

# HOUSE BILL No. 4595

April 13, 2005, Introduced by Rep. Ball and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
by amending section 7410a (MCL 333.7410a), as amended by 2000 PA  
314.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 7410a. (1) An individual 18 years of age or over who  
2       does any of the following **IS GUILTY OF A FELONY AND** may be punished  
3       by a term of imprisonment of not more than 2 years:

4       (a) Violates section 7401(2)(a)(iv) or (2)(b)(i) or section  
5       7401b by delivering a controlled substance or gamma-butyrolactone  
6       to a minor who is in a public park or private park or within 1,000  
7       feet of a public park or private park.

8       (b) Violates section 7401(2)(a)(iv) or (2)(b)(i) or section

1 7401b by possessing with intent to deliver a controlled substance  
2 or gamma-butyrolactone to a minor who is in a public park or  
3 private park or within 1,000 feet of a public park or private park.

4 (c) ~~Violates~~ **EXCEPT AS PROVIDED IN SUBDIVISION (E), VIOLATES**  
5 section 7403(2)(a)(v), (b), (c), or (d) or section 7401b by  
6 possessing a controlled substance or gamma-butyrolactone in a  
7 public park or private park.

8 (d) Violates section 7401c within 1,000 feet of a public park  
9 or private park.

10 **(E) VIOLATES SECTION 7403(2)(A)(v), (B), (C), OR (D) OR**  
11 **SECTION 7401B BY POSSESSING ANABOLIC STEROIDS WITHIN 1,000 FEET OF**  
12 **A PUBLIC PARK OR PRIVATE PARK. AS USED IN THIS SUBDIVISION,**  
13 **"ANABOLIC STEROIDS" MEANS THAT TERM AS DEFINED IN R 338.3122 OF THE**  
14 **MICHIGAN ADMINISTRATIVE CODE.**

15 (2) The term of imprisonment authorized under subsection (1)  
16 is in addition to the term of imprisonment authorized for the  
17 violation of section 7401(2)(a)(iv) or (2)(b)(i), section 7401b,  
18 section 7401c, or section 7403(2)(a)(v), (b), (c), or (d).

19 (3) As used in this section:

20 (a) "Private park" means real property owned or maintained by  
21 a private individual or entity and that is open to the general  
22 public or local residents for recreation or amusement.

23 (b) "Public park" means real property owned or maintained by  
24 this state or a political subdivision of this state that is  
25 designated by this state or by that political subdivision as a  
26 public park.