

## **ECSTASY: INCREASE PENALTIES**

**House Bill 6095**

**Sponsor: Rep. Jennifer Faunce**

**House Bill 6096**

**Sponsor: Rep. Tom Meyer**

**Committee: Criminal Justice**

**Complete to 5-31-02**

### **A SUMMARY OF HOUSE BILLS 6095 AND 6096 AS INTRODUCED 5-21-02**

House Bill 6095 would amend the Public Health Code to designate “ecstasy” as a Schedule 2 controlled substance and prescribe penalties for the manufacture, sale or possession of the drug. House Bill 6096 would place the corresponding maximum term of imprisonment in the Code of Criminal Procedure. Specifically, the bills would do the following:

House Bill 6095 would amend the Public Health Code (MCL 333.7214 et. al.) to include 3, 4-methylenedioxymethamphetamine (also known as ecstasy and MDMA) as a Schedule 2 controlled substance. A person who manufactured, created, delivered, or possessed with intent to manufacture, create, or deliver ecstasy would be guilty of a felony, punishable for up to 20 years, a fine of up to \$25,000, or both.

A person who knowingly or intentionally possessed ecstasy (except with a valid prescription) would be guilty of a felony, punishable by imprisonment for up to 10 years, a fine of up to \$15,000, or both. A person who used ecstasy (unless obtained with a valid prescription) would be guilty of a misdemeanor, punishable by imprisonment for up to one year, a fine of up to \$2,000, or both.

Further, a person who created, manufactured, delivered, or possessed with the intent to do the same with a counterfeit substance classified as ecstasy would be guilty of a felony punishable by imprisonment for not more than 10 years, a fine of not more than \$10,000, or both.

(Note: To be classified as a Schedule 2 substance, a substance must have a high potential for abuse; if abused, lead to severe psychic or physical dependence; and have currently accepted medical use in treatment in the United States, or currently accepted medical use with severe restrictions.)

House Bill 6096 would amend the Code of Criminal Procedure (MCL 777.13m) to specify that delivery or manufacture of 3, 4-methylenedioxymethamphetamine would be a Class B felony involving a controlled substance with a maximum term of imprisonment of 20 years. Possession of 3, 4-methylenedioxymethamphetamine would be specified as a Class D felony involving a controlled substance with a 10-year maximum term of imprisonment.

The bill is tie-barred to House Bill 6095.

Analyst: S. Stutzky

■ 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.