

# HOUSE BILL No. 6331

September 6, 2018, Introduced by Reps. Johnson, Lauwers, Barrett, Cole and Miller and referred to the Committee on Agriculture.

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7106 (MCL 333.7106), as amended by 2014 PA 548.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 7106. (1) "Immediate precursor" means a substance that  
2 the administrator has found to be and by rule designates as being  
3 the principal compound commonly used or produced primarily for use  
4 and that is an immediate chemical intermediary used or likely to be  
5 used in the manufacture of a controlled substance, the control of  
6 which is necessary to prevent, curtail, or limit manufacture.

7           (2) "Industrial hemp" means the plant *Cannabis sativa* L. and  
8 any part of ~~the~~ **THAT** plant, **INCLUDING THE VIABLE SEEDS OF THAT**  
9 **PLANT AND ALL DERIVATIVES, EXTRACTS, CANNABINOIDS, ISOMERS, ACIDS,**  
10 **SALTS, AND SALTS OF ISOMERS,** whether growing or not, with a ~~delta-~~

1 ~~9-tetrahydrocannabinol~~ **DELTA-9-TETRAHYDROCANNABINOL** concentration  
2 of not more than 0.3% on a dry weight basis. **INDUSTRIAL HEMP**  
3 **INCLUDES INDUSTRIAL HEMP COMMODITIES AND PRODUCTS AND TOPICAL OR**  
4 **INGESTIBLE ANIMAL AND CONSUMER PRODUCTS DERIVED FROM THE PLANT**  
5 ***Cannabis sativa* L. WITH A DELTA-9 TETRAHYDROCANNABINOL**  
6 **CONCENTRATION OF NOT MORE THAN 0.3% ON A DRY WEIGHT BASIS.**

7 (3) "Manufacture" means the production, preparation,  
8 propagation, compounding, conversion, or processing of a controlled  
9 substance, directly or indirectly by extraction from substances of  
10 natural origin, or independently by means of chemical synthesis, or  
11 by a combination of extraction and chemical synthesis. It includes  
12 the packaging or repackaging of the substance or labeling or  
13 relabeling of its container, except that it does not include either  
14 of the following:

15 (a) The preparation or compounding of a controlled substance  
16 by an individual for his or her own use.

17 (b) The preparation, compounding packaging, or labeling of a  
18 controlled substance by either of the following:

19 (i) A practitioner as an incident to the practitioner's  
20 administering or dispensing of a controlled substance in the course  
21 of his or her professional practice.

22 (ii) A practitioner, or by the practitioner's authorized agent  
23 under his or her supervision, for the purpose of, or as an incident  
24 to, research, teaching, or chemical analysis, and not for sale.

25 (4) "Marihuana" means all parts of the plant *Cannabis sativa*  
26 L., growing or not; the seeds of that plant; the resin extracted  
27 from any part of the plant; and every compound, manufacture, salt,

1 derivative, mixture, or preparation of the plant or its seeds or  
2 resin. Marihuana does not include the mature stalks of the plant,  
3 fiber produced from the stalks, oil or cake made from the seeds of  
4 the plant, any other compound, manufacture, salt, derivative,  
5 mixture, or preparation of the mature stalks, except the resin  
6 extracted from those stalks, fiber, oil, or cake, or any sterilized  
7 seed of the plant that is incapable of germination. Marihuana does  
8 not include industrial hemp grown, ~~or cultivated, or both,~~  
9 **PROCESSED, OR HANDLED** for research purposes under the industrial  
10 hemp research **AND DEVELOPMENT** act, **2014 PA 547, MCL 286.841 TO**  
11 **286.860.**

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

14 Enacting section 2. This amendatory act does not take effect  
15 unless Senate Bill No. \_\_\_\_\_ or House Bill No. 6330 (request no.  
16 06436'18) of the 99th Legislature is enacted into law.