



**Senate Fiscal Agency**  
**P. O. Box 30036**  
**Lansing, Michigan 48909-7536**

BILL



ANALYSIS

**Telephone: (517) 373-5383**  
**Fax: (517) 373-1986**

House Bill 5222 (Substitute S-2)  
Sponsor: Representative Thomas A. Albert  
House Committee: Law and Justice  
Senate Committee: Judiciary

Date Completed: 3-5-18

## **CONTENT**

**The bill would amend the Medical Marihuana Facilities Licensing Act to require the Department of Licensing and Regulatory Affairs to do the following:**

- Promulgate a rule requiring all marihuana sold through provisioning centers to include on the packaging a warning for women who are pregnant or breastfeeding.**
- Establish notice posting and information pamphlet standards for provisioning centers, including requirements to provide a marihuana safety information pamphlet to patrons and to display a marihuana health risks posting at a provisioning center's point-of-sale location.**

### Labeling & Packaging Standards; Health Warning Label

The Department, in consultation with the Medical Marihuana Licensing Board, must promulgate rules and emergency rules as necessary to implement, administer, and enforce the Act. The rules must ensure the safety, security, and integrity of the operation of marihuana facilities, and, among other things, must establish labeling and packaging standards, procedures, and requirements for marihuana sold or transferred through provisioning centers, including a prohibition on labeling or packaging that is intended to appeal to minors.

Under the bill, the labeling and packaging standards rules also would have to include a requirement that all marihuana sold through provisioning centers include on the outside of the packaging the following warning printed in clearly legible type and surrounded by a continuous heavy line:

Warning: Use by pregnant or breastfeeding women, or by women planning to become pregnant, may result in fetal injury, preterm birth, low birth weight, or developmental problems for the child.

(A provisioning center is a licensed commercial entity located in Michigan that purchases marihuana from a grower or processor and sells, supplies, or provides marihuana to registered qualifying patients directly or through their registered primary caregivers.)

### Notice Posting & Information Pamphlet Standards

The bill would require the Department to promulgate rules to establish notice posting and information pamphlet standards for provisioning centers, including a requirement to provide to every patron at the time of sale a pamphlet measuring three and one-half inches by five

inches that included safety information related to marihuana use by minors and the Poison Control hotline number, 1-800-222-1222.

In addition, the rules establishing notice posting and informational pamphlet standards would have to require a provisioning center to display at the point-of-sale location the following posting in clearly legible 36-point font:

- There may be health risks associated with consumption of this product.
- This product has intoxicating effects and may be habit-forming.
- Smoking is hazardous to your health.
- This product should not be used by women who are pregnant or breastfeeding.
- This product can impair concentration, coordination, and judgment. You should not operate a vehicle or machinery under the influence of this product.

MCL 333.27206

Legislative Analyst: Jeff Mann

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Michael Siracuse

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.