

INDUSTRIAL HEMP RESEARCH AND DEVELOPMENT ACT (EXCERPT)
Act 547 of 2014

286.853 Revocation of registration or license; hearing to appeal; preponderance of evidence; destruction or confiscation of all cannabis upon revocation; lifting of suspension.

Sec. 13. (1) The department shall not permanently revoke a registration or license suspended under section 12 unless the department has notified the registered grower or licensed processor-handler of the allegation against him or her and given the registered grower or licensed processor-handler an opportunity for a hearing to appeal the revocation.

(2) The department shall schedule a registration or license revocation hearing for a date as soon as practicable that is not more than 60 days after the date of notification of a registration or license suspension.

(3) The department shall conduct the hearing required under this section in accordance with the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

(4) If the director finds by a preponderance of the evidence that an allegation under section 12(1) concerning the person subject to the registration or license revocation hearing is true, the director shall revoke the registration or license effective immediately and the department or a law enforcement agency shall order destroyed, or confiscate, all cannabis that is in the person's possession.

(5) The department or a law enforcement agency shall not owe compensation or indemnity for the value of the cannabis that is destroyed or confiscated under this section.

(6) A person whose registration or license has been revoked is barred from participation in the program in any capacity for a minimum of 5 years from the date on which the registration or license was revoked.

(7) If the director does not find by a preponderance of the evidence that an allegation under section 12(1) concerning the person subject to a registration or license revocation hearing is true, the department shall lift the suspension imposed under section 12 within 24 hours.

History: Add. 2018, Act 641, Eff. Jan. 15, 2019.

Compiler's note: Former MCL 286.853, which pertained to definitions, was repealed by Act 451 of 1994, Eff. Mar. 30, 1995.

For the transfer of all authorities, powers, duties, functions, and responsibilities of the department of agriculture and rural development to license and regulate process handlers to the cannabis regulatory agency formerly known as the marijuana regulatory agency, see E.R.O. No. 2022-1, compiled at MCL 333.27002.