

## ALLOW COURT-APPOINTED INDIVIDUALS TO OPERATE CERTAIN MARIJUANA ENTITIES

Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**House Bills 5490 and 5491 as introduced**

**Sponsor: Rep. Brandt Iden**

**Committee: Judiciary**

**Complete to 2-17-20**

Analysis available at  
<http://www.legislature.mi.gov>

### SUMMARY:

House Bills 5490 and 5491 would respectively amend the Medical Marijuana Facilities Licensing Act (MMFLA) and the Michigan Regulation and Taxation of Marijuana Act (MRTMA) to allow a court-appointed individual to operate a medical marijuana facility or marijuana establishment, as applicable under those acts.

The bills would amend the acts to reflect the creation of the *Marijuana Regulatory Agency* by Executive Reorganization Order No. 2019-2<sup>1</sup> and the transfer to that agency of the powers and duties of the Medical Marijuana Licensing Board and Marijuana Advisory Panel under the MMFLA, as well as the powers and duties of the Department of Licensing and Regulatory Affairs and its Bureau of Marijuana Regulation under the MMFLA and the MRTMA.

The bills would allow the agency to approve the operation of a medical marijuana facility (under the MMFLA) or a marijuana establishment (under the MRTMA) by either of the following:

- A court-appointed personal representative, guardian, or conservator of an individual who holds a state license or who has an interest in a person that holds a state license.
- A court-appointed receiver or trustee.

If an individual approved to operate a marijuana facility or establishment as described above received notice from the agency that the facility or establishment was in violation of the MMFLA or MRTMA, as applicable, or rules promulgated under that act, the individual would have to notify the court that appointed him or her within two days after receiving the notice.

The bills would require the agency to promulgate rules to establish procedures and standards for approving an appointee to operate a medical marijuana facility (under the MMFLA) or marijuana establishment (under the MRTMA) as described above.

HB 5490: MCL 333.27102 et al.

HB 5491: MCL 333.27953 et al.

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<sup>1</sup> MCL 333.27001: <http://legislature.mi.gov/doc.aspx?mcl-333-27001>

**FISCAL IMPACT:**

House Bills 5490 and 5491 would have no fiscal impact on state or local government.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.