



Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383  
Fax: (517) 373-1986

House Bill 5089 (Substitute H-1 as passed by the House)  
House Bill 5090 (Substitute H-2 as passed by the House)  
Sponsor: Representative Bob Genetski (H.B. 5089)  
Representative Aric Nesbitt (H.B. 5090)  
House Committee: Criminal Justice

### **CONTENT**

House Bill 5089 (H-1) would amend the Public Health Code to prohibit a person from soliciting another to purchase or otherwise obtain any amount of ephedrine or pseudoephedrine knowing that it was to be used for the purpose of illegally manufacturing methamphetamine.

A violation would be a felony punishable by up to 10 years' imprisonment and/or a maximum fine of \$10,000. The court would have to report the violation to the Department of State Police.

House Bill 5090 (H-2) would amend the Code of Criminal Procedure to include the felony proposed by House Bill 5089 (H-1) in the sentencing guidelines as a Class D controlled substances felony, with a statutory maximum sentence of 10 years' imprisonment.

House Bill 5090 (H-2) is tie-barred to House Bill 5089. Both bills would take effect on January 1, 2015.

Proposed MCL 333.7340c (H.B. 5089)  
MCL 777.13m (H.B. 5090)

Legislative Analyst: Patrick Affholter

### **FISCAL IMPACT**

The bills would create a felony offense for soliciting another person to purchase ephedrine or pseudoephedrine for use in manufacturing methamphetamine. For convictions under the bills, the cost to State government would be approximately \$35,000 per prisoner per year. The cost to local government, if any, would be additional resources required by the courts.

Date Completed: 6-10-14

Fiscal Analyst: John Maxwell