

April 2, 2018

Criminal History Disclosure

The purpose of this bulletin is to provide further instruction regarding the criminal history disclosure required by the Medical Marihuana Facility Licensing Act (MMFLA). The required disclosures are collected on Disclosure 7 and Disclosure 7-SA. Pursuant to the MMFLA, answers to the questions contained on those disclosures must be fully and truthfully answered regardless of whether the offense has been reversed on appeal, reduced, expunged, set aside, pardoned or otherwise.

Question number (1) requires the applicant or supplemental applicant to indicate, if they have **ever**:

No	Yes		No	Yes	
<input type="checkbox"/>	<input type="checkbox"/>	been arrested	<input type="checkbox"/>	<input type="checkbox"/>	pled nolo contendere (no contest)
<input type="checkbox"/>	<input type="checkbox"/>	been charged	<input type="checkbox"/>	<input type="checkbox"/>	forfeit bail concerning an offense
<input type="checkbox"/>	<input type="checkbox"/>	been indicted	<input type="checkbox"/>	<input type="checkbox"/>	had a criminal record expunged
<input type="checkbox"/>	<input type="checkbox"/>	been convicted	<input type="checkbox"/>	<input type="checkbox"/>	been incarcerated

An applicant or supplemental applicant must answer yes, if any of the listed categories apply, regardless of whether the offense has been reversed on appeal, reduced, expunged, set aside, pardoned, or otherwise. This includes those instances when the applicant or supplemental applicant may have been advised that the legal effect of the disposition was to make the offense as if it had never happened or if an immunity pursuant to the Michigan Medical Marihuana Act was claimed. The applicant or supplemental applicant **must** fully disclose as required in question (1) and provide the information required in question (2) as to those offenses.

Failure to fully and completely disclose the applicant or supplemental applicant’s criminal history may result in application denial.

This bulletin does not constitute legal advice and is subject to change. It is intended to be advisory only.

Potential licensees are encouraged to seek legal counsel to ensure their licensure applications and operations comply with the Medical Marihuana Facilities Licensing Act and associated Emergency Rules.

More information on the BMMR can be found at the Bureau’s website: www.michigan.gov/bmmr.

For more information about LARA, please visit www.michigan.gov/lara

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