



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



BILL ANALYSIS

Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

Senate Bill 1282 (as introduced 5-24-06)
Sponsor: Senator Jud Gilbert, II
Committee: Judiciary

Date Completed: 5-26-06

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 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.

Fiscal Analyst: Lindsay Hollander

S0506\sb1282sa

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.