



**House  
Legislative  
Analysis  
Section**

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**MARIJUANA PENALTIES, ETC.**

**House Bill 4229**

**Sponsor: Rep. Deborah Whyman**

**Committee: Judiciary**

**Complete to 12-6-93**

**A SUMMARY OF HOUSE BILL 4229 AS INTRODUCED 2-11-93**

The bill would amend the Public Health Code to specify that a law enforcement officer may distribute a controlled substance as part of a drug investigation of the person to whom the drugs were distributed; to make possession of 56 grams or more of marijuana prima facie evidence of intent to deliver; to increase penalties for manufacture, delivery, or possession of marijuana; and to increase penalties for possession of hallucinogens.

For manufacture or delivery of marijuana (currently a felony punishable by up to four years in prison, a fine of up to \$2,000, or both), penalties would depend on the amounts involved, as follows: for 45 kilograms or more, or 100 plants or more, the penalty would be up to 20 years in prison, a fine of up to \$5 million, or both; for 4.5 to 45 kilograms or 50 to 99 plants, imprisonment for up to ten years, a fine of up to \$250,000 or both; for lesser quantities, a fine between \$500 and \$20,000 would have to be imposed, and imprisonment for up to five years could be imposed.

Possession of marijuana would remain a misdemeanor punishable by up to a year in jail, but a fine of between \$500 and \$2,000 would have to be imposed (current law simply provides for a \$1,000 maximum). Identical penalties would apply to possession of a specified hallucinogenic substance.

MCL 333.7304 et al.

House Bill 4229 (12-6-93)