



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 599 (as introduced 10-24-19)
Sponsor: Senator Ed McBroom
Committee: Health Policy and Human Services

Date Completed: 1-24-20

CONTENT

The bill would amend Part 177 (Pharmacy Practice and Drug Control) of the Public Health Code to prohibit a person that possesses products that contain any detectable quantity of ephedrine or pseudoephedrine for retail sale under a licensed issued under the General Sales Tax Act from knowingly selling more than 7.2, instead of nine, grams of ephedrine or pseudoephedrine alone or in a mixture to any individual within a 30-day period.

The bill is tie-barred to Senate Bill 170. (Senate Bill 170 would amend Part 177 of the Public Health Code to prohibit a person from purchasing more than 7.2 grams of ephedrine or pseudoephedrine alone or in a mixture within a 30-day period, and more than 61.2 grams alone or in a mixture within a single calendar year.) The bill would take effect 90 days after its enactment.

Currently, the Code prohibits a person that possesses products that contain any compound, mixture, or preparation containing any detectable quantity of ephedrine or pseudoephedrine, a salt or optical isomer of ephedrine or pseudoephedrine, or a salt of an optical isomer of ephedrine or pseudoephedrine for retail sale under a licensed issued under the General Sales Tax Act from, among other things, knowingly selling more than nine grams of ephedrine or pseudoephedrine alone or in a mixture to any individual within a 30-day period. The bill instead would prohibit a person described above from knowingly selling more than 7.2 grams of ephedrine or pseudoephedrine alone or in a mixture to any individual within a 30-day period.

(A person who violates this prohibition is responsible for a State civil infraction and may be ordered to pay a civil fine of up to \$500 for each violation.)

BACKGROUND

Ephedrine is a decongestant often used for temporary relief of shortness of breath, chest tightness, and wheezing due to asthma. Pseudoephedrine is a decongestant and in higher doses, can be used as a stimulant. Ephedrine and pseudoephedrine are over-the-counter drugs, however, to purchase pseudoephedrine, a person must present identification and record their purchase with a pharmacy. Pseudoephedrine can be used to synthesize methamphetamine, a schedule II drug that is a highly addictive and often abused stimulant that affects a person's central nervous system.

MCL 333.17766f

Legislative Analyst: Tyler VanHuyse

FISCAL IMPACT

The bill could have a positive impact on local library revenue. The amount of additional revenue is indeterminate and would depend on how many people would be prosecuted under the bill's provisions. Any additional revenue from imposed fines would go to local libraries.

Fiscal Analyst: Joe Carrasco

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.