

Advising Municipalities on Medical Marihuana Issues

Part Two: Regulatory Framework

Regulation by Municipalities

Municipalities that elect to permit marihuana facilities can establish additional regulations through ordinance, as long as they do not relate to price, purity, or interfere with/conflict with the State regulations. Municipalities should familiarize themselves with the State regulations once they are established and shape additional municipal regulation accordingly.

Regulation by the State of Michigan

By December 15, 2017, the State will implement regulations on a wide variety of issues related to medical marihuana facilities. The regulations will be promulgated by Department of Licensing and Regulatory Affairs (LARA). The State regulations will address the following issues, without limitation:

- Requirements for facilities and equipment
- Operating regulations to ensure health, safety, and security of the public
- Minimum levels of insurance for licensees
- Qualifications and restrictions for people participating in or involved with operating marihuana facilities
- Testing standards and requirements for marihuana sold through provisioning centers
- Quality control, chain of custody, waste disposal, and storage standards.
- Standards for safe transportation
- Labeling and packaging requirements
- Daily purchasing limits
- Marketing and advertising restrictions
- Maximum THC levels
- Health standards related to safe preparation of products that are intended for human consumption.
- Restrictions on marijuana-infused products to prohibit shapes that would appeal to children

Update on State Regulatory Process

This is the current status per the LARA website:

“In September 2016, the Michigan Legislature passed and governor signed into law three bills (House Bills [4209](#), [4827](#) and [4210](#)) that will create a licensing and regulatory framework for medical marihuana. This regulatory framework must be implemented by December 15, 2017.

“The Department of Licensing and Regulatory Affairs (LARA) is in the beginning stages of establishing this new regulatory structure and is not accepting applications or issuing licenses at this time. LARA recommends interested parties continue to work with their local governments to procure the local licenses and permits required to establish a medical marihuana business.”

**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.*