
Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bill 380 (as introduced 2-24-99)
Sponsor: Senator Bev Hammerstrom
Committee: Health Policy

Date Completed: 3-9-99

CONTENT

The bill would amend Part 74 of the Public Health Code, which regulates controlled substances and provides penalties for controlled substances violations, to prohibit a city, village, township, or county from enacting or enforcing an ordinance or regulation concerning conduct prohibited under Part 74, unless the ordinance or regulation prescribed criminal penalties that were not less than the penalties prescribed under Part 74.

The bill would apply to an ordinance or regulation regardless of when it was enacted. The bill specifies that it would not authorize a city, village, township, or county to enact or enforce an ordinance or regulation that had a penalty greater than the maximum penalty that the local unit was otherwise authorized by law to prescribe.

(Part 74 prohibits a person, except as authorized, from manufacturing, creating, delivering, or possessing with intent to manufacture, create, or deliver a controlled substance, a prescription form, an official prescription form, or a counterfeit prescription form.)

Proposed MCL 333.7417

Legislative Analyst: G. Towne

FISCAL IMPACT

This bill would have no fiscal impact on State government, but would affect local governments that currently assess certain criminal penalties that are less than the penalties prescribed in the State Public Health Code. The fiscal impact of this bill is probably very minimal, but it cannot be quantified at this time because the number of local governments that would be affected by this bill is not yet known.

Fiscal Analyst: J. Wortley

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.