

# 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.