



Senate Fiscal Agency
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BILL



ANALYSIS

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House Bill 5920 (Substitute H-1 as discharged)
Sponsor: Representative Jon Switalski
House Committee: Health Policy
Senate Committee: Health Policy

CONTENT

The bill would amend the Code of Criminal Procedure to include the delivery or manufacture and the possession of N-Benzylpiperazine (an Ecstasy alternative, commonly known as "BZP") in the sentencing guidelines that currently apply to the delivery or manufacture and the possession of Ecstasy.

Delivery or manufacture of Ecstasy is a Class B controlled substance felony, punishable by up to 20 years' imprisonment. Possession of Ecstasy is a Class D controlled substance felony, punishable by up to 10 years' imprisonment. The bill would include N-Benzylpiperazine in those sentencing guidelines classifications.

The bill also would add a sentencing guidelines classification for unlawfully dispensing an out-of-State prescription. A violation would be a Class G controlled substance felony, punishable by up to two years' imprisonment.

The bill is tie-barred to House Bill 5813, which proposes to add N-Benzylpiperazine to the list of Schedule 1 controlled substances.

MCL 777.13m

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 would be convicted of the felonies subject to the sentencing guidelines that the bill would amend or add. The State would incur the cost of felony probation at an annual average cost of \$2,000, as well as the cost of incarceration in a State facility at an average annual cost of \$34,000. Local governments would incur the costs of incarceration in local facilities, which vary by county.

Date Completed: 9-15-10

Fiscal Analyst: Matthew Grabowski