



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 99 (as reported without amendment)
Sponsor: Senator Rick Jones
Committee: Judiciary

CONTENT

The bill would amend the Public Health Code to extend the misdemeanor penalty for the possession of marijuana to the possession of several synthetic cannabinoid compounds, Catha Edulis, and Salvia Divinorum (which were added to the list of Schedule 1 controlled substances by Public Act 171 of 2010).

Under the Code, a person may not knowingly or intentionally possess a controlled substance or controlled substance analogue unless it was obtained directly from, or pursuant to, a valid prescription or order of a practitioner while acting in the course of his or her professional practice. A violation involving marijuana is a misdemeanor punishable by up to one year's imprisonment, a maximum fine of \$2,000, or both.

The bill would extend that penalty to the possession of Catha Edulis, Salvia Divinorum, and synthetic cannabinoids commonly known as the following: HU-210; CP47,497; JWH-018; JWH-073; JWH-015; JWH-200; and JWH-250.

(The Code also prescribes other penalties for the possession of different types and amounts of controlled substances, and includes a catchall felony penalty for the possession of a Schedule 1 controlled substance that is not subject to a specified penalty.)

MCL 333.7403

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 will be convicted of possession of synthetic marijuana or the other substances and subject to the misdemeanor penalty. Local governments would incur the costs of incarceration in local facilities, which vary by county. Additional penal fine revenue would benefit public libraries.

Date Completed: 2-9-11

Fiscal Analyst: Matthew Grabowski