

Changes to Michigan's Medical Marihuana Act (MMMA) will go into effect December 20, 2016. The changes only indirectly affect MPA members, and are summarized below:

Advertisements

None of the changes directly affect advertising, and we have not made any changes to our recommendations with respect to MMMA-related advertising. Find information on advertising related to the MMMA on the MPA Hotline page.

One thing to note – as municipalities move toward licensing in their areas, we may have issues with ads. We will keep you apprised as events warrant. If you have questions in the meantime, please contact the hotline.

Open Meetings

The Department of Health Panel meetings to review petitions to approve medical conditions or treatments for addition to the list of debilitating medical conditions under the administrative rules are subject to the Open Meetings Act. MCL 333.26426(2) (amended).

The meetings of the Marihuana Licensing board are subject to the Open Meetings Act. MCL 333.27302(c) (new).

All meetings of the Marihuana Advisory Panel are subject to the Open Meetings Act. MCL 333.27801(7) (new).

FOIA

Individual names and other identifying information related to persons issued a registry identification card are exempt from disclosure under FOIA. MCL 333.26426(h)(2) (amended)

Where a municipality adopts a local ordinance authorizing a marihuana facility, information that a municipality obtains from an applicant related to licensure is exempt from disclosure under FOIA. MCL 333.27205(4) (new).

The changes include the establishment of a board with the general responsibility for implementing the act (e.g., granting/denying licenses. Except as otherwise provided, all information, records, interviews, reports, statements, memoranda, or other data supplied to or used by the board are subject to FOIA. MCL 333.27302(m). Information the board obtains from its background investigation is exempt from FOIA, as is tax and financial institution information. MCL 333.27401(2) and (3) (new).

A writing prepared, owned, used, in the possession of, or retained by the newly created Marihuana Advisory Panel in the performance of an official function is subject to FOIA. MCL 333.27801(8) (new).

The information in the Marihuana Tracking Act system is exempt from disclosure under FOIA.
MCL 333.27904 (new).