

HOUSE BILL No. 6394

August 24, 2010, Introduced by Reps. Rick Jones, Agema, Knollenberg and Kowall and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled
"Public health code,"
(MCL 333.1101 to 333.25211) by adding section 7421.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 7421. (1) A PERSON SHALL NOT ORGANIZE OR OPERATE A
2 MARIHUANA CLUB.

3 (2) A PERSON SHALL NOT OPERATE A MARIHUANA BAR OR KNOWINGLY
4 ALLOW LAND OR A STRUCTURE ON LAND OWNED BY OR IN THE POSSESSION OF
5 THE PERSON TO BE USED AS A MARIHUANA BAR.

6 (3) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A
7 MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 90 DAYS OR
8 A FINE OF NOT MORE THAN \$500.00, OR BOTH.

9 (4) AS USED IN THIS SECTION:

1 (A) "MARIHUANA BAR" MEANS, SUBJECT TO SUBDIVISION (C), LAND OR
2 A STRUCTURE ON LAND WHERE AN INDIVIDUAL IS ALLOWED TO USE MARIHUANA
3 UNDER THE MICHIGAN MEDICAL MARIHUANA ACT, 2008 IL 1, MCL 333.26421
4 TO 333.26430, IF THE USE OF MARIHUANA ON THE PROPERTY IS
5 CONDITIONED ON THE PAYMENT OF A FEE.

6 (B) "MARIHUANA CLUB" MEANS, SUBJECT TO SUBDIVISION (C), AN
7 ASSOCIATION OF INDIVIDUALS WITH MEMBERSHIP RESTRICTED TO THOSE WHO
8 PAY MONEY OR ANY OTHER THING OF VALUE TO BECOME MEMBERS, THE
9 PURPOSE OF WHICH IS TO ALLOW MORE THAN 1 INDIVIDUAL TO USE
10 MARIHUANA UNDER THE MICHIGAN MEDICAL MARIHUANA ACT, 2008 IL 1, MCL
11 333.26421 TO 333.26430, AT THE SAME TIME IN THE SAME PRIVATE PLACE.

12 (C) "MARIHUANA BAR" AND "MARIHUANA CLUB" DO NOT INCLUDE ANY OF
13 THE FOLLOWING:

14 (i) PROPERTY USED AS A HOSPICE LICENSED UNDER PART 214 OF THE
15 PUBLIC HEALTH CODE, 1978 PA 368, MCL 333.21401 TO 333.21420.

16 (ii) PROPERTY USED AS A NURSING HOME OR SKILLED NURSING
17 FACILITY LICENSED UNDER PART 217 OF THE PUBLIC HEALTH CODE, 1978 PA
18 368, MCL 333.21701 TO 333.21799E.

19 (iii) PROPERTY WHERE MARIHUANA IS LEGALLY DISPENSED UNDER THE
20 MICHIGAN MEDICAL MARIHUANA ACT, 2008 IL 1, MCL 333.26421 TO
21 333.26430.

22 (D) "PAYMENT OF A FEE" MEANS THE PAYMENT OF MONEY OR ANY OTHER
23 THING OF VALUE. PAYMENT OF A FEE INCLUDES THE PURCHASE OF GOODS OR
24 SERVICES, INCLUDING GOODS OR SERVICES THAT ARE NOT INCIDENTAL TO
25 THE USE OF MARIHUANA, AND THE PAYMENT OF MONEY OR ANY OTHER THING
26 OF VALUE TO BELONG TO AN ASSOCIATION OF INDIVIDUALS.