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## ILLEGAL DRUG MANUFACTURING, METHAMPHETAMINE PENALTIES

### Senate Bill 1043 (Substitute H-2)

Sponsor: Sen. John J. Schwarz, M.D.

Senate Committee: Health Policy

House Committee: Health Policy

### Senate Bill 1186 (Substitute H-2)

Sponsor: Sen. John J. Schwarz, M.D.

Senate Committee: Judiciary

House Committee: Criminal Law and  
Corrections

### Revised Addendum to SFA analysis (10-11-00)

## REVISED ADDENDUM T SENATE FISCAL AGENCY ANALYSIS OF SB 1043 AND SB 1186 DATED 4-17-00:

### *HOUSE COMMITTEE ACTION:*

Senate Bill 1043. The House Committee on Health Policy adopted a Substitute H-2 for the bill. The House substitute would do all of the following:

(1) Exempt cocaine (in addition to marihuana) from the penalties in the proposed new section prohibiting drug laboratories, and increase the maximum penalties for methamphetamine violations as follows:

- For the manufacture, delivery, or possession with intent to deliver, from 7 years imprisonment and a \$10,000 fine to 20 years and \$25,000;
- For possession, from 2 years imprisonment and a \$2,000 fine to 10 years and \$15,000; and
- For use, from 1 year imprisonment and a \$1,000 fine to 1 year and \$2,000.

(2) Allow an extra 2-year consecutive term of imprisonment if an illegal controlled substance laboratory were within 1,000 feet of a public or private park.

(3) Add a definition of “manufacturer” to the proposed new section prohibiting drug laboratories.

(4) Strike the amendment to the section of the Public Health Code (MCL 333.7410) regarding the delivery of controlled substances by adults to minors.

(5) Include language referring to gamma-butyrolactone (GBL) to conform to enrolled House Bill 5556, which would prohibit the sale, manufacture, and possession of GBL.

(5) Specify an effective date of January 1, 2001.

Senate Bill 1186. The House Committee on Criminal Law and Corrections adopted a Substitute H-2 for the bill. The substitute would add an effective date of January 1, 2001, and add references to GBL to reflect changes to sentencing guidelines that would be made by enrolled House Bill 5556 (which would prohibit the sale, manufacture, or possession of GBL) and House Bill 5557 (which would provide sentencing guidelines for GBL violations). The House substitute also would add guidelines for an overlooked felony, “waste discharge – substantial endangerment,” under the Natural Resources and Environmental Protection Act.

***POSITIONS:***

There are no positions on the bills.

Analyst: S. Ekstrom

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*#*This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.