



Senate Fiscal Agency  
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Senate Bill 1095 (as introduced 9-10-20)  
Sponsor: Senator Jon Bumstead  
Committee: Regulatory Reform

Date Completed: 9-22-20

### **CONTENT**

#### **The bill would amend the Michigan Regulation and Taxation of Marihuana Act (MRTMA) to modify various definitions.**

The MRTMA requires the Department of Licensing and Regulatory Affairs to issue certain marihuana establishment licenses, including a license to operate a marihuana microbusiness. "Marihuana microbusiness" means a person licensed to cultivate not more than 150 marihuana plants; process and package marihuana; and sell or otherwise transfer marihuana to individuals who are 21 years of age or older or to a marihuana safety compliance facility, but not to other marihuana establishments.

The bill would modify the definition of "marihuana microbusiness" to refer to *flowering* marihuana plants. "Flowering marihuana plant" would mean a male or female marihuana plant that has visible calices, stigma, or pre-flowers located at the node of the stem or branch.

The MRTMA defines "marihuana" as all parts of the marihuana plant, growing or not; the seeds of the plant, the resin from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin, including marihuana concentrate and marihuana-infused products. The term does not include industrial hemp or any other ingredient combined with marihuana to prepare topical or oral administrations, food, drink, or other products.

"Marihuana" also does not include the mature stalks of the plant, fiber produced from the mature stalks, oil or cake made from the seeds of the plant, or any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted from the stalks, fiber, oil, or cake, or any sterilized seed of the plant that is capable of germination. The bill would delete the reference to "the resin extracted from the stalks, fiber, oil, or cake, or any sterilized seed of the plant that is capable of germination".

Under the Act, "State license" means a license issued by the Department that allows a person to operate a marihuana establishment. "Marihuana establishment" means a marihuana grower, marihuana safety compliance facility, marihuana processor, marihuana microbusiness, marihuana retailer, marihuana secure transporter, or any other type of marihuana-related business licensed by the Department.

The bill would amend the definitions of "State license" and "marihuana establishment" to refer to the Marijuana Regulatory Agency, instead of the Department.

MCL 333.27953

Legislative Analyst: Stephen Jackson

## **FISCAL IMPACT**

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

Fiscal Analyst: Elizabeth Raczkowski

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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.