

Advising Municipalities on Medical Marijuana Issues

Part One: Five Types of Licensed Facilities

Under the Medical Marijuana Facilities Licensing Act, Michigan cities and townships will have the ability to decide whether to allow any of the following five types of medical marijuana facilities to operate within their jurisdictions.

1. Grower license: *Farmers.*

- Defined as a “commercial entity located in this state that cultivates, dries, trims, or cures and packages marijuana for sale to a processor or provisioning center.” MCL 333.27102(f).
- Different types of grower licenses based on the number of marijuana plants
 - Class A (500)
 - Class B (1,000)
 - Class C (1,500)
- What may growers do:
 - Grow medical marijuana plants
 - Sell plants to a processor or provisioning center
- Restrictions:
 - May only transfer the marijuana through a secure transporter
 - Cannot have an interest in a secure transporter or safety compliance facility
 - Cannot be a primary caregiver under the MMMA or employ a primary caregiver
- Zoning:
 - Must be zoned in an industrial, agricultural, or non-zoned area.
 - Only license with a zoning restriction in the statute.

2. Processor license: *Manufacturers.*

- Defined as “commercial entity located in this state that purchases marijuana from a grower and that extracts resin from the marijuana or creates a marijuana-infused product for sale and transfer in packaged form to a provisioning center.” MCL 333.27102(q).
- What may processors do:
 - Purchase marijuana from a grower, create marijuana infused products, and sell only to provisioning center
- Restrictions:
 - Cannot have an interest in a secure transporter or safety compliance facility
 - Cannot be a primary caregiver under the MMMA, nor may it employ a primary caregiver

3. Secure transporter license: *Logistics/armored truck operators.*

- Defined as “commercial entity located in this state that stores marijuana and transports marijuana between marijuana facilities for a fee.” MCL 333.27102(x).
- What may secure transporters do:

- Store and transport marihuana and money associated with the purchase/sale of marihuana between licensed facilities for a fee
- Restrictions:
 - Cannot have an interest in a grower, processor, provisioning center or a safety compliance facility
 - Cannot be a registered qualifying patient or registered primary caregiver under the MMMA
 - Driver required to have chauffer's license issued by the State
 - Cannot transfer to a qualifying patient or registered caregiver

4. **Provisioning center license: *Retail centers*** a/k/a “dispensaries”

- Defined as a “commercial entity located in this state that purchases marihuana from a grower or processor and sells, supplies, or provides marihuana to registered qualifying patients, directly or through the patients' registered primary caregivers [and] includes any commercial property where marihuana is sold at retail to registered qualifying patients or registered primary caregivers.” MCL 33.27102(r).
- What may provisioning centers do:
 - Procure marihuana from a processor or grower
 - Sell marihuana only to registered qualifying patient or registered primary caregiver.
- Restrictions
 - Cannot have an interest in a secure transporter or safety compliance facility.

5. **Safety compliance facility license: *Testing facilities***.

- Defined as a “commercial entity that receives marihuana from a marihuana facility or registered primary caregiver, tests it for contaminants and for tetrahydrocannabinol and other cannabinoids, returns the test results, and may return the marihuana to the marihuana facility.” MCL 33.27102(w).
- Restrictions
 - Cannot have an interest in a grower, processor, provisioning center, or a secure transporter

**This bulletin is provided for general informational purposes only and does not constitute legal advice. Please consult with a qualified professional for specific legal questions regarding the Medical Marihuana Facilities Licensing Act.*