



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 350 (as reported without amendment)
Sponsor: Senator Mike Nofs
Committee: Health Policy

CONTENT

The bill would amend the Public Health Code to make it a misdemeanor to use a false identification to purchase a product containing any detectable quantity of ephedrine or pseudoephedrine. The offense would be punishable by imprisonment for up to 93 days and/or a maximum fine of \$100.

The penalty would not apply to a person who participated in an undercover operation in which the individual purchased or received the product under direction of his or her employer and with the prior approval of the local prosecutor's office as part of an employer-sponsored internal enforcement action.

The penalty also would not apply to a person who participated in an undercover operation in which the individual purchased or received the product under the direction of the Michigan State Police (MSP) or a local law enforcement agency as part of an enforcement action, unless the initial or contemporaneous purchase or receipt of the product was not under the direction of the MSP or a local law enforcement agency and was not part of the undercover operation.

MCL 333.17766e

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local government. There are no data to indicate how many offenders would be convicted of the proposed misdemeanor. Local governments would incur the costs of incarceration in local facilities and/or misdemeanor probation, which vary by county. Additional penal fine revenue would benefit public libraries.

Date Completed: 5-6-11

Fiscal Analyst: Matthew Grabowski