.

4 **(B) "FINANCIAL INSTITUTION" MEANS THAT TERM AS DEFINED IN**
5 **SECTION 201 OF THE MEDICAL MARIHUANA FACILITIES LICENSING ACT, MCL**
6 **333.27201.**

7 (C) ~~(b)~~ "Licensee" means that term as defined in section 102
8 of the medical marihuana facilities licensing act, **MCL 333.27102.**

9 (D) ~~(c)~~ "Marihuana" means that term as defined in section 7106
10 of the public health code, 1978 PA 368, MCL 333.7106.

1 (E) "MEDICAL MARIHUANA FACILITIES LICENSING ACT" MEANS THE
2 MEDICAL MARIHUANA FACILITIES LICENSING ACT, 2016 PA 281, MCL
3 333.27101 TO 333.27801.

4 (F) ~~(d)~~—"Registered primary caregiver" means that term as
5 defined in section 102 of the medical marihuana facilities
6 licensing act, MCL 333.27102.

7 (G) ~~(e)~~—"Registered qualifying patient" means that term as
8 defined in section 102 of the medical marihuana facilities
9 licensing act, MCL 333.27102.

10 (H) ~~(f)~~—"Registry identification card" means that term as
11 defined in section 3 of the Michigan medical marihuana act, 2008 IL
12 1, MCL 333.26423.

13 (I) ~~(g)~~—"Statewide monitoring system" or "system" means an
14 internet-based, statewide database established, implemented, and
15 maintained directly or indirectly by the department that is
16 available to licensees, law enforcement agencies, and authorized
17 state departments and agencies on a 24-hour basis for all of the
18 following:

19 (i) Verifying registry identification cards.

20 (ii) Tracking marihuana transfer and transportation by
21 licensees, including transferee, date, quantity, and price.

22 (iii) Verifying in a commercially reasonable time that a
23 transfer will not exceed the limit that the registered qualifying
24 patient or registered primary caregiver is authorized to receive
25 under section 4 of the Michigan medical marihuana act, 2008 IL 1,
26 MCL 333.26424.

27 Sec. 4. (1) The information in the system is confidential and

1 is exempt from disclosure under the freedom of information act,
2 1976 PA 442, MCL 15.231 to 15.246. Information in the system may be
3 disclosed **PURSUANT TO SUBSECTION (2) OR** for purposes of enforcing
4 this act; the Michigan medical marihuana act, 2008 IL 1, MCL
5 333.26421 to 333.26430; and the medical marihuana facilities
6 licensing act.

7 (2) A LICENSEE MAY, IN WRITING, AUTHORIZE THE DEPARTMENT TO
8 DISCLOSE THE LICENSEE'S INFORMATION IN THE SYSTEM DESCRIBED IN
9 SECTION 3(2) (A) TO (C) TO A FINANCIAL INSTITUTION IDENTIFIED IN THE
10 AUTHORIZATION. UPON RECEIVING WRITTEN AUTHORIZATION UNDER THIS
11 SUBSECTION, THE DEPARTMENT SHALL DISCLOSE THE LICENSEE'S
12 INFORMATION DESCRIBED IN SECTION 3(2) (A) TO (C) TO A FINANCIAL
13 INSTITUTION IDENTIFIED IN THE AUTHORIZATION.

14 Enacting section 1. This amendatory act takes effect 90 days
15 after the date it is enacted into law.