

Act No. 439  
Public Acts of 2018  
Approved by the Governor  
December 20, 2018  
Filed with the Secretary of State  
December 21, 2018  
EFFECTIVE DATE: March 21, 2019

**STATE OF MICHIGAN  
99TH LEGISLATURE  
REGULAR SESSION OF 2018**

Introduced by Rep. Kesto

# ENROLLED HOUSE BILL No. 6422

AN ACT to amend 2016 PA 282, entitled “An act to establish a statewide monitoring system to track marihuana and marihuana products in commercial trade; to monitor compliance with laws authorizing commercial traffic in medical marihuana; to identify threats to health from particular batches of marihuana or medical marihuana; to require persons engaged in commercial marihuana trade to submit certain information for entry into the system; to provide the powers and duties of certain state departments and agencies; to provide for remedies; and to provide for the promulgation of rules,” by amending sections 2 and 4 (MCL 333.27902 and 333.27904).

*The People of the State of Michigan enact:*

Sec. 2. As used in this act:

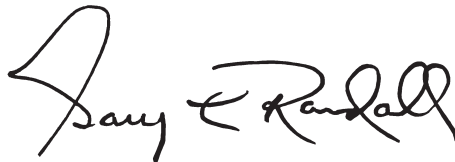
- (a) “Department” means the department of licensing and regulatory affairs.
- (b) “Financial institution” means that term as defined in section 201 of the medical marihuana facilities licensing act, MCL 333.27201.
- (c) “Licensee” means that term as defined in section 102 of the medical marihuana facilities licensing act, MCL 333.27102.
- (d) “Marihuana” means that term as defined in section 7106 of the public health code, 1978 PA 368, MCL 333.7106.
- (e) “Medical marihuana facilities licensing act” means the medical marihuana facilities licensing act, 2016 PA 281, MCL 333.27101 to 333.27801.
- (f) “Registered primary caregiver” means that term as defined in section 102 of the medical marihuana facilities licensing act, MCL 333.27102.
- (g) “Registered qualifying patient” means that term as defined in section 102 of the medical marihuana facilities licensing act, MCL 333.27102.
- (h) “Registry identification card” means that term as defined in section 3 of the Michigan medical marihuana act, 2008 IL 1, MCL 333.26423.
- (i) “Statewide monitoring system” or “system” means an internet-based, statewide database established, implemented, and maintained directly or indirectly by the department that is available to licensees, law enforcement agencies, and authorized state departments and agencies on a 24-hour basis for all of the following:
  - (i) Verifying registry identification cards.
  - (ii) Tracking marihuana transfer and transportation by licensees, including transferee, date, quantity, and price.
  - (iii) Verifying in a commercially reasonable time that a transfer will not exceed the limit that the registered qualifying patient or registered primary caregiver is authorized to receive under section 4 of the Michigan medical marihuana act, 2008 IL 1, MCL 333.26424.

Sec. 4. (1) The information in the system is confidential and is exempt from disclosure under the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246. Information in the system may be disclosed pursuant to subsection (2) or for purposes of enforcing this act; the Michigan medical marihuana act, 2008 IL 1, MCL 333.26421 to 333.26430; and the medical marihuana facilities licensing act.

(2) A licensee may, in writing, authorize the department to disclose the licensee's information in the system described in section 3(2)(a) to (c) to a financial institution identified in the authorization. Upon receiving written authorization under this subsection, the department shall disclose the licensee's information described in section 3(2)(a) to (c) to a financial institution identified in the authorization.

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

This act is ordered to take immediate effect.



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Clerk of the House of Representatives



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Secretary of the Senate

Approved .....

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Governor