



House
Legislative
Analysis
Section
Olds Plaza Building, 10th Floor
Lansing, Michigan 48909
Phone: 517/373-8488

DRUG-FREE PUBLIC PARK ZONES

House Bill 5301

Sponsor: Rep. James M. Middaugh

Committee: Conservation, Recreation &
Environment

Complete to 4-6-92

A SUMMARY OF HOUSE BILL 5301 AS INTRODUCED 10-29-91

The Controlled Substances Act within the Public Health Code establishes various penalties that may be imposed on an adult who violates prohibitions against possessing certain controlled substances on school property, or possessing with intent to deliver or delivering to minor students on or within 500 feet of school property less than 50 grams of cocaine or a Schedule 1 or 2 narcotic. The bill would amend the act to make similar penalties apply to an adult who possessed controlled substances in a public park, who possessed with the intent to deliver certain controlled substances to a minor who was in or within 500 feet of a public park, or who delivered to a minor who was in or within 500 feet of a public park certain controlled substances. The following penalties would apply:

- * For delivering less than 50 grams of a Schedule 1 or 2 narcotic or cocaine to a minor who was in or within 500 feet of a public park, a violator would have to be imprisoned for at least two years, could be imprisoned for up to 60 years, and could be fined up to \$75,000 or placed on probation for life;

- * For possessing with intent to deliver the same controlled substances under the same circumstances, a violator would have to be imprisoned for at least 2 years, could be imprisoned for up to 40 years, and could be fined up to \$75,000 or placed on probation for life;

- * For possessing a controlled substance in a public park, a violator generally would be subject to twice the penalty that applies to possession of that controlled substance elsewhere.

The bill would define "public park" to mean real property that was owned or maintained by the state or a political subdivision of the state that was designated by either of them as a public park.

MCL 333.7410

House Bill 5301 (4-6-92)