

HOUSE BILL NO. 4743

April 29, 2021, Introduced by Reps. Calley and Lilly and referred to the Committee on Regulatory Reform.

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 7106 (MCL 333.7106), as amended by 2018 PA 642.

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

1 which is necessary to prevent, curtail, or limit manufacture.

2 (2) "Industrial hemp" means ~~the plant *Cannabis sativa* L. and~~
3 ~~any part of that plant, including the viable seeds of that plant~~
4 ~~and all derivatives, extracts, cannabinoids, isomers, acids, salts,~~
5 ~~and salts of isomers, whether growing or not, with a delta-9~~
6 ~~tetrahydrocannabinol concentration of not more than 0.3% on a dry~~
7 ~~weight basis. Industrial hemp includes industrial hemp commodities~~
8 ~~and products and topical or ingestible animal and consumer products~~
9 ~~derived from the plant *Cannabis sativa* L. with a delta-9~~
10 ~~tetrahydrocannabinol concentration of not more than 0.3% on a dry~~
11 ~~weight basis.~~ **that term as defined in section 3 of the Michigan**
12 **Regulation and Taxation of Marihuana Act, 2018 IL 1, MCL 333.27953.**

13 (3) "Manufacture" means the production, preparation,
14 propagation, compounding, conversion, or processing of a controlled
15 substance, directly or indirectly by extraction from substances of
16 natural origin, or independently by means of chemical synthesis, or
17 by a combination of extraction and chemical synthesis. It includes
18 the packaging or repackaging of the substance or labeling or
19 relabeling of its container, except that it does not include either
20 of the following:

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

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

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

28 (ii) A practitioner, or by the practitioner's authorized agent
29 under his or her supervision, for the purpose of, or as an incident

1 to, research, teaching, or chemical analysis, and not for sale.

2 (4) "Marihuana" means ~~all parts of the plant *Cannabis sativa*~~
3 ~~L., growing or not; the seeds of that plant; the resin extracted~~
4 ~~from any part of the plant; and every compound, manufacture, salt,~~
5 ~~derivative, mixture, or preparation of the plant or its seeds or~~
6 ~~resin. Marihuana does not include the mature stalks of the plant,~~
7 ~~fiber produced from the stalks, oil or cake made from the seeds of~~
8 ~~the plant, any other compound, manufacture, salt, derivative,~~
9 ~~mixture, or preparation of the mature stalks, except the resin~~
10 ~~extracted from those stalks, fiber, oil, or cake, or any sterilized~~
11 ~~seed of the plant that is incapable of germination. Marihuana does~~
12 ~~not include industrial hemp.~~ **that term as defined in section 3 of**
13 **the Michigan Regulation and Taxation of Marihuana Act, 2018 IL 1,**
14 **MCL 333.27953.**

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