

# CLIENT ALERTS

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## And the vote is green – Michigan Legalizes Recreational Marihuana

11.7.2018

After much debate, Michigan residents have voted to permit recreational use of marihuana. As the first Midwest state to legalize recreational marihuana, other states will be closely tracking how Michigan implements this new law.

Michigan's recreational marihuana law becomes effective ten (10) days following the official declaration of election results, i.e., November 16. At that time, certain provisions of the law will go into effect. An individual 21 years or older can possess, use and purchase up to 2.5 ounces of marihuana, kept in secured locked containers, as well as marihuana-infused edibles. The law allows up to ten (10) ounces of marihuana in residences.

Michigan's Department of Licensing and Regulatory Affairs ("LARA") will soon create licensing rules and regulations for marihuana businesses and allow municipalities to opt in or out of the sale of recreational marihuana. LARA currently regulates the sale and use of medical marihuana.

LARA must begin accepting applications for marihuana establishments within 12 months after the effective date of the law. If LARA misses this deadline, applicants may submit applications directly to a municipality which has opted into the law.

According to the new law, an individual 21 years or older can possess, use and purchase up to 2.5 ounces of marihuana, kept in secured locked containers, as well as marihuana-infused edibles. The law up to ten (10) ounces of marihuana in residences.

Recreational marihuana sales in Michigan are subject to a ten percent (10%) tax. Significantly, the law substitutes civil infractions for criminal violations.

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We are closely monitoring this new development. Stay tuned for more updates.

Butzel Long's Cannabis Law Specialty Team works closely with cannabis growers, dispensaries, brand owners, and related entities, to navigate the patchwork of state and federal cannabis laws, guiding clients in areas such as state and local licensing, intellectual property procurement and enforcement, real estate transactions, corporate finance, structure and formation, and complex litigation.

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