

Act No. 217
Public Acts of 2006
Approved by the Governor
June 24, 2006
Filed with the Secretary of State
June 26, 2006
EFFECTIVE DATE: June 26, 2006

**STATE OF MICHIGAN
93RD LEGISLATURE
REGULAR SESSION OF 2006**

Introduced by Reps. Ball, McConico, Anderson, Stewart, Zelenko, Lipsey, Kooiman, Vander Veen, Brown, Gaffney, Farrah, Bieda, Wojno, Acciavatti, Condino, Vagnozzi, Taub, Accavitti, Stakoe, Hune, Gleason, Ward, Sak, Nitz, Stahl, Moolenaar, Palsrok, Gillard, Dillon, Booher, Caul, Cheeks, Clemente, Donigan, Elsenheimer, Espinoza, Gonzales, Hansen, Jones, Kahn, Kehrl, Leland, Lemmons, III, Lemmons, Jr., Marleau, Mayes, McDowell, Moore, Mortimer, Palmer, Pearce, Polidori, Proos, Rocca, Schuitmaker, Sheltrown, Alma Smith and Spade

ENROLLED HOUSE BILL No. 4595

AN ACT to amend 1978 PA 368, entitled "An act to protect and promote the public health; to codify, revise, consolidate, classify, and add to the laws relating to public health; to provide for the prevention and control of diseases and disabilities; to provide for the classification, administration, regulation, financing, and maintenance of personal, environmental, and other health services and activities; to create or continue, and prescribe the powers and duties of, departments, boards, commissions, councils, committees, task forces, and other agencies; to prescribe the powers and duties of governmental entities and officials; to regulate occupations, facilities, and agencies affecting the public health; to regulate health maintenance organizations and certain third party administrators and insurers; to provide for the imposition of a regulatory fee; to provide for the levy of taxes against certain health facilities or agencies; to promote the efficient and economical delivery of health care services, to provide for the appropriate utilization of health care facilities and services, and to provide for the closure of hospitals or consolidation of hospitals or services; to provide for the collection and use of data and information; to provide for the transfer of property; to provide certain immunity from liability; to regulate and prohibit the sale and offering for sale of drug paraphernalia under certain circumstances; to provide for the implementation of federal law; to provide for penalties and remedies; to provide for sanctions for violations of this act and local ordinances; to provide for an appropriation and supplements; to repeal certain acts and parts of acts; to repeal certain parts of this act; and to repeal certain parts of this act on specific dates," by amending section 7410a (MCL 333.7410a), as amended by 2000 PA 314.

The People of the State of Michigan enact:

Sec. 7410a. (1) An individual 18 years of age or over who does any of the following may be punished by a term of imprisonment of not more than 2 years:

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

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

(c) Violates section 7403(2)(a)(v), (b), (c), or (d) or section 7401b by possessing a controlled substance or gamma-butyrolactone in or within 1,000 feet of a public park or private park.

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

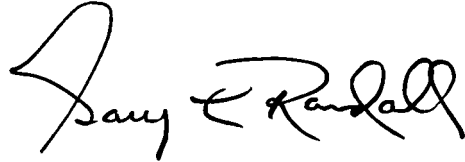
(2) The term of imprisonment authorized under subsection (1) is in addition to the term of imprisonment authorized for the violation of section 7401(2)(a)(iv) or (2)(b)(i), section 7401b, section 7401c, or section 7403(2)(a)(v), (b), (c), or (d).

(3) As used in this section:

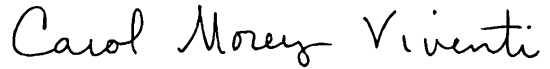
(a) "Private park" means real property owned or maintained by a private individual or entity and that is open to the general public or local residents for recreation or amusement.

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

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor