

Legislative Analysis



BZP AS SCHEDULE 1 DRUG

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House Bill 5813

Sponsor: Rep. Lisa Brown

Committee: Health Policy

Complete to 2-22-10

A SUMMARY OF HOUSE BILL 5813 AS INTRODUCED 2-16-10

The bill would amend the Public Health Code to include N-benzylpiperazine, also known as BZP, 1-benzylpiperazine, and 1-(phenylmethyl)-piperazine, as a Schedule 1 controlled substance. The bill would also delete references to an obsolete marijuana therapeutic research program.

[If included as a Schedule 1 controlled substance, the penalty for possession of BZP under the Public Health Code would be a felony punishable by imprisonment for not more than two years or a fine of not more than \$2,000, or both. Manufacturing, creating, delivering, or possessing with intent to manufacture, create, or deliver BZP would be a felony punishable by imprisonment for not more than seven years or a fine of not more than \$10,000, or both.]

MCL 333.7212

BACKGROUND INFORMATION:

Following federal law, the Public Health Code classifies controlled substances under one of five "schedules." Schedule 1 drugs, which are considered to have a high risk of abuse and to have no legitimate medical purpose, include heroin, LSD, marijuana, MDMA (ecstasy), and methamphetamines. In March 2004, the federal Drug Enforcement Administration (DEA) designated BZP as a Schedule 1 drug under the Controlled Substances Act.

According to information from the National Drug Intelligence Center, an agency within the U.S. Department of Justice, BZP is a stimulant that produces effects similar to methamphetamine (MDMA or ecstasy) but that is 10 to 20 percent less potent than ecstasy. A hallucinogen is sometimes added to BZP. BZP tablets are often sold as ecstasy or promoted as an alternative to ecstasy. Used primarily by teens and young adults at raves, nightclubs, and private parties, the risks are similar to amphetamine use: increased blood pressure and heart and respiration rates, anxiety, blurred vision, dizziness, and insomnia. Chronic abuse of any stimulant can cause irregular heartbeat and can lead to delusions, hallucinations, and paranoia. The risk associated with using illegal drugs is increased in that the amount of the prohibited substance can vary in dosage from tablet to tablet, and is often mixed with other substances such as

hallucinogens, cocaine, and dextromethorphan (DXM), a cough suppressant found in many over-the-counter cold medications that can cause a high or psychoactive effects.

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Federal penalties for drug trafficking any amount of BZP is punishable by not more than 20 years for a first offense (not less than 20 years or more than life if death or serious injury occurs) and a \$1 million fine if an individual and \$5 million if not an individual. A second or subsequent offense is punishable by imprisonment for not more than 30 years (not less than life if death or serious injury occurs) and a \$2 million fine if an individual and \$10 million fine if not an individual.

FISCAL IMPACT:

A fiscal analysis is in process.

Legislative Analyst: Susan Stutzky

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