

# Legislative Analysis

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## EPHEDRINE OR PSEUDOEPHEDRINE INTENDED FOR METH PRODUCTION

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### House Bills 5363 & 5364

Sponsor: Rep. Amanda Price

Committee: Criminal Justice

Complete to 4-29-14

### A SUMMARY OF HOUSE BILLS 5363 & 5364 AS INTRODUCED 2-26-14

House Bill 5363 would amend the Public Health Code (MCL 333.17766c) to prohibit a person from purchasing or possessing any amount of ephedrine or pseudoephedrine knowing or having reason to know that it is to be used to manufacture methamphetamine.

A violation would be a felony punishable by imprisonment for not less than one year or more than 20 years. A fine of not more than \$10,000 could also be imposed. The bill would not prohibit the person from being charged with, convicted of, and sentenced for any other violation of law arising out of the violation of this provision.

Senate Bill 5364 would amend the Code of Criminal Procedure (MCL 777.13n) to place the felony penalty in the sentencing guidelines. Specifically, the bill would make purchasing or possessing ephedrine or pseudoephedrine knowing it is intended to be used to manufacture methamphetamine a Class B felony involving a controlled substance with a 20-year maximum term of imprisonment. The bill is tie-barred to House Bill 5363

Both bills would take effect 90 days after enactment.

### FISCAL IMPACT:

A fiscal analysis is in process.

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Fiscal Analyst: Robin Risko

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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.