

Legislative Analysis



MANUFACTURING METH NEAR SCHOOL/LIBRARY: DOUBLE PENALTIES

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4769 as introduced
Sponsor: Rep. Edward McBroom
Committee: Criminal Justice
Complete to 10-5-15

Analysis available at
<http://www.legislature.mi.gov>

REVISED SUMMARY:

The bill would provide an enhanced penalty for manufacturing methamphetamine within 1,000 feet of a library or K-12 school property. The bill would take effect 90 days after enactment.

The Public Health Code provides enhanced penalties for certain drug offenses committed within a school drug-free zone or within 1,000 feet of a library. House Bill 4769 amends the Code to provide an enhanced penalty for manufacturing methamphetamine on or within 1,000 feet of school property (drug-free zone) or a library. The penalty would apply to a person 18 years of age or over and would allow a court to impose a criminal fine or term of imprisonment up to twice that authorized for manufacturing, delivering, or possessing with intent to deliver methamphetamine, currently set at a fine of not more than \$25,000 or not more than 20 years in prison, or both. Thus, manufacturing methamphetamine in a drug-free school zone or within 1,000 feet of a library would be a felony punishable by a term of imprisonment not to exceed 40 years and/or a fine of not more than \$50,000.

MCL 333.7410

FISCAL IMPACT:

The bill would increase costs on the state's correctional system. Information is not available on the number of persons that might be convicted under the provisions of the bill. New felony convictions would result in increased costs related to state prisons and state probation supervision. The average cost of prison incarceration in a state facility is roughly \$34,800 per prisoner per year, a figure that includes various fixed administrative and operational costs. State costs for parole and felony probation supervision average about \$3,760 per supervised offender per year. Any increase in penal fine revenues would increase funding for local libraries, which are the constitutionally-designated recipients of those revenues. The bill would have an indeterminate fiscal impact on the judiciary and local court funding units. The fiscal impact would depend on how the provisions of the bill affected caseloads and related administrative costs.

Legislative Analyst: Susan Stutzky
Fiscal Analyst: Robin Risko

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.