

# HOUSE BILL NO. 4321

February 24, 2021, Introduced by Rep. Wendzel and referred to the Committee on Regulatory Reform.

A bill to amend 2016 PA 281, entitled  
"Medical marihuana facilities licensing act,"  
by amending section 206 (MCL 333.27206), as amended by 2020 PA 207.

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

1           Sec. 206. **(1)** The marijuana regulatory agency shall promulgate  
2 rules and emergency rules as necessary to implement, administer,  
3 and enforce this act. The rules must ensure the safety, security,  
4 and integrity of the operation of marihuana facilities, and must  
5 include rules to do the following:

1 (a) Set appropriate standards for marihuana facilities and  
2 associated equipment.

3 (b) Subject to section 408, establish minimum levels of  
4 insurance that licensees must maintain.

5 (c) Establish operating regulations for each category of  
6 license to ensure the health, safety, and security of the public  
7 and the integrity of marihuana facility operations.

8 (d) Establish qualifications and restrictions for persons  
9 participating in or involved with operating marihuana facilities.

10 (e) Establish testing standards, procedures, and requirements  
11 for marihuana sold through provisioning centers.

12 (f) Provide for the levy and collection of fines for a  
13 violation of this act or rules.

14 (g) Prescribe use of the statewide monitoring system to track  
15 all marihuana transfers, as provided in the marihuana tracking act  
16 and this act, and provide for a funding mechanism to support the  
17 system.

18 (h) Establish quality control standards, procedures, and  
19 requirements for marihuana facilities.

20 (i) Establish chain of custody standards, procedures, and  
21 requirements for marihuana facilities.

22 (j) Establish standards, procedures, and requirements for  
23 waste product disposal and storage by marihuana facilities.

24 (k) Establish chemical storage standards, procedures, and  
25 requirements for marihuana facilities.

26 (l) Establish standards, procedures, and requirements for  
27 securely and safely transporting marihuana between marihuana  
28 facilities.

29 (m) Establish standards, procedures, and requirements for the

1 storage of marihuana by marihuana facilities.

2 (n) Establish labeling and packaging standards, procedures,  
3 and requirements for marihuana sold or transferred through  
4 provisioning centers, including, but not limited to:

5 (i) A prohibition on labeling or packaging that is intended to  
6 appeal to or has the effect of appealing to minors.

7 (ii) A requirement that all marihuana sold through provisioning  
8 centers include on the exterior of the marihuana packaging the  
9 following warning printed in clearly legible type and surrounded by  
10 a continuous heavy line:

11 WARNING: USE BY PREGNANT OR BREASTFEEDING WOMEN, OR BY  
12 WOMEN PLANNING TO BECOME PREGNANT, MAY RESULT IN FETAL  
13 INJURY, PRETERM BIRTH, LOW BIRTH WEIGHT, OR DEVELOPMENTAL  
14 PROBLEMS FOR THE CHILD.

15 (o) Establish daily and monthly purchasing limits at  
16 provisioning centers for registered qualifying patients and  
17 registered primary caregivers to ensure compliance with the  
18 Michigan Medical Marihuana Act.

19 (p) Establish marketing and advertising restrictions for  
20 marihuana products and marihuana facilities.

21 (q) Establish maximum tetrahydrocannabinol levels for  
22 marihuana-infused products sold or transferred through provisioning  
23 centers.

24 (r) Establish health standards to ensure the safe preparation  
25 of products containing marihuana that are intended for human  
26 consumption in a manner other than smoke inhalation.

27 (s) Establish restrictions on edible marihuana-infused  
28 products to prohibit shapes that would appeal to minors.

29 (t) Establish standards, procedures, and requirements for the

1 sale of industrial hemp from a provisioning center to a registered  
2 qualified patient. The rules promulgated under this subdivision  
3 must be promulgated before March 1, 2019.

4 (u) Establish informational pamphlet standards for  
5 provisioning centers including, but not limited to, a requirement  
6 to make available to every patron at the time of sale a pamphlet  
7 measuring 3.5 inches by 5 inches that includes safety information  
8 related to marihuana use by minors and the poison control hotline  
9 number.

10 (v) Establish procedures and standards for approving an  
11 appointee to operate a marihuana facility under section 206a.

12 **(2) The marijuana regulatory agency shall not promulgate or**  
13 **enforce a rule that does any of the following:**

14 **(a) Prohibits a licensee from donating money to a nonprofit**  
15 **organization.**

16 **(b) Prohibits a licensee from sponsoring, supporting, or**  
17 **donating money to a substance use disorder education program for**  
18 **youth.**