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BILL



ANALYSIS

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Senate Bill 505 (as introduced 6-21-11)
Sponsor: Senator Rick Jones
Committee: Judiciary

(as passed by the Senate)

Date Completed: 6-27-11

CONTENT

The bill would amend the Michigan Medical Marihuana Act to prohibit the Department of Licensing and Regulatory Affairs (LARA) from issuing a registry identification card to an individual designated as a primary caregiver if the individual had been convicted of a felony.

The Act requires LARA to issue registry identification cards to qualifying patients who submit certain information in accordance with the Department's rules, including the name, address, and date of birth of the patient's primary caregiver, if any. The Department also must issue a registry identification card to a primary caregiver named in a qualifying patient's approved application. (Originally, the initiated law required the Department of Community Health to administer the medical marihuana program, but Executive Order 2011-4 transferred that function to LARA.) A qualifying patient or primary caregiver who has been issued and possesses 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.

Each qualifying patient may have only one primary caregiver, and a primary caregiver may assist no more than five qualifying patients with their medical use of marihuana.

Under the bill, LARA could not issue a registry identification card to an individual designated as a primary caregiver if the individual had been convicted of a felony.

(Under an administrative rule promulgated by the Department of Community Health (R 333.125), a person who has been convicted of a felony involving illegal drugs may not serve as a primary caregiver.)

MCL 333.26426

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Josh Sefton

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.