

HOUSE BILL NO. 5130

October 12, 2023, Introduced by Reps. Filler, Skaggs and Wilson and referred to the Committee on Criminal Justice.

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 13m of chapter XVII (MCL 777.13m), as amended by 2016 PA 549.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1

CHAPTER XVII

2

Sec. 13m. This chapter applies to the following felonies enumerated in chapter 333 of the Michigan Compiled Laws:

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M.C.L.	Category	Class Description	Stat Max
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1	333.7340	CS	F	Sale, distribution, or	4
2				delivery of product	
3				containing ephedrine	
4				or pseudoephedrine by	
5				mail, internet, or	
6				telephone	
7	333.7340c(2)	CS	D	Soliciting another	10
8				person to purchase or	
9				obtain ephedrine or	
10				pseudoephedrine to	
11				manufacture	
12				methamphetamine	
13	333.7341(8)	CS	G	Delivery or	2
14				manufacture of	
15				imitation controlled	
16				substance	
17	333.7401(2)(a)(i)	CS	A	Delivery or	Life
18				manufacture of 1,000	
19				or more grams of	
20				certain schedule 1 or	
21				2 controlled	
22				substances	
23	333.7401(2)(a)(ii)	CS	A	Delivery or	30
24				manufacture of 450 or	
25				more but less than	
26				1,000 grams of certain	
27				schedule 1 or 2	
28				controlled substances	

1	333.7401(2)(a)(iii)	CS	B	Delivery or	20
2				manufacture of 50 or	
3				more but less than 450	
4				grams of certain	
5				schedule 1 or 2	
6				controlled substances	
7	333.7401(2)(a)(iv)	CS	D	Delivery or	20
8				manufacture of less	
9				than 50 grams of	
10				certain schedule 1 or	
11				2 controlled	
12				substances	
13	333.7401(2)(b)(i)	CS	B	Delivery or	20
14				manufacture of	
15				methamphetamine or 3,	
16				4-	
17				methylenedioxymethamph	
18				etamine	
19	333.7401(2)(b)(ii)	CS	E	Delivery or	7
20				manufacture of certain	
21				schedule 1, 2, or 3	
22				controlled substances	
23	333.7401(2)(c)	CS	F	Delivery or	4
24				manufacture of	
25				schedule 4 controlled	
26				substance	

1	333.7401 (2) (d) (i)	CS	C	Delivery or	15
2				manufacture of 45 or	
3				more kilograms of	
4				marihuana or synthetic	
5				equivalents of	
6				marihuana	
7	333.7401 (2) (d) (ii)	CS	D	Delivery or	7
8				manufacture of 5 or	
9				more but less than 45	
10				kilograms of marihuana	
11				or synthetic	
12				equivalents of	
13				marihuana	
14	333.7401 (2) (d) (iii)	CS	F	Delivery or	4
15				manufacture of less	
16				than 5 kilograms or 20	
17				plants of marihuana or	
18				synthetic equivalents	
19				of marihuana	
20	333.7401 (2) (e)	CS	G	Delivery or	2
21				manufacture of	
22				schedule 5 controlled	
23				substance	
24	333.7401 (2) (f)	CS	D	Delivery or	7
25				manufacture of a	
26				prescription form or	
27				counterfeit	
28				prescription form	

1	333.7401 (5) (a)	CS	A	Delivery or	Life
2				manufacture of 1,000	
3				or more grams of	
4				heroin, fentanyl, or	
5				carfentanil	
6	333.7401 (5) (b)	CS	B	Delivery or	30
7				manufacture of 1,000	
8				or more grams of	
9				certain schedule 1 or	
10				2 controlled	
11				substances	
12	333.7401 (6) (a)	CS	A	Delivery or	30
13				manufacture of 450 or	
14				more but less than	
15				1,000 grams of heroin,	
16				fentanyl, or	
17				carfentanil	
18	333.7401 (6) (b)	CS	B	Delivery or	20
19				manufacture of 450 or	
20				more but less than	
21				1,000 grams of certain	
22				schedule 1 or 2	
23				controlled substances	
24	333.7401 (7) (a)	CS	A	Delivery or	20
25				manufacture of 50 or	
26				more but less than 450	
27				grams of heroin,	
28				fentanyl, or	
29				carfentanil	

1	333.7401 (7) (b)	CS	C	Delivery or	20
2				manufacture of 50 or	
3				more but less than 450	
4				grams of certain	
5				schedule 1 or 2	
6				controlled substances	
7	333.7401 (8) (a)	CS	B	Delivery or	20
8				manufacture of less	
9				than 50 grams of	
10				heroin, fentanyl, or	
11				carfentanil	
12	333.7401 (8) (b)	CS	D	Delivery or	10
13				manufacture of less	
14				than 50 grams of	
15				certain schedule 1 or	
16				2 controlled	
17				substances	
18	333.7401a	Person	B	Delivering a	20
19				controlled substance	
20				or GBL with intent to	
21				commit criminal sexual	
22				conduct	
23	333.7401b(3) (a)	CS	E	Delivery or	7
24				manufacture of GBL	
25	333.7401b(3) (b)	CS	G	Possession of GBL	2
26	333.7401c(2) (a)	CS	D	Operating or	10
27				maintaining controlled	
28				substance laboratory	

1	333.7401c (2) (b)	CS	B	Operating or	20
2				maintaining controlled	
3				substance laboratory	
4				in presence of minor	
5	333.7401c (2) (c)	CS	B	Operating or	20
6				maintaining controlled	
7				substance laboratory	
8				involving hazardous	
9				waste	
10	333.7401c (2) (d)	CS	B	Operating or	20
11				maintaining controlled	
12				substance laboratory	
13				near certain places	
14	333.7401c (2) (e)	CS	A	Operating or	25
15				maintaining controlled	
16				substance laboratory	
17				involving firearm or	
18				other harmful device	
19	333.7401c (2) (f)	CS	B	Operating or	20
20				maintaining controlled	
21				substance laboratory	
22				involving	
23				methamphetamine	
24	333.7402 (2) (a)	CS	D	Delivery or	10
25				manufacture of certain	
26				counterfeit controlled	
27				substances	

1	333.7402 (2) (b)	CS	E	Delivery or	5
2				manufacture of	
3				schedule 1, 2, or 3	
4				counterfeit controlled	
5				substance	
6	333.7402 (2) (c)	CS	F	Delivery or	4
7				manufacture of	
8				counterfeit schedule 4	
9				controlled substance	
10	333.7402 (2) (d)	CS	G	Delivery or	2
11				manufacture of	
12				counterfeit schedule 5	
13				controlled substance	
14	333.7402 (2) (e)	CS	C	Delivery or	15
15				manufacture of	
16				controlled substance	
17				analogue	
18	333.7403 (2) (a) (i)	CS	A	Possession of 1,000 or	Life
19				more grams of certain	
20				schedule 1 or 2	
21				controlled substances	
22	333.7403 (2) (a) (ii)	CS	A	Possession of 450 or	30
23				more but less than	
24				1,000 grams of certain	
25				schedule 1 or 2	
26				controlled substances	

1	333.7403 (2) (a) (iii)	CS	B	Possession of 50 or	20
2				more but less than 450	
3				grams of certain	
4				schedule 1 or 2	
5				controlled substances	
6	333.7403 (2) (a) (iv)	CS	G	Possession of 25 or	4
7				more but less than 50	
8				grams of certain	
9				schedule 1 or 2	
10				controlled substances	
11	333.7403 (2) (a) (v)	CS	G	Possession of less	4
12				than 25 grams of	
13				certain schedule 1 or	
14				2 controlled	
15				substances	
16	333.7403 (2) (b) (i)	CS	D	Possession of	10
17				methamphetamine or 3,	
18				4-	
19				methylenedioxyamph	
20				etamine	
21	333.7403 (2) (b) (ii)	CS	G	Possession of certain	2
22				schedule 1, 2, 3, or 4	
23				controlled substances	
24				or controlled	
25				substances analogue	
26	333.7403a	CS	F	Fraudulently obtaining	4
27				controlled substance	
28				or prescription for	
29				controlled substance	

1	333.7405 (1) (a)	CS	G	Controlled substance	2
2				violations by licensee	
3	333.7405 (1) (b)	CS	G	Manufacturing or	2
4				distribution	
5				violations by licensee	
6	333.7405 (1) (c)	CS	G	Refusing lawful	2
7				inspection	
8	333.7405 (1) (d)	CS	G	Maintaining drug house	2
9	333.7405 (1) (e)	CS	G	Unlawfully dispensing	2
10				out-of-state	
11				prescription	
12	333.7407 (1) (a)	CS	G	Controlled substance	4
13				violations by licensee	
14	333.7407 (1) (b)	CS	G	Use of fictitious,	4
15				revoked, or suspended	
16				license number	
17	333.7407 (1) (c)	CS	G	Obtaining controlled	4
18				substance by fraud	
19	333.7407 (1) (d)	CS	G	False reports under	4
20				controlled substance	
21				article	
22	333.7407 (1) (e)	CS	G	Possession of	4
23				counterfeiting	
24				implements	
25	333.7407 (1) (f)	CS	F	Disclosing or	4
26				obtaining prescription	
27				information Possession	
28				of a counterfeit	
29				prescription form	

1	333.7407(1)(g)	CS	F	Possession of	4
2				counterfeit	
3				prescription form	
4	333.7407(2)	CS	G	Refusing to furnish	4
5				records under	
6				controlled substance	
7				article	
8	333.7410a	CS	G	Controlled substance	2
9				offense or offense	
10				involving GBL in or	
11				near a park	
12	333.7417	CS	F	Sell or offer to sell	4
13				named product	
14				producing same or	
15				similar effect as	
16				scheduled ingredient	

17 Enacting section 1. This amendatory act takes effect 90 days
 18 after the date it is enacted into law.

19 Enacting section 2. This amendatory act does not take effect
 20 unless Senate Bill No.____ or House Bill No. 5128 (request no.
 21 03586'23 *) of the 102nd Legislature is enacted into law.