

# HOUSE BILL No. 4852

June 30, 2011, Introduced by Reps. Kowall, Moss, Franz, Haines, Opsommer, Knollenberg, Rendon, Zorn, MacGregor, Damrow, Liss, Horn, Callton, Tyler, Olson, Outman, Goike, Cotter, Heise, Price, Bledsoe, Agema, Daley, Lyons, Kurtz and Jacobsen and referred to the Committee on Judiciary.

A bill to amend 2008 IL 1, entitled  
"Michigan medical marihuana act,"  
by amending section 7 (MCL 333.26427).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           7. Scope of Act.

2           Sec. 7. (a) The medical use of marihuana is allowed under  
3 state law to the extent that it is carried out in accordance with  
4 the provisions of this act.

5           (b) This act shall not permit any person to do any of the  
6 following:

7           (1) Undertake any task under the influence of marihuana, when  
8 doing so would constitute negligence or professional malpractice.

9           (2) Possess marihuana, or otherwise engage in the medical use  
10 of marihuana:

11           (A) in a school bus;

1 (B) on the grounds of any preschool or primary or secondary  
2 school; or

3 (C) in any correctional facility.

4 (3) Smoke marihuana:

5 (A) on any form of public transportation; or

6 (B) in any public place.

7 (4) Operate, navigate, or be in actual physical control of any  
8 motor vehicle, aircraft, or motorboat while under the influence of  
9 marihuana.

10 (5) Use marihuana if that person does not have a serious or  
11 debilitating medical condition.

12 (6) **CULTIVATE OR KEEP MARIHUANA PLANTS IN A FACILITY AT A**  
13 **LOCATION THAT IS IN VIOLATION OF A LOCAL ZONING ORDINANCE**  
14 **PROHIBITING MARIHUANA CULTIVATION FACILITIES.**

15 (c) Nothing in this act shall be construed to require:

16 (1) A government medical assistance program or commercial or  
17 non-profit health insurer to reimburse a person for costs  
18 associated with the medical use of marihuana.

19 (2) An employer to accommodate the ingestion of marihuana in  
20 any workplace or any employee working while under the influence of  
21 marihuana.

22 (d) Fraudulent representation to a law enforcement official of  
23 any fact or circumstance relating to the medical use of marihuana  
24 to avoid arrest or prosecution shall be punishable by a fine of  
25 \$500.00, which shall be in addition to any other penalties that may  
26 apply for making a false statement or for the use of marihuana  
27 other than use undertaken pursuant to this act.

1           (e) All other acts and parts of acts inconsistent with this  
2 act do not apply to the medical use of marihuana as provided for by  
3 this act.