

Act No. 186
Public Acts of 2022
Approved by the Governor
July 25, 2022
Filed with the Secretary of State
July 25, 2022
EFFECTIVE DATE: July 25, 2022

**STATE OF MICHIGAN
101ST LEGISLATURE
REGULAR SESSION OF 2022**

Introduced by Reps. Calley, LaGrand, Mueller, Beson, Yaroach, Stone, Kuppa, Sowerby, Filler, Meerman, Bezotte, Witwer, Green, Wozniak, Brann and Slagh

ENROLLED HOUSE BILL No. 5512

AN ACT to amend 2008 IL 1, entitled "An initiation of Legislation to allow under state law the medical use of marihuana; to provide protections for the medical use of marihuana; to provide for a system of registry identification cards for qualifying patients and primary caregivers; to impose a fee for registry application and renewal; to make an appropriation; to provide for the promulgation of rules; to provide for the administration of this act; to provide for enforcement of this act; to provide for affirmative defenses; and to provide for penalties for violations of this act," by amending section 7 (MCL 333.26427), as amended by 2016 PA 546.

The People of the State of Michigan enact:

7. Scope of Act.

Sec. 7. (a) The medical use of marihuana is allowed under state law to the extent that it complies with this act.

(b) This act does not authorize a person to do any of the following:

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

(2) Possess marihuana, or engage in the medical use of marihuana, at any of the following locations:

(A) In a school bus.

(B) On the grounds of any preschool or primary or secondary school.

(C) In any correctional facility.

(3) Smoke marihuana at any of the following locations:

(A) On any form of public transportation.

(B) In any public place.

(4) Operate, navigate, or be in actual physical control of any motor vehicle, aircraft, snowmobile, off-road recreational vehicle, or motorboat while under the influence of marihuana.

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

(6) Separate plant resin from a marihuana plant by butane extraction in any of the following:

(A) A public place.

(B) A motor vehicle.

(C) Inside or within the curtilage of any residential structure.

(7) Separate plant resin from a marihuana plant by butane extraction in a manner that demonstrates a failure to exercise reasonable care or reckless disregard for the safety of others.

(c) Nothing in this act requires any of the following:

(1) A government medical assistance program or commercial or nonprofit health insurer to reimburse a person for costs associated with the medical use of marihuana.

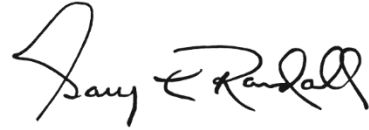
(2) An employer to accommodate the ingestion of marihuana in any workplace or any employee working while under the influence of marihuana.

(3) A private property owner to lease residential property to any person who smokes or cultivates marihuana on the premises, if the prohibition against smoking or cultivating marihuana is in the written lease.

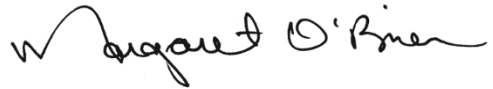
(d) Fraudulent representation to a law enforcement official of any fact or circumstance relating to the medical use of marihuana to avoid arrest or prosecution is punishable by a fine of \$500.00, in addition to any other penalties that may apply for making a false statement or for the use of marihuana other than use that complies with this act.

(e) All other acts and parts of acts inconsistent with this act do not apply to the medical use of marihuana as provided for by this act. However, if this act is inconsistent with any part of chapter 10a, 10b, 10c, or 12 of the revised judicature act of 1961, 1961 PA 236, MCL 600.1060 to 600.1088, 600.1090 to 600.1099a, 600.1099b to 600.1099m, and 600.1200 to 600.1212, that part applies.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor