

SENATE BILL No. 1148

November 8, 2018, Introduced by Senator ANANICH and referred to the Committee on Judiciary.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 7106 (MCL 333.7106), as amended by 2014 PA 548.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 7106. (1) "Immediate precursor" means a substance that
2 the administrator has found to be and by rule designates as being
3 the principal compound commonly used or produced primarily for use
4 and that is an immediate chemical intermediary used or likely to be
5 used in the manufacture of a controlled substance, the control of
6 which is necessary to prevent, curtail, or limit manufacture.

7 (2) "Industrial hemp" means the plant *Cannabis sativa* L. and
8 any part of the plant, whether growing or not, with a ~~delta-9-~~
9 ~~tetrahydrocannabinol~~ **DELTA-9-TETRAHYDROCANNABINOL** concentration of
10 not more than 0.3% on a dry weight basis.

11 (3) "Manufacture" means the production, preparation,

1 propagation, compounding, conversion, or processing of a controlled
2 substance, directly or indirectly by extraction from substances of
3 natural origin, or independently by means of chemical synthesis, or
4 by a combination of extraction and chemical synthesis. It includes
5 the packaging or repackaging of the substance or labeling or
6 relabeling of its container, except that it does not include either
7 of the following:

8 (a) The preparation or compounding of a controlled substance
9 by an individual for his or her own use.

10 (b) The preparation, compounding packaging, or labeling of a
11 controlled substance by either of the following:

12 (i) A practitioner as an incident to the practitioner's
13 administering or dispensing of a controlled substance in the course
14 of his or her professional practice.

15 (ii) A practitioner, or by the practitioner's authorized agent
16 under his or her supervision, for the purpose of, or as an incident
17 to, research, teaching, or chemical analysis, and not for sale.

18 (4) "Marihuana" means all parts of the plant *Cannabis sativa*
19 L., growing or not; the seeds of that plant; the resin extracted
20 from any part of the plant; and every compound, manufacture, salt,
21 derivative, mixture, or preparation of the plant or its seeds or
22 resin. Marihuana does not include the mature stalks of the plant,
23 fiber produced from the stalks, oil or cake made from the seeds of
24 the plant, any other compound, manufacture, salt, derivative,
25 mixture, or preparation of the mature stalks, except the resin
26 extracted from those stalks, fiber, oil, or cake, or any sterilized
27 seed of the plant that is incapable of germination. Marihuana does

1 not include ~~industrial~~ **ANY OF THE FOLLOWING:**

2 **(A) INDUSTRIAL** hemp grown or cultivated, or both, for research
3 purposes under the industrial hemp research act.

4 **(B) CANNABIDIOL WITH A DELTA-9-TETRAHYDROCANNABINOL**
5 **CONCENTRATION OF NOT MORE THAN 0.3% ON A DRY WEIGHT BASIS.**

6 **(C) CANNABIDIOL ACID WITH A DELTA-9-TETRAHYDROCANNABINOL**
7 **CONCENTRATION OF NOT MORE THAN 0.3% ON A DRY WEIGHT BASIS.**

8 Enacting section 1. This amendatory act takes effect 90 days
9 after the date it is enacted into law.