

Legislative Analysis



ANABOLIC STEROIDS: EXPAND DRUG FREE SCHOOL AND PARK ZONES TO 1,000 FEET

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House Bill 4594

Sponsor: Rep. Leslie Mortimer

House Bill 4595

Sponsor: Rep. Richard Ball

House Bill 4596

Sponsor: Rep. Bill Caul

Committee: Health Policy

Complete to 4-19-05

A SUMMARY OF HOUSE BILLS 4594-4596 AS INTRODUCED 4-13-05

The legislation would prohibit a person 18 years of age or older from possessing anabolic steroids within 1,000 feet of school property or a public or private park. "Anabolic steroids" are defined in the Michigan Administrative Code (R 338.3122) and are classified as Schedule 3 controlled substances. Specifically, the bills would do the following:

House Bill 4594 would amend the Public Health Code (MCL 333.7410) to prohibit an individual 18 years of age or older from possessing anabolic steroids within 1,000 feet of school property. "School property" is defined by the code as a building, playing field, or property used for school purposes to impart instruction to children in grades K-12 and includes a public, private, denominational, or parochial school. "School property" does not include those buildings used primarily for adult education or college extension courses.

A violation would be punishable by a term of imprisonment or a fine, or both, that was not more than twice that authorized under the code for violations of Sections 7401b or 7403(2)(a)(v), (b), (c), or (d). [These sections of the code pertain to violations involving gamma-butyrolactone (GBL), less than 25 grams of Schedule 1 or 2 narcotics and cocaine, ecstasy, methamphetamine, Schedule 1, 2, 3, and 4 drugs, hallucinogens such as LSD and peyote, and marijuana. Terms of imprisonment for these offenses range from not more than one year to ten years. Fines range up to \$25,000 depending on the charge.]

House Bill 4595 would amend the Public Health Code (MCL 333.7410a) to prohibit a person aged 18 years or older from possessing anabolic steroids within 1,000 feet of a public or private park as defined in the code. A violation would be punishable by a term of imprisonment of not more than two years.

House Bill 4596 is a companion to House Bill 4595 and is tie-barred to that bill. It would amend the sentencing guidelines portion of the Code of Criminal Procedure (MCL 777.18) to specify that a controlled substance offense or offense involving GBL in or near a public park or private park would have a statutory maximum term of imprisonment of two years.

FISCAL IMPACT:

To the extent that additional felony convictions were obtained under the bills, or that longer sentences were imposed, the bills could increase state and local correctional costs. Costs of any jail time imposed would fall upon counties; jail costs vary by county. Appropriated costs of incarceration in a state correctional facility average about \$29,000 per prisoner per year. Costs of felony probation supervision are a state responsibility and average about \$1,977 per offender per year.

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