

SENATE BILL NO. 1108

June 30, 2022, Introduced by Senators IRWIN, BAYER, GEISS and CHANG and referred to the Committee on Regulatory Reform.

A bill to amend 2018 IL 1, entitled
"Michigan Regulation and Taxation of Marihuana Act,"
by amending section 11 (MCL 333.27961).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 11. **(1)** ~~(a)~~ A marihuana establishment ~~may~~ **shall** not allow
2 cultivation, ~~processing, sale,~~ **do any of the following:**
3 **(a) Cultivate, process, sell,** or display ~~of~~ marihuana or **sell**
4 **or display** marihuana accessories ~~to be~~ **if the cultivating,**
5 **processing, selling, or displaying is** visible from a public place

1 outside of the marihuana establishment without the use of
2 binoculars, aircraft, or other optical aids.

3 ~~(b) A marihuana establishment may not cultivate,~~ **Cultivate,**
4 process, test, or store marihuana at any location other than a
5 physical address approved by the department. ~~and within an enclosed~~
6 ~~area that is secured in a manner that prevents access by persons~~
7 ~~not permitted by the marihuana establishment to access the area.~~

8 **(c) Allow an individual who is younger than 21 years of age to**
9 **volunteer or work for the marihuana establishment.**

10 **(d) Sell or otherwise transfer marihuana that was not**
11 **produced, distributed, and taxed in compliance with this act.**

12 **(e) Sell or otherwise transfer a marihuana accessory that has**
13 **a heating element unless the heating element is made of or encased**
14 **in 1 or both of the following:**

15 **(i) Glass.**

16 **(ii) Ceramic.**

17 **(f) Sell or otherwise transfer tobacco.**

18 **(2) A marihuana establishment shall ~~secure~~ comply with all of**
19 **the following:**

20 **(a) Cultivate, process, test, and store marihuana within an**
21 **enclosed area that is secured in a manner that prevents access by**
22 **persons not allowed by the marihuana establishment to access the**
23 **area.**

24 **(b) Secure** every entrance to the **marihuana** establishment so
25 that access to areas containing marihuana is restricted to
26 ~~employees~~ **only the following:**

27 **(i) Employees** and other persons ~~permitted~~ **allowed** by the
28 marihuana establishment to access the area. ~~and to agents~~

29 **(ii) Agents** of the ~~department~~ **marijuana regulatory agency.** ~~or~~

1 state

2 (iii) State and local law enforcement officers and emergency
3 personnel. ~~and shall secure~~

4 (c) Secure its inventory and equipment during and after
5 operating hours to deter and prevent theft of marihuana and
6 marihuana accessories.

7 (d) ~~No marihuana establishment may refuse representatives~~
8 **Allow agents** of the ~~department the right marijuana regulatory~~
9 **agency** during the **marihuana establishment's** hours of operation to
10 inspect the licensed premises or to audit the books and records of
11 the marihuana establishment.

12 ~~(e) No marihuana establishment may allow a person under 21~~
13 ~~years of age to volunteer or work for the marihuana establishment.~~

14 ~~(f) No marihuana establishment may sell or otherwise transfer~~
15 ~~marihuana that was not produced, distributed, and taxed in~~
16 ~~compliance with this act.~~

17 (3) ~~(g) A marihuana grower, marihuana retailer, marihuana~~
18 ~~processor, marihuana microbusiness, or marihuana testing facility~~
19 ~~or agents acting on their behalf may~~ **its agent shall** not transport
20 more than 15 ounces of marihuana or more than 60 grams of marihuana
21 concentrate at ~~one~~ **1** time.

22 (4) ~~(h) A marihuana secure transporter may~~ **shall** not hold
23 title to marihuana.

24 (5) ~~(i) No A marihuana processor may~~ **shall not** process and ~~no~~
25 **a** marihuana retailer ~~may~~ **shall not** sell edible marihuana-infused
26 candy in shapes or packages that are attractive to children or that
27 are easily confused with commercially sold candy that does not
28 contain marihuana.

29 (6) ~~(j) No A marihuana retailer may~~ **shall not** sell or

1 otherwise transfer marihuana ~~that~~**unless it** is ~~not~~ contained in an
2 opaque, resealable, child-resistant package designed to be
3 significantly difficult for children ~~under~~**younger than** 5 years of
4 age to open and not difficult for normal adults to use properly as
5 ~~defined by 16 C.F.R. 1700.20 (1995),~~**provided for under 16 CFR**
6 **1700.20**, unless the marihuana is transferred for consumption on the
7 premises where sold.

8 ~~(k) No marihuana establishment may sell or otherwise transfer~~
9 ~~tobacco.~~