

# Legislative Analysis



## SALE OR TRANSFER OF MARIJUANA UNDER MMFLA

Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**House Bill 5871 (H-1) as reported from committee**

**Sponsor: Rep. Roger Hauck**

**Committee: Regulatory Reform**

**Complete to 3-23-22**

Analysis available at  
<http://www.legislature.mi.gov>

### SUMMARY:

House Bill 5871 would amend the Medical Marijuana Facilities Licensing Act (MMFLA) to expand the types of entities from or to which a licensed processor or licensed provisioning center is authorized to buy, sell, or transfer marijuana or marijuana-infused products. The table below shows (in italics) the changes proposed by the bill.

Processor licensee	May purchase <i>or transfer</i> <sup>1</sup> marijuana from:		May sell <i>or transfer</i> marijuana or marijuana-infused products to:	
	Current law	HB 5871	Current law	HB 5871
	grower	grower, <i>processor, provisioning center</i>	processor, provisioning center	<i>grower, processor, provisioning center</i>
Provisioning center licensee	May purchase or transfer marijuana from:		May sell or transfer marijuana to:	
	Current law	HB 5871	Current law	HB 5871
	grower, processor	grower, processor, <i>provisioning center</i>	registered qualifying patient, registered primary caregiver	registered qualifying patient, registered primary caregiver, <i>grower, processor, provisioning center</i>

In addition, all transfers of marijuana from a provisioning center to a separate marijuana facility would have to be by means of a secure transporter, except for a transfer from a provisioning center to a marijuana facility that occupies the same location as the provisioning center.

MCL 333.27502 and 333.27504

<sup>1</sup> Transfers are not now included in the provisions governing processor licensees; they would be added by the bill.

**BRIEF DISCUSSION:**

According to its supporters, the bill will provide greater flexibility for licensed processors and provisioning centers in managing the medical marijuana products they handle. For instance, a provisioning center that found it had too much product could sell the excess product to another provisioning center that may be low on products and not expecting a shipment for several days. Reportedly, the bill's provisions would provide greater parity with the adult recreational marijuana industry. Many marijuana licensees operate in both the medical marijuana and adult recreational marijuana markets.

**FISCAL IMPACT:**

House Bill 5871 would not have a fiscal impact on any state or local government units.

**POSITIONS:**

The Michigan Cannabis Industry Association indicated support for the bill. (3-8-22)

Legislative Analyst: Susan Stutzky  
Fiscal Analyst: Marcus Coffin

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