A bill to regulate medical marihuana provisioning centers and other related entities; to provide for the powers and duties of certain state and local governmental officers and entities; to provide immunity for persons engaging in medical marihuana-related activities in compliance with this act; to prescribe penalties and sanctions and provide remedies; and to allow the promulgation of rules.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 1. This act shall be known and may be cited as the "medical marihuana provisioning center regulation act".

Sec. 2. As used in this act:

(a) "Debilitating medical condition" means that term as defined in section 3 of the Michigan medical marihuana act, MCL 333.26423.
(b) "Excluded felony offense" means a felony involving illegal drugs. Excluded felony offense does not include a conviction for activity allowed under the Michigan medical marihuana act or this act, even if the activity occurred before the enactment of this act or the Michigan medical marihuana act.

(c) "Marihuana" means that term as defined in section 3 of the Michigan medical marihuana act, MCL 333.26423.

(d) "Medical marihuana" means marihuana for medical use as that term is defined in section 3 of the Michigan medical marihuana act, MCL 333.26423.

(e) "Medical marihuana provisioning center" or "provisioning center" means a commercial entity located in this state that acquires, possesses, manufactures, delivers, transfers, or transports medical marihuana and sells, supplies, or provides medical marihuana to registered qualifying patients, directly or through the patients' registered primary caregivers. Provisioning center includes any commercial property where medical marihuana is sold to registered qualifying patients and registered primary caregivers. The location used by a primary caregiver to assist a qualifying patient connected to the caregiver through the department's medical marihuana registration process in accordance with the Michigan medical marihuana act is not a provisioning center for purposes of this act.

(f) "Michigan medical marihuana act" means the Michigan medical marihuana act, 2008 IL 1, MCL 333.26421 to 333.26430.

(g) "Municipality" means a city, township, or village.

(h) "Paraphernalia" means drug paraphernalia as defined in
section 7451 of the public health code, 1978 PA 368, MCL 333.7451, that is or may be used in association with medical marihuana.

(i) "Provisioning center agent" means a principal officer, board member, employee, or operator, or any other individual acting as an agent of a provisioning center.

(j) "Registered primary caregiver" means a person who has a valid, unexpired registry identification card as a primary caregiver or who satisfies the criteria listed in section 9(b) or (c) of the Michigan medical marihuana act, MCL 333.26429, and possesses the documentation that constitutes a valid registry identification card under that section.

(k) "Registered qualifying patient" means a person who meets any of the following requirements:

(i) Has a valid, unexpired registry identification card as a qualifying patient.

(ii) Satisfies the criteria listed in section 9(b) or (c) of the Michigan medical marihuana act, MCL 333.26429, and possesses the documentation that constitutes a valid registry identification card under that section.

(l) "Registry identification card" means that term as defined in section 3 of the Michigan medical marihuana act, MCL 333.26423.

(m) "Safety compliance facility" means an entity that tests marihuana produced for medical use for contaminants.

(n) "Safety compliance facility agent" means a principal officer, board member, employee, operator, or agent of a safety compliance facility.
(o) "Usable marihuana" means the dried leaves, flowers, plant resin, or extract of the marihuana plant and any mixture or preparation thereof, but does not include the seeds, stalks, or roots of the plant or any inactive substance used as a delivery medium for usable marihuana.

(p) "Visiting qualifying patient" means a patient who is not a resident of this state or who has been a resident of this state for less than 30 days and who possesses a registry identification card, or its equivalent, that was issued under the laws of another state, district, territory, commonwealth, or insular possession of the United States and that allows the use of medical marihuana by the patient.

Sec. 3. (1) Except as otherwise provided in this act, if a provisioning center has been granted any applicable required municipal registration or license and is operating in compliance with this act and any applicable municipal ordinance, the provisioning center and the provisioning center agents acting on its behalf are not subject to any of the following for engaging in activities described in subsection (2):

(a) Criminal penalties under state law or local ordinances.
(b) State or local civil prosecution.
(c) Search or inspection, except for an inspection authorized by the municipality.
(d) Seizure.
(e) Any sanction, including disciplinary action or denial of a
right or privilege, by a business or occupational or professional licensing board or bureau.

(2) Activities that are exempt from regulation and sanctions under subsection (1) include all of the following:

(a) Purchasing, receiving, selling, or transferring marihuana from or to visiting qualifying patients, registered qualifying patients, registered primary caregivers, or provisioning centers.

(b) Purchasing or receiving medical marihuana from 1 or more other provisioning centers if purchasing or receiving medical marihuana from the provisioning center is not prohibited by the municipality where the provisioning center is located.

(c) Purchasing or receiving medical marihuana from a registered qualifying patient or a registered primary caregiver if purchasing or receiving medical marihuana from a registered qualifying patient or registered primary caregiver is not prohibited by the municipality where the provisioning center is located and if the amount purchased does not exceed the registered qualifying patient's or registered primary caregiver's medical marihuana possession limits under the Michigan medical marihuana act.

(d) Processing medical marihuana.

(e) Possessing or manufacturing paraphernalia.

(f) Possessing medical marihuana processed by the provisioning center or obtained pursuant to subdivision (a) or (b) on the provisioning center premises or while the medical marihuana is being transported pursuant to this section.

(g) Processing or manufacturing nonsmokable forms of medical
(h) If not prohibited by municipal law, transporting medical marihuana between the provisioning center and another provisioning center or a safety compliance facility.

(i) Transporting or delivering medical marihuana or paraphernalia to the residence of a registered qualifying patient or a registered primary caregiver if transportation and delivery are not prohibited by the municipality in which the transportation and delivery occur.

(j) Supplying, selling, providing, transferring, or delivering medical marihuana, paraphernalia, or related supplies and educational materials in compliance with the procedures and limitations detailed in section 7(11) to (13) and the testing and labeling requirements in section 7(4).

Sec. 3a. An entity that, on the effective date of this act, is operating in this state as a provisioning center, is operating and continues to otherwise operate in compliance with this act, and is not prohibited by any applicable municipal ordinance may continue to operate as a provisioning center under this act. An entity described in this section is considered a provisioning center under this act, and the entity and the agents acting on its behalf are eligible for the immunity provided in this act and are subject to the penalties, sanctions, and remedies prescribed or provided in this act.

Sec. 4. (1) Except as otherwise provided in this act, a safety compliance facility that has been granted any applicable required municipal registration or license and is operating in compliance
with any applicable municipal ordinance and this act is not subject to any of the following for engaging in activities described in subsection (2):

(a) Criminal penalties under state law or local ordinances.
(b) State or local civil prosecution.
(c) Search or inspection, except for an inspection authorized by the municipality.
(d) Seizure.
(e) Any sanction, including disciplinary action or denial of a right or privilege, by a business or occupational or professional licensing board or bureau.

(2) Activities that are exempt from regulation and sanction under subsection (1) include all of the following:

(a) Acquiring or possessing medical marihuana obtained from registered qualifying patients, registered primary caregivers, or provisioning centers.
(b) Returning the medical marihuana to the registered qualifying patient, registered primary caregiver, or provisioning center that delivered the medical marihuana to the safety compliance facility.
(c) Transporting medical marihuana to or from a registered qualifying patient, registered primary caregiver, or provisioning center.
(d) Possessing medical marihuana on the safety compliance facility's premises for testing, if the medical marihuana was obtained pursuant to subdivision (a) or (b).
(e) Receiving compensation for actions permitted pursuant to
this section and municipal law.

Sec. 5. (1) A municipality may prohibit the operation of provisioning centers or safety compliance facilities within the municipality. A provisioning center is not exempt under section 3 from state criminal and civil penalties if it operates in a municipality that prohibits provisioning centers. A safety compliance facility is not exempt under section 4 from state criminal and civil penalties if it operates in a municipality that prohibits safety compliance facilities.

(2) A municipality may enact an ordinance to impose and enforce additional local requirements on provisioning centers or safety compliance facilities. A municipality may require and issue a registration or license to a provisioning center or safety compliance facility and may regulate operations and impose civil or criminal penalties for the violations of the local ordinance. A municipality may charge a registration or licensing fee for a provisioning center or safety compliance facility that does not exceed the costs to the municipality of regulation, licensing, testing, and inspection.

(3) A provisioning center or safety compliance facility located in a municipality that requires a registration or license is exempt under section 3 or 4 from criminal penalties only if the provisioning center or safety compliance facility holds that license or registration.

(4) A municipality shall require, as a condition of registration or licensure, that a provisioning center or a safety compliance facility provide results of testing of its medical
marihuana and medical marihuana products for quality control, purity, contaminants, or any other analysis to protect the health and safety of registered qualifying patients and to assure compliance with this act and an ordinance adopted by the municipality as described in this section.

Sec. 6. (1) The exemptions for a provisioning center or safety compliance facility under section 3 or 4 apply only if the indicated activities are carried out in compliance with this act.

(2) Except for the Michigan medical marihuana act, all other acts and parts of acts inconsistent with this act do not apply to the use of medical marihuana as provided for by this act.

(3) This act does not limit the ability of a primary caregiver to assert the medical purpose defense provided in section 8 of the Michigan medical marihuana act, 2008 IL 1, MCL 333.26428, to any prosecution involving marihuana.

Sec. 7. (1) Unless explicitly allowed by a municipal ordinance that was in effect before the effective date of this act, a provisioning center or a safety compliance facility shall not be located within 1,000 feet of the property line of a preexisting primary or secondary school.

(2) A provisioning center shall not share office space with a physician.

(3) The premises of a provisioning center shall have a security alarm system that is enabled when a provisioning center agent is not present.

(4) A provisioning center shall not sell, transfer, or provide a preparation that includes usable marihuana for
ingestion or topical application unless the preparation has been
tested by a safety compliance facility and is enclosed in a
container that bears a securely affixed label displaying all of
the following information:

(a) The name of the registered qualifying patient or
visiting qualifying patient for whom the preparation is
obtained.

(b) Certification that the product has been tested by a
licensed safety compliance facility as required in section 12
and does not contain detectable mold, mildew, fungi, or
pesticides.

(c) The total weight of the preparation and the weight of the
usable marihuana in the container. The weight of usable marihuana
in the container shall be calculated as the same fraction of the
total weight of the usable marihuana that was used in preparing the
product as the fraction that the preparation in the container is of
the total amount of product made from that usable marihuana. If the
provisioning center does not prepare the usable marihuana for
ingestion or topical application, it shall obtain documentation
from the preparer with the information necessary to determine the
usable marihuana content.

(d) The words "WARNING: This product contains marihuana. For a
registered qualifying patient's medical use only." or substantially
similar text.

(5) A provisioning center that advertises medical marihuana
for sale shall not include an image of a marihuana leaf or a
marihuana cigarette and shall not depict favorably or promote
nonmedical, social use of marihuana in the advertisement.

(6) A provisioning center or safety compliance facility shall not knowingly employ an individual who has been convicted of an excluded felony offense during the immediately preceding 10-year period or who is under 21 years of age. A provisioning center or safety compliance facility shall perform a background check on an individual before he or she is offered employment to verify that he or she has not been convicted of an excluded felony offense during the immediately preceding 10-year period.

(7) A provisioning center shall maintain records listing each individual employed by the provisioning center, including the beginning employment date and the date a background check was performed.

(8) A provisioning center shall not allow on-site consumption of medical marihuana, except that a provisioning center agent or employee who is a registered qualifying patient may be permitted to use a medical marihuana-infused topical product.

(9) A provisioning center shall not provide more usable marihuana or marihuana-infused products in solid form, gaseous form, or liquid form to an individual in any 10-day period than the amount for which the individual is granted immunity for possession under the Michigan medical marihuana act.

(10) A provisioning center shall ensure compliance with the limit under subsection (9) by maintaining internal, confidential records that specify the amount of medical marihuana provided to each registered qualifying patient and registered primary caregiver and whether it was provided to the registered primary caregiver or
directly to the registered qualifying patient. Each entry shall
include the date and time the medical marijuana was provided.
Entries shall be maintained for at least 90 days. For any
registered qualifying patient or registered qualifying caregiver in
possession of a registry identification card, a record shall be
kept using the patient's or caregiver's registry identification
card number instead of the patient's or caregiver's name.
Confidential records under this act are subject to reasonable
inspection by a municipal employee authorized to inspect
provisioning centers under municipal law to ensure compliance with
this act, but may be stored off-site. Confidential records under
this act are exempt from disclosure under the freedom of
information act, 1976 PA 442, MCL 15.231 to 15.246. Except as
otherwise required by a court order, a provisioning center shall
not disclose confidential records to any person other than a
municipal employee performing an inspection in compliance with this
subsection or to a provisioning center agent.

(11) A provisioning center agent shall not provide, transfer,
or sell medical marijuana to an individual knowing that the
individual is not a registered qualifying patient, registered
primary caregiver, or provisioning center agent working on behalf
of a provisioning center that is not prohibited from operating or
obtaining medical marijuana from other provisioning centers under
municipal law.

(12) Before medical marijuana is provided or sold from a
provisioning center, in addition to complying with subsection (13),
a provisioning center agent shall do 1 of the following:
(a) Verify that the individual requesting medical marihuana holds what the provisioning center agent reasonably believes to be a valid, unexpired registry identification card.

(b) Require the individual requesting medical marihuana to do all of the following:

   (i) Certify that he or she is a qualifying patient who submitted a valid, complete application for a registry identification card under the Michigan medical marihuana act at least 20 days earlier.

   (ii) Certify that, to the best of his or her knowledge, this state has not denied the application described in subparagraph (i) or issued a registry identification card.

   (iii) Present a copy of the completed registry identification card application and proof of receipt by the state department that processes medical marihuana registry identification card applications at least 20 days before the date of the requested sale or transaction.

(c) If the individual requesting medical marihuana indicates that he or she is a provisioning center agent, make a diligent, good-faith effort to verify that the individual is a provisioning center agent for a provisioning center that is allowed to operate by a municipality.

(13) Before medical marihuana is provided or sold from a provisioning center, a provisioning center agent shall make a diligent, good-faith effort to determine that the individual named in the registry identification card or other documentation submitted under subsection (12) is the individual seeking to obtain
medical marihuana, by examining what the provisioning center agent reasonably believes to be valid government-issued photo identification.

(14) An individual who is under 21 years of age or who has been convicted of an excluded felony offense during the immediately preceding 10-year period shall not serve as a provisioning center agent or safety compliance facility agent.

(15) A provisioning center agent shall not, for monetary compensation, refer an individual to a physician.

(16) A provisioning center or safety compliance facility shall not permit a physician to advertise in a provisioning center or safety compliance facility or to hold any financial interest in or receive any compensation from the provisioning center or safety compliance facility.

(17) A provisioning center agent or safety compliance facility agent shall not transport or possess medical marihuana on behalf of the provisioning center or safety compliance facility in or upon a motor vehicle or any self-propelled vehicle designed for land travel unless all of the following conditions are met:

(a) The agent possesses a document signed and dated by a manager or operator of the provisioning center or safety compliance facility that employs the agent, stating the agent's name, the date the medical marihuana will be transported, the approximate amount of medical marihuana transported, and the name of the provisioning center or safety compliance facility from which the medical marihuana is being transported.

(b) The medical marihuana is located in 1 or more of the
following:

(i) An enclosed locked container, such as a safe, briefcase, or other case.

(ii) The trunk of the vehicle.

(iii) A space that is inaccessible from the passenger compartment of the vehicle.

Sec. 8. (1) A provisioning center that violates section 7(1) or (2) is responsible for a state civil infraction and may be ordered to pay a civil fine of not more than $5,000.00. A municipality in which the provisioning center or safety compliance facility operates in violation of section 7(1) or (2) may petition the court for an injunction to close the provisioning center or safety compliance facility.

(2) A person who violates section 7(3) to (10), (15), or (16) is responsible for a state civil infraction and may be ordered to pay a civil fine of not more than $1,000.00.

(3) A person who transfers medical marihuana in violation of section 7(11) to (13) or who works in violation of section 7(14) is not exempt under section 3 or 4 from arrest, prosecution, or criminal or other penalties.

(4) A person who violates section 7(17) is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than $500.00, or both.

Sec. 9. (1) A municipality may establish procedures to suspend or revoke a registration, license, or other permission to operate if a provisioning center knowingly or negligently allows medical marihuana to be provided to an individual who is not a registered
qualifying patient or registered primary caregiver or if a
provisioning center or safety compliance facility commits multiple
or serious violations of this act or 1 or more local ordinances.

(2) This act does not require the violation of federal law and
does not give immunity from prosecution under federal law.

(3) This act does not prevent federal enforcement of federal
law.

(4) Sections 3, 4, and 10 do not exempt a provisioning
center or its agents, safety compliance facility or its agents,
visiting qualifying patient, registered qualifying patient, or
registered primary caregiver from criminal penalties or civil
prosecution under a law of general application that would apply
even if medical marihuana or paraphernalia were not involved.

(5) A provisioning center or safety compliance facility is
not exempt from criminal or civil prosecution or sanctions for
cultivating marihuana.

Sec. 10. (1) Except as otherwise provided in this act, a
visiting qualifying patient, registered qualifying patient, or
registered primary caregiver who supplies, sells, transfers, or
delivers marihuana to a provisioning center that is registered,
licensed, or otherwise allowed by the municipality in which it
operates in compliance with this act is not subject to any of the
following for engaging in that activity:

(a) Criminal penalties under state law or local ordinances.

(b) State or local civil prosecution.

(c) Search or inspection, except for an inspection authorized
by the municipality.
(d) Seizure.

(e) Any sanction, including disciplinary action or denial of a right or privilege, by a business or occupational or professional licensing board or bureau.

(2) Except as otherwise provided in this act, a registered qualifying patient is not subject to any of the inspections or sanctions listed in subsection (1)(a) to (e) for any of the following:

(a) Purchasing or acquiring [usable marihuana or marihuana-infused products in solid form, gaseous form, or liquid form from 1 or more provisioning centers if the amount purchased or acquired in any 10-day period is not more than the amount for which the individual is granted immunity for possession under the Michigan medical marihuana act.]

(b) Supplying, selling, transferring, or delivering medical marihuana to a provisioning center that is registered, licensed, or otherwise allowed by the municipality in which it operates if all of the following requirements are met:

(i) The medical marihuana was produced by the registered qualifying patient or registered primary caregiver.

(ii) The municipality in which the provisioning center operates allows the transfer of medical marihuana from a registered qualifying patient to a provisioning center.

(iii) The amount of medical marihuana transferred does not exceed the amount of medical marihuana the registered qualifying patient is allowed to possess under the Michigan medical marihuana act.

(3) Except as otherwise provided in this act, a registered primary caregiver is not subject to any of the inspections or sanctions listed in subsection (1)(a) to (e) for any of the
House Bill No. 4271 (H-3) as amended December 11, 2013

following:

(a) Purchasing or acquiring [usable marihuana or marihuana-infused products in solid form, gaseous form, or liquid form from 1 or more provisioning centers if the amount purchased or acquired in any 10-day period is not more than the amount for which the individual is granted immunity for possession under the Michigan medical marihuana act.]

(b) Supplying, selling, transferring, or delivering medical marihuana to a provisioning center that is registered, licensed, or otherwise allowed by the municipality in which it operates if all of the following requirements are met:

(i) The medical marihuana was produced by the registered primary caregiver and is excess medical marihuana above the amount necessary to satisfy the needs of the registered qualifying patients the primary caregiver is designated to serve.

(ii) The municipality in which the provisioning center operates allows the transfer of medical marihuana from a registered primary caregiver to a provisioning center.

(iii) The amount of medical marihuana transferred does not exceed the amount of medical marihuana the registered primary caregiver is allowed to possess under the Michigan medical marihuana act.

Sec. 11. (1) A municipality shall not issue a license to a laboratory as a safety compliance facility unless the laboratory is able to accurately determine whether any of the following are present in marihuana, edible marihuana products, and marihuana-infused products that are sold or may be sold at medical marihuana
provisioning centers in this state:
(a) Mold, mildew, or fungi.
(b) Pesticides.

(2) A laboratory shall not handle, test, or analyze marihuana after March 31, 2015 unless the laboratory meets all of the following conditions:
(a) The laboratory is licensed as a safety compliance facility by a local municipality.
(b) A person with a direct or indirect interest in the laboratory does not have a direct or indirect financial interest in a provisioning center, marihuana producer, certifying physician, or any other entity that may financially benefit from the production, manufacture, dispensing, sale, purchase, or use of marihuana.
(c) The laboratory employs at least 1 individual who has earned a bachelor's degree or higher in the chemical or biological sciences and has a minimum of 1 year of postgraduate laboratory experience to oversee and be responsible for laboratory testing.
(d) The laboratory is accredited by a private laboratory accreditation service.

Sec. 12. (1) Beginning April 1, 2015, a provisioning center shall not distribute or sell any product containing marihuana unless the product has been tested for mold, mildew, fungi, and pesticides by a licensed safety compliance facility and does not contain detectable mold, mildew, fungi, or pesticides. A provisioning center shall make the laboratory test results available upon request to a qualifying patient, a primary caregiver, the licensing municipality, or a physician who has
certified a qualifying patient.

(2) If a medical marihuana provisioning center elects to manufacture and distribute a marihuana-infused product, as defined in the Michigan medical marihuana act, the medical marihuana provisioning center must comply with all of the following:

[(a) Keep the grounds of the provisioning center under the control of the operator free from improperly stored equipment, litter, waste, refuse, and uncut weeds or grass and assure that floors, walls, ceilings, and equipment are kept clean and in good repair.

(b) Keep food preparation areas separated from poisons, undesirable microorganisms, chemicals, filth, or other extraneous material by partition, location, or other effective means. Marihuana is not prohibited in food preparation areas under this subdivision.

(c) Provide adequate lighting in all areas where food or food ingredients are examined, processed, or stored, and in hand washing areas, toilet rooms, and places where equipment or utensils are cleaned.

(d) Provide adequate ventilation or control equipment to minimize odors and noxious fumes, dust, or vapors, including steam, in areas where they may contaminate food.

(e) Ensure that all provisioning center equipment and utensils are suitable for their intended use and are designed and constructed with material and workmanship that allows them to be cleanable and properly maintained.

(f) Ensure that the provisioning center is properly equipped with adequate sanitary facilities and accommodations.

(g) Ensure that the provisioning center has a water supply that is sufficient for the operations intended and is derived from an approved source.

(h) Ensure that all sewage and liquid waste is disposed of in a public or municipal sewerage system, or, if an adequate public disposal system is not available, in an approved septic tank system or by another acceptable method that does not create a nuisance, insanitary condition, or public health hazard.

(i) Provide employees with adequate, completely enclosed toilet rooms and conveniently located associated hand washing facilities that are maintained in a sanitary condition and kept in good repair at all times.

(j) Provide adequate and convenient facilities for hand washing that are furnished with hot and cold or tempered running water, effective
Hand cleaning and sanitizing preparations, disposable sanitary towel service or suitable drying devices, and easily cleanable waste receptacles.

(k) Provide for conveying, storing, and disposal of rubbish and offal in a manner that minimizes odor, prevents waste from becoming an attractant or a harbor or breeding place for vermin, and prevents contamination of food, food contact surfaces, ground surfaces, and water supplies.

(l) Maintain the building, fixtures, and other physical facilities of the provisioning center in good repair and in sanitary condition.

(m) Prohibit live birds or other animals in the provisioning center, except that a guide dog accompanying a blind person is permitted in selling areas.

(n) Clean all utensils and product contact surfaces of equipment as frequently as necessary to prevent contamination of food and food products and all nonproduct contact surfaces of equipment used in food preparation areas as frequently as necessary to minimize accumulation of dust, dirt, food particles, and other debris.

(o) Conduct all operations in receiving, inspecting, transporting, packaging, segregating, preparing, processing, and food storing areas in accordance with good sanitation principles and take all reasonable precautions to assure that production procedures do not contribute contamination, such as filth, harmful chemicals, undesirable microorganisms, or any other objectionable material, to the processed product.

(p) Conduct all food processing, packaging, storage, and transporting of food under conditions and controls that minimize the potential for undesirable bacterial or other microbiological growth, toxin formation, or deterioration or contamination of the processed product, product ingredients, or product containers.

(q) Ensure that all food and drink is clean and wholesome, and manufactured, handled, stored, prepared, transported, offered for sale, and sold in a manner that keeps it safe for human consumption.

(r) Not allow an individual who is affected by a disease in a communicable form, a carrier of such a disease, or afflicted with boils, sores, infected wounds, or other abnormal sources of microbiological contamination to work in the provisioning center in any capacity in which there is a reasonable possibility that food or food ingredients will become contaminated or that the disease will be transmitted to other individuals.

(s) Require all individuals working in direct contact with food preparation, food ingredients, or surfaces coming into contact with food ingredients to do all of the following:

(i) Wear clean outer garments, maintain a high degree of personal cleanliness, and conform to hygienic practices while on duty to the extent necessary to prevent contamination of food products.

(ii) Before starting work, after each absence from the work station, and at any other time when hands may have become soiled or contaminated, wash their hands thoroughly in an adequate hand washing facility and sanitize their hands if necessary to prevent contamination.
(iii) Remove any jewelry that cannot be adequately sanitized and all insecure jewelry from hands when food is manipulated by hand.

(iv) Maintain any gloves used in food handling in an intact, clean, and sanitary condition and use only gloves made of an impermeable material, except when that usage would be inappropriate or incompatible with the work involved.

(v) Wear effective hairnets, headbands, or caps to constrain the hair properly.

(vi) Refrain from storing clothing or other personal belongings, eating, drinking, or using tobacco in any form in areas where food or food ingredients are exposed, or in areas used for washing equipment or utensils.

(vii) Take any other necessary precautions to prevent contamination of foods with microorganisms or other foreign substances, including, but not limited to, perspiration, hair, cosmetics, tobacco, chemicals, and medicants.]

(3) Subsection (2) does not prohibit a municipality from imposing additional regulations on medical marihuana provisioning centers that elect to manufacture and distribute a marihuana-infused product.

[(4) The local county health department shall inspect a provisioning center at least annually for compliance with subsections (2) and (3). The provisioning center shall pay for all costs associated with the inspection under this subsection.]