



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

BILL ANALYSIS

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Senate Bill 81 (as reported without amendment)
Sponsor: Senator Peter J. Lucido
Committee: Judiciary and Public Safety

CONTENT

The bill would repeal Section 474 of the Michigan Penal Code, which prohibits the transportation or possession of usable marihuana in a motor vehicle except under certain conditions.

Specifically, Section 474 prohibits a person from transporting or possessing usable marihuana in or upon a motor vehicle or any self-propelled vehicle designed for land travel unless the usable marihuana is one or both of the following: a) enclosed in a case that is carried in the trunk of the vehicle, or b) enclosed in a case that is not readily accessible from the interior of the vehicle, if the vehicle in which the individual is traveling does not have a trunk. "Usable marihuana" means the dried leaves, flowers, plant resin, or extract of the marihuana plant, but does not include the seeds, stalks, and roots of the plant. A person who violates Section 474 is guilty of a misdemeanor punishable by up to 93 days' imprisonment or a maximum fine of \$500, or both.

The bill would repeal Section 474, effective 90 days after its effective date.

MCL 750.474

Legislative Analyst: Stephen Jackson

FISCAL IMPACT

The bill would have no fiscal impact on the State. The bill also would have no fiscal impact on local government because, according to the Michigan Court of Appeals, the section that the bill would repeal is "impermissible".

Date Completed: 3-7-19

Fiscal Analyst: Joe Carrasco