

Legislative Update April 2019. 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.

BILLS PERTAINING TO TOBACCO/E-CIGARETTES

Priority	BILL #	SUMMARY	SPONSOR(s)	STATUS/ACTION DATE
NEW	SB 106	Prohibit sale of vapor products to minors	Outman	2/12/2019 - Referred to Senate Reg Reform
NEW	SB 139 HB4235	FY20 DHHS shell bill	MacGregor (S) Whiteford (H)	2/28/2019 Approps 2/26/2019 Approps

BILLS PERTAINING TO MARIHUANA

Priority	BILL #	SUMMARY	SPONSOR	ACTION DATE
Not ranked	HB 1080	This bill would amend PA 167, the 'General Sales Tax Act', to exempt the sale of medical marihuana or medical marihuana-products that have the required labels from the general sales tax.	Rebekah Warren (D) Coleman Young II (D) Vincent Gregory (D) Morris Hood III (D)	9/5/18 – Introduced and referred to Committee on Finance. https://www.legislature.mi.gov/(S(xtmctxn3kie5u1rhz2dctri))/mileg.aspx?page=getObject&objectname=2018-SB-1080
Not ranked	HB 1081	This bill would amend PA 94, the 'Use Tax Act', to exempt the sale of medical marihuana or medical marihuana-products that have the required labels from the 'use tax'.	Rebekah Warren (D) Vincent Gregory (D) Morris Hood (D)	9/5/18 – Introduced and referred to committee on Finance. https://www.legislature.mi.gov/(S(3dqdbw4wer143bcirmjdtsl))/mileg.aspx?page=getObject&objectname=2018-SB-1081
Not ranked	HB 4648 – 4650	These bills would eliminate the preliminary chemical breathe test for drinking and driving, drinking and boating, drinking and snowmobiling and drinking while under 21 years old. http://legislature.mi.gov/doc.aspx?2017-HB-4649 http://legislature.mi.gov/doc.aspx?2017-HB-4650	Peter Lucido (R)	5/24/2017 –Introduced in the House and referred to committee on Law and Justice http://legislature.mi.gov/doc.aspx?2017-HB-4648
Not ranked	HB 6453	This bill amends 2016 PA 281, entitled "Medical marihuana facilities licensing act", allowing continued operation of medical marihuana facilities under certain circumstances.	Larry Inman (R)	10/17/18- Introduced , read a first time, and referred to Committee on Law and Justice http://www.legislature.mi.gov/documents/2017-2018/billintroduced/House/pdf/2018-HIB-6453.pdf
Not ranked	HB 6331 TB with HB 6330	This bill amends 1978 PA 368, entitled "Public health code, "changes the definition of industrial hemp to mean all parts of the plant as long as it is has a THC concentration of not more than 0.3% on a dry weight basis as well as any products derived from this plant.	Stephen Johnson (R) Dan Lauwers (R) Tristan Cole (R) Tom Barrett (R) Aaron Miller (R)	10/4/18- Read a third time, passed and given immediate effect http://www.legislature.mi.gov/documents/2017-2018/billengrossed/House/pdf/2018-HEBH-6331.pdf

Priority	BILL #	SUMMARY	SPONSOR	ACTION DATE
New	SB 1148	This bill amends 1978 PA 368, entitled "Public health code," by excluding industrial hemp grown for research purposes, Cannabidiol with a Delta-9-Tetrahydrocannabinol concentration of not more than 0.3% on a dry weight basis, and cannabidiol acid with a Delta-9-Tetrahydrocannabinol concentration of not more than 0.3% on a dry weight basis.	Jim Ananich (D)	11/8/18- Introduced by Jim Ananich, referred to Committee on Judiciary http://www.legislature.mi.gov/(S(eyocfc1qvaysjyn de2cxljv))/mileg.aspx?page=getObject&objectname=2018-SB-1148

BILLS PERTAINING TO UNDERAGE DRINKING

Priority	BILL #	SUMMARY	SPONSOR(s)	STATUS/ACTION DATE
NEW	HB4133-4146 SBs 84, 90, 91, 94, 96-99	Raise the age package	Various	2/26/2019 - Referred to House Judiciary 4/24/2019 – Passed full senate
Not ranked	HB 4648-4650	These bills would eliminate the preliminary chemical breathe test for drinking and driving, drinking and boating, drinking and snowmobiling and drinking while under 21 years old. http://legislature.mi.gov/doc.aspx?2017-HB-4649 http://legislature.mi.gov/doc.aspx?2017-HB-4650		
Not ranked	HB 5085	This bill would enact that a certain percentage of money from the revolving fund used for replenishing, maintaining, warehousing and disturbing liquor stocks in the state be disturbed to the general fund and then to CMH's for Prevention and Treatment.	Steve Marino (R)	10/1/17 – Introduced in House and referred to committee on Health Policy 1/31/18 – Reported with recommendation and referred to a second reading 4/24/2018 – passed; given immediate effect. http://legislature.mi.gov/doc.aspx?2017-HB-5085
Not ranked	HB 5501	This bill states that if a state or national veteran's organization is applying for a liquor license, they will not be charged an application or license fee. http://legislature.mi.gov/doc.aspx?2018-HB-5501	Robert Kosowski (D)	1/31/2018 – Introduced in the House and referred to Committee on Regulatory Reform
Not ranked	HB 6086	This bill amends the 'Michigan Liquor Control Code' and states that a person licensed to sell alcoholic liquor must post a sign or include a section on their menu informing people of the effects of alcohol consumption during pregnancy.	Hank Vaupel (R) Martin Howrylak (R) Tommy Brann (R) Tom Cochran (D) Holly Hughes (R) Jeffrey Noble (R) Peter Lucido (R)	5/29/18 – Introduced and referred to Committee on Regulatory Reform https://www.legislature.mi.gov/(S(hmdan52adgema0q3dhmflij))/mileg.aspx?page=getObject&objectname=2018-HB-6086

Priority	BILL #	SUMMARY	SPONSOR(s)	STATUS/ACTION DATE
Not ranked	HB 6079	This bill amends the 'Michigan Liquor Control Code' and states that for wine at 8.5% or more alcohol, samples must be 5 oz. or fewer. For wines less than 8.5% alcohol, samples must be 16 oz. or fewer. Under this code, wine sellers may charge money for samples if they have received written permission from the commission.	Jim Lilly (R)	5/29/18 – introduced and referred to Committee on Regulatory Reform https://www.legislature.mi.gov/(S(nwfvcgi2lnh440zwd0d5tpck))/mileg.aspx?page=getObject&objectname=2018-HB-6079
Not ranked	SB 80	This bill would amend the 1949 PA 300, The Michigan Vehicle Code and would allow for urine sample collection (in addition to blood samples) in the case of an accident and are admissible as evidence. This bill would also change the legal limit to 0.10 beginning October 1 2018. A person who operates a vehicle in the state consents to a chemical test (breathe, blood, urine) to determine if alcohol or a controlled substance is their body if the peace officer has reasonable cause to believe that the person was an operator of a vehicle involved in a fatal accident.	Wayne Schmidt (R) Mike Nofs (R) James Marleau (R) Rick Jones (R) Goeff Hansen (R) John Proos (R)	2/28/2017 – Passed by the Senate, introduced into the House and referred to committee on Judiciary http://legislature.mi.gov/doc.aspx?2017-SB-0080
Not ranked	SB 0803	This bill states that no liquor license will be issued to those whose property is on state owned land. This does not apply to fair grounds, armories, air bases, naval installations, and various other exclusions.	Dave Hildenbrand (R)	2/1/2018 – Introduced in the Senate, and referred to Committee on Regulatory Reform 4/18/2018 – Passed by the Senate; Introduced in the House 5/10/2018 – Passed the House 5/15/2018 – Given immediate effect, enrolled http://legislature.mi.gov/doc.aspx?2018-SB-0803
Not ranked	SB1101	A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 232. Information or a writing relating to the sale of alcohol by the commission is exempt from disclosure under the Freedom of Information Act 1976 PA 442, MCL 15.231 TO 15.246	Rick Jones (R)	9/5/2018- Referred to the Committee on Regulatory Reform http://www.legislature.mi.gov/(S(ov2hqhnlh0zeop3pa0kzw5cm))/mileg.aspx?page=BillStatus&objectname=2018-SB-1101
Not ranked	HB 6333	This bill amends 'The Michigan Liquor Control Code of 1998', to allow for people 17 years of age or older to serve alcoholic beverages. This is a change from the previous age of 18. All persons employed under the age of 18 still must comply with the 'Youth Employment Standards act'.	Michele Hoitenga (R)	9/6/2018 – Introduced and referred to Committee on Regulatory Reform https://www.legislature.mi.gov/(S(q2ycypipnpek3m0l1kf54w))/mileg.aspx?page=getObject&objectname

BILLS PERTAINING TO PRESCRIPTION MEDICATIONS AND MONITORING/HEROIN/OPIOIDS

Priority	BILL #	SUMMARY	SPONSOR(s)	STATUS/ACTION DATE
NEW	HB 4154	Requires manufacturers of prescription drugs to file report on costs associated with those drugs under certain circumstances.	Vaupel	2/6/2019 Referred to House Govt Ops
NEW	HB 4147	Requires state policy on seclusion and restraint in child care centers, group child care homes and family child care homes.	Kennedy	2/6/2019 Referred to House Families, Children and Seniors

BILLS PERTAINING TO SUD FUNDING/MISC

Priority	BILL #	SUMMARY	SPONSOR	STATUS/ACTION DATE
NEW	HB 4051	Creates MI CARES hotline	Whiteford	1/16/2019 Referred to House Health Policy Committee
NEW	HB 4052	Provides for licensure for adult residential psychiatric programs (Rose Hill bill)	Whiteford	1/16/2019 Referred to House Health Policy Committee
NEW	HB 4057	Earmarks net revenues for SUD prevention and treatment programs	Marino	2/28/2019 Re-referred to House Ways and Means
1	HB 50851	Earmarks net revenues for SUD prevention and treatment programs. This is in ADDITION to PA2	Steve Marino (R)	1/31/2018 Moved to the house for the 2 nd reading http://legislature.mi.gov/doc.aspx?2018-SB-5085
NEW	HB 4129 - 4132	Establish procedures for parole of certain prisoners who are determined to be medically frail.	LaFave, Carter, Griffin, Bolden	3/12/2019 Passed Full House
Not ranked	HB 6302	This bill amends PA 368, entitled "Public health code," by amending section 7411 (MCL 333.7411), as amended by 2016 PA 291. For those with a first-time conviction or arrest involving a controlled substance (use or possession) or use or possession of an imitation controlled substance for a second time, the court may defer proceedings with the permission of the plaintiff and place them on probation. If probation is successfully completed, the proceedings will be dismissed, and the individual discharged. If probation is violated, the court may proceed with charges against the individual.	Sheldon Neeley (D)	9/5/2018- Referred to committee on Law and Justice https://www.legislature.mi.gov/(S(ytfva4jth12p4erejjwbltys))/mileg.aspx?page=getObject&objectname
Not ranked	SB 1101	A bill to amend 1998 PA 58, entitled "Michigan liquor control code of 1998," (MCL 436.1101 to 436.2303) by adding section 232. Information or a writing relating to the sale of alcohol by the commission is exempt from disclosure under the Freedom of Information Act 1976 PA 442, MCL 15.231 TO 15.246.	Rick Jones (R)	9/5/2018- Referred to the Committee on Regulatory Reform http://www.legislature.mi.gov/(S(ov2hqhnlh0zeop3pa0kzw5cm))/mileg.aspx?page=BillStatus&objectname=2018-SB-1101
NEW	SB 200	Allow a prescriber to issue a prescription for, and allow a dispensing prescriber or pharmacist to dispense an opioid antagonist to a public library employee for the purposes of the proposed Administration of Opioid Antagonists by Library Employees Act	Wojno (D)	3/12/2019 Referred to Senate Health Policy

NEW	SB 283	Repeals authority of school districts and school employees to administer opioid antagonists in the revised school code	Lucido (R)	
NEW	SB 228	Creates the "Suicide Prevention Commission" within the Legislative Council	Runestad (R)	

*State legislators had until June 5th, 2018 to decide whether to adopt and amend the ballot initiative to legalize recreational marijuana. They did not meet the deadline with any action so the initiative will be decided by voters in November.

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

115TH CONGRESS:

Priority	BILL #	SUMMARY	SPONSOR	
Not ranked	S. 3032	The "Strengthening the Tenth Amendment Through Entrusting States (STATES) Act" amends the "Controlled Substances Act" to allow states to create their own laws and regulations concerning marijuana and redefines marijuana to exclude industrial hemp. This bill states that marijuana operations must employ people 18 and older, cannot endanger human life, cannot be sold/distributed at rest areas/truck stops. Under this bill, Marijuana cannot be sold to persons under the age of 21, except for medical reasons.	Elizabeth Warren (D) Cory Gardner (R) Paul Rand (R) Catherine Cortez Masto (D) Lisa Murkowski (R) Cory Booker (D) Dan Sullivan (R) Michael Bennet (D)	6/7/18 – Introduced and referred to the Committee on the Judiciary Bill: https://www.congress.gov/bill/115th-congress/senate-bill/3032?q=%7B%22search%22%3A%5B%22Strengthening+the+5+Tenth+Amendment+Through+Entrusting+States+Act%5C%22%5C%22%22%5D%7D&r=1 One Page Explanation: https://www.warren.senate.gov/imo/media/doc/STATES%20Act%20One%20Pager.pdf
Not ranked	HR 2851	Stop the Importation and Trafficking of Synthetic Analogues (SITSA)		6/15/18 – Passed in the House
Not ranked	S. 1327	(SITSA) This bill places 13 synthetic analogues of Fentanyl in a new Schedule A category and creates guidelines for future synthetic analogues scheduling. Schedule A will carry the same penalties as Schedule III manufacture/ distribution. This does not criminalize possession.	(75 Co-Sponsors) https://www.congress.gov/bill/115th-congress/house-bill/2851/cosponsors	06/18/2018 -- Received in the Senate and Read twice and referred to the Committee on the Judiciary https://www.congress.gov/bill/115th-congress/house-bill/2851/actions

International:

Canadian congress passed the 'Cannabis Act' on Tuesday, June 19th, 2018. This bill allows for the carry, use, growth, and preparation/consumption of marijuana for personal use. The commercial sale of marijuana will come from province, territory, or federally licensed producers, and cannot be sold in the same location as tobacco or alcohol. Minimum age of consumption has been set at 18 years. Canada has also created changes to their driving while impaired laws to address marijuana legalization.

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.