

**ALCOHOLIC LIQUOR, CONTROLLED SUBSTANCES, AND WEAPONS (EXCERPT)**  
**Act 7 of 1981**

**801.265 Violation as felony; penalty; exception.**

Sec. 5. (1) Except as provided in subsection (2), a person who violates this act is guilty of a felony punishable by imprisonment for not more than 5 years or a fine of not more than \$1,000.00, or both.

(2) If a violation of section 3 involving a controlled substance constitutes the delivery, possession with intent to deliver, or possession of or other action involving a controlled substance that is punishable by imprisonment for more than 5 years under part 74 of the public health code, 1978 PA 368, MCL 333.7401 to 333.7461, the person shall not be prosecuted under this act for that violation.

**History:** 1981, Act 7, Eff. June 1, 1981;—Am. 1999, Act 28, Eff. Aug. 1, 1999.