

## Legislative Update October 2020

This document contains a brief summary and status of bills in House and Senate that pertain to the work of substance abuse prevention in Michigan.

**Highlight**=new updates

| BILLS PERTAINING TO TOBACCO/E-CIGARETTES |         |  |                      |   |
|--|---------|--|----------------------|---|
| Priority                                 | BILL #  | SUMMARY  | SPONSOR(s)           | STATUS/ACTION DATE  |
|  | HB 5370 | This bill amends 1978 PA 368, "The public health code" by prohibiting smoking in buildings used for senior housing.  | Abdullah Hammoud (D) | Introduced and referred to Committee on Regulatory Reform on 1/21/2020. |
|  | SB 0781 | This bill amends 1993 PA 327, entitled "Tobacco products tax act" to include e-cigarettes and "consumable products" which includes liquid nicotine products as eligible for the tobacco excise act. Tie bar with: SB 0783'19, SB 0782'19, SB 0784'19 | Jim Ananich (D)      | Introduced and referred to Committee on Regulatory Reform on 2/5/2020.  |
|  | SB 0782 | This bill amends 1915 PA 31, "The Youth Tobacco Act " and would require that anyone selling e-cigarettes or related products (vapor products) such as e-juices need to apply for and be licensed. Tie bar with: SB 0783'19, SB 0781'19, SB 0784'19   | Marshall Bullock (D) | Introduced and referred to Committee on Regulatory Reform on 2/5/2020.  |
|  | SB 0783 | This bill amends 1915 PA 31, "The Youth Tobacco Act " and prohibits retailers from advertising in any way that may appeal to or attract minors to use e-cigarettes. Tie bar with: SB 0782'19, SB 0781'19, SB 0784'19                                 | Jim Runestad (R)     | Introduced and referred to Committee on Regulatory Reform on 2/5/2020.  |
|  | SB 0784 | This bill amends 1915 PA 31, "The Youth Tobacco Act " changes and would require that retailers verify that buyers are 21 or older. Tie bar with: SB 0782'19, SB 0781'19, SB 0783'19  | Lana Theis (R)       | Introduced and referred to Committee on Regulatory Reform on 2/5/2020.  |
|  | SB 0786 | This bill amends 1971 PA 79, The Age of majority act of 1971 and changes the age for legal purchase, possession, and use of tobacco and e-cigarette products to 21.  | Paul Wojno (D)       | Introduced and referred to Committee on Regulatory Reform on 2/5/2020.  |
|  |         |  |                      |   |

| BILLS PERTAINING TO PRESCRIPTION MEDICATIONS AND MONITORING/HEROIN/OPIOIDS |                          |  |                  |   |
|--|--------------------------|--|------------------|---|
| Priority   | BILL #                   | SUMMARY  | SPONSOR(s)       | STATUS/ACTION DATE  |
|  | HB 5926                  | This bill amends 1978 PA 368, the Public health code by requiring that prescription drug packaging have the numbers for the national helpline from SAMHSA, the Suicide Prevention Lifeline, Alcoholics Anonymous hotline, and the poison helpline from the American Association of Poison Control Centers. | Nate Shannon (D) | Introduced and referred to Committee on Health Policy on 6/25/20. |
|  | PA 135 of 2020 (SB 0254) | This bill requires that opioid and benzodiazepine prescriptions to be transmitted electronically to pharmacies.  | Dale Zorn (R)    | Signed into law on 7/22/20.                                       |
|  |                          |  |                  |   |

## BILLS PERTAINING TO MARIHUANA

| Priority | BILL #  | SUMMARY   | SPONSOR           | ACTION DATE  |
|----------|---------|---|-------------------|--|
|          | HB 4126 | This bill amends 2018 IL 1, entitled "Michigan regulation and taxation of marihuana act by requiring that all marihuana products sold in marihuana retailers and microbusinesses contain a label with the following, "Warning: Use by pregnant or breastfeeding women, or by women planning to become pregnant, may result in fetal injury, pre-term birth, low birth weight, or developmental problems for the child." It also requires the presence of information pamphlets to be provided to every customer at the time of sale with safety information related to marihuana use by minors and the Poison Control Hotline number, 1-800-222-1222. | Thomas Albert (R) | Introduced on 2/5/19. Approved by Governor Whitmer and signed into law on 2/20/20. |
|          | HB 4127 | This bill amends 2016 PA 281, entitled "Medical marihuana facilities licensing act," by requiring that all marihuana sold through provisioning centers contain a label with the following, "Warning: Use by pregnant or breastfeeding women, or by women planning to become pregnant, may result in fetal injury, pre-term birth, low birth weight, or developmental problems for the child." It also requires the presence of information pamphlets to be provided to every customer at the time of sale with safety information related to marihuana use by minors and the Poison Control Hotline number, 1-800-222-1222.                           | Daire Rendon(R)   | Introduced on 2/5/19. Approved by Governor Whitmer and signed into law on 2/20/20. |
|          | HB 5547 | This bill amends 2016 PA 281, entitled "Medical marihuana facilities licensing act," and increases the number of marihuana plants a licensee may grow based on license type.  | Graham Filler (R) | Introduced and referred to Committee on Government Operations on 2/25/20.          |
|          | HB 5549 | This bill amends 2018 IL 1, entitled "Michigan regulation and taxation of marihuana act" and designates that a person engaging in an activity requiring a state license without having a state license is responsible for a civil infraction and will be punished by a fine of \$10,000 for each day that the violation continues.  | Graham Filler (R) | Introduced and referred to Committee on Government Operations on 2/25/20.          |
|          | HB 5571 | This bill amends 2000 PA 92, entitled "Food law" and allows for a person licensed under MRTMA or MMFLA to possibly apply and qualify for a food establishment license as long as smoking marihuana on the dually licensed premises is prohibited.   | Julie Calley (R)  | Introduced and referred to Committee on Government Operations on 2/27/20.          |
|          | HB 5621 | This bill amends 2018 IL 1, entitled "Michigan regulation and taxation of marihuana act" and prohibits the sale of marihuana to an individual who is younger than 21 years of age or visibly intoxicated; prohibit, and create cause of action for harm that the individual causes.   | Jim Lilley (R)    | Introduced and referred to Committee on Government Operations on 3/12/20.          |
|          | HB 5622 | This bill amends 2016 PA 281, entitled "Medical marihuana facilities licensing act," and prohibits sale of marihuana to a registered qualifying patient who is visibly intoxicated.   | Yousef Rabhi (D)  | Introduced on 3/12/20.   |

## BILLS PERTAINING TO MARIHUANA

| Priority | BILL #                                       | SUMMARY  | SPONSOR             | ACTION DATE   |
|----------|--|--|---------------------|---|
|          | HB 5893                                      | This bill amends 2016 PA 281, entitled "Medical marihuana facilities licensing act," and prevents the Marijuana Regulatory Agency from prohibiting a licensee from donating money to a nonprofit organization or from sponsoring, supporting or donating to a substance use disorder education program for youth.      | Pauline Wendzel (R) | Introduced and referred to Committee on Judiciary on 6/23/30.             |
|          | HB 5894                                      | This bill amends 2018 IL 1, entitled "Michigan regulation and taxation of marihuana act" and prevents the Marijuana Regulatory Agency from prohibiting a licensee from donating money to a nonprofit organization or from sponsoring, supporting or donating to a substance use disorder education program for youth.  | Pauline Wendzel (R) | Introduced and referred to Committee on Judiciary on 6/23/30.             |
|          | HB 5922                                      | This bill amends 2016 PA 281, entitled "Medical marihuana facilities licensing act," and requires licensees/applicants to provide proof and compliance of financial responsibility.  | Michael Webber (R)  | Introduced and referred to Committee on Government Operations on 6/25/20. |
|          | HB 6022                                      | This bill amends 2008 IL 1, entitled "Michigan Medical Marijuana Act" and requires that primary caregivers not cultivate marijuana on property that is zoned residential unless allowed by a local ordinance.  | Jeff Yaroch (R)     | Introduced and referred to Committee on Judiciary on 7/23/20.             |
|          | HB 6120                                      | This bill amends 2016 PA 281, entitled "Medical marihuana facilities licensing act," and requires that for the fiscal year ending September 30, 2020 only, \$17,000,000.00 of the money in the marijuana regulatory fund is transferred and deposited into the general fund.   | Cynthia Johnson (D) | Introduced and referred to Committee on Appropriations on 8/17/20.        |
|          | SB 1057<br>TIE BAR<br>WITH:<br>SB<br>1058'20 | This bill amends 2016 PA 281, entitled "Medical marihuana facilities licensing act," and requires licensees/applicants to provide proof and compliance of financial responsibility.  | Curt VanderWall (R) | Introduced and referred to Committee on Regulatory Reform on 8/15/20.     |
|          | HB 6157                                      | This bill amends 2008 IL 1, entitled "Michigan Medical Marijuana Act" and requires that for the fiscal year ending September 30, 2020, \$24,000,000 of the money in the marihuana regulatory fund is transferred and deposited into the Michigan set aside fund created under section 1i of 1965 PA 213, MCL 780.621i. | Joe Tate (D)        | Introduced and referred to Committee on Appropriations on 9/2/2020.       |
|          | SB 1077                                      | This bill amends 2008 IL 1, entitled "Michigan Medical Marijuana Act" and requires that for the fiscal year ending September 30, 2020, \$24,000,000 of the money in the marihuana regulatory fund is transferred and deposited into the Michigan set aside fund created under section 1i of 1965 PA 213, MCL 780.621i. | Adam Hollier (D)    | Introduced and referred to Committee on Appropriations on 9/2/20.         |
|          | SB 1155                                      | A bill to create a marihuana business grant program for minority-owned and woman-owned marihuana businesses; to provide for the powers and duties of certain state governmental officers and entities; and to provide for the promulgation of rules.   | Jeff Irwin (D)      | Introduced and referred to Committee on Regulatory Affairs on 9/30/20.    |
|          | HB 6273<br>Tie bar<br>with HB<br>6274        | This bill amends 1976 PA 451, entitled "The revised school code" and would allow students to be treated with marihuana-infused products and CBD products during school.  | Alex Garza (D)      | Introduced and referred to Committee on Education on 9/29/20.             |

### BILLS PERTAINING TO MARIHUANA

| Priority | BILL #                                | SUMMARY  | SPONSOR        | ACTION DATE   |
|----------|---------------------------------------|--|----------------|---|
|          | HB 6274<br>Tie bar<br>with HB<br>6273 | This bill amends 2008 IL 1, entitled "Michigan Medical Marijuana Act" and requires that a qualifying patient who has been issued and possesses a registry identification card must not be denied any right or privilege. | Alex Garza (D) | Introduced and referred to Committee on Education on 9/29/20. |
|          |                                       |  |                |   |
|          |                                       |  |                |   |
|          |                                       |  |                |   |

### BILLS PERTAINING TO ALCOHOL/UNDERAGE DRINKING

| Priority | BILL #  | SUMMARY  | SPONSOR(s)          | STATUS/ACTION DATE   |
|----------|---------|--|---------------------|--|
|          | HB 5342 | This bill amends 1998 PA 58, "Michigan liquor control code of 1998" and clarifies electronic advertising guidelines.   | Pauline Wendzel (R) | Introduced and referred to Committee on Regulatory Reform on 1/16/2020.  |
|          | HB 5343 | This bill amends 1998 PA 58, "Michigan liquor control code of 1998" and allows for microbrewers to deliver beer to retailers if certain conditions are met.  | Pauline Wendzel (R) | Introduced and referred to Committee on Regulatory Reform on 1/16/2020.  |
|          | HB 5347 | This bill amends 1998 PA 58, "Michigan liquor control code of 1998" and establishes new guidelines for organizations applying for licenses to conduct a beer festival. Two or more day festivals will be considered one event. Samples meant to showcase beer may be given for free. | Alex Garza (D)      | Introduced and referred to Committee on Regulatory Reform on 1/16/2020.  |
|          | SB 0711 | This bill amends 1998 PA 58, "Michigan liquor control code of 1998" and allows for issuance of a limited production manufacturer license and determines initial and renewal license fees.  | Jon Bumstead (R)    | Introduced and referred to Committee on Regulatory Reform on 1/9/2020 and referred to Committee of the Whole on 1/22/2019. |
|          | HB 5410 | This bill amends 1998 PA 58, "Michigan liquor control code of 1998" and would eliminate state minimum pricing on spirits.  | Steven Johnson (R)  | Introduced and referred to Committee on Regulatory Reform on 1/23/2020.  |
|          | HB 5428 | This bill amends 1998 PA 58, "Michigan liquor control code of 1998" and states that the liquor control commission shall not consider qualified violations if they happened at least seven years ago when considering issuing, denying, suspending or revoking liquor licenses.       | Matt Hall (R)       | Introduced and referred to Committee on Regulatory Reform on 1/30/2020.  |
|          | HB 5544 | This bill amends 1998 PA 58, "Michigan liquor control code of 1998" and allows on-premise retailers to have self-serve beer and wine dispensing machines.  | Rodney Wakeman (R)  | Introduced and referred to Committee on Regulatory Reform on 2/25/2020.  |
|          | HB 5728 | This bill amends 1998 PA 58, "Michigan liquor control code of 1998" and allows the LCC to buy back liquor that retailers bought from the LCC during a declared state of emergency.   | Brandt Iden (R)     | Introduced and referred to Committee on Government Operations on 4/24/2020.  |
|          | SB 0890 | This bill amends 1998 PA 58, "Michigan liquor control code of 1998" and allows the LCC to buy back liquor that retailers bought from the LCC during a declared state of emergency.   | Kenneth Horn (R)    | Introduced and referred to Committee on Government Operations on 4/24/2020.  |

### BILLS PERTAINING TO ALCOHOL/UNDERAGE DRINKING

| Priority | BILL #                   | SUMMARY  | SPONSOR(s)           | STATUS/ACTION DATE  |
|----------|--------------------------|--|----------------------|---|
|          | HB 5764                  | This bill amends 1998 PA 58, "Michigan liquor control code of 1998" by allowing manufacturers or wholesalers to refund retailers for beer or wine if certain conditions are met such as if it is delivered outdated or damaged.  | Rebekah Warren (D)   | Introduced and referred to Committee on Regulatory Reform on 5/5/20.  |
|          | PA 124 of 2020 (HB 5781) | This bill amends 1998 PA 58, "Michigan liquor control code of 1998" by allowing on-premises licensees to serve alcoholic liquor in a commons area designated by a local unit of government with appropriate permits.   | Michael Webber (R)   | Signed into law on 7/21/20.   |
|          | PA 125 of 2020 (HB 5811) | This bill amends 1998 PA 58, "Michigan liquor control code of 1998" by allowing carryout sales and delivery of alcoholic liquor by an on-premises licensee.  | Sarah Anthony (D)    | Signed into law on 7/21/20.   |
|          | HB 5830                  | This bill amends 1998 PA 58, "Michigan liquor control code of 1998" by allowing on-premises licensees to serve alcoholic beverages in outdoor service areas without approval of the commission or local unit of government if certain conditions are met.  | Beau LaFave (R)      | Introduced and referred to Committee on Regulatory Reform on 6/4/20.  |
|          | SB 0934                  | This bill amends 1998 PA 58, "Michigan liquor control code of 1998" by allowing certain distillers to direct ship to consumers and deliver to retailers.   | Wayne Schmidt (R)    | Introduced and referred to Committee on Regulatory Reform on 5/21/20. |
|          | SB 0938                  | This bill amends 1998 PA 58, "Michigan liquor control code of 1998" by allowing on-premises licensees to sell alcoholic liquor to go and allow on-premises licensees to deliver alcoholic liquor to consumers under certain conditions.  | Mallory McMorrow (D) | Introduced and referred to Committee on Regulatory Reform on 5/21/20. |
|          | SB 0939                  | This bill amends 1998 PA 58, "Michigan liquor control code of 1998" by allowing on-premises licensees to serve alcoholic liquor in a commons area designated by a local unit of government.  | Jeff Irwin (D)       | Introduced and referred to Committee on Regulatory Reform on 5/21/20. |
|          | PA 126 of 2020 (SB 0942) | This bill amends 1998 PA 58, "Michigan liquor control code of 1998" by allowing on-premise licensees to fill qualified containers with alcohol for off-premise consumption, delivery of alcohol to consumers, and providing outdoor alcohol service including adding a bar or using a common area. | Aric Nesbitt (R)     | Signed into law on 7/22/20.   |
|          | HB 5906                  | This bill amends 1998 PA 58, "Michigan liquor control code of 1998" by allowing on-premise licensees to fill qualified containers with alcohol for off-premise consumption.  | Beau LaFave (R)      | Introduced and referred to Committee on Regulatory Reform on 6/24/20. |
|          | SB 1067                  | This bill amends 1998 PA 58, "Michigan liquor control code of 1998" and requires that for the fiscal year ending September 30 <sup>th</sup> , 2020, \$476,000 of the money in the Michigan craft beer council is transferred and deposited into the general fund.                                  | Curtis Hertel (D)    | Introduced and referred to Committee on Appropriations on 8/15/20.    |
|          |                          |  |                      |   |

### BILLS PERTAINING TO METHAMPHETAMINE/PRE-CURSORS

| Priority | BILL #         | SUMMARY  | SPONSOR(s)       | STATUS/ACTION DATE                   |
|----------|----------------|--|------------------|--------------------------------------|
|          | <b>S. 4612</b> | A bill to designate methamphetamine as an emerging threat, and for other purposes. | Dianne Feinstein | Introduced to congress on 9/17/2020. |

### BILLS PERTAINING TO SUD FUNDING/MISC

| Priority | BILL # | SUMMARY | SPONSOR(s) | STATUS/ACTION DATE |
|----------|--------|---------|------------|--------------------|
|          |        |         |            |                    |
|          |        |         |            |                    |

\*The Michigan Licensing and Regulatory Affairs posted an advisory bulletin on May 11<sup>th</sup>, 2018 to clarify that CBD oil is categorized as marihuana and falls under the Michigan Medical Marihuana Act/Medical Marihuana Facilities Licensing Act.

### MISCELLANEOUS BILLS

| Priority | BILL #  | SUMMARY   | SPONSOR(s)          | STATUS/ACTION DATE   |
|----------|---------|---|---------------------|--|
|          | HB 5477 | This bill amends 1978 PA 368, "The public health code" and provides for a diversion program including screening, assessment, and substance use disorder services for consenting individuals found guilty/pleading guilty to illegal possession or use of controlled substances. | Joseph Bellino (R)  | Introduced and referred to Committee on Judiciary on 2/11/2020.    |
|          | HB 6292 | This bill amends 1974 PA 258, The mental health code" and would create and operate grant programs for certain high schools and recovery community organizations that provide recovery support services from substance use disorder.   | Shane Hernandez (R) | Introduced and referred to Committee on Appropriations on 10/7/20. |

### FEDERAL BILLS

| Priority | BILL #  | SUMMARY  | SPONSOR                              |                          |
|----------|---------|--|--------------------------------------|--------------------------|
|          | HR 5633 | This bill amends title III of the Public Health Service Act to direct the Secretary, acting through the Director of the Centers for Disease Control and Prevention, to provide for a public education campaign for the promotion outreach and education campaign to raise public awareness of synthetic opioids. | Andy Kim (D)                         | Introduced on 1/16/2020. |
|          | HR 5771 | This bill amends the Controlled Substances Act to list fentanyl-related substances as schedule I controlled substances.  | Robert Latta (R)<br>Scott Tipton (R) | Introduced on 2/6/2020.  |
|          | HR 5774 | This bill would direct the Secretary of Veterans Affairs to conduct a review on opioid overdose deaths among veterans.   | Gregory Murphy (R)                   | Introduced on 2/6/2020.  |

|  |         |   |                          |                          |
|--|---------|---|--------------------------|--------------------------|
|  | HR 7286 | This bill would amend title XIX and XXI of the Social Security Act to provide coverage of comprehensive tobacco cessation services under such titles, and for other purposes. | Lisa Blunt Rochester (D) | Introduced on 6/22/2020. |
|  | HR 7990 | This bill is meant to prioritize efforts of the Department of State to combat international trafficking in covered synthetic drugs and new psychoactive substances.           | David Trone (D)          | Introduced on 8/7/2020.  |
|  | S. 4491 | This bill would designate methamphetamine as an emerging threat, and for other purposes.  | Diane Feinstein (D)      | Introduced on 8/6/2020.  |

**Additional Information:**

Congress negotiated a deal that would raise discretionary spending caps by upwards of \$300 billion over two years. Included in this deal is increased funding for non defense discretionary priorities. **This bipartisan budget agreement dedicates funding to address the opioid and mental health crisis by \$6 billion dollars over the next two years.** \$3 billion for FY18 and \$3 billion for FY19 is appropriated to combat the substance abuse epidemic, including enhanced state grants (with additional assistance for those states with the highest mortality rates and tribes), public prevention programs, and law enforcement activities related to substance abuse and mental health programs to address the opioid epidemic. Additionally, the National Institutes of Health (NIH) was appropriated \$1 billion for FY18 and \$1 billion for FY19 to support additional scientific research.