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BILL ANALYSIS



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Senate Bill 433 (Substitute S-1 as reported by the Committee of the Whole)
Sponsor: Senator Rick Jones
Committee: Judiciary

CONTENT

The bill would amend the Medical Marihuana Facilities Licensing Act to do the following:

- Require an applicant for a medical marihuana-related operating license to ensure that a set of fingerprints for certain individuals associated with the applicant was submitted to the Michigan Department of State Police (MSP) for a criminal history check.
- Require the applicant to submit each individual's written consent to the criminal history check and the submission of the person's fingerprints to State and Federal databases.
- Require the MSP to conduct a criminal history check on individuals associated with a marihuana facility, and request the FBI to determine the existence of any national criminal history pertaining to those individuals.
- Require the MSP to report to the Medical Marihuana Licensing Board its findings on each applicant.
- Require the MSP store and retain all fingerprints submitted in an automated fingerprint system database, and notify the Board if a subsequent fingerprint search matched a set of prints previously submitted.
- Require the MSP to forward all fingerprints submitted to it to the FBI for submission into the FBI automatic notification system.

Currently, an applicant for an operating license is required to submit the individuals' fingerprints with its application; and the Department of Licensing and Regulatory Affairs is permitted to designate an agency or entity to collect fingerprints. The bill would delete these provisions.

MCL 333.27402

Legislative Analyst: Jeff Mann

FISCAL IMPACT

The bill would amend and clarify a provision in the Act that requires an applicant for an operating license to submit with its application a set of fingerprints for each person having any ownership interest in a marihuana facility and each person who is an officer, director, or managerial employee.

The costs incurred for the criminal history check would be covered by the applicant, which would be required to submit a fingerprint processing fee, which is currently \$42 (\$30 for State database analysis and \$12 for Federal analysis). In addition, the taking of fingerprint impressions to be sent on to the Department of State Police would be accomplished by a law enforcement agency or other person deemed qualified by the MSP. Current statute allows for a reasonable cost for this service to be charged to an applicant.

Date Completed: 6-13-17

Fiscal Analyst: Bruce Baker

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Bill Analysis @ www.senate.michigan.gov/sfa

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