



Senate Fiscal Agency  
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## BILL ANALYSIS



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Senate Bill 649 (as reported with amendment)  
Sponsor: Senator Patricia L. Birkholz  
Committee: Judiciary

**CONTENT**

Senate Bill 649 would amend the Public Health Code to prescribe a penalty for owning or using a vehicle, building, or place, owning or possessing chemical or laboratory equipment, or providing any chemical or laboratory equipment to another for the manufacture of methamphetamine. The bill would take effect on January 31, 2004.

The Code prohibits a person from doing any of the following:

- Owning, possessing, or using a vehicle, building, structure, place, or area that he or she knows or has reason to know is to be used as a location to manufacture a controlled substance or a counterfeit substance or controlled substance analogue.
- Owning or possessing any chemical or any laboratory equipment that the person knows or has reason to know is to be used for the purpose of manufacturing a controlled substance or a counterfeit substance or controlled substance analogue.
- Providing any chemical or laboratory equipment to another person knowing or having reason to know that the other person intends to use that chemical or equipment for the purpose of manufacturing a controlled substance or a counterfeit substance or controlled substance analogue.

A violator is guilty of a felony, punishable by imprisonment for up to 10 years, a fine of up to \$100,000, or both. Under the bill, a violation that involved or was intended to involve manufacturing a substance that contained any quantity of methamphetamine, including its salts, stereoisomers, and salts of stereoisomers, would be punishable by up to 20 years' imprisonment, a maximum fine of \$25,000, or both.

MCL 333.7401c

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 new offenders would be convicted or how many offenders who are currently convicted of other substance abuse offenses would be convicted instead under the bill. Offenders would receive a sentencing guidelines minimum sentence range from 0-18 months to 117-160 months (under Senate Bill 698). Local units of government would incur the cost of incarceration in a local facility, which varies by county. The State would incur the cost of felony probation at an average annual cost of \$1,750, as well as the cost of incarceration in a State facility at an average annual cost of \$27,000. For each offender who was convicted, was sent to prison, and received the longest allowable minimum sentence, it would cost the State approximately \$360,000.

Public libraries would benefit from any additional penal fine revenue raised due to the proposed changes.

Date Completed: 10-20-03

Fiscal Analyst: Bethany Wicksall

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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.