



Senate Fiscal Agency
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Senate Bill 504 (as reported without amendment)
Sponsor: Senator Rick Jones
Committee: Judiciary

CONTENT

The bill would amend the Michigan Medical Marihuana Act to exclude from its exemption from criminal penalties for marihuana distribution, a transfer of marihuana within 1,000 feet of a clearly marked house of worship or school, unless the transfer occurred within a qualifying patient's residence.

The Act requires the Department of Licensing and Regulatory Affairs (LARA) to issue registry identification cards to qualifying patients and primary caregivers who submit certain information in accordance with the Department's rules. A qualifying patient or primary caregiver who has a registry identification card is not subject to arrest, prosecution, or penalty for the medical use of marihuana if the amount does not exceed quantities specified in the Act and the possession and use of marihuana meet specified standards. A registered primary caregiver may receive compensation for costs associated with assisting a registered qualifying patient in the medical use of marihuana, and that compensation does not constitute the sale of controlled substances.

Under the bill, the Act would not exempt from prosecution a transfer of marihuana that occurred less than 1,000 feet from a clearly identified church or other house of worship, or a school other than a home school, unless the transfer occurred inside the residence of a qualifying patient who had been issued and possessed a registry identification card.

MCL 333.26424

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government. To the extent that allowing prosecution for the transfer of marihuana increased drug-related convictions, the State and local units of government would incur additional costs. Local governments would incur the costs of incarceration in local facilities, which vary by county. The State would incur the cost of felony probation at an average annual cost of \$2,500, as well as the cost of incarceration in a State facility at an average annual cost of \$34,000. Additional penal fine revenue would benefit public libraries.

Date Completed: 6-29-11

Fiscal Analyst: Matthew Grabowski