

Cannabis Patients United

Advocacy for Medical Cannabis Patients

SB 72

(S-1 version)

Cannabis Patients United (CPU) is a 501(c)4 group based in Michigan that focuses on Legislative and Judicial issues pertaining to the medical use of cannabis. CPU has worked successfully with both parties in both chambers of the Legislature, the Administration, and Law Enforcement to resolve issues involving the medical use of cannabis by offering clear, concise and sensible solutions.

SB 72 is a bill to guarantee the rights of a property owner to disallow the production and smoking of medical marijuana by their lessee in their rental property. CPU believes a property owner already has the ability to make this determination. In concept, we support a clarification for landlords and tenants. Unfortunately, the current language of SB 72 pushes past the intent of the bill.

BLACK BOLD = Senate Proposed Text

~~black~~ = Senate strikeouts

~~RED BOLD~~ = CPU Proposed Strikeouts

BLUE BOLD = CPU Proposed Text

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

7. Scope of Act.

Sec. 7. (a) The medical use of marijuana is allowed under state law to the extent that it is carried out in accordance with the provisions of this act.

(b) This act ~~shall~~ **DOES** not permit any person to do any of the following:

(1) Undertake any task under the influence of marijuana, when doing so would constitute negligence or professional malpractice.

(2) Possess marijuana, or otherwise engage in the medical use of marijuana **AT ANY OF THE FOLLOWING LOCATIONS:**

(A) ~~in~~ IN a school bus. ;

(B) ~~on~~ ON the grounds of any preschool or primary or secondary school. ; or

(C) ~~in~~ IN any correctional facility.

(3) Smoke marihuana AT ANY OF THE FOLLOWING LOCATIONS:

(A) ~~on~~ ON any form of public transportation. ; or

(B) ~~in~~ IN any public place.

~~(C) ON PRIVATE PROPERTY, IN VIOLATION OF A PROHIBITION ESTABLISHED BY THE PROPERTY OWNER.~~

(4) Operate, navigate, or be in actual physical control of any motor vehicle, aircraft, or motorboat while under the influence of marihuana.

(5) Use marihuana if that person does not have a serious or debilitating medical condition.

(c) Nothing in this act shall be construed to require ANY OF THE FOLLOWING:

(1) A government medical assistance program or commercial or non-profit health insurer to reimburse a person for costs associated with the medical use of marihuana.

(2) An employer to accommodate the ingestion of marihuana in any workplace or any employee working while under the influence of marihuana.

(3) A PRIVATE PROPERTY OWNER TO LEASE RESIDENTIAL PROPERTY TO ANY PERSON WHO SMOKES OR CULTIVATES MARIHUANA ON THE PREMISES, IF THE PROHIBITION AGAINST SMOKING OR CULTIVATING MARIHUANA IS IN THE WRITTEN LEASE.

(d) Fraudulent representation to a law enforcement official of any fact or circumstance relating to the medical use of marihuana to avoid arrest or prosecution ~~shall~~ be IS punishable by a fine of \$500.00, which ~~shall be~~ IS in addition to any other penalties that may apply for making a false statement or for the use of marihuana other than use undertaken pursuant to this act.

(e) All other acts and parts of acts inconsistent with this act do not apply to the medical use of marihuana as provided for by this act