



Senate Fiscal Agency  
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BILL ANALYSIS

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Senate Bill 1282 (Substitute S-1 as reported)  
Sponsor: Senator Jud Gilbert, II  
Committee: Judiciary

### **CONTENT**

The bill would amend the Code of Criminal Procedure to include in the sentencing guidelines the sale, distribution, or delivery of a product containing ephedrine or pseudoephedrine by mail, internet, or telephone. A violation would be a Class F controlled substances felony with a statutory maximum sentence of four years' imprisonment.

The bill would take effect on October 1, 2006. It is tie-barred to House Bill 5822, which would prohibit a person from selling, distributing, delivering, or otherwise furnishing a product that contained 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, through the use of the mail, internet, telephone, or other electronic means.

MCL 777.13m

Legislative Analyst: Patrick Affholter

### **FISCAL IMPACT**

The bill would have an indeterminate fiscal impact on State and local government. There are no data to indicate how many offenders would be convicted of the proposed offense. An offender convicted of the Class F offense would receive a sentencing guidelines minimum sentence range of 0-3 months to 17-30 months. Local governments would incur the costs of incarceration in local facilities, which vary by county. The State would incur the cost of felony probation at an annual average cost of \$2,000, as well as the cost of incarceration in a State facility at an average annual cost of \$30,000.

Date Completed: 5-30-06

Fiscal Analyst: Lindsay Hollander