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BILL ANALYSIS

Senate Fiscal Agency

• Lansing, Michigan 48909

• (517) 373-5383

Senate Bill 970

Sponsor: Senator Richard D. Fessler

Committee: State Affairs, Tourism, and Transportation

MICHIGAN STATE LAW LIBRARY

Date Completed: 9-18-90

SUMMARY OF SENATE BILL 970 as introduced 5-22-90:

The bill would amend the Occupational Code to require an occupational board to suspend, revoke, or deny a license or registration of an individual who was convicted of a violation of the Public Health Code's prohibitions against a) the unlawful manufacture, delivery, dispensing, prescribing, or administration of controlled substances or b) the creation or delivery of counterfeit substances, involving a controlled or counterfeit substance classified in Schedule 1 or 2 of the Public Health Code. The license or registration would have to be suspended for five years, if it were the individual's first conviction for either of the violations. If it were the individual's second or subsequent conviction for either or both of the violations, revocation or denial of the license would be for life.

The board also would be required to suspend a license or registration of an individual convicted of a violation of the Public Health Code's prohibitions against the unlawful use or possession of controlled substances, involving a Schedule 1 or 2 controlled substance. If it were the individual's first conviction for either of those violations, probation would have to be for one year and the Board could order the individual to take and provide the results of a urinalysis test. The test would have to occur at least once a week and would be paid for by the individual. If the test results demonstrated the presence of a schedule 1 or 2 controlled substance, the board would be required to suspend the license or registration for the remainder of the one-year period. If the individual previously had been convicted of either of those violations one time, suspension would be for five years.

The bill contains an effective date of September 1, 1990.

MCL 339.602

Legislative Analyst: L. Burghardt

FISCAL IMPACT

The bill would have a minimal indeterminate fiscal impact on the State and would have no fiscal impact on local government.

The number of administrative actions taken to suspend, revoke or deny a license or registration and the administrative costs associated with such actions cannot be determined. These costs should be minimal.

Fiscal Analyst: J. Schultz

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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.